

Plenary Session on Cooperation – 8 December 2023.

Thank you chair for the floor.

The Netherlands would like to thank the co-facilitators for their continued efforts on this important issue. We would also like to align ourselves with the previous statement on the importance of the Ljubljana – The Hague convention and the important role this convention will play, also in respect to strengthening the work of the Court.

Cooperation is a fundamental aspect of our day-to-day work as the host State of the Court. This cooperation ranges from the security and protection of the Court's premises, officials and witnesses to facilitating the entry of all those who need to be present at the Court and the transportation of suspects. We take pride in this work as it allows the Court to fulfil its important mandate.

The need for cooperation with the Court has perhaps never been so crucial as it is today. We have all witnessed that the Court and its staff have become the objects of external attacks which tried to threaten the work of the Court. Cooperation is a cornerstone for the proper functioning of the Court. It is our common responsibility in light of these threats to reiterate our full commitment to ensure the Court can effectively and efficiently fulfil its mandate.

For the relocation of witnesses, the enforcement of sentences and the release of persons either on an interim or permanent basis, the Court depends on voluntary cooperation of all States Parties. Unfortunately, we have witnessed that voluntary cooperation is extremely difficult to secure for the Court, making that sub-optimal and temporary solutions have to be found regularly.

In order for the Court to function optimally, States Parties should be vigilant that the burden of cooperation is shared by all States Parties and not just a handful.

It should therefore be stressed that voluntary cooperation agreements provide a general framework that allow States considerable flexibility to grant or refuse cooperation in a specific case. The Netherlands feels compelled to advocate that all States Parties strongly consider concluding such agreements. If more States do so the Court will not have to over-ask those States that have concluded these agreements and is provided with the tools to effectively and efficiently fulfil its mandate. The Netherlands hopes that cooperation with the Court will continue to strengthen. The Netherlands also wishes to commend those States that have entered into new voluntary agreements with the Court in the past year.

In conclusion, we wish to stress the importance of cooperation in the battle against international crimes. And in that regard we also hope to see you all at the side event on the new Ljubljana – The Hague convention on interstate cooperation for the national adjudication of core crimes on Monday.

Thank you.