

Check against delivery

## Intervention for Technical Segment on Arrests

7<sup>th</sup> PLENARY SESSION – COOPERATION

5 December 2024, 15:00-17:00 CET

5-minutes

*Madame President of the Assembly,  
Her Excellency Madame BA FAYE, Ambassador of Senegal,  
His Excellency Monsieur ALABRUNE, Ambassador of France,  
Excellencies in the audience,  
Esteemed Colleagues,  
Distinguished Guests,*

It is an honour to address you today during this technical segment of the plenary on cooperation. Among the various forms of State cooperation, none is more fundamental to our mission than the arrest and surrender of suspects-at-large, for justice cannot proceed without those who must face it.

I would like to begin by reaffirming that the primary responsibility for executing arrests lies with States Parties. This is a core obligation under the Rome Statute, unequivocally enshrined in Part 9. Arrests of ICC suspects-at-large are not political decisions; they are binding imperatives under international law.

To fulfil this obligation, States Parties must ensure that national legal frameworks are in place to domesticate ICC arrest warrants and be ready to address specific cases, efficiently closing any legal or procedural gaps that could hinder cooperation.

In September 2024, the Court adopted the “Recommendations for increased engagement with States Parties on the implementation of outstanding ICC arrest warrants”, suggesting how States Parties can provide operational, financial, and political support. For example, political support can occur in the form of providing diplomatic support in favor of the Registry’s Requests for Arrest and Surrender. Operational support can be in the form of issuing rewards for information leading to the capture of suspects at large.

The Court, for its part, recognizes its responsibility to facilitate and enable arrests. The Registry and OTP adopted a more standardized approach on tracking of suspects at large, realizing that States Parties require assistance before initiating arrest operations – namely detailed information about the suspect’s whereabouts and activities.

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The OTP and Registry have separate but interconnected mandates on tracking of suspects. While the OTP's strengths lie in accessing information on the location of suspects during the investigation phase, the Registry as the neutral organ of the Court is conducting tracking activities in isolation of other prosecutorial activities, solely focusing on collecting information related to the execution of warrants of arrest and adhering to the Chamber's mandate.

The strengths of both organs are bundled in the inter-institutional Suspects at Large Working Group (SALWG), where the Registry and Office of the Prosecutor coordinate activities related to tracking of suspects. The existence of the SALWG mechanism is not only made necessary by the distinct mandates, but also the varying functions, capacities, and strengths of both organs related to fugitive tracking. By sharing intelligence and closely coordinating with States Parties, the Court aims to maximize the chances of arrest operations.

To better illustrate this, I would like to introduce a fictive case inspired by real-life operations conducted with States Parties in 2024. This example underscores the meticulous and often unseen work undertaken by the Court and its partners. While the arrests themselves are highly visible milestones, they are the culmination of tireless and granular efforts behind the scenes.

[Insert case discussion here.]

I will now hand over to my colleague from the Office of the Prosecutor, who will continue this discussion by providing the Prosecutorial perspective and concluding remarks.

Thank you.

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