



Concept Note Plenary session on cooperation at the 23rd session of the Assembly of States Parties

**5 December 2024
15:00 - 17:00**

How can States Parties strengthen their support for the Court?

Background

The plenary discussion will focus on the main theme of strengthening States Parties' support to the Court. Key topics that have been discussed throughout the year at the facilitation on cooperation, and which are essential to the International Criminal Court's (ICC) functioning and independence, will be highlighted: ratifying the APIC to protect the Court, using ICC's tools to facilitate cooperation between States Parties and the Court, and helping the Court track persons under arrest warrants.

Objective

The plenary's overall objective is twofold: first, to explain why cooperation is vital for the Court, and second, to discuss ways States Parties can concretely strengthen their support for the Court.

In the context of increasing security risks faced by ICC personnel—including cyber-attacks, arrests warrants and possible coercive measures—the focus will be on using existing tools to support the court. For the theme of protection of the Court, discussions will focus on how the Agreement on Privileges and Immunities of the ICC protects the Court, its personnel, and its operations. Strategies will also be discussed to address threats against Court officials, including post-tenure protections to safeguard them from political persecution or coercive measures.

The Plenary will also present ICC's existing tools to facilitate cooperation between the Court and States Parties, explaining their purpose, past practices and how best to use them. On the theme of tracking, the focus will be placed on examining the role of new sections of the Court and the synergies between different Court organs in prioritizing arrest warrants and tracking

efforts, designed to enhance coordination with States Parties. The Court will share coordination barriers, emphasizing the critical need for both political and operational support in its efforts to track, arrest, and surrender suspects. Additionally, discussions will focus on the strategic prioritization of arrest warrants based on enforceability, building on the recent retreat held by the Court, where various strategies and recommendations were developed to enhance the Court's arrest operations.

The plenary aims to foster collaboration, explore avenues for strengthening support for the Court, and enhance State engagement to ensure the ICC's continued capacity to operate effectively and independently, ultimately upholding its mandate and delivering justice.

Format

The Plenary session on cooperation will be co-chaired by the ambassadors of Senegal and France, co-facilitators on cooperation.

Segment I - *Cooperation is vital for the Court* will feature high-level interventions at the political level, with key representatives, including the Principals of the Court, providing strategic perspectives on the challenges and opportunities related to cooperation with the Court. This segment will allow for discussions on broader political commitments and responsibilities from States Parties and the international community.

Segment II - *How can States Parties strengthen their support for the Court with existing tools?* will focus on technical interventions by specialists at the working level. This will include contributions from Court officials, national authorities, and representatives from NGOs, offering detailed insights and practical solutions to the following questions:

- How does ratifying the APIC protect the Court?
- How to use ICC's tools to facilitate cooperation between States Parties and the Court?
- How to support the ICC's efforts to track persons under arrest warrants?

Other interested participants will also have the opportunity to provide their expertise and perspectives during this segment, fostering a comprehensive dialogue on the operational and technical aspects of the issues at hand.

Participants wishing to speak will be able to register on a speakers list, specifying the segment they wish to contribute to. Given the limited time, and to allow for better participation, each intervention cannot exceed two minutes.¹

¹ Registration requests must be sent to the Secretariat before the end of **Wednesday, 4 December 2024**, to the following address: iccspcooperation@gmail.com, and copied to: juridique.la-haye-amba@diplomatie.gouv.fr. Inscriptions after this date will not be taken into consideration. Besides, participants will be inscribed on the speakers list on a first come, first served basis.