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Report of the Bureau on cooperation*Contents*

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I. Background

1. The resolution ICC-ASP/23/Res.5 on Cooperation, adopted by Assembly of States Parties (“the Assembly” or “ASP”) on 6 December 2024, requested the Bureau to maintain a facilitation of the Assembly for cooperation to consult with States Parties, the Court, other interested States and relevant organizations and non-governmental organizations in order to further strengthen cooperation with the Court.¹
2. The current mandate of the Cooperation facilitation is specified in Annex I of the Assembly’s resolution on Strengthening the International Criminal Court and the Assembly of States Parties,² adopted on 6 December 2024, by consensus.
3. The Assembly urged the Bureau, through its working groups, to advance efforts on arrests, particularly by engaging States Parties on the execution of outstanding ICC warrants, building on the Court’s inter-organ retreat. It requested continued discussions on voluntary framework agreements, the feasibility of a coordinating mechanism among national authorities, and stronger ties between the Court, States Parties, and the UN system to foster cooperation and capacity building. The Court was invited to refine its practice of issuing clear and timely cooperation requests, while the Bureau was encouraged to review the 66 cooperation recommendations,³ monitor implementation of cooperation-related reforms and report back to the Assembly. The Bureau was also requested to maintain consultations with States and civil society and to provide annual, disaggregated-data reports on cooperation, including the main challenges faced. Further, the Bureau was mandated to pursue work on financial investigations and asset freezing and seizing, including development of a secure digital platform.
4. Finally, the Registry was tasked with engaging States Parties on implementing the Court’s Concept Note on protecting officials, staff, counsel, and defence assistants from coercive measures, with guidelines to be developed and a report due in 2025. In this regard, States Parties were reminded of their duty under the Rome Statute⁴ and the ICC Agreement on Privileges and Immunities⁵ to safeguard Court officials and affiliates, even after their service ends, and to adopt protective measures against undue interference.
5. On 25 February 2025, the Bureau reappointed as co-facilitators for cooperation Ambassador François Alabrune (France) and Ambassador Ramatoulaye Bâ Faye (Senegal).

II. Organization of work and main issues considered

6. In 2025, The Hague Working Group on cooperation (“the working group”) held a total of three meetings or informal consultations on the issues of cooperation, covering the following issues: (i) arrests, including the national implementation framework; (ii) voluntary framework agreements or arrangements (with a focus on final and provisional release agreements and relocation of witnesses); (iii) protection of the Court from coercive measures and the security of Court staff; (iv) cooperation on financial investigations and the freezing and seizing of assets, as set out in the Declaration of Paris;⁶ together with the Facilitation on Legal Aid, according to their joint mandate (v) monitoring of the implementation of the recommendations related to cooperation. The meetings were mostly open to all stakeholders, including States Parties, Observers, the Court and civil society. Interpretation in French and English were provided.

First meeting

Protection of the Court from coercive measures

7. The Presidency stressed that privileges and immunities were vital for the Court to fulfil its mandate. Citing Article 48 of the Rome Statute and the Agreement on the Privileges and Immunities of the ICC (APIC), he underlined the Court’s role in safeguarding the

¹ ICC-ASP/23/Res.5, para 35.

² ICC-ASP/23/Res.1, annex I, para. 3.

³ ICC-ASP/6/21 (2007).

⁴ Article 48, paragraphs 2 and 3, of the Rome Statute of the International Criminal Court.

⁵ Article 15, paragraph 1, article 16, paragraph 1 (b) and article 18, paragraph 1 (b), of the Agreement on the Privileges and Immunities of the International Criminal Court.

⁶ ICC-ASP/16/Res.2, annex.

independence of its personnel while avoiding reliance on ad hoc bilateral arrangements. The importance of the APIC was stressed for deployment of staff to non-Situation countries for investigations, ensuring their protection. It was stated that the agreement was not confined to Situation countries but open to all states wishing to support the Court's work. Lastly, the Presidency underscored the APIC's growing role in protecting the Court from coercive measures, such as sanctions, and safeguarding its financial independence, noting that restrictions on banking and transactions threaten its credibility. With only 79 States ratifications, the Presidency urged wider adoption and implementation of the APIC to secure legal protections and demonstrate strong support for the Court's fight against impunity.

8. The Registry presented an outline for guidelines to protect current and former officials, staff, counsel, and defence assistants from coercive measures. Building on a Concept Note welcomed by the Assembly in December 2024, the guidelines aimed to strengthen protection during and after service, in line with the Rome Statute, the APIC, and the Headquarters Agreement. At the **Third meeting** on 10 October 2025, the Registry, in coordination with the Presidency, presented the draft guidelines and a concept note on cooperation, outlining how States could bolster security without creating new obligations under the Statute.

9. State Parties took note of the proposed guidelines. They expressed support for broader APIC ratification and for strengthening cooperation between the Court and States to ensure the safety of all persons involved in its work, including witnesses and victims. This matter was further addressed at the **Third meeting** on 10 October 2025.

OTP Cooperation & complementary forum

10. The OTP explained that the Complementarity and Cooperation Forum, launched under the 2024 policy, was designed to strengthen engagement with national authorities through structured collaboration. Built on thematic groups and a focus on supporting States, it had already produced results through the Immigration Group, which informed policy changes and new mechanisms for information-sharing. Future outputs would be shared in OTP reports and webpage to foster two-way cooperation.

11. The OTP also noted that the Forum's main purpose was to facilitate mutual legal assistance, especially for witness interviews central to investigations. To identify witnesses, the OTP engaged in bilateral exchanges and webinars. A new Witness Security group had also been launched to clarify OTP's role and strengthen State cooperation in this area.

12. The OTP stressed broad participation, with the Immigration Group already involving 27 authorities, and confirmed that discussions were open to all States Parties. It further highlighted having addressed human trafficking as crimes against humanity in the Libyan situation, as reflected in previous reports of the Prosecutor to the United Nations Security Council. Looking ahead, discussions on complementarity and cooperation could be integrated into ASP side events. However, its practical focus remained on supporting mutual legal assistance requests transmitted through diplomatic channels and central authorities.

Other matters

13. The Registry confirmed that it was monitoring proposed Russian legislation which would extend a 2023 law criminalizing assistance to international bodies to include the ICC, noting the impact appears limited but similar trends exist elsewhere, and welcomed further information from States.

14. Latvia announced it had concluded negotiations with the Court to sign an agreement on enforcement of sentences, expressing pride in contributing concretely to the Court's mission and underscoring that even small states can play a meaningful role.

Second meeting

Arrests

i) Functioning of the OTP-Registry Working Group on the tracking of fugitives

15. At the second meeting on 3 July 2025, the Registry and the OTP underlined that arrests remained one of the Court's greatest challenges, stressing that public confidence depended

on visible results. They highlighted that the Court's effectiveness rested on two inseparable pillars: judicial proceedings and enforcement, requiring sustained cooperation with States.

16. In the past year, four major arrest operations were launched with the support of multiple States Parties; three led to arrests after years of preparation, and one suspect was surrendered. The Registry also engaged with thirty-two States to track fugitives, secure cooperation, and review national procedures. The OTP reported that suspect tracking had been embedded earlier in investigations, supported by an Information Fusion Centre and twelve field missions. Despite limited staffing, joint work with the Registry, Europol, and Interpol had already produced several arrests and one surrender. States were reminded of their obligations under the 2024 Assembly resolution on cooperation, encouraged to respond to the 2025 cooperation questionnaire,⁷ and invited to consider recommendations from the Registry-OTP retreat on arrest matters.

17. The Registry emphasized that effective arrests depended on coordination between the OTP and Pre-Trial Chambers, with lessons from the field informing judicial practice. Cooperation requests increasingly involved freezing and recovering assets to weaken fugitives' capacity to evade justice, though complex networks and risk of premature publicity remained obstacles. NGOs were acknowledged for their role in legislative review, advocacy, and strategies support. States were reminded to approach the Court under article 97 of the Statute should they encounter challenges. The Registry maintained direct channels with Interpol and intended to expand their use as a complementary tool to ICC warrants.

18. The OTP emphasized its role in shaping joint arrest strategies with the Registry, while stressing the need for additional resources for tracking fugitives. The European Union also provided financial support through the OTP Trust Fund for Advanced Technology and Specialized Capacity.

19. At the **Third meeting** on 10 October 2025, Germany shared its experience on the 16 July 2025 arrest of a Libyan national, the first under its new federal framework. Under this system, once an arrest is made pursuant to a provisional arrest warrant according to Article 92 of the Rome Statute and a cooperation request by the Registry, the suspect is brought before the nearest local court and may be held in provisional detention for surrender. After receipt of the arrest warrant according to Article 91 of the Rome Statute, custody is confirmed by the competent higher regional court. Subject to the completion of any applicable domestic appeal procedures, the suspect may be surrendered to the Court.

ii) Financial Investigations

20. Financial investigations were emphasized as an important tool in the development and implementation of arrest strategies. A State Party enquired about the kind of engagement the Court expected from States, particularly regarding secondments and financial investigations. The Registry and OTP welcomed additional resources, especially secondees with financial expertise, noting such skills benefitted both organs and could be shared across them. States were directed to last year's annex outlining priority profiles.

21. NGOs were recognized for their contributions, including legislative reviews on financial cooperation. One State reported using a Redress report and encouraged wider engagement. Notwithstanding this, it was highlighted that many States and non-States Parties continued to operate under limited legal frameworks for arrest and surrender. The Registry and OTP acknowledged opportunities for cooperation with non-States Parties and non-State actors, while stressing that suspects were to ultimately be handed to national authorities. States indicated Interpol as a useful additional channel for cooperation requests.

22. Finally, it was noted that financial investigations would be addressed through the OTP Forum on Cooperation and Complementarity. The Registry confirmed it is seeking financial investigators, either as secondees or short-term appointees.

iii) Experiences in matters of arrest and surrender

23. Three State Parties presented their national practices in arrest and surrender.

⁷ N.B. At the **Third meeting** on 10 October 2025, it was recalled that answers to this questionnaire represented an important source of information for the Registry to adapt to procedures in place to implement cooperation requests, in accordance with article 88 of the Rome Statute.

24. Belgium explained its procedures for receiving and transmitting ICC requests through the Ministry of Justice's Service of International Humanitarian Law, highlighting the strictly judicial nature of its process and its twenty-four-hour operational capacity.

25. France recalled the 2018 arrest of Édouard Ngaissona as an example of effective cooperation between national and ICC authorities, underscoring the importance of trained national units and coordinated procedures.

26. The United Kingdom reaffirmed its commitment under its 2001 Act, which provides a clear framework for cooperation requests. While no ICC arrests have occurred on UK soil, practical exercises had helped refine procedures and improve readiness.

27. Germany shared its experience with a provisional arrest request under article 92 of the Statute, which served as a useful test of internal coordination and underscored the need for early warning systems and designated national contact points.

iv) IBA Report on Arrests

28. The International Bar Association's ICC & ICL Programme, in its report [No Arrests, No Trials, No Justice](#), underlined that executing arrest warrants was essential to the Court's mandate. The report outlined six strategic goals, including improving conditions for arrests and surrenders, strengthening tracking capacity, enhancing logistical and technical support, bolstering political backing, responding to non-cooperation, and reinforcing national laws. An expanded version of the report would provide concrete recommendations for States Parties and the Assembly, including measures to encourage voluntary surrenders, protect the rights of arrested persons, and ensure effective cooperation through legislation and stronger responses to non-cooperation.

v) Non-cooperation

29. Representing different regions, the focal points on non-cooperation provided an update on their reviewed measures designed to prevent non-cooperation with the Court and discussed the use of the dedicated toolkit. Supporting the Assembly under Article 112(2)(f), they outlined two tracks for addressing non-cooperation: formal procedures following judicial findings, and informal engagement using a toolkit with templates, speaking points, and civil society collaboration. They stressed that tackling non-cooperation was a collective responsibility of all States Parties. Commenting on proposals for a working group on arrest warrants,⁸ Belgium called for clarity on its structure, emphasized that only the Court may handle judicial information, and supported technical exchanges such as fugitive tracking while safeguarding confidentiality. It cautioned against using diplomatic or economic tools to prioritize cases, recommending instead clear roles, defined procedures, and a distinction between judicial cooperation and political measures.

vi) ICC-States working groups on the implementation of arrest warrants

30. The Registry informed delegations that ICC-States working groups on the implementation of specific arrest warrants are at an early stage and that further feedback from States was encouraged. The Registry noted that political engagement remained essential to overcome obstacles to surrender and that the active involvement of States was indispensable to create an environment conducive to cooperation. The goal was to create a supportive environment for cooperation through shared strategies and the exchange of practical experience.

31. A State urged all States to fully cooperate with the Court, warning that sanctions, political pressure and selective cooperation undermined the Court's mandate and impeded justice.

Third meeting

Cooperation agreements between the Court and States Parties

32. On 10 October 2025, the co-facilitators emphasized the crucial role of cooperation agreements in implementing the Court's decisions, particularly with regard to the enforcement of sentences and provisional and final release. As witness relocation would be

⁸ ICC-ASP/23/23, Annex III.

addressed in a dedicated session at the next ASP, this meeting focused on the following issues.

i) Agreements on the enforcement of sentences

33. The Presidency presented model agreements as a way for States to formally support the Court, noting that such framework agreements required both general consent on enforcement of sentences and case-by-case approval, *i.e.* States were not obliged to host convicted persons. Fourteen agreements were in force, with three awaiting ratification. States were thus encouraged to engage with the model framework. To illustrate practice, Senegal shared its experience at the International Criminal Tribunal for Rwanda, where enforcement followed national law, United Nations standards, and oversight monitoring. Belgium highlighted its centralized authority for handling requests, stressing that agreements facilitate but do not compel cooperation, and that issues such as family ties, consequences of a final acquittal, and residence rights must be considered. Norway explained its 2016 agreement on the enforcement of sentences, under which acceptance was case-specific and governed by national law and international prison rules. Norway had so far received one convicted person, with the International Committee of the Red Cross oversight confirming compliance.

ii) Agreements on interim and final release

34. The Registry introduced two framework agreements on interim and final release, stressing their importance in enabling States to support the Court when judges grant release or when acquitted persons cannot return home. While non-binding, these agreements provided a legal basis for States to accept individuals, addressing gaps which otherwise would leave people detained despite favourable rulings. The Netherlands, as Host State, reaffirmed its commitment but noted that limited cooperation strained the Court's resources, with witness relocation implemented in only half of the cases and even lower rates for interim release. From the Defense perspective, the ICCBA underlined that liberty should be the rule, yet in practice interim release remains largely unattainable.

iii) Global Forensic Network of the OTP

35. The OTP presented the initiative as a mechanism to gather multidisciplinary expertise through cooperation with States willing to second experts or provide technical support. It offered both methodology and a framework to ensure scientifically rigorous investigations that are responsive to survivors' lived realities. It was presented as a strategic tool and priority for the OTP, particularly valuable in the context of ongoing investigations.

III. Recommendations

36. The working group recommended that the Assembly continues to monitor cooperation with a view to facilitating States Parties in sharing their experiences and considering other initiatives to enhance cooperation with the Court. The working group also recommended to monitor the implementation of the recommendations of the Report of the Independent Expert Review bearing in mind the past activities already undertaken, including the 66 recommendations adopted by the Assembly on cooperation in 2007, in order to take further action to improve cooperation with the Court and to continue including cooperation as a standing agenda item for future sessions of the Assembly, pursuant to operative paragraph 30 of resolution ICC-ASP/17/Res.3. The working group further recommended that the draft resolutions in annex I and II be adopted by the Assembly.

Annex I

Proposed Resolution on cooperation

The Assembly of States Parties,

Recalling the provisions of the Rome Statute, the Declaration on Cooperation (RC/Dec.2) agreed by States Parties at the Review Conference in Kampala and previous resolutions and declarations of the Assembly of States Parties with regard to cooperation, including ICC-ASP/8/Res.2, ICC-ASP/9/Res.3, ICC-ASP/10/Res.2, ICC-ASP/11/Res.5, ICC-ASP/12/Res.3, ICC-ASP/13/Res.3, ICC-ASP/14/Res.3, ICC-ASP/15/Res.3, ICC-ASP/16/Res.2, ICC-ASP/17/Res.3, ICC-ASP-18/Res.3, ICC-ASP-19/Res.2, ICC-ASP-20/Res.2, ICC-ASP-21/Res.3, ICC-ASP-22/Res.5, **ICC-ASP/23/Res.5**, and the sixty-six recommendations annexed to resolution ICC-ASP/6/Res.2,

Determined to put an end to impunity by holding to account the perpetrators of the most serious crimes of concern to the international community as a whole, and *reaffirming* that the effective and expeditious prosecution of such crimes must be strengthened, *inter alia*, by enhancing international cooperation,

Stressing the importance of effective and comprehensive cooperation and assistance by States Parties, other States, and international and regional organizations, to enable the Court to fulfill its mandate as set out in the Rome Statute and that States Parties have a general obligation to cooperate fully with the Court in its investigation and prosecution of crimes within its jurisdiction, including with regard to the execution of arrest warrants and surrender requests, as well as other forms of cooperation set out in article 93 of the Rome Statute,

Welcoming the report of the Court on cooperation⁹, submitted pursuant to paragraph 3943 of resolution ICC-ASP/22/Res.5,

Noting that contacts with persons in respect of whom an arrest warrant issued by the Court is outstanding should be avoided when such contacts undermine the objectives of the Rome Statute,

Noting further the arrest guidelines issued by the Office of the Prosecutor for the consideration of States, including *inter alia*, the elimination of non-essential contacts with individuals subject to an arrest warrant issued by the Court and that, when contacts are necessary, an attempt is first made to interact with individuals not subject to an arrest warrant,

Recognizing that such contacts may be deemed essential by the State Party,

Noting the guidelines setting out the policy of the United Nations Secretariat on contacts between United Nations officials and persons who are the subject of arrest warrants or summonses issued by the Court, as annexed to a letter dated 3 April 2013 by the Secretary General of the United Nations to the President of the General Assembly and the President of the Security Council,¹⁰

Recognizing that requests for cooperation and the implementation thereof should take into account the rights of the ~~accused~~ **defendant**,

Commending international and regional organizations' support for strengthening cooperation **with the Court, including** in the area of voluntary agreements,

Recalling the pledges relating to cooperation made by States Parties at the Review Conference in Kampala and noting the importance of ensuring adequate follow-up with regard to the implementation of pledges,

Taking note of the "Independent Expert Review of the International Criminal Court and the Rome Statute System, Final Report", ¹¹ dated 30 September 2020, prepared by the Independent Experts,

⁹ ICC-ASP/23/21.

¹⁰ <https://documents.un.org/doc/undoc/gen/n13/280/47/pdf/n1328047.pdf>.

¹¹ ICC-ASP/19/16.

Taking note also of the resolution on Review of the International Criminal Court and the Rome Statute system¹² requesting “the relevant Assembly mandates designated as responsible for assessing and taking possible further action, as appropriate, on relevant recommendations to continue with the assessment and, where necessary, to oversee implementation of the recommendations in 2026 and to submit to the Bureau the outcome of its consideration”,

Deeply concerned by the current security risks faced by the Court, including coercive measures taken against Court’s officials, ~~the recent major cyber security breach,~~ and ongoing attempts to undermine the Court’s cybersecurity **and its Information and Technology infrastructure**, and *reiterating* the unwavering support of the States Parties for the Court, including through continuing to provide full and timely cooperation to the Court,

1. *Emphasizes* the importance of timely and effective cooperation and assistance from States Parties and other States under an obligation or encouraged to cooperate fully with the Court pursuant to Part 9 of the Rome Statute or a United Nations Security Council resolution, as the failure to provide such cooperation in the context of judicial proceedings affects the efficiency of the Court, and *stresses* that the non-execution of cooperation requests has a negative impact on the ability of the Court to execute its mandate, in particular when it concerns the arrest and surrender of individuals subject to arrest warrants;

Execution of arrest warrants

2. *Expresses* serious concerns that arrest warrants or surrender requests against 33 individuals remain outstanding and *urges* States to cooperate fully in accordance with their obligation to arrest and surrender to the Court;

3. *Recalls* that international cooperation and judicial assistance are governed by Part 9 (articles 86-102) of the Rome Statute;

4. *Notes* the common efforts of the Office of the Prosecutor and the Registry to devise and implement common strategies and missions to foster the arrest of suspects within the inter-organ working group on arrest strategies created in March 2016, **and welcomes in particular recent enhanced efforts by the Office of the Prosecutor and Registry to strengthen their tracking and arrest functions respectively, in addition to deepening inter-organ cooperation in this area;**

5. *Notes also* the inter-organ retreat of the Court held on 18 July 2024 on the challenges posed by the execution of arrest warrants, and *welcomes* the recommendations for increased engagement with States Parties on the implementation of outstanding International Criminal Court arrest warrants of 18 September 2024, presented to States Parties;

6. *Reaffirms* that concrete steps and measures to secure arrests need to be considered in a structured and systematic manner, based on the experience developed in national systems, the international *ad hoc* and mixed tribunals, as well as by the Court, regarding both tracking efforts and operational support;

7. *Underlines* the necessity to continue the discussions on practical solutions to improve cooperation between States and the Court with a view to enhancing prospects for the implementation of pending arrest warrants;

8. *Urges* States Parties to avoid contact with persons subject to a warrant of arrest issued by the Court, unless such contact is deemed essential by the State Party, *welcomes* the efforts of States and international and regional organizations in this regard, and *acknowledges* that States Parties may, on a voluntary basis, advise the Court of their own contacts with persons subject to a warrant of arrest made as a result of such an assessment;

Implementation legislation of the Rome Statute

9. *Recalls* that the ratification of the Rome Statute must be matched by national implementation of the obligations emanating therefrom, in particular through implementing legislation and, in this regard, *urges* States Parties to the Rome Statute that have not yet done so to adopt such legislative and other measures, and to set up effective procedures and

¹² ICC-ASP/22/Res.6, para 8.

structures so as to ensure that they can fully meet their obligations under the Rome Statute regarding cooperation and judicial assistance;

10. *Acknowledges* efforts by States, by civil society organizations and by the Court, including through the Legal Tools Project, to facilitate exchange of information and experiences, with a view to raising awareness and facilitating the drafting of national implementing legislation and *underlines* the need to further exchange experience and best practices between States Parties;

Informal consultations and establishment of focal points

11. *Recognizes* the important work of the national focal points for cooperation to ensure efficient assistance and communication in the execution of cooperation requests, and enhance information exchange, as a critical function for the implementation of the Court's mandate;

12. *Encourages* States to establish a national focal point and/or a national central authority or working group tasked with the coordination and mainstreaming of Court-related issues, including requests for assistance, within and across government institutions, as part of efforts aimed at making national procedures for cooperation more efficient, where appropriate;

13. *Recalls* the report to the thirteenth session of the Assembly on the feasibility study of establishing a coordinating mechanism of national authorities,¹³ and *encourages* States Parties to continue the discussion;

14. *Emphasizes* the on-going efforts made by the Court in providing focused requests for cooperation and assistance which contribute to enhancing the capacity of States Parties and other States to respond expeditiously to requests from the Court, *invites* the Court to continue improving its practice in transmitting specific, complete and timely requests for cooperation and assistance and *further invites* States to consider offering consultations and facilitating meetings between the Court's organs formulating the requests and the competent national authorities ultimately in charge of executing them with a view to finding solutions together on ways to assist or transmit the information sought and when appropriate, to follow up on execution of requests and discuss on the most efficient way forward;

Financial investigations and freezing of assets

15. *Recognizes* that effective and expeditious cooperation with regard to the Court's requests for the identification, tracing and freezing or seizure of proceeds, property and assets and instrumentalities of crime is crucial to the provision of reparations to victims and for potentially addressing the costs of legal aid;

16. *Underlines* the importance of effective procedures and mechanisms that enable States Parties and other States to cooperate with the Court in relation to the identification, tracing and freezing or seizure of proceeds, property and assets as expeditiously as possible, and, *calls on* all States Parties to put in place and further improve effective procedures and mechanisms in this regard, with a view to facilitating cooperation between the Court, States Parties, other States and international organizations;

17. *Recalls* the importance of the non-legally binding Paris Declaration on asset recovery, annexed to resolution ICC-ASP/16/Res.2;

18. *Welcomes* the development of the digital platform to reinforce the exchange of relevant information between States Parties to encourage inter-State cooperation and to strengthen States' capacity to cooperate with the Court, to identify the practical challenges to the effective execution of the Court's requests for cooperation and to further raise awareness of the Court's mandate and requirements for financial investigations and asset recovery, and *decides* to continue the work with the Court and the Secretariat of the Assembly in order to enhance the platform further in 2025⁶;

19. *Underlines* the importance of the Court's network of operational focal points in States Parties to enhance cooperation with the Court regarding financial investigations, tracing and freezing of assets, *encourages* the Court to continue this work in order to pursue

¹³ Report of the Bureau on cooperation, ICC-ASP/13/29, annex II and appendix.

the activities of this network and *also encourages* States Parties to support the functioning of that network;

20. **Welcomes the enhanced efforts by the Registry and the Office of the Prosecutor with respect to the recovery of assets and the conduct of financial investigations respectively, including through the establishment of the Office of the Prosecutor Financial Investigations Unit and encourages States Parties to extend their cooperation to this Unit in support of its work;**

Cooperation with the Defence

21. *Urges* States Parties to cooperate with requests of the Court made in the interest of Defence teams, in order to ensure the fairness of proceedings before the Court;

Agreement on the Privileges and Immunities of the International Criminal Court

22. *Calls upon* States Parties as well as non-States Parties that have not yet done so to become parties to the Agreement on Privileges and Immunities of the International Criminal Court as a matter of priority, and to incorporate it in their national legislation, as appropriate, **particularly in the context of threats and coercive measures attempting to impede or influence the work of the Court;**

Voluntary cooperation

23. *Acknowledges* the importance of victims and witnesses' protection, as well as the ability for the Court to enforce sentences of convicted accused, interim release of accused and release of acquitted persons for the execution of the Court's mandate;

24. *Welcomes* the new Enforcement of sentences and ~~Final-release witness relocation~~ agreements concluded since the last resolution on cooperation,¹⁴ and *stresses* the need for more enforcement of sentences and final and interim release agreements or arrangements with the Court;

25. *Calls upon* all States Parties and other States, to consider strengthening their cooperation with the Court by entering into agreements or arrangements with the Court, or any other means concerning, *inter alia*, protective measures for victims and witnesses, their families and others who are at risk on account of testimony given by witnesses;

26. *Urges* all States Parties to consider making voluntary contributions to the Special Fund for Relocations that can be further used to cover for relocation costs and capacity building activities in States accepting witnesses and victims at risk on their territories;

27. *Emphasizes* that the need for cooperation with the Court on the enforcement of sentences and on interim and final release is likely to increase in the coming years as more cases proceed toward conclusion, *recalls* the principle enshrined in the Rome Statute that States Parties should share the responsibility for enforcing sentences of imprisonment and for the interim and final release, in accordance with principles of equitable distribution, and *calls upon* States Parties to actively consider the conclusion of agreements with the Court to this end;

28. *Commends and further encourages* the work of the Court on framework agreements or arrangements, or any other means in areas such as interim release, final release - also in cases of acquittal - and sentence enforcement which may be essential to ensuring the rights of suspects and accused persons, in accordance with Rome Statute, and guaranteeing the rights of convicted persons and *urges* all States Parties to consider strengthening cooperation in these areas;

29. *Requests* the Bureau, through its working groups, to continue the discussions on voluntary framework agreements or arrangements and to report thereon to the Assembly at its twenty-fourth ~~fourth~~ **fifth** session;

Cooperation with the United Nations

30. *Welcomes and further encourages* the increased cooperation between the Court and the United Nations, and other international and regional organizations, relevant

¹⁴ ICC-ASP/223/Res.5.

mechanisms for collecting and preserving evidence, and other inter-governmental institutions with a view to fostering the prosecution of crimes falling within the jurisdiction of the Court;

31. **Welcomes the recent significant steps taken by the Court to enhance cooperation with relevant international and regional organizations including the International Criminal Police Organization, the European Union Agency for Law Enforcement Cooperation (Europol) and the European Union Agency for Criminal Justice Cooperation, encourages the Court to continue and expand such action and urges States Parties to explore possibilities for facilitating further cooperation and communication between the Court and international and regional organizations;**

32. *Urges* States Parties to support the securing of adequate and clear mandates when the United Nations Security Council refers situations to the Court, ensuring diplomatic and financial support, cooperation by all United Nations Member States and follow-up of such referrals, as well as taking into account the Court's mandate in the context of other areas of work of the Security Council, including the drafting of Security Council resolutions on sanctions and relevant thematic debates and resolutions;

Diplomatic support

33. *Emphasizes* the importance of States Parties enhancing and mainstreaming diplomatic, political and other forms of support for, as well as promoting greater awareness and understanding of the activities of the Court at the international level, and *encourages* States Parties to use their capacity as members of international and regional organizations to that end;

34. *Encourages* all States Parties to continue to strongly demonstrate their diplomatic and political support for the Court, undeterred by any threats or **coercive** measures against the Court, and to provide full support to the Court **in accordance with their obligations under the Rome Statute and APIC**, so that it can continue to operate effectively in the current enhanced threat environment, **including through the various areas identified through the framework of Protective Action contained in the Court's Concept Note on "Protection as Cooperation" can serve as a basis for discussion;**

Promoting dialogue with all stakeholders

35. *Welcomes* the work undertaken on the implementation of the 66 recommendations on cooperation adopted by States Parties in 2007,¹⁵ and *recalls* the flyer prepared by the Court that can be used by all stakeholders to promote the 66 recommendations and increase their understanding and implementation by relevant national actors and the Court;

36. **Welcomes progress made in the reporting period in the implementation of the Office of the Prosecutor policy on Complementarity and Cooperation, including through the realisation of activities aimed at supporting national authorities to take effective action in relation to Rome Statute crimes, drawing on contributions made to the Office of the Prosecutor Complementarity Trust Fund;**

37. *Takes note* of the Bureau's Report on cooperation¹⁶, covering *inter alia*, the follow up to the Paris Declaration on financial investigations and assets recovery and the work on a secured digital platform on cooperation, **implementation of key cooperation policy frameworks including the Office of the Prosecutor policy on Complementarity and Cooperation**, arrests, security of the Court and its current and former staff, cooperation agreements, **recent initiatives aimed at enhancing cooperation with national authorities and civil society actors including the Office of the Prosecutor Complementarity and Cooperation Forum and Office of the Prosecutor-Civil Society Organisations Structured Dialogue**, and other priority areas for 2025;

38. *Requests* the Bureau to maintain a facilitation of the Assembly of States Parties for cooperation to consult with States Parties, the Court, other interested States and relevant organizations and non-governmental organizations in order to further strengthen cooperation with the Court;

¹⁵ Resolution ICC-ASP/6/Res.2, annex II.

¹⁶ ICC-ASP/24/[...].

39. *Encourages* the Bureau, through its working groups to continue its review of the implementation of the 66 recommendations, in close cooperation with the Court, where appropriate;

40. *Encourages* the Bureau, through the facilitation on cooperation, in accordance with the resolution on the Review of the International Criminal Court¹⁷ to monitor the implementation of the recommendations related to cooperation as appropriate, and to report thereon to the Assembly at its twenty ~~fourth~~ **fifth** session;

41. *Also requests* the Bureau, through the facilitation on cooperation, to continue to address a number of issues that have been priorities in recent years, and as a matter of priority: to continue the work to further develop the content of the Secured Platform on Cooperation; to hold consultations on the advisability of developing regional thematic focal points on cooperation, of creating a permanent structure for a network of national practitioners and focal points on cooperation, and on the deepening of the relationship between the United Nations and its agencies and entities, including for capacity-building purposes in order to foster cooperation with the Court;

42. *Encourages* the Bureau to identify issues for the Assembly to continue holding plenary discussions on specific topics related to cooperation, including on the issue of financial investigations and arrests;

43. *Requests* the Bureau, through the facilitation on cooperation, to continue the work on arrests, including the recommendations for increased engagement with States Parties on the implementation of outstanding International Criminal Court arrest warrants of 18 September 2024, in close cooperation with the Court;

44. *Recognizes* the importance of ensuring a safe environment for strengthening and fostering cooperation between civil society and the Court, ***expresses deep concern at any threats or coercive measures against them***, and ~~of taking~~ ***encourages States to take*** all necessary action to address threats and intimidation directed at civil society organizations;

45. **[Placeholder for text based on ASP cooperation plenary debate];**

46. *Recognizing* the importance of the Court's contribution to the Assembly's efforts to enhance cooperation, welcomes the Court's report on cooperation, and requests the Court to submit an updated report on cooperation to the Assembly at its twenty ~~fourth~~ **fifth** session.

Proposed text for omnibus resolution

Annex II

B. Agreement on Privileges and Immunities

15. *Welcomes* the States Parties that have become a party to the Agreement on the Privileges and Immunities of the International Criminal Court and ***calls upon States Parties, as well as non-States Parties that have not yet done so to become parties to this Agreement as a matter of priority, and to implement it effectively in their domestic legal system,***

- a) ~~*recall*~~ ***noting that the Agreement serves as an important framework for the protection of the Court and its elected officials, staff of the Court, counsel and persons assisting defence counsel,***
- b) ***reiterating the obligations of States Parties to respect on their territories such privileges and immunities of the Court as are necessary for the fulfilment of its purposes;***

¹⁷ ICC-ASP/223/Res.64.

- c) ***appealing to all States which are not party to the Agreement on Privileges and Immunities in which the Court's property and assets are located or through which such property and assets are transported, to protect the property and assets of the Court from search, seizure, requisition and any other form of interference;***

16. ***Recalls that the Agreement, as well as, and in line with*** international practice, exempts salaries, emoluments and allowances paid by the Court to its officials and staff from national taxation, and in this regard and to take the necessary legislative or other action, pending their ratification or accession, to exempt their nationals employed by the Court from national income taxation with respect to salaries, emoluments and allowances paid to them by the Court, or to grant relief in any other manner from income taxation in respect of such payments to their nationals;

C. Cooperation

17. *Refers* to its resolution ICC-ASP/234/Res/[...] on cooperation;

18. *Calls upon* States Parties to comply with their obligations under the Rome Statute, in particular the obligation to cooperate in accordance with Part 9, and *also calls upon* States Parties to ensure full and effective cooperation with the Court in accordance with the Rome Statute, in particular in the areas of implementing constitutional and legislative framework, enforcement of Court decisions and execution of arrest warrants;

19. *Reaffirms* the importance of supporting all those cooperating with the Court, including States and relevant international bodies and entities, in order to secure the ability of the Court to fulfil its critical mandate of holding accountable perpetrators of the most serious crimes of concern to the international community and delivering justice to victims;

20. *Calls upon* States Parties to continue to express their political and diplomatic support to the Court, *recalls* the sixty-six recommendations annexed to resolution ICC-ASP/6/Res.2 and *encourages* States Parties and the Court to consider further measures to enhance their implementation and to strengthen their efforts to ensure full and effective cooperation with the Court;

21. *Urges* States Parties, in the face of threats or coercive measures as a means of attempting to impede or influence the work of the Court, to give full effect **and take relevant action to protect the ICC and its resilience, in line with** ~~to~~ the relevant provisions of the Rome Statute¹⁸ and, as appropriate, the Agreement on the Privileges and Immunities of the International Criminal Court¹⁹ concerning the privileges and immunities of elected officials, staff of the Court, counsel and persons assisting defence counsel, including their immunity which shall continue to be accorded after the expiry of their terms of office, termination of their employment with the Court or cessation of their functions, and to take any action if deemed necessary by the security or other assessment made by a State Party, in accordance with the existing legal framework, to ensure their security, safety and protection against any undue hindrance created by such coercive measures;

22. ~~*Welcomes*~~ ***Takes note of*** the Court's ~~Concept Note~~ **Guidelines on the** protection of former officials against coercive measures, prepared pursuant to paragraph 22 of resolution ICC-ASP/22/Res.3 and its annex I, as ~~an important platform~~ **a means** to facilitate the Court's engagement with States Parties on this subject, and ~~underlines the importance~~ **also takes note** of the ~~recommended~~ **suggested** actions contained therein to protect elected officials against such coercive measures, and the need to adopt such ~~measures~~ **actions, in all relevant cases where appropriate;**

22bis. Takes note of the Court's Concept Note on "Protection as Cooperation", which aims to provide guidance to States Parties regarding concrete actions to be considered, where appropriate, to ensure the Court's continued ability to carry out its mandate

¹⁸ Article 48, paragraphs 2 and 3 of the Rome Statute of the International Criminal Court.

¹⁹ Article 15, paragraph 1, article 16, paragraph 1 (b) and article 18, paragraph 1 (b), of the Agreement on the Privileges and Immunities of the International Criminal Court.

and safeguard its independence and resilience, notwithstanding the wide range of external pressures currently faced by it.

22ter. *Reaffirms* the incompatibility of the consequences of coercive measures against the Court with States Parties' obligations under the Rome Statute, the Agreement on the Privileges and Immunities of the Court, and the Headquarters Agreement;

23. *Welcomes* the Court's report and comprehensive presentation on cooperation,²⁰ which contained disaggregated data over the responses provided by States Parties, including highlighting the main challenges;

24. *Underlines* the necessity to continue the discussions on practical solutions to improve cooperation between States and the Court with a view to enhancing prospects for the implementation of pending arrest warrants;

25. *Recalls* that international cooperation and judicial assistance are governed by Part 9 (Articles 86-102) of the Rome Statute;

26. *Underlines* the necessity to continue the discussions between the co-facilitators on cooperation and the focal points on non-cooperation and the Court;

27. **[Placeholder for text based on ASP cooperation plenary debate];**

28. *Underlines* the importance of effective procedures and mechanisms that enable States Parties and other States to cooperate with the Court in relation to the identification, tracing and freezing or seizure of proceeds, property and assets as expeditiously as possible, and *calls on* all States Parties to put in place and further improve effective procedures and mechanisms in this regard, with a view to facilitating cooperation between the Court, States Parties, other States and international organizations;

29. *Recalls* the importance of the non-legally binding Declaration of Paris on asset recovery annexed to resolution ICC-ASP/16/Res.2, and the existence of the secured digital platform for States Parties to exchange relevant information on cooperation and financial investigations and assets recovery;

(...)

Annex - Mandates of the Assembly of States Parties for the intersessional period

With regard to **cooperation**,

(a) *urges* the Bureau, through The Hague Working Group, to continue the work on arrests, including the recommendations for increased engagement with States Parties on the implementation of outstanding International Criminal Court arrest warrants of 18 September 2024 resulting from the inter-organ retreat of the Court on the challenges posed by the execution of arrest warrants, held on 18 July 2024, in close cooperation with the Court;

(b) *requests* the Bureau, through its working groups, to continue the discussions on voluntary framework agreements or arrangements, and to report thereon to the Assembly at its twenty ~~fourth~~ **fifth** session;

(c) *invites* the Bureau, through its working groups, to discuss the feasibility of establishing a coordinating mechanism of national authorities;

(d) *also invites* the Bureau, through its working groups, to continue to strengthen the relationship between the Court and the United Nations and its agencies and entities, **as well as other international and regional organizations**, including for capacity building, to foster cooperation with the Court;

(e) *invites* the Court to continue improving its practice in transmitting specific, complete and timely requests for cooperation and assistance, including by considering consultations with the State Party concerned when necessary;

²⁰ ICC-ASP/23/21.

- (f) *encourages* the Bureau, through its working groups, to continue its review of the implementation of the 66 recommendations on cooperation adopted by States Parties in 2007,²¹ in close cooperation with the Court, where appropriate;
- (g) *requests* the Bureau to maintain a facilitation of the Assembly of States Parties for cooperation to consult with States Parties, the Court, other interested States, relevant organizations and non-governmental organizations in order to further strengthen cooperation with the Court;
- (h) *encourages* the Bureau, through the facilitation on cooperation, in accordance with the resolution on the Review of the International Criminal Court²² to monitor the implementation of the recommendations related to cooperation as appropriate, and to report thereon to the Assembly at its twenty ~~fourth~~ **fifth** session;
- (i) *requests* the Court to continue to submit an updated report on cooperation to the Assembly at its annual session, containing disaggregated data over the responses provided by States Parties, including highlighting the main challenges;
- (j) *mandates* the Bureau, through its working groups, to continue discussions on cooperation on financial investigations and the freezing and seizing of assets as set out in the Declaration of Paris, including by continuing the work to further develop the secured digital platform;
- (k) ~~*invites requests the Registry to engage with*~~ States Parties **to engage** with regard to issues outlined in paragraphs 21 and 22 of this resolution on the implementation of the recommendations made in the Court's ~~Concept Note~~ **Guidelines** on protection of ~~former and current elected officials, staff of the Court, counsel and persons assisting defence counsel~~ **relevant ICC persons** against coercive measures, ~~including the development of guidelines~~ and to report to the Bureau, through the cooperation facilitation, in 2025~~6~~ on the outcome of these discussions;
- (k)bis invites the Court to engage with States Parties on the Concept Note on "Protection as Cooperation", with a view to further consolidate cooperation in order to safeguard the Court's ability to carry out its mandate and safeguard its independence and resilience, and to report to the Bureau, through the cooperation facilitation, in 2026, on the outcome of these discussions.**

²¹ ICC-ASP/6/Res.2, annex II.

²² ICC-ASP/19/Res.7.