Advance version

ASSEMBLY OF STATES PARTIES TO THE ROME STATUTE OF THE INTERNATIONAL CRIMINAL COURT

TWENTY-FOURTH SESSION
THE HAGUE, 1-6 DECEMBER 2025

OFFICIAL RECORDS
VOLUME I

Note

Symbols of documents of the Assembly of States Parties to the Rome Statute of the International Criminal Court are composed of capital letters combined with figures. Mention of such a symbol indicates a reference to a document of the Assembly of States Parties to the Rome Statute of the International Criminal Court. Resolutions of the Assembly bear the letters “Res.”, while its decisions bear the letters “Dec.”.

Pursuant to resolution ICC-ASP/7/Res.6, the Official Records are available in Arabic, English, French and Spanish.

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Part I
Proceedings

A. Introduction

1. At the 9th plenary meeting of the twenty-third session, on 6 December 2024, the Assembly of States Parties to the Rome Statute of the International Criminal Court ("the Assembly") decided to hold its twenty-fourth session in The Hague from 1 to 6 December 2025.[1]

2. In accordance with the Rules of Procedure of the Assembly of States Parties,[2] ("the Rules of Procedure"), the President of the Assembly invited all States Parties to the Rome Statute to participate in the session. Other States that had signed the Statute or the Final Act were also invited to participate in the session as observers.

3. In accordance with rule 92 of the Rules of Procedure, invitations to participate in the session as observers were also extended to representatives of intergovernmental organizations and other entities that had received a standing invitation from the General Assembly of the United Nations pursuant to its relevant resolutions,[3] as well as to representatives of regional intergovernmental organizations and other international bodies invited to the United Nations Diplomatic Conference of Plenipotentiaries on the Establishment of an International Criminal Court (Rome, June/July 1998), accredited to the Preparatory Commission for the International Criminal Court or invited by the Assembly.

4. Furthermore, in accordance with rule 93 of the Rules of Procedure, non-governmental organizations invited to the Rome Conference, registered to the Preparatory Commission for the International Criminal Court, or in consultative status with the Economic and Social Council of the United Nations, whose activities were relevant to the activities of the Court or that had been invited by the Assembly, attended and participated in the work of the Assembly.

5. In accordance with rule 94 of the Rules of Procedure, the following States were invited to be present during the work of the Assembly: Bhutan, Democratic People's Republic of Korea, Equatorial Guinea, Eswatini, Lao People's Democratic Republic, Lebanon, Mauritania, Micronesia (Federated States of), Myanmar, Niue, Palau, Papua New Guinea, Rwanda, Somalia, South Sudan, Tonga, Turkmenistan and Tuvalu.

6. The session was opened by the President of the Assembly of States Parties, Ms. Päivi Kaukoranta (Finland), who had been elected for the twenty-third to twenty-fifth sessions.[4]

7. At its 1st plenary meeting, on 1 December 2025, the Assembly appointed Ms. Sakura Ozaki (Japan) as Rapporteur for the twenty-fourth session.

8. The Director of the Secretariat of the Assembly, Ms. Gabrielle McIntyre, acted as Secretary of the Assembly. The Assembly was serviced by the Secretariat.

9. At its 1st plenary meeting, on 1 December 2025, the Assembly observed one minute of silence dedicated to prayer or meditation, in accordance with rule 43 of the Rules of Procedure, and remembered, in particular, victims.

10. At the same meeting, the Assembly adopted the following agenda (ICC-ASP/24/1):

a) Opening of the session by the President.

[1] The session concluded on 6 December 2024, one day earlier than scheduled.

[2] *Official Records … First session… 3-10 September 2002* (ICC-ASP/1/3 and Corr.1), part II.C.

[3] General Assembly resolutions 253 (III), 477 (V), 2011 (XX), 3208 (XXIX), 3369 (XXX), 31/3, 33/18, 35/2, 35/3, 36/4, 42/10, 43/6, 44/6, 45/6, 46/8, 47/4, 48/2, 48/3, 48/4, 48/5, 48/237, 48/265, 49/1, 49/2, 50/2, 51/1, 51/6, 51/204, 52/6, 53/5, 53/6, 53/216, 54/5, 54/10, 54/195, 55/160, 55/161, 56/90, 56/91, 56/92, 57/29, 57/30, 57/31, 57/32, 58/83, 58/84, 58/85, 58/86, 59/48, 59/49, 59/50, 59/51, 59/52, 59/53, 60/25, 60/26, 60/27, 60/28, 61/43, 61/259, 62/73, 62/74, 62/77, 62/78, 63/131, 63/132, 64/3, 64/121, 64/122, 64/123, 64/124, 66/109, 66/113, 69/130, 70/124, 71/153, 71/155, and decision 56/475.

[4] *Official Records … Twenty-second session … 2023* (ICC-ASP/22/20), para. 15.

b) Silent prayer or meditation.

c) Adoption of the agenda.

d) States in arrears.

e) Credentials of representatives of States at the twenty-fourth session: (a) Appointment of the Credentials Committee; and (b) Report of the Credentials Committee.

f) Organization of work.

g) General debate.

h) Report on the activities of the Bureau.

i) Report on the activities of the Court.

j) Report of the Board of Directors of the Trust Fund for Victims.

k) Election of members of the Committee on Budget and Finance.

l) Consideration and adoption of the budget for the twenty-fourth financial year.

m) Consideration of the audit reports.

n) Amendments to the Rome Statute and the Rules of Procedure and Evidence.

o) Cooperation.

p) Non-cooperation.

q) Decision concerning the date of the next session of the Assembly of States Parties.

r) Decisions concerning the dates and venue of the next sessions of the Committee on Budget and Finance.

s) Other matters.

11. The annotated list of items included in the provisional agenda was contained in a note by the Secretariat (ICC-ASP/24/1/Add.1).

12. Also at its 1st plenary meeting, on 1 December 2025, the Assembly agreed on a programme of work and decided to meet in plenary session as well as in the working group format. The Assembly established a Working Group on the Programme Budget for 2026.

13. At the same meeting, the Assembly appointed Mr. Jorge Carvajal San Martín (Chile) as Coordinator of the Working Group on the Programme Budget for 2026, and Ms. Béatrice Maillé (Canada) as Coordinator of the consultations on the omnibus resolution.

B. Consideration of issues on the agenda of the Assembly at its twenty-fourth session

1. States in arrears

14. At its 1st plenary meeting, on 1 December 2025, the Assembly was informed that article 112, paragraph 8, first sentence, of the Rome Statute was applicable to 12 States Parties.

15. The President of the Assembly renewed the appeal to States Parties in arrears to settle their accounts with the Court as soon as possible. The President also appealed to all States Parties to pay their assessed contributions for 2026 in a timely manner.

16. Pursuant to article 112, paragraph 8, of the Rome Statute, one State Party in arrears submitted a request to the Assembly for exemption from the loss of voting rights. The Assembly approved the request at its 1st plenary meeting, on 1 December 2025. Statements were made by the delegations of Argentina, Canada, Japan, Madagascar and Venezuela (Bolivarian Republic of).

17. At its 9th meeting, on 5 December 2025, the Assembly adopted resolution ICC-ASP/24/Res. 3 titled “Resolution on the procedure and criteria for the waiver of the loss of voting rights”, by which the Assembly noted that, in conducting its review, the Bureau may, if

deemed necessary, and to complement the legal and political considerations, seek technical advice from the Committee on Budget and Finance to review financial and budgetary information provided by States Parties on waiver requests. It decided, inter alia, that requests for waivers for the regular Assembly session shall be submitted to the Secretariat of the Assembly by 1 July of the year in which the State in arrears wishes to request the waiver. It further decided that, in evaluating a request submitted by a State Party in arrears for a waiver of the loss of voting rights under article 112, paragraph 8, of the Statute and in accordance with regulations 5.5 and 5.6 of the Financial Regulations and Rules of the Court, the decision-making process should be guided by sample criteria

Credentials of representatives of States Parties at the twenty-fourth session

18. At its twenty-fourth session, the Assembly appointed the following members of the Credentials Committee: Costa Rica, Czech Republic, France, Germany, Norway, Panama, Slovenia, South Africa and Uganda

19. At its 9th plenary meeting, on 5 December 2025, the Assembly adopted the report of the Credentials Committee (see annex I to this report).

General debate

20. At the 2nd, 3rd and 4th plenary meetings, on 1 and 2 December 2025, statements were made by the representatives of Argentina; Armenia; Australia; Austria; Belgium; Bolivia (Plurinational State of); Botswana; Brazil; Bulgaria; Canada; Central African Republic; Chile; Colombia; Costa Rica; Czech Republic; Democratic Republic of the Congo; Denmark (on behalf of the European Union); Ecuador; El Salvador; Estonia; Finland; France; Gabon; Georgia; Germany; Ghana; Greece; Guatemala; Iceland ; Ireland; Italy; Japan; Kenya; Latvia; Liechtenstein; Lithuania; Luxembourg; Madagascar; Maldives; Malta; Mexico; Netherlands (Kingdom of the); New Zealand; Nigeria; Norway; Panama; Peru; Portugal; Republic of Korea; Romania; San Marino; Senegal; Serbia; Sierra Leone; Slovakia; Slovenia; South Africa; Spain; State of Palestine; Sweden; Switzerland; Tanzania (United Republic of); Tunisia; Uganda; Ukraine; United Kingdom of Great Britain and Northern Ireland; Uruguay; Vanuatu; and Venezuela (Bolivarian Republic of).

21. Statements were also made by China (People's Republic of); Cuba; and Iran (Islamic Republic of).

22. The following international organizations made statements: International Committee of the Red Cross and International Humanitarian Fact-Finding Commission.

23. A statement was made by the Staff Union Council of the International Criminal Court and International Criminal Court Bar Association. The following non-governmental organizations also made statements: Coalition for the International Criminal Court; Colombes de la Nature; EcoJustice; International Community Care e.V.; Joint Statement by the Palestinian Centre for Human Rights (PCHR), Al-Haq, and Al Mezan Center for Human Rights; Libya Crimes Watch and Lawyers for Justice in Libya; Media Initiative for Human on behalf of ZMINA, ULAG, MIHR and other NGOs from the "Ukraine.5 AM" Coalition; On behalf of Afghanistan Human Rights and Democracy Organization (AHRDO) Afghanistan Organization for Development of Human Rights (AODHR), Afghanistan Transitional Justice Coordination Group (ATJCG) and the Coalition for the Prevention of Hazara Genocide (CPHG); the Kenyan Section of the International Commission of Jurists; and Un Mundo Sin Mordaza.

24. The Assembly adopted Declaration ICC-ASP/24/Decl.1 by which it, inter alia, reaffirmed its united commitment to protect the Court's independence, integrity, and mandate against threats, and ensure accountability for crimes under the Rome Statute.

Report on the activities of the Bureau

25. At its 1st plenary meeting, on 1 December 2025, the Assembly took note of the oral report on the activities of the Bureau, delivered by the President, Ms. Päivi Kaukoranta. The President noted that, since the twenty-third session, the Bureau had held 16 formal meetings in order to assist the Assembly in the discharge of its responsibilities under the Rome Statute.

26. On behalf of the Bureau, the President expressed her satisfaction with the work conducted in 2025 by its working groups in New York and The Hague, and by the facilitators and the ad country focal points, as they had successfully carried out the mandates of the Assembly under the leadership of their respective Coordinators, Mr. Michael Imran Kanu (Sierra Leone) and Ms. Margareta Kassangana (Poland).

Report on the activities of the Court

27. At its 1st plenary meeting, on 1 December 2025, the Assembly heard statements by Judge Tomoko Akane, President of the Court, and by Deputy Prosecutor Mr. Mame Mandiaye Niang. At the same meeting, the Assembly took note of the report on the activities of the International Criminal Court.

Report of the Board of Directors of the Trust Fund for Victims

28. At its 1st meeting, on 1 December 2025, the Assembly heard a statement by Mr. Andres Parmas, Chairperson of the Board of Directors of the Trust Fund for Victims. The Assembly considered and took note of the report on the projects and the activities of the Board of Directors of the Trust Fund for Victims for the period 1 July 2024 to 30 June 2025.

Election of members of the Committee on Budget and Finance

29. During the nomination period, which ran from 2 June to 24 August 2025, and was extended three times, until 20 October 2025, the Secretariat had received seven candidatures for six regular vacancies on the Committee and submitted to the Assembly a list of the seven candidates nominated by States Parties for election to the Committee on Budget and Finance. On 1 December 2025, one delegation informed the Secretariat of its decision to withdraw its candidature for election to the six regular vacancies on the Committee on Budget and Finance.

30. The nomination period also related to the election to fill a casual vacancy on the Committee on Budget and Finance which arose upon the resignation of Ms. Elena Sopková (Slovakia) in November 2024, as well as to the seat allocated to the Eastern European group by resolution ICC-ASP/22/Res.8.

31. During the nomination period, the Secretariat had received one candidature for the casual vacancy and no candidates for the election pursuant to resolution ICC-ASP/22/Res.8.

32. At its 1st and 5th plenary meetings, on 1 and 3 December 2025, in accordance with resolution ICC ASP/1/Res.5 of 12 September 2003 and the 8 October 2025 recommendation of the Bureau, the Assembly dispensed with the secret ballot and elected the following six members of the Committee on Budget and Finance by acclamation:

- Mr. Karl-Heinz Heller (Germany)
- Mr. Urmet Lee (Estonia)
- Mr. Daniel McDonnell (United Kingdom of Great Britain and Northern Ireland)
- Mr. Aimé Gilbert Raveloson (Madagascar)
- Mr. Pascual Tomás-Hernández (Spain)
- Ms. Ana Patricia Villalobos Arrieta (Costa Rica)

The Assembly elected the members of the Committee for three-year terms commencing on 1 January 2026.

33. At its 1st plenary meeting, on 1 December 2025, the Assembly dispensed with the secret ballot and elected the following member of the Committee on Budget and Finance to fill a casual vacancy by acclamation:

- Ms. Mateja Vraničar Erman- (Slovenia)

34. Ms. Erman was elected for the remainder of the term of the member who had resigned, namely, until 31 December 2026.

35. The Assembly took note that, since no candidate had been presented to fill the vacancy allocated to the Eastern European group by resolution ICC-ASP/22/Res.8 during the nomination period and the three extensions thereof, the election for this seat would be held during the twenty-fifth session.

Consideration and adoption of the budget for the twenty-fourth financial year

36. At its 5th meeting, on 3 December 2025, the Assembly heard statements by Mr. Oswaldo Zavala Giler, Registrar of the Court, and Mr. Jun Yamada, Chairperson of the Committee on Budget and Finance ("the Committee").

37. The Assembly, through its Working Group on the Programme Budget, considered the 2026 proposed programme budget, the reports of the Committee on Budget and Finance and the reports of the External Auditor. The Assembly also considered the reports of the Audit Committee.

38. At its 8th meeting, on 5 December 2025, the Assembly adopted the report of the Working Group on the Programme Budget (ICC ASP/24/WGPB.1) wherein it, inter alia, conveyed the recommendation of the Working Group that the Assembly endorse the

recommendations of the Committee at its forty-eighth session with the additional adjustments reflected in resolution ICC-ASP/24/Res. 4.

39. At its 9th meeting, on 5 December 2025, the Assembly also considered and approved, by consensus, the programme budget for 2026.

40. At the same meeting, the Assembly adopted, by consensus, resolution ICC ASP/24/Res. 4 concerning the programme budget in relation to the following:

41. Programme budget for 2026, including appropriations totalling €196,852.9 and staffing tables for each of the major programmes. This amount is reduced by the instalments for the host State loan and the portion to be financed from the anticipated 2024 cash surplus;

42. Scale of assessment for the apportionment of expenses of the Court;

43. Transfer of funds between major programmes under the 2025 approved programme budget;

44. Development of budget proposals;

45. Amendments to Financial Regulations and Rules;

46. A strategic approach to an improved budgetary process;

47. Working Capital Fund for 2026;

48. Contingency Fund;

49. Outstanding contributions;

50. Legal aid policy-Step 5;

51. Referrals by the Security Council;

52. Budget Management Oversight;

53. Audit;

54. Premises of the Court;

55. Human Resources;

56. Security Blueprint and Special Fund for Security;

57. Interpretation for Hague Working Group meetings;

58. Travel;

59. Family visits for indigent detainees; and

60. Voluntary contributions.

Consideration of the audit reports

61. The Assembly took note of a statement from the Chair of the Audit Committee. The Assembly also heard a statement from the External Auditor. The Assembly took note with appreciation of the reports of the External Auditor on the audit of the financial statements of the Court for the period 1 January to 31 December 2024 and of the Trust Fund for Victims for the same period.

Amendments to the Rome Statute and the Rules of Procedure and Evidence

62. At its 8th plenary meeting, on 5 December 2025, the Assembly took note of the report of the Working Group on Amendments. At its 9th meeting, on 5 December 2025, the Assembly adopted resolution ICC-ASP/24/Res. 1, whereby it adopted an amendment to the Rules of Procedure and Evidence, rule 140 *quater* on "Motions for acquittal" and further adopted amendments to rules 26 to 30 of the Rules of Procedure and Evidence to implement recommendation R108 of the Group of Independent Experts. The implementation of recommendation R108 also includes further amendments to the regulatory framework of the Court, that is, the Rules of Procedure of the Assembly and the operational mandate of the Independent Oversight Mechanism, as well as the establishment of Terms of Reference for ad hoc Panels in the context of this recommendation.

Cooperation

63. At its 7th plenary meeting, on 4 December 2025, the Assembly considered the topic of cooperation with the Court, in a plenary panel discussion \which will focused on a political segment prior to a technical segment with specific reference to arrest, voluntary cooperation agreements on witness relocation and victims.

64. As its 9th plenary meeting, on 5 December 2025, the Assembly adopted, by consensus, resolution ICC-ASP/24/Res. 5 on cooperation.

Non-cooperation

65. At its 6th plenary meeting, on 3 December 2025, the Assembly considered for the first time the topic of non-cooperation, which focused on focused on the prevention of non-

compliance with States Parties' obligation to cooperate, with specific reference to consultations under article 97 of the Statute and the Assembly procedures on non-cooperation.

Decision concerning the date of the next session of the Assembly of States Parties

66. At its 9th plenary meeting, on 5 December 2025, the Assembly decided to hold its twenty fifth session in New York from 7 to 17 December 2026 and its twenty-sixth session in The Hague.

Decisions concerning the dates and venue of the next sessions of the Committee on Budget and Finance

67. At its 9th plenary meeting, on 5 December 2025, the Assembly decided that the Committee on Budget and Finance would hold its forty-ninth session virtually, on 26 January 2026, and its fiftieth and fifty-first sessions on 11 to 15 May and 7 to 18 September 2026, respectively, in The Hague.

Other matters

a) Election to fill a vacancy on the Board of Directors of the Trust Fund for Victims

68. At its first meeting, on 1 December 2025, the Assembly elected Mr. O-Gon Kwon (Republic of Korea) to fill a vacancy for the seat allocated to the Asia-Pacific group, following the resignation of Mr. Tareque Muhammad (Bangladesh), effective December 2025. Mr. O-Gon Kwon was elected by acclamation to serve for the remainder of the term of his predecessor, until 5 December 2028.

b) Decisions to implement recommendation R108 of the Group of Independent Experts

69. At its 9th plenary meeting, on 5 December 2025, the Assembly adopted resolution ICC-ASP/24/Res.2 titled "Resolution of the Assembly to implement recommendation R108 of the Group of Independent Experts", by which it adopted the Terms of Reference for ad hoc Panels, adopted the amendments to the Operational Mandate of the Independent Oversight Mechanism and adopted the amendments to rules 81 and 82 of the Rules of Procedure of the Assembly of States Parties.

c) *Trust Fund for the participation of the least developed countries and other developing States in the work of the Assembly*

70. The Assembly took note that no contributions had been made to the Trust Fund in 2025, therefore it had not been possible to fund the participation of any delegations in the twenty-fourth session of the Assembly.

Part II
External audit, programme budget for 2026 and related documents

A. Introduction

1. The Assembly of States Parties ("the Assembly") had before it the 2025 proposed programme budget submitted by the Registrar of the International Criminal Court ("the Court") on 31 July 2024,[1] the reports of the forty-third,[2] forty-fourth[3] and forty-fifth[4] sessions of the Committee on Budget and Finance ("the Committee"), the reports of the Audit Committee on its nineteenth and twentieth sessions,[5] the financial statements of the Court for the period 1 January to 31 December 2023,[6] and the financial statements of the Trust Fund for Victims for the period 1 January to 31 December 2023.[7] In addition, the Assembly had before it annex V of the report of the Committee on the work of its forty-fifth session, in which the Court outlined the budgetary implications of the Committee's recommendations on the budgets of the major programmes.

2. The Assembly was provided with statements by the Registrar of the Court, Mr. Oswaldo Zavala Giler, the Chair of the Committee, Ms. Monica Sanchez Izquierdo, the Acting Chair of the Audit Committee, Mr. Werner Druml, and the representative of the External Auditor (the Board of Audit and Inspection (Republic of Korea), Mr. Yangchan Cho).

3. The Working Group on the Programme Budget met on 4 and 6 December 2024. During the meetings, the draft resolution was considered and finalized.

B. External audit

4. The Assembly noted with appreciation the reports of the External Auditor and the related comments of the Committee contained in the report on the work of its forty-fifth session.

C. Amount of appropriation

5. The Court's 2026 proposed programme budget amounted to €197,548.1 thousand, including €3,585.1 thousand for Major Programme VII-2 (Host State Loan).

6. The Committee considered the Court's 2026 proposed programme budget at its forty-eighth session and concluded that there were a number of areas where savings could be made. Accordingly, the Committee recommended that the budget allocation be reduced to a total of €196,852.9 thousand, including €3,585.1 thousand for Major Programme VII-2 (Host State Loan).

7. The Assembly endorsed the recommendations contained in the report of the Committee. The Assembly therefore approved a budget appropriation for 2026 of €196,852.9 thousand.

8. The Assembly resolved that, for 2026, assessed contributions for the budget amounting to €193,267.8 thousand of the approved budget appropriations will be financed in accordance with regulations 5.1 and 5.2 of the Financial Regulations and Rules of the Court.

D. Contingency Fund

9. The Assembly decided to reinstate the notional level of the Contingency Fund at the level of €10.0 million for 2026. The Assembly also decided that the remaining anticipated cash surplus from 2024, after it has been used to replenish the established level of the

[1] *Official Records … Twenty-third session … 2024* (ICC-ASP/23/20), vol. II, part A.
[2] Ibid., part B.1.
[3] Ibid., part B.2.
[4] Ibid., part B.3.
[5] Available on the website of the Assembly at http://asp.icc-cpi.int/en_menus/asp/AuditCommittee/.
[6] Ibid., part C.1.
[7] Ibid., part C.2.

Working Capital Fund, shall exceptionally be used to the extent possible, to reach the established notional level of €10.0 million of the Contingency Fund.

10. The Assembly decided that the Budget Management Oversight facilitation (BMO) will consider all options for the replenishment of the Contingency Fund, and, pending agreement, the necessary amendments to the Financial Regulations and Rules of the Court.

11. The Assembly also decided that, in order to ensure business continuity, the Court may exceptionally resort to the Contingency Fund to cover (a) any costs related to the preparation for potential sanctions against the Court, its officials or personnel; or (b) any costs required to address actually imposed sanctions. The Contingency Fund can only be resorted to after all efforts have been exhausted to absorb those costs within the regular budget, including the exceptional transfer of any funds between major programmes pursuant to relevant Assembly resolutions, with due observance of the provisions set out in regulations 6.7 and 6.8 of the Financial Regulations and Rules.

12. The Assembly authorized the Court to transfer funds between major programmes at year end if the costs of unforeseen activities could not be absorbed within one major programme while a surplus existed in other major programmes, to ensure that all appropriations for 2024 were exhausted before accessing the Contingency Fund.

13. The Assembly requested the External Auditor to review the use of the Contingency Fund and related matters in the financial audit.

E. Working Capital Fund

14. The Assembly, recalling its decision that the Working Capital Fund for each year shall be established in the amount of one-twelfth of the approved budget appropriations for the previous year,[8] decided that the Working Capital Fund for 2026 shall be established in the amount of €16.3 million. The Assembly authorised the Registrar to make advances in line with the Financial Regulations and Rules and decided that the Court may only use the available cash surplus to reach the established level of the Working Capital Fund.

F. Financing of appropriations for 2026

15. The Assembly resolved that, for 2026, the total assessed contributions amounted to €193,267.8 thousand. The Assembly further decided that for 2026, the contributions of States Parties shall be assessed based on the scale adopted by the United Nations for its regular budget applied for 2025-2027,[9] and adjusted in accordance with the principles on which the scale is based.[10]

G. Amendments to the Financial Regulations and Rules

16. The Assembly recalled the External Auditor's findings that certain Court activities require multi-year commitments within the programme budget structure and noted its recommendation to establish clear rules ensuring separate appropriations for each approved multi-year project together with annual reporting. It further noted the Committee's consideration of the Court's report on implementing this recommendation through amendments to the Financial Regulations and Rules, and the Committee's recommendation that the Assembly adopt these changes. Therefore, the Assembly decided to approve the amendments to the Financial Regulations and Rules to provide for multiyear projects, allowing the carry-over of unspent allocations, as per Annex I to the Resolution of the Assembly of States Parties on the proposed programme budget for 2026 and related policy and administrative matters.[11]

[8] ICC-ASP/21/Res.1, section B, para 3.
[9] A/RES/79/249.
[10] Rome Statute of the International Criminal Court, article 117.
[11] Resolution ICC-ASP/24/Res.4, Section E.

Part III
Resolutions adopted by the Assembly of States Parties

A. Resolutions adopted by the Assembly of States Parties

Resolution ICC-ASP/24/Res.1

Adopted at the 9th plenary meeting, on 5 December 2025, by consensus

ICC-ASP/24/Res.1
Resolution on amendments to the Rules of Procedure and Evidence of the International Criminal Court

A. Amendment to the Rules of Procedure and Evidence of the International Criminal Court to regulate motions for acquittal

The Assembly of States Parties,

Recalling recommendation R201 of the Group of Independent Experts on the efficiency of the judicial process and fair trial rights, in particular regarding trial,[1]

Recalling further the need to conduct a structured dialogue between States Parties and the Court with a view to strengthening the institutional framework of the Rome Statute system and enhancing the efficiency and effectiveness of the Court while fully preserving its judicial independence, and *inviting* the organs of the Court to continue to engage in such a dialogue with States Parties,

Recognizing that enhancing the efficiency and effectiveness of the Court is of common interest both for the Assembly of States Parties and the Court,

Recalling operative paragraphs 1 and 2 of resolution ICC-ASP/9/Res.2 and article 51 of the Rome Statute,

Further recalling paragraph 9 of annex I to resolution ICC-ASP/23/Res.51,

Taking note of the amendment proposed by the plenary of judges on 15 September 2025,

Welcoming the consultations thereon undertaken within the Study Group on Governance and the Working Group on Amendments,

Taking note of the report of the Working Group on Amendments[2] and the report of the Bureau on the Study Group on Governance,[3]

1. *Decides* that the following rule 140 *quater* be inserted after rule 140 *ter* of the Rules of Procedure and Evidence:

Rule 140 *quater*

Motions for acquittal

1. Upon the conclusion of the evidence presented by the Prosecutor or if evidence is presented on behalf of the victims, at the conclusion of that evidence, if the Trial Chamber finds that the evidence is insufficient in law to sustain a conviction on one or more charges,

[1] ICC-ASP/19/16: "R201. Recognising that a motion for acquittal on the ground that there is no case to answer is now an established feature of the Court's procedure, the Judges should draft Regulations of the Court to govern the procedure, including specifying the effect of a successful motion, to ensure a consistent approach by Chambers and providing for an appeal in appropriate circumstances."
[2] ICC-ASP/24/26.
[3] ICC-ASP/24/23.…

the Trial Chamber, on a motion being filed or *proprio motu*, shall enter a decision of acquittal on any charge.

2. A motion for a decision of acquittal may only be filed with leave of the Trial Chamber. The defence application for leave and any responses from the Prosecutor and legal representatives of victims shall be filed on an expedited basis in accordance with the Regulations.

3. The Trial Chamber shall decide in its discretion pursuant to article 64, paragraphs 2 and 6 (f), and rule 134, sub-rule 3, whether to grant leave.

4. Should leave be refused, the Trial Chamber's decision shall not contain any assessment of the evidence.

5. If the Trial Chamber grants leave, the defence shall file its motion in writing setting out its grounds in support and the Prosecutor and legal representatives of victims may file a response, expeditiously in accordance with the Regulations.

6. After the filing of any responses, the Trial Chamber shall schedule a hearing to be held on an expedited basis within the time frame set out in the Regulations. If necessary, the Trial Chamber may require the submission of further written arguments in advance of and/or following the hearing.

7. The decision on the motion shall be issued as expeditiously as possible within 45 days of the hearing or written arguments referred to in sub-rule 6, whichever is later.

8. A decision granting the motion in whole or in part, shall provide reasons for the decision in accordance with the requirements under article 74.

9. The Trial Chamber may *proprio motu* order the parties and participants to make submissions on whether the evidence is insufficient in law to sustain a conviction on one or more charges. In such case, the procedure set out in the Regulations shall apply.

B. Draft resolution on amendments to rules 26 to 30 of the Rules of Procedure and Evidence of the International Criminal Court

The Assembly of States Parties,

Noting annex II to the Report of the Bureau on the Review of the work and the Operational Mandate of the Independent Oversight Mechanism[4] and the annex to the Report of the Bureau on the Study Group of Governance,[5]

Taking note with appreciation of the consultations undertaken within the facilitation on the Review of the work and the Operational Mandate of the Independent Oversight Mechanism, the Study Group on Governance and the Working Group on Amendments,

Noting the report of the Working Group on Amendment,[6]

1. *Decides* to adopt the following amendments to rule 26, 27, 28, 29 and 30 of the Rules of Procedure and Evidence of the International Criminal Court:

Rule 26

Receipt and admissibility of complaints

1. For the purposes of article 46, paragraph 1, and article 47, any complaint concerning any conduct defined under rules 24 and 25 shall include the grounds on which it is based and, if available, any relevant evidence, and may also include the identity of the complainant.

2. All complaints shall be transmitted to the Independent Oversight Mechanism which may also initiate investigations on its own motion. The Independent Oversight Mechanism or the President of the Bureau of the Assembly of States Parties may transmit a complaint to an external investigator, where strictly necessary.

3. The Independent Oversight Mechanism or the external investigator, as applicable,

[4] ICC-ASP/24/30.
[5] ICC-ASP/24/23.
[6] ICC-ASP/24/26.

shall assess complaints and set aside those complaints which are manifestly unfounded. Where a complaint is set aside as manifestly unfounded, the Independent Oversight Mechanism or the external investigator, as applicable, shall provide its reasons in the annual report of the Independent Oversight Mechanism.

4. All other complaints shall be investigated by the Independent Oversight Mechanism or the external investigator, as applicable.

Rule 26 *bis*

Ad hoc panel

1. The Independent Oversight Mechanism or the external investigator, as applicable, shall transmit its investigation report to the Presidency of the Bureau of the Assembly of States Parties which shall appoint the members of the ad hoc panel. As soon as the ad hoc panel is constituted, the Presidency of the Bureau of the Assembly of States Parties shall provide the ad hoc panel with the investigation report, pursuant to the terms of reference for the ad hoc panel.

2. The ad hoc panel shall be independent in the performance of its functions and act with impartiality.

3. The ad hoc panel shall provide its non-binding advice to the competent decision-maker(s), as set out in articles 46 and 47, and rules 29 and 30, on legal characterization whether the factual findings by the Independent Oversight Mechanism or the external investigator, as applicable, establish serious misconduct or serious breach of duty, as defined under rule 24, or misconduct of a less serious nature, as defined under rule 25, or establish no misconduct or breach of duty under either rule 24 or rule 25.

4. The ad hoc panel shall transmit its final report together with the investigation report and its underlying evidence, if applicable, to the competent decision-maker(s) as set out in articles 46 and 47 of the Statute, and rules 29 and 30.

5. Following the transmission of the ad hoc panel's final report under sub-rule 4 above, the competent decision-maker may disagree with the ad hoc panel's advice and the procedure in rule 29, sub-rule 7, or rule 30, sub-rule 5, shall apply.

Rule 26 *ter*

Confidentiality

1. The complaint, the investigation report, and all documents and materials related to the work of the ad hoc panel shall remain confidential. Upon submission of the final report of the ad hoc panel to the competent decision-maker(s), the Independent Oversight Mechanism or the external investigator, as applicable, shall transmit a confidential summary of the investigation to the Assembly of States Parties, without attribution directly or indirectly as to the source or identity of the individuals involved or implicated, or disclosing any other classified information in connection thereto.

2. Following the completion of a disciplinary proceeding, the existence of any serious misconduct or serious breach of duty which has resulted in removal from office shall be made public by the competent decision-maker, including the identity of the elected official concerned. No information shall be provided, directly or indirectly, about any other individuals involved or implicated.

3. Following the completion of a disciplinary proceeding, the existence of any misconduct which has resulted in the imposition of a disciplinary measure shall remain confidential, without prejudice to the need to inform the President of the Bureau of the Assembly of States Parties, in accordance with rule 30, sub-rule 7. The President of the Bureau of the Assembly of States Parties shall inform the Assembly of States Parties of the imposition of a disciplinary measure, including the identity of the elected official concerned and nature of the misconduct found. No information shall be provided, directly or indirectly, about any other individuals involved or implicated. The Assembly may grant an exception to the duty of information of the President of the Bureau of the Assembly of States Parties where strictly necessary and duly reasoned.

4. In the event of suspension from duty in accordance with rule 28, the existence of an investigation and the imposition of a suspension shall be made public, stating that the existence of an investigation into a matter does not mean that any misconduct or breach of duty have occurred.

Rule 27

Common provisions on procedural fairness

1. During any investigation of serious misconduct or serious breach of duty under rule 24 or misconduct of less serious nature under rule 25, the elected official concerned shall be given a fair opportunity to respond to the allegations, present evidence and nominate witnesses. The Independent Oversight Mechanism or external investigator, as applicable, may take any further steps necessary to ensure procedural fairness for any persons directly affected, including the elected official concerned, and shall have regard to the need to facilitate expeditious proceedings. The existence of an investigation into a matter does not mean that any serious misconduct, serious breach of duty or misconduct of a less serious nature have occurred.

2. The elected official concerned shall receive a copy of the final report of the ad hoc panel, the investigation report, and its underlying evidence, if applicable, redacted as necessary and shall be provided a fair opportunity to respond to the allegations therein, make written submissions and supply answers to any questions put to them. The competent decision-maker(s) and the ad hoc panel may take any further steps necessary to ensure procedural fairness at any stage for any persons directly affected, including the elected official concerned, and shall have regard to the need to facilitate expeditious proceedings.

3. Any persons directly affected, including the elected official concerned, may be represented by counsel during the process established under sub-rule 2 above.

Rule 28

Suspension from duty

1. Where an allegation against a person who is the subject of a complaint is of a sufficiently serious nature, the person may be suspended from duty at any stage pending the final decision of the competent decision-maker.

2. In the case of a judge, the decision to suspend from duty may be taken by a plenary of judges. If a recommendation to remove from office has already been made and the President of the Bureau of the Assembly of States Parties so informed under rule 29, the decision to suspend may thereafter be taken by the Bureau of the Assembly of States Parties.

3. In the case of a Registrar or a Deputy Registrar, the decision to suspend from duty may be taken by a plenary of judges.

4. In the case of a Prosecutor or Deputy Prosecutor, the decision to suspend from duty may be taken by the Bureau of the Assembly of States Parties.

Rule 29

Procedure in the event of potential removal from office for serious misconduct or serious breach of duty

1. In the case of a judge, the question of whether to recommend removal from office shall be put to a vote at a plenary session of the judges pursuant to article 46, paragraph 2.

2. In the case of the Registrar or a Deputy Registrar, the decision of removal from office shall be put to a vote at a plenary session of the judges pursuant to article 46, paragraph 3.

3. The Presidency shall inform the President of the Bureau of the Assembly of States Parties in writing of (a) any recommendation adopted in the case of a judge pursuant to sub-rule 1 above; and (b) any decision adopted in the case of the Registrar or a Deputy Registrar pursuant to sub-rule 2 above.

4. In the case of the Prosecutor, the decision of removal from office shall be taken by an absolute majority of the State Parties, pursuant to article 46, paragraph 2.

5. The Prosecutor shall inform the President of the Bureau of the Assembly of States Parties in writing of any recommendation he or she makes in the case of a Deputy Prosecutor, for the purpose of article 46, paragraph 2.

6. Where the competent decision-maker finds that the conduct amounts to serious misconduct or a serious breach of duty but decides not to remove the elected official concerned from office, disciplinary measures that are consistent with the seriousness of the misconduct or breach of duty shall be imposed in accordance with rule 30.

7. Where the competent decision-maker finds that the conduct does not amount to serious misconduct or serious breach of duty, the matter shall be referred to the competent decision-maker pursuant to rule 30.

8. Where the competent decision maker pursuant to rule 29 establishes that no misconduct or breach of duty has occurred, the matter shall be closed.

Rule 30

Competent decision makers and procedure in the event of disciplinary measures

1. The competent decision-maker(s) in respect of misconduct of a less serious nature shall be as set out in the present rule, without prejudice to rule 29, sub-rules 6 and 7.

2. In the case of a judge, the Registrar or a Deputy Registrar, any decision to impose a disciplinary measure shall be taken by the Presidency.

3. In the case of the Prosecutor, any decision to impose a disciplinary measure shall be taken by an absolute majority of the Bureau of the Assembly of States Parties.

4. In the case of a Deputy Prosecutor:

a) Any decision to give a reprimand shall be taken by the Prosecutor;

b) Any decision to impose a pecuniary sanction shall be taken by an absolute majority of the Bureau of the Assembly of States Parties upon the recommendation of the Prosecutor.

5. Where the competent decision-maker finds that the conduct does amount to serious misconduct or serious breach of duty, the matter shall be referred to the competent decision-maker pursuant to rule 29.

6. Where the competent decision maker pursuant to rule 30 establishes that no misconduct or breach of duty has occurred, the matter shall be closed.

7. Any disciplinary measure imposed against a judge, the Prosecutor, a Deputy Prosecutor, the Registrar or a Deputy Registrar shall be recorded in writing and shall be transmitted to the President of the Bureau of the Assembly of States Parties.

Resolution ICC-ASP/24/Res.2

Adopted at the 9th plenary meeting, on 5 December 2025, by consensus

ICC-ASP/24/Res.2

Resolution of the Assembly to implement recommendation R108 of the Group of Independent Experts

The Assembly of States Parties,

Recalling the 2020 Report of the Group of Independent Experts,[1] in particular Chapter III, section A,[2] which contains recommendation R108,[3]

Recalling further the assessment by the facilitation on the Review of the work and the operational mandate of the Independent Oversight Mechanism of recommendation R108 as "positive with modifications"[4] and its suggestion that further discussions on the topic could take place within the Study Group on Governance (SGG),[5]

Recalling the decision of The Hague Working Group to streamline the work of facilitations and to hold joint meetings between the Study Group on Governance and the facilitation on the Review of the work and the operational mandate of the Independent Oversight Mechanism on the implementation of recommendation R108,

Noting the report of the Bureau on the joint meetings of the Study Group on Governance and the Review of the work and the operational mandate of the Independent Oversight Mechanism, as annexed to the respective Bureau reports,[6]

Taking note with appreciation of the consultations undertaken by the Study Group on Governance and the Review of the work and the operational mandate of the Independent Oversight Mechanism on the comprehensive amendments to the regulatory framework of the Court and the Assembly required in order to ensure a coherent implementation of recommendation R108,

Acknowledging that further consultations may be required in order to update the regulatory framework of the Court and the Assembly in light of evolving practice,

Recalls the 3 November 2025 decision of the joint meetings of the Study Group on Governance and the Review of the work and the operational mandate of the Independent Oversight Mechanism to refer the approved draft amendments to rule 26, 27, 28, 29 and 30 of the Rules of Procedure and Evidence of the Court to the Working Group on Amendments,

Welcomes the decision of the Working Group on Amendments to submit the draft amendments of the Rules of Procedure and Evidence to the Assembly, for its consideration and *welcomes further* the Assembly's decision to adopt the amendments to rules 26, 27, 28, 29 and 30 of the Rules of Procedure and Evidence of the Court,[7]

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[1] ICC-ASP/16/19.

[2] Ethics framework.

[3] **R108.** Ad hoc Investigative Panels for Judges, the Prosecutor and the Deputy Prosecutor should be employed by the IOM in case of complaints against these elected officials. The IOM would establish such panels of three judges or prosecutors respectively from a roster list made up of current and former national and international judges/prosecutors. The roster would be agreed upon by the ASP Presidency, the Court Presidency and the Prosecutor, respectively, similar to the procedure indicated in Recommendation 113

[4] Matrix Progress in the assessment of the IER recommendations (ICC-ASP/23/14/Add.1): https://asp.icc-cpi.int/sites/default/files/asp_docs/ICC-ASP-23-14-Add.1-ENG.pdf

[5] Report of the Bureau on the Review of the work and the operational mandate of the Independent Oversight Mechanism (ICC-ASP/23/27), para. 13: https://asp.icc-cpi.int/sites/default/files/asp_docs/ICC-ASP-23-27-ENG.pdf

[6] ICC-ASP/24/23, annex II and ICC-ASP/24/30, annex II.

[7] See resolution ICC-ASP/24/Res….

1. *Decides* to adopt the Terms of Reference for *ad hoc* Panels set out in annex I to this resolution;

2. *Decides* to adopt the amendments to the Operational mandate of the Independent Oversight Mechanism set out in annex II to this resolution;

3. *Decides* to adopt the amendments to rules 81 and 82 of the Rules of Procedure of the Assembly of States Parties set out in annex III to this resolution;

4. *Urges* the Bureau, through the Hague Working Group, to continue discussions on the matter, as appropriate.

Annex I

Terms of reference for the ad hoc panel

Insofar as the terms of reference do not provide for a specific circumstance, the provisions of the Rome Statute, Rules of Procedure and Evidence (RPE), applicable Administrative Issuances and Presidential Directives shall apply.

Mandate

1. The mandate of the ad hoc panel ("the panel") is to advise the competent decision-maker(s) as set out in Articles 46 and 47 of the Rome Statute, and Rules 29 and 30 RPE, in case of complaints against judges, the Prosecutor, the Deputy Prosecutors, Registrar and Deputy Registrar (hereinafter as "the elected officials"). The competent decision-maker(s) would then make the decision on the complaint.

2. The panel shall guarantee consistency in the application of the relevant rules and legally characterize whether the factual findings by the Independent Oversight Mechanism (IOM) or the external investigator establish serious misconduct or serious breach of duty (defined in Rule 24 RPE), misconduct of a less serious nature (defined in Rule 25 RPE), or no misconduct or breach of duty under either Rule 24 or Rule 25.

3. The panel shall conduct an analysis on the sufficiency of evidence presented by the IOM or the external investigator in light of applicable international administrative law.

4. The panel shall present the IOM report or external investigation report and any evidence to the investigated elected official ("one party to the investigation") and ensure that its due process rights are fully respected.

5. The complainant and, where relevant, the victim ("other party to the investigation") may interact with the panel as appropriate with full regard to due process rights of all parties to the investigation.

6. No party to the investigation shall be subject to intimidation or reprisals based on their participation in the process. If intimidation or reprisal occurs, a request for a separate investigation by the IOM can be made by any party to the investigation.

7. The mandate of the panel is of limited duration and concludes upon a decision on the complaint by the competent decision-maker(s).

Composition

8. The panel shall consist at all times of three independent members chosen from a roster, bearing in mind gender balance, equitable geographical representation, and the two working languages of the Court. The members of the panel shall work independently and shall not receive any instructions in the fulfilment of their tasks from the elected officials, States Parties, or any other parties. The members of the panel shall avoid any conflict of interest or being placed in a situation which might reasonably be perceived as giving rise to a conflict of interest or bias.

Selection process for membership on the roster

9. The selection of candidates for membership on the roster shall be conducted by the ASP Presidency. The membership in the selection of the candidates shall be delegated in case of conflict of interest.

10. a) The stages for the selection process shall chronologically proceed in the following order:

    (i) Long-listing;

    (ii) Short-listing;

    (iii) Interviews;

    (iv) Selection of candidates.

b) All criteria for each stage, the pertinent questions for interviews and the weights of each question vis-à-vis the total score must be established prior to each stage of the selection process and shall be objective, comparable and quantifiable.

c) A detailed outline of the process of each of the stages will be included in the final selection report, which will be shared with the States Parties through the Bureau.

Long-listing

11. The ASP Presidency shall request the facilitation by the Human Resources Section ("HRS") of the Court in its long-listing, which shall be done by criteria on the basis of eligibility requirements as further determined by the Bureau, following appropriate consultations with States Parties. The process shall be conducted in an appropriate and expeditious manner. Current and former national and international judges and prosecutors, deputy prosecutors and registrars as well as other experts, with relevant experience in administrative and misconduct tribunals, are eligible. Only nationals of States Parties to the Rome Statue are eligible, excluding former and current ICC elected officials.

Short-listing

12. a) The ASP Presidency shall request the facilitation of the HRS in its short-listing, which shall be done by criteria on the basis of suitability to the post of the member of the roster based on the candidate's submitted application. The criteria should be objective and related to all requirements as indicated in the call for applications. For assessing the suitability of candidates for the roster, the ASP Presidency may request advice from the IOM.

b) The purpose of short-listing is to limit the number of candidates to a maximum of 30 candidates. Where the number of long-listed candidates is 30 or less, all candidates shall be allowed to be interviewed.

Interviews

13. a) The ASP Presidency shall be facilitated by the representative of the HRS in conducting the interviews.

b) When assessing questions, in line with the principles of competency-based interviewing, due regard shall be given to those who provide answers relating to actual experience.

c) The questions will remain confidential and unbeknownst to any party or individual except for the ASP Presidency and/or representative of the HRS until the conclusion of all interviews.

Selection decision

14. The final selection for membership on the roster shall be made by the ASP Presidency based on an overall technical assessment, bearing in mind gender balance, equitable geographical representation, and the two working languages of the Court.

Notification and implementation of the decision

15. The HRS shall inform the selected candidates for a roster of the selection decision in writing within 14 calendar days after the decision is made by the ASP Presidency. They shall be further informed that they may be selected for the panel, subject to further selection procedure. Other candidates not placed on the roster shall be so informed by the HRS in writing within 14 calendar days after the selection decision is made. Applicants eliminated prior to the assessment exercises shall likewise be informed.

16. The HRS shall maintain the roster and review the availability of its members. The Secretariat of the ASP, facilitated by the HRS, shall report on the status of the roster to the Bureau every two years.

Selection of panel members

17. The ASP Presidency will promptly, no later than within 14 calendar days from receiving the IOM report or the external investigation report, select the members of the panel, bearing in mind gender balance, equitable geographical representation, and the two working languages of the Court. It is advisable that at least one member of the panel is an administrative judge with experience in public service law.

18. The members of the panel shall be appointed by the ASP Presidency in their personal capacity based on their relevant qualifications and experience. They shall serve on a pro bono basis.

19. The members of the roster who are considered to have a potential conflict of interest on grounds specified in Rule 34 RPE, or other reasons that prevent them from sitting in the panel, including having the same nationality as a party to the investigation, shall not be eligible for membership on the panel.

20. When submitting the report to the ASP Presidency, the IOM or external investigator may provide advice regarding potential conflict of interest that may prevent members of the roster from sitting on the panel.

21. The members of the roster shall not be eligible to sit on two panels consecutively, unless it is necessary due to special circumstances.

22. Upon their appointment, the member of the panel shall sign a document in which they commit to recuse themselves in the event of any conflict of interest.

23. The member of the panel is obliged to disclose any current or previous personal or professional relationship with any party to the investigation, or any other factor that may affect their independence and impartiality.

24. As soon as the panel is constituted, the ASP Presidency shall provide the panel with the IOM report or external investigation report, and the Chairperson shall inform the parties to the investigation of the panel's composition.

25. Where a conflict of interest or other reasons that prevent a selected member from sitting in the panel arise after the establishment of the panel, that member shall recuse themself and shall not participate in the process.

26. A request for disqualification of a panel member on their motion or by any of the parties to the investigation shall be made in writing within 3 working days of becoming aware of the grounds giving rise to a potential conflict of interest and shall state the reason for requesting such disqualification. The decision on such a request shall be made by the ASP Presidency with utmost urgency, no later than 7 calendar days after its receipt.

27. When there is a vacant seat on the panel, the ASP Presidency shall select a new panel member, in accordance with set forth procedure. The Chairperson shall inform the parties to the investigation without undue delay of any change in the composition of the panel. The parties shall have 2 working days to request disqualification of the proposed new member of the panel and to provide their reasons.

Working methods of the panel

Chairperson

28. The panel shall elect a Chairperson by majority vote.

29. If the Chairperson ceases to be able to carry out their functions or ceases to be a member of the panel, a new Chairperson shall be elected.

Rapporteur

30. a) The members of the panel may decide to appoint a Rapporteur from among themselves.

b) The Rapporteur may be responsible for, *inter alia*:

(ii) compiling information;

(iii) examining the factual basis of the case provided in the IOM report or external investigation report and presenting an assessment of legal characterization of the factual findings to the other panel members based on the discussions held;

(iv) advising the panel on sufficiency of evidence provided in the IOM report or external investigation report and a possible need to obtain additional evidentiary material; and

(v) drafting the final report.

Meetings

31. The panel shall meet as often as necessary or as requested by the Chairperson.

Communication

32. The panel shall convene remotely via technological means of communication as a rule. When needed, the panel shall convene in a hybrid format.

Confidentiality

33. The members of the panel shall ensure strict confidentiality of all communications and discussions during the process, including regarding testimonies of victims and witnesses.

34. Upon their appointment, each member of the panel shall sign a document in which they commit to ensure strict confidentiality.

Impartiality

35. The members of the panel shall work independently and shall not receive any instructions in the fulfilment of their tasks from the elected officials, States Parties, or any other parties.

36. The members of the panel shall avoid any conflict of interest or being placed in a situation which might reasonably be perceived as giving rise to a conflict of interest or bias.

Functions of the panel

37. The panel will begin its work upon receipt of the IOM report or external investigation report and shall endeavour to make the legal characterization on the basis of that report. When necessary, the panel may request the IOM or the external investigator to provide evidentiary material or to clarify any question. The report or evidentiary material respectively may include pseudonyms in order to safeguard the identities of witnesses.

38. The panel shall not duplicate the work of the IOM or external investigator or conduct its own fact-finding.

39. An officer from the IOM shall act as a liaison between the panel and the IOM or external investigator.

40. The Secretariat of the ASP shall provide the panel with administrative and technical assistance.

41. After evaluating the IOM report or the external investigation report and, when necessary, the underlying evidentiary material, the panel shall provide its legal characterization of the factual findings. It does not fall within the mandate of the panel to recommend removal or disciplinary actions.

Procedures to be applied by the panel

a) Consensus

42. Every effort shall be made to agree on the advice to the competent decision-maker(s) by consensus. If consensus cannot be reached, the advice shall be adopted by vote of a simple majority of the panel members.

b) *Voting rights*

43. Each member of the panel shall have one vote.

Final report of the panel

44. Once the panel has completed its work, it shall submit to the competent decision-maker(s) a final report with its advice, which would include necessary information and attach the IOM report or external investigation report, and underlying evidentiary material, if applicable.

45. The final report of the panel shall consist of:

(i) the charges and allegations of unsatisfactory conduct;

(ii) a statement of the proceedings;

(iii) findings indicating which of the charges, if any, appear to be supported by the evidence, including a synopsis of the evidence and the panel's evaluation thereof;

(iv) any aggravating or mitigating factors that might be relevant;

(v) conclusions on subparagraphs (i) to (iv);

(vi) advice from the panel to the competent decision-maker(s) as to the legal characterization whether the factual findings by the IOM or the external investigator establish serious misconduct or serious breach of duty, misconduct of a less serious nature, or no misconduct or breach of duty under the set forth legal framework;

(vii) confirmation of the non-binding nature of the advice; and

(viii) a record of the votes on the advice provided, including any dissenting or separate opinion.

46. The final report of the panel shall be submitted to the competent decision-maker(s) within 30 calendar days of receipt of the IOM report or external investigation report by the panel. The panel may, under exceptional circumstances, make a request to the ASP Presidency for an extension of a time-limit.

Periodic review of the Terms of Reference

47. The ASP shall review the Terms of Reference every three years, or as necessary, to ensure that they reflect best professional practices, remain relevant to the ICC's operating context, and continue to meet the ASP's needs. Any proposed amendments to the Terms of Reference shall be submitted to the ASP for approval.

Annex II

Revised Operational Mandate of the Independent Oversight Mechanism[8]

I. Mission of the IOM

1. The Independent Oversight Mechanism (hereinafter "IOM") is a subsidiary body of the Assembly of States Parties to the Rome Statute (hereinafter "the Assembly"), established in accordance with article 112, paragraph 4, of the Rome Statute, by Assembly resolution ICC-ASP/8/Res.1, as amended by **resolution ICC-ASP/19/Res.6 and** the present resolution.

2. As prescribed by article 112, paragraph 4 of the Rome Statute, the purpose of the IOM is to provide comprehensive oversight of the Court through the conduct of independent internal administrative investigations**, including those related to the due diligence procedure for candidates for elected positions with the International Criminal Court ("due diligence procedure")**, evaluations, and inspections, in order to enhance its economy and efficiency.

3. The IOM shall exercise complete operational independence in the fulfilment of its functions and will report to the Assembly as provided for in paragraph 15 of resolution ICC-ASP/8/Res.1.

4. The IOM shall have the authority to initiate on a reasonable basis, carry out and report on any action which it considers necessary to fulfil its responsibilities with regard to its functions without any hindrance or need for prior authorisation, except as set forth in the present resolution. The IOM shall not be prohibited from carrying out any action within the purview of its mandate. In the case of any inconsistency between this mandate and any provision of the Court's internal regulatory framework, the former shall prevail.

Oversight Activities

5. The authority of the IOM does not in any way impede the authority or independence granted by the Rome Statute to the Presidency, judges, Registrar, or Prosecutor. In particular, the IOM will fully respect judicial and prosecutorial independence and minimize any impact by the conduct of its activities on the effective functioning of the Court.

6. Should the IOM deem that actions are required to fulfil its mandate that may potentially affect judicial or prosecutorial independence, or affect ongoing Court proceedings or investigations, it shall first consult the Presidency or Prosecutor to determine a course of action which would both respect the judicial or prosecutorial independence and not unduly interfere with Court proceedings or prosecutorial activities, while allowing the IOM to provide the oversight required. Should there be no agreement in respect of such course of action, the Presidency or Prosecutor shall agree with the Head of the IOM on an independent third-party procedure to facilitate and mediate the disagreement. In addition, the IOM will alert the relevant Head of Organ about any planned evaluation, inspection, or investigation, unless it determines that it would be inappropriate to do so. Upon such consultation, the Presidency or Prosecutor may raise any concerns connected to judicial or prosecutorial independence which have not been identified by the IOM.

7. In matters concerning judicial and prosecutorial independence, the IOM and relevant Head of Organ shall proceed in good faith at all times with a view to ensuring accountability, in accordance with the Rome Statute and the Rules of Procedure and Evidence.

A. Investigation

Legal mandate

8. The IOM shall promptly receive all allegations of misconduct[91] against any staff

[8] The amendments for Due diligence are highlighted in **bold** and the amendments relating to IER recommendation R108 are underlined.

[9] For the purposes of this mandate, misconduct is used interchangeably with unsatisfactory conduct, defined in Chapter X of the Court Staff Rules as: "*Failure by a staff member to act in accordance with any official document of the Court governing rights and obligations of staff members, such as the Staff Regulations and Rules and the Financial Regulations and Rules, or any relevant resolutions and decisions of the Assembly of States Parties, or failure to observe the standards of conduct expected of an international civil servant, may amount to unsatisfactory*

member or consultant/contractor retained by the Court, and determine after an initial review those that should be further assessed by the IOM. These include the making of allegations against an elected official, staff, or consultant/contractor in bad faith.

9. In accordance with relevant provisions of the Rome Statute and of the Rules of Procedures and Evidence,[102] the IOM shall also be the only body authorized to receive and investigate complaints of misconduct and serious misconduct against any elected official. The outcome of any investigation under this paragraph should be reported in accordance with Rule 26*bis* and Rule 26*ter* of the Rules of Procedure and Evidence.

10. The IOM also has the discretionary authority to assess or investigate any allegations of misconduct, serious misconduct, or unsatisfactory conduct against any former elected official, staff member, or consultant/contractor, provided the elected official, staff member, or consultant/contractor was in the service of the Court at the time the alleged misconduct took place. This paragraph also covers allegations of misconduct with respect to obligations undertaken by elected officials, staff members, or consultants/contractors during their service and that extend after their term of service.

11. In case of actual, potential or perceived conflicts of interest, or due to insufficient IOM resources, the Head of IOM or the President of the Assembly may, if strictly necessary, retain an external investigator to conduct investigations into allegations of misconduct, serious misconduct, or unsatisfactory conduct against elected officials, staff members, or consultants/contractors. In performing investigative activities, the external investigator shall apply the Court's regulatory framework, recognised best practices, and adhere to the highest ethical standards. Upon completion of the investigation, as appropriate, the external investigator shall transmit a copy of the full investigation file, including the report and the supporting evidence, to the IOM for record-keeping.

12. The IOM will not investigate contractual disputes or human management issues, including work performance, conditions of employment or personnel-related grievances. The IOM will also not investigate offences under article 70 of the Rome Statute.

13. **In accordance with the Assembly resolution ICC-ASP/22/Res.3, the IOM has the authority to conduct the due diligence procedure for all candidates for the position of Judge, Prosecutor, Deputy Prosecutor, Registrar and Deputy Registrar of the Court, with the assistance of the Registry and the Secretariat of the Assembly as appropriate. The due diligence procedure is intended solely to assist States Parties and/or the authority in charge of the election process, as appropriate, to assess whether there might be relevant concerns regarding whether such candidates possess "high moral character" as required by the Rome Statute. This procedure is without prejudice to other efforts or mechanisms to assess the professional skills and competencies of such candidates.**

Investigation of unsatisfactory conduct and Due Diligence Procedures

Investigation of unsatisfactory conduct

14. Following the IOM's initial review under paragraphs 8 and 9, the IOM may decide to investigate the matter, in which case no further action should be taken by any other body within the Court until such time as the IOM has completed its investigation, unless after consultation the IOM has agreed that this would not affect the conduct of its investigation.

15. Should the IOM decide, further to an initial review under paragraphs 8 and 9, not to investigate a matter, it may refer the matter to the relevant Head of Organ or decision-maker if appropriate. Should the Head of Organ or decision-maker nevertheless decide to carry out an investigation, it should be conducted, whether by a staff designated by the Head of Organ or decision-maker, or an external investigator, in accordance with the Court's Regulatory framework with respect to the conduct of administrative investigations.

16. Should the IOM find, following a formal investigation that any allegation of unsatisfactory conduct under paragraph 8 above has been substantiated, it should present its

conduct within the meaning of staff regulation 10.2(a), leading to the institution of disciplinary proceedings and the imposition of disciplinary measures."

[10] Articles 46 and 47 of the Rome Statute, and Rules 24-26 of the Rules of Procedure and Evidence.

report to the relevant Head of Organ, along with its recommendation on whether to initiate disciplinary proceedings. The Head of Organ shall report back to the IOM on whether disciplinary proceedings were initiated, and if so, whether any disciplinary measure was imposed, and the nature of the measure. If no disciplinary proceedings were initiated or no disciplinary measure imposed, it should inform the IOM as to the reason for not doing so.

17. Should the IOM find, following a formal investigation that any allegation of serious misconduct or serious breach of duty, and misconduct of a less serious nature under paragraph 9 above has been substantiated, it should present its report to the Presidency of the Assembly, which shall promptly constitute an *Ad Hoc* panel. The panel shall legally characterize whether the factual findings by the IOM or the external investigator establish serious misconduct or serious breach of duty, misconduct of a less serious nature, or establish no misconduct or breach of duty, and shall transmit its advice to the competent decision-maker. When necessary, the panel may request the IOM or the external investigator to provide evidentiary material or to clarify any questions.

18. The relevant decision-maker shall report back to the IOM on whether disciplinary proceedings were initiated, and if so, whether any disciplinary measure was imposed, and the nature of the measure. If no disciplinary proceedings were initiated or no disciplinary measure imposed, it should inform the IOM as to the reason for not doing so.

19. Where an investigation reveals that criminal acts may have been committed by elected officials, staff members or consultants/contractors, the IOM or, where applicable, the external investigator may also refer the matter to the relevant Head of Organ or to the relevant decision-maker, and recommend that the matter be further referred to the relevant national authorities.

20. The IOM may also, including in cases of unsubstantiated allegations, make observations and recommendations to any Head of Organ, Division, or Section if investigation findings reveal weaknesses in adherence to administrative or operations policies, guidelines, procedures or practices, or if specific issues arising from the investigation require immediate corrective action to strengthen internal controls and prevent similar incidents from happening in the future.

Due Diligence Procedure

21. **The IOM shall conduct an in-depth background check of criminal, academic and employment records of the candidates with the assistance of relevant sections of the Registry and the Secretariat of the Assembly, as appropriate. This process shall include a review and analysis of open-source information and contacts with former and current employers and, where feasible, employees who may have worked with the candidates.**

22. **The Secretariat of the Assembly, or the authority in charge of the election process, as appropriate, shall provide the IOM with the nominations by States Parties or the list of names of candidates with all supporting documentation.**

23. **As soon as the IOM has received the nominations or list of names, the IOM shall contact the candidates and require them to complete a detailed questionnaire, and provide consent to contact former and current employers and employees, State authorities, or academic institutions, with an appropriate deadline for submission.**

24. **The IOM shall open a confidential channel for the receipt of allegations of misconduct against any of the candidates.**

25. **The IOM shall first review the allegations and consider whether they relate to misconduct. If they do not, the review of the allegations shall be discontinued. If the allegations relate rather to concerns about the candidate's qualifications, abilities, or past performance, the IOM shall convey the relevant information, taking into consideration any confidentiality concerns expressed by the complainant, to the Chair of the Advisory Committee on Nominations of Judges ("ACN"), or the authority in charge of the election process, as appropriate.**

26. **When the allegations relate to misconduct, the IOM shall assess the credibility and the materiality of the allegations, determining the type of misconduct and its seriousness. The candidate shall be afforded a full and fair opportunity to respond to the allegation. The IOM shall also review any allegations of retaliation by a candidate.**

27. **At the conclusion of its review, the IOM shall submit a report to the Presidency of the Assembly for its consideration. The report shall include an assessment as to whether, on the basis of all available information, there is sufficient credible and material evidence to raise concerns regarding the candidate's high moral character. The report shall also provide a general overview of the procedure undertaken, as well as any insights on lessons learned for the future. A copy of this report shall be transmitted to the Chair of the ACN, or the authority in charge of the election process, as appropriate. A summary of the reports on due diligence procedures shall also be included in the IOM's Annual Report, in accordance with paragraph 50.**

Confidentiality and consistent Regulatory framework

28. The confidentiality of sources of allegations should be strictly safeguarded, and any relevant identifiable information not included in any IOM report, unless disclosure is necessary to guarantee the rights of any elected official, staff member, or consultant/contractor**, or candidate subject to the due diligence procedure. Such disclosure should only occur after the consent of the source has been obtained.**

29. The IOM shall assist the Court in adapting the Court's internal regulatory framework for the review of allegations of misconduct **and the due diligence process**, consistent with this mandate.

B. Evaluation

30. An evaluation is a rigorous, impartial, systematic and independent assessment of an activity, project, programme, strategy, policy, topic, theme, sector, operational area or institutional performance. It analyses the level of achievement of both expected and unexpected results using criteria such as relevance, effectiveness, efficiency, impact and sustainability. In sum, evaluation assesses what works, what does not and why, highlighting both intended and unintended consequences concerning the subject evaluated.[113] **Evaluation is conducted by the IOM in line with the ICC Evaluation Policy.**

31. After consultation with the Heads of Organs, the IOM shall prepare an independent annual programme of evaluations to propose to the Assembly, taking into account the IOM's capacity in this respect. The Assembly or Bureau may also request the IOM to conduct evaluations other than those in the IOM annual programme of evaluations, providing also a rationale for such evaluations and a suitable budget and resources as required. The IOM will assess such requests on the basis of evaluability criteria to determine whether an evaluation can be carried out. If the result of an evaluability assessment is that the evaluation cannot be carried out, the IOM will consult with the requesting authority regarding alternative options.

32. Should part of or the entire annual programme of evaluations proposed by the IOM be rejected by the Bureau, without any other evaluation request made by the Assembly or the Bureau, the Heads of Organ will be encouraged to request the IOM to conduct an evaluation. Such request will also be reviewed by the IOM to determine its suitability, and an alternative proposed if necessary. In the absence of any evaluation request from the Assembly, the Bureau or the Heads of Organ, the IOM has the independent and discretionary power to initiate an evaluation on its own accord, after consultation with the relevant Head of Organ.

33. The IOM may, upon request of the Assembly, Bureau or any Head of Organ, provide quality assurance, coordination and secretariat support for any evaluation conducted by an external consultancy or by any high-level peer-review panel established by the Assembly, Bureau or Head of Organ, for the purposes of evaluating any aspect of the Court's operations.

34. The IOM may provide, upon request of a Head of Organ, technical support to the relevant Organ in establishing or reviewing an internal monitoring and evaluation system of any project, programme or initiative.

35. The IOM shall be the custodian of all evaluations, including those conducted under the purview of Heads of Organs. The Heads of Organ will report to the IOM all internal evaluations planned and completed by providing general information on these, such as the

[11] The definition of evaluation is adapted from the United Nations Evaluation Group's (UNEG) Norms and Standards for Evaluation (2016) **and the ICC Evaluation Policy.**

topic, scope, and timeline. Such internal evaluations are defined according to the evaluation principles of the UNEG Norms and Standards for Evaluation, and excludes reviews, performance indicators and audits, monitoring and other similar analyses not considered formal evaluations. The IOM shall have unrestrained access to all internal evaluation reports conducted by the Court.

36. Notwithstanding the confidentiality obligations attached to IOM work as found in this resolution, the IOM's annual programme of evaluations, all evaluation requests made by the Assembly or the Bureau, as well as evaluation executive summary reports will be made public. Where publication of any report regarding any evaluation would be inappropriate for reasons of confidentiality, or where it could place in jeopardy the safety and security of any individual, or run the risk of violating the due process rights of individuals, the report may be redacted or in exceptional cases withheld at the direction of the President of the Assembly or the Head of Organ, as appropriate.

37. The IOM will issue the final report for an evaluation requested by the Assembly or the Bureau to the President of the Assembly, who will then be responsible for any subsequent dissemination.

38. For evaluation requested by a Head of Organ pursuant to paragraph 32, the report will be submitted to the Head of Organ, who will be responsible for its dissemination. The IOM will also include a summary of any such evaluation in its Annual Report.

C. Inspection

39. The IOM may conduct unscheduled or *ad hoc* inspections of any premises or processes, as requested by the Bureau or a Head of Organ. Such inspections are defined as special, unscheduled, on-the-spot verifications made of an activity directed towards the resolution of problems which may or may not have been previously identified.[12]

40. All requests of the Bureau to the IOM to conduct inspections will be notified to the appropriate Head of Organ, and shall be preceded by a consultation with the appropriate Head of Organ. The concerned Head of Organ may appoint a representative of his/her office to witness the inspection.

41. Upon completion of an inspection requested by the Bureau, the IOM shall deliver the report to the President of the Assembly, who shall forward it to the Assembly or its Bureau, as appropriate. The Assembly or the Bureau is solely responsible for any subsequent distribution or publication.

42. In those cases where the IOM agrees to conduct an inspection following a request from a Head of Organ, it shall deliver its inspection report to the Head of Organ upon completion, who will be solely responsible for any subsequent distribution or publication. The IOM will report on any such inspection in its Annual Report.

II. Powers and Authority

43. The IOM shall have full, free and prompt access to all (electronic or otherwise) Court records files, documents, books or other materials, assets and premises, and shall have the right to obtain such information and explanations as they consider necessary to fulfil their responsibilities.

44. The IOM shall also have full and free access to all elected officials, staff, contractors, or any other personnel of the Court, and all such personnel shall have the duty to cooperate promptly with any IOM request, including requests for information, to be interviewed and/or to provide explanations. Failure to provide such cooperation, without reasonable excuse, may result in disciplinary action.

45. **In case of due diligence procedure, the IOM shall inform the Presidency of the Assembly of any failure of a candidate to submit a completed questionnaire, or provide the required consent, within the deadline, under paragraph 23 above, and may recommend that the candidate not be considered further for election.**

46. Any IOM request under paragraphs 43 and 44 above must be kept confidential and

[12] See JIU Glossary of Evaluation Terms (JIU/REP/78/5).

not shared with anyone, including any other elected official, staff or consultant/contractor, unless explicitly provided for in the Court's regulatory framework or expressly authorized by the IOM. Failure to maintain such confidentiality may result in disciplinary action.

47. Notwithstanding the provisions outlined in paragraphs 43 and 44 above, the right of access granted to the IOM shall be subject to confidentiality considerations necessary for the exercise of the Court's mandate under the Rome Statute, in particular in the context of criminal investigations, judicial proceedings, any pre-existing obligation of confidentiality to the originator of the information or document, the safety and security of witnesses, victims and third parties, and the protection of national security information of States Parties.

48. Any objection to comply with any IOM request under paragraphs 43 and 44 should be raised by the elected official, staff member, or consultant/contractor concerned at the earliest opportunity with the IOM, who will then consult with the appropriate Head of Organ. If the Head of Organ is of the view that the request would violate one of the confidentiality considerations of paragraph 47, the Head of Organ should formally notify the Head of the IOM accordingly. The IOM and Head of Organ shall make all reasonable efforts to allow the IOM access to material that will allow it to fulfil its functions, without jeopardizing the confidentiality considerations contained in paragraph 47, including by providing redacted information that could satisfy both the mandate of the IOM and the confidentiality of the information.

49. Despite their best efforts, should the Head of Organ and Head of the IOM not agree regarding whether the information is protected from disclosure under paragraph 47, or if the Head of the IOM considers that unrestricted access to the information is nevertheless necessary to fulfil the mandate of the IOM, the Head of Organ and Head of the IOM should agree on an independent third-party procedure to facilitate and mediate the disagreement, while ensuring that all confidentiality obligations under the Rome Statute are duly respected.

III. Reporting

50. The IOM shall provide an Annual Report on its operations to the Assembly. The Annual report shall provide information regarding investigations**,** including any due diligence procedure as applicable, evaluations and inspections carried out by the IOM, ensuring that it respects privacy rights of elected officials, staff members, and consultants/contractors. In particular, the Annual Report shall not contain the names or publicly identifiable information regarding any individual involved in any investigations.

51. Prior to its submission, the draft should be circulated to each Head of Organ, who may provide comments for the IOM's consideration. Any Head of Organ may also provide formal comments to the Annual Report which shall be annexed to the Annual Report and submitted with it to the Assembly.

52. The Annual Report (including any annexes) shall be a public document.

53. The IOM shall also provide an Interim Report to the Bureau of the Assembly, covering the six-month period following the previous Annual Report, and which shall include a summary of the IOM's operations for this period. The Interim Report shall be copied to the Heads of Organs and the Committee on Budget and Finance, and any further disclosure should be done only with the approval of the President of the Assembly.

54. Both the Interim Report and the Annual Report shall be presented at a Bureau meeting, and the Head of the IOM shall be available to provide further information, without disclosing information that is confidential and/or would be prejudicial to the rights of any elected official, staff member, or consultant/contractor, or would interfere with Court proceedings or investigations.

55. The IOM shall also provide *ad hoc* reports to the Bureau upon its request, or at the discretion of the Head of the IOM, who may do so after consultation with the President of the Assembly.

IV. Staff and Accountability

56. In carrying all its activities, the IOM will implement recognized best practices and adhere to the highest ethical standards.

57. Except where explicitly provided in this resolution, the work of the IOM shall be confidential, and the IOM shall be responsible for safeguarding all confidential information provided to it. Unauthorized disclosure of any confidential information by staff members of the IOM shall constitute unsatisfactory conduct, for which appropriate disciplinary measures may be imposed.

58. Staff members of the IOM shall not be engaged in any non-IOM related operational duties for the Court, nor engage in any activity that might give an appearance of jeopardizing their independence, such as membership in any body that requires election or nomination.

59. The IOM exercises full operational independence from the Court, and accordingly reports directly to the President of the Assembly.

60. The Head of the IOM shall be selected by the Bureau of the Assembly. The evaluation of the work performance of the Head of the IOM shall be undertaken by the President of the Assembly. The Head of the IOM may be removed only for cause and by the decision of the Bureau of the Assembly.

61. Notwithstanding paragraph 59, the IOM is nevertheless bound by the regulatory framework of the Court. For administrative purposes, therefore, the Head of the IOM shall follow the Court processes for approvals related to Human Resources, Budget and Finance, and Procurement, including requiring the approval of the Registrar for any action in these areas. However, the Registrar shall not use its discretion to deny any IOM request, provided that the proper administrative processes have been followed. Any disagreement between the Registrar and the Head of the IOM in this respect shall be resolved by the President of the Assembly, whose decision shall be final.

62. All staff members of the IOM are considered staff of the Court. As such, and unless otherwise inconsistent with the present mandate, their appointment, conditions of employment and standard of conduct must be in accordance with the Staff and Financial Regulations and Rules and relevant administrative issuances of the Court. Therefore, as part of the Court, the staff members of the IOM shall enjoy the same rights, duties, privileges and immunities, benefits of all staff members. The Registry shall facilitate any administrative arrangements.

63. Any allegation of unsatisfactory conduct by any staff member of the IOM shall be promptly reported to the Head of the IOM, who upon consultation with the President of the Assembly, will decide on the proper course of action.

64. Any allegation of unsatisfactory conduct by the Head of the IOM shall be reported to the President of the Assembly, who shall decide on the proper course of action.

65. Any investigation into the conduct of any staff member of the IOM should be carried out in accordance with the standards applicable to investigations of any other staff member of the Court.

66. Any disciplinary measure imposed on a staff member of the IOM should be imposed by the Registrar in consultation with the Head of the IOM. Any disciplinary measure against the Head of the IOM shall be made by the Bureau of the Assembly upon recommendation by the Registrar. Any disciplinary measure against any staff member of the IOM should be taken or recommended only following the disciplinary process of the Court, including the due process rights of the staff member of the IOM in question.

Annex III

Amendments to the Rules of Procedure of the Assembly connected to an ad hoc panel (IER recommendation R108)

XVI. Disciplinary measures

Rule 81

Removal and suspension from office of a judge, the Prosecutor or a Deputy Prosecutor

1. The President of the Bureau of the Assembly of States Parties shall convene a meeting of the Bureau and circulate among its members the final report of the *ad hoc* panel together with the investigation report, and its underlying evidence, if applicable, upon receipt of advice of the *ad hoc* panel that the factual findings by the Independent Oversight Mechanism or the external investigator, as applicable, legally characterize as serious misconduct or serious breach of duty in the case of the Prosecutor. After having gathered, in accordance with the common provisions on procedural fairness under rule 27 of the Rules of Procedure and Evidence, the relevant information for the purpose of deciding on the complaint, the Bureau shall recommend to the Assembly whether to follow the advice of the *ad hoc* panel, including its reasoning for disagreement, if applicable.

2. The President of the Bureau of the Assembly of States Parties shall transmit to the next ordinary or special session of the Assembly the final report of the *ad hoc* panel together with the investigation report, and its underlying evidence, if applicable, and the relevant information for the purpose of making a decision as to the removal from office, upon receipt of:

(a) in the case of a judge, any recommendation adopted by the plenary of judges in accordance with rule 29, paragraph 1, of the Rules of Procedure and Evidence;

(b) in the case of a Deputy Prosecutor, any recommendation made by the Prosecutor in accordance with rule 29, paragraph 5, of the Rules of Procedure and Evidence;

(c) in the case of the Prosecutor, any recommendation adopted by the Bureau in accordance with paragraph 1 or rule 82, paragraph 2 (c).

3. After having received the relevant documentation in accordance with paragraph 2, the Assembly shall make a decision as to the removal from office of a judge, the Prosecutor or a Deputy Prosecutor pursuant to article 46, paragraph 2, of the Statute.

4. If the Assembly makes a decision against the removal from office of a judge, the Prosecutor or a Deputy Prosecutor, it shall refer the matter to the competent decision-maker(s) in accordance with rule 29, paragraph 6, of the Rules of Procedure and Evidence to impose a disciplinary measure consistent with the seriousness of the misconduct or breach of duty.

5. Where an allegation against the elected official concerned is of a sufficiently serious nature, the Bureau may suspend from duty at any stage pending a final decision in accordance with rule 28 of the Rules of Procedure and Evidence:

(a) a judge, when the plenary of judges has recommended removal from office and the President of the Bureau of the Assembly of States Parties was so informed under rule 29, paragraph 3, of the Rules of Procedure and Evidence;

(b) the Prosecutor or a Deputy Prosecutor.

6. The Bureau and the Assembly shall respect the confidentiality of all relevant materials in accordance with rule 26*ter* of the Rules of Procedure and Evidence.

Rule 82

Disciplinary measures

1. The President of the Bureau of the Assembly of States Parties shall convene a meeting of the Bureau and circulate among its members the final report of the *ad hoc* panel together with the investigation report and its underlying evidence, if applicable, upon receipt of:

(a) in the case of the Prosecutor, advice of the *ad hoc* panel that the factual findings by the Independent Oversight Mechanism or the external investigator, as applicable, legally characterize as misconduct of less serious nature or establish no misconduct or breach of duty;

(b) in the case of a Deputy Prosecutor, any recommendation made by the Prosecutor to impose a pecuniary sanction in accordance with rule 30, paragraph 4, of the Rules of Procedure and Evidence.

2. After having gathered, in accordance with the common provisions on procedural fairness under rule 27 of the Rules of Procedure and Evidence, the relevant information for the purpose of deciding on the complaint against the Prosecutor, the Bureau shall:

(a) adopt a decision to impose a disciplinary measure in accordance with rule 30, paragraph 3, of the Rules of Procedure and Evidence if it determines that misconduct of less serious nature defined under rule 25 of the Rules of Procedure and Evidence has occurred;

(b) adopt a decision to close the matter if it determines that no misconduct or breach of duty has occurred;

(c) adopt a decision to recommend removal from office to the Assembly if it determines that serious misconduct or serious breach of duty has occurred in disagreement with the advice of the *ad hoc* panel in accordance with rule 30, paragraph 5, of the Rules of Procedure and Evidence.

3. Upon referral of the matter by the Assembly in accordance with rule 81, paragraph 4, the Bureau shall adopt a decision to impose a disciplinary measure in accordance with, in the case of the Prosecutor, rule 30, paragraph 3, and, in the case of a Deputy Prosecutor, rule 30, paragraph 4, of the Rules of Procedure and Evidence.

4. Upon the recommendation of the Prosecutor, and after having gathered, in accordance with the common provisions on procedural fairness under rule 27 of the Rules of Procedure and Evidence, the relevant information for the purpose of deciding on the complaint against a Deputy Prosecutor, the Bureau shall adopt a decision to impose a pecuniary sanction in accordance with rule 30, paragraph 4, of the Rules of Procedure and Evidence.

5. The President of the Bureau of the Assembly of States Parties shall, in accordance with rule 26*ter*, paragraph 3, inform the Assembly of States Parties of the imposition of a disciplinary measure in the case of the Prosecutor or a Deputy Prosecutor, including the identity of the elected official concerned and nature of the misconduct found.

6. The Bureau shall respect the confidentiality of all materials received in accordance with rule 26*ter* of the Rules of Procedure and Evidence.

Resolution ICC-ASP/24/Res.3

Adopted at the 9th plenary meeting, on 5 December 2025, by consensus

ICC-ASP/24/Res.3

Resolution on the procedure and criteria for the waiver of the loss of voting rights

The Assembly of States Parties,

Recalling that pursuant to article 112, paragraph 8, of the Rome Statute and regulations 5.5 and 5.6 of the Financial Regulations and Rules of the Court, a State Party which is in arrears in the payment of its assessed contributions and advances towards the costs of the Court shall have no vote in the Assembly and in the Bureau if the amount of its arrears equals or exceeds the amount of the assessed contributions and advances due from it for the preceding two full years,

Also recalling that pursuant to article 112, paragraph 8, the Assembly may nonetheless permit such a State Party to vote in the Assembly and in the Bureau if it is satisfied that the failure to pay is due to conditions beyond the control of the State Party,

Further recalling the decision of the Assembly at its fourth session on 5 December 2005, by consensus in ICC-ASP/4/Res.4, and the recommendations of the Assembly in the decision ICC-ASP/5/Res.3, adopted on 1 December 2006, urging all States Parties in arrears requesting exemption under article 112, paragraph 8, of the Rome Statute to provide the fullest possible supporting information that might support the claim that failure to make necessary payments had been attributable to conditions beyond the control of the States Parties,

Taking note of the decision of the Assembly in ICC-ASP/4/Res/4, that requests for exemption under article 112, paragraph 8, of the Rome Statute shall be submitted by States Parties in arrears to the Secretariat of the Assembly at least one month before the session of the Committee on Budget and Finance,

Taking note that the decision of the Assembly in ICC-ASP/4/Res/4 has not been implemented as originally intended, and that while the resolution was applied for two consecutive years, its implementation did not continue thereafter, and that decisions about the granting of waivers have continually been taken by the Assembly on the recommendation of the Bureau of the Assembly in accordance with the authority granted to the Assembly under article 112, paragraph 8 and that the Bureau has consistently recommended that waivers be granted as a matter of practice,

Taking note of the readiness expressed by the Committee on Budget and Finance in the report of its forty-eighth session to provide support to the Assembly and the Bureau, if deemed necessary, upon request and in response to specific technical questions,

Welcoming the discussions held within The Hague Working Group to implement the procedure set out in ICC-ASP/4/Res/4 and *recalling* that the Bureau shall determine whether a request for waiver is accompanied by sufficient supporting information,

Taking note of the discussions held in The Hague Working Group that relevant factors for consideration in reviewing the requests for waiver by the Bureau include: the duration in which a State Party has been in arrears and the record of its last contribution; whether the State Party has agreed on an eventual valid payment plan with the Court; the history of non-payment of assessed contributions by the concerned State Party; whether previous waiver applications have been submitted by the State Party and the reasons of such previous requests with supporting documentation; whether the State Party is also in arrears at other international organisations such as the United Nations; the importance of ensuring broad geographical representation in the decision making within the Bureau and the Assembly; the interest in promoting universality within the Court; and enhancing the resilience of the Court, also through endowing it with sufficient financial resources,

Noting that, in conducting its review, the Bureau may, if deemed necessary, and to complement the legal and political considerations, seek technical advice from the Committee on Budget and Finance to review financial and budgetary information provided by States Parties on waiver requests. This request shall be submitted to the Committee on Budget and Finance by the Bureau, through specific questions and inquiries to be answered by the Committee on Budget and Finance, no later than one month prior to the September session of the Committee on Budget and Finance,

Noting that decisions on waiver requests are decisions of the Assembly upon recommendation of the Bureau,

1. *Requests* the Secretariat of the Assembly to provide all necessary support to the Bureau in conducting its review of waiver requests, and to facilitate any technical advice requested from the Bureau to the Committee on Budget and Finance;

2. *Decides* that requests for waivers for the regular Assembly session shall be submitted to the Secretariat of the Assembly by 1 July of the year in which the State in arrears wishes to request the waiver. The Bureau may grant additional time upon request of the State in arrears, observing the individual circumstances of each request;

3. *Requests* the Bureau, States Parties and the Court to engage in dialogue with States in arrears, emphasizing the importance of endowing the Court with sufficient financial resources and in particular, financial contributions from every State Party, and encourages States in arrears to take prompt and timely action;

4. *Requests* the Bureau, through The Hague Working Group, to ensure, by no later than the first semester of 2026, the implementation of the procedure for assessing a request for waiver, in accordance with the illustrative Annex attached to this resolution;

5. *Calls upon* the Secretariat of the Assembly to set up a focal point to assist the States Parties in arrears, to provide timely notifications to States in arrears twice a year; once in the first quarter and again in the second quarter, including different options to recover voting rights, and *further calls upon* the Secretariat to inform all States Parties periodically of States in arrears and those that have recovered their voting rights following payment of their arrears;

6. *Also calls upon* the Bureau to submit the outcome of its review and its recommendation to the Assembly no later than two weeks prior to the December plenary session, at which the President of the Assembly of States Parties shall update the Assembly on the status of arrears, waiver applications, any technical advice requested and any other factors raised by a State Party as relevant to the consideration of a request for waiver;

7. *Decides* that, in evaluating a request submitted by a State Party in arrears for a waiver of the loss of voting rights under article 112, paragraph 8, of the Statute and in accordance with regulations 5.5 and 5.6 of the Financial Regulations and Rules of the Court, the decision-making process should be guided by the following sample of criteria among others: demonstrated inability to pay; submission of supporting documentation; history of engagement with the Court; history and comparative arrears status; feasibility of an eventual payment plan; timeliness and completeness of submission; the need to foster broad participation in the decision making; the interest in promoting universality of the Rome Statute; and the general objective of strengthening the Court.

ANNEX I

Waiver applications – Illustrative Timeline

The table below chronologically lists all relevant actions with implications to the question of arrears through the yearly Court's budget cycle.

Date	Actor	Action
By 15 January	Registry Contributions Unit	➢ Compiles overview of all current States Parties in arrears[1] and informs the Secretariat of the Assembly.
By 31 January	Secretariat of Assembly	➢ First outreach to State Party in arrears via Note Verbale. *(Second NV will be sent out in June)* ➢ The communication should include the following three key messages: i) Note that, as per the current status, the State Party concerned has lost their voting rights in the Assembly or the Bureau. ii) Inform that several options are available to recover the voting rights: (i) partial/full payment of arrears, (ii) developing/finalising a multiyear payment plan with the Registry, or (iii) submission of a waiver application by 1st July. iii) Underscore that assistance from the Court is available and include contact information on focal point at the Secretariat of the Assembly.
February onwards	Secretariat of the Assembly	➢ Include updated information on State Party in arrears in monthly financial reports.
February onwards	Bureau, States Parties, Court	➢ Engage in dialogue with State Party in arrears with a view to recalling the importance of endowing the Court with necessary financial resources, through contribution of every State Party, and to encouraging them to take timely actions also to recover voting rights.
June	Secretariat of the Assembly	➢ Second outreach to State Party in arrears via Note Verbale.

[1] "State Party in arrears" in this document means "State Party that falls under Art 112, para. 8. of the Rome Statute", i.e. the amount of its arrears equals or exceeds the amount of the contributions due from it for the preceding two full years.

		(to follow the first outreach in January)
1 July	State Party in arrears	➢ Submit waiver request, with supporting documents, to the Secretariat of the Assembly.
Shortly after 1 July	Secretariat of the Assembly	➢ The Bureau conducts preliminary assessment of waiver applications.
No later than 1 August	Bureau	➢ The Bureau may, if deemed necessary, seek technical advice from the Committee on Budget and Finance to review financial and budgetary information provided by States Parties on waiver requests. This request shall be submitted to the Committee on Budget and Finance by the Bureau, through specific questions and inquiries to be answered by the Committee on Budget and Finance, no later than one month prior to the September session of the Committee on Budget and Finance
September	Committee on Budget and Finance	➢ The Committee on Budget and Finance's observation will be submitted to the Bureau via the Secretariat of the Assembly, as early as possible, and no later than three weeks prior to the Assembly session.
As soon as available, at the latest in November	Bureau	➢ Bureau considers the waiver applications, including those with the Committee on Budget and Finance's technical advice if deemed necessary. ➢ Bureau makes recommendations to the Assembly.
Any time before the Assembly	State Party in arrears	➢ State Party in arrears may still recover their voting rights, either through payment of the minimum amount required to regain voting rights.
During the Assembly session	Assembly	➢ At the beginning of the Assembly, prior to any other scheduled Assembly voting/decisions, the President of the Assembly presents the status of arrears/waiver requests, accompanied by the Bureau recommendation. ➢ ASP decides on waiver requests, also prior to any other scheduled Assembly voting/decisions. ➢ Adopts budget resolution.
December/January	Registry Contributions Unit	➢ Sends out letter to each State Party to inform about the amount due for the following year.

Resolution ICC-ASP/24/Res.4

Adopted at the 9th plenary meeting, on 5 December 2025, by consensus

ICC-ASP/24/Res.4

Resolution of the Assembly of States Parties on the proposed programme budget for 2026 and related policy and administrative matters

The Assembly of States Parties,

Having considered the 2026 proposed programme budget of the International Criminal Court ("the Court") and the related conclusions and recommendations contained in the reports of the Committee on Budget and Finance ("the Committee") on the work of its forty-sixth session,[1] its forty-seventh session,[2] and its forty-eighth session,[3]

Part I: Budget matters

A. Programme budget for 2026

1. *Approves* appropriations totalling €196,852,900 in the appropriation sections described in the following table:

Appropriation section		*Thousands of euros*
Major Programme I	Judiciary	15,582.2
Major Programme II	Office of the Prosecutor	63,077.4
Major Programme III	Registry	99,627.5
Major Programme IV	Secretariat of the Assembly of States Parties	3,351.6
Major Programme V	Premises	4,689.8
Major Programme VI	Secretariat of the Trust Fund for Victims	4,833.8
Major Programme VII-5	Independent Oversight Mechanism	1,168.3
Major Programme VII-6	Office of Internal Audit	937.2
Subtotal		193,267.8
Major Programme VII-2	Host State Loan	3,585.1
Total		**196,852.9**

2. *Notes* that those States Parties that have opted for the one-time payment in respect of the permanent premises and have made such payments in full will not be assessed for the contributions corresponding to Major Programme VII-2 Host State Loan, amounting to €3,585,100;

3. *Further notes* that these contributions will bring down the level of the 2026 programme budget appropriations that need to be assessed for contributions by States Parties from € 196,852,900 to € 193,267,800, and that this amount will be assessed following the principles described in section B;

[1] *Official Records of the Assembly of States Parties to the Rome Statue of the International Criminal Court, Twenty-fourth session, The Hague 1-6 December 2025* (ICC-ASP/24/20), vol. II, part B.1.
[2] *Ibid*., part B.2.
[3] *Ibid*., part B.3.

4. *Resolves* that, for 2026, assessed contributions for the budget amounting to € 193,267,800 of the budget appropriations approved by the Assembly under paragraph 1 will be financed in accordance with regulations 5.1 and 5.2 of the Financial Regulations and Rules of the Court, and

5. *Further approves* the following staffing tables for each of the above appropriation sections:

	Judiciary	*Office of the Prosecutor*	*Registry*	*Secretariat of the Assembly of States Parties*	*Secretariat of the Trust Fund for Victims*	*Independent Oversight Mechanism*	*Office of Internal Audit*	*Total*
USG	-	1	-	-	-	-	-	1
ASG	-	2	1	-	-	-	-	3
D-2	-	-	-	-	-	-	-	-
D-1	-	3	3	1	1	-	1	9
P-5	2	19	22	1	-	1	-	45
P-4	4	42	47	1	4	2	1	101
P-3	21	104	81	2	2	-	2	212
P-2	12	98	100	1	5	1	-	217
P-1	-	21	6	-	-	-	-	27
Subtotal	*39*	*290*	*260*	*6*	*12*	*4*	*4*	*615*
GS-PL	1	2	13	1	-	-	-	17
GS-OL	11	82	274	3	4	1	1	376
Subtotal	*12*	*84*	*287*	*4*	*4*	*1*	*1*	*393*
Total	**51**	**374**	**547**	**10**	**16**	**5**	**5**	**1,008**

B. Scale of assessment for the apportionment of expenses of the Court

The Assembly of States Parties,

1. *Decides* that for 2026, the contributions of States Parties shall be assessed based on the scale adopted by the United Nations for its regular budget applied for 2025-2027,[4] and adjusted in accordance with the principles on which the scale is based,[5] and

2. *Notes* that, in addition, any maximum assessment rate for the largest contributors and for the least developed countries applicable for the United Nations regular budget will apply to the Court's scale of assessment.

C. Transfer of funds between major programmes under the 2025 approved programme budget

The Assembly of States Parties,

Recognizing that under Regulation 4.8 of the Financial Regulations and Rules no transfer between appropriation sections may be made without authorization by the Assembly,

1. *Decides* that, in line with established practice, the Court may transfer any remaining funds between major programmes at the conclusion of 2025 should costs for activities which were unforeseen or could not be accurately estimated be unable to be absorbed within one major programme, whilst a surplus exists in other major programmes, in order to ensure that

[4] A/RES/79/249.
[5] Rome Statute of the International Criminal Court, article 117.

appropriations for each major programme are exhausted prior to accessing the Contingency Fund, and

2. *Also decides* that the Court may transfer any remaining funds between major programmes at the conclusion of 2025 should some major programmes[6] not be able to absorb the additional costs relating to salary adjustments notified by the International Civil Service Commission whilst a surplus exists in other major programmes.

D. Development of budget proposals

The Assembly of States Parties,

1. *Requests* the Court to present a sustainable budget proposal for its 2027 programme budget, based on transparent and strict financial assessments and needs-analysis. Proposed increases above the level of the 2026 approved budget should be requested only when demonstrably necessary for the purpose of mandated activities and after all possible steps have been taken to finance such increases through savings and efficiencies,

2. *Recalls* that the proposed programme budget should present the costs for the following year by first highlighting the costs of maintaining current activities, then proposing changes to those activities, including full costings of such changes, and *emphasizes* that these changes should avoid duplication of functions and positions between the different organs of the Court,

3. *Invites* the Court to continue to ensure a stringent internal budgetary process steered by the Registry as part of an annual cycle taking into account past expenditure and leading to a sound and transparent budget proposal, thus allowing the Court to manage its financial situation responsibly, *encourages* the Court to make all efforts to ensure a balanced budget, as appropriate, across organs, and *emphasizes* that the Court should strive to present accurate and sustainable budget proposals based on robust forecasts,

4. *Welcomes* the recommendation of the External Auditor[7] that the Court question the nature of current appropriations when preparing the annual budget proposal, to avoid a gradual drift in budget appropriations,

5. *Recalls* the conclusions of the External Auditor with regard to financial trade-offs[8] and *further recalls* that States Parties support the Court in many ways, also outside the normal budgetary process,

6. *Welcomes* the savings and efficiencies achieved by the Court in 2025 and projected for 2026, as set out in annex XIV to the proposed programme budget for 2026,[9] as well as the Court's commitment to continue this practice, *takes note* of the fact that instead of setting annual efficiency targets as requested by the Assembly, the Court promotes a culture of continuous improvement in identifying and implementing efficiencies and savings,[10] and *decides* to keep this matter under consideration,

7. *Further welcomes* the recommendations of the Committee in relation to the presentation of the budget proposals and the efforts made by the Court in this regard, *encourages* continued improvement, and *notes* that the Committee will be updated ahead of its fiftieth session on the measures taken by the Court and will include its comments in its reports to the Assembly of States Parties,

8. *Requests* the Court to continue providing, as an annex to the proposed programme budget, an organigram with the number of full-time equivalent posts by section and office indicated, as a way to increase transparency on the organizational structure of the Court, and *further requests* the Chambers to continue providing a programme of work with detailed information on workload and calendar projections of all judicial activity based on available data,[11] with due regard to confidentiality and the independence of the Court,

[6] Excluding Major Programmes I, II and III.
[7] Final audit report on the budget process of the International Criminal Court (ICC-ASP/18/2/Rev.1), recommendation 2.
[8] Ibid., para. 213.
[9] ICC-ASP/24/10, Proposed Programme Budget for 2026, annex XIV.
[10] *Ibid.*, para. 110.
[11] Assumptions and parameters for the 2026 PPB-ICC-ASP/24/10, Annex XVII.

9. *Requests* the Court to continue providing, as an annex to the proposed programme budget,[12] a table presenting the total costs by country office and a breakdown of costs, for each country office, directly related to the different stages of prosecutorial and judicial activities and workload with a view to increasing transparency, *underlines* that some Independent Expert Review recommendations address the issue of use of resources in the field and were assessed positively in 2022,[13] and *urges* the Court to continue to make full use of resources modulation and flexibility, including related to staff, in order to adapt to changes in activity and workload,

10. *Further requests* the Court and the Committee, in order to pursue cost effective and efficient practices, to consider as inflationary pressures only those costs related to changes in the United Nations Common System (UNCS) salary scales and non-staff inflation costs when there is a contract with a clear indication of price indexation (contractual obligations) and following negotiations with vendors, and

11. *Notes* with appreciation the recommendations of the Committee on alternative terminology to the term "unavoidable costs" and the Court's implementation of such terminology in its 2026 proposed programme budget.

E. Amendments to Financial Regulations and Rules

The Assembly of States Parties,

Recognising that the Court may have multi-year commitments to be approved within the overall structure of the proposed programme budgets as indicated by the External Auditor in the Final Audit Report on the Budget Process of the International Criminal Court,[14]

Noting that, in order to ensure a streamlined coherence between approval of multi-year investment projects and related annual budgetary decisions by the Assembly, the External Auditor recommended that the Court designs and submits to the Assembly adequate rules guaranteeing a robust separation of the appropriations dedicated to each approved project and a yearly reporting to the Assembly,[15]

Also noting that the Committee considered the report titled "Update regarding the External Auditor's recommendation on Multi-year Projects," including the Court's proposal to address the External Auditor's recommendation through an amendment to the Financial Regulations and Rules;[16] and *further notes* that the Committee recommended that the Assembly approve the proposed amendments to the Financial Regulations and Rules,[17] and

1. *Decides to approve* the amendments to the Financial Regulations and Rules to provide for multiyear project**s**, allowing the carry-over of unspent allocations, as per Annex I to the present resolution.

F. A strategic approach to an improved budgetary process

The Assembly of States Parties,

Bearing in mind the independence and confidentiality required to allow the Judiciary and the Office of the Prosecutor to carry out their duties,

1. *Reiterates* that, in principle, documentation should be submitted at least 45 days before the beginning of the respective session of the Committee in both working languages of the Court, *emphasizes* the central role that the report of the Committee on Budget and Finance has on budget discussions in preparation for the Assembly sessions, and *strongly encourages* the Committee to ensure that its reports are published no more than one month after its session,

2. *Stresses* the utmost importance of achieving economies of scale, streamlining

[12] ICC-ASP/24/10, Annex XVI.
[13] ICC-ASP/21/18, para. 57.
[14] Final audit report on the budget process of the International Criminal Court, *Cour des Comptes*, ICC-ASP/18/2/Rev. 1, para. 166.
[15] Ibid, recommendation 8.
[16] Report of the Committee on Budget and Finance on the work of its forty-seventh session (ICC-ASP/24/15), para. 26
[17] Ibid, para.27.

activities, identifying potential duplications, and promoting synergies within as well as between the different organs of the Court,

3. *Welcomes* the Court's continued efforts to fully implement the "One-Court principle" when establishing the proposed programme budget, which has resulted in improvements to the budgetary process,

4. *Welcomes* the list of goals and Key Performance Indicators based on the Court's Strategic Plan 2026 – 2029, as annex to the 2026 Proposed Programme Budget,[18] and *underscores* the value of strategic planning, anchored in the "One Court" principle, as a critical tool for improving budget prioritisation, institutional transparency, and financial predictability, further *emphasizes* the importance of ensuring the effective development and use of KPIs to assess performance and progress,

5. *Welcomes* the continued steps taken by the Board of Directors and the Secretariat of the Trust Fund for Victims to increase the Fund's efficiency and effectiveness in implementing its mandate, including those in line with relevant recommendations from the Independent Expert Review and the Independent Oversight Mechanism and the resolution on the review of the International Criminal Court and the Rome Statute system,[19]

6. *Notes* the importance of frequently reconsidering the value of current activity, including any opportunities for redeployment,[20] and *recalls* that careful prioritization is an important principle of efficient and effective management and is key to achieving successful outcomes,

7. *Requests* the Court, in consultation with the Committee, to continue to develop its budgetary process, guided by the Registry, by:

(a) Further strengthening the "One-Court principle" by ensuring that the budget process and its underlying assumptions and objectives are based on coordinated and robust strategic planning and prioritization,

(b) Further enhancing dialogue and information sharing between the Court and States Parties on the assumptions, objectives and priorities which underpin the draft programme budget at an early stage,

(c) Employing maximum flexibility in the management of its human resources in reacting to unexpected situations, and to the extent possible redeploying resources based on actual workload requirements,

(d) Continuing to explore ways to preserve the Court's long-term ability to deliver on its mandate effectively and efficiently, while being mindful of the financial constraints of States Parties, and

(e) Enhancing the dialogue and information sharing between the Court and States Parties on potential medium-term cost drivers with a view to enhancing budget predictability,

8. *Notes that* its request to the Court, guided by the Registry, to develop an action plan to identify and implement measures to reduce avoidable costs incurred by each major programme, has been addressed in the 2026 proposed programme budget with concrete results to be presented to the twenty-fifth session of the Assembly of States Parties,

9. *Requests* the Court to continue submitting its annual report on activities and programme performance including, as appropriate, relevant information on the approved budget, expenditure and variance at the sub-programme level with all budget lines, as well as the provisional expenditures and revenues for all trust funds administered by the Court, also being provided by the Court in its financial statements,

10. *Recalls* the recommendation of the Committee at its thirty-ninth session in relation to budget forecasting,[21] *notes* the progress made by the Court in this regard,[22] and *further notes* the Court's ongoing efforts to establish a comprehensive budget forecasting system and emphasized that extending forecasts two years beyond the current budget cycle would improve transparency

[18] ICC-ASP/24/10, Proposed Programme Budget for 2026, annex IV.
[19] Resolution ICC-ASP/20/Res.3.
[20] *Official Records … Eighteenth session … 2019* (ICC-ASP/18/20), vol. II, part B.2.II., para. 27.
[21] *Official Records … Twenty-first session … 2022* (ICC-ASP/21/20), vol. II, part B.3, para. 238.
[22] Report on the Court's development of internal processes for a financial forecast system with a view to improving budgetary predictability (CBF/44/3).

and predictability, thereby fostering greater confidence in the budgetary process,

11. *Welcomes* the monthly financial reports provided by the Court to States Parties, showing monthly figures on cash flow, balances of the General Fund, the Working Capital Fund and the Contingency Fund, the status of assessed contributions, and monthly and annual cash flow forecasts, and *emphasizes* the usefulness of these reports, and

12. *Commits* itself to financial practices which give utmost priority to the annual budget cycle and *calls for* a restrictive use of multi-annual funds administered outside the cycle.

G. Working Capital Fund for 2026

The Assembly of States Parties,

Recalling that the Working Capital Fund was established to ensure that the Court be able to meet short-term liquidity problems pending receipt of assessed contributions,[23]

Also recalling its resolution[24] at its twenty-first session that the Working Capital Fund for each year shall be established in the amount of one-twelfth of the approved budget appropriations for the previous year,

1. *Notes* that the Working Capital Fund for 2025 was established in the amount of €15.6 million,

2. *Also notes* that the current level of the Working Capital Fund is €13.3 million,

3. *Resolves* that the Working Capital Fund for 2026 shall be established in the amount of €16.3 million, and *authorizes* the Registrar to make advances from the Fund in accordance with the relevant provisions of the Financial Regulations and Rules of the Court, and

4. *Decides* that the Court may only use the available cash surplus to reach the established level of the Working Capital Fund.

H. Contingency Fund

The Assembly of States Parties,

Recalling its resolutions ICC-ASP/3/Res.4 establishing the Contingency Fund in the amount of €10,000,000 and ICC-ASP/7/Res.4 requesting the Bureau to consider options for replenishing both the Contingency Fund and the Working Capital Fund,

Recalling also that the Contingency Fund was established to ensure that the Court can meet: (a) costs associated with an unforeseen situation following a decision by the Prosecutor to open an investigation; (b) unavoidable expenses for developments in existing situations that could not be accurately estimated at the time of the adoption of the budget; and (c) costs associated with an unforeseen meeting of the Assembly,[25]

Taking note of the advice of the Committee in the reports on the work of its eleventh, thirteenth, nineteenth, twenty-first, and forty-eighth sessions,[26]

Recalling that the Assembly, at its sixteenth session, decided that, should the Contingency Fund fall below €5.8 million by its seventeenth session, the Assembly would assess the need for its replenishment, bearing in mind the report of the Committee on Budget and Finance,[27] and Regulation 6.6 of the Financial Regulations and Rules,

1. *Notes* that the current level of the Contingency Fund is €5.6 million, and that after resorting to the 2023 cash surplus to replenish the Contingency Fund pursuant to the decision of the Assembly at its twenty-second session,[28] the level of the Contingency Fund will reach €7 million,

[23] Financial Regulations and Rules, regulation 6.2.
[24] ICC-ASP/21/Res.1, section B, para. 3.
[25] Financial Regulations and Rules, regulation 6.6.
[26] CBF/48/5/AV, Report of the Committee of Budget and Finance on the work of its Forty-eighth session.
[27] *Official Records … Seventeenth session … 2018* (ICC-ASP/17/20), vol. II, part B.2.
[28] Resolution ICC-ASP/22/Res.4, section D, para. 3.

2. *Decides* to reinstate the notional level of the Contingency Fund at the level of €10.0 million for 2026,

3. *Also decides* that the remaining anticipated cash surplus from 2024, after it has been used to replenish the established level of the Working Capital Fund, shall exceptionally be used to the extent possible, to reach the established notional level of €10.0 million of the Contingency Fund,

4. *Decides that* the Budget Management Oversight facilitation will consider all options for the replenishment of the Contingency Fund, and, pending agreement, the necessary amendments to the Financial Regulations and Rules of the Court,

5. *Requests* the Bureau to keep the €10.0 million threshold under review in light of further experience on the functioning of the Contingency Fund,

6. *Decides* that, in order to ensure business continuity, the Court may exceptionally resort to the Contingency Fund to cover (a) any costs related to the preparation for potential sanctions against the Court, its officials or personnel; or (b) any costs required to address actually imposed sanctions. The Contingency Fund can only be resorted to after all efforts have been exhausted to absorb those costs within the regular budget, including the exceptional transfer of any funds between major programmes pursuant to relevant Assembly resolutions, with due observance of the provisions set out in regulations 6.7 and 6.8 of the Financial Regulations and Rules, and

7. *Requests* the External Auditor to review the use of the Contingency Fund and related matters in the financial audit.

I. Outstanding contributions

The Assembly of States Parties,

1. *Notes with concern* the state of arrears and the report of the Bureau on the arrears of States Parties[29] and *welcomes* that the Court has received 95 per cent of the assessed contributions to the 2025 budget at end October 2025,

2. *Continues to underline* the importance of endowing the Court with the necessary financial resources and the relevant provisions of resolution ICC-ASP/4/Res.4 concerning timely payments of assessed contributions and arrears, *urges* all States Parties to pay their assessed contributions in full and on time in accordance with the Financial Regulations and Rules of the Court, and *decides* to keep the issue under review and continue to consider the relevant recommendations of the report of the Independent Expert Review, the Committee, the External Auditor and other bodies, and

3. *Recalls* the Court's development of guidelines[30] for States Parties which are in arrears and subject to the provisions of article 112, paragraph 8, of the Rome Statute, and which face significant economic hardship, to enter into voluntary and sustainable payment plans and to work voluntarily, in coordination with the Court, to develop such payment plans, and *further requests* the Court to keep States Parties informed of any such payment plans and their implementation through The Hague Working Group facilitation on the budget, including via the monthly financial reports provided to States Parties.

J. Legal aid policy-Step 5

The Assembly of States Parties,

Noting the Registry's proposal to introduce a new "Step 5" for counsel, legal representatives of victims and members of their teams, approved as a matter of policy by the Legal aid facilitation and referred to The Hague Working Group facilitation on the budget to consider the budgetary aspects,

1. *Requests* the Court to include Step 5 in its Proposed Programme Budget for 2027, and

[29] ICC-ASP/24/31.
[30] ICC-ASP/18/6.

2. *Requests* the Committee to consider the impact of Step 5 on the relevant budgetary framework and report back to the Assembly at its twenty-fifth session.

K. Referrals by the Security Council

The Assembly of States Parties,

Recalling article 115, paragraph (b), of the Rome Statute in relation to the expenses incurred due to referrals by the Security Council, as well as article 13, paragraph 1, of the Relationship Agreement between the Court and the United Nations, requiring separate arrangements to set out the conditions under which the United Nations may provide the Court with funds subject to the approval of the General Assembly,

1. *Notes with concern* that the amount of €116.5 million, contained in the report of the Registry on the approximate costs allocated so far within the Court in relation to referrals by the Security Council,[31] has been borne exclusively by States Parties, and

2. *Requests* the Court, guided by the Registry, to continue including this matter in its institutional dialogue with the United Nations and to report on the outcome of the discussions and any recommendations thereon to the twenty-fifth session of the Assembly.

Part II: Administrative and policy matters

L. Budget Management Oversight

The Assembly of States Parties,

1. *Welcomes* the issuance of the ICC Strategic Plan 2026-2029, which reflects the first integrated Strategic Plan developed together by all organs of the Court together with the Trust Fund for Victims, and *notes* the work undertaken towards the preparation of a forward-looking vision aimed at enhancing the effectiveness, coherence, and unity of purpose across all components of the Court,

2. *Reiterates* the importance of strengthening the relationship and coherence between the strategic planning process and the budgetary process, which is crucial for the credibility and sustainability of the longer-term strategic approach,

3. *Invites* the Court, the Office of the Prosecutor, the Registry, and the Trust Fund for Victims to report annually to the Assembly on the implementation of the Strategic Plans in writing, and *invites* the Court to hold annual consultations with the working groups of the Bureau in the first trimester on the implementation of its strategic plans during the previous calendar year,

4. *Welcomes* in this regard the report of the Court on Key Performance Indicators (KPIs) for 2025, which presented the annual results of the KPIs as outlined in the International Criminal Court's Strategic Plan 2023-2025,

5. *Recalls* the management oversight responsibility entrusted to the Assembly of States Parties and the mandates of the Audit Committee, the Committee on Budget and Finance, the External Auditor and the Independent Oversight Mechanism, as well as the Office of Internal Audit, and *encourages* these bodies to further intensify their coordination in order to optimize oversight capacity and reporting, ensure an effective division of labour and avoid duplication of competence and work,

6. *Welcomes* the continuous efforts of the oversight bodies to streamline their activities and invites them to continue their efforts in that regard,

[31] ICC-ASP/24/17.

7. *Welcomes* the increased interaction between these bodies and States Parties, and the initiatives to continue to improve such interactions including via informal meetings,

8. *Recalls* relevant decisions of the Assembly of States Parties concerning the Secretariat of the Assembly of States Parties,[32] and *notes* that the senior staff is reporting to the Director of the Secretariat; further *notes* that the redesigning of the Secretariat along functional lines is underway and being discussed during the Bureau meetings,

9. *Notes* that the Secretariat of the Assembly of States Parties shall continue to provide the Committee on Budget and Finance and the Audit Committee with substantive servicing, as well as administrative and technical assistance in the discharge of their responsibilities, taking into account the specificity of the mandate and competencies of the respective committees.

M. Audit

The Assembly of States Parties,

Having regard to the Charter of the Audit Committee, adopted at its fourteenth session,[33] as amended in annex I of the budget resolution ICC-ASP/23/Res.6,

Noting the recommendations of the Committee on Budget and Finance concerning audit matters,[34]

1. *Welcomes* the reports of the Audit Committee on the work of its twenty-first and twenty-second sessions and *requests* the Court to report to the Assembly on the implementation of the Audit Committee recommendations and progress on the ethics functions before October 2026,
2. *Welcomes* the performance audit report on Trust Funds submitted by the External Auditor, and the conclusions and recommendations contained therein, *requests* the Court to report to the Assembly on the implementation of the high and medium risk recommendations before September 2026 and invites the Court to brief the Assembly on progress before October 2026, and *requests* the External Auditor to conduct a performance Audit on Human Resources Management as part of its work in 2026, in consultation with the Court,
3. *Takes note* of the recommendations made by the *ad hoc* Selection Panel and *decides* to appoint Mr. Md Motasin Billah (Bangladesh), Mr. Urenthren Pillay (South Africa), and Mr. Klaus-Ulrich Rackwitz (Germany) as members of the Audit Committee for a term of three years starting on 1 January 2026, and
4. *Takes also note* of the recommendations made by the *ad hoc* Selection Panel following the resignation of Mr. Mika Tapio (Finland), and *decides*, to appoint Ms. Carol Najm (Canada/Lebanon) as a member of the Audit Committee for the remaining period of two years starting on 1 January 2026.

N. Premises of the Court

The Assembly of States Parties,

Noting the recommendations of the Committee on Budget and Finance regarding maintenance and capital replacement for the premises of the Court,[35]

1. *Approves* capital replacement for the premises of the Court at the level of €1,970.1 thousand in 2026, while underlining the need to see maintenance and capital replacement in

[32] ICC-ASP/2/Res.3; *Official Records … Eighteenth session … 2019* (ICC-ASP/18/20), vol. I, part 2, footnote 9; and ICC-ASP/18/Res.1, annex, rule 16, para. 1. See also ICC-ASP/18/INF.7, Amendments to the Rules of Procedure of the Committee on Budget and Finance, rule 16, para. 1.
[33] *Official Records … Fourteenth session … 2015 (ICC-ASP/14/20)*, vol. II, part B.3, Annex IV.
[34] ICC-ASP/18/15, paras. 231 to 257.
[35] *Official Records … Twenty-third session … 2024* (ICC-ASP/23/20), vol. II, part B.2.VII., paras 117 to 125, and part B.3. II., paras. 181 to 191.

conjunction,

2. *Notes* the report of the Court on the independent assessment of the headquarters premises and the review of its capital replacement plans[36] and *welcomes* the steps made by the Court with the implementation of a medium and long-term capital replacement plan, as recommended by the pro-bono expert designated by the Assembly of States Parties,

3. *Reiterates* the need for the capital replacement to be fully justified and limited only to those elements which are absolutely necessary and *requests* the Court to continue to ensure that all measures are taken to achieve savings and efficiencies, including using alternatives to capital replacement whenever possible,

4. *Notes* that any capital replacement needs arising in the foreseeable future should be financed within the scope of the regular budget process, taking into account the possible need for a multi-year approach, as appropriate,

5. *Invites* the Committee to continue to undertake a detailed analysis and evaluation of the proposed budget for capital replacement each year, taking into account the need for prioritization,

6. *Emphasizes* the importance of ensuring adequate space and unimpeded, facilitated, and priority access for States Parties to the premises and public areas of the Court, including conference rooms, the staff cafeteria, and the library, *welcomes* the efforts undertaken by the Court to identify and provide appropriate solutions*; and encourages* the continuation of discussions on this matter within an appropriate forum, and

7. *Reaffirms* that the Bureau is entrusted with the mandate concerning the governance structure and total cost of ownership, via its Hague Working Group which has a facilitation on the budget.

O. Human Resources

The Assembly of States Parties,

1. *Requests* the Court to continue to be guided by the importance of ensuring flexibility in the management of its human resources, notably in reacting to evolving situations, needs and workload, within and between organs, including by, as appropriate, reviewing the relevant administrative instructions related, but not limited, to recruitments and mobility of staff,

2. *Underlines* the inherent value of multilingualism in promoting and preserving the diversity of languages and cultures and its contribution to efficiency, effectiveness and transparency in the activities of the Court, *calls for* greater emphasis to be placed on staff knowledge of the Court's official and working languages, as appropriate, and *recalls* the principles of equitable geographical representation and gender balance in the recruitment of staff,[32]

3. *Invites* the Court to expand its training for staff sitting on recruitment panels to avoid any undue disadvantage or unconscious bias against applicants interviewed in a language other than their mother tongue, *requests* the Court to develop its language training policies to promote continuous improvement of the proficiency of staff in the official and working languages of the Court and other languages, as appropriate, including training for newly recruited staff proficient in only one of the working languages, and to consider ways to ensure adequate funding for this purpose,

4. *Invites* the Court, within existing resources, to further devise mechanisms to support all its interns and visiting professionals, who contribute meaningfully to the Court's work and mission, including, where feasible, by exploring the option of more affordable access to services, such as the canteen, and language courses,

5. *Invites* States Parties to positively consider making contributions to the Trust Fund for the Development of Interns and Visiting Professionals in order to allow applicants who are nationals from a country that is a State Party to the Rome Statute and is also a developing

[36] Resolution ICC-ASP/20/Res.5, preambular paragraph 26, para. 88, paras. 122-131.
[32] Resolution ICC-ASP/20/Res.5, preambular paragraph 26, para. 88, paras. 122-131.

country to gain transferable experience in a multicultural, international workplace, and to allow the Court to benefit from the input of interns and visiting professionals from such countries,

6. *Notes* the progress made by the Court in reducing its vacancy rate, and *encourages* stronger efforts in this area, as these efforts could contribute positively to improving workplace conditions,

7. *Requests* the Court to continue engaging in negotiations with the United Nations with the aim of concluding a memorandum of understanding on the establishment of the United Nations Volunteers programme, within existing resources, and to report on its progress to the Committee at its fiftieth session,

8. *Recalls* the recommendation of the Committee[33] that the Assembly approve the Court joining the International Civil Service Commission of the United Nations with a full membership, and that the Court absorb the related membership costs, and *also notes* that the Court was accepted as a full member organization of the United Nations common system salaries and allowances and other conditions of service effective 1 March 2025; and *further notes* that the Registrar undertook, without any delay, the necessary steps to complete the acceptance procedure, and

9. *Takes note* of the recommendation of the Committee at its forty-eighth session requesting the Court to develop and implement a clear, standardised framework for the conversion of GTA positions to established posts. This framework should be formally presented and discussed during the 2026 spring workshop, ensuring transparency and consistency in future staffing decisions.

P. Security Blueprint and Special Fund for Security

The Assembly of States Parties,

Recalling that the Five-Year Information Technology and Information Management Strategy launched in 2017 was completed at the end of 2022,

Bearing in mind that the Information Technology and Information Management Strategy for 2023–2025 has been superseded by the Court's Security Blueprint, and *noting* the Court's decision to establish this Security Blueprint,

Reiterating its grave concern over the malicious and ongoing cyber activity directed at the Court since 2023, and *welcoming* the Court's swift response to the cyberattacks and the immediate actions taken, including the establishment of the Special Fund for Security and the Security Blueprint, as well as the preparation of plans against future cyberattacks,

Recalling that the Court established a ring-fenced investment budget for the Security Blueprint, totalling €8,312.0 thousand for the period 2025-2027, similar to the financing of the Five-Year Information Technology and Information Management Strategy, whereby any unused amounts can be carried over to the following year, with the maximum utilization period extended by one additional year,

Recalling that, by mid-2025, all pledged contributions to the Special Fund for Security had been received, totalling €3,877.6 thousand, and no further contributions are expected or accepted,

Noting also that these funds were fully allocated to urgent projects in 2024 to increase cybersecurity resilience, also *recalling* that the Special Fund for Security is scheduled to close by the end of 2026, following the completion of the remaining planned projects,

Noting with concern that detailed financial implementation data for 2025 related to the Special Fund for Security was not available for the Committee at the time of its forty-eighth session; *also noting* a similar gap was observed by the Committee for the implementation of the 2025 Security Blueprint envelope; and *emphasizing* the importance of timely and transparent financial reporting,

1. *Requests* the Court to continue to report annually on the use of Information Technology costs across the Court and also to report separately on the implementation of the

[33] *Official Records … Twenty-second session …* 2023 (ICC-ASP/22/20), vol. II, part B.3, para. 295.

Security Blueprint, and

2. *Requests* that comprehensive implementation data for both the Special Fund for Security and the Blueprint be submitted at the earliest opportunity, and no later than the Committee's fiftieth session in spring 2026.

Q. Interpretation for Hague Working Group meetings

The Assembly of States Parties,

Recalling that, under article 50, paragraph 2, of the Rome Statute, the working languages of the Court shall be English and French,

Observing that interpretation into the working languages of international organizations is a standard practice, including at the United Nations,

Noting with appreciation that, as of 1 January 2025, the Hague Working Group meetings, the Cooperation facilitation meetings, and most of the Legal aid facilitation meetings were interpreted into French and English,

Noting that the use of both working languages would improve inclusivity and the participation of all States Parties in the work of the Assembly of States Parties, and enhance the accuracy and overall quality of the discussions,

1. *Decides* that, as of 1 January 2026, in addition to The Hague Working Group meetings and Cooperation facilitation meetings, the option of hosting meetings with French and English interpretation shall be made available to more facilitations in The Hague, when possible, on a cost-neutral basis, within the budget allocated to the Secretariat of the Assembly of States Parties for interpretation; and

2. *Requests* the Secretariat of the Assembly of States Parties to use firstly Court interpreters, when possible, rather than external interpreters.

R. Travel

The Assembly of States Parties,

Emphasizing the need for effective and efficient utilization of resources for air travel and daily subsistence allowance,

Recalling the External Auditor's findings on the Court's rate of non-compliance with its standard operating procedures on travel,

Noting with appreciation the efforts of the Court to implement the recommendations of the External Auditor regarding travel expenses contained in the final audit report on the financial statements of the International Criminal Court for the year ended 31 December 2023,[37]

1. *Takes note of* the system of monitoring and control of business travel procedures introduced by the Court in 2025 to increase compliance with operational processes and ensure travel costs reduction; *emphasizes* that sustained compliance with these procedures will further enhance the Court's reporting by clearly making sure efficiencies gained and cost savings are realised; and *encourages* the Court to improve and strengthen the implementation of the System in order to optimise travel costs;

2. *Takes note* of the efforts of the Court to utilize, when applicable, safe and secure communication technologies as a substitute for travel and/or to reduce the number of officials participating in each mission, as well as the duration of such missions, with a view to rationalising expenditures and reducing costs*;* and *encourages* the Court to continue to pursue such measures, without prejudice to the discharge of its activities;

3. *Requests* the Court to continue reporting to the Committee on Budget and Finance on progress made in this matter, and to maintain its efforts to implement the recommendations

[37] Final audit report on the financial statements of the International Criminal Court for the year ended 31 December 2023, Board of Audit and Inspection, ICC-ASP/23/12, paras. 42, 47, 52 and 60.

of the External Auditor, with a view to further improving the Court's internal controls and ensuring compliance with its travel procedures; and

4. *Notes* that States Parties will continue to consider the topic.

S. Family visits for indigent detainees

The Assembly of States Parties,

Recalling resolutions ICC-ASP/8/Res. 4 and ICC-ASP/9/Res.4 on family visits for indigent detainees and the principle of funding such visits through voluntary donations into the Trust Fund for Family Visits,

1. *Urges* States Parties, other States, non-governmental organizations, civil society, and other entities to continue making immediate voluntary contributions to the Trust Fund for Family Visits and *calls on* other potential contributors to positively consider making contributions; and

2. *Notes* that the recurrent inability of the Court to meet the qualifying needs for family visits for indigent detainees can lead to more onerous situations, financially and legally, and *decides* that the Court may, within existing resources, subsidize family visits for indigent detainees using its regular budget in the exceptional and unavoidable situations where the Trust Fund for Family Visits is depleted or its available resources are insufficient to do so, in a manner fully consistent with all applicable administrative and judicial criteria.

T. Voluntary contributions

The Assembly of States Parties,

Having regard to the Financial Regulations and Rules[38] adopted at its first session on 9 September 2002, as amended,

Acknowledging the role of voluntary contributions in supporting the Court's activities,

Observing the exponential growth in voluntary contributions to the Court over the years,

Mindful of maintaining a sustainable and apolitical source of revenue primarily from the regular budget provided by the Assembly,

1. *Recalls* regulation 7.2 of the Financial Regulations and Rules, which provides for the development of criteria, to be adopted by the Assembly, on voluntary contributions;

2. *Notes* the illustrative criteria provided by the External Auditor, the Board of Audit and Inspection of the Republic of Korea, for assessing the safeguarding of independence,

3. *Further notes* that States Parties will continue their consideration of the implementation of these criteria in the context of Budget Management Oversight, and

4. *Also notes* that States Parties will consider the development of additional criteria, including those addressing conflict of interest and the sourcing of voluntary contributions from entities complicit in human rights abuses, within the same context.

[38] *Official Records … First session … 2002* (ICC-ASP/1/3 and Corr.1), part II.D.

Annex I

Amendment to the Financial Regulations and Rules

[Text to be added]

4.10. Subject to the approval of the Assembly of States Parties, the Registrar may establish a multiyear project, i.e. a long-term project that spans across multiple consecutive financial periods. For that purpose, and in the context of the Court's programme budget proposal for a specific financial period, the Registrar shall submit to the Assembly of States Parties, through the Committee on Budget and Finance, a proposal detailing the scope of the multi-year project. The Assembly of States Parties' approval of a project shall not entail any financial commitment by the Assembly of States Parties beyond the financial period to which the proposed programme budget relates. The appropriations adopted by the Assembly of States Parties in relation to a multi-year project shall constitute an authorisation for the Registrar to incur obligations and make payments for the project concerned only and for no other purpose. Any portion of the appropriations that remains unobligated at the end of a financial period may be carried over to subsequent financial period(s) for the exclusive purpose of the same multi-year project. Financial regulations 4.5 and 4.6 shall apply to multi-year projects only regarding the last financial period in relation to which the Assembly of States Parties has adopted appropriations in support thereof.

Resolution ICC-ASP/24/Res.5

Adopted at the 9th plenary meeting, on 5 December 2025, by consensus

ICC-ASP/24/Res.5
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 fulfil 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 cooperation[39], submitted pursuant to paragraph 43 of resolution ICC-ASP/23/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,[40]

[39] ICC-ASP/24/9.
[40] https://documents.un.org/doc/undoc/gen/n13/280/47/pdf/n1328047.pdf.

Recognizing that requests for cooperation and the implementation thereof should take into account the rights of the 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", [41] dated 30 September 2020, prepared by the Independent Experts,

Taking note also of the resolution on Review of the International Criminal Court and the Rome Statute system[42] 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, 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

[41] ICC-ASP/19/16.
[42] ICC-ASP/22/Res.6, para 8.

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 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,[43] 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

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

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 2026;

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 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 witness relocation agreements concluded since the last resolution on cooperation,[44] 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-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 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

[44] ICC-ASP/23/Res.5.

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,[45] 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 cooperation[46], 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;

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 Court[47]

[45] Resolution ICC-ASP/6/Res.2, annex II.
[46] ICC-ASP/24/18.
[47] ICC-ASP/23/Res.4.

to monitor the implementation of the recommendations related to cooperation as appropriate, and to report thereon to the Assembly at its twenty-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 *encourages* States to take all necessary action to address threats and intimidation directed at civil society organizations;

45. *Welcomes* the plenary session on cooperation held during the twenty-fourth session of the Assembly, which offered an opportunity for an enhanced dialogue between States Parties, the Court and members of civil society on the manner in which cooperation can help the Court to address the challenges it is facing; discussions also highlighted ways in which States Parties can strengthen their support to the Court, in particular by helping it to arrest suspects as well as protect witnesses and victims, the latter needing assistance and deserving reparations; an urgent appeal for donation to the Trust Fund for Victims was launched;

46. *Recognizes* 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-fifth session.

Resolution ICC-ASP/24/Res.6

Adopted at the 9th plenary meeting, on 5 December 2025, by consensus

ICC-ASP/24/Res.6
Strengthening the International Criminal Court and the Assembly of States Parties

The Assembly of States Parties,

Mindful that each individual State has the responsibility to protect its population from the crime of genocide, war crimes, and crimes against humanity, that the conscience of humanity continues to be deeply shocked by unimaginable atrocities in various parts of the world, and that the need to prevent and the duty to end the most serious crimes of concern to the international community to put an end to the impunity of the perpetrators of such crimes is now widely acknowledged,

Recognizing that the crime of genocide, crimes against humanity, war crimes and the crime of aggression threaten the peace, security and well-being of the world, and *affirming* that these crimes must not go unpunished,

Convinced that the International Criminal Court ("the Court") is an essential means of ending impunity for such crimes and preventing their recurrence, of promoting respect for international humanitarian law and human rights, thus contributing to freedom, security, justice and the rule of law, as well as to the prevention of armed conflicts, the preservation of peace and the strengthening of international security and the advancement of post-conflict peacebuilding and reconciliation with a view to achieving sustainable peace, in accordance with the purposes and principles of the Charter of the United Nations,

Convinced also that justice and peace are complementary and mutually reinforce each other, in this regard, *encouraging* societies facing conflicts to move from war to peace through peaceful solutions,

Recalling the full range of justice and reconciliation mechanisms with restorative measures that are complementary to criminal justice processes, including truth and reconciliation commissions, national reparations programmes and institutional and legal reforms, including guarantees of non-recurrence,

Welcoming the commitments to strengthen efforts to build peaceful, just and inclusive societies for sustainable development, to provide access to justice for all and build effective, accountable and inclusive institutions at all levels, and to uphold human rights and fundamental freedoms,[48]

Convinced that justice and the fight against impunity and holding to account the perpetrators of the most serious crimes of concern to the international community and persons criminally responsible under the Rome Statute are, and must remain, indivisible and that in this regard universal adherence to the Rome Statute is essential,

Welcoming the Court's central role as the only permanent international criminal court within an evolving system of international criminal justice and the contribution of the Court to guarantee lasting respect for and the enforcement of international justice,

Recognizing that victims' rights to equal and effective access to justice, protection and support; adequate and prompt reparation for harm suffered; and access to relevant information concerning violations and redress mechanisms are essential components of justice, emphasizing the importance of effective outreach to victims and affected communities in order to give effect to the unique mandate of the Court towards victims and determined to ensure the effective implementation of victims' rights, which constitute a

[48] United Nations General Assembly resolution 79/1 of 22 September 2024.

cornerstone of the Rome Statute system, and emphasizing the essential role of the Trust Fund for Victims to help make the Court's justice a reality for victims,

Recalling the primary responsibility of national jurisdictions to investigate and prosecute the most serious crimes of international concern and the increased need for cooperation in ensuring that national legal systems are capable of investigating and prosecuting such crimes,

Reaffirming its commitment to the Rome Statute and its determination that the most serious crimes of concern to the international community as a whole must not go unpunished, and *underlining* the importance of the willingness and ability of States to genuinely investigate and prosecute such crimes,

Welcoming the efforts and achievements of the Court in bringing those most responsible for the crimes under the Rome Statute to justice and thus to contribute to the prevention of such crimes and *noting* the jurisprudence of the Court on the issue of complementarity,

Welcoming also in this regard relevant contributions from the Court relating to gender-based crimes[49] as well as from States Parties and other relevant actors, and *convinced* that these initiatives should be an integral part of strategic dialogues and actions to strengthen the Court and national courts in the fight against impunity, while fully respecting their judicial independence,

Recalling that the application of articles 17, 18 and 19 of the Rome Statute concerning the admissibility of cases before the Court is a judicial matter to be determined by the judges of the Court,

Recalling also that greater consideration should be given to how the Court will complete its activities in a situation country,

Recognizing that crimes within the jurisdiction of the Court threaten the peace, security and well-being of the world and, in consequence, that these are values protected by the Rome Statute,

Underscoring its respect for the independence and impartiality of the Court and its commitment to ensuring respect for and the implementation of the Court's judicial decisions and delivering justice to victims equally,

Recalling the statement by the President of the Security Council of 12 February 2013 in which the Council stated its intention to continue fighting impunity, reiterated its previous call regarding the importance of State cooperation with the Court in accordance with the respective obligations of States and expressed its commitment to effective follow-up of Council decisions in this regard,

Recalling also the decision by the Assembly of States Parties ("the Assembly") to establish a representation of the Court at the African Union Headquarters in Addis Ababa, and *reiterating* that such presence would promote dialogue with the Court and the understanding of its mission within the African Union and among African States, individually and collectively,

Welcoming the Report of the Court on the desirability and feasibility of establishing regional representations to promote dialogue, cooperation, complementarity, universality and promotion of the Rome Statute submitted by the Registrar,[50]

Reaffirming the importance of States Parties' cooperation with the Court to the fulfilment of its mandate and *gravely concerned* by the repeated attempts at intimidation to deter cooperation with the Court and its officials,

Gravely concerned by the heightened threat of malicious cyber activity directed at the Court and its Information Technology infrastructure in 2025 and *welcoming* the quick response of the Court to these incidents, reflective of concrete efforts to increase cyber security undertaken by the Court following the serious cyber incident of 2023 and *acknowledge*s that the Court's continued efforts to build resilience and reduce vulnerabilities

[49] https://www.icc-cpi.int/sites/default/files/2023-12/2023-policy-gender-en-web.pdf.
[50] CBF/44/17.

through the development of a comprehensive Security Blueprint for the Court's future Information Technology architecture,

Appreciating the invaluable assistance that has been provided by civil society to the Court and *gravely concerned* by the recent reports of sanctions, attacks, threats and intimidation directed at some civil society organizations and those cooperating with the Court, *reaffirming* that the engagement of victims and civil society with the Court and their contribution to its work is indispensable,

Welcoming the continued efforts undertaken by the Bureau and its working groups to identify ways to strengthen the International Criminal Court and the Rome Statute system through concrete, actionable recommendations aimed at enhancing the performance, efficiency and effectiveness of the Court,

Emphasizing the importance of equitable geographical representation and gender balance in the organs of the Court and, as appropriate, in the work of the Assembly and its subsidiary bodies and *emphasizing also* the need to promote diversity, and especially the participation of women, in the work of the Assembly and its subsidiary bodies,

Emphasizing the importance for the Court to conduct its work in both its working languages, as well as in other official languages, if authorized according to rule 41 of the Rules of Procedure and Evidence, which can contribute to ensuring victims' right to justice,

Conscious of the vital role of field operations in the Court's work in situation countries, of the risks faced by personnel of the Court in the field and the importance of stakeholders working together to create suitable conditions for field operations, so *noting with appreciation* the work carried out by country offices,

Recalling that the Court acts within the constraints of an annual programme budget approved by the Assembly,

1. *Reconfirms* its unwavering support for the Court as an independent and impartial judicial institution, *reiterates* its commitment to uphold and defend the principles and values enshrined in the Rome Statute of the International Criminal Court[51] ("the Rome Statute") and to preserve its integrity undeterred by any threats or measures against the Court, its officials and those cooperating with it, and *renews* its resolve to stand united against impunity;

2. *Underlines* that the Court, its officials and staff shall be able to carry out their mandate and professional duties without intimidation; and *condemns* any threats, attacks, incitement or interference thereto, including sanctions or measures of a similar effect, against the Court, its personnel or those cooperating with it, including civil society;

3. *Further underlines* that attacks, threats and sanctions or measures of a similar effect against Court officials, United Nations independent experts, and civil society organizations, present a significant challenge to the Court's mandate and the global fight against impunity, including access to justice for victims, and *calls for* the lifting of such measures, and *urges* States Parties and stakeholders to undertake, without delay, in line with domestic law, measures in support of the Court, its personnel, and those cooperating with it;

4. *Takes note* of the Statement by the Court of 20 August 2025, and the Statement by the Presidency of the Assembly of 21 August 2025, and *gravely concerned* by any attempts to retaliate against an official of the Court on account of duties performed by that or another official and any attempts to impede, intimidate or corruptly influence an official of the Court for the purpose of forcing or persuading the official not to perform, or to perform improperly, his or her duties, and *recalls* that such threats may constitute an offence against the administration of justice under article 70 of the Rome Statute;

5. *Reaffirms* its support for the consistent implementation of the Court's mandate across the situations and cases under its jurisdiction in the interests of justice and the victims' right of access to justice, and *stresses* the need for sustainable resources for all situations and cases as well as cooperation with the Court to that end;

[51] https://www.icc-cpi.int/sites/default/files/2024-05/Rome-Statute-eng.pdf.

A. Universality of the Rome Statute

6. *Welcomes* the State that has joined the Rome Statute since the twenty-third session, *invites* States not yet parties to the Rome Statute to become parties to the Rome Statute, as amended, as soon as possible and *calls upon* all States Parties, all international and regional organizations, and civil society to intensify their efforts to promote the universality and full implementation of the Rome Statute;

7. *Invites* also all States Parties not yet parties to the Agreement on the Privileges and Immunities of the International Criminal Court, to become parties to this Agreement;

8. *Appreciates* the engagement by the Court with all stakeholders including non-States Parties to promote the universality of the Rome Statute, and *encourages* the continuation of such engagement, with full respect for the mandate of the Court and its independence;

9. *Notes with deep regret* the notification of withdrawal from the Rome Statute submitted by a State Party under article 127(1) effected on 2 June 2025, and *calls upon* this State to reconsider the withdrawal;[52]

10. *Welcomes with appreciation* also the continuation by the President of the Assembly of the dialogue on the "Relationship between Africa and the International Criminal Court" initiated by the Bureau during the fifteenth session of the Assembly and *invites* the Bureau to further widen and deepen this dialogue as needed with all interested States Parties;

11. *Welcomes* the initiatives undertaken to celebrate 17 July as the Day of International Criminal Justice[53] and *recommends* that, on the basis of lessons learnt, all relevant stakeholders, together with the Court, continue to engage in preparation of appropriate activities and share information with other stakeholders to that effect through the Secretariat of the Assembly[54] and otherwise;

12. *Decides* to keep the status of ratifications under review and to monitor developments in the field of implementing legislation, *inter alia* with a view to facilitating the provision of technical assistance that States Parties to the Rome Statute, or States wishing to become parties thereto, may wish to request from other States Parties or institutions in relevant areas, and *calls upon* States to annually provide the Secretariat of the Assembly with updated information about actions and activities in support of international justice, as per the Plan of Action of the Assembly of States Parties for achieving universality and full implementation of the Rome Statute of the International Criminal Court ("Plan of Action");[55]

13. *Recalls* that the ratification of the Rome Statute must be matched by national implementation of the obligations emanating therefrom, notably through implementing legislation, in particular in the areas of criminal law, criminal procedural law, and international cooperation and judicial assistance with the Court and, in this regard, *urges* States Parties to the Rome Statute that have not yet done so to adopt such implementing legislation as a priority and *encourages* the adoption of victims-related provisions, as and when appropriate;

14. *Welcomes* the report of the Bureau on the Plan of action[56] and *notes with appreciation* the efforts of the Court's President, the Office of the Prosecutor, the President of the Assembly, the Assembly, States Parties and civil society to enhance the effectiveness of universality-related efforts and to encourage States to become parties to the Rome Statute, as amended, and to the Agreement on the Privileges and Immunities of the International Criminal Court, as well as relevant efforts undertaken in the framework of the Universal Periodic Review of the Human Rights Council;

15. *Recalls* rule 42 of the Rules of Procedure of the Assembly of States Parties, and *underscores* the importance of promoting the universality of the Rome Statute and of strengthening the openness and transparency of the Assembly;

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[52] Depositary Notification C.N.225.2025.TREATIES-XVIII.10, see at: https://treaties.un.org/doc/Publication/CN/2025/CN.225.2025-Eng.pdf.
[53] Official Records of the Review Conference of the Rome Statue of the International Criminal Court, Kampala, 31 May to 11 June 2010 (RC/11), part II.B, Kampala declaration (RC/Decl.1), para 12.
[54] See at: https://asp.icc-cpi.int/asp-events/ICJD/default.
[55] ICC-ASP/5/Res.3, annex I, para. 6(h).
[56] ICC-ASP/24/27.

16. *Also recalls* the processes and initiatives carried out on the occasion of the 25th anniversary of the adoption of the Rome Statute and *takes note* of their outcomes, including the "Siracusa Declaration on ensuring consistent and sustainable support for the International Criminal Court" and the "Ethical Principles for International Criminal Judges";

B. Agreement on Privileges and Immunities

17. *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) *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;

(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;

18. *Recalls* that the Agreement, in line with and 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

19. *Refers* to its resolution ICC-ASP/24/Res.5 on cooperation;

20. *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;

21. *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;

22. *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;

23. *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 the relevant provisions of the Rome Statute[57] and, as appropriate, the Agreement on the Privileges and Immunities of the International Criminal Court[58] 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

[57] Article 48, paragraphs 2 and 3, of the Rome Statute of the International Criminal Court.
[58] 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.

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;

24. *Takes note of* the Court's 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 a means to facilitate the Court's engagement with States Parties on this subject, and *also takes note* of the suggested actions contained therein to protect elected officials against such coercive measures, and the need to adopt such actions, where appropriate;

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

26. *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;

27. *Welcomes* the Court's report and comprehensive presentation on cooperation,[59] which contained disaggregated data over the responses provided by States Parties, including highlighting the main challenges;

28. *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;

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

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

31. *Welcomes* the plenary session on cooperation held during the twenty-fourth session of the Assembly, which offered an opportunity for an enhanced dialogue between States Parties, the Court and members of civil society on the manner in which cooperation can help the Court to address the challenges it is facing; discussions also highlighted ways in which States Parties can strengthen their support to the Court, in particular by helping it to arrest suspects as well as protect witnesses and victims, the latter needing assistance and deserving reparations; an urgent appeal for donation to the Trust Fund for Victims was launched;

32. *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;

33. *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;

34. *Recalls* the Procedures relating to non-cooperation adopted by the Assembly in ICC-ASP/10/Res.5 and revised by the Assembly in resolution ICC-ASP/17/Res.5, *recognizes with concern* the negative impact that the non-execution of Court requests continues to have on the ability of the Court to execute its mandate, and *takes note* of the past decisions of the Court on non-cooperation;

35. *Also recalls* the Toolkit for the implementation of the informal dimension of the Assembly procedures relating to non-cooperation,[60] which was revised as annex III to

[59] ICC-ASP/24/9.
[60] ICC-ASP/15/31, Add.1, annex II.

ICC-ASP/17/31 and *encourages* States Parties to make use of it as they see fit in order to improve the implementation of the Assembly procedures relating to non-cooperation;

36. *Takes note* of the report of the Bureau on non-cooperation,[61] *welcomes* the efforts of the President of the Assembly in implementing the Assembly procedures relating to non-cooperation and *recalls* that the President serves ex officio as focal point for his or her region,[62] *calls upon* all stakeholders, at all levels, to continue assisting the President of the Assembly, including when accomplishing his or her task with the support of the regional focal points for non-cooperation;

37. *Takes note* of the 24 July 2025 finding on the non-compliance by Hungary of the Pre-Trial Chamber I in the situation in the State of Palestine;[63]

38. *Urges* States Parties to engage in good faith in timely, effective consultations with the Court in accordance with article 97 of the Rome Statute, with a view to resolving problems which may impede or prevent the execution of the Court's requests under Part 9 of the Rome Statute;

39. *Welcomes* the first plenary session on non-cooperation held during the twenty-fourth session of the Assembly of States Parties, which offered an opportunity for consideration of non-cooperation issues arising during the inter-sessional period and dialogue between States Parties, the Court and civil society, with a particular focus on prevention of non-compliance through timely and effective consultations in accordance with article 97, and the Assembly procedures relating to non-cooperation;

40. *Recalls* the role of the Assembly of States Parties and the Security Council with respect to non-cooperation as provided for by articles 87, paragraph 5, and 87, paragraph 7, of the Rome Statute, and *welcomes* the efforts of States Parties to strengthen the relationship between the Court and the Council;

41. *Calls upon* States Parties to continue their efforts to ensure that the Security Council addresses the communications received from the Court on non-cooperation pursuant to the Rome Statute, *encourages* the President of the Assembly and the Bureau to continue consulting with the Security Council and *also encourages* both the Assembly and the Security Council to strengthen their mutual engagement on this matter;

42. *Encourages* the authorities in Sudan to effectively cooperate with the Court in accordance with Security Council resolution 1593 (2005), while *expressing continued concern* about the military conflict that erupted in Sudan on 15 April 2023;

43. *Noting* the past orders of the Pre-Trial Chamber to the Registrar concerning action to be taken in case of information relating to travel of suspects, *urges* States to share with the focal points on non-cooperation any information concerning potential or confirmed travel of persons against whom an arrest warrant has been issued;

D. Host State

44. *Recognizes* the importance of the relationship between the Court and the host State in accordance with the terms of the Headquarters Agreement and *notes with appreciation* the on-going commitment of the host State to the Court with a view to its more efficient functioning;

E. Relationship with the United Nations

45. *Recognizes* the need for enhancing the institutional dialogue with the United Nations, including on Security Council referrals and on questions considered by the Security Council and other situations involving the maintenance of international peace and security which are subject to the jurisdiction of the Court;

46. *Welcomes* the twice-yearly reports of the Prosecutor on the situations referred by the United Nations Security Council pursuant to resolutions 1593 (2005) and 1970 (2011), and

[61] ICC-ASP/24/33.
[62] ICC-ASP/11/29, para. 12.
[63] ICC-01/18-462, of 24 July 2025.

noting the Prosecutor's repeated requests for effective Security Council follow-up, *recognizes* the efforts of some members of the Security Council in this regard, reiterates its deep concern by the on-going lack of effective follow-up despite these efforts, and *urges* all members of the Security Council to support future such requests;

47. *Recognizes* that ratification or accession to the Rome Statute by members of the United Nations Security Council enhances joint efforts to combat impunity for the most serious crimes of concern to the international community as a whole;

48. *Also recognizes* the Security Council's call regarding the importance of State cooperation with the Court and *encourages* further strengthening of the Security Council's relationship with the Court by:

(a) providing effective follow-up of situations referred by the Council to the Court and on-going political support;

(b) enabling financial support by the United Nations for expenses incurred by the Court due to referrals of the Council;

(c) continued support for the work of the Court through cooperation and assistance by peacekeeping and special political missions mandated by the Council, including by considering extending best practices with respect to the drafting of mandates of peacekeeping operations while respecting their basic principles, and increased engagement between Sanctions Committees and the Court with a view to improving their cooperation and achieving better coordination on matters pertaining to areas of mutual concern;

(d) considering mandating peacekeeping and special political missions to contribute, where appropriate, to the strengthening of national justice systems through training, outreach and other forms of assistance;

(e) enhanced engagement by the Council with Court representatives and on matters related to the Court in various formats; and

(f) institutionalizing Council cooperation with and support for the Court in this regard;

49. *Encourages* the Court to continue to exchange views with international courts and tribunals, while reiterating the independence of the Court;

50. *Recalls* the report of the Court on the status of on-going cooperation with the United Nations, including in the field;[64]

51. *Encourages* all United Nations Offices, Funds and Programmes to strengthen their cooperation with the Court, and to collaborate effectively with the Office of Legal Affairs as focal point for cooperation between the United Nations system and the Court;

52. *Recalls* article 4 of the Relationship Agreement between the Court and the United Nations, and *stresses* the continuing need to ensure the ability of the Court to fully exercise its capacity of Observer to the United Nations and its ability to interact and engage in dialogue with the United Nations, including through its attendance and participation as Observer in the activities of the United Nations General Assembly, and through the Court's officials' regular visits to the United Nations to provide briefings and updates on its activities;

53. *Commends* the important work of the New York Liaison Office of the Court, *reiterates* its full support for the Office and *stresses* the importance of the continued and further strengthening of the implementation of its functions in accordance with ICC-ASP/4/6, paragraphs 2, 3 and 4;

54. *Calls upon* Bureau members and other States Parties to continue providing States Parties with information about their efforts at the United Nations, and in particular at the Security Council, notably through regular briefings provided by the designated State Party member of the Security Council, as well as in any other international or regional fora to promote the fight against impunity;

[64] ICC-ASP/12/42.

55. *Welcomes* the presentation of the annual report of the Court to the General Assembly of the United Nations[65] and in particular its focus on the relationship between the Court and the United Nations, *also welcomes* the annual adoption of the resolution concerning the Court by the General Assembly, *encourages* States Parties to support the resolution and *also encourages* them to continue their constructive engagement with United Nations Member States to further strengthen this resolution;

56. *Notes with concern* that, to date, expenses incurred by the Court due to referrals by the Security Council continue to be borne exclusively by States Parties and *notes* that, to date, the approved budget allocated so far within the Court in relation to the referrals made by the Security Council amounts to approximately €116,516.9 million;[66]

57. *Stresses* that, if the United Nations is unable to provide funds for the Court to cover the expenses incurred due to referrals by the Security Council, this will, among other factors, continue to exacerbate resource pressure on the Court;

58. *Urges* States Parties to pursue, within the General Assembly of the United Nations, the implementation of article 115, paragraph (b), of the Rome Statute, also taking into account that article 13, paragraph 1, of the Relationship Agreement between the Court and the United Nations states that the conditions under which any funds may be provided to the Court by a decision of the General Assembly shall be subject to separate arrangements;

59. *Notes* that all cooperation received by the Court from the United Nations is provided strictly on a reimbursable basis;

F. Relationships with other international organizations and bodies

60. *Welcomes* the efforts undertaken by various regional and other international organizations to support the Court in the fulfilment of its mandate, as well as efforts of the Court to engage with various regional bodies and entities;

61. *Recalls* the memoranda of understanding and agreements on cooperation concluded by the Court with regional and other international organizations;

62. *Emphasizes* ongoing efforts aimed at intensifying dialogue with the African Union and to strengthen the relationship between the Court and the African Union and *welcomes* the Court's further regular engagement in Addis Ababa with the African Union and diplomatic missions in anticipation of establishing its liaison office, *recognizes* the engagement of the President of the Assembly with officials of the African Union in Addis Ababa and *calls upon* all relevant stakeholders to support strengthening the relationship between the Court and the African Union;

63. *Encourages* the Court to continue efforts to enable a frank and constructive dialogue between the Court and the African States Parties to the Rome Statute as a key measure to strengthen relations between the Court and its African partners and address challenges within the context of this relationship;

64. *Welcomes* the efforts to further the presence of the Court at meetings of regional organizations;

65. *Recalls* the obligation of the High Contracting Parties to undertake to respect and ensure respect for the Geneva Conventions and *also recalls* the contribution that the International Humanitarian Fact-finding Commission, established by article 90 of the Additional Protocol I to the 1949 Geneva Convention, could make in ascertaining facts related to alleged violations of international humanitarian law and facilitating, where appropriate, the prosecution of war crimes, both at the national level and before the Court;

G. Activities of the Court

66. *Takes note* of the latest report on the activities of the Court to the Assembly;[67]

[65] United Nations document A/80/342.
[66] Report of the Registry on the Approximate Costs Allocated so far within the Court in Relation to Referrals by the Security Council (ICC-ASP/24/17), para. 6.
[67] ICC-ASP/24/11.

67. *Notes with satisfaction* the fact that, owing not least to the dedication of its staff, considerable progress continues to be made in the Court's activities, including its preliminary examinations, investigations and judicial proceedings in various situations which either States Parties or the United Nations Security Council[68] referred to the Court or which the Prosecutor initiated *proprio motu*;

68. *Recalls* its invitation to the Court to continue to take note of best practices of other relevant international and national organizations, tribunals and mechanisms, including those gained by national institutions that have already investigated and prosecuted crimes that fall within the Court's jurisdiction, in solving challenges similar to those encountered by the Court, while reiterating its respect for the independence of the Court;

69. *Recognizes* the importance of achieving accountability for all Rome Statute crimes while recalling that there is no hierarchy between them, and *encourages* the Bureau to engage with interested States Parties and other relevant actors to identify ways to support the Court's efforts in this regard with respect to gender-based crimes that amount to Rome Statute crimes, with a view to reporting thereon to the twenty-fifth session of the Assembly;

70. *Notes with appreciation* the efforts undertaken by the Office of the Prosecutor to achieve the efficiency and transparency of its preliminary examinations, investigations and prosecutions;

71. *Welcomes* the publication of the Office of the Prosecutor's Policy papers on Environmental crimes and Cyber-Enabled Crimes under the Rome Statute and notes the continuous review by the Prosecutor of the various policy papers of the Office, with a view to consolidating and enhancing them where necessary; and invites States Parties to continue supporting consultative processes to further improve the work of the Office;

72. *Welcomes* the continued implementation by the Office of the Prosecutor of its Policy Papers on Case Selection and Prioritization, on Children, on Gender-Based Crimes, on Gender Persecution, on Complementarity and Cooperation and on Slavery Crimes;

73. *Stresses* the importance of the effective investigation and prosecution of sexual and gender-based crimes and crimes against children by the Court and by national courts, in order to end impunity for perpetrators of such crimes, and *calls upon* States Parties to consider the Policy Papers to strengthen the investigation and prosecution of these crimes domestically;

74. *Expresses its appreciation* to the Office of the Prosecutor for consulting with States Parties and other stakeholders before the issuance of its policies and strategies and *welcomes* the contributions made by States Parties in this regard;

75. *Welcomes* the efforts undertaken by the Court to implement the One-Court principle, and to coordinate its activities among its organs at all levels, including through the implementation of measures to increase clarity on the responsibility of different organs, while respecting the independence of the judges and the Prosecutor and the neutrality of the Registry and encourages the Court to undertake all necessary efforts to fully implement the One-Court principle, inter alia with a view to ensuring full transparency, good governance, efficient use of financial resources and sound management;

76. *Welcomes* the issuance of the ICC Strategic Plan 2026-2029, which reflects the first integrated Strategic Plan developed by all organs of the Court together with the Trust Fund for Victims, and notes that its forward-looking vision is aimed at enhancing the effectiveness, coherence, and unity of purpose across all components of the Court and *also notes* that the Strategic Plan benefits from the views and comments from States Parties;

77. *Notes with appreciation* the continued efforts undertaken by the Registrar to mitigate the risks faced by the Court in relation to its field offices and to enhance the Court's field operations with a view to increasing their efficiency and visibility and *encourages* the Court to continue to optimize its field offices and activities in close cooperation with the United Nations, as appropriate, in order to ensure the Court's continued relevance and impact in States in which it carries out its work;

78. *Welcomes* the on-going efforts undertaken by the Court to improve its use of alternative sources of information and evidence as well as its capacities to this end, including

[68] United Nations Security Council resolutions 1593 (2005) and 1970 (2011).

in the field of financial investigations, *encourages* the Court to continue these efforts and *notes* the importance of providing the Court with the appropriate means for this purpose;

79. *Recognizes* the important work done by the field-based staff of the Court in difficult and complex environments and *expresses its appreciation* for their dedication to the mission of the Court;

80. *Emphasizes* the need for the Court to continue to improve and adapt outreach activities with a view to further developing and implementing effectively and efficiently the Strategic Plan for Outreach[69] in affected countries, including, where appropriate, by early outreach from the outset of the Court's involvement, including during the preliminary examination stage;

81. *Recalls* that the issues of public information and communication about the Court, the Trust Fund for Victims and their activities constitute a shared responsibility of the Court and States Parties, while *acknowledging* the significant contribution of other stakeholders to developing a coordinated and comprehensive approach;

H. Elections

82. *Stresses* the importance of nominating and electing as judges qualified, competent and experienced persons of the highest quality and of high moral character, impartiality and integrity who possess the qualifications required in their respective States for appointment to the highest judicial offices, in accordance with article 36 of the Rome Statute, as well as the importance of elected judges who have made their solemn undertaking being available to take up their full-time service when the Court's workload so requires, and for this purpose, *encourages* States Parties to conduct thorough and transparent processes to identify the best candidates;

83. *Recalls* that the Advisory Committee on Nominations of Judges is mandated to facilitate that the highest-qualified individuals are elected as judges of the International Criminal Court in the manner foreseen in its Terms of Reference;

84. *Welcomes* the Guidelines on national-level nomination procedures[70] which the Advisory Committee on Nominations of Judges prepared pursuant to resolution ICC-ASP/23/Res.1;

85. *Recalls* the adoption of the due diligence procedure for elected officials of the International Criminal Court ("due diligence procedure"),[71] *welcomes* the amendments to the revised operational mandate of the Independent Oversight Mechanism[72] that implement a permanent due diligence procedure and *reaffirms* that the permanent due diligence procedure by the Independent Oversight Mechanism will need to be taken into account in any future decisions on the process for the election of the Judges, Prosecutor, Deputy Prosecutor(s), Registrar and Deputy Registrar;

I. Secretariat of the Assembly of States Parties

86. *Recognizes* the important work done by the Secretariat of the Assembly ("the Secretariat"), *reiterates* that the relations between the Secretariat and the different organs of the Court shall be governed by principles of cooperation and of sharing and pooling of resources and services, as set out in the annex to resolution ICC-ASP/2/Res.3, and *welcomes* the fact that the Director of the Secretariat participates in the meetings of the Coordination Council when matters of mutual concern are considered;

87. *Recalls* the general oversight function of the Bureau over the Secretariat, as contained in the resolution establishing the Secretariat;[73]

[69] ICC-ASP/5/12.
[70] ICC-ASP/24/21.
[71] ICC-ASP/22/Res.3, annex II.
[72] See ICC-ASP/24/Res.2, annex II.
[73] ICC-ASP/2/Res.3, annex, para. 10.

88. *Also recalls* the report of the Bureau on the assessment of the Secretariat and the recommendations contained therein;[74]

89. *Further recalls* that there is only one Secretariat established to provide the Assembly, its Bureau and subsidiary bodies with substantive servicing as well as administrative and technical assistance in the discharge of their responsibilities;

90. *Welcomes* the implementation of the last part of recommendation 4 of the former External Auditor, "to suppress the Executive Secretariat, in order to restore the principle of subsidiarity of the governance oversight organs towards the Assembly" [75] decided by States Parties[76] and *welcomes* the reporting to the Director of the Secretariat of the P-5 post of Executive Secretary to the Committee on Budget and Finance which was established in December 2012;[77]

91. *Recalls* that the overall responsibility to ensure the provision of substantive and technical support to the Assembly and its subsidiary bodies and facilitations falls upon the Director of the Secretariat, who is entrusted with making the most efficient use of all the resources of Major Programme IV in accordance with the principles of effective financial administration and economy, and *notes* that all the staff of the Secretariat should therefore report to the Director of the Secretariat;

92. *Recalls* the endorsement[78] of the recommendations made by the Independent Oversight Mechanism in its evaluation of the Secretariat and takes note of the continuing implementation of the recommendation made by the Independent Oversight Mechanism to redesign the Secretariat along functional lines, with the assistance of the Human Resources Section of the Court, and to undertake, as appropriate, a review of classifications of positions in the Secretariat;

J. Counsel

93. *Notes* the important work of independent representative bodies of counsel or legal associations, including any international legal association relevant to rule 20, sub-rule 3, of the Rules of Procedure and Evidence;

94. *Takes note* of the report on the constitution and activities of the International Criminal Court Bar Association;[79]

95. *Invites* the International Criminal Court Bar Association to report to the Assembly, through the Bureau, on its activities in advance of the twenty-fifth session;

96. *Notes* the need to improve gender balance and equitable geographical representation on the list of counsel and thus *continues to encourage* applications to the list of counsel established as required under rule 21, sub-rule 2, of the Rules of Procedure and Evidence with a particular view to ensuring equitable geographical representation and gender balance, as well as legal expertise on specific issues such as violence against women or children, as appropriate;

K. Legal aid

97. *Notes* that it is the responsibility of the Court to present proposals to the Assembly for reform of the Legal Aid Policy and *calls on* the Court to continuously consult with States Parties and other relevant stakeholders, using existing structures in the course of drawing up these proposals;

98. *Recalls* the commitment of the Court and States Parties to ensuring equality of arms in proceedings before the Court;

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[74] ICC-ASP/17/39.
[75] External Auditor: Final report on the International Criminal Court Governance Oversight (ICC-ASP/20/6), part II, List of recommendations.
[76] ICC-ASP/23/Res.6, section J, para. 9.
[77] Report of the Committee on Budget and Finance on the work of its seventeenth session (ICC-ASP/10/15), para. 122.
[78] ICC-ASP/23/Res.1, para. 88.
[79] ICC-ASP/24/32.

L. Study Group on Governance

99. *Welcomes* the continued structured dialogue between States Parties and the Court with a view to strengthening the institutional framework of the Rome Statute system and enhancing the efficiency and effectiveness of the Court while fully preserving its judicial independence;

100. *Takes note* of the Bureau's report on the Study Group on Governance;[80]

101. *Extends* for another year the mandate of the Study Group;[81]

102. *Takes note* of the final report of the Review Mechanism submitted pursuant to resolution ICC-ASP/23/Res.6, including the Matrix on progress in the assessment of the Independent Expert Review recommendations of the Review Mechanism, and *notes* that the Study Group will continue to consider recommendations and those issues that fall within its mandate;

M. Proceedings of the Court

103. *Emphasizes* that the effectiveness of proceedings of the Court is essential to the rights of victims and those of the accused, the credibility and authority of the institution and the promotion of the universality of the Rome Statute, as well as the best possible use of the Court's resources, welcomes in this regard the efforts made to expedite proceedings, including by rendering trial judgments well within the timeframes set in the Chambers Practice Manual or joining the delivery of the judgement and the sentencing when possible;

104. *Welcomes* the Court's efforts to enhance the efficiency and effectiveness of proceedings, as well as the efforts on the part of States Parties and civil society in this regard, including various efficiency measures adopted by the judges during their retreat in June 2025 to harmonise internal practices and streamline standard procedural decisions, *emphasizes* the importance of continued dialogue on this matter, as well as the shared responsibility of the Court and States Parties in this regard and *notes* the amendment to the Rules of Procedure and Evidence, which the judges proposed on 15 September 2025 for adoption by the Assembly to clarify the procedure for motions for acquittal, imposing strict deadlines and procedural safeguards to efficiently adjudicate such motions;

N. Working methods review

105. *Recognizes* the benefits of rationalizing the working methods of the subsidiary bodies of the Bureau and the Assembly in order to cope with an increasing workload;

106. *Welcomes* the steps already undertaken by the Bureau for the improvement of the working methods and governance of the Bureau and the Assembly, *decides* to continue these efforts, and to that effect:

(a) *stresses* the need for the full implementation of the revised general roadmap for facilitations contained in annex II to resolution ICC-ASP/15/Res.5;

(b) *calls on* facilitations of the Bureau to begin their work during the intersessional period as early as possible during the first half of the year, as appropriate;

(c) *welcomes* the holding of Bureau meetings both in New York and in The Hague;

(d) *acknowledges* the importance of ensuring that the agenda of the Assembly allows sufficient time for substantive discussions;

(e) *recognizes* the importance of exchange of information as well as mutual consultations between the New York Working Group and The Hague Working Group on

[80] ICC-ASP/24/23.

[81] Established in resolution ICC-ASP/9/Res.2 and extended in resolutions ICC-ASP/10/Res.5, ICC-ASP/11/Res.8, ICC-ASP/12/Res.8, ICC-ASP/13/Res.5, ICC-ASP/14/Res.4, ICC-ASP/15/Res.5, ICC-ASP/16/Res.6, ICC-ASP/17/Res.5, ICC-ASP/18/Res.6, ICC-ASP/19/Res.6, ICC-ASP/20/Res.5, ICC-ASP/21/Res.2, ICC-ASP/22/Res.3 and ICC-ASP/23/Res.1.

matters of joint concern with a view to enhancing efficiency while avoiding duplication of efforts;

(f) *encourages* all States Parties to use the Extranet designed for the work of the subsidiary bodies of the Bureau and the Assembly containing all necessary documentation on the work in progress; and

(g) *also encourages* States Parties to deliver statements no longer than five minutes and to submit written statements instead of oral ones;

107. *Recognizes* the importance of the work carried out by the facilitators and the focal points;

108. *Recalls* the representative geographical character of the Bureau and *encourages* Bureau members to strengthen their communication with States Parties of their respective regional groups to inform the discussion of the Bureau, including by establishing appropriate mechanisms for providing regular updates on the work of the Bureau;

109. *Reiterates* that the Bureau shall have a representative character in its composition, taking into account, in particular, equitable geographical distribution and the adequate representation of the principal legal systems of the world, and *requests* the Bureau to remain seized of the matter;

110. *Welcomes* the report of the Bureau on the scheduling of Assembly sessions and the recommendations therein,[82] and *decides* to revert to the question at an appropriate time, preferably ahead of the twenty-fifth session of the Assembly;

111. *Reiterates* that the Bureau shall have a representative character in its composition, taking into account, in particular, equitable geographical distribution and the adequate representation of the principal legal systems of the world, and requests the Bureau to remain seized of the matter;

112. *Decides* to hold, bearing in mind past practice, the Assembly sessions alternately two years at the seat of the Court and one year at the Headquarters of the United Nations, when elections are held, as a rule with a length of up to six days, preferably over one calendar week, unless judicial or prosecutorial elections are scheduled, and *stresses* the need for effective, efficient, concise and productive Assembly sessions, with broadest participation of States Parties and effective use of resources, as well as the need for avoiding duplication with a division of labour between New York and The Hague;

O. Victims and affected communities, reparations and Trust Fund for Victims

113. *Reaffirms* its resolution ICC-ASP/13/Res.4 on victims and affected communities, reparations and Trust Fund for Victims;

114. *Stresses* the central importance that the Rome Statute accords to the rights and needs of victims, as victims' right to present and have their views and concerns considered at stages of the proceedings determined to be appropriate by the Court where their personal interests are affected and to protection of their safety, physical and psychological well-being, dignity and privacy, under article 68 of the Rome Statute, as well as their right to claim reparations awarded and access to relevant information are essential components of justice and, in this regard, *emphasizes* the importance of effective outreach to victims and affected communities in order to give effect to the mandate of the Court;

115. *Recalls* article 75 of the Rome Statute and, in this regard, the reparative justice role of the Court and the Trust Fund, and *notes* that assistance and reparations to victims may promote reconciliation and contribute to peace-building;

116. *Acknowledges* the importance of protective measures for victims and witnesses, including considering the best interests, rights and well-being of children and maintaining the physical and psychological welfare of witnesses, particularly victims of sexual and gender-based crimes, for the execution of the Court's mandate, *stresses* the need for States to conclude agreements with the Court in order to facilitate expeditious international

[82] ICC-ASP/22/32.

relocation of persons at risk, *urges* all States to consider concluding such relocation agreements and *encourages* all States to contribute to the Special Fund for Relocations;

117. *Stresses* that, since the identification, tracing and freezing or seizure of any assets of the convicted person are indispensable for reparations, it is of paramount importance that all necessary measures are taken to that end, in order for relevant States and relevant entities to provide timely and effective assistance pursuant to articles 75, 93, paragraph 1(k), and 109 of the Rome Statute, and *calls upon* States Parties to enter into voluntary agreements, arrangements or any other means to this end with the Court, as required;

118. *Recalls* the Court's previous commitment to review its Revised Strategy in Relation to Victims once a judicial cycle is finished;[83]

119. *Renews its appreciation* to the Board of Directors and the Secretariat of the Trust Fund for Victims for their continuing commitment towards victims and affected communities and in this regard, *notes with appreciation* the latest report by the Board of Directors on the activities of the Trust Fund to the Assembly[84] as well as the efforts of the Board of Directors to improve the governance, efficiency and effectiveness of the Trust Fund;

120. *Notes* the significant increase in the activities of the Trust Fund related to reparations; in particular, *also notes* that the Trust Fund is continuing to implement the *Lubanga* and *Ntaganda* reparations programmes in the Democratic Republic of the Congo and the *Al Mahdi* reparations programme in Mali, while progressing in the initiation of the *Ongwen* reparations programme;

121. *Further notes* that in the *Al Mahdi* case the Trust Fund has completed the delivery of financial compensation as part of the individual reparations awards to 1,687 eligible victims in November 2024 and that the collective reparations are set to conclude in December 2025;

122. *Welcomes* the final report of the Trust Fund on the implementation of the *Katanga* reparations programme submitted to the Court on 2 December 2024 and the external evaluation report which validates the impact of reparations on individuals and communities and contributes to strengthening the rule of law;

123. *Notes* that the Trust Fund is also implementing assistance programmes directly benefitting in 2024 18,226 individuals in seven situations under the jurisdiction of the Court and *also notes* that the Board of Directors of the Trust Fund has launched a funding appeal for initial consultations to determine the feasibility of starting assistance programmes in nine situations of the Court, where the Trust Fund is not currently active;

124. *Calls upon* States, international and inter-governmental organizations, individuals, corporations and other entities to make voluntary contributions, in accordance with their financial ability, to the Trust Fund in order to broaden its resource base, improve the predictability of funding and maintain responsiveness to harm suffered by victims as well as to the Court's judicial developments, and *renews its appreciation* to those that have done so;

125. *Invites* States Parties to respond to requests of the Trust Fund for earmarked contributions for the purposes of funding specific reparations awards, as well as replenishing and strengthening the Trust Fund's general reparations reserve, and *expresses its appreciation* to those that have already done so;

126. *Invites* States Parties to consider making earmarked voluntary contributions to the Trust Fund for the benefit of victims of sexual and gender-based violence, and *expresses its appreciation* to those that have already done so;

127. *Notes* the intention of the Trust Fund to raise voluntary contributions from public and private donations, in order to ensure the implementation of Court-ordered reparations and assistance activities for the benefit of victims in cases and situations before the Court, in particular €4.1 million for the reparations programme in the *Lubanga* and *Ntaganda* cases, €5 million to start the reparations programme in the *Ongwen* case and €2 million for other assistance programmes;

[83] ICC-ASP/13/Res.4, para. 1.
[84] ICC-ASP/24/14.

128. *Welcomes* the Report of the Bureau on the Trust Fund for Victims;[85]

129. *Welcomes* the development by the Trust Fund for Victims of an integrated Strategic Plan with the Court;

130. *Takes note* of the comprehensive fundraising strategy of the Trust Fund for Victims, and its improved governance;

P. Recruitment of staff

131. *Takes note* of the Court's report on Human Resources Management[86] and *requests* the Court to further strengthen its efforts, in the recruitment of staff, to seek equitable geographical representation with a particular focus on candidates from non-represented and under-represented States Parties, gender balance and the highest standards of efficiency, competency and integrity, as well as to seek expertise on specific issues, including, but not limited to, trauma-related psycho-social needs and violence against women or children, and *encourages* further progress in this regard;

132. *Calls upon* the Court to report the outcome of its efforts to seek equitable geographical representation with a particular focus on candidates from non-represented and under-represented States Parties and gender balance to the Assembly at its twenty-fifth session, including, but not limited to, improvements in the recruitment process and annual recruitment data;

133. *Welcomes* the efforts by the Registry to implement the outcomes of the Workshop on Geographical Representation and Gender Balance (GRGB) held in 2023;

134. *Takes note* of the continued dialogue between the Court and the Bureau with regard to ensuring equitable geographical representation and gender balance in the recruitment of staff members, and welcomes the report of the Bureau and its recommendations;[87]

135. *Urges* States Parties to continue to undertake efforts to identify and enlarge pools of potential applicants to the Court's professional positions from States Parties from non- and under-represented regions and countries, including through the financing by the Assembly of the Court's internship and visiting professional programmes, and by States Parties of Junior Professional Officer (JPO) programmes, through targeted outreach initiatives and through the dissemination among relevant national institutions and organizations of the Court's vacancies;

136. *Recalls* the establishment by the Court of a programme to fund, through voluntary contributions, the placement of interns and visiting professionals from developing regions with a particular focus on candidates from non-represented and under-represented States Parties, *welcomes* the voluntary contributions received thus far, *calls upon* States Parties to contribute to this programme, and *requests* the Court to further devise mechanisms that can ensure in a more sustainable and systematic manner the funding of placements of interns and visiting professionals from developing regions;

137. *Also recalls* the issuance of the first integrated ICC Strategic Plan 2026-2029, developed by all organs of the Court together with the Trust Fund for Victims, and the Strategic Goal 8 "Foster diversity" which strive to increase equitable geographical representation and gender balance across all staffing levels, in particular in senior positions, advancing the integration of diversity, equity and inclusion perspectives in all aspect of the administration of the organization;

138. *Welcomes* the Court's final report on the implementation of the Court-wide strategy on gender equality and workplace culture (2023-2025) and *further recalls* that the Court is developing the second Court-wide strategy on gender equality and Workplace Culture (2026-2029), which will complement the Strategic Plan for 2026-2029;

Q. Complementarity

139. *Recalls* the primary responsibility of States to genuinely investigate and prosecute the most serious crimes of international concern and that, to this end, appropriate measures need

[85] ICC-ASP/24/19.
[86] ICC-ASP/24/2.
[87] ICC-ASP/24/7.

to be adopted at the national level, and international cooperation and judicial assistance need to be strengthened, in order to ensure that national legal systems are willing and able genuinely to carry out investigations and prosecutions of such crimes;

140. *Resolves* to continue and strengthen, within the appropriate fora, effective domestic implementation of the Rome Statute, to enhance the capacity of national jurisdictions to prosecute the perpetrators of the most serious crimes of international concern in accordance with internationally recognized fair trial standards, pursuant to the principle of complementarity, and *stresses* that the proper functioning of the principle of complementarity entails that States incorporate the crimes set out in articles 6, 7 and 8 of the Rome Statute as punishable offences under their national laws, to establish jurisdiction for these crimes and to ensure effective enforcement of those laws, and *urges* States to do so;

141. *Recalls* the signing on 14 February 2024 of the Ljubljana-The Hague Convention on international cooperation in the investigation and prosecution of the crime of genocide, crimes against humanity, war crimes and other international crimes, which will facilitate better practical cooperation between States in investigating and prosecuting international crimes and to which all States may become parties;

142. *Welcomes* efforts by the United Nations, international and regional organizations, States and civil society in mainstreaming capacity-building activities aimed at strengthening national jurisdictions with regard to investigating and prosecuting Rome Statute crimes and *strongly encourages* additional efforts in this regard by other international and regional organizations, States and civil society;

143. *Welcomes* the report of the Bureau on complementarity and the recommendations made on future consultations set out therein;[88]

144. *Welcomes* the ongoing exchanges with the Office of the Prosecutor in the context of the Office's Policy on Complementarity and Cooperation, with respect to a range of measures and initiatives intended to support the development of dynamic and two-way relationships between the Office, national authorities and other accountability mechanisms, and, crucially, the victims and survivors of atrocities globally, in order to deliver justice close to the affected communities;

145. *Also welcomes* the information provided by the Secretariat of the Assembly on the progress in giving effect to its mandate to facilitate the exchange of information between the Court, States Parties and other stakeholders, including international organizations and civil society, aimed at strengthening domestic jurisdictions;

146. *Encourages* States, international and regional organizations and civil society to submit to the Secretariat information on their complementarity-related activities and *further welcomes* the efforts made by the international community and national authorities, including national capacity-building activities to investigate and prosecute gender-based crimes that may amount to Rome Statute crimes, in particular the continued efforts on the strategic actions to ensure access to justice and to enhance empowerment of victims at national level;

147. *Encourages* the Court to continue its efforts in the field of complementarity, including through exchange of information between the Court and other relevant actors, while *recalling* the Court's limited role in strengthening national jurisdictions;

R. Independent Oversight Mechanism

148. *Recalls* its decision in resolution ICC-ASP/23/Res.1 requesting the Bureau to remain seized of the review of the work and operational mandate of the Independent Oversight Mechanism and to follow up on the recommendations contained in the report of the facilitation, with a view to considering also recommendations of the Independent Expert Review in this regard, and to report thereon to the Assembly at its twenty-fifth session;

149. *Recalls* its endorsement of the evaluation policy of the Court in resolution ICC-ASP/23/Res.1 and *welcomes* the commitment of the Independent Oversight Mechanism to

[88] ICC-ASP/24/35.

conduct its evaluations in line with the policy as prescribed in paragraph 30 of the revised operational mandate of the Independent Oversight Mechanism;

150. *Recalls* its decision in resolution ICC-ASP/24/Res.2 to amend the revised operational mandate of the Independent Oversight Mechanism;

151. *Welcomes* the discussions held during 2025 on the review of the work and operational mandate of the Independent Oversight Mechanism, which is a subsidiary body of the Assembly;

152. *Takes note* of the Final Report of the Independent Expert Review of the International Criminal Court and the Rome Statute System,[89] in particular its recommendations related to the work and operational mandate of the Independent Oversight Mechanism, which deserves thorough discussions among States Parties and consideration and may call for further revisions of the mandate;

153. *Welcomes* the complementary initiatives undertaken by the Bureau, the Assembly oversight bodies and the Court to try to ensure that the different organs of the Court have streamlined and updated where required, and, to the extent possible, consistent ethics charters and codes of conduct;

154. *Reiterates* the critical importance of the Independent Oversight Mechanism in carrying out its work in an independent, transparent and impartial manner free from any undue influence and *acknowledges* the need for adequate resources to carry out its mandate, including the implementation of a permanent due diligence procedure;

155. *Welcomes* the annual report of the Head of the Independent Oversight Mechanism;[90]

156. *Reaffirms* the importance of the Independent Oversight Mechanism reporting to States Parties on the results of its activities;

157. *Emphasizes* the importance of adherence to the highest professional and ethics standards by all elected officials, Court staff, consultants, contractors, visiting professionals, and interns, *acknowledges* the essential role played and work done by the Independent Oversight Mechanism, and that the revised operational mandate of the Independent Oversight Mechanism[91] enables it to cooperate efficiently with the Presidency of the Assembly and the ad hoc panel in case of complaints against elected officials, and *invites* the Court to provide at the earliest opportunity in advance of the twenty-fifth session of the Assembly any relevant update and recommendation on any necessary follow-up action for the Court and/or the Assembly;

158. *Welcomes* the incorporation of a permanent due diligence procedure into the mandate of the Independent Oversight Mechanism, and *acknowledges* the clarifications on the possibility of retaining an external investigator to conduct investigations in case of actual, potential or perceived conflicts of interest, or due to insufficient resources, as prescribed in paragraph 11 of the revised operational mandate of the Independent Oversight Mechanism;[92]

159. *Welcomes* the progress made in formally aligning the regulatory framework of the Court and the Assembly with the revised operational mandate of the Independent Oversight Mechanism, in particular the Rules of Procedure and Evidence,[93] the Rules of Procedure of the Assembly of States Parties,[94] the Administrative Instruction on Investigation of Unsatisfactory Conduct and the Administrative Instruction on Unsatisfactory Conduct and Disciplinary Proceedings, as well as the Administrative Instruction on Discrimination, Harassment, including Sexual Harassment, and Abuse of Authority, and *encourages* the Court, with the support of the Independent Oversight Mechanism, as necessary, to continue working to ensure that all relevant documents are updated and aligned with the mandate of the Independent Oversight Mechanism in order to harmonize the applicable rules;

[89] ICC-ASP/19/16.
[90] ICC-ASP/24/8.
[91] ICC-ASP/24/Res.2, annex II.
[92] See ICC-ASP/24/Res.2, annex II.
[93] See ICC-ASP/24/Res.1.
[94] See ICC-ASP/24/Res.2, annex III.

S. Programme budget

160. *Takes note* of the important work done by the Committee on Budget and Finance, which is a subsidiary body of the Assembly, and *reaffirms* the independence of the members of the Committee;

161. *Recalls* that, according to its Rules of Procedure,[95] the Committee shall be responsible for the technical examination of any document submitted to the Assembly that contains financial or budgetary implications and *emphasizes* the importance of ensuring that the Committee is represented at all stages of the deliberations of the Assembly at which documents that contain financial or budgetary implications are considered;

162. *Takes note with concern* of the report of the Bureau on the arrears of States Parties;[96]

163. *Emphasizes* the importance of endowing the Court with the necessary financial resources, and *urges* all States Parties to the Rome Statute to transfer their assessed contributions in full and by the deadline for contributions or, in the event of pre-existing arrears, immediately, in accordance with article 115 of the Rome Statute, rule 105.1 of the Financial Regulations and Rules, and other relevant decisions taken by the Assembly;

164. *Calls upon* States, international organizations, individuals, corporations and other entities to contribute voluntarily to the Court and *expresses its appreciation* to those that have done so;

T. Review of the Kampala Amendments

165. *Welcomes* the activation of the Court's jurisdiction over the crime of aggression as of 17 July 2018, as decided by consensus by the Assembly in its resolution ICC-ASP/16/Res.5, marking the first time that a permanent international court has the authority to hold individuals accountable in respect of this crime, thereby completing the achievements of the Rome and Kampala Conferences of 1998 and 2010;

166. *Calls upon* all States Parties to consider ratifying or accepting these amendments, noting that they shall enter into force in accordance with article 121, paragraph 5, of the Rome Statute, *notes with appreciation* the recent ratifications of the amendments[97] and *notes* that two States Parties have lodged declarations in accordance with article 15 *bis*, paragraph 4, of the Rome Statute;[98]

167. *Further welcomes* that special session on the review of the amendments on the crime of aggression took place from 7 to 9 July 2025 in New York and expresses appreciation for the extensive preparations undertaken by the Bureau, the Secretariat, the President of the Assembly of States Parties, the Working Group on Amendments, and civil society;

168. *Takes note* with appreciation of the adoption of the resolution ICC-ASP/S-1/Res.1 by the Assembly of States Parties, whereby it commits itself to the aim of strengthening the jurisdiction of the Court over the crime of aggression, and decides to convene a Special session in 2029 in New York, for no longer than five days and an intersessional meeting of no longer than two days in 2027 in New York;

169. *Further* welcomes the decision of the Assembly[99] to establish a dedicated sub-group of the Working Group of Amendments to take this process forward that will annually report to the Assembly of States Parties on progress, and takes note of the report of the Chair of the Subgroup of the Working Group of Amendments;

170. *Invites* the Chair of the Subgroup of the Working Group of Amendments to convene regular meetings of the Subgroup of the Working Group to facilitate discussions on the proposal for amendment annexed to the resolution ICC-ASP/S-1/Res.1, with due consideration of other possible routes to enhance the Court's jurisdiction over the crime of aggression in preparation for the intersessional meeting and the Special Session, and encourages States Parties to actively engage to take this process forward;

[95] ICC-ASP/18/Res.1, annex.
[96] ICC-ASP/24/31.
[97] https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=XVIII-10-a&chapter=18&clang=_en.
[98] https://www.icc-cpi.int/sites/default/files/2024-05/Rome-Statute-eng.pdf.
[99] ICC-ASP/S-1/Res.1.

U. Consideration of amendments

171. *Welcomes* the report of the Working Group on Amendments;[100]

172. *Calls upon* all States Parties to ratify or accept the amendment to article 124;

173. *Also calls upon* all States Parties to ratify or accept the amendments to article 8 adopted at the sixteenth and eighteenth sessions of the Assembly;[101]

V. Participation in the Assembly of States Parties

174. *Strongly encourages* States Parties to be guided by the principle of gender balance when composing their delegations to the Assembly and when selecting their participants for the work of the Assembly and its subsidiary bodies;

175. *Calls upon* States, international organizations, individuals, corporations and other entities to contribute in a timely manner and voluntarily to the Trust Fund to allow the participation of least developed countries and other developing States in the annual session of the Assembly and *expresses its appreciation* to those that have done so;

176. *Encourages* the continuation of efforts undertaken by the President of the Assembly to hold an on-going dialogue with all stakeholders, including regional organizations and *calls upon* all States Parties to support the President in her undertakings aimed at strengthening the Court, the independence of proceedings and the Rome Statute system as a whole;

177. *Encourages* further constructive and inclusive dialogue between States Parties and non-States Parties in order to strengthen the fight against impunity including in the context of challenges the Court is facing, with full respect for the Rome Statute and the independence, impartiality and integrity of the Court;

178. *Recalls* the long-term and continuing cooperation between the Assembly, States Parties, and non-governmental organizations of civil society, and *reaffirms* resolution ICC-ASP/2/Res.8 on recognition of the coordinating and facilitating role of the NGO Coalition for the International Criminal Court;

179. *Calls upon* all States to refrain from any acts constituting an attack, threat, intimidation or reprisal against participants in the work of the Assembly;

180. *Encourages* the full participation of States Parties, Observers and States not having observer status in the sessions of the Assembly in order to strengthen dialogue and *recognizes* the need to ensure the broadest visibility of the Court and the Assembly;

181. *Takes note* of the Guidelines for enhancing the security of participants in the work of the Assembly, adopted by the Bureau on 4 October 2023,[102] and *requests* the Bureau to continue developing measures to this effect in consultation with States Parties, the Court and civil society, and to report to the Assembly at its twenty-fifth session; and

182. *Decides* to entrust the Court, the President of the Assembly, the Bureau, the Advisory Committee on Nominations, the Working Group on Amendments, the Study Group on Governance, the Independent Oversight Mechanism, the Secretariat, and the Board of Directors and the Secretariat of the Trust Fund for Victims, as appropriate, with the mandates contained in annex I to the present resolution.

[100] ICC-ASP/24/26.
[101] ICC-ASP/16/Res.4 and ICC-ASP/18/Res.5.
[102] Amended on 8 September 2021 and 29 September 2023: https://asp.icc-cpi.int/sites/default/files/asp_docs/Guidelines-preparation-conduct-ASP-with-appendix-ENG.pdf.

Annex I

Mandates of the Assembly of States Parties for the intersessional period

1. With regard to **universality of the Rome Statute**,

(a) *endorses* the recommendations of the report of the Bureau on the Plan of action for achieving universality and full implementation of the Rome Statute and *encourages* all relevant actors to implement these recommendations;

(b) *requests* the Bureau to continue to monitor the implementation of the Plan of action and to report thereon to the Assembly at its twenty-fifth session; and

(c) *requests* the Secretariat to continue supporting efforts to promote the universality of the Rome Statute, including through appropriate coordination and facilitation as needed.

2. With regard to the **Agreement on Privileges and Immunities**, *requests* the Bureau to continue to support the ratification of the Agreement;

3. 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-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, States Parties 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;

(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,[137] in close cooperation with the Court, where appropriate;

(g) *requests* the Bureau to maintain a facilitation of the Assembly 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 Court[138] to monitor the implementation of the recommendations related to cooperation as appropriate, and to report thereon to the Assembly at its twenty-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

[137] ICC-ASP/6/Res.2, annex II.
[138] ICC-ASP/19/Res.7.

Declaration of Paris, including by continuing the work to further develop the secured digital platform;

(k) *invites* 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 Guidelines on protection of relevant ICC persons against coercive measures, and to report to the Bureau, through the cooperation facilitation, in 2026 on the outcome of these discussions;

(l) *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;

(m) *requests* the President of the Assembly to continue to engage actively and constructively with all relevant stakeholders in accordance with the Assembly procedures relating to non-cooperation, both to prevent instances of non-cooperation and to follow up on any matter of non-cooperation referred by the Court to the Assembly;

(n) *requests* that any information concerning potential or confirmed travel of persons against whom an arrest warrant has been issued be promptly shared with the Court by the focal points on non-cooperation; and

(o) *requests* the Bureau to continue to actively engage throughout the intersessional period with all relevant stakeholders to continue to ensure effective implementation of the Assembly procedures relating to non-cooperation and to submit a report on its activities to the Assembly at its twenty-fifth session;

4. With regard to the **relationship with the United Nations**,

(a) *invites* the Court to continue its institutional dialogue with the United Nations, based on the Relationship Agreement between the United Nations and the International Criminal Court; and

(b) *requests* the Registry to update its report on the approximate costs allocated so far within the Court in relation to referrals by the Security Council[139] ahead of the twenty-fifth session of the Assembly;

5. With regard to **relationships with other international organizations and bodies**,

(a) *invites* the Court to include in its annual report to the United Nations General Assembly a section on the status and implementation of specific agreements on cooperation with other international organizations; and

(b) r*equests* the Bureau, through The Hague Working Group, to continue discussions on the desirability and feasibility of establishing regional representations to promote dialogue, cooperation, complementarity, universality, and promotion of the Rome Statute, including by engaging with States interested in hosting such a representation. Also requests the Bureau to consult with the Court and report on the outcome of the discussions and any recommendations to the twenty-fifth session of the Assembly;

6. With regard to **elections**,

(a) *decides* to continue to review the procedure for the nomination and election of judges as set forth in resolution ICC-ASP/3/Res.6, as amended, with a view to making any improvements as may be necessary, taking into account the work conducted so far as reflected in the facilitator's report;[140]

(b) *requests* the Bureau to report to the Assembly at its twenty-fifth session on possible amendments to other mandates and procedures which may be necessary in order to implement the due diligence procedure for elected officials; and

(c) *also requests* the Bureau to update the Assembly, at its twenty-fifth session, on the progress of the review of the procedure for the nomination and election of judges;

[139] ICC-ASP/24/17.
[140] ICC-ASP/24/28.

7. With regard to **legal aid**,

(a) *takes note* of the general interest expressed during the preparatory meetings convened in 2025 to examine the text of a possible amendment to the Agreement on the Privileges and Immunities of the International Criminal Court, to address the question of a legal basis for tax exemptions to be granted to defence and victims' counsel and persons assisting counsel who are subject to the Legal Aid Policy;

(b) *decides* to continue the discussion and examine further the draft text as prepared in Annex II with a view to arriving at a mutually agreeable text and with a view to convening a Review Conference in accordance with article 36 of the Agreement on the Privileges and Immunities of the International Criminal Court to discuss the proposal as soon as possible;

(c) *requests* the Court to consider interim measures, within existing resources in the legal aid budget, to the benefit of members of defence and victims' teams who are subject to taxation on their legal aid earnings;

(d) *stresses* the need for continuous monitoring and scrutiny of the new legal aid system and, to this end, *requests* the Court to report on the progress in the application of the new Legal Aid Policy of the International Criminal Court by 31 August 2026, in consultation with members of defence and victims' teams, in order to facilitate the Assembly's review and consideration of the Legal Aid Policy at the twenty-fifth session of the Assembly;

(e) *requests* the Court to continue to ensure appropriate representation of counsel in the Advisory Committee on Legal Texts;

(f) *also requests* the Court to continue its review of the current framework and operation of the functions regarding financial investigations on suspects and accused persons across all organs in order to make proposals to the Assembly through its relevant facilitations (legal aid and cooperation) with a view to strengthening the Registry's capacity to trace, freeze and seize assets of the accused in the context of legal aid requests, while paying due respect to the rights of the accused and to ensure increased efficiency of that global framework; and

(g) *requests* the Bureau to continue its work on legal aid and to report to the Assembly at its twenty-fifth session;

8. With regard to the **Study Group on Governance**,

(a) *invites* the Court to further engage in a structured dialogue with States Parties with a view to strengthening the institutional framework of the Rome Statute system and enhancing the efficiency and effectiveness of the Court while fully preserving its judicial independence, and to provide State Parties with its update on implementation of the respective Independent Expert Review recommendations;

(b) *invites* the Study Group to closely cooperate with the Court, subsidiary bodies and other facilitations established by the Assembly on the implementation of the Independent Experts' recommendations that address governance issues; and

(c) *requests* the Court to consider benchmarking results in relation to Short Term Appointments, while maintaining close engagement with States Parties and the Staff Union Council;

9. With regard to **proceedings of the Court**,

(a) *invites* the Court to intensify its efforts to enhance the efficiency and effectiveness of proceedings including by adopting further changes of practice;

(b) *encourages* the Bureau, including through its two working groups and the Study Group on Governance, to continue to support the Court's efforts to enhance the efficiency and effectiveness of proceedings; and

(c) *encourages* the Court to take note of the best practices of relevant international and national organizations, tribunals, and mechanisms related to sexual and gender-based crimes, including practices related to investigation, prosecution and training, in solving challenges related to crimes under the Rome Statute, including sexual and gender-based crimes, while reiterating its respect for the independence of the Court;

10. With regard to the **working methods review**,

(a) *decides* that its annual session shall have a duration of up to six working days with a possible extension of up to three additional days in election years, as required, and to focus, in such cases, the first three days on the elections of judges;

(b) *also decides* that its annual sessions shall include one or two plenary segments on specific agenda items;

(c) *invites* the facilitators and focal points, when appropriate, to present their work to the Assembly;

(d) *also invites* the facilitators and focal points to commit themselves for a period of up to three years, considering the particularities and the complexity of each mandate and to submit, in addition to their regular reports, a final written report to the Assembly at the end of their mandate, including lessons learnt;

(e) *invites* the Bureau to continue to implement the recommendations of the 2013 working methods report;[141]

(f) *requests* the Bureau to establish facilitations only if the mandate requires open-ended consultations and the matter cannot be addressed by a less resource-intensive mechanism, such as a rapporteur or a focal point;[142]

(g) *invites* the Bureau to use existing technologies such as video-conferencing in order to ensure participation of members of the Bureau not represented at the venue of the Bureau meeting;

(h) *requests* the Bureau to continue conducting evaluations of the established mandates and, where appropriate, consider the inclusion of end-dates and that it prepare recommendations on the reduction of the number and length of reports;

(i) *also requests* the Bureau to continue to discuss the representative character of its composition, taking into account, in particular, equitable geographical distribution and the adequate representation of the principal legal systems of the world and further requests the Bureau to continue to consult with all States Parties on the topic and submit a report, ahead of the twenty-fifth session of the Assembly;

(j) *also decides* to consider the Composition of the Bureau as its first point on its agenda for the twenty-fifth session of the Assembly, taking into consideration the Reports on the Composition of the Bureau and its Annexes, as well as other proposals, and with a view of taking an action, and requests that the Bureau will adopt the report well in advance; and

(k) *requests* all facilitators and focal points, in consultation with States Parties, to undertake an exercise to further streamline the present resolution for the twenty-fifth session, including through continued implementation of the Guiding Principles on the streamlining and drafting of proposals for this resolution;

11. With regard to **victims and affected communities, reparations and the Trust Fund for Victims**,

(a) *requests* the Court to continue to establish principles relating to reparations in accordance with article 75, paragraph 1, of the Rome Statute as a priority in the context of its judicial proceedings;

(b) *encourages* the Board of Directors and the Secretariat of the Trust Fund for Victims to continue to strengthen its on-going dialogue with the organs of the Court, States Parties and the wider international community, including donors as well as non-governmental organizations, who all contribute to the valuable work of the Trust Fund for Victims, so as to ensure increased strategic and operational visibility and to maximize its impact and ensure the continuity and sustainability of the Fund's interventions;

[141] ICC-ASP/12/59.
[142] As outlined, for example, in paras. 21(a) and 23(b) of the Report on the evaluation and rationalization of the working methods of the subsidiary bodies of the Bureau (ICC-ASP/12/59).

(c) *requests* the Court and the Trust Fund for Victims to continue developing a strong collaborative partnership, mindful of each other's roles and responsibilities, to implement Court-ordered reparations;

(d) *decides* to continue to monitor the implementation of the rights of victims under the Rome Statute, with a view to ensuring that the exercise of these rights is fully realized and that the continued positive impact of the Rome Statute system on victims and affected communities is sustainable;

(e) *requests* the Court to continue the development of an updated Revised Strategy in Relation to Victims, taking into account the ongoing consideration of the relevant Independent Expert Review recommendations, and to report to the Assembly at its twenty-fifth session;

(f) *requests* the Bureau to actively engage in discussions, including relevant stakeholders, with a view to identifying sustainable and increased funding sources for the Trust Fund for Victims, including those referenced in resolution ICC ASP/1/Res.6, with particular focus on paragraph 2(d), and to report on progress to the Assembly at its next session;

(g) *requests* the Bureau to continue considering victims-related issues as necessary or as they arise, having recourse to any appropriate process or mechanism and to report to the Assembly at its twenty-fifth session; and

(h) *requests* the Court to make available to the Assembly appropriate statistics in relation to victims admitted to participate in proceedings before the Court when these are publicly submitted to the respective Chambers in the context of the judicial proceedings; such statistics may include, as appropriate, information on gender, criminal offense and situation, among other pertinent criteria as determined by the relevant Chamber;

12. With regard to **recruitment of staff**,

(a) *endorses* the recommendations of the Committee on Budget and Finance in relation to geographical representation and gender balance contained in the report of its forty-seventh session and *urges* the Court to take the necessary steps to implement it;

(b) *requests* the Court to submit to the Assembly a comprehensive report on human resources by the end of May 2026, to be considered by the Assembly at its twenty-fifth session, which would include an update on the implementation of the recommendations on the topic made by the Committee in 2025;

(c) *also requests* the Court to include in that report an outline of its efforts to improve the recruitment process in seeking equitable geographical representation with a particular focus on candidates from non-represented and under-represented States Parties and gender balance, including annual recruitment data;

(d) *requests* the Bureau to continue engaging with the Court to identify ways to improve equitable geographical representation and gender balance in professional posts, as well as to remain seized of the issue of geographical representation and gender balance, and to report thereon to the twenty-fifth session of the Assembly; and

(e) *urges* the Court to continue to seize the opportunities of the outstanding and future recruitment processes to implement measures that would contribute to the efforts of meeting the desirable ranges of geographical representation and gender balance;

13. With regard to **complementarity**,

(a) *requests* the Bureau to remain seized of this issue and to continue the dialogue with the Court and other stakeholders on complementarity, including on complementarity-related capacity-building activities by the international community to assist national jurisdictions, on possible situation-specific completion strategies of the Court and the role of partnerships with national authorities and other actors in this regard, and also including to assist on issues such as gender-based crimes; and

(b) *requests* the Secretariat to continue to develop its efforts in facilitating the exchange of information between the Court, States Parties and other stakeholders, including international organizations and civil society, aimed at strengthening domestic jurisdictions,

and to invite States to submit information on their capacity needs for the consideration of States and other actors in a position to provide assistance, and to report on the practical steps taken in this regard to the twenty-fifth session of the Assembly;

14. With regard to the **Independent Oversight Mechanism**, *requests* the Bureau to remain seized of the review of the work and the operational mandate of the Independent Oversight Mechanism, with a view to considering also recommendations of the Independent Expert Review in this regard, and to report thereon to the Assembly at its twenty-fifth session;

15. With regard to **the programme budget**,

(a) *requests* the Secretariat, together with the Committee on Budget and Finance, to continue to make the necessary arrangements to ensure that the Committee is represented at all stages of the deliberations of the Assembly at which documents that contain financial or budgetary implications are considered;

(b) *decides* that the Bureau, through the President of the Assembly, the Coordinator of the working group and the facilitator, should continue to monitor the status of payments received throughout the financial year of the Court and, as appropriate, continue to engage in dialogue with States Parties that have outstanding contributions or are in arrears, and, via the annual facilitation on the topic of arrears, report thereon to the Assembly at its twenty-fifth session; and

(c) *requests* the Secretariat to inform States Parties periodically of States that have recovered their voting rights following payment of their arrears;

16. With regard to the **Review of the Kampala Amendments**,

(a) *requests* the subgroup of the Working Group on Amendments to continue consultations with all States Parties and stakeholders and to submit an updated report on progress to the twenty-fifth session of the Assembly;

(b) *decides* to maintain the issue under consideration until the Special Session of the Assembly to be held in New York in 2029, including at the intersessional meeting to be held in New York in 2027;

17. With regard to **consideration of amendments**,

(a) *invites* the Working Group on Amendments to continue its consideration of all amendment proposals, in accordance with the Terms of Reference of the Working Group; and

(b) *requests* the Working Group to submit a report for the consideration of the Assembly at its twenty-fifth session;

18. With regard to **participation in the Assembly of States Parties**,

(a) *decides* that the Committee on Budget and Finance shall hold its forty-ninth session virtually, on 26 January 2026, that its fiftieth session would take place from 11 to 15 May 2026 and its fifty-first session from 7 September to 18 September 2026, both in The Hague; and

(b) *also decides* that the Assembly shall hold its twenty-fifth session in New York from 7 to 17 December 2026, and its twenty-sixth session in The Hague.

Annex II

Draft text of a possible amendment to Article 18 of the Agreement on the Privileges and Immunities of the International Criminal Court

Article 18

Counsel and persons assisting ~~defence~~ counsel

1. Counsel shall enjoy the following privileges, immunities and facilities to the extent necessary for the independent performance of his or her functions, including the time spent on journeys, in connection with the performance of his or her functions and subject to production of the certificate referred to in paragraph 2 of this article:

(a) Immunity from personal arrest or detention and from seizure of his or her personal baggage;

(b) Immunity from legal process of every kind in respect of words spoken or written and all acts performed by him or her in official capacity, which immunity shall continue to be accorded even after he or she has ceased to exercise his or her functions;

(c) Inviolability of papers and documents in whatever form and materials relating to the exercise of his or her functions;

(d) For the purposes of communications in pursuance of his or her functions as counsel, the right to receive and send papers and documents in whatever form;

(e) Exemption from immigration restrictions or alien registration;

(f) Exemption from inspection of personal baggage, unless there are serious grounds for believing that the baggage contains articles the import or export of which is prohibited by law or controlled by the quarantine regulations of the State Party concerned; an inspection in such a case shall be conducted in the presence of the counsel concerned;

(g) The same privileges in respect of currency and exchange facilities as are accorded to representatives of foreign Governments on temporary official missions;

(h) The same repatriation facilities in time of international crisis as are accorded to diplomatic agents under the Vienna Convention.

2. Upon appointment of counsel in accordance with the Statute, the Rules of Procedure and Evidence and the Regulations of the Court, counsel shall be provided with a certificate under the signature of the Registrar for the period required for the exercise of his or her functions. Such certificate shall be withdrawn if the power or mandate is terminated before the expiry of the certificate.

3. **Counsel shall be exempted from taxation on the fees, allowances, and other expenses paid to them by the Court under the legal aid system. States Parties may take these fees, allowances, and other expenses into account for the purpose of assessing the amount of taxes to be applied to income from other sources.** ~~Where the incidence of any form of taxation depends upon residence, periods during which counsel is present in a State Party for the discharge of his or her functions shall not be considered as periods of residence.~~

4. The provisions of this article shall apply mutatis mutandis to persons assisting ~~defence~~ counsel in accordance with rules 22 **and 90** of the Rules of Procedure and Evidence.

Annexes

Annex I

Report of the Credentials Committee on the credentials of representatives to the twenty-fourth session of the Assembly

Chairperson: Manuel Morales Ovares (Costa Rica)

1. At its first plenary meeting, on 1 December 2025, the Assembly of States Parties to the Rome Statute of the International Criminal Court ("the Assembly"), in accordance with rule 25 of the Rules of Procedure of the Assembly, appointed a Credentials Committee for its twenty-fourth session, consisting of the following States Parties: Costa Rica, Czech Republic, France, Germany, Norway, Panama, Slovenia, South Africa, and Uganda.

2. The Credentials Committee held two meetings, on 1 and 5 December 2025.

3. The Credentials Committee had before it a regularly updated memorandum by the Secretariat concerning the credentials of representatives of States Parties to the Rome Statute of the International Criminal Court to the twenty-fourth session of the Assembly of States Parties.

4. Formal credentials of representatives to the twenty-fourth session of the Assembly, in the form required by rule 24 of the Rules of Procedure, had been received as at 5 December 2025 from the following 81 States Parties: Albania, Andorra, Argentina, Armenia , Australia, Austria, Bangladesh, Belgium, Bolivia (Plurinational State of), Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Canada, Central African Republic, Chile, Colombia, Democratic Republic of Congo, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Dominican Republic, Ecuador, El Salvador, Estonia, Finland, France, Georgia, Germany, Ghana, Greece, Guatemala, Iceland, Ireland, Italy, Japan, Jordan, Kenya, Latvia, Liechtenstein, Lithuania, Luxembourg, Madagascar, Maldives, Malta, Marshall Islands, Mauritius, Mexico, Mongolia, Montenegro, Netherlands (Kingdom of the), New Zealand, Nigeria, North Macedonia, Norway, Panama, Peru, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Senegal, Serbia, Slovakia, Slovenia, South Africa, Spain, State of Palestine, Sweden, Switzerland, Tunisia, Uganda, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela (Bolivarian Republic of), Zambia.

5. Information concerning the appointment of the representatives of States Parties to the twenty-fourth session of the Assembly had been communicated to the Secretariat, as at 5 December 2025, by means of a cable, telefax or other electronic communication from the Head of State or Government or the Minister for Foreign Affairs, by the following 9 States Parties: Chad, Côte d'Ivoire, Djibouti, Gabon, Gambia, Sierra Leone, Tajikistan, Ukraine, Vanuatu.

6. On the recommendation of the Chairperson, the Committee accepted the credentials of the representatives of all States Parties mentioned in the present report, on the understanding that formal credentials for representatives of the States Parties referred to in paragraph 5 of the present report would be communicated to the Secretariat as soon as possible.

7. On the proposal of the Chairperson, the Committee adopted the following draft resolution without a vote:

"*The Credentials Committee*,

Having examined the credentials of the representatives to the twenty-fourth session of the Assembly of States Parties to the Rome Statute of the International Criminal Court, referred to in paragraphs 4 and 5 of the present report;

Accepts the credentials of the representatives of the States Parties concerned."

8. The Chairperson then proposed that the Committee recommend to the Assembly the adoption of a draft resolution (see paragraph 10 below). The proposal was adopted without a vote.

9. In the light of the foregoing, the present report is submitted to the Assembly.

Recommendation of the Credentials Committee

10. The Credentials Committee recommends to the Assembly the adoption of the following draft resolution:

"**Credentials of representatives to the twenty-fourth session of the Assembly of States Parties to the Rome Statute of the International Criminal Court**

The Assembly of States Parties to the Rome Statute of the International Criminal Court,

Having considered the report of the Credentials Committee on the credentials of representatives to the twenty-fourth session of the Assembly and the recommendation contained therein,

Approves the report of the Credentials Committee."

Annex II

Oral report on the activities of the Bureau, presented by the President of the Assembly at the 1st plenary meeting of the twenty-fourth session of the Assembly, on 1 December 2025

1. As the President of the Assembly, I have the honour to report to the Assembly of States Parties on the activities carried out by its Bureau during the intersessional period (2024-2025).

2. I wish to express my gratitude for the work carried out by the two Vice-Presidents of the Assembly, Ambassador Michael Imran Kanu (Sierra Leone) and Ambassador Margareta Kassangana (Poland), in support of the work of the Bureau and as the Coordinators of the New York Working Group and The Hague Working Group, respectively.

3. I also want to take a moment to express my thanks for the support provided by the Secretariat of the Assembly of States Parties ("Secretariat") to the work of the Presidency, the Bureau and its working groups, all mandate-holders in New York and The Hague, as well as the subsidiary bodies of the Assembly, the Advisory Committee on Nominations of Judges, the Audit Committee and the Committee on Budget and Finance.

A. Meetings and mandates

4. During the intersessional period, the Bureau has held [*sixteen*] meetings to assist the Assembly in the discharge of its responsibilities under the Rome Statute.

5. The Bureau assigned the mandates decided by the twenty-third session of the Assembly to its working groups, and appointed facilitators and focal points for 2025.[143] The Bureau deeply appreciates their work during the intersessional period in successfully carrying out the mandates of the Assembly. The work of different working groups, facilitators and focal points is reflected in their respective reports and draft resolutions.

B. Working methods

6. The meetings of the Bureau have mostly been held in hybrid format, which has allowed for the participation of Bureau members in The Hague, New York and capitals. The meetings have benefited from interpretation in three languages of the Assembly – English, French and Spanish.

7. The working groups, facilitations and focal points met both in-person and virtually, depending on the needs and requests of the respective groups.

C. Secretariat of the Assembly

8. In the first quarter of the reporting period, the Bureau, with the assistance of a recruitment panel representative of the regional groups and gender balance appointed by the Bureau, and the Human Resources Section of the Court, finalized the recruitment of the new Director of the Secretariat, Ms Gabrielle McIntyre (Australia). The new Director took up her duties on 5 May 2025.

9. Throughout the year, the Secretariat has continued to carry out its mandate in assisting the Assembly and its subsidiary bodies, both in The Hague and New York, in accordance with resolution ICC-ASP/2/Res.3. To facilitate the provision of on-the-ground support in New York, I requested the Secretariat to recruit a Legal Officer to be based in New York. The new Legal Officer took up his duties in September 2025.

10. The Secretariat continued to support the collection of information on the promotion of universality and the full implementation of the Rome Statute. As at 31 October 2025, the Secretariat had received eleven responses to the questionnaire concerning the Plan of action for achieving universality and full implementation of the Rome Statute in 2025.

[143] Appendix I.

11. The Secretariat continued to maintain its outreach, information-sharing and facilitating function via the "Complementarity Platform for Technical Assistance". The platform aims to facilitate links between States Parties requesting technical assistance and actors in a position to assist national jurisdictions in their efforts to strengthen capacity to investigate or prosecute Rome Statute crimes. The Secretariat received no official requests for technical assistance during the intersessional period. I urge States Parties who require technical assistance to make requests to the Secretariat, which can facilitate access to the necessary expertise.

12. The Bureau reviewed the results of the 2025 Staff Engagement Survey in the context of discussions on workplace culture and the ongoing reforms under the Independent Expert Review currently being considered by the Study Group on Governance.

13. The Bureau also approved a Secretariat request to make sound recordings of Bureau and facilitation meetings under rule 41 of the Assembly's Rules of Procedure, to improve record-keeping efficiency.

14. The Bureau discussed progress on restructuring the Secretariat and was briefed by the Director noting that reorganisation and recruitment to fill long vacant posts was ongoing.

D. Preparations for the Special Session

15. On 15 January 2025, the Bureau commenced preparations for the Special Session to Review the Kampala Amendments and re-appointed Ambassador Juan José Quintana (Colombia) as Chair of the Working Group on Amendments, with the important responsibility of advancing preparations for the review of amendments to the crime of aggression. The Bureau discussed arrangements for holding the Special Session from 7 to 9 July 2025 in New York and approved the provisional agenda.

16. On 4 June 2025, the Bureau received a briefing from Ambassador Quintana. The Ambassador provided an overview of the Working Group's discussions on a proposed amendment to article 15*bis* of the Rome Statute aimed at harmonising the Court's jurisdiction over the crime of aggression with other core crimes. Ambassador Quintana reported broad support among States Parties, though some concerns had been raised regarding timing and scope. The Bureau also discussed the work programme for the Special Session and related non-papers submitted by groups of States Parties.

17. On 2 July 2025, the Bureau finalized organisational and procedural matters for the Special Session, recommended the appointment of the members of the Credentials Committee (Belgium, Bolivia, Brazil, Cyprus, France, Japan, Senegal, Slovenia and South Africa), confirmed the modalities for the general debate, and approved the revised provisional work programme. Ms. Farida Yasmeen (Bangladesh) was appointed as Rapporteur of the Special Session at the recommendation of the Bureau.

18. On 17 July 2025, the Bureau noted the outcomes of the Special Session, where States Parties had achieved consensus on a resolution establishing a dedicated subgroup within the Working Group on Amendments to advance discussions on the crime of aggression, and convening an intersessional meeting in 2027 and a Special Session in 2029 to consider possible amendments.

E. OIOS Investigation

19. The Bureau focused throughout the reporting period on ensuring the integrity and the independence of the investigation into the alleged misconduct by the Prosecutor. On 28 May 2025, the Bureau discussed the procedure that would take place upon receipt of the report from the United Nations Office of Internal Oversight Services (OIOS), noting the need to establish a process for assisting the Bureau in the legal characterization of the facts contained in the report, as the OIOS' mandate does not extend to such determinations. I informed the Bureau that pending the outcome of the OIOS process, the Prosecutor was on special leave with pay, in accordance with Staff Regulation 5.2 and Staff Rule 105.4.

20. On 4 June 2025, the Bureau agreed that an ad hoc panel of three external judicial experts , acting in their personal capacities, would undertake to assist the bureau in the legal characterization of the fact-find report of the OIOS. The Bureau agreed that due process

warranted the maintenance of the strictest confidentiality to allow the panel to complete its work independently.

21. On 8 October and 5 November 2025, the Bureau considered the procedures to be followed upon receipt of the report of the OIOS and the panel of external judicial experts.

22. The OIOS has underscored that the investigation is a matter of priority for it. Throughout the year, I have transmitted to the Bureau information provided by the OIOS of the estimated completion of the report. At its meeting on 26 November 2025, I informed the Bureau that the OIOS fact-finding report was still pending.

23. While the Bureau is aware of the frustration regarding the length of the investigation, the independence and integrity of the investigation remains of utmost importance to the Bureau. As agreed by the Bureau, I will immediately transmit the report to the ad hoc panel when I receive it.

F. Independent Oversight Mechanism

24. On 5 February 2025, the Bureau welcomed Mr. Silvain Sana, the new Head of the Independent Oversight Mechanism (IOM). Mr. Sana outlined his priorities, including strengthening understanding of the IOM's mandate, improving the efficiency of investigations, and implementing the Court's new Evaluation Policy which the Assembly had adopted in December 2024. He also addressed challenges related to the IOM's limited resources and explained the procedures in place to manage conflicts of interest.

25. On 2 April 2025, the Bureau discussed the establishment of an Evaluation Committee to guide the Bureau on implementation of the Court's Evaluation Policy and the Terms of Reference of the Committee prepared by the Head of the IOM. On 7 May 2025 the Bureau adopted the Terms of Reference and invited expressions of interest from Bureau members to serve on the Committee. On 5 November 2025, the Bureau amended the terms of reference of the Evaluation Committee to clarify that membership on the Committee was open to all States Parties.

26. On 2 April 2025, the Head of the IOM also presented the IOM's interim Report for the period 1 October 2024 to 31 March 2025, highlighting ongoing investigations, fraud-related cases, and continued work to harmonize the IOM's mandate with the Court's legal framework.

27. In accordance with the mandate of the Assembly, the Independent Oversight Mechanism (IOM) submitted the "Annual report of the Head of the Independent Oversight Mechanism" to the Assembly on 23 October 2025.[144]

G. Arrears

28. Throughout the intersessional period, the Bureau has monitored the status of contributions. At its meeting of 15 January 2025, the Bureau noted that 94 percent of the assessed contributions for the 2024 budget had been received and urged States Parties to pay outstanding amounts. At its meeting of 5 February 2025, the Bureau reviewed the status of assessed contributions, noting that as of 31 January 2025, 70 percent of the assessed contributions for the 2025 budget has been received, and urged States Parties to pay outstanding amounts. At its meeting of 12 March 2025, the Bureau noted that 74 percent of the 2025 budget had been received, and encouraged State Parties to make payments promptly. At its 26 November 2025 meeting, the Bureau took note that, as at 31 October 2025, 95 percent of the assessed contributions had been received, and urged States Parties to pay the outstanding contributions promptly.

29. On 12 March 2025, the Bureau decided to assign the development of "Criteria for the waiver of a loss of voting rights" to the Budget Management Oversight (BMO) facilitation, emphasising the need to make progress on developing criteria. The Bureau recommended to the Assembly the granting of waivers to five States Parties for the purposes of the Special Session. At its sixteenth meeting, on 26 November 2025, the Bureau recommended that the Assembly grant a request for waivers from the loss of voting rights to one State Party at the twenty-fourth session of the Assembly, while recalling that the Budget Management

[144] ICC-ASP/24/8.

Oversight has, throughout the intersessional period, worked on the development of agreed criteria for assessing such waivers in the future.

30. At its 2 July 2025 meeting, held in New York, the Bureau recommended that the Assembly grant waivers from the loss of voting rights at the Special Session as requested by three States Parties. The Bureau emphasized that consultations needed to continue on the development of agreed criteria for assessing such waivers in the future. During the Special Session, the President recommended that the Assembly grant waivers requested by two other States Parties.

31. I once more urge all States Parties with outstanding contributions to make every effort to settle the outstanding balances.

H. Non-cooperation

30. It is the responsibility of the Assembly, under article 112, paragraph 2, of the Rome Statute, to consider, pursuant to article 87 of the Statute, any question relating to non-cooperation. As requested by the Assembly, I have engaged throughout the year actively and constructively with all relevant stakeholders, in accordance with the Assembly procedures relating to non-cooperation.[145]

31. On 12 March 2025 and on10 March 2025, the Bureau took note of the decisions of the Pre-Trial Chamber II dated 10 March and 18 March 2025 regarding Mongolia's request on non-cooperation.

32. The Bureau took note on 2 April 2025 of the information concerning a possible visit to Hungary by a person subject to an ICC arrest warrant, Mr. Benjamin Netanyahu, and of a possible withdrawal by Hungary from the Rome Statute. Prior to his visit to Hungary, I conveyed a letter to the Minister of Foreign Affairs and Trade of Hungary, in accordance with the Assembly procedures relating to non-cooperation. On 3 September 2025, the Bureau considered the 24 July 2025 decision of Pre-Trial Chamber I regarding Hungary's non-cooperation in the situation in the State of Palestine. Pursuant to paragraph 14(c) of the Assembly procedures relating to non-cooperation, a representative of Hungary attended to present his government's view, reiterating Hungary's position submitted to Pre-Trial Chamber I. The Bureau took note of Hungary's statement, and that the topic of non-cooperation would be addressed at the twenty-fourth session of the Assembly.

33. In addition, at its 8 October 2025 meeting, the Bureau took note of the intended visit of an individual subject to an arrest warrant, Mr. Vladimir Putin, to the territory of Tajikistan in October 2025. I sent a letter on 7 October 2025 to the Minister of Foreign Affairs of Tajikistan, in which I noted the obligation of States Parties under article 86 of the Rome Statute to cooperate fully with the Court in its investigation and prosecution of crimes within its jurisdiction. I also recalled that article 89 (1) placed a specific obligation on States Parties to comply with requests from the Court for arrest and surrender.

34. Throughout 2025, I have engaged in consultations with the authorities of the United Nations Secretariat in charge of establishing and overseeing policies in relation to non-essential contacts by the high-level officials of the United Nations.

I. Protection of the Court, its officials and those cooperating with it

32. The protection of the Court, its officials and those cooperating with it remains a top priority for the Presidency and the Bureau. It is essential that the Assembly strive to protect the Court from all kind of attacks, and ensure that it preserves its integrity, impartiality and independence.

33. The strategy adopted by the Bureau on 29 July 2022 for responding to attacks against the Court, its officials and those cooperating with it[146] was applied to confront attacks faced by the Court during the intersessional period . On 23 January 2025, the Bureau issued a statement in support of the independence and impartiality of the International Criminal Court and reiterated its firm commitment to uphold and defend the principles and values enshrined

[145] ICC-ASP/10/Res.5, as amended by ICC-ASP/11/Res.8, annex I, and ICC-ASP/17/Res.5, annex II.

[146] https://asp.icc-cpi.int/sites/asp/files/2022-08/Bureau-Proposal-Rec-169-ENG.pdf. An annex to the strategy, approved by the Bureau on 2 December 2022, is available at: https://asp.icc-cpi.int/sites/asp/files/2022-12/PASP-Request-R169-Good-Practices.pdf.

in the Rome Statute and to preserve its integrity, undeterred by any threats or measures against the Court, its officials and those cooperating with it.

34. The Bureau received briefings by both the President of the Court and the Registrar on 8 October 2025. Throughout the intersessional period, the Bureau considered possible measures in line with the Bureau's 2022 strategy.[147]

35. The Presidency issued public statements on 6 June and 21 August 2025, deploring the imposition of sanctions on court officials for the discharge of their mandates

36. Further to the "Guidelines for enhancing the security of participants in the regular sessions of the Assembly of States Parties and its side events",[148] which were adopted by the Bureau on 4 October 2023, I continued to consult with States Parties, the Court and civil society regarding possible further measures which could be undertaken. I encouraged a continued dialogue to further reinforce the guidelines going forward.

J. Universality

37. Universality is essential for the effectiveness and legitimacy of the Rome Statute system. The Court is a court of last resort, but it can only contribute to the global system of justice if it has the possibility to intervene in all situations equally. Striving for universality is a shared responsibility of the Court and the Assembly. In light of this, the Presidency, in consultation with the Court, has made continued efforts to enhance universality, with the assistance of the ad country focal points, the Netherlands and the Republic of Korea, as well as civil society, in particular Parliamentarians for Global Action (PGA). I sincerely thank all those involved in this important endeavour.

38. At its meeting of 15 January 2025, the Bureau noted with appreciation the entry into force of the Rome Statute for Ukraine on 1 January 2025, formally welcoming it as the 125th State Party.

K. Conclusion

39. I wish to conclude this report by expressing my appreciation once more to the Vice-Presidents of the Assembly, Bureau members, facilitators and focal points, and all States Parties during a challenging year. It is essential that we continue to work together in pursuit of our shared goals, in particular to protect the independence of the Court and to stand in solidarity with sanctioned officials of the Court.

[147] https://asp.icc-cpi.int/sites/asp/files/2022-08/Bureau-Proposal-Rec-169-ENG.pdf

[148] The *Guidelines for enhancing the security of participants in the regular sessions of the Assembly and side events* have been integrated into the *Decision of the Bureau on the Guidelines for the preparation and conduct of sessions of the Assembly of States Parties* and can be found at https://asp.icc-cpi.int/sites/default/files/asp_docs/Guidelines-preparation-conduct-ASP-with-appendix-ENG.pdf.

Appendix I

List of facilitators and focal points

New York Working Group

Facilitators

Arrears

In the absence of a facilitator, Vice-President of the Assembly and Coordinator of the New York Working Group, H.E. Mr. Michael Imran Kanu (Sierra Leone), discharged this function

Composition of the Bureau

Ms. Loureen Saye (State of Palestine)

Geographical representation and gender balance in the recruitment of staff of the Court

Mr. Marvin Ikondere (Uganda)

Omnibus resolution

Ms. Beatrice Maillé (Canada)

Review of the procedure for the nomination and election of judges

Ms. Kaisa Mannick (Estonia)

Ad country focal points[1]

Non-cooperation

Finland[2]

Mexico

Poland

Sierra Leone

Vanuatu

The Hague Working Group

Facilitators

Budget

H.E Jorge Carvajal San Martin (Chile)

Budget management oversight (*sub-topic of the budget facilitation*):

H.E. Mr. Paul Teesalu (Estonia)

[1] Based in New York.

[2] "16. In order to assist the President in his or her good offices, the Bureau would appoint four, or, if so requested by the President of the Assembly, five focal points from among States Parties, on the basis of equitable geographic representation." Assembly procedures relating to non-cooperation, annex, section D, 2 (a) Regional focal points for cooperation, as amended by resolution ICC-ASP/11/Res.8, annex I.

Cooperation

H.E. Mr. François Alabrune (France)

H.E. Ms. Ramatoulaye Bâ Faye (Senegal)

Legal aid

H.E. Mr. Hugh Adsett (Canada)

Review of the work and operational mandate of the Independent Oversight Mechanism
H.E. Ms. Corinne Cicéron Bühler (Switzerland)

Trust Fund for Victims
H.E Mr. Vusimuzi Madonsela (South Africa
Ad country focal points[3]

Complementarity
Australia
Uganda

Plan of action for achieving universality and full implementation of the Rome Statute
Netherlands
Republic of Korea

Study Group on Governance

Co-Chairpersons
H.E. Mr. Arnoldo Brenes Castro (Costa Rica)
H.E. Mr. René Miko (Czech Republic)

Co-focal points
Ms. Béatrice Roux (Belgium)[4]
Ms, Pauline De Dekker (Belgium)[5]
Mr. Cornelius Scholtz (South Africa)
Mr. Masahiro Kimura (Japan)

Subsidiary bodies of the Assembly of States Parties

Working Group on Amendments

H.E. Mr. Juan José Quintana (Colombia)[6]
Ms. Lucía Teresa Solano Ramírez (Colombia)[7]
Sub-group of the Working Group on Amendments

Mr. Uriel Pérez (Mexico)[8].

[3] Based in The Hague.
[4] Until June 2025.
[5] As of June 2025.
[6] As of 15 January 2025.
[7] As of 5 November 2025.
[8] As of 5 November 2025.

Annex III

Statement of the Chair of the Committee on Budget and Finance to the Assembly at the 5th plenary meeting of the twenty-fourth session of the Assembly, on 3 December 2025

Madam President,

Your Excellencies, Distinguished Delegates, Representatives of the Court,

On behalf of the Committee on Budget and Finance (CBF), I am pleased to present a consolidated briefing reflecting the outcomes of the work of the Committee in 2025.

At the outset, allow me to express our sincere appreciation to Ambassador Jorge Carvajal San Martín (Chile), the budget facilitator, for his dedicated and selfless leadership. My special thanks goes to the representatives of the Court, inter alia, the Presedent Madame Tomoko Akane, the Registrar Mr. Ozvaldo Zavala and their budget team for their availability and cooperation. Last but not least my warmest thanks goes to the staff of the Committee's Secretariat for the quality assistance they have provided us throughout the year including challenging times.

I. General observations

The Committee's deliberations during its three sessions took place against a backdrop of significant operational and financial challenges facing the Court, including the following:

- Evolving external threat environment and the impact of sanctions on the Court's officials and staff on the one hand, and the Court at an institutional level on the other hand;
- Necessity for contingency planning to ensure operational continuity under coercive pressures;
- Implementation of enhanced cybersecurity measures such as the Security Blueprint, while closely monitoring their budgetary impact on the regular budget, such as "lights-on" costs;
- Managing inflationary and United Nations Common System-related costs; and
- Strengthening recruitment processes to secure the necessary expertise.

In response to these challenges, the Committee put forward a set of recommendations aimed at enhancing financial resilience, improving liquidity, and reinforcing support for victim-centred initiatives as follows:

- Renew the exceptional access to the Contingency Fund decided by the Assembly Resolution ICC-ASP/23/Res. 6;
- Increase the Contingency Fund's notional level from €7.0 million to €10.0 million;
- Replenish the Working Capital Fund to a full level equivalent to one-twelfth of the 2025 approved budget;
- Encourage States Parties to make timely contributions and support viable payment mechanisms; and
- Promote active support and voluntary contributions to the Trust Fund for Victims, particularly its Reparations Programme.

The Committee reaffirmed continuously the importance of strict prioritization of resources and strategic alignment between the Court's operational needs and budgetary planning.

II. Consideration of the 2026 proposed programme budget

The Committee thoroughly reviewed the budget assumptions, judicial activities, workload, inflationary pressures, and past cost trends. As a result, it recommended a total reduction of €695.2 thousand from the 2026 proposed programme budget of **€197,548.1 thousand** (including the €3,585.1 thousand for host State loan). This would bring the recommended 2026 proposed programme budget to **€196,852.9 thousand**, representing a total increase of €1,371.4 thousand (or 0.7 per cent increase) compared to the 2025 approved budget of €195,481.5 thousand.

III. Major Programme recommendations:

The key recommendations for the 2026 proposed programme budget include the following:

- **Judiciary (MP I)**: Requested, and the Committee recommended, a total amount of €15.582 million, which represents a 4.3 per cent decrease mainly due to the completion of the terms of three judges in the Yekatom and Ngaïssona trial.
- Office of the Prosecutor (MP II): Requested a total amount of €63.752 million, which represents a 2.5 per cent increase. However, the Committee recommended a reduction from the GTA budget of €675.0 thousand. Therefore, the total amount recommended by the Committee is €63.077 million.
- **Registry (MP III)**: Requested a total amount of €99.627 million, which represents a 0.3 per cent increase. However, the Committee recommended a net reduction of €200.0 which makes the total amount recommended by the Committee €99.627 million.
- **Secretariat of the ASP (MP IV):** Requested, and the Committee recommended, a total amount of €3.351 million, which represents a 2.5 per cent decrease.
- **Premises (MP V):** Requested, and the Committee recommended, a total amount of €4.689 million, a 16 per cent increase for capital replacements. The increase is due to mandatory electrotechnical inspections, preventive and corrective maintenance, and planned capital replacements.
- **Trust Fund for Victims (MP VI):** Requested, and the Committee recommended, a total amount of €4.833 million with a 5 per cent increase. The increase is mainly due to travel cost to New York to attend the Assembly session in 2026.
- **Oversight Mechanism (MP VII-5):** Requested a total amount of €1.188 million, a 6.4 per cent increase. However, the Committee recommended a reduction from the consultancy budget of €20.0 thousand, which keeps the recommended level at €1.168 million.
- **Office of Internal Audit (MP VII-6):** Requested, and the Committee recommended, a total amount of €937.2 thousand with a 0.8 per cent increase, which is mainly due to higher consultant costs, partially offset by reduced travel expenses, as no missions to country offices are planned in 2026.

IV. Other budgetary issues

Now let us move on to the six "Other budgetary issues" in the following order: (a) Contingency Fund; (b) Working Capital Fund; (c) trust funds; (d) the Security Blueprint; (e) "lights-on costs"; and (f) official travel.

(a) **Contingency Fund:** The Contingency Fund ("CF") currently stands at a notional level of €7.0 million, with €5.6 million in cash which is to be replenished to €7.0 million by the end of 2025 from surplus funds. The Committee considered the CF as an essential instrument to enhance the Court's resilience to emerging and unpredictable threats. Therefore, the Committee recommended the following:

(i) the Assembly reinstate the notional level of the CF to its original level of €10.0 million;

(ii) the Assembly extend the exceptional access to the CF granted for the year 2025 to the year 2026; and

(iii) if the Court considers it necessary to explore other options — including the possibility of amending Rule 6 of the Financial Rules and Regulations — it should submit a proposal to the Committee in a timely manner, allowing sufficient time for review and consideration.

As for the replenishment of the CF, the Committee reiterated its view that, insofar as the used amount cannot be absorbed in the regular budget, an automatic replenishment of this financial reserve equal to the notional level through assessed contributions was needed for unforeseen situations. A transfer of €1.4 million by the end of 2025 will replenish the CF to €7.0 million, and an estimated amount of €3.0 million from the 2024 surplus may increase the cash level to €10.0 million.

(b) **Working Capital Fund:** The Working Capital Fund ("WCF") currently holds €11.5 million in cash. Should the surplus from 2023 amounting €1.8 million be added at the end of this year, the cash level will rise to €13.3 million. The level of the WCF was decided by the Assembly in 2022 to amount to one-twelfth of the level of the approved budget of the previous year, namely about €16.3 million, to which it could be further replenished. It would therefore be helpful to receive the 2026 contributions of the States Parties as early as possible.

(c) **Trust Funds:**

i) OTP Trust Fund on Advanced Technology and Specialized Capacity

The Committee was informed that the OTP Trust Fund on Advanced Technology and Specialized Capacity had successfully received all pledged contributions, totalling €34.8 million, from States Parties and the European Union as of 30 June 2025. The Committee highly commended the pledging parties for their timely and generous financial support. As of the same date, the OTP had expended €22.9 million from the Trust Fund, with the remaining balance of €11.8 million fully allocated to ongoing and planned initiatives.

ii) Seconded National Experts

As of September 2025, the OTP had 46 seconded experts, down from a peak of 62 in February 2024, expected to stabilize around 20 by the end of 2026. MOUs with 35 entities from 23 States Parties support these secondments. Most secondees (87.0 per cent) are from Western Europe and Other States, with fewer from Eastern Europe (12 per cent) and Asia-Pacific (1 per cent). Since March 2024, technical and analytical roles have become more common than specialist investigators.

iii) OTP Trust Fund for Complementarity and Cooperation

Established in 2024 at the Prosecutor's request, this Trust Fund supports the OTP's renewed policy by financing positive complementarity projects that aid domestic proceedings. It complements the regular budget of the OTP without duplication. As of August 2025, the Fund received €714,841 in contributions, with €124,127 disbursed.

iv) OTP Trust Fund on Geographic Diversity

The OTP Trust Fund for Geographic Diversity, established in 2023, provides financial compensation to support personnel deployed at ICC duty stations. It will operate until 2028. As of August 2025, it received €702,570 in contributions with no expenditures yet.

v) Special Fund for Security

The Committee recalled that the Security Framework Strategy ("SFS") was created to channel €3.88 million in voluntary contributions for urgent IT/IM security measures after the 2023 cyberattack. These funds were fully allocated to critical 2024 projects, including enhanced endpoint protection, improved field connectivity, and establishing a Security Operations Centre ("SOC"). The SFS is set to close by the end of 2026 upon project completion.

However, the Committee expressed concern over the lack of detailed 2025 financial implementation data for both the SFS and the 2025 Security Blueprint at its forty-eighth session. It emphasized the need for timely, transparent reporting and requested comprehensive data by its fiftieth session.

(d) **The Security Blueprint:** The Committee reviewed the Court's IT/IM Security Blueprint and cost management following the September 2023 cyberattack. Adopted in June 2024 and endorsed by key bodies, the Blueprint replaces the previous IT/IM Strategy and directs all security investments.

The total implementation cost is estimated at €15.25 million, with €3.52 million raised via voluntary contributions to the SFS in 2024 for urgent measures. The Assembly approved a dedicated €8.31 million multi-year funding envelope for the term 2025–2027, allocating €3.41 million for 2025, €2.36 million requested for 2026, and €2.54 million projected for 2027.

(e) **"Lights-on" costs (recurrent cost implications):** The Blueprint's ongoing "lights-on" costs rose by €1.0 million in 2025 and is estimated to rise by €525.5 thousand in 2026 but are offset by efficiency gains, keeping total IT costs stable at €17.4 million. The Committee commended the Court for containing the costs despite increased pressures.

The Committee is concerned that some non-recurrent expenditures originally funded by the SFS and the Blueprint have been shifted into the recurrent baseline of the 2026 proposed budget. While necessary for critical services, these changes must be carefully planned, justified, and transparently reported to maintain fiscal discipline and clarity between non-recurrent and recurrent costs.

(f) **Official travel:** The 2026 travel budget is €3,991.4 thousand, which is 2.0 per cent of the total budget. This is 13.5 per cent (€474.7 thousand) higher than the 2025 budget (€3,516.7 thousand). Most of the increase (€296.2 thousand) covers travel for the Assembly's 25th session in New York. Excluding this, the rise from 2025 will be lowered to 5.1 per cent (€178.5 thousand). The Court indicated, and the Committee acknowledged, that the proposed total travel budget for 2026 is the lowest since 2006.

The Committee further noted that the vast majority of the Court's travel is operational in nature, underscoring the critical role that travel plays in fulfilling the Court's mandate effectively. The Committee noted progress in applying travel SOPs and urged finalization of policies to ensure consistent use across programmes, while retaining flexibility for external missions.

V. Conclusion

In conclusion, allow me to reiterate that the Committee is your subsidiary body that will continue analysing budgetary, financial and administrative matters on their technical merits, in line with its mandate. The Committee will continue providing its expertise and technical recommendations to the Assembly in close coordination with the other oversight bodies, based on the guidance by the Assembly.

Madam President,

This concludes my remarks. Thank you for your attention.

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Annex IV

Statements concerning agenda item 4, "States in arrears", at the 1st plenary meeting of the twenty-fourth session of the Assembly, on 1 December 2025

A. Statement by Venezuela

Thank you, Madam President,

As this is the first time I take the floor, allow me to extend my greetings to you and wish you every success in the deliberations. I also wish to greet all distinguished participants present in this chamber.

Venezuela wishes to express its gratitude for the solidarity shown by all members of the Assembly in granting the retention of our voting rights. Unfortunately, Venezuela, for reasons that are widely known, is not currently in a position to meet its financial obligations. Nevertheless, it is confident that once the unlawful unilateral coercive measures are lifted, we will be able to settle the debt owed to this honourable organization.

Venezuela's commitment has once again been clearly demonstrated through its active participation in the work of the Facilitation on Budget Management Oversight. We welcome the fact that sufficient flexibility has thus far been shown in defining criteria that may, in the future, also help us avoid similar situations with regard to exemptions from the loss of voting rights.

We are aware of the particular sensitivity of States Parties to the issue of unilateral coercive measures, especially given that the International Criminal Court itself is now also a victim of such practices, which undermine international law.

Following this positive intervention, I find myself obliged to respond to the government of Javier Milei, which, regrettably and in an unnecessarily vocal and clamorous manner, seeks to politicize this Conference by raising, in an untimely fashion, politically motivated allegations against the legitimacy of my Government, while also presenting itself as a false defender of human rights.

If the government of Javier Milei wishes to speak of a "regime," it should instead address the regime of human rights and Argentina's international commitments in this field. Since June of this year, 2025, we have observed with concern and embarrassment that Argentina has voted against at least five resolutions of the United Nations, all related to human rights issues. The most recent of these was adopted on 20 November 2025 and concerned torture and other cruel, inhuman or degrading treatment or punishment, during the 51st plenary meeting of the Third Committee of the United Nations General Assembly. Argentina voted against that resolution in a manner that is deeply regrettable and contrary to the various commitments reached by the region in this regard.

Accordingly, we invite both Argentina and all other States Parties to focus constructively on the work of this Assembly so that we may move forward in a positive spirit of solidarity on matters of common concern.

Thank you very much. I also request that this reply be recorded in the official records of this Assembly.

B. Statement by Canada on adoption of waiver request

Madam President,

1. The Budget Management Oversight facilitation has given us a constructive space to engage on the issue of waivers under article 112(8) of the Rome Statute – an area on which Canada

has worked collaboratively with States Parties over several years. We warmly congratulate Ambassador Teesalu for his skilful leadership of these discussions this year.

2. We welcome the newly found consensus to clarify the framework and criteria to assess waiver requests when a State Party's inability to pay arises from conditions beyond its control. This is an important development. Such clarity will strengthen confidence in the integrity and fairness of the process.

Madam President,

3. States Parties must ensure that the Court receives its full budget allocation. This begins with full and timely payment of assessed contributions. This is essential to safeguard the Court's ability to carry out its mandate effectively, and to improve its resilience, which are front of mind as we reflect over the next two days on how States Parties can take concrete measures to support the Court at this time.

4. In this regard, we are encouraged that the Court received over 90% of assessed contributions this year – a testament to the collective commitment of States Parties.

5. Canada remains committed to working constructively with all States Parties to uphold the financial sustainability and independence of the Court.

Thank you.

Annex VII

List of documents

Document symbol	*Title*
ICC-ASP/24/1	Provisional agenda
ICC-ASP/24/1/Add.1	Annotated list of items included in the provisional agenda
ICC-ASP/24/2	Report of the Court on Human Resources Management
ICC-ASP/24/3	Report on activities and programme performance of the International Criminal Court for the year 2024
ICC-ASP/24/4	Performance Audit Report on Trust Funds
ICC-ASP/24/5	Report of the Committee on Budget and Finance on the work of its forty-sixth session
ICC-ASP/24/6	Report of the Audit Committee on the work of its twenty-first session
ICC-ASP/24/7	Report of the Bureau on equitable geographical representation and gender balance in the recruitment of staff of the International Criminal Court
ICC-ASP/24/8	Annual report of the Head of the Independent Oversight Mechanism
ICC-ASP/24/9	Report of the Court on Cooperation
ICC-ASP/24/10	Proposed Programme Budget for 2026 of the International Criminal Court
ICC-ASP/24/10/Corr.1	
ICC-ASP/24/11	Report on the Activities of the International Criminal Court
ICC-ASP/24/12	Financial statements of the International Criminal Court for the year ended 31 December 2024
ICC-ASP/24/13	Financial statements of the Trust Fund for Victims for the year ended 31 December 2024
ICC-ASP/24/14	Report of the Board of Directors of the Trust Fund for Victims
ICC-ASP/24/15	Report of the Committee on Budget and Finance on the work of its forty-seventh session
ICC-ASP/24/16	Report of the Audit Committee on the work of its twenty-second session
ICC-ASP/24/17	Report of the Registry on the Approximate Costs Allocated so far within the Court in Relation to Referrals by the Security Council
ICC-ASP/24/18	Report of the Bureau on cooperation
ICC-ASP/24/19	Report of the Bureau on the Trust Fund for Victims
ICC-ASP/24/21	Report of the Advisory Committee on Nominations of Judges on the work of its tenth session
ICC-ASP/24/22	Zero draft resolution - On the criteria for the waiver of the loss of voting rights
ICC-ASP/24/23	Report of the Bureau on the Study Group on Governance
ICC-ASP/24/24	Report of the Bureau on the Budget sub-topic of Budget Management Oversight
ICC-ASP/24/25	Report of the Committee on Budget and Finance on the work of its forty-eighth session
ICC-ASP/24/26	Report of the Working Group on Amendments
ICC-ASP/24/27	Report of the Bureau on the Plan of action of the Assembly of States Parties for achieving universality and full implementation of the Rome Statute of the International Criminal Court
ICC-ASP/24/28	Report to the Bureau on the Review of the procedure for the nomination and election of judges
ICC-ASP/24/29	Report of the Bureau on Legal aid
ICC-ASP/24/30	Report of the Bureau on the Review of the work and the Operational Mandate of the Independent Oversight Mechanism
ICC-ASP/24/31	Report of the Bureau on the arrears of States Parties
ICC-ASP/24/32	Report on the Constitution and Activities of the International Criminal Court Bar Association (“ICCBA”)
ICC-ASP/24/33	Report of the Bureau on non-cooperation

Document symbol	*Title*
ICC-ASP/24/34	Report of the Bureau on the composition of the Bureau
ICC-ASP/24/35	Bureau on complementarity