



Assembly of States Parties

Distr.: General
14 October 2025

Original: English

Twenty-fourth session
The Hague, 1-6 December 2025

Report on the Constitution and Activities of the International Criminal Court Bar Association (“ICCBA”)

Content

	<i>Page</i>
Executive Summary	2
I. Background	3
II. ICCBA Constitution and Objectives	3
III. Summary of ICCBA Activities and Achievements 2025	4

Executive Summary

The quality of justice before the ICC depends on the ability of Counsel for Victims and the Defence and Support Staff to perform their respective roles effectively and independently. The overriding goal of the ICCBA is to strengthen the capacity of independent Counsel to perform this role and ensure that the views and concerns of Victims' and Defence Counsel and Support Staff are represented at the Court. The ICCBA continues to have an open dialogue with the Registrar and relevant Registry officials to discuss the views and concerns of Victims and Defence Counsel and Support Staff and seek improvements in their general conditions of work before the Court. The ICCBA has organised a variety of substantive and skills-based trainings for Counsel and Support Staff, and has made these trainings available through its website (www.iccba-abcpi.org), to provide easier access to expert training to its globally-based membership. Externally, the ICCBA is building a worldwide network of Counsel interested in the ICC, reaching out beyond the limits of current membership to the Rome Statute, raising awareness of the ICC system in non-States Parties and supporting the Court's goal of reaching universality. Important components of this initiative include the appointment of regional and thematic focal points who can explain the role and work of the ICC and the ICCBA and expand the affiliation agreements which the ICCBA has signed with various national and regional bar associations and other relevant entities. The ICCBA is an indispensable and reliable partner of the Assembly and the Court in achieving transparent criminal justice by enhancing the quality of representation of Victims, Defendants and other persons before the Court. The ICCBA remains the only independent representative body of counsel recognized by the Assembly pursuant to the ICC Rules of Procedure and Evidence¹ and welcomes this recognition. The ICCBA will continue to work with the Assembly to strengthen the Court and the Rome Statute system.

¹ Operative paragraph 80 of resolution ICC-ASP/18/Res.6 entitled "Strengthening the International Criminal Court and the Assembly of States Parties", adopted by the Assembly of States Parties on 6 December 2019.

I. Background

1. Operative paragraph 92 of resolution ICC-ASP/23/Res.1 entitled “Strengthening the International Criminal Court and the Assembly of States Parties”, adopted by the Assembly of States Parties (“the Assembly”) on 6 December 2024, invited the International Criminal Court Bar Association (“ICCBA”) to report to the Assembly, through the Bureau, on its constitution and activities in advance of the twenty-fourth Session. The present “Report on the Activities of the ICCBA” aims at providing the Assembly with information in response to this invitation.

II. ICCBA Constitution and Objectives

2. The ICCBA operates in accordance with its Constitution.

3. The ICCBA Constitution was adopted on 30 June 2016 in The Hague by Counsel registered on the List established by the International Criminal Court (“ICC”, “the Court”) pursuant to rule 22 of the ICC Rules of Procedure and Evidence (“RPE”) (“List of Counsel”). The ICCBA Constitution establishes the ICCBA as an independent representative body of Counsel pursuant to rule 20(3) of the RPE. Its establishment in 2016 and its recognition by the Assembly in 2019, marked the fulfillment of a long-standing goal to establish a much-needed representative association of legal practitioners focused on matters relevant to the work of List Counsel and Support Staff before the ICC.

4. The objectives of the ICCBA are set out in Article 2 of its Constitution. These include supporting the functions, efficiency and independence of Counsel practicing before the ICC (para. 1); the promotion of the highest professional standards and ethics of Counsel (para. 2) as well as their proficiency and competence in the field of advocacy, procedural and substantive criminal law and information technology systems relevant to their functions before the ICC (para. 3); the independent representation of the interests of Counsel and Support Staff (para. 7); the promotion of the rights of victims, defendants and other clients and Counsel before the Court (para. 8); the promotion of equality of arms (para. 11); and representation of interests and concerns of its members before the Assembly (para. 12).

5. The ICCBA serves as a collective voice for independent Counsel and Support Staff who represent victims, defendants and other actors (e.g. witnesses, States) before the ICC, provides a range of support and services to its membership, and acts as a forum for discussion on all matters pertaining to the ICC. As an independent body deeply and directly involved in ICC activities, it also aims to contribute to raising awareness on issues which may affect the functioning of the Court, in order to enhance the quality of justice at the ICC required under the provisions of the Rome Statute and other recognized texts pursuant to Article 2(5) of its Constitution. As the ICCBA’s constituency extends to members of the legal profession in all countries, be they States Parties or not, the ICCBA seeks to develop and solidify its relationships with international, regional and national bars and other relevant organizations in order to promote and strengthen the Rome Statute system as well as discuss issues of mutual concern, including in countries and regions where the Court itself may have difficulties accessing.

6. The ICCBA is independent of the Court and is registered as a non-profit foundation (“*Vereniging*”) under the laws of The Netherlands.

7. The ICCBA is funded exclusively by membership fees. Its activities and outreach are the product of its members’ voluntary contribution of their time and energy.

III. Summary of ICCBA Activities and Achievements 2025

8. The ICCBA has continued to work closely with the Court and States Parties on legal aid and taxation. The Joint Committee on Legal Aid (JCLA) has been actively working throughout the year on proposals for amendments to the Legal Aid Policy, recommending the adoption of a Step 5 remuneration, and urging States Parties to adopt this in the budget for 2026. The ICCBA has engaged with many States Parties both in the meetings of the Facilitation on Legal Aid and in bilateral meetings, advocating for an amendment to the Agreement on Privileges and Immunities to exempt legal aid fees from taxation. The ICCBA will continue to lobby for the adoption of an amendment to exempt defence and victims' team members from taxation, as already applies to staff of the Court.

9. Training and professional development continued to be a priority for the ICCBA in 2025. The Training Committee organised a diverse programme, including webinars on advocacy skills, the prosecution and defence of international crimes, and measures to address discrimination and harassment within the Court. It also delivered a dedicated session on Rule 74 Counsel, hands-on exercises on the use of digital evidence, and outreach activities with universities and bar associations to promote careers in international criminal law. The ICCBA further strengthened its collaboration with the Counsel Support Section, contributing to the annual Counsel Seminar and other professional development initiatives.

10. Throughout the year, regular meetings took place between the ICCBA President and the Court's Principals to address ongoing issues. The ICCBA appreciates the Principals' willingness to engage in these discussions, which have proven essential in addressing concerns faced by Counsel and Support Staff. These discussions have focused on legal aid, taxation issues, and the ICCBA's training initiatives. The ICCBA continued discussions with the Registrar to formalize an official relationship agreement, aimed at strengthening the role of the ICCBA in relation to the Court, however there has been limited progress in finalising the agreement.

11. The ICCBA has expanded its outreach efforts, engaging with a diverse range of stakeholders and audiences. The ICCBA has five regional focal points, who play an essential role in extending the ICCBA's global reach and disseminating information about both the ICCBA and the ICC. Additionally, the President and Executive Council members have participated in various outreach activities, meeting with representatives of affected communities and the legal profession.

12. The ICCBA has been invited to represent Counsel and their support staff at several official events. Notably, the ICCBA President addressed the Opening of the Judicial Year and the annual NGO RoundTable.

13. The ICCBA signed three new affiliation agreements during 2025, collaborating with the Paris Bar, the Naples Bar and the European Circuit. These agreements emphasize cooperation, knowledge-sharing, and mutual assistance. The ICCBA has now concluded twenty-four affiliation agreements in total and is in discussions with several other organizations, with further agreements expected to be finalized soon.

14. In accordance with its Constitution, the ICCBA has established several *ad hoc* Working Groups, comprised of members with expertise in specific areas. These Working Groups include those focusing on Artificial Intelligence, Detention Issues, Duty of Care, the Code of Conduct, Ecocide, Gender Parity, Equality and Welfare, and Sexual and Gender-Based Violence.

15. The ICCBA extends its gratitude to all elected officials, members of the Working Groups, focal points, and the entire membership for their hard work and dedication. As a unique global organization with highly skilled and experienced members, their continued involvement is essential to the Association's lasting success.

16. The continued sustainability of the ICCBA remains a central concern. As the only body officially recognised by the Assembly of States Parties to represent defence and victims' teams, the ICCBA plays a vital role in safeguarding fair trials, promoting effective representation, and ensuring the independence of counsel. Without stable support, however, the ICCBA faces serious challenges to its financial sustainability, limiting its capacity to contribute to Court initiatives and to represent the interests of defendants and victims. To

address this challenge, the ICCBA has advanced discussions with the Court on the finalisation of a Relationship Agreement, including provisions for mandatory membership of List Counsel. Such a system would ensure proper regulation and oversight, facilitate communication with counsel, support ongoing training and capacity building, and provide a predictable income stream to secure the ICCBA's long-term future. It would also strengthen the quality and regulation of representation before the Court. The ICCBA calls on States Parties to assist in ensuring its sustainability, recognising that a strong and effective ICCBA directly strengthens the Court itself.
