

## **Implementing legislation questionnaire for States Parties**

1. Has your government adopted any national legislation implementing the Rome Statute (“the Statute”), or otherwise enacted legislation pertaining to the Rome Statute?

**Yes**

IF NOT

Part A

2. What legislative or other efforts, if any, has your Government taken or initiated to implement the provisions of the Statute into national law?

3. What obstacles, if any, has your Government faced in its efforts to implement the provisions of the Statute? Has your Government managed to overcome such obstacles, and if so, how?

4. What form of assistance would benefit or has benefitted your Government’s efforts to implement the Statute?

IF YES

Part B

5. In implementing the Statute, did your Government draft a stand-alone legislation or did it incorporate the articles or substantive provisions of the Statute into pre-existing law?

**Stand Alone legislation, The ICC Act and the ICC Act (Scotland). The Act has also been extended to the Crown Dependencies and some of the UK’s Overseas territories.**

6. Does the implementing legislation incorporate the substantive crimes through reference to the Statute or by incorporating the crimes into domestic law?

**The principal aims of the act are:**

- **to incorporate into domestic law the offences contained in the Rome Statute**
- **to fulfill the United Kingdom's obligations under the Statute, particularly in relation to the arrest and surrender of persons wanted by the ICC and the provision of assistance with respect to ICC investigations; and**
- **to create a legal framework so that persons convicted by the ICC can serve prison sentences in the United Kingdom**

7. Does the implementing legislation incorporate the following aspects of cooperation with the Court and if yes, how?

(a) Arrest and surrender;

**Yes, these provisions are included, including the role of judicial officers in effecting warrants.**

(b) Interim release and release of persons (acquittal, non-confirmation of charges, etc)

**Yes**

(b) Cooperation with OTP investigations;

**Yes**

(d) Cooperation with the Court on the identification, tracing and freezing or seizure of proceeds, property and assets and instrumentalities of crimes;

**Yes**

(e) Enforcement of sentences;

**Yes. The UK has a separate agreement with the Court on sentence enforcement.**

(f) Witness protection;

**Yes. The UK has a separate agreement with the Court on witness protection.**

(g) Other forms of cooperation (see in particular article 93 of the Rome Statute).

**Yes**

8. Does the implementing legislation designate a channel of communication with the Court?

**No, not in legislation. However, government officials from the FCDO, Home Office, UK Central Authority and the Police War Crimes team meet with the Courts cooperation staff on a bi-monthly basis.**

9. Does the implementing legislation create a central national authority or designate a national focal point for cooperation with the Court?

**It does not create one, but all MLA requests and RFA's must come to the UK Central Authority, a central repository of the Home Office who will process and monitor all requests for assistance, they will also assist in composing the requests.**

10. Does the implementing legislation provide for the privileges and immunities of the Court? (See in particular article 48 of the Rome Statute and the Agreement on the Privileges and Immunities of the International Criminal Court)

**Yes, we have an extant agreement with the Court on P & I**

11. What obstacles, if any, did your Government face in its efforts to implement the provisions of the Statute? How did your Government manage to overcome such obstacles?

**None**

12. Did your Government benefit from any form of assistance in the process of implementing the Statute?

**No**

13. Has your government initiated or considered additional steps for the implementation of the Statute in national legislation?

**Not at this time**

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