

SECRETARIAT OF THE ASSEMBLY OF STATES PARTIES

Fourteenth session of the Assembly of States Parties

Concept note: Strategic action to enhance national capacity to investigate and prosecute sexual and gender-based crimes that may amount to Rome Statute crimes*

1. The Bureau of the Assembly of States Parties has decided that there will be a separate plenary segment to discuss complementarity at the upcoming fourteenth session of the Assembly. To that effect, the afternoon session on **Thursday 19 November, from 15:00 to 18:00 hours**, has been allocated to this item in the plenary of the Assembly.
2. The focus of the thematic discussion will be to “**Exchange of views on strategic action to enhance national capacity to investigate and prosecute sexual and gender-based crimes that may amount to Rome Statute Crimes**”. During the session, six distinguished panellists will share insights on the topics of the thematic discussions: H.E. Ms. Margot Wallström, Minister for Foreign Affairs of Sweden; H.E. Mr. Sidiki Kaba, Minister of Justice of Senegal and President of the Assembly of States Parties; Ms. Fatou Bensouda, ICC Prosecutor; Dr Athaliah L. Molokomme, Attorney General of Botswana; Ms. Thelma Aldana, Attorney General of Guatemala; Mr. Mike Chibita, Director of Public Prosecutions (DPP) of Uganda and Ms. Brigid Inder, Executive Director of Women’s Initiatives for Gender Justice. The discussion will be moderated by Ms. Irene Khan, Director-General of the International Development Law Organization (IDLO). Panelists will have approximately 10 minutes each for their first intervention.
3. Based on inputs from various stakeholders, and consultations with the President of the Assembly, the separate segment on complementarity will be divided into two parts, with two sub-topics. The first half of the plenary discussion, scheduled to take place from 15:00 to 16:30, will focus on “**Ensuring access to justice for victims of sexual and gender-based crimes at the national level.**” The second part of the discussion, scheduled to take place 16:30 to 18:00 will put emphasis on “**Enhancing empowerment of victims of sexual and gender based crimes at the national level.**”
4. Participants will have before them a set of **Recommendations on the national implementation of the principle of complementarity on sexual and gender-based Rome Statute crimes, prepared by the International Development Law Organisation (IDLO)**. Panellists and participants in the discussions are encouraged to draw inspiration from the recommendations in the discussions.
5. Following the interventions from the Panel, there will be a 20 minute interactive Q&A discussion following each thematic topic. States Parties are strongly encouraged to participate actively in this segment to provide a nuanced and broad exchange on this matter. This could include responses to the intervention from the panellists, who will also take part in the discussions, as well as statements reflecting national experiences.
6. Time permitting; observer States, international and regional organizations, civil society and other stakeholders will be invited to contribute to this exchange.
7. **A speakers’ list** common to the two thematic topics will be opened prior to the Assembly session and States and other stakeholders wishing to intervene in the discussions should inscribe themselves on the list. Speakers are requested to limit their interventions to three minutes.
8. An **informal summary of the discussions** will be made, and should States wish to make complementarity-related pledges or undertake commitments, this will be reflected in the summary. Pledges and undertakings may also be made in writing.

* Prepared by the ad country co-focal points for complementarity, Botswana and Sweden.

9. In addition, the draft omnibus resolution section on complementarity is annexed to the report of the Bureau on complementarity (ICC-ASP/14/32, annex I). The draft resolution contains a placeholder to reflect the outcome of the plenary discussion, which will be completed after the plenary on complementarity, prior to its adoption.
