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**Fourteenth session**

The Hague, 18-26 November 2015

**Court's Progress Report on  
Working Group on Intermediaries**

1. The Guidelines Governing the Relations between the Court and Intermediaries (“the Guidelines”) were adopted by the Court in March 2014 following broad consultations. In paragraph 6(b) of Annex I to Resolution ICC-ASP/13/Res.5, the Court was invited to “monitor the use of intermediaries through its Working Group on Intermediaries with a view to safeguarding the integrity of the judicial process and the rights of the accused.” In paragraph 6 (c) of Annex I to the aforementioned resolution, the Court was also requested to “inform States Parties, when appropriate, about important developments pertaining to the use of intermediaries, which might require the Court to amend the Guidelines.” The Court wishes to submit this progress report to inform the Assembly of the work undertaken since the adoption of the Guidelines and the way forward.

2. The Working Group on Intermediaries (“Working Group”), composed of representatives from all Organs of the Court as well as the Secretariat of the Trust Fund for Victims, held meetings in September 2014 and September 2015 to take stock of the use of intermediaries by the Organs and Units of the Court and Counsel working with intermediaries. It needs to be borne in mind that the way different organisational units of the Court, as well as counsel, utilise intermediaries may differ substantially due to the varying nature of the work performed. As such, the Working Group has agreed from the beginning that its aim is to find commonalities and harmonise procedures where possible, fully recognising the diversity inherently attached to the use of intermediaries in the ICC context.

3. The Working Group noted that information regarding the modalities for using intermediaries should be consolidated and to that end the Registry compiled data for internal use, *inter alia* with respect to the types of costs eligible for reimbursement. It was also noted during discussions that information contained in the Guidelines might not always be easily obtainable or digestible by intermediaries. In response, the Working Group developed a general Questions & Answers document on the Court’s work with intermediaries. The document is available in both English and French on the Court’s website.

4. Among the items for discussion within the Working Group was the appropriate way forward in relation to the possible review of the Guidelines. It was agreed that the Court needs to obtain more experience from interaction with and use of intermediaries in order to undertake a thorough and meaningful assessment of the Guidelines and their application. The review of the Guidelines is thus foreseen to take place towards the end of 2016.

5. Furthermore, the Working Group held a meeting in November 2015 with interested civil society organisations to discuss the opportunities and challenges faced by the Court as well as intermediaries in their interaction with one another. The Working Group will continue to engage with the civil society to obtain further feedback, in addition to information collected directly from the Court’s intermediaries, to assess and improve its engagement with intermediaries.