



Reference: ICC-ASP/7/S/PA/21

The Secretariat of the Assembly of States Parties presents its compliments to the Permanent Mission of ... to the United Nations/Embassy of ... and has the honour to refer to Assembly resolution ICC-ASP/5/Res.3 of 1 December 2006 (copy attached), by which the Assembly decided, *inter alia*, to adopt and implement the plan of action for achieving universality and full implementation of the Rome Statute, and to Assembly resolution ICC-ASP/6/Res.2 of 14 December 2007 (copy attached).

The Secretariat wishes to recall, in particular, paragraph 6 of Assembly resolution ICC-ASP/5/Res.3, sub-paragraph (h), of the plan of action wherein the Assembly called upon States Parties to provide to the Secretariat information relevant to promotion of the ratification and full implementation of the Rome Statute, including, *inter alia*:

- “(i) information on obstacles to ratification or full implementation facing States;
- (ii) national or regional strategies or plans of action to promote ratification and/or full implementation;
- (iii) technical and other assistance needs and delivery programmes;
- (iv) planned events and activities;
- (v) examples of implementing legislation for the Rome Statute;
- (vi) bilateral cooperation agreements between the Court and States Parties;
- (vii) solutions to constitutional issues arising from ratification;
- (viii) national contact points for matters related to promotion of ratification and full implementation.”

In accordance with paragraph 7 of the plan of action, the Assembly agreed that the Secretariat “should support States in their efforts to promote universality and full implementation of the Rome Statute by acting as a focal point for information exchange, within existing resources, including by:

- a) Collecting and collating relevant information from States Parties, regional organizations, members of the non-governmental community and others engaged in promoting universality and full implementation of the Rome Statute;
- b) Ensuring that such information is readily and widely accessible and disseminated to interested States and others.”

The Secretariat therefore requests that States Parties convey, by 21 September 2008, information referred to in paragraph 6, sub-paragraph (h), of the plan of action and in recommendations 1 through 5 on the plan of action contained in annex I of Assembly resolution ICC-ASP/6/Res.2. The Secretariat wishes to note that information submitted will be made public, unless a specific indication is made to the parts of the submission which are to be considered confidential.

This information should be communicated through the diplomatic channel to the Secretariat of the Assembly of States Parties, Room C-0691, Maanweg 174, 2516 AB The Hague, The Netherlands (or via fax to +31 70 515 8376 or via e-mail to [asp@asp.icc-cpi.int](mailto:asp@asp.icc-cpi.int)). If feasible, the Secretariat would appreciate receiving digital versions of the information.

The Hague, 15 April 2008

## **Resolution ICC-ASP/5/Res.3**

*Adopted at the 7th plenary meeting on 1 December 2006, by consensus*

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### **Annex I**

#### **Plan of action of the Assembly of States Parties for achieving universality and full implementation of the Rome Statute of the International Criminal Court**

##### **Objectives**

1. Universality of the Rome Statute of the International Criminal Court is imperative if we are to end impunity for the perpetrators of the most serious crimes of international concern, contribute to the prevention of such crimes, and guarantee lasting respect for and enforcement of international justice.
2. Full and effective implementation of the Rome Statute by all States Parties is equally vital to the achievement of these objectives.

##### **States Parties**

3. States Parties have the primary responsibility for promoting the objectives set out in paragraphs 1 and 2 above. States should make full use of the political, financial and technical means at their disposal to continue and strengthen their efforts to achieve these objectives.
4. To this end, States Parties should proactively promote universality and full implementation, including through bilateral and regional relationships, such as by developing initiatives that focus on neighbouring States and on the regions, subregions or other groupings to which they belong, as well as on the particular obstacles faced by those States, regions, subregions or groupings.
5. In addition, States Parties should deepen their own commitment to the Court and to the Rome Statute so as to ensure a strong, effective and efficient institution and thereby encourage other States to join.
6. States Parties' efforts should include:
  - (a) Direct political and other contacts with relevant States, regional groups or regional organizations with the objective of fostering political will and support for ratification and full implementation of the Rome Statute;
  - (b) Where appropriate, efforts to seek an agenda item on the Court in any bilateral contacts, including at the highest levels, with non-States parties;

- (c) Ratification and full implementation of the Agreement on the Privileges and Immunities of the International Criminal Court and encouragement of its ratification and implementation by other States not yet parties to the Agreement;
- (d) Providing technical or financial assistance to States wishing to become Parties to the Rome Statute as well as to States and other entities wishing to promote its universality;
- (e) Convening and supporting seminars, conferences and other national, regional or international events aimed at promoting ratification and full implementation of, and support for, the Rome Statute;
- (f) Wide dissemination of information about the Court and its role, including by giving consideration to inviting representatives of the Court or the Secretariat of the Assembly of States Parties to address national, regional and international events;
- (g) Identification of a national contact point for matters related to promotion of the ratification and full implementation of the Rome Statute;
- (h) Providing to the Secretariat of the Assembly of States Parties (“the Secretariat”) information relevant to promotion of the ratification and full implementation of the Rome Statute, including, inter alia:
  - (i) Information on obstacles to ratification or full implementation facing States;
  - (ii) National or regional strategies or plans of action to promote ratification and/or full implementation;
  - (iii) Technical and other assistance needs and delivery programmes;
  - (iv) Planned events and activities;
  - (v) Examples of implementing legislation for the Rome Statute;
  - (vi) Bilateral cooperation agreements between the Court and States Parties;
  - (vii) Solutions to constitutional issues arising from ratification;
  - (viii) National contact points for matters related to promotion of ratification and full implementation.
- (i) Full and effective implementation of the Rome Statute, including the duty to cooperate fully with the Court. To this end, any State facing difficulties with ensuring full implementation should identify its assistance needs promptly with a view to obtaining appropriate technical and/or financial assistance;
- (j) Active participation in and support for the meetings and activities of the Assembly of States Parties and its subsidiary bodies, in order to, inter alia, promote attendance at Assembly meetings by other States Parties and those not yet parties.

### **Secretariat of the Assembly of States Parties**

7. The Secretariat should support States in their efforts to promote universality and full implementation of the Rome Statute by acting as a focal point for information exchange, within existing resources, including by:

(a) Collecting and collating relevant information from States Parties, regional organizations, members of the non-governmental community and others engaged in promoting universality and full implementation of the Rome Statute;

(b) Ensuring that such information is readily and widely accessible and disseminated to interested States and others.

### **Assembly of States Parties**

8. The Assembly, through its Bureau, should keep this plan of action under review, including by monitoring the status of ratifications of the Rome Statute, developments in the field of implementing legislation, and the range of obstacles to ratification and full implementation faced by States.

## **Resolution ICC-ASP/6/Res.2**

*Adopted at the 7<sup>th</sup> plenary meeting, on 14 December 2007, by consensus*

...

### **Annex I**

#### **Recommendations on the Plan of Action for achieving universality and full implementation of the Rome Statute of the International Criminal Court**

##### ***To States Parties***

1. To continue their engagement and efforts, through dialogue and activities, in promoting the universality of the Rome Statute and its full implementation.
2. To continue to share successful ratification experiences and decisions of national courts and/or constitutional tribunals with States that have similar concerns or legal obstacles.
3. To report to the Secretariat of the Assembly on developments on the implementation of the Plan of Action.
4. To consider, as a matter of priority, the designation of the national contact point.
5. To continue the initiatives carried out both in regional and sub-regional organizations to promote the International Criminal Court through discussion meetings and resolutions, considering the inclusion of new items and action-oriented approaches related to the Plan of Action.

##### ***To the Secretariat of the Assembly***

6. To continue to make use of all its capacity to support the States Parties' efforts in the implementation of the Plan of Action.
7. To improve the website on a continual basis to make useful documents more accessible for the purposes of universality and full implementation.

##### ***To the Assembly***

8. To continue monitoring closely the implementation of the Plan of Action.