



**Committee on Budget and Finance of the Assembly of States Parties, 45th session
Statement by the IBA International Criminal Court and International Criminal Law Programme**

4 September 2024

Honourable members of the Committee on Budget and Finance, I am grateful for this opportunity to address you today on behalf of the International Bar Association (IBA) International Criminal Court and International Criminal Law (ICC & ICL) Programme.¹

The IBA is a strong and steadfast supporter of the ICC and the Rome Statute system. We work to increase cooperation with and support for the ICC and other accountability efforts, with the goal of strengthening the Rome Statute system globally and achieving fair, effective, and accessible justice for victims of genocide, crimes against humanity, war crimes, and aggression.

Today I would like to share some reflections on the importance of the ongoing efforts of the Court to improve its capacity related to the tracking and arrest of suspects, and in relation to equality of arms. We would like to support statements already delivered by other colleagues focusing on the importance of ensuring sufficient resources for the Court through its regular budget.

Improving the ICC's capacity to track and arrest suspects

The execution of arrest warrants is the highest priority affirmed by the most recent ASP Resolution on Cooperation², which expressed concern over the large number of arrest warrants that remain outstanding.

A robust tracking capacity and close coordination among the Office of the Prosecutor, Chambers, the Registry, and ICC States Parties is necessary to bring suspects at large before the Court to be tried.

The Court has in recent years made consistent efforts to enhance its capacities to track the movements of suspects at large and to improve the internal coordination between the Registry and OTP, also taking into account and implementing recommendations of the Independent Expert Review.

Increasing the capacity to track suspects was established as a strategic priority in the Registry's 2023-2025 Strategic Plan³. This led to the establishment of a Judicial Cooperation and Support Section (JCSS) aimed at strengthening judicial cooperation, including for the execution of warrants of arrests. In the current budget proposal, the Registry requested additional resources to strengthen this section.

In parallel, the OTP has undertaken an analysis of the Office's regular programme budget for core activities, which identified as the main strategic goal for the Office to ensure positive results in the Courtroom.⁴

¹ <https://www.ibanet.org/ICC-ICL-Programme>

² ICC-ASP/22/Res.5, Resolution on Cooperation.

³ Registry Strategic Plan 2023-2025, Priority Objective 1.4.

⁴ Office of the Prosecutor Strategic Plan 2023-2025, Strategic Goal 1.

To achieve this goal, the Office of the Prosecutor requested, in the Proposed Programme Budget for 2025 currently before the CBF for assessment, additional resources to develop a proactive and ongoing tracking function for the Office.

We advise the CBF to give full consideration to the Court's budget request, supporting efforts to increase its capacity to cooperate with national authorities for the execution of warrants of arrest.

Equality of arms

Providing sufficient funds for the Court to discharge its mandate includes ensuring resources that guarantee equality of arms and the fairness of judicial proceedings.

Legal aid is a key component of the ICC's administration of justice. An adequately funded and efficient legal aid system ensures that indigent defendants and victims have access to legal representation before the Court.

Similarly, it is necessary for the yearly approved budget to ensure sufficient resources for strengthening defence services and the institutional representation of the defence.

The IBA urges the CBF to give full consideration to budgetary requests focused on the improvement of the legal aid policy and defence services at the Court, which aim at improving the equality of arms.