

Access to Mechanism Premises for Travelers

1. The present policy governs the access of staff, judges, accused, defence counsel, witnesses and other persons (hereinafter “Mechanism persons”) to Mechanism premises following travel.
2. The Mechanism’s policy on access to its premises will follow The Netherlands national law regarding quarantine following travel, unless stricter conditions are imposed by national law at the relevant duty station, and in this respect will not avail itself of the diplomatic exemptions provided to it except in the circumstances outlined below.
3. In addition and to further reconfirm, in all circumstances Mechanism persons infected with or experiencing symptoms of COVID-19 are required to inform the Medical Unit and not to enter the premises.
4. To ensure a consistent approach across its duty stations, the Mechanism will impose as appropriate measures in addition to those required by national laws.
5. Accordingly, to the extent applicable, the Mechanism will further adopt at all its duty stations the designations of countries as green, yellow, orange or red as promulgated by The Netherlands government.^{1,2} Therefore, unless stricter conditions are imposed by national law at the relevant duty station:
 - a. Mechanism persons traveling from countries designated “green” and “yellow” by the Dutch authorities are permitted to enter Mechanism premises following such travel so long as they:
 - i. Traveled by car only with members of their household; or
 - ii. Traveled by plane, train or bus, they and all others onboard used face masks, and they and others around them used face masks in all associated common spaces (e.g., terminals, train stations) where social distancing could not be maintained for periods longer than fifteen minutes.
 - b. Mechanism persons traveling from countries designated “orange” by the Dutch authorities are prohibited from entering Mechanism premises for the number of days the Netherlands mandates quarantine following such travel.
 - c. Mechanism persons traveling from countries designated “red” by the Dutch authorities are prohibited from entering Mechanism premises for the number of days the Netherlands mandates quarantine following such travel.
 - d. Mechanism persons traveling internally within a country of a Mechanism duty station are permitted to enter Mechanism premises following such travel so long as all other Mechanism policies are adhered to.
6. Notwithstanding the above, Chambers, Judges or the Principals of each organ, respectively, may determine, following consultation with the individuals concerned, and where necessary with the Medical Units, that operational requirements necessitate the

¹ <https://www.government.nl/topics/coronavirus-covid-19/tackling-new-coronavirus-in-the-netherlands/travel-and-holidays/travelling-abroad>

² For the determination of the Netherlands itself, the Netherlands is currently designated as orange. If a significant number of EU countries alter their designation based upon the COVID-19 situation (excluding reasons of non-reciprocity), then the Mechanism will review.

presence in Mechanism premises of Mechanism persons who have traveled from orange or red countries at a time earlier than fourteen days following such travel. In such circumstances, the Chambers or the Principals of each organ shall impose additional measures to mitigate any risk, including:

- wearing a face mask for ten days following such travel;
 - obtaining testing at the Mechanism's expense as directed; and/or
 - any other mitigating measures.
7. A decision under the provision of paragraph 6, including information on the mitigation measures taken, shall be maintained by the respective Chamber or organ, and the Medical Unit shall be informed.

11 August 2020
Revised 19 October 2020