

INTERNATIONAL CRIMINAL COURT
TWELFTH SESSION OF THE ASSEMBLY OF STATES PARTIES

- GENERAL DEBATE -

STATEMENT BY ION GÂLEA,
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MINISTRY OF FOREIGN AFFAIRS,
ROMANIA

The Hague
22 November 2013

Madam President,
Ladies and Gentlemen,

2013 marks the 15th anniversary from the signing of the Rome Statute, the world attempt to found a universal international criminal jurisdiction. Such moments spur to reflection on the achievements and challenges faced today by the Court. We believe that an appropriate way to consolidate the indisputable achievements and to overcome the inevitable challenges is to recall the commitment of the international community to punish the perpetrators of the most serious crimes and to prevent their commission.

It was a promise delivered not only to victims of these crimes, but equally to ourselves. Justice represents, without any doubt, a common human ideal. In this respect, we firmly believe that the words of the preamble of the Rome Statute – “put an end to impunity” - sound as true and resonant as they were 15 years ago should continue to guide our future path.

As co-facilitator of the Plan of Action for the universality and full implementation of the Rome Statute, Romania has constantly promoted, during this year, the universality of the Rome Statute and the activity of the International Criminal Court, through a series of events organized in Bucharest, New York, the Hague, and through bilateral demarches. The most recent event was a regional conference, organized in Bucharest, on the 17th of October 2013, which dealt with: universality, the Kampala amendments and cooperation with the ICC. The President of the ICC and the President of the ASP were keynote speakers and I would like to thank them again for accepting our invitation and for their tireless efforts within and outward the ICC.

Achieving universality is of outmost importance. We congratulate Cote d'Ivoire for becoming the 122nd State Party to the Rome Statute and we encourage other countries to ratify the Statue, as well as the Agreement on the Privileges and Immunities. We would equally like to commend the states that ratified the Kampala amendments and we hope to achieve as many ratifications as possible and in a timely manner, in order to allow the Court to exercise its jurisdiction over the crime of aggression from 2017 onwards. Romania continues to stand ready to assist all states in their efforts to ratify and fully implement the Rome Statute.

Complementarity and cooperation are important challenges. They cannot be overcome without resolute and fair engagement of States.

The ICC does not represent a substitute for national courts, prosecutors or police. States parties continue to carry the primary responsibility to investigate, prosecute, and bring to justice perpetrators of the most serious crimes. The ICC was justly set up as a fundamental safety net and a court of last resort. Membership in the ICC requires consolidating the national criminal legal framework. Romania has taken important steps in this respect. The New Criminal Code was designed towards full and effective implementation of the provisions of the Rome Statute.

The International Criminal Court *relies essentially* on the cooperation of international community. Today, more than ever, the Court needs our support to fulfill its mandate. We urge all States to abide their legal obligations stemming from the Rome Statute and/or the UN Security Council resolutions.

We are equally aware of the concerns raised with respect to the functioning of the Court. We consider important the fact that these concerns are addressed within the framework of the ASP and we are committed to open dialogue, allowing for constructive and fruitful results.

Last but not least, we would like to express our deep gratitude to the members of the non-governmental organizations in the field, for their constant and tireless involvement in supporting the activity of the ICC, a contribution which we consider invaluable in helping the Court to fulfill its objectives.

Romania supports the initiative to open negotiations with all states on a new multilateral treaty on mutual legal assistance and extradition concerning the crime of genocide, war crimes, and crimes against humanity.

We subscribe to the statement delivered by the distinguished representative of Lithuania on behalf of the European Union.

Thank you.