



# SLOVENIA

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**Statement by  
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**Thirteenth Session of the Assembly of States Parties to the Rome Statute  
of the International Criminal Court**

**General Debate  
New York, 10 December 2014**

Mr President,  
Distinguished Members of the Court,  
Excellencies,  
Ladies and Gentlemen,

I welcome this opportunity to address the Assembly of States Parties on behalf of the Republic of Slovenia, which fully subscribes to the statement made earlier by the representative of Italy on behalf of the European Union and its Member States.

Let me begin by congratulating the President on his appointment as head of the Assembly. This function comes with many crucial challenges and responsibilities. We fully trust that you will meet them with real determination and success. You have my country's support, and we look forward to working with you on further strengthening and advancing the Court.

Our sincere appreciation goes to Ambassador Tiina Intelmann for the distinction with which you led this Assembly during your tenure. I would also like to congratulate the six newly-elected judges and commend the outgoing judges on their important contribution to international criminal justice. The judicial elections carry a great measure of responsibility on the part of States Parties, where the most well-considered decisions are called for. We therefore thank the Advisory Committee on the Nomination of Judges, as well as the CICC for the support provided to the judicial selection process. Particular gratitude goes also to the entire ICC staff for their dedicated work during the past year. President Song, in view of the approaching end of your mandate, my delegation would like to express outmost appreciation for your dedicated service to the Court since its very early days. We deeply value your contribution to the cause of international criminal justice and wish you every success as you embark on new tasks.

Mr President,

This year has been marked by an increased workload for the Court, including the opening of preliminary examination on crimes allegedly committed in Ukraine, and the second investigation in the Central African Republic.

This attests to the fact that the Court is becoming increasingly perceived as having a central role as the court of last resort in preventing and addressing atrocity crimes. As the Court expands its actions, it is critical that we jointly address the existing challenges with the necessary resolution to increase the efficiency and effectiveness of the Rome Statute system while reaffirming its integrity and the fundamental importance of judicial independence.

Therefore, Slovenia welcomes this year's thematic debate on the issue of cooperation. The Court cannot meet the expectations of victims or the international community without the States Parties and the international community playing their part in combating impunity.

My delegation looks forward to participating in the thematic debate; however, allow me to make a few brief remarks. Lack of cooperation continues to be a serious challenge for the Court. The obligation to cooperate with the ICC applies to all States Parties to the Rome Statute, as well as in the case of the UN Security Council Chapter VII referrals. It therefore causes great concern that 13 arrest warrants are still outstanding, some of them since 2005. Also troublesome are other forms of non-cooperation by Member States. More efforts need to be channelled into improving our ability to prevent and respond to non-cooperation. In this respect, increasing the role of international organisations, in particular the UN Security Council, could importantly complement our efforts.

The effective implementation of the principle of complementarity is equally important for the potential of the Rome Statute to be fully achieved. Improving national legislation, capacity building and inter-State cooperation is therefore crucial. Slovenia is actively engaged in these efforts, in particular through the initiative to adopt a new international instrument on mutual legal assistance and extradition between States for genocide, crimes against humanity and war crimes. I would like to invite all States to join the initiative, and further invite you to attend the side event on the said initiative co-organised with Belgium, the Netherlands and Argentina, which will take place at lunchtime this Thursday.

Mr President,

I will now address another imperative goal, that of bringing all unheard victims under the ICC protection. Despite the broad Membership of the Court, many victims continue to remain out of its reach, either due to lack of universality or failure by the Security Council to refer a situation to the Court, the dreadful consequences of which we continue to witness in several situations, including Syria.

This calls for renewed efforts to promote the universality of the Rome Statute. Engaging more actively, particularly within our regional groups, through advocacy and technical assistance, can be particularly useful. With this aim, Slovenia, together with Liechtenstein, organised a regional Eastern European Group seminar in May 2014 dedicated to promoting

universality and the ratification of the Kampala amendments. My country is determined to continue with such work; we welcome the new ratifications of the Kampala amendments and call upon all States Parties to expedite their ratification efforts.

In addition to the areas I have mentioned, i.e. cooperation, complementarity and universality, where the Court greatly depends on States' action, the Court also requires our political support and constructive engagement. While we should by no means shy away from challenging questions as the custodians of the Rome Statute system, we should be mindful to engage in a discussion in a frank and productive manner, while respecting the judicial independence of the Court. Just as this holds true for national Courts, any objections related to specific judicial cases are to be addressed as part of Court proceedings. Questioning specific judicial cases at the political level should be avoided, since it exerts pressure on the decision-making process and consequently on the Court's independence.

At the same time, it is commendable that solutions to any shortcomings in the Rome Statute system be sought, including through the proposals to amend the Rome Statute and the Rules of Procedure and Evidence. The Rome Statute framework is not beyond improvement; however, it is important that proposed solutions correspond to the fundamental principles of the Statute, including Article 27.

Responsibility for continuously enhancing the Court system also rests with the ICC. My delegation supports the recent increased determination by the Court, including the OTP, the Registry, as well as the judges, to introduce measures aimed at improving the functioning and proceedings of the Court. Therefore, Slovenia welcomes Switzerland's proposal to put this topic on the agenda of the fourteenth session of the Assembly. Furthermore, we welcome the envisaged improvements to the working methods of the Bureau and the governance of the Assembly of States Parties initiated in 2013. Slovenia will continue to support the discussions on streamlining the administrative role of the Assembly, including with a view to reducing the administrative burden placed on the Court. As a new Bureau member, Slovenia expresses its interest to actively engage on these important issues.

Mr President,

The efficient functioning of the Court also depends on the availability of funds. Although the Court's proposed budget increase would be extremely difficult to approve when many States Parties face financial challenges, it is essential to strike a balance with the need to ensure the effectiveness of the Court's work.

To conclude, Slovenia remains firmly committed to promoting the efforts of the Court. The ICC represents a historic breakthrough in international law and human consciousness. As such, it deserves unflinching and active support from the international community. Slovenia vows its continued support to the Court and the Trust Fund for Victims.

Thank you.