



Fourteenth Session of the Assembly of States Parties
to the Rome Statute of the International Criminal Court

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STATEMENT

by

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Mr President, Excellencies, Distinguished Delegates,

1. Let me begin by congratulating you on your first year in office as President of the Assembly. I also wish to congratulate the new President of the Court, Judge Silvia Fernandez de Gurmendi, and all newly elected judges. We are proud that Piotr Hofmański is among them. I am sure that their work will contribute to further strengthening the international system of justice. And I can assure them of Poland's commitment to their activity.
2. Poland aligns itself wholly with the statement that will be presented by the European Union. However, the Polish delegation would like to highlight and discuss certain matters it believes to be especially significant.
3. In the last year we have seen some important developments in the ICC's work. The Court's caseload has steadily increased. Next year will be unprecedented: we will have four trials taking place simultaneously for the first time. Since the last Assembly, the Prosecutor has conducted preliminary examinations in 10 situations on 4 continents. This shows that now more than ever the ICC is a truly worldwide institution.
4. We commend the Prosecutor for the steps she has taken in the Mali situation to investigate attacks against religious buildings and historic monuments, including World Heritage sites. We take note of the fact that the alleged perpetrator of these crimes has appeared before the ICC for charges related to the attacks.
5. We welcome the continuing effort to enhance the Court's work. We believe that introducing some modifications to the Rules of Procedure and Evidence would make proceedings more efficient, without prejudice to their reliability and integrity. One such change could be to limit the court's composition in certain cases.

6. This Assembly is also tasked with adopting a budget for the next financial year. As the Court's caseload increases, it is our responsibility to provide it with sufficient resources to function effectively. The Assembly's decision on financial matters should not undermine the ICC's ability to deliver justice. On the other hand, the Court's activities must be based on careful financial assessment, and take into account limited financial capabilities of the States.
7. Poland wants to underline that a full and prompt cooperation with the Court is vital for delivering universal justice. It is particularly important for the execution of arrest warrants. There are currently 12 warrants issued against individuals. When no arrests are made, the ICC's cases cannot proceed and the Court's purpose of delivering timely justice is at risk. The refusal to transfer wanted criminals constitutes a violation of international obligations and an obstruction of justice.
8. We should also cooperate and do our best to support victims of crimes under the ICC's jurisdiction and enable them to access their rights. The Trust Fund for Victims is the existing instrument which makes it possible. Poland contributes to the Fund and calls on other parties to follow suit. It is notable that in 2015, the Court and the Trust Fund for Victims began to implement the first court-ordered reparations, in the Thomas Lubanga case. It is the first time this innovative solution, established in Art. 75 of the Rome Statute, has been put into practice. We expect that victims will be in a better position to exercise their right to reparation once further contributions have been made to the Fund.
9. The International Criminal Court is central to achieving justice and accountability in the battle against those responsible for the most serious crimes. At the same time, we do agree that the Court has limited resources and is not able, for various reasons, to prosecute all the perpetrators. That is

why it is crucial to strengthen national jurisdictions if we want to end impunity. Building national capacities to investigate crimes at home is of the utmost importance. But it is mainly our, that is to say states', responsibility to develop domestic capacities of our judicial systems, and to give the necessary assistance and support to other parties of the Statute. The ICC should be seen as a last resort, complementing national jurisdictions.

10. In this context we welcome the positive dynamic in terms of complementarity regarding the situation in Guinea. It is a striking example of how cooperation between the Prosecutor's Office, civil society and the State can enhance and accelerate national proceedings.

11. We would all like to see a world with no impunity for crimes. A world where the most heinous acts do not go unpunished, no matter where or by whom they are committed. Today, we are still far from this goal. We are also far from reaching the aim of universality of the Rome Statute. But we strongly believe that championing the ideas and values of the Statute is a one-way street. Therefore, Poland supports solutions set out in *the Action Plan - Towards Universality of the Rome Statute* prepared by the Informal Ministerial Network for the International Criminal Court. And we will seek to enhance the ICC's role.

12. We believe that the world can only be rid of all forms of injustice when we act together. The ICC is the central institution of the international system of justice, and Poland supports its struggle against impunity. It is therefore imperative that progress be made towards a more efficient and effective Court whose independence is adequately safeguarded.

Thank you for your attention.