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Embassy of Portugal

The Hague

**FOURTEENTH SESSION OF THE ASSEMBLY
OF STATES PARTIES TO
ROME STATUTE**

GENERAL DEBATE

Statement by
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Ministry of Foreign Affairs
Portugal**

The Hague, November 2015

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Mr. President,
Distinguished Delegates,

It is with great honor that we address today the Fourteenth Session of the Assembly of States Parties to the Rome Statute.

Let me begin by stating that Portugal fully shares the views expressed by Luxembourg on behalf of the European Union and its Member States. I would like, however, to highlight some aspects of relevance for my country.

Mr. President,

Portugal notes with satisfaction that the Court continues progressing in its work and new and positive developments have been seen over this past year. In this sense, Portugal would like to congratulate Judge Silvia Fernández de Gurmendi on her election as President of the Court and Judges Joyce Aluoch and Kuniko Ozaki as Vice-Presidents. We extend our congratulations to the elected judges that were sworn in this year and wish them a successful term.

The universality of the Rome Statute continues to be a major objective and each new accession is one more step towards the prevention and prosecution of the most serious crimes of concern to the international community.

Mr. President,

New trials have been opened and a new preliminary examination has been initiated by the Office of the Prosecutor. Furthermore, the Court and the Trust Fund for Victims are now proceeding towards the implementation of the first decision of the Court on reparations for victims in the Lubanga case.

Victims, particularly women and children, are waiting for urgent and concrete results to come from the Court's activities. Moreover, there are still many victims of war crimes,

genocide, crimes against humanity or victims of other serious violations of international humanitarian law that justice as not yet reached.

With thirteen years of existence, the Court is now a fully established institution and must endeavor to improve its efficiency and effectiveness. In this sense, we welcome the work and discussions carried out by the organs of the Court on this issue and hope they will lead to the strengthening of the Court's procedures and to a swift delivery of justice, as well as to the enhancement of the Court's capacity to manage its resources. Particularly, we praise the Office of the Prosecutor for the Strategic Plan for 2016-2018 as a contribution for the efficiency of that Office. We also note the Pre-Trial Practice Manual which aims to address some of the challenges that the Court has had to face and to harmonize its practice. All these measure will hopefully contribute for a stronger judicial institution.

Obviously, the Court must be given the necessary resources to continue carrying out its purpose but the Court must also take into account the current economic situation of many of its States Parties. It is, therefore, important to find a balance between these two assumptions and in this sense we trust that delegations will be able to find a solution that can meet both ends during this session of the Assembly of States Parties.

Mr. President,

Let me reiterate, once again, our belief that the Court plays a crucial role in the fight against impunity and in seeking justice for victims of the most serious crimes. But the Court alone cannot fight impunity and ensure accountability: it relies on the cooperation of States in the discharge of its functions. To consolidate its fundamental role, we must reinforce the cooperation between the Court and the States Parties but also the cooperation between the Court and non-State-parties, the United Nations and other international and regional organizations. In this sense, all cooperation efforts are fundamental for the ICC to be able to perform the role that was entrusted by the Rome Statute

Mr. President,

We – members of the international community- must not forget that the International Criminal Court is an independent and impartial judicial institution. It is our duty as States Parties to safeguard this independency as well as the autonomy of the Court. Our common challenge is therefore to ensure that the Court functions in an independent way in a political environment.

Portugal remains attentive to the concerns that are raised by some States regarding the ICC and its proceedings. We look forward to constructive discussions in order to reach a successful outcome regarding issues that should not divide us.

Mr. President,

Portugal is -and will remain- a strong supporter of the ICC as a fully independent judicial institution. Portugal remains truly engaged in preserving the integrity and promoting the universality of the Rome Statute. We are taking the necessary steps to hopefully ratify the Kampala amendments by the end of the current year.

States Parties, together with the ICC, must continue contributing to bringing to justice the perpetrators of the most serious crimes of concern to the international community, without forgetting that the duty to exercise criminal jurisdiction over those responsible for such crimes rests primarily with States.

Thank you, Mr. President.