



**STATEMENT BY AUSTRALIA
TO THE 15TH SESSION OF
THE ASSEMBLY OF STATES PARTIES TO
THE INTERNATIONAL CRIMINAL COURT**

BY

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Mister President, honourable ministers, my colleagues: we are all here this afternoon, representatives of nations from across the world, because this Court, our Court, delivers justice where otherwise it would be denied: where criminals might commit the worst atrocities known to humanity but suffer no punishment; where criminals could rest easy and never be held to account; where criminals might be assured of a cloak of impunity.

We have learned that in bringing offenders to account, our Court does more than secure justice. It promotes peace and it promotes security. We will not find lasting peace if war criminals find refuge.

Mr President, it is The Court's mandate is to hold 'those most responsible to account'. It is our duty is to give the Court the tools to achieve that very mandate. Every State that ratifies the Rome Statute, every State that joins this Assembly, is one less corner of our world where the worst criminals might dwell. We all, in a sense, protect each other.

And this is why, along with, I am sure, all my colleagues here this afternoon, Australia strongly supports the universal ratification of the Rome Statute. Only where all States adopt the Statute and enforce its provisions will justice become more certain. Let us work towards that goal.

As Madam Prosecutor reminded us this morning, this Court is a court of last resort. The success of the Court must not be measured only by its activities but, also by what it inspires. Actions by States are crucial to realising our objective of a world without mass atrocities.

But Mr President, we recognise, I think everyone here recognises it is a sovereign decision of a State to join, or indeed leave, an international treaty. But where States Parties leave the Court, the enforcement of international criminal law clearly becomes more difficult. Our work becomes harder still. But weakening enforcement of the law is not all.

For when State Parties depart, they take with them their particular histories, their different voices and their diverse perspectives.

But when State Parties engage, the authority of the Court is strengthened as it is broadened. Our moral imagination is enriched and uplifted.

Mr President, let us have this conversation. Let us frankly discuss the issues before us.

But in doing so, let us reaffirm - not undermine - the fundamental elements of the Rome Statute.

Some have argued that because the International Criminal Court does not enjoy universal jurisdiction, States can rightly leave. We say that this should inspire all of us to reach out and redouble our efforts to persuade non-States Parties of the valuable role the ICC has to play as a court of last resort.

It is not a time to cut out, but a time to jump in. It is a time to build.

Mr President, our Court is only as strong as we make it. It is only as effective as we allow it to be. Only where States cooperate can the Court properly fulfil its mandate. We are constantly reminded, we were reminded this morning, ladies and gentlemen, by the President of the Court and the Prosecutor, that the Court cannot meet its mandate unless it enjoys the full cooperation of both States Parties and those States under an obligation to cooperate. The success of our Court is not just the job of the President and the Prosecutor, but our responsibility as well. We need the Court and the Court needs us.

Mr President, Australia will remain a strong supporter of the International Criminal Court. To build upon our commitment and to work ever harder to strengthen the Court, Australia advised last year that we will stand for election to the Bureau in 2017.

We are committed to fulfilling the vision of the Rome Statute – to lift the dark cloak of impunity, give hope and justice to victims, and achieve a world free of mass atrocities.