

STATEMENT IN THE GENERAL DEBATE
ON BEHALF OF AUSTRIA
BY H.E. WERNER DRUML
HEAD OF THE AUSTRIAN DELEGATION

Mr. President,

Austria fully aligns itself with the statement made earlier today on behalf of the European Union. In addition, I would like to make the following observations:

This year has not only been a very challenging, but it's only fair to say, also a very successful one for the ICC.

It was challenging

- because the Court could finally move into its new premises,
- because the workload of the Court was unprecedented, and
- because important work had to be done to improve the efficiency and effectiveness of the Court.

But we can say: the challenges have been met.

Judicial activities have been particularly intense this last year: Three important judgements were issued: one of them dealing amongst others with sexual crimes against children, one of them was the first judgement ever on the destruction of cultural and religious monuments and one trial was held on charges of offences against the administration of justice. Furthermore reparations proceedings are underway in four cases.

In two instances, trials were held in their entirety in in the course of the last year – in one case the trial even lasted only three days. This shows the efficiency of the court proceedings which is important not only in the light of their budgetary implications but primarily because it touches the core of criminal justice: to provide justice in a reasonable time. We therefore very much welcome and support the efforts, also by the Presidency, to improve the efficiency of the judiciary process, efforts which have already been proven encouraging for the pre-trial stage.

We have also observed with interest the major restructuring process in the Registry, which for good reasons has been deemed necessary by this Assembly and the success of which should be felt before long.

The Trust Fund for Victims has already assisted more than 300.000 victims, giving them medical and psychological treatment and material support. We welcome its plans to expand its activities to four more situation countries.

There is obviously no reason for complacency; a lot remains to be done. A critical assessment, be it by the organs of the Court or by the States Parties and the ASP, remains necessary. But believe that the Court is increasingly fit for the important role it has to play in the international system.

It is therefore even more regrettable that South Africa, Burundi and the Gambia have decided to withdraw from the Rome Statute. At the same time, we recognize the important role African countries, African leaders and African civil society have played in the establishment of the ICC, as a court of last resort, which is complementary to national jurisdictions. We would like to continue this partnership through dialogue and cooperation in the interest of strengthening the rule of law and promoting and protecting human rights.

We should not forget: when we speak about impunity, which the Rome Statute system is called to fight, we speak about the interests of thousands of victims, who legitimately expect justice to be done. The ICC was created to deliver justice for victims of the most serious international crimes, to give these victims a voice, allow them participation in proceedings and to request reparations. We truly believe that the ICC has a unique role in delivering hope and justice to victims. We therefore hope that South Africa, Burundi and the Gambia will reconsider their decision and continue their important contribution to its success.

Universality of the Rome Statute remains a key objective. The fight against impunity can only be successful if the whole international community is committed. Two thirds of it are part of this important project already, we are confident it is bound to become a global one. We are pleased to welcome El Salvador as the newest State Party.

We also welcome the fact that 32 States have ratified the Kampala amendments to Article 8 of the Rome Statute and the amendments on the crime of aggression. Already in 2017, at the next session of the ASP, States parties can take a decision on the activation of the Court's jurisdiction over the crime of aggression.

Mr. President,

Let me finally say some words in my personal capacity as the facilitator for the budget over the last four years. The concerns raised by States parties that budgetary needs of the Court continue to increase are understandable. But we have to recognize that it is not an international organization like many others but a Court with a demanding mandate and growing judicial activities. It is largely demand driven and probably will continue to be so for some time.

The Court must always keep in mind that it is public money which is put at its disposal, and that efficiency and effectiveness are not only key to its own success, but also the condition for continued support by States parties.

I thank the Court's officials, especially President Silvia Fernández de Gurmendi, Prosecutor Fatou Bensouda, Deputy Prosecutor James Stewart, Registrar Herman von Hebel and their staff for their cooperation and patience.

Mr. President, I thank you for your engagement, we need your strong leadership. I can reassure you of Austria's unwavering support for the International Criminal Court.

Thank you Mr. President.