



## STATEMENT TO THE GENERAL DEBATE OF THE 15<sup>TH</sup> SESSION OF THE ASSEMBLY OF STATES PARTIES OF THE INTERNATIONAL CRIMINAL COURT

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Mr President, distinguished delegates

Amnesty International welcomes this opportunity to address the Assembly of States Parties.

Every session of the Assembly is important, but this one particularly critical. It comes at a time when a few member states, Burundi, South Africa and Gambia, have chosen the wrong path by beginning to withdraw from the Rome Statute system. We deeply regret such actions as they signal a fundamental betrayal of victims, not just in Africa, but all over the world.

We applaud the courage and determination of all member states, including member states from Africa, who have pointed out to these three countries the damage they have caused to the international justice system. We join them in calling these three states to reconsider their decisions.

Mr President,

As disappointing as these developments may be, we believe it must not deter the Assembly from working to deliver effective justice and reparation for victims of genocide, crimes against humanity and war crimes in all situations where impunity exists

The challenges to the Court go far beyond the attacks from some discontented states and the loss of a few members. The ICC has not been perfect and it does a disservice to the victims of the world's worst crimes to pretend that it has.

The Assembly must start by facing the uncomfortable truth. Despite the legitimate basis for the ICC's intervention in each of the current situations, the Court has to date only prosecuted crimes in Africa. Victims of crimes in many other situations must also have access to international justice.

We have called on the Prosecutor to address this imbalance and welcome that some progress is being made. A new investigation in Georgia was opened this year and a decision will be taken imminently on whether to request an investigation in Afghanistan. Still more must be done to tackle the backlog of situations under preliminary examination and to consider allegations of ICC crimes in other situations.

The progress made in these new situations will potentially bring a new backlash against the Court. As such, the Court needs all states, including a strong voice from the African region, to help it meet its challenges.

The political nature of the Security Council's power to refer cases to the Prosecutor of the ICC has been another external challenge. We have repeatedly called on the UN Security Council's permanent members to voluntarily refrain from using their veto in situations involving crimes against humanity, war crimes and genocide. This Assembly should make the same demand for permanent members of the Security Council to refrain from using their veto to block referrals to the Prosecutor;

We have made strong [recommendations](#) on a number of important issues that this Assembly may consider. This includes our comments and guidance on South Africa's proposed rules on article 97. If the Assembly does consider South Africa's proposals not only must it avoid discussing ongoing non-cooperation proceedings against South Africa, it must also ensure that any proposed rules or regulations stick to the spirit of the Statute.

Finally, we are gravely concerned about increasing threats to human rights defenders working on international justice, in the Netherlands and around the World. This should not be allowed to continue.

Thank you.