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STATEMENT TO ICC ASSEMBLY OF STATES PARTIES

Michael S. Greco, Chair
International Criminal Court Project
American Bar Association Center for Human Rights
December 2017

Mr. President:

On behalf of the American Bar Association and its President Hilarie F. Bass, thank you for this opportunity to address the Assembly.

The ABA is the independent, national representative organization of the legal profession in the United States. I am Michael S. Greco, former President of the ABA, former Chair of the ABA Center for Human Rights, and founding Chair of the ABA's International Criminal Court Project.

The Center established the ABA's ICC Project in 2012 to educate the US bench, bar, policymakers, and general public about the ICC's vital mission of ensuring accountability for the world's worst crimes; to help enhance the ICC's operations as a charter member of the International Criminal Justice Consortium; and to foster improved relations between the ICC and the US Government.

The ABA first declared its support for a permanent international criminal tribunal in 1978. Twenty years later the ABA and its delegation participated in the Rome Conference, under the leadership of then-ABA President Jerome Shestack, and later urged the US to accede to the Rome Statute, which remains ABA policy.

During the past 40 years the ABA's 550-member House of Delegates has adopted a series of policies supportive of the ICC, and the ABA has remained a strong and vocal friend of the Court at home and abroad. This full and longstanding commitment to the ICC reflects the ABA's broader dedication to a just rule of law worldwide.

Indeed, as the 70th anniversary of the Universal Declaration of Human Rights approaches next year, we all can take sober satisfaction in the creation of the ICC as a bulwark against impunity for those who would perpetrate mass

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atrocities – the prevention of which is a bedrock principle of the modern international legal order.

Since the Rome Statute entered into force in 2002, the ICC's development as a functioning judicial body at times has not been smooth. That is not surprising, given its nature as the world's first permanent international criminal tribunal whose mission is to hold accountable those most responsible for mass atrocity crimes, often inflicted by governments upon their own people, and to do so in a complex geopolitical environment in which sovereignty often is invoked to cover up crimes and escape responsibility.

And yet, as measured against the long arc of human history, the ICC's progress over less than two decades is indeed remarkable. Let there be no doubt: the ICC has found its legs, it stands firmly with confidence, and it is here to stay.

That progress has relied, and will continue to rely, on this Assembly's commitment – judicial, political, financial, procedural, and even spiritual – to the ICC. As a truly independent tribunal, not beholden to any one state or other political body, the ICC depends on each of you, its States Parties, to support it, to empower it and, when necessary, to go above and beyond what may be comfortable or safe in supporting the ICC and the international criminal justice movement.

To realize its full potential, the ICC must be properly and reliably funded; its judges must be among the world's best jurists; its officers, beyond reproach; and its leaders, among the most competent and dedicated of public servants. For true commitment to justice is found not in mere statements of principle; it requires the commitment of resources that make achieving justice feasible; securing a durable peace, possible; and, by extension, making deterrence more likely.

In conclusion, the more successful, and consistent, the ICC continues to become in ensuring accountability for mass atrocities, the greater the deterrent effect will be, and the closer we shall come to realizing the bedrock principles of accountability and prevention.

In turn, we will then better honor the self-evident truth, enshrined in the Universal Declaration, that *All human beings are born free and equal in dignity and rights.*

Thank you for your kind attention.