

**Sixteenth session of the Assembly of States Parties to the Rome Statute establishing the International Criminal Court, 4-14 December 2017**

**General Debate**

**Statement by Ireland**

Mr President

Ireland associates itself with the statement made by Estonia on behalf of the European Union and its Member States. Ireland takes this opportunity to thank H.E. Mr Sidiki Kaba, the outgoing President of the Assembly and all the outgoing members of the Bureau for their dedicated work over the past three years. We congratulate the new President, H.E. Mr O-Gon Kwon, and the new members of the Bureau, on their election and assure them of our support and co-operation. We welcome the election of the new judges and look forward to the benefit that their combined experience and skill will bring to bear on the work of the Court in the years ahead. We also take the opportunity to thank the outgoing judges for their contribution and commitment to the Court, in particular the outgoing President, Judge Silvia Fernández de Gurmendi. We also congratulate the new members of the Committee on Budget and Finance and wish you well on the important work carried out by the Committee.

This session of the Assembly of States Parties is an opportune moment to reflect on the International Criminal Court. We stand on the threshold of the 20th anniversary of the adoption of the Rome Statute, which takes place next year. This significant anniversary is an opportunity to reflect on the Court's origins, on its achievements to date, and on its future.

The motivation which drove the international community to establish the ICC remains the same. We seek to ensure accountability for the perpetrators of the most serious crimes of concern to the international community, to deliver justice for those who have experienced the effects of these crimes, and ultimately we seek to prevent these crimes being committed. The ICC is an essential part of the international community's efforts in this regard.

With regard to the achievements of the Court, notwithstanding the challenging mandate that the States Parties have given the Court, we need only look at the Report on activities and programme performance of the Court for the year 2016, and to have listened to the statements presented by its President, Judge Silvia Fernández de Gurmendi, and its Prosecutor, Ms Fatou Bensouda, in this regard, to see how much is accomplished by the Court on an annual basis. The workload of the Court has grown significantly over the past

number of years and we commend the efforts of the Court to respond to this work load and to continuously seek to improve its efficiencies.

With regard to the future of the Court, we are considering at this session of the Assembly of States Parties a most significant development in relation to the Court's jurisdiction, namely the activation of the Court's jurisdiction over the crime of aggression. Ireland recognises that the amendment to the Rome Statute on the crime of aggression, as adopted at the Review Conference in Kampala in 2010, represented a compromise, and we do not wish to re-open that compromise. Ireland hopes that a decision can be taken at this session to activate the Court's jurisdiction over the crime of aggression and we will work towards ensuring that this will happen. We further hope that this decision will be by consensus.

It is important to acknowledge that the Court cannot achieve the goals we have set it on its own. That was never the intention underpinning the Rome Statute. Cooperation from States Parties and from the international community as a whole is key to its success. Ireland urges a renewed commitment to support the Court in its work and for states to respond fully and effectively with requests for assistance from the Court, in particular in relation to arrest warrants. We must explore what more can be done in this regard, as non-cooperation significantly impedes the work of the Court. We also recognise the need for States Parties to provide forms of voluntary co-operation to the Court to enable it to fulfil its functions. Ireland has entered into a voluntary co-operation agreement with the Court. We urge other States Parties in a position to do so to consider entering into such agreements.

Ireland also wishes to highlight the role of the Trust Fund for Victims, which is an integral element of the Rome Statute system. While the ICC is currently responsible for trying cases involving the crime of genocide, war crimes, and crimes against humanity, the Trust Fund's mission is to respond to the harm resulting from those crimes.

The preamble to the Rome Statute recalls the millions of children, women and men who have been victims in the past of unimaginable atrocities resulting from the commission of these crimes. Unfortunately, today, there continue to be many such victims.

The focus of the Trust Fund's critically important work is to deliver tangible reparative value to victims, their families and their communities. The Trust Fund's 2017 report outlines the impressive work being done by the Fund. In particular the Fund has had a very active year in the context of reparations to victims and its workload will significantly increase as further reparations orders are made. It is important to recall that the Trust Fund depends on voluntary contributions for its work, without active support from States Parties, its vital work would stall. Ireland is therefore proud to make a regular, annual contribution to the Trust Fund, which we have increased this year to its highest ever level. This is in recognition of our strong belief that the core mission of international criminal justice (and the ICC) is to ensure accountability and justice for victims of the most unspeakable crimes. Ireland is pleased to announce that we have also enhanced the dynamic of our relationship with the Trust Fund beyond that of donor and recipient. Ireland and the Trust Fund are active partners, and will undertake a joint initiative next year to profile and promote the Trust Fund's work. We firmly believe that delivering on real and effective reparative justice is

critical for the implementation of the Rome Statute and we urge States Parties to consider making new and increased contributions to the Trust Fund in 2018.

Ireland recognises the value of this forum – the Assembly of States Parties – which enables the States Parties to come together to support the Court. Ireland values the widest possible participation and for that reason makes an annual contribution to the Trust Fund for the participation of the least developed countries and other developing countries.

Finally, Ireland reiterates its commitment to the Court. We will continue to work towards strengthening it and ensuring that it can fully and effectively fulfil the mandate that we, the States Parties, have given to it.