

Mr President,

Let me begin by expressing Norway's sincere appreciation to you, Mr President, for the work you have done in preparing for this meeting and for your very capable leadership of the Assembly of States Parties over the past few years. I wish you every success in your future endeavours. We congratulate the newly elected President.

Norway also wishes to congratulate the six candidates who have been elected to serve as judges of the International Criminal Court. The election of judges with high moral character, impartiality and integrity is vital to ensuring a well-functioning Court.

I would also like to express our sincere appreciation to all the officials and staff of the organs of the Court for their tireless efforts in the fight against impunity. Highly qualified and professional leadership is crucial for ensuring the efficiency and independence of the International Criminal Court.

Mr President,

As States Parties to the Rome Statute, we have a common interest in maintaining the Court's strength, effectiveness and independence. Norway is a strong supporter of the ICC as an independent institution that is now an important global actor in the fight against impunity. The ICC plays a vital role in maintaining a robust rules-based international order. Over the last decade, international criminal justice has played a vital part in the international community's response to mass atrocities. Justice and the rule of law are increasingly being seen as prerequisites for lasting peace and stability. Thanks to ICC judgements, justice has been achieved for many victims. We welcome the Prosecutor's continued focus on sexual and gender-based crimes and crimes against children.

Mr President,

Norway commends the work of the Trust Fund for Victims, and welcomes the presentation this year of a draft implementation plan for reparations in the Katanga case. We also note the Trust Fund's work on a draft implementation plan for reparations in the Al Mahdi case, and I am pleased to announce that Norway is ready to provide a voluntary contribution to the Trust Fund for Victims, earmarked for reparations to the victims of the Al Mahdi case.

Mr President,

The Court's geographically diverse and increasing caseload demonstrates its considerable engagement in a broad range of situations and underlines its relevance for victims in all parts

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of the world. Moreover, the growing caseload highlights the importance of ensuring that the Court has sufficient resources to sustain its activities in accordance with the independent mandates of the Prosecutor and the Court.

Mr President,

The question of the activation of the Court's jurisdiction over the crime of aggression is one of the most important issues in the Court's history. Activating the Court's jurisdiction over the crime of aggression would hopefully reinforce the prohibition of the illegal use of force and contribute to the prevention of wars. However, before activation, we would like to see legal clarity on the essential question of how the jurisdiction of the Court will apply to States Parties that have *not* ratified the aggression amendments. It is in the Court's best interest to ensure that the scope of its jurisdiction is clearly defined before any decision is taken to activate the crime of aggression. Lack of legal clarity could prejudice the efficient functioning of the Court. In Norway's view, the Court should not bear the burden of deciding this controversial issue alone.

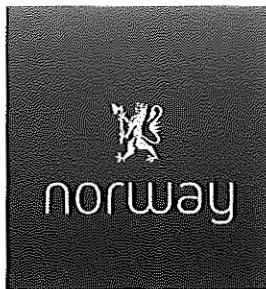
Norway's position is that nationals of a State Party can *only* be subject to the Court's jurisdiction if the State in question has ratified the aggression amendments or if an act of aggression is committed on the territory of a State that has ratified the aggression amendments, in accordance with article 121 (5) of the Rome Statute. We believe that this is the correct legal interpretation. Unfortunately, what we are now seeing is a somewhat divisive process. Our aim should be a consensus-based decision to activate the Court's jurisdiction over the crime of aggression. This has been Norway's position all along.

Mr President,

Norway regrets the withdrawal of a State Party from the Rome Statute. We believe that it is possible – through dialogue – to address any concern that States Parties may have, while respecting the fundamental principles of the Rome Statute.

We commend the achievements of the Working Group on article 97-consultations, and look forward to adopting the guidelines by consensus. The Court can only succeed with the continued cooperation of States Parties and other stakeholders. We urge all states to cooperate fully and effectively with the Court.

As Chair of the Working Group on Amendments, Norway has had the pleasure of facilitating discussions on proposed amendments to the Rome Statute and the Rules of Procedure and Evidence. The Working Group has met regularly during the course of 2017. Norway would like to thank all States Parties for their engagement and constructive contributions.



Mr President,

Let me conclude by reiterating Norway's strong commitment to the mission and mandate of the ICC, namely to end impunity for the most serious crimes of international concern. We look forward to celebrating the 20<sup>th</sup> anniversary of the Rome Statute next year, and to constructive, productive and inclusive discussions on how to improve the effectiveness, impact and universality of the Court at this 16<sup>th</sup> Assembly of States Parties.

Thank you.

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