

**Draft UK statement – ASP General Debate 06 December
2017**

Mr President, Excellencies, Distinguished Delegates.

It is a great privilege to address this Assembly today on behalf of the United Kingdom.

I am grateful to His Excellency President Sidiqi Kaba for leading the work of the Assembly, and to Judge Silvia Fernandez de Gurmendi for leading the work of the Court. It comes as no surprise that work on international criminal accountability faces many challenges, and I thank both President Kaba and President Fernandez for their enduring commitment to navigate the Assembly and Court through this period.

Mr President,

July 2018 will be the twentieth anniversary of the adoption of the Rome Statute. The United Kingdom was a founding member. We believe in the importance of the work of the Court. We have consistently supported the Court in its attempts at delivering justice to victims of the most serious crimes of international concern. The establishment of this permanent Court was a remarkable achievement by the international community and probably one which would be hard to repeat now. But it remains a relatively new institution which continues to mature. The United Kingdom wants it to thrive in order that its worthy aims and high purpose can be achieved. To do so however it must, with the support of States Parties, continue to look for opportunities to improve.

In my intervention today, I should like to focus on three key areas that are important to the future success of the Court.

These are:

- Universality

- Extending the scope of the jurisdiction of the Court to include the crime of aggression; and
- Ensuring that the Court uses efficiently the resources it has been given.

First of all, the United Kingdom believes that, if the ICC is truly to be an international criminal court, its geographic jurisdiction must be universal. The United Kingdom takes every opportunity to encourage non-state parties to sign up to the Rome Statute. It is regrettable that Burundi withdrew as a State Party in October and we note that others have considered doing so. As we approach the twentieth anniversary of the Court, we should however reflect on the concerns expressed by some States Parties; we should engage in honest dialogue about the perceived problems in the way the Court has operated; and try to address legitimate concerns, but only where that is possible without undermining the Rome Statute. In this regard, I welcome the work on consultations between the Court and State Parties on cooperation under Article 97.

Secondly, on extending the scope of the jurisdiction of the Court to include the crime of aggression, the United Kingdom welcomes the detailed discussions on this significant issue over the past 12 months. The United Kingdom is willing to support an activation of the crime of aggression – provided there is clarity that the Court does not have jurisdiction over State Parties that have not ratified the aggression amendments. It is our duty as States Parties to ensure that we are clear on what is being activated. Such clarification by States Parties is also in the best interests of the Court – this is not something that should be passed on to the Court to resolve. During this Sixteenth Session, we look forward to working with all States Parties on this.

Thirdly, the United Kingdom believes both that the Court must both have the resources necessary to do its work and that it must use these resources well. We are one of the seven largest contributors to the Court, and the second largest contributor to

the ICC's Trust Fund for Victims. The ICC must be seen as a credible institution which uses its resources effectively and efficiently. I am encouraged with the Court's work in this area, notably their work on performance indicators and the speeding up of judicial proceedings, but I encourage further work, across all areas of the Court, to advance efficiency and effectiveness.

Finally, the Court must also address public concerns following recent press allegations. Perceptions matter. We look forward to the results of the work of the Independent Oversight Mechanism in this regard.

In conclusion, the United Kingdom remains and will remain a strong advocate for international criminal justice. We are determined that those who commit crimes of the most serious nature must be brought to justice. Our own national criminal justice system is highly effective in meeting our duty to exercise its criminal jurisdiction over those responsible for international crimes. We believe that an effective and well-functioning

International Criminal Court, operating within the Rome Statute system and respecting the principle of complementarity, can have an important role to play in ending impunity.

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