Intervention on behalf of the European Union and its Member States

Plenary session

"Achievements and challenges regarding victims' participation and legal representation 20 years after the adoption of Rome Statute"

at the International Criminal Court

Seventeenth Session of the Assembly of States Parties

The Hague

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CHECK AGAINST DELIVERY -

The EU and its Member States welcome this plenary debate on achievements and challenges regarding victims' participation and legal representation.

The Candidate Countries Serbia and Albania, the country of the Stabilisation and Association Process and potential candidate Bosnia and Herzegovina, and the EFTA country Liechtenstein, member of the European Economic Area, as well as the Republic of Moldova and Georgia, align themselves with this intervention.

By adopting the Rome Statute the world reinforced its historic commitment to ensure the prevention and deterrence of atrocities. Delivering on this promise of justice to victims of crimes under the Rome Statute is both a moral imperative and an essential contribution to peace and security.

The European Union is convinced that peace and justice are in no way contradictory goals. It is our joint responsibility to address both. Not only because peace and justice are mutually reinforcing, as accountability is a cornerstone in restoring the Rule of Law in post conflict countries. But also because victims of armed conflict should never be put in the position of having to choose between peace and justice for crimes committed against them and their families. It is our responsibility to offer them both. The only choices should be those of timing and method.

The European Union highlights the Court's important role for delivering justice to victims of atrocious crimes, giving them a voice by enabling participation in its proceedings, providing assistance to them and awarding reparations.

The Lubanga case, where for the first time in the history of an international criminal court victims participated in proceedings on their own right, without being called as witnesses, was a milestone in the development of victims' rights.

We encourage States Parties and others to continue to support the Court's Trust Fund for Victims so it can fulfil its important mandate. The Trust Fund for Victims has assisted thousands of victims with physical and psychological rehabilitation and material support. Its unique assistance mandate allows for support of victims at an early stage of the Court's proceedings. It is therefore a crucial means of establishing contact with victims and imparting knowledge about the Court's work and proceedings. In recent years, the Court also rendered its first reparation orders in the Lubanga, Katanga and Al Mahdi cases, which now have to be implemented.

We also encourage States Parties to implement the provisions of the Rome Statute relevant to victims, including victims' reparations, through their national legislation. Providing justice to victims and affected communities, who have suffered from atrocity crimes is one of the key principles of the Court's mandate.

The European Union highlights the essential work of civil society organisations and human rights defenders in support to victims' rights. We commit to protect civil society space and respond to threats to human rights defenders, including by strengthening the financial support to frontline human rights defenders. It is important for States Parties to listen to the needs and suggestions voiced by victims' organizations in order to further develop and refine the tools offered by the Rome Statute to meet practical demands.

Furthermore, it is imperative that States Parties and civil society cooperate to counter false narratives and perceptions about the ICC, focussing on the core mandate of the ICC, which is to provide justice to victims.

It is when victims feel powerless, when crimes are met with impunity, that reconciliation is much harder to achieve. The Court may not be perfect. But the way forward for us is to make it stronger.

I thank you.