

**Statement by Petr Válek, Director of International Law Department,  
Ministry of Foreign Affairs of the Czech Republic**

At the Seventeenth Session of the Assembly of States Parties to the Rome  
Statute of the International Criminal Court

(The Hague, 5 - 12 December 2018)

*Check Against Delivery*

Mr. President,

The Czech Republic fully aligns itself with the statement made by Austria on behalf of the European Union and wishes to add a few remarks in its national capacity.

The last year brought the long-awaited event which marked the 20<sup>th</sup> anniversary of the adoption of the Rome Statute: the activation of the jurisdiction of the Court over the crime of aggression. Due to the fact that Czechoslovakia was a victim of two aggressions in the 20<sup>th</sup> century, we firmly believe that this historic step will strengthen the framework established to protect victims from repetition of this crime in the future.

In order to enhance protection from this crime, we also encourage other States Parties that have yet not done so to ratify the amendments on the crime of aggression to the Rome Statute adopted at the Kampala Review Conference in 2010.

Mr. President,

The Czech Republic believes that the role of the Court in the fight against impunity is irreplaceable and we stand ready to support it wherever needed. Reaching universality of the Rome Statute is an important step in order to put an end to impunity for the perpetrators of the most serious crimes of concern to the international community. We note that a withdrawal does not discharge a State from its obligations to cooperate with the Court arising from the Rome Statute while it was a Party to it.

Since the Rome Statute is not yet fully universal, we call on the Security Council of the United Nations to use its referral powers. This should be done in a consistent manner, in order to avoid any situations where committing crimes under international law might go unpunished. We reiterate our call to have the situation in Syria referred to the Court for an impartial and independent investigation into the situation. In this context, we consider the International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Persons Responsible for the Most Serious Crimes under International Law Committed in Syria since March 2011 as a meaningful step towards achieving accountability for crimes committed in Syria.

Nonetheless, we note that a referral of a situation by the Security Council to the Court is just a starting point. The obligation of States to cooperate, stemming from the Rome Statute or the Security Council resolutions 1593 (2005) and 1970 (2011) in country-specific situations, is crucial to be upheld. We are concerned by the lack of cooperation and the inability to execute the outstanding arrest warrants. Full cooperation with the Court is a necessary precondition for effective and efficient Court. In case of Security Council referrals, the effective follow-up by this body is highly needed.

Mr. President,

In conclusion, let me mention that the Czech Republic has consistently supported and thus it contributed this year with the amount of approximately 20.000 EUR to the Court's Trust Fund for Victims.

Thank you, Mr. President.

*Check Against Delivery*