



Statement of the Minister of Justice of Georgia

H.E. Mr. Rati Bregadze

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Introduction

- Madam President, Excellencies, Distinguished Delegates, Ladies and Gentlemen.
- Justice and peace are complementary and mutually reinforcing notions. Justice is a foundation for the lasting peace and the world's first permanent international criminal court (ICC) plays a vital role in this interconnection.
- We fully concur with the belief that with its progressing policies and effective investigations, the ICC guarantees the promotion of peace and ensures the victims' rights to truth, justice and reparation around the globe.
- The ICC by promoting respect for international humanitarian law and human rights, significantly contributes to the prevention of armed conflicts as well as the advancement of post-conflict peacebuilding.
- By bringing perpetrators of the most serious crimes of concern to justice, the Court further contributes to the prevention of such crimes.
- Considering that the whole world is faced with the uncertain and extraordinary era of the COVID-19 pandemic, we commend the Court's remarkable resilience and flexibility in that regard leading to tangible successes.
- As a situation country - Georgia effectively cooperates and supports the Court to enhance its performance and efficiency in various dimensions. Georgia reaffirms its determination to continue fighting impunity and underlines the importance of international community's unity in this process.

ICC and Georgia

- Two decades ago Georgia joined the Rome Statute with the belief in rules-based global order where justice is achieved despite the power of the opposing party.

- 13 years have passed since the 2008 Russia-Georgia war, that targeted Georgian population in a repeated wave of ethnic cleansing and made civilians and military personnel victims of various war crimes.
- In 2016, Pre-Trial Chamber I granted the Prosecutor's request to open an investigation in the situation in Georgia, in relation to crimes against humanity and war crimes within the jurisdiction of the ICC in the context of an international armed conflict between 1 July and 10 October 2008.
- The Government of Georgia continues its commitments to cooperate with the Prosecutor's Office and facilitate ongoing process of the investigation.
- The expectations are high in the Georgian society that the process of the investigation will be completed in a timely manner and justice will be served to the victims.
- In this regard we draw attention to the landmark judgment of the European Court of Human Rights of 21 January 2021 on the case of *GEORGIA v. RUSSIA (II)*.
- In its judgment the European Court established and unequivocally confirmed the fact of Russia's occupation and effective control over Abkhazia and Tskhinvali regions of Georgia, Russia's responsibility during the August 2008 war and ongoing occupation for killing, torture, ill-treatment, and arbitrary detention of Georgian civilians and military personnel; for looting and burning of houses of Georgians, and inhuman treatment of Georgians "targeted as an ethnic group"; as well as Russia's responsibility for the inability of hundreds of thousands of IDPs to return to their homes.
- Those human rights violations established by the European Court, translate into war crimes and crimes against humanity under Rome Statute.
- Hence, we do hope that the aforementioned judgment will be duly considered by the ICC and will further contribute to the process of achieving justice for the victims of 2008 war in Georgia.

Conclusion

- Georgia is dedicated to continue its firm support and effective cooperation with the ICC to ensure that perpetrators of the most heinous crimes committed against the Georgian population will no longer go unpunished as the victims deserve nothing less.
- Considering that the situation of Georgia is the first situation under the investigation of the Court where alleged crimes were committed in the context of inter-state armed conflict taking place in Europe's legal geography, it is under the scrutiny of the whole international community. The states which became parties to the Rome Statute with the hope that justice will finally be served even in the case of non-cooperation from another party, are especially waiting for the final outcome of this investigation. Thus, the present investigation serves as the test for the Court's effectiveness in coping with the challenges irrespective how powerful the other party is.
- Last but not least, this year marks as an exceptionally important for the Court due to the transition process of new judges and the Prosecutor. We are proud that candidate nominated by Georgia, has already commenced his judicial work.
- We would like to extend our gratitude to the judges whose terms came to an end and to the former Prosecutor for their tireless efforts in service of the Court's mandate.
- Georgia wishes success to the new composition of the Court in their vital task to uphold the rule of law and guarantee justice to the victims in Georgia and elsewhere.