

Intervention on behalf of the European Union and its Member States for the plenary session at the 20th Assembly of States Parties to the Rome Statute on 6 December 2021 in the Hague

Madam President,

I am honoured to address the Assembly of States Parties on behalf of the European Union and its Member States.

The Candidate Countries Republic of Albania*, Montenegro*, Republic of North Macedonia*, Republic of Serbia*, the country of the Stabilisation and Association Process and potential candidate Bosnia and Herzegovina, the EFTA countries Republic of Iceland and Kingdom of Norway, members of the European Economic Area, as well as Principality of Andorra, Georgia, Republic of Moldova and Republic of San Marino, align themselves with this statement.

In this capacity, I would like to congratulate the new President of the Assembly, the new President of the Court, the new Prosecutor as well as the judges elected during the last session of the Assembly. We wish them every success and assure them of our steadfast support.

The ICC has faced trying times with resilience, persevering to fulfil its mandate during the pandemic, adjusting to leadership changes and addressing systematic attempts to question its role and legitimacy. New challenges are undoubtedly ahead, and we must be vigilant and ready to support the Court and protect its independence, integrity and mandate.

Madam President,

This is also a time of invaluable opportunities. The ongoing process of review of the Court's functioning gives us the possibility to strengthen the Rome Statute system and make the Court more efficient and effective. We have high expectations for the Review Process and we encourage the ICC and States Parties to continue engaging in the follow-up of the Independent Review and to prioritize, as appropriate, the implementation of its recommendations. It is essential that in this process, the integrity of the Rome Statute is preserved and its core principles are not called into question.

It is of utmost importance to continue promoting good governance and a healthy work culture that ensures inclusion and gender balance. Equitable geographical distribution, representation of the principal legal systems of the world as well as linguistic diversity are also key. This exercise is a collective effort to which the Court, States Parties and the civil society must all contribute.

We also invite the Court to continue improving its outreach and communication, including through dialogue with concerned countries, to effectively promote its mandate and activities as well as to address misperceptions.

Madam President,

As the Court's workload continues to increase, we cannot expect it to deliver high quality international justice without adequate capacities. We therefore urge all States Parties to provide the ICC with the necessary financial resources, and to fulfil their obligation to pay the annual contributions in full and on time. Furthermore, we are very concerned about the high amount of arrears and urge States Parties to pay their outstanding contributions.

We also note with concern the serious challenges that the Court continues to face in relation to its requests for cooperation, including the execution of its outstanding arrest warrants. We therefore call upon all States to ensure full cooperation with the Court, including by granting voluntary cooperation, whenever this is needed. The protection and relocation of victims and witnesses, interim release and the enforcement of sentences are all integral parts of the international criminal procedure, and the relevant burden should be shared equitably among the States Parties including, as appropriate, through voluntary cooperation agreements. The Court also needs increased cooperation in the area of financial investigations and asset recovery.

We should also not forget the victims of atrocity crimes, who are those most affected. While it is impossible to undo their suffering, the Trust Fund for Victims provides reparations and assistance to the victims and their families and may bring them a measure of peace. We call on all States Parties to contribute to the Fund.

Madam President,

Long-lasting peace and sustainable development build on justice. We believe that efforts to promote the universality of the Rome Statute can contribute to criminal accountability and justice. The European Union will continue to

advocate for the universal ratification of the Rome Statute, which remains our long-term goal, and invites all States that have not yet done so to consider joining the ICC to end impunity for the most serious crimes worldwide.

The ICC is at a critical junction that will shape the years ahead. It is our collective responsibility to ensure that the Court has solid basis from which to address future challenges. The EU and its Member States are fully committed to continuing working together with all partners to strengthen international criminal justice and further the work of the ICC.

Victims of atrocity crimes are calling for justice. We have high expectations for the Court to narrow the accountability gap and bring perpetrators to justice, wherever they are.

I thank you.

** Republic of Albania, Montenegro, Republic of North Macedonia and Republic of Serbia continue to be part of the Stabilisation and Association Process.*