



Coalition for the international Criminal Court
General Debate Statement
21st session of the Assembly of States Parties to the Rome Statute
The Hague, Netherlands, 6 December 2022

Your Excellencies, Court officials, colleagues from civil society,

It is an honour to address you as the recently appointed Director of the Secretariat of the Coalition for the ICC (International Criminal Court). The Coalition is the world's largest civil society partnership advancing international justice which for three decades at the ICC and within the broader Rome Statute system.

The Coalition is represented at the 21st session of the Assembly by nearly 400 individuals from civil society organizations from around the world, including from the 17 situations under current investigation by the Office of the Prosecutor. While you will be able to hear from a few of them in this Debate, their voices are many and so I urge to consult our website to read the positions of those who do not fit the time allocated to civil society.

In addition to our voices being many, they are also loud and clear with three very concrete messages that I have the responsibility of delivering today on behalf of all of them.

Resources

First, the Court needs to do more. The occurrence of crimes calls for more investigations and more cases, for more outreach, for better victim participation and for efficient, accessible and fair judicial proceedings. Victims want justice to be made. There is however a disconnect between the needs and the resources available.

The lack of resources has been made evident by the call made by the ICC prosecutor for voluntary contributions. While welcoming the political commitment that voluntary contributions have signalled, the Coalition warns that voluntary contributions are a severe impediment to the optimal functioning of the Court. They bring risks in terms of fund management burden, their use threatens the sustainability of the Court, and if being earmarked or selective they would erode, in effect or in perception, the impartiality and independence of the Court.

Only assessed contributions can benefit all organs, all programmes, all activities, thus all situations that come before the Court and support also forthcoming judicial proceedings expected in 2023. The CICC joins States Parties that have called for sustainable resources in

the regular budget of the Court, and who urge the Assembly to make a connection between the budget and the discourse of a victim-centered Court.

Certainly, an important complement to sustainable and substantial funding is ensuring accountability for its management. The implementation of the recommendations approved under the Review Mechanism, including with involvement of civil society, will be key to enhancing trust in the Court's administration and strategic organization.

Elections

Second, the quality or capacity and moral character of those appointed to serve the Court is central to its legitimacy.

As the Assembly is preparing for a new judicial election at its next session, the Coalition will redouble efforts so that States Parties commit to nominate and elect the most qualified candidates through transparent and merit-based national nomination processes as recommended by the Independent Expert Review Report. Also, the Coalition has and will continue also to strongly oppose reciprocal political agreements or "vote-trading" in ICC elections.

For this 21st session, we call on the Assembly to agree on next steps for developing a safe, transparent, comprehensive, and permanent vetting process for candidates. The credibility of the Court relies on your commitment.

Civic space

Third, we must remember the conditions in which civilian populations in situation countries find themselves, many of which are under ongoing armed violence, displacement and the dire conditions those bring. Within these already complex environments there is also a worrying and exacerbated trend of shrinking space for civil society. In this limiting environment, human rights defenders and activists face aggravated challenges in their efforts to bring justice to victims and for their interaction with the Court.

We welcome the statements made yesterday and today at the General Debate that recognize the work of human rights defenders in advancing accountability.

Madame President, in light of the Bureau mechanisms implemented as part of IER recommendation 169, we invite the Assembly and the Court to engage with the Coalition to advance the necessary policies that enhance the political, legal, and physical protections for human rights defenders in their interactions with the Rome Statute organs.

To continue this urgent conversation I invite you to join us tomorrow Wednesday at a side event to learn more about the challenges that defenders face, their needs, and the role that the ICC, the ASP, and the international community can play in protecting their essential work in advancing justice.

Closing

To build on this point, the Coalition reiterates its appreciation for the unique consultative status we have with the Court and the Assembly of States Parties, which builds on the earlier recognition of civil society in the Final Act of the Rome Conference in 1998.

Looking ahead at 2023, which will coincide with the 25th anniversary of the adoption of the Rome Statute and symbolically of the UN (United Nations) Declaration on Human Rights Defenders, the Coalition stands ready to continue working towards our common objective of universality and implementation, to help strengthen the Court and to protect its integrity and independence and relevance in realizing the Rome Statute promise of ending impunity for perpetrators of the crimes that shock the conscience of humankind.
