

Statement on behalf of the European Union and its Member States for the general debate at the 21st session of the Assembly of States Parties to the Rome Statute of the International Criminal Court on 5 December 2022 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 Moldova, Republic of Serbia and, the country of the Stabilisation and Association Process and potential candidate Bosnia and Herzegovina, and the EFTA country Kingdom of Norway, member of the European Economic Area, as well as Principality of Andorra align themselves with this statement.

In this capacity, I would like to express our thanks to the President of the Assembly, the President of the Court, the Prosecutor and the Deputy Prosecutors and congratulate them on the important work done during the last year. We assure them of our steadfast support.

I would also like to take this opportunity to thank the Registrar Mr Peter Lewis for his time at the ICC and express appreciation for his tireless efforts towards the effective functioning of the Court. We commend his outstanding work.

As we celebrate the 20th anniversary of the entry into force of the Rome Statute, we reiterate our unwavering support for the Court, as an independent and impartial judicial institution. We renew our commitment to the Rome Statute and will uphold, defend and promote its principles and values.

The atrocities that we continue to witness all around the world – and now in Europe as a consequence of Russia's military aggression against Ukraine - must strengthen our determination to end impunity for the most serious crimes of concern to the international community as a whole.

The European Union and its Member States highly value the Court's achievements.

All situations where the most serious crimes of concern to the international community appear to have been committed deserve our utmost attention. Now ongoing investigations cover almost all regions of the world. We are convinced that the ICC, in line with the principle of complementarity, will bring justice to victims everywhere.

We commend progress made in the review of the International Criminal Court and the Rome Statute system. This important work gives us the possibility to strengthen the Rome Statute system and make the Court more efficient and effective. We encourage the ICC and States Parties to continue engaging in the review and prioritization of the assessment of the recommendations of the Independent Experts and to continue considering their implementation, while preserving the integrity of the Rome Statute and respecting the prosecutorial and judicial independence of the Court. We place particular importance on promoting good governance and a healthy work culture that ensures inclusion and gender equality. We underline the importance of equitable geographical distribution as well as representation of the principal legal systems of the world, which all reflect the global nature of the Court. The respect and promotion of multilingualism is also essential both for effective communication and the respect of the right to a fair trial.

Madam President,

The international criminal justice system relies heavily on the cooperation of States. The Rome Statute, in its Chapter IX, imposes obligations for States parties to cooperate with the ICC. We urge all States to lend the necessary assistance to the ICC so that it can carry out its mandate effectively, independently and impartially. Various forms of voluntary cooperation, such as the relocation of witnesses, enforcement of sentences, and interim and final release of detained persons, are also essential to ensure the efficient functioning of the Court.

The increase in the Court's workload requires increased and sustainable resources. In this respect, we are deeply concerned by the high amount of arrears and late payments to the budget, which significantly endangers the work of the ICC.

The Court must be resourced sufficiently and on a sustainable basis in order to achieve the purpose and objectives for which it was established.

We therefore urge all States Parties to provide the ICC with the necessary financial resources, and to fulfil their obligation to pay their annual contributions in full and on time.

This year, following the request of the ICC Prosecutor of 7 March calling for exceptional voluntary contributions, the European Union and its Member States have provided substantial additional, financial and operational, assistance to the OtP, to the benefit of all situations under investigation or in trial.

As the world's first and only permanent international criminal court, the ICC has a vital mandate to hold perpetrators of the most serious crimes to account and to provide justice for victims. The European Union calls on States Parties to contribute to the Trust Fund for Victims, as it plays an essential role in providing justice by ensuring that thousands of victims receive reparations and essential assistance, including physical and psychological rehabilitation and material support.

We also urge States Parties to support and protect human rights defenders and civil society organisations, which relentlessly work to bring justice to victims. Threats and intimidation directed at civil society organizations cooperating with the Court are unacceptable.

Madam President,

We believe that efforts to promote the universality of the Rome Statute can contribute to prevention, criminal accountability and justice. The European Union and its Member States will continue to advocate for the universal ratification and implementation of the Rome Statute through the various means at their disposal and will continue to work with the international community

in a concerted effort to bring constructive and positive attention to the work of the ICC. The European Union urges all countries that have not yet done so to consider acceding to the Rome Statute to end impunity for the most serious crimes worldwide.

It is only by nurturing international law, multilateralism, and cooperation that accountability and justice can be ensured. We owe it to the victims and to their families, to ourselves and to generations to come. We have high expectations for the Court to deliver justice and we believe in the integrity of its work in all situations under investigations.

I thank you.