



Lithuanian Presidency
of the Council of the
European Union 2013

*International Criminal Court
Twelfth Session of the Assembly of States Parties*

General Debate

*Statement by
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The Hague, 20 November 2013

CHECK AGAINST DELIVERY

Statement on behalf of the European Union and its Member States

Madam President, Members of the Assembly, Distinguished delegates,

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

The candidate countries Iceland*, former Yugoslav Republic of Macedonia*, Montenegro* and Serbia*, countries of the Stabilisation and Association Process and potential candidates Albania and Bosnia and Herzegovina, as well as Andorra, Georgia, the Republic of Moldova and Ukraine align themselves with this statement.

In this capacity, I extend our congratulations to all the stakeholders of the Rome Statute.

Madam President,

This year we celebrate the fifteenth anniversary of the Rome Statute of the International Criminal Court, adopted on 17 July 1998.

By adopting the Rome Statute the world reinforced its historic commitment to ensure the prevention and deterrence of atrocities. Delivering on this promise of justice to victims of crimes under the Rome Statute is both a moral imperative and an essential contribution to peace, security and well-being of the world.

In order to achieve these objectives, the Rome Statute states that the Statute shall apply equally to all persons without any distinction based on official capacity. This is a fundamental principle that underpins the Court's work to end impunity for the perpetrators of the most serious crimes.

Today the ICC is the centrepiece of a system of international criminal justice and a powerful tool for ensuring accountability for the most serious crimes of international concern. The European Union and its Member States are strongly committed to preserving the independence of the ICC and integrity of the Rome Statute, as well as to promoting its universality.

Madam President,

It is necessary to further broaden the reach of the ICC and close the loopholes of accountability at the international level. This year's much welcomed 122nd accession by Côte d'Ivoire shows the on-going momentum towards universal ratification of the Rome Statute. The EU and its Member States are committed to continue working actively to promote universal ratification of the Rome Statute and the Agreement on Privileges and Immunities of the Court, in line with the EU Council Decision on the ICC of 2011 and last year's EU Strategic Framework on Human Rights and Democracy.

** Iceland continues to be a member of the EFTA and of the European Economic Area.*

** The former Yugoslav Republic of Macedonia, Montenegro and Serbia continue to be part of the Stabilisation and Association Process.*

Madam President,

We hear the concerns raised, including at the recent extraordinary AU summit. The Rome Statute is an essential achievement in international criminal justice and has been accepted by all States Parties; however, the work and functioning of the ICC is neither beyond scrutiny nor improvement, and we must strengthen dialogue and communication among us all. The ICC is an independent and impartial judicial institution with no political goals to pursue. It is essential that concerns about the Court and its proceedings are presented within the framework of the Rome Statute. We hope that this session of the Assembly will provide a platform for frank, meaningful and constructive dialogue on issues of concern for States Parties.

Countries became parties to the Rome Statute primarily because they wanted their people to have the assurance that justice would be done. International criminal justice is neither owned by any one culture nor driven by any one people. It is not least thanks to African support, in particular through referring situations to the Court, that the Court is working for a large number of victims who seek justice. International criminal justice is an essentially human ideal shared by all peoples and nations and that is why the International Criminal Court has been embraced across all continents. It should also be noted that the ICC provides legal aid for the victims, who would not otherwise be able to achieve justice.

Madam President,

While the ICC has developed into a key instrument in combatting impunity, preventing future crimes and promoting international order based on the rule of law, the States must develop their domestic capacity to hold accountable those responsible for the most serious international crimes and to prevent impunity gaps. The ICC should be the court of last resort, complementing national jurisdictions. Successful implementation of this complementarity principle requires both political will and capacity. States need to be willing and able to fight impunity for the most serious crimes, including by strengthening inter-state cooperation in that field.

The EU and its Member States are committed to promoting the implementation of the Rome Statute. For that purpose EU Member States exchange information on their experience and best practice regarding the implementation of this legislation on a regular basis; the EU and its Member States also take initiatives to promote the implementation of the principle of complementarity outside our borders. To this end, earlier this year, the European Commission and the European External Action Service adopted an internal Joint Staff Working Document on Advancing the Principle of Complementarity, which aims at bridging the gap between national and international justice.

The Court's success depends crucially on the States' cooperation and political support. Without cooperation the ICC cannot fulfill its mandate and the Rome Statute system risks collapse. The EU and its Member States will continue to support the ICC and to emphasize the importance of its role when national courts are unwilling or unable to deliver justice. We will also continue to support the efforts of the Trust Fund for Victims of the ICC in bringing justice to victims and affected communities. To this end we encourage all States to contribute to the Trust Fund.

Madame President,

In conclusion, the EU and its Member States believe that the ICC together with national jurisdictions continue to play a vital role in achieving justice for the victims of the most appalling crimes.

Thank you.
