

INTERNATIONAL CRIMINAL COURT
TWELTH SESSION OF THE ASSEMBLY OF STATES PARTIES

GENERAL DEBATE

Statement by

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Madam President
Distinguished Delegates

It is with great honour that we address today the Twelfth Session of the Assembly of States Parties to the Rome Statute.

Portugal fully shares the views expressed by Lithuania on behalf of the European Union and its Member States. Allow me now to underline some particular aspects of relevance to my country.

The adoption of the Rome Statute in 1998 was a crucial step against the impunity of perpetrators and the creation of safe havens for them.

The Rome Statute was the result of a long evolutionary process. At same time, it was also the beginning of a new era in the protection and promotion of fundamental rights of individuals and communities and in the fostering of peace. Therefore, to rejoice about the anniversary of the Rome Statute is at the same time to celebrate the ideas, principles and values that constitute its foundations.

Madam President,
Countering impunity by the ICC has a deterrent effect at domestic, regional and international levels and has become a fundamental tool to prevent further perpetrations of serious crimes. Since the ICC has a complementary nature, it is always important to keep in mind criminal jurisdiction over those responsible for such crimes primarily starts and lays with States and their national jurisdictions.

Madam President,
Portugal acknowledges with satisfaction that, during its eleven years of existence, the ICC has been pursuing with determination the goals initially set forth as a pillar of the multilateral world system.

Nevertheless, the ICC has still a difficult road ahead to fulfill all its potential. The cooperation of States with the Court is essential. We, the States Parties to the Rome Statute, have pledged our commitment to the work of the ICC and to its goals. Our most valuable contribution is our cooperation.

Moreover, Portugal would also like to acknowledge the importance of civil society organizations in helping the Court pursuing justice. Peace and justice strive better with civil society joining hands in a collective effort to prevent serious crimes, to seek justice and redress for victims.

The individual and human dignity should lie at the very heart of the international society; human rights have to be the cornerstone of international social relations. Too often women, men and children are not spared from the effects of generalized violence and are still targeted by the different parties to a conflict. These flagrant violations of international law fuel further violence and conflict. They are unacceptable wherever they take place and whoever is the responsible.

Today, however, there are encouraging examples of the centrality conferred to the human-being and the responsibility to protect the individual. International criminal justice, in particular its ultimate representation – the ICC –, is an immense contribution to that normative trend.

Victims and affected communities by large scale violence look at the Court with hope. Victims turn to the ICC to put an end to their immense suffering and to help them to reconstruct their lives within their communities. Victims' protection and participation, as well as their right to reparation and to truth are thus central to the activity of the ICC and to peace processes.

That is also why States have to help the Court in fulfilling its functions: to assure that the rights of the victims prevail.

Madam President,

Portugal strongly supports the ICC as a fully independent judicial institution and will contribute to preserve the integrity and universality of the Rome Statute.

Portugal has attentively listened to the concerns recently raised by African States concerning the ICC and its proceedings. We see them as new challenges that will be overcome and that we hope, in the end, will strengthen the Court. Therefore, it is essential that these concerns be discussed within the framework of the Assembly of State Parties. It is our wish that we may have fruitful discussions during this session. A frank dialog on this issue is important and Portugal believes that a way to overcome this challenge can be found here, in this Assembly of State Parties through the rules of procedure without weakening the Court's role towards the fight against impunity and the ideals that lie at its very foundation.

Madam President,

Humanity has witnessed too much large scale violence, suffering and destruction. Since long ago, the World is saying "never again" voicing for lasting peace and justice. Large scale violence is an anomaly with horrific consequences. Removing the causes of violence, fighting impunity and reaffirming core values and principles that underpin the idea of human dignity are crucial to our common future. Much is being done. And there is no doubt that the Court has a core role in this historical mission.

States Parties, together with the ICC, must continue striving to reach these goals and contribute to bringing to justice the perpetrators of the most serious crimes of concern to the international community as a whole.

In concluding, Portugal would like to reiterate his full support to the ICC in steadily pursuing its difficult but essential mission: preventing international law violations, countering impunity, ensuring accountability, providing reparation and enabling reconciliation. We owe it to the victims and to the coming generations.

Thank you, Madam President