



SLOVAKIA

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STATEMENT

by

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of Slovakia to the Kingdom of the Netherlands**

**12th Session of the Assembly of States Parties to the Rome Statute
of the International Criminal Court**

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The Hague**

Madam President,
Excellencies,
Ladies and Gentlemen,

At first, let me express the most sincere gratitude and congratulations to the President of the Assembly of States Parties for excellent work done since the last ASP session. Your enthusiasm, personal engagement and all your endeavours, Madam President, have considerably contributed to the wide promotion of the ICC, its aims and values on which Rome Statute is based. Slovakia would also like to express its appreciation to the Hague and New York Working Groups for substantive work done during the last year and to the ASP Secretariat for its irreplaceable logistical and administrative support.

Madam President,

At the outset, I would like to align myself with the statement presented earlier by the distinguished representative of Lithuania on behalf of the European Union.

Slovakia is deeply committed to the fight against impunity for the most serious international crimes with the aim to ensure that their perpetrators are unconditionally and without exception brought to justice. Therefore, my country fully supports the International Criminal Court and its main objective to assist international community in difficult task of closing the impunity gap for the most heinous international crimes. We should always bear in mind that the primary responsibility to exercise jurisdiction over alleged criminals lies within national legal systems and the ICC remains exclusively a “Court of last resort”. However, the system of complementarity can fully work only if States ratify or accede to the Rome Statute and implement it fully at domestic level.

Slovakia considers cooperation of States Parties with the ICC a necessary precondition for overall effectiveness of the Court’s work. Cooperating with the Court by providing it with all the necessary assistance is indispensable for strengthening the principles upon which it was established. In this context, I would like to express that Slovakia fully supports and cosponsors the joint statement on the initiative to open negotiations on a new multilateral treaty on mutual legal assistance and extradition concerning the crime of genocide, war crimes, and crimes against humanity. The treaty would complement the system of the Rome

Statute in providing modern international procedural framework to investigate and prosecute perpetrators of the most serious crimes under international law.

Madam President,

In today's turbulent political environment resulting in numerous legal challenges, we, the States Parties, have to join our efforts to keep the Court viable and successful project of international criminal justice. We appeal on all States to refrain from any steps which could undermine the integrity and universality of the system of international criminal justice built in Rome 15 years ago. The ICC is a judicial body and we have to do everything to secure its independence and impartiality against any attempts of political interference. In providing the Court with higher flexibility with the aim to improve its effectiveness we have to stay firmly committed to its core values.

One of the greatest innovations the Rome Statute has developed is number of procedural rights guaranteed to victims. For the first time in the history of international criminal justice victims have the possibility to present their views and observations before the Court. The balance between restorative and retributive justice approach has a powerful potential to enable the victims to rebuild their lives. We owe this to all victims.

The issue of protection of witnesses is of the utmost importance. Only effective protection of witnesses is capable to secure objective and successful investigations and prosecutions of the crimes falling within the ICC jurisdiction. The witnesses who appear before the Court and might be therefore at risk should be provided with adequate protective and security measures and the Court should utilize all measures available for their protection. We strongly condemn any attempts to put unacceptable pressure on witnesses with the aim to influence their testimonies before the Court.

Apart from legal and procedural matters international criminal justice has got its budgetary dimension as well. During current session the ASP has to decide about next year budget for ICC. Thorough consideration preceded its presentation gives us assurance that striking the balance between prudential approach aimed to cost effective operation of the ICC and reasonable expectations related to the outcome of its judiciary work is possible. All we live in real world and therefore moderation should lead our consideration during forthcoming

discussion about this issue. Having said that I would like to inform you that Slovakia belongs to States Parties which decided to respond in a prompt way to expectations related to the construction of new premises of the Court. The full payment of Slovakia's contribution last year is a clear signal of our responsibility and willingness to take our portion of the financial burden of the smooth operation of the ICC.

Madam President,

Slovakia belongs to strong supporters of the Kampala amendments adopted at the Review Conference in Uganda in 2010. The amendment on the crime of aggression created a new mechanism to enforce one of the most important rules of international law anchored in the United Nations Charter, the prohibition of the illegal use of force of one state against another. The promotion of peace through criminal justice has gained new momentum thanks to approved definition of the crime of aggression and the conditions for the exercise of jurisdiction of the ICC over this crime. Coming now to Slovakia, let me inform you that the ratification of both Kampala amendments belongs to our priorities. The national ratification procedure is already underway with perspective of its completion in 2014.

In conclusion, let me one more time express Slovakia's on-going commitment to the international criminal justice and to the work and role of the International Criminal Court.

Thank you.