



**REPUBLIC OF POLAND**  
**PERMANENT MISSION TO THE UNITED NATIONS**

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**Thirteenth session of the Assembly of States Parties to the Rome Statute**

*GENERAL DEBATE*

*S T A T E M E N T*

*BY*

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**Mr. President, Excellencies, Distinguished Delegates,**

1. On behalf of my country, let me start with expressing acknowledgement and gratitude to H.E. Ambassador Tina Intelmann for her excellent work as President of the Assembly of States Parties to the Rome Statute. At the same time I welcome the appointment of Minister Sidiki Kaba as her successor. The new Assembly President is faced with immense expectations and tasks. But I have every confidence that Minister Kaba will deal with them excellently. We also owe a deep debt of gratitude to Judge Sang-Hyun Song, who has been superbly administering the Court's work as its President.
2. Poland aligns itself wholly with the EU statement. The Polish delegation would nevertheless like to underline and discuss certain matters it considers to be of utmost importance.
3. Poland entirely supports the paramount mission that has been assigned to the Rome Statute justice system and hence proposed Professor Piotr Hofmański for the seat of a judge of the International Criminal Court. We are delighted he has gained the trust and appreciation of the States Parties. I am positive that his profound legal knowledge and vast practical judicial experience will contribute to the effective functioning of the Court.
4. The effectiveness of the Court's endeavors depends greatly on the universality of the Rome Statute. Poland, as an active representative of the international community, believes that this idea should be advocated by any means possible, precisely as has been stated in the EU statement. Along with the general promotion of the Rome Statute, ratification campaigns should constitute an essential priority as we are facing the challenging situation, where over 70 states have not yet ratified the Statute.
5. Ratifications are not the only serious challenge to us. The other one is that the ICC has always been, and most probably will continue to be, dealing with cases of non-member States being involved in its investigations. Because of this uneasy element, it is crucial to establish a global unity with regard to the values protected by the Court. Thus the States, which have already signed and ratified the Statute, have an important role to play in making them known and accepted in the world. Poland acknowledges its possible contribution to the effectiveness of the ICC's actions. It stresses the need for supporting the struggle against obstruction of justice, primarily in cases of signatory states refusing to transfer wanted perpetrators of international crimes, thus allowing them to escape legal liability.

Full cooperation with the Court is vital for the process of delivering universal justice and applies to both the State Parties and non-State Parties upon the UN Security Council's referral of a situation to the Court in accordance with Chapter VII of the UN Charter.

6. Special attention should also be devoted to instances of the Security Council acting under Chapter VII of the UN Charter and referring a situation to the International Criminal Court. In this context Poland firmly believes that the Council should enforce the cooperation of the states concerned should they fail to comply with their obligations. We support the establishing of a mechanism aiming to implement the Council's referrals to the ICC by entrusting the Informal Working Group of the Security Council on International Tribunals with the relevant task. Such a solution would constitute a very significant aid for the presently functioning mechanisms of international justice.
7. Increased awareness and understanding must also be present in our minds when looking at Africa. Our African partners' cooperation with the Court should be encouraged and advocated persistently, as it is crucial for the aim of universality of the Rome Statute to overcome the resentment many African States have towards the Court. Solidarity and strong bonds between States Parties must be nurtured in order to deliver complete and effective international justice in this part of the world.
8. Poland endorses initiatives that aim to protect peace and security in regions and states struggling with crisis situations. Alertness and sensibility to countries such as Syria, where hundreds of thousands of lives and homes have been ruined, are crucial for our efforts to make the world a safer place. We must also help the neighboring nations encountering the problem of millions of refugees seeking shelter, which only contributes to the already growing massive humanitarian crisis. An active demeanor of the Court is essential in achieving the goals of the Rome Statute.
9. Poland recognizes and underlines the significance of global cooperation in our struggle against impunity, with the International Criminal Court as the central institution serving justice. Because of this, Poland has always supported the Court's missions in various ways, for instance through being one of the 20 states that have contributed to the Trust Fund for Victims and – most recently – by binding itself by the Kampala Amendments to the Rome Statute. Poland also wants to embrace the Witness Protection and Relocation Agreement and we vigorously encourage other states to follow suit.

Poland is also an active participant of the Informal Ministerial Network on matters related to the ICC. The Network is flourishing under Liechtenstein's leadership and is a splendid example of how to display the strength of unity among States Parties. We believe that in the present adverse political climate, partaking in such supportive initiatives is essential for the practical effectiveness of the ICC's endeavors in the battle against the impunity of individuals responsible for the most serious crimes, and against the states allowing or endorsing such actions in any way.

10. We would also like to emphasize the gravity of ensuring that the International Criminal Court is able to carry out its mandate to the fullest extent. I am referring here to troubling instances of non-cooperation. Poland believes that such cases should be politically stigmatized and all possible diplomatic measures should be undertaken to enhance collaboration between States Parties and the Court in order to safeguard the universal implementation of the Court's decisions. This global applicability should be looked at as a foundation for our on-going fight against impunity.
11. I also believe that the possible issue of extending the jurisdiction of the African Court of Justice and Human Rights on individuals' cases requires a brief commentary. As we are all aware, the establishment of such an extensively operating judicial organ would mean that the jurisdictions of the ICC and the African Court would likely interfere with each other. Moreover, doubts and concerns have recently been vocalized in international community about possible deficiencies in cooperation between the ICC and the African Court. Poland nevertheless would like to state that this matter must be thoroughly discussed. We should work together with our African partners in order to establish such relations between the two courts which will allow the international justice system to benefit from their parallel functioning.

I strongly believe this is possible.