



EMBASSY OF COSTA RICA  
TO THE KINGDOM OF THE NETHERLANDS

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**Statement of Costa Rica in the General Debate  
XIV Assembly of States Parties to the Rome Statute**  
Ambassador Sergio Ugalde

The Hague, 19 November 2015

(Check against delivery)

Mr. President,

My delegation wishes to reiterate its absolute support to the Court, in particular to President Silvia Fernández de Gurmendi, to the Prosecutor Madame Fatou Bensouda, and to the Registry. Costa Rica is convinced that the true commitment of States Parties with the Rome Statute and with the Court, is demonstrated through incontestable actions, their respect to its jurisdiction and to fully grant the necessary cooperation the Court needs in order to be able to fulfill its mandate. States should ensure that the integrity and independence of the Court is fully respected, avoiding to interfere in issues that fall within its exclusive mandate.

States' first obligation is to comply with the Court's orders. We should also ensure that cooperation brings victims the justice that they claim and deserve. We cannot allow that every day children, women and men continue to be victims of unimaginable atrocities that deeply shock the conscience of humanity. After all, victims and their right to justice was the reason for the establishment of the Court, and the reason why we should support it.

Every democratic institution should always be accountable, be transparent and be open to examination. In this regard we support that the Court be evaluated and observed, something the Court itself promotes. However, we have perceived with concern how the Court has suffered indirect attacks to its integrity, purpose and object, with the aim to diminish it, therefore limiting the scope of its investigational and jurisdictional powers, all in the name of good governance and with the intention of weakening the obligations established in the Rome Statute.

With regard to States Parties obligations with the Court, I wish to recall the words of the Minister of Foreign Affairs of Costa Rica at the opening ceremony of the regional seminar on cooperation we had the honor to host last July: Costa Rica recognizes that more should be done to achieve a real universality of the Rome Statute, so that we can not only avoid impunity of crimes committed in developing countries, but also of those that are committed by any State, regardless of its level of development or its geographical location. We must fight impunity, with or without the Statute, as it is a universal responsibility we all have with our people.

Costa Rica reiterates the importance of continuing to promote the universality of the Rome Statute, and in this respect my country welcomes Palestine as a new State Party. We also consider necessary to make every effort in order to achieve full universality, and note that it is wrong to blame the Court for not being able to undertake universal action as a result of a deliberate policy, leveled against certain countries. That is not the case, and that must be stressed.

This occasion is appropriate to urge States Parties who have not yet done so, to ratify the Kampala amendments to Article 8, as well as to issues related to the crime of aggression. Costa Rica deposited its instrument of ratification last January, and we hope that soon the 30 ratifications required for the entry into force are reached.

Mr. President,

It is true that our countries and societies live intense economic challenges that require for extraordinary efforts of governments and communities. Even in these circumstances, we must work to strengthen the institutions of international law and the fight against impunity. My country believes that the proposal made by the Committee on Budget and Finance, recommending a 7% increase to the budget of the Court, is the minimum we must all support, considering that 6.5% of this increase is the unavoidable consequence of the unified system and the inflationary increases. In fact, the budget of the Court would only increase by 0.5% in real terms.

My country, as a Member of the Bureau, has acknowledged that after more than a decade of the establishment of the Court, and provided that no political tactical objectives are involved, it requires to continue its self-assessment in order to become more dynamic, more effective and more universal. These necessary and expected transformations will allow us to better face the new challenges and achieve a strengthened ICC.

My country takes note and is grateful for all the efforts carried out by the facilitators of the different working groups, who have presented reports on advances or specific proposals on issues as diverse as cooperation, finances, working methods, universality, amendments, gender and geographical balance, amongst others. The results of their work show that it is necessary to undertake a responsible review of the working methods of the ASP, in such a way that only the truly needed facilitations are kept, and that their recommendations can be effectively implemented and that said recommendations result in a saving of time and resources.

Mister President,

I wish to convey my Delegation's gratitude to the Secretariat and to you for the efficient handling of our works, wishing us all success in reaching the goals of this Assembly.

Thank you.