

Statement by the Netherlands, General Debate of the Assembly of States Parties, International Criminal Court, 5 December 2018

I align myself with the statement made on behalf of the European Union and its member states.

Mr. president, your excellencies, ladies and gentlemen,

'When spider webs unite, they can tie up a lion'. This is an Ethiopian expression, meaning we can achieve much more together than on our own. We can see this Assembly of States Parties as a manifestation of our combined strength.

The Rome Statute, the founding treaty of the International Criminal Court, was signed just 20 years ago. We all know that a lot has been achieved since then. But there is still a lot of work to do, so we cannot afford to rest on our laurels. Our shared goal of more justice in the world is simply too important.

The Netherlands is very grateful for the excellent work and leadership of Judge Kwon during his first year as President of the Assembly of States Parties. I'd like to assure him that the Netherlands, as the ICC's host country, will continue to support him in his crucial role.

For the Netherlands, and for me as Minister of Justice, the International Criminal Court is a cornerstone of the international rule of law.

We must remain vigilant and ask ourselves how we can continue strengthening the Court. The fight against impunity is becoming more pressing each day. We must shoulder our responsibilities and vigorously support the Court, both politically and financially.

I'd like to address three key concepts on behalf of the Dutch government: complementarity, cooperation and – last but not least – universality.

As we all know, the ICC was founded on the principle of **complementarity**: primary responsibility for the investigation and prosecution of all crimes lies with states themselves. Ideally, the ICC should serve only as a watchdog.

For this reason, the Netherlands, Argentina, Belgium, Mongolia, Senegal and Slovenia continue to call on all states to join our initiative for a new Multilateral Treaty on Mutual Legal Assistance and Extradition for the Domestic Prosecution of the Most Serious International Crimes.

60 states have already expressed support for this initiative and we encourage others to join us in this process, so that all states can fulfil their obligations and help to end impunity.

Last month we published a zero draft of the treaty. And we will be hosting a second preparatory conference in the Netherlands next March, in the run-up to formal treaty negotiations.

The International Criminal Court relies heavily on us, the States Parties, for the arrest and surrender of suspects. But currently 15 arrest warrants are still outstanding. This is cause for concern for us all, but especially for the victims.

The Netherlands therefore urges all states to meet their obligations and **cooperate** fully with the Court in this matter.

Ladies and gentlemen, this year we are celebrating the 20th anniversary of the Rome Statute. The State Parties, international organisations and civil society organisations have done so much to honour the Court's achievements and advocate for global support.

And the world's support – through universal ratification of the Rome Statute – is necessary in order for the Court to exercise its mandate more effectively.

Definitive versie

We therefore call on states that have not yet done so, to sign and ratify the Rome Statute. We also ask the states that have announced their withdrawal to reconsider their decision.

Because the Netherlands strongly believes that we should continue to strive for **universality**, particularly in this commemorative year and beyond.

Thank you.