

Statement of the Republic of Costa Rica
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Embassy of Costa Rica to the Kingdom of The Netherlands
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Mr. President of the Assembly

Your Excellencies, Distinguished Delegates,

I am honored to address the Assembly of States Parties on behalf of the Republic of Costa Rica and would like to take this opportunity to express my country's gratitude towards President O-Gon Kwon, by recognizing his committed work to further advance the objectives of the Rome Statute. You can count on the decisive support of our Delegation in your endeavors.

Two decades ago, we proudly concluded the negotiations of the Rome Statute, thereby agreeing on the creation of a Court that came to fill a void in the structure of the International Criminal Justice System.

However, 2019 has been a particularly difficult year due to the unprecedented political attacks against the Court. We regret the hostility and intimidation against the tireless efforts of the Court's officials and the system that aims to bring justice to children, women and men, victims of unimaginable atrocities.

Today, once again, Costa Rica reiterates its unconditional commitment to the system, its judicial and prosecutorial independence, and calls for the continuation of a joint reflection on the way forward.

In this regard, our delegation favors the launching of an Independent Expert Review, which, in an inclusive, transparent, objective and professional manner, will identify areas of improvement to strengthen the global fight against impunity as well as providing justice and proper reparation to victims. We welcome the current debate, which enlightens our efforts to bolster the Court for decades to come.

Mr. President,

One of the major challenges of the Court is achieving effective cooperation. We must bear in mind that the lack of cooperation not only prevents prosecuting perpetrators, but also is an obstacle to giving victims the protection and justice they claim and deserve. Aware of this duty of cooperation with the ICC, the Costa Rican Congress approved Law 9570 for the

“Promotion of Judicial Cooperation and Assistance with the International Criminal Court”, which came into force last February. In this context, in July we gladly welcomed a mission from the Registry in order to strengthen the relationship with our national institutions to effectively implement the assistance requests from the Court.

Many of the challenges mentioned by previous delegations cannot hamper our efforts to promote the universality of the Rome Statute, and in this regard we welcome the recent accession of the Republic of Kiribati. The ICC remains the only permanent international criminal court, called to set the highest bar and lead the international community as the best example of a responsible, independent, professional and universal judicial body. Costa Rica will continue to promote the values and benefits of the Rome Statute in a firm, consistent and respectful manner.

With respect to complementarity, our delegation underlines that the ICC is a court of last resort, and the responsibility to investigate and prosecute crimes committed under its jurisdiction, falls primarily, under the judicial system of every State. We respectfully urge all Member States to enhance their national legal systems accordingly.

Mr. President,

We are approaching important changes in the Court. In 2020, the Prosecutor and six judges will be elected. In this regard, Costa Rica wishes to highlight the importance of consolidating a robust system for the nomination and election of judges, which not only guarantees the capacity and knowledge of the candidates, but also recognizes their leadership and commitment to the mission of the Court, particularly the fiduciary role they have, and consequently, their duty of fidelity and care for the interests of the Court.

The Rome Statute confers a central role to victims and their right to reparations. We commend the Trust Fund for Victims and the double function it has been fulfilling, both for reparation and for assistance. As for the first, we understand that collective, but also individual reparations are made, and in this last aspect we are very pleased that a mechanism for the identification of the beneficiaries has been designed. Similarly, medical assistance activities for victims of sexual violence and psychological rehabilitation for those who have suffered trauma such as mutilations, amputations or burns deserve to be highlighted. This is a reflection of the importance and the role of the existence of the ICC, not only in the application of International Criminal Law, but also for the victims of the most atrocious crimes.

Finally, Costa Rica recognizes the hard work of the Secretariat of the Assembly, the facilitators and focal points, whose contribution to the management of the Court is outstanding.

Thank you very much!