

Mr. President,

It is a great honour to address this Assembly today on behalf of Denmark. We align ourselves fully with the statement made by Finland on behalf of the European Union; a statement that underscores the strong and unwavering support of the EU to the ICC.

Let me highlight a few points of particular importance to Denmark.

Before I go on Mr. President, let me first recognize the recent accession to the Statute by Kiribati. This is very positive news for our common fight against impunity. I welcome Kiribati in our midst.

Mr. President,

Not long ago we celebrated the first 20 years of the Rome Statute. A period marked by progress and achievement. The establishment of the Court, the first trials and convictions, the development of jurisprudence. But the ICC is still a young institution, and many issues related to creating an international judicial system based on different legal systems and cultures need to be resolved. Inherent challenges in establishing fully consistent jurisprudence and legal doctrine. Clarity on evidentiary thresholds and other legal parameters for trials. Efficient conduct of high-impact investigations and prosecutions in a transparent and predictable manner. These challenges are natural, in particular for an organization that has developed rapidly in a volatile environment.

Mr. President,

The structure of the Court presents its own set of governance-related challenges. Efforts must be made to maintain strong management and governance across the organs of the Court. Streamlined decision-making procedures, delegated authority and cooperation across organs is a priority. A strong sense of common purpose – Court-wide – must underpin such efforts, and is essential for effective leadership. Independence and cooperation are reinforcing concepts.

We States Parties must recognize that the cooperation required from us for the Court to be successful is not as forthcoming as we would like. Implementation of arrest warrants, financial investigations and voluntary cooperation agreements are some of the areas where States Parties can and should do more. This also applies to our own working methods, organization of work and the management oversight we provide.

A last set of challenges is presented by the external pressures and threats against the Court. We have recently seen some worrying examples of this, but this is not the first time. Such approaches must only harden our resolve to strengthen the Court.

Mr. President,

We must face these challenges today to ensure that we still have a strong Court tomorrow. Denmark has been honoured to participate actively in initiating a review process with this specific aim. Our Ambassador here in the Hague, Ambassador Horslund, has together with [you], President Kwon, and vice-president, Ambassador Mlynar, worked diligently to facilitate a process that has been as transparent and inclusive as possible.

We believe that a process consisting of two tracks – a targeted independent expert review as one track and the other being States Parties working together with the Court on more political issues – is the right approach. Lean, efficient and results oriented. We want to make progress where we can, when we can. While this is overall a state-driven process, it must be a joint endeavor between the States Parties and the Court, each respecting and understanding the others mandate and concerns. Independence and accountability must go hand in hand.

It is encouraging to see the convergence of views on the necessity of reviewing and strengthening the Court and the Rome Statute System. We are in fact already seeing results. Important work has been undertaken in New York with respect to nomination and election of judges. Likewise, the Court has made a number of efforts. I would note here the introduction of timelines for judicial decisions, standardized templates for drafting judgements and training for newly elected judges. The registry has embarked on a new strategic course and the OTP has also issued a new strategic plan. I would in addition note that all the cases prosecuted under the new strategic approach of the OTP have so far been successful. We welcome these developments, and stress the need to continue in this direction.

Mr. President,

The fact that there is not always agreement on substance concerning the many different issues under the heading of "review" is natural and to be expected. However, we hope – and believe – that this ASP will provide a clear road map for the work ahead. We need a solid platform as we approach next year's changes in leadership positions in the Assembly and the Court. Moreover, while the Court must be provided with the necessary resources and political support it needs –

and Denmark is ready to do that - States Parties must have full confidence in the effective and efficient administration of justice.

Mr. President,

It has been said that reform is a state of mind. It is vital that we build and reinforce this progressive mindset among all of us. We owe it to the victims, past and present, to persevere in the fight against impunity and for justice and accountability.

I thank you Mr. President.