

ICRC Statement
**Eighteenth Session of the Assembly of States Parties to the Rome Statute of
the International Criminal Court**

70th anniversary of the GC
The Hague, December 2019

Mr. President,

The International Committee of the Red Cross (ICRC) is once again grateful for the opportunity to address the Assembly of States Parties to the Statute of the International Criminal Court (ICC).

This year has marked the 70th anniversary of the Geneva Conventions. This anniversary is an opportunity to reflect both on what has been achieved since the adoption of these Conventions shortly after the end of the Second World War, as well as on the remaining challenges to ensure the highest level of protection for the victims of armed conflicts.

Adequately preventing the most serious violations of international humanitarian law (IHL) and fighting the impunity of perpetrators represent without any doubt two crucial aspects of that protection.

Within the strict limitations dictated by its purely humanitarian mandate, the ICRC has long supported the efforts of the international community to establish relevant mechanisms and processes to ensure better respect for IHL, including through the work of judicial authorities. It continues to do so by training national judges and prosecutors on IHL and by encouraging States to implement the required legislation so that impunity for international crimes can be fought at the domestic level, or by supporting the trend towards the internationalization of individual responsibility for genocide, war crimes and crimes against humanity through principled judicial mechanisms such as the ICC.

Victims of mass atrocities during armed conflict deserve protection, respect and justice.

The principle of universal jurisdiction, which is enshrined in the Geneva Conventions, combined with the principle of complementarity around which the ICC Statute's system is based, is in theory the most comprehensive way to ensure accountability for alleged perpetrators of such crimes. As with many other areas of IHL, it is the responsibility of States to make this system work.

Consequently, the ICRC welcomes the ongoing growing number of States that have enacted appropriate domestic legislation to that effect as well as the growing number of investigations and prosecutions, both at national and at the international level. It also welcomes all initiatives the ambitions of which are to allow the ICC to continue to deliver on its State-given mandate for the benefit of victims of armed conflicts. Such initiatives are not limited to ongoing efforts to achieve universality of the Rome Statute or to the allocation of the necessary resources to the Court, which are crucial; it also includes – among many others – those efforts that tend to abolish some unjustified discrepancies between the criminalization of serious violations of IHL between situations of international and non-international armed conflicts.

Finally, the ICRC wishes to once again invite States to consider how to best support the work of the Court, including with the aim of finding sustainable solutions to long-standing issues related to the organization of family visits for indigent detainees, to the situation of detainees experiencing long periods of remand detention and to the relocation, resettlement and

protection of acquitted individuals. The ICRC welcomes therefore the initiative of both the Registry and States Parties who convened side meetings on these specific topics.

Mr. President,

Respect for the Geneva Conventions, together with wider IHL, has saved countless lives and reduced suffering across hundreds of armed conflicts over the last 70 years.

However, tragic examples from ongoing conflicts around the world are a constant reminder that while the Geneva Conventions and their additional protocols remain unquestionably as relevant today as when they were adopted, their implementation is not a given. It requires commitment and dedication. Ensuring that international crimes do not go unpunished plays a central role in the protection of victims of armed conflicts and is an integral part of that effort. It is not only a legal obligation, it is a moral imperative.

The ICRC will consequently continue to participate actively in the work of the Assembly of State Parties to the ICC and remains available to support the Court, this Assembly and States in their efforts to build an effective system against impunity.

Thank you.