



S L O V A K I A

STATEMENT

by

H. E. Michal MLYNÁR

Ambassador

Permanent Representative of the Slovak Republic to the United Nations

**18th Session of the Assembly of States Parties to the Rome Statute of the
International Criminal Court**

General debate

The Hague, 2 December 2019

check against delivery

Mr. President,

My delegation fully aligns itself with the statement made by Finland on behalf of the European Union. I have the honour to address the Assembly with further observations from our national perspective.

This year has been truly challenging for the Rome Statute system from various perspectives. Purported threats against the Court and its officials materialized without any certainty that the applied measures do not aggravate in the nearest future. Such measures or even their threats are unacceptable. In this context, Slovakia reiterates its firm commitment to uphold and defend the principles and values enshrined in the Rome Statute and to preserve its integrity undeterred by any threats against the Court, its officials or those cooperating with it.

Slovakia took due note of decisions issued by the Court this year. Its jurisprudence has a great potential to further develop and clarify questions of international criminal law, as well as to support and guide domestic efforts in the fight against impunity. In relation to the previously mentioned, it is intrinsically crucial that any threats, measures or other external factors do not affect the independence and decision-making of the Court. Slovakia is therefore convinced that the Court can only react and fulfil its potential by uncontroversial, clear and well-founded reasoning of its decisions.

In March, we have witnessed one State Party leaving the Rome Statute system and when it appeared immediate reaction with accession of a new State might bring us back on positive track, we witnessed an unfortunate withdrawal of instrument of accession. A procedural step, which not only cast doubts over its compliance with the Law of the Treaties, but primarily seemed as a blow to universality of the Rome Statute system. Yet today, I am glad that with our joint efforts, particularly of civil society and President of the Assembly, we can warmly welcome Kiribati amongst us as a new State Party. Not only bringing new States aboard pursues the universality of the Rome Statute system, but it also sends clear message that ending impunity for the most atrocity crimes and justice for victims remain one of the key objectives of the international community. For this reason, Slovakia encourages all relevant stakeholders to build up on this positive momentum and strive for new States Parties. Unless there exists no safe haven for perpetrators, our efforts cannot diminish.

Mr. President,

“Not in numbers but in unity that our great strength lies” says a famous quote from 18th century. Despite its dating, it is still more than relevant also for us in the room, as we are approaching an even more challenging year. It is of utmost imperative that all our conduct follows only one goal, fostering the Court and the whole Rome Statute system. Slovakia thus urges every State Party to put national interests aside and ensure that we have the most apt, qualified and experienced people steering the Court’s wheel for the upcoming years, and that the review process will not end up just as an exercise without tangible outcomes.

A thorough cooperation with the Court is pivotal in order to allow the Court to fulfil its mandate. If States are unwilling to fulfil their own obligations, we cannot expect the Court to live up to its full potential. Unfortunately, requests for arrest and surrender against 15 individuals are still outstanding. Cooperation with the Court does not end with arrest or surrender, though. Hence, we appeal to all States to undertake their obligations and ensure swift cooperation with the Court in largest extent possible. We also believe the improvement of cooperation and follow-up from the UN Security Council in the referred cases is necessary. As a proof of Slovakia's commitment in this field, we are resolved to conclude negotiations with the Court over a voluntary agreement in the near future.

Mr. President,

We note with satisfaction this year's budget proposal, which reflects the efforts to optimise the functioning of the Court. Our special appreciation goes to the Registry for a thorough reassessment of the resources resulting in significant savings and efficiencies without detriment to proper judicial support. We encourage the Court in continued efforts to improve the budgetary planning. Allocation of appropriate resources is, however, a material precondition for the successful operation of the Court.

The unique role of the Court lies in its relation to victims. We appreciate the work done by the Trust Fund for Victims in both mandates, and I am pleased to announce that as a demonstration of our support in this regard, Slovakia will make a voluntary contribution again this year. We also welcome adoption of new internal guidelines introducing five specific sets of timeframes for rendering various types of decisions and we await the updated version of the Chambers Practice Manual. Last but not least, Slovakia notes the new Court-wide Strategic Plan for 2019-2021, complemented by organ-specific strategic plans of the OTP and the Registry for the same period. External consultation in their preparation was, in our view, a step forward.

Mr. President,

As we have been flagging already for the third consecutive year, the Assembly failed to adopt a decision on the provisional amendment to Rule 165. In order not to undermine the credibility of the Court, it should be, first and foremost, our responsibility that we ourselves do abide strictly by the provisions of the Rome Statute. The way the Assembly dealt with the amendment, created dangerous legal uncertainty and might be perceived as a wrong precedent. Therefore, we reiterate our strong call to rectify this situation and to clarify the status of the amendment.

In conclusion, Mr. President, Slovakia would like to congratulate and thank you and the fellow Vice-President of the Assembly, officials of the Court, as well as the Secretariat of the Assembly for the hard work throughout the entire year. Finally, Slovakia wishes to express its unwavering support for the Court and its readiness to work constructively with all participants to achieve a successful outcome of this Assembly session.

Thank you.