



**STATEMENT**

**by**

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**Ministry for Foreign Affairs**

**At the General Debate**

**18<sup>th</sup> Session of the Assembly of States Parties to the Rome Statute**

**The Hague**

**2 December 2019**

EMBASSY OF SWEDEN, THE HAGUE, NETHERLANDS

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Mr President, members of the Assembly, distinguished delegates, officials of the Court, ladies and gentlemen.

Allow me first to express my Government's sincere appreciation to the Court, its officials and supporters around the world for their tireless efforts to end impunity for the most serious crimes of international concern.

As the ICC and the rules-based order are increasingly under threat, it is more important than ever that States Parties remain committed to defend the integrity and independence of the Court from external interference, including restrictive measures directed at the Prosecutor.

Mr President,

Heinous crimes are being committed with impunity in many conflicts and situations around the world.

Accountability for the serious international crimes committed in Syria and Myanmar remains vital. Sweden reiterates the need for referrals of these situations to the ICC by the UN Security Council. Regrettably, this avenue to accountability remains blocked. In this context, we must strengthen our collective efforts to ensure that conditions are in place for justice to be carried out in the future. This includes supporting national-level prosecutions, civil society initiatives, and the work of international bodies that are collecting and analysing evidence of serious international crimes. Sweden will continue to investigate and prosecute international crimes under the principle of universal jurisdiction, building on successful prosecutions by specialised war crime units within the legal framework to carry them out.

We also welcome the decision by the Pre-Trial Chamber to authorise the Prosecutor to proceed with an investigation concerning the alleged crimes within the Court's jurisdiction in the situation in Bangladesh/ Myanmar.

Mr President,

The ICC is a court of last resort which complements – but does not replace – national jurisdictions. The primary responsibility for investigating and prosecuting perpetrators of international crimes rests with states. Sweden welcomes the increasing number of prosecutions at national level for international crimes, which provides an important measure of accountability while other avenues remain blocked.

Universality lies at the heart of the promise of the ICC and – more broadly – international justice. By increasing the number of States Parties, the Court will be better able to address grave international crimes with greater consistency and impact. Perceptions of selective justice must be countered with more States Parties, more support for the Court and more justice, not less. We therefore welcome the decision by Kiribati on November 26 this year to accede to the Rome Statute of the ICC.

Mr President,

Cooperation between the Court, states, international organisations and civil society remains fundamental for the Court's ability to carry out its mandate. Sweden has entered into two voluntary agreements with the Court and is committed to continue to cooperate and lend its support to the Court.

We call on all States Parties, as well as those subject to UN Security Council resolutions with respect to Sudan and Libya, to adhere to their international obligations. The outstanding arrest warrants for fugitives from international justice must be promptly executed. Furthermore, the Security Council must take concrete action to enforce the obligations created by its own referrals to the Court, including responding to the Court's findings of non-compliance.

While support from the outside is imperative to the Court's legitimacy and effectiveness, increased efficiency must also come from within. We welcome the efforts of the Court and its organs to foster transparency, inclusion and dialogue with the States Parties, including the strategic plans which this year have been aligned based on the 'One Court' principle. However, the Court must further address internal issues so as to continue to enhance its performance, efficiency and effectiveness. The collective efforts by the Court, States Parties and civil society to review the functioning of the Court, aimed at strengthening the Rome Statute system and the Court, must be inclusive and transparent. The integrity and independence of the Court, and the core principles of the Rome Statute, must be respected.

States Parties also share responsibility in supporting the Court's ability to fulfil its mandate – politically, financially, and operationally – and must continue to identify ways to enhance the functioning of the Court. Their engagement and contribution are fundamental for a resilient Court.

The increasing number of preliminary examinations and investigations in complicated situations necessitate additional financial resources. Sweden encourages the Court's continued enhancement of cost-saving and efficiency measures. The Court's efforts in this regard for the 2020 budget are welcome. However, the high amount of arrears is a cause for great concern. Sweden calls upon State Parties to fulfil their obligation to pay their outstanding contributions.

Sweden notes with appreciation the Court's continued efforts to integrate a gender perspective into its activities as well as the improvement in increasing the gender balance at the Court. However, female staff are severely under-represented at senior levels of the Court's staff. Sweden calls on the Court to redouble its efforts to narrow the gender gap by additional concrete initiatives to address this structural issue.

Mr President,

Sweden commends the Prosecutor for her relentless work to combat sexual and gender-based crimes. Sweden welcomes all efforts and achievements of the Court in this regard, as well as initiatives from civil society and States Parties that can contribute to ending impunity for these crimes.

Comprehensive justice involves not only holding perpetrators to account for their crimes, but also having a victim-centred approach. In order to make justice meaningful for victims of atrocity crimes, the Rome Statute provides for reparative justice for victims. This is achieved not only by giving victims a voice during proceedings through their representatives, but also through the reparations and assistance provided by the Trust Fund for Victims.

The Fund relies on voluntary contributions to fulfil its mandate. Sweden has been the largest contributor to the Trust Fund, with total contributions of approximately 3 million euros during the period 2017–2019.

Mr President,

In a political climate when the ICC is under threat, it is incumbent upon us all – States Parties, civil society, ICC officials, and the international community – to renew our commitment to uphold the promise of the ICC and international justice.

Thank you for your kind attention.