



**INTERVENTION OF H.E. MR. JOSÉ DA COSTA XIMENES  
THE PROSECUTOR GENERAL  
OF THE DEMOCRATIC REPUBLIC OF TIMOR-LESTE**

**AT THE 19TH SESSION OF THE ASSEMBLY OF STATES PARTIES OF THE ROME  
STATUTE OF THE INTERNATIONAL CRIMINAL COURT**

**MONDAY, 14 DECEMBER 2020**

Mr. President,  
Honorable Ministers,  
Distinguished Delegates,  
Ladies and Gentlemen,

It is a great honor for me, on behalf of the Democratic Republic of Timor-Leste, to address the Nineteenth Session of the Assembly of States Parties to the Rome Statute of the International Criminal Court.

The 24 years Timor-Leste was occupied by a foreign power were marked with serious and systematic violations of human rights against the Timorese people. This traumatic historical experience encouraged Timor-Leste to accede to the Rome Statute of the International Criminal Court, on 6 September 2002, approximately three months after the restoration of its independence.

As is well known, Timor-Leste resorted to dual approaches in resolving the crimes against humanity and war crimes that occurred during the difficult period of its history:

The path of the pacification and reconciliation, through the Commission for Reception, Truth and Reconciliation, whose mandate consisted mainly of investigating and establishing the truth in relation to the violation of human rights during the political conflicts that took place in Timor-Leste between the period of 25 April 1975 to 25 October 1999, promoting conciliation and assisting the process of restoring the dignity of the victims.

And The path of pure criminal accountability, through the creation of an *ad hoc court*, with jurisdiction over serious criminal offences committed between the period of 25 April 1975 to 25 October 1999.

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Since its accession to the Rome Statute, Timor-Leste has progressively made an effort to bring forth its domestic laws in line with the Rome Statute, particularly, by providing in Timor-Leste Penal Code for crimes of genocide, crimes against humanity, war crimes and crimes of aggression.

Article 1 of the Rome Statute of the ICC sets out that the Court shall be complementary of the national criminal jurisdiction. It is therefore pertinent that there shall be efforts to strengthening national capacity for investigating and prosecuting Rome Statute crimes. It is our common interest that States parties' national judicial systems are in a position to investigate and prosecute the Rome Statute crimes, and thus contributing to end impunity for those crimes and preventing their reoccurrence.

In this respect, Timor-Leste encourages continued cooperation to strengthen the national judicial system of States Parties.

In addition to this, cooperation between the Court and States Parties are imperative in order for the Court to be able to exercise its mandate, particularly on the compliance with respect to arrest warrant issued by the Court.

Distinguished Delegates,

Ladies and Gentlemen,

Timor-Leste welcomes the Republic of Kiribati as the 123rd member of the ICC and at the same time expressed its concern with the withdrawal from the Court by some States.

Achieving universal ratification of the Rome Statute of the ICC is crucial to ensure accountability for the crimes that fall within the jurisdiction of the Court. Therefore, Timor-Leste encourages States that have not done so to ratify the Rome Statute of the ICC.

Distinguished Delegates,

Ladies and Gentlemen,

During the 19th session of the ASP, States Parties will elect 6 judges and the Prosecutor of the ICC. It is pertinent that only qualified candidates are elected to be judges and Prosecutor of the Court in order to enable the Court to effectively performing its mandates.

With this, I conclude my intervention and express my wishes for a successful session of the Nineteenth Session of the Assembly of States Parties.

Thank you for your attention.