

Statement of Canada

by

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Criminal Court

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Madam President,

Canada remains steadfast in its support of the International Criminal Court and of the Rome Statute system. The Court is a cornerstone institution for international criminal justice and the rules-based international order. Canada commends the Court's work in pursuing accountability for the most serious international crimes, delivering justice for victims, and entrenching the rule of law.

Canada recognizes the Court's significant progress across its activities this year. The Court and its staff have adapted their working methods in response to the global pandemic while minimizing delays to judicial proceedings. The Court's heavy prosecutorial and judicial workload continues to grow, with sixteen situations on multiple continents currently open, and four – possibly five – trials running over the next year.

The Court experienced a year of transition and renewal in 2021. We welcomed new leadership at the Court's top levels, with the election of a President, a Prosecutor and six judges. Canada is particularly pleased that the Court has reached gender parity on its bench with an equal number of female and male judges. Canada equally welcomes the appointment of a full-time Focal Point for Gender Equality in March.

The reorganization of the Office of the Prosecutor under two integrated teams and the election of two new deputy prosecutors during this Assembly will complete this year of transition. Canada supports the Prosecutor's efforts to ensure that these integrated teams will be led by at least one Deputy Prosecutor who is a woman and at least one who is a francophone and/or from the civil law tradition. We trust the elected candidates will bring a high degree of experience and professionalism to their roles. We pay tribute to the outgoing Deputy Prosecutor, James Stewart, whose years of dedicated service do him credit and have made Canada proud.

Reflection and renewal have also guided the work of the Court and the Review Mechanism in assessing and prioritizing the recommendations of the Independent Expert Review. Canada is encouraged by the momentum of the reform process, marked by the release of the Comprehensive Action Plan and the implementation of some of the prioritized recommendations. We look forward to continued engagement among States Parties, the Court and other stakeholders to improve the performance of the Rome Statute system. As its workload continues to expand, a strong, independent, and effective Court is critical to best serving international justice. A high-performing and well-functioning Court will help to increase Court membership as we work towards our goal of universality as a key objective in our collective fight against impunity.

Madam President,

Canada is concerned by the persistent liquidity issues that are progressively constraining the operation of the Court. In order for the Court to fulfil its mandate efficiently and effectively, it must be provided with the financial resources and support that have been allocated to it with each budget. For the last two years, Canada has paid a portion of its assessed contributions early to assist the Court in addressing urgent budgetary shortfalls. States Parties have a shared responsibility to pay their

assessed contributions in full and on time, according to their obligations under the Rome Statute.

In this period of increased demand on the Court, there is a pressing need to address the situation of outstanding contributions and arrears. Canada supports continued consideration of this issue as a strategic priority for the future of the Court. In the context of the ongoing review process, Canada welcomes the discussions to date on Recommendation 140 of the Independent Expert Review, which encourages the Assembly to explore additional means to encourage the payment of contributions, and in this regard, to examine the practices of other relevant international organizations. Likewise, Canada recalls the Court's responsibility to align its resources strategically and to maximize budget efficiencies.

Madam President,

The Rome Statute created the Court to enforce the most serious crimes of international concern, when national courts are unable or unwilling to do so. The principle of complementarity is central to the Court's mandate, yet its success relies on the meaningful cooperation of States Parties. As such, it is important to build national capacity and ensure domestic legislation is in place to investigate and prosecute the crimes contained in the Rome Statute. Canada will continue to help build the capacity of States to pursue accountability for international crimes. We also urge all States to cooperate with the Court when requested, in particular by giving effect to arrest warrants and by fully and actively supporting ongoing investigations. In this regard, Canada notes with concern that more than ten warrants for arrest and surrender remain outstanding, half of which relate to situations referred by the United Nations Security Council.

The Court equally benefits from the valuable cooperation and support offered by civil society. Civil society played an instrumental role in the establishment of the Court. Since

then, it has continued to promote universal ratification and full national implementation of the Rome Statute, raise awareness of the Court's work, and defend its independence. Despite the limitations posed by COVID, civil society has continued to engage us on its perspectives on the Court, including on areas of progress and issues of concern. It is important that we continue to safeguard space for civil society to interact with the Court and States Parties.

The Trust Fund for Victims has an important mandate to deliver restorative justice to victims of crimes and their families. Canada is supporting the Trust Fund's programme in Mali, known as *Réparer les Vivants et leur Résilience* or *ReVivRe*, with four million dollars in voluntary funding over a five-year period. In contributing to this initiative, which seeks to address harms suffered by victims and survivors, Canada aims to contribute to durable peace and reconciliation efforts in Mali.

Madam President,

Confronted with a rise in conflicts and atrocity situations on the global stage, we are reminded that the mandate of the Court is as crucial as ever. An independent and empowered Court is key to delivering justice and accountability on behalf of victims for the most serious crimes of international concern. To this end, Canada will continue to express our unwavering support for the Court, which seeks to make our world a safer, more secure, and a more just place for all.