



Human Rights Watch Statement for the General Debate of the International Criminal Court's Twenty-Second Assembly of States Parties

December 7, 2023

Twenty-five years on from the Rome Conference, the mandate of the International Criminal Court (ICC) is regrettably all too relevant. The ICC is needed to act as armed conflicts and other human rights and humanitarian crises rage in situations across its docket, whether in Afghanistan, Darfur, the Democratic Republic of Congo, Palestine, or Ukraine. Any hope of deterring future atrocities rests in ensuring there are consequences for the crimes of today, regardless of where they are committed and by whom.

To succeed in its difficult but vital task, the ICC needs you—its states parties—to do more.

First, the Assembly of States Parties should commit to challenging double standards in the reach of justice. Ignoring or marginalizing the ICC's critical role in the context of ongoing hostilities between Israel and Palestinian armed groups—or indeed in any situation where the ICC is acting—while supporting others, will only confirm for many that the court does not have the support of its states parties to pursue justice impartially.

We look to you to address double standards by pledging support to all situations under the court's jurisdiction, and by advocating for universal ratification of the Rome Statute.

Second, in practice, ensuring the court's consistent implementation of its mandate requires you to adopt a budget that allows the court's organs to exercise their functions across all situations. A lack of resources should not be an excuse for inequality in victims' access to justice.

Third, the ICC will inevitably face efforts to thwart accountability. Justice needs your support to overcome these threats and reprisals, including against those cooperating with the court. We welcome the Assembly's commitment to protecting civic space during its sessions and look to states parties to take further steps next year.

Fourth, the adoption of a permanent vetting process and a structured ongoing follow-up to the Independent Expert Review by this Assembly will contribute to improving the court's performance; this as much as anything is needed to deliver on the promises of Rome.

This Assembly, and the court it serves, inspires us precisely because the Rome Statute system seeks to ensure no one is above the law, and no victim so unimportant as to be ignored by the law. Your actions at this Assembly and beyond are needed to carry human rights protections forward in these fragile and dangerous times and to achieve the "peace, security and well-being of the world."