



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

12th Session

General Debate

Statement by
H.E. Mr. Erkki Tuomioja
Foreign Minister of Finland

The Hague, 21 November 2013

Check against delivery

**International Criminal Court
12th Session of the Assembly of States Parties**

General Debate 21 November 2013

Statement by H.E. Erkki Tuomioja, Minister for Foreign Affairs, Finland

Madam President,

Let me start by expressing our sincere thanks for the leadership and dedication that you have shown during this year as the President of the Assembly of States Parties. I would also like to extend our sincere gratitude to the distinguished representatives of the Court and the Trust Fund for Victims for their significant contribution to the fight against impunity worldwide.

Madam President,

During the first full decade since its establishment, the International Criminal Court has become a centerpiece in international efforts to fight impunity for the most serious international crimes. Where national criminal proceedings are not possible, the ICC has proved to be an important tool in ensuring that perpetrators of these crimes cannot escape justice. At the very core of the Rome Statute is the principle that it applies equally to all persons without any distinction based on official capacity. The adoption of the Rome Statute meant also a promise of restorative justice to the victims. Finland remains strongly committed to these objectives and a staunch supporter of the ICC. Fight against impunity for the most serious international crimes continues to be one of the priorities in the Foreign Policy of Finland.

Madam President,

The responsibilities of the ICC are global and universal. In addition to the eight situation countries in Africa, the Court is currently conducting preliminary examinations in situations in Asia, Latin America, Europe and Africa. It is an issue of grave concern that despite the ongoing atrocities the Security Council has not referred the situation in Syria to the ICC. I would like to reiterate our call to the Security Council to do so, and to show that impunity will not be tolerated for these horrendous crimes. Greater consistency in Security Council's practice when referring situations to the Court would certainly also enhance the deterrent value of the Court and serve the Council's goal of maintaining peace and security. Consistency also calls for these countries who are ready to refer situations to the ICC to join the Rome Statute.

Today the role of the International Criminal Court is very high on the international agenda. We have heard the concerns raised at the recent African Union Summit. At the same time, we have heard strong voices from Africa in support of the Court, underlining that the fight against impunity is one of the key objectives of the African Union. It is clear from the statements that we heard in this Assembly so far, that the trust and confidence in the ICC remains strong and unwavering. We welcome the possibilities for an open dialogue on these issues during this session.

African countries were in a key position when the ICC was founded, and the role of African States in the Rome Statute system has continued to be very important.. All eight situations currently subject to the Courts' active proceedings are from Africa, and the largest number of these situations was referred to the Court by the States themselves. This is a sign of a strong commitment to combating impunity and bringing justice to victims.

Madame President,

I would also like to emphasize the positive engagement of the Court in the situation countries and in particular the important work of the Trust Fund for Victims of the ICC under its assistance mandate. Since its establishment, the Trust Fund has provided assistance for more than 110.000 victims in Uganda and Democratic Republic of Congo. This contribution of the Trust Fund to reconciliation in these countries cannot be overlooked and we would welcome similar activities in other situation countries as well. The Trust Fund has great further potential in assisting victims and Finland is pleased to be able to continue to support the activities of the Fund on the basis of our multi-annual commitment.

We also welcome the Courts intention to increase its presence in the field. The ICC must be an institution that is both visible and accessible to and understood by the people on the ground and in situation countries in particular. Relevant and focused outreach is equally an essential component of the Court's activities.

Madam President,

Promoting universal ratification and effective implementation of the Rome Statute continues to be an important goal in order to ensure that the ICC is a truly effective and efficient international court.

Effective cooperation of States with the Court is of crucial importance. We encourage all States Parties to enhance their efforts to cooperate with the Court and in particular in the execution of outstanding arrest warrants of the ICC, the high number of which continues to be of grave concern and undermines the efficient functioning of the Court.

Madam President,

The Rome Statute has a central role in strengthening the principle of the rule of law also at the national level. The impact and relevance of the ICC at the national level is based on the principle of complementarity - the primary responsibility to investigate and

prosecute for the Rome Statute crimes lies with states themselves and the ICC is the court of last resort.

Madam President,

There can be various reasons why national criminal proceedings are not possible. The role of the Court itself is and should be limited in supporting the national efforts for the investigation and prosecution of Rome Statute crimes. While the ICC does have a role for example in information sharing, it is for the international community – States and international organizations to provide assistance in order to strengthen national capacities to carry out investigations and prosecutions.

Efforts in judicial capacity building must ensure all fair trial elements, including the rights of victims and the protection of witnesses, which are issues of crucial importance. In the field of criminal justice, all the parts of the judicial chain must be addressed.

Madam President,

There are also a number of other ways, in which the international community can assist states in their efforts to investigate and prosecute for the most serious international crimes. One very good example of such assistance is through the roster of experts of the Justice Rapid Response initiative. Second example is the Legal Tools Project of the ICC, which provides equal access to legal sources and information at the national level.

Madam President,

Finally, I will conclude by stating that we must continue to ensure that the ICC is able to fulfill its mandate in bringing justice to the victims of the most serious international crimes. We must ensure that the Court has sufficient material and human resources needed for its increasing caseload. The ICC needs the support of all States in order to function independently and above any political interference.

Let me once more reiterate Finland's unwavering support to the ICC.

Thank you.