

**Statement by H.E. Mary Whelan
Ambassador of Ireland to the Kingdom of the Netherlands**

**At The Twelfth Session of the Assembly of States Parties to the Rome Statute
of the International Criminal Court, The Hague, 20-28 November 2013**



Check Against Delivery

Madam President

Ireland associates itself with the statement made by Lithuania on behalf of the European Union and its Member States. At the outset, I wish to express our gratitude to you, Madam President, to the Bureau and to the Secretariat of the Assembly of States Parties for your work in preparing for this session. I want to acknowledge also the excellent contributions made by facilitators and members of The Hague and New York Working Groups.

The International Criminal Court is the cornerstone of a system of international criminal justice. It represents our collective effort to end a culture of impunity for crimes which the international community regards as the most serious of all. Advancing the universality of the Rome Statute remains a key objective so as to ensure full accountability for those heinous crimes. Ireland welcomes Côte d'Ivoire as the 122nd State Party to the Rome Statute. We hope that others will soon follow its example.

The Court has faced many challenges since its establishment. The Rome Statute provides for a Court which is above all an independent judicial institution. It is incumbent on all States Parties to support its independence. The Statute contains provisions to ensure that the Court operates to the highest standards of justice, both from the perspective of the accused and from the perspective of victims.

The cases before the Court arise from complex and challenging situations. The Court's rigorous independence in dealing with these cases is critical. We must protect its independence and support its effective and efficient functioning. Ireland will not be found wanting in this regard.

Where difficulties arise, or where there are concerns, we must avail of opportunities to exchange views and to listen to the perspectives of all our stake-holders. It is in this way that we will ensure the strength of the Court and, indeed, its role in underpinning for the future an effective system of international criminal justice with a universal reach.

As States Parties we need to strengthen our co-operation with the Court. The non-execution of arrest warrants continues to be a cause for grave concern; concerted efforts are needed to assist the Court in dealing with this. Ireland is very conscious that the Court needs practical support from States in order to function effectively. For that reason, this year, we have commenced discussions with a view to concluding a Witness Re-Location Agreement with the Court.

When establishing the International Criminal Court, a fundamental objective was the delivery of justice to victims. This objective is achieved, in the first instance, by bringing to trial as expeditiously as possible, those who are found to have serious charges to answer. Justice deserves no less. Our citizens deserve no less. A system that failed to recognise this basic fact would lack credibility.

The needs of victims were also recognised by the establishment of a Trust Fund for Victims. Ireland has been a consistent annual contributor to the Trust Fund. We have contributed €625,000 to date. We would encourage States Parties, who have not yet contributed to the fund, to consider doing so in future.

While the Court has become the cornerstone for a system of international criminal justice, we recognise that, within the Rome Statute system, primary responsibility lies with States themselves to investigate and prosecute Rome Statute crimes. The principle of complementarity is a key element of the Statute.

Ireland, in pursuing its policy for international development, like many other States, recognises that strengthening the institutions of democracy, rule of law and accountability is essential in order to achieve sustainable development. For this reason we support projects related to strengthening justice and accountability systems in partner countries.

Madam President

I will conclude by reaffirming that Ireland will continue to be a firm and committed supporter of the International Criminal Court. We look forward to working with all States to achieve our common goal of ensuring accountability and justice for the victims of those crimes of the most serious concern to the international community as a whole.