THE SECRETARY GENERAL
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MESSAGE TO OPENING OF 13ᵀᴴ SESSION OF THE ASSEMBLY OF STATES PARTIES OF THE INTERNATIONAL CRIMINAL COURT"
New York, 8 December 2014

Delivered by the UN Legal Counsel Miguel de Serpa Soares

It gives me pleasure to convey warm greetings to the Assembly of States Parties of the International Criminal Court.

The United Nations continues to stand shoulder-to-shoulder with the International Criminal Court. This unwavering commitment stems from our belief that the world is a better place with the International Criminal Court – the centerpiece of our system of international criminal justice.

That is not to say that the path to accountability has been without hurdles. Nonetheless, as we approach 2015, it is clear to all that our response to conflicts now puts far greater emphasis on the protection of civilians and the pursuit of justice for the victims of grave crimes. Even those States that have not ratified the Rome Statute have called for the referral of situations to the Court and its Prosecutor. That in itself is a testament to how the Court has altered the landscape of international relations.

The International Criminal Court has more situations before it today than perhaps any of those present at the founding conference in Rome might have ever imagined. The world needs the International Criminal Court. The victims of Thomas Lubanga's crimes can testify to this.

Yet the Court's full potential will only be realized when we have achieved universal ratification of the Rome Statute.

We are still some considerable way from this achievement. Of the 139 States that signed the Statute, 31 have still to ratify it; and 43 States have neither signed nor acceded to it.

I continue to call upon Member States that are not party to the Rome Statute to show their commitment to accountability by ratifying or acceding to it. We cannot claim to want to end impunity for grave international crimes, while exempting ourselves from the very institution that has been established to achieve that goal.

However, even with universal participation, the Court will not fully realize its potential until it can secure the full cooperation of States. Without it, arrest warrants will remain unenforced, witnesses will be intimidated and prosecutions will fail for lack of evidence.

In the same vein, the Court needs sustained support from the Security Council. It is important for the Council to follow up on the situations it refers to the Prosecutor; otherwise there is a real risk that those referrals will come to represent little more than symbolic gestures. If the Court is to be able to make those referrals meaningful, it needs the full backing of the Security Council, including the readiness of the Council to impose sanctions on those States and other parties that fail to adhere to their obligations to cooperate with the Court.

For its part, the Court still has much to prove. At this critical juncture, the Court must ask itself if it is doing its best to fulfil its mandate and to achieve justice in a timely fashion. This self-analysis has already begun. We have witnessed reforms in the Office of the Prosecutor and the Registry aimed at ensuring greater efficiency in the Court's work. We look forward to welcoming six new judges with sound legal experience who will contribute to the Court's growing jurisprudence.

I am strongly committed to supporting the work of the Court. It is in our interest, each and every one of us — State Party, non-State Party and international organizations alike — to help the Court achieve its goals. We must do our utmost to leave to our children a legacy of justice, accountability and determined, principled action against impunity.

I would like to express my appreciation to Ambassador Intelmann for the tremendous work she has done over the past three years as President of the Assembly of States Parties. I look forward to working closely with her successor, Minister Kaba. And I wish all of you the very best as you proceed with the 13th session of the Assembly of States Parties.