



ICELAND
Ministry for Foreign Affairs

Statement by

**Ms. Helga Hauksdóttir, Ambassador,
Director-General for Legal And Executive Affairs,**

**at the General Debate
of the
15th session of the Assembly of States Parties to the Rome Statute
of
the International Criminal Court**

The Hague, 16-17 November 2016

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Mr. President, Members of the Assembly, distinguished delegates.

The International Criminal Court is in many ways at a crucial juncture in its life, with a number of new and important developments taking place.

The need for the Court has never been more urgent and the Court has never had heavier workload than now, simultaneously dealing with 10 situations and 23 cases. It is noteworthy that previous international criminal tribunals, such as the International Criminal Tribunal for Yugoslavia and the International Criminal Tribunal for Rwanda, as well as special courts such as the ones in Sierra Leone, Lebanon, Cambodia and East Timor, all had limited jurisdiction. The ICC is different and the fact that the Court has in the last year conducted preliminary examination activities in five continents (Asia, Africa, the Middle East, Europe and Latin America) proves that the geographical scope of the Court's jurisdiction is universal. We commend the Prosecutor, Ms Fatou Bensouda, and her team for their relentless efforts to prosecute perpetrators from all over the world.

Iceland has been a strong supporter of the International Criminal Court since its foundation. Earlier this year we saw the ratifications of Member States of the Kampala Amendments surpass the 30 Member States limit, thus enabling this Assembly to activate the Court's

jurisdiction for the Crime of Aggression in 2017. This will complete the mandate of the Court as designed by the Rome Statute and Iceland is pleased to have been among the first thirty states to make this possible.

New Member States are also joining the Rome Statute, and we would like to welcome El Salvador as the most recent Member of the ICC.

Mr. President.

There is also positive development in the spectrum of crimes which the Court has addressed, with the first sentence for the war crime of attacking protected objects and destroying buildings of religious and historical character. Iceland also supports the increased focus of the Court and Member States on sexual and gender based violence. The core aim of the ICC is to bring justice to victims of atrocities and this particularly applies to the most vulnerable groups in conflict situations, women and children, who deserve increased attention and support from the international community.

However, there is also cause for concern. The work of the Court is still hampered by lack of cooperation by states. It is of utmost importance for the execution of the global justice the Court pursues, that all states cooperate fully with the Court. Iceland calls upon all States to do their share in ending impunity for the the grave crimes which fall under the jurisdiction of the Court by assisting the Court in fulfilling its mandate.

Lack of universality is also an issue that merits attention. The Court's membership of 124 States, almost two thirds of the of the United Nations Member States, is a great achievement. However, important States, both in terms of politics and situations, are not yet Members to the Court. Certainly the States themselves have the primary responsibility to investigate and prosecute crimes and the Court's jurisdiction is therefore only complimentary, but experience has shown that a Court of last resort such as the ICC, is sometimes needed even by powerful States. Out of the ten situations under investigation, five were referred to the Court by the States themselves.

Iceland urges all States who have not yet done so to become parties to the Rome Statute. Only with full and universal participation will the Court be able to live up to expectations by all individuals and States which treasure peace and security, human rights and justice. Accordingly, Iceland is deeply concerned by the recent notifications by some Member States to withdraw from the Court and announcements by other Member States of possible withdrawals. Bringing international criminal justice to the world is an onerous assignment which has to be shared by all responsible States. However, at a time when progress is made and the need for the Court is urgent, withdrawals from the Rome Statute are not the solution, but a constructive dialogue and increased effort to jointly find solutions to disagreement within the framework of the Rome Statute. Iceland calls upon the Member States in question to reconsider their intension of withdrawals.

Mr. President.

At this crucial juncture in the ICC's life, victims need the Court more than ever before. And in order to function well, bring justice to victims and end impunity for the most serious crimes committed in the world, the Court needs unequivocal support of all Member States. Iceland remains a dedicated supporter of the International Criminal Court and committed to its ideals.

Thank you, Mr. President.