



CZECH REPUBLIC

Permanent Mission of the Czech Republic to the United Nations

Check Against Delivery

Sixteenth Session of the Assembly of States Parties to the Rome Statute of the
International Criminal Court

Statement by

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New York, December 7, 2017

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Mr. Vice-President,

The Czech Republic fully aligns itself with the statement made by Estonia on behalf of the European Union and wishes to add a few remarks in its national capacity.

First of all, the Czech Republic would like to congratulate to Mr. O-Gon Kwon on his election as the new President of the Assembly and wishes him all the success in this challenging mission. Let me also express our gratitude to Mr. Sidiki Kaba for his outstanding contribution to the work of the Assembly of States Parties.

We also congratulate the newly elected judges, members of the Bureau and members of the Committee on Budget and Finance.

Mr. Vice-President,

This 16th Assembly provides us with a unique opportunity to undertake the historic step to activate the jurisdiction of the Court over the crime of aggression. As Czechoslovakia was a victim of two aggressions in the 20th century, the Czech Republic is of the view that the early activation of the Court's jurisdiction over the crime of aggression represents one of the checks for non-repetition of this crime in the future. In this context, we fully agree with the statement of Liechtenstein delivered yesterday, that the primary purpose of this Kampala amendment is the protection of States from this serious crime.

As of today, all preconditions for activation of the Court's jurisdiction over the crime of aggression have been fulfilled. In our opinion the activation should be done at this Assembly, and preferably by simple activation, but certainly by consensus. Therefore, we encourage all States Parties to engage in the common effort towards this goal.

Mr. Vice-President,

The Czech Republic believes that the role of the Court in the fight against impunity is irreplaceable and we stand ready to support it wherever needed. The current 123 States Parties have created a coherent system to combat impunity at the national and international level, framed by the principle of complementarity. We are pleased by the decision of Gambia to remain a State Party, yet we are saddened by the fact that Burundi left the Rome Statute system. Reaching universality of the Rome Statute is an important step in order to put an end to impunity for the perpetrators of the most serious crimes of concern to the international community.

We call on the Security Council of the United Nations to use its referral powers in a consistent manner. In particular, the situation in Syria deserves to follow the examples of Sudan and Libya and should be referred to the Court for an impartial and independent investigation into the situation.

In the meantime, when the Court's jurisdiction does not apply to the situation in Syria, we consider the International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Persons Responsible for the Most Serious Crimes under International Law Committed in Syria since March 2011 as a meaningful step toward achieving accountability for crimes committed in Syria and we call for cooperation of States to fulfill its mandate.

Nonetheless, opening or a referral of a situation by the Security Council to the Court is just a starting point. The obligation of States to cooperate, stemming from the Rome Statute or the Security Council resolutions 1593 (2005) and 1970 (2011) in country-specific situations, is crucial to be upheld. We are concerned by the lack of cooperation and the inability to execute the outstanding arrest warrants. Full cooperation is a necessary precondition for the functioning of the Court. In case of Security Council referrals, the effective follow-up by this body is highly needed.

Finally, we would like to support the remark by Germany from yesterday that the Court could do better when it comes to the application of principle of equitable geographical representation to the composition of staff of the Court.

Mr. Vice-President,

In conclusion, let me mention that the Czech Republic has consistently supported the Trust Fund for Victims and thus contributed also this year the amount of approximately 20.000 EUR to the Trust Fund.

Thank you, Mr. President.