

Rome Statute of the
International Criminal Court
Seventeenth Session of the Assembly of States Parties
The Hague 5-12 December 2018
Statement on behalf of ITALY
By His Excellency Mr.
Andrea Perugini
Ambassador of Italy to the Netherlands

Mr President,

I am honored to address the Assembly of States Parties on behalf of the government of Italy.

Let me congratulate you on your assumption of the office as President of the Assembly of States Parties and pledge our full support.

Italy fully aligns with the statement made by the Austrian Presidency on behalf of the European Union and its Member States.

Italy strongly reaffirms its unwavering commitment to the founding values and principles of the International Criminal Court and is committed to pursue and promote its independence and its universality, which make it one of the most effective instruments to achieve peace and stability and to preserve a rules-based international order. Italy confirms also its full confidence in the impartiality and independence of the Judges and the Chief Prosecutor of the ICC.

Mr President,

Over the last decades, the nature of conflicts has changed, resulting in a tragic increase of war crimes and crimes against humanity. In too many conflicts today the civilian population is ruthlessly attacked, and often becomes the main target of violence. In this context, the International Criminal Court, and international criminal justice more generally, provides a fundamental contribution to the maintenance of peace and security, as well as to the protection and promotion of human rights.

There is a strict connection between peace and justice. This interdependency requires unity and joint action by the international community in order to pursue perpetrators of crimes against humanity and hold them accountable, thereby ensure justice for victims while defending the norms and principles of international law.

Fighting impunity and ensuring accountability do not only allow to preserve the international order, but also help creating an environment of legality, predictability and transparency, thus promoting sustainable peace and preventing a relapse into conflict; enforcing the rule of law is also instrumental to sustainable economic growth and to preventing migration flows, helping to create conditions for domestic economic and social growth and stability.

The International Criminal Court has made a substantial contribution to the development of international law, for example establishing that sexual and gender-based violence, recruitment of child soldiers and the destruction of cultural heritage in conflict zones are

war crimes. I would like to remind the sentence on the Al Mahdi case, which established fundamental principles.

Renewed efforts are needed to strengthen the Court and to achieve universal acceptance of its Statute. The 20th anniversary of the adoption of the Rome Statute is a unique opportunity to do so, taking stock of what has been achieved so far, but also discussing the opportunities and challenges ahead. In this context, we commend, in particular, efforts to increase its efficiency, transparency and autonomy. At the same time, we consider the improvement of the management of the caseload imperative, if we are to succeed in striking a functional balance between procedures of common law and civil law, in the sense of putting upfront approaches that increase effectiveness, improve efficiency and reduce the negative budgetary implications of the sometimes excessive duration of trials. The chronic issue of arrears of contributions harms the functioning of the Court and puts pressure on the increase of the budget. It is regrettable that many State Parties do not pay their contributions on time or in full. We urge all States Parties to continue to provide the Court with the necessary financial resources. We encourage the Court to provide transparent and realistic budgetary proposal and to streamline further its administrative and judicial processes, making a more efficient use of its resources and improving the impact of its action, as recommended several times by the CBF.

The role of the Court is to complement rather than replace existing national judicial systems and all States Parties need to adopt a national legislation and legal tools to implement the Rome Statute. At the same time, an effective and full international cooperation with the ICC is essential for the Court to perform its mandate. In particular, there is an absolute need to get arrest warrants issued by the Court executed immediately and as a matter of urgency. Without arrest, ICC cases cannot proceed and the purpose to timely deliver justice is defeated. Italy is ready to make its contribution by sharing its own experience and operational tools to facilitate the capture of fugitives and strengthen judicial cooperation.

Many countries have not signed and ratified the Statute yet. Therefore, it is crucial that we continue, with determination, to promote the universality of the Rome Statute, while working to strengthen the Court's mandate. In this respect, the activation of the jurisdiction of the Court on the crime of aggression, decided by the Assembly of States Parties last December, is a fundamental outcome meant to reaffirm our "never again" to wars of aggression and to protect the victims of armed conflicts.

Mr President,

Italy will continue to ensure a strong support to the International Criminal Court, and to promote its universality, defend its independence and cooperate with other countries and international organizations.

I thank you.