



EMBAIXADA DE PORTUGAL  
HAIA

**INTERNATIONAL CRIMINAL COURT**

**SEVENTEENTH SESSION OF THE ASSEMBLY OF STATES  
PARTIES**

**GENERAL DEBATE**

**Statement by**  
**H. E. Mrs. Rosa Batoréu**  
**Ambassador**

THE HAGUE, DECEMBER 2018

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Mr. Vice-President,  
Distinguished Delegates,

Portugal is fully aligned with the statement made by Austria on behalf of the European Union but I would like nevertheless to address some aspects of particular relevance to my country.

Mr. Vice-President,

It is with great honour that I address this Assembly at this is particularly symbolic session as we celebrate the twentieth anniversary of the adoption of the Rome Statute. A historical landmark that represented a new dawn in the promotion and protection of the fundamental rights of individuals and communities.

Victims gained hope in accountability, while those responsible for the mass atrocities learned that their acts would not be tolerated by the international community and the human conscience.

The ICC is fundamental in making accountable those responsible for the most serious crimes of international concern and in providing justice to victims. But the Court as a mechanism of restorative justice has also a very important role to play in the consolidation of peace in post-conflict situations

As with any celebration, this is a good moment to take stock of the achievements of the past 20 years, and to look at lessons-learned, within the wider process of continuous improvement of the Court.

Portugal wishes to reaffirm its strong commitment to the International Criminal Court and to the values it stands for. Any attempt to put its work into question or its



independence should be answered with messages and actions reaffirming our collective confidence in the Court. This is not to say that the ICC, like any other institution, does not have its flaws. It does. However, they need to be addressed in a constructive way and without putting into question the civilizational progress it represents.

Portugal will continue to listen to the concerns raised regarding the ICC and remains committed to pursue a constructive dialogue with all the relevant stakeholders in order to contribute to the improvement of its work and the increased confidence in the Court.

It is our view that States, as well as their peoples, are better served by being part of an international judicial community. It is difficult to understand the voices of those who claim that the ICC unduly interferes with the sovereignty of States or is biased in its actions.

In fact, since the ICC has a complementary role, its jurisdiction over perpetrators starts and lies primarily with States and the national jurisdictions. Ideally, the ICC's docket should be permanently empty. That would mean that States had effectively prosecuted those responsible for genocide, crimes against humanity, war crimes and the crime of aggression. Alas, this is not so.

This is why we should continue to work towards the universality of the Rome Statute.

Mr. Vice-President

Twenty years after the adoption of the Statute, the date of July 17 gives us yet another reason to celebrate.

After very difficult and lengthy negotiations, the activation of the Court's jurisdiction over the crime of aggression was truly a milestone for international criminal justice.



This is an important achievement that will allow the Court to contribute to the reinforcement of multilateralism, human rights and peace.

Portugal wishes to take this opportunity to acknowledge once more the important role of civil society organizations in helping the Court pursue justice and redress for victims. But we also need to praise witnesses and victims for their participation in the Court's proceedings, sometimes with immense courage and abnegation.

To conclude, I would like to express, Portugal's commitment to the work we have started in Rome 20 years ago. And I would also like to assure you that you can count on us to make this seventeenth session of the Assembly of States Parties a success.

Thank you