

**STATEMENT OF ESTONIA AT THE 18TH SESSION OF THE ASSEMBLY OF
STATES PARTIES TO THE ROME STATUTE**

2.-3. DECEMBER 2019

Mr President, Excellences, Ladies and Gentlemen,

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

Mr President,

As a long-standing supporter of the ICC, Estonia is committed to promoting the respect for international law and rules-based international order. We take this opportunity to reiterate that the ICC is an essential tool of international law for fighting impunity, delivering justice and preventing the most serious crimes.

The universal acceptance of the Rome Statute remains a challenge to the international community. In this light we very much welcome Kiribati's decision to accede to the Rome Statute. We are also glad that some progress has been made by some states in ratifying amendments to the Rome Statute, including amendments on the crime of aggression. We continue our call on all the governments that have not yet ratified the Rome Statute to do so in order for the Rome Statute to become a truly universal treaty.

Despite the criticism that has been expressed by States and other stakeholders towards the ICC, we should remain committed to and actively participate in the discussions how to strengthen the ICC, how to develop its efficiency and effectiveness so that the ICC can exercise its functions as an independent criminal court.

This year has remarked a significant progress in this field. We welcome concrete initiatives taken by the ICC in reviewing and streamlining their administrative and judicial processes and maximising the use of available resources. Herewith we also encourage all States Parties to fulfil their financial obligations vis-à-vis the Court.

Estonia supports the President of the ASP O-Gon Kwon for his active role and leadership in the current review process keeping it transparent, inclusive and State driven. We are glad that concrete steps have been taken and are now before the Assembly of State Parties for decision and further action. In particular, we would like to refer to the positive impact that the work of the Independent Expert Review can add to the overall reform process discussions.

We are pleased that the process of nomination and election of the judges of the ICC is currently under review. We support the proposal to enhance the role of the Advisory Committee on Nomination of Judges, as the election of the most highly qualified judges to the Court is key for the efficiency of the ICC. The same applies to the election of the Prosecutor. Steps have been taken by the Bureau to increase the transparency and credibility of the election process and we expect that the best and the most competent candidate will become a new Prosecutor.

Mr President,

According to the Rome Statute, this is the primary duty of States to exercise its criminal jurisdiction over those responsible for international crimes and that the ICC complements, not replaces, national courts. This is the responsibility of States to have relevant effective national legislation and proceedings in force. Effectiveness and the efficiency of the ICC to fulfil its mandate inevitably depends on States' full cooperation with the ICC, irrespective whether they are State Parties or not. Estonia stays committed as a reliable partner of cooperation for the ICC and this year Estonia was glad to host the visit of the delegation of the ICC led by the Registrar Mr Peter Lewis.

We want to underline that also the Security Council needs to play its role in ensuring that justice would prevail. The Security Council has to uphold and promote international law by responding decisively to grave violations of international law, including that of humanitarian law and human rights law. It is a prerogative of the Security Council to refer a situation to the ICC. This can promote accountability in countries where grave crimes may have been committed but where the Court lacks jurisdiction. Estonia, as an elected member of the Security Council during the next two years, is committed to fighting against impunity and preventing future atrocities.

ICC plays an important role of delivering justice to victims. We also need to do more to offer important protection for victims and witnesses that have suffered or witnessed crimes. We would hereby like to express our appreciation and support to the continued work of the Trust Fund for Victims in offering reparations for victims of the most serious crimes, their families and communities. We are glad to report that Estonia has regularly contributed to the Trust Fund and we have recently decided to increase considerably our contribution. We call on all States and other donors to consider making voluntary contributions to the Trust Fund for Victims.

Estonia remains committed to continue working together with all partners to support the work of the ICC and strengthen the impartial and independent system of international criminal justice.

Thank you for your attention.

