

Speech by the Minister of Foreign Affairs, Stef Blok, at the Assembly of States Parties, 2 December 2019

Thank you, Mr President.

First of all, I would like to align myself with the statement of the EU.

A few weeks ago, I spoke with Nadia Murad, a young Yezidi woman from Iraq who was held as a slave by ISIS, and managed to escape.

Today, she is speaking out against injustice and is travelling the world to bring the perpetrators of genocide and sexual violence to justice.

Her story shows very clearly that without prosecution there can never be justice.

So far, however, the international community has failed the Yezidis.

The conflict in Iraq and Syria clearly highlights the huge gaps that still exist in delivering international justice.

The story of Nadia Murad shows that the road to justice is often very long.

It's a story that inspires me to keep pushing and doing everything possible to ensure that justice prevails.

The Netherlands is a staunch supporter of accountability.

The ICC is the cornerstone of the international criminal justice system. It is one of a kind: the only institution that can deliver justice to the victims of the most serious crimes when states are unable or unwilling to do so.

It is indispensable in the global fight against impunity.

Recent successes demonstrate the Court's importance.

The sentencing of Bosco Ntaganda to 30 years in prison for crimes against humanity and war crimes is an important step for the eastern DR Congo region and the victims of his crimes.

And the crucial decision to authorise an official investigation into the deportation of the Rohingya from Myanmar to Bangladesh.

At the same time, there is much room for improvement in the functioning of the ICC, and in our joint fight against impunity.

The proceedings are long and the results of prosecutions have not always been satisfactory.

In the 17 years of its existence, the Court has heard only a limited number of cases and the impact of its meagre record of nine convictions and four acquittals has been limited as well. Too many of the most serious crimes are going unpunished.

In fact, some of the Court's judges are currently suing their own organisation, while we wait for important decisions.

The Court needs to do better. We need to do better.

We need to reform the ICC and make it more efficient.

We need high-quality judgments and we need to be able to withstand pressure from non-States Parties.

We cannot allow those parties to obstruct our mission: accountability for the most serious international crimes.

Now is a decisive moment in the history of the ICC and the fight against impunity.

There is broad support for a review of the functioning of the Court.

We need a review by independent experts so we can better understand the challenges facing the Court and the best way to address them.

But in the meantime we shouldn't just sit back and wait.

We need to strengthen the Court now.

The ICC can only do better if we ourselves do better.

Therefore, in addition to the review of the Court, I would strongly urge some thorough self-reflection.

States Parties are collectively falling short in the implementation of their obligations under the Rome Statute, and in their support for the daily functioning of the Court.

The large number of outstanding arrest warrants, the low number of voluntary cooperation agreements, the limited resources, and the quality of the selected judges: all these issues are direct consequences of the States Parties' lack of cooperation.

States need to cooperate fully with the Court, for example by promptly executing outstanding arrest warrants in accordance with their obligations under the Rome Statute.

I have personally raised this with the transitional government in Sudan and I've called on them to extradite Omar Al Bashir to the ICC.

In addition, voluntary cooperation by states is also vital for the effective and efficient functioning of the Court.

A practical way to support the Court in this respect is through the conclusion of framework agreements regarding witness relocation, release of persons, and the enforcement of sentences.

What's more, States Parties and the Security Council need to address non-compliance and follow up with concrete action. And non-States Parties should refrain from pressuring officials of the court by issuing visa restrictions, for example.

It is vital that we address all of the above as soon as possible, so that we can take measures during the 2020 Assembly, when we will also elect a new prosecutor and six new judges.

Meanwhile, we will continue to strive for universality. The ICC is a court established by states, but unfortunately not all states are willing to join the fight against impunity yet.

With that in mind, I am delighted that Kiribati has recently ratified the Rome Statute.

I would like to welcome you personally to this Assembly. This is a small but important step forward.

Mr President,

Towards a more just world, a sign reads at the entrance of the ICC.

I am glad to be on this road with you.

And I hope that, together, we can move towards more justice and a better functioning ICC.

Thank you.