

INTERNATIONAL CRIMINAL COURT

EIGHTEENTH SESSION OF THE ASSEMBLY OF STATES PARTIES

GENERAL DEBATE

Statement by:

H.E. José da Costa Ximenes
Prosecutor General of the Republic

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*18th General Assembly of States Parties of the International Criminal Court
The Hague, Kingdom of Netherlands,*

2 to 7 December 2019

Delegation of the Democratic Republic of Timor-Leste.

*Mr. President,
Distinguished Delegates,
Ladies and Gentlemen,*

It is a great privilege and honor to be part of this 18th session of the General Assembly of States Parties of the ICC.

The apprehension of the adoption was recognized on 17th of July 1998 at the Rome Conference of the Statute of the ICC was a unique and historic milestone through the development and defense of international law, as it resulted in the creation of one of the most important, and most significant international instrument to combat atrocities committed throughout the twentieth century, and a true collective commitment to fight against impunity, not as states but as individuals who committed the most serious crimes against human rights and the protection among the victims of these crimes.

A permanent, independent and universal court whereas judging serious crimes against human rights, contributes at the same time in preventing such criminal phenomena, and facilitating the implementation of national laws against the most serious international crimes.

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Mr. President

It will take forever in our vivid collective memory the grave, atrocious and cruel violations of human rights against the Timorese people during the period of occupation and especially following the referendum.

Timor-Leste progressively understood its relevance of ICC, since September 6, 2002, within just three months after our independence, it deposited the instruments of accession to the Rome Statute.

It is well known that the ICC is a subsidiary and complementary jurisdiction, which only exercises its legal power to adjudicate in cases of manifest inability or unwillingness of the judicial system of a State party to exercise primary jurisdiction.

Knowing this dimension, Timor-Leste has created an ad hoc court, composed of a panel of judges, with exclusive jurisdiction to prosecute the serious criminal offenses of genocide, war crimes, crimes against humanity, homicides, sex crimes and torture, between 1 January 1999 and 25 October 1999 during the period of occupation.

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Mr. President

Timor-Leste since its independence has made an effort to bring its domestic legislation in line with the Rome Statute's recommendations, in particular by providing in its penal code for crimes of genocide, war and humanity as imprescriptible criminal offenses. It has been adhered to the most important international instruments in fighting against crime, promoting international law, and creating the conditions and mechanisms for effective cooperation and mutual legal assistance in criminal matters, and for combating impunity and defending the democratic system.

In this regard, it is worth mentioning that the approval of the legal decree providing for international judicial cooperation in criminal matters, the designation of the General's Prosecution Office as Central Authority, and the adherence to regional and international mechanisms aimed at facilitating and intensifying information exchange and judicial cooperation in the fight against crime.

We therefore conclude, Mr. President, we reiterate Timor-Leste's firm commitment to continue the collaboration and support to the ICC, it will always be guided by the objective in achieving broader international protection of the human rights.

End.

José da Costa Ximenes
The Prosecutor General of the Republic