



**Elements for Intervention**  
**on behalf of the European Union and its Member States**

***Eighteenth Session of the Assembly of States Parties***  
***to the Rome Statute***  
***of the International Criminal Court***

**Plenary**  
**“Review of the Court”**  
**The Hague**  
**4 December 2019**

**CHECK AGAINST DELIVERY**

- The EU and its Member States strongly support the work of the International Criminal Court. We cannot stay idle in the face of the most serious crimes of concern to the international community. We need to answer the victim's claims for justice when perpetrators are left unpunished. The International Criminal Court, as the only permanent court with a universal aim, is central to meet those needs and must remain so in the international fight against impunity.
- Expectations are high for an institution that is still in the first years of its existence. It is therefore all the more important that, while the Court is faced with various challenges, we all contribute to enhance its efficiency and effectiveness. We believe that efforts to strengthen the Court and the Rome Statute system will help consolidating the Court's role as a key institution in the fight against impunity, essential to bring justice to the victims of atrocity crimes. We welcome today this plenary debate on how to strengthen the Court and the Rome Statute, and we hope that this discussion will contribute to shaping the future of a resilient ICC.
- We welcome the extremely valuable work conducted in the Bureau, and in the New York and the Hague Working Groups.
- Important work lies ahead of us. It is imperative for the ICC to evolve and adapt to new challenges, in order to be as efficient and effective as possible.
- We believe that the independent expert review can bring a new and objective perspective on the challenges faced by the Court and by the Rome Statute system and provide to all stakeholders action-oriented recommendations. We expect that it can start quickly its work.
- All stakeholders must keep up their efforts. The launch of the independent expert review is only the stepping stone for future work on the Court's ability to meet the high expectations we all place in it. Challenges need to be addressed.
- In this regard, the EU and its Member States support common efforts aimed at strengthening the Rome Statute system and the performance of the Court. It is imperative that in this process the core principles of the Rome Statute are

not called into question and that the impartiality and independence of the Court is protected. We highlight again that the process needs to be inclusive and transparent, and be a collective effort to which the Court, States Parties and civil society must all contribute.

- We welcome the Court's efforts to enhance its working methods and procedures in order to create greater internal synergies, improve its efficiency and use its resources in the most effective way, including the Prosecutor's internal review exercise.
- The active contribution of States Parties is essential. We believe that engaged States Parties, together with the Court's own efforts, and with assistance from civil society and the broader international community, will fundamentally contribute to upholding and defending the principles and values enshrined in the Rome Statute. In particular, we call on all States Parties to double efforts to identify new avenues for strengthened cooperation with the Court, which is essential for the Court to fulfil its mandate, including regarding actions for the 15 outstanding arrest warrants.
- Strengthening the ICC system is the responsibility of us all. Common efforts can have several forms. We welcome important steps made in relation to the independent expert review of the Court, as well as progress in the Committee on the Election of the Prosecutor.
- Ensuring cooperation with the ICC remains vital. We welcome that the draft resolution on the Review of the International Criminal Court and the Rome Statute system requests the Bureau to address strengthening cooperation and reducing non-cooperation as a matter of priority in 2020.
- We attach great importance to the election of the most highly qualified judges and prosecutor to the Court. We welcome the draft resolution on the nomination and election of judges, which stresses the importance of nominating and electing the most highly qualified judges, calls on States Parties to enhance their national procedures for the nomination of candidates for election to the Court, and encourages States Parties to exercise their

votes for judicial candidates based primarily on their qualifications for judicial office and refrain from the trading of votes.

- The EU and its Member States continue to strive for the integration of a gender perspective and analysis into all of its policies. We applaud the Court for the work already done in this regard, and encourage it to continue to address gender questions in all its activities. We underline the importance of a fair gender and geographical representation amongst the judges, prosecutors, counsels, officials and other staff of the Court, and encourage the Court to ensure a fair gender and geographical representation at the highest levels.
- The EU and its Members States are committed to a constructive and comprehensive dialogue on the review aimed at strengthening the Court and the Rome Statute system. It remains our common responsibility to make sure that the Court lives up to the expectations set two decades ago, and is ready to address the challenges of the future.