



IRELAND

Nineteenth Session of the Assembly of States Parties to the Rome Statute of the
International Criminal Court, The Hague, 14-16 December 2020

Plenary Debate

Statement by H.E. Mr Kevin Kelly

Ambassador of Ireland to the Kingdom of the Netherlands

Mr President,

Ireland associates itself with the statement delivered on behalf of the European Union.

At the outset, I wish to express our gratitude to you, Mr President and to the outgoing members of the Bureau for your dedicated work over the past three years. Your personal commitment to the mission of the International Criminal Court and to the interests of victims, was evident from the very beginning of your term of office when you took the time to join the field mission to Northern Uganda organised by the Trust Fund for Victims and Ireland. Given the difficult challenges presented this year by Covid-19, I want to especially thank you and the Secretariat of the Assembly of States Parties for the flexibility and consideration you have shown in preparing for this session. I also want to acknowledge the important contributions made by the facilitators and members of The Hague and New York Working Groups and their quick adoption of new working methods that enabled us to complete our work ahead of this session.

We welcome the upcoming election of key Court officials, which will determine the success of the Rome Statute system over the coming years. It is essential that those elected to these offices are those best qualified to fulfil their mandates and that they receive the fullest support from States Parties once elected. It is encouraging on this occasion to see the very high calibre of candidates who have shown themselves willing to serve. We look forward to the benefit that their combined experience and skill will bring to bear on the work of the Court at this critical time. We also take the opportunity to thank the outgoing officials for their contribution and commitment to the Court, in particular the outgoing President, Judge Chile Eboe-Osuji and Madam Prosecutor, Fatou Bensouda, who have served with great courage and integrity. We would also like to thank the Advisory Committee on the Nomination of Judges and the Committee on the Election of the Prosecutor for their work earlier this year in preparation for these elections.

It is appropriate that with the changing of the guard, our thoughts now turn to the opportunity for renewal at the Court. Ireland welcomes the progress made to date in the review process set in motion at last year's Assembly, especially in relation to considering and acting on the basis of the report of the Group of Independent Experts. Ireland looks forward to taking this work forward in a transparent and inclusive manner, and we stand ready to engage further in what must be a concerted collective effort involving Organs of the Court, States Parties and Civil Society. This collective willingness to make improvements where necessary will only strengthen and enhance the reputation and standing of the Court as the central institution in the international criminal justice system. Such collective

action will also serve to support our ambitions towards universalisation and increased membership.

Ireland remains committed to achieving universality of the Rome Statute. We urge all states who have not yet become a party to the Rome Statute to consider doing so.

Mr President,

Ireland will soon have the privilege of serving on the United Nations Security Council. Ensuring accountability will be an important principle underpinning our approach throughout our term. The Court has a unique and vital mandate in this regard, and Ireland believes the Security Council must play its role in ensuring accountability by referring violations to the ICC, so that those responsible for crimes that are so grave that they can threaten the peace, security and well-being of the world, cannot act with impunity. In doing so, the Court provides justice for the victims and survivors of these crimes, while also acting as a deterring factor against the commission of such atrocities in the future. During our tenure, we will seek to encourage the Council to support the Court's work.

It is of course primarily the responsibility of states themselves to deal with crimes of this gravity. However, it is critical that the Court can act to provide accountability and justice where states are unwilling or genuinely unable to do so. It was for this reason that we, the international community established the ICC, making it clear that there are certain lines which should never be crossed, but that if they are crossed, then accountability will follow.

In order for the Court to carry out this mandate fully and effectively, it relies on receiving meaningful cooperation, in particular from States Parties. With the Court currently operating in a more restrictive landscape due to Covid-19, such cooperation is more critical than ever. Ireland continues to look for ways to support the Court in this regard. We also urge all states to provide appropriate cooperation to the Court when requested, including in relation to the prompt execution of arrest warrants and requests for assistance and to consider concluding voluntary cooperation agreements with the Court.

Mr President,

Ireland wishes to highlight the role of the Trust Fund for Victims, which continues to be an integral part of the Rome Statute system. The focus of the Trust Fund's critically important work is to deliver tangible reparative justice to victims, their families and their communities. We welcome the progress made this year by the Trust Fund in spite of the challenging circumstances. The work

of the Trust Fund depends on voluntary contributions and without these, its vital work would stall. Ireland is therefore pleased to make a regular, annual contribution to the Trust Fund and encourages all states to consider doing so. We also take this opportunity to express our deepest sympathy at the sudden passing in April 2020 of the Chair of the Board of Directors of the Trust Fund, Felipe Michelini, who made such a valuable contribution to the work of the Board.

Finally, let me conclude by addressing the challenges that the Court has faced this year. The global pandemic has had an impact, not just on our ability to meet as an Assembly this year, but more importantly, on the ability of the Court and its organs to carry out their work. We would like to commend the Court and its staff for meeting these challenges head on, while continuing to make significant developments in their work.

Ireland remains deeply concerned about other external challenges faced by the Court this year, including the measures taken against senior Court officials, which should be rescinded as a matter of urgency. We believe that sanctions should only be used against those responsible for the most serious crimes, and not those who are working in the pursuit of international criminal justice. We are fully committed to supporting and defending the Court from any pressures or threats that aim to interfere with its independence or impartiality. Ireland stands firmly in support of the ICC and in this regard, we were pleased to join other States Parties in joint statements of support during the year. We will continue to use our voice in all relevant settings in order to express our unwavering support for Court.

Thank you.

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