

Excellencies, Distinguished Delegates, Dear Colleagues and Friends,

I am Nadia Volkova from Ukrainian Legal Advisory Group and I am deeply honoured to make this address today on behalf of Ukrainian NGOs: Crimean Human Rights Group, Media Initiative for Human Rights, Truth Hounds, Diya Human Rights Centre, Human Rights Centre ZMINA and Ukrainian Legal Advisory Group for whom justice and accountability for grave crimes have been at the forefront of their movement ever since the Revolution of Dignity took place in 2013 followed by the break-out of armed conflict in Crimea and armed hostilities in eastern Ukraine in 2014 which are still ongoing.

Following the decision of the then Prosecutor of the ICC, Fatou Bensouda to conclude the preliminary examination in the situation of Ukraine as statutory criteria for opening an investigation had been met, due to the number of factors, including existing budgetary constraints, the submitting of the request for authorisation for opening of an investigation had been postponed until further notice and left to be made by the recently elected Prosecutor, Karim Khan.

The decision was confusing to many, but most of all to the victims, civil society and domestic authorities. Because the existing challenges are too great for the domestic system alone and without the “catalytic effect” of the ICC investigation there is a risk that international justice will be further deprioritized.

While we are mindful of the existing challenges faced by the Court, it is imperative that the Office continues to actively engage with all the stakeholders and to put pressure on them in order to ensure that principle of complementarity is unequivocally adhered to by the state of Ukraine, bearing in mind that any further delays in opening of the investigation will further challenge the ICC’s ability to fulfill its mandate in relation to Ukraine and will add to further disillusionment in its effectiveness.

Excellencies,

Ukraine has a homework which it has consistently failed to do for many years now: to ratify and implement the Rome Statute and not for the lack of active

campaigning on the part of victims and civil society in all the possible fora. While Ukraine fails to factor in justice and accountability as an effective deterrent to further escalation and spread of the ongoing war, it is very dependent on the support of the international community in tackling consequences of armed conflict, therefore, we call on the international community to make a consistent and consolidated effort to put pressure on Ukraine's officials, in particular the President of Ukraine: to sign draft IHL implementation bill 2689; to initiate ratification of the Rome Statute process; and conclude the Memorandum of Understanding between Ukraine and the ICC as soon as possible.

We in turn would like to reassure you of our commitment and continued cooperation in promoting peace, justice and ending of global impunity.

Thank you for your attention.