



**70th Session of the United Nations General Assembly  
Item 78: "Report of the International Criminal Court"**

**Statement by Brazil  
13 May 2016**

*(check against delivery)*

Mr. President,

Brazil welcomes the consensual adoption of this resolution on the report of the International Criminal Court. My country co-sponsored it as a means to express our unwavering support for the Court and our steadfast commitment to the values that motivated its creation. The increased number of its co-sponsors is another clear demonstration of the support that the combating impunity for the most serious international crimes has in this General Assembly.

My delegation would have welcomed, however, a more ambitious text than a technical update of the resolution adopted during the 69th Session of this General Assembly. The distance between this resolution and the challenges faced in the relationship between the UN and the ICC is not decreasing. We hope that, through continued transparent and inclusive dialogue, we can reverse this trend in the 71st Session and deliver a text truly deserving of our shared goal of promoting universalization of access to peace, security and justice.

Mr. President,

I would like to reiterate my delegation's growing concern on an issue of structural nature, that relates to the core of the relationship between the Court and the United Nations, in particular this General Assembly.

Despite the clear guidance provided by Article 13 of the Relationship Agreement between the UN and the ICC in the sense that the UN must bear the costs of investigations and cases related to referrals by the Security Council, this Assembly has once again limited itself to merely acknowledging the fact that these expenses "continue to be borne exclusively by States Parties to the Rome Statute".

It is regrettable that the resolution does not call upon Member States to actually address this issue. At a time when the Court faces unprecedented workload and Security Council members frequently entertain the idea of referring situations to the ICC, we must objectively reflect on the sustainability of a system in which the costs of the implementation of such a decision are met solely by States Parties to the Rome Statute. It is also important to bear in mind that this General Assembly has the exclusive responsibility over the consideration and approval of the budget of the Organization, as laid out in Article 17 of the Charter.

Mr. President,

Every new ratification of the Rome Statute is an important step towards the promotion of peace and justice. Brazil welcomes the recent accession of El Salvador to the Statute and expect that it encourages others to become Parties. Enhancing the universality of the ICC is a means of promoting peace and justice and of addressing a key international dimension of the rule of law that all States should commit to. International criminal justice should apply to all.

Thank you.