

Madame President, Members of the Assembly, distinguished delegates,

I have the honour of speaking on behalf of the European Union and its Member States.

Madame President,

First of all, on behalf of the European Union and its Member States, I would like to express our sincere appreciation to you, Madame President as well as your predecessor, Ambassador Christian Wenaweser, the Bureau, facilitators, Secretariat of the Assembly, representatives of the Court, the Committee on Budget and Finance, the Oversight Committee, the Committee on Permanent Premises, representatives of the Trust Fund for Victims and the working groups in The Hague and New York for their careful preparation of this session.

During this session, States Parties have elected six new judges and a new prosecutor. Elections have also been held for a new President of the Assembly, two Vice-Presidents, other members of the Bureau, and six members of the Committee on Budget and Finance. We thank the outgoing judges and the prosecutor for their devoted service and congratulate the newly elected.

We also wish to express our sincere gratitude to the Coalition for the International Criminal Court and its members for their valuable contributions, not only in promoting the Court's objectives, but also for arranging helpful discussions at every session of the Assembly.

Madame President,

This year, once again, the European Union and its Member States reaffirm their unwavering commitment to fight impunity for the most serious crimes of concern to the international community as a whole. Nowhere should be a safe haven for those who have committed the crime of genocide, crimes against humanity and war crimes. By combating impunity for those crimes, the International Criminal Court plays a crucial deterrent role and sends a clear signal that those who committed these crimes will be brought to justice, regardless of their official position.

The EU stands in the strong tradition of being a staunch supporter of the Court. We share the aims of the Court to combat impunity and promote a rule of law-based international order. The EU and its Member States are united in their commitment to promoting international criminal justice, preventing crimes of genocide, crimes against humanity and war crimes, holding the perpetrators of such crimes accountable and providing justice to the victims. The consolidation of the rule of law and respect for human rights are of fundamental importance to, and a priority for, the European Union. Justice, the rule of law and the fight against impunity are the pillars of sustainable peace.

In line with its long-standing policy, and as pledged at the Kampala Review Conference of the Rome Statute, the EU has further reinforced its policy in support of the ICC. In this context, the EU has adopted, on 21 March 2011, a Council Decision to update its Common Position on the International Criminal Court which had been first adopted in 2001 and reviewed in 2003. The objectives of the 2011 Council Decision are to advance universal support for the Rome Statute by promoting the widest possible participation in it, to preserve the integrity of the Statute, to support the independence of the ICC and its effective and efficient functioning, to support cooperation with

the ICC and to support the implementation of the principle of complementarity. In the same vein, an updated Action Plan was also agreed on 12 July 2011 to follow-up on the Decision on the ICC.

Madame President,

An effective system of international criminal justice is based on the widest possible participation of States to the Rome Statute. Grenada, Tunisia as well as the Philippines, the Maldives, Cape Verde and Vanuatu joined the circle of States Parties to the Rome Statute from different continents, bringing their number to 120. The European Union warmly welcomes these new members. Their accession is proof of the ever-increasing political support of the ICC and recognition of the unique value of the Court to promote international criminal justice. Likewise, the UN Security Council's unanimous adoption of resolution 1970 (2011), referring the situation in Libya to the Court, reflects the growing recognition, even among non-member States of the Rome Statute, of the importance of the role the ICC plays in combating impunity.

With their respective ratifications and accessions, those States have joined the ever-growing number of nations in the call that there should be no impunity for the most serious crimes. Building on this very encouraging recent momentum, the European Union remains committed to promoting the universality of the Rome Statute.

Madame President,

The ICC is a court of last resort and complementary to national criminal jurisdictions. Therefore, primary responsibility for bringing offenders to justice lies where it should, with States themselves in conformity with the relevant provisions of the Rome Statute. The EU is committed to giving full effect to the Rome Statute also by facilitating effective and efficient interplay between national justice systems and the ICC.

In addition, the EU and its Member States stress the need to continue reinforcing our collective and individual efforts to ensure full cooperation with the Court in accordance with the obligations under Part 9 of the Rome Statute, in particular that the arrest warrants issued by the Court are enforced. It is far from satisfactory that the majority of the arrest warrants issued by the ICC have not yet been implemented. While most States, including situation countries and States non parties to the Rome Statute, implement their obligations, the EU continue to have concern about the difficulties raised by certain States Parties in relation to the enforcement of requests for arrest and surrender. In addition, the European Union and its Member States also recall that Resolution 1593 of the United Nations Security Council imposes obligation to cooperate with the Court on a non-State Party, i.e. Sudan. It regrets the infringements by Sudan of its international obligations.

Madame President,

On the issue of the budget, the European Union agrees that the Court has now been fully operational for several years and deals with a rapidly increasing number of situations and cases. The activities of the Court need to be prioritised, with its procedures improved as necessary, so that it can continue to perform successfully its judicial mandate as set out in the Rome Statute. Furthermore, in the current dire international economic and financial conditions the Court's activities have to be based on sound financial assessments, taking into account what the States can provide.

Madame President,

EU will continue to support the International Criminal Court both politically and diplomatically, as well as logistically and financially. In particular, the EU will keep on promoting the independence of the Court and helping to ensure its effective and efficient functioning.

Thank you.
