



Parliamentarians for Global Action
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XIV Assembly of States Parties of the International Criminal Court
Address by **MS. Barbara Lochbihler, MEP**, *Co-Convenor PGA International Law &
Human Rights Programme*

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Honourable Assembly:

It is an honor for me to be here with you as representative of Parliamentarians for Global Action also known as PGA, which is a non-profit, non-partisan international network of committed legislators who advocate for human rights and the rule of law, democracy, human security, non-discrimination, and gender equality.

We, the over 1200 Members of parliament from 143 countries world-wide, encourage all observer states present here that have *not yet* joined the Rome Statute, to join the group of law abiding nations under an international rule of law and ratify this important instrument that brings us together here today at this ASP.

Members of PGA from all regions of the world agree that it is a necessity for the world community in general and the States Parties in particular to fully support the Rome Statute system and the ICC in its mandate to contribute to put an end to impunity. Our political support shall be backed by your concrete, consistent and coherent actions, since the Court depends on the cooperation and full support by you as its member states.

Parliamentarians, as elected legislators, play an essential role for efforts towards universality and effective implementation and concrete application of the Rome Statute. PGA appreciates in this regard the excellent partnership we are having with the Court's Organs, starting with the Presidency and the Prosecutor, as well as with the ASP, its Presidency and Facilitators. We are also grateful for the trust and partnership we are receiving from a number of ICC Member States present here today, especially Denmark, Estonia, Liechtenstein, The Netherlands, Sweden and Switzerland, and the European Union.

Honourable Delegates:

For PGA, the main issues that we wish to cover are the following: *first* the ASP Agenda, *second* the Budget of the Court and –in connection with the first two points – the independence of the ICC, which we believe is currently at stake.

Regarding the ASP Agenda:

Let us discuss how we can enable the Court to be more active, instead of blocking the Prosecutor from doing her work. Regretfully, in the last two years the level of victimization has dramatically risen in a number of armed conflicts, several of which have been characterized by the political will of certain actors to create "total impunity zones", as had been presented when two major powers effectively vetoed the referral

of the Syrian situation to the ICC jurisdiction in the UN Security Council in May 2014. Let's redouble our collective efforts to ensure that we enable the Court to be active instead of disabling its mandate: At the UN Security Council and in all other relevant bodies, no State shall veto or otherwise block effective action to counter and prevent genocide, crimes against humanity, war crimes and the crime of aggression!

This point leads me directly to my second point, the Budget of the Court:

The ICC must receive more resources to accomplish its mandate, as the Prosecutor explained in her last Report to the UN Security Council concerning the dramatic situation in Libya.

The ICC is a jurisdictional body, a Tribunal with an independent Prosecutorial authority, and it shall not be seen primarily as an international organization.

As a jurisdictional body, its organs must abide to the law and apply the law. Costs and infrastructure are a consequence of this legal mandate, not a pre-requisite that limits and unduly orients the ICC in one direction and not in others.

Finally I would like to underline the independence of the Court:

As the largest global network of politicians supporting the ICC and the fight against impunity, PGA's priority is to protect the integrity and the independence of the ICC, which must be "de-politicized". The Prosecutor should not be conditioned by the lack of resources if she needs to apply the law to bring to justice alleged perpetrators of "the most serious crimes of concern to the International Community as a whole", as provided for in Article 5 of the Rome Statute.

To ensure this independence, we suggest that, whenever possible and feasible, each State Party supports the budget of the Court from national budgetary allocation for justice and the Rule of Law, and not the budget that States are devoting to Inter-Governmental Organisations (IGOs). The ICC is not business as usual in international relations, it is not yet another International bureaucracy! It is a Court of Law that deals with individuals, and it should be adequately funded by the Justice Budgetary lines of Member States.

PGA of course remains open to discuss this important issue with the Organs of the ICC and States Parties since it has come to a point where the credibility of the system of international criminal law as such is at risk.

Honourable Participants and Observers in this ASP:

I am not here to criticize today, but to ensure PGA's commitment to cooperate with the ICC, the States Parties, NGOs and all other relevant actors to make this ASP, and the coming year a success in our endeavors for a world in which "peace and security" is a feeling known to all human beings, and not just to a small group of privileged individuals.

In line with PGA's vision, namely to contribute to the creation of a Rules-Based International Order for a more equitable, safe and democratic world, we as legislators stand ready to enhance all your efforts on the national level as well as in regional fora such as the European Parliament, where I am personally strongly committed to our common mission to end impunity.

--Thank you for your time and I wish you fruitful discussion AND outcomes--