

Statement delivered by **Hon. Hryhoriy Nemyria, MP**

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Parliamentarians for Global Action (PGA)

18th Assembly of States Parties to the Rome Statute of the International Criminal Court

Tuesday 03 December 2018

The Hague, The Netherlands

President and Vice-Presidents of the International Criminal Court,

Prosecutor of the International Criminal Court, distinguished honourable delegates from all regions of the world,

Dear representatives of international organizations and civil society:

- I am honoured to address this Assembly of States Parties to the Rome Statute of the ICC on behalf of Parliamentarians for Global Action at a time when the decision-making process in my country, **Ukraine**, may soon pave the way for ratification and domestic implementation of the Rome Statute.
- Now, more than ever, the fight against impunity is a priority for Ukraine. Last week in Kyiv, under the *aegis* of the Committee on Foreign Affairs of the Verkhovna Rada and PGA, we firmly committed to become a State Party at the pivotal ASP of 2020. The next ASP will be critical in several respects, including strategic decisions for the future of the ICC to be taken by States Parties, starting with the election of six new judges and the new Prosecutor. Ukraine should be among those States to take part in these important deliberations that will shape the future of the ICC.
- PGA is a network of 1300 Lawmakers in 136 Parliaments worldwide. As a membership organization of parliamentarians dedicated to the rule of law, we strongly support the review and reform of the **system of national nominations of candidates** for the highest positions in the ICC, the Judges and the Prosecutor. To this end, since 18 July 2018, we have advocated for transparent, merit-based, and open *Calls for Applications* to be issued by States Parties that intend to nominate candidates to ensure the highest quality individuals are put forward who fulfil the high requirements of the Rome Statute. States must create rankings of their most qualified candidates, and submit them to the Advisory Committee on Nominations to ensure that only *the most qualified independent jurists* in the fields of Criminal Law and International Law are nominated. Sufficient time must be allocated to States to perform this task. Political appointments of Judges – even those who would qualify for certain highest judicial offices in their country – is **not** an acceptable practice.
- To date, the Court has produced an extremely limited number of cases and trials. For this reason, it is necessary to address all the external and internal challenges that the ICC confronts to augment its productivity. An *Independent Expert Review*, aimed at enhancing the Court's performance, efficiency, and effectiveness, is an important starting point to address internal challenges: The success of this exercise

will support the Court's continued evolution and ensure it is an Organization in which States Parties, and Ukraine, can believe.

- As many of you are aware, PGA fights for the universality and the effectiveness of the Rome Statute system, to put an end to impunity for genocide, crimes against humanity, war crimes and the crime of aggression. In this respect, we are proud of our **Kiribati**'s lawmakers' fundamental contribution to the most recent accession to the Rome Statute.
- As this development attests, PGA Members remain steadfast in our ongoing Campaign to induce other States to join the Rome Statute system, including **Malaysia**, **Morocco**, and **Guinea-Bissau**, and to halt initiatives aimed at withdrawals from the Statute, regarding which we are very pleased to work with our Parliamentarians from majority and opposition in **South Africa**.
- We are also planting the seeds for the re-ratification of the Rome Statute by **The Philippines**, while continuing to support global acceptance of the Amendments to the Statute on aggression and war crimes, as our Members have done successfully in **Ecuador** and **Paraguay**.
- Domestic implementation is a prerogative of Legislators, and we are determined to continue to play our role and responsibility. PGA Members have tabled laws on cooperation with the ICC, complementarity and also reparations for victims in several countries. In **Ukraine**, we have adopted a draft law on complementarity in first reading this summer, and we are now promoting it in the newly elected Parliament.
- Finally, the Rome Statute system can be a formidable tool for the prevention of atrocities and mass violence. One year ago, the Parliament of my country, **Ukraine**, hosted the 10th *Consultative Assembly of Parliamentarians on the ICC & the Rule of Law*, which was attended by over 200 participants, including 80 Parliamentarians from every region of the world. This gathering served as an opportunity to address current issues, share forward-looking strategies for atrocity-prevention, and promote universality and implementation of the Rome Statute system, including in my country.
- We anticipate convening the 11th *Consultative Assembly* in 2020 in a strategic Latin American country, **Argentina**, where the PGA multi-party National Group has supported Argentina to become the first State to conclude all four cooperation agreements with the ICC. We will invite the Speakers of Parliament in all of your countries to send delegations to this unique global gathering of Lawmakers on international justice, and we will be grateful to receive your renewed cooperation.
- *Mr. President, honourable delegates from States, representatives of NGOs and International organizations, fellow citizens of the world:*
- History has taught that there cannot be sustainable peace without justice and respect for human rights. Let us use this Assembly of States Parties to rededicate ourselves and ensure that the tools at our disposal are as effective and universal to help achieve these goals.