

**PERMANENT MISSION OF DENMARK
TO THE UNITED NATIONS**

Statement on behalf of Finland, Iceland, Norway, Sweden, and Denmark

Delivered by H.E. Ambassador Mr. Ib Petersen
Permanent Representative of Denmark to the United Nations

United Nations General Assembly

**Agenda item 72: Report of the International Criminal
Court**

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Mr President,

I have the honour to speak on behalf of the five Nordic Countries, Finland, Iceland, Norway, Sweden, and my own country, Denmark.

Mr President,

Let me start by thanking the International Criminal Court for its annual report to the United Nations. I would also like to thank Judge Fernández de Gurmendi, President of the ICC, for a thorough presentation of the main issues of the report. The Nordic countries would like to express our sincere appreciation to the Court for its significant contribution to the fight against impunity worldwide.

It is evident that the caseload of the Court has continued to increase. During the reporting period, the Office of the Prosecutor conducted preliminary examination activities in 11 situations in Asia, Africa, the Middle East, Europe and Latin America, and opened a new investigation into the situation in Georgia, following judicial authorization by the Court.

In total, the Court is currently seized of 23 cases and 10 country situations. These numbers and the geographical scope of cases are unprecedented in the history of the Court. It shows that the ICC is truly a global criminal court. During the reporting period, the Court also rendered its first conviction for counts of sexual violence and command responsibility. This is an important achievement in the quest for bringing justice to victims of these atrocious crimes. We commend the President, the Chief Prosecutor, their staff, and the entire Court for the dedicated and professional manner in which they carry out their work.

Mr. President,

Holding to account perpetrators and ensuring justice for victims of the most serious crimes of concern to the international community are principles shared by States of all parts of the world. The International Criminal Court is an essential means – not only of promoting respect for international humanitarian law and human rights law – but also to the advancement of post-conflict peacebuilding and reconciliation with a view to achieving sustainable development and peace.

We wish to stress the importance of full cooperation by States. It is a cause for concern that the number of outstanding arrest warrants remains high. In total, requests for arrest and surrender issued by the Court remain outstanding against 13 individuals. States Parties have a legal obligation under the Rome Statute to cooperate fully with the Court. We strongly urge *all* States to cooperate fully and effectively with the Court, in line with any applicable United Nations Security Council resolutions.

Mr. President,

The Court's promise of justice for the victims goes together with the reach of its jurisdiction, first and foremost with how universally the Rome Statute has been ratified. While being fully within the provisions of the Rome Statute, the Nordic countries deeply regret recent decisions and notifications of States Parties to withdraw from the Rome Statute.

The Nordic countries continue to stand ready for a constructive discussion about concerns that some States Parties may have within the framework and fundamental principles of the Rome Statute.

Mr. President,

States have the primary responsibility to investigate and prosecute crimes as the ICC is a court of last resort. However, States affected by genocide, crimes against humanity and war crimes might at times need capacity support to initiate investigations and conduct criminal proceedings.

The Nordic countries emphasize the value of States Parties assisting each other in developing capacity. We are committed to strong international cooperation. Cooperation that engages international, regional and national actors in the justice sector, as well as civil society, to further the implementation of the principle of complementarity.

We stress that States Parties may also benefit from the knowledge and expertise of the Court. One concrete example of our complementarity engagement is also the Justice Rapid Response facility, which is a supporting mechanism for providing states and organizations with rapidly deployable criminal justice professionals trained for international investigations.

Mr. President,

We welcome the ongoing cooperation between the United Nations and the ICC as described in the report. Enhanced cooperation between the Court and the Security Council is still called for. This is true in particular in cases of non-cooperation with the ICC as well as for strengthened follow-up of cases referred to it from the Security Council.

We deeply regret that the Security Council has been unable to refer the Syrian situation to the ICC, and we strongly urge the Council to continue efforts to refer the case. Without stronger and more committed action by the Council and States Parties, the situation will not improve. All those responsible for war crimes and other serious international crimes must be held accountable.

Meanwhile, the quest for universal adherence to and implementation of the Rome Statute should also be intensified. Justice must be ensured for victims of mass atrocities in Iraq. We therefore repeat our call upon Iraq to accede to the Rome Statute. We also stress the need for all States Parties, as well as non-States Parties that have not yet done so to ratify and fully observe the Agreement on the Privileges and Immunities of the ICC as a matter of priority.

Mr. President,

The full realization of the rights of victims is an important aspect of the continuing success and relevance of the Court. We commend the important work of the ICC Trust Fund for Victims, which has supported more than 300,000 victims in northern Uganda and the Democratic Republic of the Congo. We encourage States and other actors to contribute to the Trust Fund.

The Nordic countries also welcome the Office of the Prosecutor's ambitions to further enhance the efficiency of the Court. We especially welcome the Prosecutor's policies to address crimes against those most vulnerable, in important areas such as sexual and gender-based crimes and prosecuting crimes against children.

During the reporting period, the Court also moved into its new, permanent premises in The Hague, funded by the States parties. The completion of the new, purpose-built building of the Court is a major milestone for the ICC as a permanent international institution. We hope that the Court will make the most effective use of the new premises in order to achieve justice for victims and to contribute to the prevention of core international crimes.

In order for the Court to be able to carry out its task in the most efficient way it needs also to be properly funded. The Court's budget will be dealt with in the Assembly of the State Parties later this month, but we wish to underline the worldwide activities of the Court as reflected in the Court's report. It is our common responsibility to ensure that the Court has sufficient resources to carry out its important mandate in a time of strongly increasing demand.

Let me conclude by renewing our pledge that the Nordic countries will remain staunch supporters of the ICC. We are committed to continue working for the Court's effectiveness, independence and integrity.

I thank you.