



43rd session of the Human Rights Council

Agenda Point 2: Annual Report by the High Commissioner

Intervention by Luxembourg on behalf of the Group of Friends of the International Criminal Court (ICC) in Geneva

Madame President,

Luxembourg has the honour to deliver this statement on behalf of the Group of Friends of the International Criminal Court in Geneva.

2020 marks the 75th anniversary of the end of World War II and of the liberation of Auschwitz. “Never again” is the commitment the world order signed up to after World War II. It is indeed a shared responsibility of States to stand against human atrocities and the ICC is a global instrument through which the world can live up to this commitment.

In fact, over the past two decades, the International Criminal Court has played a pivotal role in prosecuting persons accused of genocide, crimes against humanity and war crimes. With numerous States Parties from all around the globe, the Court has significantly strengthened accountability and the protection of victims, including in cases of sexual violence and in the recruitment of child soldiers.

As the world’s first permanent international criminal court, the ICC represents one of the most important steps in the development of international criminal justice and in the fight against impunity for the most serious crimes of concern to the international community as a whole. It constitutes an essential part of a multilateral system based on respect for the rule of law, human rights and fundamental freedoms. The ICC plays a significant role in fostering those values which are at the core of the work of the UN human rights system.

The Group of Friends is deeply convinced that the lack of accountability encourages repetition of crimes, as perpetrators and violators feel free to commit further offences without the fear of punishment. Standing as a court of last resort, complementary to national jurisdictions, the ICC sends a clear message that those who abuse power and cause harm to innocent victims will face

accountability before an international court of law, when national courts prove unable or unwilling to do so.

As such, the ICC contributes, in a decisive manner, to the protection of human rights and to the non-recurrence of international crimes. Indeed, ensuring accountability contributes to the acknowledgment of past violations and the prevention of further violations. It is a critical precondition to any sustainable transition to peace and stability. Hence, we should continue to work together in order to promote further awareness and strengthening of the ICC and the Rome Statute in every region of the world. Furthermore, we also highlight that the Court is an independent and impartial judicial institution and we are strongly committed to supporting and protecting the integrity and independence of the Court in order to ensure its proper functioning.

The Group of Friends attaches utmost importance to the invaluable contribution civil society has made in the establishment of the Court and to its effective functioning.

We need the Rome Statute and the ICC now, as much as we did 20 years ago. Not only because of its contribution to the protection of human rights and the achievement of the 2030 Agenda, but because we owe it to the betterment of humanity and to future generations, so that they may live in a more secure and peaceful world.

The Group of Friends therefore urges all States to support and fully cooperate with the ICC. We call upon those that have not yet done so to become parties to the Rome Statute.

Thank you, Madame President.