



SLOVENIA

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STATEMENT

by

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to the United Nations

Report of the International Criminal Court

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Mr President,
Excellences,
Distinguished Delegates,

Slovenia aligns itself with the statement made on behalf of the European Union and its Member States. Given the importance of the subject matter before us, we would like to make some additional comments. Allow me to begin by thanking the International Criminal Court for its annual report to the United Nations and the President of the ICC for thoroughly presenting its main issues.

Slovenian foreign policy remains focused on strongly promoting the rule of law. Slovenia believes that the ICC, as a court of law, plays an instrumental role in establishing this principle by ensuring that the most severe crimes do not go unpunished. Slovenia believes that amplified support to international criminal justice and the Court is essential, especially with the Court facing some challenges and resistance in its efforts to prosecute the most serious atrocities and to prevent such violations in the future.

In the light of Slovenia's ongoing cooperation with the ICC, we are grateful to the President of the Court, Judge Chile Eboe-Osuji, for having visited Slovenia last month. During his visit to Ljubljana, we were able to engage in substantive discussions of the challenges, operation and role of Court and of other topical issues relating to international criminal justice.

Mr President,

As there is increasingly raising criticism against multilateralism and recurrent pressures undermine the rules-based international order, increased cooperation between its main proponents is vital. The Security Council and the ICC must enhance their efforts to build an effective relationship that has to allow for both the Court's mandate of closing the impunity gap and holding those most responsible to account and the Council's mandate of maintaining international peace and security. A partnership between the two institutions enhances their credibility as well as the Rome Statute System.

Equally important is the assurance of full and swift cooperation by all States. The States must be aware of their legal obligations as defined in the Rome Statute. Any lack of support inevitably results in the Court's inability to operate effectively, especially when it comes to the execution of outstanding arrest warrants.

We must realise that a universal ratification of the Rome Statute is crucial to the effective deterrence of the most serious crimes. In that vein, we regret again that the Philippines withdrew from the Court and that Malaysia decided to withdraw its instrument of accession to the Rome Statute. We also welcome the Court's ongoing

efforts for cooperation with international and regional partners in its pursuit of the universality of the Rome Statute, enhanced cooperation of States and adoption of national implementing legislation.

Slovenia reaffirms its commitment to promote the principles of the Rome Statute, its universality and enforcement of the crimes of aggression. As regards the integrity of the Rome Statute and efforts aimed at its comprehension, sometimes changes are needed to make improvements. This year, we have ratified the deletion of Article 124 of the Rome Statute. As already pointed out by Switzerland, Slovenia believes that starvation in the case of an armed conflict not of an international character should be listed as a war crime in Article 8.

In the fight against impunity, it is vital to have a strong International Criminal Court, but it is also important for national courts to play their part and be provided with the necessary tools when prosecuting crimes of international character.

In this respect, the MLA Initiative, which Slovenia leads together with Argentina, Belgium, the Netherlands, Mongolia and Senegal, proposes an international convention on mutual legal assistance and extradition for the domestic prosecution of the most serious international crimes, which would strengthen the capacity of national courts. 69 States have expressed their support for the Initiative so far.

The core group of States leading the MLA Initiative will continue their efforts leading towards the negotiations for the MLA convention, which are scheduled to take place in Slovenia in June 2020. We would like to invite all States that have not yet done so to join the MLA Initiative.

We welcome the fact that the reparations mandate of the Trust Fund for Victims is beginning to play a larger role in the Trust Fund's work. The reparative justice to victims of international crimes, their families and communities is essential. We also appreciate the Fund's efforts in addressing mental health issues and in providing psychosocial support to victim-survivors of conflict. Slovenia is pleased to be continuously able to contribute to the Trust Fund for victims.

For the credibility and integrity of the Court, it is vital to address the current challenges. We believe that any deliberations on various potential dimensions of reform processes should be based on openness to constructive cooperation and engaged dialogue between the Court, the States Parties and the civil society. Any reform measures should be aimed at producing concrete, actionable recommendations on how to enhance the performance and effectiveness of the Court.

A synchronized issuance of the three plans; the Court-wide strategic plan for the period 2019–2021 and the organ-specific strategic plans of the Office of the

Prosecutor and the Registry certainly are one such measure. Nevertheless, more attention should be devoted to the fact that many issues both can and should be addressed by the States Parties themselves. Their work and role in the ASP and the existing working groups should be instrumental to ensuring better effectiveness of the Court, while taking into account the specific characteristics of each authority.

We believe that various co-occurring initiatives to find effective remedies for the challenges facing the Court reflect the importance of the Court and its role in the wider international community. We firmly believe that with joint efforts and unwavering support of all main actors of the Rome Statute system, any obstacles to the Court's efficient functioning can be overcome successfully.

Thank you.