



STATEMENT

by

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EMBASSY OF SWEDEN, THE HAGUE, NETHERLANDS

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Mr. President, officials of the Court, members of the Assembly, distinguished delegates, ladies and gentlemen.

Allow me first to express my Government's sincere appreciation to the Court and all of its officials, in The Hague and around the world. Sweden has – since the establishment of the ICC – been a strong proponent of the Court and its vital mandate to end impunity for the most serious crimes of international concern. Through the tireless work and cooperation of states, international organisations, and civil society groups worldwide, the groundbreaking idea of a permanent international criminal court became a reality 20 years ago. The creation of the ICC was a historic achievement for the advancement of international criminal justice. The accomplishments in the past decades are significant. The activation of the Court's jurisdiction over the crime of aggression is a testament to the State Parties' continuing commitment to the Court.

In the current political climate, in which the ICC and a rules-based international order are called into question, it is imperative that States Parties renew their support for the Court. The Government of Sweden has full confidence in the impartiality and independence of the ICC Judges and Prosecutor, and remains firm in its support for the Court.

Mr. President,

Heinous crimes are being committed with impunity in many conflicts and situations worldwide. As a member of the UN Security Council Sweden has called for the situation in Syria to be referred to the ICC. Regrettably, the Security Council has failed to take effective action to ensure accountability for the untold suffering in Syria. As this deadlock persists, we call on all States Parties to strengthen our collective efforts to ensure that conditions are in place for justice to be carried out in the future. For this reason, Sweden supports the work of the International, Impartial and Independent Mechanism and we encourage others to do the same.

The Government of Sweden is appalled by the atrocities carried out against the Rohingya people. Sweden is actively pursuing consultations on a possible referral by the Security Council of the situation in Myanmar to the ICC, which remains the most effective means of achieving accountability. We further encourage concerned States to cooperate with the Prosecutor of

the ICC in the preliminary investigation concerning the alleged deportation of the Rohingya people from Myanmar to Bangladesh.

Mr. President,

The ICC is a court of last resort which complements, but does not replace, national courts.

Complementarity between national jurisdictions and the Court is essential. More can be done on the national level. Indeed, prosecutions of serious international crimes committed in Syria and elsewhere may provide an important, albeit limited, measure of accountability while other avenues remain blocked.

Since 2006, Swedish courts have convicted ten individuals for serious international crimes committed in Rwanda, the former Yugoslavia and Syria. Additional investigations are in progress. The long-term benefits of national efforts in holding perpetrators of international crimes to account cannot be overestimated, as the purpose of the ICC is to act only when a State is unwilling or unable to do so.

Universality lies at the heart of the promise of the ICC and international justice more broadly. By increasing the number of States Parties, the Court will be better able to address grave international crimes with greater consistency and impact. Perceptions of selective justice must be met with more States Parties, more ICC support, and more justice, not less.

In this regard, we wish to reiterate our deep disappointment with the Government of the Philippines' notification of withdrawal from the Rome Statute and urges the Government to reconsider its decision. We need more States Parties, not fewer.

Sweden stands ready to listen to concerns experienced by States in their relations with the ICC. We need a frank, constructive and continuous appraisal and discussion, based on our Statute obligations of the areas in which the performance of the Court can improve, and where states can assist on a political, practical or financial level.

Mr. President,

The Court's effectiveness in carrying out its mandate depends heavily on state cooperation. We call on all States Parties, as well as those subject to UN Security Council resolutions with respect to Sudan and Libya, to adhere to their international obligations. The outstanding arrest warrants for fugitives of international justice must be promptly executed. The Security Council must furthermore take concrete action to enforce the obligations created by its own referrals to the Court, including responding to the Court's findings of non-compliance.

While support from the outside is imperative to the Court's legitimacy and overall success, increased efficiency must also come from within. The increasing number of preliminary examinations and investigations in complicated situations require the necessary financial resource. At the same time, Sweden encourages the Court's continued enhancement of cost-savings and efficiency. The Court's efforts in this regard for the 2019 budget are welcomed. However, the high amount of arrears is a cause for great concern. Sweden calls upon State Parties to fulfill their obligation to promptly pay their outstanding contributions in full.

Sweden notes with appreciation the Court's improvement in the number of female staff in established posts at the professional level from 46 per cent in 2016 to 49 per cent in 2017. However, the Registry is lagging behind in this regard with 41 per cent female staff. Sweden supports that the Court, particularly the Registry, continue its efforts to narrow the gender gap.

Mr. President,

In order to make justice meaningful for victims of atrocity crimes, the Rome Statute provides for reparative justice for victims. This is achieved not only by giving victims a voice during proceedings through their representatives, but also through the reparations and assistance provided by the Trust Fund for Victims.

Implementing the Court's recent reparation orders in the Lubanga, Katanga and Al Mahdi cases require all Organs of the Court to continue to work closely with the Trust Fund. For the Fund to be able to fulfill its assistance

mandate, voluntary donations are vital. Over the past three years, Sweden has been the largest contributor to the Trust Fund, with total contributions of approximately 3 million euro. We invite other States to actively contribute to the Fund, as justice for victims remains our collective responsibility.

Mr. President,

It is incumbent upon all of us; States Parties, civil society, ICC officials, and the international community, to renew our efforts to uphold the promise of the ICC and international justice.

I thank you for your attention.