

Coalition for the International Criminal Court

Closing statement

21st session of the Assembly of States Parties to the ICC Rome Statute

The Hague, Netherlands, 9 December 2022

On behalf of the Coalition for the ICC, we wish to offer the following observations as the Assembly draws to a close:

Civil society has participated actively in this session despite several challenges; numerous human rights defenders traveled on long and dangerous journeys to the Hague in order to have their voices heard, and will travel back home on the same road to continue their work. We welcome expressions of support from many states parties regarding the critical role of civil society and human rights defenders in the Rome Statute system. We urge the Assembly to ensure that civil society participation in the work of the ASP is safeguarded and guaranteed and call on States Parties to remain vigilant and continue to defend and protect human rights defenders who are targeted because of their work to advance justice.

We also emphatically reiterate our call to states parties to ensure the court has the resources necessary to execute its global mandate for justice. In spite of limited increases, the adoption of a budget so clearly inconsistent with the Court's workload may lead to harm to victims' access to justice, and challenges to the court's delivery of fair and accessible justice across the situations before it. The Coalition joins States Parties that have called for sustainable resources in the regular budget of the Court, and urges the Assembly to make a connection between the budget and the discourse of a victim-centered Court. Looking ahead, states parties should begin discussions immediately on the real investment needed at the court and support the court in developing a long-term strategic vision as a basis for closing the gap between the work the court must do and the resources it has available.

We strongly reiterate that victims and affected communities should be at the centre of the Court's work. There can be no meaningful justice nor protection for victims' rights without participation from those most affected by its work and decisions, and without the effective representation of victims during proceedings before this Court.

Finally, we welcome States Parties' commitment to improving ICC elections processes, including through the establishment of an ad hoc vetting process, early next year, for the 2023 judicial elections. We also look forward to engaging with you in the development of this process as well as a permanent vetting process to be adopted at the next Assembly session. Both processes should be safe, transparent, and comprehensive.

As the Assembly will elect six new ICC judges next year, we also urge States Parties to adopt and implement fair, transparent, and merit-based national nomination processes in accordance with international standards and commit to nominate and elect the most qualified candidates. The Coalition continues to strongly oppose reciprocal political agreements or "vote-trading" in ICC and ASP elections.

The Coalition reiterates its appreciation for the unique consultative status we have with the Court and the Assembly of States Parties, which builds on the earlier recognition of civil society in the Final Act of the Rome Conference in 1998.

Looking ahead to next year's 25th anniversary of the Rome Statute, which will commemorate not only the adoption of the Rome Statute but also symbolically of the United Nations (UN) Declaration on Human Rights Defenders, the Coalition for the ICC will continue to help safeguard the Court's mandate and promise of justice for victims, and we remain ready to engage with you in our shared goal of a fair, effective, and independent ICC.