

CICC Review Team¹ Statement
ASP20 Plenary session on the Review of the ICC and the Rome Statute System

Wednesday 8 December 2021

In an effort to coordinate civil society around the complex and overwhelming review process, the Coalition for the ICC set up a dedicated Review team, co-led by Human Rights Watch and my organization, the International Federation for Human Rights. Today, I have the honor to address the Review Mechanism and the ASP on behalf of the Team.

We welcome this dedicated plenary session on the Review and more broadly, the transparent and inclusive approach taken by the Review Mechanism, reflected in the resolution, allowing for a greater engagement from all stakeholders. However, as we move on to the assessment, in 2022, of recommendations touching upon key priorities to civil society, we believe that improvements can still be made to ensure our early, meaningful and genuine engagement, through accessible platforms, including civil society representatives and human rights defenders from situation countries. As you most certainly know, they can provide unique and invaluable perspectives; have worked directly with victims and affected communities for many years and have experienced first-hand the ICC's work, including the effects of shortcomings in the Court's performance.

The CICC Review Team and its members have identified several key priorities, reflecting areas of longstanding interest and concern, many of which are slotted for assessment early next year:

gender equality and the need of safe, respectful and effective workplace conduct; the guarantee of the highest standards of fair trial and completion of the legal aid policy; States party cooperation with the Court, particularly in the face of politicized attacks; merit-based nominations and elections of highly qualified Court officials; improved and strengthened methodologies of the Office of the Prosecutor; adequate and sufficient resources to carry out the Court's mandate, consistent with its workload;

as well as all the recommendations aiming at placing victims and affected communities at the heart of ICC proceedings and at ensuring the respect of their rights, including early and direct engagement with victims and affected communities, better outreach and public information strategies; increased field presence; and meaningful participation, including through chosen and effective representation during all stages of the proceedings.

We would also like to remind that while States parties play an important role to encourage, support and ensure change at the ICC, it is imperative that the Court, acting in compliance with the Rome Statute, remains the ultimate decision-maker on issues under its purview that go to the heart of its judicial and prosecutorial independence.

The CICC and the Review Team and its members stand ready to continue our engagement in the process and offer our assistance to the Assembly and to the Court to ensure genuine engagement by our members in this critical process. We are looking forward to upcoming opportunities to meaningfully discuss the recommendations, and to altogether engage on the strategic vision for the Court for the next ten years, as suggested in R363.

¹ This statement has been prepared by the CICC Review Team that includes Coalition members most active on the issue of the review of the ICC and the Rome Statute system. It does not represent the views of all Coalition members. Since the Rome Diplomatic Conference, Coalition members have organised themselves into thematic teams to follow issues addressed by the ASP or its subsidiary mechanisms and by the ICC. Teams are a forum to discuss and follow issues and with a view to developing advocacy. All Coalition members can join any team. For further information contact the CICC Review Team co-leader Dorine Llanta (International Federation for Human Rights, FIDH), at dllanta@fidh.org and the Team's focal point in the CICC's International Secretariat, Virginie Amato at amato@coalitionfortheicc.org.