

Coalition for the International Criminal Court

22nd session of the Assembly of States Parties to the ICC Rome Statute- 14 December 2023

Closing statement

Excellencies, dear colleagues,

The Coalition for the ICC is the world's largest civil society partnership for global justice. We were represented at this ASP session by more than 200 individual human rights defenders from all around the world, many of whom travelled in spite of serious challenges, including visa and financial constraints.

We welcome the expressions of support from many States Parties during this session 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 its work is safeguarded and guaranteed, including in the next phase of the Review process. We 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. Recalling the statement we made during the Cooperation plenary, among others, we welcome that this year, the Assembly took another step forward by producing a set of guidelines to ensure that human rights defenders can engage with the Assembly safely. We thank President Fernández de Gurmendi for her leadership on this important issue. We look forward to working with the incoming Presidency and Bureau to advance these essential discussions, including on the implementation of the guidelines, with genuine and accessible consultations with those most concerned. The Coalition stands ready to support and facilitate such engagement.

We also reiterate our call to States Parties to ensure that the Court has the resources it needs to implement its mandate, in all situations. We welcome the increased willingness from States at this session to recognize the pressing needs of the Court, and to move away from zero nominal growth. We welcome the joint statement of 48 States Parties delivered by Costa Rica during the cooperation plenary affirming that **all** victims deserve equal access to justice. Nonetheless, the Assembly continues to fail to set an annual ICC budget that reflects the real and sustained investment needed to support the Court's global mandate, with full respect for victims and defense rights. Going forward, we urge States to reframe the annual budget discussions and work urgently toward providing the Court adequate and sustainable resources in its regular budget, along with the replenishment of the Contingency Fund. This is fundamental to best safeguard the ICC's independence and legitimacy, and avoid politicization and selectivity, or perceptions of inappropriate bias in the Court's work.

Excellencies, we welcome States Parties' commitment to improving the ICC elections processes, and in particular the historic adoption of the permanent due diligence (or 'vetting') procedure for all ICC elections. We extend our congratulations to the facilitators and the ASP President for

engaging with civil society and successfully implementing this significant initiative. We look forward to supporting its implementation in order to ensure that the procedure effectively assesses the high moral character of potential ICC leaders. This is a first among international institutions, which marks a positive momentum towards improving workplace culture and electing the best candidates. Further, we look forward to engaging with this Assembly next year to improve national nomination procedures, a critical building-block to ensure the Court has the most highly qualified bench. Reciprocal political agreements or “vote-trading” have no place in ICC elections, and the Coalition calls on States parties to firmly commit, from the very first step of nominations, to fair, transparent, and merit-based elections.

Finally, we would also like to bid farewell and thank ASP President Fernández de Gurmendi, Vice Presidents Sequensova and Rae, as well as ICC President Hofmański. We look forward to engaging with the ASP Presidency-elect, the new Bureau and all States Parties next year. This Assembly is increasing by one member in February of next year, and we congratulate once again and welcome Armenia as the 124th State Party to the ICC Statute.

The Coalition for the ICC reiterates its appreciation for the unique consultative status we have with the Court and this Assembly. We will work to ensure that the lived experience of affected communities informs the critical decisions that you make as guardians of the Rome Statute system and the values it represents. We will continue to seek your partnership to help safeguard the Court’s mandate and promise of justice for victims.

Thank you for your attention.