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ICC  
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**Speech during the General Debate**

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of Colectivo de Abogados José Alvear Restrepo (CAJAR)*

Excellencies, distinguished delegates, ladies and gentlemen,

I am honoured to speak before the Assembly of States Parties to the Rome Statute on behalf of the International Federation for Human Rights (FIDH) and its 192 member organisations from over 117 countries, including the Colectivo de Abogados José Alvear Restrepo (CAJAR), the Colombian organisation to which I belong.

Attacks on the Court have intensified, mainly due to the campaign of intimidation carried out by the US government aimed at obstructing the work of the Office of the Prosecutor in relation to international crimes committed in Afghanistan and Palestine. However, we welcome recent statements of support from States Parties, and we call on this Assembly to reiterate its strong support to the Court.

The effectiveness and independence of the Court require active cooperation and support from States Parties, starting with ensuring the allocation of the financial means necessary for the Court to fulfil its mission. The pandemic has limited the work of the ICC and the connection with victim communities.

The Group of Independent Experts published its report in September this year, which sets out recommendations to improve the functioning of the Court. The independence of the Court and the integrity of the Rome Statute system must be safeguarded throughout the review process. There is an urgent need to adopt the recommendations by establishing a transparent and inclusive implementation mechanism and to strengthen the central role of the victims in the Rome Statute system, as well as to ensure their substantial participation at all stages of the proceedings.

The election of a new Prosecutor and of 6 of the 18 members of the ICC judiciary will soon take place. It is crucial to ensure and prioritise a merit-based election, ruling out political interference.

Finally, we would like to refer to the principle of complementarity. This principle cannot be interpreted in such a way that it constitutes an obstacle in the aspiration to obtain justice. In Colombia, for example, despite the peace agreement signed between the government and the FARC guerrillas in which they agreed on a transitional justice tribunal, impunity persists, and justice has not reached high-level officials. The structural causes that prevent justice from being obtained remain intact.

Cases like the situation in Colombia show why the ICC must closely monitor the evolution of judicial proceedings at the national level, determining whether or not the measures adopted are significant in fighting impunity. The principle of complementarity is one of the keys to the Rome Statute system, and for this reason, a rigorous interpretation and application in favour of justice is necessary.

This Assembly must rise to the task that both States Parties and members of civil society have entrusted to it: fighting against impunity and working to consolidate the ICC, to make it strong, effective, and capable of delivering justice for the most serious crimes on behalf of all those victims and survivors who have placed their last hopes in this high court.

Thank you for your attention.

Reinaldo Villalba Vargas

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