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**Statement of Michael S. Greco, Chair
International Criminal Court Project of the American Bar Association's
Center for Human Rights and Criminal Justice Section**

**Statement to the 19th Session of the Assembly of States Parties
to the International Criminal Court
10 December 2020**

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Mr. President, Members of the Assembly of States Parties, and Esteemed Colleagues:

I am grateful for the opportunity to address once again (virtually this year) the Assembly of States Parties in a year of unique global challenges to which the International Criminal Court and the cause of international criminal justice are no exception. Indeed, especially in times of uncertainty, the ICC remains a central pillar of a global system of international criminal justice that continues to provide crucial access to justice for victims of atrocity crimes around the world.

The American Bar Association has long supported the International Criminal Court and its role in advancing the rule of law through justice and accountability for atrocity crimes. In particular, the International Criminal Court Project (a joint project of the ABA's Center for Human Rights and Criminal Justice Section) is dedicated to strengthening and enhancing the practice of international criminal justice generally, and the International Criminal Court specifically, through advocacy, education, and practical legal assistance. In addition to the ICC Project, other related initiatives are working to create practitioner-friendly resources on best practices in international criminal justice and to strengthen legal norms on atrocity prevention through justice and accountability, and additional ABA entities work to advance the rule of law around the world in diverse ways.

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Both as a [long supporter](#) of the ICC and also a representative of the legal profession, the ABA has been particularly concerned with threats made against the Court and its personnel. Over the past year, the ABA has urged the United States to [reverse policies](#) that threaten ICC staff and supporters and later to [rescind sanctions](#) implemented against Court officials. In August, the ABA's House of Delegates [adopted policy](#) making clear that the ABA "condemns threats by governments to the International Criminal Court and its officers and personnel in the performance of their duties." It remains crucial that all stakeholders work together to strengthen the International Criminal Court and bring it closer to its ultimate goals, and that the ICC's independence is observed, respected, and protected. The independence of the Court and the legal professionals that propel its work is crucial to its success, sustainability, and effectiveness. The ABA will continue to work with all stakeholders to reverse US sanctions against ICC officials and ultimately encourage greater engagement between the United States and the ICC, while protecting the independence necessary for the Court to pursue its work.

Another important issue of consideration during this year's Assembly of States Parties is how best to move forward with the independent review process commenced last year by this body, and the recommendations made by the Independent Experts. We commend both the ASP and the Experts on the commitment to a holistic review of the Rome Statute system, and the significant input contributed to date by stakeholders engaged in the review process. Civil society is an essential partner to the Court and especially in this process, as bar associations, academic institutions, human rights groups and other civil society organizations often have unique perspectives on many of the Court's challenges. Among other roles, they serve as bridges between the Court and affected communities, they further education and build awareness of the Court's rules and role, and they provide specialized assistance through research, capacity building and professional development.

As all stakeholders continue to study the final report of the Independent Expert Review, it is clear that civil society will play a crucial role in helping to strengthen the Court, and we encourage the ASP and ICC to continue to engage civil society in next steps of the review process. As the ABA's Criminal Justice Section stated in a [submission](#) to the Independent Expert Review on behalf of the Section, "this review process, when embraced by the Court's many stakeholders, critics, and supporters, could have an invaluable impact on the institution's readiness to face the challenges inherent in its mission to seek accountability for atrocity crimes."

The American Bar Association reaffirms its support and commitment to the International Criminal Court, and thanks the members of the Court, the Assembly of States

Parties, and fellow civil society organizations for the indispensable work you continue to do to advance the cause of international criminal justice.

Michael S. Greco

Chair, International Criminal Court Project (ABA's Center for Human Rights and Criminal Justice Section)

Past President, American Bar Association (2005-2006)