

Declaration of Commitment to the International Criminal Court

New York, 26 September 2013

We, Ministers of Andorra, Australia, Austria, Botswana, Costa Rica, Czech Republic, Denmark, Estonia, Finland, Ireland, Italy, Liechtenstein, Luxembourg, Mexico, Netherlands, New Zealand, Norway, Peru, Poland, Slovakia, Slovenia, Switzerland, Timor-Leste and Trinidad and Tobago, Members of the Informal Ministerial Network for the International Criminal Court (ICC), hereby declare our strong and persistent commitment to the ICC.

The ICC is a cornerstone of the international peace, security and rule of law architecture. Notable successes have been achieved by the ICC in bringing to account those most responsible for atrocity crimes. It has complemented national efforts to provide remedy to victims and to satisfy their search for truth, justice, reparations and guarantees of non-recurrence. But more needs to be done in order to strengthen the fight against impunity. Faced with massive violations of human rights and international humanitarian law, the international community must insist on accountability through genuine national proceedings, or if the concerned State is unable or unwilling to conduct such proceedings, through the ICC. It must also enhance international cooperation in this regard. **We agree that, in particular, action is required in the following areas:**

Universalizing accountability

- We emphasize the primary responsibility of national judicial systems in fighting impunity and call on all States and relevant institutions to strengthen their capacity building efforts in this regard, in order to put the Rome Statute's principle of complementarity into effect.
- We call upon States Parties to the Rome Statute and States subject to corresponding obligations under international law to fully cooperate with the ICC, in particular with respect to the execution of arrest warrants.
- We call upon all States which have not yet done so to ratify and fully implement the Rome Statute, and are ready to engage in dialogue with a view to overcoming difficulties and further strengthening acceptance of the ICC.
- We call upon all States Parties to the Rome Statute which have not yet done so to ratify the Agreement on Privileges and Immunities of the ICC and to consider the timely ratification, before 2017, of the amendments to the Rome Statute on the crime of aggression, as well as on the addition of war crimes applicable to non-international armed conflicts, both adopted in 2010 in Kampala.

Delivering to victims

- We will draw greater attention to one of the primary purposes of the ICC: bringing justice and reparations to victims of the most serious crimes of concern to the international community as a whole.
- We encourage all States to make voluntary contributions to the Trust Fund for Victims, thereby improving the ICC's ability to satisfy the needs of victims.

Keeping the ICC strong and effective

- We insist on the need for sufficient resources for the ICC and on their efficient use by the Court.
- We will work towards enhancing the effectiveness and efficiency of proceedings before the ICC and towards strengthening the positive impact of the Court on affected populations, including through robust and well-supported outreach conducted at the earliest opportunity. We will intensify the dialogue with the Court in this respect.

Securing solid backing by the United Nations

- We call upon the United Nations to strictly implement its policy on limiting contacts with persons subject to an arrest warrant or with persons under a summons to appear who cease to cooperate with the Court.
- We encourage the United Nations and the ICC to consult on how to finance the Court's proceedings based on referrals by the UN Security Council in a sustainable manner.
- We call upon the UN Security Council to adopt a consistent and transparent referral policy, to ensure that referral resolutions respect the mandate and independence of the ICC, and to systematically follow up on their implementation.

Providing strategic support

- We will develop national policies to support the ICC, including policies on limiting contacts with persons subject to an arrest warrant or with persons under a summons to appear who cease to cooperate with the Court.

We therefore pledge to give political support to the ICC and to follow up on this declaration of commitment in all relevant diplomatic contacts, in particular in the framework of the Assembly of States Parties to the Rome Statute, the United Nations and in bilateral contacts. We also declare our readiness to engage in dialogue to resolve outstanding issues that affect the Court's standing in the fight against impunity.