



**Statement of the Republic of Cyprus at the 74<sup>th</sup> session of the United Nations General Assembly on the Report of the International Criminal Court, New York, 4 November 2019**

Mr. President,

My remarks today are complementary to the statement delivered by the European Union. I wish to thank President Eboe-Osuji for his presentation of this year's report and welcome the intense level of the Court's activity during the reporting period, with 11 situations under investigation by the Prosecutor, 10 ongoing preliminary examinations and 3 trial proceedings.

Cyprus remains a staunch supporter of the Rome Statute system. The ICC remains the centerpiece of the global system of international criminal justice and an essential institution for the promotion of an international rules-based order, for ensuring accountability and for the attainment of sustainable peace through reparative justice.

Despite the Court's encountered difficulties and inherent limitations, it has made significant progress since its establishment, including the opening of 27 cases involving 45 suspects or accused, conducting investigations into 11 situations, and 3 cases reaching the reparation stage. We have also witnessed the historic activation of jurisdiction over the Crime of Aggression and the amendment to the Statute regarding the addition of three new war crimes, extending the criminalization of the use of certain weapons to non-international armed conflicts.

In addition, States Parties will soon consider another important amendment to the Statute, which will seek to allow prosecutions in relation to the intentional starvation of civilians in non-international armed conflict. Cyprus is supporting this amendment because we recognize that, even though starvation as a method of warfare is prohibited under IHL (Additional Protocol II), there is a gap in ensuring accountability for this atrocity crime.

Mr. President,

For the Court to achieve what it was created to achieve, i) it has to constantly evolve and improve, ii) it must remain an independent and credible judicial institution whose work is of the highest standard, iii) it must edge closer to universality with each passing year, and iv) it has to find its rightful place within the international system and benefit from synergies with the UN and other institutions with like existential objectives.

We are keenly aware of the many challenges still facing the Court, such as the 15 arrest warrants and requests for surrender that remain unexecuted to this day and the withdrawal of one state party to the Rome Statute during the reporting period. These are objective challenges that reflect an increasingly complex international environment and we need to persevere in order to overcome them. But not all challenges are beyond the Court's control. It is the Court's own responsibility to maintain a high standard in its judicial work, its independence and its integrity. It is also the responsibility of states parties to help safeguard the Court's credibility by presenting and voting for candidate judges of exceptional skill and quality.

Mr. President,

International criminal justice was the one pillar missing from the architecture of the global order we built after the Second World War. Nearly 75 years later, we are still trying to embed international criminal justice in a comprehensive accountability framework that, not only reliably administers justice, but also deters the commission of egregious crimes both by states and by individuals. Today's reality makes it clear that we have a long way to go for this to happen.

The jurisdictional and impunity gap resulting from the lack of universality is not an excuse. The Rome Statute made the necessary institutional link with the existing international collective security system by ensuring, inter alia, the possibility of referring a case to the Court by the United Nations Security Council when the exercise of its jurisdiction is not otherwise possible. The Security Council must refer all such cases to the Court because sustainable peace is not possible without justice and because the victims of atrocity crimes deserve nothing less.

For the quintessential battle between the rule of law and the rule of might to have the desirable outcome, the rightful place of the ICC in the international order as the vehicle delivering criminal justice at the international level must be recognized. The United Nations remains instrumental in consolidating the standing of the Court as an indispensable institution of our global order. We remain convinced that only full support and cooperation, synergy and complementarity between these two teleologically convergent institutions can fulfill the mandate of either one.