



**UNITED NATIONS  
OFFICE OF LEGAL AFFAIRS**

**Opening of the 22<sup>nd</sup> session of the Assembly of State Parties to the Rome  
Statute of the International Criminal Court**

**Keynote address**

**by**

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**4 December 2023, New York, NY**

Excellencies,

Distinguished delegates,

Ladies and Gentlemen,

I am pleased to be with you today on this occasion, and to deliver this keynote address on behalf of the Secretary General.

This July, we celebrated 25 years since the adoption of the Rome Statute.

And, next October, we will celebrate 20 years since the conclusion of the Relationship Agreement between the United Nations and the Court.

So, we are in a special time. A time when we must take pride in what we have achieved; reflect on what we have not; and work on what we still have to accomplish.



At this moment, I feel tempted to fall back on the history of what brought us here.

Excellencies,

Distinguished delegates,

Twenty-five years ago, on the 17th of July 1998, around midnight, in the main conference room of the Food and Agricultural Organization (FAO) in Rome,

In the presence of delegates from around the world; corridors crowded with diplomats, ministers, legal experts, UN staff, NGOs, and media representatives,

In an atmosphere mixed with apprehension and excitement, all waiting to hear the President of the Rome Diplomatic Conference declaring that the Rome Statute of the International Criminal Court has been “adopted”.

By that adoption, and on the threshold of the third millennium, the international community sent its warning; We will no longer tolerate those who outrage human conscience.

The establishment of the Court was a major breakthrough in the enforcement of international criminal law.

It is established out of a long endeavor for a permanent, effective, and politically uncompromised system of international criminal justice.

It is created to ensure stability in international criminal jurisdiction and consistency in international criminal jurisprudence.





The establishment of the Court was the apex of a long process, that started at Nuremberg and Tokyo, and developed by the ad hoc tribunals for the former Yugoslavia and Rwanda.

The United Nations was the forum for the preparatory work of the Rome Conference. Initially through the International Law Commission, and subsequently through bodies convened by the General Assembly.

Negotiations contained extremely complicated legal issues and concepts, that required the support of an objective body of expertise, which the United Nations provided through its Office of Legal Affairs.

Ladies and Gentlemen,

This Court is established as a challenge to impunity. It is created to stand impartial and indifferent to status.

It is then to be expected that the Court may come under attack; its authority may be challenged; and its operations may be targeted.

At these moments, it's our duty to defend the Court's independence.

Judicial independence is a crown jewel of our international legal system.

It guarantees that rule of law will not be eroded by the pressures of politics, and basic legal protections won't fall victim to the passions of the moment.

The Court's independence is an obstacle to impunity, and a necessity for accountability.





I thus send from here a firm and unequivocal message. Attempts to intervene in the work of the Court are unacceptable. Attempts to intimidate its officials cannot be tolerated.

Excellencies,

The independence of the Court is not only a prerequisite for its functioning, but it is also a constitutional aspect of its establishment.

You, the State Parties, play an important role in the effective operation of the Court.

The proper finance and administration of the Court depends on your decisions.

All key matters, including the election of judges, which happen to be on your schedule this session, are exclusively in your hands.

I thus wish you a successful session and election process. A process which I trust will bring to the bench judges who would bring justice to the voiceless.

Ladies and Gentlemen,

The Court is established within an international system whose center of gravity is the United Nations and whose primary legal instrument is the Charter of the United Nations. A fact that led the Ad Hoc Committee on the Establishment of the Court to envision back in 1995:





“A close relationship between the proposed court and the United Nations was viewed as an essential condition of the universality and moral authority of the new institution.”

As a result, our Relationship Agreement was concluded in 2004. And my Office was designated, by the Secretary-General, to advise and act as a focal point for our cooperation.

The United Nations and the Court are separate institutions. They respect each other’s independent status and mandate. And they cooperate with a sense of common purpose.

My Office remains committed to carrying out its central role. A role that is guided by the Relationship Agreement and the purposes of the United Nations.

For almost two decades, my Office has been advising various United Nations bodies, in the field and at headquarters, on countless cooperation requests coming from the Court.

We have been supporting the Court with administrative and logistical assistance.

We have been providing numerous documents and information not available to the Court from other sources.

We have been facilitating interviews and testimonies of United Nations personnel, whose professional and field expertise render them invaluable source of information.





We have been engaged in concluding supplementary cooperation agreements between the Court and numerous United Nations bodies, in line with the Relationship Agreement, to expedite and streamline our support to the Court.

Senior officials of United Nations entities, including myself, are in a continuous dialogue with the Court's principals to reinforce existing realms of cooperation.

That's only a glimpse of our support to the Court. Its full scale is impossible to measure or quantify; most of which has been taking place outside the public limelight, for almost two decades.

We have been putting in these many hours of hard work out of a strong belief that justice is not automatic. Justice is a result of action.

Ladies and Gentlemen,

We have achievements. But we have grave challenges.

As we see, conflicts continue to rage, where violence begets further violence, and each slaughter is the parent of the next.

Men, women, and children no different than us; with names, faces, and many joyful life events ahead of them; are dying, displaced, and living in fear.

Their graveyards display unspeakable brutality. Their demolished homes reveal our capacity for unmatched destruction.





Compliance with basic humanitarian protections is becoming elective. Our core values, the very foundations of our international legal order, are being shaken.

We are in a time when demand for accountability has never been greater.

We may not be able to eliminate Man's capacity to do evil. But what we can indeed do is to support the universality of the Court. Because, only then, will innocents of brutal conflicts at least know that they, too, may sleep under the cover of justice.

That's why the Secretary-General has been calling upon Member States to cooperate with the Court, and to join the Rome Statute for those States that have not.

The United Nations stands firm in supporting the Court, not only because peace can be broken by impunity, but also because that is what we owe to the victims.

We, the international community, and behind us all the defenseless, hope and support the Court to achieve its mission in dismantling impunity.

Excellencies,

Distinguished delegates,

We have achievements. We may have setbacks. But indeed, we are not done.

We can acknowledge the eventuality of conflicts, and still strive for justice. We can confess the intractability of the war machine, and still struggle for accountability.





The strength of the Court depends heavily on the support it gets from you, the States Parties.

Challenges are immense and expectations are high.

I hope one day we can tell our children a different story; one that speaks about the cause of humanity; one that makes wars less likely and impunity less acceptable.

Thank you.

