



---

Interactive panel discussion on the occasion of the International  
Justice Day

**20th anniversary of the Rome Statute : the need for  
universality and the International Criminal Court's  
jurisdiction over the crime of aggression**

New York, 17 July 2018

H.E. Jürg Lauber, Permanent Representative of Switzerland at the United Nations

---

Excellencies,

Ladies and Gentlemen,

Dear colleagues,

Switzerland is proud to co-organize this event. In these difficult times where rule of law and international institutions are called into questions, it is important to reflect on past achievements. 20 years ago, the international community sent a powerful signal: there shall be no impunity for international crimes regardless of who committed the atrocities. We knew that the implementation would be difficult and the challenges immense. This is why we need more than ever to defend what we achieved in Rome and remind ourselves and new generations that all victims

deserve justice and that there can be no lasting peace without accountability.

Around the world, too many atrocity crimes go unpunished, too few perpetrators face justice. We need to do more for all the victims.

Despite this sad reality, in less than two decades, the ICC has made a difference and been a game changer. It has pronounced landmark judgments, has set new standards for victim's participation and has bolstered the fight against impunity for atrocity crimes.

These are great achievements. Yet, the lack of cooperation by States in the execution of arrest warrants and the lack of jurisdiction over too many conflicts like the one in Syria equally form part of the Court's history.

Switzerland has three messages to convey:

Firstly, the inability of the Court to act in many situations is a stark reminder of the need to continue promoting **universality** of the Rome Statute, its domestic implementation and cooperation with the Court. Only a universal and effective ICC can act as a safety net to ensure justice for victims all over the world.

Secondly, we must also continue to deepen our commitment to the fight against impunity in substantive terms. As of today, the Court is able to exercise jurisdiction over the crime of **aggression**. Switzerland welcomes the activation of the jurisdiction over the crime of aggression, which is in the core interest of the United Nations, its Security Council and its Member States.

Accordingly, and thirdly, it is fitting that we are celebrating this anniversary at the United Nations. As highlighted by the Secretary-General, **the ICC and the UN** both strive to maintain international peace and security and to ensure that the rule of law prevails. Prevention is the prized outcome for both institutions. Switzerland therefore welcomes that the UN and the ICC have established a close and mutually beneficial working relationship on many levels.

In spite of these positive developments, Member States can and should do more to support international criminal justice. In particular, a consistent referral policy and an actual follow-up to referral resolutions by the Security Council remain necessary. When States are unable or unwilling to prosecute international crimes, the first choice should always be the ICC as the only permanent court. Moreover, there is also a need to reflect on the relationship between the ICC and alternative accountability mechanisms created by the UN.

For its part, there are certainly things that the Court should do better, starting with re-focusing on its core mandate.

Ladies and Gentlemen,

As the saying goes, Rome was not built in a day. The Rome Statute system, too, is still in the making. Our full support for the ICC and its mission must continue.

I thank you.