

## Conference on the Twentieth Anniversary of the Rome Statute of the International Criminal Court

18 July 2018 - from 10:00 to 19:30

Protomoteca Hall, Campidoglio, Rome

### *Speech Julie Ward (United Kingdom), MEP*

First of all, I would like to say that I am really glad to be here at this historic event. The fight for international justice that PGA leads is extremely important and I am always honoured to be a part of this organisation which is an effective network for action on macro issues of human rights and democracy.

It's good to see a wide range of people here from different walks of life and I think it's significant that there are members of the military here. My father was a member of the British RAF and we were talking last weekend about me coming here. He said "War is a Medieval solution to disagreement". Indeed, people like my father and you military gentlemen on the front row, having signed up to defend their country, are the agents by which aggression as well as defence is carried out, and thereby at risk of being complicit if the act is deemed illegal.

I am a parliamentarian not a legal expert, in fact a poet and theatre-maker before entering politics, so I have little in the way of academic expertise or professional experience of international law, but I realise I have a huge responsibility as a politician whose words and deeds can have huge consequences.

I remember being in the Rwandan Parliament as part of an international delegation in the days before the 2016 anniversary of the Genocide Against the Tutsis. Our host parliamentarian began his welcome by telling us that we were in the chamber where the order was given for the mass killing to begin. State organised and sanctioned violence is terrifying indeed with devastating and long-lasting consequences, and can come with all kinds of justifications, but increasingly since 9/11 under the guise of a response to the perceived threat of terrorism. We must therefore strengthen the frameworks and international norms by which people like me, politicians and decision-makers, are kept in check and held to account.

I have a parliamentary responsibility for relations with Bosnia Herzegovina and Kosovo, so I know well the post-conflict trauma that is exacerbated when there is no mechanism for justice or when those who are suspected languish free and, in some cases, continue to occupy public position.

We are here at a historic moment. Yesterday's activation of the crime of aggression is a symbolic achievement that will certainly reinforce the strength and importance of the International Criminal Court. As many people have noticed, however, it is unclear how much this achievement will be translated into actual prosecutions and justice on the ground.

It is true that the scope of the crime will limit the possibilities, but from the perspective of a politician and not a legal expert, I can tell you that the symbolic dimension is at least as important. The broadening of the scope of action of the Court increases its political outreach and visibility and puts accountability in the spotlight.

At European level, the 20th anniversary of the Statute and the activation of the crime of aggression have certainly generated more interest around international justice issues. But the overall picture of justice in the world is becoming worse and worse: mass atrocities are taking place in many places on a daily basis. The EU seems to be one of the only institutions left that advocate for a rules-based international order.

Along with Ana Gomes and Barbara Lochbihler, my colleagues who are also members of PGA, I initiated a letter to the High Representative Federica Mogherini that many other MEPs co-signed, calling for the establishment of an EU Special Representative on International Humanitarian Law and International Justice. We just heard that our words of encouragement have been heeded as the Council conclusions on the ICC in the context of the 20th anniversary of the adoption of the Rome Statute, encourages the High Representative to present such proposals as will further strengthen EU capacity regarding international criminal justice and humanitarian law. We had hoped to use the momentum created by the anniversary to increase visibility and we believe we have succeeded.

As you have probably guessed, I am one of the strongest supporters of the ICC on the political landscape in the EU. Far too many of my colleagues are not interested in these issues, even though I believe it should be everyone's responsibility to fight for human rights and justice.

However, I do believe we need to hear the criticism that is made by some people on the fact that the ICC has been efficient for now only in the accountability of smaller states. And I have to state here that I am not an apologist for my government, past or present.

Of course, criticism has been instrumentalised by members of some governments in order to avoid accountability and allow the powerful to get away with the crimes they had committed. This is unacceptable and these people need to be called out. However, that does not mean that we shouldn't take a hard look at the way the international order functions.

Specifically on the crime of aggression, the fact that the ICC has jurisdiction upon referral from the UN Security Council shows a wider problem, as the powerful permanent members of the UNSC could be reluctant to make referrals, or only make them out of national interest, or do whatever they want really - and that is the problem with the international order right now.

The UN needs to be reformed urgently, in order to introduce the crucial elements of democracy it lacks. This is important, not only in terms of world democracy (which is already a goal in itself), but also for international justice. There is no justice as long as the powerful remain protected by impunity.

I apologise if I seem to paint a rather dark picture of the situation. But I believe that given the current international situation, faced with the Trumps and Putins of the world, we need to do everything to preserve a rule-based system. And that includes continuing to improve institutions such as the ICC, which is a ground-breaking achievement that needs to continue working in better and more efficient ways to survive.

From the European Parliament then, my colleagues and I will continue to fight to make sure that international justice remains at the highest level of discussions.