Excellences, Ladies and Gentlemen, it is a great pleasure to be here today before such a distinguished audience.

On behalf of Parliamentarians for Global Action, a non-profit, non-partisan international network of committed legislators, that informs and mobilizes parliamentarians in all regions of the world to advocate for human rights and the rule of law, I would like to extend a special greeting to each one of you this morning. Please allow me, first and foremost, to thank the Permanent Mission of Liechtenstein to the United Nations, (and the Global Institute for the Prevention of Aggression) for organizing this timely side event. I am glad to see representatives from so many countries of the region gathered here to discuss issues of common concern to the international community as a whole, as the RS preamble says.

As you all know, the **Kampala Amendments on the crime of aggression** are the result of a centuries-old project to criminalize aggressive war-making.

The crime of aggression was already prosecuted under the name crime against peace at both the Tokyo and Nuremberg tribunals. Already in 1946, the General Assembly affirmed the principles of the Nuremberg Charter and the Nuremberg Tribunal’s judgment in Resolution 95. These rules were later codified by the International Law Commission in 1950 and became known as the Nuremberg Principles.

All the states present today that are Parties to the UN Charter have already committed to the prohibition of the illegal use of force enshrined in Article 2(4), as a fundamental principle of international law. The United Nations cannot fulfil its goal of advancing peace and security, development and respect for human rights, if there is no justice for serious crimes of international concern.

It is important to highlight that the crime of aggression was included in the Rome Statute from the outset. The Kampala Amendments define the crime and establish the way in which the ICC can exercise jurisdiction over it. 17 years after agreeing on the text of the Rome Statute listing the main crimes under international law, is time for the states to comply with the commitment
made and ratify the Kampala Amendments, so as to give full effect to the provisions of article 5 of the Rome Statute.

By empowering the International Criminal Court, as soon as possible, to hold accountable those individuals allegedly responsible for the most serious violations of the prohibition of the illegal use of force, States can build upon and reaffirm the commitment undertaken several decades ago.

The rule of law means that everyone is subject to the law and the law must serve everyone. It’s a fundamental part of any society that all citizens be bound by the same laws which are properly administered by the courts. This key principle, which is also relevant to the ICC, drives the push for the universality of the amended Rome Statute. Perpetrators of any of the 4 most serious international crimes should not be able to escape accountability and evade international justice.

The prohibition of use of force is one of the most important rules in international law – yet it is also a rule that has been broken many times in history. The Kampala Amendments on the Crime of Aggression will help change that. The Amendments will allow the International Criminal Court to prosecute leaders who wage aggressive wars. They will help deter future acts of aggression and make the world a bit more peaceful. Concretely, by way of ratification of the Kampala Amendments, States bind their nationals and their territory to the criminalization of acts of aggression, arising from the illegal use of force in international relations. But for this to happen, at least 30 States must ratify the amendments. We are almost there.

At PGA we believe that parliamentarians play a key role in supporting this process as they have legislative and policy-making prerogatives, they can hold the government accountable and lead the public opinion. Through our campaign for the universality of the Kampala Amendments, PGA is supporting the efforts of parliamentarians and States to ensure the universal ratification of the Amendments, in order to preserve the uniform application of the Rome Statute.

Several of our members have carried out different actions such as:

- In the Dominican Republic and Honduras, our members requested from their governments that they submitted the Kampala Amendments for ratification;
- In Argentina, our members have, on several occasions asked about the status of preparations.

In some systems, you could even submit your own ratification bill, as it is the case of our member in Italy.
Among other actions, PGA facilitated Parliamentary involvement in the Kampala Review Conference, through sample parliamentary questions, which were in fact used around the world, including by the European Parliament. The Kampala Plan of Action developed by PGA Members during its meeting in Kampala in 2012, calls on parliamentarians to “individually or collectively, submit for consideration of the Nobel Peace Prize committee the results of the Kampala Review Conference and of those individuals that have relentlessly fought to proscribe the illegal use of force among nations.”

PGA is committed to strengthen the framework of the prohibition of the illegal use of force under the UN Charter, therefore we call on all the States to finalize the work that was started in Rome when it was decided that crime of aggression was one of the most serious crimes of international concern.

Your excellences,

Implementation of the crime of aggression in domestic law is very important. The ICC’s jurisdiction over the crime of aggression helps deter the illegal use of force and to bring to justice those who violate the prohibition of the use of force. That effect is even greater if the definition of aggression is implemented at the national level, as domestic courts do not encounter the same jurisdictional restrictions as the ICC.

Already prior to the Kampala Conference, some 25 States had domestic provisions criminalizing aggression. (These include Armenia, Azerbaijan, Belarus, Bosnia and Herzegovina, Bulgaria, Croatia, Czech Republic, Estonia, Germany, Georgia, Hungary, Kazakhstan, Kosovo, Latvia, Macedonia, Moldova, Mongolia, Montenegro, Poland, Russian Federation, Serbia, Slovakia, Slovenia, Tajikistan, Ukraine, and Uzbekistan). Some of them have since adapted their domestic legislation to align it with the Kampala definition, and some are in the process of doing so. There is no legal obligation to implement the amendments on the crime of aggression originating from the Rome Statute.

PGA considers that the different approaches taken by our members and their governments are valid. On the one side, we have parliamentarians as those from Ecuador or Dominican Republic that included the crime of aggression in their Criminal Code, even when their countries had not yet ratified the Kampala Amendments. They consider that, in order to fully exercise the principle
of complementarity included in the Rome Statute, the implementation of the crime in the national legislation is necessary.

On the other side, States such as Switzerland consider that it is better not to implement and to leave the ICC to be the court that can exercise jurisdiction over the peculiar crime of aggression.

PGA believes that any of those approaches is valid and that States, if their national systems allow them, should not delay the ratification of the Kampala Amendments because of its implementation.

To conclude, I would like to mention the words that Ben Ferencz, the last living Nuremberg prosecutor said in an event organized my Liechtenstein and PGA last September “It is in your hands to change the way the world function, we have to stop glorifying war and start glorifying peace.”

Thank you for your attention.