

Statement on behalf of the State of Israel

13<sup>th</sup> Session of the Assembly of States Parties to the Rome Statute of the International  
Criminal Court

December 2014

Thank you, Mr. President.

Mr. President, on behalf of the State of Israel, allow me to congratulate you on your election - we wish you much success in this important role. We would also like to recognize the dedication and hard work of outgoing Madame President Intelman, and to express our appreciation for her many impressive achievements. We also congratulate the newly elected judges, and wish them every success in contributing to the Court's development.

Mr. President,

Israel has always recognized the importance of international criminal justice. We are firmly committed to the global task of ending impunity for the most serious crimes of concern to the international community as a whole. This commitment is rooted in the history of our nation, and in the democratic ideals of the modern State of Israel and its legal system. Last week, the international community commemorates sixty-six years since the texts of the Convention on the Prevention and the Punishment of the Crime of Genocide and the Universal Declaration of Human Rights were approved. Israel was one of the first states to ratify the Genocide Convention, and has always maintained a deep commitment to the fundamental values of international criminal justice.

Unfortunately, we continue to witness mass atrocities around the world. Millions of people have lost their lives; and millions continue to be subject to severe violations of their most basic rights. We reiterate our strong belief that those responsible for mass atrocities must be held accountable.

Since its establishment, Israel has sought to contribute to international criminal justice and to the development of best practices in this field. Israel's pioneering role in the development of modern international criminal law may be traced back to the trial of Adolf Eichmann. Eichmann was brought to justice in Israel for his responsibility for heinous crimes against humanity and against the Jewish people. This case serves as a milestone in the development of international criminal law and the role of national courts in that regard.

More recently, in 2013, an Israeli Public Commission chaired by retired Supreme Court Judge, Yaacov Turkel, and accompanied by senior Israeli committee members and distinguished foreign observers, published an extensive report on "Israel's Mechanisms for Examining and Investigating Complaints and Claims of Violations of the Laws of Armed Conflict According to International Law".

The Report constitutes a profound example of internal self-examination according to international legal standards. It includes a comprehensive and internationally unprecedented analysis of international legal standards and best-practices in the conduct of examinations and investigations for alleged serious violations of international law. We believe that the Report has made and will continue to make a major contribution to the international community- States Parties, non-parties to the ICC Statute, organs of the Court and the professional and academic legal community.

Mr. President,

In order for the Court to successfully fulfill its mandate, it must adhere to the Rome Statute and the established principles of international law. The Court must strive to enhance its legitimacy by carefully executing its mandate to end impunity for the most horrific acts. The Court must ensure that its limited resources are devoted to the fulfillment of the ultimate goal of the international criminal justice system, namely, bringing to justice those that are responsible for mass atrocities.

Israel has always expressed its deep concern regarding improper political abuse of the Court. Unfortunately, cynical attempts to misuse the Court for political ends are in evidence and will continue to pose challenges to its legitimacy and standing in the international system. The Court must resist these attempts, and be seen to be doing so. Organs of the Court must make sure that the Court is seen by the entire international community as a professional and impartial institution, that will reject any attempts to misuse the Court for political purposes.

Mr. President,

As a procedural matter, we wish to refer to Palestinian participation in this session of the Assembly, and stipulate that Israel, like many other states, *does not* recognize a Palestinian State, nor does it consider that the Palestinian entity satisfies the criteria for statehood under international law. Israel regards the technical nature of Palestinian participation in this session as a purely procedural matter adopted to ensure the smooth functioning of the present session. Such participation is without prejudice or relevance to the actual legal status of the Palestinian entity under international law, or to any matter that may come before the organs of the Court in the exercise of their independent authority under the Rome Statute. We would ask that this position be reflected in the official record of the meeting.

Thank you.