

Secretariat – Secrétariat

PRESIDENT OF THE ASSEMBLY OF STATES PARTIES

Ms. Silvia Fernández de Gurmendi

Solemn undertaking of new judges

The Hague, 10 March 2021

Mr. President,

Distinguished judges,

Madam Prosecutor,

Mr. Registrar,

Excellencies, Ladies and Gentlemen

I have the great honour to be here today to witness on behalf of the Assembly of States Parties the solemn undertaking of six new judges of the International Criminal Court elected during the first resumption of the 19th session of the Assembly of States Parties in New York, December 18-23, 2020. In accordance with the Rome Statute, States have taken into account the need to ensure representation of major legal systems as well as equitable geographical representation and representation fairness of men and women. In doing so, they have even succeeded, and we can be proud of this, in ensuring perfect parity of men and women in the composition of judges. The judges thus elected are:

- Judge Althea Violet Alexis-Windsor (Trinidad and Tobago)
- Judge Joanna Korner (United Kingdom)
- Judge Gocha Lordkipanidze (Georgia)
- Judge Miatta Maria Samba (Sierra Leone)
- Judge María del Socorro Flores Liera (Mexico)
- Judge Sergio Gerardo Ugalde Godinez (Costa Rica)

Your solemn undertaking to exercise your respective functions impartially and conscientiously will take place in Open Court, as mandated by the Rome Statute, although in a new format to adjust to the current extraordinary circumstances.

This ceremony, which takes place every three years, signals the replacement of a third of its Judges, thus ensuring institutional continuity through renewal. Therefore at the same time that we welcome the six newly elected judges, we bid farewell to six Judges that leave the Court today:

- Judge Raul Cano Pangalangan (Philippines)
- Judge Chile Eboe-Osuji (Nigeria)
- Judge Robert Fremr (Czech Republic)
- Judge Geoffrey Henderson (Trinidad and Tobago)
- Judge Olga Herrera-Carbuccia (Dominican Republic)
- Judge Howard Morrison (United Kingdom)

With your respective terms over, it is time for you to leave the Court and the beautiful city of The Hague to return to your own countries, communities and friends. As has just been recalled by the President of the Court, you have contributed to the jurisprudence of the Court through your participation in pre-trial proceedings, trials and appeals within your respective Divisions and cases. You have also contributed to the institutional development of the Court through your initiatives to speed up and improve procedures, improve working methods and strengthen collegiality. The Assembly greatly appreciates this important contribution to the development of international justice.

Judge Chile Eboe Osuji and Judge Robert Fremr, you have added to your judicial responsibilities, the exercise of leadership duties derived from your respective positions of President and First Vice President of the Court. Let me express the appreciation of the Assembly for your important efforts in such distinguished capacities.

Mr President

Your Honours

Being a judge at the Court is an immense privilege and responsibility. Your work at the Court inevitably raises huge expectations among all those directly and indirectly concerned. You are called to deliver justice for the gravest international crimes, often committed in situations of systemic and extreme violence. You are called to assess the facts and determine the individual responsibility of those allegedly involved. The accused expect and deserve to have trials conducted in a fair, effective, and impartial manner. The victims and affected communities expect and deserve high quality and compassionate justice that ensures them sufficient access to the proceedings and

adequate opportunity to participate and obtain reparation. The Assembly of States Parties has entrusted you, the judges of the International Criminal Court, with this privilege but also grave responsibility. On behalf of the Assembly of States Parties, I welcome you to the bench of the Court.

The credibility and legitimacy of the Court will, to a great extent, be reflected in your ability to be both fair and impartial Judges as well as efficient and effective in the overall management of your situations and cases. The Assembly of State Parties and, more broadly, the international community expect you to deliver justice in an expeditious, efficient and effective manner.

This is not an easy task but let me assure you, you are not alone and you are not getting into uncharted waters. While the Court continues to be a relatively young institution, it has certainly matured and gained experience. The Judiciary and other organs of the Court have introduced reforms to improve each one's performance as well as a more predictable and cohesive judicial and institutional culture.

The Assembly of State Parties, applauds all these efforts that also take into account the need to pursue the One Court Principle, to which attributes outmost importance. The Assembly has, in addition, taken a decisive step to promote a comprehensive and much needed reform to enhance the efficiency and effectiveness of the overall Rome system. Indeed, you join the Court at the moment in which a Review Mechanism led by two State Representatives will conduct the implementation process of recommendations put forward by an eminent group of experts. This process, which entails an inclusive dialogue with the Court and other relevant stakeholders is a top priority for the Assembly. I am confident that this dialogue will be enriched by the ideas and experience brought to the Court by the distinguished judges that join today.

Mr President

To conclude, on behalf of the Assembly of State Parties, I wish the incoming judges a successful and joyful experience at the Court. We count on your hard work, experience and commitment. You can count on the support and cooperation of the Assembly of State Parties as well as the support of many within the international community.

To the outgoing judges, I wish you a smooth transition and much success in your future endeavours.

All of you, incoming and outgoing judges, can be proud and grateful for the opportunity you have been granted to take part in the development of a much needed global system of justice. The Court, with its weaknesses and strengths, continues to be a central part of that system and an indispensable piece of a rules-based international order.

Thank you for your attention.