Parliamentary Assembly
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COUNCIL OF EUROPE
CONSEIL DE L'EUROPE

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Threats to the International Criminal Court

Motion for a resolution
tabled by the Committee on Legal Affairs and Human Rights

This motion has not been discussed in the Assembly and commits only those who have signed it

The Parliamentary Assembly has always been a firm advocate of international criminal justice and strongly supported the setting up and functioning of the International Criminal Court (ICC). It has repeatedly urged all States to ratify the Rome Statute, to co-operate fully with the ICC and to comply with its orders and arrest warrants, with a view to ensuring accountability for international crimes.

With regard to the war in Ukraine, the Assembly, while calling for the establishment of a special tribunal for the crime of aggression against Ukraine, has noted that this tribunal should in any case be complementary to the ICC's jurisdiction over other crimes committed in the context of the aggression. States should support the ICC's ongoing investigations, by sharing evidence, providing resources, and enforcing the arrest warrants already issued by the ICC against suspects, including Vladimir Putin. In retaliation for these warrants, Russian authorities have opened a criminal case against certain ICC Judges and the ICC Prosecutor.

Recently, many States Parties to the Rome Statute have expressed concerns about the measures adopted by US President Donald Trump regarding the ICC, including sanctions (asset freezes and entry bans) against the Court, its officials, staff and their family members, and anyone assisting ICC investigations against the US and its allies. Such measures have been adopted in response to the ICC's arrest warrants against the Israeli Prime Minister and the former Israeli Defence minister.

In these circumstances, the Assembly should reaffirm its unwavering support for international justice and the ICC and condemn these unprecedented measures as an unacceptable attempt to undermine the independence and integrity of the Court. The Assembly should make proposals on how the ICC could be protected from attacks and further strengthened, including by addressing any form of obstruction and unjustified lack of co-operation from States Parties to the ICC Statute.