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Permanent Mission of Switzerland to the United Nations

**Statement by Japan and Switzerland
ICC Co-Focal Points in the UNSC
Stakeout to the Press
The situation in Darfur (ICC referral pursuant to resolution 1593)
New York, 13 July 2023**

We would like to make this statement on behalf of the following Members of the Security Council, as well as incoming Members that are State Parties to the Rome Statute of the International Criminal Court (ICC): Albania, Brazil, Ecuador, France, Gabon, Ghana, Guyana, Malta, Republic of Korea, Sierra Leone, Slovenia, the United Kingdom, and our own countries, Switzerland and Japan.

We thank the ICC Prosecutor, Mr. Karim Khan, for the presentation of the 37th report to be delivered at the Security Council this afternoon on the situation in Darfur, in accordance with resolution 1593, amidst the present hostilities in Sudan. We express deep concern over the continuing military clashes that have caused many casualties and have negatively affected the Office of the Prosecutor to implement its mandate on the ground.

We reiterate that international law must be upheld at all times and violations brought to justice. As the ongoing conflict in Sudan demonstrates once again, accountability for past atrocities is an important prerequisite for peace and stability. We thus welcome the progress achieved by the ICC in the pursuit of accountability for past crimes and share the commitment to bring the perpetrators of atrocities in the context of ongoing hostilities to justice.

We welcome the completion of the Prosecutions' case in the trial of Mr. Ali Muhammad Ali Abd-Al-Rahman. The profound courage of witnesses who have testified before the Court, coupled with tireless efforts for accountability has contributed to the process. We encourage the ICC to proceed with this first trial of the Darfur situation, notwithstanding the current armed hostilities in Sudan.

We also note the efforts by the Prosecutor's office to engage with affected communities in the challenging environment, and welcome the continuing communication with CSOs, victims, witnesses outside of Sudan. However, we regret that the office's attempts to engage with affected communities and CSOs in Darfur have not materialized despite the need.

We reiterate our call upon Sudanese authorities to abide by the Memorandum of Understanding between the Prosecutor's office and the Government of Sudan in 2021, and offer their full support and cooperation to the Office of the Prosecutor. In this regard, we are encouraged to hear about the Office's continued and increased engagement as well as cooperation with third States, international and regional organizations.

We renew our unwavering commitment to uphold and promote the principles and values of the Rome Statute, and we will continue to comply with our cooperation obligations in the context of the situation in Sudan. We encourage all States to fully support the Court in carrying out its mandate, in accordance with Security Council resolution 1593.

Finally, we underline the important role played by the ICC in international peace and security. In this regard, we reaffirm our support for the Court as an independent and impartial judicial institution. The ICC embodies our collective commitment to fight against impunity for the most serious crimes under international law.

I thank you.