



PERMANENT MISSION OF JAPAN  
TO THE UNITED NATIONS  
NEW YORK



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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, 5 August 2024**

We 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): Denmark, Ecuador, France, Greece, Guyana, Malta, Panama, the Republic of Korea, Sierra Leone, Slovenia, the United Kingdom, and our own countries, Japan and Switzerland.

We thank the ICC Prosecutor, Mr. Karim Khan, for the presentation of the 39<sup>th</sup> report to the Security Council on the situation in Darfur, in accordance with resolution 1593, amidst the present conflict in Sudan. We also thank his office for its efforts to implement its mandate on the ground under difficult circumstances.

We are gravely concerned about the dire humanitarian situation, as well as the numerous reports of serious violations of international humanitarian law and violations and abuses of international human rights law. We insist that international law must be upheld at all times, and justice and accountability must be ensured for all violations. As the ongoing conflict in Sudan demonstrates once again, accountability for past and present atrocities is an essential prerequisite for peace and stability in the future. 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 to justice in the context of ongoing hostilities. We commend the continuing investigation over the allegations of crimes committed in Darfur since 2023, prioritizing, in particular, crimes of sexual and gender-based violence and crimes against children.

We welcome the further progress of the trial of Mr. Ali Muhammad Ali Abd-Al-Rahman. We value the role given to victims, witnesses and affected communities in the process of the trial. We note that the current pace of proceedings will lead to judgement in the course of 2025, and hope that justice can be delivered without further delay notwithstanding the current armed hostilities in Sudan.

We commend the efforts by the Prosecutor's office to engage with affected communities in a challenging environment, and welcome the continuing communication with CSOs, women's organizations, victims, and witnesses outside of Sudan. We hear the repeated calls for justice not just from those who have witnessed and suffered from the crimes perpetrated two decades ago but also the victims and survivors of the crimes allegedly committed since April 2023 in Darfur. This conflict must not become the world's forgotten atrocity.

We welcome the efforts made by the Sudanese authorities to constructively engage and communicate with the Prosecutor's office, including through the provisions of visas and executing requests from the office. We also take note of the office's first engagement with the tribal leadership of Arab communities from Darfur. We hope that this positive momentum will be further consolidated to enable the Prosecutor's office to fulfill its investigative and prosecutorial mandate, including through the surrender and arrest of fugitives. It is crucial to recognize the link between the pain and suffering inflicted on Darfur 20 years ago and the current situation.

We renew our unwavering commitment to uphold, defend and promote the principles and values of the Rome Statute, and to preserve its integrity undeterred by any threats or measures against the Court, its officials and those cooperating with it. In this regard, we continue to comply with our cooperation obligations,

and encourage all member States to fully support the Court in carrying out its mandate of ensuring justice for the victims of the most serious crimes under international law.

Finally, we underline the important role played by the ICC in maintaining 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 the fight against impunity for the most serious crimes under international law.

Thank you.