



**Kingdom of Belgium**

Speech by H.E. Mr Philippe Kridelka, Ambassador, Permanent Representative

to the United Nations Security Council

**Security Council Meeting**

**The situation in Darfur (reference to the ICC pursuant to Resolution 1593)**

New York, 10 December 2020

---

Mr President,

I would like to thank the Prosecutor, Ms Fatou Bensouda, for her written report, and also for her highly informative briefing which she has just presented to the Council.

Today, I would like to address three points: the very encouraging developments in Sudan in the fight against impunity in recent months; the importance for the Sudanese authorities to now engage in practical cooperation with the International Criminal Court; and, lastly, the role that Belgium has played in supporting the Court during its mandate in the Security Council.

First of all, my country welcomes the **concrete steps taken by Sudan to promote justice and accountability** since the last meeting of this Council with Prosecutor Bensouda last June. Having repealed the legislative provisions that prevented cooperation with the ICC, the Sudanese authorities have made concrete commitments on transitional justice in the framework of the Juba Peace Agreements. In addition to the establishment of a Peace and Reconciliation Commission and a Special Court for Darfur, the parties have pledged to provide full cooperation to the ICC with regard to suspects under arrest warrants.

A formal dialogue has since been initiated with the Prosecutor's Office. The official visit to Khartoum of a delegation led by the Prosecutor last October provided an opportunity for talks at the highest level, during which the Sudanese Government expressed its firm commitment to working with the Office.

Today I would like to call on the Sudanese authorities - and this is my second point - to **deliver on their strong commitments by cooperating practically with the ICC** in accordance with their international obligations as defined in Resolution 1593 of this Council. In accordance with the principle of complementarity enshrined in the Rome Statute, every effort must be made to ensure that a judicial process can be effectively implemented, whether in The Hague or in Sudan, with the support of the ICC if necessary. Belgium understands the particular situation in which Sudan finds itself in this transitional period. Nevertheless, the ongoing proceedings concerning Mr Abd-Al-Rahman require the Office to gain access to Sudanese territory as soon as possible in order to contact key witnesses and gather additional evidence. My country therefore encourages Sudan to promptly conclude a memorandum of understanding with the Prosecutor's Office and to respond to its requests for assistance. We also invite United Nations missions and agencies to facilitate the Office's activities in the field as far as they are able.

In a context of persistent violence against civilians, particularly against women and children, it is more essential than ever that Sudan and the entire international community - including the Security Council, which has referred the matter to the ICC - take action to ensure justice for the victims of the most serious crimes, in Darfur and in the rest of Sudan.

Mr President, I would like to conclude by returning to the paramount importance of support from the Security Council and the Member States for the Court. As the **focal point for the ICC in the Security Council**, Belgium, together with the other States Parties that are members of the Council, has sought to defend and promote the interests of the Court by ensuring, for example, the essential cooperation provided to it by the United Nations as part of peacekeeping operations. We have also taken every opportunity to reiterate our unwavering support for the ICC as an independent and impartial judicial institution. My country therefore continues to deplore the application of sanctions against the Court and, in particular, against its Prosecutor and the members of its Office. These measures impede the proper functioning of the ICC and are unacceptable. Belgium therefore calls on the United States once again to reconsider its position. Rest assured that we will continue to stand ready to respond and assist the Court, including outside the Security Council. Thank you.