



Side Event at the 21st Session of the Assembly of States Parties of the International Criminal Court

“Equitable Access to Justice: The Case of Palestine”

Date and time: Thursday, 8 December 2022 – 8.30-10.00 CET

Location: The World Forum, Europe Room 1 and 2

The challenges and complexities confronting international justice have further burdened the pursuit of justice and the brave pursuit of human rights defenders. The co-organisers of this event take a keen interest in securing equitable access to justice and the appropriate allocation of resources to secure the Court’s successful pursuit of this justice. In our view, this is a debt owed to all victims, including the Palestinian people.

Among the many challenges is the inequity in due attention to human rights crises and situations that require immediate attention and/or pursuit of justice. Too often, victims feel alienated and abandoned by the media and international officials in a position to advance their cause for justice. Worse, some are disenfranchised and lose faith from the apparent disparity in the deployment of resources and public advocacy afforded to different situations.

Human rights defenders are also facing unprecedented duress. Despite their indispensable role in defending victims of grave crimes and advocating for justice on their behalf, including providing international mechanisms with credible and verifiable information about crimes, human rights defenders are under increasing threat of detention, assault, or worse. The space in which they operate is hostile and shrinking despite their tenacious and brave persistence.

The budget of the International Criminal Court is also indispensable to implement the Court’s unique mandate for the benefit of victims’ right to access justice, without fear or favour, the Court’s legitimacy, and the interest of justice. In this regard, the lack of access to needed financial resources is undermining the pursuit of justice. States Parties of the ASP, which decide on the budget and spending, must reconsider the human and financial resources of the Court, and identify budgetary models and mechanisms aimed at protecting the prosecutorial and judicial independence of the Court and securing symmetrical growth across all organs and programs.

Budget sufficiency and sustainability are urgent and basic requirements for justice. The current political momentum around strengthening the budget of the Court should be the rule not the exception and must both be reflected in the 2023 regular budget and feature prominently in the negotiations to ensure a cost-effective Court.

The panellists will discuss the complex challenges and constraints as well as the perception of selectivity in the prioritization of situations and the damaging implications of these factors on the legitimacy and credibility of the Court.