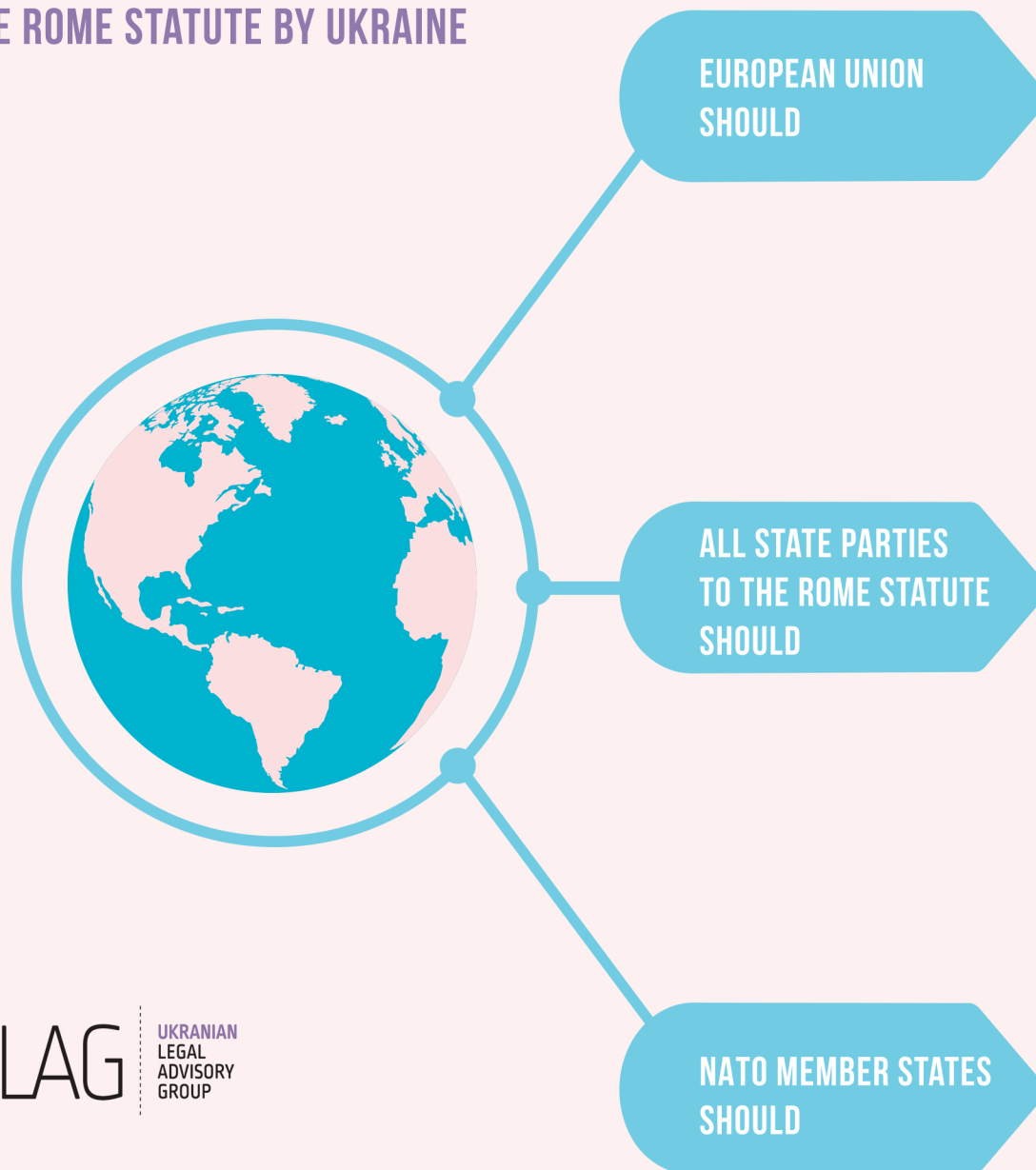


THE ROLE OF THE INTERNATIONAL COMMUNITY IN RATIFICATION OF THE ROME STATUTE BY UKRAINE



- **Urge** the Ukrainian Government to ratify and implement the Rome Statute as required by article 8 of the EU-Ukraine Association Agreement.

- **Keep** the issue of ratification of the Statute by Ukraine at the top of the agenda during bilateral meetings with Ukrainian authorities and in particular with the Presidential Administration

- **Highlight** the importance of joining the Rome Statute as an expression of the solidarity with the victims and those who stand together to fight impunity for grave crimes

- **Advise** Ukrainian authorities that joining the Rome Statute is a powerful foreign policy statement, it shows commitment to international law and peace and security and strengthens the resolve of multilateral diplomacy

- **Remind** the Ukrainian Government that joining the Rome Statute contributes to the prevention and deterrence of future grave crimes which Ukraine continues to be the victim of.

- **Emphasise** that joining Rome Statute reinforces the equality of all before the law as it sets one standard for all – no one is below or above the law as official capacity is irrelevant under the Rome Statute, all individuals can be brought to justice for grave international crimes

- **Recommend** Ukraine's ratification of the Rome Statute as a way to demonstrate as an aspirant country, Ukraine's willingness to settle international or external territorial disputes in a diplomatic way and its commitment to the rule of law as required by the NATO's MAP

PATH TO RATIFICATION OF THE ROME STATUTE (RS) BY UKRAINE

2000 20 JANUARY

Ukraine signed the Rome Statute.

2001 11 JULY

Ukraine's Constitutional Court concluded that the RS did not correspond with the Constitution of Ukraine in part where "it complemented national jurisdiction" – like in several other States who amended their Constitution.

2014 17 APRIL

Ukraine lodged 1st declaration accepting the jurisdiction of the International Criminal Court over the alleged crimes committed on its territory from 21 November 2013 to 22 February 2014 ("Maidan events").

2014 25 APRIL

ICC Prosecutor announced the opening of a preliminary examination into "Maidan" events.

2015 8 SEPTEMBER

Ukraine lodged 2nd declaration accepting the ICC jurisdiction with respect to alleged crimes committed in its territory since February 2014 (Crimea and Donbas).

29 SEPTEMBER

The ICC Prosecutor announced the extension of the preliminary examination of the situation in Ukraine to include alleged crimes occurring after 20 February 2014.

2015-2016

RS Ratification Campaign: Ukraine's CSOs relentlessly reminded the Ukrainian authorities of their commitment to become a full member of the RS and benefit from full ASP membership.

2016 2 JUNE

Parliament of Ukraine adopted an amendment to article 124 of the Constitution of Ukraine which stated that the ICC jurisdiction may be recognised by Ukraine and introduced a special clause which delayed the possibility of the ratification to be considered by the Parliament for 3 years.

2017 1 SEPTEMBER

EU-Ukraine Association Agreement entered into force. Article 8 states: "The Parties shall cooperate in promoting peace and international justice by ratifying and implementing the Rome Statute of the International Criminal Court (ICC) of 1998 and its related instruments".

2018 MARCH

NATO recognized Ukraine as an aspirant country. As a future member Ukraine would have an obligation to adhere to NATO's Membership Action Plan (MAP). It entails the annual presentation of reports on five different measures, one of which is "willingness to settle international, ethnic or external territorial disputes by peaceful means, commitment to the rule of law and human rights and democratic control of armed forces".

20 SEPTEMBER

Ukrainian Parliament approved amendments to the Constitution that would make the accession of the country to NATO and the EU a central goal and the main foreign policy objective.

2019 MARCH

Presidential elections: the candidates and new President should commit to ratifying RS in 2019 and take all the necessary preparatory measures.

30 JUNE

Constitutional transition period provisions amendment to article 124 expires – no more obstacles to joining the ICC, path to ratification is open.

OCTOBER

Parliamentary elections, an opportunity for new MPs to commit the country to joining the 2/3 of the world's nations who came together to say "NO" to impunity.