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STATEMENT BY

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ATTORNEY-GENERAL AND MINISTER FOR JUSTICE OF
THE REPUBLIC OF GHANA

AT THE GENERAL DEBATE OF THE

**TENTH SESSION OF THE
ASSEMBLY OF STATES PARTIES TO THE ROME
STATUTE**

HELD IN THE UNITED NATIONS HEADQUARTERS

NEW YORK, 12 - 21 DECEMBER 2011

December 14, 2011

Madam President of the Assembly,
Colleague Ministers of Justice and Attorneys-General,
Your Excellencies,
Distinguished delegates,

On behalf of the Government and delegation of Ghana, I wish to congratulate you, Ambassador **Tiina Intelmann**, on your election as President of this Assembly. We have no doubt, Madam President, that under your wise and able leadership, our deliberations during this session will be productive and successful. To this end, Madam President, you can count on the cooperation and support of my delegation in much the same way as we did for your equally able predecessor, Ambassador Christian Wenaweser, whom we commend on this occasion for his outstanding stewardship during his tenure which witnessed a remarkable elevation in the stature of the Rome Statute System.

Madam President,

May I also use this opportunity to congratulate Ms. **Fatou Bensouda** on her election as the Prosecutor of the International Criminal Court, replacing Mr. Luis Moreno Ocampo, whose pioneering role has helped raise the profile of the Court. We are happy to note and indeed are of the firm believe that Ms. Fatou Bensouda's election is based on merit but also satisfies the gender and geographical balance. It is our hope that under Ms. Bensouda's stewardship, the ICC would benefit from the vast experience she has acquired over the years, to build on from where Mr. Ocampo ably left off.

Our congratulations also go to the six newly elected Judges of the Court. We welcome them into the fold and wish them well.

Ghana would also like to welcome the new States Parties to the Rome Statute, thus bringing the total number of States Parties to 120 as we move towards the goal of universal participation. My delegation hereby reiterates our national commitment to the global efforts at promoting universality of the Statute. This commitment is informed by our strong conviction that in the fight against impunity, the international community cannot afford to allow any territory to remain beyond the reach of the ICC, and risk becoming a safe haven for perpetrators of genocide, war crimes, crimes against humanity and ethnic cleansing or the crime of aggression.

Madam President,

In keeping with Ghana's unwavering commitment to the effective implementation of the Rome Statute, Ghana is pleased to be a member of the Bureau of the Assembly of State Parties, in the capacity of Vice President.

Under your presidency and together with the other members of your team, we will work hard and help in the efforts of the ICC to improve relations with the African continent, given the very important fact that Africa constitutes the highest group of State Parties to the Statute.

As a State Party which takes her obligations under the Rome Statute seriously, Ghana would continue to cooperate fully with the Court, while respecting its independence and impartiality; and calls upon all States Parties to do the same, in promoting and protecting the integrity of the Court and of the Rome Statute.

Madam President,

In concluding, I would like to appeal to States Parties to the Rome Statute to endeavour to show unwavering support for the principle of Responsibility to Protect adopted by world leaders at the 2005 Summit of the UN General Assembly, which at its core, emphasizes the obligation of Governments to protect their populations, citizens and resident foreign nationals, against genocide, war crimes, crimes against humanity and ethnic cleansing and the incitement to such crimes. To the extent that the ICC's trials tend to occur after crimes which are of the most serious concern to the international community have been committed, the Responsibility to Protect can be viewed as the preventive side of the Rome Statute system. Thus, it would appear that one cannot truly believe in the Rome Statute or the Rule of Law and yet turn a blind eye to the Responsibility to Protect. Nor can one profess to believe in the Principle of Responsibility to Protect and fail to become a party to the Rome Statute. In our view, the Rome Statute and Responsibility to Protect are complementary in nature, in preventing or deterring impunity, or in the worst case scenario, punishing perpetrators of impunity when prevention or deterrence fails.

Finally, Madam President,

My delegation is available to contribute actively in the course of our deliberations on all items on the agenda for this tenth session with the view to facilitating the resolution of issues such as those involving the proposed amendments to the Rome Statute, the need for adequate resources for the Court's mandate, measures to enhance the protection of victims of atrocities, promote cooperation mechanisms and universal membership, and altogether strengthen the legal regime to prevent, deter, and punish impunity.

I thank you, Madam President.