



Jordan PERMANENT MISSION OF THE H.K. OF JORDAN TO THE UNITED NATIONS

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STATEMENT

By

H.R.H. Prince Zeid Ra'ad Zeid Al Hussein
Ambassador and Permanent Representative

Before

The Assembly of States Parties to the Rome Statute of the International
Criminal Court (Tenth Session)

14 December 2011

Madame President,

Several years ago, a colleague here in New York, whom I respected very much, said to me that when presenting your delegation's statement there comes a time, occasionally, where you must place your personal signature on it, and that is what I wish to start off by doing today.

I am delighted to see you, Madame President, presiding over the Assembly as the first woman president. Before you left New York for your last diplomatic assignment, he^{rr} enjoyed a reputation for your considerable ability to chair multilateral negotiations and, when many of us saw you in Kampala, we grasped the extent of your deep interest in the Court. In short, Madame President, you are very much the right person to lead the Assembly over the next three years. The beginning is never easy, but it will come very naturally in due course. You also continue what has almost become a recurrent phenomenon: you are the fourth non-lawyer in a row to be president of this body. There are certain things that simply cannot be left to the lawyers you see.

Madame President,

We are also very grateful to Ambassador Christian Wenaweser for the brilliant manner by which he presided over the Assembly in the last three years. Only Bruno Stagno Ugarte and I, joined by Renan Villacis, know just how much work the president of the ASP has before them. And the president, as we know, has until now only been a volunteer. And Christian accomplished all of what is required from a president with a style and high intelligence that only he could bring to the job. I think Bruno would agree with me that he has been the best of the three presidents so far. And what Christian Wenaweser and Stefan Barriga achieved in Kampala, and for several years beforehand, on the crime of Aggression was simply breathtaking. It demonstrates that with enough technique and knowledge – and the desire by a majority of states parties to reach a result – nothing is impossible, not if you have the right people involved in the discussions. I was rather ashamed that, as an Assembly, we could not be more gracious in thanking Christian on Monday when he stepped down, having offered him only a very modest round of applause.

Madame President,

Since this is the last Assembly in which we will have the privilege of the current Prosecutor's company, I would also like to reminisce very briefly. When I first saw Luis Moreno Ocampo in my office in late 2002. I thought to myself: deary me! From his looks, he must be a professor, with his hair appearing disobedient and one collar of his shirt pointing up into the heavens! Now Luis has been controversial and his prosecutorial style and policies have been closely scrutinized and criticized for sure, but he has fulfilled what many of us wanted in a first prosecutor: someone who would show courage when he needed to and be visible; be reckoned with; while also showing considerable prudence. He understood that while a judicial institution must operate on its own logic, and according to a statute, it also performs in a difficult, messy, world: with the OTP conducting its affairs with less than optimal cooperation from us. We will miss him!

I would like, on behalf of my delegation, to congratulate the Deputy Prosecutor Fatou Bensouda on her election to her new post. She fully deserves to have been elected and I would like to note, as the coordinator of the search committee she performed exceptionally well when we interviewed her. I always knew she would be one of the strongest candidates in the end. But I regret also that a number of states parties, and three in particular, had felt the need to lobby so hard for her and in doing so, undermine (in my mind at least) the mechanism we tried to set up – for they will always believe, it was their efforts and not the search committee process itself that led to her election by consensus. And if they believe it, others will do so too. And so now a doubt exists, will exist, which the prosecutor-elect must -- with her high professionalism and integrity -- remove in due course, and this can only be done through a superlative leadership performance, which I am sure she is capable of.

Madame President,

We also bid good-bye to the outgoing judges and congratulate the newly elected ones.

Almost ten years ago now I had hoped we would we get rid of these terrible reciprocal arrangements, which will, if continued, eventually destroy this Court. Alas, reciprocal agreements are still with us. It has pained me to see states parties work in this way, and that a few of the successful judges in this session will probably have been elected on that basis, again creating doubts in the minds of some of us about their future performances as judges. And have we not already experienced this before, ever since the creation of the ad hoc tribunals. So let us remind ourselves again: there is no humiliation quite like a successful election being succeeded by a wholly incompetent courtroom performance, resulting in possible appeals, and even ultimately a possible denial of justice to the victims. So why, must we ask ourselves, do we still indulge in reciprocal agreements?

We also bid goodbye to President Song and we wish him well as he prepares to leave his post in a few month's time.

I shall now turn to Arabic for the brief remainder of my national statement

إن عمل المحكمة يواجه هذا اليوم العديد من التحديات الجديدة والتي بحاجة إلى تعاون جميع الدول والمنظمات الدولية وعلى رأسها الأمم المتحدة ومنظمات المجتمع المدني وفقاً للنظام الأساسي للمحكمة من أجل تحقيق العدالة الجزائية وخاصة التعاون في التحقيقات، وإلقاء القبض على المتهمين وتسليمهم، وحماية الضحايا والشهود وتنفيذ الأحكام لتعزيز الولاية الفعلية للمحكمة وتحقيق العدالة لحماية الاجيال القادمة من تكرار المآسي الناجمة عن الجرائم ضد الانسانية وجرائم الحرب والابادة والعدوان.

شكراً السيدة الرئيسة،