



**PERMANENT MISSION OF THE  
KINGDOM OF THE NETHERLANDS  
TO THE UNITED NATIONS**

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STATEMENT BY  
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Statement on behalf  
of the Kingdom of the Netherlands

Assembly of States Parties  
International Criminal Court

14 December 2011

Madame President, Your Excellencies, ladies and gentlemen,  
Let me start with congratulating you with your election as president of the ASP and ensure you of our support in fulfilling your responsible tasks. At the same time I would like to thank Ambassador Wenaweser for his outstanding performance as President. Since we have chosen a new Prosecutor this is also the appropriate time to thank Mr. Luis Moreno-Ocampo for the exceptional way in which he has shaped the position of Prosecutor.

Madame President, I am speaking on behalf of the Netherlands, both as a State party very committed to the Rome Statute and as host State of the ICC.

Former Secretary-General of the UN Boutros Boutros Ghali was the first to call The Hague 'the legal capital of the world'. We are proud to host so many important international institutions dealing with peace and justice and certainly we are proud to host the ICC. We remain fully committed in fulfilling our obligations as host State. Moreover, we offered to bear the costs of 3 million Euros for the ICC's temporary accommodation until the end of the year 2012 instead of only until 1 July as was originally agreed. Furthermore we have made and are still making considerable financial contributions for the permanent premises of the ICC, inter alia in preparing on time the site of the so-called Alexanderkazerne where the new premises will be built.

Madame President,

As a staunch supporter of the ICC, I would like to emphasize our commitment to the effective implementation of the Rome Statute, both bilaterally and within the framework of the EU, as was clearly reconfirmed by the adoption of a new EU Council Decision on 21 March 2011. The establishment and effective functioning of the ICC will provide an essential contribution to international peace and justice, which, together with respect for human rights, have always been key priorities in Dutch foreign policy. Sustainable peace cannot be achieved if perpetrators of the most serious crimes are not brought to justice. Peace and justice are complementary requirements.

The Netherlands welcomes the new States Parties to the Rome Statute, Grenada and Tunisia as well as the Philippines, the Maldives, Cape Verde and Vanuatu. These accessions strengthen our united fight against impunity and are an important step towards achieving universality.

We are convinced of the need for national states to pro-actively practice the principle of complementarity. In this context, the ICC legal tools project and the justice rapid response are valuable tools. Also it is important to assess whether the international framework for legal assistance and extradition between States for cases of genocide, crimes against humanity and war crimes can be improved, in order to increase efficiency in national criminal proceedings and thus facilitate fulfilling the principle of complementarity.

We need to reinforce our collective and individual efforts to ensure that the international arrest warrants issued by the Court are enforced. The success of the ICC in combatting the culture of impunity and establishing an age of accountability relies on State cooperation with the orders and decisions of the Court. If States do not provide the cooperation needed for the Court's functioning, in according with their legal obligations, the ICC will not be able to fulfill its mandate. The Netherlands wishes to emphasize the importance of bringing all ICC suspects, including Mr. al-Bashir, to justice. In this respect, it calls on all States parties to the ICC to fulfill their legal obligations towards the ICC. We also wish to emphasize the need to address remedies for victims of international crimes committed by governments.

Madame President,

Next year we will celebrate the 10<sup>th</sup> anniversary of the Rome Statute. Next to celebrating this important milestone this should also offer us an opportunity for reflection, to look back and consider what lessons can be learned for the future. How can we further strengthen the institutional framework of the Rome Statute as well as increase the effectiveness and efficiency of the Court. One of our priorities in this context should be to discuss the budgetary process to arrive at a more transparent and stable budget.

In 2012 the world will again be watching the ICC in providing its contribution to international justice and sustainable peace. Let me end with once more expressing the enduring support and commitment of the Netherlands to the Court both as a State Party and as the host State.

Thank you.