



STATEMENT

BY

**H.E. Margaret King-Rousseau
Ambassador of the Republic of Trinidad and Tobago to the
Kingdom of The Netherlands
at the General Debate of the
Eleventh Session of the Assembly of States Parties to the
Rome Statute of the International Criminal Court**

**The Hague
November 15, 2012**

Mr. Vice President,

I bring greetings on behalf of the Government and people of the Republic of Trinidad and Tobago, as the Assembly of States Parties commemorates the 10th anniversary of the establishment of the International Criminal Court (“ICC”). We look forward to joining with others to ensure that this session will enable the Assembly to begin to chart a successful course for the ICC for the next decade.

Mr. Vice President,

The establishment of the ICC is evidence of the importance of the UN General Assembly as a vehicle to provide a platform for all States, regardless of their size or level of development, to devise solutions to the many issues affecting the international community.

It was in this context that, in 1989, the Honourable Arthur N R Robinson then Prime Minister of the Republic of Trinidad and Tobago, took the political initiative and called on the United Nations General Assembly to place the issue of the creation of a permanent international criminal tribunal back on the agenda of that organization. As a consequence of this initiative, the General Assembly adopted the required measures which led to the establishment of the ICC.

After ten years of existence, it cannot be denied that the ICC has evolved into the type of judicial institution envisioned by His Excellency Mr. Robinson and others who shared his dream. This Court has impacted positively the development of international law and the system of dispensing justice to victims of grave crimes and has contributed to the maintenance of international peace and security.

We have much to celebrate. One hundred and twenty-one (121) States are now party to the Rome Statute of the ICC (“the Rome Statute”). This is a significant achievement, in the face of the obstacles encountered by the ICC since the Rome Conference in 1998.

As an Assembly, we must redouble our efforts and engage assiduously in further outreach and other political work to ensure that, in the ensuing years and long before the commemoration by the ICC of its twentieth (20th) anniversary, the international community can celebrate the achievement of universality of the Rome Statute.

At the national level, Trinidad and Tobago remains committed to implementing its obligations which flow from the Rome Statute and has thus enacted domestic legislation to give effect, not only to the provisions of the Statute, but also to the Agreement on Privileges and Immunities of the ICC.

We have also engaged in outreach activities within our sub-region and have hosted two seminars geared towards the implementation of the Statute among States Parties in the Caribbean.

These actions are consistent with our pledge at the Review Conference in Kampala to strengthen implementation within the Caribbean Community (CARICOM), through the promotion of universality, the dissemination of our domestic implementing legislation and the promotion of the ratification of the Agreement on the Privileges and Immunities of the ICC.

Additionally, also in keeping with our pledge made at Kampala, Trinidad and Tobago, on 13th November 2012, deposited with the Secretary-General of the United Nations, the Instruments ratifying amendments relating to the Crime of Aggression, as well as to Article 8, paragraph 2(e) of the Rome Statute. We will continue to promote the ratification of these amendments within the Caribbean and beyond.

In recognition of the inextricable link between ratification of the Statute and implementation of domestic legislation, Trinidad and Tobago will now move to ensure that our domestic legislation is amended, as necessary, to reflect the amendments to the Statute.

Mr. Vice President,

Trinidad and Tobago views the Relationship Agreement between the ICC and the United Nations as an important instrument in facilitating the success of the Court. These two institutions are inseparable. We are conscious that the Court continues to face mounting financial challenges which may have deleterious effects on its ability to fulfil a mandate to which we all profess to be committed. It is in this light that the Assembly, at its Tenth Session, noted the financial implications of the situations referred to the Court by the Security Council. It is therefore imperative that the United Nations honour its obligations under Article 115 of the Rome Statute to defray the expenses associated with Security Council referrals, given the increasing impact of these referrals on the Court.

Mr. Vice President,

We commend the ICC for the tremendous and tangible strides it has made in its quest to eradicate impunity. This is evidenced in the verdict of 14th March 2012, which resulted in the conviction of Mr. Thomas Lubanga Dyilo for the enlistment, conscription and use of children under the age of 15 in hostilities in the Democratic Republic of the Congo between September 2002 and August 2003.

The ICC is a unique institution. One of its special features relates to the provisions on reparations to victims of the most serious international crimes. We therefore applaud the Court's first decision in August of this year on the question of victim reparations. This was a landmark decision and we echo the statement by the Chair of the Board of the Trust Fund for Victims ("TFV"), who described the decision as "*a historic milestone for victims of international crimes*".

Mr. Vice President,

Trinidad and Tobago remains aware of the significance of cooperation to the success of the Court. We ascribe to the view that the ICC is a proponent of peace, rather than an impediment, as is postulated by some. Cooperation, particularly in the realm of facilitating requests of the Court, has a direct impact on the work of the Court.

In spite of the tremendous progress that has been achieved, we believe that this advancement continues to be hampered by the lack of commitment in some quarters to cooperation. It is imperative that outstanding arrest warrants issued by the Court are executed. We therefore reiterate previous calls for those entities which have not cooperated with the Court to meet their obligations to assist the ICC in the execution of these arrest warrants. The continued failure to bring to justice the accused persons is not only in breach of binding obligations, but is also standing in the way of the dispensation of justice.

Mr. Vice President,

We are aware that the success of any institution derives from the service of persons dedicated to its goals. Trinidad and Tobago therefore welcomes the election of Ms. Fatou Bensouda as the second Prosecutor of the Court. We wish her every success in her new position. Trinidad and Tobago also looks forward to the assumption to office of Judge Anthony Carmona, who joins former Judge Karl Hudson-Phillips as the second national of our twin-island Republic to be elected as a judge of this noble institution.

Mr. Vice President,

Trinidad and Tobago is optimistic that, in the next decade, the International Criminal Court, buttressed by the support of this Assembly, the principle of universality and with increasingly efficient mechanisms of cooperation, will advance even further towards the fulfilment of its mandate.

I thank you.