

**COALITION FOR THE
INTERNATIONAL CRIMINAL COURT**



**STATEMENT BY
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THE COALITION FOR THE INTERNATIONAL CRIMINAL COURT
AT THE
13TH SESSION OF THE ASSEMBLY OF STATES PARTIES
TO THE ROME STATUTE OF THE INTERNATIONAL
CRIMINAL COURT**

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Mr. President,
Your excellencies,
Distinguished delegates,
Civil society colleagues

I have the pleasure to take the floor on behalf of the Coalition for the ICC, a network of over 2,500 NGOs advancing international justice. Let us start by congratulating you and the other members of the bureau on your election. Mr. President, the CICC has greatly valued knowing and working with you for 18 years. We have the highest regard and expectations to work closely with you during your presidency, as we have with your distinguished predecessors. The Coalition's francophone African members are especially energized to work with you in the promotion of the Rome Statute and galvanizing further support for the Court.

We would like to take this opportunity to thank Ambassador Intelmann for her leadership and tenure as well as extend our appreciation to the outgoing members of the bureau. The Coalition congratulates President Song for his 12 years of service to the ICC. The Coalition as a whole and individual members have worked very closely with President Song and the Presidency in promoting the ICC – and we believe this work is of great importance.

Mr. President,

With the limited time available for NGO statements, we would like to summarize a number of the issues that are elaborated upon in greater detail in our written statement, and in statements from members that are being submitted for distribution at the plenary and will be submitted electronically to the SASP for inclusion in the official record.

The Coalition continues to appreciate the unique consultative status that it has with the Court and the Assembly of States Parties. This partnership has, in our opinion, strengthened the Rome Statute System – the Coalition not only brings its varied and skilled expertise from its members to the ASP – some 200 at ASP 13 – but also serves as a strategic platform to amplify voices from the ground ensuring that justice is both visible and accessible.

It is therefore imperative that our arrangement is maintained and strengthened. We appeal to your leadership to ensure that in the coming ASP sessions, civil society be granted the access it has always enjoyed so to interact with states parties and other stakeholders.

Mr. President,

The Coalition has issued advocacy teams' papers, from budget issues, communications outreach to gender justice. The Coalition reiterates the need for the Court to be adequately funded so it can deliver on its mandate. The workload of the Court continues to increase and as the challenges grow, we call on the ASP to support the Court's mandate and operations politically and financially so that justice is efficiently delivered to victims.

We have continued to witness the challenges of inadequate cooperation and non-cooperation and the failure of investigations and prosecutions at the national levels for ICC crimes; enormous improvements need to be made by State Parties, by the Court, by the UN, regional and other international organizations. The new international justice system established by the Rome Statute and the ICC remains one of the most important advances of the rule of law in history, but the difficulties and threats have increased exponentially in recent years. The OTP and Registry have recognized the need for comprehensive reforms, and the Judiciary and ASP should embark on similar evaluations. The ASP 13 meetings have highlighted the need to make improvements and discuss not only ICC governance, but ASP governance questions, amendment procedures, modalities of the election of judges, among other issues. For the ICC ASP is one of the most important governing bodies in the international legal order.

The Coalition and NGOs, also, need to continuously review our work, our priorities and capacities. Next year will be the 20th anniversary of the Coalition, described as the largest international justice campaign since the anti-slavery movement. We welcome the opportunity for stock-taking and re-dedication to finding the paths to end impunity for the worst crimes in international law.

The Coalition is painfully aware that since 1 July 2002 there are millions upon millions of victims that have not received justice or reparations for their sufferings, most recently highlighted in the developments addressing the 2007-08 post-election violence in Kenya.

Mr. President, the Coalition welcomes the discussion on cooperation and in particular this year's focus on "cooperation in the field of sexual and gender-based crimes". We thank Ambassador Krutnes of Norway for her initiatives. The Coalition notes with appreciation the contributions of State Parties affirming their governments support for the Court's efforts to tackle sexual and gender-based crimes.

To this end, we would like to commend Prosecutor Bensouda for her leadership in the fight against impunity for sexual and gender-based violence; we thank her and her gender adviser, Ms. Brigid Inder, for elaborating the OTP's Policy Paper on Gender and Sexual-based Crimes. Ensuring that sexual and gender-based crimes under the jurisdiction of the Court are fully investigated is essential to delivering justice to male and female victims/survivors of these crimes. This requires indeed an adequate focus on this category of crimes in the policies of case selection and prioritization, as well as in relation to a number of issues, including the manner in which such crimes are investigated and prosecuted. The Coalition calls on States Parties to support the OTP's implementation of the Policy Paper and to this end ensure that the Court is adequately financed to implement the Policy Paper. We call on the OTP to ensure full and effective implementation of its Policy Paper at all stages of the proceedings, from preliminary examination through to post-appeal without delay.

Mr. President,

To the discussions on cooperation we would like to highlight that the Coalition wishes also to have focused discussions on the principle of complementarity. We recognize the importance for States to continue their efforts towards complementarity and we call on the ASP to play a leading role in allowing discussions among States Parties in

this regard, providing a forum for discussion of best practices, lessons learned and to hear civil society perspectives and expertise. The Coalition will continue to promote the universality of the Rome Statute and its implementation so as to strengthen the principle of complementarity. With our members and in particular with our 70 National Coalitions, we will put in place a comprehensive implementation strategy in Africa and other regions.

I thank you Mr. President.