



*PERMANENT MISSION OF THE KINGDOM
OF LESOTHO TO THE UNITED NATIONS
815 Second Avenue
8th Floor
New York, NY 10017*

STATEMENT

BY

**H.E. MR. KELEBONE A. MAOPE
PERMANENT REPRESENTATIVE OF THE
KINGDOM OF LESOTHO TO THE UNITED NATIONS**

AT THE

**THIRTEENTH SESSION OF THE ASSEMBLY OF STATES PARTIES
TO THE ROME STATUTE OF THE
INTERNATIONAL CRIMINAL COURT (ICC)**

**10 DECEMBER 2014
NEW YORK**

Please check against delivery

Mr. President,

It is an honour and privilege to speak on behalf of the Kingdom of Lesotho at this Thirteenth Session of the Assembly of States Parties to the Rome Statute of the International Criminal Court. At the outset allow me to express my delegation's profound appreciation to you **Mr. President**, for your commendable leadership and the sterling manner in which you are conducting our deliberations thus far. I assure you of my delegation's unwavering support and cooperation.

We extend our congratulations to the newly elected Judges, Members of the Bureau and of the Committee on Budget and Finance (CBF) respectively.

My delegation aligns itself with the statement delivered on behalf of the African Group.

Mr. President,

The adoption of the Rome Statute sixteen years ago and its subsequent entry into force provided us with an opportunity to advance the cause of justice and respect for the rule of law. The Statute not only established a permanent judicial institution, with potential worldwide jurisdiction, to investigate and prosecute international crimes, but also set out a new code of international criminal law. The creation of the International Criminal Court (ICC) is indeed the cornerstone of a novel system of international criminal justice. It represents our collective effort to end a culture of impunity for the most heinous crimes that shock the conscience of humankind. Today, the Court is globally recognized as a key instrument in combating impunity, preventing future crimes and promoting an international order based on the rule of law.

It is in this spirit that Lesotho attaches great importance to the role of the ICC. Today we reiterate our Country's commitment to support the work of the Court in promoting the rule of law, justice and respect for human rights, which in our view are effective pillars for sustainable international peace and security.

Mr. President,

History has demonstrated that political solutions on their own do not bring about lasting peace in societies ravaged by conflict. Justice has proved to be a necessary ingredient for the sustenance of peace. The Preamble of the Rome Statute reaffirms the purposes and principles of the Charter of the United Nations, the first such purpose being to maintain international peace and security.

We believe that justice begets peace. The establishment of the ICC thus represents a paradigm shift that will continue over the course of time, to effectively punish those responsible for the worst crimes of international concern. Eradicating impunity will in the long run contribute to sustainable peace. Lesotho firmly believes that the ICC, as a permanent and independent judicial body based on the free will of its States Parties, must continue to fulfill its primary role, of fighting impunity.

Mr. President,

The annual Session of the Assembly of States Parties (ASP) once again presents us with an auspicious opportunity, not only to cherish achievements of what was only a vision in 1998, but also to invent ways and means on how to address current and future challenges. In this regard, we wish to raise a few issues that we think are vital for the future success of the Court.

Mr. President,

The principle of complementarity is core to the Rome Statute. The ICC as a court of last resort is intended to supplement, not supplant, national jurisdictions. This principle is based, not only on the respect for primary jurisdiction of States, but also on practical considerations of efficiency and effectiveness. The Rome Statute has, through the principle of complementarity, provided an additional mechanism to complement the national judicial apparatus of States.

However, we would like to highlight domestic capacity-building in developing States, as crucial to implementing complementarity. Strengthening national criminal justice systems will enable developing States to better deal with the most serious international crimes. Willingness to genuinely proceed with criminal cases is equally important. It is our continued belief that

application of the principle of complementary will make the ICC truly and exclusively a “court of last resort”.

Mr. President,

The financial matters of the Court are of fundamental importance. They have a bearing on the daily operations of the Court and also on the long-term success of the Court. For this reason, resources availed for the work of the ICC should be commensurate to the mandate bestowed upon it. We call on fellow State Parties to continue providing the Court with the necessary finances to facilitate its work through both assessed and voluntary contributions.

Lesotho takes note of the Court’s 2015 budget proposal, in full confidence that the Court will continue its willingness and ability to increase its efficiency, and optimize its use of allocated resources.

Mr. President,

Achieving universality of the Rome Statute is also necessary for the Court to accomplish its goals. It is a cause of concern that in the current reporting year we have not welcomed a new State Party in our midst. We encourage all States who have not yet joined the Rome Statute family to do so. We must redouble our efforts in promoting universality. This will help consolidate the image of the Court as a truly international institution, and foster a better understanding of its activities across the globe.

Closely related to the question of universality is the issue of cooperation. Cooperation remains an important pillar in the fight against impunity. It is only when States Parties fully cooperate with the Court that Non-States Parties will be attracted to come into the fold. We are acutely aware of the differentiation in the interpretation of “cooperation”. It is therefore incumbent upon us to continue discussions on this subject. It is in light of this that Lesotho welcomes the special discussion on cooperation during this Thirteenth Session and looks forward to engage constructively in deliberations therein.

Mr. President,

The ASP is the precise forum to encourage the Court to be sensitive to the concerns of States Parties individually and collectively. In particular genuine concerns such as those related to relationship with the Court in order to engender universality, enhance cooperation and positive complementarity. The issue related to the relationship between the Court and the African Union should not be underestimated and must continue to be addressed in all earnest with a purpose to achieve mutual understanding on issues of concern.

The relationship between the ICC and Africa, as the largest block within the ASP, should be symbiotic in nature. The ICC needs Africa in the same way that Africa needs the ICC to ensure criminal accountability and enhance the fight against impunity on the Continent

Mr. President,

The ICC cannot deliver without the support of all of us. We must not politicize the work of the Court if its legitimacy and integrity are to be protected. We should always be mindful of the fact that the Rome Statute is a creature of our own making. Any imperfections in it can only be addressed by none other than us. It is in this spirit that Lesotho supports all efforts geared towards enhancement of the Rome Statute system. The Court relies on the fact that concerted political support be cast into tangible actions.

As I conclude, **Mr. President**, I wish to emphasize that the pursuit of a sustainable peaceful world is an ideal that our forebears cherished. Our commitment to the fight against impunity and maintenance of international peace and security must manifest in our actions in support of the international judicial architecture.

The key priorities of international criminal justice must at all times be, to secure justice for the victims of serious international crimes and help prevent the commission of such crimes in future. We, the States Parties have to join hands to keep the Court a viable and successful institution of justice by securing its independence and impartiality.

I thank you.