



## **REPUBLIC OF UGANDA**

### **THIRTEENTH ASSEMBLY OF STATES PARTIES TO THE ROME STATUTE GENERAL DEBATE**

#### **STATEMENT BY FREDRICK RUHINDI, MP, DEPUTY ATTORNEY GENERAL AND MINISTER OF STATE FOR JUSTICE AND CONSTITUTIONAL AFFAIRS**

**Please Check Against delivery**

10<sup>th</sup> December 2014, New York

Your Excellency Sidiki Kaba, President of the Assembly of States Parties  
Your Excellency Judge Sang-Hyun Song, President of the International Criminal Court  
Madam Fatou Bensouda, the Prosecutor of the International Criminal Court  
Honourable Ministers present  
Your Excellencies,  
Distinguished delegates  
Ladies and gentlemen

I am very grateful for this opportunity to, once again, address the Assembly of States Parties to the Rome Statute of the International Criminal Court.

I would like to congratulate you Mr. President, upon being elected. My delegation commends you for the trend setting inaugural address to this august assembly. It articulates your vision for the ICC that is addressing the issues for which it was established. I also take this opportunity to thank the outgoing president, Ambassador Tiina Intelmann for having guided the Assembly for the last three years.

Mr. President,  
I align my delegation with the Statement of the African Group.

Mr. President,  
Uganda joins others around the world in congratulating Kenya upon the ICC dropping of charges against President Uhuru Kenyatta. As you will recall, Uganda was in the lead along with the African Union in calling for the charges to be dropped so that the challenging situation in Kenya is comprehensively addressed under the domestic justice system or other appropriate fora. This enhances the principle of complementarity.

Mr. President,

I would now like to address the relationship between the Security Council and the ICC. In Rome where the Statute was drafted in 1998, it was the intention of the framers that the Security Council ought to cover situations which require involvement of this very Organ to ensure that justice would be done. However, as long as its composition remains unrepresentative, and undemocratic, Security Council decisions will fail to live up to the expectations and will continue to negatively affect the ICC. For instance, how can the Security Council on the one hand claim to be supportive of the ICC, while on the other hand it is unwilling to fund the Court's activities arising from its very own referrals to the Court? In addition, subjecting members to the duty to cooperate and to act when there is none cooperation will be best fulfilled when we all advocate and achieve universal ratification of the Rome Statute.

Mr. President,

We expect the Bureau and the Assembly of States Parties to enforce its own resolutions particularly in respect of affirmative action in the recruitment process. Resolution 12/49 refers to increasing the appointment of women in high level positions at the Court. It recommends to the Bureau to continue to engage with the Court to identify ways to improve equitable geographical representation and increase the recruitment and retention of women in higher level professional posts and to report thereon to the fourteenth session of the Assembly. The Bureau must seize every opportunity to effect this and similar resolutions.

Mr. President,

I would be remiss if I concluded my statement without mentioning the issue of natural justice and fairness regarding the emoluments of former judges. Article 49 of the Rome Statute states that the salaries and allowances of judges shall not be reduced during their terms of office. We therefore request that in compliance with the decision of the ILO Tribunal the pensions of former judges Daniel Nsereko and Bruno Cotte should be given their appropriate entitlements.

Mr. President, distinguished delegates, ladies and gentlemen, my delegation looks forward to a successful 13<sup>th</sup> Session of the Assembly of States Parties and wish all of you, successful deliberations.

I thank you.