

STATEMENT BY

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**DURING THE
GENERAL DEBATE OF THE**

**14TH SESSION OF THE ASSEMBLY OF STATES
PARTIES TO THE ROME STATUTE OF THE
INTERNATIONAL CRIMINAL COURT**

**18 - 19 NOVEMBER 2015
THE HAGUE, THE NETHERLANDS**

(Full version)

**Mr. President,
Excellencies,
Members of the Civil Society,
Ladies and Gentlemen,**

1. Let me at the very outset; convey my delegation's support and solidarity to you, Honourable Mr. Sidiki Kaba, for ascending to the Presidency of this Assembly and for your commitment to the cause of peace, human rights and justice.
2. We pledge to work with you and all members of your Bureau as you steer the affairs of this Assembly.
3. We equally congratulate Judge Silvia Fernandez de Gurmendi of Argentina on her election as President of our Court, as well as her newly elected colleagues. We thank her most profoundly for her succinct and informative report on the activities of the Court.
4. We are acutely aware that the Court continues to face increasing resource challenges, especially as it moves to its new premises. We know that to sustain these, we as States Parties must continue to pay our dues in time and in full.
5. We have taken particular note of the Report of the Committee on Budget and Finance on the work of its 25th Session, especially with regard to the proposed 17.3% increase.

Your Excellencies,

6. Fourteen years after the entry into force of the Rome Statute, the ICC continues to touch lives, shaping the international justice architecture, finding ways to fight against impunity and bringing justice to the millions of victims across the world.
7. From the victims of mass rape, to the helpless child soldiers, to the millions of women and children who suffer from injustice - all these must know that there exists a permanent court of hope, of justice and of redress - the International Criminal Court.

8. There is no doubt that the geopolitical landscape has changed since the birth of the ICC. The entire international criminal justice landscape has been transformed completely. Those who perpetrate human rights abuses and crimes against humanity, now know very well that they will have to account for their crimes and those planning to do so should know the world is watching.
9. It is indeed gratifying to see that many leaders are conscious of their duty to assume responsibility for the protection of their populations. Everywhere in the world people are calling for criminal accountability of all those who perpetrate atrocities and abuse human rights.
10. It is the deterrent value of the ICC that we must cherish and preserve not only for ourselves but also for future generations.
11. Seventy years ago when our fore bearers adopted the UN Charter in San Francisco, California, they pledged to save us and those after us from the scourge of war.
12. There is no doubt that the UN Charter remains the only universally agreed multilateral instrument for the protection of human rights as well as for the promotion of the rule of law.
13. While reaffirming the purposes and principles of the UN Charter, the ICC seeks to complement the UN's 3 Pillars - human rights, development as well as peace and security.
14. Established to investigate and prosecute war crimes, crimes against humanity and the crime of genocide, the ICC remains the only permanent legal institution in the fight against impunity.
15. In essence, the Court is premised on the recognition that atrocious crimes which offend the international community pose a threat to international justice, development, peace and security.
16. Distinct from other known frameworks, the Court's enduring hallmark starts with the understanding that States have the first responsibility to and right to investigate and prosecute the gravest international crimes known to humanity.

17. Only where national systems fail, are unwilling or unable to do so, may the Court then exercise its jurisdiction over such crimes.
18. Botswana has been paying close attention to the increasingly heavy workload of the Court, as well as the numerous case situations, preliminary investigations and pending cases.
19. We are also aware of the continued unwarranted attacks on the *raison d'etre*, usefulness and importance of the ICC. For us in Botswana, we do not entertain any doubts in this regard.
20. In reiterating our faith in the Rome Statute, Botswana's commitment to supporting a strong, effective, accountable and transparent criminal justice architecture remains unshaken, unwavering and unquestionable.
21. My delegation cannot pretend that the Rome Statute, which is our creation, is perfect and without challenges; this, would be a profound mistake.
22. However, I am also sure we all agree that as the 123 States Parties to the Rome Statute, we can only be of value to the Court if we act as a collective, to promote, protect and advance its integrity.
23. We remain convinced that since we all have pledged in unison to fight against impunity, we will find common ground to mend any differences, perceived or otherwise, that will naturally arise, amongst ourselves.
24. As this Assembly convenes here today, we should look back with pride at the Court's enduring history, its ideals and the values it stands for.
25. In this respect, we commend and welcome President Kaba's vision and strategy to promote the universality of the Rome Statute, build bridges between the ICC and various regional stakeholders as well as to fight against impunity in all its manifestations.

Your Excellencies,

26. We therefore echo and welcome President Kaba's appeal to us, the States Parties, to delink discussions related to the workings of this Court from those that involve non-States Parties.
27. In this respect, we need to reflect on our shared vision and our shared dreams for a just world. We need to redouble our efforts to save the millions whose only hope is the voice and the verdict of this Court.
28. There are still a lot of challenges to confront in the months and years ahead, so we need to work hard to promote the universality of the Rome Statute.
29. We have a duty to demonstrate to every victim, every nation and every member of the civil society that we can rise above our differences and save humanity.
30. Together with Sweden, Botswana is proud to serve as Ad Country Focal Points for Complementarity. We believe that together we can contribute meaningfully towards the protection of human rights, building domestic capacities including human capital such as the training of judges, prosecutors and law enforcement agencies.
31. In this regard, we were pleased to host the ICC in our capital on 29-30 October 2015 during the High Level Seminar for Fostering Cooperation, which was very successful indeed.
32. Let me at this juncture, acknowledge the active role played by the Civil Society in promoting the ideals of the Court and in helping create awareness on the work of the Court; we shall remain indebted to your valuable contributions in this regard.
33. The past twelve months have not been only rewarding but also challenging and eventful. Once again, we soldiered on in our pursuit for the international rule of law at national and international levels.
34. In April, we welcomed the Palestinian Authority as the 123rd State Party to the Rome Statute of the ICC. My delegation pledges Botswana's commitment to working with them to achieve the noble ideals of the Rome Statute.

35. We also welcome the recently launched Code of Conduct by 104 countries aimed at limiting the use of the veto on Security Council resolutions dealing with atrocities.
36. Botswana remains gravely concerned at the continued abuse of human rights, crimes against humanity and the impunity that is going on in some parts of the world. We join all peace loving nations who condemn this in the strongest possible terms.
37. In conclusion, we are gratified to note that as January 2017 approaches, the number of States Parties that have ratified the Kampala Amendments on the Crime of Aggression continues to increase. Already we stand at 24 and we are hopeful that as States Parties finalize their internal processes, we will reach the requisite threshold of thirty ratifications to bring them into effect.
38. On that optimistic note Mr. President, we wish to assure you and your Bureau of our utmost support as you lead these deliberations in the next few days
39. I thank you for your attention.

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