



STATEMENT

by

H.E. Penelope Beckles

**Permanent Representative of the Republic of
Trinidad and Tobago to the United Nations, New York**

at

**The General Debate of the Sixteenth Session of the Assembly of States
Parties to the Rome Statute of the International Criminal Court**

**(10am - 1pm)
Conference Room 4
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Mr. President,

As a country which accords high priority to the International Criminal Court and its mandate to help put an end to impunity for perpetrators of the most serious crimes of concern to the international community, Trinidad and Tobago is honoured to once again address this Assembly.

We remain unwavering in our commitment to the ICC which began with the pioneering work of our former Prime Minister and President, the late Arthur N. R. Robinson, who has been credited as one of the forefathers of the ICC. We also pride our self in being only the second State to have ratified the Rome Statute of the ICC.

Mr. President,

Trinidad and Tobago is pleased that after almost two decades since its creation, the ICC continues to discharge its mandate with impartiality and fairness. In this vein, we recognise the continued hard work and dedication of the Prosecutor, Ms. Fatou Bensouda, and commend her for the excellent manner in which she continues to discharge her mandate. We also recognise the importance of ensuring that the Office of the Prosecutor is provided with the necessary resources to effectively carry out its work.

Notwithstanding its many challenges, it cannot be denied that the ICC continues to be a beacon of hope to victims of grave crimes within its jurisdiction who are seeking justice. These include the most vulnerable, such as thousands of women and children who are oftentimes the ones most affected by the actions of criminals who show blatant disregard for the sanctity of human life by violating international humanitarian and human rights law.

We nonetheless remain deeply concerned over the recent withdrawal from the ICC in the face of which we encourage greater dialogue and trust to better deal with issues. While respecting the sovereign right of States to take action as they deem appropriate, Trinidad and Tobago advances that engagement and not disengagement should be the prevailing approach toward the ICC. Accordingly, the fact that some States have decided to remain members of the ICC is very welcome news and this should be commended.

Trinidad and Tobago recognises that the ICC has been perceived in some fora as a threat to national sovereignty. However, we wish to dispel this misunderstanding and remind that consistent with the principle of complementarity as enshrined in the Rome Statute, the Court's jurisdiction is only invoked when States are unable or unwilling to prosecute those alleged to have committed grave crimes. Based on international law, the presumption of innocence has universal appeal and an individual is presumed innocent until proven guilty. Therefore, no individual or State should fear the ICC as it is a Court of last resort.

Trinidad and Tobago advances that the success of the Court is intrinsically linked to the universality of the Rome Statute of the ICC. We therefore urge other States which have not yet done so to take steps to ratify and fully implement the Rome Statute. We also applaud the recent ratifications of the Kampala Amendments on the Crime of Aggression, and congratulate Panama on its most recent ratification today which brings the total number to 35. This is indeed a significant milestone in light of the decision made by States Parties at the Review Conference in Kampala, Uganda in 2010, whereby the Court may exercise its jurisdiction over the crime of aggression once 30 States Parties have ratified the amendments, and subject to a decision of the Assembly, based on a two-thirds majority of States Parties voting in favour or a consensus decision.

We recall the compromise made during the last ASP to establish a facilitation to discuss activation of the Court's jurisdiction over the crime of aggression. In negotiating this decision, States Parties, including my own country, supported the facilitation proposal on the understanding that it would

not lead to the reopening of discussions on the jurisdictional regime governing the crime of aggression.

In this context and given that the provisions of the crime of aggression have already been decided in Kampala, Uganda, there should be no need to further delay the process. We therefore support the simple activation of the crime of aggression which is consistent with what was already agreed in Kampala, and urge other States to do the same, with a view to coming one step closer to closing the impunity gap.

Trinidad and Tobago also takes this opportunity to reiterate its previous proposed amendment to Article 5 of the Rome Statute to include the crime of international drug trafficking under the jurisdiction of the Court. Given the transnational nature of this crime, and in the absence of extradition agreements, governments are oftentimes unable to prosecute those accused of international drug trafficking, which is also linked to the illicit trade in small arms and light weapons, money laundering, murder and extortion, to name a few.

Mr. President,

In light of its increasingly heavy workload, Trinidad and Tobago underlines the importance of providing the necessary resources to the ICC to ensure that it is able to discharge its mandate and ensure that perpetrators of the most serious crimes of concern to the international community are brought to justice. For the current period, we note that the Prosecutor is engaged in ongoing investigations relating to 10 situations, two (2) judgements have been issued, three (3) trials are ongoing and two (2) cases are on appeal. Proceedings relating to reparations in four (4) cases are also underway. We therefore underline our support for the current budget, with a view to ensuring that the Court is able to effectively discharge its mandate.

Trinidad and Tobago also reminds that expenses associated with referrals by the Security Council should be funded by the United Nations, consistent with Article 115 (b) of the Rome Statute and the Relationship Agreement. We also urge States Parties to pay outstanding contributions, to ensure that the Court is able to function with more efficiency.

Further, we urge those States in a position to do so to contribute to the Trust Fund, with a view to providing for the expansion and sustenance of its assistance programmes as well as Court related reparations. Trinidad and Tobago is also pleased that, to date, over 445,000 victims have benefitted from the Trust Fund.

Trinidad and Tobago calls upon States to cooperate, as necessary, with the ICC at all stages of investigations and proceedings, including cooperating in issuing arrest warrants and transfer of suspects to be tried by the Court. It is also important for States to adopt legislation at the national level to ensure that criminals are not allowed to act with impunity, as States bear the primary responsibility to investigate and prosecute those responsible for crimes under Rome Statute.

In closing, Trinidad and Tobago remains steadfast in its commitment to the ICC to ensure that it is able to discharge its mandate and put an end to impunity for the most serious crimes of concern to the international community.

I thank you.