



## International Federation for Human Rights

**Opening Statement**  
**seventh session of the Assembly of States Parties**  
(by Paul Nsapu, Secretary-General of the FIDH)

Mr. President, Excellencies, Ladies and Gentlemen,

I have the honour to address this Assembly on behalf of the International Federation of Human Rights and its 155 member organisations from over 100 countries.

This year the Court celebrated the 10th anniversary of the Rome Statute. The year 2008 has also witnessed events that have marked a significant step in the evolution of the ICC.

In particular, in 2008 FIDH welcomed the arrest of Jean-Pierre Bemba, former vice-president of the DRC, and President and Commander in Chief of the Movement for the Liberation of Congo. The human rights movement as a whole has appreciated his arrest and hopes that other perpetrators of serious violations committed in the Central African Republic will be brought before the ICC.

The Bemba case, as well as the recent decision to confirm charges in the Katanga and Ngudjolo case, demonstrate the Court's capacity to implement the Statute's advanced provisions on prosecution of sexual crimes.

Similarly, in July, the Prosecutor requested that an arrest warrant be issued for a sitting Head of State, Sudan's President Omar al-Bashir. This is a crucial step in the implementation of Rome Statute, and constitutes a promise of justice for the victims of the devastating conflict in Darfur.

FIDH also noted with a great satisfaction the implementation of a new policy by the Office of the Prosecutor, in relation to public communication on the situations under analysis (in particular, on Colombia and Georgia). This policy could contribute to maximize the Court's deterrent effect, and to encourage States to carry out prosecutions at the domestic level.

FIDH would like to draw your attention to certain aspects which continue to be matters of concern to our organisation, insofar as they affect the effectiveness of the entire Court.

Firstly, FIDH calls upon all States Parties to reaffirm their strong commitment to cooperate fully with the ICC, including through political and diplomatic support. We welcome, in particular, the cooperation of Belgium in a recent case. Indeed, FIDH draws your attention to the need to implement concrete efforts to execute arrest warrants and strongly condemn lack of cooperation by some States, including Sudan. In this regard, we believe that the execution of arrest warrants could certainly deter the commission of further abuses. Particularly, as you know, the situation in eastern DRC has been dramatic over the last few weeks. The execution of the arrest warrants for Joseph Kony and Bosco Ntaganda could have contributed to avoiding the recent escalation of violence.

Secondly, FIDH has closely followed this year the development of the victims' strategy. We are certainly disappointed that the Court is not in a position to submit a final document at this session of the Assembly. The Rome Statute's innovative provisions will remain a dead letter if the ICC does not equip itself with an effective strategy to achieve its goals. We urge this Assembly to request the Court to finalise the victims' strategy and submit it to its next session.

Furthermore, FIDH is concerned about the lack of an adequate system of legal aid for victims, which undermines victims' capacity to exercise their rights effectively. We urge this Assembly to request the Court to review the legal aid system for victims in 2009, in consultation with civil society.

In addition, FIDH would like to acknowledge the progress made by the Trust Fund for Victims in 2008. The Fund's mandate is closely linked to the mandate of the Court, and its success will largely contribute to the success of the ICC. It is essential that in the coming year the Fund take measures to increase its visibility, in relation to the activities already undertaken, but also in relation to future assistance projects. Additionally, it is necessary that the Fund makes preparations in view of the implementation of reparations awards. Moreover, we call upon States Parties to make regular voluntary contributions to enable the Fund to continue to assist victims of the devastating conflicts on which the Court works.

Finally, although we have noted some progress in the area of outreach and public information, FIDH considers that efforts in this area must continue to intensify in 2009. In this regard, during a recent mission, FIDH noticed that the Court has conducted minimal outreach activities in the Central African Republic, although an investigation was opened in 2007 and the first confirmation charges is due to take place in a few weeks. Similarly, we believe that the Court should intensify its outreach and public information activities in relation to the situation in Darfur. It must be able to respond to the attacks made on it : a western institution, an anti-African court.

All these questions and many others, will be discussed over the coming days. We will follow these debates very carefully.

Thank you for your attention.