



**REPUBLIC OF CROATIA
MINISTRY OF JUSTICE**

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STATEMENT

by Mr. Gordan MARKOTIĆ

Director General

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

Den Haag, 18 – 26 November 2009

Mr. President,

Delegation of Croatia is confident that under your excellent chairmanship the States Parties will be able to produce a meaningful outcome. Please be assured of my delegations full support of your guidance.

Allow me also to congratulate to the newly elected judges Ms. OZAKI Kuniko of Japan and Ms. FERNANDEZ DE GURMENDI Silvia of Argentina. We wish them all the best in performing their responsible duties.

As the candidate country, Republic of Croatia fully supports and aligns with the statement on behalf of the EU.

Mr. President,

I would like to reiterate that Croatia remains committed to the integrity, independence and efficient functioning of the ICC.

From the very beginning Croatia accepted and supported both the idea and the activities of the UN aimed at the establishment of a permanent International Criminal Court.

Let me remind you once again that Croatia was the first state of South Eastern Europe that ratified the Rome Statute. We are very pleased with the fact that we have participated in all Court activities from the very beginning and we are satisfied that today 110 countries are States Parties to the Rome Statute.

We would like to use this opportunity to encourage all other states to become State Parties to the Rome Statute and we also use opportunity to congratulate Chile and Czech Republic for becoming new State Parties.

Mr. President,

The existence of an institution like the International Criminal Court is of great importance. We believe that establishment of permanent International Criminal Court is one of the greatest achievements in the practice of International humanitarian law and a key to the international justice.

After having ad hoc tribunals, the establishment of the permanent court is the best way for fighting impunity for most serious crimes. It is our firm belief that this is the proper way to built peace, security and reconciliation in territories affected by the war. Only if we can face with our past, we can build strong foundation for the future.

Croatia is one of the countries which was heavily affected by the war and still affronts with its consequences. Therefore, let me underline that Croatia also supports *ad hoc* International Criminal Tribunal for the former Yugoslavia.

We note with satisfaction that the ICTY had positive impact to the domestic war crime trials, especially in imposing new standards in such trials. Let me mention just some of them which significantly improved the quality of the domestic war crime trials: the use of video conferences in the procedure; strengthening the integrity of witnesses/victims; strengthening the procedural position of the accused by providing adequate defence; defining prosecutorial standards and improving the regional co-operation of state prosecutors.

Comparing statutes of ad hoc tribunals that were forerunners to the ICC and Rome statute of the ICC, one can see the great improvement. However, since the last decade some new needs for the improvement of the present Statute have occurred, we see the forthcoming Review Conference of the Rome Statute as excellent opportunity to do so. Croatia is looking forward to actively participate at the Review Conference.

Mr. President,

Croatia strongly supports all efforts of the Special Working Group on the Crime of Aggression done so far on the crime of aggression and believes that the work on both the definition and the exercise of the jurisdiction will be finalised during the Review Conference.

Prior to our discussion on budget issues, I would like to point out that having a sufficient and transparent budget as well as timely receiving contributions from States Parties is of great importance for the work of the Court.

Croatia also supports project for new premises of the Court but wants to bring to mind that current economic situation worldwide should be taken in consideration for planning its costs.

Finally Mr. President,

I would like to conclude by reiterating position of my delegation that most serious crimes could only be prevented by the universal application of the Rome Statute. We take this opportunity to encourage all States to co-operate with ICC including in the question of surrender of the fugitives to the Court. From its side, Croatia will continue to co-operate with the ICC and to actively participate in its activities.

Thank you.