



EMBASSY OF FINLAND
THE HAGUE

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**Assembly of States Parties
to the Rome Statute
of the International Criminal Court**

8th Session

General Debate

Statement by
H.E. Mr. Klaus Korhonen
Ambassador
Embassy of Finland to the Netherlands

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Mr President,

The Finnish delegation fully associates with the statement made by the Swedish Presidency of the European Union and the expression of gratitude to all those involved to ensure a productive outcome of this Session, including the NGO's. We wish all the success to the new Presidency of the Court.

Mr President,

This Session of the Assembly of States Parties is an unprecedented one. In addition to taking decisions of vital importance for the every-day functioning of the Court, we are also to shape the upcoming Review Conference in Kampala. The Conference will be an opportunity to both celebrate the achievements made so far. It will also allow us to examine how the international criminal justice system will best fight impunity in respect of the most serious international crimes.

The crime of aggression will rightfully receive our full attention at the Review Conference. We are expected to meet the promise made in Article 5 of the Rome Statute. We'll be greatly assisted by the long-time efforts and the solid results of the Special Working Group on the Crime of Aggression. We hope that the upcoming publication "The Princeton Process on the Crime of Aggression", which contains all the materials of the Special Working Group from 2003 to 2009, will be of assistance to the delegations in preparing for the Conference. In order to facilitate broad participation in the Review Conference, Finland will continue to contribute to the LDC Fund.

The Kampala Conference will be the first, but by no means the last, opportunity to amend the Rome Statute. As for the other proposals to amend the Rome Statute, Finland recalls the recommendation adopted last year by the Assembly to focus on those proposals that may command very broad, preferably consensual support at the Conference. The Court needs a united front of States Parties to support it.

While welcoming the recent ratifications by the Czech Republic and Chile, we trust that the Review Conference will further enhance the universality of the Rome Statute and are ready to assist towards that end. Moreover, States that have ratified the Statute also need to enact, in a timely manner, legislation that ensures effective cooperation with the Court and addresses the crimes that fall under the jurisdiction of the Court.

Finally, we believe that the stocktaking exercise can provide a unique opportunity to assess the balance sheet of the first seven years of the Court's functioning. However, the agenda for the stocktaking exercise should not be burdened with too many topics. We should rather focus on two or three well-chosen themes, which would enable the participants to present their views in more detail. The importance of thorough preparations for the stocktaking as well as for other issues to be discussed cannot be overemphasized, considering that the Review Conference is only six months away.

Mr President,

Finland has followed with keen interest the developments during the past year with regard to the participation of victims in the Court's legal proceedings. Victim participation is a key element of the Rome Statute and also an element that makes the Court unique. Despite the progress made, we find that there still remain three particular challenges to address. First, it is necessary to make victim participation an important and meaningful contribution

to the legal proceedings and to maintain it as such. Second, there is a need to ensure that victim participation contributes to the feeling of justice being done in the affected region. Finally, victim participation must not re-victimize those who have already suffered enormously.

These challenges should be addressed through a coherent Court-wide strategy, including enhanced efforts to distribute information at The Hague and in the situation countries. The States Parties have an important role to play in this process by ensuring resources that meet the needs of such a strategy. Finland looks forward to a continued and more in-depth discussion next year on issues related to the Court's Strategy on Victims as well as to its implementation. The role of the victims and its development in the Court's practice could also be an important topic for the stocktaking exercise in the Review Conference, bearing in mind that meeting in a situation country would provide us with an excellent opportunity for that.

My government acknowledges the role of the Trust Fund for Victims when addressing the vulnerable situation of the victims. We have noted with satisfaction the response of the Fund to the requests last year by several donors to receive more information of the activities of the Fund. We encourage the Fund to continue this practice and hope that it will attract additional donations, including contributions by the States Parties, to alleviate the plight of the victims and their families. Finland, for her part, will continue to provide financial support to the Fund.

Mr President,

Co-operation between the Court and the States remains the key factor in determining the success or failure of the Court. Areas of co-operation where imminent progress needs to take place include the execution of arrest warrants, the support for the investigations for example through information sharing or freezing of the assets, the relocation and protection of witnesses and the enforcement of sentences. Potential challenges in the field of co-operation need to be duly addressed. We must always aim at ensuring that the Court is able to perform the judicial duties it was created for whilst having to operate "in a political world", as recently stated by President Song.

All States Parties as well as the civil society play a crucial role in the reinforcement of States' co-operation with the Court. This may take place, for example, in high-level political dialogues or in the Security Council, but also informal compositions, such as the Friends of the ICC, can bring their own, equally important contribution to this process.

We also believe that initiatives, such as the Legal Tools and the Justice Rapid Response supported by Finland, contribute towards effective functioning of the Court and provide tools for wider co-operation.

Mr President,

Let me conclude by reiterating the firm support of Finland to the International Criminal Court. As the Court is faced with challenges on many fronts, our resolution to overcome these challenges and to extinguish impunity must be even stronger.

Thank you.

