



Fédération internationale des ligues des droits de l'Homme

**FIDH Opening Speech for the Review Conference
of the Statute of the International Criminal Court
Kampala, June 1, 2010**

By Dismas Kitenge, Vice-President

(original version : ^{French}English)

President, Your Excellencies, Ladies and Gentlemen,

I have the great honor to represent at this Conference, the International Federation for Human Rights (FIDH) and its 164 member organisations from over 100 countries, and to address you in my capacity of Vice-President.

Given its commitment in the support of victims of the most serious crimes, FIDH has plead for the establishment of a Permanent International Criminal Court since 1922. It has welcomed the adoption of its Statute in Rome in 1998. Since then, it has been working to render the Court and its Statute's principles universal and to ensure that the Court has all the necessary means in order to act effectively. FIDH assists victims and civil society representatives to access the Court and supports them in their search for justice and reparation.

Today, in an international context that is drastically different from the one 12 years ago, this Conference is of unique importance. Although the support for international justice is often considered secondary, you can and you must, affirm and reinforce your support for the International Criminal Court and the effective implementation of the Rome system. You will then be able to achieve the goal of the Court *to put an end to impunity for the most serious crimes that deeply shock the conscience of humanity and that threaten the peace and well-being of the world.*

With regards to the agenda before you in the next two weeks, we wish to share with you some aspects of our analysis, regarding firstly the stocktaking exercise on the work of the Court.

We have observed that the implementation of victims' rights has led to increased awareness and recognition of the dignity of thousands of children women, and men, who have suffered the most atrocious crimes that shock the conscience of humanity. This has also led to better understanding by victims of their very own rights. Nevertheless, we believe that it is extremely important that the Court increases its efforts to inform victims about proceedings, thereby facilitating their participation. The Trust Fund for Victims needs your support, and further contributions. In addition FIDH urges you to work towards the integration and effective implementation of victims' rights at the national level.

It is also of primary importance that the intermediaries, who assist victims and support the Court in

the implementation of its mandate, benefit from strengthened protection, both from the States as well as from the Court.

The clear absence of national proceedings in many countries where serious crimes have been committed, the lack of real political will, as well as the increasing number of limitations to the principle of universal jurisdiction, show that it is necessary to adopt measures for the effective implementation of the principle of complementarity, which is vital for the efficiency of the Rome Statute system.

In this regard, it is essential to support the efforts of the Office of the Prosecutor to implement its "positive" complementarity policy, and to establish a follow-up mechanism within the Assembly of States Parties.

Moreover, we wish to stress that justice is an indispensable element to achieve peace. Indeed, no sustainable peace can be attained without accountability for the most horrendous crimes, as this would result in another violation of the rights of victims. The Court's proceedings cannot be subjected to external political events, which would undermine its goal to make justice.

In this regard, the weak level of cooperation received by the ICC is harmful to the Court.

Some of the conclusions of the Court's reports on cooperation are particularly worrying. All efforts should be deployed so as to execute the arrest warrants. The credibility of this institution and the credibility of the States Parties' commitment are at stake. FIDH recalls that political and diplomatic support are an essential part of the obligations that States Parties have taken on once they adopted the Statute.

Finally, with regards to the proposals for amendments, FIDH calls for the deletion of Article 124 of the Rome Statute. Furthermore, we believe that the adoption of the amendment to Article 8 is essential, in order to harmonize the rules applicable to international and non international armed conflicts. Finally, with respect to the incorporation of the crime of aggression, FIDH urges you to ensure respect for the independence of the Court and the integrity of its Statute.

We demand that the commitments taken 12 years ago are reaffirmed and renewed, so the hopes for justice and peace of victims of the most horrendous crimes, from Uganda and from all over the world, are fulfilled.

I thank you for your attention.