



**REVIEW CONFERENCE OF THE ROME STATUTE OF THE
INTERNATIONAL CRIMINAL COURT**

GENERAL DEBATE

Statement by

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of the Portuguese Republic
Head of the Delegation**

**Ministry of Foreign Affairs
Portuguese Republic**

Representative

Kampala, May 31st 2010

Please check against delivery



Your Excellency, the President of Uganda Yowery Kaguta Museveni

Your Excellency, Secretary-General Ban Ki-moon

Your Excellency, the President of the Court Sang-Hyun Song

Your Excellency, Prosecutor Luis Moreno-Ocampo

Your Excellency the President of the Assembly of States Parties

Your Excellency Former Secretary-General, Kofi Annan

Distinguished Delegates

It is my distinct pleasure, on behalf of the Portuguese Government and the Ministry of Foreign Affairs, to participate in the first review Conference of the Rome Statute.

Allow me to start by expressing our gratitude to the Government of Uganda, for hosting and organizing this very important event. A reminder of how important Africa has been in promoting and supporting the International Criminal Court.

Allow me also to welcome the decision of the Republic of Bangladesh to ratify the Rome Statute, thus becoming the 111th State Member of the International Criminal Court. This ratification is one step further towards universality, which remains our ultimate goal.

I sincerely hope that the Review Conference of Kampala 2010, will stand as an historic landmark in the life of this young Institution which is the Court.



When our Governments convened in Rome in 1998 to adopt the Statute of the International Criminal Court they had very precise objectives in mind. The creation of the International Criminal Court should significantly contribute to the fight against impunity and the repression of the most heinous crimes under International Law. These crimes are of major concern to the International Community as they are perceived as serious threats to international peace and security and well being of the world.

There is no peace without justice and in order to achieve peace, security and well-being in the world we must strive to establish an international system of criminal justice which is legally sound, efficient, trusted and respected by all States.

The fight against impunity is a common endeavour: not only for the one hundred eleven States Parties of the Rome Statute but also for all the Member States of the United Nations. In this context, we recall the obligation of UN Members abiding by and implementing the resolutions adopted by the Security Council under Chapter VII of the UN Charter.

An active contribution to the work of the Review Conference is also a way of reaffirming our commitment to the purposes and principles of the Charter of the United Nations. The end of impunity and the establishment of the rule of law are very closely related to the respect of human rights and the achievement of sustainable peace. These remain fundamental objectives to the International Community.

The Court is dealing with an increasing number of investigations and cases, which only proves its necessity, but illustrates as well its vitality and the fact that its structure has been adequate to pursue the objectives initially set forth, as a multilateral and complementary system of criminal justice. However, full



cooperation from States Parties remains crucial for a successful international criminal justice system.

In this sense, the full engagement of all in the promotion of the universality and integrity of the Rome Statute, aiming at universal ratification, is essential. Allow me one particular word to recognize the fundamental role civil society continues to play in this area.

Portugal strongly believes that an efficient and fully operative Court is a major contribution to international peace and security. In this sense Portugal is fully committed to cooperate with the Court, supporting it to become a robust Institution and the basis for an international criminal justice system.

The days ahead of us will be very intense and we sincerely hope that many fruitful discussions will occur. We praise the stocktaking exercise and an accurate assessment of the Court's activities on its ten year lifespan. We intend to closely follow and participate in the discussions about complementarity and cooperation. We also would like to pay tribute to the Assembly of States Parties for having allocated time for the discussion about victims and affected communities and their rights.

The discussion on the Crime of Aggression has a central role in the Review Conference. We have initiated this debate a long time ago, since the Court's inception in 1998. By that time, States Parties had agreed to include the crime of aggression in the Rome Statute, deferring for a later stage the definition of the conditions of jurisdiction of this specific crime, as well as other related technicalities.

The Review Conference of Kampala will complete the work initiated in Rome, bringing the missing elements to the Court's Statute. In this complex and delicate international law making process we may rely on many years of work,



especially on the fine Reports of the Special Working Group on the Crime of Aggression. The issues at stake are difficult and, at first glance, differences may seem too wide.

However, this is the time to move forward.

In order to achieve a successful outcome on the discussions on the crime of aggression, a flexible approach to all related issues is fundamental. We sincerely hope that the spirit of constructive compromise will inspire our discussions. Reaching out for a consensus on this very important topic by the end of the Review Conference would be a significant contribution of States Parties to the strengthening of the international judicial system and the rule of law.

Portugal will certainly spare no efforts in this regard, having always in mind the need to strengthen the Court, its increasing universality, its role in fighting impunity and contribution to peace.

Last but not least, allow me also to address this Assembly on behalf of the Community of Portuguese Speaking Countries as its current Chairman.

All of the 8 CPSP Member States have signed the Rome Statute and some have already ratified it.

The Community of Portuguese Speaking Countries is following this Review Conference with the utmost interest and considers that it is an important opportunity towards the consolidation of the ICC and the rule of law.

May our Review Conference be entirely successful.

Thank you.