



EMBASSY OF SWEDEN

Kampala

Statement by
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Sweden

Review Conference of the Rome Statute
of the International Criminal Court
General Debate

Kampala, 1 June 2010

Check against Delivery

Mr. President, Members of the Review Conference

Sweden fully subscribes to the statement made by the distinguished representative of Spain on behalf of the European Union.

I would like to express our sincere appreciation to the President of the Assembly of States parties, the Bureau and the Secretariat, the facilitators of the Review Conference and the working groups in the Hague and New York for their careful preparation of this conference. Let me also extend Sweden's gratitude to the Government of Uganda for hosting the Conference, indicating the commitment that Uganda has to the ICC. I would also like to express gratitude to the Coalition for the International Criminal Court and its members for their valuable contributions, not only in promoting the Court's objectives, but also for their contributions to the preparations of this conference.

This conference is an important event in the short history of the ICC and it will give us ample opportunity to assess the achievements so far. I think we all agree that the Court has truly demonstrated the vitality of youth, having in only seven years time become a reality that all international actors must take into account. Sweden welcomes the fact that with the ratification of Bangladesh, we now count the number of States Parties to 111. We are more than halfway to universality. However, in order to truly reach our common goal of ensuring that perpetrators of heinous crimes are always, and without exception, brought to justice, the work for universal acceptance of the Statute and the Court must continue. Sweden remains committed to promoting the universality and the integrity of the Statute.

Mr. President,

Before us at the Review Conference, we have a set of proposed amendments to the Statute and sessions of stocktaking to engage in. It is my hope that the Court shall have a strengthened position when we have concluded our deliberations. Sweden will certainly make its contributions with that goal in sight.

The proposed amendments concerning the Crime of Aggression have a history that truly goes back much longer in history than the Court. We should now recognize the important work done by the Special Working Group on the Crime of Aggression and its capable leadership to prepare proposals. When we deliberate on these proposals, together with the proposed amendments to Articles 8 and 124, we should do so actively in a constructive way and in a spirit of consensus, recalling the overriding goal of strengthening the Court. Without consensus, extending the Court's jurisdiction to new crimes will be highly problematic, even when there are, as my Government believes, good and highly relevant reasons for taking such action.

When taking stock, Sweden believes that we should do so prospectively, with a view to ensuring that the Court leaves our stocktaking revitalized and re-energized, equipped with more commitment and tools to fulfill its mandate in the future. In this context we should recall that the mandate of the Court is to function as an independent international body on a permanent mission in the fight against impunity and as a court of last resort, as well as a catalyst of international criminal justice in general, shouldering a role to prevent and deter the most serious crimes that humanity knows.

This wide role is well-reflected in the four topics selected for the stocktaking exercise that are clearly interrelated. The Court cannot endure without the cooperation of States and it is deeply worrying that several warrants of arrest have still not been executed.

Lack of co-operation by those States which are under a legal obligation to do so is unacceptable. The wider issue of cooperation at large, however, goes beyond arrest warrants, fundamental though they are. The Court is in need of cooperation in all areas of activity, whether it is in the collection of evidence, the protection of victims and witnesses, or the need for enforcement agreements.

Another important aspect in the fight against impunity and in helping to strengthen the Court is by means of further enabling that the principle of complementarity is put to use by measures aiming at closing the impunity-gap. In light of the fact that the court is a court of last resort, enhancing the focus on complementarity is very logical indeed. I hope that the discussions on this issue we are about to have here in Kampala will lead to concrete results.

Sweden is convinced that peace and justice are in no way contradictory goals. It is our joint responsibility to address both. Not only because peace and justice are mutually reinforcing, as accountability is a cornerstone in restoring the Rule of Law in post conflict countries. But also because victims of war crimes should never be put in the position of having to choose between peace or justice for crimes committed against them and their families. It is our responsibility to offer them both. The only choices should be those of timing and method. Whenever the quest for justice is portrayed as an obstacle to peace, our thoughts should go to the victims and we should use their perspectives.

Mr. President,

We all – State Parties and Observers – have important contributions to make, not only to a successful conference, but above all to the ICC and its functions. A very concrete way of highlighting such contributions, is through the possibility offered by this Conference to make pledges. The European Union has on behalf of its Member States made four pledges, that Sweden will contribute to. Sweden also takes this opportunity to make the following additional and national pledges at this Review Conference, for our support to the Court:

- to implement in full the crimes of the Rome Statute in our national legislation, and
- to continue to support civil society for its activities in support of the ICC in general, and for its information activities on the ICC in particular.

The International Criminal Court is a fundamental tool in preventing and deterring those crimes that undermine the very essence of humanity. Let me conclude by recalling the overriding purpose of this Conference: to reaffirm our unwavering commitment to the Court. Sweden takes this opportunity to reaffirm that commitment here and now. Strengthening the Court and its role in the international community is a primary goal for us as states parties. I am confident that we will all strive to achieve this goal during and well after this conference.

Thank you Mr. President