

INTERNATIONAL CRIMINAL COURT

REVIEW CONFERENCE

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Opening remarks by the President of the Assembly, Ambassador Christian Wenaweser

It is a great honor for me to open the first Review Conference of the Rome Statute. I express my gratitude, on behalf all States Parties, to Secretary-General Ban Ki-moon for his presence among us today. It is the supreme expression of his long-standing commitment to the cause of international criminal justice and to ending impunity. The participation of the convenor of the Rome Conference, former Secretary-General Kofi Annan, is testimony to the long history of cooperation between the United Nations and the Court. Politically and practically, this support from the United Nations system is essential.

I am grateful to the Government of Uganda for hosting this conference. The activities I have witnessed and the discussions I have participated in prior to the beginning of this Conference make one thing very clear: Discussing the International Criminal Court here, on the African continent, in a country in which the Court is conducting active investigations and with unique opportunities for the direct participation of victims and affected communities is in itself a tremendous contribution to a successful outcome.

I extend a particular welcome to civil society who will play an essential role in making this Conference a success.

The drafters of the Rome Statute designed this conference as the first opportunity to consider amendments. They were of the view that seven years of Court operations should enable States to make informed decisions on whether changes to the Rome Statute were needed. Today, almost eight years after the entry into force of the Statute, and at the very beginning of this conference, we have already answered that question: The Rome Statute is a very solid treaty, equips the Court with all the tools necessary to carry out its mandate, and there is no need for significant changes to the treaty. The discussions on amendments over the next two weeks will focus on issues mandated by the Rome Conference itself. No proposals for institutional changes are on the table and the fundamentals of the Statute enjoy firm support.

We can thus proudly say that we are looking at a functioning judicial institution that had eluded us for decades: The first independent, permanent international criminal court with jurisdiction over the most serious crimes under international law. At the same time, we all can and we all must do better: The Court itself and we, as States Parties. We have therefore added another dimension to this conference and will take stock both of the achievements to this day and of the challenges ahead. The four dimensions – victims and affected communities, peace and justice, complementarity and cooperation – are at the very heart of the Rome Statute system.

Our discussions here in Kampala will not be the end of a process. Much rather, they will give fresh impetus to the fight against impunity, with a central role for the International Criminal Court. The future of

international criminal justice is a joint undertaking of the States Parties of the ICC and those States that have not yet decided to join the Rome Statute. We must continue to strive for universality in the membership of the Court. The Kampala Conference should also be a decisive step in our individual and joint efforts to strengthen the will and the capacity of States to carry out investigations and prosecutions. Under all circumstances, we as States have the first obligation to do so. As States Parties, we have committed to giving this Court all the support that it needs in order to be effective. We are therefore taking a critical look at ways to improve the cooperation between States Parties and the Court. We will receive concrete pledges from States in this respect.

The central topic in the review of the Statute, as mandated by the Rome Conference, is the crime of aggression. This crime is already contained in the Rome Statute, and we have therefore recognized it as one of the most serious crimes under international law. We have prepared as diligently as we could for the discussions here in Kampala on the possible inclusion of provisions in the Rome Statute that would define the crime and allow the Court to exercise its jurisdiction over this crime. The legal groundwork is in place, and the large task ahead of us consists of finding a solution, with the willingness to compromise from all of you, that assembles the largest possible political support. I appeal to you to approach these discussions with an open mind and with awareness of the historical task before you.

I thank you.