



SECRETARIAT OF THE ASSEMBLY OF STATES PARTIES

Ceremony for judges

Statement by Vice-President Jorge Lomonaco

It is an honor for me to represent the 110 States Parties which just a few weeks ago proceeded to elect two judges to fill judicial vacancies that had arisen in 2009.

As many of you are well aware, the process for nomination and elections of ICC judges is one of the more complex procedures at the international level. The requirements set out in the Rome Statute, which are supplemented by the elaborate mechanism contained in the respective Assembly resolutions, take due regard of an equitable geographical representation and seek to ensure that this Court, and by extension the international community, can count on having judges of utmost integrity and professionalism, as well as an equally unwavering commitment to the application of the law, representing the principal legal systems of the world.

Although each part of the Rome Statute system, the Office of the Prosecutor, the Registry, the Assembly, has its own demanding mandate, we all acknowledge that the true onus falls upon the judges, who are called upon to analyze the evidence submitted for their enlightened consideration in assessing whether to authorize the opening of investigations, the issuance of summons to appear or of arrest warrants and, most importantly, whether or not the accused brought to trial are guilty. This responsibility is accentuated even more by the need to simultaneously bear in mind the need to respect the rights of the defense, as well as to

strike the appropriate balance with the rights of victims that take part in the proceedings.

In this most challenging endeavour, which of itself places a Herculean responsibility on the judges' shoulders, there is the additional complicating factor of the need to interpret some of the provisions of the Statute and its supplementary norms, which include lacunae. The Court must seek to address these matters, in some instances on its own and in others with the assistance of the Assembly.

The Court cannot fulfill its mandate without the indispensable assistance by States, international and regional organizations, as well as the vital support of the non-governmental organizations. We all constitute a global network committed to the shared objective of a successful application of the law with due regard of the principle of complementarity.

Although we all dream of a world where the Court would not be needed, regretfully history shows us that time and time again, heinous crimes on a massive and systematic scale continue to be committed. In the absence of the capacity or unwillingness of a State to investigate and prosecute the individuals responsible for such acts, the international community should assume such a role, through the institutions and legal framework which States established in the Eternal City in 1998. We, the States Parties, renew once more our support for the Rome Statute system and its Court.

As we start the second decade of the millennium, the Rome system will go through a new phase after the Review Conference is held in June. These coming four months are thus key in our preparations for the consideration of amendments to the Statute, but also to proceed with the stocktaking exercise of international criminal justice. The eyes of the world community shall be on the Court and its gathering in Kampala as we assess the impact the Court has made to our common objective of putting an end to impunity.

Ultimately, the success of the Rome system shall be determined by the rightful place earned by the Court in the international arena through the prestige attained via the quality of its trials, the appropriate length of the proceedings, , and, in particular, the wisdom applied by its Chambers in the application of the law.

On behalf of the Assembly, I thus welcome the incorporation of judges Silvia Fernández de Gurmendi and Kuniko Ozaki to the bench of the Court, who, I know, will earnestly assume these challenges.
