

Statement of the Coalition for the International Criminal Court
William R Pace, Convenor
8th Session of the Assembly of State Parties – Nov. 18-26, 2009

Mr. President, Colleagues, Excellencies, Ladies and Gentlemen,

I again have the honor to address the Assembly at its eighth session which is one of the most important sessions. The Coalition is prepared to contribute to the issues on the agenda, motivated by our objective to achieve the consolidation of the Rome Statute, the strengthening of the ICC and the victory of justice over impunity. Let me first express the CICC deep appreciation to you, Mr. President, the Bureau and Secretariat of the Assembly for your continued excellent cooperation with the CICC. We want to congratulate the new Board of Directors of the Trust Fund for Victims and our congratulations to Ms. Kuniko Ozaki and Silvia Fernandez de Gurmendi upon being elected as Judges, and our sincere appreciation to Chile, Colombia and Guyana for offering important candidates.

The success of the Rome Statute system is due to many persons in this room, who are ready to sacrifice their own and their states' narrower interests for the long term goal of justice for all. Our membership of 2500 organisations in more than 150 countries look to you to ensure implementation and enforcement of the Rome Statute, both at the national level, in cooperation with the UN and other international and regional organisations, and through the ICC. In spite of all the challenges we face, we are convinced that we are moving in the right direction, and we congratulate you on that.

Mr President, the CICC appreciates the Assembly's and SASP willingness to allow us to present shorter oral statements, but to be able to present longer versions in print and electronic form as part of the official record. In this way more of our members can address the plenary.

The Rome Statute established a Court that deals with the most serious crimes ,and an Assembly that elects judges to decide over these matters with judicial independence. States need to do their utmost to ensure that the Court's independence, and the perception of its independence, remains a firm i and untouchable shield against improper accusations of politicisation. Universality, as addressed in your Plan of Action, is another important shield against politicisation, Judges and other officials providing fair trials of highest quality is the third. We call on you to keep these three objectives [independence, universality and most qualified candidates] in mind when making decisions at this session.

At the next session, the ninth session of the Assembly, we hope to look back on a Review Conference as a motivating event, celebrating the values that bring us here today. However, we also want to look back on a Review Conference that achieved substantive progress on a number of issues that should, but do not find their way into the agenda of the Assembly's regular sessions. Such substantive progress will depend on the readiness

to do work between now and May 2010 and your readiness at the Conference itself to make principled and yet concrete commitments for the future. We welcome the renewed commitment of the government of the United States, and hope it and other observer governments will use the Review Conference as an opportunity to become more integrated into the Rome Statute community.

As States Parties to the Rome Statute, you have made the ICC an extension of your legal system. The division of labour is clear from the complementarity principle and part 9 of the Rome Statute. This means that the ICC deserves the same level of commitment, political support and legal cooperation as your national legal system, whether mandatory or voluntary according to the statute and ICC jurisprudence. Sometimes the stakes are higher with the ICC than with your national courts. In such situations there are fortunately 109 other states to share your burden and work with you to find common solutions. The 66 recommendations previously adopted in the Report on Cooperation set out an excellent roadmap. We call on you to follow that road and to make the ICC feel truly part of your justice system, and of a fundamentally enhanced (RS) system of international justice.

As you will see from the statements by CICC members here today, and the Coalition many papers, reports and advocacy at this session, our expectations vis-à-vis the Assembly and the Court remain steadfast and our goals for international justice remain high. The amendments and stocktaking processes relating to the 2010 Rome Statute Review Conference will, we hope, provide new chapters in what history will describe as one of the greatest eras of progress in international law – in establishing the just rule of law over the crimes of war.

Thank you....