



**REPUBLIC OF CROATIA
MINISTRY OF JUSTICE**

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STATEMENT

**by Mr. Gordan MARKOTIC
Assistant Minister**

at

**THE ELEVENTH SESSION OF THE ASSEMBLY OF STATES
PARTIES TO THE ROME STATUTE OF THE INTERNATIONAL
CRIMINAL COURT**

The Hague, 14 – 22 November 2012

Madam President,

At the outset I would like, on behalf of the Republic of Croatia, to align with the statement made by distinguished representative of Cyprus, on behalf of the European Union.

We would like to congratulate Judge Song for his re-election as the president of the Court. We would also like to congratulate to the newly elected members of the Advisory Committee on Nominations and the Board of Directors of the Trust Fund for Victims.

As we look back on the first ten years of the Court's existence, States Parties are justifiably proud of the institution they have created. The Court has begun to fulfil the promise of the Rome Statute to put an end to impunity for the perpetrators of the most serious crimes of concern to the international community and thus to contribute to the prevention of such crimes.

We are aware that the ICC is the Court of the "last resort", providing for the primacy of national jurisdiction and it only steps in when the country cannot or will not investigate and when necessary prosecute fairly the most hideous of crimes and at the same time it puts victims at the centre of its work.

However, the existence of an institution like the International Criminal Court is of utmost importance. We believe that establishment of permanent International Criminal Court is one of the greatest achievements in the practice of International humanitarian law and a key to the international justice.

We understand views that one judgement in first ten years is perhaps not sufficient. However, we welcome the first judgement against Thomas Lubanga Dyilo rendered on 14 March 2012 for the war crimes of enlisting and conscripting children under the age of 15 into military forces, and using them to participate actively in hostilities.

When we look to the future there is much work to be done: from improvement of relations between the Court and its States Parties and ensuring an efficient conduct of judicial proceedings to continuously providing the Court with the resources necessary to carry out its mandate.

Madam President,

From the very beginning Croatia accepted and supported both the idea and the activities of the UN aimed at the establishment of a permanent

International Criminal Court, being the first state of South Eastern Europe that ratified the Rome Statute. We are very pleased that today 121 countries are States Parties to the Rome Statute.

Allow me to congratulate Guatemala for becoming new State Party since the last Assembly and to welcome the fact that the goals pursued by the Court and the values it promotes, continue to advance steadily towards universal acceptance. I would also like to use this opportunity to encourage all other states to become States Parties to the Rome Statute.

Madam President,

The Review Conference reflects the commitment of the international community to the Rome Statute and to its full implementation and also witnessed the historic adoption of the resolution on the Crime of Aggression which is a turning point in the development of international criminal law.

I have a pleasure to inform that the Ministry of Justice of the Republic of Croatia initiated the procedure of ratification of the amendments adopted on the Review Conference in Kampala. Croatia is expected that the procedure of ratification will be completed in due course.

Between the signing of the Accession Treaty and entry into full membership of EU, representatives of Croatia have possibility to participate in the activities of the Working Party on Public International Law- International Criminal Court.

Madam President,

My delegation has listened with great interest presentations by the heads of the bodies of the Court and Chairs of different Committees. Let me stress that Croatia highly appreciates the valuable work of the Trust Fund for Victims aimed at easing their suffering and assuring to them appropriate reparations.

Croatia supports the efforts aimed at improving transparency and efficiency of the ICC budget and looks forward to thorough discussions on this important issue, including detailed review of the Committee on Budget and Finance Report. Croatia is also upholding the project for new premises of the Court but wants to bring to mind that current economic situation worldwide should be taken in consideration for planning its costs.

Madam President,

We strongly believe that the commission of the gravest criminal offences can only be prevented by the universal application of the Rome Statute. Therefore the priorities of the Republic of Croatia continue to be the realization of full cooperation with the International Criminal Court and active participation in the activities of the Court.

Thank you, Madam President.