

UK STATEMENT TO THE 10TH SESSION OF THE ASSEMBLY OF STATES PARTIES TO THE ICC.

Madame President

I congratulate you on your appointment as President of this Assembly. My delegation is committed to supporting you in this crucial role, and we look forward to working closely with you. Your predecessor, Ambassador Christian Wenaweser, served with distinction in the role and my delegation thanks him for the contribution he made to the development of the Court during his Presidency.

I also pay tribute to the immense contribution of the Prosecutor, Mr Luis Moreno-Ocampo, to the work of the Court and the development of international criminal justice. My Government welcomes the appointment of Ms Fatou Bensouda as his successor as ICC Prosecutor. She will have my Government's full support. I note in this context the important role of the Search Committee on the ICC Prosecutor and my delegation thanks the individual members of the Committee for the time and effort they devoted to the process.

My Government also welcomes the election of 6 new judges (including the UK's candidate, Howard Morrison), as well as the new members of the Committee on Budget and Finance. Important support was provided to the judicial election process by the CICC, especially in the report of its Independent Panel on ICC Judicial Elections.

My Government welcomes those States that are joining us as ICC States Parties at this Assembly for the first time. Grenada, Tunisia, Cape Verde, the Philippines, the Maldives and Vanuatu have all ratified the Rome Statute in 2011, bringing the number of States Parties up to 120. The continued expansion of the Court's jurisdiction is a reflection of its growing importance on the international stage as an independent permanent judicial body. The United Kingdom is committed to achieving universality of the Rome Statute, and we thank President Song and all those who have been involved in securing so many new ratifications this year, especially in the Asian region.

Madame President,

World events in 2011 have been dominated by civilian uprisings in the Arab world. In the case of Libya in February, the international community was united in its response. In resolution 1970, the United Nations Security Council unanimously agreed the referral of the situation in Libya to the Court. The action taken to catalogue the crimes being committed in Libya will form a crucial part of any future trials resulting from the Libya situation. My delegation would in particular like to recognise the key role played by Prosecutor Ocampo and his team in responding so swiftly to the Security Council's mandate. Resolution 1970, together with resolution 1975 which took note of the ICC's role in Cote d'Ivoire, was a demonstration of the level to which the ICC's role in tackling impunity is now embedded in the United Nations system

This year's Assembly will also discuss a number of issues that will influence the continued development of the Court, including key reports on co-operation, strategic planning, the Independent Oversight Mechanism and governance. On all of these issues, I would like to commend the work of the various Hague Working Groups, the Study Group on Governance and the Bureau in New York in preparing these items for discussion at the Assembly.

The Bureau has also handled the continued discussions of the issue of amendments to the Rome Statute arising from decisions made at last year's Kampala Review Conference, in particular on the subject of expanding bullets and the Crime of Aggression. On this last topic, we still have a period to reflect before any amendment enters into force, following further discussion by the ASP in 2017. But my delegation emphasises again that all the amendments at Kampala were adopted under Article 121 paragraph 5 of the Rome Statute and accordingly they will only enter into force for a State Party once it has ratified that amendment. It is not, therefore, necessary for a State that has not ratified the amendment on the crime of aggression, and which does not wish to be bound by it, to make a declaration under article 15 bis paragraph 4.

The most challenging discussions at this ASP are likely to focus around the 2012 budget. The United Kingdom has frequently raised in these Assemblies the impact that the fragile economic climate is having on budget issues. These problems continue, and it remains the

responsibility of all governments and international institutions to manage their budgets efficiently and with restraint. It is for this reason that we have taken a consistent position in the discussions so far on the 2012 budget of seeking to agree a budget with Zero Nominal Growth. We, with other delegations, circulated a paper on this in the week before this ASP. We have taken the same position in other international organisations, and our position reflects the tough decisions that we have had to make at the national level to reduce public spending.

The British Government is, of course, committed to ensuring that the Court has the funding it requires to maintain its core judicial activities and to handle the workload that it is required to take on. Our record in this regard stands comparison with anyone's. On top of the United Kingdom's budgetary commitments to the ICC, which in 2011 were assessed at €10.2m, we also provided voluntary support to key areas of the Court's work – in March this year we made a donation of half a million pounds to the Victims' Trust Fund.

We will however be maintaining a strict position on budget issues and we expect to see further tightening of the Court's spending in 2012.

As regards the rest of the agenda for this ASP, we note in particular that there is a proposal for an amendment to Rule 4 of the Rules of Procedure and Evidence, which we believe will help to improve the efficiency of the Court. We hope this will be the first step in a continuous process of review of the legal framework concerning the management of judicial proceedings. We look forward to working constructively with all the States Parties, officials of the Court and members of the NGO community to achieve a successful outcome on this and all the other issues that are to be discussed during this ASP.

In conclusion my delegation associates itself with the statement made by the distinguished representative of Poland on behalf of the EU and its Member States.