

REPUBLIC OF BOTSWANA

STATEMENT

BY

HON DIKGAKGAMATSO RAMADELUKA SERETSE
MINISTER OF DEFENCE, JUSTICE AND SECURITY OF THE
REPUBLIC OF BOTSWANA

DURING THE ELEVENTH SESSION OF THE ASSEMBLY OF
STATES PARTIES TO THE ROME STATUTE OF THE
INTERNATIONAL CRIMINAL COURT (ICC)

THE HAGUE

15th November 2012

Madam President,

1. This 11th session of the Assembly of States Parties coincides with an important milestone in the life of the Court, the celebration of the Court's 10th anniversary.
2. This will indeed offer us an opportunity to reflect on the progress made in the last 10 years, identify challenges and map a way forward.
3. Let me take this opportunity to pay special tribute to the founding members, officials and Judges for their dedication and commitment to duty in the formative years of the Court's existence. Their transformative imprint at the coalface of administration, management, Prosecutions and Judicial Services of the Court has left a lasting legacy in the young life of the Court.
4. Botswana is privileged to have been part of the evolution of the Rome Statute that has now become the centerpiece of a worldwide criminal justice system with jurisdiction to prosecute those responsible for the most heinous crimes.
5. The ICC has developed into a strong force against impunity, and has set itself apart to provide solid refuge for victims of crimes against humanity and grave violation of human rights.
6. The adoption of amendments to the Statute extending the jurisdiction of the Court over crime of aggression during the Review Conference in Kampala in June 2010 is a clear indication of the States Parties commitment to fighting impunity and safeguarding international peace and security and the protection of the international citizenry.
7. Botswana is in the final phase of internal processes to ratify the Kampala amendments and give full effect to the domestication of the Rome Statute.

Madam President,

8. Over the last decade, the Rome Statute has sustained a robust international criminal justice system that has progressed well beyond responding to the challenges of specific mass murderous atrocities, through the *ad hoc* International Tribunals of Rwanda and Former Yugoslavia.
9. The ICC has in addition to the promotion of the rule of law at national and international level, as well as the cultivation of international peace, justice and security, become the permanent court of last resort.

10. We are mindful of the fact that the basic founding principle of the Rome Statute was complementarity, which allowed the Court to intervene only in situations where States were unwilling to prosecute serious crimes or lacked the capacity to do so.
11. My delegation therefore wishes to underscore the importance of maintaining the mutual relationship between the Court on one hand, states parties, situation countries, and partner institutions on the other.
12. It is worth noting that self-referrals have been the majority of cases that have attracted the attention of the Court in the last 10 years.
13. It is therefore critical that the Court should continue to cultivate this positive image in order to gain universal acceptance, inspire confidence, new ratifications, encourage domestication of the Statute and cooperation.
14. To this end, my delegation wishes to congratulate all those States who have recently become parties to the Rome Statute, and encourages others yet to do so, to consider availing themselves the opportunity to become members of this noble community of states.

Lastly Madam President,

15. The judicial activities of the Court have increased in their scope and this has given rise to new cost factors that need to be addressed in order to ensure that the Court continues to deliver on its mandate and functions.
16. Botswana stands ready within her limited resources to make its contribution to the upkeep of the Court. My delegation pleads for the prudent management of the finite resources at our disposal. A balanced approach on the way forward, however, needs to be explored, so that key components of delivery of justice to victims do not suffer unduly in the cost management exercise.
17. Above all, solutions to remedy the financial situation of the Court in the present and long term should take full cognizance of the need to safeguard the independence of the Court.
18. Let me conclude by once again paying tribute to the founding States of the Rome Statute, for their wisdom and vision in establishing the ICC. My delegation congratulates all States Parties, the Office of the Prosecutor and the Judges of the ICC on their hard work during the past decade. I have no doubt that the contribution of the Court will endure in the next decade and many more decades to come.
19. I thank you for your attention.