

**COALITION FOR THE
INTERNATIONAL CRIMINAL COURT**



STATEMENT BY

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HEAD OF LEGAL SECTION

THE COALITION FOR THE INTERNATIONAL CRIMINAL COURT

AT THE

11TH SESSION OF THE ASSEMBLY OF STATES PARTIES

**TO THE ROME STATUTE OF THE INTERNATIONAL
CRIMINAL COURT**

THE HAGUE, 15 NOVEMBER 2012

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Madame President,
Distinguished delegates and NGO representatives

At the first session of the Assembly of States Parties in 2002, the Coalition made a commitment to the Assembly to work together towards a shared goal: to ensure accountability for the worst crimes known to humanity and to ensure that the phrase “never again” would translate into concrete action.

It is poignant, though long overdue, that in its tenth year, the ICC handed down its first verdict in the case of Thomas Lubanga Dyilo. The trial was significant for the progress made in guaranteeing the right of victims to participate in an international criminal trial and its recognition that awarding reparations to victims for the harm they suffered is a key feature of the Rome Statute system and vital to the overall success and legitimacy of the ICC.

The ICC and Rome Statute system is more than just a court and treaty however, it’s the creation of a new era of accountability – an emerging culture that seeks to bring an end to impunity – that seeks to reaffirm that all are equal before the law and all are entitled to its full protection – it is that which we are celebrating in this 10th anniversary and the goal that we all need to continue to work towards in the next decade.

As we reflect upon these achievements, though, the ASP must not ignore the critical issues at hand.

The achievements of international justice in promoting and maintaining global peace and security during the last two decades are truly historic and will be viewed on a revolutionary scale. However, as the *ad hoc* tribunals and special courts complete their mandates, it is crucial that the ICC fully heed lessons-learned and work to integrate best practices from these institutions. Moreover, as the ICC embarks upon its next ten years of work, it must evolve to incorporate lessons from its own first decade. The ASP, as the governing body of the ICC and custodian of the Rome Statute system, must act to ensure the Court’s growth is guided by the best practices of the past. That being said, let us not forget that the ASP also has a duty to learn and grow from its first 10 years – adapting, reforming and changing the mechanisms it has put in place - to assist the ICC in the challenges it faces and will continue to face.

While the costs of the *ad hoc* tribunals, special courts and the ICC have not been inexpensive, it is crucial that states continue to recognize that international justice will continue to be the least expensive sector –and can be one of the most productive – on the entire peace and security spectrum. Tragically, the regressive financial strategies of several major State Parties have severely jeopardized the Court’s ability to execute its mandate. As the Court’s caseload steadily increases, the Coalition is deeply concerned that these measures endanger an institution that has not yet reached full maturity. The Coalition will strive to convince and work with governments to channel the financial crisis and fiscal prudence towards constructive reforms and improvements in the organs of the ICC and the ASP.

Two-thirds of the world’s states are now members of the Rome Statute system – evidence of the commitment of states to contribute to, and benefit from the global membership of a community committed to ending impunity for the gravest crimes. The Coalition and its global membership have never ceased in its commitment to work hand-in-hand with states to ensure universal ratification and implementation of the Rome Statute and we have had significant success in this regard.

There is, however, a crucial need to re-establish the highest level of political support by government leaders for the ICC. Too often in the last decade the most vocal have been the ICC's detractors. If the Court is to overcome difficult political relationships with the UN Security Council or the African Union, it will require stronger backing from political leaders. Additionally, State Parties must recognize their own non-negotiable obligation to cooperate with the ICC in the execution of arrest warrants. Recognizing that the success of the ICC depends in large part on high-level political support, the Coalition will do all it can to help foster that support.

Madame President

As the Coalition did at the first Assembly session and as it enters its 18th year of existence, I would like to reaffirm our original goal and its commitment in this auspicious year to ensure that that ICC continues as one of the greatest advancements - if not the greatest advancement in international legal history.

Thank You