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Excellencies, Ladies and Gentlemen

I have the great honour to speak on behalf of the Victims Rights Working Group, and to join in the celebration of the first decade of a fully working International Criminal Court.

Kofi Annan, then Secretary-General, opened the Rome Conference calling States to maintain victims' rights and optimal care as their overriding concern in drafting the Treaty. Indeed, for the first time in international criminal justice, the Rome Statute adopted unprecedented rights for victims, including their right to protection, participation and reparations. It recognized that victims are right bearers who deserve justice.

10 years after its entry into force, over ten thousands victims have applied to participate in the proceedings. Many more followed the Court's proceedings with great interest. Hundreds of applications for reparations have been received.

It is easy to repeatedly reaffirm that victims matter and that they are at the heart of the Court's work. But now more than ever, the Court needs the support of its States Parties. It needs to be provided with the necessary financial resources to fulfill its mandate. Pressure to find savings has led the Court to submit an extremely lean 2013 budget which, if cut beyond the CBF recommendations, could dramatically impact the Court's ability to deliver on its victims' mandate and thereby damage the Court's overall credibility.

For victims, a case before the ICC means that the international community hears their suffering, and cares enough to ensure that those responsible for their pain will not go unpunished. But delivering the outcome of justice is not enough. How justice processes are delivered will determine whether the ICC's justice will be experienced by victims of the most heinous crimes as reparative. As the ICC jurisprudence acknowledges, their participation enriches the cases of the Court. They articulate their realities and views for the judges to comprehend the nature and extent of the atrocities. Being an integral part of the process is also the first step towards giving victims back the dignity they had lost through these crimes. Without the participation of victims, justice in The Hague would be no more than a distant, foreign judicial exercise, meaningless and with minimal relevance for those most affected by crimes the Court was established to redress.

To make their rights a reality, the Court needs to ensure that victims are aware of their rights, are able to understand the proceedings, to follow them, and to have their voice heard in the courtroom. To be done meaningfully, those who represent victims and ensure that their interests are safeguarded throughout the proceedings should be able to meet with them and take instructions from those in whose name they are intervening in the proceedings.

Decisive yet often invisible, intermediaries have and continue to have an essential role that must be clarified. It is thus critical that the *Draft Guidelines* on the relationship between the Court and intermediaries be implemented as a matter of urgency.

2012 has seen new approaches considered in relation to how victims apply for and participate in proceedings. Collective applications were allowed for victims in Cote d' Ivoire. In the Kenya cases, a simplified application process is envisaged. These new approaches seek to make proceedings more efficient, to reduce the burden on the Court, the parties and victims when they apply to participate. However without adequate and early outreach explaining what these new approaches entail, victims will be unable to make an informed decision on which type of application they wish to lodge and/or may misunderstand the implications. Outreach is therefore essential to avoid delays further down the line. Also, while it may be timely to review systems relating to how

victims apply to and participate in proceedings, the consequences for victims should be carefully considered. Such reviews should ensure adequate consultation with those most affected, victims, as well as experts working on these issues and other stakeholders.

Last but not least, this year we celebrated the ICC's first judgment ever. Moreover, the ICC issued its first decision on reparations. This is a landmark for international criminal justice that has the potential to begin a true process of healing for the victims – the Court's overriding concern. We should bear in mind that the judges assigned this challenging multifaceted task to the Trust Fund for Victims. It behooves Member States to give the political and financial support required for the Trust Fund's success in this crucial endeavor.