

Eleventh Session of the Assembly of States Parties to the Rome Statute
of the International Criminal Court

General Debate

Statement on behalf of Canada, Australia and New Zealand

Delivered by

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(Check against delivery)

Madame President,

I am honoured to speak today on behalf of Canada, Australia and New Zealand, also known as the CANZ group.

CANZ would like to take this opportunity at the outset to congratulate you Madame President for the strong leadership you have provided over the past year. We also congratulate Judge Song for his re-election as President of the Court and Ms Fatou Bensouda for her impressive first year as Prosecutor of the Court. Finally, we wish to thank Ms Silvana Arbia for her years of hard work as Registrar.

CANZ would also like to emphasize the significance it places on the election of the Deputy Prosecutor of the International Criminal Court. The role of the Deputy Prosecutor is one of vital importance to the efficient and effective functioning of the Court. CANZ believes that the new Deputy Prosecutor should possess the requisite blend of legal and managerial experience, and is confident that this Assembly will elect a candidate capable of making a significant positive contribution to the operations of the Office of the Prosecutor. On the subject of elections, CANZ would like to congratulate the newly-elected members of the Advisory Committee on Nominations. We hope that this important committee will play a central role in facilitating the election of the highest qualified individuals as judges of the ICC. We also congratulate the newly elected members of the Board of Directors of the Trust Fund for Victims.

At this tenth anniversary of the entry into force of the Rome Statute, CANZ reiterates its strong support for the International Criminal Court and the critical role it plays in holding accountable those who commit the most serious crimes of concern to the international community.

We are pleased that, with currently 121 States Parties, great progress has been made over the past ten years towards making the Rome Statute a universally accepted instrument. We continue to call on those States not yet party to the Statute to consider acceding as soon as possible.

We congratulate all organs of the Court for their contributions to the development of the Court into a fully functioning international judicial institution, investigating, prosecuting and adjudicating cases.

Madame President,

While applauding the Court's substantial achievements over the past decade, CANZ recognizes that it faces ongoing challenges. In order to carry out its functions effectively, the Court requires the cooperation of the international community. The detention of four staff members in June brought home the serious risks that Court staff can face when carrying out their duties and the need for appropriate privileges and immunities to be afforded to all those carrying out functions on behalf of the Court. The

full cooperation of states is also essential for the enforcement of international arrest warrants, so that the Court can carry out its mandate. States Parties have an obligation to arrest indicted persons if they arrive on their territory.

CANZ recalls the important resolution at the Review Conference on complementarity issues and takes note of the Secretariat's report on complementarity, particularly the establishment of the Complementarity Extranet. The Extranet was established so that States Parties and other organizations can share information about ways of developing the domestic capacities of States Parties to investigate and prosecute Rome Statute crimes. We encourage states to continue to work towards complementarity.

Madame President,

More can be done to ensure that the Court is able to do its work as effectively and efficiently as possible. In this regard we welcome the Court's close engagement with the Study Group on Governance to improve both the budget and the judicial processes. Our governments are required to impose fiscal discipline at home in these difficult economic times. We expect no less of the Court. We welcome the Court's recent efforts to contain costs, but believe there is scope to identify further savings and efficiencies that are well-reasoned and do not undermine the Court's ability to carry out its core judicial and prosecutorial functions. The Committee on Budget and Finance, for its part, has proposed a number of cost-saving measures that deserve careful consideration.

We also recognize the importance of a fully operational Independent Oversight Mechanism to the efficient and effective operation of the Court, with the authority to pursue, with suitable safeguards, independent investigations of alleged misconduct in all three organs of the Court, without the need to obtain final permission of the organ head before doing so. There has been a detailed discussion of this issue over a number of years now, and it is time for the Assembly to take action and operationalize all three functions of the IOM.

The viability and sustainability of the victims' participation scheme is of fundamental importance for the reputation and impact of the Court. CANZ welcomes the Court's review of the victims' application system; we are looking forward to a comprehensive engagement between the Court and States Parties on the content of this report next year with a view to safeguarding the scheme's viability and sustainability.

Finally, we encourage the Court to continue to innovate and to partner with others, as it faces new challenges. For example, we encourage the Court to explore the possibility of taking advantage of the opportunities presented by the roster of experts offered by Justice Rapid Response for the investigation of crimes.

Madame President,

CANZ is unwavering in its support for the International Criminal Court and we look forward to working with all States Parties to advance our common cause of ensuring accountability for the most serious crimes of international concern.