



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

General Debate

Statement on behalf of Australia

Delivered by
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Madame President,

Australia takes the opportunity of this Twelfth Session of the Assembly of States Parties to reiterate its unwavering commitment to the International Criminal Court and to the aims and objectives of the Court, including, most critically, to end impunity for serious international crimes in order to help deter their commission.

The Court cannot, of course, achieve this objective alone. It relies on the cooperation of States. And the greater the number of States that commit themselves to working alongside the ICC to foster accountability and end impunity, the closer we will be to ensuring that innocent men, women and children are never again the victims of genocide, war crimes, crimes against humanity or the crime of aggression. And so Australia invites States that have not yet done so to join us as Parties to the Rome Statute. We call on States Parties to cooperate with the Court in accordance with the letter and the spirit of the Rome Statute; we call on States subject to relevant UN Security Council resolutions to meet their obligations in full; and we encourage other States to do what they can to assist the Court.

Madame President,

We have a full agenda at this Assembly. We must elect a new judge and new members of the Committee on Budget and Finance. We need to adopt a budget that enables the Court to carry out the mandate that we have asked it to fulfill. Australia also very much hopes that the Assembly will finally adopt the full operational mandate of the Independent Oversight Mechanism. Just as we hope that the Assembly will adopt amendments to Rules 68 and 100 of the Court's Rules of Procedure and Evidence in order to help make Court proceedings more efficient and effective.

We will also debate two very important topics: cooperation and victims. I have already outlined the importance that Australia attaches to cooperation. We hope that States will be ready to seriously consider how we can best address non-cooperation, particularly in relation to the non-execution of arrest warrants, and that the Assembly will be able to agree to appropriately robust language in relation to non-essential contact. We also hope that the Assembly's debate in relation to victims will underscore not only the central role that victims and affected communities play in the Court's work, but also the need for States Parties to review the victims' participation system in order to ensure that the role played by victims in Court proceedings remains workable going forward.

Each task I have mentioned is important. But perhaps the most critical job we have to do at this Assembly is to engage in a constructive and open discussion of the concerns that have been raised by African States. Australia is ready to listen closely to African concerns. African States represent a critical constituency of the ICC and so we hope that the special session scheduled for tomorrow will be part of an ongoing dialogue. Australia for its part will be constructive and flexible in working on proposals that African States Parties bring to the Assembly for its consideration. We are in particular ready to support amendments that are aimed at enhancing flexibility while supporting the integrity and effectiveness of the Rome Statute and the Court's Rules of Procedure and Evidence.

Madame President,

At the same time, Australia welcomes the achievements of the ICC this year. The arrest of Bosco Ntaganda, the demonstration of the strength of the principle of complementarity in the Al-Senussi case, the opening of the Prosecutor's investigation into the situation in Mali, and the progress made in the Gombo and Gbagbo cases are just a few examples that demonstrate that the Court is indeed fulfilling the extraordinary role that we have entrusted to it.

And Australia will continue to work alongside the Court and the broader ICC family to help ensure that we achieve our common objective, reflected in the Rome Statute, of ensuring that the most serious international crimes of concern to the international community as a whole are investigated and prosecuted.