



# **GHANA'S STATEMENT**

**BY**

**HONOURABLE DR. DOMINIC AYINE  
DEPUTY MINISTER FOR JUSTICE AND ATTORNEY-GENERAL OF THE REPUBLIC OF  
GHANA/LEADER OF THE GHANA DELEGATION**

**DELIVERED AT**

**THE TWELFTH SESSION OF THE ASSEMBLY OF STATES PARTIES TO THE ROME STATUTE  
OF THE INTERNATIONAL CRIMINAL COURT HELD IN  
THE HAGUE FROM 20-28<sup>TH</sup> NOVEMBER, 2013**

**THE HAGUE, THE NETHERLANDS  
20<sup>TH</sup> NOVEMBER, 2013**

**STATEMENT BY HONOURABLE DR. DOMINIC AYINE DEPUTY MINISTER FOR JUSTICE  
AND ATTORNEY-GENERAL OF THE REPUBLIC OF GHANA AND LEADER, GHANA  
DELEGATION TO THE TWELFTH SESSION OF THE ASSEMBLY OF STATES PARTIES TO THE  
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**Madam Chairperson and president of the**

**Assembly of States Parties,**

**Distinguished delegates,**

I am honoured to convey Ghana's appreciation to the Chair and other members of the Bureau for their work towards ensuring successful deliberations during this twelfth session. You can be assured of receiving the fullest cooperation of my delegation to ensure yet another successful session.

We have received with appreciation the reports of the various organs of the court detailing their activities and that of the court and we commend their efforts.

Madam Chairperson,

Ghana remains committed to the principles and fundamental values of the Rome Statute and recognizes the need to preserve the independence of the court while ensuring that the court's activities

are impartial and fair to all states. The principle of complementarity, which implies that the court shall be a court of last resort when competent national jurisdictions are unable or unwilling to act, should be critically considered by all states parties.

In that regard, and to demonstrate our full commitment to execute the burden imposed upon us as State Party to the Rome Statute, the Government of Ghana is working closely with its parliament to incorporate the Rome Statute into its domestic law. Consultations are ongoing among the relevant stakeholders to see this come to fruition.

Madam Chairperson,

Ghana is also reflecting on various proposals to amend certain portions of the Rome Statute, especially those relating to the indictment of sitting Heads of States and Government, and wishes to underscore the potential risk this posed to peace, and stability. Ghana regards this as a challenge which must engage the attention of all States Parties. Our attention at this session must therefore be focused on re-examining the relevant provisions of the Rome Statute suggesting that Heads of State accused of allegedly perpetrating Rome Statute crimes may not be entitled to immunity and all the other requirements granted under established rules of international law.

Ghana is therefore grateful to the Assembly for the inclusion on the agenda the special segment to hold panel discussions on issues related to the **“Indictment of Sitting Heads of State and Government and its consequences on peace and stability and reconciliation”**. We believe that the discussions will be held in an open and constructive manner towards resolving the concerns of States Parties, particularly from the African continent, for the mutual benefit of all parties.

Ghana is of the firm belief that continued dialogue and engagement on these issues would go a long way in addressing the current challenges being faced by the court, including the court's relationship with the African Union.

Madam Chairperson,

The Government of Ghana takes very seriously the obligation of States parties to cooperate with the ICC in the implementation and discharge of its mandate, and wishes to assure you of her continued commitment in that regard.

Finally, Ghana understands the need to sustain the momentum in promoting the universality of the Rome statute. To help address the challenges of the court and enable it to work towards ensuring the objectives and intentions that led to the framing of the Rome Statute,

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Ghana is of the view that, the agenda to promote the universality of the Rome Statute should, without exception, be extended to all non-states parties. Considering the influence wielded by leading non-state parties on the issues that the court has to deal with that demand the cooperation from some states parties, this issue should receive serious attention as well.

Madam Chairperson,

Capacity building is at the core of advancing the principle of complementarity. In that regard, I wish to express the appreciation of the government of Ghana to the Court for the various capacity building activities organised to equip states parties and build domestic judicial capacity for the effective fulfilment of state obligations. Once again, this year a number of Ghanaian State Prosecutors participated in the annual Seminar of Counsel organised by the Registrar of the ICC which took place in the Hague. We look forward to participating in subsequent Seminars.

On that note, I wish to close my statement by expressing the deep gratitude of the Ghana delegation to the organisers of this session, and also to commend the government and people of the kingdom of the Netherlands for the courtesies extended to us since we arrived in this country.

I thank you for the attention.