

**The Twelfth Session of the Assembly of State Parties to the Rome Statute**  
**from the 20th-28th November 2013,**  
**The Hague, The Netherlands**

**Intervention of the Republic of Seychelles by Ambassador J.A. Nourrice**

Madam President, Honourable Ministers,  
Excellencies, Ladies and Gentlemen

It is an honour and a privilege to represent my Government and the people of the Republic of Seychelles in this important meeting and to convey Seychelles' firm belief in the mandate of the ICC and our full commitment to the founding principles of the Court.

With gratitude, the people of Seychelles salute the men and women of the ICC for their commitment to this belief and for their continuous efforts.

We believe in the right of human beings to live in a peaceful and secure world, reaping the benefits of justice and fairness for all, and consequently in the importance of this unique mechanism, by which the victims of atrocities committed during armed conflicts, can find recourse and compensation whenever the national jurisdictions have been unable or unwilling to respond.

The Government of Seychelles remains aware of the fact that the ICC is an institution of complementarity to those of the national jurisdictions and calls on the international community as a whole, but especially our 121 members to the Rome Statute, to endeavour implementing the national legal and administrative machineries that would allow their national criminal jurisdictions to be firmly established, equipped and capacitated to take appropriate actions if, and whenever the need arises.

We must as far as possible endeavour to address and bring justice on our home soil for those who are responsible for *crimes against humanity, genocide and wars*.! Nothing would indicate better this particular commitment for a better world.

Madam President, Excellencies, Ladies and gentlemen,

More than 10 years after the Rome Statute entered into force and two years following the *Review Conference*, this Assembly of the States Parties, is seized with a pressing request from the African Union. It is a request that we cannot turn a blind eye to, as this presents us with an avenue to engage into constructive dialogue on a number of important issues, all within the institutional framework of the Rome Statutes.

After these years of operation and a few cases in which the decision of the Court have particularly attracted international attention, and sometimes qualified as controversial, the question on the need by the *Assembly to review the statutes and Rules of procedures is becoming more relevant than ever before*.

We should therefore not be surprised that matters featuring on today's agenda have a bearing on, and a call to pause for a re examination. The Statute itself provides, and it is not unusual that treaties be subject to review or amendments from time to time for a number of reasons

Seychelles joins other voices that have supported the call for a lasting and peaceful solution to the *pending trials of President Uhuru Kenyatta and Deputy President William Samoel Ruto, who are the current serving leaders of the Republic of Kenya*

Madam President, Excellencies, Ladies and gentlemen,

The principles of the ICC do not deviate from the principles and purposes of the Charter of the UN, but rather it reaffirms them. It does not deviate either from the Universal Declaration of Human Rights.

The inevitable question is what would be the best course of action that would allow for fully respecting the sovereignty of Kenya; protecting the rights of the people of Kenya to pursue their aspirations and to peacefully work in the development of their country.

I think the biggest challenge for this Assembly lies in our effort to improve and refine the processes. The ICC must be willing to have an open dialogue with its Member States, for one cannot exist without the other.

We must seek to strengthen both the mandate and the procedural rules of the ICC so that it may primarily function to safeguard the interests of the people, of the human family of which we are all members.

There is a fundamental conflict when the actions of an organisation charged with speaking for the people acts against the democratically expressed will of the people of a nation by denying them their legally elected representative. If the proceedings of the ICC prevent a sitting President from exercising the functions of his Office, t could this not be interpreted as a very act that impedes democracy?

Madam President, Excellencies, Ladies and gentlemen,

Seychelles recognises that this challenge faced by the Court in its quest for justice enters in direct conflict with Heads of State fulfilling their constitutional responsibilities .So we

urge our fellow Member States to approach these tasks ahead of us with a spirit of justice and fairness, and one that will bring human upliftment and growth.

Let us in the process also not forget the victims

In concluding, Madam President, allow me to wish all my colleagues representatives a fruitful discussion that would reaffirm our support for the work our institution.

I thank you for your kind attention.