



STATEMENT

BY

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**AMBASSADOR/DEPUTY PERMANENT
REPRESENTATIVE OF NIGERIA TO THE UN**

AT THE

**SIXTEENTH SESSION OF THE ASSEMBLY OF STATES
PARTIES (ASP) TO THE ROME STATUTE OF THE
INTERNATIONAL CRIMINAL COURT (ICC)**

CONFERENCE ROOM 4,

UNITED NATIONS HEADQUARTERS, NEW YORK.

8TH DECEMBER, 2017

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Mr. President,

Let me, on behalf of my delegation, congratulate the outgoing President of the Assembly of State Parties, H.E. Mr. Sidiki Kabba for successfully steering the affairs of the Assembly, and the new President, H.E. Mr. O-gon Kwon and other members of the Bureau on their election. We also wish to congratulate the six newly elected judges of the Court on their successful election.

Mr. President

2. Nigeria continues to affirm her belief in democracy and the rule of law and wishes to reiterate the position that the ICC is increasingly becoming a critical global institution in the task of checkmating impunity and promoting the Rule of Law worldwide. Realizing therefore, the intertwined nature of peace and development, our collective efforts should be geared towards making the Rome Statute a truly universal legislation through the progressive increase in the number of accessions to the Statute. In this connection, Nigeria urges Member States who have not yet acceded to the Rome Statute to do so.

3. In the same vein, Nigeria urges States Parties that are dissatisfied one way or the other with the ICC and, as a result, are threatening to withdraw their membership of the Court to reconsider in the interest of humanity. The Court should not be viewed in terms of its current perceived inadequacies. Rather, the Court should be viewed in terms of the basic underlying factors that necessitated its establishment in the first

place, that is, to fight and prevent impunity in all ramifications and ensuring the upholding of the tenets of the rule of law by all States.

Mr. President

4. Nigeria is aware of the proposals to amend certain Articles of the Rome Statute. In this connection, Nigeria wishes to indicate her support for the proposed Amendments to Article 8 of the Rome Statute of the ICC, which seeks to broaden the scope of war crimes to include the use of weapons that cause immense suffering or killing in an indiscriminate manner.

5. Today's conflicts, in which the world observes seemingly helplessly the use of these types of weapons, make it even more imperative and compelling that the jurisdiction of the ICC be widened to criminalize the use of these weapons.

6. I must at this juncture commend the efforts of the originators of the idea to widen the scope of Article 8 to include the criminalization of use of certain weapons that cause immense suffering or killing in an indiscriminate manner and the various Working Groups that have worked assiduously for the activation of the Kampala Amendment to the Rome Statute.

7. On the issue of geographical representation and gender balance in the Staffing of the Court, Nigeria commends the efforts of the Registry for promising to focus on Africa, because it is the least represented region in the staffing of the Court, both in terms of geography and gender in comparison to other Regions – an objective in which the Registry has indicated to pursue 'a head hunting strategy' in order to

attract and reach for more qualified candidates from Africa. This is a welcome development that all States should support to ensure it becomes a reality.

Mr. President

8. Nigeria urges the Court to henceforth rely solely on the trigger mechanisms provided for in Article 13 of the Rome Statute, i.e. Self-referrals in accordance with Article 14 by States, referrals by the United Nations Security Council under Chapter VII of the UN Charter and an initiation of investigation *proprio motu* by the Prosecutor of the ICC in accordance with Article 15 of the Rome Statute of the ICC.

Mr. President

9. In conclusion Mr. President, it is gratifying to inform that the war against the Boko Haram terrorists, which had over the years drew Nigeria into preliminary examination by the Court is gradually being won through the pragmatic efforts of the present administration. It is on record that, through the unrelenting efforts of the administration, many of the abducted Chibok girls have been released from the captivity of the Boko Haram terrorists. In achieving this success, internal mechanisms were put in place to ensure that the military operates within the ambit of the rule of law, best practices and standards. Let me reiterate that Nigeria will continue to support, cooperate and honour her treaty obligations to the ICC as a mark of the esteem in which Nigeria holds the Court.

Mr. President and fellow delegates

10. I thank you all for your kind attention.