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STATEMENT

BY

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ATTORNEY GENERAL AND MINISTER OF JUSTICE
OF THE REPUBLIC OF THE GAMBIA

AT THE

17TH SESSION OF THE ASSEMBLY OF STATES PARTIES
TO THE ROME STATUTE
OF THE INTERNATIONAL CRIMINAL COURT

THE HAGUE

5TH – 12TH DECEMBER 2018

Mr. President,
Excellencies,

Distinguished Delegates,

It is an honour to once again address the Assembly of States Parties on behalf of my delegation. Please permit me to congratulate **Judge Chile Eboe-Osuji** on his election as the President of the Court and **Mr. Peter Lewis** on his appointment as the Registrar of the Court. Let me also extend my deep appreciation to the Secretariat, for their continued commitment and dedicated services during this ASP.

Mr. President,

In July of this year, we observed the 20th anniversary of the Rome Statute, which marks a milestone in our collective efforts to end impunity. I stand before you with a renewed sense of commitment and support for the International Criminal Court (ICC). This milestone calls for renewed optimism for the future of the Court and its continued evolution. However we must not relent in our efforts to end impunity in all its forms and manifestations through the independent machinery established to serve as a court of last resort, which would hold individuals accountable and serve as a deterrent for perpetrators of the most heinous crimes.

Mr. President,

The Gambia recognises the progress the court continues to make in the execution of its mandate, as well as the challenges it encounters in this endeavour. Thanks to the work of the Court, there is greater awareness today of international criminal justice than at any point in history and the Court has contributed substantially to this public knowledge and consciousness.

Mr. President

The Gambia is continues to be bound by the Statute and values of the Court, as it represents justice for victims of the most serious crimes irrespective of race, creed or colour. It is against this backdrop that we call on the Court to invest more in improving relations with countries, particularly those in the developing world, by bridging the gap through dialogue and continuous engagement. To this end, capacity building is an important area as the twin pillars of the Court are anchored on the principles of complementarity and cooperation. The Gambia therefore encourages the Court to redouble its efforts in building the capacity of national judges, prosecutors and law enforcement personnel among others, to strengthen the domestic judicial system of States Parties enabling States to effectively prosecute the heinous crimes enshrined in the Rome Statute.

Mr. President,

We are convinced that with the appropriate capacity building and access to the reservoir of resources at the disposal of the Court, national judicial systems will be better equipped and prepared to execute their mandate under the statute. The complementarity principle of the Court as envisaged in the Rome Statute will be rendered irrelevant if the Court were to be seen as a usurper of the role of domestic courts, where these courts are genuinely willing and able to prosecute.

Mr. President,

Like all international organisations, the Court is not without its challenges and continues to encounter challenges, particularly, over the perception of legitimacy. The Gambia takes note of the report on the equitable geographical representation and gender balance in the recruitment of the staff of the Court. In this regard, we challenge the Court to look inward with a view to revamping its system of recruitment so that it can attain a more geographical and gender balanced representation.

Mr. President,

The legitimacy and perception of fairness of the Court will be greatly enhanced through the diversity of personnel that represent the international nature of the work of the Court. Fair gender balance and equitable geographical representation in the recruitment of staff is vital and necessary.

Mr. President,

Africa and The Gambia remain open to hosting future activities of the Court in its outreach engagements aimed at bridging gaps. Such activities will send a message that Africa is as important to the Court as the Court is to Africa. It is without doubt that Africa has been the most active region for the Court with its numerous referrals and representation of membership.

Mr. President,

In closing, The Government of The Gambia reiterates its unwavering support to the Court and remains steadfast in its commitment to the

universality of the Rome Statute. Finally, The Gambia welcomes the activation of the Court's jurisdiction over the crime of aggression, as a historic milestone.

I thank you all for your kind attention.