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Press Conference

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PRESS CONFERENCE TO MARK ELEVENTH ANNIVERSARY SINCE ADOPTION OF INTERNATIONAL CRIMINAL COURT STATUTE

States parties to the Rome Statute must strengthen cooperation with the International Criminal Court to arrest and bring to justice eight people charged with war crimes and crimes against humanity who remained on the run, the President of the assembly of signatory States said today.

“A number of indictees have been at large for a considerable number of years now, even after the arrest warrants against them have been issued,” Christian Wenaweser (Liechtenstein), President of the Assembly of States Parties of the International Criminal Court, said at a Headquarters press conference to commemorate World Justice Day and the eleventh anniversary of the Statute’s adoption. The Court is the first permanent, independent, treaty-based tribunal dealing with the most serious crimes under international law.

Mr. Wenaweser called on the 109 signatory States to adhere to their obligation to surrender those criminals, among them, Joseph Kony, leader of the Lord’s Resistance Army (LRA), wanted by the Court for four years; and President Omer al-Bashir of Sudan, for whom an arrest warrant was issued in March. He added that Chile had ratified the Rome Statute two weeks ago and the Czech Republic would follow suit on 21 July, bringing the total number of signatory States to 110.

He went on to say that the main issues to be addressed during the Rome Statute Review Conference, to be held in Kampala, Uganda, next May and June, were the crime of aggression and Article 124 of the Statute, a provision granting States exemption from jurisdiction over war crimes for a period of seven years. In addition, the Governments of Belgium and Mexico had circulated informal proposals to expand the list of weapons banned under the Statute. States parties had until the end of September to make formal submission of proposals for consideration by the Conference.

Responding to questions about a reported claim by President Yoweri Museveni of Uganda that President Bashir would not be arrested if he attended the Review Conference, Mr. Wenaweser said that, as a State party, Uganda was obligated to cooperate with the Court, adding that the country’s Permanent Representative had assured him that the Government would honour that obligation.

Asked whether the African Union’s 3 July request to delay the indictment against the Sudanese leader was a challenge to the Court, he said such a request was within the framework of the Statute and was not, in itself, a challenge to the Court.

Regarding former Secretary-General Kofi Annan’s handing over the names of key suspects in Kenya’s 2007/2008 post-election violence, Mr. Wenaweser said that, under the Rome Statute, only a submission by a State party, a referral by the Security Council, or the Court Prosecutor acting on his own initiative could trigger an investigation.

As for the controversy over the Court’s decision to elevate two judges from the Pre-Trial Chamber to the Appeals Chamber, he explained that States parties were concerned that those judges would not be able to serve on cases referred to the Appeals Chamber due to their involvement in pre-trial proceedings, and that, therefore, that would “not necessarily be the best use of the resources available”. States parties had asked the Court to reconsider, but it had upheld its decision.

In response to a question as to whether the United States, which had recently joined the Human Rights Council, was considering similar action with respect to the Court, he said it was too early to tell. The United States had yet to participate in the Assembly of States Parties, and was currently reviewing its policy in that regard.

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