

**Statement**  
**by H.E. Remigiusz A. Henczel**  
**Head of the Delegation of the Republic of Poland**  
**to the eight session of the Assembly of States Parties to the Rome Statute**  
**of the International Criminal Court**  
**The Hague**  
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Mr. President, distinguished Delegates,

The Republic of Poland fully associates itself with a statement presented this morning by Sweden on behalf of the European Union.

Poland irrevocably and entirely supports the International Criminal Court and is fully committed to continue to provide it with all necessary co-operation in accordance with the relevant provisions of the Rome Statute. It should be reminded once again in this context, first of all for the benefit of those states, which are not yet parties to the Rome Statute, that the jurisdiction of the Court only complements national criminal jurisdiction of states parties and has to ensure that those responsible for committing the most serious international crimes would not be unpunished.

My country therefore is deeply devoted to the idea of achieving universality of the Rome Statute, which in our opinion remains to be the principal and the most important task for all of us at any time, including the Review Conference. Let me avail myself of this opportunity to cordially welcome the Czech Republic, our neighbor and partner in the European Union, as a state party to the Rome Statute. Our welcoming is extended also to the other new state party, namely the Republic of Chile, the country, which was involved very actively in the establishment of the Court.

Mr. President,

The first Review Conference is quickly approaching. Poland, together with all other states parties will do its utmost in order to ensure that the Conference will become a genuine success. We owe it to the international community as well as to the world public opinion, we owe it also to ourselves after so many years of preparations and efforts finalized in establishing the Court in 1998 in Rome and several years of difficult negotiations on the definition of the crime of aggression.

Poland is of the view that, apart from the stock-taking exercise, the Conference should concentrate on the inclusion of the definition of aggression, elements of this crime and all related provisions on the UN Security Council possible role in exercising jurisdiction over aggression by the Court. We should not be overambitious and just accomplish what is necessary to be completed this time. States parties should send a clear and unequivocal

message to other states that core scope of jurisdiction of the Court as established in 1998 has been preserved and not expanded, thus allowing them to consider accepting the Rome Statute with unchanged terms on jurisdiction.

The most serious crimes of international concern are already covered by the jurisdiction of the Court, namely the aggression, genocide, war crimes and crimes against humanity. Now the main task is to convince those states, which are still not states parties to the Rome Statute, to join us and accept complementary jurisdiction of the Court as it is.

Poland is of the view, that universality of the Statute as a target must maintain its absolutely crucial significance, over all other, even reasonable and useful proposals and aims. So, we should adopt a pragmatic and very careful approach to the issue of proposed amendments to the Statute.

Mr. President,

Poland is truly grateful to all countries, which presented their proposals to amend or supplement the Rome Statute at the first Review Conference. All of them are worthy of our careful consideration and, we believe, are aimed at making the Court more effective and stronger institution.

However, in considering those proposals, not only their very substance should be taken into account but also other important elements like timing, feasibility, and first of all our principal purpose, which is to ensure universality of the Court. The Review Conference should not be overloaded in this context, even with justified and rational proposals.

Therefore Poland expresses some kind of caution towards all proposals presented so far. I have to point out very strongly that it does not mean our opposition related to the very essence of those proposals, but rather the appeal to concentrate now on key issues and aims as mentioned before.

Even proposals aimed at the inclusion of crimes of terrorism and international drug trafficking into the Rome Statute at the forthcoming Review Conference, while being justified legally and politically, raise our doubts as far as the timing is concerned. Let's complete first our work on aggression and related issues and present results of that work to the international community. Since 11 years core four crimes have been covered by the jurisdiction of the Court and all members of international community are well aware of it. Therefore we would appeal not to change yet "the terms" of this core jurisdiction and rather postpone expanding it for a close future. In this context Poland would like to remind the delegations that resolution E of the Final Act of the Rome Conference does not require "the" Review Conference or "first" Review Conference to consider the inclusion of terrorism and drug trafficking into the Statute, leaving open the question, which Review Conference would be the most appropriate to do so (Resolution E uses a phrase "a Review Conference" while recommending consideration of the inclusion of both crimes to the jurisdiction of the Court). In our opinion the first Review Conference does not seem to be the most suitable to this end.

Mr. President,

Poland has the honor to announce that last month, following its practice from previous years, it made two voluntary contributions, namely for the Trust Fund for Victims and for the LDCs Fund. Full participation of all interested countries in the sessions of this Assembly constitutes a significant part of our common success. Poland confirms that its financial support for the activities of the Trust Fund for Victims will remain one of our priorities also in the future.

Mr. President, distinguished Delegates,

Seven years after entering into force of the Rome Statute we are, in principle, satisfied with the performance of the Court. The Court has affirmed its independence and professionalism. Poland hopes that the ICC will be developing further, strengthening its efficiency, its impact and its authority for the benefit of the international community at large.

Poland will continue to be active in all efforts aimed at achieving universality of the Rome Statute. We would be more than happy to welcome states, which are not yet parties to the Statute at the meetings of this high Assembly as its full members. We deeply believe that one day most, if not all of them, will be present here in that capacity.

Thank you for your kind attention.