



REPUBLIC OF FIJI

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**STATEMENT BY H.E. MR PETER THOMSON, PERMANENT REPRESENTATIVE OF
THE REPUBLIC OF FIJI TO THE UNITED NATIONS, AT THE GENERAL DEBATE
OF THE NINTH SESSION OF THE ASSEMBLY OF STATES PARTIES TO THE
ROME STATUTE OF THE INTERNATIONAL CRIMINAL COURT,
NEW YORK, 7 DECEMBER 2010**

Mr. President,

1. At the outset, I wish to express to you and the Bureau my delegation's appreciation for ably guiding the work of this Assembly and pledge our support towards the achievement of a successful outcome at this ninth session.
2. Let me also congratulate the International Criminal Court on its ever increasing importance and role in the international community.
3. The achievement in Kampala during the first Review Conference of the Rome Statute underscores the central role of the Court in international criminal justice. Indeed, the successful adoption by consensus of the amendments to the Rome Statute at the Review Conference is a clear demonstration by all of the need to preserve the integrity of the Court and enhance its universality. While more is yet to be done to fully recognize the worthy objectives of the Rome Statute, the momentum gained in Kampala gives hope to the positive development of international criminal law in combating impunity and attaining justice and peace.
4. Mr. President, Fiji firmly believes in the universality of the Court and affirms its prevailing priority. We are encouraged by its increasing acceptance worldwide and welcome Bangladesh, Seychelles, St. Lucia and Moldova as new State Parties to the Rome Statute, which brings the total number of State Parties to 114.
5. However, to ensure that the ICC is a universal institution, its geographical balance also needs to be addressed. Whilst at present only 15 out of the 53 member States of the Asian Group are in the ICC, there are no Pacific Islanders in its employ, and only 1 Asian is listed as a litigator at the ICC. We would therefore call for a closer consideration of this imbalance, whilst at the same time encouraging those members that are yet to ratify the Statute to do so.

6. The importance Fiji places on the Rome Statute is reflected in us being one of the few countries in the Pacific region to incorporate its provisions within our domestic law, the Crimes Decree. In that regard, not only are we in a position to assist our regional neighbours in doing likewise, it also points us to the need for cooperation and assistance in the area of capacity building. International cooperation and assistance in the prosecution of the most serious crimes under international criminal law is vital to fulfill the objectives of the Rome Statute. To aid the attainment of that objective, it is necessary that adequate capacity building programs are put in place. Those programs could include, amongst other things, the training of relevant personnel in the investigation and prosecution of ICC crimes, capacity building with regard to protection, involvement and reparations for witnesses and victims in trials of such crimes, and security for and independence of officials.
7. Mr. President, following the milestone achievements in Kampala, there is now a need for action on the declarations we made. It is essential to fully implement the commitments regarding cooperation, complementarity, and concern for the suffering of the victims and affected communities.
8. We note from the report of the President of the ICC that the activities of the Court have increased in the past year. This is a welcome development and should be encouraged. Thus, in the consideration of the Court's budget at this session, it is vital to strike a balance between keeping budgetary increases to a minimum and fulfilling the resource needs of the Court to ensure its work is conducted effectively.
9. In conclusion Mr. President, it is a reflection of the importance that Fiji places on the Rome Statute and the ICC that the Head of the Fiji Delegation to this ninth session was meant to have been the Chief Justice of Fiji. I regret to advise that US authorities did not see fit to issue our Chief Justice with a visa to attend our meeting this week. The Government of Fiji regards this as a willful blockage of Fiji's commitment to fulfilling its rights and obligations to the ICC and has registered its displeasure at this discourtesy.

Thank you.