



REMARKS BY

**THE BOTSWANA MINISTER OF DEFENCE JUSTICE AND
SECURITY**

HONOURABLE DIKGAKGAMATSO R. SERETSE

DURING

**THE GENERAL DEBATE OF THE REVIEW CONFERENCE
OF THE ROME STATUTE OF
THE INTERNATIONAL CRIMINAL COURT**

**KAMPALA, UGANDA
1st June 2010**

Mr. President,

1. At the onset, allow me, on behalf of my delegation, to express our sincere gratitude to the Government and people of Uganda for the warm hospitality and the excellent facilities they have placed at our disposal since our arrival in this scenic country. I have no doubt that this beautiful resort will provide a conducive environment for our deliberations in during this conference.

2. Let me also extend my commendation to you personally Mr. President, for presiding over such an epic moment in the history of the Court. 2010 is indeed a special year as many multilateral bodies, international agreements and landmark treaties are undergoing major reviews and reforms.

4. While the import of a review is generally understood to be an overwhelming desire to attain higher levels of performance and better results, our preoccupation during this Review Conference should be driven by a greater ambition.

5. This is the need to use the occasion as an opportunity to conclude the business that was left pending when the Statute was adopted in Rome in 1998. At that time, we had envisaged a Statute which, when fully completed, would be capable of fighting impunity and delivering justice to many victims of serious crimes. These would include genocide, war crimes, crimes against humanity and the crime of aggression.

6. At another level, this Review Conference presents a rare privilege of conducting an assessment of the work of the Court, and the examination of possible ways it could be further strengthened to respond to the present challenges.

7. The preservation of the integrity of the Rome Statute of the International Criminal Court, and the reassurance that the ICC remains impartial and fully independent in the delivery of its mandate should be the chief corner-stone of the present Review Conference. For this reason, Botswana's commitment is to ensure that the Statute is defended, safeguarded and promoted.

8. The Rome Statute gives us the opportunity to advance the common ideals of humanity, to which there is universality in the promotion of international peace and security, justice and respect for human rights. Whereas the efforts of the international community have gained both concert and momentum in the fight against anarchy and impunity, the mandate of pursuit of perpetrators of grave crimes that are of serious concern to the international community has never been so compelling.

9. The Court is undeniable proof that recourse to justice for victims whose States might be unwilling to prosecute in an ever-increasing borderless society is attainable. It is therefore incumbent upon all those who pursue the objective of peace in its various manifestations across many parts of the world to similarly cooperate with the Court.

10. As we have stated at successive meetings, Botswana is committed to playing her obligatory role of supporting the judicial activity of the Court and we also have faith in the deterrent value of possible sentences which help in the prevention of acts of serious crime as well as the promotion of accountability.

11. Let me now turn briefly to Botswana's general position with regard to specific items on the agenda of the Review Conference.

Botswana stands committed to addressing the plight of victims and fully recognises that equitable justice lays a firm foundation for lasting peace and reconciliation. Botswana will therefore, not support any initiative that could harm the integrity and independence of the Court. Consequently, we are ready to play our part in the collective effort of attaining peace and justice in the manner befitting humanity.

12. Botswana associates herself with those who have expressed the view that any proposed additions to the list of crimes already covered by the Statute risks overtaxing the Court and undermining its effectiveness. We therefore propose that attention should be given to a full discussion of the crime of aggression, as well as the implications of such a definition being included in the Statute.

13. Botswana welcomes the review of Article 124. My delegation shares the view expressed by other delegations that while the article may have served a useful purpose originally, this is no longer the case and it should therefore be deleted.

14. The success of the ICC is directly related to the willingness of State Parties to cooperate with the ICC. Botswana reaffirms her political will and commitment to supporting the Court.

15. To this end, I am pleased to inform you that Botswana is in the process of drafting a statute domesticating the Rome Statute of the ICC, and we expect such legislation to be in place by the end of 2010.

16. Botswana acknowledges that the Principle of complementarity establishes the parameters of the role being played by the ICC in bringing justice to bear upon those responsible for serious crimes. We intend to complement these efforts by incorporating the necessary provisions in the statute we are working on.

Let me conclude Mr. President, by reiterating Botswana's unequivocal support to the maintenance of the integrity of the Statute and the promotion of its universality.

I thank you.