

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

**KAMPALA, UGANDA
31 May – 11 June 2010**

**GENERAL DEBATE
31 May 2010**

**STATEMENT
by
THE REPUBLIC OF BULGARIA**

delivered by

**Mr. ZLATKO DIMITROFF, Ph.D.
DIRECTOR OF INTERNATIONAL LAW AND EU LAW DIRECTORATE
MINISTRY OF FOREIGN AFFAIRS**

Check against delivery!

Mr. President,
Excellences,
Ladies and Gentlemen,

It is a great honor and a true privilege for me to be here today and address the participants in the first Review Conference of the Rome Statute of the International Criminal Court (ICC). Bulgaria fully subscribes to the statement on behalf of the European Union delivered by Spain and the expression of gratitude to all those involved in the preparation and the organization of this historic event. Allow me to express also our deep appreciation to the Government of Uganda for hosting the Review Conference and for the remarkable efforts to ensure its success.

Mr. President,

Bulgaria was among the first 60 States to ratify the Rome Statute, thus contributing to the entry into force of the Statute on July 1, 2002. Today, almost eight years later, I seize this opportunity to reiterate the full commitment of my country to the ICC and its mission to end impunity for the gravest crimes of international concern.

It is our firm belief that ending impunity implies achieving universality of the Rome Statute and we are very glad to welcome Bangladesh as the 111th State Party to the Statute. There is still a long way to go before the Rome Statute becomes a truly universal instrument; we all know that it will not be an easy process but we should not allow difficulties to make us lose faith in our ability to achieve this goal and we should spare no effort to that end.

At the same time, we should remember the fact that simply ratifying the Statute is far from being enough. A genuine commitment to the Court requires adoption of the necessary implementing legislation. Bulgaria is ready to share its experience in this respect with every country that might be interested or needs technical assistance. The provision of technical assistance is the pledge that Bulgaria is making at this Review Conference and we hope that we could be helpful to these countries that have not ratified the Statute yet, as well as to those that have already acceded but have not adopted implementing legislation yet. We urge them to take advantage of our experience and expertise.

Mr. President,

The Review Conference gives us the opportunity to look back and assess what we have achieved so far. And if we do this we could rightfully say that we have succeeded, that there are many achievements to be celebrated today. Back in 1998 in Rome, few were those who truly believed in the early entry into force of the Rome Statute and in the ability of the ICC to be a functioning institution just five years after the adoption of the Statute. And yet today ICC is involved in a number of cases and situations and there are several trials under way. This is a remarkable progress, an achievement we have to build upon.

During the Review Conference we could contribute to the strengthening of the Court and to increasing its chances to succeed in its noble mission in two ways: by participating actively in the stocktaking exercise and by approaching the negotiations on the proposed amendments to the Statute with an open mind and with a spirit of consensus. Bulgaria considers these two ways as equally important.

All four topics for the stocktaking exercise are all essential when it comes to the system of the international criminal justice. Bulgaria is looking forward to the discussions on all of them and we believe that they will lead to good ideas and proposals on how to strengthen the system. Here I would like to just point out that my country finds the issue of the impact of the

Rome Statute system on victims and affected communities to be of particular importance. Providing protection to the victims should be a priority objective of any advanced policy against criminality. The Rome Statute establishes unprecedented rules in the international criminal law, allowing for compensation of the victims of crime, recovery and compensation for the damages. These rights of victims are as important as the due process right of the perpetrator of the crime. I would like to mention that in full conformity with the existing international standards for protection of the rights of the victims of crimes the relevant Bulgarian legislation (Law on support and financial compensation of victims of crimes) envisages an obligation for the law enforcement authorities and for the victims support organizations to inform victims about the possibilities to receive free psychological help and support, as well as about the terms and procedures for receiving protection and financial compensation.

The proposed amendments to the Rome Statute, especially those related to Article 8 and the crime of aggression, present an opportunity to make a step further in the development of the international criminal law. We believe that the draft proposal related to Article 8 initiated by Belgium and co-sponsored by many States Parties, including Bulgaria, reflects the rules existing under the customary international humanitarian law. As for the amendment related to the crime of aggression, I would like to, first of all, express my delegation's high appreciation for the outstanding work of the Special Working Group on the Crime of Aggression. Defining the crime of aggression will, on one hand, allow the International Criminal Court to exercise its jurisdiction with respect to all crimes listed in Article 5 of the Statute, and, on the other hand, it will allow ending impunity for one of the serious international crimes. In view of these considerations and taking into account the special character of the crime and its strong political aspects, Bulgaria believes that the articles on the definition of the crime of aggression and on the conditions for the exercise of jurisdiction should be adopted by consensus. The lack of consensual agreement among the States Parties to the Rome Statute on this amendment could lead to unnecessary and undesired politicizing of the work of the Court and could undermine its integrity as an institution.

While expressing the intent of Bulgaria to participate constructively in the negotiations on the proposed amendments, I appeal to all delegations to act in the same way. We believe that the outcome of this Review Conference should make the ICC stronger and should contribute to achieving universality of the Rome Statute. These will be the objectives that will guide my delegation throughout the Review Conference and I sincerely hope that they are shared by all participants in the current endeavour.

Mr. President,

Before closing, I would like to express my delegation's profound appreciation for the Coalition of the International Criminal Court and the other representatives of the civil society who are here with us today for their deep commitment to the issues of the ICC and international criminal justice. Their efforts are essential to the Court's establishment and we commend them for the tremendous impact on its mission.

Finally, I wish all delegations fruitful work during this first Review Conference of the Rome Statute.

Thank you.