



Statement of No Peace Without Justice
Review Conference of the Rome Statute for the International Criminal Court
31 May – 11 June 2010, Kampala, Uganda

Mr President, Excellencies, Distinguished guests, Ladies and gentlemen:

On behalf of No Peace Without Justice, I would like to thank you and this Conference for the opportunity to share some thoughts with you all today. I would also like to congratulate everyone for the hard work put in to get us where we are today, particularly ASP President Ambassador Wenaweser, the members of the ASP Bureau, the Coordinator of the Special Working Group on the Crime of Aggression and the focal points for the Stocktaking Themes, and last but not least the Government and the wonderful people of Uganda, for their warm welcome and embrace, in the past weeks and months.

The fact that this Review Conference is taking place in a country that has suffered the outrages of serious Rome Statute crimes is extremely significant. It has given us the opportunity to come closer to the victims affected by conflict in a spirit of conviviality and equality, as in the War Victims Football Game on Sunday, and to spend time with them, talk about their hopes and aspirations through the pre-Review Conference visits, which you Mr President, as other States Parties, have honoured with your participation. *Where we are* is central to the stocktaking discussions, over the coming week about where we want the international criminal justice system to be, and how we want to get there. Being in Uganda matters: they told us it could not be done, and together we proved them wrong.

This is not a new thing for many of us: they had told us already there would never get a Diplomatic Conference to convene in Rome by 1998; together we did it, together we proved them wrong. At the Rome Diplomatic Conference itself, they told us that an agreement would never be reached on the Statute: together we proved them wrong. They told us it would take decades to reach 60 ratifications: together we did it in four years and today we stand together with 111 States who have made the decision to stand on the side of victims. They told us it would take decades for the Court to become operational: together we proved them wrong. In the eyes of the victims, 12 years can seem like eternity; but in the development of international law and diplomacy, it's the blink of an eye.

And standing here, on behalf of No Peace Without Justice and the Non-Violent Radical Party, Transnational and Transparty, we cannot help but be proud to have been part of that exciting journey, hopefully helping it along, by giving a little push when necessary. And I promise here today that we'll continue to push it.

Mr President, the presence of the Court in countries where investigations are being carried out is of critical importance to its ability to discharge its mandate. A fuller understanding by States Parties, who direct the Court's non-judicial work, of what the Court could and should mean to communities affected by their work enhances their ability to discharge their important mandate. We hope that message has strengthened through the pre-Review Conference visits we conducted with HURINET and the UCICC, [and we thank the Governments of Denmark and Uganda for their support, and the States Parties and others who took part in these visits].

We hope the experience and the messages we all heard from victims and affected communities during those visits will enrich the discussions and help maintain the focus on our shared objective: ending impunity for war crimes, crimes against humanity and genocide.

One thing is very clear: victims want justice; their communities, societies and countries need impunity to end, to build a future based on the rule of law. States retain their obligation to investigate and prosecute. Complementarity removes the alibi that some-one else has to do it, and now with the Justice Rapid Response operational and deploying, there are mechanisms of mutual assistance so that those States that are willing, can be enabled. More than an abstract ideal, it is a very tangible means by which victims, communities and countries can regain confidence in their ability to live, and to live in peace. Their aspirations must be reflected in your discussions here: justice is an essential ingredient of peace. Impunity condemns societies to perpetual conflict, leaving the rule of law trampled and torn; emboldening those who would profit from violence. Rewarding atrocities with legitimacy and power, makes atrocities the legitimate route to power.

The simple fact is that the ICC needs to be in the field: the experience of the Special Court for Sierra Leone demonstrates very clearly the benefits that a strong field presence and a robust outreach policies have, and we urge States to continue to support the Special Court through to the completion of its mandate.

Mr President, we are gratified that outreach has been given prominence in the stocktaking on the impact of the Rome Statute system on victims and affected communities. We welcome the commencement of outreach in Kenya, but the need to remove staff from Uganda to fulfil those tasks is symptomatic of the limited field presence of the ICC in general, despite recent welcome efforts to improve it.

For the ICC, there is virtually no area of its work that would not be improved by an enhanced field presence: field presence would help promote cooperation; field presence would encourage complementarity; field presence would enhance the impact of the Court on victims and affected communities; field presence would facilitate the ICC's role in a country's pursuit of peace. We

urge States Parties to keep this in mind during the discussions at this Review Conference and in the years to come.

Mr President, No Peace Without Justice and the Nonviolent Radical Party Transnational and Transparty remain firmly committed to our common objectives of fighting impunity, ensuring redress and ending the crimes that have made the Rome Statute system necessary. We ask only that over the next couple of weeks you keep one picture at the forefront of your minds: the thousands of children, women and men who are victims of crimes within the Court's jurisdiction, who have been disenfranchised and deprived of the right to live their lives in peace.

Thank you

Niccolo' Figa-Talamanca
Secretary General
No Peace Without Justice