



REPUBLIC OF SLOVENIA

Check against delivery

Speech of the State Secretary at the Ministry of Justice Mr. Boštjan Škrlec on the Review Conference of the Rome Statute, Kampala 31st May 2010

Dear President of the Assembly,
Secretary-General,
President of Uganda,
President of the Court,
Prosecutor of the Court,
Distinguished guests,
Ladies and Gentlemen,

It is my great honor and pleasure to participate in the opening of the Review Conference of the Rome Statute. After the diplomatic conference in Rome in 1998 this Conference represents a core event for the international criminal justice. From the time we have gathered in Rome to negotiate and adopt the Rome Statute, we have achieved a significant success, which is probably greater than we have expected. Establishment of the first international permanent criminal court clearly showed the will and decisiveness of the international community to no longer tolerate impunity for the gravest of crimes.

I would like to thank Uganda for the warm hospitality. As we all know, Uganda has suffered tremendously in the past. Hosting this conference is a clear commitment to justice and overcoming difficulties. This commitment will secure Ugandan people peace and well-being in the future. We wish you all the success on this way.

I would like to take this opportunity to stress once again the importance Slovenia is giving to the international criminal justice in view of establishing and preserving peace and security. We hope and work towards a really independent and strong Court. But let me once again remind us all, that it is us, the states, who carry the primary responsibility for prosecution of such crimes. It is also duty of all states parties to assure to the Court our full cooperation. Only in this manner, will the Court be able to fulfill the role entrusted to it with the Rome Statute, which is not only of trial and punishment based on law, but also the deterrent effect it has or should have.

Slovenia supports the work and all the measures which lead towards a strong and independent court and is also striving towards its universality.

Therefore we would like to reiterate Slovenia's commitment to international criminal justice and the work and role of the International Criminal Court. We have come here with the hope that once again in the spirit of cooperation and understanding we can take a look back, assess our past work and decide on future steps. We are glad to note that the discussions here are also on the stocktaking exercise. It gives us the opportunity and the obligation to objectively ask ourselves if we have done enough so far, what else can be achieved and, in particular, how and when are we going to do it.

Another very important aspect of the ICC is the impact on the victims of crimes and affected communities. The victims are the most important group of people in any society which has been through atrocities of genocide, crimes against humanity or war crimes. For the first time on the international scene the victims have been given a voice. Let us do even more for them to be heard and helped.

In the past few months a lot of time was devoted to the debate on peace and justice. We will participate with great interest in the discussion on this important issue as the fundament for the long term peace and stability is justice.

As I mentioned, the question of cooperation is of the essence when discussing ICC. We have designed the Rome statute in such a manner as to give the contracting parties the rights and obligations to cooperate fully with the Court. The cooperation in every phase of the procedure is of the essence if we want the ICC to reach the goal it was established for – successfully reaching, prosecuting and trying those responsible for the gravest of crimes.

Let us also stress the importance of the principle of complementarity. We should bear in mind, the Court is not a substitute for national investigations or prosecution. We, the States are committed to enhance the capacity of our national jurisdictions to investigate and prosecute serious crimes of international concern and we need to assist each other to strengthen capacities to this end, through training, awareness raising and resources.

Regarding possible changes to the Statute I would like to mention the amendment to the Article 8, the so-called Belgian proposal. Slovenia is one of the cosponsors to this proposal

and as it presents an important step forward for prosecuting war crimes in non international armed conflicts, I appeal to the delegations for support.

Though the success of the conference is not completely dependent on the inclusion of the definition and the conditions for the exercise of jurisdiction regarding the crime of aggression into the statute, we strongly urge everyone to work constructively towards consensus. Through the process we have to keep in mind two things. First is trying to find the best solution for the Court and second, seeking consensus is making compromises – repeating the same positions all over again will not contribute to finding a solution. We should not fail to make this another important step towards a full accountability for all international crimes.

We have quite a heavy agenda before us. All the issues we are going to discuss in these two weeks are very important for everyone - for states parties, for the international community as a whole and, in particular, for the Court itself. The four topics of the stocktaking shall provide us with an insight into the current state of international criminal justice and will help us outline the steps that need to be taken to improve the post-conflict peace and justice efforts and to secure long-lasting peaceful living of all peoples.

The success of the ICC is heavily dependent on the support of states and broader international community, and our cooperation, both compulsory under the Statute and voluntary.

Slovenia reaffirms its commitment to continue to fully cooperate with the Court, and to give full support to its work. We are looking forward to the productive discussions and success of this Conference.