

STATEMENT BY H.E. JAKAYA MRISHO KIKWETE, PRESIDENT  
OF THE UNITED REPUBLIC OF TANZANIA DURING THE  
GENERAL DEBATE OF THE REVIEW CONFERENCE OF THE  
ROME STATUTE AT KAMPALA, UGANDA  
MONDAY 31<sup>ST</sup> MAY, 2010

*Mr. Christian Wenaweser, President of the Assembly of States Parties  
to the Rome Statue of the International Criminal Court;*

*Your Excellency Yoweri Kaguta Museveni, President of the Republic  
of Uganda;*

*Your Excellency Ban Ki-moon, Secretary General of the United  
Nations;*

*Your Excellency Judge Sang – Hyun song, President of the  
International Criminal Court;*

*Mr. Luis Moreno-Ocampo, the Prosecutor;*

*Mr. Kofi Annan, Former Secretary General of the United Nations;  
Ladies and Gentlemen.*

I thank the President of the Assembly of States Parties to the Rome Statute for convening this conference and for your leadership. I thank the United Nations Secretary General, H.E. Ban Ki-moon for the invitation and persistent reminder for me to attend this Review Conference of the Rome Statute. I feel particularly honoured and privileged to be part of this epic event in the history of international criminal justice. I also sincerely thank H.E. President, Yoweri Kaguta Museveni of the Republic of Uganda for agreeing to host this historic meeting. I thank you for the warm reception and hospitality.

*Ladies and Gentlemen,*

For too long, the world has gone through the dark chapter, when the sanctity of human life was compromised and, indeed, the precious, inviolable humanity was grossly abused by some individuals in power. On 17<sup>th</sup> July, 1998, some 120 states opened a new chapter in the development of international criminal law by adopting the Rome Statute, which in essence, closed the dark chapter. Offences against humanity were criminalized and the permanent International Criminal Court (ICC) was established to bring to book persons accused of these heinous offences. The Court complements the efforts of States in investigating and prosecuting international crimes against humanity.

The Rome Statute is built upon the principle that the most heinous crimes of international concern must not go unpunished. Also, that the investigation and prosecution of such crimes is the responsibility of all states through their domestic judicial systems, and if they are unable or unwilling to credibly do so, the international community and ICC can assume that responsibility. With this complementarity the ICC remains an important tool as a court of last resort.

*Mr. President, Ladies and Gentlemen,*

The ICC seeks to foster a more peaceful and just world, by promoting respect for the rule of law, international humanitarian law and human rights. The Court has become an essential instrument in addressing impunity, prevention of horrendous offences of genocide,

crimes against humanity and war crimes, by acting not only as deterrent for potential perpetrators, but for its mandate to ensure that such persons accused of those offences are actually punished in accordance with the law . The role played by the Court is one of the most noble achievements of our time. We are gathered here to reaffirm our commitment to the Rome Statute and to the Court.

This Review Conference has been convened here in Kampala in accordance with the review requirements as contained in articles 121, 123 and 124 of the Rome Statute. We are assembled here with one momentous task, that of addressing the remaining offence of aggression. This offence was wisely left unresolved in 1998 in order to pave way for the conclusion of the Rome Statute. I believe that was a timely decision which allowed the formation of the Court. Nevertheless, we may not wish away the existing problem of aggression, I trust that your balanced and professional debate will resolve the issue. I am told that the debate will anchor upon jurisdictional issues of whether to retain external filtering by the United Nations Security Council before the Court is ceased with jurisdiction over the offence of aggression, or allow the Court to assume its own internal filtering mechanism on this offence as it does in other offences. The experience we have gained over the past decade will definitely guide the debate of this intractable problem. I trust, looking at the pool of expertise and wisdom that is reposed on you

dear participants, this meeting will be of great assistance in addressing this issue.

*Mr. President,*

For the Court to be effective and successful, universal ratification of the Rome Statute is fundamental. If we are to ensure that the perpetrators of the world's most egregious crimes are denied safe haven and brought to justice, we must step up our collective efforts to promote the universality of the Rome Statute. We welcome the latest accession by Bangladesh and are pleased to note that the Court is taking commendable steps in its outreach initiatives towards universal adherence. Tanzania reiterates its commitment to the Rome Statute and all necessary support to the court in fulfilling its mandate.

*Mr. President,*

To eliminate the culture of impunity, and guarantee a culture of accountability, justice and the rule of law, it is imperative that State Parties, mindful of their obligations under the Statute, fully support the Court to bring justice to those victims of gross human rights violations and atrocities. We in the African Union, through Article 4 (h) for the Constitutive Act, have set the place for international criminal justice, by our resolve to fight impunity. The ICC is a part and not an adversary therefor court may find it opportune to have a home in Africa.

*Mr. President,*

My delegation pays tribute to Liechtenstein for successfully spearheading the preparations of provisions relating to the crime of aggression, we also commend Jordan on its role in the negotiations of the definition of this crime of aggression. It is now for the Review Conference to focus on the proposals and bridge our different positions with a view to adopting the necessary amendments to the Statute. Tanzania has always supported the inclusion of the crime of aggression under the jurisdiction of the ICC and is prepared to work with other delegations in a pragmatic manner for a satisfactory outcome.

*Your Excellencies, Ladies and Gentlemen,*

Allow me to once again to reiterate our willingness to remain engaged in the work of the Court as we continue the cause to end impunity and reinforce the respect for the rule of law. I wish you constructive deliberations. Let us all work together towards making our world, a peaceful place where people will value and cherish the lives and rights of others and where the miscreants will be corrected and that no impunity is left to reign.

**I thank you all for your kind attention. I once again thank you Mr. President.**