



**Permanent Mission of the United Republic of Tanzania
to the United Nations**

CHECK AGAINST DELIVERY

STATEMENT BY

**AMBASSADOR AUGUSTINE P. MAHIGA,
PERMANENT REPRESENTATIVE OF THE
UNITED REPUBLIC OF TANZANIA
TO THE UNITED NATIONS**

**DURING THE SIXTH SESSION OF THE ASSEMBLY OF
STATES PARTIES TO THE ROME STATUTE OF THE
INTERNATIONAL CRIMINAL COURT**

TUESDAY DECEMBER 4, 2007

**201 East 42nd Street, Room 1700, New York, New York 10017
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Mr. President,

The delegation of the United Republic of Tanzania commends you for your able leadership and diplomatic skills with which you and all members of the Bureau have continued to demonstrate in steering the work of the ASP during the past two years. We acknowledge with gratitude the excellent manner in which the President of the ICC Judge Philippe Kirsch has been leading the Court. We also pay tribute to all the Judges and staff for their dedicated work towards the success of the Court. My delegation warmly congratulates the newly elected Judges and wishes them success in their endeavours.

Mr. President,

The United Republic of Tanzania has been keenly following the developments of the Court and is pleased and encouraged to note that significant progress has been made and the Court has steadily integrated itself into a fully functional judicial institution. The onus is now on States Parties to ensure timely execution of the Court's orders so that indictees are arrested and surrendered to the Court to face trial.

Tanzania welcomes the first referral to trial of a case, *Prosecutor Vs Thomas Lubanga Dyilo* and commends the Government of the Democratic Republic of Congo for the recent surrender of Mr. Germain Katanga to the Court. Such progress, will not only bring to justice perpetrators of heinous crimes, but will also send a strong message to the international community that there will not be impunity for those who commit most serious crimes in the international community. As we urge the Court to remain committed to ensuring fair and expeditious proceedings, we call upon all states to continue providing full support in sustaining the work of the Court.

Mr. President,

We cannot overemphasize the fact that the Court relies entirely on the support and cooperation from all states, it should not only be the responsibility of those states whose situation has been referred to the Court. It is equally important that all states should cooperate fully with the Court to enable it fulfill its mandate. We therefore, support Judge

Philippe Kirsch's invitation to states to consider concluding agreements with the Court or consider how they can assist willing states to develop their domestic capacities to provide support to the Court.

Speaking of cooperation, in 2006 and early 2007 my Government signed two Cooperation Agreements pertaining to relocation of witnesses with the Court and is looking forward to implementing the same so as to meet the intended goals. My Government also looks forward to facilitating the scheduling of ICC trial proceedings in Arusha, Tanzania using the ICTR premises and facilities pursuant to the ongoing cooperation amongst International Criminal Tribunals. This is an important step and part of the Court's efforts to reach out to Africa by making the Court's work and activities more visible and by bringing justice closer to victims. Initial steps towards the said facilitation have already been initiated.

With the availability of a Commonwealth Model legislation which serves as a guide to the enactment of a national implementing legislation, Tanzania will speed up the process and ensure that the same is enacted as soon as possible. I am also glad to inform that the process of ratifying the Agreement on Privileges and Immunities of the officials of the Court (APIC) is currently underway and is expected to be completed early next year.

Tanzania believes that ICC's cooperation with regional and international organizations is equally essential and welcomes the conclusion of a Memorandum of Understanding with the European Union as well as the finalization of the relationship agreement between the ICC and the African Union.

Mr. President,

My delegation commends the Court for the various measures it has adopted to improve its efficiency. We particularly welcome continued efforts to implement the strategic plan for outreach and developing strategies in relation to victims' issues, human resources and inter-organ decision making. We look forward for an even better strategic plan implementation in the coming year.

Let me also commend Lichtenstein for steering the work of the Special Working Group on the Crime of Aggression and reiterate Tanzania's support for the ongoing work on the Crime. My delegation believes that the Court will not fully realize its mandate until the crime of aggression is defined to enable the Court to exercise its jurisdiction over it. It is our anticipated hope that concerted efforts will continue to be made so that an accepted definition of the crime and conditions under which the Court will exercise jurisdiction over the crime is reached prior to the Review Conference. Furthermore, we expect that this ASP will progress on the importance of the venue of the Review Conference taking into consideration the views of the States Parties.

Mr. President,

Turning now to the question of universality of the Rome Statute, it is a remarkable achievement that the Statute has been ratified by 105 countries. We welcome the accession by Chad and Japan and are pleased to note that the Court is gradually approaching its eventual goal of universal acceptance. We encourage other States that have not ratified or acceded to the Rome Statute to consider doing so in the near future. As we approach the Tenth Anniversary of the adoption of the Rome Statute, the Assembly must continue pursuing the goal of making the Court universal. The court is a most valuable institution for the promotion and maintenance of international rule of law.

Mr. President,

In conclusion, let me reaffirm Tanzania's support and commitment to the ICC. We shall continue to cooperate as required with the Court in its work. We wish to underscore the need for the States Parties to continue to honor their financial obligations to the Court, through timely payment of their assessed contributions. In this regard, I am glad to report that Tanzania is currently up to date in paying her assessed contributions.

Thank you Mr. President.