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The Embassy of Australia presents its compliments to the Secretariat of the Assembly of States Parties to the Rome Statute of the International Criminal Court and has the honour to refer to the Secretariat's Note ICC-ASP/10/S/PA/07 of 7 February 2011, in which the Secretariat requested States Parties to convey the information requested under paragraph 6(h) of the *Plan of action of the Assembly of States Parties for achieving universality and full implementation of the Rome Statute of the International Criminal Court*.

The Embassy of Australia has the honour to advise that Australia is active in raising the issue of the universalisation of the Rome Statute in the course of our bilateral engagement. Australia also works in partnership with the Council of the European Union's Working Group on the ICC in carrying out demarches on non-States Parties to encourage accession, as well as on States Parties to encourage the full implementation of cooperation obligations. In addition, Australia has continued to promote accession to the Rome Statute within the Pacific region.

The Embassy of Australia has the further honour to advise that Australia has engaged closely with several countries in the Pacific region, at their request, to strengthen criminal justice systems and increase capacity for effective international crime cooperation within the region. Australia has provided technical assistance to several States to revise criminal legislation, and to improve mechanisms for the surrender of fugitives and the provision of mutual assistance in criminal matters. This work has focused on strengthening broader criminal justice processes, systems and institutions. Australia anticipates that this will enhance the ability of these States to assume obligations under the Rome Statute in the future.

The Embassy of Australia has the further honour to advise that Australia will continue to promote the ratification of, or accession to, the Rome Statute of the International Criminal Court, with a particular focus on the Pacific region. This will include the promotion of the Commonwealth's recently adopted revised model law. In addition, Australia has recently sought the views of a number of States in the Pacific region as to how Australia might further assist them in their considerations. We hope to use the information received to plan a regional workshop to take advantage of the presence of ICC luminaries in Australia in February 2012 for a conference being hosted by the

University of New South Wales entitled *Justice For All? The International Criminal Court – Ten Years in Review*. One of the key questions that will be examined by the Conference, which is being supported by the Australian Government, will be the factors that explain the limited engagement of Asia-Pacific States with the ICC and how these factors can be addressed.

The Embassy of Australia has the further honour to advise that, as previously reported, the Australian Government has fully implemented its obligations under the Rome Statute. The *International Criminal Court Act 2002* was especially developed to implement the Statute into Australian law. In particular, this legislation establishes the mechanisms for Australia's cooperation with the Court. Other key provisions of the Statute, such as the substantive crimes, were added to the *Criminal Code Act 1995*.

The Embassy of Australia has the further honour to advise that the national contact point for matters related to the promotion of ratification and full implementation of the Rome Statute is the Director of the International Law Section at the Department of Foreign Affairs and Trade. The Embassy of Australia should be copied into all correspondence with the Department of Foreign Affairs and Trade regarding plans for achieving universality and full implementation of the Rome Statute.

The Embassy of Australia avails itself of this opportunity to renew to the Secretariat of the Assembly of States Parties the assurances of its highest consideration.



THE HAGUE
22 September 2011
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