



Permanent Mission of Guatemala to the United Nations
57 Park Avenue New York, NY. 10016 Tel. (212) 679-4760 Fax. (212) 685-8741
www.guatemalaun.org

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**STATEMENT BY THE DELEGATION OF GUATEMALA TO THE 10TH
MEETING OF THE ASSEMBLY OF STATES PARTIES OF THE
INTERNATIONAL CRIMINAL COURT**

New York, December 14, 2011

Madame President:

Allow me at the outset to express our admiration and respect for the President of the International Criminal Court, the Prosecutor and the Registrar. Their comprehensive presentations demonstrate the tireless efforts of the International Criminal Court to contribute to the global objective of combating impunity against the most serious crimes of concern to the international community as a whole.

As you all know, the Government of Guatemala is a signatory of the final act of the United Nations Diplomatic Conference of Plenipotentiaries on the establishment of an International Criminal Court. In 2002 our Constitutional Court pronounced itself on the constitutionality of the Rome Statute through an advisory opinion. Subsequently in 2006 the Commission on Foreign Relations of our Legislative Branch issued a favorable opinion to our accession, but it has still not been submitted to debate and approval in the Congress of the Republic.

We would like to reaffirm that Guatemala fully intends to join the International Criminal Court, prior approval by the Legislative Branch. We believe that the current state of play in our country that is preparing for a new Government next month allows us to be optimistic. Meanwhile, we follow closely the activities of the Court and we participate actively in meetings held both in New York and The Hague. Moreover, we participated in last year's historical Review Conference in Kampala. Then in August we organized, what in our view resulted in a prosperous visit by the Prosecutor of the Court and the President of the Assembly of State Parties to Guatemala. Recently in June, as a further step to Guatemala's commitment with the outreach activities of the Court we co-hosted an event at the United Nations.

Without doubt we are working actively to obtain the approval of the Legislative Branch and therefore find ourselves in conditions to accede to the Court. For the moment Guatemala is in the process of strengthening its national criminal system to combat impunity. In 2006 we signed an agreement with the United Nations to establish an International Commission against Impunity in Guatemala (CICIG) whose mandate has

just been extended for two additional years. In its first years of operation the Commission has had notorious successes in carrying out its mandate, including through the criminal prosecution of emblematic cases, technical assistance and the drafting of laws to improve the State's ability to combat impunity. Overall, the Commission has demonstrated that it is possible to combat impunity in Guatemala.

Madame President:

We have recently been elected to serve as a non-permanent Member to the Security Council for two years. We will exert all efforts to carry out our membership with the highest responsibility and attention. Guatemala will continue to deepen its relations with the International Criminal Court, as well as with the States that conform it, for the benefit of all, particularly universal justice.

In Guatemala we have come to recognize that there is a better state of things than actually exists and that with sufficient will and adequate resources we are capable of reaching that better state. This is even truer when dealing with peace and its inseparable link with justice. The mere fact an International Criminal Court exists reveals an unwavering desire to combat impunity and to put an end to those most serious crimes of concern to the international community as a whole.

In closing, allow me to conclude by congratulating the new President of the Assembly of State Parties and the next Prosecutor of the Court. Also, I would like to thank Ambassador Christian Wenaweser and Mr. Luis Moreno Ocampo, both whom my delegation would like to acknowledge for their tenacious and successful work. We wish them well in their future endeavours.

Thank you Madame President.