



**Statement on behalf of
THE REPUBLIC OF ESTONIA**

by

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International Criminal Court

Eleventh Session of the Assembly of States Parties

The Hague, 15 November 2012

Madam President, Members of the Assembly, Distinguished delegates,

I thank you for the opportunity to speak here today.

Yesterday we marked the tenth anniversary of the Rome Statute's entering into force. It represents our shared belief that impunity, especially when it comes to the most serious crimes under international law, is unacceptable. For Estonia, as freshly elected member of the UN Human Rights Council, this issue is one of the priorities. I would like to thank everyone who has contributed, and continues to contribute to this vision and the work of the ICC. It pleases me that the President of the Assembly, our Ambassador Tiina Intelmann, is one of them. Over the past ten years, dedicated people have built a functioning institution from the ground up. And we must not forget that civil society has significantly supported both the establishment and the work of the Court.

Today the ICC stands at the forefront of international justice. There are currently seven situations under investigation and 16 cases before the Court. The significance of the Court's conviction of Thomas Lubanga reaches far beyond the courtroom. It serves as a powerful deterrence to all warlords and military commanders. Now they will think twice before committing a war crime by recruiting children under 15 and using them in combat. Also for the first time, the Court has made use of the principles of reparative justice that the Rome Statute established. This is a reassuring and encouraging message to all who have suffered atrocities and who have the right to say that in their cases justice has not been done, yet. Earlier this year, the international seminar on the ICC held in Tallinn confirmed that international criminal justice means first and foremost delivering justice for victims. Let us not forget outreach. This should ensure that justice is not only done, but seen to be done in affected communities.

Madam President,

Ratifying the Rome Statute has become a sign of commitment to international justice and the fight against impunity. 121 countries – that is nearly two in three UN members – have ratified the treaty. However, achieving the universal ratification of the Statute remains an ongoing task. I call upon all countries that have not yet done so to join us. The Agreement on Privileges and Immunities of the ICC must also not be forgotten. Permit me also to recall that the ratification of the amendments to the Rome Statute adopted in Kampala is vital. My government has sent the respective bill to parliament

for ratification. Estonia has pledged to ratify the Kampala amendments and we call upon all others to do the same.

Madam President,

One of the greatest challenges the Court faces is a political one. We must maintain the resolve and vision from ten years ago. The Court especially needs strong political support in cases of non-cooperation, but not just then. The only way the Court can effectively perform its mandate is when States Parties do their part. Such co-operation has paid off, as we can see from the success of ad hoc tribunals. The Court would also greatly benefit from a more efficient and vigorous follow-up of the situations, referred to the ICC by the Security Council.

Having said this, it is important to emphasise that primary responsibility for investigation and prosecution lies with the states themselves. Across the globe, governments, civil society and international organisations strive to strengthen domestic jurisdiction when dealing with Rome Statute crimes. Of critical importance is co-ordination and co-operation with actors in the field. And another challenge is to achieve the mainstreaming of complementarity activities in rule of law programmes and other related instruments.

Madam President,

The establishment of the ICC is certainly one of the most significant recent steps taken multilaterally. Our greatest challenge is to remain true to the principles we agreed upon ten years ago: to uproot impunity and to conclusively put an end to atrocity crimes. We must avoid weakening the Rome Statute system. We cannot allow pragmatic calculations or financial difficulties to affect the Court's independence and its effective and efficient functioning.

Madam President,

Once again, I thank all the delegates of this 11th Assembly for what they have already done. Keep up the good work.