



STATEMENT

By

Ambassador Per Sjögren

Deputy Director-General

Ministry for Foreign Affairs

At the General Debate

of the

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CHECK AGAINST DELIVERY

EMBASSY OF SWEDEN IN THE HAGUE

Jan Willem Frisolaan 3 · 2517 JS The Hague · Tel +31 70 412 02 22 · FAX +31 70 412 02 11

Madame President, Members of the Assembly, distinguished delegates, officials of the Court, ladies and gentlemen,

Sweden aligns itself with the statement recently made on behalf of the European Union and its Member States.

Madame President, I am pleased to see you back in the Chair of this Assembly. I assure you of my delegation's full support and cooperation with you during this session. I would also like to express my warm congratulations to President Song on his re-election as President of the Court and to Ms Bensouda, for her first ASP in her new position as the Prosecutor. Sweden had the privilege to host the Prosecutor during a two-day visit in September. We had excellent talks on state cooperation, complementarity, sexual and gender-based violence, and other matters of mutual concern. The visit re-affirmed the strong support Sweden has for the ICC and the Prosecutor.

After ten years the ICC has now become a key global actor in the field of international criminal law. The Court has not only to hold perpetrators to account through prosecutions, but it has also a role to prevent serious crimes against humanity as well as protect victims. In the light of this we welcome that the Court is increasingly active in several investigations and that it has announced its first judgment.

The civil society has had an active and positive role for the ICC and its development and we welcome continued engagement and dialogue with the NGO:s in this regard.

Madame President,

Victims' rights, such as participation and reparations are unique and essential features of the Rome Statute. Sweden made a contribution this year to the Trust Fund for Victims on more than 1,1 MEUR. For the years 2013 and 2014 we intend for a continuation of the grant on the same annual amount. We encourage more States Parties to contribute to the Fund's valuable work for victims of atrocities.

The Court's effectiveness depends on cooperation with States. States Parties under the Rome Statute have to co-operate fully with the Court. It is a cause for concern that the number of outstanding arrest warrants is growing. In addition to prompt executions of arrest warrants, States should also give the Court timely legal assistance with evidence and witness protection. On a positive note, Sweden welcomes that no State Party – to our knowledge – so far this year has invited and received any person subject to an arrest warrant issued by the Court. This is an important improvement from previous years. However, there are non States Parties which do not fully comply with their obligations under resolutions 1593 and 1970 of the Security Council.

The crisis this summer when four ICC staff members were detained during a mission conducted in Zintan, Libya, highlights the importance of legal protection of the Court's staff. On this note we stress the need for all States Parties, as well as non-States Parties that have not yet done so to ratify and fully observe the Agreement on Privileges and Immunities of the International Criminal Court (APIC) as a matter of priority.

For the Court's efficiency, it is key with an adequate budget to perform its mandate under the Rome Statute. At the same time it is also essential to ensure an efficient use of the Court's resources. We welcome the strategic approach for an improved budgetary process as was set out in the budget

resolution of last year. In line with that resolution the Study Group on Governance has conducted a constructive dialogue with stakeholders which has resulted in a number of recommendations. We now we want these recommendations endorsed and implemented. The Court has been forthcoming in this dialogue and has produced an instructive paper on the impact for the Court on certain reductions. Sweden would like to see that the positive development on budgetary reform now continues.

Madame President,

Regarding the budget for 2013 Sweden can support the level suggested by the CBF. If savings have to be made that go further than the Court itself has suggested, it is important that they are done in a manner that will not unduly infringe on the Court's independence and mandate to conduct investigations and trials.

We welcome the Study Group's and judges' joint work on expediting the criminal proceedings of the Court. My delegation supports the proposal on a new regulation in the Rules of Procedures and Evidence which would allow for the designation of a single judge for the preparation of a trial.

Drawing on the positive experience from the new budgetary process, Sweden would like to move on to other governance issues relating to the working methods of the Hague and New York Working Groups. We would consequently propose that the ASP requests the Bureau, through the Working Groups in the Hague and New York respectively, to make a review and evaluation of their working methods aiming at rationalization and increased efficiency.

On complementarity which is a centerpiece of the Rome Statute we welcome that it is a stand-alone item on this year's agenda and we want it to remain an integral part of future sessions of the ASP.

Finally, based on experiences from a dynamic first decade, we now move forward towards new challenges as well as new possibilities for the Court. On this common journey we should bear in mind that a strong and efficient ICC depends on support and cooperation from its States Parties but also respect for the Rule of Law at national level.

I thank you for your attention.