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Statement by
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The Hague, 20 November 2013

Madam President,

One year ago, we met in a spirit of celebration for the 10th Anniversary of the International Criminal Court. We praised the creation of a permanent criminal tribunal, inspired by the most fundamental values of humankind. We renewed our support to the Court, and we reinforced our commitment to the cause of justice.

The situation is different now. For this Assembly is being held amidst expressions of competing perceptions about the work of the Court and its impact on the ground. At first glance, it might seem like an insurmountable clash of conflicting views in which one is asked to choose between political or legal demands, peace or justice, sovereignty or accountability. A further reflection, however, advises us to leave behind the "either/or" approach, and to start working on how to reconcile concepts and principles that complement rather than contradict each other.

The results of the last Extraordinary Summit of the African Union show how important this exercise is. Only with a true disposition to engage in a constructive and transparent dialogue can we move forward. Brazil is committed to work towards concrete solutions to the questions raised by the African Union, within the institutional framework created by the Rome Statute, which provides us the tools to address these concerns and to promote changes where needed.

Madam President,

None of our efforts will suffice, though, without universality. A truly universal criminal system, applicable to all corners of the globe, is key to avoid perceptions of regional bias or selectivity. Brazil welcomes the ratification of the Rome Statute by Côte d'Ivoire, which raises the number of States Parties to 122, and encourages States that have not yet done so to become parties to the Statute. We

are also glad to see the growing number of States Parties that have ratified the amendments adopted in the Review Conference of the Rome Statute. The activation of the Kampala amendments remains a crucial step to complete the international criminal system we have created, thus fostering a more stable, just and democratic world order.

The pursuit of international justice and the achievement of lasting peace and security are common objectives that mutually reinforce each other. Both the Court and the Security Council have a pivotal, albeit different role in pursuing these objectives and striking the right balance between peace and justice, accountability and reconciliation. This is valid both for referrals and deferrals of situations, where the same rules and principles should apply equally to all, thus avoiding double standards and selectivity.

The Court will only be as strong as the support it receives, not only from States Parties but also from the United Nations. Brazil regrets that, to date, the expenses incurred by the Court due to referrals have been met exclusively by States Parties. We must ensure that cooperation between the Court and the United Nations goes beyond rhetoric and finds its concrete implementation also in the funding of referrals.

Madam President,

There is no easy fix to the challenges ahead. We are glad to see the recommendations for improving the working methods of the Assembly, but there is still work to be done in order to avoid duplications and misunderstandings. We also praise the Court for its efforts to promote the due process of law and increase efficiency, while also noting the need to further promote victim's rights, ensure witness protection and foster cooperation. Let us seize this moment to engage in an open dialogue about the challenges we face, and the solutions we may seek, always guided by the shared values that bring this Assembly together. As a proud founder of the ICC, Brazil stands ready to do its part in that endeavor.

Thank you.