

CFCPI COALITION FRANÇAISE
POUR LA COUR PÉNALE INTERNATIONALE
FRENCH COALITION FOR THE INTERNATIONAL CRIMINAL COURT

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21 November 2013

Madam President,
Excellencies,
Ladies and Gentlemen,

My name is Jill Brumier, and I have the honor of addressing you on behalf of the French Coalition for the International Criminal Court (FCICC), which includes 47 non-governmental organizations, bar and professional associations and unions in France.

The French Coalition for the ICC wishes to reiterate the importance of the principles agreed upon in Rome 15 years ago; these are groundbreaking principles reflecting the evolution of international law, and their effective application strengthens the legitimacy and efficiency of the work of the ICC.

First, the principle of equality before international justice. No immunity linked to the official capacity of the perpetrators should have an impact on the prosecution of crimes under the jurisdiction of the Court. The decision on whether a suspect should appear before the Court must rest exclusively with the judges, in accordance with the independence of the judicial institution.

The French Coalition for the ICC also wishes to draw your attention to the link between two important items on the agenda: the role of victims and the budget. We believe that it would be particularly dangerous to underestimate the link between the two.

Under the Rome Statute, victims have a unique role in the proceedings and can claim and receive reparations. The Rome Statute creates a model of justice that is therefore more complete as it aims not only to punish the most serious international crimes, but also to enable individuals directly affected by those crimes to be stakeholders in the process. The participation of victims reinforces the legitimacy of a court located far from the places where the crimes it is to judge were committed.

It is essential to preserve a participatory system which is both innovative and able to adapt to the diversity of situations brought before the Court.

The ICC also needs to meet the expectations for the accused persons, who should benefit from all the guarantees of a fair trial, in accordance with the highest international standards.

Legal aid is, in this respect, essential in order to ensure that both the victims and accused persons benefit from effective representation and equality of arms with the prosecution.

Public information and outreach efforts in the field are essential to compensate as much as possible the distance between the Court and the communities directly affected by its work. It is particularly important that the judicial proceedings are accessible and understood by affected communities, so that the work of the Court has a significant impact on the situations it deals with.

If these activities are not properly funded, they cannot be carried out effectively. This would in turn seriously weaken the impact of the ICC on its current situations and, by extension, its impact in international criminal law.

It is crucial that you keep this in mind when discussing and adopting the budget of the Court.

The Court's ability to carry out its mandate under the Rome Statute is indeed directly linked to the amount of resources allocated to its different services.

The French Coalition for the ICC is strongly opposed to any hierarchy between the activities of the Court and the budget should not be decided on this basis. There should be no "secondary" activity.

The funds requested by the Court for 2014 should be used not only to support the efforts of the Office of the Prosecutor, but also to finance the increased costs resulting from the significant growth of its activities. These costs include the expenses for victims and witness protection and the public information and outreach activities in the field.

The French Coalition for the ICC calls on you to support the Court's budgetary requests, so it can receive the necessary resources to carry out all its activities in an effective and independent manner.

We also invite States Parties to contribute to the Trust Fund for Victims, to ensure the sustainability of its restorative impact for the victims of the gravest crimes.

Thank you for your attention.

Jill Brumier

Coordinator of the French Coalition for the International Criminal Court