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Written statement by
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Madam President,

Let me begin by extending our gratitude to the President for her able leadership of the Assembly of States Parties and the solid efforts which have been put into securing a solid framework for this meeting. I would also like to thank the President of the Court, Mr. Song, as well as the Prosecutor, Ms. Bensouda, for the able leadership they have shown during the course of 2013. Norway would also like to warmly welcome Cote d'Ivoire as a new State Party, making the current number of States Parties 122.

Madam President,

Norway has always been a strong supporter of the development and work of the International Criminal Court. The Court has at this stage delivered two judgments in the first instance, one establishing criminal responsibility, the other providing an acquittal. In addition to the eight ongoing situations at the Court, the Office of the Prosecutor is conducting Preliminary Examinations in situations having taken place in Afghanistan, Colombia, Georgia, Guinea, Honduras, Korea, Nigeria as well as the situation regarding the so called «Gaza Freedom Flotilla». As such, the court is globally engaged.

Madam President,

As stressed on earlier occasions, Norway is particularly committed to the fight against impunity for sexual and gender-based violence, which targets the most vulnerable groups – women and

children. Proper regard to the rights and interests of victims, both during investigation and during trial are key to ensuring justice and lasting peace. In Norway's opinion, this is particularly important for victims having suffered from sexual and gender based crimes.

Madam President,

As to the topic of co-operation between States and the Court, Norway would first of all stress the need for all States Parties to fully comply with their legal obligations under the Statute. In particular, we urge all States to comply with their legal obligations under Security Council resolutions 1593 and 1970 concerning the situations in Darfur and Libya. We also encourage all States Parties to refrain from engaging in non-essential contact with persons who are under arrest warrants from the Court. We are concerned about the incidents of non-cooperation which have taken place this year, concretely the visit of Omar Hassan Ahmed Al-Bashir to Chad and the Central African Republic, and the visit of Abdelrahim Mohamed Hussein to Chad and the Central African Republic. In this respect we also refer to Mr. Al-Bashir's visit to Nigeria in July of this year, although the Trial Chamber did not refer that situation to the ASP. Both are under arrest warrants issued by the Court, which were not put in effect by the states in question.

While being concerned about such concrete incidents of non-cooperation, our general impression is that States Parties to an ever increasing extent support the Court in the execution of its mandate. Two high level seminars on witness protection held in Tanzania and Senegal this year clearly indicate the common sense of responsibility among States Parties in supporting the Court in concrete and sometimes sensitive issues. The seminars were organized by the Norwegian embassy in The Hague, based on Norwegian, Dutch and Estonian funding and logistical support. Both seminars received full diplomatic and logistical support from the Host States, and were highly successful, with attendance by ministers and general attorneys from African states. The concrete outcome and the serious engagement of those participating leave us with a clear sense of optimism as to the future of the ICC.

Madam President,

The principle of complementarity is core to the Rome statute, leaving the main responsibility of trying crimes of genocide, crimes against humanity and war crimes to national jurisdictions. The principle, embodied in article 17 of the Statute, is equally applied on all situations and in all States Parties. We the States Parties share a common interest and responsibility in ensuring an independent judiciary as well as material and procedural provisions which enable complementarity. Norway revised its Criminal Act in 2008 in order to implement our responsibility, and as such complementarity is of concern to us both at the domestic and international level.

We would like to point at domestic capacity building in developing states as crucial to implementing complementarity in the sense of ability to carry out investigations and prosecutions. However, willingness to genuinely proceed with criminal cases is equally important.

Implementation of the principle of complementarity may take many forms. Access to the legal sources within international criminal law is a prerequisite to capacity building and key to ensuring ability and will to investigate and prosecute. As in earlier statements to the ASP, Norway would like to highlight the ICC Legal Tools Database, which provides more than 69 000 documents of relevance to international criminal law free of cost to courts, prosecutorial offices and defence counsels world-wide, including all public ICC case documents and important World War II-documents such as the full transcripts of the Tokyo Trial. Similarly, through the ICC Case Matrix, more than 7,600 A4 pages of quotations from legal sources are available, organised on the basis of the elements of the crimes in the ICC Statute. A new version of the ICC Case Matrix was recently made available in English, French, Spanish and Arabic. It is freely accessible online. Tools such as these can contribute to self-capacitation among national criminal justice actors, which is in the interest of ICC States Parties in general.

Madam President,

Norway fully supports the Court's budget proposal, as amended by the Committee on Budget and Finance, in full confidence that the Court continues its willingness and ability to increase its efficiency, and optimises its use of limited resources.

As to the proposed amendments to the Rules of Procedure and Evidence, Norway is supportive of the draft to a new Rule 68 which will improve the efficiency of the proceedings before the Court. We also welcome the suggested amendment to Rule 100 which will facilitate the process of establishing the Court outside of The Hague. We would like to underscore the importance of thorough deliberations in the working group on amendments, which has been the case with the suggested amendments to rule 100 and the new rule 68.

Madam President,

We look forward to the debate which will take place in the context of the special segment which was requested by the African Union, and we hope that it will bring forward the opportunity to initiate a thorough examination of all relevant views and concerns. We welcome a debate on how the fundamental principles of fair trial and the practical requirements of Offices of Head of State may be reconciled in the course of hearings at the Court, and look forward to sharing views on this matter. However, dialogue and search for mutual understanding between States Parties and the Court must go on after the end of this Assembly Session. Norway has been a strong and longtime supporter of the establishment of a Court's liaison office with the African Union as one means to achieve that.

Madam President,

Let me finish by assuring that we look forward to engaging in fruitful dialogue at this ASP. The International Criminal Court can count on Norway's continued firm support in all aspects of its functions.

Thank you.