



**Statement by the Argentine Delegation to the Eighth Session of the Assembly of States Parties
to the Rome Statute for the International Criminal Court
The Hague, November 19, 2009**

Mister President:

More than ten years after the implementation of the Rome Statute, my country is pleased to see a fully functioning International Criminal Court period. Ongoing investigations and trials have shown the effectiveness of the international criminal justice system conceived by the States during the Rome Conference. Nevertheless, we must not forget that the high responsibilities that have been entrusted to the Court can only be fulfilled in cooperation with the international community. In that sense, we call upon States to respond satisfactorily to arrest orders and judicial assistance requests formulated by the Court.

This VIII Session underlines a period of development and growth for the International Criminal Court. At the same time it paves the way towards a new period which, in our view, should be marked by the reinforcement and improvement of mechanisms established in the Rome Statute. In this new phase, the first Review Conference will be undertaking an important role, since the future of the Court also depends on its outcome. Therefore, the Argentine Delegation hopes that this significant event will not only serve to examine proposals of amendments to the Statute, which undoubtedly will be the main topic on the Conference's agenda, but will also afford an opportunity to assess the state of international criminal justice and to reaffirm the commitment of the States Parties to the Court.

In the recent past the Court has confronted criticism, which to a large extent has been the outcome of uninformed and incorrect interpretations of the principles of the Statute. We believe that the States Parties have the obligation to promote the principles and practices of the Court as a way of achieving greater understanding and credibility for the International Criminal Court amongst States and civil society. In this difficult task, we should take into account the efficient work done by the non-governmental organizations, in particular the Coalition for the ICC. We are convinced that by working together, the States, the NGO's and the Court itself will contribute to the consolidation of the international criminal justice system.

The Argentine Delegation welcomes the new States Parties to the Rome Statute; the Czech Republic and the Republic of Chile.

The ICC has a global vocation but it has not yet achieved universal participation. In the medium and long term universality is the great challenge before the ICC and the international community. Universal adherence would allow the Court to investigate and judge any situation it may consider necessary. The achievement of universality does not only depend on the number of ratifications of the Statute, but also on the adoption by the States Parties of national legislation to ensure the functioning of the principle of complementarity and of the cooperation regime thereby established.

Argentina is convinced that peace and justice are not opposing objectives. On the contrary, they are mutually reinforcing objectives. Lasting peace cannot be achieved without justice. In other words, without judging those who have committed heinous crimes and whose impunity would undermine any attempt of reconciliation. We can find examples of peace negotiations that became more complex due to the inclusion of elements of responsibility and justice. But there are also many examples of peace agreements that failed because they did not consider said elements. This is not about choosing between peace and justice but rather about bringing them both together. We should not accept positions that seek to confront these two principles as a way to make it impossible to the Court to fulfil its mandate. One of the Argentine Republic's priorities is to put an end to impunity and the unconditional support to the Court is its corollary.

Before concluding, I would like to express my Government's and my Delegation's sincere thanks for the support extended by other Governments and Delegations to Mrs. Silvia Fernández de Gurmendi for her election as a judge of the Court. Also, we congratulate Mrs. Kuniko Osaki of Japan for her own election as judge and we thank the other candidates for their contribution to the electionary process.

Mister President, the Argentine Delegation is sure that this VIII Session will make constructive contributions to the upcoming Review Conference, and that under your able leadership we will be able to achieve success in completing the important agenda announced for this Session.

Thank you.