

ASSEMBLY OF STATES PARTIES OF THE INTERNATIONAL
CRIMINAL COURT

19 NOVEMBER 2009

STATEMENT BY THE UNITED KINGDOM DELEGATION

Mr President,

I would first like to align myself with the statement made earlier today by the distinguished representative of Sweden on behalf of the European Union.

2009 has been yet another significant year in the short life of the International Criminal Court, in particular with the opening of the first trial, against Thomas Lubanga, in January. This first trial, together with the expected opening of the trial against Germain Katanga and Mathieu Ngudjolo later this month, sends a very clear signal that the international community is no longer going to tolerate impunity for those who commit the most serious crimes of international concern. And the ratification this year of the Rome Statute by Chile and the Czech Republic has further strengthened the mandate of this court. The United Kingdom welcomes both these countries to this Assembly. The steps they have taken towards ratification have enabled the court's mandate to be universal now throughout South America and the European Union.

However the court has had to face increasing challenges this year as it seeks to exercise its mandate. The United Kingdom frequently underlines the need for States Parties to support and co-operate with the Court, both practically and politically. On the practical level, more States Parties need to come forward and make agreements with the Court which will allow it to carry out its work. This includes agreements on sentence enforcement and witness protection, and ratification of the Agreement on Privileges and Immunities

of the Court. On the political level, we have an opportunity at this Assembly and at next year's Review Conference to demonstrate our unity and commitment to the Rome Statute. The challenges to the Court will be magnified if we appear divided on the major issues, so it is vital that we seek to act by consensus both here and when we reconvene for the Review Conference in Kampala next year. The Review Conference will be the first occasion that States Parties have met to consider amendments to the original Statute - there is no reason to think it will be the last occasion. Rather than spending our time discussing proposals to include new crimes, which lack consensus and risk overburdening the Court, we believe we should concentrate our time in Kampala in taking stock of the Court's achievements over the last 7 years, and concluding our long-running work on the definition of the Crime of Aggression.

The ASP will tomorrow begin its discussions on the latest budget proposals. The Committee on Budget and Finance has, as ever, worked hard to reach agreement with the Court on the draft figures. We encourage the ASP to accept the Committee's recommendations as a package. The draft budget has been drawn up with full regard to the consequences of the global fiscal crisis, and the economic challenges that all countries, including the UK, are experiencing.

The last year has involved some very detailed and delicate negotiations on the important project for the new permanent premises of the ICC, and I would like to thank the Oversight Committee and all who have been involved in taking this project forward this year. I would also like to take this opportunity to thank all the members of the Hague Working Group for the work they have put in to produce the report and resolution on the establishment of an independent oversight mechanism for the Court, which the ASP will debate on Monday.

I must also congratulate you, Mr President of the Court, on a successful first year in office. Your knowledge and experience of international criminal justice is crucial to the future success of the Court. As the court continues to tackle the challenges of the next 12 months, it is important that all branches of the Court can be seen to operate with one voice. We were pleased to hear, in yesterday's opening session, of your objective of making the Court a "model of public administration". The United Kingdom encourages the Presidency to seek ways to further strengthen the governance of the court, in particular to introduce measures that will improve co-operation between the organs of the Court. We believe these measures are vital if the Court is to continue to progress and develop in future years.

Finally, I would like to congratulate Kuniko Ozaki and Silvia Fernandez de Gurmendi on their election yesterday. I welcome the experience and integrity that you both will bring to the existing panel of ICC judges. And I am delighted that we are also able to welcome a new board of the Victims' Trust Fund.