

Statement

by the

Delegation of
Trinidad and Tobago

At the

Fifth Session of the Assembly
of States Parties to the
Rome Statute of the
International Criminal Court

The Hague,
Kingdom of the Netherlands

November 23-December 1, 2006

Mr President,

Trinidad and Tobago has the honour to participate in another session of the Assembly of States Parties (ASP) to the Rome Statute of the International Criminal Court (ICC). Trinidad and Tobago wishes to take this opportunity to pay tribute to the Government of the Netherlands for hosting the seat of the court and for extending all the necessary courtesies for making our stay in the Hague a successful and comfortable one.

Mr President,

Trinidad and Tobago is extremely pleased with the progress made by the court since the adoption and entry into force of the Rome Statute and the election of its first bench of judges in 2003. One of its distinguished jurists, Mr. Karl Hudson-Phillips, is a member of this illustrious bench of judges.

Mr. President,

The Court has continued to establish itself as the only credible permanent penal institution in the fight against impunity and as a beacon of hope for those seeking justice against the perpetrators of crimes which shock the conscience of all humanity.

Trinidad and Tobago applauds the efforts of the Court in commencing investigations into atrocities committed against hapless victims of crimes in the Democratic Republic of the Congo, in Uganda and the Darfur Region of the Sudan. We also note that the Court has commenced prosecution against a notorious warlord from the Democratic Republic of the Congo who is accused of committing crimes within the jurisdiction of the court.

Mr President,

Trinidad and Tobago as a State that is committed to the rule of law both at the national and international levels, views these developments as important pillars in building bridges for the maintenance of international peace and security. We acknowledge the roles played by the referring States, the United Nations, States Parties and non-governmental organizations for their cooperation with the Court. It is our hope that such cooperation is intensified so that the Court would be able to effectively discharge the mandate entrusted to it by the international community.

Such cooperation must be seen as an imperative because the court depends on the cooperation of States and other entities in the provision of logistical support in the field in such areas as, the gathering of evidence, the arrest and surrender of accused persons and the enforcement of sentences. In this regard, we welcome the cooperation agreements entered into by the court with the Government of Austria, the European Union and the International Committee of the Red Cross (ICRC) and those to be concluded with other bodies in the near future.

Mr President,

Trinidad and Tobago as a State Party to the Rome Statute with a long and distinguished record of support for the ICC continues to adhere to its obligations under the Statute.

In 2005, Trinidad and Tobago implemented into its domestic legal system its international legal obligations under the Rome Statute. The passage of this Act demonstrated further Trinidad and Tobago's commitment to cooperate with the court to prosecute those perpetrators of the gravest crimes in accordance with the provisions of Article 5 of the Rome Statute, namely, genocide, crimes against humanity, war crimes and the crime of aggression. Trinidad and Tobago has also ratified the Agreement on the Privileges and Immunities of the International Criminal Court, thus demonstrating its intention to implement fully all of its obligations under the Statute.

Mr President,

Trinidad and Tobago has the honour to pay tribute to the Government and people of the principality of Liechtenstein for their unswerving and sterling support for the ICC. As a small State, Liechtenstein must be complimented for sponsoring the inter-sessional meetings of the Special Working Group on the Crime of aggression. It is our hope that the Special Working Group would be able to complete its work in time for the Review Conference in 2009. We are optimistic that the definition of the crime of aggression would be adopted pursuant to the conditions laid down in keeping with Articles 121 and 123 of the Statute. It is our fervent hope that the adoption of the definition of the crime of aggression in the Statute would lead to an increase in the number of States Parties from diverse regions of the globe.

Mr President,

During the Fourth Session of the ASP this assembly was able to adopt the Regulations of the Victims Trust Fund. This action has made it possible for the Board of Trustees of the Victims Trust Fund to exercise its functions within a regulatory framework in an effort to bring relief to victims and their families as contemplated by the Rome Statute. During the recently concluded meeting of the Board of Trustees, held here in the Hague, Trinidad and Tobago's former Prime Minister and President Mr Arthur NR Robinson was an active participant in its deliberations, and it is our hope that he would continue to be a member of the Board in the future. In 2004, Trinidad and Tobago made a voluntary contribution to that fund and is requesting other states and entities that are in a position to do so to contribute to the Fund.

Mr President

Trinidad and Tobago in its quest to ensure that the court becomes a truly global instrument in the fight against impunity has promoted increased ratification of the Rome Statute among other CARICOM States. In this regard, we are extremely pleased to welcome Saint Kitts and Nevis as the newest State Party within the CARICOM region.

The ICC is at a critical juncture in its very young history and it is imperative that it continues to receive the cooperation of all of us, stakeholders, in its quest to be an effective instrument in the fight against impunity and that its jurisdiction would serve as a deterrent to would be warlords. Trinidad and Tobago strongly believes that the ICC represents hope for all of humanity. In this regard, we urge all States Parties to the Rome Statute to recognize their international legal obligations as being sacrosanct. Thus, we implore States to cooperate fully with the Court as it seeks to bring justice to those who have shown blatant disregard for International Law and in particular, International Human Rights Law and International Humanitarian Law. We as members of the international community must ensure that under no circumstances can peace be seen to trump justice.