



EMBASSY OF ITALY

Mr. President,

Italy fully supports the statement delivered by the French rotating Presidency of the European Union.

Mr. President,

nearly six years after the entry into force of the Rome Statute, the core activities of the International Criminal Court are visible to the whole world and the Court has built its own reputation of a reliable mechanism to complement national jurisdictions, as it is objectively proven by being all the four situations currently under its jurisdiction the result either of self-referrals by States, or by a Security Council determination.

However, it is apparent that without enhanced and co-ordinated efforts by all actors to co-operate for a consistent implementation of the referrals and, in particular, for bringing to the justice of the Court those accused against whom arrest warrants are still outstanding, the legal framework of the ICC cannot be in itself sufficient to do the job.

Mr. President,

this General Debate bears witness to the political will of the international community to keep momentum on the shared mission of the international permanent criminal justice. Still, at this juncture, many signatory States of the Rome Statute have not yet become Parties to it and some regions of the world are largely under represented in this Assembly.

Since the ICC is an institution which is universal in nature and scope, we believe that focus should be maintained on the need to ensure the widest and most effective participation to the Court. In this perspective, Italy is consistently continuing to foster the Plan of Action of the Assembly, including by holding or supporting important events to promote awareness of and accession to the Rome Statute, as it was the case of the *Conference on International Criminal Justice* held in Turin in 2007, and of the Conference on the ICC held in Manila on 25 and 26 September 2008.

Mr. President

consistently with its own legal tradition, Italy sees the role of victims under the Statute as a fundamental achievement for international criminal justice which, above all, allows to give voice to those directly affected by the commission of the crimes, and to provide reparations thereto. Taking into account the massive victimization in the situations before the Court, the level of participation of victims in pending cases and under existing provisions does not

seem to reflect adequately the actual impact of crimes of international concern in the region and countries affected. We stand ready to consider with all relevant actors what possible actions are needed to improve the current situation.

Mr. President,

a sound and structured budget is essential to perform the functions of any international organization, and we appreciate that important improvements have continued to take place in the preparation phase for the 2009 budget of the ICC.

Italy stands ready to support present and future increases in the level of judicial activity of the Court. In this regard, Italy attaches to the budget, in its policy dimension, a determinant value for States Parties and non Parties to objectively assess the success of the Rome Statute and, thus, to enhance the universality and integrity thereof.

In this perspective, and thanks to the many achievements of the ICC in the period 2002-2008, we expect that the annual budget directly reflects the level of judicial activity.

Furthermore, it is important for the credibility itself of the ICC that all resources be always visibly and transparently devoted to the core mandate of the Court, and that some inconsistencies or discrepancies, also underpinned by the Committee on Budget and Finance over the last few years, be corrected soon and cost drivers thoroughly re-assessed.

Mr. President,

we express our appreciation for the fact that the dialogue between the Assembly and the ICC has improved continuously, and consider the Strategic Plan of the ICC an essential instrument for ensuring the consistency of the mandate with the operations of the Court and, thus, for furthering consensus to the Court itself. In this perspective, we will look attentively into any progress achieved in the implementation of the Plan, which should be transparently assessed through a clearly objective system of oversight.

Mr. President,

in concluding my statement, I wish to emphasise that the Rome Statute system is a keystone in the development of an international legal order based on the principles of legality and accountability, and that the ICC is actually contributing to enhancing international peace and security. This is an objective pursued with the utmost determination by Italy, which will continue to consistently ensuring its full support and cooperation to the functions and the activities of the Court, in any forum and context.

Thank you, Mr. President

Speech delivered at the General Debate by H.E. Gaetano Cortese, Ambassador of Italy to the Kingdom of the Netherlands and Head of the Italian delegation to the seventh session of the ASP (The Hague, 14 – 22 November 2008).