



Statement

by

Dr. Nihinlola Nimota Akanbi
Ambassador of the Federal Republic
of Nigeria.

at the Seventh Session of the

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

The Hague, Netherlands
November 15, 2008.

Mr. President,

My delegation and I would like to thank you for your able leadership in chairing this meeting. We also congratulate the two newly elected Vice Presidents and the members of the bureau. It is our conviction that this year's session will be another step forward in resolving the various issues before the court. We assure you of our unalloyed cooperation. We welcome the new States Parties, Cook Islands and Suriname. We thank the outgoing President of the ICC, Mr. Phillip Kirsch for his outstanding contributions to the Court and wish him every success in all his future endeavours.

My country, Nigeria, is deeply committed to the aims and objectives of the International Criminal Court. We believe that its establishment is one of the greatest achievements of the promotion of international law. The function of the court in ensuring accountability for grave crimes against humanity is vital for the maintenance of lasting international peace and security. We remain firmly convinced that in order to strengthen the ability of the court for the effective discharge of this most important responsibility, the court will continue to rely on the cooperation of states, international organizations, and the civil society in accordance with the Rome Statute and international agreements concluded by the Court. This cooperation is critical to ensure proper investigations, the execution of outstanding warrants of arrest, the surrendering of persons, protection of witnesses, enforcement of sentences and the enhancement of the Court's credibility as an effective tool to end impunity and contribute to the prevention of future crimes.

Nigeria is currently in the process of negotiating an agreement with the Court on the relocation of witnesses. We expect the agreement to be concluded soon. We are also ready to cooperate with the Court in all other areas of its work. We urge all States Parties to strengthen cooperation with the Court.

Mr. President,

The Nigerian delegation notes with delight and welcomes the increasing number of States that have become States Parties to the ICC

Treaty. This development signifies a clear movement towards universality of the Court. It should also serve as an impetus to further encourage more states to ratify the Treaty.

Nigeria is firmly committed to the domestication of the ICC Treaty and has already commenced efforts in this direction. We are also committed to implementing the agreement on privileges and immunities of the ICC and we have taken steps to ensure that we provide necessary support and cooperation for the work of the staff of the ICC.

We have taken note of efforts by the ICC to improve geographical representation, gender balance and the representation of the different legal systems of the world in its recruitment activities in accordance with the decision in document number ICC-ASP/1/Res.10. As we commend these efforts, we wish to underscore the need for the ICC to achieve the target of wide geographical representation and gender balance especially in regard to the African region. My delegation is mindful of the fact that of the current 108 States Parties to the Rome Statute of the ICC, 30 are from Africa and all the situation countries are in Africa. However, this is not reflected in the distribution of positions within the Court. We therefore call on the Court to look at this problem and find a lasting solution.

Mr. President,

The Nigerian delegation commends the work done so far by the Special Working Group on the crime of aggression. We hope that an acceptable definition of the crime and conditions for the exercise of jurisdiction over it will be attained before the Review Conference. In this regard, we support the Assembly's decision at the Sixth Session to devote at least two days of the current session to the work of the Special Working Group and to hold a resumed Seventh Session of five days, in 2009 to conclude the work on this important subject.

It is equally important to emphasize that the ICC should not be dependent on the pronouncement of any other judicial body or political organ for the trial of offences under its jurisdiction, including the crime of aggression when it becomes part of the ICC statute.

Mr. President,

The Nigeria delegation expects that the Assembly will be able, at this session, to take a decision regarding the venue of the proposed Review Conference. Taking into account the commitment so far exhibited by Uganda in this regard as well as the support this has engendered, it is our belief that the holding of the Review Conference in Africa will further enhance the Outreach Programme of the court.

Nigeria takes note of the efforts of the ICC to hold some aspects of the trials in situation countries. This is in line with the position of the Africa Group at the 4th Session of the Assembly of States Parties that justice must not only be done but must be seen to be done at the levels where these heinous crimes were perpetrated. The ICC should not relent in its efforts in this as it constitutes an important signal to local communities, that impunity will no longer be tolerated.

The ICC currently has four situations (Uganda, DRC, Sudan/Darfur and the CAR) and six cases before it. 12 arrest warrants have been issued with seven of them still pending. With the expected increase in the number of cases in 2009, additional funding will be needed. We therefore call on all states to defray their outstanding contributions to the court to enable it attain its 2009 budget of €105.1 million.

Mr. President,

One of the major innovations of the Rome Statute has been to place victims at the heart of international criminal justice, allowing the rights and interests of victims to be fully recognized at the international level. The Nigerian delegation also considers victims as a critical component of the justice system and believes that for them to have the necessary closure, efforts must be made to bring about healing. We are therefore delighted that the court has so far received application from 960 victims for participation in the trials and that 168 of them are already participating.

Mr. President,

My delegation is deeply committed to ensuring the sustenance of the ICC's professionalism and integrity and believes that only the most

highly qualified and competent Judges should be elected. It is in consideration of this fact that Nigeria presents its candidate for election as ICC JUDGE - Mr. Chile Eboe-Osuji. Mr. Eboe-Osuji has a wealth of experience drawn from legal practice in both Nigeria and Canada, the Special Court for Sierra Leone and International Criminal Tribunal for Rwanda where he is currently based. We ask for your support of his candidature.

Finally, Nigeria would like to reiterate its firm commitment to continue support for the ICC. We believe that the ICC represents a universal commitment to the rule of law and justice and to the protection of human dignity. It must not therefore be allowed to fail.

I thank you.