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**General Debate
International Criminal Court
Assembly of States Parties
November 2008**

**Statement by Norway
Deputy Director General Martin Sørby
Royal Ministry of Foreign Affairs**

Mr President,

We are most grateful to you for your able guidance of the work of the Assembly of States Parties, and to President Kirsch and all his colleagues at the Court for the work carried out during the past year.

This July, the States Parties to the Rome Statute along with civil society organisations celebrated the tenth anniversary of the adoption of the Statute. Celebrations were held in a number of locations to commemorate the milestone reached ten years ago, when a Court was created that would prevent impunity for mass atrocities and bring perpetrators of such crimes to justice when national systems were not able or willing to do so.

We are pleased to note that with the entry into force of the Rome Statute for Suriname and the Cook Islands on 1 October 2008, there are now 108 States Parties to the Statute. This is an important step towards universality. The number of States Parties is rising year by year, and Norway strongly hopes that the ICC will enjoy universal adherence in the future.

Mr President,

Bringing climates of impunity to an end requires determined cooperation between actors who have international peace, justice and security as their common goals and ambition. The relationship between the ICC and the UN is of great importance.

The UN seeks to promote both peace and justice based on human rights. These are distinct, but closely related objectives. They may be difficult to achieve simultaneously, but we must strive to do so. In this quest, the ICC is an effective and important tool for ending impunity and promoting the rule of law.

The mere existence of the ICC is making a significant impact on national systems, which are increasingly geared towards prevention and prosecution. The success of the

ICC should therefore never be evaluated solely on the basis of the number of cases it hears. The success of the Rome Statute should be measured in terms of the overall decrease in impunity for such crimes and not in terms of the number of defendants brought to The Hague. Moreover, whenever national authorities investigate, prosecute or pass judgements in cases concerning serious international crimes, this in itself reaffirms the core objective of the ICC, that perpetrators of such crimes will be held accountable.

However, when national systems are not willing or able to bring perpetrators to justice, the principle of complementarity provides a safety net. This requires international cooperation, which is of the utmost importance to the activities of the Court. Seven arrest warrants pertaining to the situations in Darfur, Uganda and the Democratic Republic of the Congo remain outstanding, four of which have been outstanding for over three years. This is a matter of grave concern for Norway.

We urge all the states involved to fulfil their responsibility to make these warrants effective. With regard to the crimes committed in Darfur, the Prosecutor has reported to the Security Council that the Sudanese Government is still failing to comply with its legal obligations under Security Council resolution 1593. We therefore urge Sudan to cooperate fully with the Court and to comply with its legal obligations without further delay.

Mr President,

The ICC is dependent on the cooperation of the States Parties. The Court relies on cooperation in areas such as facilitating investigations, arresting and surrendering persons, protecting witnesses and enforcing sentences. All States Parties must do their utmost to provide the ICC with the best possible working conditions. Norway expects states that have legal obligations under the Statute, or that have entered into cooperation agreements with the ICC, to fulfil their obligations and to demonstrate their commitment to justice in practice. We also urge more states to enter into agreements with the Court.

Finally, I would like to reiterate Norway's firm and long-standing commitment to the integrity of the Rome Statute, and to an effective and credible International Criminal Court. We believe that the ICC should enjoy the broadest possible support from all states. We also believe that the long-term interests of all nations, irrespective of size, region or political orientation, are served by strengthening the rule of law and promoting justice.

We will on our part commit to promoting further consolidation of the Court. This will guide our work with regard to all items on the agenda of this Session.

Thank you, Mr President.