



PERMANENT MISSION OF NIGERIA TO THE UNITED NATIONS

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STATEMENT

BY

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DEPUTY PERMANENT REPRESENTATIVE
AND CHARGE D'AFFAIRES a.i.
PERMANENT MISSION OF NIGERIA TO THE UNITED NATIONS**

AT THE

**SIXTH MEETING OF THE ASSEMBLY OF STATE PARTIES
TO THE INTERNATIONAL CRIMINAL COURT**

NEW YORK, DECEMBER 3, 2007

Mr. President

The Nigerian delegation wishes to thank you and the other members of the Bureau for your effective handling of the affairs of the Assembly. We are also grateful for the Bureau's report, ICC – ASP/6/25 on the permanent premises of the International Criminal Court (ICC) prepared pursuant to resolution ICC-ASP/5/Res.1 of 1st December 2006. We thank the Hague Working Group of the Bureau for their work, which culminated in the report.

My delegation is convinced of the great importance of the ICC in the fight against impunity and believes that the court should be adequately equipped to effectively discharge this crucial function. This is why we support the construction of permanent premises for the Court. We urge other Member States to support the project as well as other endeavours necessary for the success of the Court.

Mr. President,

The ICC is a permanent Court established to try persons accused of the most serious crimes of international concern, namely genocide, crimes against humanity and war crimes. It therefore goes without saying that in order to effectively discharge its judicial functions without fear or favour, the Court needs to function independently. The doctrine of the independence of the judiciary is an age-long indispensable one, without which justice becomes a sham exercise and a caricature of what it should be. Lack of real justice inevitably leads to escalation of conflicts, including wars since victims would lack the necessary remedies.

Mr. President,

States Parties have for some time now been deliberating on the crime of aggression. We hope that this will be concluded without any further delay so that acts of aggression do not continue to go unaddressed globally. In this connection it is important to note that the ICC is an independent judicial body and not a political institution. As a criminal court, the ICC operates with the principle of proof beyond a reasonable doubt. The ICC is also not dependent on the pronouncement of any other judicial organ for the trial of all other offences under its jurisdiction. The ICC is therefore, not expected to be subordinate to any other body whatsoever in dealing with the Crime of Aggression.

Mr. President,

My delegation is very mindful of the high objectives of the ICC as encapsulated in the preamble to the Rome Statute which include, ensuring that the most serious crimes of concern to the international community do not go unpunished and that putting an end to impunity contributes to the prevention of such crimes.

We call on all States Parties to fully cooperate with the Court towards an early attainment of the goal of universality. With more than two-thirds of Member States of the United Nations having signed, ratified and acceded to the ICC treaty, there is already a clear movement towards universal acceptance. We welcome the new States Parties and encourage all others to become States Parties to the Rome Statute.

Upon entry into force on 1 July 2002, the Rome Statute created two independent institutions; the International Criminal Court and the Trust Fund for Victims. The International Community thus recognized that prosecution is only one aspect of justice for victims but for there to be true healing, and reconciliation, victims and survivors must not be forgotten. It is important that this Fund is applied to assuage the plight of the victims of genocide, crimes against humanity, war crimes and the crime of aggression. For this to happen, however, the situation in which the crimes occurred must be brought to the attention of the prosecutor through referrals. We therefore urge States Parties in a position to do so, to ensure that they act with despatch.

Mr. President,

Of the current 105 States Parties to the Rome Statute of the ICC, 29, almost a third, are from Africa. Also, most of the situations being handled by the court are in Africa. However, this is not reflected in the distribution of positions within the Court. We therefore call for equitable geographical representation at all levels of the Court.

In conclusion Mr. President, I would like to assure you, of my delegation's commitment to the principles and objectives of the ICC and its preparedness to work in collaboration with other States Parties towards their full attainment.

Thank you.