

SWEDEN



STATEMENT

by

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at the

General Debate

of the

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United Nations Headquarters
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CHECK AGAINST DELIVERY –

Madame President, Members of the Assembly, distinguished delegates, officials of the Court, ladies and gentlemen,

Sweden aligns itself with the statement recently made on behalf of the European Union and its Member States.

Madame President, on behalf of my Government, I congratulate you warmly on your appointment to chair this important body. I thank your predecessor, Ambassador Christian Wenaweser, for his unwavering commitment to the Court. Let me also congratulate Ms Fatou Bensouda on her promotion to become the Prosecutor of the ICC later next year. Since this is the last Assembly for Mr Luis Moreno-Ocampo in his current role as the Prosecutor, I would like to pay Sweden's tribute to his hard work and courageous efforts in bringing justice to victims. Finally, on the subject of gratitude, allow me to thank the President of the Court, Judge Sang-Hyun Song, especially for his engagement on universality of the Rome Statute and complementarity.

After almost a decade since its establishment in The Hague, the International Criminal Court is in a dynamic phase. The Court has become increasingly relevant, not only in the field of international criminal law and the fight against impunity for the worst crimes humanity knows, but also in the context of security policy and as a contributor to the promotion of human rights, democratic development and the rule of law. In that sense, it is fair to say that the ICC has lived up to the expectations we had after the conclusion of the Rome Statute in 1998.

A landmark was the unanimous referral earlier this year by the United Nations Security Council of the situation in Libya.

While welcoming the ICC's broad impact in the international community, it is important to remember that bringing justice to victims, with full recognition of the principles of due process, is an end in itself and that is what the Court should continue to focus on.

Madame President,

Cooperation with the ICC is at the heart of the Rome Statute. States Parties have a legal obligation to cooperate fully with the Court and all States must abide by Security Council resolutions under Chapter VII. Sweden therefore regrets any declarations or resolutions which call into question the cooperation of States Parties with the ICC. In accordance with the EU Action Plan on the ICC, agreed in July this year, the EU and its Member States will undertake consistent action to encourage the full cooperation of States with the ICC, including the prompt execution of arrest warrants. States Parties must refrain from inviting and receiving suspects who are under an arrest warrant by the Court.

Victims' participation and right to reparations are unique and essential features of the Rome Statute. I am therefore delighted to announce that Sweden, by a recent decision by our agency for International Development Cooperation, Sida, will make a substantial contribution to the Trust Fund for Victims on the amount of 10 million Swedish crowns, which is equivalent to 1,400,000 USD. We encourage more States Parties to contribute to the Fund's valuable work for victims of atrocities. The need is growing, as we heard earlier from the presentation by the Chair of the Board of Directors of the Trust, Ms Elizabeth Rehn.

The work on complementarity must be strengthened. The fight against impunity and respect for the rule of law require that States meet their obligations to genuinely investigate and prosecute those responsible for serious crimes at the national level. Sweden will increase its engagement and join other interested States Parties to bolster national capacity in this area. As an International Cooperation Partner, Sweden has included complementarity as one component in its foreign and international development policy priorities. In order for the work on complementarity to progress efficiently, it is important to establish a deepened dialogue and cooperation between the international justice sector and the rule of law development sector. Further, in the States Parties' efforts to increase the capacity of national justice systems to investigate and prosecute serious crimes, the profound competence on the Rome Statute that exists within the Court must not be forgotten.

Madame President,

Regarding the budget for 2012, one of Sweden's guiding principles are that the budget for the Court – as for any international organisation that is financed by member states – must be well motivated. That said, it is vital that the Court is granted the resources it needs to perform its mandate under the Rome Statute, even in times of global economic decline. Sweden's view is that given the increased number of investigations and proceedings, an increase of the budget in line with the proposal by the CBF is necessary. In this regard, it is important to be mindful of the Court's response to how further cuts would impact on its mandate, for instance by slowing down the Court's operations and/or preventing it from carrying out certain judicial activities. We still have some way to go to reach a common understanding on the budget for 2012, but I hope that the constructive spirit of consensus from the Review Conference in Kampala last year will help us in this Assembly of States Parties.

In connection with the budget decision for 2012, Sweden wants to see reforms of the Court's budgetary process in order to improve transparency and predictability. We also want to see the Court proactively engage in internal reforms that could both be cost-saving and improve the efficiency of the Court.

We would also like to encourage the Organs of the Court to jointly take stock of the experiences gained from investigations and court proceedings, with a view to proposing amendments of the procedural rules that could enhance the management of trials. Efficient court proceedings, without unnecessary delays, are better for all parties involved – for the accused in detention, the witnesses and the victims – and would also save costs for the Court.

Finally, let us once again all unite around our common goal – to strengthen the Court in its quest to prevent genocide, crimes against humanity and war crimes, fight impunity for these crimes and deliver meaningful justice to victims.

Thank you.