

**ASSEMBLY OF STATES PARTIES TO THE ROME STATUTE
OF THE INTERNATIONAL CRIMINAL COURT**

Solemn undertaking of Ms. Fatou Bensouda as Prosecutor

15 June 2012

**Statement by H.E. Ambassador Tiina Intelmann,
President of the Assembly of States Parties**

Excellencies,

Ladies and gentlemen,

It is a special honour for me to represent the Assembly of States Parties at the solemn undertaking of the new Prosecutor of the International Criminal Court, Ms. Fatou Bensouda.

Let me first briefly highlight the process undertaken by the Assembly and its Bureau in the run-up to the election of Ms. Bensouda. The Assembly was determined to identify the best of the best to fill this crucial position. With this in mind and based on the relevant Assembly resolution (ICC-ASP/3/Res.6 *Procedure for the nomination and election of judges, the Prosecutor and Deputy Prosecutors of the International Criminal Court*), which also indicates the desirability of nominations being made with the support of multiple States Parties and a strong appeal to make every effort to elect the Prosecutor by consensus, the Bureau of the Assembly established a Search Committee to facilitate the nomination and election, by consensus, of the next Prosecutor. The members of the Search Committee served in their personal capacity. The Search Committee, by consensus, produced a shortlist of candidates. Each of the four shortlisted candidates gave a presentation to States Parties, at which States Parties in turn had an opportunity to ask questions and engage in a dialogue with the candidates.

After that informal consultations were conducted and a broad agreement was reached that Ms. Fatou Bensouda should be nominated as the sole candidate for the position of the Prosecutor. Ms. Bensouda was then nominated by 76 States Parties and at the tenth session of the Assembly, on 12 December, she was elected by acclamation for a period of nine years.

While the States Parties are conducting a lessons learned from the exercise I have just described, I am sure that we have succeeded to identify and elect a Prosecutor who is of high moral character and highly competent.

Having served since November 2004 as Deputy Prosecutor of the Court, Ms. Bensouda has been at the forefront of the main challenges faced by the Court.

Let me take this opportunity to congratulate Ms. Bensouda, on behalf of all States Parties, on her election and assumption of office and reiterate my appreciation for the efforts undertaken and time invested by my predecessor Ambassador Christian Wenaweser, by Prince Zeid Ra'ad Zeid Al Hussein who served as Coordinator of the Search Committee and by all members of the Assembly who contributed to the process of consensus-building.

As we commemorate the tenth anniversary of the Court and the new Prosecutor is stepping into office, I would like to pay tribute to Mr. Luis Moreno-Ocampo for the courage and passion with which he has carried out his mandate while shaping the Court and its image and putting it on the radar screens of the international community and in the center of the fight against impunity.

I am confident that the same passion and dedication will mark the tenure of the second Prosecutor. It is a pleasure to see a strong African woman who has an unwavering feeling of responsibility towards victims of the most heinous crimes, including gender based crimes, assuming this key role in international criminal justice.

As Madame Bensouda takes office, the Court is an established institution that has finally delivered its first verdict and almost completed its first judicial cycle. It is dealing with 15 cases in 7 situations, among them two Security Council referrals of situations in non-States Parties.

The Court has become a powerful instrument that by its nature has and will create controversy.

The first years have been especially challenging for the institution. In the second decade of the Court's existence we will of course see new prosecutions but we will also have to see a stepped-up activity of the Court in delivering justice. The States together with the Court will have to find the means to expedite judicial proceedings.

One of the challenges ahead is achieving universal ratification of the Rome Statute. Slowly but surely we keep working towards the universality of the Rome Statute and fostering consensus that Rome Statute crimes should never go unpunished.

In the second decade, we will hopefully see States stepping up their domestic efforts to investigate and prosecute Rome Statute crimes.

The Court depends on the active support and cooperation of its States Parties. All 121 States Parties must stand firmly for the integrity of the Rome Statute and respond promptly to cooperation requests received from the Court.

The requests and obligations to cooperate with the Court also concern other States. Just a few days before the end of his mandate Prosecutor Ocampo presented another report on the situation in Darfur, Sudan to the UN Security Council. This situation referred by the Council is one where cooperation with the Court is not forthcoming. It is a telling example of the kind of challenges the Court is facing at the present moment. Another example of challenges before the Court is the recent detention of four ICC staff members while on official mission to Libya.

It is important that we continue to live up to our commitment to work together to fight impunity for the gravest international crimes. As President of the Assembly of States Parties, I will do my best to ensure the political, diplomatic and financial support of States Parties and to conduct a continuous dialogue about the Court with non-States Parties and with different international and regional organizations.

On behalf of the Assembly, I wish Ms. Fatou Bensouda courage and determination for the next nine years as the Prosecutor of the International Criminal Court.

Thank you Mr. President.
