



**Silvana Arbia
Registrar**

Remarks to the 11th session of the Assembly of States Parties

The Hague, 14 November 2012

Mr. President, Vice-Presidents,
Your Honours,
Mme. Prosecutor,
Mme. Ambassador, President of the Assembly of States Parties,
Mr. Ambassador, Vice President of the Assembly of States Parties,
Excellencies,
Ladies and Gentlemen,

I am honoured to address the eleventh session of the Assembly of States Parties to the Rome Statute. In the last decade, the International Criminal Court has evolved from a lofty idea into a robust judicial institution.

Throughout the past 10 years, the Court has had a remarkable impact on the rule of law by playing a central role within an evolving system of international criminal justice. The impact of the Court is tangible: it casts a long shadow that lets leaders around the world know that they cannot commit massive crimes in order to gain or retain power. Through the ICC, justice has been consolidated as an essential and integral part of sustainable international peace and security.

Having the opportunity to contribute to the mission of the Court as its Registrar for almost five years, is the highest privilege I have had in my career as a jurist, as a woman, but most importantly, as a person devoted to the values and principles represented by the ICC. I began my mandate as Registrar in 2008, when the world was celebrating 10 years since the adoption of the Rome Statute. Today, towards the end of my current mandate, we celebrate the 10th anniversary of the ICC.

The Registry has made great advances in tackling often unprecedented obstacles to delivering justice. Under the Rome Statute the Registry is responsible for the non-judicial aspects of the administration of the Court.

My priority as Registrar has always been to ensure the sound and efficient operation of the Court and that the Judges are able to carry out their duties with every confidence in the operational support provided by the Registry. The Registry's loyalty and commitment to the Judiciary is critical to its independent functioning.

In the past years, the Registry has consolidated the establishment of a judicial administration that is able to fulfil the needs of the Judges, and support the mandate of the Prosecutor, the Defence and the Victims. The Registry is a service provider whose essential objective is to facilitate judicial decisions and their execution, without undue delay, following fair and public trial. As such, the Registry is a neutral partner of all the actors in the Court.

Under my administration of the Registry the Court has grown from having held 121 hours of hearings in 2008, to approximately 1,000 hours in 2011; from receiving 1,280 applications from potential victims in 2008, to over 12,000 applications to date. In 2008 there were 261 lawyers from 49 countries on the list of counsel and now there are 435 lawyers from 59 countries. During my current mandate the Court's first ever trial commenced **and** concluded with, historically, the first verdict issued on 14 March 2012 in the case of Mr *Thomas Lubanga Dyilo*.

I would like to take a moment to recall the motivation behind these actions.

I would like to remind the Assembly of the novelty of victims appearing as an actor in international criminal trials – and this groundbreaking feature of the Rome Statute. It was the plight of victims that compelled me to work - and to continue to work - in international criminal law, in the aim of securing justice, as is the right of all victims. The ICC has not only a punitive but also a restorative function: engaging with affected communities and enabling victims to participate in proceedings can be empowering and cathartic. In this way, the process can be as important as the result.

A significant achievement of the ICC in relation to victims is the many judicial firsts for gender justice. The Statute seeks to guarantee that women who are victims of the gravest crimes under international law have access to justice and that they play a part in post-conflict processes. Societies cannot heal, cannot grow and cannot develop if half of the population is marginalized. We consider women and girls' empowerment to be a key step toward ending impunity, establishing durable peace and reconciliation. As stated in the Preamble to the Statute, a goal of ending impunity is to prevent the commission of future crimes. It is clear throughout history that peace is the great protector of prosperity.

I was the first elected official to visit the Democratic Republic of Congo and to meet with affected communities. This and subsequent missions reinforced my belief that the Court's criminal justice process must be communicated to those expecting justice and that this must be a two way conversation. Such dialogue is critical, as it is the victims and affected communities who are the ones to determine whether or not justice has been done. Victims are the Court's *raison d'être*.

In my first speech to the Assembly in 2008, I emphasized the importance of using the Court's resources - your resources - efficiently. This has been my priority for the last five years. The first budget that I negotiated in 2008 was for 101 million Euros and the 2013 proposed budget, excluding the rent, is 112 million Euros. In five years, the budget has only increased by 10 per cent, whereas the Court's case load has more than doubled: from 7 cases in 4 situations to 16 cases in 7 situations. Meeting operational requirements within strict financial limitations required prudent judgement, resourcefulness and tenacity on the Court's behalf.

There are two important aspects regarding the Court's budget that I would like to stress. Firstly, in order to achieve its aims and purpose, it is essential that the Court be mandate driven - and not resource driven. The Court's budget should reflect its independence and credibility as an impartial judicial institution free of political influence on every level. Secondly, while it is clear that the Court should continue to be as efficient, lean and effective as possible, the notion of growth needs to be always applied to the reality of the ICC as an institution. The Court must be able to grow; to grow its expertise, its productivity, its impact and its influence.

The Court cannot, however, achieve these results in isolation. In the last ten years, we have become acutely aware of the interdependence of all the actors in the international justice system. I would like to recognise the efforts of all the actors who contributed to the achievements of the Court.

Firstly, my appreciation goes to the staff of the Court, our greatest asset. These high quality results could not have been achieved without the determination and motivation of the Court's staff who brought their competence, creativity and tireless efforts to the service of international justice. The Staff Union Council must also be credited for their commitment and advocacy on behalf of staff. More than just a statutory obligation,

diversity is a core value at the ICC. With over 850 staff members representing more than 90 nationalities, our common belief in the cause of the ICC is what unites us. It is an honour to be part of the leadership of such a team.

It has also been an honour to serve alongside the esteemed President, judges, the Prosecutor and the Deputy Registrar.

In addition, the achievements of the Court would not have been possible without the work of Counsel and the invaluable assistance of civil society groups around the world.

Finally, as I said at my swearing in ceremony in 2008, what has been done and what will be done is only possible due to the commendable efforts of the States. These achievements are the result of the support and confidence that you have placed in the Court. Particular mention must be made of the Host State, the Netherlands, for their continuing support and cooperation.

I would like to also thank the States that have, and will be, hosting activities commemorating the Court's tenth anniversary. I hope that these events allow us to celebrate the achievements, as well as remind us of the long road to Rome, the unique spirit in which the Statute was adopted, and of the immense hope that it has generated.

While celebrating our achievements, we must also look to the past to take stock of our lessons learned and apply them in the future. There are numerous challenges facing the Court and the Registry in its next decade. And while it took a long time to create international justice, it may take a longer time still for it to play its role fully.

My vision for the Registry's future is for a culture of team work, dedication, excellence and diversity; and a safe working environment for staff and everyone who comes into contact with the Court. My vision is for the work of the Court to become known across the globe, including through the Registry's outreach, public information and field offices, transcending language, legal systems and location; for the Registry to contribute to meaningful restorative justice through victim participation and reparation. My vision is for not only the Court's administration to become a model of public international administration; but for the Court's criminal practice and procedure to become the internationally recognised standard for a fair trial.

In learning the lessons of the past and facing the challenges of the future, we must not forget the immense achievement that the International Criminal Court represents for the peace, security and well-being of humanity.