



Uganda's Bid to Host Review Conference

Presented by
Dr.E.Khiddu Makubuya MP
Attorney General and Minister of Justice and
Constitutional Affairs of the Republic of Uganda

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INTRODUCTION

- Uganda signed the Rome Statute on 17th March 1999
- In accordance with the ratification of the Treaties Act, cap 204, the Rome Statute was ratified by Cabinet in June 2000.
- The ICC Bill was published in the Uganda Gazette on 17th November 2006 and the ICC Bill 2006 was introduced in Parliament by the Attorney General and Minister of Justice and Constitutional Affairs in December 2006

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- The Bill was given first reading after lengthy national consultations and as required by rules of procedure of Parliament of Uganda referred to the Committee on Legal and Parliamentary Affairs for detailed examination and inquiry before final debate and enactment by Parliament.
- The Bill is currently before Parliament

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- The main objectives of the Bill are:-
 - To give the force of law in Uganda, to the Statute of the International Criminal Court 1998, (the Rome Statute) adopted on 17th July 1998 by the United Nationals Diplomatic Conference of Plenipotentiaries and ratified by Uganda on the 14th day of June 2002;
 - To implement obligations assumed by Uganda under the Rome Statute;
 - To make further provisions in Uganda's laws for the punishment of the international crimes of genocide, crimes against humanity and war crimes;

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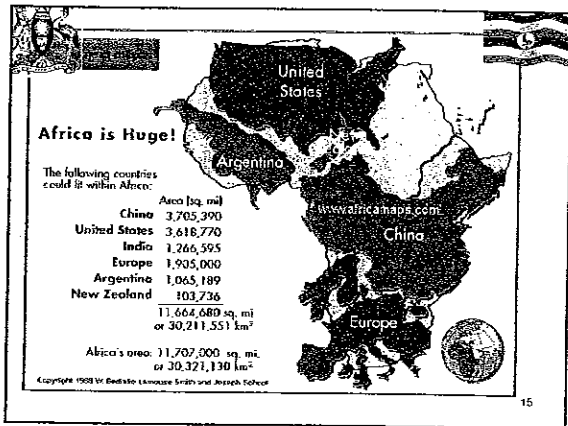
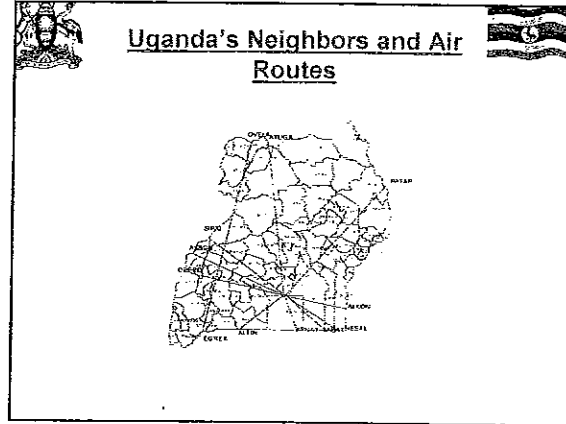
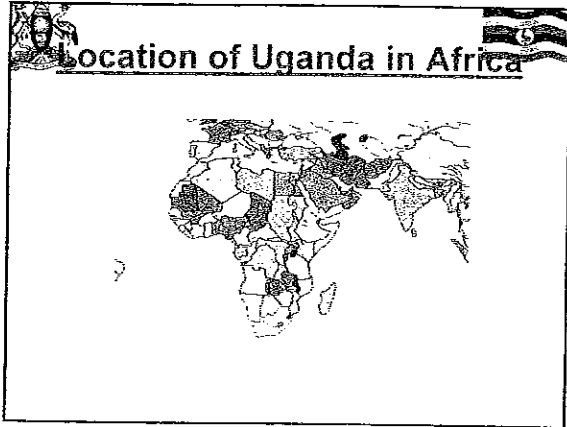
- To enable Uganda to co-operate with the International Criminal Court (ICC) in the performance of its functions, including the investigation and prosecution of persons accused of having committed crimes referred to in the Rome Statute;
- to provide for the arrest and surrender to the ICC, of persons alleged to have committed crimes referred to in the Rome Statute;
- to provide for the various forms of requests for assistance to the ICC;

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- to enable Ugandan courts to try, convict and sentence persons who have committed crimes referred to in the Rome Statute;
- to enable the ICC, where necessary, to conduct proceedings in Uganda; and
- to provide for the enforcement of penalties and other orders of the ICC in Uganda.

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Demonstrated Capability

- Uganda has successfully hosted the Commonwealth Heads of Government Meeting (CHOGM 2007) comprising of 53 Countries.
- The Meeting Brought together 37 Heads of Governments, 14 other Heads of Delegations, and 16 other WWIPs who included Her Majesty the Queen, the Prince of Wales, a Non-Commonwealth Head of State, and Heads of Multilateral Organizations

- In total, 9,717 foreign delegates were accredited for the meeting, of which 904 were from the Media fraternity, 946 attended the Business Forum, 162 attended the Youth Forum, and 2073 attended the Peoples' Forum.
- 42,107 Ugandans were accredited as Organizers, support staff, or as service providers.

THE SECRETARIAT

Immediately a decision is taken in our favour, we shall set-up a Secretariat to perform the following functions;

- Co-ordination and harmonization of activities that are necessary for hosting ICC;
- Strategic planning, management and monitoring;
- Promotion and dissemination of information to stakeholders and the general public;
- Preparation of regular reports/briefs on preparatory activities;
- Enabling participation of civil society.



- The Entebbe International airport has been refurbished and has the following modern facilities:-
 - Terminal Presidential lounge;
 - 2 convertible lounges; Press room;
 - Terminal VIP lounge; 2 holding areas, Press room;
 - The Airport has parking facilities for 90 Aircrafts.
- Entebbe International Airport has Safety standards that are next to none in the entire sub-region, and these were further improved upon in preparation for CHOGM 2007.

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Accreditation Process

- The CHOGM 2007 Secretariat ran an accreditation centre which did all the accreditation without any hitch.
- This developed capacity will be taken advantage of during the ICC Review Conference.
- As Uganda turns to be a conferences' destination, there are proposals to make the accreditation centre a permanent feature.
- The Accreditation will determine access Zones for the different types of delegates

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Current Security Situation

- The country is peaceful and is at peace with all its neighbours.
- The crime rate is very low in Uganda.
- Uganda is ready and has ably hosted similar conferences with meticulous security arrangements.

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Accommodation Arrangements

- The Munyonyo Commonwealth Resort, with 59 Presidential suites was built especially for accommodating Heads of Government during the recently ended CHOGM 2007. This will be used for the ICC Review Conference.
- Delegates to the ICC Review will also take advantage of a further 30 Presidential Suites in various Hotels within the Kampala Central Business District.

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- There are also over 7,000 rooms in Prime Hotels, and another 5,000 rooms in middle level hotels in the Kampala – Entebbe area.
- Additional 3,000 rooms in Prime Hotels will be ready by June 2008.

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Hotel Africana



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Free conference facilities

- Working Room for ASP Secretariat one week before the Review Conference plus duration of Conference.
- Conference facilities for Plenary Sessions with sitting capacity of 2000.
- Working Group Rooms for side meetings and consultations.

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- Translator booths for the six languages including equipment.
- Free Internet facilities in venue areas.
- Printing of badges for delegates.

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Media & Publicity Arrangements

- All the venues have the capacity for establishing a Media Centre, with facilities for print ,electronic, press briefings and capability to telecast and broadcast live for all media houses.

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Transport Arrangements

- Government will provide transport for all V.I.Ps of the Court i.e the President, the Judges, the Prosecutor, Deputy Prosecutors and the Registrar.

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- There will be shuttle transport in between the Airport and Hotels, and between hotel venues.
- There will also be vehicles for hire by delegates for programs outside the official programs.

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Conference Security

- Uganda has the capacity for offering the delegations and participants the necessary security such as:
 - Security screening, X-ray machines, walkthrough and handheld detectors, security vehicles, radio communication.
 - Government will also attach special security escort to all the VIPs of the Court and also provide police lead vehicles to their official transport.

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- Uganda is also teeming with hippos, crocodiles, mountain gorillas, antelopes, etc hence choosing Uganda as the venue for the ICC Review will accord the delegates an opportunity to view the beautiful scenery.
- Uganda, the Pearl of Africa is ready to host the ICC Review Conference in 2010 and I welcome you to enjoy the climate, the landscape, the rivers, and the lakes, but most importantly the hospitality of the Ugandan people.

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I thank you for your kind attention and look forward to meeting you in Kampala.

Venue for the Conference

35. There are in principle three options as to the venue for the Review Conference: New York, The Hague or a third venue. The first location offers conference facilities where most States are represented. The second has been the venue for three sessions of the Assembly. Regarding a third venue, a kind offer has been made by the Government of Uganda to host the Conference.

36. Regarding this matter, States have in consultations welcomed the offer of Uganda since it could help to promote outreach in the region and could have a positive impact on the relationship of the Court with civil society and victims. However, Working Group members have requested additional and detailed information on the exact conditions of the offer by Uganda, especially in terms of security, accommodation, capacity for delegations, media and civil society, etc. Furthermore, it was noted that since not all States are represented in Kampala, or in any other third venue, travel costs would be high for many delegations and the number of delegates per State might thus be more limited than at other venues, especially for developing countries. In this connection, the possibility of creating a trust fund or other mechanism to assist in facilitating the attendance of delegations has also been raised.

37. Finally, the Working Groups have also been of the view that minimum criteria for a State to host the Review Conference should be prepared. States Parties might also wish to consider taking part in a visit to a possible third venue.

38. The focal point would like to highlight that civil society should be ensured possibilities of participation in any venue to be chosen by the Assembly. Moreover, States Parties will benefit from reflecting on how outreach can best be achieved to promote the objectives referred to above with regard to the scope of the Conference.

Final reflections

39. It is apparent that a lot of preparatory work remains to be carried out. However, all States have demonstrated a constructive approach by focusing on what may be both useful and realistic for planning purposes.

40. While there is no legal obligation to convene further Review Conferences afterwards, and although amendments may be adopted later without holding such Conferences, it may for the sake of good order be noted that article 123 of the Statute is unambiguous. Other Review Conferences may be convened at any time thereafter, on the basis of majority decisions by the States Parties. The first Review Conference must therefore not be prepared on the basis of any misperception that this "would be the last opportunity to address a particular issue".

practical purposes it will be necessary to plan for a realistic period of time, while allowing for some flexibility.

21. Against the above background, the focal point recommends that the Assembly decide at its sixth session that the duration of the Conference will be 5 – 10 working days.

Scope of the Conference

22. Article 123 of the Statute provides that the Review Conference shall “consider any amendments to this Statute. Such review may include, but is not limited to, the list of crimes contained in article 5”. Moreover, the Conference may include amendments to provisions of an institutional nature in accordance with article 122 of the Statute. It should be noted that there is only one legally mandatory review to be carried out at the first Review Conference. This concerns the transitional provision in article 124 on deferred acceptance of jurisdiction of the Court for war crimes. With this sole exception, it is entirely up to the States Parties to decide whether other provisions will be reviewed at the Conference.

23. Although Court officials could propose amendments, the Court has yet to complete a full cycle of a trial, and at this stage there is therefore no basis for assuming that such proposals might be forthcoming.

24. Resolution E of the Final Act of the Rome Diplomatic Conference recommended that a Review Conference should consider the crimes of terrorism and drug crimes with a view to arriving at an acceptable definition thereof and their inclusion in the list of crimes within the jurisdiction of the Court. Paragraph 7 of resolution F provided that proposals should be submitted to the Assembly of States Parties “at a Review Conference”, with a view to arriving at an acceptable provision on the crime of aggression for inclusion in the Statute. It should be noted that the crime of aggression is given particular priority, as may be gathered from its inclusion in article 5 of the Statute and from the work currently being carried out by the Special Working Group on the Crime of Aggression, both in the course of various sessions of the Assembly of States Parties and during intersessional discussions. Several delegations have indicated to the focal point that the outcome of this ongoing work will prove to be very important when setting out the agenda for the Review Conference.

25. In general, the criteria set out in article 121, paragraphs 3 to 7, of the Statute are decisive with regard to the assessment of what amendments may be adopted – as confirmed in the draft rules of procedure of the Review Conferences. For all practical purposes, only proposals that command very broad support and which are considered almost by consensus as being “ripe for inclusion” can be included in the Statute.

26. In order to ensure genuine discussion, especially with regard to the crime of aggression, several delegations have indicated the need to avoid setting artificial deadlines for their consideration. At the same time, those delegations have indicated that States should do their utmost to ensure that proposals concerning the crime of aggression enjoy the broadest possible support.

27. Consultations have shown broad agreement that various other topics besides article 124 and the crime of aggression should be discussed at the Review Conference but only if they have broad support among States. With this in mind several States have indicated that the scope of the

inviting comments by 1 October 2007. He asked for the letter to be transmitted, as appropriate, to other colleagues or authorities, to the extent that the issue is dealt with by the latter.

6. In most cases, observations have been conveyed orally and informally. Few States have conveyed written comments. A number of States provided general views, without attribution. Against this background and after careful consideration, the focal point has chosen to reflect general views, rather than identifying the views of any particular States. The focal point is most grateful for expressions of support and for all input received in the course of the consultations.

7. It should be added that a number of States and members of civil society, including the Coalition for the International Criminal Court (CICC), have devoted resources to contributing in a constructive way to preparatory discussions on the future priorities of the Review Conference. Particular reference should also be made to the international conferences organized by the Italian Government in Torino in May 2007 and by the Canadian and Mexican Governments in Mexico City in August 2007. Such initiatives have contributed to enhanced analysis of and dialogue on issues relevant to the Review Conference.

8. It is essential that preparations move forward on a transparent basis and in a spirit of consensus. Various briefings have therefore also been held in relevant international bodies, including before the Legal Advisers' Meeting in New York, during the ordinary session of the General Assembly of the United Nations, in October 2007.

General impressions – broad agreement on fundamental aims

9. The approaches made to the focal point confirm a deep commitment by States Parties to the aims and integrity of the Rome Statute. There is broad support for the proposed goals of the Review Conference of strengthening the Court and protecting the integrity of the Statute.

10. At the same time, it is acknowledged that the Court has been in existence for only a few years. Key procedures have not yet been implemented. This has limited the empirical basis for any discussion of amendments in important areas. A key focus should therefore be on what the Review Conference could usefully do in order to enhance the principles and purposes of the Statute and support for the Court.

Timing of the Review Conference

11. Article 123 of the Statute provides that "the Secretary-General of the United Nations shall convene" the first Review Conference seven years after the entry into force of the Statute. A large number of States favour a pragmatic approach as to the exact timing of the Conference, on the basis of invitations to be sent by the Secretary-General in July 2009. There is a broad wish to schedule the Conference in such a way as to avoid overlapping with regular sessions of the United Nations General Assembly and of the Assembly of States Parties. Holding the Conference in the first half of 2010 may also permit the new Bureau of the Assembly, which is to be elected for a three-year term at the end of 2008, to finalize preparations in 2009. Moreover, there is broad support for allowing time for focused preparatory work to be carried out in connection with the session of the Assembly of States Parties in late 2009.

12. The focal point therefore recommends that the Assembly of States Parties decide at its sixth session that the Review Conference be held during the first half of 2010, on the basis of invitations to be issued by the Secretary-General of the United Nations in July 2009.