



**X Assembly of States Parties to the Rome Statute
of the International Criminal Court**

**Statement by H.E. Ambassador Maria Luiza Ribeiro Viotti
Permanent Representative of Brazil to the United Nations**

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(check against delivery)

Madam President,

I join other delegations in extending a warm welcome to you as the newly elected President of the Assembly of States Parties of the International Criminal Court. I convey to you Brazil's full support and confidence in your leadership as the head of this Assembly for the next 3 years.

As a member of the Bureau for a new term, Brazil looks forward to contributing in a constructive manner to its work. My country is grateful to the GRULAC countries for their support.

Brazil would also like to commend the commitment and dedication of Ambassador Christian Wenaweser, the former President of the ASP. During his presidency, major steps were taken towards the full development and consolidation of the Rome Statute system. The combined efforts of all stakeholders led to a historic outcome in the Review Conference in Kampala, Uganda, last year.

Madam President,

The X Assembly of States Parties has taken a very important step in choosing Ms. Fatou Bensouda as the next Prosecutor. Brazil is proud to be part of a broad number of countries, from all regions of the world, that presented the nomination of Ms. Fatou Bensouda as the only candidate to succeed Mr. Luis Moreno-Ocampo. We are convinced that Ms. Bensouda has all the necessary knowledge and experience to lead the International Criminal Court.

Brazil wishes the new 6 judges who will take office next year every success in the discharge of their judicial duties. The judges of the Court have a decisive role in contributing to the rule of law and to the cause of justice. We are proud to have contributed to this process through the work of Judge Sylvia Steiner, a Brazilian national.

Madam President,

Brazil attaches great importance to the development of international law provided by the Rome Statute, which established the first permanent, treaty-based court to try individuals accused of having committed the most serious crimes of international concern. On the independence of such an important judicial institution lies the foundation of its legitimacy in bringing accused persons before justice, with fairness and with full respect for their rights.

Brazil believes that the values enshrined in the preamble of the Rome Statute are truly universal in nature. This is why we have always been supportive of the Court's universality. In this regard, we note with satisfaction that, in the last months, Cape Verde, Maldives, Tunisia and Vanuatu have joined the Court, bringing the total number of States parties to the Rome Statute to 120 countries. We warmly welcome all of them.

Brazil supports the integrity of the Rome Statute and firmly opposes the exemption from jurisdiction of the ICC of certain categories of individuals. We regret that exemptions were introduced in Security Council resolutions. We made that clear in our explanation of vote regarding the Security Council Resolution 1970 (2011), on the situation in Libya. The notion of selective international criminal accountability is foreign to the values we uphold when advocating for the cause of justice.

Madam President,

The Assembly of States Parties is always a great opportunity to remind all States of our obligation to cooperate with the Court, contained under Part 9 of the Rome Statute. During the past year, the Bureau members of the ASP, concerned with the negative impact that non-

cooperation may have on the Court's ability to discharge its functions, have worked on potential Assembly procedures that may help to bring about cooperation. We hope that this initiative, among others, may contribute to the main goal of the Court, which is to bring justice to all regions of the world.

Madam President,

The X Assembly of States Parties takes place at a very difficult time. The Court is currently facing an unprecedented workload. The ICC is seized of seven situations, and, recently, Pre-Trial Chamber III authorized yet another investigation. The number of individuals subject to proceedings before the Court has also raised significantly.

When discussing the budget, this Assembly should try to find the best balance between, on the one hand, the complex situation of world economy today and, on the other, the need to grant the Court the necessary means for the timely discharge of its judicial functions.

Brazil is of the view that we, the states parties to the ICC, should further explore the options provided for by the Rome Statute to the financing of its judicial activities. This includes, in particular, working closely with the General Assembly of the United Nations with a view to putting into practice Article 115, b, of the Rome Statute, which states that the expenses of the Court shall be provided by funds of the United Nations, subject to the approval of the General Assembly, in particular in relation to the expenses due to referrals by the Security Council.

Brazil believes that the fight against impunity is a responsibility of the international community as a whole. This year we have witnessed an increased willingness of the Security Council to resort to the ICC. This greater involvement of the United Nations with the ICC should be accompanied by greater responsibility of the UN in providing the means for the work of the Court. This is very important because the ICC needs to maintain its capacity to act in an independent manner, in the interest of the international criminal justice.

Thank you.