



The
Federal Government

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Statement on behalf of

Germany

by

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Madame President,
Ladies and Gentlemen,

First of all let me congratulate you, Madame President, for assuming the office of the President of the Assembly of State Parties. I wish you a very successful term. You may count on the loyalty and commitment of the German delegation.

At the same time I would like to extend my gratitude to Ambassador Christian Wenaweser for his outstanding job over the last three years. As President of the Assembly of State Parties you have contributed enormously to the development of the Court. Under your presidency and your leadership the first Review Conference of the Rome Statute in Kampala became a full success.

I also congratulate the newly elected judges, the Prosecutor, the members of the ASP-Bureau and the members of the Committee on Budget and Finance. The success of the ICC highly depends both on the quality of the Court's staff and on the commitment and professional excellence of the elected officials of the ICC.

Madame President,

In 2010 we witnessed the First Review conference in Kampala as a particularly important event for the ICC.

The year 2011 was not less successful for the court. This year we got closer to our goal of universality of the Rome Statute with the ratification of the Statute by Grenada, Tunisia, the Philippines, the Maldives, Cape Verde and Vanuatu. This brings the number of state parties to 120, thus reaching the number of states voting in favour of the Rome Statute in 1998. As Impunity for the most serious crimes can only be overcome by global efforts I am very satisfied by the progress made in this field.

Judicial and investigative activities of the Court have further expanded. The Court has currently opened investigations in seven situations and is conducting three trials with another case pending trial.

The Prosecutor initiated his first investigations under the Art. 12 para. 3 Rome Statute mechanism in Côte d'Ivoire. Just a few weeks ago the former President of Côte d'Ivoire, Laurent Gbagbo, was transferred to The Hague.

Growing confidence in the ICC was also highlighted by the fact that the United Nations Security Council entrusted for the first time unanimously the Court with a mandate to investigate serious crimes committed in Libya.

Ten years ago, nobody would have predicted how fast the International Criminal Court would become a well established independent international judicial institution and a major factor in international relations. Over the years the International Criminal Court has clearly advanced the cause of international criminal justice and has strengthened the rule of law in international relations.

Without any doubt: When it comes to the International Criminal Court the expectations of the public are high. The more important is the fact that the first judgement of the ICC is expected to be delivered early in 2012. Germany is awaiting the judgment with great interest and hopes that others will follow soon.

A fast and effective trial before the ICC is the best way to render justice to the victims of the most serious crimes and to put an end to impunity for the perpetrators of these crimes. Fast and effective trials are also the best way to satisfy the high expectations that the ICC now faces in the international community.

Madame President,

Germany welcomes the progress made by the Court over the past ten years and it is in this spirit that I reaffirm Germany's strong commitment to the Rome Statute and the International Criminal Court before this Assembly.

Today we can say with gratitude and pride that after almost a decade of continuous growth and with the first full judicial cycle nearing completion the start-up phase of the Court has come to a conclusion. The ICC has now reached its full operational level, after a learning process with almost 10 years of experience.

While Germany welcomes wholeheartedly the positive developments, we should not lose sight of the problems and challenges that lie ahead over the course of the next years.

To address these challenges the Assembly has important decisions to make at this year's session. In this respect, I would like to extend my gratitude to the Bureau and to The Hague and New York Working Groups for their great job in preparing the essential issues for the Assembly.

One of the key topics we will have to decide is the annual budget of the Court. In the view of the negative impact that the global financial crisis has on national budgets Germany wants to thank the Committee on Budget and Finance for the excellent analysis of the Court's budget.

Germany shares in particular the assessment of the Committee on Budget and Finance that there is “the need for the Assembly to provide strategic guidance to the Court on how to manage increasing costs from known drivers and new situations”.

In this respect the Assembly will have to discuss over the coming days a number of topics with the clear objective to increase the effectiveness and efficiency of the Court.

New tasks and new duties of the Court cannot simply be responded by ever-increasing additional resources. This is even more true as many of the State Parties are struggling with dire financial and economic challenges.

Asking the Court to show and to make all efforts to set priorities and to reallocate its resources accordingly is not done as an end in itself. It is an attempt to make the Court more efficient, skilfull and lean to enable it to react with flexibility to new challenges now and in the future. We are convinced that this is the best way to make the Court a model of public administration.

Madame President,

As I have mentioned before, Germany remains strongly committed to the Rome Statute and the Court. We will always ensure that the Court will have the necessary funding to fulfill its essential functions.

Like in the past Germany has supported in 2011 the Court and its activities with all means available: I am happy to confirm that - in addition to our assessed budget contribution of 12.3 Mio € - we supported the Trust Fund for Victims with 300.000 € and funded the costs of a legal expert for the Trust Fund amounting to 110.000 €; furthermore, the Trust Fund for Family Visits was financed with 85.000 €.

In recognition of the important role of NGO's in the area of cooperation Germany has funded again many NGO activities promoting international criminal justice. 250.000 € were put at the disposal of NGO's for this purpose.

The German delegation fully associates itself with the statement of the European Union.

Thank you.