



THE REPUBLIC OF SERBIA

TENTH SESSION OF THE ASSEMBLY OF STATES PARTIES OF THE
INTERNATIONAL CRIMINAL COURT
New York, 12-21 December

Check against delivery

S T A T E M E N T

by

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PERMANENT REPRESENTATIVE OF THE REPUBLIC OF SERBIA

14 December 2011

Madame President, Ladies and Gentlemen,

At the outset, I would like to congratulate you, Madame President, the new members of the Bureau, the new Prosecutor Ms. Fatou B. Bensouda and the newly elected judges, on your appointments and to wish you all every success in your endeavors, in which you can count on the full support of my country.

As Serbia aligned itself with the statement made by the representative of the EU, I would like to make a few remarks from the national perspective.

Today, as well as more than a decade ago when it participated in the establishment of the International Criminal Court, the Republic of Serbia is fully committed to this institution. We are perhaps even more confident today that the International Criminal Court is one of those institutions which are necessary for modern humanity and which will make our world a better and more equitable place to live.

The session of the Assembly of States Parties is always an opportunity to look both back and forward. To assess what we have done and in which direction we should proceed. An opportunity to commend the achievements but also to perceive the errors and inconsistencies more realistically.

We who have always believed in the International Criminal Court can today proudly point out that 120 countries, i.e. more than 60 percent of sovereign nations are parties to it. In this respect, we congratulate Grenada, Tunisia, Philippines, the Republic of Maldives, the Republic of Cape Verde and Vanuatu for joining this growing community. We are pleased to note that since the period when it was a project viewed by many with suspicion, the International Criminal Court has grown into a globally respected institution. Only a decade after its creation, the Court is today receiving requests for investigations both from sovereign states and from the United Nations Security Council. In a short time, the Court has become an unavoidable institution when it comes to prosecuting perpetrators of the most serious international crimes regardless of where such crimes were committed and regardless of where the perpetrators come from.

Madame President,

These achievements, however, should not keep us in the belief that the fight for a strong and efficient system of international criminal justice is won. We have underlined on several occasions, as we are doing now, that the fight for a strong International Criminal Court is a continuous process in which there are no final victories. It is a constant struggle in which we must permanently review the goals and impartiality of the institution, its ability to really be effective against anyone who is suspected of having committed the most serious international crimes, regardless of his position, power or nationality.

In the future, the International Criminal Court will be as strong as is the actual support by the States Parties. The complementary system which we have created in Rome involves not only cooperation with the court when the State Party is so required, but also the constant effort in taking steps which may be of benefit to our common institution. I am glad to say that the Republic of Serbia, as a step in that direction and manifesting its full support to the International Criminal Court, in January this year signed with the Court an agreement by which it took an obligation to take over the enforcement of criminal sanctions imposed by the Court. This is only the first of the steps which we plan to undertake in the provision of a concrete support to the Court. We shall continue, together with our friends from the Court, to look for the ways in which the Republic of Serbia could be helpful in this process.

A large number of cases in the modern world where there are indications that crimes against humanity and international law were committed, gives rise to great expectations from the International Criminal Court. Many expectations are directed to the Prosecutor and the Court. These institutions are often seen as the last hope that, after enormous injustice and suffering, justice will still be achieved. Nevertheless, we must not forget that the Court is only *ultima ratio* in the prosecution of such crimes. In order for the

system of complementarity to function, it is necessary to build a strong national judicial system capable of taking over these tasks.

We believe that the next stage of development of international criminal justice system will be characterized by the very efforts directed towards finding the most appropriate mechanisms to enable national judicial systems to take over the tasks imposed by the principle of complementarity. The Republic of Serbia once again offers its help and experience in this area. We are convinced that many countries in this process will, when they come to the situation to apply the positive complementarity model, face such issues which we, as well as the other countries that have been in a similar situation, have faced. Even when a country is ready to try the perpetrators of the most serious international crimes, problems arise. Wishing to contribute to the development of the idea of cooperation among States Parties in exchanging experiences in the trials for the most serious international crimes, the Republic of Serbia will, during the session of the Assembly of States Parties, host the side event „Use of National Experience in Complementarity Capacity Building: Examples From Serbia“.

Madame President,

We are positive that the current session of the Assembly of States Parties will be an important event in the further development of the International Criminal Court. On this occasion, the States Parties have elected the President of the Assembly of States Parties, the Prosecutor and will elect six judges, which is by itself an extremely important event. In addition to expressing gratitude to their predecessors for everything they have done so that the International Criminal Court could grow into a respected institution, we look forward to a new stage in the development of the Court. A stage in which, even more strongly than it has been the case so far, the question of mutual cooperation, assistance and exchange of experiences between the States Parties in the complementarity capacity building will be posed. Cooperation which will enable the countries to build stronger and more competent judicial systems when it comes to trials against perpetrators of the most serious international criminal acts, but also cooperation which will contribute to creating new relationships and new understanding among the countries united in the fight for common objectives. The Republic of Serbia is prepared to make its full contribution to these activities.