

Statement of Ambassador Boubacar Douro Diall,  
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[...] Distinguished participants, Guests, Ladies and Gentlemen:

I am honored to speak before you today at this seminar “International Criminal Court and National Jurisdictions: Perspectives on International Criminal Justice at a Crossroads”.

[...] The usefulness of such a seminar, as I am sure you will agree, lies in the timeliness of the topic and because the Court is of great interest to a lot of people in the world, specifically in Africa, this seminar will be of great interest to all gathered.

As part of our work, we have had to focus on:

- The history of an emerging system of international criminal justice;
- Major innovations resulting from the establishment of the ICC;
- The various organs of the Court, notably the Presidency, the Registry, the Office of the Prosecutor, their missions and ways of functioning.

These fundamental themes have been explored during interactive workshops considering important issues of cooperation, complementarity, legal representation of victims and witnesses.

After five days of fruitful debates, I can say that today the ICC is no longer a secret and as soon as we return to our countries, we will without a doubt relay to others all the information and knowledge acquired.

As it is often said, the ICC needs States to cooperate in order for it to carry out its mission successfully.

As the Court has no police force at its disposal, it cannot accomplish its mission independently. This is why a whole chapter of the Rome Statute is devoted to the ‘general obligation to cooperate’. One of the articles states: “States Parties shall, in accordance with the provisions of this Statute, cooperate fully with the Court in its investigation and prosecution of crimes within the jurisdiction of the Court”.

To respect this general obligation, States parties will have to adapt their national legislations to properly answer any cooperation request from the Court.

With regard to the complementarity principle, the judicial sovereignty of each State party is acknowledged as well as its obligation to take measures against any perpetrator of crimes within its jurisdiction. The International Criminal Court can only prosecute if the state is not capable or willing to do so.

The ICC will probably not prevent every humanitarian tragedy in the world; the news shows how difficult prevention is. However, the ICC shows that there exists a shared will to end impunity.

As a permanent jurisdiction, the ICC is a threat for all those who might commit war crimes, crimes against humanity and genocide.

Therefore, the ICC can be considered an important step forward in the history of international criminal justice.

Another step forward is the fact that victims have the right to participate in the proceedings and can benefit from a compensation system, while the witnesses who are at risk of being threatened or traumatized are protected.

[...] My remarks are not meant to tell you everything about the Court, I merely wish to give you an overview of the main points debated.

Although the Court has evolved considerably, the Court still faces a lot of challenges. The ICC is our Court, we set it up ourselves. We have to support it.

To conclude, I would like to thank, once again, all the officials who have contributed to the organization of this seminar.

I would also like to thank all the participants, speakers, facilitators, as well as the Director of the Judicial training center and his employees for their availability and their commitment thanks to which the seminar was successful.

Wishing you a safe trip back to your respective countries, I would like to make a wish: may the conclusions of our works not finish in the drawers of our desks.

Thank you for your attention.

Dakar, 11 December 2009

Translation from the original French is unofficial, informal and provided by the CICC Secretariat. The full-length original language version of this speech is accessible online at [http://www.iccnw.org/documents/Mali\\_Speech\\_Seminar\\_Dec\\_2009\\_fr.pdf](http://www.iccnw.org/documents/Mali_Speech_Seminar_Dec_2009_fr.pdf)