

Statement By
Honourable Yatindra Nath Varma
Attorney General of the Republic of Mauritius
To the International Criminal Court Review Conference
1 June 2010

Mr. President,

Excellencies,

Ladies and Gentlemen,

On behalf of my delegation, and in my own name, I wish to congratulate you, Mr. President for convening this first Review Conference to the Rome Statute and hope that under your leadership and guidance we will arrive at a fruitful outcome reflecting our common aspirations for international peace and justice. You may rest assured of the full support and cooperation of my delegation.

I avail myself of this opportunity to express our deep gratitude for the warm hospitality extended to my delegation by the Government and people of Uganda.

My delegation associates itself with the statement made by Hon. Amos Wako, Attorney General of Kenya on behalf of the African States Parties to the Rome Statute.

Mr. President

This Conference is a landmark event. It does not only provide an opportunity for the first time to States Parties to review the provisions of the Rome Statute since its entry into force in 2002, but allows us to engage in a stocktaking exercise with respect to cooperation, complementarity, the impact of the Rome Statute system on victims and affected communities, and peace and justice. It will no doubt help improve the implementation of the Rome Statute and strengthen the jurisdiction of the International Criminal Court.

As regards the proposed amendments to the Rome Statute, we are happy to note that an agreement has been reached on the definitional concerns on the crime against aggression and we hope that we will strive at this Review Conference to reach a broad agreement on its jurisdictional operation. Additionally we also look forward to have fruitful discussions on the amendments proposed to article 8 and article 124. Mauritius supports the amendments to article 8 which aims at extending the criminalisation of the use of certain weapons, which cause unnecessary suffering, to situations of internal armed conflicts.

Mr. President,

Even though the International Criminal Court has been fully operational for only a few years, it has been able to carve itself a rightful place in the field of international criminal justice. However the ICC has yet to achieve universality. It is hoped that this review conference will create the added impetus for more countries to adhere to the Rome Statute.

Mr. President,

I wish to seize the opportunity of this Review Conference to reaffirm the commitment of the Republic of Mauritius to the Rome Statute and the ICC. In fact, the Prime Minister of the Republic of Mauritius, Dr. the Honourable Navinchandra Ramgoolam, in his address to the 64th Session of the UN General Assembly last year, clearly conveyed our strong support to the International Criminal Court.

Mauritius has already set in process the formulation of an implementing legislation and a draft Bill is under preparation.

As a democratic State and as a State which upholds the protection and promotion of human rights, and which adheres to the core principles including the rule of law, peace and justice and human dignity, Mauritius shares the view that the international community has to put an end to impunity for serious crimes against humanity. Also, we do not subscribe to any attempt to undermine the legitimacy of the Court or its judicial processes in respect of the situations before it.

In the preparatory process leading to this Conference, there have been some voices of disagreement regarding the ICC, its interaction with the UN Security Council as well as its structure and operation procedures. However, I believe there is common view that the Court needs more and not fewer allies. What it needs is not only the means to exercise its independence in bringing to justice the perpetrators of the worse crimes against humanity but also to be able to do so without compromising its impartiality. The unfounded lingering perception of double standards and inequality in international criminal justice deserves our close attention. As we debate the proposed amendments in the days to come, let us bear this in mind.

Mr. President,

Thirty African States are members of the Rome Statute and as such represent the largest regional grouping within the ICC. The Court is presently seized with cases of crimes committed in five African countries. Given this situation, Africa legitimately expects to have its voice heard and equally the voices of the numerous victims should not be left unheeded.

Thank you, Mr. President.