

**Speech H.E. Ms. M.W.J.A. Tanya van Gool, Ambassador of the Kingdom
of the Netherlands to the Republic of Suriname**

on the occasion of

**Parliamentary Regional Seminar:
International Security: the Role of the International Criminal Court (ICC)
6 June 2008**

Mr President, Excellencies, Mrs Wijdenbosch, Ladies and Gentlemen,

In my capacity as Ambassador of the Netherlands to Suriname, I am honored to address you at this seminar on the role of the International Criminal Court with regard to international security.

At this stage I would like to congratulate mrs. Wijdenbosch for successfully organising this important meeting in Suriname. The Netherlands is gladly associated with this event.

Within the international community over the past two decades we have witnessed important steps in the development of international justice. Those who commit war crimes, crimes against humanity and genocide can no longer enjoy impunity. An ultimate remedy is in place. The adoption, ten years ago, of the Statute of the International Criminal Court is widely regarded as one of the most important achievements in international law since the UN Declaration on Human Rights.

The international community has recognised that there exist rules and principles of universal validity that apply to all. The ICC Statute is a powerful reflection of that universal recognition.

Mr President, Ladies and Gentlemen,

The full effectiveness of the ICC will only be realised upon universal accession to the ICC Statute, and implementation of the Statute's provisions into national law. All States should be part of the world-wide effort to strengthen international humanitarian law. As the former Secretary General of the United Nations, Kofi Annan, said: "The ICC is a building block in the global architecture of collective security".

The Netherlands in close cooperation with its EU partners and other like-minded nations, like Canada, New Zealand, Trinidad and Tobago as well as with many other states and non-governmental organizations, has from the very outset been in the fore-front of the negotiations resulting in the Diplomatic Conference in Rome in 1998. The Netherlands government was pleased with the results of that Conference and immediately offered to host the organisation's seat in the legal capital of the world, The Hague.

The ICC has now, ten years after the Statute's adoption, been firmly established in its premises in The Hague for over 6 years.

The Court is continuously on the international agenda dealing with hugely important cases from areas of conflict. Only recently a high profile arrest was made in the Democratic Republic of Congo. This person was consequently detained in The Hague for further prosecution by the Court.

The ultimate goal of the ICC, obviously, is to end impunity for the most serious crimes known to mankind. Key to that goal is, first and foremost, that national jurisdictions exercise jurisdiction over those responsible for international crimes. Only in situations where States are unwilling or genuinely unable to investigate and prosecute such crimes, the ICC may be in a position to do so.

Thus, under the Rome Statute, the ICC is complementary to national criminal jurisdictions.

The ICC was not intended to replace the jurisdiction of States so long as they operate properly. States do not only have a right but also a duty to exercise national jurisdiction over international crimes. It is the „last resort“ court for the prosecution and trial of alleged perpetrators of international crimes. The Prosecutor of the ICC, mr Luis Moreno Ocampo, put this notion very aptly when he once said: “The efficiency of the ICC should not be measured by the number of cases that reach the Court, but rather by the absence of trials by the

ICC as a consequence of the effective functioning of national systems”.

It is an honour for me to congratulate Suriname on behalf of Government of the Netherlands on its intention to soon accede to the Treaty of Rome. Suriname will hopefully be the 107th State Party to the ICC. A universal ICC has once again come one step closer.

With this accession, Suriname follows in the footsteps of other CARICOM member States. It was of course the former president of Trinidad and Tobago, who played an important role re-establishing the dialog within The United Nations on a permanent criminal court which eventually led to the diplomacy conference in Rome in 1998.

In Suriname the ICC is regarded in high esteem. And rightly so!

You, Mr President, as well as member of Parliament and PGA member, Mrs. Wijdenbosch, and many others in politics and within the administration did an important job in working towards consensus in Suriname. The support for the International Criminal Court is wide spread in this nation.

Suriname will continue to work on its legal framework in order to be able to fulfil its duties arising from the Statute.

The Netherlands, as host country of the International Criminal Court, continues to offer support and to share its experiences with all nations, where requested and appropriate.

Mr. President, esteemed participants,

The well renowned US Chief Prosecutor in the Nuremberg trials and staunch supporter of the Court, Ben Ferencz, said it clearly and loudly:

“The best way to assure that human rights will prevail over human wrongs is to clarify and enforce international law for the protection of all. The rule of law remains the best hope for the protection of human kind”.

In conclusion and with these wise words, I wish you all a fruitful meeting on this important subject.

Thank you.