

**REMARKS BY HON. GEORGE KUNTU BLANKSON, MP &
SECOND DEPUTY MAJORITY CHIEF WHIP OF THE
PARLIAMENT OF THE REPUBLIC OF GHANA ON GHANA'S
POSITION ON THE ROME STATUTE OF THE
INTERNATIONAL CRIMINAL COURT HELD IN MONROVIA,
LIBERIA ON 9TH FEBRUARY, 2011**

Hon. Chairman
Hon. Colleagues from other Parliaments
Ladies and Gentlemen

Hon. Chairman, thank you very much for this unique opportunity to make these few remarks on Ghana's position on the ratification of the Rome Statue on the International Criminal Court.

Hon. Chairman, permit me to convey to the Forum the warm compliments of the Speaker of Parliament of Ghana, Rt. Hon. Joyce Bamford-Addo and the entire Membership of the Parliament of the Republic of Ghana.

Hon. Chairman, the idea of a permanent International Criminal Court was conceived of with the aim of establishing a court with universal membership coupled with the mandate to exercise universal jurisdiction, thereby ensuring that no individual in any state will be left behind or beyond the reach of international criminal justice. This therefore demands that we sustain the efforts at attaining the goal of universality of the Rome Statute, if the progress made at the Kampala Review Conference is to be consolidated before and after 2017. Ghana as a Party to the Rome Statute has thrived and worked tirelessly towards the achievement of this goal through its permanent missions in the Hague and New York.

Hon. Mrs. Betty Mould Iddrisu, the then Attorney-General of Ghana said in her statement to the first Review Conference of the State Parties to the Rome Statute of the International Criminal Court in Kampala, Uganda from 31st May to 11th June, 2010 that:

“Ghana is pleased to be participating in this first Review Conference which offers an opportunity to re-affirm our commitment to fighting impunity by ensuring individual accountability for the most serious crimes of concern to the international court, namely war crimes, crimes against humanity, genocide and the crime of aggression through adherence to the values and principles of the Rome Statute”.

Hon. Chairman, in our view, the principle of complementarity which says that the ICC shall be a court of last resort when competent national jurisdictions are unable or willing to act, means combating impunity and ensuring individual responsibility should start at home while being equally concerned about the situations beyond our borders.

Hon. Chairman, Ghana has decided to reactivate the National inter-Agency Task Force for the implementation of the Rome Statute. Among other things, the Task Force will review the necessary steps to incorporate the Rome Statute into the Municipal law’ given due consideration to the need to conclude cooperation and enforcement agreements with the ICC as well as ratifying the Agreement on the privileges and immunities of the ICC.

Hon. Chairman, incorporating the Rome Statute in domestic jurisdictions will help harmonize standards for prosecutions in national jurisdictions. The Government of Ghana, in collaboration with parliament shall endeavour to accomplish these objectives by the end of this year.

Hon. Chairman, Ghana is mindful of the fact that the Rome Statute is basically aimed at individuals responsible for perpetrating the most serious crimes of concern to the international community. However, even with the best of intentions the reality is that given resource, including time, constraints, it would be difficult for any court to bring all perpetrators to justice. This reality speaks of the need to pay attention to preventive measures by addressing the root causes of some of these crimes.

In the African Union Hon. Chairman, the principle of non-interference which is expressed in Article 4 of the Constitutive Act as the right of the Union to intervene in a Member State in cases of war crimes, crimes against humanity and genocide, as well as the Peer Review Mechanism are some of the tools intended to deter and prevent such crimes and promote the rule of law. Thus, our efforts to call on alleged perpetrators to account must go hand in glove with technical assistance to improve the capacity of national authorities not only to prosecute, but to prevent Rome Statute crimes.

Hon. Chairman, at the 9th Assembly of the State Parties to the Rome Statute held in New York from 6th to 10th December, 2010, Ghana's delegation again reiterated Ghana's stand on the domestication of the Rome Statute into our Municipal Law. Ghana, with other State Parties ratified and adopted the definition of the crime of aggression and other amendments adopted in Kampala. Ghana concluded her statement by calling on the State parties to uphold and accord equal attention to all the key pillars and principles underpinning the Rome Statute. These are complementarity, cooperation and the independence and impartiality of the court. There is also the need to sustain the momentum in promoting the universality of the Rome Statute.

Hon. Chairman, the Memorandum to international Criminal Court Bill, 2009 is the crystallization of Ghana's stand on the Rome Statute (copy available). The object of the Bill states:

“the object of the Bill is to give effect to the implementation in Ghana of the provisions of the Rome Statute of the International Criminal Court (ICC)”.

Hon. Chairman, we have come a long way since the signing of the Rome Treaty in 1998 and consequent of the International Criminal Court in 2002. The success so far attained could not have been possible without the untiring efforts of individuals, groups, civil society and the President and Officials of the court, who have dedicated themselves to the course of International Criminal Justice into the fight against impunity. This then Hon. Chairman is the stand of Ghana.

Thank you all for your attention and may God bless us all.