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Madam President, Members of the Commission, Ladies and Gentlemen;

It is a privilege and honor for me to address you today. To the best of my knowledge, this is the first time that the OTP engages with the Commission and it is my fervent hope that today marks the beginning of a long and constructive engagement between the Commission and the ICC. The protection of human rights is a shared aspiration that should strengthen institutional relations between our respective organizations.

I bring greetings from Prosecutor Fatou Bensouda. You may recall that just over a year to date, Madam Bensouda was elected the first African woman Prosecutor, following her nomination and endorsement by the African Union as Africa's sole candidate. In her acceptance speech, Madam Bensouda thanked the AU for its support, but stressed that she would be prosecutor for all the 120 States Parties that elected her. Above all, she undertook to carry out her mandate independently, impartially and fairly, guided by nothing but the law and the evidence in support of any decisions she takes. She assures you that she will not falter in her commitment to uphold the law.

Madam President,

The ICC represents hope for the aspirations of the millions of victims of what its founding document- the Rome Statute, defines as crimes that shock the conscience of mankind- the most atrocious crimes that should never go unpunished. It is the first ever permanent judicial institution designed to contribute to ending impunity by investigating and prosecuting those responsible for these crimes. It is a treaty based institution that States join voluntarily. It is not part of the United Nations, neither does the UN or any of its Organs have a say in how it conducts its judicial activities. The role of the UNSC in referring and deferring cases was agreed to in Rome and is prescribed by the Statute.

Let me highlight to you some of the key features of this first permanent judicial institution:

Firstly, the ICC is not intended to replace national courts- rather it is designed complement national judicial systems as a court of last resort, only interfering if national judicial systems are either unable or unwilling to investigate and prosecute crimes. First and foremost, the duty and responsibility to investigate and prosecute crimes is with States and ICC will not intervene where States are investigating and prosecuting themselves. The sad reality in our Continent is that States have failed to take up this responsibility. In all situations currently under investigation, sadly all of them in Africa, African States invited the Office to intervene, either because they were unwilling or unable to investigate. The challenge for Africa is to build and strengthen national capacities to genuinely investigate and prosecute these crimes when they occur.

Secondly ICC can only investigate if crimes are committed in a country that has signed on to the Rome Statute, or if such crimes are committed by a national of State that has signed on to the Statute. Simply put, the rules of the ICC Club only apply to Members of the Club. Like any Club, everyone is free to join the Club and to agree to be bound by the rules, but no one can be forced to join. The rules of the Club do not apply to non -members and it is unjustifiable for Members to cry foul if non- members are not affected by the rules. The challenge is for Members to persuade those outside to join the Club-Even if there are legitimate concerns with how the rules apply, walking out of the Club is not a solution.

Thirdly, ICC only investigates serious crimes described in its Statute and committed after July 2002, the date on which the Rome Statute entered into force. These well-defined crimes are genocide, crimes against humanity and war crimes, all of which are internationally considered to be so atrocious that their punishment is the responsibility of all peace loving nations. They involve large scale killings, displacements, rapes and abductions of young boys and girls as soldiers and sex slaves, amongst others.

The last feature of the Institution is that cooperation of States is key for its success. All activities of the Court are predicated upon timely, meaningful cooperation and support of States and Civil Society. Areas of support include facilitating access to evidence and information, protecting witnesses, arresting those against whom warrants have been issued and providing prison facilities for those convicted by the Court. The good news is that cooperation of African States with the ICC has never faltered even as skeptics spell doom for the Court. This is encouraging and cooperation must be strengthened. Indeed victims of crimes committed in many parts of Africa deserve no less- even as we speak today, we hear of atrocities being committed in Central African Republic-ICC investigations in such situations target impunity and seek to bring justice for thousands of victims of these crimes.

Victims are the reason for ICC's existence, victims are the reason that ICC staff risk their lives to go into war zones to seek evidence to bring perpetrators to justice, victims are the reason the witnesses sacrifice their lives and those of their loved

ones to come forward to help judges uncover the truth in a fairly impartially and independently, adhering to the highest standards of respect for the rights of accused persons - Above all, victims should be the umbilical cord that joins us together as their only voice, their only hope.