

Asser Institute Lecture – 9 September 2015

International criminal law – a personal note on its practice and current challenges

Introduction

I would like to begin by thanking Dr Christophe Paulussen – Christophe – for so kindly inviting me to give this year's Asser Instituut lecture on supranational criminal law – more specifically, in my case, *international* criminal law.

I would also like to thank all of you for coming out on such a lovely evening in The Hague to hear me.

In keeping with Christophe's suggestion, I'll approach the practice of international criminal law and its current challenges from a very personal perspective.

I hope my experience, and the anecdotes and observations I offer you, will provide some insight into how it all works.

I will draw on my experience with the International Criminal Tribunal for Rwanda, or ICTR, and the International Criminal Tribunal for the former Yugoslavia, or ICTY, to explain how this prepared me for my current work as Deputy Prosecutor for the International Criminal Court.

I will then speak about some of the challenges the ICC faces as the first permanent international criminal court.

An overview

For over 30 years, I served as Crown counsel in Toronto, Ontario, Canada, conducting criminal prosecutions at all levels of court and handling criminal appeals on behalf of the prosecution.

In my later years, my practice was exclusively before the Court of Appeal for Ontario and, on occasion, the Supreme Court of Canada.

I met Judge Richard Goldstone in 1996, who was then the Prosecutor for the ICTY and the ICTR, when he was passing through Toronto, and he intrigued me greatly by mentioning the Canadians working for him at ICTR.

Who were these Canadians doing such challenging work in Rwanda, I wondered?

I had appeared before Louise Arbour, when she was sitting as a judge of the Court of Appeal for Ontario, and so when she was appointed Prosecutor for the ICTY and the

ICTR to succeed Judge Goldstone, I offered her my congratulations – and couldn't resist asking her whether she needed any prosecutors.

It was really through Louise Arbour that I got into international criminal law: my background as a criminal prosecutor and appellate counsel helped get me a post as Senior Trial Attorney at the ICTR, but my ability to speak French – a great advantage in the Rwanda setting – really made it possible.

I served at the ICTR in Arusha, Tanzania, as a Senior Trial Attorney, leading the prosecution team that handled the first trials there, and then as the first Chief of Prosecutions at the ICTY in The Hague.

I had gone to work for the UN international criminal tribunals on an unpaid leave of absence from my office in Toronto.

I returned to my work as Crown counsel in Toronto, but later found myself back at ICTR, in Arusha, this time to head up the appeals section in the Office of the Prosecutor.

After three and a half years in Arusha, I returned once again to my work in Toronto.

The experience at ICTR and ICTY was essential preparation for the ICC.

Once I was elected Deputy Prosecutor of the ICC by the Assembly of States Parties to the Rome Statute, I retired from my position as Crown counsel in Toronto and assumed my current duties here in March 2013.

Let me return, however, to that first experience of international criminal law, which was at the Rwanda tribunal.

First experience: ICTR

Coming from domestic criminal law practice in Toronto, what I encountered before the Trial Chambers in Arusha was familiar, yet different.

Trial procedure was adversarial in nature, which was comfortably familiar, but the procedural regime was blended, containing features of the inquisitorial, "civil law", system that were unfamiliar.

All of us coming to the ICTR had to adapt to a new system, and the best approach was to be open-minded and willing to adjust our thinking.

We employed the same core skills acquired over years and maintained the same ethical standards, but had to realise that there were other ways of doing things than what we may have grown used to at home.

In addition, for those of us from outside Africa – and even for those from countries in Africa outside of Rwanda – we had to adjust to entirely new environments and new cultures in Rwanda and in Tanzania.

While I came to ICTR as a seasoned advocate, I had to start all over again to build a reputation and win the trust of the judges, before whom I was appearing for the first time.

Let me illustrate what was so fresh about it all, with a couple of anecdotes.

Even before I arrived at ICTR, I heard about Trial Chamber I's ruling that counsel could not raise objections in court to questions being put to a witness by the party opposite.

Objections were a normal part of the conduct of criminal trials that I was used to, so the ruling seemed to me odd indeed.

I note, by the way, that no such rule obtained in Trial Chamber II at ICTR.

Trial Chamber I was presided over by the President of the ICTR, a very fine judge from Senegal – who was from a "civil law" jurisdiction.

Trial Chamber II was presided over by a very fine judge from Tanzania – who was thus from a "common law" jurisdiction.

Could the difference in legal culture of the two presiding judges go some way to explain the different approach taken by the Trial Chambers to the matter of objections?

This was very possibly the case.

However, when I got to court myself, I began to understand what was at play – at least, this was my take on the process: the Rules of Procedure and Evidence at the ICTR made the judges responsible for ensuring the proper and fair examination of witnesses.

At home, an objection to a question put to a witness required counsel for the party opposite to justify the question, and the presiding judge would then rule on the propriety of the question.

In Arusha, however, before Trial Chamber I, an objection didn't put counsel opposite on the spot – rather it seemed to call into question whether the presiding *judge* was doing his job to ensure a proper and fair examination of the witness.

This did not go over well, as a matter of legal culture, so objections were unwise.

In the end, I have to say, the president of Trial Chamber I ensured an orderly and fair examination of witnesses – even without the intervention of objections by counsel.

In Trial Chamber I, I was also instructed not to use leading questions in cross-examination.

In the adversarial system I grew up in as counsel, close-ended, leading questions in cross-examination were an essential and effective technique used to test the accuracy and reliability of the witness's testimony.

I really didn't understand the instruction, taking it to mean that I was not to put words in the witness's mouth or to be unfair in the way I framed my questions, so I just carried on as I would have done at home and I never did get into trouble.

I should add that the same rule was applied by a Portuguese judge presiding at a trial before the ICTY in The Hague – again, an approach taken by a judge coming from the civil law inquisitorial system that was unusual for those of us with a common law adversarial background.

Nevertheless, my teammate in Arusha, Pierre Prosper, used cross-examination to devastating effect before this same ICTR Trial Chamber I when he confronted the accused Akayesu with significant contradictions between his trial testimony and his prior statements given to investigators from the Office of the Prosecutor.

Although the statements of the accused were disclosed to defence counsel beforehand, one suspected that, coming as they did from inquisitorial systems, they were unfamiliar with just how dangerous such inconsistencies could be in the hands of a skilled cross-examiner.

Cross-examination also had an impact on witnesses who were unused to it: for example, the Dutch police forensic expert I called as my first-ever witness in a trial before the ICTR had never been subjected in the Netherlands to cross-examination by defence counsel – he did well in Arusha, nonetheless, and told me he enjoyed the experience, because it forced him to defend his work and explain what he had done.

There was also a French psychiatrist who was called in another case by the defence and who regretted, I believe, ever testifying after the cross-examination we subjected him to – it was a fair cross-examination, but he had gone a little too far out on a limb in his evidence and the cross-examination made plain to the Trial Chamber just how precarious his position was.

There were some wonderful misunderstandings too, due to differences in legal culture.

In the *Akayesu* trial, when he performed what the French call *la réquisitoire*, Pierre Prosper summed up the prosecution case for guilt, but said nothing about sentence.

Rwandan journalists rushed me afterward, wanting to know why the Prosecution hadn't sought any sentence: they were astonished.

This came as a complete surprise to me, and I explained that the Trial Chamber first had to determine guilt or innocence before we could deal with sentence, and sentencing would be the subject of a separate hearing.

This was not how things were done in civil law systems, such as that inherited in Rwanda from Belgium, and, until I explained the situation to them, the lack of any reference to sentence in the Prosecution's closing argument caused consternation among the Rwandan journalists following the case.

The rules were later amended to allow the Trial Chambers to deal with issues of guilt or innocence and sentence all at once.

This always felt a little uncomfortable for those of us who came from a common law background, but was perfectly normal for our civil law colleagues.

In another case, we objected to the admissibility of expert psychological evidence that the accused were "bons pères de famille" on the ground that this was simply good character evidence dressed up in scientific garb.

In the end, the judges let the evidence in, as going to sentence, and the French defence counsel later explained to us that at home it would be counted as negligence if defence counsel did not adduce such evidence in a serious case.

So, we all stumbled toward an understanding of one another and the blended system that governed our proceedings at ICTR.

In common law criminal law systems, there are fairly strict rules governing the hearsay use of evidence, given the importance attached to the ability to test the testimony of witnesses through effective cross-examination.

I discovered at ICTR and at ICTY a much more relaxed approach to hearsay evidence: it was up to the judges to weigh it and accord the value they thought appropriate.

While hearsay was easily admitted, it was, however, rarely given much weight.

Gradually, over time, prosecution lawyers stopped prefacing their remarks at meetings with the words, “Well, in my system, we...”, and then going on to say how matters were handled in their familiar domestic legal systems.

We all began to understand that we were part of something new, a blended legal system combining elements of the world’s major legal systems into a unique system with its own logic and its own genius.

This was an important psychological barrier to break through, and you see how helpful it was to cut through it when you encounter new recruits at the ICC who come from the ICTY or the ICTR.

They have already been schooled into a blended international criminal justice system and adapt quickly to the ICC and its trial practice.

It is the plight of the people who suffer the impact of horrendous crimes that move us to action.

Everyone involved in the investigation and prosecution of war crimes, crimes against humanity and genocide is affected by the human tragedy such crimes create.

In the end, for an investigator or a prosecutor – and likely even for defence counsel and their investigators – it all comes down to the individual experience of the witness you are interviewing or examining in court.

It is at the level of individual experience that one really feels the terrible human cost of the crimes that are the core concern of international criminal justice.

At ICTR during my time, we always went to the safe house to speak to our witnesses following their testimony.

We saw the impact of the trial upon individuals, who had survived the genocide, and were now caught up in the judicial process.

Some had never thought to see the accused in the prisoners' dock.

It had been unimaginable to them that anyone would ever have to pay for the horrors perpetrated.

Others expressed their sense that the judges had heard them and understood what had happened – this was important to them.

On one occasion I was back in Kigali, Rwanda, and spotted across the street a witness I had called in a trial, who was a protected witness.

I wasn't sure just what to do – I did not want to acknowledge him and possibly blow his cover.

However, when the witness saw me, he came across the road to embrace me!

We were, I think, deeply affected by our witnesses – their courage, their stoicism, and their willingness to tell what happened.

Whatever other sources of evidence we use, the testimony of individual victims and witnesses will always be essential to do justice in these cases.

Another valuable experience that served to prepare me for my current job was working with a multi-cultural, multi-disciplinary team.

Coming from a country, such as Canada, which has a population of astonishing diversity, it was fairly easy for me to adapt to such an environment at ICTR and ICTY.

On my trial team at ICTR, I worked with colleagues from America, Germany, Tanzania, Madagascar, the DRC, and other countries – we were all engaged in a common effort.

We learned from one another and supported one another.

We adapted to a new environment and a blended legal system, finding language to express underlying principles in a way that was accessible to all.

Later, I went on to ICTY to serve as Chief of Prosecutions, entering a new environment in a different role.

I returned to Canada, but several years later was back in Arusha to help set up the appeals section in the Office of the Prosecutor of the ICTR.

Until then, ICTR appeals had been very competently handled by ICTY appeals counsel; but the UN Security Council split the Office of the Prosecutor and appointed Hassan Jallow as Prosecutor for ICTR.

Thus, a new appeals capacity for ICTR had to be established.

It was exhilarating and rewarding work.

We had a small team that grew over time.

We developed a powerful work ethic and an attitude of mutual support.

The productive multinational team that coalesced as one was composed of counsel and support staff from Canada, Australia, Belgium, Uganda, Rwanda, Kenya, South Africa and Burundi.

We had to cater to a mixed appellate Bench and were always careful to attend to the sensibilities of judges drawn from both common law and civil law backgrounds.

We engaged in joint training with ICTY and the ICC to develop the skill and motivation of our people.

We enjoyed a very good rate of success before the Appeals Chamber.

This whole experience, of course, was grist to the mill for me and for others from that team who now find themselves toiling at the ICC.

Before I leave these first experiences, I would like to mention one decision that we won from the Appeals Chamber that still resonates in Rwanda.

When I returned to Arusha in 2004, ICTR prosecution teams were still having to prove that genocide occurred in Rwanda in 1994 as part of their case against the accused.

We pushed one of the Trial Chambers to take judicial notice of the fact of genocide in Rwanda in 1994.

When the Trial Chamber refused to do so, we got leave to appeal the decision to the Appeals Chamber.

We were successful in the appeal.

In the decision in the *Karemera* case, the Appeals Chamber held that Trial Chambers were now obliged to take judicial notice that genocide of the Tutsi ethnic group occurred in Rwanda in 1994.

The only issue now for Trial Chambers was whether, or not, the individual accused played a role in that genocide.

It's a decision that I have always been proud of.

I was amazed to hear Rwandans citing that decision even now, when I attended an ICTR symposium late last year in Arusha.

The decision on judicial notice thus resonates to this day in Rwanda.

It was an important legal decision, but significant too for many other reasons.

There were other decisions we got in our appeals that gave us satisfaction, but I will leave you with that one decision on judicial notice.

The ICC and the challenges it faces

Let me come now to the International Criminal Court and the challenges it faces in administering international criminal justice under the Rome Statute.

The ICC deals with multiple situations, each one of great complexity.

It is a judicial institution operating in a highly politicised world, where the stakes are very high.

For many reasons, the ICC – the first permanent international criminal court – is different from the UN *ad hoc* tribunals, but the experience gained there has been of enormous value to those of us who have come to the ICC from the tribunals.

We are used to operating within a blended procedural regime.

We are used to collaborating in a multi-cultural, multi-disciplinary environment.

We know the value of teamwork.

We are flexible and adaptable, and able to adjust to different situations.

In many ways, it is a small “family” that does this work – many of us know one another from our previous work.

In the Office of the Prosecutor at the ICC, we have been striving to improve the quality of our work on all fronts.

For the Prosecution Division, this has meant, among other objectives: building the confidence of the judges in us and winning their trust; striving for excellence in the way we handle trials and appeals; and developing the leadership capacity of our Senior Trial Lawyers, who head up the integrated investigation and prosecution teams.

The Investigations Division collects evidence from a multiplicity of sources, through witness interviews, exhumations, mapping, photography, documents collection, cyber investigations, criminal evidence and pattern analysis, development of leads, and so on – each situation our investigators confront is unique.

We have developed consistent and coherent approaches to evidence collection, once again striving for quality.

We continue to develop relationships in-country, in order to understand the context and the principal actors and to overcome linguistic and cultural barriers.

There is also an essential diplomatic side to our work, which is handled by the Jurisdiction, Complementarity and Cooperation Division, or JCCD.

Within JCCD, the Situation Analysis Section analyses information concerning situations around the globe to determine matters of jurisdiction and admissibility.

It performs a “gatekeeper” function for the Prosecutor.

Before the Prosecutor opens any investigation, the situation of concern goes through a process of preliminary examination.

This is not an investigation, as such, but rather a process of gathering and sifting available information to determine whether a reasonable basis exists to open an investigation and whether the case would be admissible before the ICC.

Under the Rome Statute, the ICC is “a court of last resort” – our jurisdiction is complementary to that of States, which have the primary responsibility to deal with Rome Statute crimes.

We can only intervene where national authorities either cannot or will not discharge their primary responsibility under the Statute to investigate and prosecute war crimes, crimes against humanity or genocide, as the case may be.

We have to determine whether national authorities are taking action in a genuine way, as part of the preliminary examination process.

We encourage them to do so, taking what we term a “positive approach to complementarity”.

The International Cooperation Section, which is also part of JCCD, supports the efforts of the Situation Analysis Section and also the work of the investigation and prosecution teams.

It handles vital diplomatic tasks and develops understandings and agreements that will allow us to operate effectively in situation countries.

To carry out our work, we have created Integrated Teams that combine elements and skill sets drawn from the Prosecution Division, the Investigations Division and the International Cooperation Section of JCCD.

These teams are led by Senior Trial Lawyers under the general direction of the Prosecutor and her Executive Committee and with the support of the Divisions.

As Deputy Prosecutor, I am responsible to the Prosecutor, Fatou Bensouda, for the overall management of the three Divisions I have mentioned, each of which has a Director at the helm.

I have focused in my remarks upon the Office of the Prosecutor, but I should mention that dynamic change has also been occurring within the ICC’s Registry and judiciary.

We have a new Presidency at the Court and a number of new judges.

The Registrar is just completing a project to streamline and rationalise the organisation of the Registry, which provides vital services to the Court, from human resources support to courtroom services to witness protection.

Senior management of all three organs of the Court work well together and seeks to coordinate planning and activities.

We live in challenging, but exciting times.

Before I come to the challenges the Court faces today, I should mention one special feature of the ICC, namely, the role of victims at the Court and that of their legal representatives.

Unlike the situation at the *ad hoc* tribunals, victims have an active role to play in trials at the ICC and they have legal representation.

In the event of a conviction, the proceedings move to a reparations phase, which involves victims and their legitimate claims for compensation.

This is a borrowing from civil law systems, which involve *la partie civile* in criminal court proceedings, but is unique to the ICC at the level of international criminal justice.

Challenges

What, then, do I see as the key challenges the ICC faces today?

They are many, but I will concentrate on only a few.

These challenges serve to illustrate just how difficult the work of international criminal justice is today.

Acquiring sufficient resources

Acquiring sufficient resources to meet the demands made upon the Court remains a struggle.

The demand for the Court's intervention is huge, but our resources are limited.

States Parties have been willing to increase our resources, I am glad to say, but we are still striving to achieve the capacity to respond to situations within a reasonable time, while doing work of high quality.

We cannot settle for less: high quality work and positive outcomes are essential to the reputation of the ICC and its effectiveness in deterring crimes.

In the Office of the Prosecutor's new draft Strategic Plan for 2016-2018, we posit six active investigations on-going in any given year, given available resources and the demands upon us.

So far, the feedback we have received from the NGO community suggests they think we should be doing far more.

Yet it will be difficult for us to persuade States Parties to sustain even six active investigations per year through the financial resources they grant us via the budget.

States Parties support the ICC and its objectives – and they have accepted in the past several years that the Office of the Prosecutor, in particular, has been in desperate need of additional resources.

However, this year, as we enter into serious budget discussions, we are feeling a very strong push-back from States Parties, who plead financial and budgetary constraints of their own.

This is worrisome: to succeed, to capitalize on the investments in quality already made, to respond in a reasonable fashion to the demands for our intervention in situations of atrocity crimes, we need resources.

I hope we will be able to make our case to the States Parties – but the budget process presents a serious challenge for us and for the Court as a whole.

Cooperation

The Rome Statute obliges States Parties to cooperate with the Court in a variety of ways.

This cooperation is essential to the success of our operations.

It relates to the collection of evidence, the protection of witnesses and the enforcement of the orders of the Court.

Generally speaking, we receive excellent cooperation from States Parties – and even from non-States Parties.

There are areas of difficulty, however, the most obvious one being the failure to arrest fugitives from justice for whom the Pre-Trial Chambers have issued warrants of arrest.

In some cases, the fugitives have simply evaded arrest, despite very serious efforts to apprehend them – I am thinking of Joseph Kony, leader of the Lord's Resistance Army, for example.

In other cases, however, States have simply failed to cooperate in the way they are required to do.

A recent, notorious example is the failure of South Africa, a State Party to the Rome Statute, to arrest and surrender President Omar Al-Bashir of Sudan when he was on their territory.

Cooperation is something we work at constantly, to impress upon States just how essential their cooperation and support are to our operations and ability to do justice.

Witness interference

Another different, but very serious, challenge is witness interference.

It has become a serious problem in most of our cases.

Our investigators and prosecuting counsel are beyond reach.

Our judges are insulated from intimidation or influence.

But our witnesses can be vulnerable, and their security and well-being is a constant preoccupation of the Court.

We counter the threat in a variety of ways, by taking care about how we deal with witnesses, to avoid exposing them to undue risk; by seeking witness protection measures; even by instituting prosecutions for offences against the administration of justice.

There is a growing awareness on the part of the judges concerning this problem, and both we in the Office of the Prosecutor and the judges in the Trial Chambers have improved the ability to counter this threat and take decisive action when it arises.

Conflict zones

Investigating in conflict zones presents another challenge.

There must be a modicum of stability and security established in any situation for it to be possible to examine crime scenes, conduct exhumations, find and interview witnesses in safety, and carry out other investigative operations.

For example, in Bosnia exhumations essential to the ICTY cases brought in the wake of the Srebrenica genocide were carried out under the protective cover of NATO forces.

This was also the case in Kosovo for the ICTY.

This same security need arises for the ICC, in places as far flung from one another as the eastern DRC and Mali.

Apart from the risk to our own staff members operating in unstable and insecure conditions, there is an increased risk to witnesses or others cooperating with us: the risk of reprisals against them and the difficulty to ensure their security.

Risk assessments and risk management are daily components of our work in the field.

A related challenge concerns threats to the security of our information and evidence from hackers attempting to penetrate the Court's defences – this is a phenomenon that has increased in intensity lately.

Managing expectations

Misperceptions about what the ICC can actually accomplish in any given situation or unrealistic expectations can also present problems for us.

We have to manage expectations and we try to be as honest and realistic about what we can do in our dealings with those who approach us.

The other side of the coin, of course, is to build trust and to explain our processes and procedures, and the obligation we have to act independently and impartially.

On this score, it is important to appreciate that, while the Court has a global reach, it still lacks universal jurisdiction.

We cannot, for example, intervene in Syria: Syria is not a State Party to the Rome Statute and the UN Security Council has so far been unable to refer the situation in Syria to the ICC.

Such failures sometimes generate criticism of the Court that is misplaced.

They do, however, underscore the incomplete nature of the international criminal justice undertaking, to date.

The Court also suffers attack on other, often self-interested, grounds, but must itself show restraint in responding, since we are a judicial institution.

Yet, there are those who worry that our voice is too often not heard – that it is too often drowned out by those who resent the Court or question the validity of the international criminal justice enterprise.

We must learn to communicate our message of independent and impartial justice more effectively, without getting into the merits of individual cases, and in this way explain the value of the justice the ICC has to offer.

Powers of the Court

Another, and very different challenge, is to develop the powers of the Court.

In seeking to do justice in the individual case, we also develop the jurisprudence and clarify the capabilities of the Court.

Let me give you some examples.

The Appeals Chamber recently confirmed the ability of a Trial Chamber to compel witness testimony via video link from a situation country, a power that was contested by the both the defence in the particular case and the State Party on whose territory the witnesses were residing.

This is a very significant power that Trial Chambers may now exercise in order to establish the truth.

It enhances the ability of the Trial Chamber to accomplish its fact finding task.

The Trial Chambers have also settled protocols that allow counsel for the parties, in an appropriate and ethical way, to prepare their witnesses to testify.

This will allow counsel to focus the evidence in a way that, one hopes, will increase the efficiency and fairness of trials.

An important issue now before the Appeals Chamber is the ability of a Trial Chamber to receive into evidence, to establish the truth, the prior inconsistent statements of witnesses, who recant their statements in testimony before the Trial Chamber.

Such recantations may be the product of intimidation or corruption or both.

Once again, such a power, I submit, is essential to the truth finding function of a trial.

We have recently been able to obtain orders from a Pre-Trial Chamber to allow us to preserve evidence arising from unique investigative opportunities.

Here again, the objective is to ensure that the judges have all of the available evidence.

The scope of prosecutorial discretion, respecting whether to proceed with an investigation, is an issue arising in litigation relating to two separate cases, and, from my perspective, these cases have important implications for the independence of the Prosecutor and the margin of discretion she must have in the exercise of her powers.

These and other controversies are but the growing pains of what is still a very new judicial institution.

As I say, notwithstanding all of the challenges we face, it is an exciting time to be at the ICC.

Conclusion

To conclude, the work of international criminal justice is a difficult, but worthwhile endeavour.

It is a long game, requiring patience, perseverance and skill.

To those of us engaged in it, it is our vocation.

We do require, however, the support and encouragement of all people of good faith who believe in the need to bring the perpetrators of mass atrocity crimes to account.

I'll finish with a short anecdote.

The ICC received an unusual endorsement a year or so ago: Charles Blé Goudé, who will go on trial with Laurent Gbagbo in November on charges of crimes against humanity arising from extreme post-election violence in Côte d'Ivoire, was surrendered to the ICC by Côte d'Ivoire and made his first appearance in accordance with our rules.

At the hearing, the presiding judge inquired, among many other things, about Blé Goudé's conditions of detention.

In response, he went on at some length about how awful his detention had been in Ghana, where he was arrested, and in Côte d'Ivoire, where he was detained for months before his surrender to The Hague.

The judge politely called him to order and inquired about his conditions of detention here in The Hague.

Blé Goudé paused and looked at the judge.

"Oh," he said, "when I got here, I realised people had rights!"

Of course, he wasn't free – but he had no complaints about the conditions of his detention here.

I turned to Fatou – the Prosecutor – and whispered, “Well, Fatou, that is a most unexpected endorsement of the ICC.”

The point is this: in a violent, tumultuous, often highly political world, the ICC offers the possibility of a fair, impartial, and clean administration of international criminal justice.

That, I submit, is an achievement of real value.

Thank you.

James K. Stewart