



**GOBIERNO DE CHILE  
MINISTERIO DE RELACIONES EXTERIORES  
EMBAJADA EN LOS PAISES BAJOS**

Speech by the Ambassador of Chile, Mr. Juan Martabit at the Welcoming  
Ceremony for the Republic of Chile at the International Criminal Court  
The Hague, 17 September 2009

Mr. President,  
Judges,  
Mr. Prosecutor,  
Mrs. Secretary  
Ambassadors,  
Vice President the Assembly of the States Parties  
Authorities and functionaries of the Court  
Ladies and Gentlemen,

I thank the Court for taking the initiative to invite us here today to this warm welcoming ceremony, and I would like to begin remembering that almost 11 years ago, on the significant date 11 September 1998, the 25th anniversary of the military coup in my country, Chile was one of the first countries that signed the Rome Statute.

Since that moment, the existence of the International Criminal Court as an institution that consolidates the biggest advance in world peace, has provoked in the world and therefore also in my country, a deep reflection.

The result hereof is that today we have the great honour to be invited to the Court premises in order to celebrate Chile's ratification of the Rome Statute which took place on 29 June last, becoming State Party number 109. With this important step, our country showed its maturity, freeing itself of the existing differences to comply with this pending appointment with the new parameters of international justice.

Chile, like most of the governments in our Latin American continent, has lived the experience of the authoritarianism of the seventies, when serious violations of the human rights were committed. The restoration of democracy in my country took place in a peaceful manner by a progressive evolution of reconciliation and reparation that effected the society as a whole. Because of these powerful historic reasons, we are actively participating from the beginning in the elaboration and ratification of the Rome Statute.

With this background in mind, I would like to emphasize that, although this achievement is the result of the efforts of many sectors of our society, it is most of all due to the personal interest of our President Mrs. Michelle Bachelet who considered the achievement of the



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ratification a primary goal of her government and who, as is publicly known, also fell victim to the excesses suffered in my country.

Last May the President reiterated here in these premises her personal commitment to You Mr. President, when she affirmed that the ideal situation would be if no case at all existed to be taken to trial in this Court, as a token of its effectiveness and the reach of its discouraging effect. With this same conviction she defended it before the country and with the same determination she finally succeeded.

As known by all, we had an internal beneficial democratic dialogue to reach this ratification. The constitution was amended, bills were drafted in order to be able to incorporate the violations as described by the Statute in our internal legislation, all this to ensure its full and exact application. Therefore I would like emphasize that Chile comes to the Court today having made great progress with the implementation and working on the legislation with regard to the co-operation to the protection of the Statute.

In this framework, the principle of complementarity, enshrined within the Statute, constituted an essential pillar on the moment of reaching a consensus, clearing up the doubts about a possible cession of jurisdiction to a supranational judicial organ with ample power.

That and other debates were largely clarified thanks to the inappreciable support received during various meetings, for which both the former Presidency of the ICC and the Prosecutor traveled to my country in order to take away doubts, as well as to the readiness of the Court to receive Chilean politicians and jurists who came searching for answers to their legitimate questions. I avail myself also of this opportunity to express our gratitude to the Ambassador of México Mr. Jorge Lomónaco, who was so generous to enlighten us with the experiences of his country.

The twentieth century was particularly painful and cruel for a great part of humanity. The Nuremberg and Tokio Tribunals and the Geneva Conventions of 1949 were the first steps towards a universal criminal jurisdiction.

The valuable experiences of the Special Courts made way to the powerful necessity to establish a compulsory universal criminal jurisdiction. Within this setting, from the experiences that arouse due to the historical grief in the collective memory of the last century, the concept of a global criminal justice could come alive and gather strength through this Court.

Notwithstanding these achievements in the early days of the twenty first century, in an interconnected and interdependent world, on one hand we can register progresses in the fiels of science and technology improving the daily life of a great part of humanity and on the other hand, paradoxically, we must acknowledge the existence of delay, of asymmetries, environmental deterioration, famine and military conflicts in important places on this planet.



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In the middle of this paradox, the existence of this permanent and independent Court, that prosecutes individuals and not states, is a milestone, where respect for justice is converted in a world paradigm accepted and supported by its 110 States Parties.

The progress since its creation enable us to observe with satisfaction its present achievements, such as the beginning of its first judicial case on 26 January this year. In short, we are in the presence of a well organized and functional institution, operational and undertaking proceedings with total commitment in 4 cases while various other are being studied by the Prosecutor. For all this we should acknowledge the Presidency, the Judges, the Prosecutor and the Secretary.

Finally, I would like to thank you all once again for this warm welcoming ceremony, which motivates us even more to take enthusiastic part in this important Court, unique in its kind, through which we all hope that that fundamental and indispensable goal will be achieved; the struggle against impunity in order to create a better and more peaceful world day by day.

Thank you.