

(Translation)

Statement of China at 11th Session of the Assembly of States Parties

Madame. President, distinguished delegates,

China supports the efforts of the international community in punishing the most serious international crimes, as well as the establishment of an independent, fair, effective and universal international judicial body to this end. Over its first 10 years, the ICC made progress in certain areas. At the same time, it still faces great challenges, in particular how to enhance confidence and to win wide support from the international community. Therefore, we would like to share some views on its future work.

Firstly, it is our belief that the Court shall adhere to the UN Charter. The UN Charter and the principles stipulated in it are recognized as the cornerstone of international rule of law. As part of international legal system, the Court shall comply with the Charter and those universally recognized principles, and ensure that it will not undermine the exclusive jurisdiction of the UN Security Council in determining the existence of a threat to the peace, a breach of the peace or an act of aggression.

Secondly, the Court should perform its functions in strict conformity with the principle of complementarity. It is the sovereign state that assumes the primary responsibility to punish serious crimes and end impunity, so as to bring justice to reality. The Court is designed to subsidize, rather than substitute national jurisdictions. Consequently, choice by relevant states or regions for specific means to realize justice should be fully respected in practice. Their judicial traditions and practical needs should be well taken into consideration. In this sense, China supports the strengthening of effective national jurisdictions on serious international crimes through capacity building.

Thirdly, cooperation with states need be handled in a careful way. We understand that cooperation of State Parties as required by the Rome Statute is of great importance to the effective and efficient functioning of the Court, and we respect the full cooperation rendered by States Parties with the Court. At the same time, we would like to reiterate that the right of non States Parties should also be fully respected in accordance with international law.

Last but not the least, the Court should make its contribution to both peace and justice. As two of the core values pursued by mankind, peace and justice should reinforce and complement each other. The Chinese delegation believes that justice can not be achieved at the expense of peace. Serious crimes, as we noted, were often committed in conflict-stricken areas, and we hope the Court exercise its powers in a prudent manner without prejudice to the efforts of the international community to realize political settlement of international or regional conflicts.

Madame. President,

China envisions a world of peace, justice and harmony. The Chinese government will continuously pay attention to the work of the Court. We hope that the Court would win wide support through its work, thus contributing to the ending of impunity and the promotion of peace and justice.

Thank you. Madame. President.