



## At ICC review conference, Ban declares end to 'era of impunity'

31 May 2010 –More than one decade after the International Criminal Court (ICC) was set up, a new “age of accountability” is replacing the “old era of impunity,” Secretary-General Ban Ki-moon underlined today.

Twelve years ago when world leaders gathering in Rome for its establishment, “few could have believed, then, that this court would spring so vigourously into life,” Mr. Ban [said](#) at the first-ever review conference of the ICC held in Kampala, Uganda.

“Seldom since the founding of the United Nations itself has such a resounding blow been struck for peace, justice and human rights,” he stressed.

Today’s gathering, the Secretary-General said, marks an occasion to bolster “our collective determination that crimes of humanity cannot go unpunished.”

The new “age of accountability,” he noted, dawned with the Nuremberg and Tokyo Tribunals, gaining strength with tribunals for Rwanda, the former Yugoslavia, Sierra Leone, Cambodia and Lebanon.

“Now we have the ICC – permanent, increasingly powerful, casting a long shadow. There is no going back,” Mr. Ban stressed.

“In this new age of accountability, those who commit the worst of human crimes” – be they rank-and-file foot soldiers or top political leaders – “will be held responsible,” he said.

Former Serbian president Slobodan Milosevic and former Liberian leader Charles Taylor are among those who have already been called to justice. “Not long ago,” the Secretary-General said, “this would have been unimaginable.”

But for the ICC to have the reach it needs, it must have universal support. “Only then will perpetrators have no place to hide,” he said.

So far 111 countries have become parties to the Rome Statute that established the ICC, while 37 others have signed but not yet ratified it. But some of the world’s largest and most powerful countries, including China, India, Russia and the United States, have not joined.

The ICC is a court of last resort, exercising jurisdiction only where national courts do not or cannot take action themselves, Mr. Ban pointed out.

“This is important: where a State is unwilling to genuinely investigate and prosecute perpetrators, the Court can get involved,” he said. “No government or justice system that is complicit in international crimes can any longer shield the perpetrators from justice.”

The Secretary-General told participants at the conference’s opening that maintaining the balance between peace and justice is a “false choice,” given that civilians are the main victims in today’s conflicts, with women, children and the elderly being deliberately targeted.

“Yes, it may be true: demanding criminal accountability, at the wrong time, can discourage warring parties from sitting down at the negotiating table,” potentially perpetuating bloodshed.

“Even so, one thing is clear: the time has passed when we might speak of peace versus justice, or think of them as somehow opposed to each other,” he said, underscoring the importance of reconciliation.

International criminal justice has become an increasingly power tool in ending violence against women, with the Rwanda Tribunal defining rape as a crime against humanity for the first time in 1998, Mr. Ban said.

The Special Court for Sierra Leone (SCSL) convicted three members of the rebel movement known as the Revolutionary United Front (RUF) for sexual enslavement, while alleged perpetrators of rape and sexual slavery in the

Democratic Republic of the Congo (DRC) face war crimes charges at the ICC.

"This jurisprudence sends a strong and necessary signal. It is up to you to make sure that message continues to be heard," the Secretary-General said.

"Indeed, it is time to turn up the volume."

In his address, Mr. Ban also countered criticism that the ICC is "selective," with African nations too frequently the focus of its work.

Currently, four situations are under investigation by the prosecutor: the Darfur region of Sudan, the DRC, Uganda, Central African Republic (CAR) and Kenya.

"Most of these situations were referred to the Prosecutor by the governments concerned," he said. "Correctly, they see the court as a help to them, not a threat."

Further, the Secretary-General said, "in all these cases, African society is cheering," since the ICC is "firmly on the side of the victims."

He told participants that "the decisions you take this week will be felt around the world – wherever there is injustice, wherever people live in fear."

Evoking the horrors of Srebrenica, Sierra Leone, Cambodia and Rwanda, Mr. Ban – who took part in a soccer match in Kampala honouring the victims of war yesterday – said "that is why this court exists. That is why we are here. That is what we have all worked so hard to achieve."