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**Statement of the Government of Japan**

**Delivered by Vice-Minister for Foreign Affairs Yasuhide Nakayama**

at the Sixth Session of the Assembly of States Parties to  
the Rome Statute of the International Criminal Court (ICC)

**3 December 2007, New York**

H.E. Mr. Bruno Stagno Ugarte, President of the Assembly of States Parties,  
H.E. Mr. Ban Ki-moon, Secretary-General of the United Nations,  
Judge Philippe Kirsch, President of the International Criminal Court,  
Excellencies,  
Distinguished Delegates,  
Ladies and Gentlemen,

Let me begin by congratulating the ICC on its ever-developing role in the international community on the occasion of its fifth anniversary this year.

Mr. President,

Today is a historic day for Japan.

Japan officially became a State Party of the ICC on 1 October. This is the first Assembly for Japan to attend as an official State Party. It is a very great honor for me to have this opportunity to speak on behalf of the Government of Japan before this most significant gathering today.

Mr. President,

The objective of the ICC — namely, to punish and prevent the most serious

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crimes in the international community — is the long-cherished desire of people throughout the world. The ICC is currently addressing four tragic situations in Africa. These are matters of concern for us all. Japan, as a member country from the Asian region, shares this sense of values with the ICC. Therefore we are pleased to have the privilege of working for peace alongside all of you. As you are aware, Japan experienced the international tribunal for itself after the World War II. All the better for this experience, Japan has been following a path towards a peace-loving nation for more than sixty years, enjoying support from the international community. Based on this past history, Japan believes it is important to uphold the ICC for the sake of the bright future history.

Japan is the newest member of the ICC and its largest financial contributor as well. Japan provides 22 percent of the Court's operating budget. Our government pledges to faithfully fulfill this financial obligation. At the same time, we will also pursue the efficient management of the ICC so that it can deliver maximum results within its limited resources.

It is also Japan's hope that many of its highly qualified people will have the opportunity to play an active part in the ICC and contribute to the realization of peace and justice in the international community through the ICC. An important step for Japan in this regard was the election of Ambassador Fumiko Saiga as a judge in the election held last Friday. On behalf of the Government of Japan, I would like to thank you once again for your support in the election. I assure you that Ambassador Saiga seriously feels her responsibility and is going to exercise it together with all of you. Furthermore, not limited to a judicial post, I would like to call your attention to the fact that our region is seriously under-represented in the Court at present. Therefore, I would like to request the ICC to take concrete measures to increase the number of its Asian personnel.

Regarding policy issues at the ICC, Japan now intends to contribute more actively than in the past to various discussions, such as that on the definition of a "crime of aggression". This issue is on the agenda for this session of the Assembly. In addition, to enhance the universality of the ICC, we believe it is important that more nations become States Parties. Japan would like to play its role in the global efforts to increase the number of States Parties particularly from

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Asia and the Middle East, which regions, regrettably, have few States Parties at present.

Mr. President,

Visible achievements are required in order for the ICC to gain broader support in the international community. On behalf of Japan, I would like to pay high tribute to the ICC for its investigation now under way of the situations in four African nations and its concrete action to restore peace and justice in those countries. However, it is not an easy task for the ICC to produce substantial results in those situations through its own efforts alone. The cooperation of concerned governments is critical.

In this regard, it is unfortunate that the activities of the ICC are currently making little headway in the situation of Darfur, Sudan, due to an absence of adequate cooperation from the local authorities. The Darfur situation represents a groundbreaking case, in which a non-party State has been referred to the ICC by resolution of the UN Security Council. For this reason, it can be said that Darfur will be a touchstone of how effectively the ICC can perform under these difficult conditions. Japan believes that it is vital for all States Parties to work together and urge the Government of Sudan to extend its understanding and cooperation to the ICC's activities, so that the Court may prove itself through this challenge. What the situation in Sudan put to the test is how we can realize universal justice in the international community. In this regard, Japan is willing to play its own role so that the ICC can address the situation effectively.

Mr. President,

Japan places priority on the promotion of the "rule of law" in the international community as a basic pillar of its diplomacy. Firmly establishing this universal value is indispensable for the international community as a whole in order to maintain peace and security, protect basic human rights and enjoy economic prosperity. To promote the "rule of law", we must avoid giving

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impunity to those who violate the law and ensure their proper prosecution based on the law. From this perspective as well, Japan is determined to devote more energy to the development of the international criminal tribunal system.

Besides the ICC, there are several ad hoc international criminal tribunals now under way, including the ICTY, the ICTR and the tribunal of Cambodia. Japan has made major contributions in the form of both funding and personnel to each of these tribunals.

The ICC was established as the first and sole permanent international criminal tribunal. Japan believes it is important for the ICC to actively coordinate and cooperate with these existing tribunals. By doing so, the international criminal tribunal system as a whole can make advances based on prior efforts of the international community.

Mr. President,

In closing, I once again would like to thank all nations and institutions which provided their cooperation in our internal process of accession to the ICC. Japan pledges to further strengthen its cooperative ties with the ICC and all States Parties for the future development of the ICC.

Thank you.

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