

Check against Delivery

Statement

by

H.E. Shin Maeng-ho

Representative of the

Republic of Korea

at the

Eleventh Session of the Assembly of

States Parties to the ICC

November 14, 2012

Madam President,

It is my privilege and honour to address the States Parties at the most important juncture of the International Criminal Court.

This year marks the 10th anniversary of the start of the Court's journey on the fight against impunity. In fact, the journey has initially started more than half a century ago. However, it was just ten years ago that the international community could finally do the job of ending impunity and thereby restoring justice, with a permanent judicial body in a more effective manner. We deserve to take great pride in this hard-earned accomplishment. At the same time, however, we should not be complacent to such a modest feat.

Over the past ten years, this body has one judgment delivered; there are sixteen cases in progress in the Chamber and seven situations being monitored by the Office of the Prosecutor. The number might not sound all that impressive, but the goal we are seeking is not something that can be simply translated into numbers. In this connection, *the Thomas Lubanga case* is particularly noteworthy. What makes the case outstanding is not that it is the first case the Court had before it. Rather it is that the Court brought to justice a perpetrator who enlisted and conscripted children under the age of 15 and forced them to participate actively in hostilities, at a time when they were still in need of parental protections. Through this case, the Court has shown that justice will be eventually restored and perpetrators punished. However hard it may be, the Court should finish its perceived long and bumpy roads ahead. And along the roads are the States Parties

to the ICC. The ROK promises to provide its utmost cooperation with this proud body.

On this note, the Republic of Korea would like to touch upon the following points, with a view to further strengthening the role of the Court which stands at a critical juncture for another decade to come.

My Government believes that achieving universality is the key to securing the future of the Court. Universality means not only an increase in the number of the States Parties, but also the unlimited applicability of the Rome Statute through full cooperation with the States Parties and even with non-party States.

More States Parties to the ICC mean fewer safe havens for perpetrators and more justice for humanity. Although its membership has expanded to 121 countries, there are still some 70 member countries of the United Nations that have not yet joined the ICC; all the more reason that the ICC as well as the States Parties including the ROK should do more to encourage non-party States to join the Court. In this vein, I highly appreciate President Song's outreach activities to enhance the universality of the Court in terms of its "quantitative universality".

This leads to the another aspect of universality that the State Parties should also bear in mind; that is, cooperation with the Court, a "qualitative universality", if you will. The ICC has been improving its own capacity to act as a hub for the international justice system, as shown in its substantial assistance to other tribunals, including the Special Tribunal for Lebanon and the Special Court for Sierra Leon in *the Charles Taylor's case*. This is a positive development that the drafters of the

Rome Statue did not expect at the very beginning. We welcome such progress and expect more of that. However, this constructive role of the Court to strengthen the international justice system will not be achieved by the effort of the Court alone.

Having no enforcement mechanism of its own, the Court is heavily reliant on the States Parties. Unfortunately, many States Parties have not yet done enough domestic measures to ensure compliance of their obligation to provide full cooperation to the Court. In this sense, the Korean Government would like to join those who call for the States Parties to ensure that they have national procedures in effect to enable full cooperation with the Court. On top of that, in order to ensure the complete implementation of the Court's decisions, cooperation from non-party States is also critical; it may, otherwise, sound a false signal to potential perpetrators that non-party states will be safe havens, which should not be the case. Closer cooperation with more States, whether they are party or non-party to the ICC, will send an alarm signal to potential perpetrators that the Court will take actions for punishing them and will eventually deter further crimes.

Finally, as a dedicated State Party, we would like to reiterate our support for the activities of the Court. Among other things, we would like to mention our appreciation for the role of the Trust Fund for Victims, a groundbreaking mechanism to help victims rebuild their lives. We also support for the Internship Program aiming at strengthening complementarity and acting for the benefit of the victims. Thus, it is my pleasure that the Korean Government has been contributing to the Trust Fund for Victims since 2010 and the Internship

program for its noble undertaking to provide young future leaders from developing countries with the opportunities to experience the Court first-hand.

Madam President,

In conclusion, I would like to express my sincerely hope that the ICC will continue to progress in its role as the only and fully effective permanent international criminal court in the world. The Republic of Korea once again reaffirms its unceasing commitment to supporting the ICC in achieving its noble goals. Thank you.

서식 있음: 글꼴: 15 pt