



THE REPUBLIC OF KOREA

PERMANENT MISSION TO THE UNITED NATIONS

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Mr. President,

At the outset, let me congratulate you on your election as the President of the Assembly of States Parties for the next three years. My delegation is committed to working closely with you and offers you our full support. At this time, we would also like to thank your predecessor, Ambassador Tiina Intelmann, for the valuable contribution she made to the development of the ICC system during her Presidency.

My delegation pays tribute to the important role played by the outgoing judges, and thanks them all for their tireless efforts and devoted service to the Court. The Republic of Korea would also like to make a special note of the accomplishments of the Court's President, Judge Sang-Hyun Song, particularly his dedication to the advancement of the ICC during the historic and formative years since its opening in 2003.

My delegation also welcomes the elections of new judges who, we believe, will take up the baton to further strengthen international criminal justice. My delegation looks forward to working with and supporting all the new members of the Court moving forward.

Mr. President,

Despite its relatively short existence, the International Criminal Court has made great strides in the interpretation and application of the Rome Statute, including such principles of international criminal justice as admissibility and complementarity.

The Court has also set important precedents for the rights of victims and their participation in international criminal proceedings. In this regard, we take note of the first-ever final judgment from the ICC Appeals Chamber on December 1st, upholding the verdict and sentencing decisions in the *Lubanga* case. The decision highlights the vital importance of the fundamental right of victims to be represented in court and to receive reparations for the harm they have suffered. The Republic of Korea fully supports the ICC's efforts to provide justice to victims and will continue its efforts in this vein, including with its annual contribution to the Trust Fund for Victims.

Furthermore, the ICC has expanded its horizons to various forms of the gravest crimes; particularly the fight against sexual and gender-based violence. The Rome Statute has significantly advanced international law through its express inclusion of sexual and gender-based crimes under the Court's jurisdiction. In this connection, my delegation welcomes the *Policy Paper on Sexual and Gender-Based Crimes* released by the Office of the Prosecutor in June 2014. We wholeheartedly agree that sexual and gender-based crimes must be a key priority of the Office at all stages of its work: preliminary examination, investigation, and prosecution, as these crimes are especially detrimental to the fundamental social fabric of any community. On this note, the Republic of Korea wishes to express its renewed commitment to eliminate gender injustice at the international level.

With these achievements, the ICC is playing a crucial deterrent role and is sending a clear message that those who commit egregious crimes will never be tolerated by the ICC or the international community.

In spite of these significant advances, however, the ICC still faces big challenges, the biggest of which may be achieving universality and the full implementation of the Rome Statute. Unfortunately, we are not able to welcome any new States Parties at this Session, as the current number of States Parties remains the same as last year. Encouraging wider ratification and continued support for the Rome Statute is the key to maintaining and expanding the reach of international criminal justice. We must also remember that the goal of putting an end to impunity for the most heinous crimes is shared by those who have yet to join the Rome Statute. Therefore, we need to analyze what lies behind the reluctance of non-member States to join and review the universality promotion and outreach activities by States Parties and the Court.

However, increasing the number of State Parties does not necessarily guarantee the strengthening of the Rome Statute system and the enhancement of confidence in the Court. In order to attain this goal, we believe, the ICC needs to redouble its efforts on various fronts, as follows.

First, the ICC needs to keep encouraging States Parties to comply with their primary responsibility to effectively investigate and prosecute the gravest crimes in their own countries, based on the principle of complementarity. As a fundamental building block of the ICC, support for this principle by stronger States Parties will lead to an even more robust and responsive ICC system, by demonstrating that perpetrators will always be held accountable, either in their own countries or at the Court itself.

Second, building the judicial capacity of each State Party or State Party-to-be is intrinsically linked with the goal of narrowing the impunity gap at the national level. As such, the ICC needs to scale-up its efforts to share lessons learned and offer appropriate assistance to States when needed. This could range from knowledge-transfer and technical assistance, to training and mentoring assistance.

Third, the ICC should continue to closely communicate and cooperate with such international organizations as the United Nations. This will result in the expansion of the ICC's operational capacity and ensure the continuity of essential logistical support.

Fourth, the ICC should increase its engagement with civil society and simultaneously expand its outreach activities. Civil society can play the role of both a watchdog and patron of the ICC's efforts to advance international criminal justice.

Finally, the ICC needs to continue to demonstrate the sound administration of its constituent parts and enhance the effective functioning of the entire Court system.

Throughout this whole process, we, the States Parties, the custodians of the Rome Statute, must give robust support to the Court, and, at the same time, provide proper management oversight of the Court. However, States Parties must also keep in mind that their oversight role should not infringe on the judicial independence of the Court.

Mr. President, a problem shared really can be a problem halved. We are here to put our heads together to find a solution to the challenges we are facing. My delegation hopes we can successfully deal with the issues before us and achieve a productive outcome through constructive discussions at this Session.

Let me conclude by reiterating that the Republic of Korea has long been and will remain a staunch supporter of the Court in all of its functions. We have full confidence in its ongoing success.

Thank you.