

THE REPUBLIC OF SERBIA

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S T A T E M E N T

by

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AT THE GENERAL DEBATE OF THE 13TH SESSION OF THE ASSEMBLY OF STATES
PARTIES TO THE ROME STATUTE OF THE INTERNATIONAL CRIMINAL COURT

12 December 2014

Mr. President,
Distinguished representatives of the Court,
Distinguished Delegates,
Ladies and Gentlemen,

I am honoured to address the Assembly of States Parties on behalf of the Government of the Republic of Serbia. When making this statement, I wish to align with the statement made earlier by the Representative of Italy on behalf of the European Union.

At the outset, I wish to congratulate H.E. Minister Sidiki Kaba on his election as President of the Assembly of the States Parties and to express profound gratitude to Ambassador Tiina Intelmann. I also wish to express sincere appreciation to the President of the Court, Judge Song, to the Prosecutor and to the Registrar, and to congratulate the newly elected judges.

As one of the most significant events in international law since the establishment of the United Nations, the International Criminal Court, as a permanent and independent judicial authority based on the free will of States Parties to the Rome Statute, is entrusted with the historic task of eliminating the suffering of future generations from the scourge of mass atrocities, bringing justice to the living victims and respect to the deceased. It must put an end to impunity of those who are responsible for the worst crimes imaginable to humanity.

My country is proud to be one of the founders of the International Criminal Court, as it was among the first to have ratified the Rome Statute, and, as such, it has committed itself to incorporating all its obligations under the Rome Statute in the domestic legal system. The Constitution of the Republic of Serbia is but one of the documents that bear testimony to this process.

As a country having passed through the ravages of wars in the last decade of the XX century, Serbia is fully aware of the need to face the past and asks of the others to do the same, for only with the establishment of justice and the process of truth seeking can we have reconciliation and be at peace, first of all with ourselves. To that end it has cooperated diligently with the International Tribunal for the former Yugoslavia and will continue to do so with the International Residual Mechanism, and is committed to trying all perpetrators of war crimes and mass atrocities, as well as to cooperating with international judicial institutions, particularly with the ICC, and calls upon all states to do so.

Furthermore, I would like to stress that justice cannot suffer selectivity – all victims deserve full respect and justice, no matter where and by whom the crimes were committed. Full cooperation must, thus, be our ultimate goal, for only then will we be able to claim to have made a decisive and definite step.

Fully aware of the fact that the principle of complementarity is undermined by a deficient and in many respects obsolete international legal framework, we believe that the legal gap can largely be surmounted by the adoption of a new multilateral treaty for Mutual Legal Assistance and Extradition for Domestic Prosecution of the most serious international crimes, an initiative of the Netherlands, Belgium, Slovenia and Argentina that we fully support.

For its part, Serbia was among the first countries to ratify the Agreement on Privileges and Immunities of the ICC. It has also signed an Agreement on the Enforcement of Criminal Sentences with the International Criminal Court, on 20 January 2011, being the first country in South-East Europe to do so, with Great Britain, Austria, Belgium, Denmark and Finland being the only other countries in the world that did so before it. Serbia is ready to cooperate and be a strong partner of the ICC and an ardent advocate of its noble and just causes.

To conclude, I wish to reiterate the strong support of my country to the further strengthening of the institutional capacity and activities of the ICC and stress the necessity of full and unconditional cooperation by all states and international organizations. We believe that the only way to achieve the eradication of impunity leads through universal acceptance of the Rome Statute and active advocacy of its aims.