

Statement by Ambassador Koro Bessho  
Permanent Representative of Japan to the United Nations  
At the Sixteenth Session of the Assembly of States Parties to the  
Rome Statute of the International Criminal Court  
6 December 2017

Mr. President,

Let me begin by congratulating Judge O-Gon Kwon on his election as the next President of the Assembly of States Parties (ASP). You have my delegation's full support. I would also like to express our deep gratitude to the current President, Minister Sidiki Kaba, for his invaluable contribution to advancing the work of the ASP amidst the various challenges over the last three years. We count on your leadership throughout this session to address outstanding issues. Let me also express Japan's sincere appreciation for the excellent leadership of the President of the ICC, Judge Silvia Fernandez de Gurmendi, for advancing the work of the Court for yet another year in the fight against impunity.

Mr. President,

Japan's core policy towards the Court is to enable it to function effectively and sustainably with the support of the international community. Japan has been supporting the Court not only as the largest financial contributor but also as a provider of capable human resources. We are proud to have Ambassador Tomoko Akane joining the bench of the Court. We heartily appreciate all the support by States Parties and their confidence in Judge Akane.

During the 15 years since its establishment, the Court has contributed to steady progress in international justice. At the same time, given the increasing workload of the Court, Japan believes that effectiveness and efficiency are all the more important in the Court's activities. Japan is striving

to that end through leading the work of the Study Group on Governance and the Committee on Budget and Finance as co-chair and chairperson respectively. At the same time, we welcome the ICC's efforts to improve its governance as well as the speed and quality of the justice it delivers, including through retreats of judges.

Let me now turn to victim reparation, for which the ICC issued two reparation orders this year for the Katanga and Al Mahdi cases respectively. This is a significant step forward in bringing justice to victims, for which the Trust Fund for Victims (TFV) plays an important role. I am pleased to announce that Japan, following its contributions in the previous years, will make a contribution of approximately 53,000 Euros to the Trust Fund for its activities to support the victims of sexual and gender-based violence, as a reaffirmation of its commitment to support the TFV.

Mr. President,

To ensure that the ICC effectively promotes the rule of law around the world, more countries should join the ICC. In the long run, the ICC should aim at becoming a truly universal criminal court so that it can gain strong support for its work. It is unfortunate, in this context, that one State Party recently withdrew from the Rome Statute, particularly at a time when the Court needs to enhance its credibility and foster support. The ICC and its States Parties should continue to listen to various concerns expressed and make efforts to enhance the ICC's universality in order to maximize support and cooperation from a greater number of States.

In this regard, we commend the Court's initiative of holding outreach seminars in different regions reaching out to non-States Parties as well as enhancing dialogue with States Parties. In August this year, Japan, together with the Netherlands and the ICC, hosted an outreach event in

Tokyo involving non-States Parties in the Asia-Pacific region to share Japan's experience in acceding to the Rome Statute. In April, Japan shared its experiences with non-States Parties at ICC High-Level Seminar in Seoul for the same purpose. All of these activities are reflective of Japan's commitment to supporting the ICC, as reiterated by Prime Minister Abe during his meeting with President Fernandez on her visit to Japan earlier this year.

Discussions are continuing on the activation of the ICC's jurisdiction over the crime of aggression. I would like to express our gratitude to the facilitator for preparing the report. As we have repeatedly expressed through the facilitation process, Japan is of the view that in accordance with Article 121(5) of the Rome Statute, the ICC cannot exercise jurisdiction over nationals of a State Party or on the territory of a State Party unless that State Party has accepted or ratified the Kampala amendments. It is essential that this point is clarified before any decision is taken to activate the crime of aggression. Japan strongly hopes that the ASP remains united for the effective and sustainable functioning of the ICC. Japan stands ready to continue to engage actively in the discussions during this Assembly session to achieve a consensus-based solution.

Mr. President,

States Parties should work with the ICC closely so that the Court can consolidate its credibility and reputation both inside and outside the Rome Statute system. To that end, Japan will continue to strongly support the ICC's work in the fight against impunity.

I thank you, Mr. President.