



MUGIYANTO  
IKOHI- Indonesia

My name is Mugiyanto from Indonesia and I've been asked to make a statement on behalf of the global membership of the CICC whose main objective is to promote universal ratification and implementation of the Rome Statute. To date 105 countries around the world have joined the ICC.

Asia and MENA remain the two most underrepresented regions at the ICC. However, spearheaded by the concerted efforts of civil society groups, academics, media, governments and parliamentarians important breakthroughs have been achieved, moving national processes forward. For example, the government of Japan recently became a State party on July 17<sup>th</sup> of this year.

As a representative of IKOHI, an Indonesian human rights organization who has been working with victims and families of victims of human rights violations, I believe that the ICC represents a milestone in strengthening the rule of law, promoting a system of respect for human rights internationally, and granting victims recognition for the crimes to which they have been subject. Particularly in Asia, where various actors have been pushing for the establishment of a regional human rights mechanism for many years without success, the Court also represents the concretization of a long sought objective.

In my own country, we have been working to push the Indonesian government to accede to the Rome Statute since 2004, when the government, in its Human Rights Action Plan committed to acceding by 2008. We urge all States Parties to encourage the Indonesian government to fulfill this commitment.

Even in Africa and in Europe, two continents which boast very high numbers of States Parties, there are still a significant number of countries who continue to face the same obstacles that the first states that ratified had to confront. There are still concerns regarding constitutional compatibility with the Statute—including contentious issues such as irrelevance of official capacity, ne bis in idem, extradition of nationals, etc. However, with time has also come experience and there are now many resources that may be useful for governments to address these issues. The CICC Secretariat can assist governments in accessing these important resources.

Many times when the CICC approaches Non State Parties in their efforts to promote universal ratification, the response they hear is "we support the Court but need to further consider the matter before moving forward". The Rome Statute has now been in existence for 9 years. With the 10 year anniversary of its adoption approaching, we think it is fair to say that the time to "consider further" is over. It is now the time to act, to take decisive and concrete steps that will allow States to move forward and join the International Criminal Court.

We firmly believe that universal ratification is a critical building block in the consolidation of the ICC as a truly universal mechanism for the defense of human rights. We further call on each State Party to reach out to countries in your region (or those with who you have a close affinity) and encourage them to join the ICC.

As of November 2007, CICC figures indicated that 44 States Parties had enacted some form of legislation implementing the Rome Statute (of these, 25 had enacted legislation containing both complementarity and cooperation provisions, 9 covered only complementarity, and 10 only cooperation).

This of course still leaves a great number of States Parties with the need to follow through with the ICC implementation process. At times this can represent a burden for some countries who have limited personnel and lack financial and technical resources. Many countries have therefore worked jointly with civil society organizations, and other governments and actors in preparation of the ICC implementing legislation drafts. In cooperation with some of our key international members such as Amnesty International, as well as with the ICRC, the CICC serves as a facilitator in these processes.

While we recognize that implementation can be a long process, it is a critical link to ensuring that impunity will no longer prevail and that the rule of law will effectively be strengthened. ICC implementation also allows a unique opportunity for modernization of antiquated criminal codes. Many of our members have recognized this and have worked to link international standards to their national realities with the goal of ultimately strengthening domestic law.

Many victims around the world continue to work on past crimes, yet, they are equally committed to the ICC as they recognize that the Court represents a mechanism capable of protecting those at risk of being victims of these terrible crimes. The Court is a young institution--one that needs to continue receiving unabated support from governments civil society groups, academics, parliamentarians and all those who believe that it will ultimately have a powerful deterrent effect and will help ensure that the gravest crimes against humanity no longer remain unpunished.

Thank you very much.