



*Permanent Mission of the Republic of Serbia
to the United Nations*

Sixth Session

Assembly of the States Parties

to the Rome Statute of the International Criminal Court

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STATEMENT

by

H.E. MR. PAVLE JEVREMOVIC,
REPRESENTATIVE OF THE REPUBLIC OF SERBIA

New York, 3 December 2007

Mr. President,
Excellencies,
Ladies and Gentlemen,

It is my great honour and privilege to address you on behalf of the Republic of Serbia at this Sixth Session of the Assembly of the States Parties to the International Criminal Court (ICC). My country subscribes to the statement made by the representative of Portugal on behalf of the European Union; nevertheless I feel called upon to make a few observations from the national perspective.

From its very beginnings, Serbia has strongly supported the ICC and was among the first 60 states which ratified the Court's Statute, thus enabling its entry into force. The support, that has always been there, is even stronger today when the Court has become fully operational and ready to fulfil its mandate.

Serbia considers that the establishment of the International Criminal Court is one of the most significant events in the development of international criminal law: it plays an important role in assuring accountability where national judiciaries have failed to do so or have not been willing or able to function. However, the significance of the Court does not end with trying individuals accused of the most serious crimes, although this is its core function. The importance of the Court is to be seen in a wider context of the international legal order, where it serves to promote international humanitarian law and respect for human rights, as well as the rule of law and security, standing as a strong deterrent to everyone who takes these values lightly. Ultimately, the Court stands as a symbol of justice – the highest value known to mankind.

But in order to achieve its goals and purpose, the ICC has to become truly universal. For that reason we welcome the accession of two more states, Chad and Japan, to its Statute this year and we hope that their example will further encourage those countries that have still not become members of our family to do so in a near future. In this context, we also strongly support a further strengthening of ICC cooperation with international organizations, particularly with the United Nations, in whose headquarters we meet today.

Of course, for the Court to achieve its mandate simple accession by States to its Statute is not sufficient. The Court depends on the cooperation of States and only with that cooperation can it successfully fulfil its mission. It is, therefore, of crucial importance that all States Parties demonstrate their full commitment to the Court and international humanitarian law by full and unconditional cooperation and an effective implementation of the Statute.

Ladies and Gentlemen,

The work and legacy of another criminal court, the International Criminal Tribunal for the Former Yugoslavia (ICTY), also based in The Hague, will be relevant for the proceedings of the ICC. For that matter, let me say a few words about the cooperation of my country with the Tribunal.

In the last 7 years, since the establishment of a democratic government in Serbia in 2000, our cooperation with the ICTY has been significant and effective, both in terms of arrests and other forms of cooperation. So far, 37 persons have been transferred to the ICTY, some of them have been arrested, some surrendered voluntarily. Most recently, two more indictees were arrested in Montenegro and Bosnia and Herzegovina, while Serbian authorities provided assistance.

But while arrests and surrenders are essential to the work of international criminal tribunals, the other aspects of cooperation are equally important. These aspects are sometimes overlooked. Thus far, Serbia has received more than 1 600 requests for assistance by the ICTY Prosecutor and more than 1 000 requests for assistance by defence. Of those requests, more than 400 relate to assistance in approaching witnesses - mostly senior officials of the country's previous regime. In replying to more than 2 000 requests Serbia has provided the ICTY with hundreds of thousands of pages of confidential and sensitive State documents. We have opened our archives to the investigators of the ICTY Prosecutor. This cooperation has been recently assessed as fully satisfactory.

Mr. President,
Dear Colleagues,

These examples and our overall cooperation with the ICTY are illustrative of the extent of our practical experience in working with international criminal courts. This experience could provide the ICC with an additional basis on which the Court can proceed further with its work and successfully co-operate with States. In that context, Serbia, as a strong supporter of the ICC and its mandate, stands ready to offer any assistance to the Court and its organs.

Thank you.