



# JAPAN

**Statement**

**by**

**H.E. Ms. SHINO Mitsuko**

**Ambassador Extraordinary and Plenipotentiary  
Deputy Permanent Representative of Japan to the United Nations**

**At the Twenty-Second Session of the Assembly of States Parties to  
the Rome Statute of the International Criminal Court (ICC)**

**New York, December 2023**

Madam President,

It is an honor to address this Assembly of States Parties (ASP) on behalf of the Government of Japan. We congratulate the Court's principals – the President, the Prosecutor and the Registrar – on steering the Court through this year of the 25<sup>th</sup> anniversary of the adoption of the Rome Statute.

In celebration of this landmark year, Japan is pleased to have facilitated discussions in New York with a focus on the role of the ICC by organizing such initiatives as a panel discussion in March, the UN Security Council Arrria formula meeting in July together with Switzerland, and, most recently, a side event just yesterday.

Believing in the vital importance of the rule of law and the fight against impunity, over the last 25 years, Japan has been and will continue to be a staunch supporter of the ICC, not only with words but also with practical contributions and assistance.

Japan would also like to take this opportunity to note that this is the last Assembly for ICC President Hofmański and ASP President Fernández de Gurmendi. We thank President Hofmański for your initiatives in improving the working environment, expediting the judicial proceedings and promoting universality of the Rome Statute, just to name a few. Our tremendous appreciation also goes to you, Madam President for your dedicated service to States Parties. Without you, we could not have come this far.

Madam President,

As the ICC intensifies its activities, constant review of organizational management is indispensable for it to function effectively as a permanent international criminal court. In this respect, let me highlight the following three points of urgent importance, which will be discussed at the present session of the ASP.

First, the introduction of a tenure policy. As you recall, we adopted a resolution last year inviting the Court to develop a detailed proposal for a tenure policy to

be introduced from 1 January 2024. Adopting a system of tenure is essential to address stagnation in personnel transfers and revitalize the organization. Japan calls for the Assembly to approve at the ongoing session the introduction of a tenure policy without undue delay, believing that the Court can rise to greater heights if it takes up this years-long challenge head on.

Second, equitable geographical representation. In order for the ICC to evolve as a truly universal institution with sound governance, it is imperative for an adequate number of people at all levels, from junior staff members to the principals, from across regions, to play effective roles in the Court. In this connection, taking its stand in favor of proposals by the African Group to integrate geographical representation and gender balance concerns in the context of a tenure policy, Japan counts on the Court's commitment to better represent the diversity of the international community.

Third, an expeditious solution to the issue of the permanent absence of a judge, in tandem with what was addressed last year – the issue of the temporary absence of a judge. We should avoid a fundamental risk to an effective, efficient, and fair conduct of judicial proceedings, in the event that a judge is permanently unable to continue sitting. Now that an option identified as a way forward is being submitted for consideration, Japan calls for its adoption with the understanding that the option allowing for the replacement of a judge is consistent with the Rome Statute. States Parties should proactively expedite the trial process by making a subsequent agreement regarding the interpretation of Article 74 of the Rome Statute.

The ICC is an international organization as well as a judicial body. With a view to reinforcing its vital role, it is States Parties that should spearhead the effort to achieve ongoing comprehensive reform. To this end, the steady implementation of reforms is a matter of paramount importance. Japan will remain actively engaged in this endeavor.

Madam President,

Given the context in which the Court is currently operating, there is no denying the need to bolster the Court's security infrastructure. I am pleased to announce

on this occasion that as an exceptional response to the rapidly evolving security landscape, Japan has very recently decided to provide a contribution to the Special Fund for Security. Let me also add that following from previous years, Japan will make an additional contribution to the Trust Fund for Victims.

To conclude, we once again reaffirm our full confidence in the Court as an independent and impartial court of law, and renew our resolve to defend the principles and values enshrined in the Rome Statute, preserving the Court's integrity undeterred by any threats. We reiterate our unwavering commitment to stand firmly by and strongly support the Court, its officials and personnel, as well as those cooperating with it, together with other States Parties.

Thank you.