

Panel discussion on cooperation at the Plenary Meeting of
the Sixteenth Session of the Assembly of States Parties
(The future of Cooperation with the International Criminal Court)

Monday, 11 December 2017

Mr. Co-Facilitators,

Let me join other delegates in expressing our gratitude to Co-Facilitators for your initiative and facilitation through Hague Working Group and this plenary session on the topic of the future of Cooperation with the ICC.

Cooperation of States is indispensable for the effective investigation and prosecution of those who are responsible for the most serious crimes before the Court, as the ICC does not have enforcement powers of its own and thus needs to rely on State authorities to execute arrest warrants and materialize its requests for cooperation. There have been the 15 outstanding arrest warrants at this moment, which shows cooperation by States remains sorely important as a core of the Rome Statute system.

The key areas of cooperation including asset recovery and financial investigation and voluntary agreement, as identified by your facilitation, are timely and crucial for the Court to pursue its mandate. Hence, we have actively participated in the discussions for these topics in The Hague and Paris, and we fully support the principles stipulated in Paris declaration.

This year, Japan, as focal point for non-cooperation from the Asia-Pacific group, together with Australia, the Czech Republic, Peru and Senegal, has worked to update the Assembly Procedures relating to Non-Cooperation in order to better reflect established practices and enhance the effectiveness of States Parties' response to non-cooperation. The updating work will be continued in 2018, and we hope this activity will be beneficial for all States Parties.

We would also like to take this opportunity to point out that

strengthening national judicial systems and building capacity of legal practitioners have a long-term effect on the capabilities of States Parties to cooperate with the Court.

The Government of Japan has contributed in this area most notably through the Asia and Far East Institute for the Prevention of Crime and the Treatment of Offenders affiliated with the United Nations (UNAFEI) in close cooperation with UNODC, by training criminal justice practitioners from various countries and carrying out individual projects addressing country-specific challenges to improve the capacity of their judicial systems. In April this year, Japan participated in the high-level regional cooperation seminar in Seoul and shared these activities by UNAFEI with participants. Also, in May, on the occasion of the 56th Annual Session of the Asian-African Legal Consultative Organization (AALCO), Japan hosted a side-event to share our projects of legal technical assistance and capacity building of criminal justice practitioners conducted by Japan International Cooperation Agency (JICA) and UNAFEI.

Mr. Co-facilitators,

Japan would like to reiterate the importance of cooperation as the basis of effective investigation and prosecution of the most serious crimes of concern to the international community by the ICC. Japan hopes that State Parties and the ICC continue to work together to enhance cooperation towards more efficient and effective investigation and prosecution by the Court.

Thank you,