

H.E. Mr. Bruno Stagno Ugarte*

On behalf of the Assembly of States Parties of the International Criminal Court, it is an honour to welcome you to this ceremony to commemorate the tenth anniversary of the adoption of the Rome Statute.

This event is taking place at a moment when important developments have taken place at the Court and when the challenges to be met in the near future seem daunting, not just for the Court, but for the international community as a whole. In particular, we are presently confronted with important questions regarding the imperatives of peace and justice. The decision announced by Prosecutor Moreno-Ocampo on Monday to present a case against the President of Sudan, Omar Hassan Ahmad Al Bashir for crimes of genocide, crimes against humanity and war crimes in Darfur, is an important development in this regard. We stand for the interests of justice, and as States Parties to the Rome Statute we are called to be concerned not only by the fighting, but also by the killing, whether it is in Sudan or elsewhere.

The 107 States Parties gathered here today have committed not to become inured to horror, not to take part in the distribution of blame for events past and not to seek absolution by invoking the “never agains” the international community has usually withdrawn to whenever it has allowed evil to run its course.

As we confront evil, as we seek retribution for the worst forms of mass brutality and cruelty imagined by some, we must not allow the righteousness of our cause to become entangled. We must stand alongside our Court, its impartiality, its complementarity, its promise of universality. We stand first and foremost for the defense of humanity, not sovereignty.

Allow me, on this day, to pay tribute to all those who have contributed to the establishment of the Court, the States and the delegates who negotiated the Rome Statute and its supplementary norms, and those delegates or experts who have assumed roles in the Bureau and other subsidiary bodies of the Assembly.

We also acknowledge the vital role played by international organizations and non-governmental organizations throughout the entire process. I must in particular mention the United Nations and the Coalition for the International Criminal Court, without whom the International Criminal Court would simply not exist.

The year 1998 constitutes a watershed in international criminal justice. The history of international criminal justice will refer to the periods before and after the establishment of the Court. After decades of waiting, the dream of Raphael Lemkin has become a reality, a permanent reality. Numerous other indefatigable dreamers and believers in the cause of international justice have followed in his footsteps - in particular I acknowledge the presence among us of Mr. Arthur N.R. Robinson and Mr. Benjamin Ferencz.

Something special happened in Rome, something that only those that had the opportunity to participate in the Rome Conference can properly explain. I did not have that opportunity, so I am not really entitled to describe how the participating delegates were overtaken by the Rome Spirit. Maybe President Philippe Kirsch, who presided over the negotiations of the Rome Statute, can share with us how the Rome Spirit came about.

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Before introducing our distinguished invitees, allow me to quote from someone who had the misfortune of seeing genocide first hand: General Romeo Dallaire. In “Shake Hands with the Devil”, he warns us that “we need to study how the genocide happened not from the perspective of assigning blame- there is too much to go around- but from the perspective of how we are going to take concrete steps to prevent such a thing from ever happening again. To properly mourn the dead and respect the potential of the living, we need accountability, not blame.”

That is precisely the purpose of the International Criminal Court, and that is therefore our commitment as States Parties. As we gather to commemorate the tenth anniversary of the adoption of the Rome Statute, let us all ensure that the Rome Spirit remains alive as a transfusion of humanity that is able, whenever and wherever necessary, to confront evil and secure a future without impunity for the worst crimes known to man.
