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JAPAN

Statement

by

H.E. Mr. Masaru Tsuji

Ambassador of Japan to the Netherlands

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

The Hague, 21 November 2013

Her Excellency Madam Tiina Intelmann, President of the Assembly of States Parties,

Judge Sang-Hyun Song, President of the International Criminal Court,

Madam Fatou Bensouda, Prosecutor of the International Criminal Court,

Mr. Herman von Hebel, Registrar of the International Criminal Court,

Excellencies,

Distinguished Delegates,

Ladies and Gentlemen,

I am very honoured to start my official functions as the Ambassador of Japan in sharing our thought with distinguished delegates of ASP on the issue of this importance.

Now let me begin by congratulating the International Criminal Court (ICC) on its ever-increasing role in the international community. The achievement is owed to the excellent work of President Sang-Hyun Song together with other judges, the Prosecutor, the Registrar and the staff of the ICC. The Government of Japan extends our sincere appreciation for all these efforts.

The objective of the ICC—namely, to punish and hold accountable those responsible for the most serious crimes of concern to the international community thereby to prevent them in the future—is the long-held desire of people throughout the world and Japan fully supports the Court's activities. Japan shares this value with the ICC and is pleased to work together with all State Parties towards its

fulfillment.

Madam President,

Since the days of its active engagement with the drafting process of the Rome Statute, Japan has maintained a consistent policy towards the Court, which is to create and foster an international criminal justice institution that can function effectively on the basis of total confidence by the international community. Japan has been cooperating with the ICC from the following perspectives: (1) putting an end to the most serious crimes which are of concern to the international community, (2) achieving greater universality of the ICC, and (3) strengthening the rule of law for achieving justice through its support to the ICC.

I would first like to emphasize the importance of expanding the cooperation in prosecuting the most serious crimes which are of concern to the international community. The ICC does not possess any enforcement unit at its disposal and thus must rely on State authorities for the enforcement of arrest warrants and requests for cooperation. Without effective cooperation of States and other parties concerned with the Court, the ultimate goal of the Rome Statute will not be achieved.

Secondly, let me say a few words about universality of the ICC. The number of States Parties was 60 when the Statute came into force in July, 2002, and now it is 122. Japan would like to extend a warm welcome to Côte d'Ivoire for joining the States Parties to the Statute in February 2013. Its accession to the ICC by more

countries would undoubtedly enhance the role of the ICC as an important guardian to end the culture of impunity of the most serious crimes. Japan, along with all State Parties, remains willing to provide support to any State which seriously considers the ratification of the Rome Statute.

Thirdly, it is worth noting that the rule of law is the foundation for achieving justice. At the same time, we must not forget that a society in the process of peacebuilding is fragile. The pursuit of peace and justice has presented challenges, since, in the short term, tensions have arisen between efforts to secure peace and ensure accountability for crimes. But the ICC has managed to defuse the tension by adhering to the ICC's complementarity principle as well as other important values such as the rule of law, fairness, neutrality and predictability. Japan has been extending support in this area and remains committed to doing so.

In this regard, we also have to emphasize the importance of activities for the benefit of victims in order to implement our goal. My government attaches importance to assistance for victims and their families. Japan makes steady efforts for the prosecution of perpetrators and victim protection. This perspective was echoed in "Preventing Sexual Violence in Conflict" endorsed by the G8 and the larger group, through the enhancement of close cooperation with related international organizations such as the ICC, on which Japan's Prime Minister Shinzo Abe delivered an address at the sixty-eighth session of the general assembly of the UN this year. Japan commends the work of the Trust Fund for Victims at the ICC for the benefit of victims and their families under the leadership of the Chair of

the Board of Directors of the TFV, Mr. Motoo Noguchi.

Madam President,

The ICC has passed its initial stage, but we are now at a crossroads in terms of the future direction of the ICC. The ICC, as an independent judicial organ, should address new challenges, including concerns raised by the AU with a long-term vision of what the ICC should look like in 20 years or even 50 years.

Japan hopes that the ICC will continue to work diligently towards eradication of the culture of impunity and to consolidate its reputation. We continue to have commitment to fostering an important function of ICC that should be efficient, effective, universal and systemically sustainable. The Court should achieve the best outcomes within its limited resources. Finally, let me reiterate our commitment to devote energy to the further development of the international criminal justice system.

Thank you.