

【Annex 3】



— Outcome of the Seminar —

Work and Future of the International Criminal Court

Purpose of the event:

The Ministry of Foreign Affairs of Japan, jointly with the European Union, will host a seminar on the International Criminal Court (ICC) to discuss current work of the Court as well as its future (Mita Conference Hall, December 3, 2004). Through the participation of a senior ICC official as well as EU officials who have been participated in the establishment of the Court, the seminar will offer an opportunity to have discussions with relevant experts from Japan on wide-ranging topics related to the ICC. It is hoped that this event will stimulate public interest on ICC in Japan.

Background of establishing the International Criminal Court

After the end of the Cold War, humanitarian tragedy continues to occur around the world, needless to mention the atrocities in former Yugoslavia and Rwanda. In response to such situation, the call for establishing a permanent international court to prosecute and punish most serious crimes such as crimes of genocide, crimes against humanity and war crimes have become even more stronger, resulting in the establishment of the International Criminal Court. After the entry into the force of the Rome Statute establishing the ICC in July 2002, ICC has gradually moved in to its operational phase, and currently engaged in investigation of two situations in Africa.

Structure and Contents of the Seminar

Moderator: Mr. Takeo Akiba, Director of International Legal Affairs Division, Ministry of Foreign Affairs

13:00 Opening Remarks: Parliamentary Secretary Itsunori Onodera

13:15 Keynote Address:

Ms. Silvia A. Fernández de Gurmendi, Chef de Cabinet, Office of the Prosecutor, ICC

[Outcome of the session]

- Regarding the current activities of the ICC's Office of the Prosecutor, Ms. Fernández de Gurmendi provided comprehensive and detailed explanation including the organization of the Office as well as various challenges the Office was facing when conducting investigations on two situations in Africa.

13:45 SESSION 1: The Current Work of the ICC: analysis and assessment

[Outcome of the session]

- Panellists discussed the ongoing activities of the ICC after the entry into force of the Rome Statute in 2002. They also shared their assessment on the latest work of the ICC.

Introductory remarks

Mr. Roberto. Bellelli, President, Military Tribunal in Turin/Counselor, Ministry of Foreign Affairs, Italy

Remarks from individual panelists

- Professor Shuichi Furuya, Waseda University
- Mr. Håkan Friman, Deputy Director, Swedish Ministry of Justice, Division of Penal Law, Sweden
- Mr. Naoto Inuzuka, member of the House of Councilors

Discussion among panelists

Questions and answers

15:00 SESSION 2: Legal Structure of the ICC and its impact to International Society

[Outcome of the session]

- Panellists discussed the legal structure of the ICC as well as its relations with State Parties which both are the basis of the effective and functioning Court. They also considered the possible impact of the court to the international society.

Introductory remarks

Mr. Hans-Werner Bussmann, Commissioner for the ICC, Federal Foreign Office, Germany

Remarks from individual panelists

- Professor Keiko Ko, Associate Professor, Mie University
- Ms. Claire d'Urso, Magistrat, Chef du Bureau des Questions Institutionnelles, Juridiques et Contentieux,

Ministère de la Justice

- Professor Mitsue Inazumi, Associate Professor, University of Kanazawa
- Dr. J. A. C. Bevers, Legal Advisor, Department of Criminal and Sanction Law, Ministry of Justice

Discussions among panelists

Questions and answers

16:10 SESSION 3: Challenges of the ICC and its future

[Outcome of the session]

- The future of the ICC was discussed among panellists through analyzing any possible challenges which the Court would face to become an effective judicial body.

Introductory remarks

- Mr. Kiyohiko Toyama, member of the House of Councilors

Remarks from individual panelists

- Ambassador Edmond Wellenstein, Director-General, ICC Task Force, Ministry of Foreign Affairs, the Netherlands

- Professor Toshiya Ueki, Tohoku University

- Mr. Paulo Oliveira, Council Secretariat, UN Division, ICC focal point

- Ms. Silvia A. Fernández de Gurmendi, Chef de Cabinet, Office of the Prosecutor, ICC

Discussions among panelists

Questions and answers

17:15 WRAP-UP SESSION

Concluding Remarks for the Sessions (Ambassador Wellenstein, the Netherlands)

Closing Remarks (Mr. Akiba)

17:30 End of Seminar (followed by the reception co-hosted by the Ministry of Foreign Affairs and the Dutch Embassy in Tokyo (currently EU Presidency). The reception provided an opportunity for EU and ICC officials to directly exchange views with the audience attending the seminar.



Rome Diplomatic Conference in 1998 where the Rome Statute was adopted
(All three pictures were reprinted from the former ICC website)