



**UNITED NATIONS
OFFICE OF LEGAL AFFAIRS**

**Seminar on the Ratification and Implementation of the Kampala
Amendments to the Rome Statute of the ICC
"TURNING THE KAMPALA AMENDMENTS INTO REALITY"**

Statement

by

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Your Excellency, the Deputy Prime Minister,
Your Excellency, the President of the Assembly of States Parties
Your Excellency, the President of the International Criminal Court
Your Excellency, the State Minister for Foreign Affairs,
Excellencies,
Distinguished colleagues,
Ladies and Gentlemen,

Dober Dan (Good afternoon)

I am honoured to be here with you today in this beautiful setting in Brdo and to address you at this important seminar on the ratification and implementation of the Kampala amendments to the Rome Statute of the International Criminal Court. I wish to thank the Government of Slovenia, the Permanent Mission of Liechtenstein to the United Nations and the Global Institute for the Prevention of Aggression for organizing this event.

To date, 16 States have ratified and accepted the amendments to Article 8 of the Rome Statute; while 14 States have ratified or accepted the amendments on the crime of aggression.

Through your efforts and those of other supporters of the ICC, I believe we can look forward to many more States ratifying or accepting these two amendments in the near future.

I am pleased to say that I had the privilege of having just taken up my present role when Slovenia deposited its instrument of ratification on 25 September 2013.

I wish to commend Slovenia on its leadership, not only in global campaign for ratification of the Kampala amendments, but also in implementing the Kampala definition of Aggression in its criminal code.

I was extremely pleased to have taken part in Slovakia's ratification of the Kampala amendments at the end of last month. It was momentous occasion and we were joined by the President of the Assembly of States Parties.

The Eastern European region has demonstrated its commitment to the Court as the centrepiece of our system of international criminal justice with no less than twelve States joining the Rome Statute before it entered into force. I look forward to participating in the ratification ceremonies of many more countries from the region.

The United Nations has a clear and obvious stake in the world's first permanent criminal court exercising jurisdiction over the crime of Aggression.

As you all know, the prohibition of the use of force enshrined in Article 2(4) of the UN Charter is a fundamental principle of international law. The Charter prohibits the threat or use of force by one State against the territorial integrity or political independence of another State or in any other manner that is inconsistent with the Purposes of the United Nations.

As the General Assembly affirmed in its celebrated resolution 3314 (XXVIII), Aggression constitutes the most serious and dangerous form of the illegal use of force.

The ability of the International Criminal Court to exercise jurisdiction over the crime of aggression will help end impunity for perpetrators of this most serious crime.

The United Nations cannot fulfil its goal of advancing peace and security, development and respect for human rights if there is no justice for serious crimes of international concern.

The crime of aggression was prosecuted at both the Tokyo and Nuremberg tribunals. In 1946, the General Assembly affirmed the principles of the Nuremberg Charter and the Nuremberg Tribunal's judgment in Resolution 95(I) in 1946. These rules were later codified by the International Law Commission in 1950 and became known as the Nuremberg Principles. They were also articulated in the ILC's 1954 and 1996 Draft Codes of Offences or Crimes against the Peace and Security of Mankind.

Although the crime of aggression was included in the Rome Statute from the outset, it was not defined and the ICC was not able to exercise jurisdiction over it. While the negotiations in Rome that culminated in the creation of the ICC were historical it was obvious that the work was incomplete.

Twelve years later came Kampala. Recognizing that there was still work to be done, States Parties focused their negotiations on the prevention of aggression. Agreeing on a definition of this crime under the Rome Statute was, in and of itself, a major achievement. States Parties were able to adopt a resolution to amend the Rome Statute, defining the crime of aggression and the conditions under which the Court may exercise jurisdiction with respect to it.

In so doing, those present in Kampala completed the work of the Nuremberg and Tokyo tribunals and accomplished the vision of the founders of the United Nations. It is for this reason that the Secretary-General continues to encourage the widest possible ratification of this amendment to the Rome Statute.

The United Nations places the utmost value on its relationship with the International Criminal Court. We look forward to celebrating the tenth anniversary of the conclusion of our Relationship Agreement in October this year.

My Office has always played a central role in promoting, facilitating and ensuring cooperation between the United Nations and the Court. Our role has required maintaining good channels of communication with the Court, its organs and its key officials, as well as

the key officials of the Assembly of States Parties. I am pleased to say that we have always found willing, helpful and sympathetic counterparts.

Our participation in events such as this one is of considerable importance — it keeps us informed of efforts being made by States Parties and allows us to keep the Secretary-General abreast of developments.

For my part, I am totally confident that the conditions for the Court to exercise jurisdiction over the crime of aggression will be met. It is simply a matter of time. Rest assured that you have my full support and the support of my Office in your work.

I would like to take this opportunity to wish you a successful event. The programme looks very interesting and I look forward to exchanges of ideas that will not only be thought-provoking but that will also lead to concrete actions.

Regional events such as this one, spearheaded by the Government of Liechtenstein and the Global Institute for the Prevention of Aggression, have no doubt had a direct impact on States Parties' ratification of the Kampala amendments to the Rome Statute. With more than two years to go until 1 January 2017, we are nearly half way to reaching the required 30 ratifications. Ten of those ratifications and acceptances of the amendment on the crime of aggression took place in 2013 alone. This news is extremely encouraging.

I would like to commend the Government of Slovenia, the Permanent Mission of Liechtenstein to the United Nations and the Global Institute for the Prevention of Aggression and to take this opportunity to wish you the very best in your global campaign for universal ratification of the Kampala amendments to the Rome Statute.

Hvala Lepa (Thank you very much.)