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Court



Judge Sang-Hyun Song

President of the International Criminal Court

*Remarks at Ceremony for Signing an Exchange of Letters Establishing a Framework Cooperation
Arrangement between the International Criminal Court and the Parliament of MERCOSUR*

Montevideo, Uruguay

4 August 2014

Your Excellency, President Martínez Huelmo,
Excellencies, Ladies and Gentlemen,

I would like to thank all those present for welcoming me to Montevideo and to the seat of MERCOSUR.

It is an immense pleasure to be here this afternoon for the purpose of signing a framework cooperation arrangement between the International Criminal Court and the Parliament of MERCOSUR.

This cooperation arrangement reflects years of steadfast commitment and active advocacy from the MERCOSUR Member States in support of the founding principles that established the ICC in 2002.

Charged with fighting impunity for crimes against humanity, war crimes and genocide, the ICC has evolved into a very active, permanent international judicial institution, currently carrying out 8 investigations and 10 preliminary examinations in various parts of the world, with numerous cases before the Court and many more to follow.

The ICC has made historic progress in advancing the position of victims, who can participate in the ICC's proceedings, request reparations and receive humanitarian assistance from the Trust Fund for Victims.

122 countries have already become full members of the ICC, and their contributions are fundamentally important in the Court's daily work. From providing cooperation during investigations and surrendering individuals sought by the Court, to implementing the Statute at the national level, it is the States Parties that are the real driving force behind the ICC's mandate.

Since the very beginning, South America has been one of the strongest pillars supporting the ascent of the Rome Statute system of international justice, which is based on the complementary roles of the ICC and national jurisdictions.

Being the only continent to have joined the ICC family in its entirety, South America can serve as an example for all regions in the global fight against impunity.

Each and every one of the 12 MERCOSUR Member States is a State Party to the Rome Statute, and each one of them has helped pave the way for a more effective international justice system – a framework that helps prevent the occurrence of mass atrocities, and which

works to hold accountable those guilty of the most repulsive violations against fellow human beings.

South America's participation in the ICC reflects the acknowledgement that no country is immune to potential violations of human rights in their territory. Working together to ensure respect for the rule of law, fighting impunity for the gravest crimes, and being conscious of the moral obligations to aid those caught in the crossfires of conflict are all factors that have helped unite the South American continent in an unprecedented way.

In the same way that the ICC seeks to integrate all countries of the world under the Rome Statute umbrella, MERCOSUR has progressively evolved into a platform of shared policies and objectives for the greater good of the region.

This driving force of socioeconomic and political integration in South America – in spite of the cultural, linguistic and historical differences among MERCOSUR Member States – is a testament to how the international community can use its diversity as a medium to engage in cooperative dialogue for the wellbeing of all.

The very belief that all nations are meant to collaborate for the greater good is reflected in the opening line of the Preamble of the Rome Statute, stating that “peoples are united by common bonds” with their “cultures pieced together in a shared heritage.”

Therefore, recognizing that MERCOSUR's envisioned ideals of economic development, social cohesion, and transparent policies for the South American region greatly rely on the assumption that justice and the respect of human rights are assured, I would argue that the ideals of the ICC and MERCOSUR can merge effortlessly.

Economic wellbeing is threatened when impunity for grave violations prevails. Indeed, the mutual connections between peace, justice and sustainable development are increasingly recognized around the world. Many violent conflicts have been fuelled, and are being fuelled, to a great degree, by socioeconomic deficiencies that have threatened the shared heritage that is meant to bring nations together, not push them apart or against each other.

As a result, the shared aspiration of the ICC and MERCOSUR to unite the international community through cooperation and mutual understanding is the link that allows both organizations to jointly set the stepping stones for what today is a milestone agreement, and for what tomorrow can yield new avenues of combined efforts for the greater good.

I am confident that the Cooperation Arrangement we are signing today will help intensify the involvement of MERCOSUR and its Member States in the international criminal justice system.

In very concrete ways, this Cooperation Arrangement can also assist in advancing progress on concrete issues such as the adoption of national legislation to implement the Rome Statute, and the cooperation of MERCOSUR Member States with the ICC on vital issues such as the relocation of witnesses and the enforcement of sentences.

Mr President,
Excellencies, Ladies and Gentlemen,

In much the same way that the 1998 Rome Conference allowed for the creation and development of a permanent International Criminal Court, today's signing of a framework cooperation arrangement between our two organizations casts light on a previously unopened door of opportunities that will allow for a strengthened working relationship as we jointly pursue our interdependent objectives.

The emerging system of international criminal justice can be applied most effectively when the international community as a whole advocates for the end of mass atrocities and pernicious acts against humanity. Regional organizations like MERCOSUR are instrumental in supporting these shared goals as a united front.

As we move forward, it brings me great pleasure to know that the ICC will find a strong support network in PARLASUR in ensuring accountability through the rule of law, which in turn can bolster the region's own integration and development policies.

Mr. President, please allow me to once again thank you and the Parliament of MERCOSUR for your readiness to conclude this Cooperation Arrangement with the ICC, an institution that has felt the unyielding backing of the South American region since the very beginning.

I very much look forward to fostering our mutual ties on the basis of this most promising agreement.