



**Statement by H.E. Bruno Stagno Ugarte,
President of the Assembly of States Parties**

**Ceremony for the Solemn Undertaking of the ICC Judges Elected in
January 2006**

The Hague, 10 March 2006. Courtroom I, International Criminal Court

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Excellencies,
Ladies and gentlemen,

At this very moment when serious crimes that shock the conscience of the world continue to occur in different corners of our planet, we assemble anew in The Hague, the judicial capital of the world, to reconfirm our commitment to the international rule of law.

At a time when the rule of law in general, and international law in particular, are deemed by some to be inconvenient or superfluous, we gather here to reaffirm our belief that the pillars upon which the global community seeks to advance the cause of justice can only lie in the rule of law.

At a time when justice is sometimes confused with vengeance, and when the law is sometimes considered but one of many malleable instruments of policy, this Court stands proudly as evidence of our countries' unflinching determination to ensure that the juridical edifice of the twenty-first century constitutes an indispensable basis for securing justice, and through justice, the ever elusive peace the world yearns for.

The awareness of the link between justice and peace is increasing constantly – one hundred States Parties to the Rome Statute are incontrovertible proof. This is a trend which, despite powerful forces that seek to undermine or diminish the importance of the Court, continues unabated. States Parties should continue to ensure that the path of legality and the attainment of justice, constitute the means to combat those serious crimes of concern to the international community. In this process, we hereby renew our commitment to maintain the integrity of the Rome Statute and to support the States Parties who encounter difficulties in pursuing this goal.

The International Criminal Court can be a pivotal instrument, if we want it to be, against the impunity enjoyed by perpetrators of serious human rights violations in the world, violations

that shock the very conscience of mankind and by their magnitude and atrocity also affect countries beyond the conflict-torn regions by repudiating the foundations of the rule of law.

The International Criminal Court builds upon, and encourages further development in, national criminal justice systems, and by acting as a court of last resort, always deferring to those national jurisdictions that will fulfil their legal obligations- it can ensure the entry for justice at all levels of national and international life.

In a few moments, 6 judges of the International Criminal Court will make their solemn undertaking, and begin to exercise their functions under the Rome Statute. This event marks a renewal of our commitment to avoid the reign of impunity in a world where, for far too long, justice has frequently been denied to those who have been the object of genocide, war crimes and crimes against humanity.

As the date of the arrival of boreal spring approaches and we see the first buds in the parks around The Hague, so too can we now see, three years after the inaugural ceremony, that the Court we established in Rome is operational and ready to turn into reality what were then only expectations and hopes.

We now have a functioning Court, with its elected officials and core staff carrying out a series of activities, not just in The Hague but also in the field, in accordance with the mandates entrusted to them by the Rome Statute and the Assembly.

Since that inaugural ceremony in 2003, three States have referred situations to the Office of the Prosecutor, which has been earnestly analyzing those and several other situations. Furthermore, the vital role of the Court has also been reaffirmed with the referral of a situation by the United Nations Security Council. The Court has also issued its first five arrest warrants. We are gathered here in one of the two courtrooms which, in addition to the Pre-Trial Chamber, also constitute a concrete testament to the progressive materialization of what was only a dream a few years ago.

In the search for justice, the role of judges is paramount. Bearing that in mind, the process of election is extremely selective. The care with which the Assembly went about electing the six judges at its resumed fourth session is a further testament of the commitment, on the part of the parties to the Rome Statute, to the highest standards of international justice. It was a special honour for me to have chaired the Assembly of States Parties during that election, and I congratulate all who participated in them.

At the 5th meeting of its fourth session, held on 26 January 2006, the Assembly proceeded to elect 6 judges of the International Criminal Court in accordance with the relevant provisions of the Rome Statute, as well as resolution ICC-ASP/3/Res.6.

The following were elected judges of the International Criminal Court:

Mr. Hans-Peter Kaul;

Mr. Erkki Kourula;

Ms. Akua Kuenyehia;

Mr. Sang-hyun Song;

Ms. Ekaterina Trendafilova;

Ms. Anita Ušacka.

The responsibility of the judges is indeed a heavy one, but it is commensurate to the hopes for justice of those individuals and communities which have suffered the crimes over which the Court has jurisdiction.

As the annals of history attest, a world bereft of justice is a world devoid of peace. We are all confident that the Court, with the support of all States Parties, will rise to the challenge of administering justice and ensuring that such a world is relegated to the dark ages.

May I conclude by thanking the Kingdom of the Netherlands, the host State, for the hospitality and support it offers to the International Criminal Court.

Thank you Mr. President.