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President of the International Criminal Court**

Opening remarks at ICC Judicial Seminar “Complementarity and  
Cooperation of Courts in an Interconnected Global Justice System”

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Your Excellency, President Carmona,

Your Excellency, President of the Assembly of States Parties, Judge Kwon,

Honourable chief justices and other esteemed judges representing national, regional and international courts and tribunals.

Dear fellow judges of the ICC,

It is for me a great pleasure to open this judicial seminar. This is the first time a gathering of this type takes place at the seat of the International Criminal Court. It is the first one of what I hope will become a regular exchange among judges of the world.

Today's seminar has been made possible by the financial support of the European Commission, for which we are highly appreciative.

At the outset, I would like to express my gratitude to all of you for being here today. You have all taken time from your busy schedules, some of you have even travelled from other continents to be here today.

Your commitment to participate in this event really means a great deal. We are truly honoured by the presence of so many judges, from a total of 26 national jurisdictions, and 10 international or regional courts and tribunals.

To facilitate our interaction, we have arranged interpretation in English, French and Spanish.

I would like to greet the Spanish-speaking participants before continuing my presentation in the two working languages of the ICC, English and French.

We invited all of you here for a joint conversation as we are convinced and wished to underline that we are all part of an interconnected global justice system and that we need each other to enhance the effectiveness of our respective mandates.

Our mandates and jurisdictions are distinct but we all share a unique and same goal, which is to ensure accountability and solve conflicts through justice.

In addition to our common broad goal, cases before our respective courts are increasingly related. The same events can give rise to criminal and civil proceedings in national courts, proceedings in hybrid or regional courts, including human rights courts, and proceedings before international courts such as our Court, the ICC.

Many of the challenges we confront are the same and we have thus much to learn from each other's experience.

These challenges are manifold, but I believe central among them is the efficiency and quality of judicial proceedings. Evidently, the issue of efficiency bears different and varying dimensions depending on the nature of the court. Yet, our respective constituencies have a common expectation that justice should be delivered in a timely manner. It is a matter of both public expenditure and legitimacy.

The International Criminal Court is no exception. The international community and victims turn to the ICC and other international criminal tribunals with hope that justice will be done, and done without unnecessary delay. Expeditionness is also part and parcel of fairness and the rights to which defendants are entitled.

I am glad to say that much progress has been made by the Court in this regard. Through a process of collective and constructive dialogue, we have put in place a number of reforms that are already having a visible impact in our courtrooms and cases, including a clear and drastic reduction of the time required for some phases or aspects of proceedings.

A constructive exchange of views among ICC judges has been crucial to the enhancement of judicial proceedings. Such discussions do not need and should not remain within the confines of each court. As courts experience similar challenges, there is need to engage in a broader dialogue on how best to solve them. I do hope that this gathering, followed by others in the future, will provide a useful platform for such an exchange.

Dear colleagues,

As you know, the International Criminal Court has an ambitious – albeit limited – mandate to investigate and prosecute the gravest international crimes: genocide, crimes against humanity, war crimes and the crime of aggression.

The Court is permanent and its mandate is intended to be global, although our founding treaty, the Rome Statute, has not yet attained universal participation.

At the same time, the International Criminal Court is a court of last resort intended to complement and not to replace national jurisdictions. The primary responsibility to investigate and prosecute crimes of international concern is vested in States, with the ICC stepping in as a measure of last resort if the national jurisdiction is unable or unwilling to carry out such proceedings.

Indeed, as explicitly stated in the Preamble of the Rome Statute, the Court was established on the premise that the effective prosecution of international crimes is ensured by taking measures at the national level and by enhancing international cooperation.

Experience has shown that in an increasingly globalized world, justice is also interconnected. Ensuring accountability for the gravest crimes cannot be treated as being exclusively a national issue, or only a matter of international concern. It is both.

International and national jurisdictions influence each other at a normative level. Norms in a national setting cannot be applied in isolation from international norms and jurisprudence. Conversely, international tribunals apply norms arising from national systems and generally recognized principles of law. The procedural system of the International Criminal Court, in particular, is a hybrid regime that combines elements of the main legal systems and traditions of the world, mainly the common law and civil law systems and we often turn to national jurisprudence to assist us in our own interpretation of our applicable law.

Beyond normative interrelation, we often need each other's cooperation to do our work in practice. It is not only ideas and norms that trespass national borders. So do suspects, witnesses and evidence, including digital information. Cross-border judicial cooperation and regional collaboration is essential to effectively tackle crime in a shrinking world.

In particular, ending impunity for genocide, crimes against humanity, war crimes and aggression is only possible with a shared vision and a joint commitment. I hope that today we will sharpen that vision and strengthen that commitment.

Dear colleagues,

The specific themes selected for this seminar deal with two crucial elements that connect us in the exercise of our mandate in a global justice system: Complementarity and Cooperation of Courts.

The topics were intentionally designed to be very wide, in order not to restrict discussions at this first seminar, from which we can build future conversations on more specific topics.

In order to start the discussions, each theme will be very briefly introduced by an ICC judge, and the free exchange that will follow will be moderated by another ICC judge.

I encourage everyone to participate actively in the discussion; the format was made such – with presentations kept to a minimum – as to allow as much as interaction as possible.

I once more thank you wholeheartedly for your presence here, and I wish everyone very productive discussions today.

I look forward to what I am sure will be a fruitful exchange.

Thank you.

