

Statement on the International Criminal Court

"The idea that a state, any more than a corporation, commits crimes, is a fiction. Crimes always are committed only by persons. It is quite intolerable to let such a legalism become the basis of personal immunity. "

Robert Jackson, U.S. Supreme Court Justice and Lead Prosecutor, Nuremberg Trials

The 20th century has seen the worst violence in the history of human kind. In the past fifty years more than 250 conflicts have erupted around the world; more than 86 million civilians, mostly women and children, have died; and over 170 million people were stripped of their rights, their property and their dignity. Most of these victims have been simply forgotten and few perpetrators have been brought to justice. In spite of rules and laws defining and forbidding war crimes, crimes against humanity and genocide, along with various treaties and conventions, what has been lacking up to now, is a system for enforcing these norms and for holding individual violators criminally responsible.

The Conference of European Justice and Peace Commissions believes that those who commit the most heinous crimes must be held accountable for their actions. This is crucial to rebuilding peace in societies, especially those shattered by violent conflicts, dictatorial regimes and war. Without justice there is no reconciliation, and without reconciliation there is no lasting peace.

On 17th July 1998 an important even if not sufficient step toward a genuine legal world order was taken in Rome. 160 nations decided to establish a permanent International Criminal Court to try individuals for the most serious offences of global concern, such as genocide, war crimes and crimes against humanity. Cases might be brought before the Court by State Parties, the U.N. Security Council, and the ICC Prosecutor acting on his or her own initiative.

From a Christian point of view, the Court makes full sense, if we are to take seriously the principle of solidarity. This is a basic social value in christian life. It consists of the firm decision to engage for the common good, that is for the good of each and everybody, because we are all responsible for everybody.

The very existence of the International Criminal Court will be a deterrent, sending a strong warning message to would-be perpetrators. It will also encourage states to investigate and prosecute crimes committed in their territories or by their nationals, for if they do not, the International Criminal Court will be there to exercise its jurisdiction. After the bloodiest century in history, with the images of ethnic cleansing in Bosnia and the genocide on Ruanda still fresh in our minds, the importance to humanity of that promise is immense.

Although the Statute has been approved, it will not enter into force and the Court will not be established until 60 nations have ratified it. We therefore urge European governments and parliaments to:

- Ratify the ICC Statute without invoking article 124 (this article allows a state to postpone for 7 years the coming into effect of the court's jurisdiction in regard to war crimes)
- Adopt necessary national legislation to implement the ICC Statute domestically

- Participate in further preparatory work on the ICC's Rules of Procedure and Evidence.
- Emission. nsure that the Court has the resources to carry out its important

"This promises to supply what has so long been the missing link in the international legal system, a permanent court to judge the crimes of gravest concern to the international community as a whole – genocide, crimes against humanity and war crimes."

Kofi Annan, Secretary-General, United Nations

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