



International Criminal Court is a legal milestone, Ban says on anniversary

17 July 2008 –The creation of the International Criminal Court represents one of the biggest milestones of international law, United Nations Secretary-General Ban Ki-moon said today as he marked the tenth anniversary of the ICC's founding.

In a [statement](#) at a ceremony in New York for the anniversary, Mr. Ban also said the UN and the ICC fully complemented each other's work.

"The creation of the ICC is unquestionably one of the major achievements of international law during the past century. But this young court remains a work in progress; a fragile part of a crucial and ongoing effort to entrench international law and justice," he added.

The UN provided crucial assistance to Member States which created the court, Mr. Ban noted.

"Ever since, UN-ICC cooperation has expanded steadily to the point that by now, our two independent institutions fully complement each other's work. Today, the UN's work to promote peace, development and human rights is heavily dependent on the ICC's efforts to advance justice and establish the rule of law," he said.

In strengthening the court, the correct balance between the duty of justice and the pursuit of peace must also be struck, Mr. Ban stressed.

"Impunity for crimes can never be tolerated; amnesties for international crimes are unacceptable. When confronted with these dilemmas, we must never sacrifice justice; crucially, the search for a balance between justice and peace should never be influenced by the threats and postures of those seeking to escape justice."

Mr. Ban went on to outline what he saw as some of the challenges confronting the Court, and called for additional steps towards achieving even greater universality for the cases taken up by the ICC.

"This growing universality naturally calls for geographic diversity in the investigations and other activities undertaken by the Court. Such steps could help counter any perception of exclusivity, even if it is dictated by circumstances," he said, adding that the Court had to continue to demonstrate its total independence, while the entire international community had to learn to respect its decisions.

The Secretary-General also hailed the contribution of non-governmental organizations (NGOs) in creating the Court and asked for their continued engagement to help the ICC evolve and advance.

"Far too often in the past the gravest crimes have gone unpunished. The most egregious criminals have remained at large and the most wronged victims have been denied justice. But the first decade of the International Criminal Court signals a break from this unfortunate past. It puts would-be war criminals and perpetrators of genocide and crimes against humanity on notice that they cannot expect impunity; that they will be indicted, that they will be arrested, and that they will be held responsible," Mr. Ban said.

Opening the commemoration of the anniversary in New York, Bruno Stagno Ugarte, Foreign Minister of Costa Rica and current President of the Assembly of States Parties of the ICC, paid tribute to all those who had supported the Court's creation.

"The more than 100 States Parties gathered here today have committed not to become inured to horror, not to take part in the distribution of blame for events past and not to seek absolution in the 'never agains' the international community has usually withdrawn to whenever it has allowed evil to run its course," he said.

Also addressing the meeting, ICC Prosecutor Luis Moreno-Ocampo said that all nations had to operate in accordance with the law. "Because the law is not just for the courtroom – the law expresses what is right and what is wrong for the community – and in this case for a global community. Ten years ago more than 100 States decided that ending impunity is the right answer to prevent the most serious crimes," he said.

At the same event, Ruth Wijdenbosch, President of the Foreign Affairs and National Defense Committee of Suriname, described how her country had become the latest country to accede to the Rome Statute of the ICC, bringing the total number of States Parties to 107.