

10 April 2013

**Statement of H.E. Mr. Vuk Jeremić,
President of the 67th Session of the General Assembly,
at the Opening of the Thematic Debate on the Role of International
Criminal Justice in Reconciliation**

Mr. Secretary-General Ban Ki-moon,
Esteemed Heads of State,
Respected Ministers,
Excellencies,
Ladies and Gentlemen,

It is my distinct privilege to welcome you to the United Nations General Assembly.

Two decades after the establishment of the inaugural UN ad hoc tribunal, and eleven years following the entry into force of the Rome Statute establishing the ICC, we are finally holding our first thematic debate on international criminal justice.

I believe this is an issue of enormous significance for the international community. The number and diversity of countries that will participate in today's proceedings demonstrates how widespread is the interest in this topic.

It is also an immensely sensitive one, for discussions about international criminal justice often involve considerations of delicate matters like sovereignty or impartiality. But I firmly believe there should be no forbidden subjects in the General Assembly. Where else can all Member States come together, as equals, to exchange views frankly, openly, and inclusively on far-reaching issues?

Excellencies,

As international criminal justice is no longer in its infancy, there is quite an accumulated wealth of experience that can be appraised. Academic and public-policy experts have started to consider the historical record, revealing numerous lessons that may be learned or best practices to be applied in the future.

They are also debating issues such as prosecutorial discretion, the legal criteria by which judgments are rendered, and the selection process of court officials and staff as well as the question of jurisdictional primacy and how it has evolved over time.

Others include how to balance the delivery of justice, the prevention of impunity and fostering general deterrence, and the respect for the rights of both victims and the accused.

In my view, the paramount question is how international criminal justice can help reconcile former adversaries in post-conflict, transitioning societies.

Excellencies,

I strongly believe that efforts to achieve justice and reconciliation should reinforce each other, and be bound together in what they aim to accomplish to put an end to enmity, thus breaking for good the vicious cycle of hatred.

Reconciliation necessitates each side to accept its share of responsibility. Divorced from this context, international criminal justice can easily be perceived as an instrument of revendication, or be portrayed as complicit with attempts to assign communal blame. Such outcomes would harm efforts to strengthen the rule of law, for no legal tradition recognizes the guilt or innocence of an entire nation.

Reconciliation will come about when all the parties to a conflict are ready to speak the truth to each other. Honoring all the victims is at the heart of this endeavor. That is why it is so critically important to ensure atrocities are neither denied, nor bizarrely celebrated as national triumphs.

Reconciliation is in its essence about the future, about making sure we do not allow yesterday's tragedies to circumscribe our ability to reach out to each other, and work together for a better, more inclusive tomorrow.

Excellencies,

I hope this thematic debate can be about the future as well, for we should see international criminal justice not only for what it is, but also for what it could become.

Let us therefore seek to improve its effectiveness, while offering honest and forthright assessments of its work.

And let us also be reminded of the possible dangers posed by its absence. It was Aristotle who wrote, so long ago, that "at his best, man is the noblest of all animals; separated from law and justice, he is the worst."

May we fervently strive to build a world in which no man or nation is separated from the ennobling reign of law and justice, where truth and reconciliation will be imparted with much-deserved preeminence.

Thank you for your attention.