



REPÚBLICA DEMOCRÁTICA DE TIMOR-LESTE
MINISTERIO DOS NEGOCIOS ESTRANGEIROS E COOPERAÇÃO

**STATEMENT OF THE NOBLE PEACE PRIZE LAUREATE, DR. JOSE RAMOS-HORTA
MINISTER OF FOREIGN AFFAIRS AND COOPERATION ON THE
INTERNATIONAL CRIMINAL COURT (ICC)
27 JUNE 2002**

In the long history of the world's search for international justice and end to impunity, there is now a permanent court that promises to hold accountable perpetrators of the most serious crimes of concern to the international community: war crimes, crimes against humanity, genocide and the crime of aggression. For more than 50 years since the Nuremberg and Tokyo trials, the world has failed in bringing to justice those responsible for the millions of victims of such horrendous crimes.

The ICC represents the sharpest expression of developments in international humanitarian and human rights laws. Adopted in 1998 in Rome by 120 states, signed by 139 states and now ratified by almost 70 states, the Rome Statute which creates the ICC will come into force on July 1st this year, to be marked and celebrated as the 'International Day for Justice'.

It is crucial not only for East Timor to ratify this treaty at this time in history but for countries in Asia and elsewhere in the world that have witnessed and experienced first hand the atrocities committed by those in power and those who hold guns and use them against innocent civilians, most of whom are women and children.

East Timor, with its recent past, holds itself in high moral ground to ratify not only for the benefit of its own people in the present and in the future but for those who continue to live their lives in the crossfire in areas of conflict and where the most serious crimes are committed everyday. As human rights are universal, indivisible and interdependent, we as a people stand in solidarity with those fellow human beings living in very difficult situations similar to what the East Timorese went through over half a Millennium.

There is a need to prevent violence and allow the rule of law to take its due course in trying to bring to justice those responsible for such horrendous crimes.

No country can be safe from any similar attack of violence, including East Timor. The ICC can be a rallying point for those who seek peace through the use of the rule of law. It has yet to evolve and unless we ratify, we cannot participate and have a voice in its making. And as a country and a people that have suffered so much in the past, our voice is needed not only to express our sufferings but to put a stop to the unnecessary sufferings of others and prevent future ones from occurring.

Many Asian countries have not ratified yet. It is unthinkable to have an international criminal court without Asia in it not only for geographical and demographical reasons but for a region that have experienced so much violations of human rights and continue to suffer as a result of such violations, we owe a great deal of justice to our people. A strong Asian voice is needed to end impunity in the region and to bring peace to our people. The ICC will benefit a lot from the Asian experience and long standing record of human rights work.

East Timor is committed to ratify the ICC soon and join the international community in ensuring the establishment of an independent, fair and effective international criminal court.

ICC: Indonesia and Timor-Leste
By Kristio Wahyiono

1. Indonesia and ICC

Indonesia is one of the countries which took part always in the process of ICC's establishment, since Prepcom 1995/97 which never stopped until now. At the plenipotenciary's assembly 1998 in Rome, Indonesia together with other undeveloped countries and USA were very active in the struggle for ICC to become a permanent court without discrimination which enter into force to all contries or people.

It is true that Indonesia has not been yet as state party of ICC, because among others it demands direct competence (propriomutu) of a Public Prosecutor to investigate any case. At the moment, Indonesia assumes that to have an ICC Public Prosecutor needs to get agreement from a country before investigation is done. Indonesia has the same view with USA and other countries.

Beside thats, Indonesia is not in the same view if ICC becomes world tribunal, considering that it does not go the same way with the concept of ICC Statute at the beginning about the complementary characteristic of ICC. However Indonesia will always trays to strength its position to deal with ICC, especially on issues occurred in the occasions of peace such as *Crimes against humanity*.

We are aware that so far ICC's Prepcom does not succeed in formulate definition on the aggression which constitute the package of the agreement proposed by undeveloped countries in order to accept Rome Statute. That failure of ICC is one of the reason and it influences the position of Indonesia to reject the signing of ICC's Statute until the limited time of December 2000. Generally Indonesian position is to continue following the evolution of ICC in its starting operation.

2. Future relation of Indonesia with ICC

As an international reality the existence of ICC which is signed by a big part of UN members can not be denied by Indonesia. For that reason by remembering the jurisdiction that is entering into force, for the non state party, Indonesia will make especial and planed policy to implement its international responsibility coming from the operation of ICC.

