

Ceremony for the Opening for Signature of the Convention on the Establishment of an International Criminal Court

Rome, “Il Campidoglio”, 18 July 1998

Statement of Professor M. Cherif Bassiouni Chairman, Drafting Committee United Nations Diplomatic Conference on the Establishment of an International Criminal Court, Rome, 15 June–17 July 1998

The world will never be the same after the establishment of the International Criminal Court. Yesterday’s adoption of the Final Act of the United Nations Diplomatic Conference and today’s opening of the Convention for signature marks both the end of a historical process that started after World War I, as well as the beginning of a new phase in the history of international criminal justice.

The establishment of the ICC symbolizes and embodies certain fundamental values and expectations shared by all peoples of the world and is, therefore, a triumph for all peoples of the world. The ICC reminds governments that Realpolitik, which sacrifices justice at the altar of political settlements, is no longer accepted. It asserts that impunity for the perpetrators of ‘genocide,’ ‘crimes against humanity,’ and ‘war crimes’ is no longer tolerated. In that respect it fulfils what Prophet Mohammad said, that ‘wrongs must be righted.’ It affirms that justice is an integral part of peace and thus reflects what Pope Paul VI once said, ‘If you want peace, work for justice.’ These values are clearly reflected in the ICC’s Preamble.

The ICC will not be a panacea for all the ills of humankind. It will not eliminate conflicts, nor return victims to life, nor restore survivors to their prior conditions of well-being and it will not bring all perpetrators of major crimes to justice. But it can help avoid some conflicts, prevent some victimization and bring to justice some of the perpetrators of these crimes. In so doing, the ICC will strengthen world order and contribute to world peace and security. As such, the ICC, like other international and national legal institutions, will add its contribution to the humanization of our civilization.

The ICC also symbolizes human solidarity, for as John Donne so eloquently stated, ‘No man is an island, entire of itself; each man is a piece of the continent, a part of the main . . . Any man’s death diminishes me because I am involved in mankind.’

Lastly, the ICC will remind us not to forget these terrible crimes so that we can heed the admonishment so aptly recorded by George Santayana, that those who forget the lessons of the past are condemned to repeat their mistakes.

Ultimately, if the ICC saves but one life, as it is said in the Talmud and the Quran, it will be as if it saved the whole of humanity.

From Versailles to Rwanda, and now to the ‘Treaty of Rome,’ many have arduously labored for the establishment of a system of international criminal justice. Today our generation proudly, yet humbly, passes that torch on to future generations. Thus, the long relay of history goes on, with each generation incrementally adding on to the accomplishments of its predecessors. But today, I can say to those who brought about this historic result, the government delegates in Rome, those who preceded them in New York since 1995, the United Nations staff, members of the Legal Office, the non-governmental organizations and here in Rome the staff of the Italian Ministry of Foreign Affairs, what Winston Churchill once said about heroes of another time, ‘Never have so many, owed so much, to so few.’