



PERMANENT MISSION
OF THE PRINCIPALITY OF LIECHTENSTEIN
TO THE UNITED NATIONS
NEW YORK

On the occasion of the High-level Meeting of the General Assembly on the Rule of Law, the Permanent Mission of Liechtenstein to the United Nations will hold a

Ministerial Panel
**“Preventing the illegal use of force through
judicial accountability”**

*The role of the ICC and its States Parties after the adoption of
the Kampala Amendments on the Crime of Aggression*

Monday, 24 September 2012, 3:00 – 4:00 p.m.
NLB Conference Room 3

Opening remarks:

H.E. Ms. Aurelia Frick, Minister of Foreign Affairs, Principality of Liechtenstein

Keynote address:

Mr. Benjamin Ferencz – Chief Prosecutor at the Nuremberg “Einsatzgruppen” Trial 1947/48

Ministerial Panel:

H.E. Mr. Phandu Skelemani, Minister of Foreign Affairs, Republic of Botswana

H.E. Mr. Winston Dookeran, Minister of Foreign Affairs, Republic of Trinidad and Tobago

H.E. Mr. Armand De Decker, Minister of State, Kingdom of Belgium

Background: One central aspect of the rule of law at the international level is the prohibition of the illegal use of force. Article 2, paragraph 4, of the United Nations Charter prohibits the “threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the purposes of the United Nations”. The prohibition of the use of force by one State against another is the **most fundamental rule in international law**. The enforcement of this rule has for more than six decades been the greatest challenge for the United Nations and its main organs.

The panel will examine how two other sets of actors can **assist in the enforcement of the prohibition of the illegal use of force**:

One such actor is the **International Criminal Court**. At the ICC Review Conference in 2010 in Kampala, Uganda, States Parties to the Rome Statute seized the historic opportunity and adopted amendments to the Statute on the crime of aggression. As a consequence, the ICC will in the future be able to investigate and prosecute leaders of States that are responsible for crimes of aggression, i.e. the most serious forms of the illegal use of force against other States. To this end, **30 ratifications** by States Parties are required, as well as a one-time decision of States Parties to activate the ICC’s jurisdiction, no earlier than 2017.

The other set of actors are States themselves, in particular ICC States Parties. Prior to the adoption of the Kampala amendments, two dozen States had already **included the crime of aggression in domestic criminal codes**. Others were reluctant to do so, as there was no internationally agreed definition of the crime of aggression. Since Kampala, some States have adapted their domestic legislation to include or update the criminalization of aggression, thus empowering national judges to contribute to the enforcement of the UN Charter. **Most importantly though, States should ratify the Kampala amendments without delay in order to allow for the activation of the ICC’s jurisdiction over the crime of aggression in 2017.**

Participation: The meeting is **open to all delegations** without prior registration. After interventions from the podium, the floor will be open for brief interventions by others. High-level representatives will be given priority, though any delegation is welcome to participate. The organizers would welcome in particular interventions addressing the **current status of the domestic ratification process** of the Kampala amendments on the crime of aggression and/or their **implementation** into domestic criminal law. To reserve a place on the informal speaking list as well as for any further questions, please contact: Mr. Jörn Eiermann, Advisor for ICC Affairs, (t) +1 212 599 0220 ext. 227, joern.eiermann@nyc.llv.li

Due to the tight schedule, the meeting will start on time, 3:00 p.m.