



**PERMANENT MISSION  
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CHECK AGAINST DELIVERY

**OPENING REMARKS BY H.E. MS. AURELIA FRICK, FOREIGN MINISTER OF LIECHTENSTEIN  
SIDE-EVENT: PREVENTING THE ILLEGAL USE OF FORCE THROUGH JUDICIAL ACCOUNTABILITY – THE  
ROLE OF THE ICC AND STATES PARTIES AFTER THE ADOPTION OF THE KAMPALA AMENDMENTS ON  
THE CRIME OF AGGRESSION**

Excellencies, distinguished delegates, Ladies and Gentlemen,

I am proud to open this panel today, which is dedicated to “Preventing the illegal use of force through judicial accountability – the role of the ICC and States Parties after the adoption of the Kampala amendments on the crime of aggression”. For Liechtenstein, this brings together two of the top priorities in our multilateral work: First, the United Nations, the very purpose of which is to promote international peace and security. Its Charter contains the most important rule of international law: the prohibition of the illegal use of force. Second, the rule of law, the theme of the high-level meeting today, and in particular the role of the International Criminal Court in this respect. While aggression is prohibited under the UN Charter and thus has been illegal under international law for decades, we have so far not been able to use individual criminal justice to enforce the prohibition of the illegal use of force. In Nuremberg, some 65 years ago, twelve leading Nazi officers were convicted of “crimes against peace”. Since then, no other international criminal tribunal has had the competence to hold individuals accountable for the crime of aggression. We did not even have an internationally accepted definition of the crime of aggression. Instead, we had more wars, more aggression, and impunity.

But times have changed. At the 2010 Review Conference in Kampala, States Parties of the International Criminal Court agreed, by consensus, upon a definition of the crime of aggression. They also agreed that after 1 January 2017, the ICC should – provided that States will have decided to activate its jurisdiction –

have the power to prosecute leaders of States that are responsible for the most serious cases of the illegal use of force against another State. This was a historic decision. The Rome Statute now contains a clear definition of the crime of aggression. Therefore, for the first time since the creation of the United Nations, the prohibition of the illegal use of force, which is at the core of this organization, can also be enforced through individual criminal justice at the international level, through the ICC.

In order to seize this opportunity, we need to do two things:

First, ensure that 30 States ratify the Kampala amendments within the coming years, in order to enable the activation of the jurisdiction of the ICC with respect to the crime of aggression. This is possible no earlier than 2017, in accordance with the Kampala consensus. I was delighted to note that some of you have taken up a suggestion made by Belgium and Liechtenstein in a joint letter to ICC States Parties and made pledges to ratify the amendments soon.

Second, we must ensure the dissemination and understanding of the provisions on the crime of aggression. This should also lead many countries that have not yet done so to include the crime of aggression in their domestic penal codes. This is something that Non-States Parties can do as well, and in fact a number of them already have domestic laws criminalizing aggression.

Liechtenstein was the first State to ratify the amendments, in May this year. In order to further assist the process of ratification, we have launched an initiative, together with the Global Institute for the Prevention of Aggression, and with States who are committed to the same cause. Our activities include workshops, technical assistance, advocacy and more. We thus wish to assist States that have an interest in ratifying the Kampala amendments. While States Parties in particular will be part of this effort, we also want to include States that have not joined the Rome Statute, but are contemplating the possibility in the near future. Ideally, these States will ratify the Rome Statute in its 2010 version, i.e. including the Kampala amendments on the crime of aggression, as well as the amendments to article 8, regarding the use of certain weapons in internal armed conflicts.

International law and international justice move slowly, notoriously so, but they move steadily. Now is the time to add a new dimension to the commitment by all of us to effectively outlaw the illegal use of force. Now is the time to clearly signal to leaders of States that they have to consider and be aware of the legality of their actions and the possible consequences these decisions might entail. For this, we need a strong International Criminal Court, ownership by the States Parties and an international community that lives up to its promise given after the Second World War: "never again". I thank you.