China (observer status)

General Debate

Speaker: Ms. Xiaomei Guo, Counselor, Department of Treaty & Law, Ministry of Foreign Affairs

China is of the view that in order to garner wider support and recognition from the international community, the ICC needs to strictly stick to the principle of complementarity in accordance with the Rome Statute, and perform its duties with greatest prudence.

Cooperation: For States to offer their cooperation, it is extremely important for the Court to make its request of cooperation in accordance with the applicable principles of international law. We are of the view that the Court needs to implement the Rome Statute in its integrity. The articles in the Rome Statute which make certain limitations upon the request of the cooperation such as Article 98 should not be ignored. The referral of a situation by the Security Council does not automatically abolish the immunity of the head of the state under rules of general international law.

Kampala Amendments: Given that the crime of aggression concerns international peace and security and the mandate of the Security Council, Chine is of the view that the Amendment should be reviewed within the framework of international law established by the UN Charter and shall not negatively impact upon the functions and powers of the Security Council.