



THE PRESIDENT
OF THE
GENERAL ASSEMBLY

11 February 2013

Excellency,

In reference to my announcement of 21 December 2012 on the occasion of the closing of the main part of the General Assembly to hold a thematic debate on International Criminal Justice, I have the pleasure to inform you that I will convene an interactive thematic debate entitled “**Role of International Criminal Justice in Reconciliation**”. This event will be held at United Nations Headquarters in New York on Wednesday, 10 April 2013.

International criminal justice is no longer in its infancy. Two decades after the establishment of the first UN ad hoc tribunal, and ten years after the entry into force of the Rome Statute, there is a wealth of practical experience that we can build on. These two decades of experience should allow us to have a closer look at the long-term impact of international criminal justice, in particular as it relates to reconciliation, as well as the rights of victims. The thematic debate will also provide the occasion to share experiences on the relations between national and international criminal procedures and to share their views on the impact of the international criminal justice on reconciliation in their respective environments.

This one-day interactive debate will include an opening session, a high-level morning session, two consecutive panel sessions in the afternoon as well as closing remarks. A concept paper is attached to this letter. Updated information about the event will be available on the website of the President of the General Assembly. To benefit from the wide range of knowledge and expertise throughout the Membership, I invite respective Governments to be represented at the highest possible level.

I look forward to an active and dynamic debate.

Please accept, Excellency, the assurances of my highest consideration.



Vuk Jeremic

All Permanent Representatives and
Permanent Observers to the United Nations
New York

11 February 2013

**THEMATIC DEBATE
67TH SESSION OF THE UNITED NATIONS GENERAL ASSEMBLY**

“Role of international criminal justice in reconciliation”

New York, 10 April 2013

Concept Note

The President of the 67th session of the General Assembly will convene an interactive thematic debate of the General Assembly on the role of international criminal justice in reconciliation.

Background and Objective

Over the last two decades, international criminal justice – the complex undertaking of investigating, prosecuting and adjudicating international crimes at the international level – has developed to a multi-faceted operational system.

In a speech to the UN General Assembly in 1989, A.N.R. Robinson, Prime Minister of Trinidad and Tobago, revived the idea of establishing an International Criminal Court that led to negotiations culminating in the adoption of the Rome Statute of the ICC in 1998. In 1993, the Security Council established the ad hoc Tribunal for the Former Yugoslavia (ICTY), followed by the establishment of the ad hoc Tribunal for Rwanda (ICTR) in 1994. In 2000, the United Nations established Special Panels in East Timor to prosecute inter alia genocide, war crimes and crimes against humanity. In 2002, the United Nations agreed with Sierra Leone on the establishment of a hybrid tribunal to try those who bear the greatest responsibility for war crimes and crimes against humanity committed during the country’s civil war. In 2003, the United Nations helped establish Extraordinary Chambers in the Courts of Cambodia to try senior members of the Khmer Rouge for serious crimes. In 2007, the Security Council created the Special Tribunal for Lebanon to prosecute the 2005 assassination of Lebanese Prime Minister Rafiq Hariri. In 2012, the ICC celebrated the tenth anniversary of the entry into force of the Rome Statute. Today, the Court’s preliminary investigations, formal investigations and trials extend to fifteen countries on three continents. Two of its current investigations are based on referrals by the UN Security Council (Darfur, 2005; Libya, 2011).

These select examples clearly illustrate that international criminal justice, and in particular transitional justice, has become an important factor in the United Nations' efforts to promote peace and security, development, rule of law, human rights and reconciliation.

The international community is entering an "era of accountability", as Secretary-General Ban Ki-moon and others have called it, but we must be vigilant to ensure that international criminal justice serves in the best way its purpose, operate within a neutral and impartial framework, and achieve its goals in a sustainable manner.

The challenges for international criminal justice are significant: it often operates in an environment burdened by political tensions stemming from a violent conflict, seeking to bring alleged perpetrators of crimes to justice while respecting their right to due process as well as the rights of victims. In doing so, it aims at deterring future crimes and to contribute to reconciliation.

As highly complex trials are conducted, available resources must be deployed in the most efficient manner for the sake of the rights of the accused and victims alike. In addition, international criminal justice is closely linked to other processes aimed at truth seeking, reparation and reconciliation, such as truth and reconciliation commissions.

International criminal justice is no longer in its infancy. Two decades after the establishment of the first UN ad hoc tribunal, there is a wealth of practical experience that we can build on. These two decades of experience should also allow us to have a closer look at the long-term impact of international criminal justice, in particular as it relates to the rights of victims, as well as to reconciliation.

What are the lessons from the past and present work of the various international and mixed criminal courts and tribunals in these areas, and how can we apply them in the future? What will be the role of relevant UN organs, such as the General Assembly and the Security Council, in promoting the convergence of peace, justice, truth-seeking, reparation, strengthening of domestic institutions and reconciliation?

The thematic debate will also provide the occasion to share experiences on the relations between national and international criminal procedures, and to share views on the impact of the international criminal justice on reconciliation in respective environments.

Draft Program

This one-day debate will include an opening session, a high-level morning session, two consecutive interactive panel sessions in the afternoon as well as closing remarks.

Morning Session

Opening

This will comprise opening statements from the President of the General Assembly, the UN Secretary General, and keynote speakers.

High-level session

This will comprise a High-level debate with the participation of UN Member and Observer States as well as relevant Institutions.

Afternoon Session

First panel

This panel, under the title "Justice" will consist of an interactive debate with non-state participants.

Second panel

This panel, under the title "Reconciliation" will consist of an interactive debate with non-state participants.

Closing

The President of the General Assembly will make closing remarks.