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Japan expects to join new criminal court in October

By Evelyn Leopold

Reuters

UNITED NATIONS, May 2 (Reuters) - Japan intends to become a party to the International Criminal Court in October, with some of its supporters hoping the tribunal will add nuclear warfare to its official list of crimes against humanity.

Sen. Tadashi Inuzuka of Nagasaki, in New York to relate his years of campaigning for the ICC, said in an interview on Tuesday that Japan's approval of the court's statutes was "good timing to show we care about humanitarian issues" following continuing controversy about Tokyo's World War Two history.

On April 27, the Japanese Diet's upper house unanimously approved the country's accession to the court, after the cabinet in February submitted legislation to parliament.

A total of 104 nations have ratified a 1998 Rome Treaty creating the first permanent global criminal court to prosecute individuals for heinous crimes -- evoking memories of the Nuremberg tribunal that tried Nazi leaders and the Tokyo War Crimes Tribunal at the end of World War Two.

Final steps to process the bill into law and deposit papers with the United Nations are expected by Oct. 1, said Inuzuka, an officer of the Parliamentarians for Global Action, a network of 1,200 legislators from 117 parliaments that campaigned for the Hague-based ICC.

Of the millions of pages of records of trials in the post-World War Two tribunal, Inuzuka said "there is not one single word" of the atom bombs dropped on Hiroshima and Nagasaki by the United States to end the war in the Pacific in 1945.

He said that in "2009 we want to include (nuclear warfare) as a crime against humanity."

But Inuzuka said "we are still having a hard time to gain respect" and the latest controversy over "comfort women" did not help.

Last month, Prime Minister Shinzo Abe caused a furor in Asia and the United States when he said there was no evidence the Japanese military had coerced women into sex slavery in World War Two. On March 16, his position was endorsed by the cabinet as the official government position.

Still, Japan's ratification is significant in Asia. And Tokyo will give the fledgling court a financial boost as its highest payer, at an estimated 16 percent, Inuzuka said.

Few Asian countries have joined the ICC, with China and India showing little interest. And the Bush administration has vigorously opposed the tribunal, although it allowed the U.N. Security Council to refer Sudan to the ICC.

Compared to Germany, one of the prime movers to establish the ICC, Japan ignored the court for years, even though it was active in the 1998 conference that wrote the statutes.

One reason, scholars say, was the 1946-1948 allied-run military court, regarded by many as politically biased, with some serious war criminals escaping prosecution and regaining power. The emperor was also spared.

Inuzuka said he encountered few firm objections to the court but "a shortage of political will" -- and little interest by many lawyers in putting in more hours in a busy day.