

NEW ZEALAND MISSION to the UNITED NATIONS



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UNITED NATIONS GENERAL ASSEMBLY SIXTY-FIRST SESSION

ITEM 74 REPORT OF THE INTERNATIONAL CRIMINAL COURT

PLENARY STATEMENT

**STATEMENT BY MS JENNIFER MCIVER, NEW ZEALAND REPRESENTATIVE
ON BEHALF OF CANADA, AUSTRALIA AND NEW ZEALAND**

9 OCTOBER 2006

CHECK AGAINST DELIVERY

Madame President,

I have the honour to speak today on behalf of Canada and Australia as well as New Zealand.

The International Criminal Court is the product of the international community's clear resolve to ensure that those who commit genocide, crimes against humanity and war crimes are brought to justice. One hundred and two states have now committed themselves to the Rome Statute of the International Criminal Court and to the principle that for those most serious of crimes, impunity will not be tolerated. Canada, Australia and New Zealand are committed to ensuring that the number of States Parties continues to rise.

The Secretary-General said in his report to the General Assembly's 61st session that "justice, especially transnational justice in conflict and post-conflict societies, is a fundamental building block of peace". Our three countries strongly support the principle that justice and peace are intrinsically intertwined. As Members of the United Nations, we must continue to ensure that a fundamental element of our response to conflict situations is the pursuit of justice. The International Criminal Court is recognition of that principle and must continue to be employed by the United Nations to that end.

Canada, Australia and New Zealand welcome progress made by the Court over the past year. In the first successful execution of an ICC arrest warrant, Thomas Lubanga, a Congolese national accused of war crimes, was arrested and surrendered to the court in March. This is a significant step.

But, Madame President, we need to remember that the Court is only an institution. It relies on States and international and regional organisations to assist in the arrest and surrender of accused persons, the provision of evidence, the protection of witnesses, and the enforcement of sentences. Five arrest warrants were issued last October against members of the Lord's Resistance Army accused of sexual enslavement and the forced enlistment of child soldiers. None of these warrants have been executed.

The ICC Office of the Prosecutor continues to investigate allegations of serious international crimes in Darfur, Sudan since the UN Security Council referral of that situation in March 2005. The challenges of conducting investigations under such difficult security situations are immense.

Canada, Australia and New Zealand will continue to do everything within our power to assist the International Criminal Court to carry out its role in prosecuting those responsible for heinous acts of genocide, crimes against humanity and war crimes.

We call on all States, likewise, to cooperate, directly as well as through the United Nations, with the ICC in order to facilitate its contribution to our collective goals of peace, security and justice.

Thank you, Madame President.