



**MISSION PERMANENTE DE LA SUISSE
AUPRÈS DES NATIONS UNIES**

Seul le texte prononcé fait foi

61^{ème} session de l'Assemblée générale

Point 74 de l'ordre du jour

Rapport de la Cour pénale internationale

Déclaration

de

S.E. M. Peter Maurer

Représentant permanent de la Suisse

auprès des Nations Unies

New York, le 9 octobre 2006

Check against delivery

61st session of the General Assembly

Item 74

Report of the International Criminal Court

Statement

by

H.E. Mr. Peter Maurer

Permanent Representative of Switzerland

to the United Nations

New York, 9th October 2006

Madam President,

Switzerland expresses her sincere gratitude and appreciation to Judge Philippe Kirsch and the entire staff of the International Criminal Court for their extraordinary efforts and accomplishments, to which the report just presented by the President of the Court testifies. We are impressed by the intense level of activity of this still very young Court, by the progress achieved in the three situations under investigation and by the ambitious goals the Court set itself with its strategic plan.

Madam President,

Switzerland welcomes the steady increase in cooperation between the United Nations and its various organs and the International Criminal Court as described in the Court's report. We are particularly pleased at the Court having finally established a liaison office in New York, which will facilitate contacts between the Court and United Nations Headquarters, and we welcome Mrs. Socorro Flores as the Court's new representative in New York and promise her our full support in her tasks.

Madam President,

What we are currently seeing is the emergence of a system of international criminal justice, in which the International Criminal Court plays a central role. In the early nineties, the *ad hoc* Tribunals established by the Security Council paved the way for the establishment of a permanent international criminal court. Today, the ICC provides detention and courtroom services and facilities to the Special Court for Sierra Leone for its trial against Mr. Charles Taylor, and the ICC Deputy Prosecutor is currently serving as Commissioner of the International Independent Investigation Commission established pursuant to Security Council Resolution 1595. Switzerland encourages such cooperation between the United Nations and the ICC which will strengthen the system of international criminal justice.

Madam President,

The ICC is an independent Court of law and must be respected as such at all times. At the same time, it has to be acknowledged that the purpose and impact of international criminal justice go beyond the merely judicial. Ultimately, international criminal justice contributes in a very significant manner to sustainable peace and security. The three situations currently under investigation by the Office of the Prosecutor of the ICC clearly illustrate this. All of them were referred to the ICC by the States concerned or by the Security Council of the United Nations, at a time when the conflicts surrounding the alleged crimes were ongoing and with the expectation that involvement of the International Criminal Court would deter future crimes and be conducive to containing and eventually ending the conflicts. In all three situations there are clear indications that those expectations are being or will be met, provided the Court receives the necessary cooperation and support from the parties involved, and as long as we stand by the principles of the Rome Statute, even when its implementation faces challenges we have not foreseen at the time of its conclusion.

The United Nations have recognized the role of international criminal justice as an instrument of deterrence against genocide, crimes against humanity and war crimes and as a contributor to sustainable peace and security on several occasions, in Ex-Yugoslavia and Rwanda, in Cambodia, Sierra Leone, Sudan and Lebanon, to name just a few. Switzerland strongly encourages the relevant bodies, programs, funds and offices of the United Nations as well as Member States to continue doing so. The role of international criminal justice and in particular of the International Criminal Court must be factored in and put to its best use when strategies for conflict prevention and mediation are developed, when peace-keeping operations are established and prepared and when peace-building and post-conflict reconstruction are addressed. In addition, the conceptual recognition of international criminal justice must be followed by concrete cooperation and support on the ground. The International Criminal Court, and indeed international criminal justice as such, will not be able to fulfill its potential without strong support and cooperation of States, international and regional organizations and civil society, in particular in relation to arrest and surrender of accused persons, the provision of evidence and the enforcement of sentences. In this regard, the United Nations have a special responsibility as there is no other organization with a comparable level of field presence and experience wherever the International Criminal Court is currently conducting investigations or will do so in the future.

Finally, Madam President, the purposes and principles of the Rome Statute of the International Criminal Court very much reflect those of the Charter of the United Nations and are thus universal. Switzerland therefore calls on all States which have not yet done so to join the Rome Statute as soon as possible.

Thank you, Madam President.