

**Statement by the Representative of Brazil
on Item 154: International Criminal Court**

**58th UN General Assembly
6th Committee**

20 October 2003

Mr. President,

Brazil associates itself to the statement made by Peru on behalf of Rio Group.

The entry into force of the Rome Statute of the International Criminal Court, on 1 July 2002, was a landmark in the history of the United Nations and a key element for the enforcement of international law. Since then the institutional, administrative and operational structures of the Court have evolved in a very positive way. The fulfillment of the posts to the key positions of the Court, through a transparent process, is also a remarkable achievement. A highly professional team formed of the 18 judges, the prosecutor, the deputy prosecutor and the registrar, among others, are now ready to contribute to the next move of the ICC.

My delegation defends that the realization of the ICC depends upon continuing support it receives from States parties and from the international community as a whole. Public opinion has on several occasions confirmed it clearly stands behind the objective of the ICC and the denial of safe havens to impunity. By the time the Court is about to start its judicial work, those committed to the principles of the Rome Statute are again invited to take ownership of the Court.

Brazil remains committed to upholding the integrity of the Rome Statute and the consolidation of the rule of law worldwide. Ultimately, the Court efficiency and credibility is directly proportional to its universality. We therefore expect all States that have not done so to accede to or ratify the Rome Statute at the earliest opportunity.

As the Prosecutor has pointed out, the effectiveness of the International Criminal Court should not be measured only by the number of cases that reach the Court. On the contrary, the absence of trials by the ICC as a consequence of the effective functioning of national systems, would be a major success. That means that by carrying out our duties with the Rome Statute within our domestic legislation we are helping the Court to move successfully forward. The enforcement of the Rome Statute domestically is the best key to answer to the Court's biggest challenge which is to reconcile the ICC's global ambitions with its limited resources.

Mr President,

The ICC has definitely contributed to the strengthening of international law, to the protection of human rights in a worldwide scale and to the maintenance of international security. It is important, however, to maintain this pace in areas that still needs to be addressed, In this context, Brazil supports the continuation of the efforts of the Working Group on the Crime of Aggression, developed within the framework of the last Assembly of States Parties.

The Prosecutor has informed that the denunciation of crimes that took place in the DRC are under consideration of his office and may constitute the beginning of the judicial work of the Court. Brazil supports the investigation of the denunciation by the Prosecutor and is ready to cooperate with him so as to strengthen the role of the Court in the fight against impunity.

Initiatives aimed at extending the exemption of individuals from ICC jurisdiction must not be carried out at the expense of the effectiveness of the historical achievement represented by the entry into force of the Rome Statute, a major step to prevent continuing impunity for the worst sort of crimes. Brazil reiterates that attempting to dismantle such an achievement does not serve the cause of Justice.

Thank You.