

**CHECK AGAINST DELIVERY  
SOUS RÉSERVE DE MODIFICATION**

**STATEMENT BY**

**GILBERT LAURIN  
AMBASSADOR AND DEPUTY PERMANENT REPRESENTATIVE  
OF CANADA TO THE UNITED NATIONS**

**TO THE SIXTH COMMITTEE OF  
THE 58<sup>TH</sup> GENERAL ASSEMBLY**

**Item 154: International Criminal Court**

**NEW YORK, 20 OCTOBER 2003**

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**ALLOCUTION DE**

**GILBERT LAURIN  
AMBASSADEUR ET REPRÉSENTANT PERMANENT ADJOINT  
DU CANADA AUPRÈS DES NATIONS UNIES**

**À LA SIXIÈME COMMISSION DE LA 58e SESSION  
DE L'ASSEMBLÉE GÉNÉRALE**

**Point 154: Cour pénale internationale**

**NEW YORK, LE 20 OCTOBRE 2003**

Mr. Chairman,

We are pleased that the momentum has continued in the establishment of the International Criminal Court. This year, the Assembly of States Parties elected the first slate of judges, and we now have a bench of the highest calibre. We were honoured that the judges elected Philippe Kirsch of Canada to serve as the first President of this historic institution. We applaud the unanimous election of Luis Moreno Ocampo of Argentina as the first Prosecutor, and the election by the judges of Bruno Cathala of France as the first Registrar. The qualifications, dedication and professionalism of these judges and officers will ensure that the Court is a responsible, respected institution.

We commend the transparent work of the Prosecutor in developing and explaining the policies of his Office. The Prosecutor has adopted a proactive and cooperative approach to complementarity, and will work side by side with States and international organizations to ensure that justice is done. He has demonstrated genuine insight into the challenges involved in carrying out investigations in situations of lawlessness, and the need for effective state support in those investigations. The Prosecutor has identified as a priority the terrible atrocities suffered by victims in the Ituri district of the Democratic Republic of Congo. His approach reinforces the fact that the Court is acting in accordance with its sober and solemn responsibilities.

The ICC will need all of its resources and the commitment of states to carry out its work effectively.

- This nascent institution would be placed in an untenable situation if it were to face a budgetary shortfall because of the failure of some States Parties to pay their assessed contributions. We urge all States Parties who have not yet paid their full contribution to do so as quickly as possible.
- It is also vitally important that all States Parties adopt legislation to implement all of their obligations without delay. Canada stands ready to provide technical assistance to interested states under its Human Security Program.
- Most importantly, the ICC now a living institution, will need redoubled support and logistical assistance from states and international organizations to carry out its investigations and operations.

We are aware that some states remain unpersuaded of the value of the ICC. We are convinced that the Court will rise to this challenge and prove its value to all in the international community. In the meantime, those states which question its value should avoid actions that would undermine its role as an instrument of justice, and recognize that the Court has a clear mandate to investigate and prosecute the world's worst crimes, and that it possesses the necessary checks and balances to prevent abuse. Questioning the value of the Court sends mixed signals about the rule of law and are not conducive to our common goal of a stable, secure and peaceful international order.

Whatever our differences may be on some issues, we trust that those differences can be set aside where the well-known controversies do not arise and the need for action is clear. Where the jurisdiction of the ICC is accepted by the State affected; where that State is unwilling or unable to respond to crimes coming within the Court's jurisdiction, and where there is no hope for the victims other than the ICC -- we trust that states committed to justice will set aside their concerns and support the work of the ICC, if only for the sake of the victims and to ensure accountability. In particular, we would urge the Security Council faced with such cases to act unanimously and decisively to help, and not hinder efforts to restore justice and to uphold the rule of law. UN support may make the difference between success and failure, indeed between life and death.

Mr. Chairman, the Court has moved from an idea, to a Statute, to a functioning institution. It joins the international system as a sorely needed asset in the fight against impunity. It addresses the fervent aspirations of victims of injustice, expressed ever since the Nuremberg Tribunal. Now that the Court is a reality, it is not time to rest on our laurels, but rather time to pursue with added vigour the hard task of making international justice work.