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(translation)

Statement by H.E. Ambassador ZHANG Yishan
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to the United Nations*

**At the Sixth Committee
of the 58th Session of the UN General Assembly**

On Item 154

International Criminal Court

New York, 20 October 2003

Mr. Chairman,

It's been more than a year since the Rome Statute of the International Criminal Court entered into force. With the election and swearing-in of the judges and prosecutor, the International Criminal Court (ICC) now exists not just in name, but also in reality. We are confident that the operations of ICC will have an important bearing on the development of international law and international relations.

The Chinese government has all along given understanding and support to the establishment of an international criminal court that is independent, just, effective and universal in nature. China participated in the whole process of the establishment of ICC, starting from the Preparatory Committee on the Establishment of ICC all the way to the Preparatory Commission of ICC. Since the entering into force of the Rome Statute, China has continued to participate in meetings of the Assembly of States Parties as an observer and has followed closely the development of the Court.

In March this year, the judges of the Court were sworn in. In June, the Prosecutor also took office followed by the Registrar elected by the judges of the Court. Thus the initial phase in the establishment of the three main organs of the Court has now been completed. We have noted that at the Second Meeting of the Assembly of States Parties to the Rome Statute, the Court submitted a report covering its activities from September 2002 to September this year. Through this report and the statements by the President and the Prosecutor, we have gained an overall knowledge about the main activities carried out so far by the Court. We have also noted the document submitted by the Prosecutor on the prosecution policy of the Office of the Prosecutor. We welcome the practical and transparent approach adopted by the Prosecutor in formulating this policy. This document is of interest to us, in particular those areas on how to interpret and implement the principle of complementarity. However, further clarifications are still needed in the document and China will continue to closely follow the formulation, improvement and implementation of the prosecution policy.

The Court needs time to grow and mature. History and reality will test the Court's ability to strictly observe the principle of complementarity, prosecute within its limited resources the most serious international crimes as set out in the Statute and carry out its mandate in an objective and fair manner free

from political bias and double standards as well as how the Court will exercise its jurisdiction over the crime of aggression in the future.

As an observer state to the Assembly of States Parties, the Chinese government will continue to follow the development and operations of the Court. The birth of ICC reflects the international community's long-held ideals for the rule of law. Attached to this infant are the aspirations for justice and a fervent hope for peace of the whole international community. However, just as an individual's development is influenced by many factors, the ICC's future evolution is fraught with uncertainties. What we hope to see is that before long, an independent and just international judicial body that truly commands respect will emerge to play an important and positive role on the international stage. China is ready to work tirelessly with other countries towards this end.

Thank you, Mr. Chairman.