

**PLENARY STATEMENTS ON AGENDA ITEM 74:
REPORT OF THE INTERNATIONAL CRIMINAL COURT
61ST SESSION OF THE UNITED NATIONS GENERAL ASSEMBLY
9 OCTOBER 2006**

On 9 October 2006, the International Criminal Court's (ICC) second report to the United Nations General Assembly was presented by ICC President Judge Philippe Kirsch. Following the presentation, 23 UN Member States, which spoke on behalf of more than 100 nations, made substantive interventions which included support for the ICC's work, comments about developments at the Court to date and calls for stronger cooperation with the Court from both the UN and States Parties.

Statements were made by (in alphabetical order):

Argentina, Brazil, Croatia, Democratic Republic of the Congo, Ecuador, Egypt, Finland (on behalf of the European Union, the acceding countries Bulgaria and Romania, the Candidate Countries Croatia and the former Yugoslav Republic of Macedonia, the countries of the Stabilisation and Association Process and potential candidates Albania, Bosnia and Herzegovina, Montenegro, Serbia, and the EFTA country Iceland, members of the European Economic Area, as well as Ukraine and the Republic of Moldova), Japan, Jordan, Kenya, Liechtenstein, Mexico, New Zealand (on behalf of New Zealand, Australia and Canada), Norway, Peru, Saint Vincent & the Grenadines (on behalf of CARICOM: Antigua and Barbuda, The Bahamas, Barbados, Belize, Dominica, Grenada, Guyana, Haiti, Jamaica, Montserrat, Saint Lucia, St. Kitts and Nevis, St. Vincent and the Grenadines, Suriname, Trinidad and Tobago), Serbia, Sierra Leone, South Africa (on behalf of the African States members of the ICC: Benin, Botswana, Burkina Faso, Burundi, Central African Republic, Congo (Brazzaville), Democratic Republic of Congo, Djibouti, Gabon, Gambia, Ghana, Guinea, Kenya, Lesotho, Liberia, Malawi, Mali, Mauritius, Namibia, Niger, Nigeria, Senegal, Sierra Leone, South Africa, Tanzania, Uganda, Zambia), Switzerland, Trinidad and Tobago, Ukraine and Uruguay.

The following general excerpts, compiled by the Coalition for the International Criminal Court Secretariat were taken directly from the official UN meeting records (A/61/PV.26 & A/61/PV.27).

Argentina

"The last century witnessed the worst atrocities of the modern age [...] The United Nations and the ICC have in large part been the result of the international community's reckoning with those tragedies. Both of those international institutions will continue to have a crucial role to play in the new century in ensuring that crimes against humanity are not repeated [...] [T]he international community and the cause of international peace and security need an efficient Criminal Court with universal jurisdiction and competence that can achieve the great purposes for which it was established.

- *H.E. Ambassador Cesar Mayoral, Permanent Representative of the Argentine Republic to the United Nations*

Brazil

“The establishment of the Court brought forth a new and decisive tool for the defence of human rights and for the promotion of justice and the rule of law, for the benefit of all. On the one hand, the very existence of the Court ensures that the perpetrators of the serious crimes defined in the Rome Statute can no longer expect impunity. On the other, the provisions of the Statute offer adequate and sufficient guarantees against any possible abuses and that the Court will not be used to pursue illegitimate political objectives.”

- *Mr. Carlos S. Duarte, Minister Plenipotentiary of Brazil to the United Nations*

Croatia

“Although it is in the early years of its existence, the Court has already made an impact in international relations. We recognize that there is still some skepticism about its role and purpose. This may best be deflected by observing the Court in action. We believe that its activities so far have attested to its seriousness, transparency and high standards.”

- *H.E. Ambassador Mirjana Mladineo, Permanent Representative of the Republic of Croatia to the United Nations*

Democratic Republic of the Congo

“While until very recently we were still welcoming the Prosecutor’s opening of the first investigations and the unsealing of the first international arrest warrants, the Court is now in the process of beginning its first trial with the arrest and transfer to the Court of Mr. Thomas Lubanga. That proves that the dream of international criminal justice has become a reality and that the Court is resolutely engaged in the fight against impunity for the most serious crimes, which have shocked the collective conscience of humanity for so long.”

- *Mr. Zenon Mukongo Ngay, First Counsellor of the Democratic Republic of the Congo to the United Nations*

Ecuador

“Despite being a young institution, the Court has unambiguously demonstrated that, thanks to its independence and impartiality, it can become a dynamic factor in peacebuilding [...] Ecuador would like to launch an appeal to support the ICC and its work, which represents the best instrument to combat impunity and ascribe responsibility for crimes against humanity.”

- *H.E. Ambassador Rodrigo Riefrio, Deputy Permanent Representative of Ecuador to the United Nations*

Egypt

“[...] Egypt would like to emphasise the important role of the international criminal tribunals in guaranteeing the rule of law, especially as regards international humanitarian law [...] [T]he tribunals should be encouraged to prosecute all accused of committing such crimes and to ensure that no one enjoys impunity, in particular persons responsible for issuing and carrying out orders during armed conflict or against people under occupation.”

- *Mr. Mahmoud Samy, Minister Plenipotentiary of the Arab Republic of Egypt to the United Nations*

Finland (on behalf of the European Union)

“The International Criminal Court may well be seen as one of the greatest achievements in the fight against impunity in recent times [...] The importance of the ICC is to be seen in a wider

context of international order. The Court is critically placed to contribute to a more peaceful and just world, promoting respect for international humanitarian law, human rights and the rule of law.”

- *H.E. Ambassador Kirsti Lintonen, Permanent Representative of Finland to the United Nations*

Japan

“The ICC represents the culmination of the efforts of the international community after the Second World War to create a permanent international tribunal in the field of criminal justice [...] Japan hopes that the ICC will continue to work diligently toward the eradication of the culture of impunity and to enhance its good reputation as the only permanent international criminal court in the world.”

- *H.E. Mr. Takahiro Shinyo, Deputy Permanent Representative of Japan to the United Nations*

Jordan

“Jordan believes that a functional and effective International Criminal Court whose Statute is always respected is in the national interests of every State.”

- *Mr. Adi Khair, Third Secretary of Jordan to the United Nations*

Kenya

“We appeal to all States Members of the Organisation to work individually and collectively towards the achievement of the ideals of the Rome Statute: to contribute to long-lasting respect for, and the enforcement of, international criminal justice in order to prevent and to fight impunity for the most serious crimes of an international character.”

- *Mr. Wanjuki Muchemi, Solicitor-General of the Republic of Kenya*

Liechtenstein

“The entry into force of the Rome Statute and the establishment of the Court have clearly begun to have an impact far beyond the cases with which the Court is dealing. States have adapted their legislation dealing with the most serious crimes of concern to the international community. The Court is spearheading international efforts to end impunity, and the commitment of the international community as expressed in the Rome Statute has led to the creation of special tribunals and other mechanisms dealing with past crimes.”

- *H.E. Ambassador Christian Wenaweser, Permanent Representative of the Principality of Liechtenstein to the United Nations*

Mexico

“The advantages derived from belonging to the ICC are greater than the doubts that an instrument of this type still raises in some countries.”

- *H.E. Ambassador Juan Manuel Gómez Robledo, Permanent Representative of Mexico to the United Nations*

New Zealand (on behalf of CANZ: Canada, Australia and 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.”

- *Ms. Jennifer McIver, Second Secretary of New Zealand to the United Nations*

Norway

“The Court is steadily integrating itself, including in practice, into the international legal system and the broader framework of international institutions and relations.”

- *Ms. Mari Skaare, Counsellor of Norway to the United Nations*

Peru

“The adoption of the Rome Statute was a historic moment. The international community decided not to tolerate impunity for crimes that are the greatest affronts to the human person: genocide, crimes against humanity and war crimes. The ICC was thus conceived not only as an effective tool for punishing those responsible for these crimes, but also as a means of preventing and deterring the commission of such atrocities.

What was once a wish is now a functioning reality. We have a fully operational International Criminal Court that is shouldering the lofty responsibilities entrusted to it and is thus helping to achieve the purposes of the United Nations, particularly respect for human rights and the maintenance of international peace and security.”

- *Mr. Luis Chavez-Basagoitia, Deputy Permanent Representative of Peru to the United Nations*

Saint Vincent and the Grenadines (on behalf of CARICOM)

“It is vitally important for the credibility and international recognition of the Court that it is seen to be functioning appropriately in its role in bringing to justice those responsible for crimes of genocide, war crimes and crimes against humanity, which have caused such great suffering and oppression to the weak and vulnerable populations of the world [...] We are aware of the important role of the Court in the international community and the fact that it remains, for some victims of genocide, war crimes and crimes against humanity, the last bastion of hope for justice and compensation.”

- *H.E. Ambassador Margaret Hughes Ferrari, Permanent Representative of Saint Vincent and the Grenadines to the United Nations*

Serbia

“We welcome the report of the International Criminal Court as a testimony to the advance of the ongoing quest for a world based on justice and accountability. The first arrest pursuant to a warrant of the ICC, as well as active investigations and pre-trial and appeals proceedings, clearly demonstrate that the Court has evolved into a fully functional judicial institution.”

- *H.E. Ambassador Mr. Pavle Jevremović, Permanent Representative of the Republic of Serbia to the United Nations*

Sierra Leone

“Even though the judicial phase of the Court has begun in earnest, there is still a lot of work to be done. Notwithstanding this, we thank the Prosecutor and his efficient team for a job well done under extremely difficult circumstances.”

“We can see that the Court [...] has a vision of where it intends to be in the future for the benefit of humanity. However, it is sad to note that the Court still has detractors. We hope and trust that the signs of a change of attitude towards the Court that we are now witnessing will ultimately lead to universal or near-universal participation in the Statute.”

- *H.E. Ambassador Mr. Allieu Ibrahim Kanu, Permanent Representative of the Republic of Sierra Leone to the United Nations*

South Africa (on behalf of the African States members of the ICC)

“In our scrutiny of the building blocks of the International Criminal Court, it therefore seems to us that the Court itself does not determine the role it plays in a peace process, but rather it is States that determine the role that the Court should play. The Court is a tool of accountability that can be activated by States when they are of the view that accountability is necessary in a given situation. We are, however, mindful that the Prosecutor of the International Criminal Court is, by the terms of the Statute, authorized to initiate investigations on his own motion. We support the approach he has thus far taken to act only upon the referral of States rather than on his own initiative, particularly at this early stage of the Court’s existence.”

- *Mr. Sabelo Sivuyile Maqungo, Minister Counsellor of South Africa to the United Nations*

Switzerland

“We are currently seeing the emergence of an international criminal justice system, in which the International Criminal Court has a central role to play [...] 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 mere judicial considerations [...] the role of international criminal justice, and in particular of the International Criminal Court, must be put to its best use when conflict prevention and mediation strategies are developed, when peacekeeping operations are established and prepared, and when peacebuilding and post-conflict reconstruction are addressed.”

- *H.E. Ambassador Peter Maurer, Permanent Representative of Switzerland to the United Nations*

Trinidad and Tobago

“It is, moreover, a consequence of the growing recognition of the ICC as a court that is truly special, not only because of its permanent nature as an organ to prosecute and punish those who commit crimes within its jurisdiction and to bring relief to victims through the provision of reparations and other forms of assistance, but also because of its cadre of distinguished judges, prosecutors, registrars and general staff, who continue to meet the daily challenges which bedevil this new institution, established by all of us — people of conscience who dared to declare that the perpetrators of crimes against humanity and other heinous crimes should not go unpunished.”

- *H.E. Ambassador Philip Sealy, Permanent Representative of Trinidad and Tobago to the United Nations*

Ukraine

“Ukraine is a strong supporter of the idea that the effective functioning of the Court would end the impunity of those who hide behind the principle of State sovereignty, as the Rome Statute confers upon the Court jurisdiction over acts of genocide, war crimes and crimes against humanity and the crime of aggression, irrespective of national boundaries.”

- *Mr. Viktor Kryzhanivskiy, Charge d’Affaires a.i of Ukraine to the United Nations*

Uruguay

“[W]e welcome the fact that the Court is dealing with cases referred to it not only by States parties to the Statute, but also by the Security Council — and even by a State that is not a party. This also demonstrates that the importance of the fight against impunity is increasingly perceived as an indispensable step towards peaceful coexistence for humankind.”

- Ms. Susana Rivero, Minister, Deputy Permanent Representative of the Republic of Uruguay to the United Nations

Speakers:

Argentina: *H.E. Ambassador Cesar Mayoral, Permanent Representative of the Argentine Republic to the United Nations*

Brazil: *Mr. Carlos S. Duarte, Minister Plenipotentiary of Brazil to the United Nations*

Croatia: *H.E. Ambassador Mirjana Mladineo, Permanent Representative of the Republic of Croatia to the United Nations*

Democratic Republic of the Congo: *Mr. Zenon Mukongo Ngay, First Counsellor of the Democratic Republic of the Congo to the United Nations*

Ecuador: *H.E. Ambassador Rodrigo Riofrio, Deputy Permanent Representative of Ecuador to the United Nations*

Egypt: *Mr. Mahmoud Samy, Minister Plenipotentiary of the Arab Republic of Egypt to the United Nations*

Finland: *H.E. Ambassador Kirsti Lintonen, Permanent Representative of Finland to the United Nations*

Japan: *H.E. Mr. Takahiro Shinyo, Deputy Permanent Representative of Japan to the United Nations*

Jordan: *Mr. Adi Khair, Third Secretary of Jordan to the United Nations*

Kenya: *Mr. Wanjuki Muchemi, Solicitor-General of the Republic of Kenya*

Liechtenstein: *H.E. Ambassador Christian Wenaweser, Permanent Representative of the Principality of Liechtenstein to the United Nations*

Mexico: *H.E. Ambassador Juan Manuel Gómez Robledo, Permanent Representative of Mexico to the United Nations*

New Zealand: *Ms. Jennifer McIver, Second Secretary of New Zealand to the United Nations*

Norway: *Ms. Mari Skaare, Counsellor of Norway to the United Nations*

Peru: *Mr. Luis Chavez-Basagoitia, Deputy Permanent Representative of Peru to the United Nations*

Saint Vincent and the Grenadines: *H.E. Ambassador Margaret Hughes Ferrari, Permanent Representative of Saint Vincent and the Grenadines to the United Nations*

Serbia: *H.E. Ambassador Pavle Jevremoviæ, Permanent Representative of the Republic of Serbia to the United Nations*

Sierra Leone: *H.E. Ambassador Allieu Ibrahim Kanu, Permanent Representative of the Republic of Sierra Leone to the United Nations*

South Africa: *Mr. Sabelo Sivuyile Maqungo, Minister Counsellor of the Republic of South Africa to the United Nations*

Switzerland: *H.E. Ambassador Peter Maurer, Permanent Representative of Switzerland to the United Nations*

Trinidad and Tobago: *H.E. Ambassador Philip Sealy, Permanent Representative of Trinidad and Tobago to the United Nations*

Ukraine: *Mr. Viktor Kryzhanivskiy, Charge d’Affaires a.i of Ukraine to the United Nations*

Uruguay: *Ms. Susana Rivero, Minister, Deputy Permanent Representative of the Republic of Uruguay to the United Nations*