

**EXCERPTS FROM THE 59TH SESSION OF THE UN GENERAL ASSEMBLY
ON THE INTERNATIONAL CRIMINAL COURT (ICC)**

United Nations, New York
21-30 September 2004

The following excerpts, compiled by the Coalition for the ICC, highlight the numerous references to the ICC made by government delegates during the general debate of the 59th session of the United Nations General Assembly. In addition to opening remarks on justice and the rule of law by UN Secretary-General Kofi Annan, several Heads of State and Foreign Ministers specifically mentioned the significance of the ICC and expressed their support for the Court. Statements were made by: Austria, Canada, Costa Rica, France, Gambia, Jordan, Lesotho, Liechtenstein, Maldives, Malta, Marshall Islands, the Netherlands, New Zealand, Samoa, San Marino, Slovenia, Spain, Sweden, Trinidad and Tobago, Uganda, Uruguay and Yemen.

The full text of these speeches as well as the archived webcasts are accessible at: <http://www.un.org/webcast/ga/59/index.shtml> This compilation is available on the CICC's website at: <http://www.iccnw.org/documents/statements/governments2004.html>

Austria:

“Austria has always supported the elaboration of international conventions and norms by the United Nations and welcomed the establishment of international criminal tribunals and of the International Criminal Court. I am convinced that the creation of this Court is a milestone in the development of international law. It is my sincere hope that all States, including those currently not parties to the Rome Statute, will over time come to the conclusion that the establishment of a universal system of justice for crimes against humanity is in the common interest of all nations.”

- *Her Excellency, Mrs. Benita Ferrero-Waldner, Minister for Foreign Affairs (23 September 2004)*

Canada:

"International law is moving in the right direction. Existing instruments such as the Convention on Genocide and human rights treaties do acknowledge states' obligations to their people. The establishment of the International Criminal Court and criminal tribunals are further steps forward. Thus customary international law is evolving to provide a solid basis in the building of a normative framework for collective humanitarian intervention. To speed it along, member-states should now adopt a General Assembly Resolution recognising the evolution of sovereignty to encompass the international responsibility to people."

- *His Excellency The Right Honorable Paul Martin, Prime Minister of Canada (22 September 2004)*

Costa Rica:

"Today, global democratic governance has two fundamental pillars: the International Court of Justice and the International Criminal Court."

"The International Criminal Court, whose establishment Costa Rica supported enthusiastically, provides us with an impartial organ to judge the most serious crimes against mankind. Ironically, while we all repudiate those crimes, only 94 states have ratified the Rome Statute and have accepted the competence of that Court. I would also like to refer to the need to globalize criminal justice in order to prosecute those who, taking advantage of public office, rob their own peoples. How many generations will be condemned to pay the odious debts created by leaders irremediably sick of greed? Please remember: corruption is the mother of poverty because it deprives the poorest peoples of the world of the resources necessary to finance their education, health, housing and social security. It is time to give justice its rightful place. There should be no loopholes. Asylum and protection should not be given to those who ransack their own peoples. All safe-havens of impunity must disappear. As we have a duty to protect the oppressed and persecuted, we also have a duty to protect those who do not have yet a voice. In particular, there is a pressing need to agree on a normative framework, internationally binding, to uphold human dignity from the moment of conception."

- *His Excellency Mr. Abel Pacheco de la Espriella, President of the Republic of Costa Rica* (21 September 2004)

France:

"Let us also continue putting in place mechanisms against impunity, often the prerequisite for a solid peace and lasting reconciliation. The establishment of the International Criminal Court meets this objective. We welcome the milestone reached with the entry into force of the Rome Statute."

- *His Excellency Mr. Michel Barnier, Minister for Foreign Affairs* (23 September 2004)

Gambia:

"It is our collective responsibility to ensure respect for the principles and purposes of the United Nations Charter and a strict adherence to the rule of international law. My delegation therefore reiterates its support for the various Courts – including the International Criminal Court - that have been set up to try persons suspected of serious infringements of human rights and humanitarian law. We call on all member states to show strong support for these initiatives to promote the observance of international standards of justice throughout the world."

- *His Excellency Al Hadji Yahya Jammeh, President of the Republic of the Gambia* (23 September 2004)

Jordan:

"Furthermore, the campaign against terrorism should bolster the efforts to fight the most serious crimes of concern to the international community, namely, aggression, genocide, war crimes and the crimes against humanity. In this regard, I wish to underline our full support for the important role of the International Criminal Court (ICC) in preventing and prosecuting such crimes as well as in reinforcing the principles of international law and international humanitarian law. Jordan calls upon all States which have not done so to accede to the Rome Statute, to respect its provisions and to cooperate with the ICC so it

becomes an effective instrument for fulfilling its purposes and principles and to contribute to the maintenance of international peace and security.”

- *His Excellency Mr. Marwan Muasher, Minister for Foreign Affairs* (27 September 2004)

Liechtenstein:

“On the positive side, there have been landmark achievements, most notably the establishment of the International Criminal Court: For the first time in the history of mankind, there is an independent Court, based on a Statute negotiated by the international community at a Diplomatic Conference, that has the competence to try individuals responsible for the worst crimes, when States themselves fail to do so. We are sadly reminded every day how much such an institution is needed. On the negative side, we have observed a dangerous erosion in the application of long-standing international law standards, most notably in the field of international human rights and international humanitarian law. The stage we have reached is critical, and there can only be one response: We must urgently reverse this trend and uphold the primacy of the rule of law - both nationally and internationally.”

- *His Excellency Mr. Ernst Walch, Minister for Foreign Affairs* (24 September 2004)

Lesotho:

“Mr. President, the coming into operation of the International Criminal Court (ICC) signifies an end to impunity. We are elated that there now exists an international body that can takeover when national courts are unable or unwilling to try perpetrators of the most egregious violations of human rights. We would indeed live in a safer world if State Parties to the Rome Statute of the International Criminal Court could adhere to it; and also, if the Court could attain universal jurisdiction. My delegation encourages states that have not yet ratified the Statute to do so as a matter of urgency and commonsense.”

“We are pleased to note that the ICC has commenced investigations in the DRC and Uganda. We congratulate both these sister countries for their cooperation with the ICC.”

- *His Excellency The Right Honorable Pakalitha Bethuel Mosisili, Prime Minister and Minister for Defense and Public Service of the Kingdom of Lesotho* (23 September 2004)

Maldives:

“The Government is also committed to respecting and observing human rights through adherence to relevant international conventions. In this regard, I am pleased to announce that the Maldives will sign this week a framework agreement with the International Committee for the Red Cross, and keeping under consideration signing of some other important instruments such as the Rome Statute of the International Criminal Court.”

- *His Excellency Mr. Fathulla Jameel, Minister for Foreign Affairs* (30 September 2004)

Malta:

“Our concerns for the safety of our people, must be counter-balanced by the assurances that those responsible for these threats will be dealt with by a coherent and effective system of trans-frontier justice that reflects respect for the rule of law. The international community's endeavours in recent years have found fruition in the establishment of the

International Criminal Court, a functioning institution which increases its effectiveness the wider it is subscribed to by the members of all the family of nations.”

- *His Excellency The Right Honorable Lawrence Gonzi, Prime Minister of the Republic of Malta* (23 September 2004)

Marshall Islands:

“The Marshall Islands, as a State Party to the Rome Statute, welcomes the ongoing progress in the International Criminal Court. We are pleased that the Court is now fully operational, and has begun its first investigations. We are confident that the Court will play a valuable role in the administration of justice at the international level, and we urge those States that have not yet done so to become Parties.”

- *His Excellency Mr. Kessai Note, President of the Republic of the Marshall Islands* (22 September 2004)

The Netherlands speaking on behalf of the European Union:

"The European Union stresses the importance of the International Criminal Court in putting an end to impunity and strengthening the rule of law throughout the world. It will pursue its efforts to ensure the widest possible ratification of, and accession to, the Rome Statute of the International Criminal Court."

- *His Excellency Dr. Bernard Bot, Minister of Foreign Affairs of the Kingdom of the Netherlands* (21 September 2004)

New Zealand:

"New Zealand welcomes the establishment of the International Criminal Court and the role that it will now play in dealing with genocide, war crimes and crimes against humanity. It urges all countries which have not yet done so to accede to the convention establishing this body and to recognize its jurisdiction."

- *His Excellency The Honorable Phil Goff, Minister of Foreign Affairs and Trade* (21 September 2004)

Samoa:

“The election of the second Deputy Prosecutor for the International Criminal Court just two weeks ago completes the full institutionalization of the Court. Samoa warmly welcomes the broad complement of judges and officers of the Court and adds its voice in urging other UN members to accede to the Rome Statute for the Establishment of the ICC. Given its role in upholding international humanitarian standards and in the protection of human rights, the Court deserves the support of the international community to give it the full universality it requires.”

- *His Excellency The Honorable Tuila'epa Sailele Malielegaoi, Prime Minister and Minister for Foreign Affairs and Trade* (24 September 2004)

San Marino:

“San Marino firmly believes in the role of the International Criminal Court and has recently supported the draft ICC/UN Relationship Agreement and the setting up of an ICC Liaison Office in New York.”

- *His Excellency Mr. Fabio Berardi, Minister for Foreign and Political Affairs* (28 September 2004)

Slovenia:

"The increasingly direct contacts between cultures and civilisations bring new challenges and new opportunities. Let us exploit them for mutual enrichment and the formulation of a common consciousness of humankind. We will be able to do that only with the presumption of radical equality and the tolerant acceptance of plurality in human values. The boundaries of the plurality of these values are delineated by fundamental human rights and freedoms. The UN plays a central part in asserting them internationally."

"Slovenia welcomes the start of work by the new High Commissioner for Human Rights, Louise Arbour, and assures her of our full willingness to cooperate."

"At the same time we express our continued support of the International Criminal Court that represents an important instrument for exercising the rule of law and human rights."

- *His Excellency Mr. Janez Drnovsek, President of the Republic of Slovenia* (21 September 2004)

Spain:

"World peace and security cannot be ensured without respect for legality. Therefore, Spain wishes to promote the effective functioning of the International Criminal Court. To that end, I would call upon all States who have yet to ratify the ICC Statute to do so fully, unconditionally and without delay, and thus help us in our common endeavour to build a more just world."

- *His Excellency Mr. José Luis Rodríguez Zapatero, Prime Minister of the Kingdom of Spain* (21 September 2004)

Sweden:

"Our finest achievement in international law in recent years is the creation of the International Criminal Court. I call on the Security Council to consider the possibility of referring matters to the Court."

- *His Excellency Mr. Göran Persson, Prime Minister of the Kingdom of Sweden* (21 September 2004)

Trinidad and Tobago:

"We also consider the establishment of the International Criminal Court to be a major achievement and urge partner countries to uphold the integrity of the Rome Statute establishing it. The commission of war crimes, genocide and other such crimes against humanity has been facilitated by a global culture of impunity. The people of the world would be safe only if for the perpetrators of such crime know that punishment is inescapable."

- *His Excellency The Honorable Patrick Manning, Prime Minister* (24 September 2004)

Uganda:

“The international community must work against those who preach and promote hate propaganda based on religion, colour, tribe or race. Starting from the principle that no one should be above the law, Uganda believes that the ICC must ensure that those who perpetrate terrorist acts against innocent civilians are adequately punished.”

- *His Excellency The Honorable Tom Butime, Acting Minister for Foreign Affairs* (28 September 2004)

Uruguay:

“Lastly, Mr. President, Uruguay is a country that is committed to the international system and to the progressive development of international law, whose most recent expression has been the establishment of the International Criminal Court, of which its Statute we have ratified.”

- *His Excellency Mr. Jorge Batlle Ibáñez, President of the Eastern Republic of Uruguay* (23 September 2004)

Yemen:

“The commitment of my government to build a better future for the people of Yemen and the people of our region prompted us to institute numerous economic and political reforms and to broaden popular involvement in governance and strengthening of our partnership with other countries and entities. This was highlighted in the Sana'a Declaration adopted earlier this year by the Forum on Democracy, Human Rights and the International Criminal Court. A number of other countries, represented by their governments, parliaments and civil society, regional and international organizations took part in that gathering. The Forum was organized in response to reform initiatives that came from the governments and peoples of the region. It stressed that good democratic governance and respect for human rights require full mobilization of civil society energies and potential. They also need interaction among all stakeholders with a sense of responsibility and partnership with governments and support from outside the region in order to use overall development as a vehicle towards stability, progress and movement on the road to democracy and overall human development.”

- *His Excellency Mr. Abubakr Al-Qirbi, Minister for Foreign Affairs* (24 September 2004)