



# BRAZIL

Security Council

Public Meeting on the proposed renewal of the provisions of Security Council resolution 1422 (2002) – 12 June 2003

Statement by Ms Maria Luiza Ribeiro Viotti – Chargée d'affaires, a.i.,  
Mission of Brazil to the United Nations

---

*(Check against delivery)*

"Mr. President,

Let me commend you for the timely decision of convening this debate. We support this initiative proposed by (Canada, Jordan, Liechtenstein, New Zealand, Switzerland). This debate gives us the opportunity to discuss two specific subjects that are crucial to our efforts of building an international order based on peace and security, yet founded on International Law.

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. Only 11 days afterwards, however, the SC approved resolution 1422, a sensitive issue given its possible implications for that international treaty.

It is not the intention of the Brazilian Government thoroughly to analyse those events and developments here. We have voiced our position in last year's debate.

Mr President,

The creation of the ICC is the realisation of what was once only a dream. We now have the instrument for ensuring that the most dreadful crimes against basic human rights will no longer remain unpunished.

The approval of Resolution 1422 stems from a concern that this instrument might be misused. Some States fear that the aims of the ICC could be distorted and that this could lead to politically motivated accusations against their nationals.

Brazil is nevertheless firmly convinced that those concerns have already been addressed by the Rome Statute. In view of that, it seems clear that the ICC provides all the necessary checks and balances to prevent possible



## BRAZIL

abuses and politically motivated misuse of its jurisdiction. Thus, efforts to secure broad immunities from the potential jurisdiction of the Court are, in our view, unnecessary.

Mr President,

For reasons already stated, Brazil is concerned with proposals or initiatives that seek to reinterpret or review the Rome Statute in violation of the practice of international law and of the Vienna Convention of the Law of Treaties. The ICC is an international treaty that has specific procedures for amendment that should be observed.

The Brazilian Government is ready to work for alternative satisfactory solutions that are legally sound and preserve the integrity of the Statute, in both its letter and spirit.

Mr President,

Brazil is concerned at the possible renewal of Resolution 1422 (2002), exempting all peacekeepers from the jurisdiction of the ICC, as we believe that peacekeeping operations and the institution of the International Criminal Court are two important pillars for the realization of United Nations goals, and we have to make sure that both instruments work in a coherent and mutually reinforcing manner. Maintenance of international peace and security and the repression of serious crimes cannot be viewed as conflicting objectives.

We believe that the success of the ICC depends upon the continuing support it receives from its States parties and from the international community as a whole. Public opinion has on several occasions demonstrated it clearly stands behind the objective of the ICC and the denial of safe havens to impunity.

Initiatives aimed at extending the exemptions of certain categories 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. Efforts that may have the effect of dismantling such an achievement does not serve the cause of Justice.

Thank You."

---

(check against delivery)