

INTERNATIONAL CRIMINAL COURT
ADOPTION OF SECURITY COUNCIL RESOLUTION 1487
REMARKS BY THE DEPUTY PERMANENT REPRESENTATIVE OF
FRANCE
(6/12/2003)

Mr. President,

My delegation fully aligns itself with the speech made this morning by the Greek presidency of the European Union.

It also wishes, in a national capacity, to explain briefly the reasons why France decided to abstain on the draft resolution presented by the United States of America to renew for one year, starting 1 July 2003, the provisions of Security Council resolution 1422 adopted last 12 July.

Mr. President,

Paragraph 2 of the provisions of resolution 1422 did not include a provision for automatic renewal. To be sure, it expressed the Security Council's intention with regard to the renewal of this resolution but stipulated, and I quote, "for as long as may be necessary." That formulation definitely implied an obligation to consider the opportuneness of renewal, according to the circumstances.

Last year, after long and at times difficult negotiations, France like the other member States of the Council agreed to the exemptions provided for in resolution 1422 for one year. It did so in order to take into account in particular two factors then that were very significant: the risk at that time if the mandates of certain UN forces or missions were not renewed; and the wish, in response to a request by the US, to allow it a further period of time to find a lasting solution to its concerns regarding the Statute of the International Criminal Court. Both factors now belong to a context that has passed.

Since then there have been other developments which seem to us, moreover, to meet the concerns expressed by the United States.

For instance, the past year has confirmed, as Mr. Hans Corell, Legal Counsel of the United Nations, had predicted at the time, that it is highly unlikely that a case would occur to trigger the implementation of resolution 1422.

Also, the International Criminal Court, to which 90 States are parties to date, has become a reality given this year's election of its 18 judges, the Prosecutor and the appointment very soon of its Registrar. Its professionalism can already be judged on

evidence. The acknowledged caliber and competence of the members of the Court assure beyond doubt the credibility of this international tribunal, and that credibility is the best guarantee against the suspicions that might still exist about a "politically motivated" court.

Lastly, at the very time the International Criminal Court is being established, we did not consider it appropriate to renew for one year the exemptions accorded to certain personnel of States not Parties to the Rome Statute participating in forces or missions under UN auspices. Agreeing to the renewal risks in effect giving credence to the perception of permanent exceptions which can only weaken the Court and impair its authority.

Mr. President,

The Council has just adopted resolution 1487. An additional period of one year has therefore started. My delegation hopes that this period will allow all to note that the way the Court functions does not in the least justify the concerns expressed by certain States.

Thank you for your attention.

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