

PERMANENT MISSION OF JORDAN TO THE UNITED NATIONS

**STATEMENT
BY
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AMBASSADOR, PERMANENT REPRESENTATIVE
BEFORE THE SECURITY COUNCIL
OPEN DEBATE
ON
THE AGENDA ITEM PERTAINING TO
"THE SITUATION IN BOSNIA AND HERZEGOVINA"**

NEW YORK, 10 JULY 2002

Mr. President,

At the outset, I would like to congratulate you on your assumption of the presidency of the Security Council for this month and wish you every success in discharging the task with which you have been entrusted. We have every confidence in your ability to fulfill your responsibilities. I would also like to thank the Permanent Representative of sisterly Syria, H.E. Ambassador Mikhail Wehbe, for his distinguished efforts as President of the Council during the month of June.

Mr. President,

In the Holocaust museum in Washington D.C., there exist images and artifacts of a time, falling well within the lifespan of many around this table, where the breadth of human brutality found its full expression, a time which showed shamefully just how primordial we, human beings, still are. Almost fifty years later, the genocide in Rwanda was searing and further proof of the resilience of this lamentable fact; a genocide inflicted by machete and carried out virtually without interruption over the course of several weeks, in spite of the existence of the Security Council, its membership, and all the potential political and military power which exists therein.

If we are ever to change all of this, to offer some sort of permanent juridical deterrent to the most vile criminals of the future, the only discussion we should be having now, one week after the statute of the International Criminal Court (ICC) has entered into force, is on how best we can assist the Court. For the Council to contemplate anything else, which falls short of that, is to offer comfort to those criminals of tomorrow. And should the Security Council consider again the adoption of a draft resolution on the ICC falling under chapter VII, it will edge itself toward acting *ultra vires* --that is, beyond its authority under the UN Charter. After all, how could it adopt a chapter VII resolution on the Court, when the latter cannot by any stretch of the imagination, be considered a threat to international peace and security?

Mr. President,

We have heard the arguments put forward by our friend and colleague H.E. Ambassador John Negroponte, and the point is taken: the United States enjoys a uniqueness, a primacy, in world affairs today; demonstrated, in part, by the significant contribution it makes to global peacekeeping efforts; leaving it vulnerable therefore to the possibility of politically-motivated charges being leveled at it by different actors in the field.

We join others in believing the existing safeguards in the Rome statute are sufficient in reducing to an absolute minimum the likelihood the Court will take up a dubious charge. Having heard the US's concerns, we will strive together with all states parties to ensure, through the Assembly of States Parties, that the Court will discharge its duties fairly, effectively, and unencumbered by political considerations.

We are opposed, however, to any course of action by the Security Council, the effect of which will be to not only undermine the Court, but to also deliver a crippling blow to the manner by which the international community negotiates multilateral treaties in the future. Moreover, it is almost inconceivable, given the obligations conferred upon the Security Council by Article 24 of the UN charter, that the Council could ponder putting at risk the lives, potentially, of millions of people by placing existing peacekeeping operations in jeopardy, because of differences of opinion over the International Criminal Court.

Mr. President,

It is the all-too-many memorials scattered around the globe from Bosnia-Herzegovina to Phnom Penh, commemorating the victims of mass murder, as well as the images that reside in the Holocaust museum in Washington D.C., which impel us to support the International Criminal Court in this way, above and beyond all other considerations. And it would surprise no one here today were we to note that more innocent people have lost their lives violently by way of genocide, war crimes and crimes against humanity, over the last century, than all previous centuries combined stretching back two millennia. By not supporting the Court, it will not so much be a matter if we fail future generations — in the same way that former generations failed the victims of yesteryear — but whether, by the end of this century, there will be any generations left to fail.

Thank you Mr. President