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**Secretary-General Ban Ki-moon**  
**UN Headquarters**  
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## **Remarks to the Sixth Assembly of States Parties to the Rome Statute of the International Criminal Court (general debate)**

I am pleased to welcome you here at United Nations Headquarters in New York for your Sixth Assembly.

Last July marked the fifth anniversary of the entry into force of the Rome Statute of the International Criminal Court. Next July, we celebrate the tenth anniversary of the adoption of the Rome Statute.

Today's Assembly, falling midway between these two historic dates, is a welcome opportunity to take stock of the Court's standing and to reflect on some of the main challenges ahead.

Permit me to start with some brief historical context. The origins of the International Criminal Court lie with the International Criminal Tribunals for the former Yugoslavia and for Rwanda. These courts, established by the Security Council, pioneered the enforcement of international humanitarian law and the development of international criminal justice.

Their work opened the door to other forums to fight impunity under international law. The Special Court for Sierra Leone and the Extraordinary Chambers in the Courts of Cambodia followed the lead of the original Tribunals and brought a measure of justice and closure to the victims of unspeakable crimes.

At the Dayton peace talks in 1995, Slobodan Milosevic could not have believed that just a few years later he would be held accountable before the International Criminal Tribunal for the Former Yugoslavia. More recently, Khmer Rouge leaders such as Kaing Guek Eav, known as Duch, Ieng Sary, former Foreign Minister, and Khieu Samphan, former Head of State of the Democratic Kampuchea regime, were taken into the custody of the Extraordinary Chambers in the Courts of Cambodia. And of course Charles Taylor is getting ready to stand trial before the Special Court for Sierra Leone early next year.

The success of these courts fed a growing sense among the international community that a more permanent forum to address the most egregious atrocities was needed.

The International Criminal Court emerged as the answer. Unlike ad hoc tribunals of all kinds, the International Criminal Court is a permanent institution. Already, in the relatively short period of its existence, the Court has established itself as the centrepiece of our system of international criminal justice. It both embodies and drives a profound evolution in international culture and law. It serves notice to any would-be Milosevic or Charles Taylor that their actions today may lead to international prosecution tomorrow.

Indeed, I note with some satisfaction that two of the individuals indicted by the Court have been

arrested and transferred into its custody. Yet, there are still a number of outstanding arrest warrants that have to be executed. I urge all Member States to do everything within their powers to assist in enforcing these warrants.

The single most important determinant of success for any international tribunals is cooperation. Cooperation from States, cooperation from the United Nations and other international organizations, cooperation from civil society and the NGO community, and cooperation from victims, witnesses and other individuals. Cooperation that results in financial support and political backing, and which flows from expressions of support in public, as well as behind closed doors.

And it is cooperation that will determine the effectiveness of the International Criminal Court, and the success of the Trust Fund for Victims that was also established under the Rome Statute.

Let me assure you that the United Nations will continue to cooperate with the International Criminal Court under our Relationship Agreement. We feel the UN can assist the Court in many ways. It can provide documents and information, it can supply logistical and other technical support to Court field operations, and it can even accommodate the Court in its security arrangements. Of course, the arrest and surrender of indicted individuals can only be undertaken by States, even where peacekeeping operations have been mandated to assist with the task.

That is why the cooperation of all States is essential to the work of the Court. Without it, the International Criminal Court cannot function. The Court, and the Trust Fund for Victims, needs the support and assistance of all States parties for the important work that is under way.

At present, the Court's Prosecutor is investigating four situations: in the Democratic Republic of the Congo, where, during one of the bloodiest conflicts in Africa, thousands of civilians, including countless children, have become victims of mass atrocities and abuse; in Darfur, where unspeakable crimes on a massive scale are still being committed; in northern Uganda, where the Lord's Resistance Army abducted thousands of children and used them as child soldiers, servants and sex slaves; and in the Central African Republic, where particularly egregious allegations of rape and other acts of sexual violence against women have surfaced.

Some of these situations are still unstable, and peace has not yet completely taken hold. Under such circumstances, questions about the relationship between peace and justice are unavoidable.

There are no easy answers to this morally and legally charged balancing act. However, the overarching principle is clear: there can be no sustainable peace without justice. Peace and justice, accountability and reconciliation are not mutually exclusive. To the contrary, they go hand in hand.

And so the work of the International Criminal Court goes hand in hand with that of the United Nations. Our struggle for peace cannot succeed without your efforts for justice.

So let me thank all of you for your contributions to our system of international justice, and I look forward to cooperating with you to strengthen the Court, and to advance the cause of justice and peace everywhere.

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