

Explanation of Vote by Ambassador Stuart Holliday, Alternate U.S. Representative to the United Nations for Special Political Affairs, on Resolution 1565 Expanding MONUC, in the Security Council, October 1, 2004

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Thank you, Mr. President. And I would like to congratulate you on the assumption of your presidency. I would like to welcome the Secretary General's presence at this important meeting. I would also like to congratulate the Spanish presidency on their fine stewardship this past month.

On behalf of my delegation, I note with great satisfaction the unanimous passage of this resolution, which will provide for an increase in the capacity appropriate to MONUC's current needs as well as to the situation in the Democratic Republic of the Congo.

I wish to thank other Council missions for their contributions to making passage of this resolution possible. I particularly want to single out the French mission for its leadership of this common effort and the UK mission for their constructive support.

As we act to strengthen MONUC's capacity, we must also call upon the Congolese parties to fulfill their responsibilities to the Congolese people and do much more to play their part in a successful political process.

We are at a delicate time in the Democratic Republic of the Congo, yet one of increased hope. Within the past eight days, in addition to the passage of this important resolution, we have seen the signing of both the Memorandum of Intent on Regional Security in the Great Lakes of Africa and the Joint Verification Mechanism.

For the promise of peace to be fulfilled, it is incumbent upon all parties to stick to their commitments under these agreements.

In conclusion Mr. President, I would like to make one point of clarification about the resolution we have just passed. As my Council colleagues know, it is the policy of the U.S. Government to ensure that members of the Armed Forces of the United States of America participating in UN peacekeeping operations are protected from criminal prosecution or other assertion of jurisdiction by the International Criminal Court, including through the possible inclusion of express provisions providing such protection.

In this instance, U.S. personnel are not participating in this operation and the U.S. has an Article 98 agreement with the Democratic Republic of the Congo that would prohibit it from surrendering U.S. personnel to the ICC should they participate in the future. The U.S. supports this resolution with the understanding that the resolution does not direct MONUC to cooperate with the ICC. And fully consistent with the statement that the United States made upon adoption of General Assembly Resolution 58-318, any expenses resulting from the provision of any cooperation or support to the ICC would need to be on a reimbursable basis.

Again Mr. President, I'd like to thank you and thank the Council.