



PERMANENT MISSION OF THE PRINCIPALITY OF LIECHTENSTEIN
TO THE UNITED NATIONS

ASSEMBLY OF STATES PARTIES TO THE ROME STATUTE
OF THE INTERNATIONAL CRIMINAL COURT
6TH SESSION

STATEMENT

BY

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TO THE UNITED NATIONS

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Mr. President

We would like to thank you and the Bureau for giving us the opportunity to share our views during this general debate. We also thank the Secretary-General of the United Nations for being with us today, and for the commitment and support he has shown for the cause of fighting impunity. Five years ago, we celebrated the entry into force of the Rome Statute here at UN Headquarters, and it is highly appropriate that we gather today at the place where the groundwork for the Court was laid.

Looking back at the last five years, we are very satisfied with the way the Court has developed. We commend the various organs of the Court and their staff for their continued professionalism, excellence and dedication to safeguarding the keystone principles of independence and complementarity. We welcome the issuance of additional arrest warrants, the opening of an investigation in the Central African Republic, and the recent surrender of a second indicted person in the DR Congo situation. The ICC continues to strengthen its position in the system of international organizations, and to display a broad deterrent effect vis-à-vis potential future perpetrators of crimes.

Mr. President

Inherently, the ICC must rely on States and international organizations with respect to the operational aspects of its work, especially arrest and surrender. We note with great concern that six arrest warrants are still awaiting their execution, some of them for more than two years. This state of affairs is wholly unacceptable. All States, parties and non-parties to the Statute alike, as well as other relevant actors, such as the Security Council, must contemplate the consequences of such inaction. At the Rome Conference in 1998, we took a historic decision to end impunity. Whether that commitment is a promise or mere lip-service will depend largely on how we deal with the first situations taken up by the Court. During these formative years, the world is closely watching to ascertain the Court's ability to respond to situations where States are unable or unwilling to try individuals for the worst crimes. States Parties have a special obligation to do all they can to help the Court get on with its work, and we must therefore make our best efforts to ensure that the outstanding arrest warrants are executed. The Security Council has a very important role to play in helping the

ICC promote, and most importantly, deliver, justice. Any Security Council referral to the Court must remain a high priority for the Council, in particular where the country concerned does not live up to its obligation to cooperate with the Court, as required by the UN Charter (Chapter VII).

Mr. President

We welcome recent jurisprudence of the ICC that has affirmed the role of victims in proceedings. The impact of this jurisprudence is already being felt, as numerous victim groups have applied to the Court to be heard. We also commend the Court for increasing its outreach to victims by opening new field offices in situation countries. These offices deserve the continued support of States, as they are the Court's local face and are essential to its effective operation and legitimacy. We also support the activities of the Trust Fund for the benefit of victims and their families. I am pleased to inform you that Liechtenstein will in the coming days make a voluntary contribution of 27'000 Swiss Francs to the Fund.

Mr. President

This ASP will give us an opportunity to further the preparations for the Review Conference, which is now likely to take place in early 2010. We expect that the ASP will be able to agree on a calendar of ASP meetings and on the tentative dates of the Review Conference. Furthermore, we need to make progress on the question of venue. A clear roadmap towards the Review Conference is of crucial importance for the work on the crime of aggression, which is closely followed by all States, including non-States Parties considering ratification of the Rome Statute. The Special Working Group on the Crime of Aggression has significantly advanced the debate on defining the crime of aggression. The fourth intersessional meeting of the Special Working Group held in June 2007 at the Liechtenstein Institute on Self-Determination at Princeton University highlighted the commitment of all participants to find a solution for this issue, as mandated by the Final Act of the Rome Conference. We look forward to the discussions on aggression this week and are confident that we will make further substantive progress.

I thank you.