

EGYPT



مصر

The Permanent Mission of Egypt
to the United Nations
New York

بعثة مصر الدائمة
لدى الأمم المتحدة
نيويورك

Statement by

The Delegation of the Arab Republic of Egypt

before

The Sixth Session of
the Assembly of States Parties to the Rome Statute of
the International Criminal Court

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Mr. President,

At the outset, I would like to thank you for holding this general debate in an important phase in developing concepts of international criminal law to counter the horrendous crimes that are committed against humanity around the world, and to enhance the mitigation of justice as one of the main pillars on which the United Nations Charter was structured.

From this perspective, the Delegation of Egypt reaffirms the importance of the role of the International Criminal Court in enhancing rule of law and to guarantee the implementation of the international humanitarian law provisions, as well as the importance of this role to maintain international peace and security. The role of the Court in this regard is to complement the role of the national judiciary, which is the primary responsible for prosecuting its nationals who commit crimes against humanity, which is part of the responsibility of the State to ensure safety and security of its citizens and to carry out fair and impartial trials to those who commit such crimes through a neutral national judiciary.

Hence, the Delegation of Egypt stresses that the International Criminal Court should continue the impartial path that it followed in its work, through adopting a fundamental course that asserts its judicial nature and augments its impartiality and independence in a manner that would allow it to assume its international legal role to complement the national legal role.

The Delegation of Egypt affirms that politicization of the work of the Court will contribute in undermining its credibility and its capability to assume its optimal role, especially if the concept of selectivity is pursued in referring cases to the Court. This underlines the responsibility of the Security Council while referring all those accused of committing crimes that fall under the jurisdiction of the Court away from politicization, selectivity or double standards. The Delegation of Egypt also believes in the importance of implementing concepts of transparency and openness in the work of the Court and not to resort to secret lists of the accused persons in order to enhance chances of realizing justice based on transparency and accountability.

In this regard, the procedures of investigations and collection of evidence require an amplified degree of scrutiny, especially concerning the investigations in crimes and collecting evidence from outside the territory of the country which was the scene of these hideous crimes

against humanity were committed, in order to avoid relying on unsubstantiated circumstances or on evidence originating from hearsay that can be far from realities.

As for the types of crimes that the Court confronts, whether the crime of genocide or other crimes against humanity, the Delegation of Egypt believes in the inadmissibility any impunity to persons who commit such crimes and stresses the need to bring them before judiciary for their prosecution in the nearest future, especially those who issue orders and carry them out against peoples under occupation.

Mr. President,

The Delegation of Egypt attaches importance to the current efforts aiming at reaching a definition to the crime of aggression without linking it to a role of the Security Council to decide that an act of aggression took place. Our position emanates from complete conviction that committing a crime of aggression against peoples is only the beginning of a chain of crimes against humanity, including mass expulsion and murder, enforced deportation and other hideous crimes that threaten the constant attempts of the international community to uphold the high principles and to replace it with prosperity and advancement among societies and peoples.

This requires from the Security Council to immediately interfere to stop an aggression of a State against another even before the count reaches the aspired definition. Thus, the failure of the Security Council to assume its responsibility for 34 days in July 2006 eventually allowing Israel to continue its aggression against Lebanon, should not be interpreted as recognition by the Security Council of the legality of this crime against the People of Lebanon as this Israeli act constitutes a crime of aggression of complete elements, which compels us to call for a fair trial to those who committed it and those who committed other crimes against humanity in the Arab occupied territories in Palestine, Syria and Lebanon, without excluding any of them by providing impunity to any of the perpetrators to ensure the principle of equality before the law and to solidify the concept of justice on which the Court was established.

Thank you Mr. President.