



**MÉXICO**

**7<sup>th</sup> SESSION OF THE ASSEMBLY OF STATES PARTIES TO THE  
ROME STATUTE OF THE INTERNATIONAL CRIMINAL COURT**

**“GENERAL DEBATE”**

**STATEMENT BY AMBASSADOR JORGE LOMÓNACO**

**The Hague, 14 November 2008.**

*(Check against delivery)*

**INTERVENTION OF THE DELEGATION OF MEXICO AT THE GENERAL DEBATE OF THE 7<sup>th</sup> SESSION OF THE ASSEMBLY OF STATES PARTIES TO THE ROME STATUTE OF THE INTERNATIONAL CRIMINAL COURT.**

**The Hague, 14 November 2008.**

Mr. President.

The delegation of Mexico wishes to express its appreciation to the heads of organs of the International Criminal Court for their comprehensive reports that provide this Assembly with the context and substance for the deliberations of the different issues included in its program of work.

My delegation wishes furthermore to recognize the dedicated work of the outgoing President of the Assembly, Minister Bruno Stagno Ugarte. To a large extent, the dialogue and cooperation with and by States Parties has seen important developments thanks to the work of the distinguished Latin-American diplomat. His example will continue guiding us in the forthcoming years in our "fight against the banalization of evil" and in reiterating the end of impunity as a fundamental ingredient of every peaceful solution to today's conflicts.

I wish also to congratulate the new President of this Assembly, Ambassador Wenaweser. Allow me to reiterate to you, Mr. President, that Mexico will collaborate and decidedly support you in the delivering of your responsibilities. We are convinced that, under your leadership, this Assembly will successfully complete its current and future agendas. I also take this opportunity to reiterate my personal commitment with the work of the Court and its different organs.

Mr. President.

Only fifteen days ago, during the presentation of the fourth report of the Court to the United Nations General Assembly, Mexico reaffirmed its commitment with the International Criminal Court. At that time, we acknowledged its accomplishments ten years after the adoption of the Rome Statute. But we underscored some concerns regarding its judicial work as well as on the need for a more profound cooperation from States and relevant international organizations.

Mexico also emphasized its wish to continue advancing towards the consolidation of a model of justice that is expeditious, efficient and transparent. Lastly, we reiterated the need to seek immediate solutions for overcoming obstacles that have been translated into considerable delays in the start of the Court's first trial. Today, Mexico reaffirms the need for the competent organs of the Court to seek long-term solutions so that in the future the trials can start as soon as possible and in light of the provisions of the Statute. The Court has repeatedly called our attention to the fact that without arrests there can be no trials, and that without trials victims remain ignored and the potential preventive effect of the Court is undermined. My delegation fully shares this appreciation and thus reiterates the need to make the delivery of justice more expeditious.

I would not wish today to repeat what Mexico already expressed only a few weeks ago. Universality, transparent and expedited justice, effective cooperation and financial efficiency are recurrent issues to which my delegation already referred to. Allow me then to concentrate this intervention in a few specific matters, thus complementing my country's position as expressed last 30<sup>th</sup> of October, in New York.

Mr. President.

The Court is now in a crucial stage, both in terms of its consolidation as an independent judicial organ, as well as regarding its institutional and administrative structures. In addition to legal and



political challenges, the Court also continues to face the task of consolidating the support of the international community and that of the public at large.

Lack of knowledge or of adequate understanding brings about lack of support. It is thus fundamental to take the offensive so as to actively clarify misperceptions and to defeat skepticisms. The noble mission of the Court must be more intensely – perhaps more audaciously – conveyed to civil society, media and other relevant non-governmental actors.

One of the means for contributing in the accomplishment of this task is by providing the Court with an emblematic seat. The Court must have permanent premises that, while functional, serve as well to confirm the authority and high moral stand of the judicial organ and that, at the same time, are able to convey the sense of its impartiality.

Throughout this year, the Oversight Committee on permanent premises has worked intensively so as to give the project its basic executive structure that will allow it to develop without delays, while providing sufficient assurances as to costs, designs and timelines. The adoption of the draft resolution submitted to the Assembly by its subsidiary organ will allow the project to continue developing and will give States Parties the most convenient options for contributing to its financing.

Our yearning is to provide the Court with the vehicle that will reaffirm its permanent character and that will assist it in disseminating its message of justice and of ending of impunity from the standpoint of the icon that its permanent headquarters will become.

Mr. President.

On 17 October 2008, Mexico was elected as non-permanent member to the United Nations Security Council for the biennia that will start in January 2009. That honorable position will allow my country to work towards the unequivocal respect to the principles of the Charter of the United Nations, to international law and the respect of human rights. It will also allow us to contribute in seeking lasting solutions to international conflicts and to promote a better interaction between the work of the Council and of other international organs and actors, such as the International Criminal Court. There is no doubt that the cooperation that that organ of the United Nations can provide is fundamental for assisting the Court in the fulfillment of its mandate. At the Security Council, Mexico will privilege such interaction and will strive for guaranteeing the independence of the Court and of its procedures, as we have done since the Statute was being negotiated. We must recognize that the relevant parts of the Statute that make reference to the political organ are a reflection of the necessary interaction between peace and justice. However, it must be clear that their object and purpose is one of cooperation and mutual reinforcement, not of antagonism or delay.

As was expressed by my delegation only two weeks ago in New York, Mexico is convinced that peace and justice are necessary components of every effort to bring any armed conflict to an end. The role of the institutions in charge of maintaining peace and of those responsible for delivering justice is complementary and must be mutually reinforced. Political processes must contain the necessary elements for guaranteeing that there is no room for impunity. Thus, Mexico will continue to advocate for solutions that give justice its prominent stand. We are convinced that, ultimately, peace stems naturally from justice.

Today and in this forum Mexico makes a firm call to those countries in which the Court carries out its investigations – and specially those in which territories arrest warrants remain to be complied with – so as to provide it with ample and immediate cooperation. The continued atrocities in Darfur or in the Kivus, to give but two examples, are crude reminders of the urgent need to act.

There should be no doubt, Mr. President, that from its seat at the Security Council Mexico will strive to avoid any action that can affect the Court, its independence and its mandate of putting an end to impunity. Mexico will work with the Court and with the Council constructively and will give priority to dialogue and to the search of lasting solutions.

Mr. President.

Lastly, I would like to reiterate the commitment of my government for exploring viable alternatives for addressing the financial challenges faced by the Court. In light of the generalized financial crisis, it is necessary that States Parties and the Court work together for achieving a proper and diligent administration of the resources available, keeping always in mind the interests of international criminal justice.

Mr. President.

To conclude, my delegation has today a very special task to fulfill: the recognition of the work of the first President of the International Criminal Court, Judge Philippe Kirsch. We reiterate our tribute to him and our gratitude for his work at the helm in during its first years of existence. Without you, President Kirsch, we would probably still be debating in the corridors of New York and Rome and would not be celebrating the 7<sup>th</sup> session of our Assembly. Distinguished jurist, diplomat and friend: thank you so much.

Thank you, Mr. President.