

# **Statement by China on the Eighth Report of the Prosecutor of the ICC pursuant to Resolution 1593 (2005)**

**December 3, 2008**

(official record from the UN)

Mr. Zhang Yesui (China) (spoke in Chinese): At the outset, I would like to congratulate Croatia on its assumption of the presidency of the Security Council for this month. I believe that, under your guidance, the work of the Security Council will proceed very smoothly.

We appreciate the briefing to the Security Council by Mr. Moreno-Ocampo, Prosecutor of the International Criminal Court (ICC) on the latest developments in dealing with impunity in Darfur. The question of the Sudan covers two issues: the North-South question and that of the Darfur region. The problem of Darfur involves the political process, peacekeeping deployment, economic development, humanitarian relief assistance and judicial justice. The situation is complex and very tough. Currently, the international community is focused on two major issues: first, whether the peaceful situation can be maintained in the Sudan; and secondly, whether the largest mission in the history of United Nations peacekeeping can be implemented smoothly and achieve its desired results.

At present, North-South relations in the Sudan, next year's presidential election and the political processes in Darfur are at very sensitive junctures. As the Sudan is the largest country in Africa in terms of geography, the question of whether peace can be maintained there is of great significance to the region and the African continent as a whole. It will take a great political wisdom to find a balanced and comprehensive way to achieve peace and justice.

Regional conflict usually leads to massive human rights violations and criminality. In recent years, in the context of the international community's cooperative efforts to address regional hotspots, answers have been proposed for addressing impunity and achieving international judicial fairness. However, the pursuit of international judicial justice should be carried out with the ultimate aim of putting an end to conflict and in the wider context of restoring peace.

We recall that, in recent years, international judicial action against impunity has been successful only in situations where conflict has ceased and peace has been consolidated. In such circumstances, judicial practices are less likely to experience interference from political factors and are thus more likely to achieve justice. The hasty launch of legal proceedings while conflict is ongoing will inevitably result in interference in the relevant political processes. In such circumstances, no good results will be obtained, even with the best intentions to pursue international justice.

The International Criminal Court embodies the expectations and aspirations of nations to pursue international justice. To that end, the Court needs the political trust and support of all nations. In July, the Prosecutor of the ICC announced the Court's charges against leaders of the Sudan, causing considerable worldwide repercussions. Many States are concerned that this move will have a negative

impact on peace in the Sudan. The League of Arab States and the African Union have both expressed their serious concern.

The Government of the Sudan is working to end impunity in Darfur through national proceedings. Furthermore, the Government of the Sudan has also been making new efforts, including through active cooperation with the United Nations peacekeeping deployment. It has expressed its support for the Carter initiative and for the peaceful efforts of the Joint Chief Mediator to promote negotiations. It has also announced a ceasefire in Darfur. All these measures deserve to be acknowledged and welcomed.

The Chinese Government supports the international community's efforts to achieve peace and international justice in Darfur. We appeal to the International Criminal Court in the spirit of cooperation to create a situation in which its efforts, together with those of other parties of the international community, can interact positively to jointly promote the peace process in the Sudan.