

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

**December 3, 2008**

(official record from the UN)

Mr. Churkin (Russian Federation) (spoke in Russian): I wish at the outset to thank Mr. Luis Moreno-Ocampo, Prosecutor of the International Criminal Court (ICC), for the eighth report of the Prosecutor on steps being taken to investigate the situation in Darfur pursuant to Security Council resolution 1593 (2005), and for his briefing today. This contained both analytical and emotional elements, as well as political views that exceeded the boundaries of the competence of the Prosecutor of the International Criminal Court.

The Russian Federation views the report's information on the unceasing violence in Darfur with profound regret and concern. It is clear that this violence can reliably be stopped only through clear progress towards a political settlement in that region of the Sudan. In that regard, the Security Council bears a great responsibility with respect to ensuring the effectiveness of the African Union-United Nations Hybrid Operation in Darfur, carried out under a Council mandate.

We take note of the Prosecutor's aspiration to carry out his functions in an independent and unbiased manner. But there is also a need to balance the demands of personal responsibility and the interests of the peace process. Work in the legal sphere must proceed taking into account the joint efforts towards a settlement of the situation in Darfur and in the Sudan as a whole.

On numerous occasions in the past, the Russian Federation has noted the importance of an objective assessment of the actions of all parties to the conflict.

We are satisfied by the fact that steps are being taken in the investigation to clarify the circumstances of the September 2007 attack on African Union peacekeepers at Haskanita. At the same time, however, in spite of the difficulties in this area of the investigation, it is important to step up work to gather information about the activities of rebel factions.

It is well known that the Prosecutor's decision to approach the judges of the ICC with a request for an arrest warrant against President Al-Bashir of the Sudan did not produce a unanimous reaction: it evoked diverse reactions in international circles. Specifically, authoritative regional organizations such as the African Union and the League of Arab States expressed their concern about an indictment's possible negative consequences for the situation in the Sudan. We fully understand their position on this issue.

At the present politically sensitive stage, it might well make sense to focus efforts on measures designed to restore dialogue and trust among the parties to the conflict. In our view, steps taken by the Sudan side to create its own capacity to investigate crimes that fall within the jurisdiction of the ICC should be encouraged. In that regard we take note of the letter dated 17 November 2008 from the Permanent

Representative of the Sudan addressed to the President of the Security Council (S/2008/714), containing information about Khartoum's latest initiatives in this area.

For its part, the Russian Federation will continue to do everything in its power to bring about peace in Darfur.