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## 73<sup>e</sup> session de l'Assemblée générale

6<sup>e</sup> commission

Point 86 de l'ordre du jour

### The rule of law at the national and international levels

New York, les 8 et 9 octobre 2018

Déclaration de la Suisse

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Monsieur le Président,

La Suisse tient à remercier le Secrétaire général pour son rapport sur le renforcement

La lutte contre l'impunité à l'égard de ces crimes est essentielle à la mise en œuvre de l'état de droit. La Suisse tient à souligner à nouveau l'importance de la Cour pénale internationale et se félicite tant de l'activation récente de sa compétence à l'égard du crime d'agression que de l'adoption des amendements à l'article 8 du Statut de Rome, qui y ajoutent des crimes de guerre liés à l'utilisation d'armes spécifiques. Cependant, nous trouvons très préoccupants les retraits récents du Statut de Rome et les tendances négatives qui menacent l'indépendance et l'efficacité de la CPI. Ma délégation reste déterminée à promouvoir la ratification universelle du Statut de Rome.

La Suisse s'est fortement engagée en faveur de la création de la Cour pénale internationale (CPI) et continue à la soutenir dans l'exercice de son important mandat. La CPI est avant tout au service des victimes des crimes les plus graves. Ces crimes touchent l'ensemble de la communauté internationale. La CPI est une institution indépendante et impartiale, qui vise à mettre fin à l'impunité. Elle incarne le principe que justice doit être rendue : en faisant en sorte que les responsables de crimes répondent de leurs actes, la CPI contribue à prévenir de futurs crimes et à construire une paix durable. La CPI agit en dernier ressort, lorsque les crimes ne font pas l'objet d'une enquête ou de procédures pénales par les autorités nationales.

La Suisse insiste sur l'importance que la CPI soit en mesure de continuer à agir de manière indépendante et impartiale, afin de contribuer à la paix et à la justice dans l'intérêt de tous, en particulier des victimes des crimes les plus graves.

Je vous remercie.

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*Unofficial translation*

Mr Chairman,

Switzerland would like to thank the Secretary-General for his report on strengthening and coordinating United Nations rule of law activities.

This report shows the important work accomplished by the United Nations on the rule of law both at the national and international level. Switzerland is pleased that the report equally highlights the efforts taken on how to improve the coordination, coherence and effectiveness of this work.

Switzerland welcomes the subtopics which are suggested and to be included in the forthcoming annual report, especially the ones on "Promoting accountability for serious crimes under international law at the domestic level" and on the "Implementation of the rule of law elements of the 2030 Agenda for Sustainable Development and sharing of best practices".

Mr. Chairman,

As regards the subtopic on the promotion of accountability for serious crimes under international law, Switzerland welcomes the UN engagement to build national capacities regarding the respect of the rule of law, notably the work on strengthening national jurisdictions. In this regard, we also note the UN support to foster national capacities to prosecute international crimes. Having in place effective, independent and impartial judiciary systems is of paramount importance for ensuring respect of the rule of law and thereby contributing to build sustainable peace and prevent conflicts. It also is a fundamental prerequisite that states are able to fulfill their primary role in prosecuting international crimes. The fight against impunity for such crimes is fundamental for the implementation of the rule of law.

Switzerland wants to emphasize again the importance of the International Criminal Court and welcomes both the recent activation of the jurisdiction over the crime of aggression and the adoption of the amendments to article 8 of the Rome Statute, thus adding war crimes relating to the use of specific weapons. However, we note with great concern recent withdrawals from the Rome Statute and negative trends that put at stake the independence and effectiveness of the Court. My delegation remains committed to foster the universal ratification of the Rome Statute.

Switzerland was fully engaged in the creation of the International Criminal Court (ICC) and continues to support it in the exercise of its important mandate. The ICC primarily defends victims of the most serious of crimes. These crimes concern the entire international community. The ICC is an independent and impartial institution which aims to end impunity. It embodies the principle that justice must be served: by having the perpetrators of crimes called to account, the ICC also contributes to the prevention of future crimes and the achievement of lasting peace. The ICC acts as a court of last resort, dealing with crimes that are not under investigation or prosecution by national authorities.

Switzerland stresses the importance of ensuring the ICC can continue to act impartially and independently and thereby contribute to peace and justice in the interests of everyone – especially the victims of the most serious crimes.

Thank you.