
Security Council

Sixty-third year

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New York

[...]

Reports of the Secretary General on the Sudan

Mr. Ambassador Ricardo Alberto Arias

Permanent Representative of Panama to the United Nations

Mr. Arias (Panama) (*spoke in Spanish*): Permit me at the outset to echo what the representative of Costa Rica said regarding the paramount importance of the establishment of the International Criminal Court. I should also like to thank Prosecutor Luis Moreno- Ocampo for the report that he has provided us on the progress made in the investigations being conducted in Darfur pursuant to resolution 1593 (2005).

Through resolution 1593 (2005), this Council took the historic decision to refer a specific case to the International Criminal Court for the first time. The Court and its officials have shouldered that responsibility with all the rigour required for such a lofty duty, as demonstrated by the progress made in the investigations into the situation in Darfur, as presented to us this morning. However, after the presentation of three cases to the Court's judges and the issuance of two arrest warrants against alleged perpetrators of crimes against humanity, those arrest warrants have yet to be carried out. Impunity cannot and must not be an option.

In resolution 1593 (2005), the Security Council stipulated that the Government of the Sudan was obliged to cooperate with the Court and with the Office of the Prosecutor. However, Panama is concerned at the lack of constructive responses to

the two arrest warrants issued 20 months ago by the International Criminal Court against Ahmad Harun and Ali Kushayb for allegedly having participated in committing crimes against humanity. Panama, as a member of the Security Council and a State party to the Rome Statute, feels obligated to reiterate the appeal to the Government of the Sudan to meet its responsibilities towards the international community.

The International Criminal Court represents the will of 108 nations that have decided to exchange the arbitrariness of the past for a system of transnational justice that does not permit to go unpunished the most horrendous crimes of which humankind has proved capable. The same will for change is what motivated the Security Council to adopt resolution 1593 (2005).

We are aware of the challenge that that entails. Therefore, both the Council and the United Nations membership must be prepared to take the measures required, even if that affects the highest authorities of a country.

We recognize that it is important that the Prosecutor has concluded the investigations related to the attack perpetrated on 29 September 2007 against a military base of the African Union Mission in the Sudan at Haskanita. We also appreciate the expressions of willingness to cooperate with the Court on the part of some rebel groups. The Security Council must continue to focus its efforts on ensuring that the 17,000 humanitarian workers providing aid to 2.7 million victims of the Darfur conflict can carry out their noble mission without putting their lives at risk. We cannot allow humanitarian personnel to continue to be subjected to such indiscriminate attacks. If we are to resolve the difficult situation in Darfur and ultimately attain the objectives of resolution 1593 (2005), the Government of the Sudan must fulfil its national and international obligations.

The solidarity and continued cooperation of the entire membership of the Organization, in particular the Arab countries and the members of the African Union, are also essential. Panama views as positive the intention shown by the Government of the Sudan to raise the standards of its justice system to acceptable international levels. We also consider the mediation proposed by the State of Qatar as a way to create an atmosphere of peace and sustained justice. That initiative should have the Council's support.