
Statement by Ambassador Hardeep Singh Puri at the UN Security Council Briefing on
Libya (ICC) on May 04, 2011

Thank you, Mr President.

I would like to thank the Prosecutor, Mr Luis Moreno-Ocampo, for his briefing today. I have also taken note of his report to the Security Council submitted pursuant to paragraph 7 of Resolution 1970.

2. Mr President, India, as you know, is not a signatory to the Rome Statute, and not a member of the International Criminal Court (ICC) for reasons that are well known. In our Explanation of Vote on Resolution 1970 on 26th February, I had noted that of the 192 members of the United Nations, only 114 are members of the ICC. 5 of the 15 members of the Council, including 3 Permanent Members, are not parties to the Rome Statute. But we had voted in favour of Resolution 1970 because several members of the Council, including our colleagues from Africa and the Middle East, believed that referral of the situation in Libya to the ICC would have the effect of immediate cessation of violence and restoration of calm and stability.

3. Unfortunately, the situation in Libya has continued to deteriorate and widespread violence continues. We remain seriously concerned at the developments in Libya and condemn the use of force against civilians. We reiterate our call to all parties to immediately cease attacks on civilians and engage in political dialogue to resolve the crisis. The longer the conflict continues, the greater the harm caused to the Libyan people, their economy and society.

4. Mr President, we have noted that after his preliminary investigation, the Prosecutor, on the basis of available information, has decided that there are reasonable grounds to believe that crimes against humanity and war crimes have been committed and continue to be committed in Libya. We have also noted that the Office of the Prosecutor will submit its first application for an arrest warrant to Pre-Trial Chamber in the next weeks.

5. The Prosecutor should carry out a thorough and impartial investigation and not be influenced by non-judicial considerations. All those responsible for committing crimes, covered under the Rome Statute, should be held accountable, irrespective of which side to the conflict they may belong to and even if they have changed sides. Political considerations should not exonerate anybody from prosecution for the crimes committed. Any action by the ICC should fall strictly within the ambit of Resolution 1970, particularly paragraph 6 of the resolution that concerns the States which are not parties to the Rome Statute.

Thank you, Mr President.

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