

**High-level Meeting of the General Assembly on the Rule of Law  
Permanent Mission of Liechtenstein to the United Nations**

**Ministerial Panel on  
“Preventing the illegal use of force through judicial accountability”**

**Statement by Ms. Patricia O’Brien,  
Under-Secretary-General for Legal Affairs  
The Legal Counsel**

**Monday, 24 September 2012, 3.00 to 4.00pm,  
NLB Conference Room 3**

Madam Chairperson,

Thank you for giving me the floor.

Excellencies,

Ladies and Gentlemen,

We must always remember why the United Nations was formed. In 1945, the founders knew too well how wars of aggression can trample fundamental human rights and threaten global security.

Consequently Article 2(4) of the UN Charter prohibited the threat or use of force by one State against the territorial integrity, or political independence of another State, or in any manner inconsistent with the Purposes of the United Nations.

Because preventing aggression is a *raison d’etre* for the United Nations, the international community should celebrate its adoption as a core crime under the Rome Statute at the Kampala Review Conference.

In particular, we greatly appreciate the Principality of Liechtenstein’s leadership role in negotiating what a “crime of aggression” constitutes in the summer of 2010 in Kampala.

Allow me therefore, to congratulate the Principality of Liechtenstein for being the first State to ratify the Rome Statute amendment on the Crime of Aggression.

I recognise that current levels of ratification are well short of triggering the amendment's entry into force, but every journey must start with a step. We are going in the right direction and we expect other ICC States Parties to follow suit.

On a related issue, the Responsibility to Protect, I would like to make a brief comment on the linkages between R2P and international criminal justice.

In different stages of a conflict, R2P and the principles of international justice must complement one another within the overall framework of the rule of law. When the concept of the responsibility to protect fails, international justice must come to the forefront. The protection of populations from R2P crimes across the three pillars will be much more effective if perpetrators are brought before justice mechanisms – of a national or international nature – which investigate, prosecute and punish international crimes.

It is crucial in order for the concept of R2P to succeed that there exists a credible threat of response and a common conviction that the world no longer tolerates impunity for crimes that shock the conscience of mankind. When the prevention elements of R2P fail, international and national justice must be engaged as a logical, natural and necessary consequence when we fail to protect populations from atrocity crimes.

The principles to which I have referred today – accountability for crimes of aggression and for international injustices beyond the power of R2P – aim to honor our history and our core reason for being. They deserve our full support. They are, at their heart, the reason why we are here.

Thank you. I look forward to a fruitful discussion this afternoon.