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**MESSAGE TO THE CONSULTATIVE CONFERENCE
ON INTERNATIONAL CRIMINAL JUSTICE
New York, 10 September 2009**

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

It gives me great pleasure to send greetings to all the participants in this Consultative Conference on International Criminal Justice.

The establishment of the International Criminal Court was a landmark in the efforts of the international community to enforce the applicability of international humanitarian law, and to advance the cause of justice and the rule of law on a universal scale. With the recent accessions to the Rome Statute by Chile and the Czech Republic, 110 States are now Parties, and 139 are signatories. These latest accessions are further important steps towards the ultimate goal of universal ratification and application of the Statute.

The UN's efforts to promote peace, development and human rights are closely linked to the ICC's work. I attach great importance to improving cooperation between the two institutions in ways that take into account the legitimate interests of both partners. The United Nations is prepared to take all necessary action, with due respect to the applicable rules, to facilitate the Court's noble and important mission.

Next month marks the fifth anniversary of UN cooperation with the Court under the UN-ICC Relationship Agreement. We are very pleased that this partnership has expanded. The United Nations needs and wants the International Criminal Court to succeed, and the ICC, for its part, fully acknowledges and respects the UN's mandate. With full respect for its independent character, the United Nations will continue to support and assist the Court.

As we fight against impunity and seek to strengthen accountability, the relationship between peace and justice has been a frequent point of contention. After a decade-long debate on how to "reconcile" peace and justice or how to "sequence" them, the debate is no longer between peace and justice but between peace and what kind of justice. Voices that denied the need for justice seem to have disappeared. There is now

growing support for the idea that every comprehensive conflict settlement should include elements of justice. These elements might include:

- international accountability mechanisms;
- strengthened national accountability mechanisms;
- hybrid accountability mechanisms; and
- national, international or hybrid accountability mechanisms which are not strictly judicial, such as Truth and Reconciliation Commissions.

However constructed, there seems to be a consensus that justice must be factored into post-conflict strategies in order for peace to be sustainable. This is a major achievement for international criminal justice. I look forward to your thoughts on how we can best build on on this conceptual breakthrough.

Your Conference will also focus on the Prosecutor's strategy for the next three years. The United Nations, in keeping with our established tradition and out of the immense respect we have for the Prosecutor's independence, will refrain from formally commenting on the prosecutorial strategy. But I encourage all participants, in particular our colleagues from the NGO community, to provide their insights and suggestions.

Let me close by touching on two upcoming events.

First, the annual report of the Court will soon be published as an official document of the General Assembly for its 64th Session. We will closely study it and look forward to the Assembly's debate.

Second, the first ICC Review Conference will take place next year from 31 May to 11 June in Kampala. I urge all involved to do their part to make this gathering realize its potential. In particular, I hope that the negotiations, in particular on the definition of the crime of aggression, can be brought to a successful conclusion and that amendments to the Rome Statute can be made expeditiously following the Review Conference.

Only a few years into its existence, the ICC has emerged as the centrepiece of the international system of criminal justice. Already, the activities of the Court and its Prosecutor have had a discernible deterrent effect on potential perpetrators of international crimes. Thank you for your engagement in this critically important endeavour. I look forward to deepening our partnership, and offer you my best wishes for a successful Conference.