

THE INTERNATIONAL CRIMINAL COURT

Canada played a leading role at the Forty-Seventh Session of the United Nations General Assembly in obtaining consensus on a resolution calling on the International Law Commission (ILC) to give priority to establishing an International Criminal Court. The issue was raised by the Honourable Barbara McDougall, then Secretary of State for External Affairs, in her address to the General Assembly on September 24, 1992.

By General Assembly Resolution 47/33, November 15, 1992, the ILC was mandated to prepare a draft statute for an International Criminal Court. An international meeting of experts on this subject took place in Vancouver on March 22-27, 1993.

On July 19, 1993, the ILC submitted the Revised Report of its Working Group on the subject, containing a Draft Statute for an International Criminal Court. The draft is very much a preliminary document, with certain articles being presented with various options for consideration and discussion by Member States.

Canada intends to speak to the issue of the draft statute during the debate of the Sixth Committee of the United Nations at the end of October. In addition to expressing its support for the work done by the ILC and requesting that continued priority be given to the Court, Canada will draw the attention of Committee members to provisions that require further development, such as prosecutor independence, sentencing and prison facilities, the power of an international court to issue orders binding on a Member State and the creation of an appeals division. Canada further intends to submit detailed comments on individual articles and drafting matters directly to the ILC.