

STATEMENT**by Mr. Viktor Kryzhanivskyi****Charge d'Affaires a.i. of Ukraine
to the United Nations****on the agenda item 74:****"Report of the International Criminal Court"****9 October 2006, New York****Mr. President,**

At the outset I would like fully associate my delegation with the statement delivered by Finland on behalf of the European Union and make some additional remarks.

Mr. President,

Ukraine attaches great importance to the activities of the International Criminal Court. We welcome the ratification of the Rome Statute by 102 States, representing all regions of the world.

Ukraine is a strong supporter of the idea that the effective functioning of the Court would end the impunity of those who hid behind the principle of State sovereignty, since the Rome Statute of the Court would have jurisdiction over genocide, war crimes, crimes against humanity and crime of aggression irrespective of national boundaries.

I would like to emphasize the importance for my country of elaboration of the definition of the crime of aggression. The system of international criminal justice based on the Rome Statute will be incomplete without this definition.

In this point I would like to commend the great contribution made by the Liechtenstein delegation by organizing an inter-session meeting of the Special Working Group on the Crime of Aggression at the Liechtenstein Institute of Self-Determination in Princeton this year.

As a strong advocate of a fair and effective International Criminal Court, Ukraine signed the Rome Statute on January 20, 2000. By having done so, my country took its first step towards participation in this instrument. Also, an extensive work was started in Ukraine to elaborate and eventually adopt the implementing legislation which is the necessary prerequisite for the ratification of the Statute by the Parliament. However, at the stage of elaboration of a ratification bill a debate was raised on the correspondence of the Rome Statute to the Constitution of Ukraine. The appropriate issues were submitted to the Constitutional Court of Ukraine for its final resolution.

On 12 July 2001 the Constitutional Court of Ukraine pronounced its conclusion, according to which the Rome Statute was found to be in conformity with the Constitution of Ukraine, with the exception of the provisions stating that "an International Criminal Court is complementary to national criminal jurisdictions" (paragraph 10 of the Preamble and Article 1 of the Rome Statute).

In accordance with the conclusion of the Constitutional Court, further measures will be taken in Ukraine to complete internal procedures necessary for submitting the Rome Statute to the Verkhovna Rada (parliament) of Ukraine for its ratification.

Mr. President,

I would like to express my personal conviction that the task of completing the ratification process and enacting implementing legislation will be successfully accomplished in Ukraine. We understand the necessity of these

steps to help end impunity for the worst crimes in the world which plagued the twenty first century like no other.

I thank you Mr. President.