

## 98.10 TO ESTABLISH AN EFFECTIVE AND JUST INTERNATIONAL CRIMINAL COURT

Whereas, the International Law Commission (ILC) was mandated shortly after the founding of the United Nations to codify the Nuremberg (War Crimes) Principles; and

Whereas, the ILC was subsequently mandated in 1989, by the General Assembly (GA) of the United Nations, to prepare a draft statute for an International Criminal Court which was presented and considered at the 49th session in 1994, with the intention of establishing an effective International Criminal Court (ICC); and

Whereas, to be effective, such a court must be financed on a permanent basis and function clear of interference from the United Nations, its bodies and agencies, and/or any individual nation or group of nations; and

Whereas, the Beijing Conference 1995 Platform for Action (PFA) Women and Armed Conflict Strategic Objectives, E.1 Articles 131, 132, 133, and E.3. Articles 144, 145 recognizes the particular abuses suffered by women and children in situations of armed conflict, reaffirming that rape in these circumstances constitutes a war crime; and

Whereas, the Beijing PFA Strategic Objectives E.3 specifically calls for the prosecution of all criminals responsible for war crimes against women with full redress to the victims; therefore, be it

RESOLVED, that the National Council of Women of Canada urge the Government of Canada to work most diligently:

1. For the establishment of an effective, independent, permanent International Criminal Court with powers to expedite the prosecution of all those accused of war crimes, particularly those against women and children, as called for in the Beijing Conference 1995 Platform for Action and Armed Conflict Strategic Objectives; and
2. To support the International Law Commission draft proposal for the creation of a permanent International Court by multinational treaty, financed through levies on the signatory States, thus removing the court to arm's length from the United Nations.