



**Statement by H.E. Darja Bavdaž Kuret, Ambassador, Permanent Representative of Slovenia to the United Nations on Upholding the International Law within the context of the maintenance of international peace and security
New York, May 17, 2018**

Mr. President,

I wish to begin by thanking the Polish presidency for organizing this debate and for the concept notes.

Slovenia of course fully endorses the statement by the European Union, but allow me to add some elements in my national capacity.

Mr. President,

When it comes to the peaceful settlement of disputes Chapter VI of the Charter offers a good guidance and should be used more often. We also wish to encourage the Council to explore the ways of identifying the crisis and risks to international peace and security as early as possible, address them and if necessary take collective action.

And we wish to encourage the Secretary General to use Article 99 of the Charter.

The SC should act to prevent violence - something that unfortunately we have seen it fail many times recently. As a member of the ACT group, Slovenia wishes to stress once again that the member of the Security Council should not vote against the resolution which seeks to prevent or end genocide, crimes against humanity and war crimes.

The respect for international law, including international humanitarian law and human rights always firstly rests with the states. They must ensure the governance rooted in the rule of law, the protection of human rights and respect of international law. Exactly the lack of protection of human rights for all without discrimination is often the root cause of armed conflict of other forms of violence.

The Security Council should put an important emphasis on the rule of law and justice when deciding different mandates and should in this closely cooperate with the Peacebuilding commission. Peace and justice are not mutually exclusive, but they rather reinforce each other.

We also see a big potential with the regional and subregional organizations. They are essential and uniquely equipped to address situations of risks, conflict or post conflict situations. Europe has a long tradition of these – not only the EU, but also OSCE and the Council of Europe have all proved to be excellent instruments of maintenance of peace by promoting cooperation, respect for human rights and rule of law. A lot of good practices can be shared.

When it comes to the response to flagrant violations of international law, the states, members of the Security Council bear particular responsibility to react – if not preventively, then with the collective action that may include targeted sanctions. Here we wish to echo the call of the EU regarding the Ombudsperson.

The accountability would in our view be best assured by strengthening the system of international courts and tribunals or to form other accountability mechanisms such as IIM for Syria. Preventing impunity for perpetrators of such abhorrent crimes is not only the instrument of punishment, but also decreases chances of their reoccurrence in the future.

Slovenia continues to resolutely support the International Criminal Court and international instruments regarding individual criminal responsibility. With the powers vested on the Security Council, including the ability to refer situations to the International Criminal Court (ICC), the Security Council is a particularly important partner of the ICC. In this context, we welcome the decision by the Assembly of State Parties of the Rome Statute, adopted by consensus, to activate the ICC's jurisdiction over the crime of aggression as of July 17.

Mr. President,

To conclude - the international law in general offers many ways of peaceful settlement of disputes, from good offices to the International Court of Justice. The states should use them always when unable to reach the settlement themselves. It goes without saying that all the judgements and awards of the international courts and tribunals must be fully respected and implemented. It is a very basic foundation of international relations based on the rule of law.

The respect of international humanitarian law is of the utmost importance – even when in war there must be certain rules that bind every side, we call in particular for the protection of civilians. No price indeed is higher than the one in human lives.