



Republic of Malawi

STATEMENT

DELIVERED BY

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PERMANENT MISSION OF THE REPUBLIC OF MALAWI TO
THE UNITED NATIONS**

**DURING THE GENERAL DEBATE OF THE
TWENTY-FIRST SESSION OF THE ASSEMBLY OF THE STATES
PARTIES TO THE ROME STATUTE OF THE INTERNATIONAL
CRIMINAL COURT**

THE HAGUE

06 DECEMBER 2022

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**Mr. Vice President,
Excellencies,
Distinguished delegates,**

Allow me at the outset to congratulate you and the other members of the bureau on your deserved election to steer the work of this Assembly during this very difficult time when the whole world is grappling with the COVID-19 pandemic. Let me assure you of my delegation's cooperation and support in our deliberations.

Mr. Vice President

The ASP21 is being held at the time when the world is still recovering from the COVID-19 pandemic which disrupted the normal functioning of all sectors of life, and the International Criminal Court was not spared. I am glad to note that this session is being held in-person and the Court has also returned to normalcy with its work as the Report of the Office of the Prosecutor and the President of the Court has shown. The Court has continued to be the beacon on the fight against impunity for heinous crimes such as war crimes, crimes against humanity and the crime of aggression.

As we celebrate 20 years of its existence, we need not lose sight of the principle of complementarity upon which the Rome Statute System was premised,

Mr. Vice President

The year 2022 has seen a lot of progress in a number of initiatives taking shape to strengthen the Rome Statute system and improve

its efficiency. For instance, the first-ever comprehensive review of the Court in its 20 years of existence undertaken by a panel of Independent Experts continues to be assessed by Member States and some of the recommendations have already been approved. The review of the functioning of the Rome Statute System came at an opportune time when the International Criminal Court and may contribute to universalisation if desired results are attained. Malawi welcomes the recommendations made by the Independent Experts and their favourable consideration by the States Parties and all stakeholders. In that context, Malawi looks forward to further deliberations on the remaining recommendations and their implementation.

Mr. Vice President

Malawi believes that an important factor for the proper functioning of the Court is the staffing modalities of the Office of the Prosecutor and how the Judges and other elected officials are appointed. It is pleasing to note that the election of the Registrar will be conducted bearing in mind the lessons learnt from the elections of the Prosecutor and the Deputy Prosecutors. In that regard, Malawi is in support of the establishment of the permanent vetting process and the need to respect the principle of equitable geographical representation and gender balance, while recognizing rotation as a tool, in all staffing requirements if the Rome Statute System is to remain a pillar in fight against impunity for atrocity crimes such as crimes against humanity, war crimes and crimes of aggression.

Mr. Vice President

Malawi remains a supporter of the International Criminal Court and recognizes that the Court still faces pressures which are causing difficulties for it to properly carry out its mandate.

- One such pressure is the threat and use of sanctions against the staff of the Court. Malawi supports the view that there is need to critically consider how the States Parties could deal decisively with threats and use of sanctions. In that context, my delegation wishes to reiterate its commitment to uphold and defend the principles and values enshrined in the Rome Statute.
- The financial liquidity concerns continue to affect the productive capacity of the Court. The issue of resources for the Court to carry out its functions is critical. As many of you are aware, the assessed contributions constitute the bulk of resources on which the Court relies. As a State Party committed to international criminal justice, Malawi paid its assessed contributions for the year 2022 and wishes to urge other States Parties, that have not yet done so, to seriously consider paying their assessed contributions in full and on time.

Mr. Vice President

Last but not least, I wish to address the issue of the election of Members of the Committee on Budget and Finance which will be held at the current session. Malawi has had the opportunity of serving as a member for the past three years and as you know the

term of office will expire at the end of December 2022. In that context, the Government has decided to present its candidacy for re-election for the period 2023-2025. Accordingly, Malawi will appreciate the invaluable support from States Parties for its candidacy.

In conclusion, I wish to reiterate my delegation's commitment to constructively engage with other delegations for the successful outcomes on all agenda items of the ASP21.

I thank you.