

**Statement by Romania**  
**for the plenary session at the 21<sup>th</sup> Assembly of States Parties (ASP) to the**  
**Rome Statute**

- *The Hague, December 2022* -

**Mrs. President,**

**Your Excellencies,**

**Ladies and Gentlemen,**

*Romania aligns itself with the statement delivered on behalf of the European Union and its Member States and would like to make the following additional points in its national capacity.*

Twenty years ago, the International Criminal Court was starting its work as a first permanent criminal court, dealing with the most egregious crimes that shock the human consciousness. We were more than a community of States united around a **noble ideal of justice**; we became a community united around a **functional system, an actual tool** that made *accountability* the rule and gave victims the justice they deserve and expect.

We find ourselves now at a time when the Court is more challenged than ever, since core international crimes continue to be perpetrated in many parts of the world.

Let me recall, in this regard, what is happening in my country's immediate vicinity, where an **illegal, unjustified and unprovoked war of aggression**, is being conducted by the Russian Federation against Ukraine. This war continues to produce **dramatic consequences and horrors in terms of human suffering. Innocent people's lives are lost** following heinous attacks, in clear defiance of the basic norms of international humanitarian law.

Against this background, the Court is facing an unprecedented increase in its activity, reflected also in the high number of cases, situations and investigations. In such complex times, it is our duty to reaffirm our unwavering support for the ICC, to engage in a constructive dialogue that can help the organs of the Court deliver their tasks and tackle in an efficient manner the challenges that are inherent to the functionality of such a complex jurisdictional system.

In this context, allow me to express our thanks to the President of the Court, the Prosecutor and the Deputy Prosecutors for their tireless efforts during this last year. We are also thankful to the Registrar of the Court, Mr Peter Lewis for his significant contribution to ensuring the efficiency of the Court.

**Mrs. President,**

Allow me to reaffirm Romania's full trust in the independent and impartial ability of the International Criminal Court to bring justice in **all situations** under its consideration.

Romania is aware that functionality and efficiency are dependent upon resources, including financial and human resources. States Parties must fulfil their **financial commitments** to the Court by making contributions to the regular budget in full and on time and avoiding arrears. We find this year's arrears' situation particularly worrying, at a moment when the Court is preparing **for a very intense judicial activity in 2023**.

**Voluntary contributions** can also make an important impact – we have contributed to the **Trust Fund for Victims** and **we have promptly responded to the Prosecutor's appeal made earlier this year for additional financial resources in order that the activity engaged by its Office not be hampered**. We are in a dialogue with the Court on the possibility to second experts within the Office of the Prosecutor, in those fields identified as a priority by his Office. All of our efforts have fully complied with the principle and imperative of the independence of the Court.

At the same time, Romania continues to extend its support to the ongoing **review process of the International Criminal Court and the Rome Statute system**. **We commend the progress made so far, in this endeavor to make the court more efficient**. It is important to maintain a good momentum and finalize the assessment of the recommendations of the independent experts, in order to move to the implementation phase, while preserving the integrity of the founding treaty and taking into account the principle of judicial and prosecutorial independence.

Addressing the impunity gap for the most serious crimes by the International Criminal Court cannot be fulfilled without **State cooperation**. States play a significant role in the achievement of international justice; they must adopt measures to ensure full and prompt cooperation with the Court. We should remain

committed to strengthening the cooperation regime, by lending the Court the necessary assistance to carry out its work effectively.

Let us recall that, by virtue of **the principle of complementarity**, the ICC serves only as a court of last resort and that the most adequate manner to combat impunity relates to the capacity of the national jurisdictional systems to investigate mass atrocities. The existence of the Court has been an important incentive for passing relevant domestic legislation and boosting the capacity of national jurisdictions to exercise their competence in this regard.

Promoting the **universality** of the Court's founding treaty should remain a long-term goal to be pursued jointly by the Court and the States Parties as an expression of our commitment to international law and to peace and security.

We should also continue to strive to **avoid the fragmentation of the Rome Statute regime**, by ratifying its amendments. This year, Romania has **ratified all the amendments to article 8 of the Statute**.

To conclude, Romania will continue to support the Court's vital role in the fight against impunity and in providing assistance and reparations to victims of mass atrocities. The ICC remains an essential instrument in promoting the culture of accountability at the global level and in consolidating the trust that peace and stability are also rooted in justice.