

Mr President,

I am honoured to address the Assembly of States Parties on behalf of the government of Italy.

Italy fully aligns with the statement (to be) made by Finland on behalf of the European Union and its Member states.

At the outset, I wish to express our gratitude to you, Mr President, to the Bureau and to the Secretariat of the ASP for your work in preparation of this session. I want to acknowledge also the excellent contribution made by the facilitators and members of The Hague and New York working groups.

Italy considers the International Criminal Court a central component of the international rules-based order and a fundamental instrument for fighting impunity and strengthening accountability for the most serious crimes. The Court sits the apex of the broader system of organizations and mechanisms supporting international criminal justice and accountability. The most serious crimes of concern to the international community as a whole must not go unpunished. As the world's first and only permanent international criminal court, the ICC plays a key role in holding perpetrators of those crimes accountable and providing justice for victims.

The focus on victims has been an essential element of international criminal justice. It is Italy's firm view that it is the Court's role not only to bring perpetrators to justice but equally to deliver justice to those primarily affected by crimes committed, thus contributing to sustainable peace and post-conflict reconciliation. For these reasons, Italy has decided to contribute to the Trust Fund for Victims (TFV) at the International Criminal Court (ICC), thus supporting its efforts in ensuring reparations and providing physical, psychological, and material support to victims and their families.

Over the past decade, the Court has proved its pivotal role, alongside national jurisdictions, *in the fight against impunity* and the development of international law. The Court is examining and investigating many situations across various regions of the world.

Many more cases of atrocity crimes could be dealt by the ICC, but external and internal challenges and constraints are inhibiting the development of a full-fledged international criminal justice system as envisaged by the States Parties in 1998.

The ICC itself highlighted those challenges and constraints in its recent judgements and decisions and other developments relevant for the ASP. We, State Parties, are cognizant of them. For example, we all know that the Court is not able to act everywhere, but by acting where it can, it signals the importance of accountability far beyond its own cases.

This is why States Parties should clearly voice and act on their commitments. They should ensure that the Court is provided with all the necessary cooperation and resources. Simultaneously, court officials will need to deliver on their commitments to draw lessons, improve court performance and correct shortcomings in the implementation of its mandate. This, in terms of strong investigations, more expedient proceedings, improvement of the competence and efficiency of the staff, judges and prosecutors. For these reasons, Italy supports the decision to undertake a review process which, while respecting the independence and autonomy of the prosecutor and the judges, is aimed at improving the efficiency of the ICC. The ultimate objective of such a review

must be to identify ways to strengthen the ICC and the Rome Statute system through concrete, actionable recommendations aimed at enhancing its performance, efficiency and effectiveness. This shall be achieved through an overview of processes, procedures, practices, and the organisation of and framework for the Court's operation. The results of the review will then be evaluated and discussed by the ASP.

Mr President,

Among the challenges the ICC faces, two are particularly significant. First, we need to reinforce our strategy to achieve universality. This is a key policy matter where the ASP must have a substantial impact. While commending all countries that are part of the Rome Statute for providing leadership and example, I would like to add that we must redouble our efforts to convince those who are not yet party to support and accept the complementary jurisdiction of the ICC. Let me also express my thanks to the Parliamentarians for Global Action for their widespread and reasoned action in favour of universality.

The second challenge is that of meaningful and effective cooperation. In this regard, Italy calls upon all States to abide by their international commitments, for example by ensuring effectivity to arrest warrants. Cooperation is the key to the effectiveness of the Court.

At the same time, we hope that in line with the complementarity principle, the ICC can support all countries to genuinely investigate and prosecute international crimes committed around the world. Italy supports the conclusion of an international convention on the prevention and repression of crimes against humanity on the basis of the Draft Articles recently adopted by the International Law Commission and looks with interest at other initiatives promoting horizontal judicial cooperation in the repression of the most heinous crimes. Accountability at a domestic level is a key component in the implementation of the complementarity principle on which the ICC system is built.

Let me also state that Italy supports the amendment proposed by Switzerland extending the scope of the crime of starvation under the Statute to non-international armed conflicts. We are of the view that the amendment fills an important gap and addresses one of the worst practise of today's armed conflicts.

Mr. President,

Italy continues to encourage the Court to provide a transparent and realistic budgetary proposal and to further streamline its administrative and judicial processes, manage its caseload efficiently and effectively, make more efficient use of its resources and strive to improve the impact of its action, as recommended by the CBF.

Mr. President,

For that reason, I will conclude by reaffirming that Italy remains a steadfast and committed supporter of the Court

Thank you