

 Permanent Mission
of Austria to the
United Nations in New York

**22nd Session of the Assembly of States Parties to the Rome Statute
of the International Criminal Court**

Statement in the General Debate

by

H.E. Alexander Marschik

Permanent Representative of Austria to the United Nations in NY

Madam President, Excellencies, Ladies and Gentlemen,

Austria fully aligns itself with the statement of the Spanish Permanent Representative on behalf of the European Union. In addition, I would like to highlight the following points:

At the outset, my delegation would like to congratulate you, Madam President, on your election and assure you of our full support! We also thank the outgoing President, Ms. Silvia Fernández de Gurmendi, for her dedicated work to advance the ICC!

We would also like to seize this opportunity to congratulate the newly elected judges and express our gratitude to the judges that have finished their terms! Equally, we wish to congratulate the new Registrar Mr. Osvaldo Zavala Giler on his appointment and thank the previous Registrar Mr. Peter Lewis for his work.

Madam President,

Over the last year, important progress has been made in strengthening the Rome Statute system.

Austria commends the Court for the advances it has made over the past year in relation to the Ukraine investigations.

The arrest warrants against President Putin and Ms. Lvova Belova are an important first step towards justice for the thousands of children that became victims of the illegal aggression of Russia against Ukraine.

The Commission of Inquiry on Ukraine with its seat in Vienna has collected ample evidence of horrendous crimes committed by Russian forces in Ukraine. The Court's work is indispensable in holding accountable the persons responsible for those crimes.

Austria also welcomes Armenia's ratification of the Rome Statute. With soon 124 States parties, the Rome Statute is growing again. We should use this momentum to reinforce our efforts in advocating for universality.

Looking ahead, in the course of this ASP, we are also set to accomplish important milestones for the Court.

Austria is pleased that the ASP will adopt the permanent due diligence process and a new legal aid policy. These instruments are important tools for the Court and we wish to thank all those who worked hard on preparing them.

Madam President,

The challenges that the Court is facing are manifold:

Austria strongly condemns any threats or attacks against the Court and its staff. The cyber operation against the Court, as well as the arrest warrants against Court officials are unacceptable. Our commitment to the Court remains unwavering and, together with other States Parties, we will defend it and stand firmly with its officials and personnel.

Moreover, with four ongoing trials and 17 situations spanning over four continents, the Court's workload is heavy. Yet, this is likely to further increase in the coming months and years.

Madam President,

To fulfil its mission, the Court needs the support of all States Parties and the international community at large – now more than ever.

In particular, it is paramount that States Parties honour their obligations to fully cooperate with the Court, including by executing arrest warrants and observing the non-essential contacts policy.

Equally, given the threats against the Court, States should show their support by ratifying the Agreement on the Privileges and Immunities of the Court.

Moreover, States need to provide the Court and the Trust Fund for Victims with sufficient resources to carry out their invaluable work. In this regard, we call on all States Parties to pay their contributions to the regular budget in time.

Austria, on its part, has stepped up its support for the Court.

Since the beginning of Russia's war of aggression against Ukraine, Austria has made voluntary financial contributions to the trust fund of the Office of the Prosecutor amounting to € 400.000 and has seconded a legal expert. In 2024, we are planning to pay a further voluntary contribution and second another legal expert.

Moreover, in 2023, Austria increased its contribution to the Trust Fund for Victims, and contributed to the Trust Fund for Family Visits.

Madam President,

This year marked the 25th anniversary of the Rome Statute. In order to commemorate this anniversary, but also to prepare for the review of the Kampala amendments on the crime of aggression in 2025, the University of Vienna, with the support of the Austrian Foreign Ministry, organized the Vienna Conference on Amendments on 6 and 7 October 2023, which reflected on possible options to amend the Rome Statute to harmonize the Court's exercise of jurisdiction over the crime of aggression.

Austria strongly supports the continuation of these discussions during next year in order to prepare for the review in 2025.

Today, as our international order based on international law is increasingly challenged, the Court remains a beacon of hope for maintaining the rule of law.

I assure you that Austria will continue to do its utmost to support the Court.

Thank you!