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STATEMENT

BY

H.E PA MUSA JOBARTEH,
AMBASSADOR OF THE GAMBIA TO BRUSSELS AND
PERMANENT REPRESENTATIVE TO THE
INTERNATIONAL CRIMINAL COURT

AT THE

22ND SESSION OF THE ASSEMBLY OF STATES
PARTIES
TO THE ROME STATUTE
OF THE INTERNATIONAL CRIMINAL COURT

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Madam President,

**Excellencies,
Distinguished Delegates,**

It is an honour to address the 22nd Assembly of States Parties. I wish to express my appreciation to the Secretariat, for the commitment and dedicated service they continue to devote to the discharge of the functions of the Court.

Allow me to also convey the Gambia government's renewed commitment and unwavering support to the International Criminal Court. The importance of the Court cannot be overstated, especially within the context of the current geopolitical and security challenges we are witnessing.

The 22nd session of the ASP must mark a milestone and call for renewed optimism for the future of the Court. We must not relent in our moral and legal obligation to end impunity in all its forms and manifestations. There is no other independent international criminal court other than this machinery established to serve as a court of last resort to hold individuals accountable and to serve as a deterrent.

Madam President,

The Gambia recognizes the progress the court continues to make in the execution of its mandate, as well as the challenges it encounters. In this connection, we continue to appreciate the reports of the independent review committee for their impartial recommendations, which have significantly enhanced the performance and efficiency of the Court.

The Gambia continues to stand by the values of the Court, as one that represents justice for all victims of atrocity crimes anywhere irrespective of race, creed or colour.

Madam President

You may recall that The Gambia recently concluded its Truth, Reconciliation and Reparations Commission (TRRC), which addressed human rights violations during the 22 years of dictatorship under the former administration of The Gambia. The recommendations of the commission were accepted by the Government and widely shared with partners.

As part of its TRRC implementation plan, The Gambia is in the process of establishing a Hybrid Court as one of the preferred options to address atrocity crimes recommended for prosecution by the commission. We strongly believe that the Gambia would be better placed and well enhanced by the capacity building opportunities and resources available at the Court to support such a hybrid court. By providing such support, the Court would fulfil its complementarity principle for a state that is willing and capable to prosecute atrocity crimes and to address impunity in a judicious manner.

It is against this backdrop that we call on the Court to improve cooperation with states, in particular, those in the developing world, by bridging the gap through continued dialogue and enhanced but differentiated engagements.

Capacity building is a relevant area in this regard. It would be recalled that the pillars of the Court are in tandem with the principles of complementarity, cooperation, independence, and impartiality. To this end, The Gambia reiterates its call to the Court to redouble its efforts in building the capacity of national judges, prosecutors, magistrates among others in the domestic judicial system of state parties.

Madam President,

We are convinced that with the appropriate capacity building and access to the plethora of resources available at the disposal of the Court, we will certainly equip and improve national judicial systems to prosecute and punish atrocity crimes. The complementarity principle of the Court as envisaged in the Rome Statute will be redundant where the Court is seen to usurp the role of domestic courts instead of being the court of the last resort.

Madam President,

We encourage the Court to always maintain impartiality during the most difficult periods and circumstances. The Court must be decisive in its decision making. The Court must always be seen to espouse its values, particularly, in times when the world is at cross-roads and looking for leadership from the Court. The Gambia, therefore, urges the Court to fulfil its responsibility and reject all forms of selectivity in the application of international legal and moral standards, and not ignore atrocity crimes anywhere and wherever they are committed.

The Court needs to do more in its effort to amass maximum support and trust around the world. In this endeavor, The Gambia supports the continuing work to further develop the content of the

Secured Platform on Cooperation; to hold consultations on the advisability of developing regional thematic focal points on cooperation, of creating a permanent structure for a network of national practitioners and focal points on cooperation, and; on the deepening of the relationship between the UN and its agencies and entities, including for capacity building purpose in order to foster cooperation with the Court.

In closing, **Madam President**, The Government of The Gambia reiterates its continued support to the Court and the efforts leading to the realization of the universality of the Rome Statute. The Court must, therefore, be seen to consider concerns raised in national statements and established Mechanisms of the Court to address such concerns. States must be assured that all their views and concerns are taken into consideration in relation to equitable geographical representation of all regions in every facet of the Court. Trust in the court must be reassured through bilateral and multilateral engagements with a view to ending mistrusts in order to achieve the ultimate goal of the Court, which is universality.

I thank you all for your kind attention.