



STATEMENT BY AUSTRALIA
TO THE 23rd SESSION OF
THE ASSEMBLY OF STATES PARTIES TO
THE INTERNATIONAL CRIMINAL COURT
DELIVERED BY
MARIE-CHARLOTTE MCKENNA

Madame President, honourable Ministers, Excellencies, distinguished delegates.

Australia would like to congratulate you, Madame President, on your election as President of this Assembly, and we also congratulate the Court's President, Her Excellency Judge Tomoko Akane, who commenced her significant leadership position this year. We pay tribute and express our appreciation to former President Hofmański for his contribution over many years to the Court and its work.

Australia also welcomes the six newly elected judges who were sworn in in March of this year. We are encouraged that the Court has once more achieved gender parity.

Madam President,

We consider the Court is well placed to deliver on its core mandate of holding perpetrators to account for the most serious international crimes.

Australia remains a steadfast supporter of the Court. We are committed to upholding and defending the principles and values enshrined in the *Rome Statute*, and to protecting the Court's integrity and independence. This is vital for the Court to be able to effectively carry out its mandate, free from threats and interference.

In the wake of malicious cyber activities against the Court, never has this been more important than now. We unequivocally condemn all such malicious activity and renew our resolve to stand **united** against impunity.

These efforts will not weaken the international community's commitment to justice and accountability.

Madame President,

We express our appreciation for the Court's continued commitment to its mandate over the course of the year; a year marked by a significant increase in investigations, pre-trial proceedings, trials and appeals. We note that in 2023, the Court was seized of 22 situations, with the pre-trial chamber alone issuing 191 decisions and orders. Today three trials are on foot.

As the Court's work continues to grow, we encourage it to focus on its core mandate and to find ways to work effectively and efficiently within the reality of finite resources. We also acknowledge the resources entailed by the Court's increasing workload, as well as the necessary security uplift in the wake of malicious cyber activities against the Court. Australia therefore supports an appropriate budget increase to enable the Court to continue its fight against impunity.

Madame President,

We believe the fight against impunity starts at home.

As a court of *last resort*, the Court's role is complementary to that of national criminal jurisdictions. It is States which bear the primary responsibility to investigate and, where appropriate, prosecute those responsible for serious international crimes. We are committed to putting words into actions through our own national efforts.

As co-focal point on complementarity, Australia is grateful to have worked closely with Uganda again this year to facilitate dialogue on this critical issue. We would like to thank both the Court and States Parties for their continued engagement in a structured dialogue on the **complementarity recommendations**

of the Independent Expert Review, which have now all been implemented. We welcome this milestone achievement, and stand ready to build upon this progress.

We also welcome the Office of the Prosecutor's new Policy on Complementarity and Cooperation released in April of this year, which lays the foundation for a better shared understanding of the principles of complementarity and cooperation. We look forward to continuing to facilitate this dialogue on complementarity and gender-based crimes, and to supporting the Court's survivor-centred approach to accountability for gender-based crimes in 2025.

Madame President,

This year saw the Review Mechanism make considerable progress towards successfully completing its mandate, in assessing the 384 recommendations of the Independent Expert Review, many of which are now being implemented.

This is a significant achievement, and Australia thanks the Review Mechanism for leading review and reform of the Court as a transparent and inclusive State-Party driven process.

We believe the process of reform is, however, an ongoing one, and encourage the Court and all States Parties to reflect upon ways in which the functioning of the Court may continue to be strengthened. It is important that the investment we have collectively made in the review and reform process continues to pay

dividends. Australia is committed to continuing its active support and partnership with the Court in achieving the success we all wish this to be.

Thank you, Madame President.