

Statement of Ms Kristi Land
Director General of Legal Department
Ministry of Foreign Affairs of the Republic Estonia
at the 23th session of the Assembly of States Parties to the Rome Statute
2-7 December 2024 in The Hague

Madame President,

Distinguished delegates,

Estonia aligns itself with the statement made on behalf of the European Union and its Member States.

We would like to congratulate the President of the Assembly, the President and Vice-Presidents and six new judges of the International Criminal Court and wish them every success in their work.

The role of the ICC in maintaining the rules based international order and ensuring accountability for the most serious crimes, is as important now as it was more than 20 years ago when the ICC was established. The ICC has worked in a challenging environment and this year is no exception. We can not leave the ICC alone in combating impunity. The ICC can only fulfil its mandate if the State Parties cooperate with the Court. Respect for international law and maintaining peace and security is a common duty of the international community.

Just two weeks ago we marked 1000 days since Russia's illegal full-scale war of aggression against Ukraine. We count on the ICC to ensure justice and accountability for atrocity crimes committed by Russia in Ukraine. We appreciate that the investigation in the Situation of Ukraine has moved forward and the ICC has issued three sets of arrest warrants, including against Vladimir Putin.

All States Parties have to cooperate with the ICC, execute the outstanding arrest warrants and surrender individuals to the Court, regardless of their official position or state of origin. Non-compliance prevents the Court from exercising its functions and seriously undermines the ICC and the international legal order. In this context, we urge all States to refrain from any action contrary to the Rome Statute.

Estonia continues to support the ICC. We were one of the first countries to second national experts to the Prosecutor's office and our competent authorities assisted the ICC when series of cyber-attacks were directed against the ICC. We also

contributed to the Special Fund for Security to address the needs of the cybersecurity systems. We hope that the ICC is now better prepared to respond possible future cyber-attacks, and call on all State Parties to continue their support and assistance.

The budget of the ICC for 2025 should allow the Court to efficiently fulfil its tasks. We encourage all States to make payments in time and eliminate their arrears without further delays.

Madam President,

We commend the work of the Trust Fund in offering compensations and rehabilitation to victims, their families and communities; and for having completed the implementation of the reparations programme in the Katanga case. For many years, Estonia has been a regular donor of the Trust Fund and we would like to repeat our call for all States and other stakeholders to support the Trust Fund.

While the universal acceptance of the Rome Statute remains a challenge, we are glad that Armenia has become the 124th State Party, and warmly congratulate Ukraine for becoming the 125th State Party on 1st of January. Estonia calls on all States that have not yet done so to ratify the Rome Statute and its amendments.

We are willing to find ways to close the accountability gap for the crime of aggression. Estonia has been a firm supporter of Ukraine in establishing a special tribunal for the crime of aggression to hold Russia's political and military leadership accountable for the crime of aggression. At the same time, we are looking forward for the ICC to have jurisdiction over the crime of aggression on the same grounds as over other international crimes of the Rome Statute. Time is ripe for the next step, for the review of the amendments on the crime of aggression as foreseen in the Kampala amendments.

Estonia supports organization of a review conference in New York in July 2025.

Substantial and successful review process and enlargement of ICC's jurisdiction needs first of all political support, that the current assembly can already express.

Thank you.