

## **Draft Intervention on behalf of the European Union and its Member States for the plenary session at the 23rd Assembly of States Parties to the Rome Statute in December 2024**

Madam President,

1. I am honoured to address the Assembly of States Parties on behalf of the European Union and its Member States.

The Candidate Countries North Macedonia\*, Montenegro\*, the Republic of Moldova, Bosnia and Herzegovina\* and Georgia, San Marino align themselves with this statement.

2. In this capacity, I would like to congratulate the new President of the Assembly, the new President of the Court, as well as the judges elected during the last session of the Assembly. We wish them every success and assure them of our steadfast support.
3. The conflicts affecting several countries all around the world demonstrate how our aspirations for peace and justice can be shattered at any time and how ensuring accountability is more crucial than ever. The European Union and its Member States reiterate their full support to the International Criminal Court and reaffirm their commitment to promote the principles and values of the Rome Statute.

In its endeavour to carry out its mandate independently and impartially, regrettably the Court faces threats, intimidation and pressure against it. The European Union and its Member States condemn any attacks or threats, including threats of sanctions, against the Court, elected officials, personnel and those cooperating with the Court as unacceptable attempts at influencing their actions and the Court's independent investigations and impartial judicial proceedings. The European Union will continue to provide its full support and contribution to ensure the protection of the Court and its staff against external pressures or threats.

4. The ICC plays a central role in the global fight against impunity, in line with the principle of complementarity. All situations under its jurisdiction where the most serious crimes of concern to the international community appear to have been committed, deserve the Court's attention.

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\* North Macedonia, Montenegro, Serbia, Albania and Bosnia and Herzegovina continue to be part of the Stabilisation and Association Process.

5. We commend the efforts and the significant progress of work of the Court over the past year, particularly at a time of increased workload and challenging operational environment. We also welcome the Office of the Prosecutor's new policies on children, gender-based crimes and complementarity and cooperation.

Madam President,

6. We call on all States to follow up on their obligations to cooperate with the Court to put an end to the impunity for the gravest international crimes.
7. In particular, we call on all States Parties to adhere to their obligations to co-operate in line with the Rome Statute and to double efforts to identify new avenues for strengthened cooperation with the Court, which is essential for the Court to fulfil its mandate, including the execution of outstanding arrest warrants. In this regard, we deplore any instances of non-compliance with obligation to cooperate and recall that non-compliance prevents the Court from exercising its functions. We call on all States Parties to avoid non-essential contacts with suspects under ICC arrest warrants.
8. As the Court's workload continues to increase, we cannot expect it to fulfil its mandate without adequate capacities. We therefore urge all States Parties to provide the ICC with the appropriate financial resources.
9. We welcome progress made in relation to the independent expert review of the Court, including on the implementation of a Tenure Policy. We encourage the ICC and States Parties to continue working on the implementation of the recommendations of the independent experts.

10. The European Union and its Member States place particular importance on a healthy work culture that ensures inclusion, geographical representation and gender equality. In this regard, we emphasize the importance of the Court's zero-tolerance policy towards harassment, discrimination, abuse of authority and other misconduct, and of addressing any allegations and concerns with transparency and fairness.
11. At the heart of all efforts in pursuit of truth, justice and accountability stand the victims and survivors. We also call on States Parties and others to contribute to the Trust Fund for Victims, as it plays an essential role in ensuring that thousands of victims receive reparations and assistance.
12. We also urge all States to support and protect human rights defenders and civil society organisations, who work to bring justice to victims.

Madam President,

13. To succeed in the global fight against impunity the ICC must become universal. We welcome Armenia as the new State Party and we congratulate Ukraine for depositing its instrument of ratification of the Rome Statute and thus becoming a new State Party to the ICC as of 1 January 2025. We also encourage Ukraine to ensure swift implementation of the Rome Statute.
14. The EU will renew its efforts to encourage the widest possible participation in the Rome Statute and to preserve its integrity, together with States Parties, international and regional organisations as well as civil society. States Parties need to adopt effective national legislation to implement the Rome Statute and to reinforce their national capacities. The role of the ICC is to complement, not to replace existing national judicial systems.
15. Recognizing the importance of international cooperation and national capacity-building to achieve more effective mutual legal assistance, the European Union also encourages States to consider signing and ratifying the Ljubljana-The Hague Convention on International Cooperation in the Investigation and Prosecution of the Crime of Genocide, Crimes Against Humanity, War Crimes and other International Crimes.
16. The European Union further invites States Parties, having taken into account their national circumstances, to consider ratifying or accepting the Rome Statute's amendments and calls States Parties to engage in the review of the Kampala amendments on aggression. Furthermore, the EU

invites States Parties to consider ratifying the Agreement on Privileges and Immunities, especially in light of the increasing threats, intimidation and pressure the Court and its personnel are facing.

Madam President,

17. The European Union and its Member States will continue calling for the perpetrators of the most serious crimes to be brought to justice and held to account. No one – no matter who they are or where they are – must be allowed to escape justice.

I thank you.