

AMBAXXATA
TAR-REPUBBLIKA TA' MALTA



EMBASSY OF
THE REPUBLIC OF MALTA

THE HAGUE

**Statement of the Republic of Malta
Delivered by H.E. Jeffrey Curmi
Ambassador of the Republic of Malta to the Kingdom of the Netherlands
23rd Session of the Assembly of States Parties to the ICC
World Forum, The Hague, Netherlands, 2-7 December 2024**

Madam President,

I am honoured to address the Assembly of States Parties and would like to thank you, Madam President, the Bureau, the Secretariat and the various facilitators for making the necessary arrangements for this Assembly and for presenting us with renewed opportunities to strengthen the Court.

At the outset, Malta fully aligns itself with the statement being delivered by Hungary on behalf of the European Union and its Member States.

We also join others in extending our warm congratulations to 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 to reassure them of Malta's full and unwavering support for the work of the Court.

Madam President,

This year has been marked by persistent challenges to peace and justice. The deeply shocking international crimes being committed worldwide are deplorable. Now, more than ever, it is necessary for States Parties to renew their commitment and to reaffirm their adherence to the values and principles of the Court. As the only permanent and independent international court with the mandate to bring to justice the persons responsible for the most serious crimes of concern to the international

community – crimes that national courts are either unable or unwilling to prosecute – the ICC has an indispensable role in the pursuit of justice.

We reaffirm that the primary responsibility for delivering criminal justice rests with State Parties, and in this regard, we will continue to encourage national investigations and prosecutions. To support these efforts, this year we made a voluntary contribution to the Complementarity Trust Fund established by the Office of the Prosecutor to aid in the implementation of the recently launched Policy on Complementarity and Cooperation.

We stress that, in our capacity as States Parties, we have an obligation to cooperate fully with the Court. We must also ensure that the Court is neither hindered nor obstructed in carrying out its mandate, especially given the often-complicated circumstances within which the Court must operate. Any retaliatory actions against the Court's elected officials, its personnel, and the Court as such, are unacceptable. Such actions undermine the fundamental principles of international justice and the rule of law. In light of the challenging security environment, we must shield the Court from any coercive measures aimed at interfering with the independent performance of the functions and duties of its officials.

Madam President,

Throughout its role as an elected member of the UN Security Council, Malta has continued to raise awareness about the utmost important mandate of the ICC. We emphasise the need for collective, constructive, and continuous dialogue to strengthen the relationship between the Court and the UN. We reiterate that a veto should not prevent the Security Council from taking action when mass atrocities are committed. This also applies with respect to referrals by the Security Council, in relation to which we stress the need for consistency and objectivity.

Malta remains fully committed to promoting the universal ratification of the Rome Statute. Only through universal ratification can the Court's effectiveness be ensured. We also emphasize the importance of the full implementation of the Rome Statute. We take this opportunity to join others in congratulating Armenia on becoming a party to the Rome Statute. We extend our congratulations to Ukraine for depositing

its instrument of ratification and we look forward to warmly welcoming them as the 125th State Party on 1st January 2025.

Madam President,

We must also continue to ensure that the needs of victims remain at the very centre of our efforts. We must continue to support the Trust Fund for Victims in its assistance and reparations mandate. It is for this reason that Malta has donated an unrestricted voluntary contribution to the Trust Fund for Victims for the fourth consecutive year. Malta welcomes the Office of the Prosecutor's recent policy initiatives relating to complementarity and cooperation, crimes involving sexual and gender-based crimes, and crimes against and affecting children. We must remain fully committed in supporting the Court's work done on this front.

Finally, we reiterate that achieving equitable geographical representation and gender balance is a fundamental requirement for ensuring that the Court is representative of the world it serves. It is crucial that the Court sets a clear standard for a safe and inclusive workplace culture.

Madam President,

In closing, Malta reiterates its resolute commitment to the Court and encourages fellow States Parties to look to the coming year with the aim of further strengthening the Court to bring justice to victims of crimes under the Rome Statute.

Thank you.