

REPUBLIC OF MALAWI

STATEMENT BY

HONOURABLE TITUS MVALO, MINISTER OF JUSTICE

DELIVERED

**DURING THE TWENTY-THIRD ASSEMBLY OF STATES PARTIES TO
THE ROME STATUTE**

THE HAGUE, KINGDOM OF THE NETHERLAND

2ND –7TH DECEMBER, 2024.

Madam President,
Honourable Ministers,
Distinguished Delegates
Ladies and Gentlemen,

I would like to start by expressing my sincere gratitude to you, Madam President, the Bureau and the Secretariat for the excellent work in preparation of the 23rd Session of the Assembly of States Parties (ASP23). I wish to assure you, Madam President, of Malawi's cooperation and constructive engagement for the realisation of the objectives of this meeting.

Madam President,

The ASP23 is being held at the time when the International Criminal Court continues to face external pressures in the form of threats of use of sanctions against its staff as it carries out an important mandate of combating impunity for the most serious international crimes that shock the conscious of mankind. The States Parties are even more required to stand with the court in these very difficult times by condemning in strongest possible sense any attempt to interfere with the work of the Court.

The Court continues to be the pillar for ensuring accountability based on the principle of complementarity upon which the Rome Statute is premised, and cooperation with the Court as an essential component of the Rome Statute system. Malawi believes that for the Court to be successful, there is need to continue supporting the initiatives that would ensure the Court's continued progress in its activities, including its preliminary examinations, investigations and

proceedings in various situations which either States Parties or the United Nations Security Council referred to the Court or the Prosecutor initiated *proprio motu*,

Madam President,

In that context, I wish to make the following points:

- The Review Mechanism continues to be a good initiative that may lead to universality and more cooperation. Malawi, therefore, supports the outcomes of the consideration by States Parties of the recommendations of the Independent Experts and urges for their implementation going forward;
- At the centre of the Court's success is the requirement of regular resources for it to properly carry out its mandate. The resources come in both assessed and voluntary contributions. Malawi continues to make efforts in paying its assessed contributions and will ensure that its current contributions are paid without further delay and urges other States that have also not yet done so to consider paying their outstanding contributions to lessen the liquidity crisis;
- The staffing modalities of the Court still remains another challenge that the States Parties are seized with at the current ASP. Malawi appreciates the efforts of the delegation of Uganda in its proposal for the moratorium of recruitment of staff from non-states parties. In addition, Malawi remains committed to the establishment of the permanent vetting process and the need to respect the principle of equitable geographical representation and regional rotation;

Madam President,

As I conclude, let me express my appreciation to the Prosecutor and the President of the Court for the elaborate reports of the work of their offices. The work of the Court continues to grow cementing the central nature of the Court as the first permanent Court in the international criminal justice with the mandate of fighting impunity for war crimes, crimes against humanity and aggression. As we look to the future, it is important that the Court receives unwavering support for it to continue to occupy this role in the face of various challenges it is facing.

Madam President, let me once again reaffirm my delegation's support and cooperation and readiness to constructively engage to realise the objectives of this Assembly.

I thank you.