



**EMBASSY
OF THE REPUBLIC OF SAN MARINO
TO THE KINGDOM OF THE NETHERLANDS**

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***XXIV Assembly of States Parties
to the Rome Statute of the International Criminal Court***

General Debate

Statement by the Representative of San Marino

Ambassador Eros GASPERONI

The Hague, 2nd December 2025

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Madam President,

San Marino has aligned itself with the statement delivered by the Danish Presidency of the European Union. However, I would like to highlight some issues which are particularly relevant for my country.

It is with a deep sense of concern that I address today this Assembly in The Hague.

After several years of absence, due to our limited administrative capacity, my country could not miss this annual event again in such a particularly delicate, volatile and dangerous moment in history and global geopolitical context. This is true especially for small-sized States, which, for their defence and survival, cannot resort to the force of weapons and armies, but can only rely on and hope for the maintenance and strengthening of a rule-based international order.

Over the past year, threats and attacks against the International Criminal Court (ICC) have increased exponentially, and almost no one could have imagined that the Court would one day be targeted by sanctions usually designed and directed against individuals and entities engaged in illegal, criminal and terrorist activities.

San Marino deplores any form of sanction imposed on the Court, which is a cornerstone in the construction of a more just, peaceful and democratic world, an instrument of international justice that finds its legal basis in the Charter of the United Nations and in international human rights Conventions, whose establishment represents one of the most extraordinary and revolutionary advances for our legal civilisation.

International law is either respected or violated.

The alternative to the ICC and the multilateral system is the law of the strongest, the rule of lawlessness, arbitrariness and impunity, and the systematic violation of fundamental human rights, freedoms and democracy. Those who reject the centrality of law and the authority of the institutions protecting it, place themselves outside the international legal order and at the head of a hierarchical international order where the “might is right” principle prevails.

San Marino believed in the merits of the project for the creation of the ICC from the outset – as a result of the mobilisation of many citizens and civil society organisations, which, in 1995, gave rise to an “International Coalition (for the ICC)” in as many as 150 countries. The aim was to establish the first and only permanent, independent,

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impartial, fair and effective international jurisdiction with the power to judge individuals responsible for the most serious international crimes.

San Marino demonstrated this by ratifying the Rome Statute very quickly back in July 1999: it was the third country overall to do so and the first European country.

The spirit in which we sit here today has not changed, in the awareness that only by observing the rules of international law can peace be maintained everywhere.

We therefore warmly welcome Ukraine's accession as the 125th State Party to the Rome Statute and are dismayed by the decision of those countries that have expressed their intention to withdraw from the Statute, thereby rejecting the authority and jurisdiction of the Court.

Unlike these countries, we believe that the Court's jurisdiction should not only be defended, but also expanded and harmonised to fully encompass the horrific crime of aggression, a goal that unfortunately could not be achieved during the special session of the Assembly last July, where we decided that victims of crimes of aggression can wait until 2029 to hope to see their rights recognised. We even like to dream that the Court's jurisdiction may one day include the investigation and cessation of crimes consisting of systemic violations of fundamental rights or assets, which are not yet covered by criminal law, such as the production and trade of weapons.

Madam President,

San Marino strongly believes in the mission of the Court and intends to continue to stand on the side of international law, and not on the side of those who reject any authority above the State, act unilaterally and refuse to comply with those international rules that their predecessors, in the aftermath of the Second World War, laid down as the foundation of the international order to save future generations from the scourge of war. Today, ongoing wars worldwide risk obliterating *jus in bello* and becoming, with the spread of digital technology on the battlefield, *bellum internecinum*.

International law must apply to everyone, and it is the law that must exercise control over political power. If the opposite were true, it would be the end of democracy, rule of law and multilateralism.

Thank you, Madam President.

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