



РЕПУБЛИКА СРБИЈА

REPUBLIC OF SERBIA

ASSEMBLY OF STATE PARTIES TO THE ROME STATUTE
OF THE INTERNATIONAL CRIMINAL COURT
GENERAL DEBATE

STATEMENT ON BEHALF OF THE REPUBLIC OF SERBIA

THE HAGUE, 02. DECEMBER 2025.

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On behalf of the Republic of Serbia, I would like to emphasize the fundamental importance of strict adherence to the principles and rules of international law governing the jurisdiction and powers of international courts and tribunals. The International Criminal Court is not yet a court of universal jurisdiction, and its effectiveness and reach depend on the willingness of States to cooperate and accept its jurisdiction.

The credibility and effectiveness of international criminal justice depend on strict adherence to the Rome Statute and the rules of customary international law concerning the exercise of jurisdiction. In this context, it is necessary to underline that, in order to build trust in the International Criminal Court, the Court and its States Parties must strictly respect the immunities of non-States Parties and their officials in accordance with Article 98 of the Rome Statute.¹

The issuance of confidential arrest warrants against officials of non-States Parties, which are then disclosed at press conferences, undermines the credibility of the International Criminal Court. Appeals for unity and full support for the work of the International Criminal Court are meaningful only if the policy of the Office of the Prosecutor is based on the principle of political neutrality and on strict respect for the Rome Statute and international law.

The Prosecutor of the International Criminal Court holds powers unprecedented in the history of international administration of justice, and

¹ Article 98

Cooperation with respect to waiver of immunity and consent to surrender 1. The Court may not proceed with a request for surrender or assistance which would require the requested State to act inconsistently with its obligations under international law with respect to the State or diplomatic immunity of a person or property of a third State, unless the Court can first obtain the cooperation of that third State for the waiver of the immunity.

2. The Court may not proceed with a request for surrender which would require the requested State to act inconsistently with its obligations under international agreements pursuant to which the consent of a sending State is required to surrender a person of that State to the Court, unless the Court can first obtain the cooperation of the sending State for the giving of consent for the surrender

these powers must be exercised in accordance with the principles of sound administration of justice.

The experience of the Republic of Serbia clearly shows that international criminal justice can function properly only when jurisdictional boundaries are strictly observed; otherwise, it can be perceived only as a political tool delivering injustice or selective justice. When the proper boundaries of jurisdiction and its exercise are disregarded, the judiciary becomes politicized, undermining the credibility of the judicial institution.

We must be mindful of the fact that establishment and preservation of the integrity, dignity and credibility of international criminal justice is our common goal, and that all of us must yield to this goal, regardless of the political effect. Only in this way we can contribute to strengthening the still fragile system of international criminal justice, and build the International Criminal Court that would be capable of contributing to the maintenance of the international peace and security.

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