



STATEMENT BY AUSTRALIA

TO THE SPECIAL SESSION OF

THE ASSEMBLY OF STATES PARTIES TO

THE INTERNATIONAL CRIMINAL COURT

DELIVERED BY

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Madame President, honourable Ministers, Excellencies, distinguished delegates.

I have the honour to speak today on behalf of the Government of Australia.

At the outset, I would like to reaffirm Australia's steadfast support for the Court and the pivotal role it plays in the fight against impunity for serious international crimes. We are committed to upholding and defending the principles and values enshrined in the *Rome Statute*, as well as the Court's integrity and independence.

In Rome in 1998, we stood together and agreed to end impunity through real action. We adopted a foundational international instrument, the *Rome Statute*. And we agreed to establish an International Criminal Court to prosecute the most

serious crimes of concern to the international community as a whole and to punish those who commit them.

In Kampala, in 2010, we built on this historic moment by adopting by consensus amendments to the *Rome Statute* on the crime of aggression. In New York, in 2017, we marked another major milestone by deciding by consensus to activate the Court's jurisdiction over the crime of aggression from 2018. For the first time since the international community embarked on this project at the end of World War II, we were able to agree to a definition of the crime of aggression and the conditions for a permanent International Criminal Court to exercise jurisdiction over those responsible for this reprehensible crime.

Australia supported activation of the Court's jurisdiction over the crime of aggression on the basis of the model whereby both the victim and the aggressor State must have ratified the amendments.

Madame President,

As we gather here for the next three days, we have an opportunity to reflect on the progress of the *Rome Statute* system and the lessons learned since Kampala. In doing so, we must not forget the decades of hard work and compromise and the long road travelled to reach this point. We must remember that the Kampala amendments represent a finely balanced framework for ending impunity for the international crime of aggression, and that they are the fruit of our decades-long collective efforts.

Efforts to re-open the balance achieved in Kampala demand the most careful consideration. This requires time and deliberation as we consider the many political and legal complexities inherent in the crime of aggression regime. This could only be achieved through considered discussion. The next three days are only the start of this process. Australia welcomes an ongoing dialogue between States Parties on this.

Madame President, as States Parties we can be proud that the outcomes we achieved on the crime of aggression in 2010 and 2017 were arrived at by consensus — a strong demonstration of our unity of purpose. At a time when this unity and progress towards universality of the *Rome Statute* are more important than ever, we underscore the responsibility of all States Parties to continue to strive to reach consensus in our collective decision making. In this way, we as States Parties can demonstrate our collective support for this institution in the face of challenges.

We look forward to working constructively with States Parties and all stakeholders over the next few days on this important issue.

Thank you, Madame President.