



Ministerio de Relaciones Exteriores

Misión Permanente de Guatemala
ante la Organización de las Naciones
Unidas (ONU), Nueva York

—Courtesy translation—

**Statement by the Delegation of Guatemala at the Special Session of the Assembly of States Parties to
the International Criminal Court on the review of the amendments on the crime of aggression
New York, 7 July 2025**

Madam President,

Guatemala is pleased to take part in this important discussion on the review of the Kampala Amendments to the Rome Statute of the International Criminal Court, a matter of vital importance for international justice and the fight against impunity.

Allow me first to highlight the distinguished work of Ambassador Juan José Quintana of Colombia, for his tireless efforts leading the Working Group on Amendments. We thank him for his dedication and leadership in this process.

Madam President,

The crime of aggression is one of the four core international crimes of greatest significance for the international community, and it was envisaged from the outset as a crime within the Court's jurisdiction. This issue has been of interest to Guatemala since before becoming a State Party to the Rome Statute. As an Observer, Guatemala participated in the Kampala Conference in 2010. For this reason, when my country acceded to the Rome Statute in April 2012, we were fully aware of the challenges surrounding the adoption of a definition of this crime, as well as of the mechanisms that would eventually allow the Court to exercise its jurisdiction over it.

The implementation of the Kampala Amendments has not been easy. Furthermore, since their adoption in June 2010, we have continued to witness acts of aggression that constitute blatant violations of the United Nations Charter. Guatemala is aware of the political sensitivities that this issue raises, especially because this crime can only be prosecuted against leaders of a State. However, this crime is just as grave



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as the other crimes under the Court's jurisdiction. The four categories of core crimes are equally serious and equally reprehensible. The crime of aggression must be prosecuted with the same firm determination with which we strive to end the other international crimes.

As the only permanent international criminal tribunal, it's reasonable that States focus their efforts on equipping the Court with the necessary tools to investigate and punish this terrible crime against peace. Nevertheless, we observe that few States Parties have ratified the Kampala Amendments. Given the difficulty in establishing the Court's jurisdiction in concrete cases, it seems that efforts have instead focused on creating a specialized tribunal that could prosecute the crime of aggression outside the Rome Statute system. This Special Session represents a valuable opportunity to examine why this situation has arisen and what we, as States Parties, can do to strengthen the capacity of the international justice system to prosecute those responsible for breaching international peace to account.

Like many other countries, Guatemala has not yet adopted the Kampala Amendments because the corresponding domestic process has not yet been completed. Aware of the political complexities surrounding the crime of aggression, and with the aim of ensuring that it could adhere to the Amendments on its own terms, Guatemala deposited in 2018 a declaration under paragraph 4 of article 15 *bis*, which entails non-acceptance of the Court's jurisdiction over this crime until the domestic process has been completed. Guatemala made use of this right before ratifying or accepting the Amendments, as provided for in paragraph 1 of Resolution RC/Res.6 of 11 June 2010.

In international law, important developments occur gradually; we believe this issue requires more time and more work. This is a concern for Guatemala, which is possibly shared by other countries that have not accepted the 2010 Amendments: if we have not yet been able to conclude the domestic process to adopt the original Amendments—which are important but complex—I cannot emphasize enough how difficult it would be for us to carry out a new domestic process to consider “an amendment to the amendment”.



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We thank the delegations of Germany, Costa Rica, Slovenia, Sierra Leone, Vanuatu, and Liechtenstein for their proposals, which are being carefully examined and considered by Guatemala. However, at this moment Guatemala is not in a position to support them. We value the aim of harmonizing the exercise of the Court's jurisdiction for all four core crimes, but at the same time it is essential to have a text that can be applied in a practical sense, and that all States Parties are in a position to support.

Given the complexity and seriousness of this matter, the most important thing is that we analyze it thoroughly and move forward together, so as to ensure a strong Court with unified support. But we need more time to achieve this. For this reason, we agree with those delegations that have called for more time. Guatemala is willing to participate in another Review Conference that includes an intensive preparatory process to address the concerns of all delegations.

Guatemala recalls that in order to convene a Review Conference, the Rome Statute imposes no other condition than approval by the Assembly by a simple majority. In the spirit of inclusivity, we must refrain from imposing additional limitations not established in the Statute; especially those that would diminish the role of States Parties that, like Guatemala, have not ratified the Kampala Amendments but are interested in contributing to the strengthening of the Court's jurisdiction.

Next week, the Day of International Justice will remind us of the purpose of the work we do and reaffirm our absolute commitment to the Court, respect for the rights of victims, and the fight against impunity for crimes that shock the conscience of humanity. We must renew our strong support for the Court now more than ever, so that the Statute system—which is under increasing scrutiny and facing enormous challenges—can continue to fulfill the objectives we agreed upon in Rome.

My delegation will participate in this Special Session in a constructive spirit, with the aim that its outcome will not divide us, but rather strengthen the unity among States Parties. Madam President, you have our full support.

Thank you very much.