



SLOVENIA

STATEMENT

BY

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**Special Session of the Assembly of States Parties
to the Rome Statute of the International Criminal Court
on the Review of the Amendments on the Crime of Aggression**

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Madam President,
Excellencies,

Slovenia aligns itself with the statement delivered by Germany on behalf of the Group of Friends on harmonization of the crime of aggression with other international crimes under the Rome Statute and the cross regional statement in support of the International Criminal Court presented by Mexico.

Let me begin by reaffirming our unwavering support for the global fight against impunity for the gravest international crimes and for the International Criminal Court as the central pillar of this endeavour. For the Court to develop and fulfil its potential, it must be protected from any interference in its independent and impartial work.

Today, we have gathered to discuss a matter of great moral, legal and historical importance – the mandated review of the Kampala amendments on aggression. Slovenia sincerely hopes that States Parties will engage in the review in a focused manner and build on the substantive discussions held so far. Usually, everything can be done better. When a compromise package was adopted in Kampala, some States were satisfied that the jurisdiction over the crime of aggression was limited. On the other hand, while they celebrated the adoption of the definition of aggression, many others expressed a strong need for a review of the Kampala amendments on aggression for the very same reason.

Aggression is the most serious of all crimes. It is the illegal use of force by one state against another, committed through the actions of individuals in positions of authority. By its character, gravity and scale, aggression constitutes a manifest violation of the United Nations Charter. It is, in the truest sense of the word, a crime against peace.

Aggression is not a historical relic. It is a threat that continues to jeopardise the sovereignty, dignity and peace of nations, particularly small and medium-sized states. For these states, international law is the first and last line of defence. It is in our collective interest to ensure that aggression does not go unpunished simply on account of legal loopholes.

Madam President,

The time has come to address the jurisdictional gap and to ensure accountability for all core crimes under the same legal conditions. We are facing an unprecedented number of conflicts across the world, including acts of aggression. Violations of international humanitarian law are at an all-time high, resulting in an unimaginable number of shattered human lives.

Harmonization will ensure that the Court's jurisdiction over the crime of aggression functions in the same manner as it does for other core crimes. This is a necessary

correction. The Rome Statute complements the United Nations Charter. Just as the Security Council may act, so too should the Court, as a central pillar of the international criminal justice system.

Harmonizing jurisdiction across all four core crimes does not expand the Court's mandate; rather, it ensures its coherence. It makes justice complete. It reaffirms the principle that no crime, and no victim, is less deserving of protection under international law.

Let us recall the words of Justice Robert H. Jackson, Chief United States Prosecutor at Nuremberg: "The wrongs which we seek to condemn and punish have been so calculated, so malignant, and so devastating, that civilization cannot tolerate their being ignored." He also reminded us that "to initiate a war of aggression is not only an international crime; it is the supreme international crime."

Eighty years after establishment of the Nuremberg Tribunal, we must ask ourselves: are we ready to fulfil the promise made then – that peace shall not be violated with impunity, and that no leader is above the law?

The harmonization of jurisdiction is not merely a technical fix; it is a moral imperative. Selectivity in justice is injustice itself. All victims, whether of war crimes, genocide, crimes against humanity or aggression, deserve equal access to accountability. Anything less constitutes a betrayal of the very principles we uphold.

There are no credible legal or political justifications to oppose such harmonization. States acting *bona fide* in support of international law have nothing to fear from alignment. On the contrary, agreeing to harmonization will empower States wishing to ratify this amendment, equipping them with a legal tool of significant preventive value.

Importantly, when no crimes are committed, the Court has no role to play. The ideal scenario is always that the Court has no need to speak, not due to threats, but because justice has prevailed and peace endured. Moreover, the Court operates on the principle of complementarity.

The motto of this year's UN General Assembly is: "Better Together." If we truly believe in this principle, we must act on it, also as the States Parties to the Rome Statute. Harmonizing the Court's jurisdiction represents a clear and achievable step towards strengthening international justice, upholding the rule of law and safeguarding peace and security.

Surely, we all desire peace. But are we ready to do what it takes to protect it?

Now is the time. Let us honour the past, uphold the present and protect the future. Let us harmonize the Court's jurisdiction over the crime of aggression and reaffirm our

shared commitment to justice for all. In this regard, we submit for consideration the draft resolution presented by Liechtenstein at the last Working Group on Amendments meeting on 3 July.

Thank you.