



**Statement by H.E Dr. Riad Malki, Minister of Foreign Affairs and
Expatriates of the State of Palestine**

**General Debate, 18th Session of the Assembly of States Parties to the Rome
Statute of the ICC**

Mr. President, Excellencies, Distinguished Delegates,

It is my honour and distinct pleasure to represent the State of Palestine at this 18th session of the Assembly of States Parties to the Rome Statute.

I would like to begin my statement by reaffirming unequivocally that the State of Palestine stands firmly behind the Court's pursuit of the fight against impunity. Since our accession to the Statute in 2015, the State of Palestine has made it a priority to ensure that it supports and empowers the Court. This is especially important given the unprecedented and gravely dangerous attack on the Court and its work by the Trump administration, which has used threats and intimidation in an attempt to affect the Court's independence and the course of the initial examination into the situation in Palestine. That is why, despite the severe financial difficulties Palestine has faced in the past two years due to a campaign of political and financial assault, led also by the US administration, the State of Palestine made every effort to ensure the fulfilment of its financial contributions to the Court.

Mr. President,

We appreciate the efforts taken by the Court and States Parties to improve the efficiency and effectiveness of the Court.

In this regard, we welcome the adoption of the Judge's guidelines on the judgment drafting process and on the timeframe for issuance of key judicial decisions. Improving the efficiency and predictability of proceedings as well as ensuring more cohesive and consistent decision-making can only serve to strengthen the Court. We encourage further proactive engagements of this nature to enable the ICC to stand out as an example of best judicial practice in the field of international criminal law.

We also take note of the review process that was initiated by States Parties this year that seeks to improve and strengthen the work of the Court. In this connection, we are especially concerned with the effectiveness and efficiency of the Preliminary Examination Process. This is essential to protect the deterrent nature of these examinations and the nature of the Court's work. We must ensure that justice delayed is not justice denied.

In this regard, I want to affirm our view that the length of the preliminary examination into the situation in Palestine has far exceeded the bounds of reason. In Palestine's case, the protracted nature of the examination has contributed to continued impunity for atrocious crimes and the systematic trampling on the fundamental rights of vulnerable Palestinian victims, who rightfully seek access to justice and redress through the Court.

The events of the past few weeks prove without a doubt that impunity only breeds more criminality. Two days after the US Secretary of State announced its change of policy on Israel's illegal settlement regime, the Prime Minister of Israel approved the bill to annex territory of the State of Palestine and instructed to increase home demolitions, settlement construction, and other violations of the Statute.

The fact that crimes falling under the jurisdiction of the Court have been committed is beyond any reasonable doubt. Their gravity is well established given their scale, nature, the manner in which they are committed, and their horrific impact. The perpetrators of these crimes have openly and repeatedly admitted to their commission, in a clear display of contempt for the international community and the Court.

Such inactivity in the face of intensifying criminality sends two worrying messages – namely that Palestinian lives and Palestinians' prolonged suffering do not matter, and that a state can continue to commit war crimes with impunity trusting that the process of examination itself will continue to be buried and delayed by evidence of yet new crimes and grave infractions.

As States Parties, we have an obligation to ensure that the work of the Court can and does deliver justice and that no State can regard itself immune or an exception to the international legal order. We must be mindful that delaying or denying justice to victims anywhere undermines confidence in the Court everywhere and emboldens those who commit crimes to carry on with impunity.

Mr. President,

We remain concerned about relentless efforts to undermine the Court's work. As States Parties to the Statute, we have a collective responsibility to protect this institution from any potential threats. It is our duty to ensure that the Court is able to shoulder its responsibilities with integrity and strength. We owe this to the victims, who continue to look to the Court for justice and redress. In fact, our collective efforts to protect this institution is critical to safeguarding the entire international rules-based order from the unrelenting assault by forces of unilateralism, populism, and disdain for the principles and values enshrined in international law. We must prevail.

We look forward to a stronger, more effective Court, to which victims of atrocities worldwide can look to achieve justice and hope for a better, more peaceful tomorrow.

Thank you.