

## **What's at stake: The Devastating Impact on Victims of Aggression and the Case for Harmonization from a Civil Society Perspective**

Side event to the Special Session of the Assembly of States Parties to the Rome Statute of the ICC on the review of the amendments on the crime of aggression

*7 July 2025 – Conference Room F, UN Headquarters, New York*

### **Speaking Points for Hon. Walton-Desir, MP (Guyana), PGA Board Member**

*Panel: Highlighting the urgency of the harmonization through the human impact of the current jurisdiction*

[7 min remarks]

- Excellencies, distinguished participants,
- I would like to begin by thanking the organisers who brought us together for this important side-event, as well as for all of the tireless advocacy efforts they deployed over the past months/years. My gratitude also goes to Switzerland for generously hosting this discussion.
- The topic of harmonizing the Rome Statute's jurisdiction over the crime of aggression has been on the table for many years. Yet, we still need to continue our efforts in mobilizing attention and political will around this issue of the utmost importance, as negotiations are ongoing and nothing is decided yet.
- The crime of aggression is not simply an attack on another State's territorial integrity or political independence. It is an attack on the very foundations of the international legal system. And even more gravely, it is an attack on civilians who

are the first to pay the price of such crime. We also should not forget about the high amount of soldiers' lives lost because of such frivolous decision.

- Ensuring equal accountability for the crime of aggression though the harmonization we are discussing these days, is critical. It is a signal to current and future perpetrators that aggression will never go unpunished, wherever and whenever it occurs. Without this signal, unlawful aggressive war risks becoming an increasingly frequent instrument of policy.
- In an environment where multilateral order is called under question, we cannot afford selective justice. We must reinforce the principle that no red lines shall be crossed. Just as there can be no impunity for genocide, crimes against humanity, and war crimes, there must be no impunity for the crime of aggression.
- This matters for all States and all civilians around the world. But allow me to highlight the situation of smaller States – countries like my own. Smaller countries truly need the full protection of an international system capable of deterring aggression and ensuring accountability without exception.
- I come from Guyana. We have a long-standing territorial dispute over the Essequibo region with Venezuela, which has escalated again this year, making us fear of a border conflict. For us, this is not an abstract debate. It is about the immediate safety of our citizens and the stability of our region. When smaller nations are threatened, the effectiveness of international law is our only protection, our only recourse. And as the situation is now, namely, Guyana having ratified the Kampala amendments in 2018, but most states not, there would likely be no legal protection for us from this crime if we were a victim.

- As such, we have high expectations for this special session. We must be standing in solidarity with all States, from the smaller nations to countries who are currently enduring the immense suffering and reality that aggressive wars cause, including our colleagues from Ukraine or the Democratic Republic of the Congo.
- Harmonizing the jurisdiction of the International Criminal Court over the crime of aggression is not a technical matter. It is about preventing human suffering. It is about showing that the international community does not tolerate aggression anywhere in the world.
- As Parliamentarians for Global Action, we have mobilized our parliamentary network and strengthened our advocacy for closing this gap, repeating the only message that matters: the accountability gap and ICC's limited jurisdiction have tragic consequences; align the crime of aggression's jurisdictional regime with that of the three other core crimes under international law.
- We place all our hope in this session for it to live up to its ambitions.
- Importantly, we should emphasize that the amendment to achieve this alignment should enter into force under Article 121 (5) of the Rome Statute, the same procedure as the original Kampala amendments. Any other suggested procedure, such as through Article 121(4), would render the entry into force unrealistic, as it requires 7/8 States to ratify the amendment for it to enter into force, which would currently amount to 109 States. Such step is therefore unfeasible and, importantly, legally unnecessary.
- The choices that State Parties will make in the coming days will be of critical importance to the future of the international legal order. They will determine

whether we can truly deliver on the promise of equal justice for all victims, in all conflicts.

- We must not let this special session be a missed opportunity. We must not allow future generations to look back and wonder why we failed to act when the stakes were so clear.
- You can count on Parliamentarians for Global Action's continued commitment. And I know that you can count on other CSOs' commitment present here today as well. Together, let's make the harmonization of the ICC's jurisdiction over the crime of aggression a reality.
- I thank you.