



Coalition for the International Criminal Court

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Global Coalition Calls on The Bahamas and Jamaica to Ratify the Rome Statute of the International Criminal Court

Civil society urges The Bahamas and Jamaica to promptly join 11 other CARICOM countries that are already parties to the ICC Treaty

Lima/New York – In a letter sent to the Prime Ministers of The Bahamas and Jamaica, the Coalition for the International Criminal Court called today on these countries to take steps to ratify the Rome Statute of the International Criminal Court without further delay. To date, out of the 14 CARICOM member states with international treaty making capacity, only Haiti, The Bahamas and Jamaica have yet to ratify the Rome Statute—the founding treaty of the first permanent international court capable of trying perpetrators of genocide, crimes against humanity, and war crimes.

In the letters, the Coalition—a global network of more than 2,500 civil society organizations in 150 countries advocating for a fair, effective and independent ICC and improved access to justice for victims of genocide, war crimes and crimes against humanity—recalled the Caribbean region’s pivotal role in the establishment of this Court. The Coalition further urged the governments of **H.E. Mr. Hubert Alexander Ingraham, Prime Minister of The Bahamas, and H.E. Ms. Portia Simpson-Miller, Prime Minister of Jamaica, to take the necessary steps to join the Rome Statute system, thereby demonstrating their commitment to the rule of law and to advancing principles of international justice.**

“The motion set forth in 1989 by Trinidad and Tobago requesting the United Nations General Assembly to consider the establishment of the ICC was piloted through the UN system successfully thanks in large part to the support received from all CARICOM states,” said Francesca Varda, the Coalition’s Coordinator for the Americas. “Today with 121 parties, seven investigations, eight preliminary examinations underway, and its first landmark judgment issued on 14 March, the Court’s global resonance as the indisputable international justice institution is only continuing to grow. All Caribbean states should continue to support the historic tribunal that they themselves steadfastly helped establish,” she continued.

Complementarity, one of the most central tenets of the Rome Statute system, recognizes the primary jurisdiction of states in investigating and prosecuting individuals who have allegedly committed crimes that fall under the jurisdiction of the ICC and establishes that the Court will only be allowed to intervene in a situation if a country is unwilling or unable to conduct national investigations or prosecutions.

“Under the Rome Statute system, each additional ratification contributes toward the reduction of safe havens for perpetrators of gross human rights violations,” said Brigitte Suhr, the Coalition’s Director of Regional Programs. “Ratification of the treaty also grants states an additional mechanism to protect their populations from impunity and massive human rights abuses,” she highlighted.

Different political priorities and constitutional and legal challenges are often cited as impediments to ratification. In the Caribbean, as in other regions, the Bilateral Immunity Agreements (BIA) campaign pursued by the previous United States government under the George W. Bush administration that set out cuts in economic and military funding for nations that refused to enter into agreements agreeing to surrender US nationals requested by the ICC to the United States, had a chilling effect on ratifications. That scenario has now completely changed, with the US repealing the laws that allowed for these cuts in funding and adopting a policy of constructive engagement with the ICC. In addition, the US supported the United Nations Security Council’s referrals of the situations in Darfur, Sudan and Libya to the Court and has participated in the Court’s most important annual meetings, among other positive actions.

The Caribbean has had a presence in the ICC since its establishment. Judge Karl T. Hudson Phillips from Trinidad and Tobago was elected to the first ever judicial bench of the ICC, and most recently, Judge Anthony Carmona was sworn in as judge of the ICC after having been elected in December 2011 and took office in March 2012. The Caribbean’s role in the establishment and work of the Court to date is encouraging. As Judge Patrick Robinson, President of the International Criminal Tribunal for the Former Yugoslavia, stated in *The Gleaner*, a leading Jamaican newspaper, in April 2010, “a unified Caribbean membership in the International Criminal Court would be a powerful demonstration on a regional level that we take, with the utmost seriousness, our commitment to human rights, the global fight to end impunity and the search for justice.”

If The Bahamas, Jamaica, and Haiti make a commitment to ratify, a unified Caribbean membership at the ICC is close.

Background: *The ICC is the world's first permanent international court to prosecute war crimes, crimes against humanity, and genocide. Central to the Court's mandate is the principle of complementarity, which holds that the Court will only intervene if national legal systems are unwilling or unable to investigate and prosecute perpetrators of genocide, crimes against humanity and war crimes. There are currently seven investigations before the Court: the Central African Republic; Cote d'Ivoire; the Democratic Republic of the Congo; Darfur, the Sudan; Uganda; Kenya; and Libya. The ICC has publicly issued 20 arrest warrants and nine summonses to appear. The Court issued a judgment in its first trial on 14 March 2012. Two other trials are ongoing. The ICC prosecutor has also made public that it is conducting eight preliminary examinations on four continents: Afghanistan, Colombia, Georgia, Guinea, Honduras, Republic of Korea, Nigeria and Palestine.*

The Coalition for the International Criminal Court is a global network of civil society organizations in 150 countries working in partnership to strengthen international cooperation with the ICC; ensure that the Court is fair, effective and independent; make justice both visible and universal; and advance stronger national laws that deliver justice to victims of war crimes, crimes against humanity and genocide. For more information, visit: www.coalitionfortheicc.org

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