



## FOR IMMEDIATE RELEASE

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**International Community Must Redouble Efforts to End Impunity**

*13<sup>th</sup> Assembly of States Parties concludes in New York with governments, ICC and civil society underscoring that justice needs to be truly global*

**The Hague/New York**—The annual assembly of the governing body of the International Criminal Court (ICC) ended today with governments, the Court and civil society committing to redouble efforts to stamp out continuing impunity for perpetrators of grave crimes in all over the world, the Coalition for the ICC said today.

“The ICC cannot operate without the vital support of all partners in the fight against impunity for grave crimes that continue afflict untold numbers of victims all over the world,” **said William R. Pace, convenor of the Coalition for the ICC.** “Never before in history have we had the means to deal with these crimes; we cannot fail to take advantage of the opportunity to strengthen and broaden the Rome Statute system. This Assembly has highlighted the great desire for accountability among all peoples – we must now all redouble our efforts to make justice truly global.”

Strong statements of support from African officials in particular set a positive tone for the 13<sup>th</sup> session of the Assembly of States Parties (ASP). In an atmosphere of constructive dialogue, stakeholders made strong statements of support for the Rome Statute system of international justice and the need to strengthen the ICC, paving the way for future sessions to include productive dialogue around crucial issues like domestic prosecutions and cooperation.

The interim president of the Central African Republic, Catherine Samba-Panza, opened the eight days of plenary sessions, side events and fringe meetings with an appeal for more assistance in dealing with continuing communal violence in her country. Senegal’s minister of justice, Sidiki Kaba took the reigns as the first African president of the Assembly, successfully stewarding delegates through intense debates and complex voting procedures.

While a Kenyan request to discuss complaints against ICC officials was firmly rejected by the Assembly, African states engaged positively throughout, underlining their critical role in the ICC system.

“With the general debate of the Assembly’s 13th session, the majority of African states showed support for the ICC,” **said Aboubacry Modj of the African Assembly for the Defense of Human Rights, based in Senegal.** “A minority of East African states remain hostile to the court, but civil society will continue to mobilize to bring them along to ensure the court is able to function with the full support that it needs.”

“The ASP made important ground, showing solidarity with the court and little patience for the rather negative role that has, unfortunately characterized Kenya’s

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approach to this year's Assembly. President Sidiki Kaba has already shown himself as an able and firm leader and the African members of the ASP were also very constructive in their participation," **said George Kegoro, executive director of the International Commission of Jurists-Kenya.** "Notwithstanding the setbacks experienced in the Kenyan cases, one of which has been dropped because of the lack of cooperation by Kenya with the court, and the announcement by the prosecutor that she will shift attention away from the Darfur situation, which is in a state of impasse, the immediate future of the ICC looks good and there is reason for remaining hopeful for justice for the victims of crimes in Africa."

States made recommendations to improve the Court and its work and addressed issues of complementarity, ratification and activation of the Kampala amendments on the crime of aggression, cooperation and universality of the Rome Statute. The Assembly reached consensus on a resolution on cooperation with the Court, which for first time included a new paragraph on avoiding non-essential contact with ICC fugitives. A lack of agreement on proposed amendments to the ICC's Rules of Procedure and Evidence means that they will continue to be considered next year.

"The need for full and effective cooperation with the ICC was a large this Assembly. ASP President Sidiki Kaba and many states strongly affirmed this important aspect of being a state party to the Rome Statute," **said Stephanie Barbour, head of office for Amnesty International's Centre for International Justice.** "We welcome the Assembly's commitments at this session to prioritise studying lessons learned in relation to non-cooperation and to working on an arrest strategy action plan in the course of 2015."

"The ASP must work intensively next year on improving cooperation: strategies for arresting suspects, protecting victims and witnesses, avoiding non-essential contact with indicted senior government officials, and stronger mechanisms to deal with governments that are failing to live up to their obligations," **said Pace.** "The Assembly's session on cooperation to end impunity for sexual and gender-based violence was especially welcome this year, and is a dialogue that should continue in the years to come."

Six new ICC judges were elected after 22 rounds of voting. They are: Marc Perrin de Brichambaut (France); Piotr Hofmański (Poland); Chang-ho Chung (Republic of Korea); Bertram Schmitt (Germany); Antoine Kesia-Mbe Mindua (Democratic Republic of Congo); and Peter Kovács (Hungary). They will take up their positions in 2015. All are men, three are from List A (experience in criminal proceedings) and three are from List B (experience in international law).

"The most incredible aspect of this ASP was the election of judges—the fact that it took so much time and made substantive discussions rushed really shows a need for reform in this area," **said Alison Smith, legal counsel and director of the international justice program at No Peace Without Justice.** "The Court itself is undergoing a much-needed review and reform process; perhaps it is time for the Assembly to do the same."



States approved a budget of 130.6 million euro, a decrease of 8 million on what the Court had requested—largely for the ICC prosecutor’s new investigation and prosecution strategy—which in turn may have a direct impact on its work next year.

“Concerns voiced by civil society in advance of the session about a recommendation to consider setting a financial envelope for what resources the ICC can request next year were not heeded, giving rise to the possibility that in the future the Court’s budget will be determined by what states are willing to pay rather than its financial needs to carry out its work effectively,” **said Barbour**.

In the general debate and in numerous side events, civil society offered suggestions on how to improve the ICC system and delivery of justice to victims. They stressed the need for accountability in countries such as Mexico, Syria, Libya, the Democratic Republic of Congo and the Central African Republic.

“Many states parties to the ICC Statute from different regions have reaffirmed during this Assembly the importance of genuine cooperation of States with the Court and their commitment to defend the integrity of the Rome Statute and the independence of the Court, as well as victims’ central role in ICC proceedings,” **said Katherine Gallagher, vice-president of the International Federation for Human Rights**. “Victims are not far away from the ICC; it is the ICC which is far away from victims and must work to better include and respect their rights in accordance with the ICC Statute. We hope these commitments will be translated into constructive actions in support of an efficient and independent Court that moves closer to achieving the promise of the ICC to deliver meaningful justice, counter impunity, and ultimately prevent the commission of international crimes.”

Although not a member of the ICC, Palestine was invited by the ASP to participate as a state for the first time.

“Palestine must turn words into action following its statement to the Assembly that it may well become the 123rd state party to the Rome Statute. There is no reason to wait if the goal to ensure the cycle of impunity is broken—Palestine should accede to the Rome Statute without further delay,” **said Barbour**.

**Coalition for the ICC ASP 13 press conference:**

<http://webtv.un.org/media/watch/coalition-for-the-international-criminal-court-cicc-on-the-thirteenth-session-of-the-assembly-of-states-parties-to-the-rome-statute-press-conference/3932970272001>

**Coalition for the ICC daily summaries from ASP 13:**

<https://ciccglobaljustice.wordpress.com/>

For more information on the 13th ASP, visit our [ASP 13 webpage](#). For more information on ICC elections, visit our [elections webpage](#).

Experts from human rights organizations members of the Coalition are available for background information and comment. Contact: [communications@coalitionfortheicc.org](mailto:communications@coalitionfortheicc.org)



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**BACKGROUND:** The ICC is the world's first permanent international court to have jurisdiction over 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 unable or unwilling to investigate and prosecute perpetrators of genocide, crimes against humanity and war crimes.

There are currently nine active investigations before the Court: the Central African Republic I & II; the Democratic Republic of the Congo; Darfur, Sudan; Kenya; Libya; Uganda; Côte d'Ivoire and Mali. The ICC has publicly issued 31 arrest warrants and nine summonses to appear. Two trials are ongoing. The Office of the Prosecutor has made public that it is examining nine situations on four continents, including Afghanistan, Colombia; the registered vessels of the Comoros, Greece and Cambodia; Georgia, Guinea, Honduras, Iraq (examination re-opened in 2014), Nigeria and Ukraine. The Office of the Prosecutor has concluded preliminary examinations relating to Iraq, Venezuela, Palestine and the Republic of Korea, declining in each case to open an investigation.

The Coalition for the International Criminal Court is a global network of civil society organizations in over 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.

[www.coalitionfortheicc.org](http://www.coalitionfortheicc.org)

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