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International Justice Day underscores need for cooperation with ICC*Civil society holds governments to obligation to arrest war crimes suspects*

New York/The Hague—Governments committed to ending impunity for the world’s worst crimes must reaffirm their obligation to cooperate with the International Criminal Court (ICC) to arrest individuals wanted by the Court, the Coalition for the ICC said today, International Justice Day.

“On the anniversary of the adoption of the ICC Rome Statute, all states—those party to the treaty and others—should renew commitments to cooperate with this historic and still new system of international criminal justice through all available avenues, from national laws to transnational agreements, **said William R. Pace, convenor of the Coalition for the ICC.** “States must ensure that anyone subject to arrest warrants for the worst crimes under international law should be detained and transferred to the Court regardless of their position.”

“When governments fail to arrest those accused, it is an insult to the victims who wait years for justice and recognition,” **Pace added.**

In June, Sudanese President Omar Al-Bashir, the subject of two ICC arrest warrants for war crimes, crimes against humanity and genocide allegedly committed in Darfur, travelled to the African Union summit in South Africa, a member of the Court. The ICC’s founding treaty, the Rome Statute, obligates all member states to execute the Court’s arrest warrants, and eliminates immunity for sitting heads of state or government. Following legal action by civil society, South African courts found that the government had failed to honor its obligation to arrest Al-Bashir, who secretly fled the country despite a court order barring his exit until the courts could rule on the matter.

“The Coalition is very proud that in the absence of political will to arrest high-profile suspects, civil society has successfully taken action to compel governments to honor their obligations to the Court,” **said Pace.**

This year, the Southern African Litigation Centre filed a lawsuit seeking the implementation of the ICC’s arrest warrants against Al-Bashir, forcing him to hastily leave South Africa before a ruling was made. Al-Bashir was also forced to flee from Nigeria in 2013 after the Nigerian Coalition for the ICC and other groups filed a lawsuit to compel his arrest. In 2011, following a visit to Kenya by the Sudanese president, a suit brought by the International Commission of Jurists prompted a Kenyan court to rule that the government is obligated to arrest Al-Bashir if he ever returns.

These actions demonstrate that national laws and courts remain the primary foundation of the Rome Statute system of justice, and that civil society plays a crucial role in ensuring that ICC member states live up to their obligations. While increased cooperation is still needed,

CONTACTS**In The Hague:**

Niall Matthews

Head of Communications

Coalition for the ICC

Tel: +31 (0) 70 311 10 85

matthews@coalitionfortheicc.org**In New York:**

William Pace

Convenor

Coalition for the ICC

Tel: +1-646-465-8533

pace@coalitionfortheicc.org

Dan Verderosa

Communications Officer

Coalition for the ICC

Tel: +1-646-465-8524

verderosa@coalitionfortheicc.org



especially in regards to arrest warrants, those wanted by the ICC find their actions increasingly restricted.

International Justice Day is celebrated on 17 July every year to commemorate the anniversary of the adoption of the Rome Statute, 17 years ago this year. It is a reminder of the urgency for all states committed to justice for victims around the world to ensure continued support for the international justice system. Coalition members are holding events worldwide to celebrate this day in solidarity with victims of grave crimes—including sexual and gender-based crimes—everywhere.

Comments on International Justice Day from Coalition members around the globe:

“International Justice Day is reminder that we are not national legal islands but parts of a global justice system,” **said Ishai Menuchen, executive director of the Public Committee Against Torture in Israel.** “It is a system that we have to be part of and that can support civil society efforts to change society and build a better life for all of us.”

“In 2014, blatant injustice fueled violence which took the lives of hundreds at Maidan. Then, rampant violations of international law scaled the loss up to the thousands. The number of victims continues to increase every day,” **said Roman Romanov, human rights and justice program director for the International Renaissance Foundation, Ukraine.** “Continued impunity for perpetrators is a sure way to sustain the cycle of violence and injustice. International crimes committed on the territory of Ukraine have to be addressed by the international justice system now, as this will help ensure justice at the national level in the future.”

“The message behind 17 July is key to Mexico. The fight against impunity, the non-repetition of international crimes that abound in Mexico—such as enforced displacement, enforced disappearance, torture, executions, sexual crimes—must be addressed. The right of access to justice remains as crucial today as ever,” **said Nancy Lopez of the Comision Mexicana de Defensa y Promocion de los Derechos Humanos.** “For the Mexican Coalition for the ICC, International Justice Day is a key reminder that the Mexican state must honor its commitment to ensure that international justice is respected and enforced, and therefore, must abide with its obligations derived from the Rome Statute: the approval of an ICC cooperation law as well as the implementation of Rome Statute crimes within domestic legislation. Despite their relevance, these obligations have yet to be prioritized.”

“For international justice to take meaningful shape for victims of international crimes, states must concretely support, in both words and deeds, the accountability mechanisms that the international community has labored so intensely to put into place,” **said Karim Lahidji, president of the International Federation for Human Rights.** “Institutions themselves, such as the International Criminal Court, must also ensure that the needs and voices of victims are paramount to the justice process, from start to finish. We have the tools in hand to start chipping away at mass impunity—let us all cooperate to use these tools to sculpt a more just tomorrow.”



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 ICC: the Central African Republic I & II; DRC; 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. There have been two convictions and one acquittal.

Nine preliminary examinations are currently ongoing, including into situations in Palestine, Honduras, Ukraine, Iraq, Afghanistan, Colombia, Georgia, Guinea and Nigeria. The Office of the Prosecutor has concluded preliminary examinations relating to Venezuela, Palestine, the Republic of Korea and the Comoros referral, 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.

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