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Côte d'Ivoire: Time to end impunity for ICC crimes*Civil society calls for full incorporation of Rome Statute into national law*

Benin/The Hague—President of Côte d'Ivoire Alassane Ouattara should undertake national prosecution of all perpetrators of serious international crimes by fully implementing the Rome Statute of the International Criminal Court (ICC) into national law, the Coalition for the ICC said today.

Côte d'Ivoire is the September 2016 focus country of the Coalition's Campaign for Global Justice this month. The long-running campaign calls on countries around the world to join the ICC and adopt national laws to prosecute war crimes, crimes against humanity, and genocide.

"President Ouattara should carry through his determination to ensure that those responsible for the post-election crisis of 2010—including from his own camp—are brought to justice and that trials run their complete course, either in The Hague or in Abidjan, to ensure lasting peace in the country," **said Ali Ouattara, president of the Ivorian Coalition for the ICC.**

In a letter sent last week to President Ouattara, the Coalition urged Côte d'Ivoire to demonstrate its commitment to justice and the rule of law adopting national ICC legislation to enable its judicial institutions to holding all those responsible for grave crimes to account.

In March 2015, Côte d'Ivoire amended its criminal code to ICC crimes, but stopped short of full implementation of the Rome Statute into national law. Civil society in the Ivorian Coalition for the ICC has expressed reservations about the judicial capacity of Côte d'Ivoire to effectively try war crimes, crimes against humanity and genocide cases.

"Investigating, prosecuting and punishing at the national level all the perpetrators is the challenge," **said Jelena Pia-Comella, executive director of the Coalition for the ICC.** "It is the primary responsibility of ICC member states to investigate and prosecute mass atrocities, thus playing a key role in the protection of citizens in times of war and conflict. Côte d'Ivoire must do more to stamp out impunity."

"Côte d'Ivoire must take up the fight against impunity by giving effect to the complementary principle by adopting national ICC legislation," **said Clément Capo-Chichi, Africa regional coordinator for the Coalition for the ICC.** "The responsibility to protect means reminding our leaders of their responsibility to protect us from mass atrocities, their duty to provide the justice system with the means to prosecute and try crimes and, in case of failure, let the international community assume its responsibilities by helping to end abuses and above all provide effective justice for the victims," at the tenth quarterly conference of the Ivorian Coalition on 16 March 2016.

Côte d'Ivoire has shown its ongoing commitment to the ICC. In July 2016, in light of the calls for African states to consider withdrawal from the Rome Statute, **Minister of Foreign Affairs Abdallah Albert Toikeusse Mabri recalled:** "Africa must have better governance. Irreproachable governance. Once we have done so and given ourselves the means to punish, not to live with impunity, only then we may discuss the attitude to adopt vis-à-vis the ICC. Côte d'Ivoire will not associate itself with an action along the lines of a collective withdrawal from the ICC."

On 3 November 2015, during his speech at the swearing in ceremony before the Constitutional Council,

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President Ouattara stated: "I could appreciate how important your needs are, and how high and legitimate your expectations. I saw how much you appreciate being able to work in peace and safety. [...] You have showed me the importance you attach to equal justice for all."

Background on the ICC and national prosecutions in Côte d'Ivoire

Former Ivorian president Laurent Gbagbo and political ally Charles Ble Goude are currently on trial at the ICC for alleged crimes against humanity in a bid to hold on to power after losing the 2010 presidential election by encouraging attacks on the supporters of president-elect Alassane Ouattara.

Former first lady Simone Gbagbo is also wanted by the ICC for her alleged role in the violence. However she remains in Côte d'Ivoire and is facing national trial for alleged crimes against humanity before the courts of Abidjan. The trial opened on 31 May 2016 and is ongoing. The Coalition is currently monitoring the trial and whether it meets the standards set out under Article 17 of the Rome Statute for national proceedings to take precedence over ICC cases.

The former first lady was also convicted in 2015 of undermining state security by an Ivorian court and sentenced to serve 20 years in prison. ICC appeals judges found that the domestic proceedings did not cover the same crimes as those covered by the ICC case and that Côte d'Ivoire remained obliged to surrender her to The Hague.

About the ICC

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 ten active investigations before the ICC: the Central African Republic I & II; Democratic Republic of Congo; Darfur, Sudan; Kenya; Libya; Uganda; Côte d'Ivoire; Mali and Georgia. The ICC has publicly issued 33 arrest warrants and nine summonses to appear. Four trials are ongoing. There have been two convictions and one acquittal. Eight preliminary examinations currently ongoing, including into situations in Afghanistan, Burundi, Colombia, Guinea, Palestine, Iraq/UK, Nigeria and Ukraine. The OTP has concluded preliminary examinations relating to Honduras, Venezuela, Palestine, the Republic of Korea and the Comoros referral, declining in each case to open an investigation.

About us

The Coalition for the International Criminal Court is a global network of civil society organizations in 150 countries fighting for justice to victims of war crimes, crimes against humanity and genocide through national courts and the international Criminal Court. www.coalitionfortheicc.org

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