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Laos: Show leadership in ASEAN by joining ICC

Global civil society calls on Lao PDR to accede to Rome Statute to end impunity for war crimes, crimes against humanity and genocide

Bangkok/Vientiane—Lao People’s Democratic Republic (PDR) must seize the opportunity as the 2016 chair of ASEAN to affirm its commitment to peace, security and stability in South East Asia by acceding to the Rome Statute of the International Criminal Court (ICC) without further delay, the Coalition for the ICC said today.

As ASEAN chair, Lao PDR will be responsible for steering important negotiations among the 10 member states in the Southeast Asia region, and for responding to various challenges effectively to advance and strengthen the regional bloc’s influence on the global stage.

Lao PDR is the focus 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.

“Lao PDR must not forget that at the heart of the ASEAN community building process and regional integration efforts is the security of the populations of its 10 member states from the most egregious crimes,” **said Amielle Del Rosario, Asia-Pacific coordinator with the Coalition for the ICC.** “Lao PDR’s ASEAN chairmanship priorities primarily focus on increasing the economic competitiveness of ASEAN. But it must not be forgotten that a nation’s leverage and viability on the regional, international sphere is directly tied to the strength of its domestic framework to protect its borders from mass atrocities and to manage conflicts.”

Effective leadership is particularly crucial during Lao PDR’s chairmanship as this will be the inaugural year for implementation of the “ASEAN Vision 2025” comprised of three pillars, one of which is the ASEAN Political Security Community where member states pledge to transform the region into a resilient, rules-based community that guarantees the protection and security of its populations. Lao PDR chose the theme of “Turning Vision into Reality for a Dynamic ASEAN Community” for its chairmanship.

Lao PDR has made several promising statements on its process towards joining the ICC, but after almost two decades of preparation including joint efforts between Lao PDR and civil society to increase domestic awareness and capacity of the Rome Statute system of international justice, Lao PDR has yet to take the critical step of accession.

This week, the Coalition sent a letter to H.E President Choummaly Sayasone and H.E Prime Minister Thongsing Thammavong, raising the significant opportunity Lao PDR has to demonstrate its ability to fulfill its responsibilities as laid out in the ASEAN Vision 2025 by taking earnest steps towards the protection and security of its population against the scourge of mass atrocities by acceding to the Rome Statute.

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“The fundamental goal of the Rome Statute is to reinforce the state’s sovereign power to bring justice and ensure accountability for the most serious crimes, ultimately deterring would-be perpetrators. Lao PDR joining the ICC is an insurance policy for the future, against threats of serious crimes under international law, regardless of whether they are external or internal,” **continued Del Rosario**. “If Lao PDR wants to accomplish its objective of turning vision into reality for a resilient, peaceful, stable and outward-looking ASEAN region it must lead by example by signing the Rome Statute.”

Lao PDR has repeatedly indicated its support for the principles enshrined in the Rome Statute saying that accession is in line with the government’s policies. But Laos has fallen short in acceding, citing the need to first ensure domestic processes are fully prepared for implementation. The Coalition pointed to examples of legislation of other ASEAN member states, such as the Philippines and Vietnam and the role of civil society in advancing the capacity and the confidence of local practitioners in the Rome Statute system.

“Lao PDR and ASEAN member states must no longer lag behind the majority of states who have already embraced the ICC system of criminal justice. Lao PDR must seize the opportunity by placing lasting peace and justice at the core of its chairmanship by signing the Rome Statute,” **added Del Rosario**.

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 **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. **Seven preliminary examinations** currently ongoing, including into situations in Afghanistan, 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.

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