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**Malaysia: Show global leadership by joining ICC**

*Global Coalition calls on government to honor commitment to accede to Rome Statute*

**New York/Bangkok**—Currently holding key regional and international positions, Malaysia can now show leadership in the global fight against impunity by honoring its commitment join the International Criminal Court (ICC), the Coalition for the ICC said today.

As the 2015 chair of the Association of Southeast Asian Nations (ASEAN) and a current member of the UN Security Council, Malaysia is the focus of the Coalition's April 2015 Campaign for Global Justice.

In a letter today to Prime Minister Najib Razak, the Coalition welcomed positive steps towards accountability made by Malaysia, including prioritizing the protection of children in armed conflict in the UN Security Council. However, Malaysia has yet to accede to the Rome Statute despite a 2011 cabinet decision in favor doing so, citing incompatibilities between domestic legislation, state sovereignty and the Rome Statute.

"The Rome Statute is an inclusive system that gives primacy to national jurisdictions and national courts. Being party to this treaty would complement, not undermine, Malaysia's plural legal system," **said Amielle Del Rosario, Asia-Pacific coordinator for the Coalition for the ICC.** "With its strong voice at the UN Security Council and ASEAN, there is no better time for Malaysia to show leadership in the global fight against impunity by honoring its commitment to join the ICC."

Malaysian civil society has been working to address government concerns through workshops and dialogue. Local legal experts, politicians and civil society are continuing their calls for ICC membership.

As the 2015 ASEAN chair, Malaysia has sought to create a more people-centered organization in order to promote the practice of effective and responsive governance in the region.

"Regrettably, only two ASEAN members—Cambodia and the Philippines—have joined the ICC," **said Del Rosario.** "Acceding to the Rome Statute now would show its citizens, fellow ASEAN states and the world that Malaysia is a nation that fulfills its promises and respects the principles associated with peace, stability and international accountability."

**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

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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. Four examinations are in Phase 2 (subject matter jurisdiction), including Palestine, Honduras, Ukraine, and Iraq. Afghanistan, Colombia, Georgia, Guinea and Nigeria have entered Phase 3 (admissibility). 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](http://www.coalitionfortheicc.org)