

**FOR IMMEDIATE RELEASE**

18 April 2014

Ukraine accepts ICC jurisdiction*Files formal declaration accepting the Court's jurisdiction over "Maidan" protests*

The Hague—Ukraine's acceptance of International Criminal Court (ICC) jurisdiction over alleged crimes committed during the "Maidan" protests is a positive indication of the government's commitment to end impunity, the Coalition for the ICC said today.

The ICC announced yesterday that it received a declaration from the government of Ukraine formally requesting the ICC to exercise jurisdiction over the events in Ukraine from 21 November 2013 to 22 February 2014.

Although Ukraine is not a member of the ICC, under the terms of Article 12(3) of the Rome Statute—the Court's founding treaty—states that are not members can accept the jurisdiction of the Court.

"In the wake of the upheaval in Ukraine, this move is reflective not only of the desire to ensure there is no impunity for the crimes allegedly committed during the Maidan protests, but also of the status the ICC has attained in the world," **said Kirsten Meersschaert Duchens, the Coalition's regional coordinator for Europe.** "Representatives of a non-state party have shown their faith in this nascent institution as *the* body capable of addressing mass human rights violations wherever they may occur."

The formal declaration comes on the heels of a parliamentary resolution, passed by an overwhelming majority of Ukraine's Verkhovna Rada on 25 February 2014, to recognize the jurisdiction of the ICC to investigate and prosecute alleged crimes committed in Kiev during anti-government protests. The parliamentary resolution cited a number of high-level government officials, including the former president, Viktor Yanukovich, as criminally responsible for ordering government forces to commit murder; unlawful deprivation of physical liberty; torture; and enforced disappearances against civilian protesters.

The declaration submitted to the ICC explicitly refers to the parliament's resolution, and affirms Ukraine's recognition of the Court's jurisdiction "for the purpose of identifying, prosecuting, and judging the authors and accomplices" of the alleged crimes.

Now that the formal declaration has been submitted, the Office of the Prosecutor (OTP) may conduct a preliminary examination to determine whether to open a full investigation. This will take into consideration the Court's jurisdiction, whether or not Ukraine is itself investigating and prosecuting the alleged crimes, and if an ICC investigation would be in the interests of justice. If, after all of these analyses, the OTP concludes that there is a reasonable basis to proceed with an investigation, it must request authorization from ICC judges.

CONTACTS**In The Hague:**

Kirsten Meersschaert Duchens
Head of the Hague Secretariat
Regional Coordinator for Europe
Coalition for the ICC
Tel: +31 70 311 1087
Mobile: +31- 6 52 73 43 84

meersschaert@coalitionfortheicc.org

Niall Matthews

Head of Communications
Coalition for the ICC
Tel: +31 70 311 1085

matthews@coalitionfortheicc.org

In New York:

Jelena Pia-Comella
Program Director
Coalition for the ICC

Tel: +1 (646) 465-8525

pia@coalitionfortheicc.org

Dan Verderosa

Communications Officer
Coalition for the ICC

Tel: +1 (646) 465-8524

verderosa@coalitionfortheicc.org



Ukraine signed the Rome Statute on 20 January 2000, but due to a 2001 constitutional court ruling declaring the treaty incompatible with Ukraine's constitution, the government has not ratified the Statute.

“The declaration is an important move to ensure that grave violations of human rights will not be forgotten and impunity will not be accorded to those who commit them,” **said Roman Romanov of the International Renaissance Foundation in Ukraine.** “The next step for Ukraine to take is to ensure its full engagement with the ICC as a cornerstone of the international justice system, by undertaking the necessary constitutional reforms to allow for prompt ratification of the Rome Statute.”

According to the ICC, the declaration obliges Ukraine to cooperate fully with the ICC in the context of its investigation into the alleged crimes, in conformity with Part IX of the Rome Statute.

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

The Coalition for the International Criminal Court is a global network of civil society organizations in 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. For more information, visit: www.coalitionfortheicc.org