

The Hague / New York, 5 November 2015

Re: Ratification of the Agreement on Privileges and Immunities of the International Criminal Court (APIC)

Your Excellency,

We have the honor of writing to you on behalf of the Coalition for the International Criminal Court (CICC), a global network of more than 2,500 non-governmental and civil society organizations in 150 countries, advocating for a fair, effective, and independent Court as well as increased access to justice for victims of genocide, crimes against humanity, and war crimes.

Your Excellency, the International Criminal Court (ICC) is the cornerstone of a global justice system designed to ensure perpetrators of international crimes are held to account and that their victims receive redress. However, the Court cannot deliver justice to victims without full cooperation from states.

The Agreement on Privileges and Immunities of the ICC (APIC) outlines privileges and immunities states should extend to Court officials and materials, guaranteeing the Court can carry out its work in an independent and unconditional manner. It is an essential element of state cooperation crucial to the Court's ability to operate as an independent judicial institution.

While Article 48 of the Rome Statute provides for privileges and immunities generally, the APIC further defines and develops them to allow for the Court's optimal functioning. It details the protections and related obligations of states parties for the ICC to effectively protect its personnel and resources necessary for its work. The APIC includes protective provisions on par with those in Article 105 of the UN Charter, which covers the privileges and immunities necessary for UN personnel to fully undertake UN functions.

The APIC also outlines the privileges and immunities accorded to victims, witnesses, defense counsel, and representatives of states and intergovernmental organizations participating in Court proceedings or in the Assembly of States Parties.

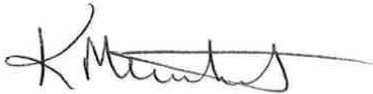
It is with these benefits in mind that **the Coalition respectfully urges your government to ratify the Agreement on Privileges and Immunities of the International Criminal Court (APIC)** as part of its Campaign for Global Justice for the month of November 2015. To date, only 74 states are party to this instrument, far fewer than the 123 ICC members. We hope that more countries across the globe – including states that are not yet members of the Court – will soon join them.

At the 2014 session of the Assembly of States Parties, at Belgium's initiative, states agreed to convene an APIC pledging ceremony at the 15th session in 2016, for states to pledge to ratify the APIC by the 20th anniversary of the Rome Statute in 2018.¹ We call on you to initiate the process of APIC ratification now so that you can announce ratification, or at the very least a pledge to do so, at the 2016 Assembly meeting.

Excellency, universality of both the Rome Statute and the APIC remains an important objective, one that will bolster the ICC's credibility by demonstrating global consensus on the need for accountability and the rule of law. Your government's ratification of the APIC would be an important step in bolstering the international justice system's ability to ensure that genocide, crimes against humanity and war crimes no longer go unpunished.

The Coalition remains at your disposal for any support and information you might wish to receive.

Sincerely,

A handwritten signature in black ink, appearing to read 'K Meerschaert', with a long horizontal flourish extending to the right.

Kirsten Meerschaert
Director of Programs
Coalition for the International Criminal Court

¹ ICC-ASP/13/Res.5. Annex I, Article 16(a) reads, “*decides to hold a pledge ceremony during the fifteenth session of the Assembly on the ratification of the Agreement on Privileges and Immunities to invite States Parties to ratify it before the 20th anniversary of the Rome Statute (July 2018).*”