

New York, 18 September 2013

Excellency,

I have the honour of writing to you on behalf of the Coalition for the International Criminal Court – a global network of over 2,500 civil society organisations in 150 countries – in relation to the upcoming General Debate of the United Nations General Assembly and the Special Event to Follow up on Efforts Made Towards the Implementation of the Millennium Development Goals on 25 September. I strongly urge you to use the Special Event and the General Debate this year to reaffirm the importance of the Rome Statute of the International Criminal Court (ICC) in upholding accountability for the most egregious crimes known to humankind and in fostering sustainable peace and development based on the rule of law.

The International Criminal Court has entered the second decade of its existence, its membership continues to grow, its caseload is rapidly increasing and the first reparations order may be implemented shortly in the Democratic Republic of the Congo, but a number of challenges remain and must be overcome for the Court to be able to effectively fulfil its essential mandate. At this juncture of the Court's life, I cannot over-emphasize that renewed high-level political support for the work of the Court is critical to maintain and bolster its capacity to deliver justice, provide redress to victims and rebuild resilient post-conflict societies.

Excellency, the upcoming UN General Assembly meetings present significant opportunities for UN member states, parties to the Rome Statute, to reaffirm their support for the Rome Statute system when taking the floor and during informal meetings throughout this annual gathering at the United Nations Headquarters. The ICC is not just any court; it upholds accountability for the most heinous crimes which flagrantly disregard the most basic principles of our common humanity and firmly signals that a culture of impunity can no longer be tolerated for war crimes, crimes against humanity and genocide. As a court of last resort, it has a catalytic impact at the national level, by spurring domestic investigations, prosecutions and penal reforms.

Reasserting the importance of the unique victim-centred approach of the ICC is especially vital. The Rome Statute system represents a paradigmatic shift in its aim of squarely placing victims at the core of its mandate through groundbreaking rights of participation, protection of victims and witnesses, and reparations. As one of its most innovative aspects, the Trust Fund for Victims stands testament to the fact that international justice not only needs to be retributive but can also be restorative in nature so as to provide redress, rebuild distorted relationships at the family, communal and societal levels, foster post-conflict reconciliation and enhance respect for the rule of law. One of the other most noteworthy achievements of the Court which needs to be supported is the advances with respect to gender justice. The

ICC has jurisdiction over the broadest range of sexual and gender-based crimes, which is indispensable to overcoming their long-standing invisibility and to countering their pervasiveness.

The Coalition additionally encourages states parties to call upon other states which have not yet ratified or implemented the Rome Statute to make such a commitment. To this end, states can highlight that the ICC is a pillar of the basic principles enshrined within the UN Charter and draw reference to the inter-linkages between the Rome Statute system, the maintenance of international peace and security, and sustainable development. The universality of the Rome Statute is key in this regard. It strengthens equality before the law and reduces the potential for impunity, thereby fulfilling the Rome Statute's vision of deterrence and broadening and deepening the reach of the Court for all victims regardless of nationality or location. States can in particular express their readiness to provide technical assistance and share best practices with other states to accelerate ratification.

States may moreover make use of the opportunity to reaffirm in their statements a commitment to sustained cooperation with the Court at the judicial, technical and diplomatic levels. In light of the significant expansion of the Court's work, it is especially important for sustainable funding to be ensured by States Parties and for the ICC and the UN to consult on financial cooperation, in particular in instances when the UN Security Council requests the Court to intervene. The next ten years will likely be even more challenging and difficult than the first decade of the Rome Statute and the ICC – it is vital that states and the international community show resolve in supporting the Rome Statute System in national, regional and international fora and rise to the challenges at this pivotal stage in the Court's development. The Coalition furthermore encourages states to demonstrate their engagement with the enhancement of justice and redress for women and girls and men and boys, victims of sexual and gender-based violence, at the domestic and international levels. Often under-investigated and inadequately prosecuted, accountability is paramount to shifting the blame from the victims to the perpetrators and addressing gender-based violence's root causes. States can also express their support and raise the visibility of the Champions on Sexual Violence in Conflict, to be launched by the Office of the Special Representative of the Secretary General on Sexual Violence in Conflict and the United Kingdom's Mission to the UN this September.

The Special Event on the Implementation of the Millennium Development Goals, to be held on 25 September, provides a further opportunity for states to highlight the role of the Rome Statute system in reinforcing the human rights mechanisms and fostering peaceful societies, essential to sustainable development. The Coalition therefore calls on states to raise the profile of the rule of law and domestic accountability for international crimes in efforts to advance towards the post-2015 development framework within their interventions.

Excellency, it is our sincere hope that every government that is committed to the global system of international criminal justice and the fight against impunity will express its firm support for the Rome Statute system at the Special Event and foster dialogue on these important matters during the General Debate of the General Assembly.

Yours Sincerely,

William R Pace

William Pace
Convenor
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