



Coalition for the International Criminal Court

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FOR IMMEDIATE RELEASE

13 November 2012

11th Assembly of States Parties to Open in The Hague

*Global Coalition Calls on States to Increase Support for International Criminal Court's
Second Decade of Fighting Impunity for Grave Crimes*

The Hague—As delegates from around the world gather in The Hague this week to decide on issues central to the work of the International Criminal Court (ICC), the Coalition for the ICC called on states to demonstrate their commitment to ending impunity for grave crimes by ensuring that the Court is fully equipped to build upon the accomplishments of its first decade and effectively meet future challenges.

The 11th annual meeting of the Assembly of States Parties (ASP) takes place in the auspicious 10th anniversary year of the establishment of the ICC and Rome Statute system. From 14-22 November, civil society representatives from across the world will join ICC states parties at the World Forum in The Hague, where a host of key decisions that will impact the Court will be taken, including approving its budget for 2013, and the election of a new deputy prosecutor, members of the board of directors of the Trust Fund for Victims and members of the Advisory Committee on Nominations. A number of high-level events around the city will, in addition, mark the Court's 10th anniversary.

“States must use this Assembly to break from budget-dominated discussions of previous years by reflecting on the achievements of the Rome Statute's first decade and putting in place concrete means of overcoming the many obstacles in the path towards

accountability for grave crimes,” **said William R. Pace, convener of the Coalition for the ICC.** “Improving the Assembly, the Court and its governance, as well as discussions on core issues such as victims’ participation and reparation, fair trial rights, cooperation and arrests (or lack thereof), communications and national prosecutions are of paramount importance for ASP 11.”

2012 has seen the Court deliver its first verdict, sentence and decision on victims’ reparations in the trial of former Congolese rebel leader Thomas Lubanga Dyilo. The verdict in its second trial is expected soon. Meanwhile, Laurent Gbagbo became the first former head of state to appear before the Court and ICC judges will soon decide whether his case will go to trial. In March 2013, two trials are to begin against four prominent Kenyans—including two potential presidential candidates. However, greater cooperation is needed from the international community for the Court’s judicial decisions, including the arrest of fugitive suspects.

“This ASP session and the coming year must be remembered in history as the time in which states parties and the international community demonstrate their commitment to cooperate with the ICC,” **said Dip. Felipe Michelini, convener of Parliamentarians for Global Action’s Campaign on the ICC.** “Existing political support must be transformed into concrete action to execute 13 pending public ICC arrest warrants, to adopt effective legislation and measures to freeze assets and protect witnesses and victims; to empower domestic tribunals to prosecute ICC crimes; and to adopt laws that prioritize the prevention of the most serious crimes and redress to victims.”

With cost-effectiveness and efficiency high on the agenda, Coalition members will be pressing governments and the ICC to conduct a comprehensive review of the lessons-learned from the Court’s first trials and the best practices of two decades of international judicial processes and adopt procedures for embracing needed reforms. One focus needs to be on shortening the duration of international judicial processes, universally criticized for lasting many years, and which could be reduced by as much as 40% according to experts. The cost-benefits of such undertakings at the ICC would be much more successful than the crude strategy of “zero growth.”

However, despite the steady growth in both the Court’s workload, a group of six states parties—comprised of the Court’s largest financial contributors—have continued their damaging push for “zero growth” in the Court’s budget, lobbying against an increase on the budget from previous years.

"This year is a real test of the commitment of states parties to the Court. Following the major cuts imposed by the Assembly on the Court's budget last year, further significant reductions in the Court's request for 2013 could seriously undermine the Court's ability to do its work," **said Jonathon O'Donohue, legal advisor for Amnesty International and Team Leader of the Coalition's Budget and Finance Team.** "The Assembly must carefully consider the expert recommendations of its Committee on Budget and Finance to reduce by 3.28 million the Court's proposed budget request of 118 million and absolutely reject the efforts of states supporting “zero-growth” to go even further than those recommendations."

The gathered delegates will also elect a deputy prosecutor to fill the vacancy left by Ms. Fatou Bensouda when she became the ICC’s chief prosecutor in June 2012. Bensouda has nominated three candidates for the position: Mr. Paul Rutledge (Australia), Ms. Raija

Toiviainen (Finland) and Mr. James Stewart (Canada). In advance of the ASP, the Coalition—as part of its Campaign on ICC Elections—issued questionnaires and met with the three candidates to ensure that the most highly qualified individual is elected through a fair, transparent and merit-based process.

“The Coalition is calling on states to elect the most qualified candidate for the position of ICC deputy prosecutor, adopt a budget for 2013 that is commensurate with the expanding demands on the Court, and ensure firm judicial and diplomatic assistance to the Court,” **Pace continued.**

The ASP is also expected to formally appoint the nine members of its newly-established Advisory Committee on Nominations, a standing body of independent experts mandated to facilitate the election of the highest-qualified individuals as ICC judges through the provision of objective assessments to the ASP on all candidates. This new ASP initiative builds on the work of the Independent Panel on ICC Judicial Elections, established by the Coalition in 2010 to consider whether candidates put forward by states parties met the qualifications prescribed by the Rome Statute.

Elections are also to take place for five members of the board of directors for the Trust Fund for Victims, established under the Rome Statute to work alongside the ICC’s reparative function to benefit victims of crimes within the jurisdiction of the Court and their families.

For more information on the 11th ASP, as well as the Coalition’s Issue Team papers, visit <http://coalitionfortheicc.org/?mod=asp11>. For more information on ICC elections, visit: <http://www.coalitionfortheicc.org/?mod=elections>

*Journalists wishing to cover the session and related events must submit an **official letter of assignment** by fax to +31 (0)70 515 83 76 and a completed **accreditation form** to the: asp@icc-cpi.int. Journalists already accredited with the ICC do not need to submit the accreditation form nor the letter, but must confirm their participation via email to: asp@icc-cpi.int.*

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. There are currently seven investigations before the Court: the Central African Republic; Cote d'Ivoire; the Democratic Republic of the Congo; Darfur, the Sudan; Uganda; Kenya; and Libya. The ICC has publicly issued 22 arrest warrants and nine summonses to appear. The Court issued a judgment in its first trial on 14 March 2012. Two other trials are ongoing. The ICC Office of the Prosecutor has also made public that it is currently conducting preliminary examinations analyzing alleged crimes committed on the territory of Honduras, Republic of Korea, Afghanistan, Mali and Nigeria, as well as checking if genuine national proceedings are being carried out in Guinea, Colombia and Georgia.*

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.

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