

New York, 3 May 2012

H.E. Dr. Kamal Ahmad Al-Ganzouri
Prime Minister
Egypt

Re: Prospects of Ratification of the Rome Statute of the International Criminal Court (ICC)

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, campaigning for a fair, effective, and independent ICC and increased access to justice for victims of crimes against humanity, genocide, and war crimes.

As you well know, the Rome Statute came into force in July 2002 and now has the support of nearly two-thirds of the world's nations. With Guatemala's accession to the Rome Statute on 2 April 2012, 121 states have now acceded to or ratified the treaty. Continuing to secure universal acceptance of the Court remains an important objective that will ensure that the ICC is able to operate effectively.

Commendably, Egypt signed the Rome Statute on 26 December 2000 and in the past year, there have been positive signs coming from Egypt in terms of a possible opening to ratify the Rome Statute. Most notably, on 6 March 2011, former International Court of Justice Judge Nabil El Arabi was appointed Foreign Minister of Egypt and mentioned ICC ratification as a priority before he was appointed as the Secretary General of the League of Arab States.

Beyond Egypt, and during the past year, there have been tremendous advances relating to the International Criminal Court (ICC) in the region. On 24 June 2011, Tunisia acceded to the Rome Statute and Agreement on Privileges and Immunities of the Court (APIC), boosting the underrepresented MENA region at the Court. From 24-25 May 2011, a Regional Diplomatic Conference on the ICC was held in Doha, sponsored by the State of Qatar and undertaken together with the Arab League in cooperation with the ICC. At the onset of Libya's revolution, the Libyan Transitional Council sought a United Nations Security Council referral of the situation in Libya to the ICC in order to ensure justice for victims of crimes allegedly committed during the conflict. Representatives of Kuwait and Palestine have also stated their intent to join the ICC.

Your Excellency, in light of the parliamentary elections and the upcoming presidential elections, now is an opportune time for Egypt to display its commitment to justice and the rule of law by joining the ICC. This past month, the People's Assembly Human Rights Committee recommended the need to ratify all the international conventions to protect against Forced Disappearances and the Optional Protocol to the Convention against Torture (OPCAT), and to declare the acceptance of an individual-complaint mechanism provided for in Article 22 of the United Nations Convention against Torture along with announcing Egypt's willingness to accept (in terms of principle) the visit to Egypt of the special rapporteurs of the United

Nations Human Rights Council. We hope that the Rome Statute is a priority amongst these international conventions. Ratification of international human rights law conventions—including the Rome Statute—would lend legitimacy to the country’s commitment to universal human rights. As the country embarks on legislative reforms, the Rome Statute in particular should be instrumental to incorporate international crimes into the Egyptian criminal code and repeal any statutory limitations applying to such crimes.

As you recall, NAM states parties to the Rome Statute of the ICC have continuously called upon those states, which have not yet done so, to consider ratifying or acceding to the Rome Statute of the ICC. Egypt is a founding member of NAM and is currently its president. We invite Egypt to take this opportunity to make a concrete commitment to the Rome Statute before leaving the NAM Presidency. By joining the ICC, Egypt could motivate other countries in the region to ensure universal acceptance of the Court, to gain a stronger voice within the world of global justice, and participate in making the ICC a truly effective, international mechanism for justice and peace.

At a time when the Court is expanding its important work to end impunity for genocide, crimes against humanity, and war crimes, Egypt should take part in this global justice movement by ensuring its ratification of the Rome Statute. This decision would ensure Egypt’s commitment to the Court and advance the principles of democracy, good governance, justice, and the rule of law in the country.

The Coalition takes this opportunity to reaffirm support for regional civil society organizations, including the Egyptian and Arab Coalitions for the ICC, undertaking campaigns to raise awareness on the ICC in Egypt and the region.


The Coalition urges Your Excellency to seize this opportunity and momentum to reaffirm Egypt’s commitment to the fight against impunity, and increase ICC states parties in the region.

We hope to see you among the ICC states parties in the near future.

Sincerely,



Brigitte Suhr
Director of Regional Programs



Leila Hanafi
Regional Coordinator – Middle East and North Africa

CC:

H.E. Mohamed Kamal Amr, Minister of Foreign Affairs
H.E. Adel Abdel Hamid, Minister of Justice
H.E. Fayza Abouel Naga, Minister of International Cooperation and Planning
H.E. Mohamed Saad El-Katatny, President of the People’s Assembly
H.E. Sami Mahran, Secretary-General of the People’s Assembly
H.E. Ahmed Fahmy, President of the Shoura Assembly
H.E. Farag Hafez El Dory, Secretary-General of the Shoura Assembly
H.E. Maged Abdel Fattah Abdel Aziz, Permanent Representative to the UN