

New York, 6 February 2012

H.E. Mr. Mustafa Abdel Jalil
Chair of the National Transitional Council
Libya

Re: Prospects of Accession to 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 more than half of the world's nations. With Vanuatu's accession to the Rome Statute on 2 December 2011, 120 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.

(use final language from the op-ed) Middle East and North Africa (MENA) delegations were a force behind the Court's founding, offering important support at the 1998 Rome Conference by backing the Prosecutor's right to initiate cases independently. During the past year, there have been tremendous advances relating to the 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. 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; he was then appointed as the Secretary General of the Arab League. Representatives of Kuwait and Palestine have also stated their intent to join the ICC.

In light of the current role of the ICC in Libya, as well as the Constitutional Declaration which provides the National Transitional Council (NTC) the power to ratify international agreements, the Coalition encourages your government to continue this trend and take the necessary steps as soon as possible in order to accede to the Rome Statute of the ICC and Agreement on Privileges and Immunities of the ICC (APIC). The Libyan criminal justice system must meet new challenges based on a changed international environment. The police, prosecutors, and legal framework are now called upon to become scrupulous actors in observing evolving standards of human rights and accountability. By joining the ICC, your Government would pave the way for international cooperation on criminal matters and affirm its commitment to upholding the rule of law and universal human rights, in line with international standards.

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

By joining the ICC, Libya will motivate more MENA countries 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.

The Coalition takes this opportunity to reaffirm support for the regional human rights NGOs and civil society representatives undertaking campaigns to raise awareness on the ICC in Libya and the region.

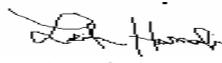
The Coalition urges Your Excellency to seize this opportunity and momentum to reaffirm Libya's commitment to the fight against impunity, and increase ICC states parties in the region.

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. Abd al-Rahim Al Keeb, Prime Minister

H.E. Ashur Bin Khayal, Minister of Foreign Affairs and International Cooperation

H.E. Ali Hamidah Ashur, Head of Justice and Human Rights

H.E. Abd al-Rahman Muhammad Shalgham, Permanent Representative to the UN