

**His Excellency Mr. Sushil Koirala** ([info@opmcm.gov.np](mailto:info@opmcm.gov.np))

Prime Minister

Federal Democratic Republic of Nepal  
2015

1 February,

*Re: Nepal's accession to the Rome Statute of the International Criminal Court*

Your Excellency,

I 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. The Coalition and its local partners have long been advocating for justice in Nepal and we believe that acceding to the Rome Statute is critical to this cause at this important juncture in Nepal's history. As your government helps negotiate the future of Nepal, we urge you to take this momentous step and place justice and accountability at the heart of the nation.

The Coalition recognizes Nepal's efforts to establish a peaceful and just post-conflict society where citizens are protected from atrocities and those responsible for them are held to account. The interim constitution, the twelve-point agreement between political parties, and the Comprehensive Peace Accord were important advances in their reference to human rights and accountability. We also recognize Nepal's longstanding openness towards the Rome Statute and positive steps towards accession in spite of difficult political circumstances. In 2006, the Coalition welcomed the Nepalese Parliament's unanimous issuance of a "commitment resolution" calling for accession to the Rome Statute, and we have been similarly encouraged by the positive signals sent by several subsequent administrations, such as the inclusion of accession in the 2011 *Action Plan on Implementation of UPR Recommendations*. We encourage your government to use the opportunity presented by Nepal's upcoming UPR to demonstrate commitment to joining the ICC.

We recognize the difficulties of acceding to the Rome Statute when successive governments are faced with the challenging negotiations of a new constitution, but we believe that it is not only possible but essential that the values enshrined in the Rome Statute not be ignored as Nepal moves forward. As Nepal seeks an agreement on the shape of its future, we strongly believe that this consensus must include a guarantee against the worst crimes. And indeed, such a consensus already exists in Nepalese society: civil society has relentlessly campaigned for accession to the Rome Statute, holding trainings for judges, prosecutors and lawyers and

disseminating information through numerous publications. We believe that after years of careful consideration of the Rome Statute Nepal is prepared to join this system of international justice.

Your Excellency, the Coalition congratulates you on your recent assumption of the Chairmanship of the South Asian Association for Regional Cooperation (SAARC) at its 18<sup>th</sup> summit in Kathmandu. We hope that Nepal will seize this opportunity to demonstrate leadership on international justice and join the Maldives, Bangladesh and Afghanistan as representatives of South Asia in the ICC's governing body, the Assembly of States Parties. Joining the Rome Statute system would empower Nepal, with international assistance, to implement domestic legislation punishing war crimes, crimes against humanity and genocide, which would act as a deterrent to future crimes. Accession would be a show of international solidarity in combating the worst crimes, and would also be an important demonstration to the international community of Nepal's break from a past marred by violence and impunity. Furthermore, it would give Nepal a stake in the development of an international system of criminal justice already embraced by the majority of states through participation in the Assembly of States Parties or representation on the bench of judges. We hope that this prospect can soon become a reality.

Respectfully yours,



Jelena Pia-Comella  
Deputy Executive Director



Amielle Del Rosario  
Asia-Pacific Regional Coordinator

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