

His Excellency Mr. Faure Gnassingbé

President

Republic of Togo

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New York/Benin – 6 February 2012

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 over 2500 member NGOs in 150 countries, campaigning for a fair, effective, and independent Court and increased access to justice for victims of crimes against humanity, genocide and war crimes. On this occasion, we respectfully urge you to ensure Togo's accession to the Rome Statute of the ICC as soon as possible.

The Rome Statute came into force in July 2002 and now has the support of well over half of the world's nations. 120 states are parties to the treaty, including 33 African states, with Cape Verde being the most recent African state to embrace the Statute in October 2011. The new system of international justice, of which the International Criminal Court is a cornerstone, aims to ensure that the most serious international crimes no longer go unpunished. The Court's cases in Central African Republic, Cote d'Ivoire, the Democratic Republic of Congo, Kenya, Sudan, and Uganda signify that it is moving forward in its crucial work to end impunity for genocide, crimes against humanity and war crimes. Togo's support for this new and vital system of international justice by acceding to the Rome Statute is crucial to building, strengthening, and ensuring the success of this new justice system is therefore of the utmost importance..

The ICC's jurisdiction is not retroactive. For states that had ratified the RS by its entry into force, the jurisdiction began on July 1, 2002. For Togo, the Court's jurisdiction would begin after Togo's accession. The ICC was created to complement existing national judicial systems and can only investigate cases when a country is unable or unwilling to investigate or prosecute suspects in its national courts.

The Coalition recognizes and appreciates the efforts put forth by your government in engaging with the ICC, namely through its participation in several sessions of the Assembly of States Parties of the ICC, and in particular attending and contributing to debates and sessions at the first Review Conference of the Rome Statute, held in Kampala, Uganda, from 31 May to 11 June 2010. The Review Conference generated substantial momentum in the global fight against impunity. We respectfully request your government to match the attendance and contributions of its officials at the Review Conference with concrete action, by acceding to and implementing the Rome Statute.

Excellency, by acceding to the Rome Statute, you would further demonstrate Togo's democratic credentials and attest to its commitment to the rule of law, justice, and peace. In this spirit, we kindly appeal to Your Excellency to prioritize Togo's accession efforts this year in order to ensure that Togo's progression toward acceding to the Rome Statute and embracing this justice system bears fruit.

The Coalition is able and willing to assist with the technical and legal issues surrounding accession, as well as the development of appropriate cooperation and complementarity legislation.

We urge your Excellency to use your good offices to ensure that an accession bill is developed without delay. This crucial step will allow Togo to continue its path toward becoming a state party to the Rome Statute and a leader in ending impunity for grave crimes. We strongly encourage Togo to take this opportunity to formally accede to the Rome Statute this year, and by doing so express its ongoing support for justice and human rights.

Sincerely,



Brigitte Suhr
Director of Regional Programs
Coalition for the International Criminal Court



Francis Dako
Africa Regional Coordinator
Coalition for the International Criminal Court

CC:

H.E. Mr. Gilbert Houngbo, Prime Minister
H.E. Mr. Tchitchao Tchalim, Minister of Justice
H.E. Mr. Elliot Ohin, Minister of Foreign Affairs and Cooperation
H.E. Mr. Kodjo Menan, Permanent Representative to the United Nations