

Speech by the African Network on International Criminal Justice at the ASP18

Mr. President, Your Excellencies,

I speak on behalf of the African Network on International Criminal Justice which comprises of national coalitions on ICC and civil society organizations working to fight impunity for international crimes across Africa.

We fully support all effort of the ASP under your leadership to strengthen the Rome Statute system, and to protect the integrity and independence of the court. We welcome the process of review of the ICC, and pledge the support of civil society organizations in Africa to the process.

Mr. President, just last week, our network held a conference in Addis Ababa on the future of international criminal justice in Africa. It was attended by government officials, civil society and victims' communities. We are pleased to report that there have been constructive alliances and commitment across the African continent in support of the ICC and the Rome Statute system. The ASP should therefore take advantage of the improving situation to engage African states who are yet to ratify the Rome statute to do so, and we are committed as civil society to support these efforts.

Mr. President, we want to bring to your attention the deplorable situation of impunity that have continued in Sudan, especially in Darfur. July 2019 marked nine years since the ICC issued the second arrest warrants for former President of Republic of Sudan, Omar al-Bashir and three other Sudanese officials for the crimes of genocide, and it marked ten years since the first arrest warrants for war crimes and crimes against humanity were issued. Al-Bashir and co-accused stand accused of the most heinous offenses – genocide, war crimes, and crimes against humanity – all of which he orchestrated against the indigenous African tribes of Darfur. Although he has been removed from power after thirty years of bloody rule, he has yet to be tried for these atrocity crimes.

In the past, some governments refused to cooperate with the enforcement of the ICC arrest warrants, claiming that the ICC could not arrest a sitting head of state. Now that al-Bashir is no longer president, there has never been a better time than now to pursue the long-awaited justice for the genocide victims in Darfur.

The people of Sudan continue till today to face genocide and crimes against humanity. Since December 2018 when citizens protests started, several hundreds of people have been killed by the state and millions displaced. Even after al-Bashir's removal on April 11, 2019, his totalitarian influence is still very much present in Sudan. These incidents emphasize the grave consequences caused by impunity. The current military rulers of the interim government believe that they can use the same tactics of violence to solidify their own power in Sudan. If Bashir escapes justice, the rulers of the interim government believe that they are likely to escape justice as well. After 30 years of the al-Bashir bloody regime, the justice institutions are too weak and unprepared to give justice to the victims of the grave crimes committed by that regime.

Mr. President, we urgently urge all ASP members, individually and collectively, to put pressure on the interim government in Sudan to surrender al-Bashir and all indicted persons to the ICC to face justice for charge they were indicted. Millions of victims of violations committed by al-Bashir regime in Darfur and many parts are still crying for justice.

Mr. President, the African Network of International Criminal Justice welcomes the effort of various organs of the Rome Statute system to improve the speed and quality of justice delivery in the court. We urge the ASP to very address the unduly long period of time it takes to conclude preliminary examinations, investigations and prosecution. Your Excellencies, the ASP should consider the prospects of encouraging the elaboration of policies on time frames in the work on ICC in a way that would not interfere with the independence and integrity of the court and its organs.

Finally, we urge African state parties to improve on their bilateral cooperation with the court so as to strengthen the entire Rome Statute system, and also focus on positive complementarity. We urge African governments to take serious steps to improve their national justice systems to be able to domestically investigate and prosecute atrocity crimes. The ICC is only a court of last resort. Our governments must commit to giving our people justice and bringing criminal to justice.

Thank you.