

11 November 2016

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Excellency,

I am writing to you and your government on behalf of the *Coalition for the International Criminal Court*, a global network of over 2,500 non-governmental and civil society groups, to ask you to demonstrate the highest political commitment to the *Rome Statute and the International Criminal Court* at the 15th Assembly of States Parties session taking place from 16 to 24 November 2016 in The Hague, The Netherlands, as well as in all relevant upcoming intergovernmental forums.

Recognizing the serious threats and challenges confronting the International Criminal Court, we believe it is crucial that high-level officials representing the regions and major legal systems of the 124 States Parties at the upcoming ASP session affirm that:

- **The International Criminal Court and engagement in the Rome Statute system are essential means of promoting respect for international humanitarian law and human rights**, thus contributing to sustainable peace in accordance with the purposes and principles of the Charter of the United Nations through freedom, security, justice, and the rule of law, as well as through the prevention of armed conflict, the preservation of peace, and the advancement of post-conflict peace-building and reconciliation;
- **Justice and peace are complementary and mutually reinforcing**, and the Rome Statute system provides a model framework for that inclusive peace process, which must incorporate – in addition to the protection of future victims through the stabilization of conflict situations – justice and accountability for existing victims of atrocities through fair and effective investigations and proceedings;
- **Each government has a responsibility to protect its population from genocide, war crimes, and crimes against humanity**, recognizing that the conscience of humanity continues to be deeply shocked by unimaginable atrocities in various parts of the world. There is an urgent need to both end and deter these most serious crimes of concern to the international community, and to eradicate impunity for the perpetrators of these crimes; and,
- **The Court plays a central role in peace-building processes** as the only permanent international criminal court within an evolving system of international criminal justice, not least through the Court's contribution to guaranteeing lasting respect for, and the enforcement of, international justice.

Excellency, reaffirming your government's support for the four points above is an excellent means of aligning yourself with the principles enshrined in the introductory paragraphs of the annual overall policy resolution on "*Strengthening the International Criminal Court and the Assembly of States Parties*".

For this 15th Assembly of States Parties session, and throughout the coming year, we strongly urge you and your government to push back against the troubling international human rights trends identified by

the United Nations High Commissioner for Human Rights, Prince Zeid Ra'ad Zeid al-Hussein, in an interview with the Coalition last week:¹

"The current era is one of striking paradoxes. At the same time, we have landmark agreements which can potentially transform the human rights of millions of people, including the 2030 Agenda, which offers enormous hope for good. And yet in every region, we are seeing national political leaders veering away from cooperative solutions and digging deeper into isolation and scapegoating. I agree that we are seeing an acceleration of distinct events which are driven by fear, and that they feed into a broader tide of deepening hostility. In the context of this kind of disarray, some people will look for scapegoats, instead of addressing the real problems, which stem notably from long-term deficits of democratic governance, essential freedom and social dialogue. Rather than serve their communities and countries, honour the rights of the people, allay their fears and build better systems, some political leaders clearly feel it is easier to stoke the mob with a fabricated vision of enemies, preferably vulnerable and powerless ones. So yes, I agree that the analogy with the 1930s in Europe may be apt.

This trend of hostility, growing violence and an isolationist mindset profoundly undermines multilateral institutions and action. It contributes to a crisis of legitimacy for many of the international institutions built by States over the past 70 years. Most recently, we have seen three countries announce their intention to withdraw from the Rome Statute. This is clearly driven by complex political agendas, but one factor, I think, is this urge to blame others – outsiders – for various social problems. It is a deeply worrying development."

Excellency, as we celebrate the Coalition for the ICC's 20th anniversary of fighting for the 'Never Again Court', which continues to take shape in the form of the ICC, the Coalition is encouraging you and your government to consider using the occasion of your government's General Debate statement and broader participation at the 15th Assembly of States Parties to make a number of supportive declarations on pressing issues facing the Rome Statute system.

Please find attached to this letter a list of key recommendations and comments to serve as suggested topics to this end.

If you have any questions, please contact me at pace@coalitionfortheicc.org.

Sincerely,



William R. Pace
Convenor
Coalition for the ICC

¹ <http://www.coalitionfortheicc.org/news/20161104/un-human-rights-chief-victims-every-region-need-more-icc-not-less>