

JOINT NGO STATEMENT ON COOPERATION OF STATES PARTIES TO THE ROME STATUTE OF THE INTERNATIONAL CRIMINAL COURT

On behalf of 28 organizations, we urge states parties to make visible political support for the court and its staff, and to reaffirm commitment to provide the cooperation necessary for the court to succeed, particularly when its mandate is challenged or politically contentious.

Political opposition is a consequence for implementing the Rome Statute independently and impartially. The Court, States and organisations have also been threatened with sanctions and other measures if the Court investigates crimes committed by nationals of the U.S. or its allies. The Prosecutor of the Court is currently subject to punitive measures simply for seeking to scrutinize US conduct in the situation of Afghanistan. Our organisations are deeply disturbed that political bullying and power games might prevail over the global rule of law, and that victims might be deprived of access to justice.

Holding those most responsible for atrocities to account is no easy task. This is all the more so when the Court investigates situations of ongoing conflict and in the face of non-cooperation. But the Court that States created more than twenty years ago is not one that depends on impossible guarantees of State cooperation. The Statute envisioned a Court backed by States Parties and the Assembly in tackling non-cooperation and responding to threats that may hinder its mandate. The answer to cooperation challenges should never be to retreat from this vision. Instead states parties should renew their commitment to overcome cooperation challenges and to provide necessary resources. This is necessary to the legitimacy of the ICC as an independent court of last resort.

Our organizations welcome discussions in this Assembly on state cooperation. As the court, states parties, and other stakeholders move forward with the review process, we urge heightened attention to these essential issues. States parties should use creative and effective approaches to address non-cooperation, heighten practical cooperation, voice clear support to the court, and respond more robustly to measures against court officials or others, including human rights defenders, who are the lifeblood of international justice. We look to states parties to defend the role of the court as an essential part of the global rule-of-law for the protection of human rights.

1. Afghanistan Transitional Justice Coordination Group
2. African Network for International Criminal Justice
3. Al Haq
4. Arzaga Organization for Rural Development
5. Burundi Coalition for the ICC
6. Central African Republic Coalition for the ICC
7. Carrefour Juridique Culturel (CAJUC)
8. Comisión Mexicana de Defensa y Promoción de los Derechos Humanos
9. Cote d'Ivoire Coalition for the ICC
10. Central African Republic Victims Association (AVED)
11. Coalition des ONG pour la Démocratie et la Justice en Afrique (CODJA)
12. Coalition Nationale pour la CPI de la République Démocratique du Congo (CN-CPI /RDC)
13. Fondation Congolaise pour la Promotion des Droits humains et la Paix (FOCDP)
14. Collectif des ONG pour la Promotion de la Justice (COPJ)
15. Democratic Republic of Congo Coalition for the ICC
16. Georgian Coalition for the ICC
17. Human Rights Center (Georgia)
18. Human Rights Watch
19. International Federation of Human Rights
20. Lawyers for Justice in Libya

21. Ligue pour la Promotion et le Développement Intégral de la Femme et de l'Enfant (LIPRODIFE)
22. Mali Coalition for the ICC (MCICC)
23. Nigerian Coalition for the ICC
24. No Peace Without Justice
25. Philippines Coalition for the ICC
26. Synergie de Plaidoyer pour l'Afrique (SYPLA)
27. Ukrainian Legal Advisory Group (ULAG)
28. United Nations Association of Sweden
29. Women's Initiatives for Gender Justice