



**Hicham Cherkaoui**

**Chairman of the Moroccan Centre for Peace and Law  
Regional coordinator of the African Network for  
International Criminal Justice, North Africa.  
ion of the Assembly of States Parties to the Rome Statute, December 2020**

In commemoration of the 22<sup>th</sup> anniversary of the establishment of the Rome Statute of the International Criminal Court, I, the president of the Moroccan Centre for Peace and Justice and the regional coordinator of the African Network for International Criminal justice in North Africa, would like to express my respect to all human rights defenders who are at the front lines to advocate the principle of fighting against impunity.

Morocco is one of the countries that signed Rome Statute in September 2000 and as a consequence it took legal and constitutional measures. First of these are the recommendations of the Equity and Reconciliation Commission. The recommendations state the need to ratify the ICC as a guarantee to prevent the recurrence of human rights violations. Moreover, the 2011 constitution clearly includes laws criminalizing war crimes, crimes against humanity and crimes of genocide. These crimes were also included in the penal law project. Despite these positive measures, we should point that there is an absence of a political will on the part of the Moroccan government to join the global community in its fight against impunity.

Dear chairman,

Despite twenty two years after the establishment of the International Criminal Court, serious human rights violations are still ongoing in many Arab countries particularly in Palestine, Syria, Yemen, Libya and Iraq. We strongly denounce these violations as well as the passive stance taken by the international community. People of these countries deserve justice, dignity and freedom from oppression and self-determination. On this occasion, I would like to point the positive role the International Criminal Court played during the Arab Spring. It was a powerful legal instrument in deterring war crimes, crimes against humanity and crimes of genocide.

As I have already said, after twenty two years, serious human rights violations are still ongoing. These violations are committed because balance of power interferes with the work of the international justice and the sovereignty of other states. Sometimes crimes occur under the pretext of diplomatic immunity, and the perpetrators get away with their crimes by obliterating all evidence. Speaking of diplomatic immunity, we would like to call on the United Nations secretary general to launch roundtables and workshops with a view to amending the 1963 international convention on consular relations and diplomatic immunity which, hopefully, should be in conformity with the article 27 of the Rome Statute.

Dear chairman

The world has become a safe haven for perpetrators because power imbalance and economic interests prevail over all human accumulations in the field of civil and political rights. We still believe that peace and justice are inextricably linked, and that the international community cannot live in permanent peace as long as there is oppression. Our experience has taught us that in the absence of justice, the security approach alone is inadequate in stopping anger and hatred.

Finally, I appreciate the great work that the ICC mechanisms do despite the challenges it faces.