

ASP 2015

STRENGTHENING AFRICA'S COMMITMENT TO THE ICC

SPEECH BY NIGERIAN COALITION ON THE INTERNATIONAL CRIMINAL COURT (NCICC) AT THE GENERAL DEBATE AT THE 15TH SESSION OF THE ASSEMBLY OF STATE PARTIES TO ROME STATUT OF THE INTERNATONAL CRIMINAL COURT

The Nigerian Coalition on the International Criminal Court (NCICC), comprising 235 NGOs and international justice practitioners based in Nigeria, welcomes all the positive remarks made at this 15th ASP by State Parties in support of the ICC, despite the political and diplomatic challenges the institution is currently facing.

We particularly associate with the strong statement of commitment by the Nigerian delegation and by delegations of many other African governments. We reiterate that several millions of victims of atrocity crimes in Africa and everywhere are crying for justice, and the ICC remains their very last hope. So the commitment of African governments to the ICC is a commitment to its people, a commitment to the victims of wars and terrorism in Africa, and a commitment to the victims of gross violations of human rights and serious violations of humanitarian laws.

The ICC cannot handle all the cases or bring justice to all victims. It is the primary responsibility of the States to ensure they do so. We condemn the lack of political will by many African governments to investigate and prosecute perpetrators of atrocity crimes and to give redress to victims. States need to show more political will to improve their judicial system to effectively handle these crimes and support the victims to rebuild their lives. In Nigeria, after 4-5 years of opening preliminary examination by the Office of the Trial Prosecutor of the ICC, the Nigerian government has continued to make promises to investigate and prosecute those responsible for atrocity crimes committed by both sides in the north central and north east regions, including crimes committed by the terrorist groups and by members of the armed forces. Most of these promises have not been kept. Millions of victims have not been given remedy they deserve, despite recommendations in this regard by investigation panels set up by the government. At the same time, several suspects of terrorism are still in custody and are not yet tried.

As Nigeria takes leadership role in Africa on issues of international justice, we call on Nigeria government to lead by example by ensuring that all atrocity crimes in its territory are brought to justice and that the victims are given redress.

Mr. Vice President, we call on ASP to explore all legisalative, diplomatic and legal avenues to address all the concerns expressed by some African State parties on the functioning of the Court. It is not helpful to the court and to the international justice system that these concerns are not addressed in a robust manner, and in a manner that demonstrate mutual respect for all state

parties, but also within the framework of the norm of international laws. The universally accepted pillars of international criminal justice must not be compromised in this process. In this same manner, the ASP should explore all the amicable settlement mechanism of the Rome Statute system to dialogue with the State parties seeking to withdraw from the Rome Statute. Their withdrawal notice should not close the doors of negotiations.

Finally, we call on African State parties to respect their treaty obligations under the Rome Statute. They should not allow African states that are not parties to the Rome Statute to influence their resolve to cooperate with the court or discharge their obligations to the ICC.

We call on the African State parties to facilitate the opening of liaison office of the ICC at the African Union headquarter in Addis Ababa to allow for more regular communication between the ICC and the AU to help to reduce misunderstanding and misinformation, and for consideration to be given to the establishment of any other ICC presences in Africa as helpful toward achieving this objective.

We thank the President of the ASP for the opportunity given to us to address this assembly.

Chino Obiagwu

Chair, NCICC