



July 17th 2002 SPECIAL EDITION

ICC UPDATE

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JULY 17: A DAY FOR WORLDWIDE CELEBRATION

“The adoption of the Rome Statute for a permanent International Criminal Court at the diplomatic conference in Rome in July 1998 was... a truly historic moment in this process of furthering the rule of law and the fight against impunity. So today, we are at another historic milestone: Only four years after the adoption of the Statute of the [ICC] in Rome, we are celebrating its entry into force.

- *Ambassador Ellen Margrethe Loj, Permanent Representative of Denmark to the UN on behalf of the European Union (1 July 2002)*

“In recent years, East Timor has suffered its own tragic experience of the most serious crimes of concern to the international community as a whole. It has made specific provision in its new constitution to punish these crimes through its courts. Its commitment to the International Criminal Court reflects its wish not only to protect the people of East Timor from being the victims of future crimes, but also to stand in solidarity with fellow human beings throughout the world who suffer similar atrocities to those of which the people of East Timor have such painful experience.”

- *Constancio Pinto, delegate from East Timor to the 10th Preparatory Commission for the ICC (12 July 2002)*

On behalf of the Coalition for the International Criminal Court, I invite you to join in the celebration of this historic day in international justice. All who remain determined to save future generations from the scourge of war commemorate the birth of the Rome Statute of the ICC as a powerful tool within a strengthening system of international justice

mechanisms and a signal to the coming end of impunity for those who have committed the most horrific atrocities against humanity.

Those who were present in the FAO Red Room in Rome on 17 July 1998 will never forget the incredible emotion and exhilaration of the adoption of the Rome Statute by a vote of 120 to 7. At that time, no one had expected that we would have achieved our campaign goal of 60 ratifications within four years of that day. Not only have we surpassed this goal with 76 ratifications to date, we have also witnessed the entry into force of the Rome Statute on 1 July 2002. The speedy establishment of the ICC signifies the achievement of an emerging model of international law-making and a new era of diplomatic partnership between governments, inter-governmental organizations and representatives of civil society.

The nascent system of international criminal justice symbolized by the ICC represents a great victory for the protection of universal human rights, the advancement of human security, and the advancement of national legal systems. The creation of the International Criminal Court provides a mechanism to save lives, deter conflicts and diminish war in the twenty-first century.

During the 10th Preparatory Commission from 1-12 July 2002, statements were made or endorsed by over 120 countries in unanimous support of the Court. There are, however, a handful of countries that will continue their attempts to undermine this great institution. They will not succeed, and it is hoped that, ultimately, they will come to understand that the Court is a necessary mechanism to address the kinds of atrocities witnessed throughout the last century.

The recent resolution by the Security Council that would purportedly grant the Council the right to defer jurisdiction of the Court in cases involving UN peacekeepers will not weaken the Court in the long-run. In fact, the efforts made to hold peacekeeping hostage to demands for immunity from the ICC, and other attempts to undermine the Court, will only serve to weaken the moral and political credibility and leadership of those who make these inappropriate demands. The ICC will rise about these assaults and prove to be the one of the greatest instruments of peace ever created by the international community.

International law, international justice, and international peacekeeping are inextricably linked and mutually reinforcing. As the Secretary-General recently remarked, the ICC is a vital “missing link” in the international legal system. Today, on the fourth anniversary of the Rome Statute, I welcome all of you to join in the celebration of this achievement and congratulate you in your efforts to create a fair, effective and independent ICC.

William R. Pace, Convenor of the Coalition for the ICC



Student activists campaigning in Lima, Peru.

LOOKING BACK AT JULY 17TH ...

17 July 1998: Rome Treaty of the ICC is adopted by an overwhelming majority of countries (120 countries vote in favor of the Court, while 7 vote against)

17 July 1999: 3 ratifications

17 July 2000: 14 ratifications

17 July 2001: 37 ratifications

17 July 2002: 76 ratifications

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JULY 17: “WORLD DAY FOR INTERNATIONAL JUSTICE”

July 17th signifies an important day for the international community, marking the anniversary of the adoption of the Rome Statute for the ICC on 17 July 1998.

Described as a “gift of hope for future generations and an enormous advancement in the path towards respect for human rights and the rule of law” by the Secretary General of the United Nations, Kofi Annan, the ICC will bring an end to impunity for the most serious crimes of international concern. It is also hoped that it will contribute towards deterrence of such crimes and the reconciliation of communities and nations when they do occur.

Given the enormous significance of the adoption of the Rome Statute of the ICC, NGOs have declared July 17th as **World Day for International Justice**.

Two years ago, the Coalition launched a global campaign asking governments to complete their ratification processes by 17 July 2002. We have already achieved more than the required 60 ratifications, and have witnessed entry into force of the Rome Statute on 1 July 2002.

Events are taking place around the world to mark July 17th with conferences, concerts, media outreach and other activities. NGOs from every country and region have been involved in media outreach and public education activities.

In recognition of World Day for International Justice, the CICC Secretariat is launching several initiatives, including:

- **CICC July 17th web page** - This site features a list of events in celebration of World Day for International Justice.
- **Radio Public Service Announcement (PSA)** - A 45-second long radio PSA about the creation of the Court is now available in French, English and Spanish. The Coalition Secretariat, in cooperation with NGO partners, is working with public and private radio channels around the world to secure broadcast of these announcements. United Nations Radio -Latin American Bureau has agreed to incorporate the PSAs into their programming. Cassette and CDs are available for distribution. (A WITNESS (<http://www.witness.org>) and CICC production).
- **Educational Posters** - New posters have been created and will be distributed worldwide for use in special events and as a public awareness tool.

In addition to media outreach conducted from the Coalition Secretariat, the following materials are available to Coalition members for their use in media outreach (in English, French and Spanish):

- A fact sheet explaining the significance of World Day for International Justice
- A calendar providing key dates for the Court over the next twelve months
- A fact sheet explaining the significance of July 1 entry into force

COALITION MEMBERS IN EVERY REGION OF THE WORLD HAVE ORGANIZED EVENTS:

Africa: Amnesty International Benin; Angolan Coalition for the ICC; Association Panafricaine/Thomas Sankara, Congo; BAOBAB for Women's Human Rights, Nigeria; Center for Child Rights, Somalia; Genesis for Human Rights Commission, Kenya; Nigerian Coalition for the ICC, Nigeria; Togolese Coalition for the ICC (CTCPI), Togo

Americas: Amnesty International-Chile; Amnesty International USA-World Federalist Association, Chicago, USA; Honduran Coalition for the ICC; Human Rights Watch, International Justice Program, New York, USA; Mexican Coalition for the ICC; MEHR-Iran (Mission for the Establishment of Human Rights in Iran), California, USA; Network of NGOs of Trinidad and Tobago for the Advancement of Women, Trinidad and Tobago; St. Louis Coalition for the ICC, Missouri, USA; Universidad Ibero Americana - Programa de Derechos Humanos, Mexico; World Federalist Association, Washington DC, USA; World Federalists of Canada

Asia/Oceania: Asian Network for an ICC, the Bangladesh Coalition for the ICC and Ain o Salish Kendra, Bangladesh; Free Legal Aid Committee, India; Japanese Coalition for the International Criminal Court (JNICC); New Zealand Centre for Conflict Resolution; Philippine Coalition for an ICC; Campaign for ICC Pakistan

Europe: Amnesty International Germany; Committee for an Effective International Criminal Court (CoEICL), Germany; No Peace Without Justice, Italy; Fédération Internationale de Ligues des Droits de l'Homme, France

Middle East/North Africa: Arab Center for the Independence of the Judiciary and the Legal Profession (ACIJLP), Egypt; Arab Coalition for the ICC, Egypt; Egyptian Organization for Human Rights

For more information, ideas and resources, contact Joydeep Sengupta at: cicc6@iccnw.org For media inquiries, contact Adele Waugaman at: ciccmedia@iccnw.org

STATES ARE URGED TO COMPLETE RATIFICATION BY NOVEMBER 30TH

Since entry into force of the Rome Statute of the ICC on 11 April 2002, 10 more States have ratified the treaty in order to meet the deadline of 1 July 2002 which granted States Parties the right to participate with full voting rights in the first Assembly of States Parties (ASP) meeting.

Another important deadline for ratification lies ahead: **30 November 2002**. According to documents adopted at the 10th PrepCom, States that would like to nominate candidates for the elections of judges to the International Criminal Court and participate in the second or resumed ASP meeting must ratify the Statute by the 30 November 2002. States that have started the process of ratification, accession or acceptance of the Statute may nominate candidates, under the condition that such nominations shall remain provisional unless the State concerned has deposited its instrument of ratification, accession or acceptance with the Secretary-General of the United Nations on or before 30 November 2002.

For the purposes of the first election of the judges of the International Criminal Court, the nominations shall open, by a decision of the Bureau, during the first meeting of the Assembly of States Parties, to be held 3-10 September, and shall close on 30 November 2002, the deadline for ratification. Thus, States are urged to ratify before this date in order to participate fully in the nomination and election process and contribute to the selection of well-qualified and representative judges to the Court.

Assembly of State Parties

(Ratifications and accessions (a) in chronological order)

Senegal	2 February 1999	Austria	28 December 2000	Portugal	5 February 2002
Trinidad and Tobago	6 April 1999	Finland	29 December 2000	Ecuador	5 February 2002
San Marino	13 May 1999	Argentina	8 February 2001	Mauritius	5 March 2002
Italy	26 July 1999	Dominica	12 February 2001(a)	Macedonia, FYR	6 March 2002
Fiji	29 November 1999	Andorra	30 April 2001	Cyprus	7 March 2002
Ghana	20 December 1999	Paraguay	14 May 2001	Panama	21 March 2002
Norway	16 February 2000	Croatia	21 May 2001	Bosnia & Herzegovina	11 April 2002
Belize	5 April 2000	Costa Rica	7 June 2001	Bulgaria	11 April 2002
Tajikistan	5 May 2000	Antigua & Barbuda	18 June 2001	Cambodia	11 April 2002
Iceland	25 May 2000	Denmark	21 June 2001	Dem. Rep. of Congo	11 April 2002
Venezuela	7 June 2000	Sweden	28 June 2001	Ireland	11 April 2002
France	9 June 2000	Netherlands	17 July 2001	Jordan	11 April 2002
Belgium	28 June 2000	Yugoslavia	6 September 2001	Mongolia	11 April 2002
Canada	7 July 2000	Nigeria	27 September 2001	Niger	11 April 2002
Mali	16 August 2000	Liechtenstein	2 October 2001	Romania	11 April 2002
Lesotho	6 September 2000	Central African Rep.	3 October 2001	Slovakia	11 April 2002
New Zealand	7 September 2000	United Kingdom	4 October 2001	Greece	15 May 2002
Botswana	8 September 2000	Switzerland	12 October 2001	Uganda	14 June 2002
Luxembourg	8 September 2000	Peru	10 November 2001	Brazil	20 June 2002
Sierra Leone	15 September 2000	Nauru	12 November 2001	Namibia	25 June 2002
Gabon	20 September 2000	Poland	12 November 2001	Bolivia	27 June 2002
Spain	24 October 2000	Hungary	30 November 2001	Uruguay	28 June 2002
South Africa	27 November 2000	Slovenia	31 December 2001	Gambia	28 June 2002
Marshall Islands	7 December 2000	Benin	22 January 2002	Latvia	28 June 2002
Germany	11 December 2000	Estonia	30 January 2002	Australia	1 July 2002
				Honduras	1 July 2002

WHAT IS THE COALITION?

The Coalition for the International Criminal Court (CICC) is a network of over one thousand civil society organizations from around the world, working together towards a common goal: the establishment of a fair, effective and independent International Criminal Court. The Coalition has national and regional networks in Africa, Latin America, the Middle East, Asia, Europe, and North America.

As a result of the partnership between like-minded governments, international organizations and civil society, the Rome Statute has achieved the number of ratifications necessary for the ICC treaty to enter into force.

For detailed country updates, visit
www.iccnw.org

NOTE TO MEDIA

Documents on the ICC are available to inform you and the public about the ICC, including information on countries which have ratified, the process of nomination and election of judges, and recent press coverage on the ICC worldwide. Please visit the Press Room of our website:

www.iccnw.org/html/press.html

For a complete list of activities organized on July 17th as well as a media tool kit, visit:

<http://www.iccnw.org/html/July17.html>

SPECIAL FEATURE

THE ROAD TO ROME...

It has been 50 years since the United Nations first recognized the need to establish an international criminal court, to prosecute crimes such as genocide. In resolution 260 of 9 December 1948, the General Assembly, "Recognizing that at all periods of history genocide has inflicted great losses on humanity; and being convinced that, in order to liberate mankind from such an odious scourge, international co-operation is required", adopted the Convention on the Prevention and Punishment of the Crime of Genocide. Article I of that convention characterizes genocide as "a crime under international law", and article VI provides that persons charged with genocide "shall be tried by a competent tribunal of the State in the territory of which the act was committed or by such international penal tribunal as may have jurisdiction . . ." In the same resolution, the General Assembly also invited the International Law Commission "to study the desirability and possibility of establishing an international judicial organ for the trial of persons charged with genocide . . ."



*Delegates at the Rome Conference
(www.un.org/icc/photos/718au23b.jpg)*

Following the Commission's conclusion that the establishment of an international court to try persons charged with genocide or other crimes of similar gravity was both desirable and possible, the General Assembly established a committee to prepare proposals relating to the establishment of such a court. The committee prepared a draft statute in 1951 and a revised draft statute in 1953. The General Assembly, however, decided to postpone consideration of the draft statute pending the adoption of a definition of aggression.

Since that time, the question of the establishment of an international criminal court was considered periodically. In December 1989, in response to a request by Trinidad and Tobago, the General Assembly asked the International Law Commission to resume work on an international criminal court with jurisdiction to include drug trafficking. Then, in 1993, the conflict in the former Yugoslavia erupted, and war crimes, crimes against humanity and genocide -- in the guise of "ethnic cleansing" -- once again commanded international attention. In an effort to bring an end to this widespread human suffering, the UN Security Council established the ad hoc International Criminal Tribunal for the Former Yugoslavia, to hold individuals accountable for those atrocities and, by so doing, deter similar crimes in the future. A similar tribunal was established for Rwanda in 1994.

The International Law Commission successfully completed its work on the draft statute for an international criminal court and in 1994 submitted the draft statute to the General Assembly. To consider major substantive issues arising from that draft statute, the General Assembly established the Ad Hoc Committee on the Establishment of an International Criminal Court, which met twice in 1995. After the General Assembly had considered the Committee's report, it created the Preparatory Committee on the Establishment of an International Criminal Court to prepare a widely acceptable consolidated draft text for submission to a diplomatic conference. The Preparatory Committee met from 1996 to 1998 and completed the drafting of the text.

At its fifty-second session, the General Assembly decided to convene the United Nations Diplomatic Conference of Plenipotentiaries on the Establishment of an International Criminal Court, held in Rome, Italy, from 15 June to 17 July 1998, "to finalize and adopt a convention on the establishment of an international criminal court". The Rome Statute for the ICC was adopted on 17 July 1998, by a vote of 120 to 7.

(Text adapted from: <http://www.un.org/icc/overview.htm>, "Background information on the Rome Conference")

...AND TOWARD UNIVERSAL RATIFICATION

The Preparatory Commission for the ICC (PrepCom) was established by the UN General Assembly pursuant to a mandate, embodied in Resolution F, of the Rome Diplomatic Conference of Plenipotentiaries to draft the Elements of Crimes and Rules of Procedure and Evidence, and other instruments supplemental to the treaty. Three sessions were convened in both 1999 and 2000, and two sessions were held in 2001 and in 2002. The tenth and last meeting was held from 1-12 July 2002. The following issues were discussed at the final session: the budget for the first year of the Court's operation; other financial issues, including the Trust Fund for Victims; preparatory documents for the Assembly of States Parties; and the Crime of Aggression. The conclusions of these discussions were adopted by the PrepCom, and will be forwarded to the Assembly of States Parties, to convene in New York from 3-10 September 2002, for final approval.

At a special UN treaty ceremony during the 9th PrepCom of the ICC, held from 8-19 April 2002, 10 states simultaneously deposited their instruments of ratification, thus bringing the required number of ratifications over the 60 necessary to trigger entry into force. Subsequently, based on a formula embodied in the Rome Statute, the treaty entered into force on 1 July 2002. Less than four years after the adoption of the Rome Statute, 76 countries have ratified the treaty and many more states have pledged their commitment to ratify in the near future. Today, 17 July 2002, we commemorate the 4th anniversary of the historic adoption of the Rome Statute of the International Criminal Court and celebrate this historic achievement on the path to universal ratification.



"For nearly half a century -- almost as long as the United Nations has been in existence -- the General Assembly has recognized the need to establish such a court to prosecute and punish persons responsible for crimes such as genocide. Many thought . . . that the horrors of the Second World War -- the camps, the cruelty, the exterminations, the Holocaust -- could never happen again. And yet they have. In Cambodia, in Bosnia and Herzegovina, in Rwanda. Our time -- this decade even -- has shown us that man's capacity for evil knows no limits. Genocide . . . is now a word of our time, too, a heinous reality that calls for a historic response."

- **Kofi Annan, United Nations Secretary General**

The latest edition of the ICC Monitor is now available at: www.iccnnow.org.

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Coalition for the International Criminal Court

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