His Majesty, Sultan Hassanal Bolkiah
Brunei Darussalam

Your Majesty,

We have the honor of writing to you on behalf of the Coalition for the International Criminal Court (CICC), a global network of over 2500 member civil society organizations in 150 countries, campaigning for a fair, effective, and independent Court and increased access to justice for victims of crimes against humanity, genocide and war crimes. On this occasion, we respectfully urge your government to join the International Criminal Court by acceding to its founding treaty, the Rome Statute of the ICC.

To date, 121 states, almost two-thirds of the world’s nations, have joined the Court. While the Asia-Pacific region remains underrepresented in the Court, it must be noted that the most recent ratifications have been done by The Philippines, Vanuatu and Maldives. In addition, Malaysia, Tonga and Vanuatu continue to move forward in their ratification processes. Brunei Darussalam’s accession would contribute significantly in increasing ASEAN’s voice at the ICC, as well as encouraging other Asia-Pacific states to join this global movement for international justice.

As part of its 2012 Universal Ratification Campaign for the month of September, the Coalition respectfully calls on your government to heighten its accession efforts and embrace the new system of international justice enshrined in the Rome Statute, which aims to ensure an end to impunity for the most heinous international crimes. To that effect, the founding treaty of the ICC is based upon the principle of complementarity as a core principle, underlining the primary role of states in investigating and prosecuting gross human rights violations, and establishing that the ICC will only act when states are unwilling or unable to carry out said prosecutions. In addition, the principle of non-retroactivity ensures that the ICC will not investigate alleged crimes committed in a state prior to the entry into force of the Rome Statute.

The Coalition was encouraged by ICC President Sang-Hyun Song’s official visit to Brunei Darussalam in March 2011, where your government expressed strong interest in the ICC’s mandate and activities. As a state party, Brunei Darussalam would be able to actively participate in the annual Assembly of States Parties (ASP) of the ICC, during which states make important decisions in relation to the administration of the Court, including the election of judges and prosecutors. In addition to nominating Court officials, as a State Party to the Rome Statute, Brunei Darussalam can further benefit from the training of judges and prosecutors as well as other programs offered by the Court.
Your Majesty, we trust that you will consider acceding to the Rome Statute of the International Criminal Court promptly. As we celebrate the Court’s ten year anniversary, we are confident that more Asia-Pacific nations will be represented in the ICC in order to give a strong voice on behalf of the region.

Respectfully,

Brigitte Suhr
Director of Regional Programs

Evelyn Balais-Serrano
Asia-Pacific Coordinator

CC:
H.R.H. Prince Mohamed Bolkiah
Minister of Foreign Affairs and Trade

H.E. Mr. Dato Paduka Haji Mustappa bin Haji Sirat
Deputy Minister of Defense

H.E. Mr. Yang Berhormat, Datin Seri Paduka Hajah Hayati Binti POKSDSP Hj Mohd Salleh
Attorney General

H.E. Amb. Emran Bahar
Permanent Representative of Brunei Darussalam to the United Nations