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Global Coalition Welcomes Indications that Nepal may soon accede to the ICC Treaty

House of Representatives and Minister K.P. Sharma Oli endorse accession to the Rome Statute

(New York, 2 August 2006) – The Coalition for the International Criminal Court (CICC) – an international network of more than 2,000 non-governmental and civil society organizations that support the International Criminal Court (ICC) – has today called on Nepal to accede to the ICC treaty in order to demonstrate its commitment to the rule of law, the fight against impunity, and the ongoing peace process. In a letter sent to the Nepalese Prime Minister, His Excellency Mr. Girija Prasad Koirala, the CICC welcomed positive developments on the ICC made in the Nepalese House of Representatives as well as a recent statement made by Deputy Prime Minister and Foreign Minister K.P. Sharma Oli affirming that Nepal will take necessary measures to ratify the Rome Statute very soon. The ICC stands as the world's first permanent global criminal court and is mandated to investigate war crimes, crimes against humanity and genocide.

In light of the many significant changes taking place in Nepal including the official reinstatement of Parliament, the growing dialogue between the Nepal Communist Party and the Government of Nepal, and the desire to work toward ensuring a robust and inclusive peace process, Nepal's accession to the ICC treaty would further strengthen the country's steps towards establishing an inclusive and participatory transition to democracy.

On 24 July 2006, the Nepalese House of Representatives unanimously endorsed a proposal to accede to the Rome Statute of International Criminal Court. This proposal is expected to go to the Cabinet, where the CICC hopes it will be promptly approved so that ICC accession can move forward. In addition to recognizing the importance of these steps for Nepal, the Coalition also expressed optimism about Minister Oli's statements at the 59th Anniversary of the Nepal Council of World Affairs in June, in which he declared that "the Nepalese government will leave no stone unturned to reestablish Nepal's image as a human rights champion country." The CICC hopes this sentiment will translate into an effective and committed endorsement by the government of human rights norms and instruments, including, accession to the ICC Treaty.

To date, Asia remains poorly represented at the Court, with only Cambodia, Timor L'este, the Republic of Korea, Mongolia, Afghanistan and Tajikistan representing the Asian States Parties to the ICC. While Thailand, the Philippines and Bangladesh have already signed the Rome Statute, they have yet to ratify. Other states in the region are moving toward accession, but Nepal could be the first Asian ICC State Party since 2003.

Commenting on national hopes for Nepal's accession, Evelyn Serrano, Asia Coordinator for the CICC, said, "The Nepalese political process has been severely tested over the past few years. Recent signs of democratization would be bolstered by Nepal's joining the International Criminal Court. Even if the ICC never takes up a case in Asia, increased participation by the region is important as a sign to its citizens that they benefit from the deterrent effect of the Court's potential to investigate serious international crimes in Asia."

The Court is currently investigating cases in Darfur, Sudan; the Democratic Republic of Congo (DRC); and Uganda. The Court unsealed its first arrest warrants for five top leaders of the Ugandan Lord's Resistance Army (LRA) on 13 October 2005. On 17 March 2006, the ICC unsealed its arrest warrant for Thomas Lubanga Dyila, leader of the political and military movement, the Union of Congolese Patriots (UPC) and also announced that Mr. Lubanga had been arrested and transferred to The Hague. Mr. Lubanga is alleged to have been involved in forcefully enlisting and conscripting children under the age of 15 and using them to participate actively in hostilities in the DRC.

At the end of October 2005, Mexico's ratification of the ICC treaty brought the total number of ICC States Parties to an historic 100. Each month, CICC members select a country on which to focus ICC ratification and accession efforts. Some recent examples of ICC ratification and accession successes include Kenya's ratification of the ICC treaty just three months after the CICC's January 2005 ratification campaign on Kenya and the Dominican Republic's May 2005 ratification following the CICC's December 2004 campaign on the Dominican Republic.

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Notes for Editors:

1. The Nepal ICC Campaign is online at: <http://www.iccnw.org/?mod=urc0806>
- 2.. The ICC is *not* an organ of the United Nations but is an independent body and was established in The Hague, the Netherlands on 1 July 2002 when its treaty entered into force. The ICC does not have jurisdiction over any crimes prior to that date.
3. The ICC's geographic jurisdiction extends over the territories and nationals of the 100 countries that have ratified or acceded to its treaty. The Court may also have jurisdiction in situations referred by the UN Security Council. In accordance with the court's "complementarity" principle, however, the ICC will only act when national courts have been unable or unwilling to do so.
4. The CICC is *not* an organ of the Court but rather an independent NGO network of more than 2,000 civil society organizations working to promote a fair, effective and independent ICC. The CICC was established in February 1995 and has offices in New York City and The Hague as well as seven regional offices around the world. For more information: www.iccnw.org