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Africa: Governments must reaffirm commitment to International Criminal Court

Amnesty International today urged African government representatives meeting in Addis Ababa, Ethiopia to reaffirm their support for the International Criminal Court (ICC).

In a memorandum published this week, *The International Criminal Court: The Contribution Africa Can Make to the Review Conference*, the organization called on African governments to clearly state they would prevent any officials accused of genocide, crimes against humanity or war crimes from seeking safe haven in their countries.

“Only justice can lay a firm foundation for lasting peace,” said Kolawole Olaniyan, Africa Legal Adviser at Amnesty International.

“More than a decade ago, African states were amongst the strongest supporters of the proposal to establish a permanent international criminal court that would be able to investigate and prosecute those responsible for some of the worst crimes in the world – they must renew this commitment, as the survival of the ICC as an effective international body depends on this,” said Kolawole Olaniyan.

“African victims of genocide, crimes against humanity and war crimes are some of the chief beneficiaries of the ICC – the ICC must be fully supported so that it can continue its important work on their behalf.”

The call came after Sudanese President Omar al Bashir cancelled scheduled visits to South Africa, Uganda, Nigeria and Venezuela, when it became clear that he could face arrest and surrender to the ICC, particularly in light of African civil society protests to the visits.

In its memorandum, Amnesty International urged African states to strongly defend the provisions of the ICC that exclude any claimed immunity for state officials – regardless of rank, including heads of state – from prosecution for genocide, crimes against humanity and war crimes.

“Every single legal instrument adopted since the Second World War by the international community has rejected immunity from prosecution for any government official charged with genocide, crimes against humanity and war crimes,” said Kolawole Olaniyan.

“In fact, every international court to consider the question of immunity since the establishment of the ICC has concluded that heads of state cannot successfully assert any purported immunity from prosecution for genocide, crimes against humanity or war crimes.”

Amnesty International said that to ensure the ICC is an effective complement to national courts, it must be

able to exercise its jurisdiction without political interference.

“With the exception of Darfur, all situations under investigation by the ICC were referred to the Prosecutor by African states themselves – the Central African Republic, the Democratic Republic of the Congo and Uganda,” said Kolawole Olaniyan.

The organization also urged African governments to evaluate carefully the positive and negative aspects of establishing a regional criminal court, as suggested by the African Union in an Assembly meeting in July 2009, especially its costs.

Notes to editors:

The meeting currently taking place in Addis Ababa, Ethiopia is a preparatory meeting for Review Conference, scheduled to take place on 31 May – 11 June in Kampala, Uganda.

To see a full copy of the memorandum *The International Criminal Court: The Contribution Africa Can Make to the Review Conference*, please click [here](#).