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Tunisia joins International Criminal Court

Tunisia took an important step towards strengthening fundamental human rights today by joining the International Criminal Court (ICC).

At a ceremony at the UN in New York, Tunisia became the 116th state party to the Rome Statute, which set up the ICC to investigate and prosecute cases of genocide, war crimes and crimes against humanity worldwide.

The Tunisian government has said it also intends to ratify or adhere to several other key human rights treaties.

“This kind of government action gives substance to the courageous actions of ordinary Tunisians who took to the streets to demand an end to abuses and the building of a fundamentally fair and just society,” said Salil Shetty, Secretary General of Amnesty International, who is currently in Cairo.

“All countries in the region should follow Tunisia’s example by embracing the international legal framework to protect human rights and prevent injustice.”

The ICC relies on full cooperation from governments to carry out their own investigations into the most serious crimes under international law. The Court can only step in when national authorities are genuinely unable or unwilling to investigate these crimes.

“The Tunisian government must now give civil society a role in drafting strong national laws that assist in the investigation and prosecution of the most serious crimes,” said Salil Shetty.

“Tunisia now has a strong framework for reforming its domestic criminal justice system, which will benefit everyone in Tunisia.”

The Tunisian government has announced it has also taken steps to join other key human rights treaties. These include:

The Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, which aims to prevent torture and ill-treatment by allowing regular inspection of places of detention.

The First Optional Protocol to the International Covenant on Civil and Political Rights, which allows individual complaints to be made to the UN Human Rights Committee.

The International Convention for the Protection of all Persons from Enforced Disappearance, which bans the practice of detaining individuals clandestinely, outside the protection of the law.

Amnesty International urged Tunisia to also commit to abolishing the death penalty and to withdraw

reservations that block its full implementation of treaties aimed at ending discrimination against women and promoting children's rights.

Background

Jordan is the only other state party to the Rome Statute in the Middle East and North Africa, however 10 countries in the region have signed but not ratified the treaty (Algeria, Bahrain, Egypt, Iran, Kuwait, Morocco, Oman, Syria, United Arab Emirates and Yemen).

Tunisia acceded to the Agreement on Privileges and Immunities of the International Criminal Court at the same time it acceded to the Rome Statute. The agreement grants certain immunities to ICC staff and officials to allow them to perform their duties effectively.