



Civil Resource Development and Documentation Centre (CIRDDOC) Nigeria

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April 5, 2010

Alhaji Mohammed Adoke
Honourable Attorney General and Minister for Justice
Federal Republic of Nigeria
Abuja, FCT.

Your Excellency,

The Review Conference of the International Criminal Court (ICC) Rome Statute

The Civil Resource Development and Documentation Centre, (CIRDDOC) Nigeria, is an independent, non-governmental and not-for-profit organisation established in 1996 for the promotion of human rights, women's rights, good governance, rule of law and gender equity through the strengthening of civil society and the promotion of access to justice. Our vision is a world, in which human rights are guaranteed, promoted and enforced on the basis of equality and non-discrimination. CIRDDOC Nigeria is a member of the Steering Committee of the Coalition for the International Criminal Court (CICC) and Nigeria Coalition for the International Criminal Court (NCICC).

We write to urge the federal government to seize the opportunity presented by the upcoming review conference of the International Criminal Court (ICC) Rome Statute to advance the fight against impunity in Africa.

The ICC's review conference – which will take place in Kampala from May 31 to June 11 – represents an unparalleled gathering of states, meeting on the continent, to discuss international criminal justice. The conference will thus provide a unique and timely occasion for African governments to express their views on the importance of the ICC when national courts are unable or unwilling to prosecute genocide, war crimes and

crimes against humanity, and to promote a fair, effective ICC. Securing justice for victims of such crimes limits impunity and in so doing may contribute to preventing new conflicts or the escalation of existing conflicts.

The primary focus of the review conference is to consider a limited number of amendments to the Rome Statute, and a large part of the conference will be devoted to negotiations on the crime of aggression under the statute. However, a “general debate” and “stocktaking” of the Rome Statute system will also form an integral part of the conference. Notably, stocktaking will be organized around four topics that have real significance for Africa: the impact of the Rome Statute system on victims and affected communities, state cooperation, complementarity, and peace and justice.

Robust positive engagement by African governments in the review conference will send the message that African governments prioritize justice for victims and will promote an accurate understanding of African views on the ICC. We therefore encourage the federal government to be represented at the ministerial level, especially at the start of the conference, and to actively intervene in the stocktaking exercise.

Many African ICC states parties have already had relevant practice with stocktaking topics such as in cooperating with ICC requests or adopting implementing legislation. African states can thus promote effective development of the ICC and justice for atrocities more generally by sharing experiences from the continent during the stocktaking exercise.

The African Union has recently called upon African States Parties to “attend and effectively participate in the [Review] Conference” (para. 12 of the Decision on the Report of the Second Meeting of States Parties to the Rome Statute on the ICC, Assembly/AU/Dec.270(XIV)). Participation of this nature will require preparation in capitals long before the review conference, and we thus encourage the Nigeria foreign affairs and justice ministries to begin to develop our country’s interventions in each of the stocktaking topics as soon as possible, including through active consultation with civil society.

Finally, a ministerial-level declaration on the review conference, which could be adopted at the conclusion of the general debate in Kampala, would ensure a positive outcome to the review conference. Such a declaration could be aimed at expressing support for the

ICC and its mandate in broad terms. We urge you to contribute to and support such a ministerial declaration in demonstration of your commitment to fight impunity in Africa and ensure justice for victims of genocide, crimes against humanity, and war crimes.

The ICC's review conference is approaching quickly and the opportunities that this event presents for Africa must be seized. We urge the federal government to fully take advantage of the conference by implementing the recommendations discussed above in order to promote justice for victims and a fair, effective ICC. Thank you and God bless.

Best Compliments

CIRDDOC Nigeria

A handwritten signature in blue ink, appearing to read 'Oby Nwankwo', is centered within a light gray rectangular box.

Oby Nwankwo (Mrs.)

Executive Director