



Celebration of the International Day of International Criminal Justice

17 July 2023

Statement of the African Francophone Coalitions for the International Criminal Court

Abidjan, Bangui, Bamako, Bujumbura, Conakry, Kinshasa, N'Djamena, Ouagadougou, Rabat.

On 17 July 1998, the Statute of the International Criminal Court (ICC) was adopted in Rome. To mark this founding anniversary, the 17th was declared "International Justice Day" and is commemorated by the States parties to the Rome Treaty.

BACKGROUND : Contemporary human history, particularly that of the 20th century, has been marked by numerous atrocities that have plunged the entire human community into mourning. The creation of an international criminal court was a reaction to these massacres. In so doing, the international community became aware of the need to set up a judicial body to defend and implement the fundamental demands of humanity. The benefits of such justice are threefold: **exemplary punishment** of particularly odious crimes; **deterrence**, to prevent the recurrence of such tragedies; and, lastly, the **guarantee of lasting social peace** by incorporating a restorative justice dimension into trials.

The advent of this criminal court has been welcomed by all national and international human rights organisations.

CURRENT CONTEXT: From its creation to the present day, the ICC has to its credit a number of investigations, preliminary examinations, arrest warrants issued, summonses to appear issued, persons detained, cases opened, cases tried, etc...

These actions are appreciated by various organisations, which believe that the ICC is now making an enormous contribution to the fight against impunity and to the maintenance of world order through its deterrent effect. Despite this progress, the court still faces a controversial perception.



However, the African Francophone Coalitions for the ICC welcome the recent achievements of international justice with the various trials taking place at the ICC. They reiterate their support for the existence and actions of the ICC throughout the world in general and in Africa in particular. For the African Francophone Coalitions for the ICC, the impunity of the past is the root cause of the recent violence in our countries. Any action to shed light on the circumstances in which abuses were committed and to identify those responsible for their repression should be promoted and encouraged. For this reason, the African Francophone Coalitions encourage the ICC to pursue its actions, especially by striving to be as independent and impartial as possible.

Furthermore, to dispel the apprehensions of the most sceptical, *the ICC will have to step up its awareness-raising campaigns and create a permanent framework for more effective communication with States. Similarly, the Court will have to review its investigation strategy in certain cases on the African continent, where its credibility is at stake.*

The African Francophone Coalitions are urging African states not to withdraw from the ICC, as some leaders have suggested. Of course, the ICC as it currently operates needs to be perfected. But it is together that States can improve it. It is clear that it is by staying that the African states will be able to offer constructive criticism. The panel of experts set up to reform the Rome Statute is an important step towards improving the ICC. But, *we believe that these reforms must go further if the Court is to be effective, efficient, independent and impartial.*

It should also be noted that when prosecutions fail, the harm suffered by victims remains. The Fund's assistance activities can offer rehabilitation and this means that its assistance mandate is essentially restorative. This important instrument must therefore be strengthened.

In any event, *the ICC must learn the lessons of the past.* It must be seen to provide justice for all, and as such **deserves the maintenance and support of all.**

This must be the case insofar as the rejection of impunity appears to be a criterion of good governance.



For the African Francophone Coalitions for the ICC

The Coordinator

Mr. Ali OUATTARA

Member organisations

1. The Burundian Coalition for the ICC
2. The Central African Coalition for the ICC
3. The Chadian Coalition for the ICC
4. The Guinean Coalition for the ICC
5. The Ivorian Coalition for the ICC
6. The Malian Coalition for the ICC
7. The Moroccan Coalition for the ICC
8. Nurukyor Association for Peace and Human Rights (Burkina Faso)
9. Club des amis du droit du Congo (DRC)
10. Bureau d'études et de réflexions pour le bien être des communautés (DRC)