

New York, 28 April 2020

Your Excellency,

We, the undersigned organizations, call on your State and all States Parties to the Rome Statute to show support for the Rome Statute system and the International Criminal Court (ICC), especially in the face of threats to its independence and mandate. Although threats to the pursuit of international justice, including in the context of the ICC, are not new, protecting the ICC is particularly important today in the face of escalating hostility towards the Court.

The ICC's crucial role in *complementing* the primary role of national courts cannot be overstated. We acknowledge that the ICC would benefit from changes to strengthen its performance, but ensuring a fair, effective, and independent Court depends on support from States Parties. We welcome the reaffirmation of ICC States Parties to "uphold and defend the principles and values enshrined in the Rome Statute and to preserve its integrity undeterred by any threats against the Court." We urge States Parties to uphold the Rome Statute system by making strong, concrete expressions of support and to defend it by unequivocally condemning threats. The challenges faced by the Court require nothing less.

As you know, on 20 January 2020, one month after the ICC Prosecutor announced that the situation in Palestine merits investigation, Israeli Prime Minister Benjamin Netanyahu called for "sanctions against the international court, its officials, its prosecutors, everyone." On 17 March 2020, U.S. Secretary of State Michael R. Pompeo threatened to impose punitive measures against two named senior ICC staffers, other ICC staffers, and their families. His remarks came after the ICC authorized an investigation into the situation in Afghanistan. These are among the latest in a series of attacks that undermine the Court itself and intimidate its staff in order to protect political interests at the expense of international justice.

This combination of threats and the U.S. visa ban policy seeks to undermine the Court's ability to deliver justice to victims whenever States are unwilling or unable to genuinely investigate and prosecute crimes under the Rome Statute. The ICC must be free to carry out its mandate, without fear or favor, on the basis of the legal requirements delineated in the Rome Statute—not on the basis of political considerations.

As a State Party to the Rome Statute, your country has clearly committed to ending impunity for crimes within the ICC's jurisdiction, regardless of the perpetrator's nationality. Defending the Court's independence is key to fulfilling that pledge. We urge you to act with your fellow States Parties to champion the Court's mandate and independence and uphold the Rome Statute's integrity by:

1. Expressing your government's strong and continued commitment to the ICC and its prosecutorial and judicial independence in bilateral, multilateral, and public forums at the domestic, regional, and international levels;
2. Calling on the U.S. government to repeal its ICC visa ban policy and to refrain from attacking the Court, its staff, or their families in any way;
3. Calling on the Israeli government to repudiate its call for sanctions against the Court and its staff;

4. Publicly expressing your government's determination to cooperate fully with the Court across its work;
5. Calling on all relevant actors to cooperate with the investigation into the situation in Afghanistan and any possible investigation into the situation in Palestine;
6. Ratifying, if not previously done, the Agreement on the Privileges and Immunities of the International Criminal Court (APIC);
7. Domesticating, if not previously done, the Rome Statute; and
8. Signing, if not previously done, all relevant cooperation agreements with the ICC (for example, on the protection of witnesses and victims; the release of persons, including interim release; and the enforcement of sentences).

Thank you for your commitment and support for the Rome Statute system and the ICC.

Sincerely,

ACAT-Burundi

ACAT-Switzerland

Action Humaine pour le Développement Intégré au Sénégal (AHDIS)

Africa Center for International Law and Accountability

Africa Legal Aid (AFLA)

African Development and Peace Initiative

AL Ensan Center for think individual development

Al-Haq

Amman Center for Human Rights Studies

Anfal Storys Organization

Arry Organization for Human Rights

Asociación Pro Derechos Humanos de España

Association Française pour la promotion de la Compétence Universelle (AFPCU)

Australian Centre for International Justice

Avocats Sans Frontières

Bema Organization for Economic and Social Rights

Center for Civil Liberties

Center for Constitutional Rights

Center for Justice and Accountability

Civil Association Democracia Global - Movimiento por la Unión Sudamericana y el Parlamento Mundial

Civil Rights Defenders (CRD)

Coalition Ivoirienne pour la CPI

Coalition Malienne pour la CPI/CM-CPI

Comisión Mexicana de Defensa y Promoción de los Derechos Humanos

Comision por la Carta Democratica Interamericana

COMPART Foundation for Justice and Peacebuilding – Nigeria

Congo Peace Initiative

Culture pour la Paix et la Justice (CPJ)

Defence of Human Rights – Pakistan

Documenta – Center for Dealing with the Past

Dr. Denis Mukwege Foundation
EuroMed Rights
Fédération internationale pour les Droits Humains (FIDH)
Femmes et Droits Humains
Fundacion Federalista Dominicana
Fundacion Nacional para la Democracia
Global Centre for the Responsibility to Protect
Housing and Land Rights Network – Habitat International Coalition
Human Rights Center (HRIDC) - Georgia
Human Rights Center of Azerbaijan
Human Rights Center ZMINA
Human Rights Concern - Eritrea (HRCE)
Human Rights Defenders Solidarity Network Uganda
Human Rights Watch
Humanitarian Law Center – Belgrade
International Commission of Jurists - Norway
Initiatives for Peace and Human Rights (iPeace)
Institute for Environmental Security, Green Transparency and Ecological Defence Integrity
International Association of Lawyers Against Nuclear Arms
International Coalition Against Impunity-HOKOK
International Coalition for the Responsibility to Protect
International Commission of Jurists – Kenya
International Platform of Jurists for East Timor (IPJET)
Iranian Center for International Criminal Law (ICICL)
Justice International
Kenya Human Rights Commission
Kurdish Organizations Network Coalition for the International Criminal Court (KON-CICC)
Kurdistan without Genocide
La Comisión de Derechos Humanos de El Salvador (CDHES)
La Ligue Burundaise des droits de l'homme Iteka
Lawyers for Justice in Libya
Lawyers for Palestinian Human Rights
Le Center Marocain de la Paix et la Loi
Le Club des amis du droit du Congo
Le Groupe LOTUS - RDC
MADRE
Mission for Establishment of Human Rights (MEHR)
MOM Organization
Mouvement Panafricain de la Jeunesse Féminine pour la paix
National Centre for Human Rights and Development (NACFOHRD)
Norwegian Helsinki Committee
Nuba Women Organization for Development
Observatoire Centrafricain des Droits de l'Homme (OCDH)
Odhikar
Open Society Justice Initiative
Organization Against Weapons of Mass Destruction in Kurdistan

Organization of the Justice Campaign
Palestinian Centre for Human Rights (PCHR)
Parliamentarians for Global Action
REDRESS
Regional Centre for Human Rights - Ukraine
Reporters sans frontières / Reporters Without Borders (RSF)
Réseau Equitas Côte d'Ivoire (REQCI)
Rights for Peace
Rights International Spain (RIS)
Robert F. Kennedy Human Rights
SACCORD
Sahayta
Society for Threatened Peoples – Switzerland
SOS-Torture/Burundi
Southern Africa Litigation Centre (SALC)
StoptheDrugWar.org
Students for Global Democracy – Uganda
Sudanese Women Human Rights Defenders Project
Sudanese Women Rights Action
Swedish Foundation for Human Rights
The Arab Center for the Independence of the Judiciary and Legal Profession (ACIJLP)
Transitional Justice Coordination Group
Transitional Justice Working Group of Liberia
TRIAL International
Tunisian Coalition for the ICC
Union for Civil Liberty - Thailand
United Church of Christ, Justice and Witness Ministries
United Nations Association – Sweden
United Nations Association of Greater Philadelphia
Voluntary Aid Association - India
WITNESS
Women's Initiatives for Gender Justice
World Citizens Association of Australia
World Federalist Movement - Institute for Global Policy (WFM-IGP)
World Renewers Organization
World Without Genocide at Mitchell Hamline School of Law