

## **Global Coalition Urges Sri Lanka to Ratify International Criminal Court Treaty** *Ratification Would Strengthen Peace Process and Asia's Voice in the Fight Against Impunity*

**(New York, 2 August 2005)** – In a letter sent today to Sri Lanka's Minister of Foreign Affairs Lakshman Kadirgamar, the Coalition for the International Criminal Court (CICC) – an international coalition of more than 2,000 non-governmental and civil society organizations that support the International Criminal Court (ICC) – urged Sri Lanka to accede to the Rome Statute of the ICC, the treaty that created the first permanent global court capable of trying individuals accused of genocide, crimes against humanity and war crimes. In their letter, the CICC urges Sri Lanka to join its neighbors in Asia including Cambodia, East Timor, the Republic of Korea, Mongolia, Tajikistan and, most recently, Afghanistan, who are all ICC member states, in order to help strengthen Asia's voice within the Assembly of States Parties to the ICC.

On 30 June, CICC staff traveled to Colombo to meet with His Excellency Mr. H. M. G. S. Palihakkara, Honorable Foreign Secretary and Dr. A. Rohan Perera, Honorable Legal Advisor at the Sri Lankan Foreign Ministry in Colombo to discuss Sri Lanka's accession to the ICC. With only six States Parties to the ICC, Asia remains poorly represented at the Court. CICC members urged the government to realize the valuable leadership role that Sri Lanka could offer fellow Asian states including Thailand, the Philippines and Bangladesh who all signed the ICC treaty prior to 2001, but have yet to ratify it.

While Sri Lanka has faced many domestic challenges in the past decade including internal armed conflict, a fragile peace process and most recently the devastating tsunami in December 2004, it is important to note that many conflict states, including Colombia, Afghanistan and East Timor, have all joined the ICC in part to strengthen their own domestic standards of justice. In addition, the ICC treaty's non-retroactive principle is especially relevant to Sri Lanka. This principle maintains that the ICC's jurisdiction over Sri Lanka does not begin until *after* the country has acceded to the ICC treaty, unless the government opts to recognize the Court's jurisdiction to crimes committed since 1 July 2002 when the ICC treaty first entered into force.

William Pace, Executive Director of the CICC, highlighted the importance of this forward-looking principle, stating, "Accession to the ICC treaty could allow all parties in Sri Lanka's long civil war the opportunity to concentrate not on the past but on the future. Sri Lanka's accession would be a concrete positive step forward in helping to deter the worst human rights violations in the future."

Bhavani Fonseka, with the Center for Policy Alternatives in Colombo, said, "Sri Lanka's accession would not only help the whole of Asia to have a stronger voice in the decision-making processes of the ICC, it would also serve as a powerful way to promote peace domestically within Sri Lanka. Sri Lanka has a great tool for sustainable peace in the ICC treaty and acceding to it would signal that the country as a whole accepts the highest standards of human rights that the ICC treaty represents."

On 12 May 2005, the Dominican Republic's ratification of the ICC Treaty brought the total number of ICC States Parties to 99. The United Nations has expressed an interest in holding a special ceremony at the UN Secretariat building in New York in order to celebrate the symbolic 100<sup>th</sup> ratification of the ICC treaty.

Philippines-based CICC Coordinator for Asia Evelyn Balais Serrano, highlighting what Sri Lanka's ratification in 2005 could represent on the international level, said, "Now that ICC States Parties are about to reach 100 countries, we hope that Sri Lanka will consider joining the Court as soon as possible so that it can be part of this historic count. This would also allow Sri Lanka the honor of being a part of a planned ceremony at the UN to mark this momentous new benchmark number in the realm of international justice."

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### **Notes for Editors:**

1. The ICC is the world's first permanent global criminal court. The ICC was established in The Hague, the Netherlands on 1 July 2002 when its treaty entered into force. The ICC does not have jurisdiction over any crimes prior to that date.
2. The ICC's geographic jurisdiction extends over the territories and nationals of the 99 countries that have ratified or acceded to its treaty. The Court may also have jurisdiction in situations referred by the UN Security Council. In accordance with the court's "complementarity" principle, however, the ICC will only act when national courts have been unable or unwilling to do so.
3. The Court is currently investigating cases in Darfur, Sudan, the Democratic Republic of Congo and Uganda. The Court is also considering 6 other situations on 4 continents.