

ACHPR/Res.59 (XXXI) 02: RESOLUTION ON THE RATIFICATION OF THE STATUTE ON THE INTERNATIONAL CRIMINAL COURT BY OAU MEMBER STATES

The African Commission on Human and Peoples' Rights, meeting at its 31st Ordinary Session in Pretoria, South Africa, from 2nd to 16th May 2002;

RECALLING that the establishment of the International Criminal Court (ICC) represents an important development in the history of humanity and Universal jurisdiction and more specifically in the struggle against impunity for the more serious crimes as crimes of war, crimes against humanity and genocide;

RECALLING that the 60 ratifications necessary for the entry into force of the ICC Statute was reached in April 2002 and that the statute will subsequently enter into force on 1st July 2002;

NOTING WITH SATISFACTION the fact that among the 66 States who have presently ratified the ICC Statute, 14 are African countries: South Africa, Benin, Botswana, Gabon, Ghana, Lesotho, Mali, Mauritius, Niger, Nigeria, Central African Republic, Democratic Republic of Congo, Senegal, Sierra Leone ;

CAUTIOUS that for the ICC to reflect universal jurisdiction and to receive universal credibility, as many countries as possible, from all regions of the world should ratify the Rome Statute;

RECALLING that the Assembly of States Parties will meet at the beginning of September 2002 in order to adopt the final texts necessary for the functioning of the ICC and to appoint and elect the judges;

NOTING that only the States party to the Statute will have the opportunity to present candidates for the position of judges;

CONVINCED that by dealing with crimes against humanity, war crimes, crimes of aggression, crimes of genocide and by putting an end to the tradition of impunity, the International Criminal Court will enhance and contribute sensitively to the protection of Human and Peoples' Rights;

URGES OAU Member States who have not yet done so to ratify the ICC Statute without delay;

CALLS upon the States that have ratified the ICC Statute to rapidly incorporate it into their domestic legislation in order to be able to fully cooperate with the ICC and implement the principle of complementarity with their national courts;

CALLS on OAU Member States to ensure the active participation of Africans in the functioning of the International Criminal Court;