CISLAC/PANAFSTRAC DEcries au deCsis on internatiOnal crimiNaL court

At the recent concluded forum preceding the 54th Ordinary Session of the African Commission of Human and People’s Rights in Banjul, Gambia, African Union has reiterated its position to walkout en masse from the International Criminal Court (ICC).

Recalled, the ICC was established in 2002 in accordance with the Rome Statute, 1998 treaty. Today, 122 countries are party to the agreement. It is troubling that, in recent years, some have sought to undermine its work with politically motivated claims that it is unfairly targeting Africans.

Similarly, the Organization of African Unity (OAU), the AU’s predecessor organization, was founded to end the innumerable human-rights violations against Africans under the yoke of colonialism. Consequently, it becomes imperative for the AU to stand firm with the victims of human-rights violations allegedly perpetrated by their own leaders.

It noteworthy that the ongoing decision by the Union to withdrawal from ICC will would be posing a wrong signal to persistent injustice and crime against humanity against innocent civilians in Africa who bear the brunt of human-rights violations and various abuses.

CISLAC/PANASTFRAC wants to state categorically that ICC is not targeting Africa; it is fighting against impunity and providing justice to African victims. What is important to highlight is that the ICC intervenes only as a last resort court when national judiciaries are not capable or not willing to prosecute the alleged perpetrators of mass crimes. Clearly, those unjust African leaders who look for the way to escape justice after their evil deeds are most vocal for the withdrawal from the ICC.

CISLAC/PANAFSTRAC believes that this will jeopardise the rule of law in African continent. It is time for Africa to support the institutions that stand for good governance, rule of law and democracy. African states played a vital role in setting up the ICC and have an unquestionable stake producing a just, fair and effective court.

CISLAC/PANASTFRAC as an organization working on behalf of, or alongside with the victims of international crimes all over the world, every day we see the importance of ensuring access to justice for the world’s most vulnerable people. Any withdrawal from the ICC would send a wrong signal about Africa’s commitment to protect and promote human rights and reject impunity, all of which are core values underlining the establishment of AU.

CISLAC/PANASTFRAC believes that African states in particular, would want to secure innovations within global governance that look to secure accountability, or some form of redress at least, from entities like states and large transnational corporations so as to permit fairer, more equal current-day exchange. But this project goes nowhere if the first step is destroyed by those who stand to be its greatest beneficiaries—African states.

What sometimes goes unrecognized in discussions of the ICC is that it didn’t so much put in place a single court to secure accountability for the world’s worst crimes, but a system of courts – domestic and international. The central operating principle is, and should be, that the ICC can only investigate and prosecute these crimes where countries which have jurisdiction to do so are unwilling or unable – called the principle of “complementarity”.

CISLAC/PANASTFRAC insist that no one can deny that it is far better generally for trials to be held within the region where crimes were committed, rather than in some far-flung court in the Hague. For justice
to have any resonance, it must be seen to be done – particularly by the victims and perpetrators. In Africa particularly, where many states have significant rule-of-law challenges, concerted international efforts to build capacity within domestic legal systems to try international crimes would strengthen the capacity to address more domestic crimes as well.

Finally, CISLAC/PANASTFRAC would like to reiterate the plight of victims of mass killings, rapes or displacement that find it difficult obtaining justice within the continent, but only before the ICC. CISLAC/PANASTFRAC understands that it is absolutely discouraging to strangle the institution that holds perpetrators accountable for the consequences of their crimes.
28th October, 2013

H.E. Mrs. Catherine Dupe Atoki
Consumer Protection Council (CPC)
Plot 1105, Dar Es salaam Street,
Off Aminu Kano Crescent,
Wuse 2,
Abuja.

Dear Mother,

**Letter of Congratulations**

We write to commend your tireless efforts towards the protection of consumers’ right in the country. Indeed, you are ‘defender of consumers’ and we must appreciate the primary objective of your office to enhance, promote and effectively propagate awareness campaign of products whose consumption and sales have been banned, withdrawn, restricted or not approved by government, in a common language.

We had planned to meet you at the NGO Forum preceding the 54th Ordinary Session of the African Commission of People’s and Human Right in Banjul; however, your representative explained your busy schedule.

As you may wish to know, in the last eight years CISLAC has worked towards enhancing strategies; engagement of the Bills before their passage into law; manpower development for lawmakers, legislative aides, politicians and the civil society, as well as civic education on the tenants of democracy and human rights.

Apart from various Ministries and Agencies, CISLAC is presently in partnership with commissions like Revenue Mobilisation Allocation and Fiscal Commission (RMAFC), National Planning Commission (NPC) as well as Bureau of Public Procurement (BPP); and we propose our willingness to collaborate with your Council, primarily to harvest civil society position or public hearing particularly on setting a new agenda for your tenure in office.

So far, the dearth in legislation has created gap between manufacturers and consumers. The current challenge of call drop with the telecommunication company is another key issue we would like your office to strictly address; as Nigerians are presently suffering the continuous impunity.

Whilst commending your efforts so far, we urge that you synergise with CISLAC to bridge the gap between the government and citizens’ position on a strategic plan that would form your plan of action.

On behalf of the Board and management team, please accept the assurance of our highest esteem and my personal congratulations.

Yours faithfully,

Auwal Ibrahim Musa (Rafsanjani)
Executive Director, CISLAC