



~~ATROCITIES WATCH AFRICA~~



## **Reckoning with Double Standards: The Future of the Rome Statute System**

22<sup>ND</sup> SESSION OF THE ICC ASSEMBLY OF STATES PARTIES

Friday, December 8

1:15-2:30pm

The Church Center for the United Nations  
777 First Avenue at 44<sup>th</sup> Street

**RSVP by December 6: <http://bit.ly/47R2I1L>**

### CONCEPT NOTE

The establishment of the International Criminal Court (ICC) marked the culmination of decades of international criminal justice advocacy, a key achievement aimed at ensuring no one is above the law when it comes to the world's worst crimes. While the Court has endeavoured to bring justice for victims and survivors of international crimes, it has faced significant challenges in delivering successfully on its mandate, including in securing sufficient cooperation and support. The Court has also faced consistent concerns about delivering equitable access to justice for victims and survivors, particularly given the double-standards at work in the broader global political order. This concern intensified in what has been perceived as Court and state party welcome and quick action on Ukraine following the full-scale Russian invasion in 2022, while a number of situations elsewhere in the world—both those before the court and those still beyond its reach—including in Afghanistan, Burundi, Southern Cameroons, Libya, Bangladesh/Myanmar, Nigeria and Palestine require further international action on justice.

This has affected perception of the Court and its legitimacy in the eyes of various stakeholders including States and the global public.

This panel discussion will explore some of the ways in which the Rome Statute system is at risk of replicating double-standards, either in perception or in reality, and how these can be addressed to ensure principled support for the court's impartial and consistent exercise of its global mandate. Some of these may include: selective state party support for cases and situations before the Court;

approaches to complementarity and situation and case selection; gender and geographical representation within the Court; and elections of Court officials.

At last year's Assembly session, the Assembly reaffirmed "its support for the consistent implementation of the Court's mandate across the situations and cases under its jurisdiction in the interests of justice and the victims' right of access to justice and stresses the need for sustainable resources for all situations and cases as well as cooperation with the Court to that end."

The side-event is intended to generate a challenging but constructive conversation on best practices and innovative approaches to ensure that the international community can deploy a fair distribution of resources, diplomatic efforts, and financing on human rights abuses and international justice efforts across all regions. It will bring together a panel of distinguished activists and opinion leaders, followed by an interactive floor discussion.

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### **P R O G R A M M E**

**Welcome and introductory remarks**, Rebecca Shoot, Executive Director, Citizens for Global Solutions

#### **PANEL DISCUSSION**

**Moderator, Dismas Nkunda**, Chief Executive Officer, Atrocities Watch Africa

**Ahmed Abofoul**, Al-Haq  
*The ICC's Palestine Situation*

**Dr Emma Osong**, Aerospace Systems Engineer; Founder and Director, Women for Permanent Peace and Justice  
*The Case of the Southern Cameroons*

**Raquel Saavedra**, International Legal Adviser, Accountability Initiative, International Commission of Jurists  
*The ICC's Bangladesh/Myanmar Situation*

**Owiso Owiso**, International Justice Advisor, Atrocities Watch Africa  
*Towards an International Legal Order That is Fit for Purpose*

#### **FLOOR DISCUSSION**

**Closing Remarks**

### **About Africa Legal Aid**

Africa Legal Aid (AFLA) is an NGO that was founded in 1995 and has consistently worked to promote human rights and accountability in Africa. AFLA promotes a victim-centered approach to justice by working with victims, whilst also working within international and regional institutions with the aim of building an African continent that is ruled by just principles of law rather than by impunity of human rights abusers.

AFLA has had strong impact at various ASP gatherings on a range of topics. For example, counsels appearing before the ICC have credited AFLA for having provided a voice for ICC counsels, notably at the 13<sup>th</sup> Session of the ASP. This, it is acknowledged, was the driving force for the creation of the International Criminal Court Bar Association (ICCBA) in 2016 and its institutional recognition by the ASP in 2019. Significantly, AFLA has brought victims of atrocities to the ASP and the African Union to give first-hand account to diplomats and lawmakers. A well-known example of the latter occurred in 2019 at the 18th Session of the Assembly of States Parties to the International Criminal Court during which Toufah Jallow, a victim and survivor of former Gambian president Yahya Jammeh, speaking through AFLA's platform, addressed the ASP plenary about her encounter with Jammeh. You can watch Toufah Jallow's statement [here](#).

### **About Atrocities Watch Africa (AWA)**

The AWA mission is predicated on fighting impunity, ending the commission of crimes, and holding accountable those responsible for such violations in Africa. International justice in Africa has been more for elite conversations, with limited interrogation of its efficacy, effectiveness, and efficiency in addressing atrocities without being seen as Victor's justice. AWA intends to locate international justice in a realm of evolving continental approaches to atrocities and massive human rights violations, with the view of developing African capacities to handle such violations in the immediate future. Africa has untold stories of resilience and response to atrocities and post-atrocity management. It is AWA's intention to document, share, and celebrate these positive developments. We do this through monitoring, research, and advocacy.

### **About Al-Haq**

Al-Haq is an award-winning independent Palestinian non-governmental human rights organisation based in Ramallah, West Bank. Established in 1979 to protect and promote human rights and the rule of law including in the Occupied Palestinian Territory (OPT). Al-Haq documents violations of the individual and collective rights of Palestinian people, irrespective of the identity of the perpetrator, and seeks to end such breaches by way of advocacy before national and international mechanisms and by holding the violators accountable. Al-Haq organisation conducts research; prepares reports, studies and interventions on breaches of international human rights and humanitarian law in the OPT; and undertakes advocacy before local, regional and international bodies. Al-Haq also cooperates with Palestinian civil society organisations and governmental

institutions in order to ensure that international human rights standards are reflected in Palestinian law and policies.

### **About Citizens for Global Solutions**

Citizens for Global Solutions (CGS) is a non-governmental, non-profit, non-partisan membership-based organization that for more than 75 years has brought together a diverse collective of individuals and organizations. We are a member-driven movement with the common goal of a democratic world federation predicated upon peace, human rights, and the rule of law. From championing ratification of the UN Charter upon our establishment in 1947 to supporting creation of the International Criminal Court (ICC) 25 years ago to advocating for global instruments to confront today's enduring challenges of war and climate degradation, CGS recognizes that true progress is a generational enterprise. We invite like-minded individuals and organizations to join us in this mission.

### **About Human Rights Watch**

Human Rights Watch investigates and reports on abuses happening in all corners of the world. We are roughly 550 plus people of 70-plus nationalities who are country experts, lawyers, journalists, and others who work to protect the most at risk, from vulnerable minorities and civilians in wartime, to refugees and children in need. We direct our advocacy towards governments, armed groups and businesses, pushing them to change or enforce their laws, policies and practices. To ensure our independence, we refuse government funding and carefully review all donations to ensure that they are consistent with our policies, mission, and values. We partner with organizations large and small across the globe to protect embattled activists and to help hold abusers to account and bring justice to victims.