



## AFLA Statement to the ASP on the Negative Impact of Revision

25/11/2015

### **AFLA Statement to the ASP on the Negative Impact of Revision**

Excellencies,

Ladies and Gentlemen,

Africa Legal Aid (AFLA) thanks the ASP for the opportunity to address it. AFLA has monitored the ICC's activities since the Court's inception. In 2003, AFLA convened the first major conference to introduce human rights and justice sectors in Africa to the new Court. At the time, Silvia Fernandez, who was effectively Prosecutor Ocampo's Chef du Cabinet, and is now Judge President of the ICC, represented the Prosecutor at our international conference in Accra.

AFLA prides itself for having spearheaded the contribution of much needed African perspectives to the evolving regime of international criminal justice. AFLA is an African-initiated, African-driven, and African-led organization – not necessarily the best recipe for attracting funds.

Permit me, in my brief intervention, to highlight issues we believe should be of interest or concern to the Assembly in the context of Revision and its impact on the Court's effectiveness.

A number of African States Parties, including Ghana and Uganda, have expressed concerns about the lack of transparency and equity in Revision. We would have liked to see more non-African States Parties also show their concerns about Revision, its implications for the ICC's budget, and how Revision has disproportionately affected women and Africans. Some ICC judges have expressed repeated concerns about Revision and how its implementation would affect their judicial work, but those concerns have not been validated.

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*ICC Registrar, Herman von Hebel © flickr  
(<https://www.flickr.com/>)*



*ICC President Judge Silvia Fernández de Gurmendi © ICC-CPI*

Some of us listened with dismay when the Registrar addressed the Working group on the Budget last Saturday and thanked NGOs for having supported Revision and made statements about gender and geographical representation.

This is hardly the case. In fact, one of the ICC's field offices had submitted a statement by the Registry applauding Revision to a group of civil society organizations. The Registry asked that the organizations adopt the statement wholesale and present it as their own. The organizations declined. Some were actually against how Revision had been implemented and their concerns about Revision are on record. Others did not know enough about the Revision exercise due to the lack of transparency.

How many women, how many Africans, were involved in decision-making and in making recommendations on Revision? The core Revision team was all male and predominantly from the WEOG region. Any critique on Revision is characterized by the Registrar's loyalists as a detraction of the Court, or as a personal critique on the Registrar. Yet, the Revision process appeared to have been shrouded in secrecy and ulterior motives, which is bound to have a negative impact on the future of the ICC.

The few organizations that seemed to cheerlead Revision had access to information. And when information was made available to an organization like ours, for example, those organizations would characterize our access to information as a leakage.

As a colleague so well put it, "when information is made available to Western-led organizations, it is business as usual, but when it is made available to an African organization it is a leakage".

While Revision was presented as an exercise to supposedly cut down on costs and increase efficiency, it seems to have done just the opposite. As you know, the proposed budget for 2016 rather revealed a substantial increase, a large percentage of which was attributed to increased costs at the Registry. There are concerns that the true cost implications of Revision are yet to be revealed.

There are widespread allegations about the appointment of former colleagues from other institutions at higher-grade levels. Examples have been cited where former colleagues working at P3 level in other

tribunals were jumped to P5 when they joined the ICC Registry, an illegality under UN rules, with resultant increased costs. Where is the value of Revision one might ask?

Distinguished delegates,

Concerns about the lack of transparency of Revision have not been adequately addressed. We call on the ASP and all Member States of goodwill to address these issues, which are affecting confidence in how the Court is administered.

I Thank You.

Please click [here](#) to comment. Your comments are most welcome.

For further information on Revision click [here](#) to read the e-reporter on ICC ALERT: The Registrar's Questionable Revision Project.

Click [here](#) to read the e-reporter on The ICC's Revision Project: It's Impact on Women and Africans.

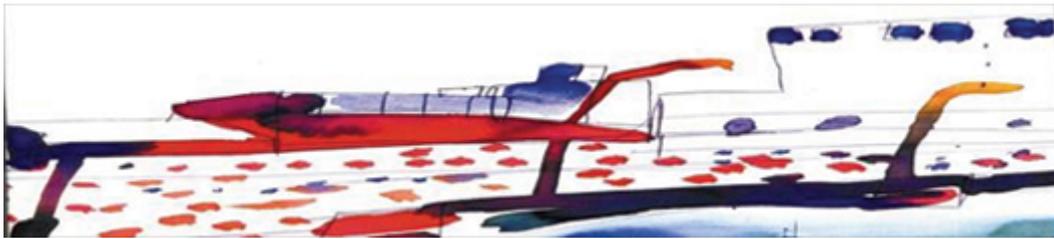
Click [here](#) to read Women's Initiatives for Gender Justice Statement on the Budget, ASP 2015.

Click [here](#) to read Women's Initiatives for Gender Justice Analysis of the Gender and Geographical Impact of ReVision.

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