



Your Free E-Copy of the AFLA Quarterly on the 20th Anniversary of the Rome Statute of the ICC

We are pleased to provide you with a free electronic copy of the AFLA Quarterly *Commemorating the 20th Anniversary of the Rome Statute of the International Criminal Court (ICC)*. This special edition of the Quarterly has contributions by four ICC judges and other leading experts in human rights and international criminal justice. The Quarterly was launched by the Attorney General of Ireland, **Hon. Séamus Woulfe S.C.**, at a Side Event of the 17th Session of the Assembly of States Parties (ASP) to the ICC in December 2018.

Indeed, the ideals embodied in the Rome Statute that certain crimes cannot go unpunished are as relevant today as they were in 1998 when the Statute was adopted.

In her Editorial, **Evelyn Ankumah** highlights the need to broaden the goal to end impunity, and affirms that the Rome Statute provides for a decentralized system that rests on the notion of justice being done at home, or as close as possible to home.

In '*20 Years of the Rome Statute of the International Criminal Court*', **Judge Geoffrey Henderson** puts the Rome Statute in a historical context, and highlights the role that Trinidad and Tobago played in its creation. He addresses the open questions: was the international community ready for such a project? Were states ready for this project? He concludes that the 20th anniversary offers 'a golden opportunity' to discuss whether the international community is ready to sustain a strong and effective Court capable of prosecuting the gravest crimes for the protection of all victims.

In '*Strengthening Complementarity as a Cornerstone of the Rome Statute System*', **Judge Kimberley Prost** reminds readers that the ICC was not meant as a standalone court. It is part of a system involving national and regional courts with multiple actors. If the ICC should function as the Complementary Court that it is meant to be, then national and regional courts must have the capacity to investigate and prosecute. She is of the view that in spite of the challenges experienced by the Court, the ICC and the Rome Statute system have ensured that accountability is now part of the international landscape, even if it difficult to live up to at times.

In *'The Boko Haram Situation,' Segun Jegede* reviews the exercise of Complementarity in relation to the crimes committed by the Nigerian radical Islamist group Boko Haram, and the attempts of the ICC Prosecutor to bring the perpetrators to justice. He is of the view that the Complementarity regime of the Rome Statute is over-inclusive and that it assumes there will be credible judicial systems at the domestic level to carry out genuine investigations and prosecutions. He calls for a proactive Complementarity regime by which both the ICC and states are actively engaged in ongoing processes at national levels.

In *'Victims' Rights: Translating the ICC's Victims' Rights Provisions into Domestic Context, Dr. Carla Ferstman* discusses the ICC's framework for the protection and participation of victims in criminal proceedings, and the extent to which such provisions have found their way into domestic legislation. She analyses other requirements that go beyond what the Statute requires directly from states.

In *'The Malabo Protocol and Complementarity of International Criminal Justice: Challenges and Prospects,' Dr. Robert Eno* addresses the criticisms and challenges to the Malabo Protocol and the yet-to-be-established African Court of Justice and Human Rights (ACJHR). He discusses perceptions about why African states sought to create a regional response to grave crimes notwithstanding the existence of the ICC; addresses the Protocol's expansion of the list of offences that constitute international crimes; comments on the immunity provision, and how Malabo can complement Rome and vice versa.

In *'Bringing Soft Power to a Life's Work, The Professional Trajectory of Judge Sanji Mmasenono Monageng,' Dr. Leigh Swigart* presents a profile of Judge Monageng's life and career as she completes her tenure at the ICC. She discusses Monageng's 'long, challenging, and at times unpredictable journey from village girl to international judge'. Throughout the article, Swigart draws on the significance of Judge Monageng's role as a female Judge and the importance of gender balance in international criminal justice.

The Quarterly concludes with a candid and inspiring interview with **Judge Howard Morrison**. He speaks to Evelyn Ankumah on human rights and justice issues, starting from his work as a high school teacher in Northern Ghana when he was 18 years, and how the experience shaped his worldview. He also answers a question about his decision to acquit former Congolese Vice President, Jean Pierre Bemba on appeal.

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