

# Ideals and values that inspired the creation of International Criminal Court still hold true – UN adviser

7 February 2017 – The setting up of the International Criminal Court (ICC) was a “reckoning” for those who had long disregarded the lives and dignity of their people, the United Nations Special Adviser on the Prevention of Genocide has said and warned that withdrawing from the tribunal could have grave implications for victims seeking redress for serious human rights violations.

“The establishment of the Court signified a global commitment to protect victims, when national judicial mechanisms lacked the capacity, willingness or jurisdiction to prosecute those responsible for the most serious crimes,” wrote Special Adviser Adama Dieng in an opinion piece published in *The East African*.

Since the adoption of the Rome Statute in 1998, more than half of the world’s States have joined the Court, 34 among them are African nations – the biggest regional block to date . In July this year, the Court’s founding Statute will mark the 15th anniversary of its entry into force.

Highlighting the significance of the Court, Mr. Dieng said that the fact that most of the cases in the continent were submitted by African States themselves, reaffirming their belief that it would strengthen the rule of law and respect for the fundamental rights and freedoms of the African people.

However, he added that despite the ICC’s achievements, it is increasingly coming under threat, with recent announcements by Burundi, South Africa and the Gambia to withdraw from the Rome Statute.

“Other States have threatened to do so, if certain conditions are not met,” he wrote, noting that key among the concerns raised by these countries included the “lack of fairness in the prosecution decisions of the Court, perceived by some to disproportionately target African leaders.”

**VIDEO:** Special Adviser Adama Dieng explains why withdrawing from the Rome Statute undermines international justice for everyone. Credit: UN News

## *A candid dialogue will enhance mutual trust and cooperation*

Noting the need for a candid conversation between all stakeholders, in particular member States and the Court to identify and address legitimate concerns, he said: “Doing this will enhance mutual trust and cooperation and strengthen the capability of the Court to fulfil its mandate.”

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But, he added that the States that want to withdraw from the Rome Statute have made little, if any, effort to present their grievances through the established forums, such as the Assembly of States Parties – the management oversight and legislative body of the Court, composed of representatives of the States that have ratified and acceded to the Rome Statute.

“To have done so would have presented an opportunity to have an open and frank dialogue, and discuss how to make the Court a better institution, one that is capable of responding effectively to the challenges it was established to address,” he emphasized, and “engaging and advocating for reforms should serve the interests of all stakeholders of the Court.”

***Reaffirm the commitment to ensure accountability for appalling crimes***

Drawing attention to the ongoing atrocities in Syria, Yemen, Iraq, South Sudan and in other parts of the world, he underlined that the time is not right to abandon the Court.

“Rather, States and non-State members should reaffirm their commitment to strengthen the Rome Statute and ensure accountability for these horrendous crimes,” Mr. Dieng said, appealing urging for them to work collectively to ensure the Court can effectively administer international criminal justice without fear or favour, contribute to the fight against impunity, and promote respect for the rule of law and human rights.

“As someone who witnessed first-hand the horrors in Rwanda, the Former Yugoslavia, Sierra Leone and elsewhere, and who has been closely involved in the delivery of international justice at the International Criminal Tribunal for Rwanda, I know too well the consequences when the international community undermines the efforts of international justice,” he said.

“We owe it to the victims of these horrendous crimes to strengthen rather than undermine the International Criminal Court, and to reaffirm our commitment to the Rome Statute to ‘put an end to impunity for the perpetrators of these crimes and thus contribute to their prevention’.”

**AUDIO:** The Special Adviser speaking on the need for dialogue between the court, countries, civil society and the victims of atrocities.

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# Russia, Turkey, Iran and UN hash out details of monitoring regime for Syria ceasefire

7 February 2017 – The delegations of Russia, Turkey and Iran as well as United Nations representatives held their first meeting yesterday to discuss the establishment of a ceasefire implementation regime in Syria that was decided at the 23-24 January talks held in the Kazakh capital of Astana, a UN spokesperson in Geneva said today.

This meeting was held as a follow-up on the agreement reached in Astana on a mechanism – a group of experts – to monitor the ceasefire, which had been brokered by Russia, Iran and Turkey.

“The participants had discussed the implementation of the cease-fire regime in Syria, and specific measures to facilitate effective mentoring and verification in order to ensure full compliance with the cease-fire, prevent any provocations, and determine all the modalities of the cease-fire,” Yara Sharif, the spokeswoman for the Office of the UN Special Envoy for Syria, told reporters in Geneva.

The participants also discussed confidence-building measures to facilitate unhindered humanitarian access, and the delegations acknowledged their readiness to continue collaboration towards ensuring full implementation of the ceasefire regime in Syria, she stated.

The UN experts who attended the follow-up meeting shared UN experience and best practices related to the monitoring and verification of cease-fire arrangements in other settings, the spokeswoman added.

Ms. Sharif also said that Special Envoy Staffan de Mistura has welcomed the meeting, expressing his hope that their efforts would strengthen the cease-fire on the ground and thus contribute to the UN-facilitated intra-Syrian talks in Geneva towards a political settlement.

Turning to Mr. de Mistura’s visit to the United States, Ms. Sharif said the envoy was appreciative of the opportunity to have conducted a series of successful meetings with the new US Administration. His bilateral meeting with the new US Secretary of State Rex Tillerson was positive, she said, adding that the Special Envoy briefed on the upcoming intra-Syrian negotiations and the context.

Ms. Sharif also said that the invitations to the intra-Syrian talks in Geneva would go out on 8 February. The Special Envoy is of the view that the effectiveness of those negotiations, to be launched on 20 February, can be significantly enhanced through direct negotiations between the Government of Syria and “a united opposition delegation,” she noted.

In his briefing to the UN Security Council on 31 January Mr. de Mistura announced the postponement of the UN-supported talks from 8 February to 20 February, explaining that the delay would give time for the ceasefire to solidify, give the Government a chance to consider concessions, and give a chance for the armed groups to come as “one unified opposition.”

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## Adapting to increased military pressure, ISIL shifts to ‘dark web,’ UN Security Council told

7 February 2017 – The terrorist group, known as the Islamic State of Iraq and the Levant (ISIL/Da’esh), is on the defensive militarily in several regions, but is also adapting to military pressure by resorting to covert communications such as the ‘dark web,’ the top United Nations political affairs official warned today.

“Although its income and the territory under its control are shrinking, ISIL still appears to have sufficient funds to continue fighting,” Under-Secretary-General for Political Affairs Jeffrey Feltman said, briefing the Security Council on the UN Secretary-General’s fourth report on the threat the group poses to international peace and security efforts to “check and roll it back.”

Mr. Feltman noted that ISIL relies mainly on income from extortion and hydrocarbon exploitation, even though resources from the latter are on the decline. UN Member States are concerned that ISIL will try to expand other sources of income, such as kidnapping for ransom, and increase its reliance on donations, he stated.

“ISIL is adapting in several ways to military pressure – resorting to increasingly covert communication and recruitment methods, including by using the ‘dark web,’ encryption and messengers,” he warned.

While the previous reports on the subject have focused on South East Asia, Yemen and East Africa, Libya and Afghanistan, the fourth report zeroes in on Europe, North Africa and West Africa.



Under-Secretary-General for Political Affairs Jeffrey Feltman briefs the Security Council on the threat posed by ISIL (Da’esh) to international peace and security. UN Photo/Rick Bajornas

It notes that ISIL has conducted a range of attacks in Europe since declaring

in 2014 its intent to target the region. Some of these attacks were directed and facilitated by ISIL personnel, while others were enabled by ISIL providing guidance or assistance or were inspired through its propaganda.

While the military offensive in Libya has dislodged ISIL from its stronghold Sirte, the group's threat to Libya and neighbouring countries persists. Its fighters – estimated to range from several hundred to 3,000 – have moved to other parts of the country.

Ultimately, it is the spread and consolidation of peace, security, development and human rights that will most effectively deprive terrorism of the oxygen it needs to survive

ISIL has increased its presence in West Africa and the Maghreb, though the group does not control significant amounts of territory in the region. The reported pledge of loyalty to ISIL by a splinter faction of Al-Mourabitoun led by Lehib Ould Ali may elevate the level of the threat.

ISIL-affiliate Boko Haram is attempting to spread its influence and commit terrorist acts beyond Nigeria, and remains a serious threat, with several thousand fighters at its disposal. It is, however, plagued by financial difficulties and an internal power struggle, and has split in two factions, Mr. Feltman reported.

While the fourth report also notes some of the measures taken by Member States and the United Nations, it stresses the need to develop sustained, coordinated responses to the grave threat posed by ISIL and associated groups and entities.

Mr. Feltman said that there are 19 universal counter-terrorism conventions and protocols, as well as related regional instruments on international terrorism, and relevant UN General Assembly and Security Council resolutions.

“But we need to do more, as Member States continue to face significant challenges to ensure effective international cooperation,” he said, warning that foreign terrorist fighters leaving the conflict could pose a grave risk to their homeland or to the countries they are travelling to or transiting through, such as Iraq and Syria's neighbours, as well as countries in the Maghreb.

“Ultimately, it is the spread and consolidation of peace, security, development and human rights that will most effectively deprive terrorism of the oxygen it needs to survive,” he concluded.

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## [Israeli legislation on settlements violates international law, says UN chief Guterres](#)

7 February 2017 – United Nations Secretary-General António Guterres today deeply regretted the adoption by Israel’s legislative body, the Knesset, of the so called “Regularisation bill,” saying the measure contravenes international law and will have “far-reaching legal consequences” for the country.

A statement from the UN spokesperson noted that the bill reportedly provides immunity to settlements and outposts in the occupied West Bank that were built on privately-owned Palestinian land.

“The Secretary-General insists on the need to avoid any actions that would derail the two-state solution,” the statement said, adding that all core issues should be resolved between the parties through direct negotiations on the basis of relevant Security Council resolutions and mutual agreements.

“The United Nations stands ready to support this process,” it concluded.

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## [Senior UN official urges Libya to protect migrants from conflict-related sexual violence](#)

7 February 2017 – The highest United Nations official tasked with advocating against the use of sexual violence as a weapon of war urged today Libyan authorities to protect migrants from rape and other human rights violations.

In a statement, Zainab Hawa Bangura, the Special Representative of the Secretary-General on Sexual Violence in Conflict, called on the Libyan Government and on the international community as a whole to protect migrants who are living or passing through Libya.

“In the course of their journey, women and girls but also men and boys face grave human rights violations, including conflict-related sexual violence, committed by parties to the Libyan conflict, as well as smugglers, traffickers and other criminal groups,” said Ms. Bangura, who is also an Under-Secretary-General.

She noted also that migrants face sexual violence in official and unofficial

detention centres, some being held “for days, weeks or months.”

In addition, Ms. Bangura voiced increasing concern about the “systematic use of sexual violence” by the Islamic State of Iraq and the Levant (ISIL) in Libya, a phenomenon which the office of the Special Representative has been investigating in Iraq and Syria.

“Testimony from women and children recently released from ISIL as a result of the military operation in Sirte reveals a pattern of rape and sexual slavery, particularly against migrants,” Ms. Bangura said, noting that some of the survivors are pregnant.

She voiced alarm also that most of the women and children are being detained in Al Jawiya prison in Misrata “in precarious conditions including overcrowded cells, lack of adequate access to food, water and medicine, and absence of women guards as an important protection measure.”

Among her proposals, Ms. Bangura is urging authorities to urgently review the country’s migration policy, to protect escapees from ISIL and provide them with adequate support, to assist all victims of conflict-related sexual violence with adequate medical and other resources, and to investigate and prosecute those responsible for the crimes.

She also reiterated the recommendation of the Secretary-General that all countries give due consideration to recognizing conflict-related sexual violence as a form of persecution that warrants refugee status.