

**Directorate of Information and Communication****Press Release 30th AU SUMMIT****African Union Open-ended Committee of Ministers of Foreign Affairs on the International Criminal Court Convened its 6th Meeting on the Sidelines of the 32nd Ordinary Session of the Executive Council of the African Union.**

Addis Ababa, 27 January 2018 – The Sixth Meeting of the Open-ended Committee of Ministers of Foreign Affairs on the International Criminal Court (“**The Committee**”) took place from 15:00 to 18:00hrs on 25 January 2018 at the African Union Headquarters in Addis Ababa, Ethiopia. The meeting was convened on the sidelines of the 32nd Ordinary Session of the Executive Council of the African Union. Convened by the Office of the Legal Counsel of the AU Commission, the Meeting was held pursuant to previous decisions of the Assembly of Heads of State and Government of the African Union (“**The Assembly**”), the most recent being Decision Assembly/AU/Dec.622(XXVIII) adopted during its Twenty Eighth Ordinary Session held in Addis Ababa, Ethiopia, in January 2017.

The meeting was chaired by *H.E. Ambassador Alain Aimé Nyamitwe*, Minister of External Relations and International Cooperation of the Republic of Burundi and Interim Chairperson of the Committee and attended by Algeria, Burundi, Chad, Congo, Cote d’Ivoire, Djibouti, Egypt, Eritrea, Ethiopia, Kenya, Libya, Mozambique, Namibia, Rwanda, South Africa, Sudan, Tanzania, Uganda and Zambia – all being members of the Committee. The African Union Commission was represented by the Deputy Chairperson, *H.E. Ambassador Kwesi Quartey* and representatives of the Office of the Legal Counsel.

The Meeting held, among others, substantive discussions on the decision of the Pre-Trial Chamber III of the International Criminal Court (“**ICC**”) to Authorize the ICC Prosecutor to Open an Investigation into Burundi for alleged crimes against humanity committed on its territory or by its nationals since 26 April 2015 until 26 October 2017 – this is despite Burundi’s effective withdrawal from the ICC on 27 October 2017. The Attorney General of the Republic of Burundi presented a Declaration to the Committee on behalf of the Country and expressed that Burundi is being targeted by the ICC in a manner similar to Kenya and The Sudan. He concluded by requesting the AU to strongly condemn the actions of the ICC, which are likely to have adverse effects.

The Ministerial Meeting also considered and adopted the Report of the Committee Meeting at the level of Ambassadors/Permanent Representatives, which took place on 11 January 2018 at the AU Headquarters in Addis Ababa. The report which was presented by H.E. Dieudonne Ndabarushimana, Permanent Representative of the Republic of Burundi to the African Union and *interim Chairperson* of Committee. On behalf

of the AU Commission, the representative of the Office of the Legal Counsel, *Mr. Adewale Iyanda, Senior Legal Officer*, presented the “*Progress Report of the Commission on the Implementation of the Decisions of the Assembly of the African Union on the International Criminal Court*” which details, among others, updates relating to the International Criminal Court and activities of the Open-ended Ministerial Committee on ICC; update on the Signature and Ratification of the Protocol on Amendments to the Protocol of the African Court of Justice and Human and Peoples’ Rights (Malabo Protocol); and update on developments on the Principle of Universal Jurisdiction.

In closing the Meeting, the Chairperson urged members of the Open-ended Committee of Ministers of Foreign Affairs on the ICC, to consolidate the gains made by remaining united in their position on matters relating to the ICC.

The Progress Report was subsequently presented at the Session of the Executive Council on 26 January 2018 by the Interim Chairperson of the Committee and the Legal Counsel of the AU Commission, Ambassador, Dr. Namira Negm, and recommend by the Executive Council to the Assembly of the Union for adoption during its 30th Ordinary Session on 28 and 29 January 2018.

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