

Directorate of Information and Communication

Press Release

The AU Open-ended Committee of Ministers of Foreign Affairs on the International Criminal Court Convene 7th Meeting on the Sidelines of the UN General Assembly



Addis Ababa, 24 September 2018 – The Seventh Meeting of the Open-ended Committee of Ministers of Foreign Affairs on the International Criminal Court (“**The Committee**”) took place on 24 September 2018 at the African Union Permanent Observer Mission to the United Nations in New York, USA. The meeting was convened on the sidelines of the 73rd Ordinary Session of the United Nations General Assembly. The Meeting was convened by the Office of the Legal Counsel pursuant to Decision Assembly/AU/Dec.672(XXX) adopted during the Thirtieth Ordinary Session of the Assembly of the Union held in Addis Ababa, Ethiopia, in January 2018.

The meeting was chaired by *Honourable Ambassador NIBIGIRA Ezechiel*, Minister of Foreign Affairs of the Republic of Burundi and Interim Chairperson of the Committee and attended by Delegations of Angola, Burundi, Congo, Djibouti, Egypt, Eritrea, Ethiopia, Gambia, Libya, Namibia, Nigeria, Senegal, Sudan and Uganda – all being members of the Committee. The African Union Commission was represented by Ambassador (Dr.) Namira Negm, The Legal Counsel.

The Meeting held, among others, substantive discussions on the AU's request for an advisory opinion of the International Court of Justice on the question of immunities of Heads of State and Government and other Senior Officials as it relates to the relationship between Article 27 and 28 of the Rome Statute of the International Criminal Court (“ICC”) and the obligations of States Parties under customary international law. The Meeting received briefing from H.E. Ambassador Dr. Adonia Ayebare, Permanent Representative of the Republic of Uganda to the UN, in his capacity as Coordinator to follow up on behalf of the African Group, on all aspects relating to the implementation of the Assembly decision within the UN as well as from the Legal Counsel, who

informed the meeting that the item was adopted by consensus by the UN General Committee and subsequently by the 73rd Ordinary Session General Assembly on 21 September 2018. Further, that the question(s) to be posed to the International Court of Justice (ICJ) is currently being crafted by the African Group and the Commission and will be finalized after some consultations with key partners.

Amb. Negm also briefed the meeting on the AU's amicus curiae submission before the ICC Appeals Chamber in the appeal of the Hashemite Kingdom of Jordan against the decision of the ICC Pre-trial Chamber II for Jordan's non-compliance with the request of the Court to arrest and surrender Omar Al-Bashir of The Sudan. She informed the Committee that the Commission made written and oral submissions on behalf of the Union, before the Appeals Chamber in July and September 2018.

The Meeting concluded on the agreement that the next session of the Committee will be held in January 2019 on the margins of the 31st Ordinary Summit.

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