

## REPORT OF PRESS CONFERENCE ON

### **SETTING NEW STANDARDS FOR MASS CRIMES: RELEVANCE OF INTERNATIONAL CRIMINAL COURT**

3 March 2006

A press conference was held in Guwahati on 3 March 2006 on the issue of 'Setting New Standards for Mass Crimes: Relevance of International Criminal Court.' This conference was organized by ICC-India: the Indian campaign on International Criminal Court (ICC) in association with Citizens' Collective, a network of organizations based in North eastern states working on human rights issues. About 15-20 persons, representing the print and electronic media both in English and local languages, participated in the conference.

The speakers for the event were Ms. Saumya Uma, Coordinator, ICC-India Campaign and Dr. Subhram Rajkhowa, Reader in Law, Guwahati University. Dr. Rajkhowa briefly outlined the fundamentals of the ICC and the ways in which the Rome Statute creating the ICC stands as the latest development in setting standards of international law on the trials of war crimes, crime against humanity and genocide. Dr. Rajkhowa also highlighted the global, Asian and South Asian countries' responses to the ICC. Dr. Rajkhowa observed as follows: "The international community's support to the ICC has been overwhelming, resulting in 100 states' ratifications in four years of the existence of the treaty. This indicates the increase in political will at the international level to end impunity and to ensure individual accountability for grave crimes". He observed that while there was overwhelming support to the ICC from most regions of the world, the main opposition to it came from the United States and from the Asian countries.

Subsequently, Ms. Saumya Uma, a lawyer with over twelve years' experience on issues pertaining to international law, human rights and gender, outlined the relevance of the ICC to human rights, and the efforts to integrate a gender perspective into the statute creating the ICC. She also outlined the Indian government's official position on the subject, and observed: "the reasons for India's lack of support to the ICC stems often from a misguided fear of the institution and sometimes lack of information and awareness of what it is all about.' The ICC-India campaign's objective was therefore to create a climate for an informed discussion on the issue among Parliamentarians, policy makers and opinion-makers. She further remarked as follows: "Accession to the ICC's Rome treaty is an important goal. But more important is to ensure that national laws, consistent with the standards set in the ICC, are introduced to address situations of crimes against humanity happening within India, including in some north eastern states." Saumya also talked about the relevance of ICC to experiences in North Eastern states with regard to mass crimes, and said that India was reluctant to become a member of the ICC as it was worried that the situation of impunity in North Eastern states and Kashmir would come under the ICC scanner. She stated that since ICC has a complementary jurisdiction, ICC would be precluded from taking on such prosecutions if effective prosecutions are

launched within the country, hence the ICC could be an impetus for combating impunity for mass crimes within the country.

The speakers responded to questions on India's concerns about the ICC, the relevance of ICC to the human rights situation faced in the north eastern states, recent developments on the ICC, who can bring a case, jurisdiction of the court, victims' rights and issues of reparations. Most of the questions and comments were in the nature of an attempt to clarify and understand ICC's importance as a new judicial institution in the world and its relevance to setting new legal standards in the domestic sphere. Reports on the issue were carried out in at least four newspapers, including in the Assam Tribune and three vernacular newspapers.

***Prepared by ICC-India on 6 March 2006***