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# IMPLEMENTATION OF THE ROME STATUTE ON ICC IN TANZANIA

- Tanzania historically is a peace loving country
  - It plays active roles for reconciliation and preservation of peace in our neighboring countries and beyond
  - Tanzania in 1994/5 hosted the largest refugee population in the world from Rwanda and continues since independence, hosting many refugees from various countries
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# TANZANIANS CONCERNS

- Tanzanians have gravely been concerned to see occurrence of heinous crimes in various countries around the world in particular Genocide, Crimes Against Humanity, War crimes that keep generating refugees and badly undermine development efforts for Africa and beyond.
  - Tanzania hosts the International Criminal Court for Rwanda (ICTR) in Arusha and some perpetrators of such kind of heinous crimes have been arrested in Tanzania and transferred to the ICTR for investigation and prosecution
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# TANZANIANS FEAR

- Tanzania is or can therefore be used by perpetrators of international crimes to come and hide .
  - The ICTR deals only with international crimes that were committed in Rwanda and it has been difficult, before coming into force the ICC Statute, for Tanzania to take part in investigating, prosecuting or transferring other perpetrators to be investigated and prosecuted by an International Criminal Court.
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# ACTIONS TAKEN

- The Government and the people of Tanzania strongly support and played a pioneering role for the establishment and operationalization of the Rome Statute on International Criminal Court
  - The Tanzania Parliament ratified the Rome Statute on International Criminal Court on on 2 August 2002
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# ACTION TAKEN

- The Government of Tanzania signed the Agreement on Privileges and Immunities of the Court on 27 January 2004
  - The Tanzania Parliament has advised the Government of Tanzania to speed up its processes to table the Agreement on Privileges and Immunities of the Court before the Parliament for Ratification.
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# ACTION TAKEN

- The Office of the Attorney General has already drafted the Tanzania International Criminal Court Act and the Rome Statute on ICC is annexed thereto without reservation
- The Attorney General submitted the Act in January 2010 to the Ministry of Justice and Constitutional Affairs for the Act to be taken to the Cabinet for approval and then be tabled to the Parliament, Civil Society and the general public for debate and approval.
- There is a very strong political will in Tanzania to have the Act in place and operationalized as soon as possible.

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# ACTION TAKEN

- The Tanzania Government is working closely with civil society to ensure effective implementation of the ICC Statute in Tanzania
  - Members of the Tanzania Coalition for the International Criminal Court hosted by the Children Education Society (CHESO), for example, has translated and produced a draft into Kiswahili of the Rome Statute on International Criminal Court and the Agreement on Privileges and immunities of the Court.
  - The Tanzania Government supports and collaborates with civil society to advance implementation of the ICC Statute in Tanzania.
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# ACTION TAKEN

- The Government of Tanzania attends actually all meetings concerning the ICC, recently for example, the Government sent a delegation of 5 people to the Assembly of States Parties to the Rome Statute on ICC that took place in The Hague from 17-28 November, 2009.
  - Tanzania contributes to the ICC Budget on regular basis through the office of the Directorate of Public Prosecution (ODPP) of the Office of the Attorney Generals Chambers
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# ACTION TAKEN

- Tanzania welcomed the ICC President Song in 1/06/2009 who visited and talked with the President of Tanzania and other Ministers. The President of Tanzania offered him the Arusha International Conference Centre to be used as a seat of the ICC in Africa.
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# CHALLENGES

- Tanzania Parliamentarians are aware of the past and current politically motivated negative perception towards the ICC
  - Some people have said that the ICC is a colonialism and imperialism established to undermine African leaders
  - Some people undermine the ICC claiming to be practicing double standard in selecting its cases
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# CONCLUSION

- Let me take this opportunity to urge my colleague Parliamentarians here to join our efforts to ensure effective functioning of the Rome Statute on International Criminal Court and uphold our cooperation with the ICC in our countries.
  - I am confident there is Political Will to Domesticate the ICC Statute and the process has commenced.
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## CONCLUSION Contd.

- We are happy that we have active Tanzanian Parliamentarians who members of PGA. We intend to use our experiences and best practices gained in this workshop to advice our Government to Fast track domestication of this law
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THE END

Thank You For Your Attention

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