Burundi Lawmakers Vote to Withdraw from ICC; Would be 1st

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By AP

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Lawmakers in Burundi overwhelmingly voted Wednesday in support of a plan to withdraw from the International Criminal Court, something no country has ever done.

The decision escalates a bitter dispute with the international community over the human rights situation in the East African country, which has seen more than a year of deadly violence after President Pierre Nkurunziza made a controversial decision to pursue a third term.

No state has withdrawn from the ICC, according to the Coalition for the International Criminal Court, a nonprofit that supports the court's work. The court prosecutes cases of genocide, war crimes and crimes against humanity.

"We are very alarmed about the trajectory the country is taking," the U.N. human rights chief, Zeid Ra'ad al-Hussein, said.

Ninety-four out of 110 Burundi lawmakers voted in favor of the withdrawal plan, months after the ICC announced it would investigate the country's ongoing violence.

The decision, which also was unanimously adopted by the Senate, now needs the president's approval.

U.S. State Department spokesman John Kirby, speaking to reporters on Wednesday, said withdrawing from the ICC would "isolate Burundi from its neighbors and the international community at a time when accountability, transparency and engaged dialogue are most needed."

Some African countries have threatened a withdrawal from the Rome Statute, the treaty that created the ICC, accusing the court of disproportionately targeting the continent.

Only Africans have been charged in the six cases that are ongoing or about to begin, though preliminary ICC investigations have been opened elsewhere in the world.

"Burundi civil society is clear that their government is withdrawing from democracy, human rights and the rule of law, not the ICC," said William R. Pace, convenor of the Coalition for the International Criminal Court. He added that "African governments overwhelmingly voted for and ratified the ICC treaty, stating that they did not want a repeat of the Rwandan genocide, where there was a breakdown in the rule of law and justice."

Of the 124 countries that are parties to the Rome Statute, 34 are African, the largest continental bloc. The United States is not a party to the treaty.

Burundi's decision is not immediate. Observers say a county wishing to withdraw from the ICC must write to the U.N. secretary-general stating its intention, and the withdrawal takes effect a year after the day the secretary-general receives the letter.

No such letter had yet been received, said the spokesman for the U.N. secretary-general, Stephane Dujarric. He pointed out that Burundi still would have to cooperate with any ICC proceedings that begin before the withdrawal takes effect.

Vital Nshimirimana, a Burundian rights activist, urged the U.N. to challenge the government's decision.

"Already, we have information that intelligence agents are torturing, killing Burundians behind closed doors," he said. "The world ought to rescue the people of Burundi."

Burundi's government has repeatedly said it is the victim of propaganda by exiles and opponents who want to diminish its credibility.

Hundreds have died in Burundi since Nkurunziza last year pursued and won a third term that many call unconstitutional. Since the ruling party announced his candidacy in April 2015, Burundi has seen violent street protests, forced disappearances and assassinations. More than 260,000 have fled.

On Monday, Burundi's government banned three U.N. human rights investigators from entering the country following the release of a report that cited massive rights violations allegedly perpetrated by security agencies.

The push among some African countries to withdraw from ICC began after the court indicted Kenyan President Uhuru Kenyatta on charges of crimes against humanity for 2007 post-election violence in which more than 1,000 died. The ICC prosecutor said threats to witnesses, bribery and lack of cooperation by Kenya's government led to the case's collapse.

Some countries want a separate African court with jurisdiction over rights abuses.