



Permanent Mission of the State of Eritrea to the African Union and
UN Economic Commission for Africa

**Interventions by
H.E. Ambassador Girma Asmerom
At the Extraordinary Session of the Assembly of the African Union,
11-12/10/2013, Addis Ababa**

On 12 October 2013, the Assembly of Heads of State and Government of the African Union held an Extraordinary Session in Addis Ababa, under the theme “*Africa’s Relationship with the International Criminal Court (ICC)*.” During the Session, the Assembly also appointed a new Commissioner for Peace and Security of the AU Commission, as well as discussed and passed Decisions and Declarations concerning:

- the tragic Boat Incident in Lampedusa, Italy
- the attack on the Westgate Shopping Mall in Nairobi, Kenya
- the kidnapping of the Prime Minister of Libya, and
- the terrorist attack on a Market in Mogadishu, Somalia

Ambassador Girma Asmerom who headed the Eritrean delegation at the Extraordinary Session made oral interventions and contributions on: **Africa’s Relationship with the ICC** and the **Lampedusa Tragedy**. Below is the summary of his interventions.

1. On Africa’s Relationship with the ICC

Concerning Africa’s future relationship with ICC and the way forward, I fully agree with the approaches proposed by the Presidents of South Africa, Rwanda, Zimbabwe, Namibia, Gambia, and Uganda.

Eritrea is signatory to the Rome Statute. We signed it in good faith. However when we look at it today, since hindsight is 20/20, we feel that we were taken for a ride. Therefore, we need to have short-term and long-term approach and strategy concerning Africa’s relationship with the ICC.

a) What should we do in the short-term, in particular today?

- After listening to the statement made by the Kenyan President who has clearly articulated the case and elaborated on what is expected of the Assembly, I don’t have much to add.
- Eritrea fully supports Kenya’s request and appeal. Likewise, in the spirit of African Unity and Solidarity, I call upon the Assembly to express its support to Kenya’s request.

b) What should we do in the future or long-term?

- Our approach in dealing with Africa's relationship with the ICC must be holistic and comprehensive. The charters, instruments, methodologies of work and structures of all international and regional organizations and institutions, more importantly, that of the UN must be revised and reformed.
- Our discussion and deliberations must not be limited to the issue of deferral of some cases or withdrawal from the ICC.
- The unacceptable treatment of African States and their leaders by the ICC is just a symptom, and not the root cause of the problem.
- The global governance structure, in particular the UN System is not fair or equitable.
- What we see in today's world is not justice and fairness but geopolitical interests and agendas of the big powers. They are implementing them by any means necessary.
- Hair splitting discussion such as "the ICC is a legal body and the UNSC is a political body" is a jock and an insult to our intelligence. They are both interconnected and work in tandem. ICC is fully controlled and politically manipulated by the UNSC. The UNSC is given the mandate and the right to refer to the ICC any leader or official including from States that are not party to the Rome Statute. The irony is that three of the five Permanent Members of the UNSC are not party to the Rome Statute.
- Eritrea believes that the case brought against Kenya by ICC is a blessing in disguise. It is indeed a wakeup call for all of us in Africa to do something. Therefore, once again I appeal to the Assembly to request and work for a comprehensive reform and revision of all international treaties, agreements and instruments and methods of work, be it that of the UNSC or the ICC. Our collective effort for justice, equality and fairness must continue and be consolidated.

2) On the Lampedusa Tragedy

- I would like to thank and commend the commission for presenting the Declaration on the Lampedusa tragedy. Let me also take this opportunity to express my condolences to the Governments and Peoples of the countries and families that have lost their citizens and loved ones at the shores of Lampedusa on 3rd of October. Some of the victims of this tragedy are my country men and women.
- If we look at the actions the European Commission took concerning the Lampedusa tragedy, we see that it has expressed its condolences to the families of the victims, taken concrete actions such as allocation of 30 million dollar for the Italian Coast Guard, and promised to deal with the root cause of the problem. In short it has done the talking and the walking.
- I strongly feel that the African Union Commission, like the European Commission, must walk the talk. Expressing condolences to the families is not enough.

- As articulated by the Presidents and Heads of Delegation of Algeria, Namibia, Ghana, Senegal, Uganda, Cotè d'Ivoire and South Africa, human migration to Europe, America, Australia, or the Middle East ...etc is not a new nor only an African phenomena and problem. It is a global phenomena and problem.
- Tragedies similar to that of Lampedusa frequently happen all over the world, in particular in the Red Sea, Philippine Sea, Pacific Ocean, Indian Ocean and at the sea coasts of Australia and Papua New Guinea. A significant number of Africans are also perishing in deserts and jungles while trying to illegally enter South Africa. These tragedies should not be left for individual interpretations, speculations or media sound bites. We must look into the root cause of the tragedy and must be able to make informed explanations, recommendations and decisions.
- **Who is behind these tragedies? Why are these tragedies happening frequently?** These two important general questions must be clearly answered by Africa and the whole world.
- **Who is behind these tragedies?**
 - Is it the human traffickers and smugglers? (It must be known that this criminal activity is a 40 billion dollar global business)
 - Is it the two or three people NGOs or CSOs that are opening shop all over Africa under different names and pretexts?
 - Is it the Intelligence and Security organs of the Big Powers who are using all types of tactics and methods to execute their regime-change agenda?
- These important and specific questions I have raised lead me to my second general question. **Why are these tragedies happening frequently? Why are lots of African youth taking these dangerous land and sea routes?**
 - Is it because of poverty?
 - Is it because of persecution?
 - Is it because of human rights violations? or
 - Is it because of conflicts?

These are legitimate questions that demand concrete answers and solutions.

- I wish to re-emphasize that expressing condolences to the families of the victims is not enough. Like the European Commission the African Union Commission must take concrete preventive and remedial actions.
- The Assembly must request the AU Commission to investigate the root causes of these tragedies and to take appropriate action. Then and only then we can show our seriousness and commitment to stop and prevent these reprehensible tragedies from happening again. The culprits must be identified and face justice.

(See attached the Declaration adopted by the AU Assembly.)