

**DECISION ON THE PROGRESS REPORT OF THE COMMISSION ON THE
IMPLEMENTATION OF DECISION ASSEMBLY/AU/DEC.270(XIV) ON THE
SECOND MINISTERIAL MEETING ON THE ROME STATUTE OF
THE INTERNATIONAL CRIMINAL COURT (ICC)
Doc. Assembly/AU/10(XV)**

The Assembly,

1. **TAKES NOTE** of the Progress Report of the Commission on the Implementation of Decision Assembly/AU/Dec.270 (XIV) adopted by the Fourteenth Ordinary Session of the Assembly held in Addis Ababa, Ethiopia, on the Second Ministerial Meeting on the Rome Statute of the International Criminal Court (ICC) and all comments and observations made by Member States and **ENDORSES** the recommendations contained therein;
2. **REITERATES** its commitment to fight impunity in conformity with the provisions of Article 4(h) of the Constitutive Act of the African Union;
3. **RECALLS** the African Union (AU) position expressed through the Decision Assembly/AU/Dec.270(XIV);
4. **EXPRESSES** its disappointment that the United Nations Security Council (UNSC) has not acted upon the request by the African Union to defer the proceedings initiated against President Omar Hassan El-Bashir of the Republic of The Sudan in accordance with Article 16 of the Rome Statute of ICC which allows the UNSC to defer cases for one (1) year and **REITERATES** its request in this regard;
5. **REITERATES** its Decision that AU Member States shall not cooperate with the ICC in the arrest and surrender of President El-Bashir of The Sudan;
6. **REQUESTS** Member States to balance, where applicable, their obligations to the AU with their obligations to the ICC;
7. **URGES** all Member States to speak with one voice to ensure that the proposed amendment to Article 16 of the Rome Statute which would allow the UN General Assembly to take over the power of the UNSC to defer cases for one (1) year in cases where the UNSC has failed to take a decision within a specified timeframe;
8. **DECIDES** to reject for now, the request by ICC to open a Liaison Officer to the AU in Addis Ababa, Ethiopia and **REQUESTS** the Commission to inform the ICC accordingly;

Adopted by the Fifteenth Ordinary Session of the Assembly of the Union on 27 July 2010 in Kampala, Uganda

9. **EXPRESSES CONCERN** over the conduct of the ICC prosecutor, Mr. Moreno Ocampo who has been making egregiously unacceptable, rude and condescending statements on the case of President Omar Hassan El-Bashir of The Sudan and other situations in Africa;
10. **REQUESTS** the Commission to report regularly on the implementation of this decision.



Adopted by the Fifteenth Ordinary Session of the Assembly of the Union on 27 July 2010 in Kampala, Uganda

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