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**GLOBAL COALITION CALLS ON EL SALVADOR AND NICARAGUA TO JOIN
INTERNATIONAL CRIMINAL COURT**

*Acceding to the Rome Statute will strengthen the fight against impunity for crimes
against humanity, war crimes, and genocide in the Americas*

New York, USA/ Lima, Peru—The Coalition for the International Criminal Court (CICC)—a global network of more than 2,500 non-governmental and civil society organizations in 150 countries—called on the Republic of El Salvador and the Republic of Nicaragua to demonstrate their commitment to international justice and the rule of law by acceding to the Rome Statute, the founding treaty of the International Criminal Court (ICC)—the world’s first and only permanent international court to prosecute war crimes, crimes against humanity and genocide. El Salvador and Nicaragua, together with Guatemala, are the only Central American countries yet to join the ICC.

In letters dated 1 September 2011 to El Salvador President Mauricio Funes and Nicaragua President Daniel Ortega, the Coalition highlighted the role of the Latin America region in the establishment and promotion of the ICC, noting that all South American states have ratified the Rome Statute and that the Caribbean region is now closer to a complete representation at the Court following recent ratifications in Saint Lucia (2010) and Grenada (2011). The Coalition also recalled the important role played by civil society—along with other key actors—in ensuring that the accession process remains on the national agenda in both El Salvador and Nicaragua.

In El Salvador, the government has taken important steps to further the accession process, sending an official delegation to participate as an observer state at the Review Conference of the Rome Statute in Kampala, Uganda in June 2010. The ministry of foreign affairs has also organized several fora to address issues related to the ICC. However, according to Wilfredo Medrano, coordinator of the Salvadorian Coalition for the ICC, “in order to fulfill the commitments made in the human rights program of its general governmental policy, the El Salvador executive branch must finalize internal consultations and refer the Rome Statute accession Bill to the National Assembly as soon as possible.” In September 2011, Parliamentarians for Global Action will build on a 2010 visit by ARENA, FMLN and GANA parliamentarians to the Hague, and carry out a mission comprised by Latin American legislators that will seek to meet with President Funes and hold a civil society forum at the UCA.

In Nicaragua the government has been more limited in its support to the ICC. Despite having taken an important first step by criminalizing a number of international crimes in its 2008 criminal code, together with the United States, it is one of only two members of the Organization of American States (OAS) to have included a reservation in the OAS annual ‘Resolution on the Promotion of the International Criminal Court’. As Vilma Núñez, President of the Centro Nicaragüense de Derechos Humanos points out, “before concluding his mandate, President Ortega should show a real commitment to the victims of crimes against humanity worldwide and promote accession to the Rome Statute. This is an urgent task that should not remain pending, as it represents the best way to demonstrate a real commitment to peace and the fight against impunity.”

“One of the main obstacles for accession in both countries is the unfounded fear that the ICC may be able to investigate crimes committed in the past,” said Francesa Varda, CICC regional coordinator for the Americas. “There are always dissenting voices trying to raise concerns, but the truth is that this is a forward looking court that is only able to consider situations that occurred after 1 July 2002. This basic premise cannot be changed.”

Background: *The ICC is the world’s first, permanent international court to prosecute war crimes, crimes against humanity, and genocide. There are currently 117 ICC States Parties. Central to the Court’s mandate is the principle of complementarity, which holds that the Court will only intervene if national legal systems are unwilling or unable to investigate and prosecute perpetrators of genocide, crimes against humanity, and war crimes. There are currently six active investigations before the Court: the Central African Republic, the Democratic Republic of the Congo, Darfur, Sudan, Uganda, Kenya and Libya. The ICC has publicly issued 18 arrest warrants and nine summonses to appear and three trials are ongoing. The ICC Prosecutor recently requested authorization from Judges to open an investigation in Côte d’Ivoire. His office has also made public that it is examining nine other situations on four continents, including Afghanistan, Colombia, Georgia, Guinea, Honduras, Republic of Korea, Nigeria, and Palestine. The Coalition*

for the International Criminal Court is a global network of civil society organizations in 150 countries working in partnership to strengthen international cooperation with the ICC; ensure that the Court is fair, effective and independent; make justice both visible and universal; and advance stronger national laws that deliver justice to victims of war crimes.
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