

3 July 2012

Your Excellency,

The high-level meeting of the 67th Session of the United Nations General Assembly on the Rule of Law at the National and International Levels is rapidly approaching and the Coalition for the International Criminal Court (CICC) is pleased to see priority being given to this important issue in 2012.

The Coalition encourages Member States to use the opportunity of the high-level meeting to highlight the progress made by the International Criminal Court and the system of international justice established by the Rome Statute towards ending the culture of impunity and delivering justice to victims; progress which we believe has made a significant contribution to the rule of law.

A central goal of the meeting on 24 September 2012 will be to provide United Nations Member States with an opportunity to advance the agenda of the rule of law through various avenues such as a negotiated outcome document, statements, the possible adoption of a forward looking UN programme of action on the rule of law, and through pledges made at the high-level meeting.

The Coalition would like to highlight, in particular, the opportunity for states to use action-oriented pledges as a means affirming their support for the Rome Statute system central to the rule of law.

Pledges in support of the International Criminal Court can pertain to your government's contributions to strengthening the system of complementarity, cooperation, or impact on victims and affected communities, as well as other areas of the Rome Statute. Each government is encouraged to evaluate its domestic resources and capabilities for the purpose of deciding on a suitable a pledge. For example, we encourage all governments not currently party to the Rome Statute to commit to ratifying the Rome Statute. We believe that universal ratification of the Rome Statute would reduce reliance of the Court on referrals from the UN Security Council and would expand the writ of the rule of law and accountability to the benefit of all. Universality of the Rome Statute would also contribute to the consistent application of the Rome Statute and go a long way in furthering the principles of equality before the law, accountability to the law and fairness in the application of the law. A State may reaffirm its intention to adopt national legislation codifying Rome Statute crimes into national law and facilitate cooperation with the Court, promise to ratify the Agreement on Privileges and Immunities of the ICC, or make a commitment to support the efforts of other States in need of technical capacity to ratify or implement the Rome Statute.

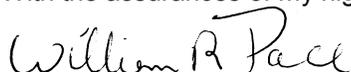
We welcome and encourage pledge submissions by all Member States including State Parties to the Rome Statute and non-State Parties, as well as regional bodies of States and international organizations. Attached to this letter is a list of pledges and topics your government may wish to consider.

We strongly encourage your government to contribute a pledge drafted in a way that notes specific, action-oriented and tangible goals. Pledges should preferably include a timeline or benchmarks to measure and ensure progress in their implementation. Action-oriented and measurable goals will provide for firmer commitments and enable a more successful implementation of a programme of action for the rule of law.

Governments are encouraged to work with and submit pledges directly to the United Nations Rule of Law Unit by 19 September 2012 so that they can be compiled in time for presentation in New York on 24 September 2012.

Excellency, it is our sincere hope that every government that supports the goals of the ending impunity and contributing to the prevention of the most serious crimes of concern to the international community as a whole will join in making a pledge aimed at strengthening the Rome Statute system at the high-level meeting.

With the assurances of my highest consideration,



William R. Pace

Convenor, Coalition for the International Criminal Court

CICC Suggestions for ICC-specific Pledges at the High-Level Meeting on the Rule of Law on 24 September 2012

The Coalition has prepared a list of possible topics and pledges for your government's consideration. The following list is only illustrative and by no means exhaustive; there may be a number of other useful areas where pledges can be made. We encourage your government to choose an area that would be of maximum benefit to the interests of the international justice and advancing the rule of law. Where possible, pledges should be concrete and identify specific goals and timelines for completion.

- *Ratification of or Accession to the Rome Statute;*
- *Full implementation of the Rome Statute crimes under domestic legislation in a manner consistent with the standards and principles of the Statute;*
- *Full implementation of legislation that would facilitate cooperation with the ICC in a manner consistent with the standards and principles of the Statute;*
- *Ratification of the Agreement on Privileges and Immunities;*
- *Consider ratification of the Kampala amendments to the Rome Statute e.g. article 8 bis relating to war crimes in non-international armed conflict and the amendments on the crime of aggression;*
- *Support the efforts of other States in need of technical capacity to ratify or implement the Rome Statute;*
- *Withdrawal of declarations amounting to prohibited reservations to the Rome Statute (if a State has made such a declaration);*
- *Conclusion of framework agreements with the Court on enforcement of sentences, protective measures to witnesses, victims and others put at risk by the work of the ICC¹, interim release of defendants, and/or relocation of persons following acquittal;*
- *Conclusion of a tripartite agreement with the Court and another State Party to facilitate resource sharing in order to enable one of the States Parties to conclude framework agreements with the Court on enforcement of sentences and protection of witnesses and victims;*
- *Appointment of a national ICC focal point;*
- *Appointment of an ICC focal point within relevant embassies having an interface with the ICC (for example, in The Hague, New York, Brussels, or Addis Ababa) and identify this focal point to the ASP facilitator on cooperation;*
- *Establishment of an ICC inter-ministerial or agency task force/think-tank within national governments to coordinate information about requests for cooperation;*
- *Adoption of national policies toward the mainstreaming of ICC support, i.e. toward increased understanding and consistent, supportive policy setting on the ICC, within national administrations and/or within regional organizations;*
- *Devising ways to make operational at the national level the relevant recommendations on cooperation of the Assembly of States Parties;*
- *Adoption of measures ensuring the safety of counsel for the defense and counsel for victims, including protecting the independence of counsel and facilitating the work of counsel;*
- *Contributions to arrest operations and the mobilization of diplomatic and political support toward the execution of arrest warrants;*
- *Promotion of Relationship Agreements or Memoranda of Understanding between international and regional organizations and the ICC;*
- *Continued support from States to international justice and the ICC within the different international, regional and sub-regional organizations, including, for example, commitments to work toward the adoption of common policies of support for the ICC within these organizations;*
- *Cooperation with relevant international and regional organizations in their ICC-related initiatives, including, inter-alia, the adoption of resolutions supporting the ICC, model implementation legislation, and capacity-building projects on the ICC;*
- *Annual contributions to the Trust Fund for Victims, to the special fund for relocation of witnesses and victims, and/or to the trust fund for the participation of States' representatives at the sessions of the Assembly of States Parties;*
- *Undertake specific endeavors to promote increased awareness of the activities of the ICC at the national level and/or fund such activities, including support efforts by civil society and journalist organizations to raise awareness of national accountability needs;*
- *Commitment to improving legal training and capacity building on the Rome Statute within national judicial and education systems;*
- *Specific partnerships to strengthen national capacity for the prosecutions of Rome Statute crimes;*
- *Adoption of a national policy to ensure support to national prosecution of Rome Statute crimes in development or other assistance programs;*
- *Commitment to hold regional and sub regional conferences to advance cooperation mechanisms for the Rome Statute system.*

¹ Due to the confidential nature of protective measures taken by the ICC, the identity of those States pledging to enter into witness protection and relocation agreements might need to be kept confidential.