

REGIONAL STRATEGY MEETING FOR THE AMERICAS
SAN SALVADOR, EL SALVADOR, JUNE 13-14, 2011
COALITION FOR THE INTERNATIONAL CRIMINAL COURT (CICC)

FINAL RECOMMENDATIONS FROM CICC LATIN AMERICAN MEMBERS

The Coalition for the International Criminal Court organized its third regional strategy meeting for the Americas in San Salvador on 13-14 June, 2011 in order to discuss the Rome Statute ratification and implementation campaigns, as well as design strategies aimed at moving forward topics related to justice and the fight against impunity in the region. The event brought together participants from Mexico, Nicaragua, El Salvador, Guatemala, Colombia, Honduras and Peru, the International Committee of the Red Cross, as well as members from the CICC executive committee which included the Andean Commission of Jurists, Amnesty International and the International Federation for Human Rights (FIDH).

Following the meeting, participants issued the following recommendations:

To the States of the region:

- Encourage The Bahamas, Cuba, El Salvador, the United States of America, Haiti, Jamaica, Guatemala and Nicaragua to urgently ratify the Rome Statute of the International Criminal Court (ICC), and thus guarantee that the Americas region as a whole is represented before the Court.
- Urge all the states in the region to ratify the Agreement on Privileges and Immunities of the Court (APIC). In particular, encourage those states in the region that are currently not in a position to ratify the Rome Statute to ratify the APIC as a demonstration of their commitment to the Court.
- Urge all the states in the region to fully implement the Rome Statute within their domestic legal systems, by enacting legislation that incorporates Rome Statute crimes and principles of international criminal law (such as the exclusion of statute of limitations for said crimes) within its domestic system, as well as by enacting legislation that will allow them to cooperate with the ICC.
- Adopt the necessary measures to enable the effective functioning of judicial systems and ensure judicial independence and impartiality.
- Work together with civil society in Rome Statute ratification and implementation processes, and promote civil society participation within intra-governmental bodies working in the field of human rights or international humanitarian law.

- Strengthen political and diplomatic support towards the Court within various intergovernmental forums, as well as in bilateral and multilateral relations.
- Comply with the various cooperation requests issued by the ICC in a timely manner including by taking measures to allow for the protection of victims and witnesses, the exchange of information and the adoption of agreements on the enforcement of sentences.
- Promote the work and mandate of the ICC within the bodies of the judicial system and security forces, among other entities.
- Employ the Rome Statute system as a tool in the fight against impunity for violations of human rights and international humanitarian law, including those perpetrated by organized crime.
- Adopt efficient and effective measures to investigate and punish all forms of violence against women, in particular crimes of sexual violence, applying the international standards contained in the Rome Statute.
- Contribute to the Trust Fund for Victims.
- Nominate the best-qualified candidates in the region for the upcoming ICC judicial elections, ensuring a transparent process that involves civil society.
- Identify the best-qualified individuals in the region that could potentially fulfill the position of Prosecutor for the ICC, and submit their names to the *Search Committee for the position of the Prosecutor for the ICC* for its consideration.

To the International Criminal Court:

- Implement training and dissemination programs regarding the work of the Court in Colombia and Honduras, in order to ensure that societies in both countries can maximize the potential offered by the preliminary examinations to strengthen the national processes of investigation and prosecution of international crimes.
- Urge the Office of the Prosecutor to provide more transparent information regarding its work on situations under preliminary examination by issuing reports that reveal some of the specific advances, which, in its view, states under preliminary examination have been implementing.
- Ensure regular visits by ICC officials to countries in the region with the goal of strengthening ties with civil society, inviting, in particular, civil society organizations of countries under preliminary examination to participate in meetings organized by the Court.

To the OAS:

- Implement the agreement on cooperation with the ICC, and adopt measures that continue to strengthen relations between the two organizations.
- Ensure the continuity of its working session on the ICC, as well as the annuity of its resolution on the Promotion of the Court.

To the European Union:

- Increase its efforts to promote the universality of the Rome Statute, as well as its economic, technical, and political support to civil society organizations and States working towards the ratification and implementation of the Rome Statute.
- Ensure compliance with the democratic clause relating to the International Criminal Court contained within the association agreements which it has negotiated or is in the process of negotiating with Latin American and Caribbean States.

San Salvador, June 14, 2011

Colectivo de Abogados José Alvear Restrepo

Humanas Colombia

Comisión Colombiana de Juristas (*Colombian Commission of Jurists*)

Comisión Andina de Juristas (*Andean Commission of Jurists*)

Comité para la Defensa de los Derechos Humanos de Honduras (CODEH)

Centro de Investigación y Promoción de los Derechos Humanos (CIPRODEH)

International Federation for Human Rights (FIDH)

Salvadorian Coalition for the International Criminal Court

Mexican Coalition for the International Criminal Court

Comisión de Derechos Humanos de El Salvador

Tutela Legal del Arzobispado

Bufete de Abogados de la UCA

Guatemalan Coalition for the International Criminal Court

Centro de Estudios de Guatemala

Instituto de Estudios Comparados en Ciencias Penales de Guatemala (ICCPG)

Instituto de Estudios del Proceso Penal Acusatorio, A.C. (México)