

H.E. Ms. Portia Simpson-Miller

Prime Minister

Jamaica

Bezuidenhoutseweg 99a

2594 AC The Hague

The Netherlands

Tel: +31.70.311.1083

Fax: +31.70.364.0259

New York, 3 April 2012

Your Excellency,

We have the honor of writing to you on behalf of the Coalition for the International Criminal Court (CICC), a global network of over 2500 member NGOs in 150 countries, campaigning for a fair, effective, and independent Court and increased access to justice for victims of crimes against humanity, genocide and war crimes. On this occasion, we are writing to respectfully call on your government to promptly ratify the Rome Statute of the International Criminal Court.

Your Excellency, as you are aware, the Caribbean region played a pivotal role in the establishment of the first permanent international court capable of trying the most heinous crimes known to mankind. The motion set forth in 1989 by Trinidad and Tobago requesting the United Nations General Assembly to consider the establishment of the International Criminal Court gained important support from a number of states, including all CARICOM member states. Since then, the Caribbean region has continued to be a crucial supporter of the Rome Statute system, and to date, only three CARICOM states – The Bahamas, Jamaica and Haiti – have yet to ratify the Statute.

With Guatemala's recent accession to the Rome Statute on 2 April 2012, there are now 121 states parties to the treaty, demonstrating that the International Criminal Court is steadily advancing toward universality. Each additional ratification contributes toward the reduction of safe havens for the authors of these gross human rights violations and increases state cooperation with the ICC. Moreover, as it celebrates its tenth anniversary, the Court's work load continues to grow. On 14 March 2012, it issued its landmark first judgment in *The Prosecutor vs. Thomas Lubanga Dyilo* case, setting an important precedent that resonated globally. The Court is also conducting six other investigations and eight preliminary examinations.

Complementarity, one of the most central tenets of the Rome Statute system, recognizes the primary jurisdiction of states in investigating and prosecuting individuals who have allegedly committed crimes that fall under the jurisdiction of the ICC. In this context, ratification of the Statute also offers states an opportunity to strengthen their own national legal systems, adopting definitions for international crimes that are more in line with the Statute and that reflect developments in international law.

Your Excellency, Jamaica is a leader in the Caribbean and has historically spearheaded efforts in the fight against impunity. As has been clearly described by The Hon. Patrick Robinson, Judge at the International Criminal Tribunal for the Former Yugoslavia, Jamaica was among the first set of countries, if not the first, to enact legislation imposing trade sanctions against apartheid South Africa and, furthermore, through the leadership of former Premier Shearer, advocated successfully for the designation of the International Year of Human Rights in 1968. With almost all CARICOM members as members of the ICC, the scales of justice in the Caribbean have tilted

decisively in favor of the Rome Statute and it is imperative that Jamaica, which signed the treaty in 2000, take concrete actions to ratify the Statute.

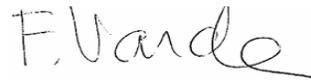
The Coalition understands from communications with government authorities and public statements made by your government that although Jamaica remains committed to ratifying the Statute, legal and political challenges have prevented it from advancing in its ratification efforts. We trust that these hurdles will be promptly solved and that the necessary political support required to prioritize the task of adopting ICC implementing legislation – a prerequisite that has been deemed necessary for ratification by Jamaica – will be generated so as to ensure that Jamaica joins its fellow Caribbean neighbors as an additional state party to the Rome Statute.

Your Excellency, we urge your government to embrace this new system of international justice and promptly ratify the Rome Statute.

Respectfully,



Brigitte Suhr
Director of Regional Programs
Coalition for the ICC



Francesca Varda
Coordinator for the Americas
Coalition for the ICC

CC:

H.E. Mr. Arnold Nicholson, QC
Minister of Foreign Affairs and Foreign Trade

H.E. Mr. Mark Golding
Minister of Justice

H.E. Mr. Raymond Wolfe
Permanent Representative of Jamaica to the United Nations