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**NGO in general consultative status
with the Economic and Social Council**

H.E. President Mauricio Funes
President of the Republic of El Salvador
San Salvador, El Salvador

Via: elsalvador@un.int, embajadapaisesbajos@rree.gob.sv

Bogota, Buenos Aires, Montevideo, Paramaribo, Santo Domingo, 2 May 2014

Dear President Funes,

We are pleased to write to you as members with responsibilities within Parliamentarians for Global Action (PGA), a global network of more than 1,100 parliamentarians from 140 countries with democratically-elected parliaments around the world who, in our individual capacity, promote peace, democracy, the rule of law and human rights.

Your election to the Presidency in June 2009 produced a favorable change in the foreign policy of El Salvador in relation to the International Criminal Court (ICC) since the ratification of the Rome Statute of the ICC was included in the Government platform. Since then, many Parliamentarians and government officials from Latin American countries, as well as countries in other regions of the world, visited El Salvador and engaged with your Administration to promote the ratification of the Rome Statute.

As you know, El Salvador is one of the few Latin American countries that has not yet become a party to the International Criminal Court. The ratification of the Rome Statute in El Salvador is not only politically possible, it is also strongly supported by vast sectors of society as a moral mean of reparation for victims and a legal guarantee of non-repetition of the crimes that they have suffered during the civil war.

As El Salvador has made significant progress under your leadership on economic development and human security, the ratification of the Rome Statute will leave an additional important legacy for future generations by advancing the cause of accountability, justice and deterrence for human rights abuses.

In this respect, the acceptance by El Salvador of the new system of international justice established by the Rome Statute of the ICC may be seen as an important political and symbolic move by your country, even if such a ratification is completely independent from the issue of accountability for past crimes given the non-retroactive nature of the ICC. We are, therefore, looking forward to your leadership to ensure that El Salvador becomes a State Party to the Rome Statute as soon as possible by sending, in your last month as President of El Salvador, the relevant bill to Parliament.

Allow us to use this opportunity to underscore that we have followed, with great interest, the discussions that, throughout your presidential term, have taken place in your country regarding the International Criminal Court. Out of this extremely interesting debate, we have understood that all political forces from the Government and significant parties of the opposition have a united voice of support.

We are also aware of the existence of a national debate about the misperception that the ICC may have regarding jurisdiction over crimes of the past, or that may have an influence on national decisions relating to the accountability of alleged perpetrators of atrocities that occurred in El Salvador. As evidenced by the technical assistance and research carried out by PGA on the basis of the existing literature and jurisprudence concerning other countries with internal armed conflicts prior to the ratification of the Statute, allow us to stress that the absolute principle of non-retroactivity of the Rome Statute affects neither positively nor negatively the sovereign decision(s) that El Salvador may undertake to remedy past wrongs.

The people of El Salvador have recently suffered a tragic story. The ratification by El Salvador will help to consolidate a multiparty platform in support of the principle of "never again," a vital legacy of your Presidential term and a promise to future generations.

We would like to reiterate the offer of full support, both technical and political, with respect to the possible transmission of the Rome Statute to the Legislative Assembly for ratification, which will enable El Salvador to become the next State Party to the Rome Statute.

Thank you in advance for your consideration of this important matter and please receive, Honorable President Funes, the assurances of our highest consideration.

Sen. Julio Cesar Valentín (Dominican Republic)
Member, PGA




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