

CJI/RES. 140 (LXXII-O/08)

PROMOTION OF THE INTERNATIONAL CRIMINAL COURT

THE INTER-AMERICAN JURIDICAL COMMITTEE,

RECALLING that the General Assembly held in Panama in June 2007, through resolution AG/RES. 2279 (XXXVII-O/07), requested the Inter-American Juridical Committee on the basis of the information received from and updated by the Member States, the recommendations contained in report CP/doc.4194/07, and existing cooperation law, to prepare model law on cooperation between States and the International Criminal Court, taking into account the Hemisphere's legal systems, and to submit it to the General Assembly of the Organization at its thirty-eight regular session;

CONSIDERING THAT, pursuant to that mandate, the rapporteur of the theme, Dr. Mauricio Herdocia, presented during the 72nd regular session of the Inter-American Juridical committee held in Rio de Janeiro in March 2007, documents CJI/doc.290/08 rev.1, "Report on perspectives for a model law on State cooperation with the International Criminal Court" and CJI/doc.293/08 rev.1, "Guide to the general principles and agendas for the cooperation of States with the International Criminal Court", which were considered by the Inter-American Juridical Committee during the aforesaid regular session,

RESOLVES:

1. To thank Dr. Mauricio Herdocia, rapporteur of the topic, for his presentation of documents CJI/doc.290/08 rev.1, "Report on perspectives for a model law on State cooperation with the International Criminal Court", and CJI/doc.293/08 rev.1, "Guide to the general principles and agendas for the cooperation of States with the International Criminal Court".

2. To receive said reports and underline the importance for States to take into account their considerations, principles and agendas, with a view to strengthening cooperation with the International Criminal Court.

3. To convey those reports to the Permanent Council of the Organization, which in turn will convey them to the OAS General Assembly during its thirty-eight ordinary session to take place in Medellin, Colombia, in June 2008.

4. To reiterate the request to the OAS Member States that have not yet replied to the questionnaire prepared by the Inter-American Juridical Committee, to do so, and to those States party to the Statute of the International Criminal Court that have already completed the process of law adoption and implementation, to deliver such information to the Inter-American Juridical Committee.

5. Furthermore, to reiterate the request to the States that have already completed the process of adoption of laws that embody, modify or add the criminal types characterized in the Rome Statute, to provide the updated information to the Inter-American Juridical Committee.

6. To underline the importance of the special sessions on this topic that are organized annually in the framework of the Committee of Legal and Political Affairs of the OAS Permanent Council; to stimulate said Committee to continue sponsoring frameworks for discussion on the adequate measures that States must take to cooperate

with the International Criminal Court, and to highlight the involvement of the rapporteur of the topic in the special session held on January 28, 2008.

This resolution was unanimously adopted during the session held on March 7th, 2008 by Drs. Hyacinth Evadne Lindsay, Guillermo Fernández de Soto, Ana Elizabeth Villalta Vizcarra, Mauricio Herdocia Sacasa, Jean-Paul Hubert, Ricardo Seitenfus, Jorge Palacios Treviño, Freddy Castillo Castellanos and Jaime Aparicio.

Annexes:

- CJI/doc.290/08 rev.1, “Report on perspectives for a model law on State cooperation with the International Criminal Court”
(presented by Dr. Mauricio Herdocia Sacasa)
- CJI/doc.293/08 rev.1, “Guide to the general principles and agendas for the cooperation of States with the International Criminal Court”
(presented by Dr. Mauricio Herdocia Sacasa)

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