

CJI/RES. 157 (LXXIV-O/09)

INTERNATIONAL CRIMINAL COURT

THE INTER-AMERICAN JURIDICAL COMMITTEE,

BEARING IN MIND resolution CJI/RES. 140 (LXXII-O/08) of 7 March 2008, which endorses the reports presented by the rapporteur, namely, the “Report on Perspectives for a Model Law on State Cooperation with the International Criminal Court” and the “Guide to the General Principles and Agendas for the Cooperation of States with the International Criminal Court”;

CONSIDERING that resolution AG/RES. 2364 (XXXVIII-O/08) calls on the Inter-American Juridical Committee, based on its proposal to draft a model law on cooperation between the States and the International Criminal Court, to encourage the adoption of such model legislation in the States that have yet to adopt a law on the matter, doing so to the extent of its possibilities, and with the collaboration of the Secretary General and the Secretariat for Legal Affairs, to support and promote the training of administrative, judicial and academic officials to that end and to report the progress achieved in that respect to the General Assembly during its fortieth regular session.

EMPHASIZING the importance of ensuring adequate and effective internal rules, organs and procedures that allow for free-flowing cooperation with the International Criminal Court,

RESOLVES:

1. To entrust the Chairman of the Inter-American Juridical Committee to approach the States Parties to the Rome Statute that have yet to adopt legislation on cooperation with the International Criminal Court, in order to place at their disposal the work the Juridical Committee has done on the topic, which was sent to the Permanent Council on 24 March 2008, along with the technical assistance services the Secretary and, if applicable, the rapporteur and the other members of the Committee are able to provide, to the extent of their possibilities.

2. To instruct the Secretary of the Inter-American Juridical Committee to establish contact with the Secretaries of CARICOM, CAN, SICA, MERCOSUR and UNASUR to assess the possibility of holding regional training seminars for the States Parties to the Rome Statute to instruct administrative, judicial and academic officials on the subject of cooperation with the International Criminal Court.

3. To instruct the Chairman of the Inter-American Juridical Committee, the rapporteur and the Secretariat to establish cooperative relations with elements of civil society in the States Parties to the Rome Statute that are interested in collaborating with the efforts to promote the adoption of legislation on the subject of cooperation with the International Criminal Court, such as the NGO Coalition for the International Criminal Court, the ICRC, Parliamentarians for Global Action, the Andean Committee of Jurists and the Due Process of Law Foundation, among others.

4. Likewise, to identify and establish cooperative relations with government sectors in each country that are involved with the topic of cooperation with the International Criminal Court, including the Ministries of Justice and the Ministries of Foreign Affairs, among others and as the case may be, with an eye towards promoting the adoption of respective legislation on cooperation and training efforts on the subject.

5. To instruct the Secretary of the Inter-American Juridical Committee to present and promote in the OAS Project Evaluation Committee an outline focused on the search for funding to carry out the training processes and to implement a strategy to disseminate and encourage model laws on the subject of cooperation with the International Criminal Court.

6. To highlight the importance of the celebration honoring the tenth anniversary of the adoption of the Rome Statute, which creates the International Criminal Court. It was a solemn event held on 8 December 2008 in Washington, D.C., at the headquarters of the Organization of American States, during the course of the fifth special session of the Committee on Juridical and Political Affairs of the Permanent Council.

This resolution was adopted unanimously at the session held on March 19, 2009, by the following members: Drs. Guillermo Fernández de Soto, Hyacinth Evadne Lindsay, Mauricio Herdocia Sacasa, João Clemente Baena Soares, Jorge Palacios Treviño, Jean-Paul Hubert, Fabián Novak Talavera, Ana Elizabeth Villalta Vizcarra, David P. Stewart, Freddy Castillo Castellanos and Jaime Aparicio.