



**Coalition
for the
International
Criminal Court**

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Uruguay is the First Latin American Country to Fully Implement ICC Treaty into Domestic Law

Global Coalition Urges Others in Latin America to Follow Uruguay's Lead

(New York, 31 October 2006) – Uruguay has become the first country in Latin America to fully implement the International Criminal Court's (ICC) treaty, the Rome Statute, into domestic law. In a letter sent to Uruguayan President Tabaré Vazquez recently, the Coalition for the International Criminal Court (CICC) – a network of more than 2,000 civil society organizations around the world that work to promote a fair, effective and independent ICC – offered congratulations to Uruguay for taking this historic step forward.

Although Latin America and the Caribbean are one of the strongest regional supporters of the Court, with a total of 14 States now party to the Rome Statute, just over four years after ratifying the Rome Statute Uruguay is the only country to have enacted legislation implementing both complementarity and cooperation with the International Criminal Court. Colombia, Costa Rica and Peru have also enacted legislation implementing the Rome Statute, but covering only partial aspects of their duties under the Statute. In addition, Argentina, Bolivia, Brazil, Dominican Republic, Mexico and Panama are still discussing legislation implementing the Rome Statute or criminal legislation covering some duties under the Rome Statute, at different stages.

Diego Camaño, from the CICC member organization, IELSUR (Social and Legal Studies Institute from Uruguay), said, "Uruguay should feel truly proud in becoming the first state in Latin America to now have laws that fully respect the ICC treaty. Through the 20th century, we Latin Americans have witnessed some of the world's worst crimes, but Uruguay's steps forward point to a real change to respect for international law and justice in the 21st century."

Uruguay's implementation process dates back to 2004, when the Vazquez government hired an independent consultant to draft a new implementation bill. This bill was presented to civil society for comment in May 2005 and then went to the Senate in November 2005. The Lower Chamber (Camara de Representantes) of the National Assembly approved the final implementation bill on 13 September 2006 and on 2 October 2006, the new legislation came into force.

The Coalition for the International Criminal Court welcomes the steps that Peru, Costa Rica, Bolivia, Argentina and Brazil have each taken in their ICC implementation but also urges the other eight remaining Latin American countries to complete their implementation processes as soon as possible so that Latin America might become the first region to be fully united in their support of international justice that the ICC represents. Latin America's support of the ICC dates back to the early 1990s, years before the Court came into existence, and has remained strong despite a rigorous U.S. government anti-ICC campaign. This campaign has cut U.S. aid to a number of countries, including eight Latin American countries that refused to sign a Bilateral Immunity Agreement (BIA) with the U.S. These BIAs, which many legal scholars have determined contrary to international law, are meant to provide immunity from

the ICC for all American citizens and all U.S. Army personnel (including foreign sub-contractors working for the U.S.).

In the past few weeks, however, the U.S. has made some significant moves in toning down its BIA campaign, largely due to pressure coming from Latin American allies. Most significantly, on 2 October, U.S. President Bush issued waivers to 21 countries (including Bolivia, Brazil, Costa Rica, Ecuador, México, Paraguay, Peru and Uruguay) that restored the International Military Education and Training (IMET) funding previously cut because of their stand on the BIA issue. These resisting countries have remained firm in their commitment to protect the integrity of the ICC treaty as they have continued to tell the world's most powerful nation "no". While this unprecedented step is already a serious improvement, there are still different forms of U.S. aid that remain vulnerable. The waivers restored \$3.5 million in IMET funding, but \$100 million dollars in other types of aid remain threatened including Economic Support Funds which cover a wide range of projects such as wheelchair distribution, conflict resolution work, and anti-drug trafficking initiatives. Among the countries that remain in danger of having their ESF aid cut are Brazil, Ecuador, Mexico, Paraguay, Peru, Uruguay, and Venezuela.

The CICC's Latin America Regional Coordinator Paulina Vega said, "The CICC applauds the united resistance Latin America has maintained against the United States' unjust BIA campaign and we ask these brave countries to remain strong and continue to refuse to sign a BIA. Further, we ask countries to advocate in Washington D.C. that they need broader waivers which repeal all of the aid cuts that are being implemented simply because a given country has chosen to join the ICC and fully honor its treaty."

In addition to implementing new legislation, Uruguay's Parliament recently approved the Court's Agreement on Privileges and Immunities of the International Criminal Court (APIC) which is designed to provide officials and staff of the ICC with certain privileges and immunities necessary for them to perform their duties in an independent and unconditional manner. The sole remaining step for Uruguay is to deposit the instrument of ratification at the United Nations.

Commenting on this additional ratification, Paulina Vega said, "We urge Uruguay to deposit the APIC ratification as soon as possible so that they will have fully completed their legislative commitment to the ICC. We also urge all Latin American countries, whether they are party to the Court now or not, to ratify APIC as soon as possible to ensure that the entire continent continues to be a leading region in the support for the ICC."

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Notes for Editors:

1. The International Criminal Court is the world's first permanent global criminal court. It is *not* an organ of the United Nations but rather an independent body established in The Hague, the Netherlands on 1 July 2002 when the ICC treaty came into force. The ICC does not have jurisdiction over crimes prior to that date.
2. The Court is currently investigating cases in Darfur, Sudan; the Democratic Republic of Congo (DRC); and Uganda. The ICC Prosecutor's office is also analyzing 8 situations on 4 continents including the Central African Republic and Cote d'Ivoire.
3. The Court unsealed its first arrest warrants for five top leaders of the Ugandan Lord's Resistance Army (LRA) on 13 October 2005. The LRA is believed to have orchestrated tens of thousands of killings, abductions, and gender-based crimes in Uganda during the course of the Ugandan civil war which began in 1986.
4. On 17 March 2006, the ICC unsealed its arrest warrant for Thomas Lubanga Dyilo, leader of the political and military movement, the Union of Congolese Patriots (UPC), and also announced that Mr. Lubanga had been arrested and transferred from DRC to The Hague. Mr. Lubanga is alleged to have been involved in forcefully enlisting and conscripting children under the age of 15 and using them to participate actively in hostilities in the DRC.
5. The CICC is *not* an organ of the Court but rather an independent NGO network of more than 2,000 civil society organizations working to promote a fair, effective and independent ICC. The CICC was established in February 1995 and has offices in New York City and The Hague as well as seven regional offices around the world. For more information: www.iccnw.org