

High-Level Regional Seminar

“The International Criminal Court and South America: Opportunities for cooperation and exchanges of experiences at 20 years of the Rome Statute”

Quito, Republic of Ecuador

7-8 June 2018

Declaration of Quito on the Twentieth Anniversary of the Adoption of the Rome Statute of the International Criminal Court

On 7 and 8 June 2018, the Ministers of Foreign Affairs and High-Level Representatives of 11 States of South America: Argentine Republic, Plurinational State of Bolivia, Federative Republic of Brazil, Republic of Chile, Republic of Colombia, Republic of Ecuador, Co-operative Republic of Guyana, Republic of Paraguay, Republic of Peru, Oriental Republic of Uruguay and Bolivarian Republic of Venezuela, and Representatives of the International Criminal Court (from here on, “the Court”), met in the city of Quito, Ecuador, on the occasion of the Tenth High-Level Regional Seminar, titled “The International Criminal Court and South America: Opportunities for cooperation and the exchange of experiences at 20 years of the Rome Statute ”.

In order to reiterate the commitment of the South American countries to the Rome Statute of the International Criminal Court (from here on, “the Rome Statute”), on the occasion of the commemoration of the twentieth anniversary of its adoption, and to consolidate the mechanisms for cooperation with the Court, the Ministers of Foreign Affairs and State Representatives:

1. Congratulate the Court for its efforts during the past years to strengthen and universalize a culture against impunity for the most serious crimes of international concern;
2. Salute the initiative of the Court and the Government of Ecuador for organizing a Regional Seminar for High-Level Authorities, government representatives and experts in judicial matters of the South American States;

3. Reiterate the importance of the support of the States Parties in promoting the fundamental principles established by the Rome Statute and in fighting against impunity for the most serious crimes of international concern;
4. Encourage to continue efforts to achieve the universality of the Rome Statute, through the ratification of this instrument by a greater number of States in other regions;
5. Support decisively the principle of complementarity, safeguarding the priority of national courts when respect to the investigation and prosecution of crimes under the Rome Statute;
6. Recognize the importance of positive complementarity, through which the Court can provide cooperation in strengthening the capabilities of national judicial systems, in order to put an end to the impunity of perpetrators for the most serious crimes of international concern;
7. Recognize the relevance of implementing the regime of cooperation contained in Part IX of the Rome Statute, by establishing procedures and internal mechanisms that would allow the effective cooperation with the Court;
8. Reiterate the importance of promoting cooperation between the State Parties and the Court in the field of financial investigations and recovery of assets in accordance with national legislation with the main purpose of attaining effective reparations for the victims and other assistance related expenses, through the determination of mechanisms at an internal level for the fulfillment of this goal;
9. Recognize the relevance of the work carried out by the Trust Fund for Victims, whose mandate, established in the Rome Statute, responds to moral and legal imperatives, that allows the award of assistance and reparation to be given to the victims of crimes within the jurisdiction of the Court;
10. Reiterate our call to the United Nations to provide the necessary resources so that the Court can fully carry out its functions with respect to situations referred to it by the Security Council, in demonstration of the support of the international community in the fight against impunity in accordance with international law;

11. Take note of the challenges faced by the Court in the procedures for arrest and surrender, and release of persons subject to its jurisdiction; in the freezing of assets, and in the completion of voluntary agreements under the cooperation framework;
12. Reaffirm the necessity to consider different cooperation agreements between the Court and States Parties, to facilitate specific procedures of voluntary cooperation including enforcement of sentences, relocation of witnesses under threat, hosting suspects or accused during interim release, and accepting persons released due to acquittal or non-confirmation of charges presented against them;
13. Underline the importance of national, regional and international fora to secure exchanges and dialogues among State Parties, Observer States, the Court, and intergovernmental and non-governmental organizations;
14. Urge the Court to strengthen and guarantee adequate geographical representation of the region and of gender in the provision of the positions of the Court at all levels of its structure;
15. Express our appreciation to the Government of the Republic of Ecuador for the outstanding organization of this Seminar.

Quito, 08 June 2018.