



PARLIAMENTARIANS FOR GLOBAL ACTION (PGA)

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CHILEAN CONGRESS APPROVES THE RATIFICATION OF THE ROME STATUTE OF THE ICC: PARLIAMENTARIANS REAFFIRM THAT THE FIGHT AGAINST IMPUNITY GOES BEYOND IDEOLOGICAL, REGIONAL OR CULTURAL DIFFERENCES

June 17, 2009: Valparaiso/The Hague/New York– Parliamentarians for Global Action (PGA), a network of over 1,300 legislators from all regions of the world, warmly welcomes the decision taken earlier today by the Chamber of Deputies of Chile to adopt the Ratification Act of the Rome Statute of the International Criminal Court (ICC). This decision concludes a lengthy legislative process, which will allow Chile to become the 109th State Party to the Rome Statute, once the Government of Chile deposits the instrument of ratification at the United Nations in New York.

Dep. Gabriel Ascencio (Chile- PDC) Rapporteur of the Ratification Bill that the Lower House approved in 2002 prior to it being blocked for more than 7 years, declared himself most satisfied by the voting of the Chamber of Deputies that "*sends a very clear signal to the international community on the commitment of Chile against impunity for international crimes.*" According to Deputy Ascencio "*the decision of today and the constitutional amendment that recognizes the jurisdiction of the ICC are testimony to the cause of human rights organizations and to the fundamental principle of 'Never Again' – Nunca más!*"

Another member of PGA, **Dep. Tucapel Jiménez** (Chile-PPD) underscored that "*our ratification fulfils our wish to protect our children and future generations from the sort of atrocities that have been committed in the past. Our sovereign decision to be a Party to the permanent system of international criminal justice is a guarantee of non repetition of these crimes, which is one of the forms of reparations for the victims of past abuses*", Deputy Jiménez concluded.

Chilean **Senator Hernan Larrain** (UDI) described the ICC process in Chile that required the prior implementation of Rome Statute crimes into the national judicial order as "*an essential legislative achievement given the extreme gravity of conduct in question*". For Senator Larrain "*these decisions taken by the Congress are fundamental to the establishment of a genuine system of national jurisdiction and international cooperation that will impede the commission of these atrocities.*"

The membership in the ICC system will bring new opportunities for Chile in its external relations, among them the right to participate in the decision-making process of the Review Conference of the Rome Statute, which will take place in Kampala, Uganda, in 2010.

In this respect, **Senator Sergio Romero** (RN), member of the Foreign Affairs Committee, asserted that "*the vote of the Congress reinforces our support for the principle of equality of all individuals before the law. Our vote today also recognises the contribution of the ICC makes in achieving the goals of the UN, including the Millennium Declaration, because in a world where there is no fairness or justice for individuals, equal and fair distribution of wealth or resources are also endangered.*"

For his part, Independent **Senator Carlos Cantero**, member of PGA International Council, stated, "*our vote today is a step further in extending the mantel of protection of the ICC to all corners of the world, as the dignity of people that is protected by the Statute transcends ideological, regional or cultural differences.*"

Today's decision has also resonated further afield – including in Africa. From the DR Congo, where the ICC has opened cases and is continuing investigations for crimes against humanity and war crimes, such as the recruitment of child soldiers and sexual slavery, **Deputy Angele Tabu**, Secretary of the PGA National Group, congratulated the Chamber of Deputies of Chile in its approval of the ICC Ratification Act. For Deputy Tabu, "*the decision of our Chilean colleagues recognises the suffering and rights of victims of the crimes,*

which the ICC seeks to address. Other States that are not yet party to the ICC should draw inspiration from Chile, which overcame serious political obstacles to spare no effort to advance the cause of justice and the Rule of Law".

Senator Marita Perceval of Argentina and **Senator Raynell Andreychuk** of Canada, in a joint statement on behalf of the PGA International Law and Human Rights Program, stressed that *"the voice of Chile will be heard with more strength and legitimacy in the international arena, to protect civilians and peacekeepers who suffer attacks, and to remind those who have not yet joined the Rome Statute that justice, peace and development go hand in hand."*

When Chile deposits its Instrument of Ratification with the United Nations in New York next week, all of South America will be party to the Rome Statute, leaving Cuba, El Salvador, Guatemala, Haiti and Nicaragua as the only Spanish-speaking countries in the American continent that have yet to join the ICC.

Background

On January 2002, the Chamber of Deputies adopted the Ratification Act of the Rome Statute, leaving pending the decision of the Senate on the matter. The ICC process was blocked due to lack of political agreement on a solution to address the decision of the Constitutional Tribunal on the Rome Statute, which was prompted by opposition parliamentarians in February 2002.

The political agreement was achieved in 2008, and between April and May 2009, both Chambers adopted legislation to incorporate the Rome Statute crimes in the national legal order and a constitutional amendment to recognise the jurisdiction of the ICC. In order to complete the legislative process on the Rome Statute, the process was reinitiated submitting a new ratification bill to both the Senate and the Chamber of Deputies. On June 10 June the Chilean Senate adopted with a wide majority the ratification bill of the Rome Statute (28 votes in favour and 1 against). On 17 June the Chamber of Deputies adopted the ratification bill with 79 votes in favour 9 against and 1 abstention.

For more information please consult www.pgaction.org/ilhr/rome-statute/chile.html

About PGA

Parliamentarians for Global Action is a network of more than 1300 members of parliament from 130 countries around the world who in their individual capacity have pledge to mobilize political will in favour of the establishment, effective and complementary operation of an independent ICC. Members of PGA have contributed to 63 of the 108 ratification to the Rome Statute to date. PGA is a member of the Steering Committee of the Coalition for the ICC. PGA receives the support of the European Commission (EU) and of the Governments of Belgium, The Netherlands, and Switzerland, as well as core support from Denmark, Sweden, Nigeria and the Hague Municipality.

International Law and Human Rights Programme / PGA ICC Campaign

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