

Peralta Distéfano, Ariela (Uruguay)

[Original: Spanish]

Statement of qualifications

The following statement is made in accordance with the requirements set out in Article 36(4)(a) of the Statute of Rome of the International Criminal Court, and in paragraph 6 of the resolution of the Assembly of States Parties on the procedure for the nomination and election of judges of the Court (ICC/ASP/3/Res.6).

Uruguay presents for the consideration of the States Parties the candidature of Dr. Ariela Peralta Distéfano, President of the National Institution of Human Rights and Ombudsman for Uruguay, who is regarded as uniquely positioned to serve as a judge of the International Criminal Court as a List B candidate, as shown by her extensive experience and by her life-long commitment to the principles and objectives of the Rome Statute.

Dr. Peralta has dedicated her personal and professional life to the defence of human rights and to democratic development. When Dr. Peralta enrolled in the Faculty of Law and Social Sciences of the University of the Republic of Uruguay, Uruguay was under the oppressive grip of the military dictatorship that ruled the country between 1973 and 1985.

When democracy was restored, the majority of Uruguay's social organizations and trade unions had been destroyed, fragmented or weakened by the military forces that held power in Uruguay. Dr. Peralta became one of the youngest lawyers providing her commitment and contribution towards rebuilding the social fabric of Uruguay, helping with the re-establishment and consolidation of various types of social organizations aimed at the protection of the human rights of women, children and prisoners, among other highly vulnerable groups, in her dual capacity as lawyer and notary public. Since then, she has handled cases which have marked her professional profile and which have forced her to make difficult personal choices.

During this period, Dr. Peralta started to work with non-governmental organizations on topics relating to children who have violated the criminal law, in terms of finding ways to implement alternative measures to imprisonment. For ten years she was the Director of the Civil and Political Rights Department of the Service of Peace and Justice (SERPAJ) in Uruguay, which provides legal representation in instances of human rights violations throughout the country. SERPAJ is the most highly respected organization in Uruguay aimed at protecting and promoting human rights, and it was founded by, among others, Adolfo Perez Esquivel, winner of the Nobel Peace Prize. Dr. Peralta gained great expertise through her visits to places of detention, and co-authored the only Annual Human Rights Report in Uruguay, which is edited by SERPAJ, and she also served as Executive Secretary of SERPAJ Latin America.

She was successful in her candidature as Programme Director for the Association for the Prevention of Torture based in Geneva. While performing this function, she was awarded the prestigious Hubert H. Humphrey Fellowship to undertake academic studies at the Washington College of Law of the American University, as a result of which she had to move to the United States. During her Master's degree in International Legal Studies, the United Nations Development Program, under an agreement with the United Nations High Commissioner for Human Rights and the Inter-Parliamentary Union, appointed her as National Consultant on Human Rights and Legislative Policy, a role that she initially played long-distance, undertaking field visits, until she finished her Master's degree and continued this role in Uruguay.

Dr. Peralta was offered the position of Deputy-Director of the Center for Justice and International Law (CEJIL), and subsequently, in addition to these responsibilities, the position of Program Director for the Andean, North American and the Caribbean Region. Working in that capacity, based in Washington D.C., she acted as lead, together with the Executive Director, in a great number of case- and theme-related hearings before the Inter-American Commission on Human Rights and she also litigated and oversaw the litigation of landmark cases before the Inter-American Court of Human Rights, within a strategic litigation framework. It should be noted that CEJIL, together with 400 partner

organizations, represents more than 13,000 victims and persons under protection, in over 220 cases and procedures relating to interim and precautionary measures before the Inter-American Commission on Human Rights and the Inter-American Court of Human Rights. By way of example, two of the most notable cases litigated by Dr Peralta stand out, in the context of her work at CEJIL: the Case of the Rochela Massacre v. Colombia and the Case Gelman v. Uruguay. In the February 2011 Judgment in the latter case, the Inter-American Court of Human Rights ordered the Uruguayan State, inter alia, to make a public declaration – in the Uruguayan Congress, in the presence of the then President of the Republic, José Mujica – of its responsibility towards the victims Juan and Macarena Gelman, and to acknowledge its duty to ensure the criminal prosecution and punishment of those responsible for the forced disappearance in 1976 of Maria Claudia Garcia de Gelman in the context of Operation Condor. Finally, the Judgment required a review of the Law on the Expiry of the Punitive Claims of the State which culminated in the enactment of Law 18.831 in October 2011, which re-establishes the full exercise of the punitive claims of the State for crimes committed under State terrorism up to 1 March 1985.

In 2012, she was nominated by various civil society organizations to serve on the first governing board of the National Institution of Human Rights and Ombudsman for Uruguay, which was being established in the country. Despite the tremendous commitment involved in litigating cases of serious violations of human rights in the American continent before the Inter-American system of human rights protection, she decided to return to her country to serve in the position for which she had been elected. The General Assembly voted in favour of her appointment to this position, as out of the five candidates she was unique in having received in one of the rounds of voting a special two-thirds majority. Upon taking office, she returned to Uruguay, where she continues to serve in this position, currently in her capacity as President.

The professional career of Dr. Peralta has led her to address as a speaker innumerable regional and international forums and to hold an advisory role in the Strategic Plan of the Inter-American Commission on Human Rights 2017-2020 and in the Academic Advisory Honorary Council of the International Public School on Policies on Human Rights of Mercosur; she has also served as an active member of the Latin American Network Program for the Prevention of Genocide and Mass Atrocities of the Auschwitz Institute for Peace and Reconciliation, and of the Mandela Foundation in connection with its work on memory, as well as serving as Strategic Advisor for the GQUAL campaign to promote gender parity in international tribunals and bodies.

Among her many publications, of particular note is her contribution to the Historical Investigation of enforced disappearances in Uruguay, in compliance with Article 4, Law N. 15.848, requested by the Presidency of the Republic, and co-ordinated by Álvaro Rico in 2007.

Her passion for international law and international human rights law has driven her throughout her life to conduct specialized studies in the Netherlands, Geneva and the United States, among other places.

With regard to the requirements set out in article 36(3)(c) of the Rome Statute, it is confirmed that Dr. Ariela Peralta has an excellent knowledge of one of the working languages of the International Criminal Court.
