

## **SPECIAL DECLARATION ON THE FIRST REVIEW CONFERENCE OF THE ROME STATUTE OF THE INTERNATIONAL CRIMINAL COURT**

Extraordinary meeting of the Council of Heads of State and Government of the Union of South American Nations (UNASUR)

Buenos Aires, 4 May 2010.

The Heads of State and Government of the Union of South American Nations (UNASUR), mindful that the UNASUR Constitutive Treaty, signed in Brasilia on 23 May 2008, enshrines the principle of unlimited respect for universal, interdependent and indivisible human rights as an essential condition to building a common future based on peace, economic and social prosperity, and for the development of the people.

1. Affirm that the impunity enjoyed by the perpetrators of the most serious crimes of concern to the international community as a whole, which are defined in the Rome Statute of the International Criminal Court, put the stability of the international order at risk.
2. Emphasize the historic importance of the first Review Conference of the Rome Statute of the International Criminal Court, which will be held in Kampala, Uganda, from 31 May to 11 June 2010.
3. Stress the fact that all UNASUR States are Parties to the Rome Statute and, in that capacity, are committed to supporting the objectives of the Review Conference aimed at advancing and perfecting the system of international criminal justice adopted at the Rome Conference of 1998, which centers on the Court.
4. Pledge to contribute constructively to the work of the Review Conference, with a view to adopting substantive decisions on the issues submitted for review, and to participate actively in the Conference exercise to take stock of international criminal justice, and encourage non-state parties and civil society to participate in this task.
5. Recall articles 5 (2) and 123 of the Rome Statute, in order to do their utmost to adopt a definition of the crime of aggression and set out the conditions under which the Court shall exercise jurisdiction with respect to that crime at Review Conference. With this end in view, they pledge to actively seek the most effective possible conditions under which the Court may exercise jurisdiction over the crime of aggression, that contribute to the independence of the International Criminal Court and to the integrity of the Rome Statute.
6. Draw attention to the efficient work of the Special Working Group on the Crime of Aggression, which has been carried out in a transparent and inclusive manner, with the contribution of States Parties and non-state parties to the Rome Statute, as well as other protagonists with an interest in the subject.

7. Take note of the proposals for a provision on the crime of aggression prepared by the Special Working Group on the Crime of Aggression that were submitted to the Review Conference by the eighth Assembly of States Parties to the Rome Statute.

8. Determined to put an end to the impunity enjoyed by the perpetrators of the most serious crimes of concern to the international community as a whole defined in the Rome Statute of the International Criminal Court, reaffirm their commitment towards the International Criminal Court and emphasize the opportunity that the Review Conference represents to strengthen its mandate in compliance with the said Statute.