

Peralta Distéfano, Ariela (Uruguay)

[original: Spanish]

Note verbale

The Embassy of the Oriental Republic of Uruguay to the Kingdom of the Netherlands presents its compliments to the Secretariat of the Assembly of States Parties to the Rome Statute of the International Criminal Court and has the honor to inform that the Government of the Oriental Republic of Uruguay has decided to present the candidacy of Dr. Ariela Peralta Distéfano as a judge of the International Criminal Court (ICC), for List B (article 36.3.b. ii. of the Statute) in the elections that will take place during the 19th session of the Assembly of States Parties to the Rome Statute, to be held in New York, from December 7 to 17, 2020.

Dr. Ariela Peralta has a recognized track record of more than 33 years of professional experience as a lawyer specialized in International Humanitarian Law and human rights and as Head of national and regional institutions and programs, both of civil society, State (as NHRI or “ombudsperson”) and inter-governmental organizations, aimed at strengthening national mechanisms for the protection of human rights, including the administration of justice. In line with the principles and purposes of the Rome Statute, Ms. Peralta has made a concrete contribution to strengthening the rule of law and to the memory, truth, justice and reparation of victims of human rights violations. In Uruguay, among other things, she litigated, at the national level, even on a pro bono basis, representing vulnerable groups, such as those deprived of liberty and former political prisoners or juvenile offenders, and in the Inter-American system, in a case in which the judgment led to the revision of the expiration law to be able to resume national criminal proceedings in cases of State terrorism, and as an academic, she participated in the historical investigation of enforced disappearances occurred from the 1970s to the early 1980s, as well as training in human rights and Criminal Law at University level and to parliamentarians and prosecutors. In the Western Hemisphere, she litigated before the Inter-American Court of Human Rights emblematic cases of high complexity, which contributed to establish jurisprudence on issues regarding massacres, extrajudicial executions, political rights, military jurisdiction, impunity, forced disappearances, the right to a life free of gender violence, children's rights; all of them essential to reverse situations of structural violence.

Dr. Ariela Peralta has represented victims of violence in times of peace and armed conflict, from different countries, with different cultures, including women who have suffered forced sterilization, rape and other forms of sexual violence, kidnapping of children and children born in captivity during regimes of oppression and civil wars, displaced population, children arbitrarily detained, etc.-

Taking into account the aforementioned, this Embassy affirms that Dr. Peralta fully complies with the requirements of article 36, paragraph 3, subparagraphs a), b) and c) of the Rome Statute, as stated in the government declaration of competences, in accordance with article 36, paragraph 4, subparagraph a), accompanied by her Curriculum Vitae.

In that sense, she is nominated for a position of judge under list B (there is one vacancy), for the Latin American and Caribbean region (two vacancies), and for the legal system of civil-continental law; also understanding that her election will contribute to a more adequate gender balance in the Court (a vacancy for a female judge).

Finally, it is worth noting that the national nomination process, in accordance with the law on cooperation with the International Criminal Court, No. 18.026, articles 73 to 75, involves the participation of multiple actors; in this case, civil society, the Legislative Power (General Assembly) and the Executive Power; which ratifies the independence of the candidate proposed for such high position.
