

The Sixth Chautauqua Declaration

August 28, 2012



In the spirit of humanity and peace the assembled current and former international prosecutors and their representatives here at the Chautauqua Institution...

Recognizing the continuing need for justice and the rule of law as the foundation to international peace and security, and cognizant of the legacy of all those who preceded us at Nuremberg and elsewhere:

Welcome the establishment of the International Residual Mechanism for Criminal Tribunals by the UN Security Council and the commencement of its operations on 4 July 2012;

Note, while celebrating the 10th anniversary of the entry into force of the Rome Statute of the International Criminal Court, the issuance of the first guilty verdict in the trial against Thomas Lubanga, the first trial of the International Criminal Court, as well as the first decision on sentencing and reparations for victims;

Note, while celebrating the 10th anniversary of the Statute of the Special Court for Sierra Leone, the obtaining of a guilty verdict against Charles Taylor, the first former head of state indicted whilst in office, and recognizing that this is the first such verdict since Nuremberg;

Note the decision by the Special Tribunal for Lebanon to try the indicted individuals *in absentia*;

Note the commencement of the trial against the senior leaders of Democratic Kampuchea at the Extraordinary Chambers at the Courts of Cambodia;

Note the commencement of the trial against General Ratko Mladic before the International Criminal Tribunal for the former Yugoslavia, one year after his arrest;

Note the judicial achievements of the courts and tribunals in the last year, in particular regarding the completion of the trial phase of the mandates of the International Criminal Tribunal for Rwanda and the Special Court for Sierra Leone, the conclusion of the Prosecution case presentations, and the arrest and surrender of suspects;

Note the increasing importance of the role of international criminal justice in preventing future crimes and ensuring peace and security;

Further note with continued concern the outstanding arrest warrants issued by international courts and tribunals, requiring the cooperation of all states and the international community as a whole for their enforcement;

Now do solemnly declare and call upon the international community to keep the spirit of the Nuremberg Principles alive by:

Cooperating with efforts to locate, arrest, and hand over to the various international courts and tribunals those individuals who have been indicted for crimes falling within the jurisdiction of the international courts and tribunals, wherever found;

Ending impunity for the gravest of crimes by refusing to include or accept amnesty or immunity clauses for such crimes in peace agreements, and calling on mediators and peace negotiators to integrate the international criminal justice dimension in their activities;

Ensuring adequate resourcing of all courts and tribunals, despite the difficult world economic situation, to enable them to fulfill their mandates effectively, including the ability to meet their obligation to protect witnesses;

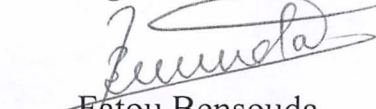
Recognizing and supporting the independence of Prosecutors of international criminal courts as essential to the exercise of their mandates and the furtherance of international criminal justice;

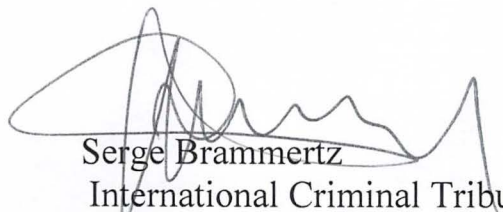
Providing strong and consistent diplomatic and public support for the work of the courts and tribunals;

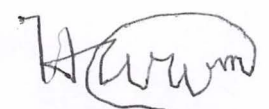
Emphasizing the need to ensure effective complementarity between national jurisdictions and international courts and tribunals by ensuring that national laws encompass international crimes;

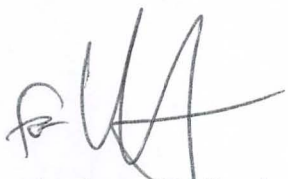
Ensuring accountability for the perpetrators of all crimes and recognizing the victims, in particular women and children.

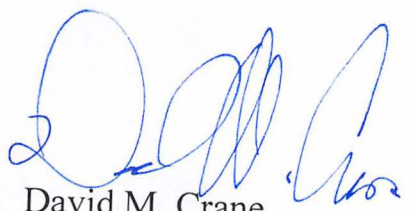
Signed in Mutual Witness:

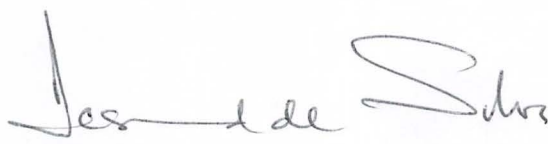

Fatou Bensouda
International Criminal Court

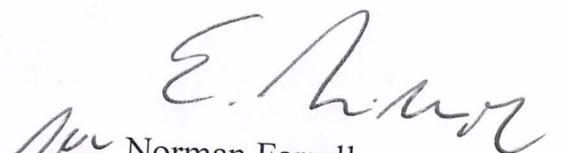

Serge Brammertz
International Criminal Tribunal
for the Former Yugoslavia



H. W. William Caming
International Military
Tribunal Nuremberg

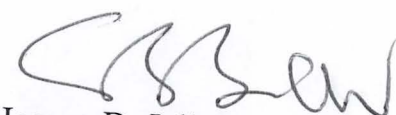

Andrew T. Cayley
Extraordinary Chambers in the
Courts of Cambodia


David M. Crane
Special Court for Sierra Leone


Sir Desmond de Silva, QC
Special Court for Sierra Leone


Norman Farrell
Special Tribunal for Lebanon


Brenda J. Hollis
Special Court for Sierra Leone


Hassan B. Jallow
International Criminal Tribunal for Rwanda
and the International Residual Mechanism for
Criminal Tribunals