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Canadian Edition

Published by the World Federalist Movement, a non-governmental organization that advocates more just and effective global governance through the application of the principles of democratic federalism to world affairs.

VOL.2, ISSUE 2
DECEMBER 2018

COPLA Update: COPLA arrives on the global stage

by Florencia Gor

Kick-started five years ago by the small NGO Democracia Global (the WFM Member Organization from Argentina), the campaign to establish a Latin American and Caribbean criminal court against transnational organized crime continues to garner support in the governmental, academic and civil society sectors.

COPLA (acronym for Corte Penal Latinoamericana y del Caribe contra el Crimen Transnacional Organizado) is presented not only as a proposal for a new judicial organization; it is also considered a key strategy towards a deeper integration in a region that desperately needs more and better cooperation.

As proof of the continued commitment of Argentina's leaders to spearhead the intergovernmental side of this initiative, the President included it in his address this past September to the opening of the 73rd United Nations General Assembly. This is the second time that COPLA has been mentioned at the UNGA, after Argentine Vice President Michetti did the same in 2017.

Macri stated that, "For decades, we have gathered here to safeguard international peace and security. However, we live in a world that is not exempt from serious threats, such as organized crime, cybercrime and terrorism, which require cooperative responses to confront them. During these years, thanks to political will and improved cooperation with our partners in the region and the world, we have managed to dismantle criminal networks of drug trafficking, to increase the number of captures of national and international fugitives and to reduce homicides linked to drug trafficking. We also continue to seek the necessary consensus to create a complementary judicial body at the regional level to fight together against organized crime."

Further regional backing

Another recent institutional development was the signing of the Declaration of Buenos Aires in support of the creation of COPLA. The document was signed last November 1st by parliamentarians and representatives from Argentina, Bolivia, Ecuador, Honduras, Nicaragua, Paraguay, the Dominican Republic and Venezuela during a side-event at the Parliamentary Speakers' Forum and Summit in the context of the G20 Leaders' Summit.

Participants at the side event included parliamentarians from the region, ambassadors and key figures of the Argentine government, including Vice President Gabriela Michetti, Minister of Justice and Human Rights Germán Garavano, Minister of Foreign Affairs Jorge Faurie, and Secretary of Public Ethics, Transparency and Fight Against Corruption, Laura Alonso.

During the opening panel, Camila López Badra, Executive Director of Democracia Global and COPLA campaign coordinator, highlighted the NGO's leading role in promoting the project and its commitment to "building a judicial instrument capable of stopping and prosecuting the highest echelons of organized crime." She stated that COPLA would be complementary to national judicial systems, working in collaboration with member states and "an independent Court, not subordinated to any regional organization." For Ms. Badra, the statistics are too clear: "Today's fight for human rights is the fight against organized crime."

Garavano believes in the value of this initiative, and he proved it by creating a COPLA Unit within the Ministry of Justice and Human Rights: "Latin America is one of the most violent regions of the world, with the highest levels of intentional homicides, many of them related to organized crime." According to Alonso, we are witnessing the "transnationalization of crime" and COPLA has the potential to be "an excellent tool" to battle corruption at the regional level.

Vice President Gabriela Michetti, a dedicated supporter since the campaign's inception, closed the event stating that "COPLA could be a very effective instrument to make progress in the path of fighting against organized crime."

A draft statute has been drafted by a group of experts in international criminal law and regional integration. Prof. Christian Cao, the group's coordinator, expressed that "nowadays, organized crime looks for large amounts of money in order to boost and continue to develop and deploy these transnational crimes" [...], hence "establishing a complementary judicial tribunal that can prosecute the leaders of these groups is a demand of the 21st century."

What next?

The support of the Argentine government since the early stages has been key in the advancement of COPLA. However, Octavio Silliti, Legal Adviser for the Argentine Ministry of Justice and Human Rights, believes that one of the main internal challenges is "to reach the goal of making COPLA and its objectives a state policy beyond the

political inclination of subsequent governments.” For Argentina the challenge is also “to achieve a fluid communication and coordination among the different Ministries of the Latin American and Caribbean countries” and “to create a Commission of Legal Advisers appointed by the governments of the member states.”

COPLA campaigners draw parallels with the model that first inspired it, the International Criminal Court. In the case of the ICC, a coalition of NGOs and a group of like-minded governments worked together at every stage to improve the draft statute and to provide a wide understanding of the need for such an institution. There is already an undeniable social consensus on the urgent need for a regional approach to the crisis of violence.

COPLA advocates need to voice this social demand for security so that governments feel compelled by their citizens to take action.

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