

## VALLETTA DECLARATION ON THE INTERNATIONAL INSTITUTE FOR JUSTICE AND THE RULE OF LAW FOUNDATION

### *Introduction*

Algeria, the European Union, France, Germany, Italy, Japan, Jordan, Malta, Morocco, The Netherlands, Nigeria, Spain, Tunisia, Turkey, the United Kingdom, and the United States, as well as the African Union Center for the Study and Research on Terrorism, the Global Center on Cooperative Security, the International Center on Counter-Terrorism – The Hague, the Institute for Security Studies – Pretoria, and Istituto Superiore Internazionale di Scienze Criminali – Siracusa, hereinafter referred to as “The Partners”, wish

*to underscore* the importance of developing effective institutions that allow governments to provide security, justice, liberty, and development opportunities for their citizens within a rule of law framework;

*to emphasize* the critical role that an effective criminal justice sector can play in preventing and responding to the threats posed by terrorism and other transnational criminal activities, including organized crime, drug trafficking, corruption, and trafficking in persons, and the importance of ensuring that the requisite training and other capacity-building support is available to develop the criminal justice sector to enable it to play this role;

*to further emphasize* that efforts to counter terrorism and other transnational criminal activities can best succeed when they are grounded in respect for human rights and the rule of law;

*to stress* the importance of the United Nations (UN) Global Counter-Terrorism Strategy (UN Strategy) and in particular Pillar IV of its Plan of Action as well as relevant Security Council resolutions including Resolution 1373 (2001), which underscore the essential role that an effective and rule of law-based national criminal justice system plays in ensuring that terrorists and their supporters are brought to justice in a manner that respects human rights;

*to highlight* the Global Counterterrorism Forum’s Rabat Memorandum on Good Practices for Effective Counterterrorism Practice in the Criminal Justice Sector (2012) and other relevant good practices related to development and

implementation of robust, lawful criminal justice tools for addressing terrorism and other transnational criminal activities;

*to acknowledge* the important work being undertaken at the global, regional, and national levels in different parts of the world to provide training and other capacity-building assistance to support the implementation of Pillar IV of the UN Strategy;

*to recognize* the need for additional assistance in this and related fields and in particular a training centre which can serve as a platform for the delivery of training and other capacity-building support on a sustained basis to national criminal justice officials from interested countries to ensure they have the necessary training and skills to counter terrorism and other transnational criminal activities and can contribute, as appropriate, to wider rule of law institutional development and reform efforts;

*to welcome* the offer of the Government of Malta to host The International Institute on Justice and the Rule of Law Foundation (the Institute) as an international center dedicated to strengthening criminal justice and other rule of law institutions, regional and judicial cooperation, and regional criminal justice practitioner networks to allow countries to provide justice, security, and liberty to their citizens, based on the respect for human rights and the rule of law, placing a particular focus on countries seeking to turn their backs on repressive approaches to addressing security challenges such as terrorism and other transnational criminal activities;

*to underscore* that the Institute's mission should be broad enough to allow it to take the global, comprehensive, and integrated approach necessary to address 21<sup>st</sup> century terrorism and other transnational criminal activities over the long-term, while including an initial focus on strengthening the capacity of national criminal justice systems to prevent and respond to terrorism, in particular for interested countries in North, West, and East Africa and the Middle East;

*to emphasise* the importance the Institute should attach to building and leveraging partnerships with, and developing a network of, existing international, regional, and national training centres and academies, the UN and other multilateral organizations, as well as relevant non-governmental organizations;

They therefore have come to the following understanding:

## **Section I Purpose of this Declaration**

The Partners intend to work collaboratively to support, and ensure the success of, the International Institute for Justice and the Rule of Law Foundation (the Institute) as a domestic foundation in Malta.

## **Section II Objectives of the Institute**

As reflected in the Deed of Foundation establishing The International Institute for Justice and the Rule of Law Foundation (“Deed of Foundation”), the Partners intend that the Institute serve as an international center dedicated to strengthening criminal justice and other rule of law institutions. The Institute’s focus on building regional judicial and police and other relevant criminal justice sector cooperation, and regional criminal justice practitioner networks, is intended to allow countries to provide justice, security, and liberty to their citizens, based on the respect for and promotion of human rights and the rule of law, placing a particular focus on countries seeking to turn their backs on repressive approaches to addressing security and other security challenges such as terrorism and other transnational criminal activities. The Institute is expected to engage in such activities as to promote these objectives.

## **Section III Governance of the Institute**

As reflected in the Deed of Foundation, Partners intend the Institute to be governed by a Governing Board of Administrators (“Governing Board”) composed of representatives from the founding States and, as appropriate, other States, including from beneficiary States, and international or regional organizations as invited by the founding States. Consistent with the terms of the Deed of Foundation, the Institute should have an Executive Secretariat which should report to the Governing Board and be responsible for the day to day management and operation of the Institute. The Governing Board may adopt rules of procedure to govern the Executive Secretary’s activities. The Governing Board may also establish an Advisory Board composed of criminal justice experts and practitioners from around the world to provide advice on the Institute’s curriculum as well as the strategic direction of the Institute and its future evolution. The Governing Board may also establish an Assembly of the Institute to offer space to all other contributing and beneficiary States and organizations to express and share their

views on the activities of the Institute. The Assembly should meet on an annual basis and this meeting could be organized on the margins of the Annual General Meeting of the Foundation referred to in the Deed of Foundation.

## **Section IV Contributions**

Partners may contribute voluntary cash or non-cash contributions to the Institute in order to ensure the Institute's long term sustainability. Several Partners intend to make initial voluntary contributions. For example:

**Malta**, as the host government of the Institute, intends to do the following to support the Institute:

1. Secure a facility and offices for the operations of the Institute and lease such facilities at a nominal cost to the Institute;
2. Provide local staff through secondment to support the Institute's administrative and subject matter expertise needs;
3. Arrange for the security of the Institute as deemed appropriate; and
4. Offer privileges and immunities as deemed appropriate.

In addition:

- The **European Union** intends to support activities at the Institute.
- **France** intends to provide expertise from its national training academy for magistrates to the Institute's Executive Secretariat
- **Germany** intends to provide expertise in the area of curriculum development on a case-by-case basis.
- **Italy** intends to provide expertise, in collaboration with the International Institute for Higher Studies in Criminal Science, to programs to be delivered at the Institute.
- **Japan**, in collaboration with the United Nations Office on Drugs and Crime (UNODC) and other relevant international organizations, intends to contribute to the implementation of programs to be delivered at the Institute.
- The **Netherlands** intends to provide expertise in the area of Rule of Law as well as in the area of curriculum development on a case-by-case basis to the Institute.
- **Spain** intends to provide expertise to the Institute.
- **Turkey** intends to provide a financial contribution to the Institute as well as to second an expert to its Executive Secretariat.

- The **United Kingdom** intends to second an expert on investigations training to the Institute's Executive Secretariat.
- The **United States** intends to provide funding to support a) the continued development of the Institute, including the secondment of the Institute's interim Executive Secretary, as well as b) training activities to be delivered at and by the Institute.

To promote financial transparency, Partners expect, consistent with the terms of the Deed of Foundation, that a financial audit of the operations of the Institute should be conducted on an annual basis by an independent external auditor appointed by the Governing Board and that the audit should be conducted in accordance with international auditing standards.

## **Section V Consultation and Exchange of Information**

The Partners expect, on a regular basis, to keep each other informed of and consult on matters of interest concerning their cooperation under this Declaration.

The Partners should, at such intervals, as deemed appropriate, convene meetings to review the progress of activities being carried out under this Declaration and to plan future activities.

## **Section VI Cooperative Partnerships**

The Institute is encouraged to establish cooperative relationships with existing international, regional, and national training centers and academies, universities, the United Nations and other multilateral organizations, as well as relevant non-governmental organizations, with a view to furthering the objectives of the Institute.

For example, the Institute is encouraged to engage in a strategic partnership with the UNODC such as through the conclusion of a cooperation agreement, that will facilitate practical collaboration between UNODC and the Institute, including joint initiatives and activities, such as training of professionals, the development of training methods and tools, and the exchange of relevant technical resources and assistance to enhance the impact and sustainability of the training provided.

In addition, the Institute is encouraged to work collaboratively with the UN Terrorism Committee Executive Directorate (CTED). The cooperation would be based primarily on priority needs for relevant countries or regions identified by CTED through its mandated activities. Such cooperation may include the sharing with the Institute of experience and lessons learned, the identification of priority needs/challenges through CTED's mandated activities and the development of targeted curricula to address these priority needs/challenges by the Institute with input, expertise, and assistance from CTED. It may also include CTED's facilitation of partnerships between the Institute and law enforcement and judicial academies in the relevant countries and input into the development of training material and courses.


The Institute may also invite other organizations with which it has similar objectives to enter into a strategic partnership for mutual cooperation.


Signatures of Other Partners


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European Union

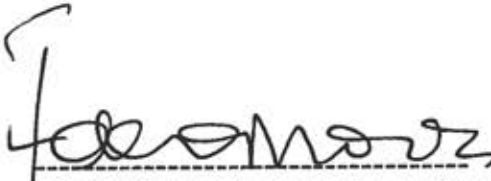
  
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Global Center on Cooperative Security

  
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Germany

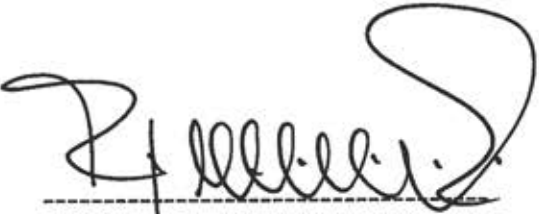
  
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The International Center for Counter-Terrorism - The Hague

  
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Japan

  
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The Institute for Security Studies - Pretoria

  
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Spain

  
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Istituto Superiore Internazionale di Scienze Criminali - Siracusa

  
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The African Union Center on the Study and Research on Terrorism

Valletta, 18 June 2014

Signatures of Partners - Founders



Malta



Italy/Tunisia



United States

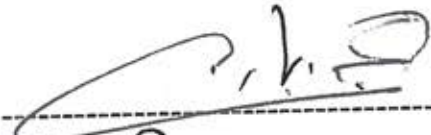


Jordan



Turkey


Morocco\*



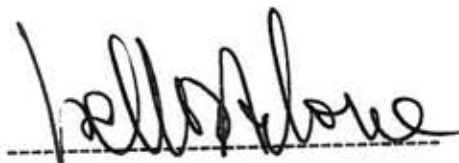
Algeria



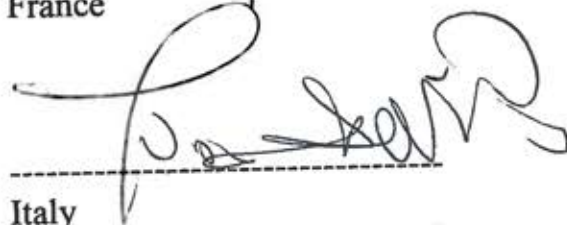
The Netherlands



France



Nigeria



Italy



United Kingdom

\* The Kingdom of Morocco considers that the acquisition of the status of founding member or participant in the Institute does not prejudice in any way its official position regarding recognition of States.