



## PARLIAMENTARIANS FOR GLOBAL ACTION

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### PARLIAMENTARIANS URGE THE INDONESIAN GOVERNMENT TO TRANSMIT AS EARLY AS POSSIBLE TO PARLIAMENT THE INTERNATIONAL CRIMINAL COURT (ICC) ACCESSION BILL

*INDONESIA'S ACCESSION TO THE ROME STATUTE OF THE ICC ANTICIPATED TO TAKE PLACE LATER IN 2009*

*Jakarta, 18 February 2008:* At a Working Meeting hosted by the Chairs of Commission III (Law and Human Rights), Commission I (Defense and Foreign Affairs) and the Legislative Council, Indonesian Parliamentarians from all major political parties called for the prompt completion of the process of national Accession to the Rome Statute of the International Criminal Court (ICC), the first permanent international Tribunal with jurisdiction over genocide, crimes against humanity and war crimes.

Organised by the Parliamentarians for Global Action (PGA) – a network of more than 1300 MPs from 130 democratic countries of all regions of the world –, the Meeting took place on the occasion of the visit of an international delegation led by **Canadian Senator (Ms.) A. Raynell Andreychuk** (Chair, Human Rights Committee) and **Australian MP (Ms.) Melissa Parke** (Chair, Australian Commission for Law Enforcement Integrity). The Delegation was officially acknowledged by the Indonesian Parliament upon arrival in the plenary Parliament Hall.

The Working Meeting was opened by PGA Indonesia Chair **Dr. Theo Sambuaga MP** (Chair, Commission I) and closed by PGA Indonesia Secretary **Ms. Nurshyabani Katijasungkana, MP** (Deputy Chair, Commission III). Both Lawmakers stressed the importance of the ICC as a tool to fight impunity and prevent atrocities. “108 States have ratified or acceded to the Rome Statute over the past 10 years”, Dr. Sambuaga said, adding that “Indonesia is a law-abiding nation that has nothing to lose and all to gain by becoming an ICC Member State.” Ms. Katijasungkana underscored that “justice is not an option and is not negotiable if the goal is the respect for the life and the human dignity of the civilian population”.

Lawmakers agreed with the key-note speaker **Mr. John Holmes**, Ambassador of Canada to Indonesia, who recalled that the ICC jurisdiction is non-retroactive, is complementary to domestic jurisdictions and is designed to strengthen national legal systems, which retain the primary responsibility to bring to justice the perpetrators of the most serious crimes of international concern.

Several MPs and Civil Society organisations questioned the Government concerning the delay of the ICC Accession process, which was earmarked for completion before the end of 2008 in the National Human Rights Plan 2004-09, as emphasized by Foreign Minister Wirayuda at a previous PGA event held in Parliament in February 2007 (*see Jakarta Post of 10 February 2007* [www.thejakartapost.com/news/2007/02/10/ri-join-global-criminal-court.html](http://www.thejakartapost.com/news/2007/02/10/ri-join-global-criminal-court.html)). The Director General for Human Rights of the Department of Law and Human Rights, **Prof. Harkristuti Harkrisnowo** explained that the Government has been engaged in an inclusive process of consultations, sensitization and legal drafting, but acknowledged that the deadline of 2008 had been missed and now the relevant ICC Accession Bill and explanatory note (the “Academic paper” accompanying the Bill) must be prioritized.

All participating MPs concurred on the urgency of the matter, and welcomed a proposal formulated by former Attorney-General **Dr. Marzuki Darusman, MP** – recently designated member of the *United Nations Commission of Inquiry into the assassination of former Pakistani Prime Minister Benazir Bhutto* – that the ICC Accession Bill must be approved in Parliament between May and June of 2009, thus allowing Indonesia to become the largest ICC Member State within the current Legislature. “While elections will be held in April 2009, the current Legislature will continue to work until

30 September 2009”, Dr. Darusman said. He was promptly echoed in this respect by West Papuan lawmaker **Mr. Patrice Morin MP**, who stressed that “*Parliament made many reforms in this Legislature, and it is only a matter of time for the ICC*”.

The Chair of the Committee III, in charge of implementing the National Human Rights Plan 2004-09, **Dr. Aziz Syamsuddin MP**, announced that “*the Law and Human Rights Committee is united in support of the ICC and may be able to approve the Accession to the ICC Statute in a few hours’ session, provided that the relevant Bill is promptly submitted to its attention by the Government*”. The Deputy-Chair of the said Committee, **Dr. Suropto**, launched the proposal that once Indonesia accedes to the treaty, “a special committee shall be established to implement the Rome Statute standards and principles into Indonesian Law”. Lawmakers agreed that this would be an excellent initiative for the next Legislature. Also the Chair of the Legislative Council, **Mr. F.X. Soekarno**, addressed the Meeting, attesting to the preparedness of his Committee to include the Rome Statute Accession Bill in its agenda.

All speakers and participants agreed that there is no political or legal obstacle to Indonesia’s Accession to the Rome Statute, and that now it is simply a matter of expediting and completing the necessary procedures within the Government, which was urged to transmit the ICC Accession Bill as early as possible.

Parliamentarians for Global Action’s Board Member, Canadian **Sen. Raynell Andreychuk**, welcomed the renewed commitment of a multi-partisan coalition of Indonesian political forces in support of the ICC: “*When Indonesia will join the ICC it will mark a pivotal step forward towards the universality of the new system of international criminal justice: Indonesia is the 4<sup>th</sup> most populated country and the largest Muslim-majority country in the world. Indonesia’s input to the ICC will reinforce the position of the majority of States in the world in their endeavour to promote the Rule of Law, justice and universal human rights.*” The All-Party PGA Indonesian National Group will spare no effort in following up to these strong and unequivocal political commitments of this Working Meeting.

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**About PGA – [www.pgaction.org](http://www.pgaction.org)**

Parliamentarians for Global Action is a network of more than 1300 legislators from 130 Parliaments worldwide that in the past 19 years has promoted a permanent, effective and universal ICC. PGA members have led, launched and/or authored ratification and implementation initiatives of the Rome Statute in 63 out of the 108 States Parties to the Rome Statute of the ICC, including some of the more recent States that have joined the ICC – Japan in 2007, Suriname and the Cook Islands in 2008.

The PGA ICC Campaign receives the support of the European Commission (EU) and of the Governments of Belgium, The Netherlands, and Switzerland, as well as core support from Denmark and Sweden.

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