



**Parliamentarians for Global Action**

**CONSULTATIVE ASSEMBLY OF PARLIAMENTARIANS FOR THE  
INTERNATIONAL CRIMINAL COURT (ICC) AND THE RULE OF LAW**

**II SESSION**

United Nations Headquarters, Conference Room 1  
New York

12-13 September 2003

**WITH THE SUPPORT OF:**

*The European Commission, European Union*  
*Department of Foreign Affairs and International Trade (DFAIT), Canada*  
*Ministry of Foreign Affairs, The Netherlands*  
*Ministry of Foreign Affairs, Switzerland*  
*The Ford Foundation*

–*Agenda*–

12 September 2003

*10,00-10,45 hrs.*

**Opening Session**

Chair: **H.E. Mr. Pierre Schori**, Permanent Representative of Sweden to the United Nations;  
President of the PGA UN Committee

**Hon. Kenneth Dzirasah MP** (Ghana), President of Parliamentarians for Global Action;  
Second Deputy Speaker, Parliament of Ghana

**H.E. Mr. Marcello Spatafora** (Italy), Permanent Representative of Italy to the United  
Nations *on behalf of* the Presidency of the European Union

*Keynote Address:*

**H.E. Mr. Luis Moreno Ocampo, Prosecutor of the International Criminal Court**

*10,45-12,15 hrs.*

(1) Towards a Parliamentary Assembly of the International Criminal Court?

- Functions, mandate and potential cost of an institutionalised Parliamentary Assembly of the ICC [expert report available as basis for comments]
- Discussion on the Role the Consultative Assembly of Parliamentarians for the ICC
- Where to go from here?

Chair: **Sen. A. Raynell Andreychuk** (Canada), Chair, Human Rights Committee, Senate of  
Canada; Convenor, PGA International Law & Human Rights Programme

Panellists: **Mr. Alban Bagbin MP** (Ghana), Leader of the Opposition; former Chair of the Legal  
Affairs Committee of the Parliament

**Sen. Longin Pastusiak** (Poland), President of the Senate; Member of the PGA  
Executive Committee

**Dep. Antonio Carlos Pannunzio** (Brazil), Member, Foreign Relations and National  
Defense Committee

**Mr. Robert Miller** (Canada), Executive Director, Parliamentary Centre, Ottawa

**Mr. Adolf Mwesige MP** (Uganda), Chair, Committee on Legal and Parliamentary Affairs

*Open Discussion*

*12,15-13,00 hrs.*

## (2) Promoting the Rule of Law and the Duty of States to Prosecute International Crimes

- Complementarity between National legal systems and the ICC
- Addressing the impunity gap: Universal Jurisdiction and Post Conflict Justice
- Managing the expectations vis-à-vis the limited resources of the ICC

Chair: **Sen. Alain Destexhe** (Belgium), Member, Foreign Affairs Committee

Panellists: **Prof. Roger S. Clark** (New Zealand), Board of Governors Professor, Rutgers School of Law, New Jersey  
**Sen. José Antonio Viera Gallo** (Chile), President of the Human Rights Commission  
**Hon. Mr. Mamadou Koulibaly MP** (Cote d'Ivoire), President of the National Assembly  
**Ms. Fiona McKay** (UK), Director, International Justice Program, Lawyers Committee for Human Rights; *Convenor*, Universal Jurisdiction Caucus, Coalition for the ICC

*Open Discussion*

13,00-14,45 hrs.

**Lunch**

15,00-16,00 hrs.

## (3) Implementing Effective National Legislation to Support the International Criminal Court

- Reforms of criminal justice procedures and cooperation with the ICC
- Incorporation of crimes against humanity, genocide and war crimes
- Creation of National Trust Funds for the victims of international crimes
  - Ratification of the Agreement of Privileges and Immunities of the Court (APIC)

Chair: **Hon. Dr. Nino Burjanadze MP** (Georgia), President of the Parliament

Panellists: **Dr. Irwin Cotler MP** (Canada), Member, Justice & Human Rights Committee, Foreign Affairs Committee; Professor of Law, McGill University  
**Mrs. Cheryl Gillwald MP** (South Africa), Deputy Minister for Justice and Constitutional Development of the Republic of South Africa  
**Mr. Zakaria Kutsnashvili MP** (Georgia), First Vice-Chair of the Legal Committee  
**Sen. Alain Gournac** (France), First Vice-Chair of the Social Affairs Committee  
**Mr. Christopher K. Hall** (USA), International Justice Programme, Amnesty International

*Open Discussion*

*Rapporteur:* **Dr. Bruce Broomhall** (Canada), *International Justice Initiative, Open Society Institute and Central European University, Budapest*

16,00-17,15 hrs.

## (4) Protecting the Integrity of the International Criminal Court

- Bilateral Non-Surrender Agreements
- EU-US talks on the Bilateral Non-Surrender Agreements: state of play
  - The American Servicemembers Protection Act (ASPA) of 2002 and its proposed amendments of 2003
  - Parliamentary initiatives to safeguard the territorial jurisdiction of the ICC

Chair: **Mr. Tony Worthington, MP** (United Kingdom), Member, International Development Committee

Panellists: **Hon. Lincoln P. Bloomfield Jr.** (USA), Assistant Secretary, Bureau of Political-Military Affairs, Department of State, USA  
**Dr. Adrian Severin MP** (Romania); President Emeritus of the OSCE Parliamentary Assembly

**Mr. Richard Dicker** (USA), Director, Int'l Justice Program, Human Rights Watch  
**Dip. Felipe Michelini** (Uruguay), Member, Foreign Affairs Committee

*Open Discussion*

17,15-18,00 hrs.

- (5) Relationship between the International Criminal Court and the United Nations
- Cooperation between the UN High Commissioner for Human Rights and the ICC in investigating gross human rights violations/crimes against humanity
  - Role of the United Nations in supporting the ICC

Chair: **Sen. Alfredo Prada Presa** (Spain), First Vice President of the Senate

Panellists: **H.E. Mr. Adolfo Aguilar Zinser**, Permanent Representative of Mexico to the United Nations  
**Mr. William Pace**, Convenor, Coalition for the International Criminal Court (CICC)  
**Ms. Silvia Fernández de Gurmendi**, Chief of Cabinet and Head of the Complementarity Unit, Office of the Prosecutor, International Criminal Court (ICC)

*Open Discussion*

Rapporteur: **Mr. Pascal Kambale** (DRC), Researcher, Human Rights Watch (Washington)

13 September 2003

10,00-11,45 hrs.

(6) Universal Representation in the ICC System<sup>1</sup>

- Status in countries of the Commonwealth of Independent States (CIS)
- Status in Asian countries, including Japan and the Philippines
- Status in North Africa and the Middle East
- Status in African countries, particularly Lusophone countries and Burundi
- Status in Mexico, Chile and other Latin American countries

Chair: **Mr. José Maghalaes MP** (Portugal), Former Minister for Parliamentary Affairs

Panellists: **Dr. Eduardo Faleiro MP** (India), Committee on External Affairs, Lower House; Former Minister for External Affairs of India

**Ms. Milouda Hazeb MP (Morocco)**

**Sen. César Jauregui** (Mexico), Vice President of the Senate

**Dr. Moyeen Khan MP** (Bangladesh), Minister of Science & Technology

**Mr. Joao Batista Pereira MP** (Cape Verde), Vice-Chair, Legal & Constitutional Affairs Committee

**Dr. Ra'ed K. Qaqish MP** (Jordan), Member, Foreign Affairs Committee; Vice-President of the Education, Culture, and Youth Committee

**Ms. Loretta Ann Rosales MP** (The Philippines), President, Human Rights Committee

**Mr. Mikhail Sidorov MP** (Moldova), Chair of the Human Rights and Justice Committee

## Open Discussion

*Rapporteur:* **Dr. David Donat Cattin** (Italy), *Legal Advisor, International Law & Human Rights, PGA*  
11,45 AM-13,00 hrs.

**Final Session: Discussion and Approval of a Final Document of the II session of the Consultative Assembly of Parliamentarians for the ICC**

Chair: **Sen. A. Raynell Andreychuk**

Presentation(s): **Rapporteurs**

*Open Discussion*

## Conclusions

FOR MORE INFORMATION, PLEASE CONTACT:

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<sup>1</sup> The "ICC [jurisdictional] system" is the sum of the complementary criminal jurisdictions of the States Parties to the Rome Statute and of the ICC itself.