



**PARLIAMENTARIANS FOR GLOBAL ACTION
ACTION MONDIALE DES PARLEMENTAIRES**

**Conference on ICC Implementing Legislation in African Indian
Ocean countries**

February 25-26, 2010, National Assembly of the Union of Comoros, Moroni

Resolution

We, Parliamentarians, high level Government officials and civil society representatives attending the Conference on ICC Implementing Legislation in African Indian Ocean countries, as well as Djibouti, DR Congo and Tanzania:

Recognizing that Justice and the Rule of Law are a necessary precondition for peace, democracy and human rights in each national society and in the international community;

Knowing that impunity of perpetrators of international atrocities provides a fertile ground for the commission of new horrendous crimes and may lead to the repetition of violent conduct and the escalation of internal or international armed conflicts;

Acknowledging that the International Criminal Court (ICC) represents a milestone in the creation of a globalised and integrated system for the enforcement of fundamental human rights and the prevention and repression of international crimes;

Welcoming the fact that 30 of the 110 States Parties to the Rome Statute are from the African Continent, and that 3 of the 4 African Indian Ocean countries (Comoros, Madagascar and Mauritius);

Knowing that the capacity of the Rome Statute system to fight against impunity is based on the principle of complementarity, which reasserts the obligation of national Courts to exercise their jurisdiction to punish perpetrators of international crimes;

Noting that States Parties to the ICC Statute have a duty to fully cooperate with the Court and to implement legislation aimed at empowering their national judicial system to investigate and bring to justice perpetrators of international crimes and redress to their victims;

Acknowledging that justice for victims includes reparation (compensation, restitution and rehabilitation), gender-justice and effective protection. Access to the justice process must be implemented at the national level respecting the basic standard of human rights envisioned in the ICC Statute.

Recognizing that the ratification and implementation of the Agreement on Privileges and Immunities of the ICC (APIC) is an essential step towards the full effectiveness of the Court's operation.

Expressing its sincere appreciation to the National Assembly of the Republic of Comoros to host this regional Conference and to Parliamentarians for Global Action (PGA) to have organized it in order to unite our efforts in the fight against impunity.

We agree to use our political and legislative prerogatives in a responsible, proactive, non-partisan manner, in order to:

1. Raise awareness and ***create wide-ranging understanding*** in national and regional Parliaments and amongst political leaderships on the Rome Statute of the International Criminal Court (ICC) and the prevention of international crimes.
2. Encourage Parliamentarians from countries that are not yet parties to the ICC Statute (e.g. Seychelles in the African Indian Ocean region) to use their best efforts to ***overcome constitutional, legal and political obstacles to the national ratification process*** and undertake any appropriate legislative or political initiative that could contribute to ratification.
3. Intensify our efforts to ensure full cooperation with the ICC and the incorporation of Rome Statute crimes in our own National legal systems. To that effect, we shall promote the drafting and enactment as early as possible of ***comprehensive national implementing legislation*** and/or any administrative measures that would facilitate the effective and independent operations of the Court.
4. Appeal to our States ***to ratify the Agreement on Privileges and Immunities of the ICC (APIC)*** and to transmit it with urgency to Parliament for consideration and approval, if required under the national legal order.
5. ***Foster dialogue with legislators and officials from other countries (e.g. Seychelles)*** that have not yet joined the ICC system. Political dialogue shall also be pursued through existing avenues of parliamentary diplomacy, seeking appropriate partnerships and collaboration with civil society, the legal professions and the academia.

6. Inquire and advocate within our government to ***assure high-level representation to the Review Conference of the Rome Statute***, to take place from May 31 to June 11, 2010.

ACKNOWLEDGMENT

Parliamentarians for Global Action recognizes the invaluable help and support given to this event by the National Assembly of the Union of the Comoros, and expresses its gratitude to the donors of the PGA ICC Campaign, namely, the European Union and the Governments of Belgium, The Netherlands and Switzerland.