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*Annual Report*  
2004

Parliamentarians for Global Action

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# PROGRAMME ACTIVITIES 2004

## **PGA 26th Annual Parliamentary Forum**

December 2004

Third Session of the Consultative Assembly of Parliamentarians for the International Criminal Court (ICC)  
and the Rule of Law (Wellington, New Zealand)

## **Peace and Democracy Programme**

June 2004

Seminar on Parliamentary Ethics and Accountability (Washington, DC)

June 2004

Peace & Democracy Programme Strategy Meeting (New York, NY)

September 2004

Parliamentary Dialogue between Zimbabwe and United Kingdom Legislators (London, United Kingdom)

October 2004

Regional Seminar on Security Sector Reform (Kampala, Uganda)

## **International Law and Human Rights Programme**

March 2004

Ibero-American and Lusophone Conference on the International Criminal Court (Brasilia, Brazil)

March 2004

Seminar on the implementation of the Rome Statute in the Italian legal order (Rome, Italy)

May 2004

The Role of Legislators and the Legislative Process in Strengthening the Rule of Law in Conflict Situations  
(New York, New York)

June 2004

PGA delegation at the “National Roundtable on the Ratification and Implementation of the ICC Statute in Bahrain”  
(Manama, Bahrain)

August 2004

PGA delegation to the conference “The ICC and Gender Justice: Obstacles to the ratification and  
implementation process of the region” (Santiago, Chile)

September 2004

PGA delegation to the Assembly of States Parties of the ICC (The Hague, The Netherlands)

September 2004

Delegation of Mexican legislators visiting the International Criminal Court in The Hague (The Hague, The Netherlands)

November 2004

Seminar on the Rome Statute and the ICC: The Duty of Implementation of State Parties (Buenos Aires, Argentina)

### **Sustainable Development and Population Programme**

February 2004

ECOWAS Parliamentary Seminar on Human Trafficking (Abuja, Nigeria)

October 2004

PGA Delegation to the International Parliamentary Conference on ICPD (Strasbourg, France)

# PRESIDENT'S MESSAGE

HON. KENNETH DZIRASAH, MP (GHANA)

SECOND DEPUTY SPEAKER

This past year marked the 20th Anniversary of the Six Nation Peace Initiative on nuclear disarmament. In 1984, PGA brought together six presidents and prime ministers from Argentina, Greece, India, Mexico, Sweden and Tanzania, to work together and call on leaders of the United States and the Soviet Union to halt their production, testing and deployment of nuclear weapons. This initiative led to PGA's successful campaign on the Comprehensive Test Ban Treaty (CTBT) which was then adopted by the United Nations General Assembly and officially opened for signature 12 years later.

To commemorate the Six Nation Peace Initiative and PGA's work on the CTBT, PGA's 26th Annual Forum was held in Wellington, New Zealand, whose members were active on these issues since the 1980s. Rt. Hon. Helen Clark, New Zealand's Prime Minister and former PGA member, was this year's recipient of the Defender of Democracy Award for her work towards a nuclear-free world.

Over the past year, PGA's programmes on Peace and Democracy, International Law and Human Rights, and Sustainable Development and Population, successfully explored new areas of work and further developed ongoing initiatives.

The 2004 Forum addressed one of PGA's more recent international initiatives – the Consultative Assembly of Parliamentarians for the International Criminal Court and the Rule of Law. Over 120 legislators from around the world convened in the Parliament of New Zealand to discuss strategies to expand the universality of the Court.

PGA's Peace and Democracy Programme's work in Zimbabwe successfully opened parliamentary dialogue between the two political parties, the governing ZANU-PF and the opposition, MDC. In September, PGA brought a multi-party delegation from Zimbabwe to meet with United Kingdom legislators at the House of Commons in London. This event was a significant step in improving bilateral relations between the two countries and opening discussions on how to resolve the political crisis in Zimbabwe.

In follow-up to the security sector reform work which was initiated in 2002, the Programme convened the Regional Parliamentary Seminar

on Security Sector Reform in Kampala, Uganda in October 2004. Over 60 MPs from Eastern, Central and Southern Africa participated on the seminar to address national security policy and to promote human security.

The Programme also explored a new area of work in June when it held the Seminar on Parliamentary Ethics and Accountability at the United States Senate. The seminar provided the opportunity for US legislators to meet with their colleagues from around the world and discuss how parliamentarians can safeguard political ethics.

PGA's International Law and Human Rights Programme has successfully galvanized the leadership of PGA members around the world to foster political support for ICC and the rule of law. As of May 2005, 99 States have ratified or acceded to the Rome Statute of the ICC. Parliamentarians working within the framework of PGA's Programme played an active role in 56 countries that are now members of the ICC system.

In March 2004, the Programme organized the second Ibero-American and Lusophone Parliamentary Conference on the ICC in Brasilia, Brazil which convened a total of 600 participants which included 140 Members of Parliament (MPs) from countries in Latin America, Africa and Europe. The successful outcome of the conference led to other important initiatives on the ICC and the rule of law in Latin American countries such as Argentina, Chile, and Mexico. One such event was the delegation of PGA members from Mexico to The Hague, The Netherlands, which met with ICC officials, including the President of the Court, Judge Philippe Kirsch, and authorities from the International Criminal Tribunal for the former Yugoslavia (ICTY). In addition, the delegation met with their Dutch counterparts and with officials from the Dutch Ministry of Foreign Affairs. Judge Kirsch was invited to visit the Mexican Congress which he did one month later.

The Programme expanded its work in the Middle East and North African region. In June, a PGA delegation participated in a National Roundtable on the Ratification and Implementation of the ICC Statute in Bahrain. PGA also organized the first conference on the rule of law and the protection of civilians in the Middle East/North Africa region. The



conference took place February 2005 in the People's Assembly of Egypt in Cairo.

The Sustainable Development Programme continues to mobilize and assist parliamentarians in creating an enabling environment for the successful implementation of the International Conference on Population and Development (ICPD) and has served as a member of the Steering Planning Committee for the International Parliamentarians' Conference on the ICPD. A PGA delegation participated in the 2004 conference in Strasbourg, France which addressed legislators' roles in implementing the ICPD Programme of Action.

PGA's initiatives under this Programme expanded to include addressing HIV/AIDS policy in South Asia, a region that is second in the world in the number of people infected with the disease. In 2004, PGA began preparations for the Sub-Regional Parliamentary Seminar on HIV/AIDS in South Asia which took place in Pakistan in January 2005. This high-level event brought legislators from the region and from countries that have implemented effective HIV/AIDS policies to discuss the extent of the epidemic in the region and strategies to combat the spread of the disease while mobilizing legislators to address HIV/AIDS in the region.

In Africa, PGA developed its work on human trafficking, an important issue affecting many parts of the world. In collaboration with the Economic Community of West African States (ECOWAS), PGA held the Parliamentary Seminar on Human Trafficking in West Africa in Nigeria, February 2004. Parliamentarians discussed the causes of human trafficking, presented case studies and identified strategies they can implement to fight human trafficking.

Since its initial work on nuclear disarmament, PGA's programmes have expanded to include more issues that presently affect the globe. Our membership, which continues to grow, is dedicated to promoting democracy, peace, justice and development.\*

# 26TH ANNUAL FORUM:

## Third Session of the Consultative Assembly of Parliamentarians for the ICC and the Rule of Law

### Project Staff:

Ms. Shazia Z. Rafi, *Secretary-General*  
Dr. David Donat-Cattin, *Legal Advisor,  
International Law and Human Rights*  
Mr. Peter Barcroft, *Programme Officer,  
International Law and Human Rights*  
Ms. Samar Al-Bulushi, *Programme  
Associate, International Law and  
Human Rights*  
Mr. Michael Agbeko, *Director of Finance  
and Administration*  
Ms. Helen Vasilopoulos, *Development  
Officer*  
Mr. Brian Kett, *Membership and  
Administrative Associate*  
Ms. Camellia Rodriguez-Sackbyrne,  
*Consultant*  
Ms. Deborah Ruiz, *Consultant*

On December 6-7, 2004, approximately 120 MPs from all regions of the world met in the Parliament of New Zealand in Wellington for PGA's 26th Annual Forum on the Third Session of the Consultative Assembly of Parliamentarians for the International Criminal Court (ICC) and the Rule of Law. The Forum was hosted by Hon. Harry Duynhoven, MP (New Zealand) Minister of Transport and Safety and Chair of the PGA National Group, along with Hon. Ross Robertson, MP (New Zealand), Assistant Speaker, and Dr. Wayne Mapp, MP (New Zealand). The Assembly addressed different ways of promoting the universality of the ICC, the implementation of the Rome Statute within national legal orders and other political and legal issues relating to the integrity, independence and effectiveness of the ICC system, and the consolidation of the Rule of Law. The main goals of the Assembly, which followed those held in Ottawa, Canada (2002) and at United Nations Headquarters in New York (2003), were to focus on the role of parliamentarians in the Asia-Pacific region, as well as to foster political support for the ICC in several countries that have not yet ratified and implemented the Rome Statute.

The Assembly's session was structured in Panels covering the following issues:

*o Impact of the ICC on International Relations: Strengthening the Rule of law and Preventing Crimes*

*o Promoting universality of ratification or accession to the Rome Statute*

*o Protecting the integrity of the Rome Statute and the Credibility of the UN Security Council*

*o Legislative Reforms on the basis of the Rome Statute (including gender justice and the protection of victims and witnesses)*

*o Financing the Court and the Fight*

*against Impunity at National Level: The Role of MPs*

*o Where to go from here? (Formal and informal discussions on the Working Groups of the Consultative Assembly, promoting the Rule of Law beyond the ICC, actions and strategies to deter future international crimes and improve the fight against impunity)*

The Assembly was opened by Rt. Hon Jonathan Hunt, Speaker of the Parliament of New Zealand, Hon. Duynhoven, and Hon. Philip Goff, MP (New Zealand) Minister of Foreign Affairs and Trade and Minister of Justice, who presented the long-standing commitment of New Zealand to the ICC and the international rule of law. PGA members Sen. Tom Harkin (United States) and Dip. Margarita Stolbizer (Argentina), Chair, PGA International Council, also addressed the opening session. All speakers agreed that the ICC is an indispensable tool for multilateral cooperation for the effective enforcement of human rights.

### **Impact of the ICC on International Relations: Strengthening the Rule of Law and Preventing Crimes**

H.E. Ms. Rasha H.E.C.M. Ter Braack, Ambassador of The Netherlands to New Zealand, spoke on behalf of the Presidency of the European Union and Mr. Jonas Sjöstedt, MEP (European Parliament), addressed the participants on behalf of the PGA Group at the European Parliament. Both underscored the essential role that the ICC can play in putting an end to impunity for the most serious crimes under international law.

ICC Judge Neroni Slade (Samoa) and Ms. Silvia Fernández de Gurmendi, Chef de Cabinet and Head of the Jurisdiction, Complementarity and Cooperation Division, Office of the Prosecutor, spoke on behalf of the ICC. Their statements demonstrated to Members of Parliament (MPs) that the



Participants to PGA's 26th Annual Forum at the Parliament of New Zealand (December 2004)

Court is now fully operational and ready to commence with judicial proceedings. Ms. Beatrice Kiraso, MP (Uganda) requested that the Court assess the practicality “of the ICC’s intervention on the Lord’s Resistance Army atrocities in Uganda in relation to an amnesty which was promised to rebels, the peace process and, of course, the scare on the population on whom the ICC rely for information and collaboration while the war is still going on.” Ms. Fernández de Gurmendi replied, stating that “in the case of Uganda, as in the Democratic Republic of Congo, we have to look at the peace process and make sure that our investigations are not an obstacle to these peace settlements.” She further stressed that the ICC mandate will not be an obstacle for any peace settlement if the Court performs its investigations in a careful manner. “Being careful means also that we do not put at further risk individuals in danger,” Ms. Fernández de Gurmendi said, “with victims and witnesses, we constantly assess the possibilities of approaching them and the related risks, and in some cases we might conclude that even if their testimony could be very necessary for us, it is better not to approach them. For us the interest of the victims is absolutely fundamental.”

Judge Slade intervened in the discussion, going beyond the inalienable right of protection for victims under international law. “The Court will have to establish principles relating to reparations for victims,” said Judge Slade. “The Court itself will clearly need to have the evidence before it,” he said, “either forthcoming from victims and their representatives and other sources of evidence to enable the Court to set these principles, including whether it will eventually order reparations, if the reparations are to be made payable, to come from the trust fund or some other source.” The Court’s representatives did not address the issue of amnesties, which is a judicial matter that may be resolved by the judicial organs only through their jurisprudence.

PGA Board Member Rep. Rosetta Ann Rosales (Philippines) underscored the permanent nature of the ICC. Throughout the entire proceedings of the Consultative Assembly, deterrence was a recurrent theme of political discourse. Legislators made use of the PGA paper on the preventive effect of the ICC, which was released in Wellington.

## Promoting Universality of the Rome Statute

A key issue discussed at the Assembly was promoting the universality of the Rome Statute. PGA members have been especially active in addressing the ICC in their home parliaments and have an important role in ensuring that more states ratify the Rome Statute. Sen. Cesar Jauregui Robles (Mexico), Vice-President of the Senate, reported that the Chamber of Deputies would vote, as it did, on the ICC-related constitutional amendment on December 9, 2004, therefore paving the way for the completion of the ICC ratification process within the next 9-10 months. PGA Executive Committee Member Dip. Minou Tavarez Mirabal (Dominican Republic) stated that the Parliament may be called to vote on the ICC ratification bill before the end of the current parliamentary session, by January 16, 2005. Hon. Francis Ole Kaparo, MP (Kenya), Speaker of the Parliament, who led a multi-party delegation to the Assembly, stated Kenya’s commitment to the ICC and the imminence of its ratification. A delegation from the Russian Duma, led by the Chair of the Security Committee, Mr. Mikhail Grishankov, MP, reported on the ongoing inter-departmental Committee established by the President of the Russian Federation to adequate the internal legal order with the Rome Statute to allow for ratification. Mr. Leonid Slutzky, MP, First Deputy Chair, Committee on Foreign Affairs, addressed the session. He stated that the most serious acts of terrorism targeting the civilian population should be considered as part of the ICC jurisdiction. This proposal, supported by entire Russian delegation, was accepted and incorporated in the Wellington resolution.

Legislators from several Asian countries, including Japan, The Philippines, Bangladesh and Pakistan discussed the views of their parliaments on the ICC. In regards to Bangladesh, both the Chief Whip of Opposition, Mr. Abdus Shahid, MP, and the Chairperson of the Foreign Affairs Committee, Barrister Ziaur Rahman Khan, MP, expressed their intentions to promote the ICC. Mr. Syed Naveed Qamar, MP (Pakistan) analyzed the obstacles to ICC ratification in Pakistan and stressed the need to create awareness among law-makers of the positive implications of the Statute for the protection of the civilian populations in times of international or internal armed conflicts and in cases of armed attacks.



Hon. Harry Duynhoven, MP (New Zealand),  
Minister of Transport and Safety



Mr. Jonathan O’Donahue, Amnesty International; Mr. Tony Worthington, MP (United Kingdom); Dr. Wayne Mapp, MP (New Zealand); Mr. David Burnett, US Deputy Chief of Mission to New Zealand; Dep. Adolfo R. Taylhardat (Parlatino)



Dr. Ra’Ed K. Qaqish, MP (Jordan)



Sen. Tom Harkin (United States)



Mr. David Coltart, MP (Zimbabwe); Sen. Marcelo Lopez Arias (Argentina); Mr. William Pace, Convenor (CICC)



Rep. Loretta Ann Rosales, (The Philippines)

Dr. Ra'Ed K. Qaqish, MP (Jordan) expressed his commitment to the implementation of the Rome Statute in Jordan. Mr. Adel Abdul Rahman Al-Moawda, MP (Bahrain) stated his intention to promote the ICC ratification in his country. Both legislators welcomed the PGA conference on the Rule of Law and Protection of Civilians: The Role of Legislators which took place in the Parliament of Egypt in Cairo on February 9-10, 2005.

Other parliamentarians from non-States parties expressed strong interest in continuing review and discussion on the ICC dossier in their countries, including Angola, Armenia, El Salvador, Indonesia, Malaysia and Morocco. Additionally, on the matter of ratification, PGA Members from Turkey and Suriname, who could not attend this Assembly's session due to legislative obligations at the national level, communicated to PGA that their respective ratification processes are steadily advancing and reaching the stage of parliamentary consideration for implementation of the Rome Statute.

#### **Protecting the Integrity of the Rome Statute and the Credibility of the UN Security Council**

The issue of protecting the integrity of the Rome Statute and the credibility of the UN Security Council was also addressed at the Assembly. Mr. Tony Worthington, MP (United Kingdom) discussed action taken by British MPs to stop the renewal of UN security resolution 1487, in coordination with colleagues from several other countries, such as Argentina, Brazil, Chile, Germany, Italy, and Uruguay. Resolution 1487 contained a request to the ICC to defer for 12 months any investigation or prosecution against personnel involved in UN-authorized or UN-established peace operations if such personnel belonged to countries that did not yet join the Rome Statute of the ICC; that deferral is now expired. Dip. Adolfo Taylhardat (Venezuela) commented on recent controversies surrounding the "Nethercutt Amendment" and the Bilateral Non-Surrender Agreements, including their implications for countries that refused to sign a bilateral agreement with the United States such as Jordan, Mali and South Africa.

The US Deputy Chief of Mission to New

Zealand, Mr. David Burnett, presented the US Government position on the ICC and responded to questions in a very frank debate with parliamentarians. A common element to the numerous comments and question made by MPs from Africa, Asia, Europe and Latin America addressed the contradiction-in-terms between a US foreign policy aimed at values such as freedom, dignity and human rights and its distrust and opposition to the ICC, an institution that has received universal support precisely because it is recognized as an enforcement mechanism to protect human rights and human dignity. The debate followed a rebuttal to the US arguments against the Court presented by Amnesty's International Counsel Mr. Jonathan O'Donahue.

Several MPs expressed their wish to intensify the dialogue with the US administration. "I would like to convey," said Dr. Ra'Ed Qaqish, MP (Jordan), "that we shall not back from our commitment towards peace in the Middle East and from our commitments towards the ICC." Dep. Boubou Koita (Mali) also intervened in the same discussion, stressing the fact that a multi-party coalition of parliamentarians regarded the integrity of the ICC and the full cooperation of the Court as a priority for Mali's foreign policy.

Several participants of the Assembly stressed the need to continue and increase the dialogue with their colleagues in the US Congress in order to bring about a new understanding of the ICC. As Dip. Stolbizer (Argentina) stated, "the ICC is a tool for strengthening the constitutionally recognized rights of the individual and not curbing them: an international mechanism that reinforce the sovereignty of law-abiding States and duly interferes with the so-called sovereignty of dictatorship, warlords and oppressive regimes."

#### **Legislative Reforms on the Basis of the Rome Statute**

The Assembly addressed the principle of complementarity between the ICC and national systems and the need to ensure full implementation of the Rome Statute in domestic legal orders. In many cases, this entails law reform to ensure compatibility with the Rome Statute, with special attention given to the provisions on gender crimes. Lawmakers from countries that have implemented or are in the process of





Mr. Naveed Qamar, MP (Pakistan); Mr. Mohd. Abdus Shahid, MP (Bangladesh); Sen. Aquilino Q. Pimentel (The Philippines)



Mr. Mikhail Grishankov, MP (Russian Federation)

implementing the Rome Statute into their national legal order shared their experiences with colleagues from parliaments of countries where such legislation has not been implemented. Mr. Adolf Mwesige, MP (Uganda) Minister for Legal Affairs, Ms. Fatima Chohan-Khota, MP (South Africa) Chair of the Justice Committee, Sen. Karin Schubert, (Germany) member of the Legal Affairs Committee and Mayor of Berlin, Hon. Robertson, MP (New Zealand) Assistant Speaker, and Ms. Lali Papiashvili, MP (Georgia) Deputy Chair of the Human Rights Committee, introduced the main features of their respective national legislation.

In particular, Dep. Orlando Fantazzini (Brazil) Chair of the Ethics and Accountability Committee, announced that, following PGA's Ibero-American and Lusophone Conference on the ICC in Brasilia, Brazil in March 2004, the Brazilian Government is expected to submit the draft ICC legislation to Parliament in the very near future. An amendment to the Brazilian Constitution will be proposed to ensure that the Rome Statute crimes are not subject to Statutes of Limitation.

Mr. Won Young Lee, MP (Republic of Korea) announced that a special bill for the implementation of the Rome Statute would be transmitted by the Government to the Parliament for review and approval. The Korean ICC Bill would be the first implementing legislation to be adopted by an Asian country.

Sen. Bassey Ewa-Henshaw (Nigeria) Chair, PGA National Group, stated that his parliament will request from the

government to urgently transmit a draft implementing legislation to the parliament. If the legislation is not promptly drafted and transmitted, he may decide to move a Private Legislation Bill containing all the features permitting the full implementation in the Federal Republic of Nigeria of the ICC Statute. However, he noted that a Private Bill would require a higher parliamentary majority.

On the subject of gender justice, Sen. Karin Schubert (Germany) highlighted that, with the implementation of the Rome Statute into domestic law, the persecution of a group on the basis of gender is now punishable as a crime against humanity in Germany.

With respect to countries that have yet to ratify the Rome Statute, Ms. Chohan-Khota (South Africa) stressed the option of utilizing the principle of extra-territorial jurisdiction to combat impunity. In this respect, she said that legislators can pass legislation on this matter even when the Executive is not ready for the ratification of the ICC Statute. The issue of "implementation before ratification" was further elaborated by Dip. Tavares Mirabal who presented the outcome of the Parliamentary Commission for the Reform of the Penal Code in which Dominican lawmakers successfully incorporated all the substantive standards of the Rome Statute into domestic law, including the definition of gender crimes.

Beyond implementing legislation, the principle of complementarity can work in practice only if adequate human and financial resources are made available to national structures to ensure that they

can promptly investigate and prosecute international crimes. In this respect, the role of Governments remains essential. Key government officials of ICC States Parties were invited to share their experience with legislators. The German Commissioner for the ICC, Mr. Hans-Werner Bussmann, presented the Justice Rapid Response Initiative and other efforts to promote the national prosecution of international crimes, while Dr. Gordon Hook of the New Zealand Ministry of Justice, offered technical advice on the implementation of the ICC, especially to small Pacific Islands States, who were represented at the Assembly by several parliamentary delegations, including Hon. Ratu Epeli Nailatikau, MP, (Fiji) Speaker of the House of Representatives.

#### **Financing the Court and the Fight Against Impunity**

Parliamentarians, who retain decision-making power at the national level on the budget of the State, can better utilize this legislative prerogative to ensure adequate financial support for the fight against impunity and the protection of human rights. In particular, if PGA is able to generate sufficient political will in support of the "ICC system" in given countries, the parliamentary budget Committees of those countries may see fit to allocate more financial resources to the ICC itself and/or to national initiatives aimed at preventing and repressing international crimes. Against this background, the Consultative Assembly agreed in the Wellington Resolution to devote a working group of the Assembly itself to the appropriate legislative actions to better finance and equip national

and international mechanisms against impunity. MPs could initiate discussions in Parliament on the need to differentiate between the assessed contributions paid by their country to the ICC from the basket of financial contributions made by their countries to international organizations, thus reflecting the unique nature of the ICC as an international judicial institution which exists independently of the UN system. If governments present a clear overview of their financial support for the Court, Parliament can then propose the allocation of additional resources for the benefit of victims (e.g. for the Trust Fund of Victims of the ICC or other project and programmes).

Participation from civil society was important throughout the proceedings in both open and informal discussions with MPs. Representatives of the Coalition of the ICC (CICC), led by Mr. William Pace, Convenor, and Ms. Evelyn Serrano, Asia Coordinator, and of New Zealand NGOs, intervened on crucial issues such as financing the ICC, implementing legislation, and universality and integrity of the Rome Statute.

### Final Discussion and Adoption of the Wellington Resolution

Participants to the Assembly adopted the Wellington Resolution on the ICC, Multilateralism and International Cooperation which provides the foundation for strategic follow up. The resolution reaffirms the commitment of PGA Members to a fair, effective, independent and universal ICC. Parliamentarians agreed to intensify their efforts for the ratification or accession to the Rome Statute and to enact strong and comprehensive legislation aimed at fighting impunity. The Wellington final document also addressed the question of safeguarding the integrity and credibility of the ICC. The Wellington resolution once again shows the commitment of the PGA membership and other concerned legislators towards a just world.\*



Lord Thomas of Gresford, (United Kingdom) and Mr. M.J. Nolan, MP (Ireland)



Sen. Karin Schubert (Germany); Dep. Orlando Fantazzini (Brazil); Mr. Adolf Mwesige, MP (Uganda); Dep. Minou Tavarez Mirabal (Dominican Republic); Ms. Fatima Chohan-Khota, MP (South Africa); Hon. Ross Robertson, MP (New Zealand); Ms. Lali Papiashvili, MP (Georgia)



Ms. Silvia Fernández de Gurmendi, Chef de Cabinet and Head of the Jurisdiction, Complementarity and Cooperation Division, Office of the Prosecutor, ICC



Sen. César Jáuregui Robles (Mexico)



Mr. Abdulla Khalaf Al Doseri, MP (Bahrain); Hon. Adel Abdul Rahman Al Moawda, MP (Bahrain)

# NINTH ANNUAL DEFENDER OF DEMOCRACY AWARDS DINNER

On December 6, 2004, PGA honored Rt. Hon. Helen Clark, Prime Minister of New Zealand, with the Ninth Annual Defender of Democracy Award for her work towards a nuclear-free world and her commitment to peace. The ceremony took place in the Banquet Hall of the Parliament Buildings in Wellington, New Zealand, in parallel to PGA's 26th Annual Forum. Dip. Margarita Stolbizer (Argentina) Chair, International Council, presented the award to Rt. Hon. Clark.

The Defender of Democracy Award honors those individuals who have defended the principles of peace, democracy and justice around the world. The year 2004 marked the 20th Anniversary of the Six Nation Peace Initiative on nuclear disarmament, an issue Rt. Hon. Clark has dynamically addressed throughout her political career.

Since 1981, Rt. Hon. Clark has remained an active member of the New Zealand Parliament and member of PGA. She has served on numerous parliamentary posts focusing on foreign affairs and security issues. She was Chair of the Foreign Affairs and Defence Select Committee, the ad hoc Disarmament and Arms Control Select Committee, and the former Foreign Affairs Select Committee.

Rt. Hon. Clark has also held various ministerial posts such as Minister for Conservation, Housing, Health, and Labour. In 1989, she became Deputy Prime Minister and in 1993, became Leader of the Opposition. Rt. Hon. Clark was elected Prime Minister of New Zealand on November 27, 1999. While serving as Prime Minister, Rt. Hon. Clark is also the Minister for Arts, Culture and Heritage and is Minister in-Charge of the New Zealand Security Intelligence Service and Ministerial services.\*



**Rt. Hon. Helen Clark**, Prime Minister of New Zealand and **Dip. Margarita Stolbizer** (Argentina) Chair, International Council



**Mr. Tony Worthington**, MP (United Kingdom); **Hon. Philip Goff**, MP (New Zealand) Minister of Foreign Affairs; **Rt. Hon. Jonathan Hunt**, Speaker of the Parliament of New Zealand



Delegates to the Defender of Democracy Awards Dinner

# PEACE AND DEMOCRACY PROGRAMME

## Convenor

Dep. Mamadou Lamine Thiam (Senegal)

## Deputy Convenors

Ms. Elissavet Papademetriou, MP (Greece)  
Sen. Longin Pastusiak (Poland)

## Programme Advisors:

Amb. Kristina Svensson, *Ambassador of Sweden to Zimbabwe*

Dr. Mohamed Ibn Chambas, *Executive Secretary, ECOWAS*

Amb. Olara Otunnu, *Special Representative of the Secretary-General for Children in Armed Conflict*

Amb. Ould Abdallah, *Special*

*Representative of the Secretary-General for West Africa*

Mr. David Malone, *President, International Peace Academy*

Amb. Aldo Ajello, *Special Envoy for the Great Lakes Region, European Union*

## Programme Staff:

Ms. Eva Dunn, *Senior Programme Officer (through May 2004)*

Ms. Nebiyat Woldemichael, *Programme Officer (through May 2004); Senior Programme Officer (since June 2004)*

Mr. Michael Kauder, *Consultant*

Dr. Chris Landsberg, *Consultant*

Mr. Gilbert Martin, *Consultant*



Seminar on Parliamentary Ethics and Accountability, Washington, D.C. (June 2004): **Ms. Nancy Zucker-Boswell**, Managing Director, Transparency International USA; **Sen. Longin Pastusiak** (Poland) President of the Senate; **Sen. Tom Harkin** (United States)

PGA's Peace and Democracy Programme further expanded its conflict resolution work in Zimbabwe by holding the Second Washington Consultative Session and the highly successful Parliamentary Dialogue between Zimbabwe and United Kingdom. It also continued its work on security sector reform by organizing a Regional Seminar on Security Sector Reform in Uganda in October 2004. PGA began new area of work on ethics and accountability and also held a strategy meeting to discuss the direction of the programme.

PGA organized a Strategy Meeting for the Peace and Democracy Programme on June 1, 2004 at the PGA Secretariat in New York. The meeting brought together PGA Members, Ambassadors, and high-level representatives from United Nations Missions to review PGA's work in conflict management and peacebuilding in Africa and to discuss future programme direction.

The meeting was chaired by Dep. Mamadou Lamine Thiam (Senegal), Convenor of the Peace and Democracy Programme. Participants included Ms. Beatrice Kiraso, MP (Uganda), H.E. Mr. Arjan Hamburger, Permanent Representative of the Netherlands to the UN, Ms. Julie Tetard, UN Department of Political Affairs Policy Planning Unit, Ms. Deborah Chatsis, Legal Counselor, Permanent Mission of Canada to the UN, and Ms. Shazia Z. Rafi, PGA Secretary-General. The afternoon session was also attended by H.E. Curtis Ward,

Counter-Terrorism Committee of the UN Security Council, and Rep. Donald Payne (United States).

The Peace and Democracy Program began a new area of work on ethics and accountability by convening, in collaboration with the United States Senate, the Senate of Poland and Transparency International, the Seminar on Parliamentary Ethics and Accountability on June 3-4, 2004 in the United States Senate, Washington, D.C. Over 40 Members of Parliament (MPs) from 33 countries representing all regions of the world discussed issues such as codes of conduct and other mechanisms aimed at preserving parliamentary ethics and increasing the accountability of MPs to the electorate. They also addressed the role of international financial institutions in the fight against corruption and how to engage constructively with the media.

The seminar was co-hosted by Sen. Tom Harkin (United States) and Sen. Longin Pastusiak (Poland), President of the Senate. "The effort to combat political corruption has never been more important," Senator Pastusiak said, commenting on the importance of the seminar. "Because members of parliament, directly elected by the people they represent, are at the core of democracy, any hint of impropriety hurts not only them personally, but also the effort to promote democratic institutions around the world." The Managing Director of Transparency International USA, Ms.



Participants to the Regional Seminar on Security Sector Reform in Kampala, Uganda (October 2004)



Parliamentary Dialogue between Zimbabwean and United Kingdom Legislators, London, United Kingdom (September 2004)



Regional Seminar on Security Sector Reform, Kampala, Uganda (October 2004): Mr. Mutahi Kagwe, MP (Kenya); Ms. Beatrice Kiraso, MP (Uganda)



Strategy Meeting on the Peace and Democracy Programme, PGA Headquarters, New York (June 2004): Ms. Shazia Z. Rafi, PGA Secretary-General; Rep. Donald Payne (United States); Dep. Mamadou Lamine Thiam (Senegal) Conve-  
nor, Peace and Democracy Programme



Seminar on Parliamentary Ethics and Accountability, Washington, D.C. (June 2004): Sen. Bassey-Ewa Henshaw (Nigeria)



Regional Seminar on Security Sector Reform, Kampala, Uganda (October 2004): Mr. Lucian Tibaruha, Solicitor-General, Ministry of Justice, Uganda

Nancy Zucker-Boswell, addressed the opening panel as well.

At a time when many U.S. policies were being criticized sharply by other governments, the seminar provided a rare opportunity for U.S lawmakers to meet with international leaders and exchange perspectives on current issues. The topics on the seminar's agenda included: campaign finance reform; political abuse of religion and ethnicity; drafting and enforcing anti-corruption codes of conduct; the responsibility of civil servants; and the role of the media.

Participants spoke about the need for legislators to live by high ethical standards. The discussions also focused on methods of codification and enforcement of ethical policies and behaviours. The participants felt that ethics regimes need to be balanced and proportionate, with the proper safeguards in place. Attitudes towards sanctions varied amongst participants, but all agreed that regulatory mechanisms are crucial.

Several parliamentarians discussed the experiences of their home countries of Egypt, Senegal, Israel, Jamaica, and United Kingdom. Representatives of the World Bank, the International Monetary Fund (IMF) and the United Nations Development Programme (UNDP) outlined their approach to fighting corruption in developing countries and acknowledged a need for closer engagement with parliaments. In follow-up to their presentations, the representatives of the IMF and World Bank were both questioned about the failure of their institutions to engage with parliaments and the judiciary – decisions are taken at the level of the executive only – and about their failure to implement anti-corruption mechanisms on issues such as money laundering.

The seminar also addressed campaign finance issues. There was agreement that while there is no model formula for balancing the need for well-resourced parties that can compete equitably with concerns for limiting the undue influence of money in politics, full transparency of campaign finances must be achieved as a starting point.

One of the problems discussed by MPs is that it costs enormous amounts of money

to win elections. Participants from Nigeria and Kenya spoke of the pressure faced by politicians to buy their vote by paying for school fees or funerals. To fund such expenses, aspiring politicians might be "sponsored" by wealthy individuals who then exert influence over them once in office.

The final topic of the seminar was the role of the media. Recent media developments pose challenges for legislators. The Internet has allowed media outlets to mushroom and it has become very difficult to regulate spam or Internet news. A final concern is the concentration of media power into ever fewer hands. In some instances, conflicts of interest have arisen, for example when media groups also own banks.

Participants adopted the Declaration on Parliamentary Ethics and Accountability and agreed to continue working to further parliamentary ethical standards in various regions of the world.

The seminar also brought together Zimbabwean parliamentarians with their peers to discuss the situation in Zimbabwe. The willingness to collaborate as members of a global network was reconfirmed by a multi-party delegation of Zimbabwean MPs, Mr. Charles Majange, MP (ZANU-PF) and Ms. Priscilla Misihairabwi-Mushonga, MP (MDC). The delegation met with PGA members from Kenya, Senegal, Uganda, and the United Kingdom to brief them on the current situation and their political party's perspective on the deepening crisis. The delegation agreed to be part of strategic discussions concerning future work of PGA in Zimbabwe. They also agreed on future PGA activities to strengthen their Parliament in working towards a peaceful and quick resolution of the conflict. Based on a recent interview given by President Mugabe to Sky TV in which he indicated openness to talks with the United Kingdom, the group decided to hold a meeting between British and Zimbabwean MPs in the House of Commons, London, United Kingdom. The willingness to meet with the United Kingdom signalled an important political opening for crisis prevention in Zimbabwe and opportunity for improvement of bilateral relations with the United Kingdom.

PGA convened the parliamentary dialogue between Zimbabwean and United Kingdom



Regional Seminar on Security Sector Reform, Kampala, Uganda (October 2004): Ms. **Beatrice Rwakwari**, MP (Uganda); **Dep. Mahano Gé Mahano** (Democratic Republic of Congo); **Dr. Chris Landsberg**, PGA Consultant; **Dep. Chico Francisco**, (Mozambique); **Mr. Dumisani Job Sithole**, MP (South Africa)



Seminar on Parliamentary Ethics and Accountability, Washington, D.C. (June 2004): **Sen. Marcelo Lopez Arias** (Argentina); **Mr. Ronnie Bar-On**, MP (Israel); **Dr. Mohamed Ahmed Saleh**, MP (Egypt)

legislators on September 9, 2004 in the British House of Commons in London. Participants discussed steps to resolve the political crisis in Zimbabwe. The meeting was hosted by Mr. Tony Worthington, MP (United Kingdom), member of PGA's Executive Committee, and was moderated by Mr. Alban Bagbin, MP (Ghana), Opposition Leader and member of PGA's International Council. PGA brought together four MPs from Zimbabwe, Mr. Charles Majange and Mr. Daniel M. Ncube from the governing ZANU-PF party, and Prof. Welshman Ncube and Ms. Priscilla Misihairabwi-Mushinga from the opposition MDC party, to meet with 10 British MPs.

The meeting began with welcoming remarks by Mr. Worthington and opening remarks by Mr. Bagbin and H.E. Ms. Kristina Svensson, Ambassador of Sweden to Zimbabwe and former PGA member. This meeting, one in a series of activities on Zimbabwe facilitated by PGA, was successful as it served as a confidence-building measure for future interactions. The Zimbabwean and British MPs established personal contact, a significant step in opening dialogue between the two groups. The parliamentarians continued their frank and forthright discussion in a luncheon in the House of Commons also hosted by Mr. Worthington.

The dialogue was successful in establishing relations between legislators from the United Kingdom and Zimbabwe. It was determined that to move the political dialogue in Zimbabwe to a higher level, PGA should bring together the senior leadership of ZANU-PF and MDC.

#### **Declaration on the Restoration of Peace in Côte d'Ivoire**

Similarly to the conflict resolution work

carried out in Zimbabwe, the Peace and Democracy Programme has worked to support peacemaking and peace-building efforts within the Parliament of Côte d'Ivoire throughout the series of political crises in the country that was sparked by the December 1999 military coup. In response to the outbreak of hostilities in the country in October 2004, at which point the country appeared to be sliding back into a state of full-scale armed conflict, PGA's International Council adopted a resolution in December 2004, during the 26th Annual Forum in Wellington, New Zealand, condemning the violation of the May 3, 2003 cease fire agreement. The Declaration also "recommended that constitutional and electoral code reform be enacted as agreed in the Linas Marcoussis accords to create the conditions necessary for free and fair elections," called upon the government to stop the transmission of inflammatory rhetoric by radio, television and print media, and called upon President Gbagbo to "assure the safety of all political actors and the normal functioning of parliament." Soon after the declaration was adopted and sent to former PGA member, President Gbagbo as well as the current PGA membership, Parliament resumed its functioning and took an important step toward peace by passing legislation called for in the Linas Marcoussis Accords regarding presidential eligibility requirements.

#### **Security Sector Reform**

The Peace and Democracy Program further developed its work on security sector reform which began in 2002 with the Sub-regional Seminar on Capacity Building for Parliamentary Committees on Security Issues, held in September 2002 in Dar es Salaam, Tanzania, and the Special Session on the Responsibility to Protect that was held in Ottawa, Canada, in November

2002. Building on these past activities, PGA organized, in collaboration with the Parliament of Uganda, the Regional Parliamentary Seminar on Security Sector Reform in Kampala, Uganda on October 14-15, 2004. The meeting provided legislators from Eastern, Central and Southern Africa with the opportunity to discuss the improvement of parliamentary processes addressing national security policy.

Over 60 legislators participated in the seminar including the Speaker of the Ugandan Parliament, chairs of parliamentary budget, foreign affairs and defense committees and other concerned legislators from Angola, Burundi, Democratic Republic of Congo, Ghana, Kenya, Mozambique, Rwanda, South Africa, Sweden, Tanzania, Uganda and Zambia. Other participants included the Ugandan Solicitor General, Ambassadors and other diplomatic staff from Belgium, the European Commission, France, Japan, the Netherlands, Sweden and the United Kingdom, representatives from the United Nations Development Programme (UNDP), and experts on security sector issues from local and international non-governmental organizations.

The meeting was hosted by Ms. Beatrice Kiraso, MP (Uganda), Chair of the Parliament's Budget Committee. Mr. Kenneth Dzirasah, MP (Ghana), President of PGA, opened the meeting. Hon. Edward Ssekandi, MP (Uganda) Speaker of the Parliament, gave the opening remarks in which he emphasized that parliamentarians have an important role to play in "providing oversight of security forces and the executive branch with regard to national security policy."

H.E. Mr. Adam Wood, High Commissioner of the United Kingdom to Uganda, and H.E. Mr. Toshiro Ozawa, from the Permanent

Mission of Japan to the United Nations, addressed the seminar during the luncheon on the first day. H.E. Mr. Wood spoke on the role of the security sector in creating the conditions necessary for the achievement of the Millennium Development Goals. H.E. Mr. Ozawa spoke on the complementary relationship between national security and human security.

The first panel discussed civilian oversight of national security decision making to promote human security. Dr. Kayode Fayemi, Director of the Centre for Democracy and Development in Abuja, Nigeria, outlined a conceptual framework of the relationship between security sector reform and human security. Other participants spoke on the current security situation in Uganda with regard to security sector reform, South Africa's experience with security sector reform and the need to consolidate democracy by addressing threats to human security such as poverty and HIV/AIDS. A UNDP representative stressed the need to consider issues of accountability, constitutionalism and the rule of law as factors necessary for the realization of human security objectives.

The second panel focused on budgetary issues in security decision making processes. An expert from the Stockholm Peace Research Institute (SIPRI) spoke on the role of parliamentarians in monitoring security sector budgets. MPs addressed the problem of corruption in security sector spending which were attributed to the climate of secrecy that surrounds security issues, the current situation in Zambia with regard to parliamentary oversight of defense budgets and the role and challenges of the Zambian parliamentary budget

committee. During the open discussion session, Ms. Beatrice Kiraso, MP (Uganda) gave an example of how a bill requiring the executive branch to submit preliminary versions of annual defense budgets has strengthened the oversight role of the Ugandan parliament.

The third panel dealt with national security and the International Criminal Court (ICC). The panelists explained the ICC system with a focus on the ICC investigation of the Ugandan rebel movement, the Lord's Resistance Army (LRA) which was initiated at the request of the Ugandan government. The panelists stressed the fact that the ICC has jurisdiction only when the domestic jurisdiction is unwilling or unable to prosecute the offense in question.

The issue of government-opposition relations was addressed in the fourth panel. The panelists each outlined the history of government-opposition relations in their respective countries since independence and explained the current situation. Mrs. Miria Matembe, MP (Uganda) spoke from the floor about the need to create a culture that accepts the concept of opposition and the need to build political institutions that transcend individuals. Other participants mentioned the problem of funding disparities between opposition and governing parties. Participants proposed that opposition parties should receive public funding and stressed the need for an African code of conduct for multiparty democracy. The fifth panel focused on regional parliamentary peacemaking.

A final declaration was signed by the seminar participants in which they committed to work within their home parliaments to

further reform the security sector in order to promote human security

The goals of the seminar to inform and sensitize the participating parliamentarians on security sector reform were achieved. After the seminar, participants expressed that they had become more familiar with a human security approach to national security issues and learned a number of potentially effective ways of reforming the security sector.

The conference debate revealed that follow up should focus on narrow concrete issues. Potential action areas emerging from the conference discussions included the need to address the proliferation of small arms/light weapons and developing model legislation on budgetary oversight of the security sector.

#### **Delegation of Israeli Legislators to PGA, Denmark**

On February 5, 2004, PGA organized a discussion in the Danish Parliament with two members of the Israeli Knesset representing the governing and opposition parties on "Prospects for Peace in the Middle East." Ms. Gila Gamliel, MP (Likud) and Ms. Orit Noked, MP (Labor) addressed PGA Members from the Foreign Affairs and Foreign Policy Committees, offering their perspectives on the peace process. The delegation highlighted the role of women in the peace process, an angle often overlooked by both formal and informal negotiations. The event was opened by PGA President Mr. Kenneth Dzirasah, MP (Ghana) and chaired by Mr. Jeppe Kofod, MP (Denmark), member of PGA's International Council.



Seminar on Parliamentary Ethics and Accountability, Washington, D.C. (June 2004): Ms. Priscilla Misibair-abwi-Mushonga, MP (Zimbabwe)



Seminar on Parliamentary Ethics and Accountability, Washington, D.C. (June 2004): Mr. Charles Majange, MP (Zimbabwe) and Ms. Shazia Z. Rafi (Secretary-General)

# INTERNATIONAL LAW AND HUMAN RIGHTS PROGRAMME

## Convenor

Senator Alain Destexhe (Belgium)

## Deputy Convenors

Ms. Loretta Ann Rosales, MP (The Philippines)

Sen. Marcelo Lopez Arias (Argentina)

## Programme Advisors

Prof. Cherif Bassiouni, *International Human Rights Law Institute, DePaul University, Chicago*

Prof. Bruce Broomhall, *University of Quebec in Montreal*

Mr. Richard Dicker, *Legal Counsel, Human Rights Watch*

Mr. Christopher Hall, *Legal Advisor, Amnesty International*

Mr. William R. Pace, *Convenor, Coalition for an International Criminal Court*

## Former Programme Advisor

H.E. Judge Philippe Kirsch (Canada), *President, International Criminal Court*

## Programme Staff

Dr. David Donat-Cattin, *Legal Advisor*

Mr. Juan Kim, *Programme Officer (through June 2004)*

Mr. Peter Barcroft, *Programme Officer (as of November 2004)*

Ms. Samar Al-Bulushi, *Programme Associate*

Ms. Camellia Rodriguez Sack-Byrne, *Consultant*

Ms. Deborah Ruiz Verduzco, *Consultant*  
Ms. Emma Zghal, *Consultant*

In 2004, PGA members continued to exercise leadership in promoting the International Criminal Court (ICC) at the local, national, and international levels, both as a means to end impunity as well as to reinforce the rule of law. The contributions of PGA members led to several new ratifications of the Rome Statute (Burkina Faso and Burundi) and the implementation of the ICC Statute within the national legal order (as in the case of the Dominican Republic). The ratifications of Kenya (March 2005), the Dominican Republic (May 2005) and Mexico (expected in 2005) are attributable to continued multi-party actions in support of the ICC led by PGA Members. Without their political leadership, the political blockage surrounding ratification would not have been overcome.

PGA's intensive work on the ICC contributed to the mobilization of legislative support for the ICC in various ways (e.g., in States that have not yet ratified, promoting ratification or accession, and in States Parties to the Statute where effective implementing legislation was not yet in place, promoting the enactment of such legislation). Activities were planned and carried out on a country by country basis, including briefings, updates, outreach by way of memos and telephone follow-ups, peer-to-peer parliamentary meetings, study sessions and national level seminars.

The most important objective of PGA's work in under-represented regions/sub-regions (Asia, Commonwealth of Independent States (CIS), North Africa/Middle East) is to provide up-to-date information on the ICC, to examine the national procedures necessary for ratification and implementation – with particular attention to constitutional issues or other major potential obstacles – and to promote political leadership for the ICC within each country. In so doing, specific strategies

are identified involving both majority and opposition MPs. PGA's advocacy activities have focused on concrete steps that must be taken for these countries to fully participate in, benefit from, and contribute to the ICC system. The main vehicle to give effect to this strategy in 2004 was the III Consultative Assembly of Parliamentarians for the ICC and the Rule of Law ("CAP-ICC"), which drew 120 Parliamentarians from around the world to the Parliament of New Zealand on December 6-7, 2004.

As of May 16, 2005, 99 States have ratified or acceded to the Rome Statute of the ICC. PGA members have played an active role in 56 countries that are now Members of the ICC system, demonstrating a unique effectiveness in mobilizing parliamentary support for international criminal justice and the rule of law. No other institution or organization is engaged in a global parliamentary effort lobbying for the universality of the Rome Statute. As the President of the ICC, Judge Philippe Kirsch, recognized in a November 23, 2004 letter addressed to PGA and the upcoming CAP-ICC:

*"The Court greatly appreciates this and other efforts of Parliamentarians for Global Action to create a constituency for the ICC among Parliamentarians."*

## Promoting Ratification and Implementation of the Rome Statute

### Latin America

In cooperation with the Brazilian Congress, the Confederation of Parliaments of the Americas (COPA), and the Brazilian Ministry of Human Rights, PGA convened the second Ibero-American and Lusophone Parliamentary Conference on the ICC in Brasilia, Brazil on March 25-26, 2004. Participants included 140 parliamentarians from 25 countries in Latin America, Africa and Europe. In the final



declaration, participants agreed to push for 100 ratifications in 2004, to promote implementing legislation, and to protect the Court from initiatives that attempt to undermine its integrity and effectiveness.

Brazilian authorities welcomed the 600 participants that had gathered at the Congress and expressed the commitment of the three branches of the Brazilian government for the ICC. President Lula issued a message to the participants affirming that multilateralism and the fight against impunity are cornerstones of Brazil's foreign policy. Dep. Orlando Fantazzini (Brazil), a leading member of PGA, similarly stated, "Brazil is committed to encouraging the remaining Latin American and Portuguese-speaking countries to ratify and implement the Rome Statute, and to protect the ICC from any initiatives that attempt to undermine its pursuit of international justice."

ICC Judge Sylvia Steiner delivered the keynote address, reporting on the Court's progress, emphasizing that the ICC, by entrenching the principle of complementarity, reinforces rather than erodes national sovereignty – a common misconception that has led some politicians to oppose ratification. Parliamentarians from Mozambique and Chile outlined the constitutional and political obstacles to ratification, while delegates from Cape Verde, Angola and Suriname explained that ICC support in their countries is strong and that the ratification process could be completed in the very near future. MPs from Mexico and the Dominican Republic committed to work towards removing the obstacles to ratification in their respective countries.

On Brazil's implementation of the Rome Statute, an important breakthrough took place at the conference. Human Rights Minister Nilmario Miranda announced that after more than one year at the Chief of Staff Office, largely due to technical issues, the implementation bill would proceed to his Ministry where the technical issues would be resolved by a new Inter-Ministerial Committee of Experts; the bill would then be promptly presented to the Congress. Civil society experts joined Ms. Silvia Fernández de Gurmendi of the Office of the Prosecutor, in emphasizing the importance of complementarity and cooperation with the ICC, as well as the

importance of ratifying the Agreement of Privileges and Immunities of the Court.

US efforts to obtain bilateral non-surrender agreements stirred strong sentiments among the participants. Parliamentarians from Argentina, Costa Rica, Ecuador and Uruguay spoke of their parliamentary initiatives rejecting these types of agreements, reinforcing the principles of no impunity and equality before the law. Groups also praised the objections of legislators from Bolivia and El Salvador, where the executives have submitted the signed agreements for approval. Brazil similarly adopted a strong stance on this issue.

The Brasilia Conference instantly prompted other initiatives in support of the ICC. At the annual meeting of the Inter-parliamentary Forum of the Americas (FIPA) held in Santiago, Chile the following week, participants who had attended the Brasilia Conference introduced an article calling for the ratification and implementation of the Rome Statute in the final recommendations of the Forum. As a result of the success of the conference, Dep. Maria José Maninha (Brazil), President of the Parliamentary Confederation of the Americas (COPA) made the ICC one of the priorities of that inter-parliamentary body. PGA and COPA decided to jointly support the initiative of Chilean NGO La Morada to champion the gender protection aspects of the Rome Statute among women parliamentarians in Latin America.

In August 2004, PGA co-sponsored the conference for women legislators of the CONOSUR organized by the Chilean NGO La Morada. Keynote speakers included International Council Chair Dip. Margarita Stolbizer (Argentina) and Dip. Gabriel Ascencio (Chile) Speaker of the Chamber of Deputies of Chile. PGA's Legal Advisor served as facilitator of a training session on general principles of international criminal law. Women legislators from Argentina, Chile, Uruguay, Paraguay and Brazil agreed to work on implementing the Rome Statute in their national legal order and to promote gender justice issues in national law reform agendas. Recognizing the potential for a network like PGA to facilitate their work and cooperation on this issue, the majority of participants became members of PGA.

In September, with strong leadership



Ibero-American and Lusophone Parliamentary Conference on the ICC, Brasilia, Brazil (March 2004); **Judge Sylvia Steiner**, ICC; **Dep. Orlando Fantazzini** (Brazil); **Dep. Inocêncio Oliveira** (Brazil) Vice-President of the Chamber of Deputies



Ibero-American and Lusophone Parliamentary Conference on the ICC, Brasilia, Brazil (March 2004)



Ibero-American and Lusophone Parliamentary Conference on the ICC, Brasilia, Brazil (March 2004); **Dip. Margarita Stolbizer** (Argentina) and **Sen. Alain Destexhe** (Belgium) Convenor, International Law and Human Rights Programme



The President of the ICC meets with parliamentarians in Mexico (October 2004); **Dip. Leticia Gutierrez** (Mexico); **Judge Philippe Kirsch**, President of the ICC; **Dip. Francisco Frias** (Mexico); and **Dip. Arturu Nahle** (Mexico)



Ibero-American and Lusophone Parliamentary Conference on the ICC, Brasilia, Brazil (March 2004): **Dep. Alberto Costa** (Portugal); **Sen. Marcelo Lopez Arias** (Argentina)



PGA delegation to the Assembly of States Parties of the ICC in The Hague, The Netherlands (September 2004)

exhibited by PGA members Senator Cesar Jauregui and Dep. Eliana Garcia (both participants in the Brasilia conference), PGA organized a delegation of Mexican legislators to The Hague, The Netherlands from September 12-15, 2004, to create a forum for dialogue between Mexican legislators and ICC authorities, and facilitate the understanding of the justice mandate of the Court in order to overcome the political misconceptions that had blocked the ICC process in Mexico from more than two and a half years.

The multi-party delegation was composed of two Senators, both Vice-Presidents of their respective Chambers, including Senator Jauregui; seven deputies, including the Presidents of the concerned committee's Dip. Francisco Frias (Constitutional Issues) and Dip. Rebeca Godinez (Justice and Human Rights); and, given the importance of local congresses in the constitutional amendment process, one Local Deputy representing the Conference of Local Congresses. The delegation met with authorities of the Court, the Coalition for the ICC (CICC), the International Criminal Tribunal for the former Yugoslavia (ICTY), the Dutch Ministry of Foreign Affairs and Parliament. Following a fruitful discussion with the President of the ICC, Judge Phillipe Kirsch was invited to the Mexican Congress in Mexico City.

President Philippe Kirsch visited Mexico from October 25 - 27, 2004. He met with the diverse leadership of the Chamber of Deputies and addressed a group of Senators, including the main actors behind the constitutional amendment bill. President Kirsch's visit added momentum to the initiatives of those who participated in The Hague delegation. As announced by Senator Jauregui during the III Consultative Assembly for the ICC, on December 9, 2004 the Chamber of Deputies approved

the Senate's proposed amendment. One of the leaders who helped secure this accomplishment, Dep. Francisco Frias, highlighted during the debate on the floor of the Chamber that "the recognition of the ICC at a constitutional level, within the overall hierarchical legislative order, signals a prioritization of the fight against impunity." For this amendment to be completed, the favorable vote of 16 local congresses is required (as of March 2005, three local congresses have already approved the amendment). As Senator Cesar Jauregui remarked, "the commitment of the Chamber of Deputies to international justice will be reinforced in the Senate through the upcoming procedures on the ratification of the Rome Statute." Mexico is expected to become a member of the ICC during 2005.

In spite of the fact that fourteen countries in Latin America (excluding the Non-Spanish speaking Caribbean) are States Parties to the Rome, none of these governments has adopted implementing legislation. Aimed at addressing this gap, Dip. Stolbizer (Argentina) and Sen. Marcelo Lopez Arias (Argentina) Member, Executive Committee, organized a Seminar entitled "The Rome Statute and the ICC: The duty of Implementation of State Parties" on November 30, 2004 in the Senate of the Nations in Buenos Aires, Argentina.

The event brought together experts to discuss the challenges and obstacles relating to implementing legislation in CONOSUR countries. Participants discussed the procedural aspects relating to the incorporation of the crimes contained in the Rome Statute, in addition to the rights of the victims and the role of civil society.

Speakers included Dip. Felipe Michelini (Uruguay) and representatives from the International Committee of the Red

Cross, the Argentinean Armed Forces, the Coalition for the ICC (CICC), the Assembly of Human Rights, in addition to PGA's Legal Advisor and the Programme Officer of the International Law and Human Rights Programme.

#### *Middle East and North Africa*

In June 2004, PGA sent a delegation to the National Roundtable on the Ratification and Implementation of the ICC Statute in Bahrain. The event was organized by the Bahrain Human Rights Society (BHRS) and the International Federation for Human Rights (FIDH) in collaboration with PGA and the Coalition for the International Criminal Court (CICC). Although civil society groups were the primary target audience, participants also included representatives from the Ministry of Justice, the Ministry of Foreign Affairs and Bahraini Members of Parliament. PGA presented on the role of MPs in promoting the ICC.

In advance of the workshop, PGA met with members of the Shura Council (upper house) and the House of Representatives (lower house) to discuss the ICC and prospects for ratification. While a few MPs had attended the Sana'a conference on the ICC in January 2004, most were unfamiliar with the Court and expressed keen interest in learning more. Members of the House of Representatives exhibited particular concern about the bilateral non-surrender agreement between their government and the United States, which they were previously unaware of. Representatives from PGA, CICC and FIDH also met with the Undersecretary for the Ministry of Justice, Shaikh Khalid bin Ali Al-Khalifa, who reported that Bahrain was working closely with other nations in the Arab League to iron out the differences and concerns relating to the ICC. Both the workshop and the meetings with Members of Parliament were covered extensively in the national media.

During 2004, PGA increased its membership in the Middle East/North Africa region and organized the first PGA conference on the rule of law and the protection of civilians in the region, which successfully took place in the People's Assembly of Egypt, in Cairo, in February 2005.

### Promoting the Rule of Law

On April 30, 2004, the law programme convened a Strategy Meeting on "The Role of Legislators and the legislative Process in Strengthening the Rule of Law in Conflict Situations." Held at PGA Headquarters in New York, the meeting was organized in collaboration with the International Human Rights Law Institute, De Paul University College of Law, Chicago. Participants included legal advisors of UN member states and representatives of Human Rights Watch and the International Center for Transitional Justice.

Chaired by H.E. Ambassador Lauro L. Baja, Permanent Representative of the Philippines to the United Nations and Chair of PGA's UN Committee, the goal of this Strategy Meeting was to discuss the vital role that legislators could play to assist the work of the United Nations in promoting the rule of law as the foundation for the maintenance of peace and security. With its network of over 1,300 legislators from all regions of the world, PGA is in a position to facilitate the contribution of Parliamentarians to rule of law initiatives. In particular, MPs experience the day-to-day practice of law-making and decision-making under the rule of law at national level, and can provide concrete suggestions on the definition and implementation of the rule of law by international institutions, such as the UN. The International Law and Human Rights

Programme also benefited from a strategy meeting organized on September 10, 2004 in The Hague, The Netherlands, on the occasion of the closing day of the Assembly of States Parties of the ICC. Leading PGA legislators from Argentina, Belgium, Germany, Mexico and The Netherlands conducted an analysis of current obstacles to ICC effectiveness and possible solutions with the PGA Staff, interviewed the Prosecutor of the ICC Mr. Luis Moreno Ocampo and met with Heads of Delegations of ICC States Parties, NGOs representatives, academics and other organs of the ICC. Their deliberations served to orient the Programme for the years 2005-2006.\*

\* PGA's website, ([www.pgaction.org](http://www.pgaction.org)) provides a detailed description of the actions and activities undertaken in 2004. Of particular note has been the realization of a "Parliamentary KIT on the ICC," which was first released at the Ibero-American and Lusophone Conference on the ICC in Brasilia (March 2004) and has been regularly updated and made available in five languages (English, French, Spanish, Russian, Arabic) on the PGA website. PGA members have relied on the KIT during parliamentary discussions on the ICC at the national level (i.e. Nigeria, Sweden and the UK), and it has been widely utilized by other entities working with MPs, such as the International Committee of the Red Cross (ICRC) in West African Francophone countries and Latin-American NGOs. PGA has also launched daily International Justice Updates (IJU) on the website which are accessed on a daily basis by our membership.



The ICC and Gender Justice: Obstacles to the Ratification and Implementation Process of the Region, Santiago, Chile (August 2004): **Dip. Margarita Stolbizer** (Argentina); **Dip. Isabelle Allende** (Chile); **Mr. Luis Moreno Ocampo**, Prosecutor for the ICC



Seminar on the Rome Statute and the ICC: The Duty of Implementation of State Parties, Buenos Aires, Argentina (November 2004): **Dip. Felipe Michelini** (Uruguay) and **Sen. Marcelo Lopez Arias** (Argentina)



PGA delegation to the Assembly of State Parties of the ICC in The Hague, The Netherlands.



Participants at the Ibero-American and Lusophone Parliamentary Conference on the ICC, Brasilia, Brazil (March 2004)



Ibero-American and Lusophone Parliamentary Conference on the ICC, Brasilia, Brazil (March 2004): **Dep. Maria José Maninha** (Brazil) President of COPA; **Hon. Nilmario Miranda** (Brazil) Minister of Human Rights

# INTERNATIONAL LAW AND HUMAN RIGHTS PROGRAMME

## Other Regions of the World

Several other country-specific activities and actions were carried out in 2004. Many PGA initiatives under the International Law and Human Rights Programme were conducted at the national level by MPs through questions or letters to respective Governments parliamentary motions and resolutions, statements and declarations, interventions in the media and in public debates, as well as advocacy with parliamentary colleagues.

In particular, briefings and consultations were provided by the PGA International Law and Human Rights Programme to MPs from the following countries:

### ASIA

Bangladesh  
Cambodia  
India  
Indonesia  
Japan  
Korea (on implementation)  
Malaysia  
Maldives  
Pakistan (briefings for MPs in New York)  
Philippines  
Sri Lanka  
Thailand

### AFRICA

Angola (on constitutional revision and ratification)  
Benin  
Burkina Faso (on ratification)  
Burundi (on ratification)  
Cameroon  
Cape Verde (on constitutional revision and ratification)  
Chad  
Cote d'Ivoire (on acceptance of ICC jurisdiction and ratification)  
Ghana  
Guinea  
Kenya (on ratification and implementation)  
Mali  
Mauritius  
Mozambique

Namibia  
Niger  
Nigeria (on implementation)  
Senegal  
Seychelles  
Sierra Leone (on implementation)  
South Africa  
Tanzania  
Uganda (on implementation and cooperation with the ICC)  
Zimbabwe  
East African Community Panel on the International Criminal Court and National Security in the Seminar on "Security Sector Reform in East Africa"

### EUROPE

**East/Central Europe and the CIS**  
Armenia  
Bulgaria  
Czech Republic  
Georgia (on ratification and implementation)  
Kyrgyzstan  
Poland  
Republic of Moldova  
Romania  
Russian Federation (on ratification and implementation)  
Turkey (on constitutional amendment, implementation and ratification)  
Ukraine

### Western Europe

Belgium (implementation)  
Denmark  
Greece  
Ireland  
Italy (seminar on implementation in the Senate in March 2004)  
Netherlands  
Portugal (implementation)  
Sweden  
Switzerland  
United Kingdom  
European Parliament  
Parliamentary Assembly of the Council of Europe

### NORTH AMERICA

Canada  
United States

### PACIFIC

Australia  
Fiji  
New Zealand  
Marshall Islands  
Republic of Palau  
Samoa

# PGA MEMBERSHIP / ASSOCIATE MEMBERSHIP PARLIAMENTS

## **North Africa and the Middle East**

Algeria  
Egypt\*  
Israel  
Jordan  
Morocco  
Tunisia  
Yemen

## **The Americas**

Caribbean  
Barbados  
Dominican Republic  
Jamaica  
Trinidad and Tobago

## **Central America**

Costa Rica  
El Salvador  
Guatemala  
Mexico  
Panama

## **Northern America**

Canada\*  
United States

## **Europe**

East/Central Europe, CIS and Russian  
Federation  
Albania  
Armenia  
Azerbaijan  
Bosnia and Herzegovina  
Bulgaria  
Croatia  
Czech Republic  
Estonia  
The Former Yugoslav  
Republic of Macedonia  
Georgia  
Hungary  
Kazakhstan  
Kyrgyzstan  
Latvia  
Lithuania  
Poland  
Republic of Moldova

Romania  
Russian Federation  
Slovenia  
Turkey  
Ukraine

## **Regional Parliaments**

European Parliament\*  
ECOWAS Parliament

## **South America**

Argentina\*  
Bolivia  
Brazil  
Chile  
Colombia  
Paraguay  
Peru  
Suriname  
Uruguay  
Venezuela

## **South Pacific**

Australia  
New Zealand\*  
Western Samoa

## **Southeast/South Asia and Pacific**

Bangladesh  
Cambodia  
India\*  
Indonesia  
Japan\*  
Malaysia  
Maldives  
Pakistan\*  
Philippines  
Singapore  
Sri Lanka  
Thailand

## **Sub-Saharan Africa**

Angola  
Benin  
Botswana  
Burkina Faso  
Burundi  
Cameroon

Cape Verde  
Chad  
Cote d'Ivoire\*  
Ethiopia  
Ghana  
Guinea  
Kenya  
Mali\*  
Mauritius  
Mozambique  
Namibia  
Niger  
Nigeria\*  
Senegal\*  
Seychelles  
Sierra Leone\*  
South Africa  
Tanzania  
Togo  
Uganda  
Zambia  
Zimbabwe

## **West Europe**

Austria  
Belgium  
Denmark\*  
Finland  
France  
Germany  
Greece  
Iceland  
Ireland\*  
Italy  
Luxembourg  
Malta  
Netherlands  
Norway  
Portugal  
Spain  
Sweden\*  
Switzerland\*  
United Kingdom\*

\*denotes multi-party PGA National  
Groups

# PGA ACTIVITIES WORLDWIDE



# SUSTAINABLE DEVELOPMENT AND POPULATION PROGRAMME

## Convenor

Mr. Tony Worthington, MP (United Kingdom)

## Deputy Convenors:

Ms. Elissavet Papademetriou, MP (Greece)  
Rep. Dennis Kucinich (United States)

## Programme Advisors:

Dr. Nafis Sadik, *Special Envoy of UN Secretary General for HIV/AIDS in South Asia*

Dr. Steven Sinding, *President, International Planned Parenthood Federation*

Mr. Jacob Scherr, *Director, International Programs, Natural Resources Defence Council*

## Programme Staff:

Ms. Anna Gekht, *Programme Officer*

Ms. Ulrika Broback, *Junior Project Officer, Mali (Until June 2004)*

Mr. Niklas Enander, *Junior Project Officer, Nigeria (Until June 2004)*

In 2004, the International Conference on Population and Development (ICPD) celebrated its 10th anniversary. Although much has been accomplished in a decade, much more has to be done to safeguard women's reproductive rights, improve access to reproductive health and family planning services, reduce maternal mortality, and prevent the spread of HIV/AIDS. Parliamentarians have a central role to play in creating the political will necessary to fill the existing gaps in law, policies and funding, in order to achieve the ICPD goals. The first International Parliamentarians' Conference, held in Ottawa, Canada, in 2002, created a global system of monitoring and follow-up for parliamentarians, and produced a strong Statement of Commitment that has become a point of reference in their work to support the ICPD Programme of Action (PoA). The 2004 conference took place on October 18-19 in Strasbourg, France. PGA has served as one of the host organizations and a member of the Steering Planning Committee for both conferences.

Among the 130 parliamentarians and ministers from 90 countries who participated in the conference, were members of PGA's delegation including Dr. Noor Jehan Panezai, MP (Pakistan), Hon. Ms. Charity Kaliku Ngilu, Minister of Health, MP (Kenya) Mr. Adolfo Taylhardat, MP (Venezuela), Mr. Tony Worthington,

MP (United Kingdom), Convenor of PGA Sustainable Development and Population Programme, and Ms. Svetlana Smirnova, MP (Russian Federation), member of PGA's International Council.

In Strasbourg, parliamentarians reaffirmed their responsibility to uphold the right of individuals to decide the number and spacing of their children, to empower women and to eliminate all forms of violence against them. The two-day meeting focused on lawmakers' roles in implementing the 20-year action plan adopted by 179 governments at the 1994 ICPD in Cairo, Egypt. The plan called for universal access to reproductive health services and a sharp reduction in maternal deaths by 2015. At the closing, participants endorsed a strong set of commitments to advance the Cairo goals. They recognized that "the decision to defend these principles is the difference between a life with hope and opportunity and a life of despair and desperation. And worse, it is the difference between life and death itself." After a debate, participants agreed to propose that the United Nations add a ninth Millennium Development Goal: to make sexual and reproductive health accessible to all by 2015. The lawmakers pledged to report regularly on progress through parliamentary groups and to meet again in two years in Bangkok, Thailand.

On February 24-25, 2004, PGA organized



Parliamentary Seminar on Human Trafficking in West Africa, Abuja, Nigeria (February 2004):  
**Hon. Prof. Ali Nohoum Diallo**, Speaker, ECOWAS Parliament



Council of Europe International Parliamentarian's Conference on ICPD, Strasbourg, France (October 2004): **Mr. Tony Worthington**, MP (United Kingdom), Convenor, Sustainable Development and Population Programme



Parliamentary Seminar on Human Trafficking in West Africa, Abuja, Nigeria (February 2004):  
**Dep. Assouman Nohoum** (Benin); **Dep. Fanta Diarra** (Mali); **Dep. Amath Dansokho** (Senegal)



Parliamentary Seminar on Human Trafficking in West Africa, Abuja, Nigeria (February 2004): **Dr. David Donat Cattin**, PGA Legal Advisor; **Sen. Sanusi Daggash** (Nigeria); **Dep. Mollé Mollé** (Côte d'Ivoire); **Hon. Kenneth Dzirasah**, MP (Ghana) Second Deputy Speaker and PGA President

Parliamentary Seminar on Human Trafficking in West Africa, Abuja, Nigeria (February 2004): **Ms. Fatimé Dam**, Executive Officer; **Ms. Nebiyat Woldemichael**, Programme Officer; **Hon. Kenneth Dzirasah**, MP (Ghana) PGA President

Parliamentary Seminar on Human Trafficking in West Africa, Abuja, Nigeria (February 2004): **Dr. Mohamed Ibn Chambas**, Executive Secretary, ECOWAS Secretariat

a Parliamentary Seminar on Human Trafficking in West Africa, in collaboration with the Parliament of the Economic Community of West African States (ECOWAS) and the ECOWAS Secretariat in Abuja, Nigeria. Over 140 participants, consisting of 52 legislators, members of the diplomatic community, NGOs, international organizations, and the media, including the BBC, were brought together at the Seminar to present case studies and discuss how they have dealt with human trafficking in their countries.

Leading experts on social, economic, political and international law, and transitional cooperation provided participants with the information necessary to understand the roots of the problem and to build the necessary administrative structures to address and prevent the phenomenon. They discussed the need to develop public awareness campaigns aimed at potential victims of trafficking, using both traditional channels of information as well as the mass media. In his keynote address, Dr. Mohamed Ibn Chambas, Executive Secretary of the ECOWAS Secretariat, discussed the 2001 ECOWAS Initial Plan of Action Against Trafficking in Persons which focuses on invoking adequate criminal justice responses within states and aims to develop joint policies and initiatives at the sub-regional level to address the problem of trafficking. H.E. Chief Mrs. Amina Atiku Titi Abubakar, wife of the Vice-President of Nigeria and founder of the Women's Trafficking and Child Labour Eradication Foundation (WOTCLEF) as well as the representatives of various international organizations such as the International Organization of Migration (IOM) and United Nations Office

of Drug and Crime Prevention (UNODC) were also among the speakers during the Seminar.

The panel discussions and presentations addressed the vulnerability of women and children to trafficking for sexual exploitation and forced prostitution, the smuggling of migrants and elaborated on the complexities of the asylum system, legal aspects of fighting human trafficking, health issues for victims of trafficking, strategies for removing root causes as well as the importance of the Convention on the Rights of the Child and the African Charter of Human Rights as the legal basis for combating trafficking in human beings and child trafficking. Many of the panel speakers have emphasized the importance of enhanced interstate cooperation within the region and among regions to effectively tackle human trafficking. Also, during the subsequent discussion panels, parliamentarians from each member state gave country status reports and reviewed the different approaches against trafficking.

By the end of the seminar, participants had identified some of the causes of trafficking as being poverty and/or civil strife particularly in the trafficking of children for the purposes of being used as child soldiers; the breakdown of social support systems that leaves women and children vulnerable to trafficking for sexual exploitation or prostitution; discrimination and persecution; environmental disasters as well as the traditional practice of sending children to families and friends to be domestic workers or to be raised by more affluent relatives. Corruption, mismanagement and bad governance in the North and South also facilitate trafficking.

Participants argued that there is a need for establishing, or in the case where already present, implementation of legal instruments at the national and regional level that will protect women and children most vulnerable to malicious intents of traffickers.

Participants produced a parliamentary resolution committing to ratify and implement international conventions at the national level; establish a program of assistance and prevention programs for women and children; provide financial and human resources through budgetary measures; sensitize the public and create public support; and promote international cooperation against trafficking. The event also generated widespread press coverage as trafficking is an issue of great concern in Nigeria and the sub-region.

PGA's Sustainable Development and Population Programme spent much of 2004 mobilizing resources, ensuring logistical support, providing context and working on the agenda of the Sub-regional Parliamentary Seminar on HIV/AIDS in South Asia held in Islamabad, Pakistan on January 14-15, 2005 in collaboration with the National Assembly and Senate of Pakistan. The seminar, hosted by PGA members Dr. Noor Jehan Panezai, MP (Pakistan) and Mr. Naveed Qamar, MP (Pakistan) at the Serena Hotel in Islamabad, Pakistan, was organized jointly with the World Health Organization (WHO), UNAIDS, and the Aga Khan University (AKU). Full details will be published in the 2005 Annual Report. For more information on this project, please visit our website: [www.pgaction.org](http://www.pgaction.org)\*



# EXECUTIVE COMMITTEE AND INTERNATIONAL COUNCIL

## 2004 EXECUTIVE COMMITTEE

### President

Hon. Kenneth Dzirasah, MP (Ghana)

### Board Members

Sen. Marcelo Lopez Arias (Argentina)

Sen. Alain Destexhe (Belgium)

Dip. Minou Tavaréz Mirabal (Dominican Republic)

Ms. Elissavet Papademetriou, MP (Greece)

Sen. Wakako Hironaka (Japan)

Rep. Loretta Ann Rosales (Philippines)

Sen. Longin Pastusiak (Poland)

Dep. Mamadou Lamine Thiam (Senegal)

Ms. Fatima Nagdee-Hajaj, MP (South Africa)

Mr. Tony Worthington, MP (United Kingdom)

Rep. Dennis Kucinich (United States)

### Treasurer

Ms. Birgitta Ahlqvist, MP (Sweden)

PGA's Executive Committee meets twice a year to discuss PGA's future programme activities. The first meeting in 2004 took place January 5th, in parallel to the Parliamentary Seminar on Ethics and Accountability in Washington, D.C. The second meeting took place December 4, 2004 in conjunction with the International Council meeting, which convenes once a year, and the 26th Annual Forum in Wellington, New Zealand.

At the International Council meeting, which took place December 6, 2004, Hon. Ross Robertson, MP (New Zealand) was elected as Chair of the International Council and Mr. Jeppe Kofod, MP (Denmark) was elected as Treasurer. Elections were also held for six members on the Executive Committee. The results were: Dip. Margarita Stolbizer (Argentina), Sen. Raynell Andreychuk (Canada), Sen. Wakako Hironaka (Japan), Sen. Bassey Ewa-Henshaw (Nigeria), Ms. Fatima Nagdee-Hajaj, MP (South Africa), and Mr. Kent Olsson, MP (Sweden).

Several Chairs of PGA's National Groups were elected by national elections to the International Council for 2005: Sen. Maria Perceval (Argentina); Dep. Jules Daleba Zozoro (Côte d'Ivoire); Dr. Mohamed Ahmed Saleh, MP (Egypt); Mr. M.J. Nolan, MP (Ireland); Sen. Kiyohiko Toyama (Japan); Dep. Harouna Keita, MP (Mali); Dr. Noor Jehan Panezai, MP (Pakistan); Dep. Khalifa Abubacar Sall (Senegal); Mr. Ibrahim Sorie, MP (Sierra Leone); Ms. Birgitta Ahlqvist, MP (Sweden); Mr. Remo Gysin, MP (Switzerland); and Rt. Hon. John Battle, MP (United Kingdom).

In addition, seven members were elected to the International Council : Sen. Marcelo Lopez-Arias (Argentina), Dep. Orlando Fantazzini (Brazil), Dr. Ra'Ed Qaqish, MP (Jordan), Mr. Neveed Qamar, MP (Pakistan), Ms. Svetlana Smimova, MP (Russian Federation), Dep. Mamadou Lamine Thiam (Senegal), and Sen. Tom Harkin (United States).

## 2004 INTERNATIONAL COUNCIL

### Chair

Dip. Margarita Stolbizer (Argentina)

### Councillors

Mr. Fatmir Mediu, MP (Albania)

Dep. Saran Deme-Sereme (Burkina Faso)

Sen. Raynell Andreychuk (Canada)

Mr. David Kilgour, MP (Canada)

Dep. Mollé Mollé (Côte d'Ivoire)

Mr. Jeppe Kofod, MP (Denmark)

Dr. Amin Mobarak, MP (Egypt)

Mr. Jonas Sjöstedt, MEP (European Parliament)

Mr. Alban Bagbin, MP (Ghana)

Hon. Theresa Ameley Tagoe, MP (Ghana)

Mr. Murlí Deora, MP (India)

Sen. Anthony Johnson (Jamaica)

Sen. Yoshitake Kimata (Japan)

Dep. Boubou Koita (Mali)

Hon. Harry Duynhoven, MP (New Zealand)

Hon. Ross Robertson, MP (New Zealand)

Sen. Bassey Ewa-Henshaw (Nigeria)

Ms. Helena Bargholtz, MP (Sweden)

Mr. Remo Gysin, MP (Switzerland)

Sen. Tom Harkin (United States)



Ms. Fatima Nagdee-Hajaj, MP (South Africa); Mr. Jonas Sjöstedt, MEP (European Parliament); Mr. Anthony Johnson, MP (Jamaica); Dip. Minou Tavaréz Mirabal (Dominican Republic)



Mr. Kent Olsson, MP (Sweden); Sen. Tom Harkin (United States); Sen. Bassey Ewa-Henshaw (Nigeria); Sen. Marcelo Lopez-Arias (Argentina)

# 2004 UNITED NATIONS COMMITTEE

## **Chair**

H.E. Mr. Lauro L. Baja, Jr., Ambassador  
Extraordinary and Plenipotentiary  
Permanent Mission of the Republic of the  
Philippines

## **United Nations Ambassadors**

H.E. Ms. Ellen Margrethe Løj,  
Ambassador Extraordinary and  
Plenipotentiary  
Permanent Mission of Denmark

H.E. Mr. Cesar Mayoral, Ambassador  
Extraordinary and Plenipotentiary  
Permanent Mission of Argentina

H.E. Dr. Iftekhar Ahmed Chowdhury,  
Ambassador Extraordinary and  
Plenipotentiary  
Permanent Mission of the People's  
Republic of Bangladesh

H.E. Mr. Jean-Marc de la Sablière,  
Ambassador Extraordinary and  
Plenipotentiary  
Permanent Mission of France

H.E. Sir Emyr Jones Parry, Ambassador  
Extraordinary and Plenipotentiary  
Permanent Mission of the United  
Kingdom

H.E. Mr. Dirk Jan van den Berg,  
Ambassador Extraordinary and  
Plenipotentiary  
Permanent Mission of the Kingdom of the  
Netherlands

## **UN Secretariat and Agencies**

Ms. Thoraya Ahmed Obaid, Executive  
Director, UNFPA

Amb. Juan Somavía, Director-General,  
International Labour Organization (ILO)

Mr. Mark Malloch Brown, Administrator,  
UNDP

Ms. Carol Bellamy, Executive Director,  
UNICEF

Ms. Noeleen Hayzer, Executive Director,  
UNIFEM

Ms. Elisabeth Lindenmayer, Deputy Chef  
de Cabinet to the Secretary-General

## **NGOs**

Mr. David Phillips, Deputy Director  
and Senior Fellow, Center for Preventive  
Action, Council on Foreign Relations

Mr. Michael Posner, Executive Director,  
Human Rights First

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 Ms. Cleo Michelsen  
 Mr. Edward Rawson

## \$750

Mr. John C and Mrs. Chara C. Haas

## \$1000

Ms. Jean M. Cluett

## Government/United Nations Agencies

US\$

Swedish International Development Agency (Sida)	595,318.00
European Commission	498,319.00
The Netherlands Ministry of Foreign Affairs	269,324.00
Royal Danish Ministry of Foreign Affairs (DANIDA)	162,171.00
New Zealand Ministry of Foreign Affairs and Trade	100,025.00
Swiss Agency for Development and Cooperation (SDC)	29,552.00
Department for International Development (DFID), United Kingdom	25,000.00
United Nations Population Fund (UNFPA)	25,000.00
Australian Government (AusAID)	17,375.00
World Health Organization (WHO)	15,020.00
	<b>1,752,104.00</b>

## Foundations

Ford Foundation	75,000.00
Stewart R. Mott Charitable Trust	7,500.00
	<b>82,500.00</b>

# FINANCIAL REPORT

Winnie Tam & Co., P.C., member of the American Institute of Certified Public Accountants and the New York State Society of Certified Public Accountants, conducts the annual audit of Parliamentarians for Global Action.

The complete financial statements are available upon request by writing to:

The Financial Director  
Parliamentarians for Global Action  
211 East 43rd Street, Suite 1604  
New York, NY 10017, USA

To the Board of Directors,

We have audited the accompanying statement of financial position of Parliamentarians for Global Action as of December 31, 2004 and the related statements of activities and cash flows for the year then ended. These financial statements are the responsibility of the Parliamentarians for Global Action's management. Our responsibility is to express an opinion on these financial statements on our audit.

We concluded our audit in accordance with the auditing standards generally accepted in the United States of America. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audit provides a reasonable basis for our opinion.

In our opinion, the financial statements referred to above present fairly, in all material respects, the financial position of Parliamentarians for Global Action as of December 31, 2004 and the change in its net assets and its cash flows for the year then ended, in conformity with the accounting principles generally accepted in the United States of America.

*Winnie Tam & Co., P.C.*

New York, New York  
March 9, 2005

## EXHIBIT A PARLIAMENTARIANS FOR GLOBAL ACTION STATEMENT OF FINANCIAL POSITION AS OF DECEMBER 31, 2004

ASSETS	UNRESTRICTED OPERATING	RESERVE	TEMPORARILY RESTRICTED	TOTAL ALL FUNDS
<b>Current Assets</b>				
Cash and cash equivalents	\$215,303	\$781,736	\$164,336	\$1,161,375
Investments		384,911		384,911
Grants and contribution receivable	540		16,265	16,805
Other receivable	1,870			1,870
Prepaid Expenses	8,227			8,227
<b>Total Current Assets</b>	<b>225,940</b>	<b>1,166,647</b>	<b>180,601</b>	<b>1,573,188</b>
<b>Fixed Assets</b>				
Fixed Assets, at cost net of accumulated depreciation of \$73,888 Note 2	31,986			31,986
<b>Other Asset</b>				
Security Deposits	14,752			14,752
<b>Total Asset</b>	<b>272,678</b>	<b>1,166,647</b>	<b>180,601</b>	<b>1,619,926</b>
<b>LIABILITIES AND NET ASSETS</b>				
<b>LIABILITIES</b>				
<b>Current Liability</b>				
Accounts and accrued expenses payable	84,801			84,801
Refundable Advance	187,877			187,877
<b>Total Liabilities</b>	<b>272,678</b>			<b>272,678</b>
<b>Net Assets</b>				
<b>Unrestricted</b>				
Operating Fund		1,166,647		1,166,647
Reserve Fund				
<b>Temporarily Restricted</b>			180,601	180,601
<b>Total Net Assets</b>		<b>1,166,647</b>	<b>180,601</b>	<b>1,347,248</b>
<b>Total Liabilities and Net Assets</b>	<b>272,678</b>	<b>1,166,647</b>	<b>180,601</b>	<b>1,619,926</b>

# PGA STAFF

## Secretary-General

Ms. Shazia Z. Rafi

## Programme Staff

Dr. David Donat-Cattin, *Legal Advisor, International Law and Human Rights*

Ms. Eva Dunn, *Senior Programme Officer, Peace and Democracy (through May 2004)*

Ms. Nebiyat Woldemichael, *Programme Officer, Peace and Democracy (through May 2004) and Senior Programme Officer (since June 2004)*

Mr. Juan Kim, *Programme Officer, International Law and Human Rights (through May 2004)*

Mr. Peter Barcroft, *Programme Officer, International Law and Human Rights (since October 2004)*

Ms. Anna Gekht, *Programme Officer, Sustainable Development and Population*

Ms. Samar Al-Bulushi, *Programme Associate, International Law and Human Rights*

Ms. Ulrika Broback, *Junior Project Officer, Mali (until June 2004)*

Mr. Niklas Enander, *Junior Project Officer, Nigeria (until June 2004)*

## Administrative Staff

Mr. Michael Agbeko, *Director of Finance and Administration*

Ms. Fatimé Dam, *Executive Officer (through October 2004)*

Ms. Cristina Barbaglia, *Executive Officer (November-December 2004)*

Ms. Helen Vasilopoulos, *Development Officer*

Mr. Brian Kett, *Administrative and Membership Associate*

## Consultants

Ms. Kacy Belew

Mr. Robert Cutler

Ms. Sarah Hyde

Mr. Michael Kauder

Mr. Chris Landsberg

Mr. Gilbert Martin

Ms. Camellia Rodriguez-Sackbyrne

Ms. Deborah Ruiz Verduzco

Ms. Katie Tell



l-r: **Mr. Michael Agbeko**, Director of Finance and Administration; **Ms. Nebiyat Woldemichael**, Programme Officer, Peace and Democracy; **Mr. Juan Kim**, Programme Officer, International Law and Human Rights; **Ms. Shazia Z. Rafi**, Secretary-General; **Mr. Brian Kett**, Membership and Administrative Associate; **Ms. Samar Al-Bulushi**, Programme Associate, International Law and Human Rights; **Ms. Anna Gekht**, Programme Officer, Sustainable Development and Population; **Ms. Helen Vasilopoulos**, Development Officer; **Ms. Ayaka Suzuki**, former PGA staff; **Ms. Fatime Dam**, Executive Officer; **Ms. Eva Dunn**, Senior Programme Officer, Peace and Democracy

# ABOUT PGA

## A Dynamic Network of Individual Democratically Elected Legislators

Parliamentarians for Global Action (PGA) is a dynamic network of individual legislators which was established in 1978-1979 by concerned legislators from around the world to take joint action on global problems which could not be solved by any one government or parliament. While its initial driving force was the critical need for disarmament, PGA today works on an expanded list of global issues such as fostering democracy, conflict prevention and management, international law and human rights, sustainable development and population.

PGA is an association of over 1300 individual legislators in 114 parliaments that is action-oriented with specific programmes under the political direction of the Executive Committee. This structure allows PGA to effectively push policies at the national, regional, and international levels. The leadership also includes an International Council that represents all the regions of the world. PGA works closely with the United Nations system through the advisory body of the UN Committee which includes senior UN ambassadors, high-level UN officials, and some leading NGO representatives. The current Chair of the Committee is H.E. Mr. Lauro L. Baja, Jr., Permanent Representative of the Mission of The Philippines.

With a membership of only elected legislators, PGA's members bring their authority and the mandate of their constituents. PGA's effectiveness is thus due to members' responsibility toward their constituents.

PGA includes in its membership a concentration of high-level politicians, including Prime Ministers, Cabinet Ministers, and Chairs of Finance, Foreign Affairs, Population, Health, and Defense Committees. Many of PGA's members have left parliament for higher government posts. Some of our ex-members have served as President of Iceland, President

of Botswana, Prime Minister and President of Trinidad and Tobago, Prime Minister of New Zealand and Vice President of the Dominican Republic. Also, as an NGO of legislators, PGA is the parliamentary link with civil society groups. PGA's programmes on Peace and Democracy, Sustainable Development and Population, and International Law and Human Rights work in close cooperation with NGOs and leading research institutions in these fields.

PGA also has an extremely effective track record with inter-governmental agencies such as the UN Secretariat, UNDP, UNFPA, UNICEF, UNIFEM, UNESCO, the World Bank, the Asian Development Bank, and International IDEA. PGA's guiding principle of enabling dialogue among key players from both government and opposition and its close working relationship with members serving on relevant parliamentary committees makes it an invaluable agency for the negotiation and implementation of any successful policy.

With headquarters in New York City, PGA is affiliated with the United Nations as an organization in general consultative status with the Economic and Social Council. The offices of National Group representatives and other leading PGA members serve as liaison links in various countries around the world.

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Desktop Publishing: Kacy Belew

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