



Parliamentarians for Global Action
Acción Mundial de Parlamentarios
Action Mondiale des Parlementaires



NGO Committee on the Status of Women, Vienna

**SIDE-EVENT AT THE OCCASION OF THE 23RD SESSION OF THE
COMMISSION ON CPCJ on**

**The International Legal Framework surrounding
VICTIMS PROTECTION**

Tuesday, May 13th, 2014, 13.00 p.m. Room M7

**Commentary presented by: Hon. Abdu Katuntu, MP Uganda, Legal Affairs Committee,
Vice- Chair PGA National Group Uganda, Member of the PGA Executive Committee.**

Your Excellencies,
Fellow Members of Parliament,
Colleagues of the Academia and Civil Society,
Ladies and Gentlemen,

It is an honor and a pleasure for me to address this high-level audience today and I want to thank the NGO Committee on the Status of Women for this meaningful cooperation.

I am here today in several capacities and have the pleasure to tell you a bit about my work. I am an elected legislator of the Parliament of Uganda, a member of the Legal and Parliamentary Affairs Committee. Moreover, and also due to my position as member of parliament, I am a member of Parliamentarians for Global Action, also known as PGA.

About PGA:

Parliamentarians for Global Action (PGA), is the largest international network of Members of Parliaments from all regions of the world. PGA has over 1000 legislators in 139 elected parliaments, which aim to promote peace, democracy, the rule of law, human rights, gender equality and population issue by informing, convening and mobilizing parliamentarians to realize these goals. *PGA's vision is to create a 'Rules-Based International Order for a more equitable, safe and democratic world.'*

PGA members, in our individual capacity, support the effective operation of the ICC and domestic jurisdictions to end impunity. PGA Legislators have contributed directly to 76 of the 122 ratifications of the Rome Statute of the International Criminal Court (ICC), including most recently Ivory Coast, Guatemala, Cape Verde, The Maldives, The Philippines, St. Lucia, Seychelles, Bangladesh, Czech Republic, Chile, and Suriname. These important accomplishments have in turn led to a broader strengthening of the rule of law and more generally to the fight against impunity.

PGA has actively contributed to the process of drafting and amending national legislation aimed at implementing the Rome Statute of the ICC into the domestic legal systems of more than 25 countries, including countries whose situations are under investigation before the ICC such as Uganda, Kenya and the Central African Republic.

Through the Consultative Assembly of Parliamentarians for the ICC & the Rule of Law, the so called CAP-ICC, which is the largest global gathering of politicians on international justice held biannually since 2002, PGA has successfully raised

awareness among Lawmakers and other stakeholders in all regions of the world on the need to affirm the principle of individual criminal responsibility to end impunity for genocide, crimes against humanity and war crimes with the complementary action of domestic and international jurisdictions. This year's CAP-ICC is confirmed to be held in the Parliament of Morocco in December, following the kind invitation of the Moroccan Parliament.

PGA's work in Uganda:

PGA has been involved since June 2000 in the process that led Uganda to ratify the Rome Statute, refer the situation in the North to the ICC's jurisdiction, and implement fully the Rome Statute's obligation under the ICC Act (2010).

PGA remains interested and committed to developments that affect the prosecution of international crimes committed with impunity. PGA is currently implementing a complementarity project to support the full implementation of the ICC Act and cooperation with the ICC.

Protection of victims' rights:

The Rome Statute has developed a tremendous change for the situation of victims of international crimes, giving them for the first time the possibility to directly participate at proceedings before an international court as victims of international crimes. The ICC has given innocent victims a voice.

Under the Rome Statute of the ICC victims have the following rights:

1. May participate in the courtroom procedure. The participation of victims as witnesses is often key to the successful prosecution of international human

rights violations. Provisions therefore exist in both the Rome Statute of the International Criminal Court (Article 68 of the Rome Statute) and The Rules of Procedure and Evidence to protect their safety and facilitate their participation in the trial process,

2. Victims receive the right to counsel,
3. Have standing, and may make opening and closing statements,
4. Judges also have a duty to consider victims' needs when making all orders and directions. Rule 86 of The Rules requires the Court, in making any direction or order, to take into account the needs of all victims and witnesses, particularly children, elderly persons, persons with disabilities, and victims of sexual or gender violence,
5. Victims and witnesses are entitled, in all cases, to have measures considered which would protect their physical and psychological safety.
6. There is an entire publicly funded administration devoted to helping victims and witnesses (Article 75 of the Rome Statute).
7. Furthermore, victims may claim compensation from a Trust Fund.

The Uganda's ICC Act - which is the legislative act implementing the Rome Statute of the ICC into Uganda's national criminal code - however does not make any specific provisions for protection of victims but only for their chance to give evidence, answer questions or produce documents that can be required by the court. It is hope the rules of procedure being drafted will provide a comprehensive protection to victims and witnesses. Uganda is committed to fight impunity and provide redress to victims. This has been demonstrated through the Transitional Justice Policy which has been drafted and is currently being considered before the Cabinet.

PGA has continued to support the development of the transitional justice framework by offering technical advice to both the politicians and government technocrats closely involved in the process. This has been undertaken through:

- Parliamentary meetings,
- Legal and policy analysis and reviews,
- Media advocacy

PLEASE ADD SOME PERSONAL EXPERIENCE WITH THE JLO'S AND YOUR WORK IN UGANDA