



Parliamentarians for Global Action
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International Law and Human Rights Programme

Contacts:

New York

Ms. Leyla Nikjou

Senior Programme Officer

leyla.nikjou@pgaction.org

Tel. +1.212.687.7755 (ext. 104)

The Hague

Ms. Romina Morello

Programme Officer

romina.morello@pgaction.org

Tel. +31703604433

CAMPAIGN LAUNCHED TO PROTECT THE INTEGRITY OF THE ROME STATUTE

Montevideo/The Hague/New York, 3 September, 2014: In commemoration of the 16th anniversary of the adoption of the Rome Statute in 1998 and in the context of *the Campaign for the Effectiveness and Universality of the Rome Statute* (the *ICC Campaign*), PGA together with the Chamber of Representatives of Uruguay, convened a Seminar and a Parliamentary Workshop on the International Criminal Court and the Rome Statute on 27 and 28 August, 2014 in Montevideo, Uruguay, bringing together a number of selected parliamentarians from Latin America.

This event was organized in cooperation with the Ministry of Foreign Affairs of Uruguay, the Municipality of Montevideo, the International Committee for the Red Cross (ICRC) and the Coalition for the International Criminal Court (CICC). The aim was to have an open discussion, in a parliamentary context, about the progress and challenges of the fight against impunity and the prevention of conflicts in the Americas.

Uruguay was selected as the host country for these important activities since it is a leader in the region on these matters taking in consideration its complete implementing legislation and its unanimous vote in the Chamber of Representatives and the Senate of the Kampala Amendments to the Rome Statute.

The Speaker of the Chamber of Representatives of Uruguay, **Aníbal Pereyra** as well as **Dip. Felipe Michelini**, Convenor of the International Law and Human Rights Program of PGA, invited parliamentarians from Latin America to attend these important activities and think about the challenges of the Rome Statute System as well as to agree on national actions that can be carried out using their legislative prerogatives to contribute to the effectiveness of an international system to fight against impunity.

The Opening Ceremony was presided by the Speaker of the Chamber of Representatives and benefited with the presence and the opening remarks of Ms. Claudia Gintersdorfer, Representative of the European Union in Uruguay. The first session, *the challenges faced by the*

international community regarding war crimes, crimes against humanity, genocide and the crime of aggression, started with a key-note presentation of International Law and Human Rights Programme Officer at PGA, Romina Morello, on crimes against humanity and the Kampala Amendments on the crime of aggression, while Mr. Armando Meneses from the ICRC explored the crime of genocide and war crimes including the Kampala Amendments on the war crimes. The Moderator of the Parliamentary Panel that followed was PGA Member **Dip. Jaime Trobo** (Uruguay), and the Parliamentary Panel included PGA Member and Speaker of the Parliament of El Salvador, **Dip. Sigfrido Reyes**, PGA Member and President of the Justice and Human Rights Committee of Dominican Republic's Senate, **Sen. Julio Cesar Valentín** as well as 2 new PGA members from Peru and Costa Rica, **Cong. Juan Eguren** and **Dip. Gonzalo Ramirez** respectively.

After a very comprehensive yet concise presentation by Dr. Hugo Relva, from Amnesty International on the principle of complementarity, the day continued with the topic: *the contribution of the Rome Statute to the strengthening of the national legal systems and the fight against impunity and the participation of victims in the legal proceedings*. The aim of this debate was to learn about how the implementation of the Rome Statute influenced the national legislation and national processes of the States Parties to the Statute in Latin America. Among the panellists, new PGA member and President of the Chamber of Deputies of Bolivia, **Dip. Marcelo William Elio Chávez**, as well as MPs from Peru, **Cong. Cecilia Chacón**, from Honduras, **Dip. Beatriz Valle** and from Costa Rica, **Dip. Rony Monge Salas** also new members of PGA, were present.

The organizers suggested the panelists to answer to some questions in their presentations, such as: *What are the potential obstacles that your country could face when trying to ratify the Kampala Amendments as soon as possible? What are the measures that the Parliament can take in order to secure the 30 ratifications needed before 2017? While all the countries represented in the panel have ratified the Rome Statute more than 10 years ago, not all of them have adjusted their domestic legal systems accordingly by incorporating the crimes and principles of the Rome Statute in their national legislation: why is this so?*

The final session titled *the challenges of the international community in connection to the NO IMMUNITY of heads of state and government and the Latin American commitment against impunity* was moderated by PGA Member **Dip. Daniel Radío** (Uruguay). The debate started with the initial presentation of PGA Program Officer, Romina Morello, on the current situation regarding Immunities of the Heads of State and Government in the international Law as well as the proposed amendments to modify article 27 of the Rome Statute. In the Parliamentary Panel, **Dip. Manuel Garrido** (Argentina), President of the National Group of PGA as well as **Dip. Jorge Calix** from Honduras and **Dip. Oliverio García Rodas** from Guatemala defended the importance of the principle of equality before the law and the necessity to protect the integrity of the Rome Statute specifically regarding this pillar of the International Law such as the no immunity of Heads of State regarding international crimes when judged by International Tribunals.

As a corollary of this excellent panel, **Dip. Felipe Michelini** (Uruguay) launched the *Parliamentary Campaign to Protect the Integrity of the Rome Statute* in which it was suggested to the Latin American MPs to ask parliamentary questions to their governments requesting them to make public their position on the Amendment to Article 27 as well as supporting the adoption

in their national parliaments of a declaration against IMMUNITIES of Heads of State and Government for the most heinous crimes against the international community as a whole.

On the following day, a closed Parliamentary Workshop was held on *the obligation and need to implement the Rome Statute* which counted with the experts' presentations of Hugo Relva from Amnesty International, Michelle Reyes from CICC and Armando Meneses from ICRC together with PGA's Secretariat staff. In the framework of this Workshop, the implementing legislation already adopted by some Latin American countries together with the legislative initiatives that are under analysis in some parliaments and the Criminal Codes of some countries in Latin America that still need to include the crimes and core criminal law principles included in the Rome Statute were analyzed. Specific issues considered included, *the obligation to cooperate with the International Criminal Court, the national security, arrest and surrender clause, non-essential contact and assets freeze, investigations and procedures of the International Criminal Court in the territory of a state.*

The session was closed by **Dip. Felipe Michellini** (Uruguay) Convenor of the International Law and Human Rights Programme at PGA who stated "*this parliamentary Seminar and technical Workshop brought together MPs from different countries of Latin America and was an excellent opportunity to share views and concerns about the effectiveness of the Rome Statute system in the Americas. Being able to conduct a comparative analysis between the different implementing legislations at the national level, contributes to the understanding of how to overcome potential obstacles in the effective implementation of the ICC instrument. Most importantly, there is a shared view that the Rome Statute not only needs to be implemented domestically, but its integrity shall be protected. This is a common position that I share with my fellow MPs. The fight against impunity needs a strong and committed international community who will not allow immunities to violate the integrity of the Rome Statute.*"

About PGA

Parliamentarians for Global Action (PGA) is the largest transnational network of Members of Parliaments from all regions of the world who, in their individual capacity, support the effective operation of the ICC and domestic jurisdictions to end impunity. The PGA network is assisted by a small secretariat that facilitates the cooperation and exchange by member MPs to achieve these goals and provides technical cooperation on legal advice and advocacy.

Members of PGA have contributed to 76 of the 122 ratifications of, or accession to the Rome Statute to date. PGA is a member of the Steering Committee of the Coalition for the ICC. The PGA Campaign for the Universality and Effectiveness of the Rome Statute system receives support from:

THE EUROPEAN UNION (EUROPEAN INSTRUMENT FOR DEMOCRACY AND HUMAN



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