



Parliamentarians for Global Action
Parlamentarios para la Acción Global
Action Mondiale des Parlementaires
برلمانيون من أجل التحرك العالمي

**8TH CONSULTATIVE ASSEMBLY OF PARLIAMENTARIANS
FOR THE INTERNATIONAL CRIMINAL COURT (ICC) AND THE RULE OF LAW**

&

36TH ANNUAL FORUM OF PARLIAMENTARIANS FOR GLOBAL ACTION (PGA)

**4 and 5 December 2014
Parliament of Morocco
Rabat, Morocco**

PROGRAMME

With the support for the PGA ICC Campaign from



**European Instrument for Democracy & Human Rights, European Union
Humanity United
The Netherlands
Switzerland
Estonia
Liechtenstein**

*With the core support to PGA from
Sweden (Sida) & Denmark (Ministry of Foreign Affairs)*

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Day 1: Thursday, 4 December 2014

9:00–10:30

OPENING SESSION

Hon. Mr. Rachid Talbi El Alami, MP (Morocco), Speaker, House of Representatives

Hon. Dr. Mohamed Cheikh Biadillah (Morocco), President of the House of Councilors

Dip. Minou Tavarez Mirabal, MP (Dominican Republic), President and Chairperson of the International Council of PGA

H.E. Judge Sang Hyun Song, President of the International Criminal Court (ICC)

H.E. Mr. Mustafa Ramid (Morocco), Minister of Justice and Liberties

H.E. Rupert Joy Ambassador, Head of Delegation, European Union

Me. Mohammed Benabdessadeq, MP (Morocco), Chair of the PGA National Group in Morocco

Recognitions:

Mr. Abdelilah Benkirane (Morocco), Head of Government

Mr. Salaheddine Mezouar (Morocco), Minister of Foreign Affairs and cooperation

Mr. Lahbib Choubani (Morocco), Minister for Relations with Parliament and Civil Society

Me. Mohamed Achergui (Morocco), President of Constitutional Court

Mr. Driss El Yazami (Morocco), President of the National Council of Human Rights

Mr. Abdelaziz Benzakour (Morocco), Wassit Al Mamlaka (*Ombudsperson*)

Me. Mustapha Farès (Morocco), President of the *Court de Cassation* of Morocco

Mr. Mustafa Meddah (Morocco), General Prosecutor of the King at the *Court de Cassation* of Morocco

Mr. Mahjoub El Haiba (Morocco), Inter-ministerial Delegate for Human Rights

Me. Hassan Wahbi (Morocco), President of the Bar Association

Mr. Mohamed Abdennabaoui (Morocco) Director, Criminal Matters, Ministry of Justice and Liberties

10:30–10:45

Coffee Break

11:00–12:45

1. Promoting the Universality and Effectiveness of the Rome Statute 12 years after its Entry into Force: Challenges for States and International Organizations, and the Role of Parliamentarians

- A. Status of Universality of the Rome Statute of the ICC, in particular with respect to the “under-represented” regions of the Middle East and North Africa, the Asia-Pacific and the Commonwealth of Independent States*
- B. Challenges in the ratification of the Rome Statute as revised by the Review Conference in Kampala in 2010: ratification of the Kampala amendments*
- C. The Role of Parliaments and Individual Parliamentarians in Promoting the new system of International Criminal Justice to better protect Universal Human Rights - Strategies and challenges to attain more ratifications and accessions*

Panel:

Dip. Juan Manuel Flores (El Salvador), Foreign Affairs Committee

Dep. Jean Koffi Kissi, MP (Togo), Chairperson, Foreign Affairs Committee

Mr. Kula Segaran, MP (Malaysia), Secretary, PGA Malaysia National Group

Rep. Faig Al Sheakh Ali, MP (Iraq), Rapporteur on Human Rights

Chair: **Mr. Mark Pritchard, MP** (United Kingdom), Co-Convenor, International Law and Human Rights Programme; Chair, PGA UK National Group

Plenary discussion

12:45–14:00 *Lunch Break*

14:00–15:45

2. Question-Time on Investigations and Prosecutions of the International Criminal Court (ICC)

- A. Investigations and prosecutions of war crimes, crimes against humanity and/or genocide in the Central African Republic, Cote d'Ivoire, the Democratic Rep. of the Congo, Darfur/Sudan, Kenya, Libya, Mali and Northern Uganda*
- B. Preliminary examinations of the situations in Afghanistan, Colombia, Georgia, Guinea, Honduras, Iraq/UK, Nigeria, Ukraine and other possible situations under the jurisdiction of the Court, including the ISIS/ISIL "foreign fighters" who are nationals of States Parties to the Rome Statute of the ICC*
- C. The role of Parliamentarians in promoting the effectiveness of the Rome Statute system: Political support for the new system and for the arrest and surrender of suspects and full cooperation with the Court – Maximizing the impact of ICC jurisdiction and intervention to deter new crimes*

Introduction: **Dep. Mohammed Yatim, MP** (Morocco), 1st Deputy Speaker, Chamber of Representatives

Speakers: **Mr. Rod Rastan**, Legal Advisor, JCCD, Office of the Prosecutor of the ICC
Prof. Mohamed Ayat, Special Advisor on the Middle East and North Africa to the ICC Prosecutor

Moderator: **Dip. Dr. Felipe Michelini, MP** (Uruguay), Member of the Executive Committee, Convenor, PGA International Law and Human Rights Programme

Questions and Answers – Parliamentary Session with the Office of the Prosecutor of the International Criminal Court

15:45–16:00 *Coffee Break*

16:00–17:30

3. Strengthening the Rule of Law and the Judicial System through the Effective Application of the Principle of Complementarity (under the Rome Statute)

- A. Adoption of implementing legislation (on crimes, general principles of law and jurisdiction)*
- B. Strengthening the ability and will of States to provide reparations, assistance and rehabilitation to victims, in particular for victims of gender-based offenses and sexual violence*
- C. Reinforcing the availability of human, budgetary and structural resources for the judicial system*
- D. Promoting independent national investigations, prosecutions and trials for international crimes*
- E. Role of Parliamentarians in strengthening the Rule of Law*

Panel: **Dep. Paul Dehe, MP** (Côte d'Ivoire), President Defence Commission
Hon. Arnaldo Brown, MP (Jamaica), Secretary of State, Ministry for Foreign Affairs
Mr. Ahmed Mahloof, MP (Maldives), former Attorney General
Dip. Margarita Stolbizer (Argentina), Member of PGA Executive Committee

Chair: **Dep. Abdelouahed El Ansari** (Morocco), former Deputy Speaker of the Chamber of Representatives

Plenary discussion

19:30–22:30 **Defender of Democracy Award (DDA) 2014 Ceremony and Dinner - By invitation only**

DDA Awardees: **Hon. Justice Navi Pillay** (South Africa), former UN High Commissioner for Human Rights; former President of the International Criminal Tribunal for Rwanda; former ICC Judge

Mr. Abdelaziz Bennani (Morocco), former Vice President of the International Federation of Human Rights, co-founder and President of the Euro-Mediterranean Human Rights Network and member of the Equity and Reconciliation Commission (Instance Équité et Réconciliation).

Hosted by the Parliament of Morocco

Address: Villa Des Ambassadors, 322, Avenue Mohamed VI, Souissi, Rabat - Morocco / Tel.: +212 5 37 63 21 28

Day 2: Friday, 5 December 2014

9:00–10:30

4. Parliamentary contribution to effective cooperation with the ICC

- A. Through the adoption of implementing legislation (on cooperation and assistance of States to the Court and on reform of Penal Law/ Code) and the ratification of the Agreement on Privileges and Immunities (APIC) as well as other agreements with the ICC (enforcement of sentences, witness relocation etc.)
- B. Through political mobilization for arrest operations and other actions inducing full cooperation and condemning non-cooperation with the Court
- C. Through the mobilization of resources and the functioning of institutions for the effective protection of the rights of the accused and of victims, as well as the protection of witnesses, including their relocation
- D. The revised Cotonou Agreement between the Africa-Caribbean-Pacific and the European Union (ACP-EU): a critical assessment on mainstreaming the Fight against Impunity in Development Cooperation

Panel: **Sen. Taghreed Hikmet Habeshneh** (Jordan), Former Judge of the International Criminal Tribunal for Rwanda
Dip. Ronny Salas Monge (Costa Rica), Secretary, Special Committee on Security and Narcotics, Vice President, Commission of Full Legislative Powers

Mr. Idrissa Sankaré (Mali), Committee on Constitutional Laws, Legislation, Justice, Human Rights

Chairs: **Mr. Mohamed El Alami** (Morocco), President of the Socialist Group (USFP), House of Councilors

Plenary discussion

10:30–10:45 *Coffee Break*

10:45–13:00

5. The protection of the integrity of the Rome Statute and the need for an adequate political support for the fight against impunity

- A. The Role of Parliamentarians in protecting the integrity of the Rome Statute and promoting the fight against impunity: challenges and best practices
- B. Reinforcing the role of international and regional organizations in supporting the fight against impunity and in protecting the integrity of the Rome Statute: experiences and relationship between the African Union and the ICC and between the UN Security Council and the ICC

Panel: **Hon. Justice Navi Pillay** (South Africa), DDA Awardee, former UN High Commissioner for Human Rights; former President of the International Criminal Tribunal for Rwanda; former ICC Judge
Mr. Stephen Tashobya, MP (Uganda), Chair, Legal and Parliamentary Affairs Committee; Chair, PGA Uganda National Group; Deputy-Convenor, PGA Int. Law and Human Rights Programme,
Sen. Alain Destexhe (Belgium), former President of PGA

Chair: **Ms. Barbara Lochbihler**, MEP (Germany); Chairperson of the “Friends of the ICC” in the European Parliament

Plenary discussion

13:15–14:15 *Lunch Break*

14:15–15:45

6. Impact of Accountability and the ICC on global threats to Peace, Security, Stability and Democracy: need for expansion and increased visibility of ICC jurisdiction to advance deterrence

- A. Can accountability and the fight against impunity for the most serious international crimes help prevent the continuation and repetition of armed conflicts and global security threats to stability and democracy?
- B. Fighting the threat of the purported Islamic state (“ISIS”) by all available cultural, legal, military and other means: Strategies to isolate and, prospectively, bring to justice the perpetrators of genocide and other mass-atrocity crimes in Iraq and Syria

- C. Has there been a “deterrent impact” of the ICC in the countries where it is carrying out investigations, prosecutions and preliminary examinations, as well as in countries that have been warned of a possible intervention of the ICC?
- D. Lack of deterrence of the ICC system in cases in which there is a veto within the Security Council to refer the situation to the ICC: The case of Syria – a situation of total impunity and powerlessness of the International Community, which allowed the emergence of a “de facto entity” labelled as “terrorist group” (“ISIS”) that utilizes systematic crimes against humanity and genocide as method to attain and maintain power
- E. Ensuring that accountability is part of peace negotiations and a precondition for durable transitions to democracy and the Rule of Law
- F. The Role of Parliamentarians in creating/ reinforcing awareness, visibility and support for Accountability at the international and national level

Panel: **H.E. Mr. Stephen Rapp** (USA), Ambassador-at-large for Global Criminal Justice, Department of State
Dr. Ghassan Moukheiber, MP (Lebanon), General Rapporteur on Human Rights
Dip. Loretta Ortiz Ahlf (Mexico), Secretariat of the Human Rights and External Relations Committees of the Chamber of Deputies

Chair: **Dep. Naima Farrah** (Morocco), Chamber of Representatives

Plenary discussion

15:45–16:45

7. The Future of International Criminal Justice: Consideration and Discussion of the “Rabat Action Plan for the ICC & the Rule of Law”

Panel: **Me. Mohammed Benabdessadeq, MP** (Morocco), Chair, PGA Morocco National Group
Dr. Ruth Wijdenbosch, MP (Suriname), Deputy Speaker; Member of the Executive Committee, Deputy-Convenor, PGA International Law and Human Rights Programme
Mr. Ramesh Lekhak, MP, Coordinator, PGA Nepal Group

Chair: **Ms. Margareta Cederfelt** (Sweden), PGA Treasurer

Rapporteurs: **Dr. David Donat Cattin**, PGA Secretary General and PGA International Law and Human Rights Programme Staff

Plenary discussion and Deliberations

16:45–17:00

CLOSING SESSION: Strengthening Democratic Institutions, Accountability and the Rule of Law through the Universality and Effectiveness of the Rome Statute of the ICC System

Remarks: **Dep. Abderrahim Atmoun** (Morocco), Chair, Joint Parliamentary Committee Morocco-EU
Dip. Minou Tavarez Mirabal (Dominican Rep.), Acting President of PGA
Dep. Dr. Felipe Michelini (Uruguay), Member of the Executive Committee, Convenor, PGA International Law and Human Rights Programme

*For further information on the Programme of the 8th session of the Consultative Assembly of Parliamentarians for the ICC and the Rule of Law, please contact: **Dr. David Donat Cattin**, Secretary General, PGA - EMAIL: donat@pgaction.org*