

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

OPENING SESSION REMARKS ON BEHALF OF PARLIAMENTARIANS FOR GLOBAL ACTION BY
Dip. Minou Tavarez Mirabal (Dominican Republic), President of PGA

President of the Chamber of Representatives,
President of the House of Councilors,
Head of Government [Prime Minister]
Minister of Justice,
Minister of Foreign Affairs and Cooperation,
Minister of Relations with Parliament and civil society
President of the International Criminal Court (ICC),
Head of Delegation of the European Union
Chair of the PGA National Group in Morocco
Presidents of Constitutional Court and of the *Court de Cassation*,
President of the National Council of Human Rights
Wassit Al Mamlaka (*Ombudsperson of Morocco*)
Prosecutor-General of Morocco
Inter-ministerial Delegate of the Government for Human Rights
President of the Bar Association

Dear Colleagues and Friends Members of Parliaments,

Dear Representatives of Civil Society and International Organisations:

I am truly delighted to be here, today, in the Parliament of Morocco to celebrate the 36th Annual Forum of Parliamentarians for Global Action, the largest network of individual Parliamentarians with over 1100 Members in 140 countries, and the 8th session of the Consultative Assembly of Parliamentarians for the ICC and the Rule of Law (CAP ICC), the largest political gathering in support of international justice and the Rule of Law.

It is a great honor to participate in such an event where so many voices are brought together in order to define strategies that can contribute to building a strong, universal and effective

international criminal justice system, sending a message that impunity will no longer be tolerated and that the establishment of the Rule of Law, which is necessary for all human beings to live a life free from danger, in peace and where their rights are respected.

- 1) When we launched this project in **Ottawa**, Canada, at the end of 2002, the year in which the Rome Statute (the founding treaty of the ICC) entered into force, 66 States were Parties to the treaty and the Court was moving his first steps in The Hague. Now, we can proudly enlist 122 Member States, and PGA Members mobilized support and contributed to 76 National processes that led to ratification: This great achievement was also the result of this project of PGA, the “CAP ICC”.
- 2) The second session of the CAP ICC was held in **New York**, at UN Headquarters;
- 3) The third in **Wellington**, in the Parliament of New Zealand;
- 4) The fourth in the **Tokyo**, in the Parliament of Japan, which was immediately followed by two unanimous votes in the Upper and Lower Houses of Parliament that brought Japan’s membership in the ICC System in early 2007;
- 5) Our fifth and largest session was held in 2008 in my own **Santo Domingo**, in the Parliament of the Dominican Republic.
- 6) In 2010, the 6th Consultative Assembly was held in **Kampala**, in the Parliament of Uganda: This was the only CAP ICC that did not coincide with PGA’s Annual Forum, given that PGA organized it just two days before the historic Review Conference to the Rome Statute held in May-June of that year, which adopted essential amendments to the 1998 Statute on the crime of aggression and war crimes.
- 7) In 2012, the CAP ICC moved to Europe, with its 7th session held in **Rome**, in the Parliament of Italy, to mark the 10th Anniversary of the Entry into Force of the Rome Statute.
- 8) And today, for the first time in 36 years of history of PGA’s Annual Fora, this event takes place **here** in the North Africa and Middle East (MENA) region. As far as the CAP ICC is concerned, after that 2 sessions have been held in the Americas, 2 in the Asia-Pacific and 1

respectively in Africa, Europe and at the United Nations, the time has come to hold our largest event on International Law and Human Rights in an Arab country.

PGA consists of individual Legislators, who make a difference and promote change through concrete action.

Protecting the civilian population is an imperative and bringing to justice the perpetrators of crimes against humanity is a legal and moral obligation that must be fulfilled: This was the main outcome of the *PGA Working Group on the Universality of the Rome Statute in the Middle East and North Africa*, which met in Amman, Jordan, in mid-October 2014 – I am very pleased to note that several participants to that event are present today in Rabat, and have provided the PGA Secretariat with extremely interesting reports of their actions in countries that have not yet joined the Rome Statute, such as Iraq, Oman, Yemen and, needless to say, Morocco itself.

Thanks to the leadership and dynamism of our Members in Togo and Cameroon, two field missions were carried by PGA in 2014 to generate progress in these two African countries that are not yet Parties to the ICC Statute, and I happy to note that our leading MPs from these countries will play an active role in this CAP ICC. These Missions were the direct outcome of the Parliamentary Working Group for the Fight against Impunity that met in Abidjan, Cote d'Ivoire, at the beginning of 2014, and I note today the presence of new PGA Members from almost all the countries that attended that event, including Guinea, Mali and Cote d'Ivoire itself.

Our focus on Africa continued with a major conference to mark International Justice Day, 17 July, in the Parliament of Uganda, with the participation of a large group of prominent Legislators from the Democratic Republic of the Congo.

The work of PGA in 2014 had started in the best possible way, with an high level visit of Legislators of Jamaica to the ICC in The Hague, and I cannot but recognize the fact that the leader of that Delegation is here in Rabat and will address this CAP ICC as he did two years ago in Rome – This allows me to stress that Jamaica is a country that has timely ratified the Arms' Trade Treaty

(the ATT), adopted in 2013 and soon to enter into force during this month of December 2014 also thanks to the contributions that PGA Members have been making to national processes of ratification.

Mr. President of the ICC, Judge Song:

As you know, I could continue to mention the efforts of our most active Members from all regions of the world who have championed the ICC cause also meeting you and supporting your efforts to make the ICC a truly universal Court, from Malaysia to El Salvador, from Ukraine to Somalia to Kiribati. We hereby renew our partnership with your Institution, as we also commit again to protect the independence and integrity of its judicial prerogatives.

Dear Friends and Colleagues:

Two days of intense deliberations are ahead of us.

2014 has been a tragic year for the world community: We have witnessed increased atrocities against innocent civilians, especially with the emergence of the purported “Islamic state” and the spill-over of the bloodiest conflict in the world, the one in Syria, to Iraq and Lebanon.

With the transformation of Ukraine, a new theatre of war surfaced in an environment that has semblance and affinity with the Cold War.

African conflicts appeared to reach a peak of violence and then to decrease in intensity, as in the tragic case of the Central African Republic.

These are only few of the many challenges that we have ahead of us.

We shall make the best possible use of the two days in which we will work together here in Rabat: We shall focus on key priorities for the PGA ICC Campaign and gather the opinion of some of the world’s best known leaders and experts in the crucial field of international criminal law and global politics, bearing in mind the promise of the “nunca mas”, “never again” – ***never again shall***

genocide, crimes against humanity, war crimes and the crime of aggression be committed with impunity. Only if this promise will be fulfilled, we will forcefully send the message to would-be perpetrators of mass atrocities that justice will prevail and create incentives to avoid their tragic repetition.

As the Nuremberg Trial of major criminal of the Axis dictated to us as early as in 1946,

“Crimes against international law are committed by men, not by abstract entities, and only by punishing individuals who commit such crimes can the provisions of international law be enforced.”

[Cf. Nuremberg Trial’s Judgment, 30 September 1946 (Vol. XXII, p. 466)]

It is our individual and collective commitment, as Legislators in our respective States and as global citizens belonging to the PGA family, to make sure that the Nuremberg promise is honoured and realized, so that the future generations will stop being victimized and affected by the inhumane and destructive force of international crimes.

This will be our contribution to fulfil PGA’s vision, namely *“to contribute to the creation of a Rule-Based International Order for a more equitable, safe and democratic world”*.