



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

PGA Press Release – For Immediate Release

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PGA congratulates the Senate of the DRC on the adoption of the implementing legislation of the Rome Statute of the ICC

The Hague/New York/Kinshasa, 2 November 2015: Today, the Senate of the [Democratic Republic of Congo](#) (DRC) voted quasi unanimously for the adoption of the Law implementing the Rome Statute of the International Criminal Court (ICC) in the domestic legal order. This legislation, which consists of 4 separate bills, amends and completes the Military Criminal Code, the Military Criminal Procedure Code, the Criminal Code and the Criminal Criminal Procedure Code. Parliamentarians for Global Action (PGA) welcomes this new step taken by the DRC legislators to ensure the full implementation of the Rome Statute as a way to end impunity for the most serious crimes of international concern.

This vote occurs only 5 months after the unanimous adoption of the bill by the National Assembly of the DRC under the leadership of PGA Members, from all major political parties in the Democratic Republic of Congo, which the [PGA network had warmly applauded at the time](#). PGA Members in the Senate, led by Sen. Lola Kisanga, Member of PGA, remained particularly mobilized in the past few months to ensure the swift adoption of this Bill in the Senate, which took place today in an overwhelmingly supportive way.

This vote marks the clear and unequivocal support for the fight against impunity and accountability of perpetrators of the most serious crimes and is the result of the work of PGA Members in the DRC since 2008, including **Prof. Nyabirungu, MP** and **Adv. Mutumbe, MP** who had first tabled a draft legislation in 2008 and, **Prof. Balamage MP**, who re-tabled the current bill in the second Parliament in September 2012, as well as **Hon. Upira**, Chair of the PGA DRC Group, who constantly mobilized his colleagues in support of the need of such a legislation.

The bill will be definitely adopted once the Joint Parliamentary Committee of the National Assembly and the Senate will have found an agreement on the amendments made to the bill by the Senate leading to potential divergences between the two texts. The Committee should be convoked soon, and as always PGA Members will remain committed to promote its swift examination and adoption so that hopefully the bill can be promulgated into law before the end of the year.

This will finally allow the DRC to give effect to the principle of complementarity, enabling its ordinary jurisdictions to investigate and prosecute the most serious crimes of international concern,

at least when such crimes are not committed by members of the Army. Indeed, the bill contains progressive features such as the **incorporation of Rome Statute crimes and general principles of law in the domestic law of DRC and the establishment of a vertical model of cooperation between the Prosecutor General of the Republic of DRC and the ICC, in particular the Office of the Prosecutor.** The bill also establishes the competence of civilian Criminal Courts, with full right to appeals, for *all* cases of genocide and crimes against humanity: This is a significant improvement with respect to the current situation in which *only* military courts had been involved in the investigation and prosecution of Rome Statute crimes, due to the automatic application of the treaty *only* before military jurisdictions. The entire judicial system of the DRC is thus strengthened through this legislation, allowing finally an access to justice for victims and ensuring guarantees of non-repetition.

PGA, on behalf of its more than 1200 members from over the entire globe, will continue to encourage these great steps contributing to a rules based international legal order and for a more equitable, safe and democratic world.

Statements of PGA Members

Hon. Sen. Lola Kisanga, Member of the Bureau of the Senate: *"This is a major step forward that reflects the genuine will of the Congolese legislator to put at the disposal of our High Courts of Justice, effective prevention and punishment of these crimes instruments, posting our total commitment to cooperation with the ICC, starting with the International community."*

Hon. Dieudonné UPIRA, President of the PGA Group in DRC: *"I welcome the readiness of my colleagues in the Senate to pass this law of historical importance for our country. As President of the PGA Group in the DRC, with the support of the members of group, I have consistently mobilized Congolese parliamentarians and national authorities to promote this legislative initiative that aims to fulfill victims' right, giving them access to justice and reparations. We will finally enable the DRC to have a strong justice system to fight against impunity for international crimes so that future generations will be protected from these heinous crimes."*

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 of 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 matters.

Members of PGA have contributed to 76 of the 123 ratifications of, or accession to the Rome Statute to date. PGA is a member of the Steering Committee of the Coalition for the ICC and has partnered with the DRC National Coalition.

The PGA Campaign for the Universality and Effectiveness of the Rome Statute system receives support from:

GOVERNMENTS OF **THE NETHERLANDS, SWITZERLAND, ESTONIA, LIECHTENSTEIN AND**



PGA RECEIVES CORE SUPPORT FROM THE GOVERNMENTS OF **SWEDEN AND DENMARK.**