



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

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Parliament of The Netherlands adopts government bill on ratification of the Kampala Amendments of the Rome Statute of the International Criminal Court (ICC) - PGA welcomes this step

The Hague, 8 December 2015: During its voting session of December 1st, the Parliament of The Netherlands voted with a majority of 80 (out of 150) Members of Parliament (MPs) in favour of the ratification of the Kampala Amendments to the Rome Statute of the International Criminal Court (ICC) on the crime of aggression and war crimes.

Last week's parliamentary vote follows an intense debate in parliament, in which the opponents of the ratification of the Kampala Amendments stressed their concerns about the Kampala Amendments on crime of aggression. The Parliamentarians for Global Action (PGA) Secretariat provided technical information to all 12 Dutch PGA member MPs to ensure an informed debate.

Three PGA Members spoke in favour of ratification in the plenary debate: Longstanding PGA member **MP Harry van Bommel** intervened as the spokesperson for his political group (SP, *opposition*) to mark the careful negotiation process undertaken by the Dutch government and other Rome Statute State Parties in Kampala in 2010.

MP Michiel Servaes (PvdA, *majority*) stressed that the crime of aggression is already defined as an international crime since the Nuremberg and Tokyo trials of 1945-46. Furthermore, he reiterated that the Kampala Amendments on the crime of aggression do not include humanitarian interventions and have a non-retroactive nature. Together with MP Sjoerdsma from D66, MP Servaes tabled a motion on the adoption of the Norwegian position by the Dutch government, which stresses that the ICC should continue to focus on investigating and prosecuting genocide, war crimes and crimes against humanity. The parliament approved this motion. Both MPs jointly tabled a motion that calls upon the Dutch government to increase its efforts to maintain sufficient anchoring and support for the ICC amongst all State Parties, in particular African State Parties: Also this motion was approved by Parliament.

MP Sjoerd Sjoerdsma (D66, *opposition*) tabled a number of motions about more Dutch support for the ICC's Victims and Witnesses Unit, automatic increases for the budget of the Office of the Prosecutor and EU cooperation when a State Party fails to cooperate with the Court. All Mr. Sjoerdsma's motions were approved.



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Furthermore, another PGA member vocalised the concerns around the Kampala Amendments: **MP Joost Taverne** (VVD, *majority*) underscored the concerns of his party regarding the current capacity of the ICC, as well as concerns around the definition of the crime of aggression and its compatibility with humanitarian interventions. His amendments to the Dutch government's Bill to only ratify the Kampala Amendments on the application of certain war crimes in non-international armed conflicts and not the Amendments on the crime of aggression gained a minority of 74 (out of 150) votes and were rejected by the Dutch Parliament.

Only when 30 State Parties will have ratified the Kampala Amendments, can the Assembly of State Parties, not before 2017, decide that the Kampala Amendments will indeed enter into force. Yesterday's decision by the Dutch Parliament paves the way for The Netherlands becoming State Party number 25 to have ratified the Kampala Amendments. The Dutch Senate will have to approve the Kampala Amendment ratification Bill before that the Dutch Government may proceed with the completion of the ratification process.

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, which will soon become 77 out of 124 upon deposit of the treaty with the Office of the UN Secretary General by the government of El Salvador. PGA is a founder and member of the Steering Committee of the Coalition for the ICC (CICC).

THE PGA CAMPAIGN FOR THE UNIVERSALITY AND EFFECTIVENESS OF THE ROME STATUTE SYSTEM RECEIVES SUPPORT FROM:

THE GOVERNMENTS OF
SWITZERLAND
LIECHTENSTEIN
ESTONIA
THE NETHERLANDS

AND



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