



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

**9TH CONSULTATIVE ASSEMBLY OF PARLIAMENTARIANS
FOR THE INTERNATIONAL CRIMINAL COURT AND THE RULE OF LAW (CAP – ICC)**

&

38TH ANNUAL FORUM OF PARLIAMENTARIANS FOR GLOBAL ACTION (PGA)

**9 – 10 December 2016
National Assembly of Senegal
Dakar, Senegal**

PROGRAMME

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*In partnership with the
European Union (EU) Delegation to Senegal*



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and of the Parliaments of official delegations in attendance.*

Day 1: Friday, 9 December 2016
King Fahd Palace Hotel, Amphitheatre

9:00–10:30

OPENING SESSION

Dep. Lamine Thiam (Senegal), Chairperson, Organizing Committee of the Annual Forum; Member, ECOWAS Parliamentary Assembly, Member of PGA

Dip. Margarita Stolbizer (Argentina), President of Parliamentarians for Global Action

H.E. Theo Peters, Ambassador of the Netherlands to Senegal

H.E. Joaquín Gonzalez- Ducay, Ambassador of the Delegation of the EU to Senegal

H.E. Mr. Sidiki Kaba (Senegal), Minister of Justice and Keeper of the Seals of Senegal; President of the Assembly of States Parties to the Rome Statute of the International Criminal Court (ASP-ICC)

H.E. Judge Silvia Fernandez de Gurmendi, President, International Criminal Court

Hon. Moustapha Niassé, Président de l'Assemblée nationale du Sénégal

10:30–10:45

Protocol and Coffee Break

10:45–13:00

1. Preventing and prosecuting mass-atrocity crimes - Question-Time with the Prosecutor of the International Criminal Court (ICC)

- A. The International Community's legal framework and political mobilization to halt and prevent mass-atrocity crimes*
- B. Situations and cases under active investigation, prosecution and adjudication before the ICC: DR Congo, Uganda, Central African Republic (in two situations), Mali, Cote d'Ivoire, Darfur/Sudan, Libya and Georgia*
- C. Existing Arrest Warrants and lack of their execution*
- D. Situations under Preliminary Examinations before the ICC – in particular, Afghanistan and Colombia*
- E. Situations under the potential jurisdiction of the ICC – the open question of atrocities allegedly committed by ISIS in Libya and/or to be attributed to the responsibility of nationals of States Parties to the Rome Statute in Syria and Iraq*
- F. Role of Parliamentarians towards effective and efficient frameworks of cooperation for National and International Prosecutorial Authorities*

Co-Chairs:

Ms. Barbara Lochbihler, MEP (Germany), Vice-Chairperson, Human Rights Sub-Committee, European Parliament; Convenor of PGA's Int. Law and Human Rights Programme

Mr. Kula Segaran, MP (Malaysia), Deputy-Convenor of PGA's Int. Law and Human Rights Programme

Speaker:

H.E. Ms. Fatou Bensouda, Prosecutor of the International Criminal Court

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

13:00–14:30

Lunch Break

14:30–16:00

2. Moving towards an international Rule of Law: The Universal Ratification and Implementation of the Rome Statute of the International Criminal Court

- A. Status of Universality of the Rome Statute of the ICC, in particular with respect to the African threat of withdrawal*
- B. Underrepresented regions among ICC Member States*
- C. The Role of Parliamentarians in developing truly global cooperation towards fighting impunity for the most serious crimes of concern to humanity*
- D. Existing Arrest Warrants and lack of their execution*

Chair: **Dip. Magda Rodríguez** (Dominican Republic), Member of the Chamber of Deputies, Vice-Chair of PGA's National Group

Panel: **Dep. Jean Kissi** (Togo), Chairperson, Foreign Affairs Committee; Member of PGA
Mr. Hryhoriy Nemyria, MP (Ukraine), Chair of the Committee on Human Rights, National Minorities and Interethnic Relations, Parliament of Ukraine; Chair of PGA's Ukraine National Group
Ms. Susi Barbosa, MP (Guinea-Bissau), Member of PGA; Former Secretary of State, Foreign Affairs

Open discussion among all participants

Conclusions: **Ms. Barbara Lochbihler, MEP** (Germany), Vice-Chairperson, Human Rights Sub-Committee, European Parliament; Convenor of PGA's Int. Law and Human Rights Programme

16:00–16:20 *Coffee Break*

16:20–17:45 **3. The Nuremburg Legacy: The Kampala Amendments on the crime of Aggression**

Co-Chairs: **Ms. Petra Bayr MP** (Austria), Chair of the Sub-Committee on Development Cooperation, PGA Treasurer

Dep. Djibril War (Senegal), Chairperson of the Foreign Affairs Committee, Parliament of Senegal

Keynote speaker: **H.E. Mr. Ambassador Christian Wenaweser**, Permanent Representative of Liechtenstein to the United Nations; Chair of the PGA UN Committee

Panel: **Dep. Aissata Touré Diallo** (Mali), Chairwoman of the Foreign Affairs Committee, President of the Network of Malian Women Parliamentarians, Member of PGA

Sen. Julio César Valentín (Dominican Republic), Chair of PGA's Dominican Republic National Group

Dep. Dieudonne Upira Sunguma (DR Congo), Chair of PGA's DRC National Group

Open discussion among all participants

Conclusions: **Dip. Mario Tenorio** (El Salvador), 3rd Deputy Speaker of the Parliament, Chair of the Legislative Committee; Member of PGA

20:00–22:00 **Defender of Democracy Award (DDA) 2016 Ceremony and Dinner** (*by invitation only*)
Hosted by the Parliament of Senegal at the King Fahd Palace Hotel, Salon Vert

Day 2: Saturday, 10 December 2016
Venue: King Fahd Palace Hotel, Salon Flamboyant

9:00–10:30 **4. Parliamentary contribution to effective cooperation in the fight against impunity for international crimes**

- A. *Through the adoption of implementing legislation (on cooperation and assistance of States to the Court) 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*

Co-Chairs: **Mr. Mark Pritchard, MP** (UK), Chair of PGA’s UK National Group
Dep. Lamine Thiam (Senegal), Chairperson of the Organizing Committee of the Annual Forum; Member of the ECOWAS Parliamentary Assembly, Member of PGA

Panel: **Ms. Ana Gomes, MEP** (Portugal), Chair of PGA’s Group in the European Parliament
Ms. Svitlana Zhalichuk, MP (Ukraine), Chair of the Subcommittee on Euro-Atlantic Cooperation and Euro-integration of the Verkhovna Rada of Ukraine; Member of PGA
Dip. Tucapel Jimenez (Chile), Chair of the Human Rights and Indigenous Peoples Committee; Chair of PGA’s Chile National Group
Ms. Julie De Hulst (Belgium), Ministry of Justice, *on behalf of the Mutual Legal Assistance Initiative coordinated by Argentina, Belgium, the Netherlands, and Slovenia*

Plenary discussion

10:30–10:45 *Coffee Break*

10:45–13:00 **5. Parliamentary contribution and oversight to the domestic criminalization and adjudication of international atrocities**

- A. *Reforming Penal Codes and other criminal laws to fully integrate the Rome Statute into the domestic legal order*
- B. *Equipping national investigatory (forensics, mass-exhumations, witness-protection systems, etc.), prosecutorial and judicial systems to appropriately address mass-crimes*
- C. *The Role of Parliamentarians in protecting the integrity of the Rome Statute and the independence of the judiciary: The domestic incorporation of the general principle of law of irrelevance of official capacity for the most serious crimes of concern to the International Community as a whole*
- D. *How to ensure that A, B and C are a priority for the International Community, including development-cooperation partners and donors?*
- E. *Addressing the risks associated with supporting so-called “transitional justice” processes versus the fight against impunity*

Co-Chairs: **Ms. Margareta Cederfelt, MP** (Sweden), Deputy-Chair of the OSCE Parliamentary Assembly; Member of the PGA Board

Panel: **Dep. Khadidiatou Diedhiou** (Senegal), Member of Organizing Committee of PGA Annual Forum
Dip. Ronny Monge Salas (Costa Rica), Secretary of the Special Committee on Security and Narcotics, Vice-President of the Commission of Full Legislative Powers; Member of the PGA Board
Dep. Fode Marega (Guinea), Member of PGA
Rep. Marisol Peñafiel (Ecuador), Member of PGA
Dr. Kennedy Graham, MP (New Zealand), Member of PGA and Former PGA Secretary-General

Plenary discussion

13:15–14:15 *Lunch Break*

14:15–15:45 **6. Fighting sexual and gender based violence under the Rome Statute of the ICC – a victim’s rights and human dignity focused approach**

Co-Chairs: **Dip. Karina Sosa, MP** (El Salvador), Chair of the Foreign Affairs Committee, PGA member
Dep. Haoua Dia Thiam (Senegal)

Panel: **Judge Mbacké Fall** (Senegal), Chief Prosecutor before the Extraordinary African Chambers
Mr. Faiq Al Sheikh Ali, MP (Iraq), Leader of the People’s Party, Member of PGA
Ms. Bernadette Lahai, MP (Sierra Leone), Minority Leader; Member of PGA

Plenary discussion

15:45 –17:30 **7. Ten years from now: How to strengthen international and national normative frameworks and work together for a world without impunity for mass-atrocity crimes**

Chair: **Ms. Jessie Majome, MP** (Zimbabwe), Chair of the PGA Zimbabwe National Group

Speakers: **Mr. Amady Bâ**, Head of the International Cooperation Unit, Office of the Prosecutor of the International Criminal Court

Mr. Kula Segaran, MP (Malaysia), Deputy-Convenor of PGA’s Int. Law and Human Rights Programme

Rapporteur: **Dr. David Donat Cattin**, Secretary-General of PGA – *Summarizes the points suggested by the Working Group for the Dakar Plan of Action*

Plenary discussion concerning the text of the Dakar Plan of Action to Prevent and End Impunity for Mass-Atrocity Crimes and, as appropriate, adoption of the Dakar Plan of Action

Closing Session: **Dip. Margarita Stolbizer** (Argentina), President of PGA

Mr. Mahammed Boun Abdallah Dionne (Senegal), Prime Minister of the Republic of Senegal

18:00- **Optional City Tour and visit to the National Assembly** (please confirm the participation with the PGA secretariat at the registration table)