WORKING GROUP ON THE FIGHT AGAINST IMPUNITY IN AFRICA

Promoting Accountability Mechanisms and the Effective Implementation of the Rome Statute

2019
3-4 July
BANJUL
THE GAMBIA
Working Group on the Fight against Impunity in Africa:
Promoting Accountability Mechanisms and the Effective Implementation of the Rome Statute

3-4 July 2019
National Assembly of the Republic of The Gambia
Banjul (The Gambia)

Vision and Purpose of the Working Group Seminar

Despite the growing recognition enshrined in the Rome Statute of the International Criminal Court that "the most serious crimes of concern to the international community as a whole must not go unpunished," in too many places, justice remains elusive and impunity for grave crimes continues. Winning in the fight against impunity requires the conviction, commitment, and competence to develop effective accountability mechanisms at the national level to uphold domestic justice and enable international cooperation. Parliamentarians have an indispensable role to play in this effort through their legislative, representative, and oversight functions.

Recognizing the unique context and challenges of the African continent, Parliamentarians for Global Action (PGA), a membership-based network of more than 1,300 members of parliament (MPs) from more than 130 countries across the globe, has convened a Regional Working Group to enable peer legislators to learn, exchange, and strategise with one another and from experts in the field to devise and implement context-specific mechanisms to fight impunity. Over the course of this two-day regional seminar, participating parliamentarians will gain valuable tools and insight to empower them as accountability champions and draw action-oriented strategies to implement in their respective countries and parliaments.
AGENDA - DAY 1

9:00-9:30 Opening Ceremony

Opening Remarks
Hon. José Sanches Tavares, member of the National Assembly of Cape Verde; Chairman of PGA’s National Group in Cape Verde; member of the Organising Committee for PGA’s 2019 Annual Forum.

Keynote Speech
Mr. Abubacarr M. Tambadou, Minister of Justice and Attorney General of the Republic of the Gambia.

Keynote Speech
H.E. Mr. Attila Lajos, Ambassador, Head of the European Delegation to the Gambia.

Welcome Remarks
Hon. Momodou L. K. Sanneh, Deputy Speaker of the National Assembly of the Gambia; Chairman of the Standing Committee on Security and Defence.

9:30-10:00 Group Picture & coffee break. Participant surveys.

10:00-10:45 Introductory Session

Framing the Issue: International Crimes in Context.

Serious human rights violations and international crimes: why fight for accountability?
Mr. Sainey Bah, Assistant Lecturer at the Faculty of Law of the University of the Gambia.

Testimony
Ms. Neneh Cham, Counsel for victims of human rights violations.

10:45-12:15 Panel 1


Moderator: Member of the Human Rights Committee of the National Assembly of the Gambia.
Victims’ right to truth and the role of Truth Commissions

Ms. Sirra Ndow, Executive Board Member of the African Network against Extrajudicial Killings and Disappearances (ANEKED) and Interim Country Representative in The Gambia.

Providing redress outside of courts: reparations for past human rights abuses in Kenya

Hon. Paul Otiende Amollo, Member of the National Assembly of Kenya; member of PGA; Former Ombudsman.

The relationship between prosecutions and non-judicial mechanisms

Mr. Hussein Thomasi, Special Advisor to the Attorney General of the Gambia.

Interactive Discussion

12:15-13:30    Lunch

13:30-15:00    Panel 2

Developing a Legal Framework to Address Serious Human Rights Violations and Crimes under International Law.

Moderator: Member of the Human Rights Committee of the National Assembly of the Gambia.

The Rome Statute as a tool for domestic criminalisation of the core international crimes: genocide, crimes against humanity, war crimes, and the crime of aggression.

Hon. Amina Maelainine, Member of the House of Representatives of the Kingdom of Morocco, member of the Justice, Legislation and Human Rights Committee; member of PGA.

Punishing the purse: individual criminal responsibility for business-executives and corporations financing and enabling atrocities.

Mr. Suzgo Lungu, International Criminal Lawyer at the Southern Africa Litigation Centre (SALC).


Mr. Sadikh Niass, Secretary General of the African Exchange for the Defence of Human Rights (Rencontre africaine pour la défense des droits de l’Homme, RADDHO).

Interactive Discussion
15:30-17:00  Panel 3

Using Domestic Courts to Hold Perpetrators of Serious Human Rights Violations and International Crimes Accountable.

**Moderator:** Member of the Human Rights Committee of the National Assembly of the Gambia.

Establishing specialised teams for the investigation, prosecution and judgment of international crimes.

**Lady Justice Susan Okalany,** Resident Judge in Mbale High Court Circuit (Uganda), Associate Judge to the International Crimes Division (ICD).

A special court with international support to strengthen domestic justice: the experience of the Central-African Republic.

**Hon. Roland Bangue-Betangai,** Member of the National Assembly of the Central-African Republic, Chairman of the Legislation Committee; member of PGA.

The importance of judicial cooperation for cross-border investigations and effective prosecutions of international crimes.

**Mr. Tondjoa Sagnan,** Deputy Prosecutor to the Ouagadougou Tribunal, Member of the Special Unit on Terrorism-Related and Terrorism-Financing Offences, Focal Point in Burkina Faso for the West African Network of Central Authorities and Prosecutors against Organised Crime (WACAP).

Interactive Discussion

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**AGENDA - DAY 2**

09:00-10:30  Panel 4

Developing International & Regional Mechanisms to Hold Perpetrators of International Crimes Accountable.

**Moderator:** Member of the Human Rights Committee of the National Assembly of the Gambia.
Dual perspectives on accession to the Rome Statute system as an insurance against impunity: why membership in the International Criminal Court matters.

**Perspective from the Members of the Human Rights Committee of the National Assembly of the Gambia & Hon. Raymonde Kayi Lawson**, Member of the National Assembly of Togo, Deputy Chairwoman of the Human Rights Committee.

A seat for African international criminal justice: the African Court of Justice and Human Rights.

**Dr. Kwaku Agyeman-Budu**, Lecturer at GIMPA Law School; Director of the African Centre of International Criminal Justice.

Interactive Discussion

10:30-11:00  **Coffee Break**

11:00-12:30  **Panel 5**

**Utilising Regional Mechanisms to Prevent and Address Serious Human Rights Violations.**

**Moderator:** Member of the Human Rights Committee of the National Assembly of the Gambia.

An Overview of the African Commission and Court of Human and Peoples’ Rights, the ECOWAS Court of Justice, and the East African Court of Justice.

**Mr. Oludayo Fagbemi**, Legal Officer at the Institute for Human Rights and Development in Africa (IHRDA).

The role of regional parliaments in setting human rights standards.

**Hon. Fatoumatta Njai**, Member of the National Assembly of the Gambia, Member of the Standing Committee on Human Rights and Constitutional Affairs; Member of the ECOWAS Parliament.


Interactive Discussion
12:30-13:15  Presentation, Discussion and Adoption of the Draft Banjul Action Plan

Ms. Marion Chahuneau, Senior Legal Officer, PGA’s International Law and Human Rights Programme.

Ms. Melissa Verpile, Senior Legal Officer, PGA’s International Law and Human Rights Programme.

Concluding message

Hon. Dawda Kawsu Jawara, Member of the National Assembly of the Gambia, Member of the Standing Committee on Security and Defence; Member of PGA.

13:15-14:30  Lunch and Opportunity for Feedback

14:30-17:00 Session reserved to Gambian MPs and Gambian Government Officials

Domestic incorporation of the Rome Statute crimes, the principle of complementarity, and state compliance with the obligation to cooperate with the ICC.

Ms. Marion Chahuneau, Senior Legal Officer, PGA’s International Law and Human Rights Programme.

Ms. Melissa Verpile, Senior Legal Officer, PGA’s International Law and Human Rights Programme.

Ms. Fatou Baldeh, President of Women in Liberation and Leadership (WILL).

Ms. Neneh Cham, Lawyer.

Mr. Modi Jobarteh, Activist and Representative of the Westminster Foundation

Ms. Sirra Ndow, Representative of the African Network against Extrajudicial Killings and Disappearances (ANEKED) in the Gambia

Mr. Ousman Kujabi, Representative of the Gambia Centre for Victims of Human Rights Violations.

Commentaries by stakeholders.

Ms. Fatou Baldeh, President of Women in Liberation and Leadership (WILL).

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Mr. Modi Jobarteh, Activist and Representative of the Westminster Foundation

Ms. Sirra Ndow, Representative of the African Network against Extrajudicial Killings and Disappearances (ANEKED) in the Gambia

Mr. Ousman Kujabi, Representative of the Gambia Centre for Victims of Human Rights Violations.

Questions and Answers by Parliamentarians.