



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



11TH CONSULTATIVE ASSEMBLY OF PARLIAMENTARIANS ON THE INTERNATIONAL CRIMINAL COURT AND THE RULE OF LAW (CAP-ICC)



19-20 NOVEMBER 2020



14.00 TO 17.00 CET



VIRTUAL SESSION
CO-HOSTED BY PGA
& THE PGA NETHERLANDS
NATIONAL GROUP
(VIA ZOOM)

While 2020 has been characterized by the 'natural disaster' caused by the novel Coronavirus pandemic, the perpetration of genocide, crimes against humanity, war crimes or the crime of aggression continues to generate 'human-made' humanitarian disasters with armed conflicts and violent repressions that are causing immense suffering for victims and affected communities. Impunity for such crimes of concern to the International Community as a whole must be put to an end. The Rome Statute of the International Criminal Court (ICC) of 1998, as amended, creates the only permanent system of international jurisdiction aimed at fighting impunity for atrocity-crimes and preventing their repetition.

The CAP-ICC is the largest project of PGA's Campaign for the Rome Statute of the ICC. Since 2002, this bi-annual meeting represents a unique opportunity for legislators from all regions of the world to discuss and develop strategies to advance the universality and effectiveness of the Rome Statute system. This year, the CAP-ICC will be held virtually because of the restrictions stemming from the current global health crisis. Despite the circumstances, Parliamentarians continue to have a key role in serving as an essential bridge between the Executive and the people they represent, demanding and overseeing prompt and effective action from their Governments and the International Community. Now more than ever, Parliamentarians need the support of their peers from around the world to share strategies and effective responses to strengthen democratic institutions and domestic and international responses to human rights violations under the Rule of Law.

This Assembly is made possible thanks to the support of:



The European Union (EU), European Instrument for Democracy and Human Rights

The Netherlands | Switzerland | Liechtenstein | OAK Foundation



and the core support to PGA from

Stewart R. Mott Foundation | Sweden (Sida) | Denmark (Ministry of Foreign Affairs)



DAY I - 19 NOVEMBER 2020



14:00-15:00 - OPENING SESSION

SEN. JAN ANTHONIE BRUIJN

President of the Eerste Kamer (Senate), Parliament of The Netherlands

H.E. AMB. PAUL VAN DEN IJSSEL

Permanent representative to the Organisation for the Prohibition of Chemical Weapons (OPCW) and the International Criminal Court (ICC)

MS. PETRA BAYR, MP

(Austria), Member, PGA Executive Committee in charge of the Rome Statute of the ICC Campaign; Chairperson, Committee on Equality & Non-Discrimination, Parliamentary Assembly of the Council of Europe (PACE)



14:20-14:35 - KEYNOTE REMARKS BY

H.E. MR. O-GON KWON

President of the Assembly of States Parties to the Rome Statute of the ICC; former Judge and Vice-President, International Criminal Tribunal for the former Yugoslavia



14.35-15.00 - QUESTIONS & ANSWERS SESSION WITH THE PRESIDENT OF THE ASSEMBLY OF STATES PARTIES MODERATED BY

SEN. BORIS DITTRICH

Chair, PGA The Netherlands National Group

VIRTUAL GROUP PHOTOGRAPH

15:10-17:30 - CHALLENGES FOR INTERNATIONAL CRIMINAL JUSTICE (PRESENTATIONS FOLLOWED BY INTERACTIVE Q&A)

2020: A CRUCIAL YEAR FOR THE ICC - THE INDEPENDENT EXPERTS' REVIEW, THE ELECTION OF JUDGES, AND THE CHOICE OF THE NEW PROSECUTOR



15:10-15:15

MS. PETRA BAYR

(Austria), Member, PGA Executive Committee in charge of the Rome Statute of the ICC Campaign; Chairperson, Committee on Equality & Non-Discrimination, Parliamentary Assembly of the Council of Europe (PACE)



15:15-15:30

JUSTICE RICHARD GOLDSTONE

(South Africa), Chair, Independent Expert Review Panel; former Prosecutor, ICTY/ICTR; Judge Emeritus, Constitutional Court of South Africa



15:30-15:40

H.E. AMBASSADOR CHRISTIAN WENAWESER

Permanent Representative of Liechtenstein to the UN; Former President of the Assembly of States Parties and the Kampala Review Conference to the Rome Statute; Chairperson, UN Advisory Committee for PGA (Moderator)



15:30-16:00

OPEN DEBATE

IMPACT OF THE ICC ON ONGOING TRANSITIONS – THE FIGHT AGAINST IMPUNITY IN THE CENTRAL AFRICAN REPUBLIC AND COOPERATION BETWEEN THE ICC AND THE “NEW SUDAN”

 16:00-16:10

HON. BEATRICE EPAYE

(Central African Rep.), Chair, Foreign Affairs Committee; Board Member, PGA

 16:10-16:20

MR. SALIH MAHMOUD OSMAN

Member, Parliamentary Legislative Committee, Sudan; Vice-President, Darfuri Bar Association; Board Member, African Centre for Justice and Peace Studies (ACJPS); European Parliament Sakharov Prize Awardee

 16:20-16:25


MR. AMADY BÂ

Hors hiérarchie Senegalese judge on secondment as Head of the International Cooperation Unit, Office of the Prosecutor of the International Criminal Court; Former Judge at the Court of Cassation of Senegal, Former Director of the regional judicial training centre, CFJ

 16:25-16:45

OPEN DEBATE

THE US POSITION ON THE ROME STATUTE SYSTEM AGAINST IMPUNITY

 16:45-16:50

REP. JAMES P. MCGOVERN

(USA), Co-chair, Tom Lantos Human Rights Commission of the United States Congress; PGA Member

SANCTIONS REGIMES TO ADDRESS ATROCITY CRIMES (MAGNITSKY-TYPE SANCTIONS) AND ECONOMIC MEASURES AIMED AT EXERCISING UNDUE PRESSURE ON THE ICC

[N.B.: THIS SUB-TITLE COVERS TWO DIFFERENT ISSUES REFERRING TO THE NOTION OF “SANCTIONS”: 1) THE TOOLS THAT STATES CAN USE TO “PUNISH” INDIVIDUAL ALLEGED PERPETRATORS OF HR CRIMES OUTSIDE THE RS SYSTEM THROUGH SANCTIONS; AND 2) ADDRESSING UNJUST, POLITICALLY-MOTIVATED “SANCTIONS” AGAINST KEY OTP-ICC PERSONS]

 16:50-17:05

PROF. MARGARET DE GUZMAN¹

(USA), James E. Beasley Professor of Law & Co-Director, Institute for International Law and Public Policy, School of Law, Temple University

 17:05-17:30 - OPEN DEBATE AND CONCLUSIONS OF DAY 1 CAP-ICC

DR. DAVID DONAT-CATTIN

(Italy) Rapporteur of Day 1 CAP ICC, Secretary-General, PGA

MS. MARGARETA CEDERFELT, MP

(Sweden), President of Parliamentarians for Global Action (PGA)



DAY II - 20 NOVEMBER 2020

14:00-15:00 – SESSION WITH THE PRESIDENT OF THE INTERNATIONAL CRIMINAL COURT



14:00-14:20

H.E. JUDGE CHILE EBOE-OSUJI

President of the ICC



14:20-15:00 - COMMENTARY, FOLLOWED BY QUESTIONS & ANSWERS SESSION

PROF. IRWIN COTLER

(Canada), former Attorney-General and Minister of Justice; former MP & Chair of the PGA Canada National Group; Chair, Raoul Wallenberg Centre for Human Rights

MR. ALI EHSASSI

MP (Canada), PGA Board Member; Chair, All Party Parliamentary Group for the Prevention of Genocide and other Crimes against Humanity (introduction & moderator)

HON. KASTHURI PATTO

MP (Malaysia), PGA Board Member & Deputy Convenor, International Law and Human Rights Programme (Moderator)

15:00-16:45 – SESSION WITH THE OFFICE OF THE PROSECUTOR OF THE INTERNATIONAL CRIMINAL COURT

- IN COOPERATION WITH THE COMMONWEALTH WOMEN PARLIAMENTARIANS/COMMONWEALTH PARLIAMENTARY ASSOCIATION (CPA)

Special focus on:

- (i) Sexual and gender-based violence in the framework of OTP investigations on genocide, crimes against humanity and war crimes; and
- (ii) Status of prosecutions, investigations and preliminary examinations of situations and cases



15:00-15:30

MR. JAMES STEWART

Deputy Prosecutor of the ICC



15:30-15:40

PROF. PATRICIA VISEUR SELLERS

Special Adviser on Gender, Office of the Prosecutor (OTP), ICC; former Legal Advisor on Gender & Prosecutor at the ICTY and ICTR

INTRODUCTORY REMARKS, COMMENTARIES, AND CONCLUSIONS BY



15:40-15.45

MR. FABIO MASSIMO CASTALDO

MEP, Vice-President of the European Parliament, PGA member (TBC)



15:45-15:50

HON. SHANDANA GULZAR KHAN

MP (Pakistan), Chairperson, Commonwealth Women Parliamentarians, Commonwealth Parliamentarians Association (CPA)



15:50-16:00

H.E. MS. SUZI BARBOZA

*Minister for Foreign Affairs of Guinea Bissau;
former PGA Executive Committee member*

HON. MILLIE ODHIAMBO

*MP (Kenya), PGA Board Member & Convenor, Gender, Equality and
Inclusion Programme (Moderator)*



16:00-16:45

OPEN DEBATE/QUESTIONS AND ANSWERS' SESSION WITH THE ICC PROSECUTOR AND/OR THE OTP TEAM

16:45-17:00 - CONCLUSIONS & ACTION POINTS OF THE 11TH CAP ICC – POLITICAL SUPPORT FOR THE FIGHT AGAINST IMPUNITY AND THE ICC AND STRATEGIES TO PREVENT AND COUNTER SEXUAL AND GENDER-BASED CRIMES

RAPORTEURS OF DAY 2 CAP-ICC

*Ms. Frederika Schweighoferova (Slovakia), Senior Legal Officer, PGA,
and Ms. Melissa Verpile (Haiti), Senior Legal Officer, PGA*

SEN. BORIS DITTRICH

(The Netherlands) (Moderator)

MS. MARGARETA CEDERFELT, MP

(Sweden), President of PGA

ENDNOTES

1 Professors Diane Marie Amann, Margaret de Guzman, Gabor Rona and Milena Sterio, together with the Open Society Justice Initiative (OSJI), filed a complaint in the Southern District of New York challenging Executive Order 13928, through which the US Administration is targeting the ICC.

ABOUT PGA

Parliamentarians for Global Action (PGA) is the largest non-governmental, cross-party, international network of individual legislators with approximately 1,200 members in 138 parliaments around the world. PGA mobilizes parliamentarians as champions committed to promoting the rule of law, democracy, human security, inclusion, and gender equality.

By using a peer-to-peer methodology and country-specific strategies, PGA educates, sensitizes, and builds the technical capacity of parliamentarians to take concrete initiatives and legislative actions to achieve results on PGA's campaign objectives.

PGA supports individual parliamentarians in their national contexts and parliaments, and then leverages that capacity with international networking to support democracy, human rights, and peace. The organization's vision is to contribute to the creation of a rules-based international order for a more equitable, safe, and democratic world.

PGA is in general consultative status with the Economic and Social Council of the United Nations with headquarters in New York; its office in The Hague, Netherlands fosters cooperation with The Hague-based International Organizations, including the International Criminal Court. PGA is represented at the country level by PGA National Groups in parliaments, which creates sustainability and ownership of issues at the national level.