



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

**8th session of the Middle East and North Africa Working Group on the Fight against Impunity:
Promoting Accountability Mechanisms and the Effective Implementation of the Rome Statute (Part
II)**

31 March 2021

15h (Iraq time) / **14h** (The Netherlands time) / **15h** (Jordan time)

Concept Note

It has been a year now that the world has been affected by the COVID-19 pandemic. Strict restrictions have been imposed in most states to control the spread of the virus. As states' resources have been allocated to fight the pandemic, many parliaments from the Middle East and North Africa (MENA) region have managed to conduct their work remotely. However, this short-term solution was not sufficient to guarantee the full respect of fundamental rights of local populations. In that regard, Parliamentarians are indispensable to ensure that communities benefit from effective legislation and public policies that can guarantee the respect of their rights. Through their legislative, representative, and oversight functions, Parliamentarians also play an essential role in the fight against impunity, the development of effective accountability mechanism at the national level¹, and the promotion of international cooperation.

As a part of its International Law and Human Rights Programme, PGA regularly organises meetings with regional working groups on the Rome Statute of the International Criminal Court (ICC). The first part of the 8th session of the Working Group was exceptionally held online in July 2020 due to the worldwide pandemic. Recognising the unique context of the MENA region, PGA convened the first regional meeting of the MENA region to enable Legislators, working mainly in North African states, to learn, exchange, and strategise with peers. This year, the Secretariat has decided to convene the second part of the 8th session of the Working Group to foster discussion on the fight against impunity and the strengthening of the Rule of Law mostly in Middle Eastern states. Once again, the meeting will be held online due to health security and travel restrictions.

This online event will create a space for dialogue between Parliamentarians from the MENA region with experts on questions related to the evolution – including challenges, successes, and best practices – of the fight against impunity and the work that has been undertaken by lawmakers in that regard. We will also

¹ Parliamentarians play a specific role in ensuring that (i) appropriate budgetary allocations are made in national budget laws to the justice system, and that (ii) adequate normative safeguards are put in place to guarantee the independence and autonomy of the judiciary and of prosecutorial authorities from the Executive power. The Rule of Law must be centred on the principle of separation of powers. The Executive power (the Head of State or Government, Cabinet Ministers including the Minister of Justice etc.) and the Legislative power (Parliament, including Justice Committees, and Parliamentarians) must not intervene or interfere in any way in the independent exercise of prosecutorial and jurisdictional prerogatives of magistrates.

discuss how PGA and civil society organisations can help bolster national efforts made to uphold the rule of law. Finally, relevant situations before the ICC, including the investigation regarding the situation in Palestine and the closing of preliminary examination into Iraq/UK, will be addressed to shed light on the legal basis granting the Court's jurisdiction over a situation, while explaining the limits of its competence.

Agenda

15:00 – 15:05 Introductory Remarks by **Dr David Donat Cattin**, *PGA General Secretary*

15:05 – 15:15 Remarks delivered by the PGA Secretary-General *on behalf of Hon Amina Maelainine, MP (Morocco), PGA Board member & Convener of the International Peace and Security Programme*

Moderator: **Mr Jeremy Purvis of Tweed (United Kingdom)**, *Member of the House of Lords International Relations Committee and member of the Executive Committee of the British Group of the Inter Parliamentary Union*

15:15 – 16:00 Panel I. The fight against impunity at the national, regional, and international level.

Mr Rod Rastan, *Acting Head, Preliminary Examination Section, Office of the Prosecutor, ICC*: The reasons of the lack of the ICC jurisdiction over alleged mass-atrocities committed in Syria and Iraq (15 minutes)

Ms Nada Kiswanson van Hooydonk, *Legal Representative of victims in the situation of Palestine, former Head of Al Haq's Europe office*: Recent development at the ICC: The decision on jurisdiction concerning the case of Palestine (15 minutes)

Interactive discussion on obstacles and progress (10 minutes)

16:00 – 16:30 Panel II. The fight against impunity: implementing international crimes in national legal system to strengthen the rule of Law.

Hon Wafa Bani Mustafa (Jordan), former Member of Parliament; *Chair of the Coalition of Women MPs from Arab Countries to Combat Violence Against Women*: Updates on the implementation of the Rome Statute in Jordan's legislation and the draft national implementing legislation (8 minutes)

Ms Melissa Verpile, *PGA Senior legal officer*: Best practices regarding the fight against impunity (5 minutes)

Interactive discussion on obstacles and progress (8 minutes)

16:30 – 16:55 Panel III. Strategies to advance the fight against impunity for atrocity crimes in the MENA region.

Commentaries:

Professor Leila Sadat, *James Carr Professor of International Criminal Law at Washington University School of Law*; President of the International Law Association (American Branch) (10 minutes)

Dr David Donat Cattin, PGA Secretary-General (5 minutes)

16:55 – 17:00 Closing comments by Dr David Donat Cattin, *PGA General Secretary*

List of Invited Participants (countries by alphabetical order)

Parliamentarians

A. Iraq

Dr Jamal Ahmed Mohammad, PGA Member
Dr Muthanna Ameen Nader, PGA Member
Mr Ihsan al-Shibly, PGA Member
Mrs Ala Talabani, PGA Member
Mr Farhad Qadir, PGA Member
Mr Rebwar Mustafa, PGA Member
Dr Suad Jabbar Mohammed, PGA Member
Mr Salim Hamza Salih, PGA Member
Dr Beriwan Muslih Khailany, PGA Member
Mr Ali Raad, PGA Member

B. Jordan

Ms Wafa Bani Mustafa, Chair of the Coalition of Women MPs from Arab Countries to Combat Violence Against Women and Women Political Leaders' Ambassador, PGA Member
Ms Dina Awni Albashir
H.E. Mr. Faisal al-Fayez, President of the Senate

C. Oman

Mr Ahmed Al Saadi, PGA Member

D. Morocco

Ms. Amina Maelainine, PGA Board member & Convener of the International Peace and Security Programme

E. Palestine

Ms Sahar Al Qawasmi, PGA Member

F. United Kingdom

Mr Jeremy Purvis of Tweed, Member of the House of Lords International Relations Committee, and member of the Executive Committee of the British Group of the Inter Parliamentary Union

G. Yemen

Mr Sultan Al-Atwani, PGA Member
Mr Mohamed Al-Alimi, PGA Member
Mr Nabil Sadik Basha, PGA Member
Mr Ali Almamari, PGA Member
Mr Ali Ashal, PGA Member
Mr Abdualmoez Dbwan, PGA Member
Mr Anssaf Mayo, PGA Member

Parliamentary Advisers

Iraq:

Dr Omar Ali Fattah, Director of Development and Training Department, Iraqi Council of Representatives
Mr Abbas Al Shrefawi, Adviser of the First deputy speaker of Parliament
Mr Mohammed Yacoub, Legal Adviser of the First Vice President of the House of Representatives
Mr Ahmed Nassar Zughateur, Legal Adviser
Mr Mohammed Zohaa, Assistant Legal Consultant
Mr Salim A. Jasim, Legal Consultant of Legal Committees
Mr Thaaer Husain, Legal Consultant of Legal Department

Jordan:

Mrs Samia Smadi, Coordinator, Coalition of Women MPs to Combat Violence against Women

Regional CSOs

Iraq:

Jiyan Foundation for Human Rights
Sanabel Al-Mostaqbal Organization for Civil Society Development

Jordan:

Amman Center for Human Rights Studies (ACHRS)

Palestine:

Al-Haq/ Al-Mezan Center for Human Rights / Palestinian Centre for Human Rights/ Aldameer

Yemen:

Mwatana for Human Rights
Sisters' Arabic Forum for Human Rights (SAF)

Academia, CSOs, IGOs, and ICC Representatives

Antônia Pereira de Sousa, External Relations and Cooperation Officer, Registry, ICC

Leila Sadat, James Carr Professor of International Criminal Law; Special Adviser on Crimes Against Humanity to the ICC Prosecutor

Matias Hellman, External Relations Adviser, the Presidency, ICC

Nada Kiswanson van Hooydonk, Legal Representative of victims in the situation of Palestine, former Head of Al Haq's Europe office

Rod Rastan, Acting Head, Preliminary Examination Section, Office of the Prosecutor of the ICC

PGA Secretariat

David Donat Cattin, Secretary General

Frederika Schweighoferova, Senior Legal Officer, International Law and Human Rights Programme

Melissa Verpile, Senior Legal Officer, International Law and Human Rights Programme

Daniel Garzón López, Associate, International Law and Human Rights Programme

Julia Tétrault-Provencher, Associate, International Law and Human Rights Programme

About Parliamentarians for Global Actions

Vision

Contribute to the creation of a rules-based international order for a more equitable, safe and democratic world.

Mission

Inform and mobilize parliamentarians in all regions of the world to advocate for human rights and the Rule of Law, democracy, human security, inclusion, and gender equality.

Strategy

Through a peer-to-peer methodology, country-by-country strategy, and the convening of national and regional parliamentary workshops, PGA seeks to educate, sensitize, build technical and legal capacity, and strengthen the political will of parliamentarians to take concrete initiatives and legislative actions to achieve results on PGA's campaign objectives.

For more information on the Programme please contact Frederika Schweighoferova – schweighoferova@pgaction.org and/or Melissa Verpile – melissa.verpile@pgaction.org

PGA'S CAMPAIGN FOR THE UNIVERSALITY AND EFFECTIVENESS OF THE ROME STATUTE OF THE INTERNATIONAL CRIMINAL COURT (ICC) SYSTEM RECEIVES THE SUPPORT OF THE



European Union – European Instrument for Democracy and Human Rights

—
OAK Foundation

—
And the governments of
The Netherlands
Switzerland
Liechtenstein