



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



12TH CONSULTATIVE ASSEMBLY OF PARLIAMENTARIANS ON THE INTERNATIONAL CRIMINAL COURT AND THE RULE OF LAW (CAP-ICC)

43RD ANNUAL FORUM OF PARLIAMENTARIANS FOR GLOBAL ACTION

4-5 November 2022

National Congress of Argentina
Buenos Aires

Agenda

DAY I – 4 November 2022

9:30-11:00 Opening Session

Dip. Eduardo Valdés, MP (Argentina), President, Foreign Relations Committee, Chamber of Deputies

Sen. Lucila Crexell, MP (Argentina), Chairperson, PGA National Group

H.E. Mr. Santiago Cafiero, Minister of Foreign Affairs, International Trade and Worship of Argentina

Hon. Kasthuri Patto, MP (Malaysia), President of Parliamentarians for Global Action (PGA)

Judge Silvia Fernández de Gurmendi, President of the Assembly of States Parties to the Rome Statute of the International Criminal Court (ICC); former President of the ICC

Keynote remarks by Judge Piotr Hofmański, President of the International Criminal Court

Questions and Answers session with the President of the ICC

11:00-11:30 *Coffee break & Virtual and In-Person Group photographs*

11:30-12:00 *Open debate with President of the Assembly of States Parties and the President of the ICC*

12:00-13:00 **Special Session with the Prosecutor of the International Criminal Court on the situations and cases under the ICC investigations and prosecutions or preliminary examinations** (e.g., *Afghanistan, Central African Republic, DR Congo, Georgia, Guinea, Libya, Mali, Nigeria, Palestine, The Philippines, Darfur/Sudan, Uganda, Ukraine, Venezuela*)

12:00-12:20 *Pre-recorded video presentation by:*

Mr. Karim Khan, KC, Prosecutor of the International Criminal Court

12:20-12:35 *Closing Remarks of the Opening session by Sen. Boris Dittrich, MP (The Netherlands), Chairman, Standing Senate Committee on Internal Affairs; Board Member and Convenor, International Law & Human Rights Programme, PGA*

12:35-14:00 *Lunch break*

14:00-16:00 **Panel 1. Opportunities & Challenges for International Criminal Justice**

Moderators: **H.E. Mr. Christian Wenaweser**, Permanent Representative of Liechtenstein to the United Nations; Former President of the Assembly of States Parties and the Kampala Review Conference to the Rome Statute; *Chairperson, UN Advisory Committee for PGA [Remote connection]*

Ms. Petra Bayr, MP (Austria), General Rapporteur on Combating Racism and Intolerance, Parliamentary Assembly of the Council of Europe; Chair, Subcommittee for Development Cooperation, Parliament of Austria; *Board Member and Treasurer, PGA*

2022: A year of Reform – Lessons Learned during the Independent Experts’ Review of the ICC

14:10-14:20 **Ms. Minou Tavárez Mirabal**, Chairperson, Board of Directors of the ICC Trust Fund for Victims; Former Member of Parliament & Deputy Foreign Minister of the Dominican Republic; *Former President of PGA*

14:20-14:30 **Justice Richard Goldstone**, Chair, Independent Expert Review Panel; former Prosecutor, International Criminal Tribunals for Yugoslavia and Rwanda (ICTY/ICTR); Judge Emeritus, Constitutional Court of South Africa *[Remote connection]*

14:30-14:40 *Open debate moderated by Ms. Petra Bayr, MP (Austria)*

Paralysis of the UN Security Council in the face of atrocity crimes and the failures of the International Community: What can Lawmakers do for atrocity prevention and accountability?

14:40-14:50 **Sen. Ben Cardin, MP (USA)**, Senior Ranking Member, Foreign Relations Committee; Member, Subcommittee on Western Hemisphere, Transnational Crime, Civilian Security, Democracy, Human Rights, and Global Women’s Issues *[Remote connection]*

14:50-15:00 **Mr. Ali Ehsassi, MP (Canada)**, Chair, All-Party Parliamentary Group for the Prevention of Genocide and other Crimes against Humanity; *Chairperson, PGA Canada National Group and PGA Board Member*

15:00-15:10 *Open debate moderated by Ms. Petra Bayr, MP (Austria)*

The Rome Statute System: a cornerstone of the International Peace and Security Framework

15:10-15:20 **Hon. Miriam Solaimankhil, MP (Afghanistan)**, elected parliamentarian in exile; *PGA Member*

15:20-15:30 **Dip. Margarita Stolbizer, MP (Argentina)**, Founder and President of the political party Generation for a National Encounter; *Former PGA President*

15:30-15:40 *Open debate moderated by Dip. Margarita Stolbizer, MP (Argentina)*

15:40-15:50 *Coffee break*

15:50-17:00 Panel 2. The universality of the Rome Statute and expansion of the International Criminal Law Framework

Introduction: **Dip. Eduardo Valdés, MP (Argentina)**, President, Foreign Relations Committee, Chamber of Deputies

15:50-16:00 **H.E. Beth Van Schaack**, Ambassador-at-Large for Global Criminal Justice, U.S. State Department

16:00-16:10 **Hon. João Vieira, MP (Guinea Bissau)**, *Chairperson, PGA GB National Group*; former Secretary of State for Transport and Telecommunications

16:10-16:20 **Dr. Angela Brown Burke, MP (Jamaica)**, Chairperson, People’s National Party (PNP); former Deputy President of the Senate and former Mayor of Kingston; *PGA Board Member*

16:20-16:30 **Dr. Galyna Mykhailiuk, MP (Ukraine)**, Deputy-Head, Parliamentary Committee on Law Enforcement; *PGA Member*

- 16:30-16:40 **Ms. Oleksandra Matviychuk**, Chairwoman of the Centre for Civil Liberties of Ukraine, Nobel Peace Prize Laureate 2022
- 16:40-16:50 *Open debate moderated by Hon. Naveed Qamar MP (Pakistan), Federal Minister for Commerce and Investment, Government of Pakistan, Chair of PGA International Council*
- 16:50-17:00 *Summary and Closing Remarks of Day 1 CAP-ICC:*
Dr. David Donat Cattin, Secretary-General of PGA

PGA Defender of Democracy Awards Ceremony

Hosted by PGA's Democratic Renewal and Human Rights Campaign in partnership with Global Affairs Canada

20:00-23:00 *Upon invitation only*

DAY II - 5 November 2022

- 9:30-10:30 Panel 3: Reforming national laws to ensure compliance with the Rome Statute: Domestic Prosecutions of International Atrocities**
- Introduction: **Dip. Jorge Cáliz, MP (Honduras)**, *PGA Board Member*; Professor of Law, Universidad Tecnológica Centroamericana (UNITEC)
- 9:30-9:40 **Dep. Béatrice Epaye, MP (Central African Republic)**, Chairwoman, Foreign Affairs Committee; *Chairperson, PGA National Group in CAR and former PGA Board Member*
- 9:40-9:50 **Sen. Emilio Álvarez Icaza, MP (Mexico)**, Secretary, Human Rights, and Metropolitan Areas and Mobility Commissions; *PGA Member*
- 9:50-10:00 **Ms. Romina Morello**, Regional Legal Advisor for the Americas, the Caribbean, and Panama, International Committee of the Red Cross (ICRC)
- 10:00-10:10 **Ms. Marie Toussaint, MEP (France)**, Vice-chair for Group of the Greens/European Free Alliance; Member of the Committees on Industry, Research and Energy and Legal Affairs; Member of the Delegation for relations with the United States; *PGA Member [Remote connection]*
- 10:10-10:20 **Dr. Luis Fondebrider**, Founder of the Argentine Forensic Anthropology Team, Deputy Director of the Forensic Unit, ICRC
- 10:20-10:30 *Open Debate moderated by Dip. Jorge Cáliz, MP (Honduras)*
- 10:30-10:40 *Coffee Break*
- 10:40-11:50 Panel 4: Effective cooperation of States and the challenges for the International Rule of Law**
- Introduction: **Lord Jeremy Purvis of Tweed (UK)**, Co-chair and office holder, All Party Parliamentary Groups on Constitutional Reform, Global Goals, Human Rights and Democratic Participation; *PGA Member*

- 10:50-11:00 **Dip. Esther Cuesta, MP (Ecuador)**, Chairwoman, Parliamentary Committee for the Rights of Persons in Human Mobility; Member, Committee on the Integral Protection of Children and Adolescents; *PGA Board Member*
- 11:00-11:10 **Mr. Fabio Massimo Castaldo, MEP (Italy)**, Chairperson, PGA Group in the European Parliament [*Pre-recorded keynote address*]
- 11:10-11:20 **Mr. Hugo Relva**, Legal Advisor, Amnesty International; Member, Group of Experts on a Standing International Investigative Mechanism (SIIM), International Commission of Jurists (2022)
- 11:20-11:30 **Prof. Federica D'Alessandra**, Deputy Director, Blavatnik School of Government's Institute for Ethics, Law, and Armed Conflict (ELAC), Oxford University; founding Executive Director, Oxford Programme on International Peace and Security at ELAC; Academic Affiliate, Bonavero Institute of Human Rights; Steering Committee member, Oxford Network of Peace Studies [*Remote connection*]
- 11:30-11:40 **Dip. Rosana Bertone, MP (Argentina)**, Vice-Chairperson of the Committee on Foreign Affairs; *PGA Member*
- 11:40-11:50 *Open Debate moderated by Dip. Fernando Iglesias, MP (Argentina), President of the MERCOSUR Commission of the Chamber of Deputies of the Nation; Secretary, PGA Argentina National Group*
- 11:50-12:45 *Lunch break*
- 12:45-13:45 Panel 5. The Role of Legislators in Atrocity-Prevention: Democratic Backsliding, a Precursor to gross Human Rights Violations?**
- Introduction: **Dip. Ramiro Gutiérrez, MP (Argentina)**, Chairperson, Security Commission, Chamber of Deputies of the Nation; Member, *PGA Argentina National Group*
- 12:45-12:55 **Hon. Arthur Holder, MP (Barbados)**, Speaker of the House of Assembly; *PGA Member*
- 12:55-13:05 **Hon. Rozaina Adam, MP (Maldives)**, Founding Member and Chairperson of the PGA Parliamentary Rapid Response Team (PARRT); *PGA Board Member*
- 13:05-13:15 **H.E. Mr. Aung Kyi Nyunt, MP (Myanmar)**, Chairperson, Committee Representing Pyidaungsu Hluttaw (CRPH) [*Remote connection*]
- 13:15-13:25 *Open debate moderated by Dip. Ramiro Gutiérrez, MP (Argentina)*
- 13:30-14:40 Panel 6. The Role of International Law in achieving sustainable, peaceful, and inclusive societies – Preventing hate speech, violence, and discrimination, including based on sexual orientation and gender identity/expression**
- Introduction: **Hon. Millie Odhiambo, MP (Kenya)**, Former Chairperson of Coalition on Violence Against Women; Kenya; *PGA Board Member*
- 13:40-13:50 **Dip. Juan Dionicio Rodríguez Restituyo, MP (Dominican Republic)**, *PGA Member*
- 13:50-14:00 **Sen. Gladys Esther González, MP (Argentina)**, Chairwoman, Environment and Sustainable Development Commission; Member, Women's Caucus; *Member, PGA Argentina National Group*
- 14:00-14:15 *Open debate moderated by Hon. Millie Odhiambo MP (Kenya)*
- 14:15-14:35 *Coffee break*
- 14:35-15:15 Panel 7. 24 February 2022 - The case of Ukraine: Is the survival of humankind at stake? Analysis of the conduct of hostilities in a territory with 15 atomic energy plants**

- Introduction: **Dr. David Donat Cattin**, Secretary-General of PGA
- 14:35-14:45 **Dr. Rafael Mariano Grossi**, Director General, International Atomic Energy Agency (IAEA) [*Pre-recorded keynote address*]
- 14:45-14:55 **Prof. Dr. Claus Kress**, Director, Institute of International Peace and Security Law, University of Cologne, Germany; Special Adviser for the Crime of Aggression to the ICC Prosecutor; Co-Chair, Committee on the Use of Force, International Law Association (ILA)
- 14:55-15:05 **Prof. Jennifer Trahan**, Director of the Concentration in International Law & Human Rights, Center for Global Affairs, New York University (NYU); Chairperson, Council of Advisors, Global Institute for the Prevention of Aggression (GIPA) [*Remote connection*]
- 15:05-15:15 *Open Debate moderated by Dr. David Donat Cattin, Secretary-General, PGA*
- 15:15-15:30 *Summary of Day 2 of the CAP-ICC by PGA Secretariat and presentation of the **Draft Buenos Aires Plan of Global Action for International Justice and against Impunity** by Sen. Boris Dittrich (Convenor, PGA International Law and Human Rights Programme)*
- 15:30-15:50 **Consideration, open debate, and eventual adoption of the Buenos Aires Plan of Global Action**, moderated by Hon. Kasthuri Patto, MP (President of PGA) and Sen. Lucila Crexell (Chairperson, PGA Argentina National Group)
- 15:50-16:00 **Closing remarks** by Dip. Ramiro Gutiérrez (Argentina), Chairperson, Security Commission, Chamber of Deputies of the Nation; Member, PGA Argentina National Group

END OF 12th CAP-ICC and 43rd PGA ANNUAL FORUM

About the 12th CAP-ICC

States created the International Criminal Court (ICC) in Rome in 1998 to prevent the atrocities that characterized the past century. However, the tragic war of aggression against Ukraine and atrocities being committed in many situations in Africa, the Americas, Asia, and the Middle East demonstrate that abuses of power and grave human rights violations are still present and ongoing. Such situations generate conflicts that bring about immense suffering, often exacerbated by the devastating consequences of the Covid-19 pandemic. As atrocities and conflicts grow, they threaten the very survival of humankind if they escalate to the third World War. Ending the impunity of perpetrators of atrocities is an imperative for the International Community today more than ever. The ICC is the only permanent international jurisdiction with competence over genocide, crimes against humanity, war crimes, and the crime of aggression.

The idea of the ICC as the centerpiece of a global order based on the Rule of Law was embraced by the majority of small and medium powers in the world (123 States Parties), while the super-powers decided to stay out of the Rome Statute system against impunity (China, India, Russia, and the United States). Against this background, the goal of the 12th CAP-ICC is to contribute to reversing the global trend over the last two decades that brought about serious violations of International Law, human rights, and democracy and to reaffirm the central role of individual criminal responsibility in international relations and domestic affairs.

The CAP-ICC is the only high-level global gathering of political leaders focused solely on international justice and the Rule of Law. Since 2002, its meetings have represented a unique opportunity for Lawmakers from all regions of the world to discuss and develop strategies towards reinforcing international and domestic justice and preventing international crimes while safeguarding the rights of victims and the accused. The impact of past deliberations of the CAP-ICC has been demonstrated by the achievements of PGA members, who have, as of today, contributed to 78 ratifications of the Rome Statute and played a vital role in the national law-making process to implement the Statute in 37 States.

Legislators can play a pivotal and dynamic role, informed by dialogue with peers and experts to discuss strategies and effective responses, strengthen judicial and democratic institutions and provide adequate responses to human rights violations and aggressive wars. Since the creation of the ICC in 1998 and its entry into force in 2002, the International Community has committed to investigating and prosecuting

individuals responsible for international crimes. As the work of the ICC is facing challenges, the Rome Statute system needs the support of stakeholders to carry out its mandate effectively: there will never be sustainable peace without justice.

About PGA

Empowering and Mobilizing Legislators as Champions for Human Rights, Democracy, and a Sustainable World

[Parliamentarians for Global Action](#) (PGA) is the largest non-governmental, multi-party international network of approximately 1,200 legislators in 132 parliaments, acting in their individual capacity for a rules-based international order in which the force of the law shall replace the law of force. PGA is a sustainable and independent parliamentary network with an over 40-year track record of results. PGA members – who created the organization and exercise decision-making authority to select its goals and priorities – are the most active change-makers in their parliaments. 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 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. PGA’s *vision* is to contribute to the creation of a rules-based international order for a more equitable, safe, sustainable, and democratic world. PGA is the only parliamentary organization in *general consultative status* with the Economic and Social Council of the United Nations and the only parliamentary network with headquarters in New York. PGA’s office in The Hague, The Netherlands, fosters cooperation with The Hague-based international organizations, including the International Criminal Court (ICC).

PGA is supported by a structure of cross-party national groups in parliaments worldwide, which creates sustainability and ownership of issues at the national level. PGA currently has national groups in the following parliaments: Albania, Argentina, Australia, Burkina Faso, Canada, Cape Verde, the Central African Republic, Chile, Dominican Republic, Ecuador, European Parliament, The Gambia, Guinea Bissau, Honduras, India, Italy, Kenya, Malaysia, Mozambique, Namibia, The Netherlands, New Zealand, Nigeria, Pakistan, São Tomé and Príncipe, Suriname, Sweden, Tanzania, Trinidad & Tobago, Uganda, Ukraine, United Kingdom, Venezuela, and Zimbabwe.

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