



## Parliamentarians for Global Action

### Meeting of the Working Group on the Universality of the ICC in the Middle East and the Mediterranean

*with the support of the European Commission, European Union, and the Governments of the Netherlands, Belgium and Switzerland*

Parliament of the Netherlands, The Hague  
June 11-12, 2007

Since 2004, PGA has worked towards increasing the representation of countries from the Middle East and the Mediterranean in the ICC system. With this objective, parliamentarians from the region created PGA's Working Group on the Universality of the International Criminal Court in the MEMED Region" with the objective of reinforcing the rule of law and principles of democracy by promoting universal participation in the ICC system and full adherence to the Statute's norms through effective national implementation of the Rome Statute in national legal orders.

Having met in two occasions, in Cairo in 2005 and in Beirut in 2006, the third session, of the Working Group was held at the Dutch Parliament in The Hague, Netherlands, June 11 and 12, 2007.

The Working Group drew over 20 participants, including 12 high level Members of the Parliaments (MPs) of the **Bahrain, Egypt, Lebanon and Morocco**, as well as judges, diplomats, leading experts on international law and human rights, and representatives of the civil society.

The primary goal of the meeting was to strengthen parliamentary leadership on the ICC dossier and promote legislative initiatives and/or actions on the ICC in a well-informed environment. The second objective of the meeting was to facilitate discussion among legislators and experts to find solutions to overcome the obstacles to the accession/ratification and implementation of the Rome Statute in the participating countries.

An informal opening session on Sunday 10 June was facilitated by **Sen. Raynell Andreychuk** (Canada), Convenor of the PGA International Law & Human Rights Programme. In this session, participants were introduced to the working methods of PGA, and the agenda of discussions was approved by all of them.

On Monday 11 June, **H.E. Judge Philippe Kirsch**, President of the ICC, received the Working Group at the Court's Premises and responded to the enquiries of MPs who wished to receive clarifications and information on the mandate, priorities and challenges of the Court. **Ms. Béatrice Le Fraper Du Hellen**, head of the Jurisdiction, Cooperation and Complementarity division of the Office of the Prosecutor, described the mechanism triggering the Court's jurisdiction, the safeguards for the independence of its investigations and prosecutions, and the challenges in obtaining the cooperation from States, especially to arrest and surrender of individuals. **Mr. Phakiso Mochochoko**, chief legal advisor of the ICC Registry, briefed the Working Group on the mechanisms used by the court to fulfill its mandate of protecting victims and witnesses.

The day continued with a discussion session held in the premises of the Dutch Parliament on "The Importance of the ICC in the Middle East and the Mediterranean region". The discussions were

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chaired by **Amb. Dr. Edmond Wellenstein**, Head of the ICC Task Force and Director General, Ministry of Foreign Affairs of the Netherlands, and by **Judge Gerritjan van Oven**, former PGA Member and currently Justice of the Court of Appeal of The Hague. This session allowed to expose the challenges in each country that the promotion of the ICC dossier faces.

The continuation of this session, on Tuesday 12 June, at the Dutch Parliament, benefited from the intervention of **Ms. Suzan Khan, advisor of External Relations** from the Office of the Prosecutor of the ICC, who contributed to the discussion on the importance of Arab countries for the ICC to fulfill its mandate of international justice.

The Working Group had later the opportunity to assist to a hearing of the *Haradinaj et al.* case at the International Criminal Tribunal for the former Yugoslavia (ICTY), followed by a presentation of the Public Information Department of the Tribunal. This activity allowed the participants to witness the procedures of international justice, and to discuss and attest the differences of the *ad hoc* tribunals with the permanent ICC, as well as discuss the challenges faced by justice mechanism to contribute to peace efforts.

The final session was reserved for a special hearing of the Standing Foreign Affairs Committee of the Dutch Parliament, where Dutch and Arab peers discussed the conclusions of the Working Group session. The Arab Legislators met with the new Chair of the Foreign Affairs Committee **Mr. Henk Jan Ormel MP**, the Foreign Affairs spokesperson of the Socialist party **Mr. Harry van Bommel MP**, the Foreign Affairs spokesperson of the Labour party, **Mr. Martjin van Dam**, Committee Member **Ms. Kathleen Ferrier MP** and Christian-Democratic spokesperson on Justice, Mr. **Coskun Çörüz MP** (Member of PGA). The Deputy Speaker of the Parliament of Bahrain, **Mr. Salah Ali Abdulrahman MP**, co-chaired this session where the advantages for States to be members of the Court, and the experience and contribution of the Netherlands both as State Party and Host State to the ICC were discussed.

Arab Legislators presented at this final session the objectives and actions that they agreed to undertake in their specific countries. These activities, contained in the “Working Group’s Plan of Action,” which is expected to reduce the reluctance and suspicion of Governmental authorities towards the preventative mechanism enshrined in the ICC and to contributing validate and vindicate of the respect for the Rule of Law in the region..

PGA remains indebted to the European Commission and the Governments of Switzerland and The Netherlands for their support to this activity.

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