



## Parliamentarians for Global Action

### ACCIÓN MUNDIAL DE PARLAMENTARIOS ACTION MONDIALE DES PARLEMENTAIRES

#### *PGA FREETOWN PARLIAMENTARY STATEMENT ON THE SITUATION IN KENYA*

PARLIAMENT OF SIERRA LEONE, 18 JANUARY 2008

On the occasion of the *Regional Roundtable Conference on the Implementation of the Rome Statute of the International Criminal Court (ICC)*, organised by Parliamentarians for Global Action (PGA) in the Parliament of Sierra Leone in Freetown on 18 January 2008, Legislators participating in this event agreed on the following statement:

1. We, PGA Members of Parliament from Ghana, Liberia, Nigeria and Sierra Leone, express our most profound concern in connection with the outcome of the elections held in Kenya on 27 December 2007 and the political and humanitarian crisis that has immediately followed.

2. In light of the massacres and other serious violations of international law reported by independent observers and the media in the first half of January 2008, we call on all parties involved in the post-electoral dispute to unconditionally refrain from any further use of violence.

In this respect, we recall that the killing of innocent civilians can be qualified as a *crime against humanity* of murder or extermination or, in case of armed conflict, as a *war crime* and/or, in case there is an intent to destroy as a whole or in part an ethnic, national or religious group, as a *crime of genocide*.

We further recall that no impunity for such crimes may be permitted or tolerated in Kenya, a State Party to the Rome Statute of the International Criminal Court, and therefore must comply with it.

3. We urge the Government of Kenya to fulfil its human rights obligations and to ensure that all fundamental rights, including civil and political rights, are fully respected and protected.

In particular, we recommend to the Government of Kenya and the opposition to respect the principles and standards concerning free and fair elections, and that an independent body with expertise in human rights law is entrusted with the mandate of evaluating the outcome of the Presidential elections in order to ensure full compliance of the electoral process with the Constitution of Kenya and international human rights norms, thus eliminating the main root cause of the post-electoral crisis.

4. We urge the leaders of all political parties and groups in Kenya to adopt and endorse non-violent means to resolve any dispute and controversy, which may be tackled only with peaceful and democratic methods in order to safeguard human dignity and freedom.

5. We express our heartfelt condolences to the victims and their families and communities harmed by the recent acts of violence and intolerance in Kenya, as well as our steadfast solidarity with our brothers and sisters in the Parliament of Kenya and, in particular, the Members of PGA who sit on both sides thereof. We wish also to express our belief that their leadership and wisdom shall prevail in the crisis with which they are currently confronted, thus promoting a prompt and peaceful resolution to the current situation.

*Done in Freetown on 18 January 2008*