

## Elevating the Profile of the ICC in Turkey: Three Questions for Coordinator of Turkish Coalition, Özlem Altıparmak



Özlem Altıparmak spoke out on Turkish television and in leading newspapers to dispel the widespread misinformation about the Court that followed the Al-Bashir arrest warrant. Credit: Turkish Coalition for the ICC

### Will Turkey join the Court in 2009?

The accession debate has resurfaced in the context of closer relations with the European Union. In December 2008, the parliament accepted a government draft of the *Third National Program for Turkey for the Adoption of the EU Acquis*, which includes a commitment to ratify, among other treaties, the Rome Statute of the ICC. This development opens new prospects for ICC advocates. In February 2009, the Turkish coalition met in Ankara to discuss strategy and actions with the Turkish government and parliament, to ensure that they act on their commitment to ratify by taking concrete steps forward.

### How can the Turkish coalition keep pressure on the government?

It is vital that the Turkish coalition,

along with the CICC, continue to pressure authorities by engaging the EU and the ICC along with other relevant international organizations and actors. The CICC Universal Ratification Campaign, targeting Turkey in February 2009, was an important opportunity to refocus the debate on ICC ratification, both with the media and the government.

### How has the Turkish coalition countered the backlash from the Bashir warrant?

When leading Turkish authorities made public statements in support of Al-Bashir, the coalition sent a letter to Minister of Foreign Affairs Ali Babacan calling on Ankara to help ensure Al-Bashir's compliance with the court's decision, refrain from supporting an Article 16 deferral by the UN Security Council and cooperate with the Court to help execute its outstanding warrants. ✦

## Council of Europe Adopts Innovative ICC Resolution

By David Donat Cattin and Deborah Ruiz Verduzco

On 27 January 2009, the Parliamentary Assembly of the Council of Europe (PACE) adopted Resolution 1644, which will help ensure improved cooperation with the ICC, universality of Rome Statute standards for the prosecution of grave crimes and enhanced protection of victims' rights.

The resolution was originally tabled in mid-2006 by German parliamentarian Herta Daubler-Gmelin, a member of Parliamentarians for Global Action (PGA) and now chair of the Legal and Human Rights Committee of PACE. The drafting process of the resolution benefitted from the outcome of hearings held in The Hague with the Coalition for the ICC, Human Rights Watch and Amnesty International as well as with ICC officials. "After three long years, we are pleased to have such a groundbreaking resolution," said Daubler-Gmelin. "It greatly enhances our capacity to effectively monitor the ratification and implementation of the Rome Statute, as well as increase cooperation with the Court."

Among the many strong provisions in Resolution 1644 are explicit calls for the

Council of Europe's 47 member states—including eight non-states parties to the Rome Statute (Armenia, Azerbaijan, the Czech Republic, Moldova, Monaco, Russia, Turkey and Ukraine)—to improve their support for the Court through measures such as adopting the Agreement on Privileges and Immunities of the Court, making meaningful financial contributions to the Trust Fund for Victims and adopting national legislation to effectively implement Rome Statute standards.

One of the most innovative clauses in the resolution includes a request that the council's secretary general "take up a mediation role with the two permanent members of the Security Council of the United Nations, the United States and Russia, to foster co-operation with the ICC." This text, introduced by Dutch parliamentarian and PGA member Peter Omtzigt, attempts to remedy the flaws of UNSC Resolution 1593 through which the Council referred the Darfur situation to the ICC. Specifically, the PACE Resolution seeks to remedy the absence of modalities of cooperation with the ICC by UN peacekeepers; the

attempt to exempt certain nationals from ICC jurisdiction; and the restriction for the UN to contribute financially to the ICC.

Another novelty of the resolution is the recommendation for member states to incorporate in their national law relevant Rome Statute standards on victims' rights to protection, participation and reparations. This law-reform directive stems from the conclusions of PGA's Consultative Assembly of Parliamentarians for the ICC and the Rule of Law in 2006 and 2008.

Finally, Daubler-Gmelin queried non-states parties regarding their reasons for not joining the Court. Responses included those from five non-states parties as well as the United States. In further response to her call, 105 out of 107 parliamentarians voted in favor of Resolution 1644, including parliamentarians from key non-states parties such as the Russian Federation and Turkey. ✦

David Donat Cattin is the director and Deborah Ruiz Verduzco is the senior program officer of the International Law and Human Rights Programme at Parliamentarians for Global Action (PGA).