



**PARLIAMENTARIANS FOR GLOBAL ACTION
ACTION MONDIALE DES PARLEMENTAIRES**

**International Parliamentary Conference on Justice and Peace in
the Democratic Republic of Congo, the Great Lakes Region and
Central Africa**

Thursday, 10 to Saturday, 12 December 2009

Palais du Peuple, Seat of the Parliament of the DRC, Kinshasa, DRC

Resolutions

We, Parliamentarians attending the International Parliamentary Conference of Parliamentarians for Global Action on Justice and Peace in the Democratic Republic of Congo, the Great Lakes Region and Central Africa:

Recognizing the suffering of all victims in the conflicts affecting the Great Lakes Region and Central Africa;

Noting the adoption on 17 July 1998 of the Rome Statute establishing the International Criminal Court (ICC), which is an effective international mechanism aimed at preventing the most serious crimes, promoting the Rule of Law over the rule of violence, as the first treaty that incorporated gender-based crimes against humanity and war crimes and the definition of “gender”;

Welcoming the fact that 30 of the 110 States Parties to the Rome Statute are from the African continent;

Recognizing that the challenge of sustainable development in the Great Lakes Region and Central Africa depends on establishing an atmosphere of stability, peace, security and justice;

Affirming that the remedy for this situation lies, firstly, in the delivery of equitable justice through the fight against impunity and the rehabilitation of victims and, secondly, in putting in place effective mechanisms to promote peace and reconciliation;

Noting the need for all States, including the ones in which the ICC has opened investigations, to cooperate fully with the International Criminal Court;

Knowing that the capacity of the Rome Statute system to fight against impunity is based on the principle of complementarity, which asserts the obligation of national Courts to exercise their own primary jurisdiction;

Recognizing the limitations of the ICC in terms of capacity to try all suspected war criminals, requiring all States, including the DRC, to reform its judiciary, penitentiary and security system to ensure the enforcement of the no-impunity principle;

Convinced that the adoption of the implementing legislation of the Rome Statute will occur within the shortest possible time-frame;

Considering that the severity of the death penalty does not contribute to the preventive purpose of criminal justice, and given that international justice penalties are limited to life imprisonment for the most serious crimes, the death penalty for less serious crimes would create a serious “inequality” in the eyes of individuals expected to fairly benefit from the protection of the law;

Affirming that reconciliation in post-conflict countries passes through a process of verification of individual criminal responsibility and truth-telling in the long term;

Affirming that the stabilization of the DRC, for its sustainable development, must be based on the principle of equality and non-discrimination, which entails transparency in the management of public affairs, the fight against corruption, the fight against impunity and the promotion of good governance;

Indignant the fact that violence against women and children is used as a weapon of war and infects the entire Great Lakes region;

Aware that the culture of impunity contributes to widespread and repeated violence against women and children;

Convinced that the awakening of conscience and political will of legislators from the DRC and other countries of the Great Lakes and Central Africa will not only contribute to the reintegration into society and support of women and children who are victims of sexual violence into society, but also to enhance the level of protection of their rights through the pursuit of justice against their tormentors;

Congratulating the PGA multi-party group in the DRC for their tirelessly efforts for the fight against impunity;

Expressing sincere appreciation to the National Assembly and Senate of the DRC to bring us to Kinshasa from December 10 to 12, 2009 to join our efforts for the fight against impunity.

We agree to use our parliamentary, political and legislative prerogatives in a responsible, proactive, non-partisan manner, in order to:

1. Push the national governments and the international community to put in place programs and political strategies to end the commission and the repetition of international crimes and to provide reparations for victims;
2. Engage in the process of implementation of agreements promoting peace, security and development in the countries of the Great Lakes Region and Central Africa, using our individual law-making and decision-making capacity as Parliamentarians;
3. Encourage the DRC government and the other Governments in the region to reintegrate the armed groups and demobilize all the volunteers, children and disabled soldiers as well as to bring to justice all those responsible for crimes against humanity, genocide and war crimes as these crimes are excluded from all applicable amnesties for acts of violence;
4. Participate in the process of repatriation of refugees and return of IDPs.
5. Prepare and adopt the necessary legislation in order to mobilize funds and human resources for the reparation of victims of the most serious crimes through the establishment of national structures that will handle the said funds and decide on the most appropriate reparative measures to be applied to groups and/or individuals.
6. Re-inscribe in the Parliaments' agendas and adopt the implementing legislation of the Rome Statute of the DRC in the parliamentary session of March 2010, as well as deliberate without delay on ICC implementing legislation in Uganda, Chad and all other countries of the Great Lakes Region and Central Africa, that have not *yet* adapted their internal legal order to the international obligations contained in the Rome Statute of 17 July 1998 and entered into force on 1 July 2002.
7. Present and support appropriate legislation and administrative measures to combat violence against women and children in the Democratic Republic of Congo.
8. Contribute substantively to the Arms' Trade Treaty [ATT] Campaign and the implementation of existing international and regional instruments aimed at controlling the proliferation and illegal use of Small Arms and Light Weapons (SALW).

9. Increase awareness among Parliamentarians about the abolition of the death penalty in order to harmonize international and national Congolese justice on the question of penalties.
10. Strengthening Courts and Tribunals of the countries in which war crimes and crimes against humanity are/have been committed by increasing the number of judicial institutions and judges in order to assure a modernization of the judiciary and of the system of detention (including through the erection of new prisons, the restructuring of existing detention facilities, reformed legislation and regulations [e.g. establishing a juvenile justice system], as well as increased training and salaries/wages for judges, prosecutors, law-enforcement agents and prison guards,).
11. Give military judges in operational areas a special status allowing them to pursue all officers regardless of their rank when they are in unlawful status.
12. Contribute to the responsible dissemination of information on the ICC with our constituencies in order to dispel misconceptions and contribute to support the eradication of serious crimes.
13. Install PGA in all provincial assemblies of the Democratic Republic of Congo.
14. Install a joint informal committee Government-PGA of the Great Lakes Region-MONUC to bring to justice the enemies of peace.