



PARLIAMENTARIANS FOR GLOBAL ACTION

PARLIAMENTARY CAMPAIGN FOR THE EFFECTIVENESS AND UNIVERSALITY OF THE ROME STATUTE OF THE INTERNATIONAL CRIMINAL COURT (ICC) SYSTEM (*PGA ICC CAMPAIGN*)

PGA is a network of over 1300 members from 131 Parliaments around the globe who, in their individual capacity and using their prerogatives as law-makers, undertake initiatives to support the ICC and the rule of law. As of 16 December 2010, the different initiatives and activities of these MPs have contributed directly to 68 of the 114 ratifications/accessions to the Rome Statute of the ICC to date, including the recent ones of St. Lucia, Seychelles, Bangladesh, Czech Republic, Chile, Suriname and the Cook Islands.

The trans-regional and national mobilization of parliamentarians, supported by the PGA Secretariat, ensures accurate analyses on the different issues stalling the ICC process in different countries and the multi-partisan involvement of stakeholders to overcome these obstacles and challenges. The tailored initiatives and activities of the Campaign are structured in such a way so as to ensure 'cross-fertilization' between international and country-specific activities.

PGA also participates actively in the ongoing international campaign to increase support for the Court, in particular in enforcing outstanding ICC arrest warrants.

Since the II half of 2010, PGA engages in parliamentary mobilisation in States Parties to ensure the prompt ratification, as well as the domestic implementation, of the Kampala Review conference amendments to the Rome Statute incorporating a definition and jurisdictional regime for the crime of aggression, as well as the use of certain prohibited weapons in the list of war crimes in non-international conflicts.

PGA has identified the following **target countries** in which legislators can contribute in a concrete way to ensuring the goals of universality and effectiveness of the Rome Statute system to end impunity for the most serious crimes of concern to humanity as a whole:

A. PRIORITY TARGETS

1. Targets for ratification and implementation of the Rome Statute (25)

Africa: Cape Verde, Cameroon and Mozambique

The Americas: Bahamas, El Salvador, Jamaica, Nicaragua, Grenada and Guatemala.

Asia & the Pacific: Indonesia, Malaysia, Philippines, the Maldives, Nepal and *Pacific Islands States* such as Kiribati, Micronesia (Federated States of), Solomon Islands, Tuvalu and Vanuatu

Europe and the Commonwealth of Independent States (CIS): Armenia, Turkey, Ukraine [and other Council of Europe and CIS Member States]

Middle East and the Mediterranean: Bahrain, Lebanon and Morocco [and certain other Gulf Countries]

2. Targets on Implementation of the Rome Statute (33)

Africa: Chad, Central African Republic, Comoros, DR Congo, Ghana, Guinea, Kenya¹, Liberia, Madagascar², Mauritius³, Nigeria, Seychelles⁴, Sierra Leone, Tanzania, Uganda⁵ [and other ECOWAS Member States]

The Americas: Brazil, Chile⁶, Dominican Republic, Mexico, Panama, Paraguay, St. Lucia, Suriname⁷, Venezuela [and other OAS MS]

Asia & the Pacific: Afghanistan, Bangladesh, the Cook Islands⁸ [and other States, especially Pacific Islands]

Europe: Albania, Czech Rep.⁹, Italy, Moldova, Russian Federation, Sweden [and other Council of Europe Member States]

¹ The Kenyan Int. Crimes Act, sponsored and supported by the multi-party PGA Group, has been adopted by Parliament on 11 Dec. 2008 and entered into force on 1 Jan. 2009. Additional legislation is needed for Kenya to exercise jurisdiction over "post-electoral violence" cases (Dec. 2007-Jan. 2008).

² Madagascar joined the Rome Statute on March 14, 2008, after that it had amended its Constitution to finalise the ratification process, regarding which Parliament had approved the ICC Ratification Bill at the end of 2006.

³ In Oct. 2010, PGA submitted amendments and integrations to the ICC Bill to the Mauritius Government, which should table it before Parliament within the year 2010, as announced by Mauritius in Kampala on 31 May 2010. PGA Members had been instrumental to ratification in 2002.

⁴ The Parliament of the Seychelles adopted the Rome Statute Ratification Bill with a unanimous, bipartisan vote on 13 July 2010, allowing Seychelles to become the 112 State Party in August 2010. PGA worked with majority and opposition in the Seychelles in 2002, 2009 and the first half of 2010.

⁵ Uganda has been successfully targeted by PGA as the ICC Act (2006) was unanimously adopted by Parliament in third reading on 10 March 2010 thanks to the leadership of PGA MPs led by Mr. S. Tashobya, MP (Chair, Legal and Parliamentary Affairs Committee). Ugandan PGA MPs are engaged in promoting political, administrative and budgetary measures to give effect to the ICC Act and new reparations-programmes for the benefit of victims.

⁶ In Chile, PGA Members have promoted the adoption of Legislation to implement the principle of complementarity and a constitutional amendment to allow Chile's membership in the ICC system, which had been identified by the parliamentary opposition as legislative preconditions to ratification. As these steps have been finalised in April and May 2009, ratification occurred in June 2009, as announced by PGA Members in the parliamentary debates.

⁷ Suriname joined the ICC system on 15 July 2008, as a result of the mobilisation of a multi-party group of MPs led by PGA member Dr. R. Wijdenbosch.

⁸ In The Cook Islands, Cabinet approved the ICC accession bill on 25 June 2008 and it became a State Party on 18 July 2008. The ICC process was led by Mr. Wilkie Rasmussen, MP, Minister for Foreign Affairs and Co-Chair of the *ACP-EU Joint Parliamentary Assembly*, who joined PGA after the ICC debate initiated by PGA members at the ACP-EU JAP Session in Ljubljana in March 2008.

3. 29 ACP countries not yet Parties to the RS targeted by cross-regional activities of PGA [*in italics States that are also specific targets*]

Angola, Bahamas, Cameroon, Cape Verde, Cote d'Ivoire¹⁰, Cuba, Equatorial Guinea, Eritrea, Ethiopia, Micronesia, Grenada, Guinea-Bissau, Haiti, Jamaica, Kiribati, Mauritania, Micronesia (Fed. States of), Niue [*not UN Member*], Palau, Papua New Guinea, Rwanda, Sao Tome et Principe, Solomon Islands, Somalia, Swaziland, Togo, Tonga, Tuvalu, Vanuatu and Zimbabwe.

4. States Parties Target for ratification and domestic implementation of the amendments adopted by the Review Conference on the crime of aggression and use of certain weapons in non-international armed conflicts (41 out of 114 States Parties)

Albania, Argentina, Australia, Austria, Bangladesh, Belgium, Brazil, Burundi, Bolivia, Cambodia, Canada, Central African Republic, Chad, Chile, Comoros, Cook Islands, Costa Rica, Democratic Republic of Congo, Denmark, Djibouti, Dominican Republic, Ecuador, Estonia, Germany, Hungary, Italy, Japan, Kenya, Liechtenstein, Mexico, Mongolia, Netherlands, New Zealand, Portugal, Republic of Korea, Peru, Senegal, Seychelles, Slovenia, South Africa, Spain, Suriname, Sweden, Switzerland, Trinidad and Tobago, Uganda, Uruguay and Venezuela.

B. 2011-12 PLANNED EVENTS

PGA-ORGANISED EVENTS:

Feb. 9-10, 2011: Workshop on the Implementation of the Rome Statute and Effective Cooperation with the ICC in West Africa, Parliament of Liberia, Monrovia

Feb. 28-March 2, 2011 [TBC]: Asia-Pacific Parliamentary Consultation on the ICC, Kuala Lumpur, Parliament of Malaysia and/or National parliamentary meetings with the President of the ICC on the occasion of his planned visit to Malaysia & The Philippines, Parliament of Malaysia, Kuala Lumpur & Congress of The Philippines, Manila

Apr. 2011: Consultations on the Rule of Law & Justice in Central African Republic [*in coordination with the Belgian Presidency of the UN Peace-Building Commission Configuration on CAR*], *venue and date to be determined after the Jan. 2011 elections* [*Bangui-CAR*]

May 31, 2011: National Conference on the fight against impunity in the DR Congo, including against gender-based violence – the Role of Parliamentarians, Federal Assembly of the Swiss Confederation, Berne, Switzerland

Sept.-Oct. 2011: National Conference on the Implementation of the Rome Statute and Effective Cooperation with the ICC, Parliament of Chad, Ndjamena (*dates to be determined after the legislative elections, postponed from Nov. 2010 to March 2011, and the presidential elections of May 2011*)

Oct. 2011: Seminar on the Rule of Law and the Implementation of International Legal Standards in National Law, Parliament of Djibouti, Djibouti (*dates to be determined after Apr. '11 elections on the basis of a request made by Djibouti's Parliament*)

Dec. 2011 or Feb. 2012: Working Group on the Universality of the Rome Statute in the Middle East and the Mediterranean (MEMED), *venue in the region to be determined* [*e.g. Morocco or Jordan*]

***Mid 2011 or II Half 2011:** Technical Assistance Mission to Caribbean country(ies) on Ratification and Implementation of the Rome Statute [*in cooperation with the OAS and, if possible, the Commonwealth Secretariat and the ASP Focal Point on Universality and Full Implementation*] [**tentative*]

***II Half 2011:** Technical assistance Mission to South American country(ies) on Implementation of the Rome Statute [*in cooperation with the OAS*], Andean Countries [**tentative*]

***II Half 2011-I Half 2012:** Technical assistance Mission to South American countries on Implementation of the Rome Statute [*in cooperation with the OAS*], Chile and/or Paraguay [**tentative*]

*** End of 2011-I Half 2012:** Technical assistance Mission to Caribbean or Central America country(ies) – Implementation of the Rome Statute [*in cooperation with the OAS*], Dominican Rep. or Panama [**tentative*]

ON-GOING ACTIVITIES:

2011-12: Organisation of visits of Legislators to the ICC and other institutions in The Hague (in cooperation with the Dutch Parliament, Standing Committee of Foreign Affairs, Tweede Kamer), The Hague, The Netherlands

⁹ The Czech Republic deposited its instrument of ratification on July 21, 2009, but the Upper House of Parliament had approved the Ratification Bill in July 2008 and the Lower House did the same on October 29, 2008, with a qualified majority vote of 140 MPs in favour and only 6 MPs against.

¹⁰ Cote d'Ivoire has accepted the ICC jurisdiction ex art. 12(3) of the Rome Statute only for crimes committed in the conflict that started on September 19, 2002.

2011-12. Technical assistance, cooperation and advocacy on the preparation, drafting, adoption and/or strengthening of effective implementing legislation of the Rome Statute by Legislators, Countries targeted by the PGA ICC Campaign

EVENTS IN WHICH PGA PARTICIPATES:

Feb. 16, 2011: Participation of a PGA delegation at the ICC session of the Organisation of American States (OAS), Washington DC, USA

Oct.-Nov. 2011: Strategy Meeting(s) *and/or* Round-Table Discussion on the ICC at the European Parliament (*if possible, in cooperation with Sub-Committee on Human Rights*), Brussels, Belgium

Dec. 12-21, 2011: Participation of a PGA delegation to the ICC Assembly of States Parties - X session, ICC Assembly of States Parties, New York, United Nations

2011 (sessions of Jan. and/or Apr. 2011): PGA Members' interventions in the session(s) of the Parliamentary Assembly Council of Europe designed to give effect to, and monitor the implementation of, Resolution 1644 (2009) on "Cooperation with the ICC and its Universality", Strasbourg, France

2011, and I Half 2012: Participation of PGA Members in their official delegations attending the 21st *and/or* 23rd sessions of the Africa-Caribbean-Pacific – European Union Joint Parliamentary Assembly (ACP-EU JAP), *venues in Europe (I semester of the year) and the ACP (II semester of the year)*

2011-12: PGA participation in the NGOs' briefings to the meetings of the EU Council COJUR-ICC, Brussels, Belgium

C. CALENDAR OF EVENTS 2010

Jan. 27-28, 2010: Briefings for Members of the US Congress on the ICC and related-legislation ahead of the Review Conference of the Rome Statute, Washington DC, USA

Jan. 27, 2010: PGA Intervention at ICC session at the Organisation of American States (OAS), Washington DC, USA

Feb. 25-26, 2010: Roundtable Discussion on ICC Implementing Legislation in African Indian Ocean countries (Comoros, Madagascar, Mauritius and Seychelles, as well as Djibouti), Parliament of the Comoros, Moroni

March 22-25, 2010: Participation of PGA in the ICC Assembly of States Parties, 8th resumed session; Interventions in the panel of experts on "*Identifying and Removing Obstacles to Ratification and Universality of the Rome Statute*" (22 Mar.) and the "*Working lunch with Pacific States on ratification and full implementation of the Rome Statute hosted by the Permanent Mission of Australia*" (24 Mar.), UN, New York

April 27, 2010: Participation and intervention of PGA in the European Parliament Human Rights Sub-Committee hearing with the President of the ICC, Judge S.-H. Song, and inclusion of PGA's document on "*Sample Parliamentary Questions on the Kampala Review Conference of the Rome Statute*" in the EP materials for all MEPs, Brussels, Belgium

May 27-28, 2010: VI Consultative Assembly of Parliamentarians for the ICC & the Rule of Law
Parliament of Uganda, Kampala, Uganda (*dedicated website:* <http://www.pgaction.org/CAPVI.html>)

May 31-June 11, 2010: Participation of parliamentary delegation(s) to the Review Conference to the Rome Statute of the ICC, Speke Commonwealth Resort, Kampala, Uganda

Aug. 9 and Dec. 6, 2010: "*25 years after the historic Military Junta trials*" – two one-day seminars co-organized by PGA Argentina and *Instituto de Estudios para una Nueva Generación (IGEN)*, Chamber of Deputies of Argentina, Buenos Aires

Sept. 6-8, 2010: Visit of Legislators from El Salvador to the ICC & other institutions in The Hague, The Netherlands

Oct. 11-13, 2010: Visit of Legislators from the DR Congo to the ICC & other institutions in The Hague, The Netherlands

Oct. 23-24, 2010: Panel Discussion on Gender Justice and Women Rights in the framework of the 32nd Annual Forum of PGA, Istanbul, Turkey

Dec. 6-7, 2010: Strategic Consultations on Questions Related to the Cooperation of States Parties to the Rome Statute (i.e. failure to execute ICC Arrest Warrants), New York, UN (*side-event, 9th Assembly of States Parties to the Rome Statute*)

Dec. 2-5, 2010: Participation of PGA Members in their official delegations attending the 20th session of the Africa-Caribbean-Pacific – European Union Joint Parliamentary Assembly (ACP-EU JAP), Parliament of the DRC, Kinshasa

Dec. 6-10, 2010: Participation of a PGA delegation to the ICC Assembly of States Parties - IX session, ICC Assembly of States Parties, UN, New York [plus *Resumed session* Jan./Feb. 2011]

D. CALENDAR OF EVENTS 2009

Jan. 19-23, 2009: Participation in the ICC Assembly of States Parties (*first resumption VII session*), UN, New York

Jan. 26-29, 2009: Consultations at the Parliamentary Assembly of the Council of Europe on Ratification and Implementation of Rome Statute – Adoption of Resolution “*Cooperation with the ICC & its universality*” (*Rapporteur*: Dr. Herta Daubler-Gmelin, MP, Germany, PGA member), Strasbourg, France

Feb. 3, 2009: Intervention of PGA in the Hearing on “*Justice for Darfur*”, Permanent Committee on Human Rights, Foreign Affairs Committee, Chamber of Deputies, Parliament of Italy, Rome

Feb. 9-13, 2009: Participation in the ICC Assembly of States Parties, *Working Group on the Crime of Aggression*, UN, NY

Feb. 16-17, 2009: Mission of Parliamentarians from ICC States Parties to Indonesia and Working Meeting in the Justice and Human Rights Committee (Commission III) and the Legislative Council, Parliament of Indonesia, Jakarta

March 15-18, 2009: (i) Informal consultations, (ii) Seminar for stakeholders and (iii) Meeting of the Middle-East & Mediterranean Working Group on the Universality of the ICC, Parliament of Bahrain, Manama

March 27-28, 2009: Parliamentary Seminar on the Implementation of the Rome Statute and its impact on reforming justice, fighting impunity and promoting post-conflict reconciliation in the DR Congo, Kinshasa, Democratic Republic of the Congo

April 23-24, 2009: Workshop on Reforming Legislation on the basis of the Rome Statute of the ICC in East Africa, Parliament of Kenya, Nairobi

April 27-29 2009: PGA Mission to Central America on Ratification & Implementation of the Rome Statute of the ICC, National Assembly of Nicaragua and *ParlaCen* (Central American Parliament), Managua, Nicaragua

June 3, 2008: PGA lecture on “*11 Years after the Adoption of the Rome Statute: Weaknesses of the Cooperation Regime and Remedies through National Implementing Legislation*”, Supranational Criminal Law Series (Asser Institute, CICC, Leiden Univ.), Grotius Center, The Hague

June 10, 2009: Parliamentary side-event to the Inter-sessional meeting of the Working Group on the Crime of Aggression, UN/Princeton University Club, New York

June 18-19, 2009: Strategy Meeting on the politics of international justice: impact and effectiveness of the ICC – Towards the Review Conference of the Rome Statute, Parliament of The Netherlands (Tweede Kamer), The Hague

June 30-July 1, 2009: Addresses to the Plenary of the Parliament of Uganda and to its Legal and Parliamentary Affairs Committee by ICC Appeals Chamber Chair Judge Nserenko (*facilitated by PGA*), Parliament of Uganda, Kampala

July 17, 2009: PGA Intervention on the Review Conference in the Panel to Celebration “*11th Anniversary of the Adoption of the Rome Statute*”, Organised by the CICC and Grotius Center, Leiden University, The Hague

Sept. 22, 2009: Meetings on technical assistance for the implementation of the Rome Statute in Venezuela, Legal Affairs Committee, Parliament of Venezuela, Supreme Court of Venezuela and other institutions, Caracas

Sept. 24-25, 2009: Mission to El Salvador – Ratification and Implementation of the Rome Statute, National Assembly of El Salvador and other institutions, San Salvador

Oct. 15, 2009: Conference on the ICC for the new European Parliament (2009-2014) [with (i) President of the ICC, (ii) EU Presidency and (iii) Members of the newly elected European Parliament], Brussels

Oct. 23, 2009: Briefing of the US Ambassador-at-large for War Crimes Issues at the PGA Executive Committee and International Council Meeting, Washington DC, USA

Nov. 18-26, 2009: Participation of PGA delegation to the ICC Assembly of States Parties - VIII session, ICC Assembly of States Parties, The Hague, The Netherlands

Nov. 23, 2009: Visit of Swedish Legislators to the ICC and the Assembly of States Parties, The Hague, The Netherlands

Dec. 2-3, 2009: Meetings on ICC accession, implementation and connected law and policy reforms in Nepal *on the occasion of the visit of the ICC President to Nepal*, Constituent Assembly (Parliament) of Nepal, Kathmandu

Dec. 10-12, 2009: International Parliamentary Seminar on Justice and Peace - The Role of Justice in Post-Conflict Recovery, Parliament of the DR Congo, Kinshasa

E. CALENDAR OF EVENTS 2008

January 10-11, 2008: Roundtable Discussion on ICC Implementing Legislation with Parliamentarians of Ghana, Liberia, Nigeria & Sierra Leone, Parliament & Presidency of Sierra Leone, Freetown

Jan. 30-31, 2008: PGA participation in the Seminar on the ICC co-organized by German Embassy and the Friedrich Ebert Foundation, Secretariat of the League of Arab States, Cairo, Egypt

February 14, 2008: Consultations on ICC Implementing Legislation, Senate of Mexico, Mexico City

February 28, 2008: Seminar on the African region of the Great Lakes and the DR Congo (co-organized by the PGA Italy National Group), Chamber of Deputies, Parliament of Italy, Rome

March 17-18, 2008: Consultations on ICC Implementing Legislation and Panel Discussion in the framework of the Pacific Islands Parliamentary Meeting on Good Governance and the Rule of Law, Parliament of Samoa, Apia

March 17-20, 2008: Participation of PGA Delegation to 15th Africa-Caribbean-Pacific – European Union Joint Parliamentary Assembly (ACP-EU JAP), Ljubljana, Slovenia [*the ICC was included in the JAP agenda by PGA Members*]

April 2, 2008: PGA Lecture entitled “*Strategies, Limits and Opportunities of the International Criminal Court Communication Activities*” at the Supranational Criminal Law Lecture Series (organised by the T.M.C. Asser Institute, CICC, Leiden Univ.), Asser Institute, The Hague

May 8, 2008: Briefing on the ICC for Congressional staff members of the Foreign Relations Committee – US House of Representatives, Washington DC, United States Congress

May 14, 2008: PGA Japan Strategy Meeting on the ICC and the responsibility to protect the civilian population from crimes against humanity in Darfur, National Diet of Japan, Tokyo

June 2-5, 2008: Participation of PGA delegation to the ICC Assembly of States Parties–resumed VI session, UN HQs, New York

June 6-7, 2008: Regional Parliamentary Meeting on Ratification and Implementation of the Rome Statute, National Assembly of Suriname, Paramaribo

June 27-28: PGA participation in a visit of Chilean Senators from the opposition to the ICC and other institutions in The Hague (*organised by the European Commission Delegation in Chile*), The Hague, The Netherlands

July 17, 2008: Intervention of PGA Board Member Dr. Ruth Wijdenbosch MP (Suriname) in the 10th Anniversary Celebrations of the Adoption of the Rome Statute of the ICC, ICC Assembly of States Parties, United Nations, New York

August 5-10 2008: Informal meetings and consultations on the ICC dossier with Malaysian Legislators and other stakeholders at the 54th Commonwealth Parliamentary Assembly (CPA) Conference in Kuala Lumpur, Malaysia

September 4-6, 2008: Meetings & consultations with Ugandan MPs and PGA intervention at the *Symposium on the Rome Statute Implementation in Africa*, organised by the Ugandan Coalition for the ICC & the Legal Affairs-Committee, Parliament of Uganda, Entebbe

Oct. 8-9, 2008: PGA intervention on peace and justice at the conference on “*Principles of International Criminal Law and the ICC*” co-organised by the Friedrich Ebert Stiftung and the Arab League Secretariat (*with the support of Germany*), Cairo, Egypt

Oct. 30-31, 2008: V Consultative Assembly of Parliamentarians for the ICC and the Rule of Law

Part of the 30th Annual Forum on “*Strengthening Democratic Institutions, Accountability and the Rule of Law*”, National Congress of Dominican Republic, Santo Domingo - <http://www.pga-xxxforum-icc.com.do/>

Nov. 14-22, 2008: Participation of PGA delegation in the ICC Assembly of States Parties –VII session, ICC Assembly of States Parties – *Panel Discussion on the Role of Legislators in the ICC process*, The Hague

Nov. 14, 2008: Participation of PGA in the ICC conference hosted by University of Ankara and consultations with Turkish MPs, Ankara, Turkey

Dec. 8, 2008: Presentation of PGA at the Organisation of American States (OAS) session on the cooperation agreement between the ICC and the OAS, OAS Headquarters, Washington D.C., USA

Dec. 10, 2008: Intervention of PGA in the first hearing on “Justice for Darfur”, Permanent Committee on Human Rights, Foreign Affairs Committee, Chamber of Deputies, Parliament of Italy, Rome

THE PGA ICC CAMPAIGN (2010-12) RECEIVES SUPPORT FROM THE EUROPEAN COMMISSION-EUROPEAN UNION, THE GOVERNMENTS OF BELGIUM, THE NETHERLANDS, GERMANY AND SWITZERLAND, AS WELL AS THE PARLIAMENT OF UGANDA. PGA RECEIVES CORE SUPPORT FROM THE GOVERNMENTS OF SWEDEN AND DENMARK AND THE SENATE OF NIGERIA. BETWEEN 2007 AND 2010, PGA HAS RECEIVED THE CORE SUPPORT OF THE MUNICIPALITY OF THE HAGUE.

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