



PARLIAMENTARIANS FOR GLOBAL ACTION

Parliamentary Campaign for the Universality and Effectiveness of the Rome Statute of the International Criminal Court (ICC) (PGA ICC Campaign)

PGA is a network of 1300 members from more than 125 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 *December 2009*, the different initiatives and activities of these MPs have contributed directly to 65 of the 110 ratifications/accessions to the Rome Statute of the ICC to date, including the most recent ones of 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, and ensuring that the first Review Conference of the Rome Statute of the ICC, slated to take place in 2010, will be a genuine success in reinforcing the important role of the ICC within the international peace and security system.

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 Court:

A. PRIORITY TARGETS

1. Targets for ratification *and* implementation of the Rome Statute (26)

Africa: Cape Verde, Cameroon, Mozambique and the Seychelles

The Americas: El Salvador, Haiti, Jamaica, Nicaragua, St. Lucia [and certain other States from the Caribbean Community (CARICOM) and Central America]

Asia & the Pacific: Indonesia, Nepal, Bangladesh, Philippines, Malaysia and *Pacific Islands States* such as Kiribati, Solomon Islands, Tuvalu, Vanuatu, and Niue [*state in free association with New Zealand*].

Europe and the Commonwealth of Independent States (CIS): Armenia, Moldova¹, Turkey, Ukraine [and other Council of Europe and/or 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 (29)

Africa: Chad, Central African Republic, Comoros, DRC, Ghana, Guinea, Kenya², Liberia, Madagascar³, Nigeria, Sierra Leone, Tanzania, Uganda [and other ECOWAS Member States]

The Americas: Brazil, Chile⁴, Dominican Republic, Mexico, Panama, Paraguay, Suriname⁵, Venezuela [and certain other OAS countries]

Asia & the Pacific: Afghanistan, the Cook Islands⁶ and certain other States

Europe: Albania, Czech Rep.⁷, Italy, Russian Federation, Sweden [and certain other Council of Europe Member States]

Middle East and the Mediterranean: Jordan

3. 32 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'Ivoire⁸, Cuba, Equatorial Guinea, Eritrea, Ethiopia, Federated States of Micronesia, Grenada, Guinea-Bissau, *Haiti*, *Jamaica*, *Kiribati*, Mauritania, *Niue* [*not UN Member*], Palau, Papua New Guinea, Rwanda, Sao Tome et Principe, *Seychelles*, *Solomon Islands*, Somalia, *St. Lucia*, Sudan, Swaziland, Togo, *Tonga*, *Tuvalu*, *Vanuatu* and Zimbabwe.

¹ Moldova may conclude its ratification process in the short- or mid-term, as the ICC Ratification Bill is under consideration before Parliament since 2008.

² 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).

³ 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.

⁴ 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.

⁵ Suriname joined the ICC system on July 15, 2008, as a result of the mobilisation of a multi-party group of MPs led by PGA Board Member Dr. Ruth Wijdenbosch MP.

⁶ 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.

⁷ 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.

⁸ Cote d'Ivoire has accepted the ICC jurisdiction only for crimes committed in the conflict that started on September 19, 2002.

B. 2010-11 PLANNED EVENTS

PGA-organised events:

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

* **Feb. 2010:** Roundtable Discussion on ICC Implementing Legislation in African Indian Ocean countries (Madagascar, Mauritius and Seychelles), Parliament of the Comoros, Moroni [**dates under negotiation with newly elected Legislature*]

March 2010: National Conference on the Implementation of the Rome Statute and Effective Cooperation with the ICC, Parliament of Chad, Ndjamena

<p>May 27-28, 2010: <u>VI Consultative Assembly of Parliamentarians for the ICC & the Rule of Law</u> Parliament of Uganda, Kampala, Uganda</p>
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Sept. 2010: Workshop on the Implementation of the Rome Statute and Effective Cooperation with the ICC in West Africa, Parliament of Ghana, Accra

Oct. 25-26, 2010: Panel Discussion on Gender Justice and Women Rights in the framework of the 32nd Annual Forum of PGA, Istanbul, Turkey

* **2010:** Technical Assistance Mission to Jamaica – Ratification and Implementation of the Rome Statute, Kingston, Jamaica [**tentative event*]

* **II Semester 2010 or early 2011:** Technical assistance Mission to the Caribbean – Ratification and Implementation of the Rome Statute, The Castries, St. Lucia or Kingstown, St. Vincent and Grenadines [**tentative*]

I Semester 2011: Technical assistance Mission to Chile and/or Ecuador – Implementation of the Rome Statute [in cooperation with the OAS], Santiago/Valparaiso, Chile and/or Quito, Ecuador

I Semester 2011: 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. Jordan] (and follow-up technical mission to Morocco or other target country)

March-April 2011: Consultations on the Rule of Law and Justice in Central African Republic [in coop. with the Belgian Presidency of the UN Peace-Building Commission Configuration on the C.A.R.], venue to be determined [Bangui-CAR]

II Semester 2011: Asia-Pacific Parliamentary Consultation on the ICC, Asian venue to be determined

On-going Activities:

2010-11: Organisation of visits of Legislators to the ICC and other institutions in The Hague (in cooperation with Dutch Parliament), The Hague, The Netherlands

2010-11: 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 will participate:

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

March 29-Apr. 1, 2010: Participation of PGA Delegation in the 18th Africa-Caribbean-Pacific – European Union Joint Parliamentary Assembly (ACP-EU JAP), Tenerife, Spain

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

First Half 2010 (*session of Apr. or June*): 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

Nov. 2010 (*dates to be determined by the ASP*): Participation of a PGA delegation to the ICC Assembly of States Parties - IX session, ICC Assembly of States Parties, The Hague, The Netherlands

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

Oct. 2011: Meetings and/or Round-Table Discussion on the ICC at the European Parliament (in cooperation with Sub-Committee on Human Rights), Brussels, Belgium

Nov. 2011 (*dates & venue to be determined by the ASP*): Participation of a PGA delegation to the ICC Assembly of States Parties - X session, ICC Assembly of States Parties, New York, United Nations (or The Hague)

On-going Activity:

2010-12: PGA participation in the NGOs' briefings to the meetings of the EU COJUR-ICC, Brussels, Belgium

C. 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 Nseroko (*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

D. 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 delegation in ICC conference hosted by University of Ankara and informal 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

[Updated on Jan. 20, 2010]

THE PGA ICC CAMPAIGN (2008-09) RECEIVES SUPPORT FROM THE EUROPEAN COMMISSION-EUROPEAN UNION, THE GOVERNMENTS OF BELGIUM, THE NETHERLANDS AND SWITZERLAND, AND THE DOMINICAN REPUBLIC PARLIAMENT.
PGA RECEIVES CORE SUPPORT FROM THE GOVERNMENTS OF SWEDEN AND DENMARK.
THE PGA FOUNDATION RECEIVES SUPPORT FROM THE CITY OF THE HAGUE.

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