



Parliamentarians for Global Action www.pgaction.org

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PARLIAMENTARIANS FOR GLOBAL ACTION WELCOMES THE INTERVENTION OF THE INTERNATIONAL CRIMINAL COURT (ICC) IN LIBYA AND THE DECISION OF TUNISIA TO ACCEDE TO THE ROME STATUTE OF THE ICC

The Hague/New York, March 1, 2011: Parliamentarians for Global Action (PGA) welcomes the commitment of the international community to protect the civilian population in Libya evidenced by the unanimous adoption by the UN Security Council of Resolution 1970, which imposes individual sanctions and an arms-embargo on Libya and refers the situation covering all serious crimes committed in Libya from 15 February 2011 to the International Criminal Court (ICC) in The Hague.

Sen. Alain Destexhe (Belgium), Convenor of PGA International Law and Human Rights Programme, underscored today in Brussels that “*swift action by the ICC Prosecutor must now contribute to the International Community’s efforts to persuade the leader of Libya, Muammar Khadafi, to halt his violent campaign against protesters and agree on a peaceful transition towards democracy and the Rule of Law in Libya*”.

Security Council Resolution 1970 extends the ICC jurisdiction to all crimes against humanity and other international crimes committed in Libya, including those allegedly perpetrated through the use of mercenaries and aerial bombings against the civilian population. In a statement dated 22 February 2011, PGA reminded all officials in Libya that military “*subordinates have an obligation to disobey any manifestly unlawful order, which include any order relating to the wilful bombing or targeting of civilians*”: Such an obligation is imposed by customary international law, as reaffirmed by the 1949 Geneva Conventions and the 1998 Rome Statute of the ICC.

Former PGA Board Member and Bahraini opposition Spokesman **Mr. Khalil Al-Marzooq, MP** emphasised that “*our civilian populations want to enjoy all their fundamental human rights and live in free and peaceful societies*”: Mr. Al-Marzooq resigned from Parliament in protest at the Bahraini Government’s decision to engage in armed attacks against unarmed civilians in Pearl Square, in Manama, on 17 February 2011. “*Bahrain shall ratify the Rome Statute of the ICC following the recent decision of the Tunisian Transitional Government to stamp out impunity for the most serious violations of human rights and international humanitarian law from our region*”, Mr. Al-Marzooq concluded.

The accession by Tunisia, adopted by the Council of Ministers on 3 February 2011 and published in the official gazette of last week, will bring to 115 the number of States Parties to the Rome Statute. In a statement issued early February, PGA Member **Ms. Heidi Hautala**, Chairwoman of the European Parliament Subcommittee on Human Rights, affirmed after a visit to Tunis that “*the fight against impunity is fought hard. While there are atrocities that still continue to go unpunished, the state members of the ICC have failed to step up their support to the Court. Tunisia joining the global effort to defend justice is very much welcome.*” (Cf. <http://www.heidihautala.fi/2011/02/tunisia-on-its-way-to-become-first-north-african-state-to-join-icc/>)

To continue the recent and on-going Rule of Law ‘ripple effect’ in the Middle East, the President of PGA’s International Council, **Dr. Ruth Wijdenbosch, MP** (Suriname) appealed to “*the transitional government of Egypt, the elected Parliament and government of the Kingdom of Morocco and all other countries in North Africa and the Middle East to join the Kingdom of Jordan and the Republic of Tunisia in the ICC system: We must protect the people and prevent any act of widespread violence against them*”.

Since 2005 PGA has had in place a parliamentary Working Group for the universality of the Rome Statute in the region that benefits from the participation of former opposition Egyptian MP **Mohamed Sherdy**, Spokesperson of Al-Wafad Party. Mr. Sherdy, a leader of the peaceful revolution in Egypt, rejoiced for Tunisia’s decision to join the ICC and the UN Security Council’s decision to apply the Rome Statute to the Libyan situation. “*Egypt must now regain its leadership position in promoting democracy, justice and the Rule of Law in the Arab world: While working to re-establish a democratic order in our society, with free and fair elections to be held within 2011, the transitional rulers of Egypt must accept the Rome Statute of the ICC to maintain the promise of the ‘never-again’ vis-à-vis persecution and widespread torture that have victimized our people for too long*”, Mr. Sherdy declared in Cairo, today.