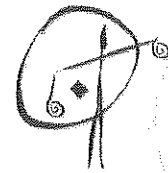


Parliamentarians for Global Action
Parlamentarios para la Acción Global
Action Mondiale des Parlementaires
برلمانيون من أجل التحرك العالمي



Non c'è Pace
Senza Giustizia
No Peace
Without Justice
لا سلام من غير عدالة

Conference for the Twentieth Anniversary of the Rome Statute of the
International Criminal Court
Protomoteca Hall, Campidoglio, Rome - 18 July 2018

New York-The Hague/Brussels/Rome, 29 June 2018

To the kind attention of

Ms. Julie Ward MEP (United Kingdom)
Member, Committee on Culture and Education
European Parliament
PGA Member

Dear Ms. Ward,

On 17 July 1998, the Rome Statute of the International Criminal Court (ICC) was adopted with the goal of ending impunity for the most serious crimes of concern to the international community as a whole.

Twenty years from the adoption of the Rome Statute, it is opportune to celebrate the historical value of the ICC as an essential instrument to achieve a world order based on the Rule of Law rather than the rule of force. However, at the same time, we believe that it is necessary to analyze the obstacles hindering the full implementation of the normative and inter-institutional system created by the Rome Statute, which remains an extraordinary legal instrument to build an international society founded on human rights, democracy, equality, the peaceful resolution of conflicts, and national as well as international security.

Considering your prominent role as member of the several Committees at the European Parliament, such as those on Culture and Education, Regional Development, Gender Equality and Women's Rights, as well as your longstanding engagement with human rights and strengthening of democratic governance, we would be honored if you would contribute as speaker to the Conference of the 20th Anniversary of the Rome Statute, which will take place at the Protomoteca Hall of Campidoglio, on 18 July 2018 at 10 AM. In particular, we would like you to address the session on the historic activation of the ICC jurisdiction on the crime of aggression on 17 July 2018: For the first time since the Nuremberg Judgement of 1946, an international Tribunal will have competence over "crimes against the peace", and it is rather disappointing to note that one of the Allied Powers that created the Nuremberg Tribunal in 1945 – the UK – appears unwilling to ratify the amendments to the Rome Statute of the ICC on the crime of aggression.

The *effective* date on which the Rome Statute was opened to signatures by States in the Protomoteca Hall of the City Hall was precisely 18 July 1998. In fact, the UN Secretary General blocked the formal clock of the Rome Diplomatic Conference on the ICC at 23.59 PM of 17 July 1998, given the need to vote on the adoption of the Rome Statute in the first hours of 18 July at the headquarters of the FAO, which was hosting the negotiations.

As you may notice from the enclosed draft programme, the topic of the opening session is the fight against impunity for international crimes, namely genocide, crimes against humanity, war crimes and the crime of aggression. Twenty years ago, just like today, armed conflicts and repressive regimes are characterized by the commission of mass atrocities. Therefore, ensuring victims' access to justice, truth and reparation, and creating the conditions to prevent the reoccurrence of such atrocities is truly a legal, political and moral imperative, as emphasized by the principle of "*never again/nunca más*" announced by the entire international community in the aftermaths of World War II.

While hoping to receive a positive response to our invitation, please accept, Ms. Ward, the assurances of our highest esteem and consideration.

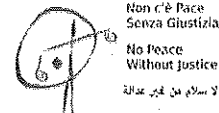
Dr. David Donat Cattin
Secretary-General
Parliamentarians for Global Action

Avv. Fabio Maria Galiani
Member of the Executive Committee
AIDP – Gruppo Italiano

Niccolò Figà-Talamanca
Secretary-General
No Peace Without Justice



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Conference on the Twentieth Anniversary of the Rome Statute of the International Criminal Court

18 July 2018 - from 10:00 to 19:30

Protomoteca Hall, Campidoglio, Rome

Speech Julie Ward (United Kingdom), MEP

First of all, I would like to say that I am really glad to be here at this historic event. The fight for international justice that PGA leads is extremely important and I am always honoured to be a part of this organisation which is an effective network for action on macro issues of human rights and democracy.

It's good to see a wide range of people here from different walks of life and I think it's significant that there are members of the military here. My father was a member of the British RAF and we were talking last weekend about me coming here. He said "War is a Medieval solution to disagreement". Indeed, people like my father and you military gentlemen on the front row, having signed up to defend their country, are the agents by which aggression as well as defence is carried out, and thereby at risk of being complicit if the act is deemed illegal.

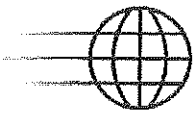
I am a parliamentarian not a legal expert, in fact a poet and theatre-maker before entering politics, so I have little in the way of academic expertise or professional experience of international law, but I realise I have a huge responsibility as a politician whose words and deeds can have huge consequences.

I remember being in the Rwandan Parliament as part of an international delegation in the days before the 2016 anniversary of the Genocide Against the Tutsis. Our host parliamentarian began his welcome by telling us that we were in the chamber where the order was given for the mass killing to begin. State organised and sanctioned violence is terrifying indeed with devastating and long-lasting consequences, and can come with all kinds of justifications, but increasingly since 9/11 under the guise of a response to the perceived threat of terrorism. We must therefore strengthen the frameworks and international norms by which people like me, politicians and decision-makers, are kept in check and held to account.

I have a parliamentary responsibility for relations with Bosnia Herzegovina and Kosovo, so I know well the post-conflict trauma that is exacerbated when there is no mechanism for justice or when those who are suspected languish free and, in some cases, continue to occupy public position.

We are here at a historic moment. Yesterday's activation of the crime of aggression is a symbolic achievement that will certainly reinforce the strength and importance of the International Criminal Court. As many people have noticed, however, it is unclear how much this achievement will be translated into actual prosecutions and justice on the ground.

It is true that the scope of the crime will limit the possibilities, but from the perspective of a politician and not a legal expert, I can tell you that the symbolic dimension is at least as important. The broadening of the scope of action of the Court increases its political outreach and visibility and puts accountability in the spotlight.



At European level, the 20th anniversary of the Statute and the activation of the crime of aggression have certainly generated more interest around international justice issues. But the overall picture of justice in the world is becoming worse and worse: mass atrocities are taking place in many places on a daily basis. The EU seems to be one of the only institutions left that advocate for a rules-based international order.

Along with Ana Gomes and Barbara Lochbihler, my colleagues who are also members of PGA, I initiated a letter to the High Representative Federica Mogherini that many other MEPs co-signed, calling for the establishment of an EU Special Representative on International Humanitarian Law and International Justice. We just heard that our words of encouragement have been heeded as the Council conclusions on the ICC in the context of the 20th anniversary of the adoption of the Rome Statute, encourages the High Representative to present such proposals as will further strengthen EU capacity regarding international criminal justice and humanitarian law. We had hoped to use the momentum created by the anniversary to increase visibility and we believe we have succeeded.

As you have probably guessed, I am one of the strongest supporters of the ICC on the political landscape in the EU. Far too many of my colleagues are not interested in these issues, even though I believe it should be everyone's responsibility to fight for human rights and justice.

However, I do believe we need to hear the criticism that is made by some people on the fact that the ICC has been efficient for now only in the accountability of smaller states. And I have to state here that I am not an apologist for my government, past or present.

Of course, criticism has been instrumentalised by members of some governments in order to avoid accountability and allow the powerful to get away with the crimes they had committed. This is unacceptable and these people need to be called out. However, that does not mean that we shouldn't take a hard look at the way the international order functions.

Specifically on the crime of aggression, the fact that the ICC has jurisdiction upon referral from the UN Security Council shows a wider problem, as the powerful permanent members of the UNSC could be reluctant to make referrals, or only make them out of national interest, or do whatever they want really - and that is the problem with the international order right now.

The UN needs to be reformed urgently, in order to introduce the crucial elements of democracy it lacks. This is important, not only in terms of world democracy (which is already a goal in itself), but also for international justice. There is no justice as long as the powerful remain protected by impunity.

I apologise if I seem to paint a rather dark picture of the situation. But I believe that given the current international situation, faced with the Trumps and Putins of the world, we need to do everything to preserve a rule-based system. And that includes continuing to improve institutions such as the ICC, which is a ground-breaking achievement that needs to continue working in better and more efficient ways to survive.

From the European Parliament then, my colleagues and I will continue to fight to make sure that international justice remains at the highest level of discussions.