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PARLIAMENTARIANS FOR GLOBAL ACTION WELCOMES THE ARREST OF JEAN-PIERRE BEMBA AND CALLS FOR THE APPLICATION OF THE PRINCIPLE OF EQUALITY OF ALL BEFORE THE LAW

The Hague, May 27, 2008: Parliamentarians for Global Action (PGA) welcomes the execution of the arrest warrant made by Belgium, a State Party of the Rome Statute, and issued by the ICC Pre-Trial Chamber III against **Mr. Jean-Pierre Bemba Gombo**. After long drawn out investigations, the ICC Prosecutor Luis Moreno Ocampo presented a case against Mr. Bemba related to the alleged commission of approximately 500 rapes and other gender-based crimes within the wider framework of widespread attacks against civilian population in Bangui, Central African Republic.

Senator Maria Cristina Perceval of Argentina, Convenor of the PGA International Law & Human Rights Programme - which launched a parliamentary ICC campaign since 1989 -, commented that *“the case against Mr. Bemba is consistent with the policy of the Prosecutor to investigate the persons bearing the greatest responsibility for the most serious crimes of international concern when States fail to do so, in pursuance with the principle of complementarity. Both the Central African Republic and the DRC National judiciary have been unwilling and unable to fight impunity for the worst atrocities committed in a number of conflicts that brutally victimised large parts of the undefended civilian population, especially women and girls”*.

PGA Executive Committee Member, **Senator Tadashi Inuzuka of Japan** welcomed the arrest of Mr. Bemba, who is an elected Senator and a former Presidential candidate, and linked this action to the one required within the framework of the *Justice for Darfur* campaign by stating that *“when justice makes its course regardless of power-sharing arrangements or the popular support that the alleged perpetrators may have, then the law is applied equally to all and is perceived as fair by the victims”*. Inuzuka, an opposition lawmaker elected in Nagasaki, further declared that *“Heads of States and leaders of government or opposition must be aware that the principle of individual criminal responsibility shall be applied equally to all”*.

This declaration follows the mobilization over the past two weeks of PGA Members in Japan and the European Parliament who have pushed for new measures to support the UN Security Council and the ICC in enforcing the arrest warrants for crimes against humanity and war crimes allegedly committed in Darfur.

On May 22, the European Parliament adopted a resolution calling on the EU to impose individual sanctions against those impeding the cooperation of Sudan with the ICC, while one week earlier, the PGA Japan National Group agreed on a model parliamentary resolution urging the Government to take all necessary measures to ensure compliance with Resolution 1593 (2005), which the UN Security Council adopted under Chapter VII of the UN Charter as a binding remedy against the impunity of perpetrators of atrocities in Darfur.

Mr. Jo Leinen, Member of the European Parliament from Germany and PGA Member, expressed its strong support for renewed action of the European Union and all of its Member States in generating full cooperation with the ICC: *“Mr. Bemba has been arrested while he was travelling in Belgium, a State Party to the Rome Statute. The arrest proves that there will be no safe havens for those who are accused of crimes against humanity or war crimes. It is intolerable that contrary to those who commit single murder, those who are accused of having killed, raped or tortured hundreds of people can still try to negotiate their impunity and pretend to escape from justice”*, Mr. Leinen said, making reference to the practises of postponing or sequencing justice that are detrimental to long-term sustainable peace.

Mr. Emmanuel Adubango Ali, MP, Chair of the active and multi-party national group of PGA in the **Democratic Republic of Congo** supported strongly the ICC intervention to bring justice to the victims of the multiple conflicts that the African people have suffered. *“The course of justice is inescapable. Neither immunities nor an amnesty may bar international prosecution and adjudication over crimes against humanity, genocide or war crimes regardless of the place in which they were committed”* Mr. Ali said. *“After so much suffering of innocent populations, it is about time that we know who is responsible for what actions in the Democratic Republic of the Congo, in Central African Republic and in all scenarios of atrocities committed after 1 July 2002: only when facts and penalties will be determined through the due process of law and a fair trial of the accused, it will become clear that international crimes are no longer tolerated. We will be able then to put an end to impunity and allow the peaceful citizens of Congo to exercise their human rights to life, peace and development”*, Mr. Ali concluded.

BACKGROUND

About the Case Prosecutor v. Bemba

The Central African Republic, one of the 106 State Parties to the Rome Statute, referred on 22 December 2004, to the ICC Prosecutor, the situation of crimes within the jurisdiction of the Court committed anywhere on the territory of the Central African Republic since 1 July 2002. After investigations conducted for over a year, and upon application by the ICC Prosecutor, on 23 May 2008, the Pre-Trial Chamber III of the ICC issued a sealed warrant of arrest against Jean-Pierre Bemba Gombo, who was at the moment in Belgium. The next day, Belgian authorities, implementing their obligations under the Rome Statute, executed the ICC warrant and secured the arrest Mr. Bemba Gombo. Mr. Bemba is expected to be surrendered to the ICC and transferred to its detention centre in The Hague, The Netherlands, where he will have the opportunity of defending himself against the charges under all the due process standards afforded to the accused by the Rome Statute.

Mr. Bemba, has been the Vice-president of the Democratic Republic of Congo and went to the Presidential elections ballot against Joseph Kabila in the first democratic elections ever held in Congo, in late 2006. Mr. Bemba is the leader of the "Mouvement de Libération du Congo" (MLC) and an elected Senator in the DRC Parliament. The charges against him refer to acts allegedly committed in the Central African Republic between 25 October 2002 and 15 March 2003 and have been qualified by the ICC Pre-Trial Chamber as crimes against humanity of rape and torture, as well as war crimes of rape, torture, outrages upon personal dignity, in particular humiliating and degrading treatment, and pillaging a town or place.

The ICC has currently opened formal investigations over the situations in the Democratic Republic of the Congo (DRC), Northern Uganda, Darfur/Sudan and the Central African Republic, and has issued 12 arrest warrants in these respects. The ICC has secured, to this day, the arrest of 4 individuals, 3 of whom have been transferred to the ICC detention centre in The Hague.

About PGA

Parliamentarians for Global Action (PGA) is a network of 1300 members from 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 May 25, 2008, the different initiatives and activities of these MPs have contributed to 61 of the 106 ratifications/accessions to the Rome Statute of the ICC to date.

PGA is member of the Steering Committee of the Coalition of NGOs for the ICC (CICC) and of the *Justice for Darfur* Campaign, an ongoing effort of civil and political mobilization to increase support for the action of the ICC in Darfur, in particular in enforcing outstanding ICC arrest warrants.

The PGA Secretariat operates from the UN Office/Headquarters in New York and from the International Justice office/PGA Foundation in The Hague.

SELECTED RESOURCES

ICC Dossier on the Central African Republic situation: <http://www.icc-cpi.int/cases/RCA.html>

ICC Dossier on the Bemba case: <http://www.icc-cpi.int/cases/RCA/c0108.html>

European Parliament resolution of 22 May 2008 on Sudan and the International Criminal Court

English text: <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+TA+P6-TA-2008-0238+0+DOC+XML+V0//EN>

French text: <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+TA+P6-TA-2008-0238+0+DOC+XML+V0//FR>

Spanish text: <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+TA+P6-TA-2008-0238+0+DOC+XML+V0//ES>

PGA Model Parliamentary Resolution on "Justice for Darfur"

Available upon request to the PGA ICC Campaign team
