



Parliamentarians for Global Action

ACCIÓN MUNDIAL DE PARLAMENTARIOS
ACTION MONDIALE DES PARLEMENTAIRES

Resolution on Justice for Darfur

Tokyo, 14 May 2008

Deeply concerned with the ongoing conflict in Darfur, Sudan, and the repeated attacks against the civilian population, which has led to the forced displacement of approximately 2.5 million people and the death of approximately 200,000 individuals;

Recalling the binding nature for all United Nations Member States acting under Chapter VII of the UN Charter, including Sudan, of United Nations Security Council Resolution 1593 of 31 March 2005 referring the situation in Darfur to the jurisdiction of the International Criminal Court (ICC);

Reaffirming the commitment of the Japanese National Diet to the norms and principles of the Rome Statute of the ICC, adopted through a unanimous vote of both Chambers of the National Diet of Japan in 2007, including the principle that there shall be no impunity for the most serious crimes of international concern, genocide, crimes against humanity and war crimes;

Noting that on 27 April 2007 the Prosecutor of the International Criminal Court has issued two arrest warrants for crimes against humanity and war crimes, including one for the current Sudanese government minister Mr. Ahmed Muhammed Harun, and that the Government of Sudan has not carried out the arrest and surrender to the Court of these two named individuals;

Stressing the importance of the upcoming session of the UN Security Council on Resolution 1593 to be held in New York on June 2008, in which the ICC Prosecutor will report on (1) the continued lack of cooperation of the Sudanese Government in enforcing the pending arrest warrants as well as on (2) new charges that he is expected to bring against those providing instructions to and who have supervisory powers over Mr. Harun and on a (3) new investigation concerning attacks against peacekeepers conducted by a rebel group;

Noting with concern the inability of the Security Council in December 2007 to find consensus over a Presidential Statement aimed at condemning the behaviour of Sudan in non-compliance with Resolution 1593, due to the opposition of China, Qatar and Russia, which should have followed the report of the ICC Prosecutor delivered at the Council on 5 December 2007 under the said resolution;

Recognising, therefore, the usefulness of multilateral and bilateral action aimed at condemning and, as appropriate, sanctioning this continued and repeated non-compliance by those responsible for shielding from justice persons suspected of having committed crimes against humanity and war crimes, as the Presidency of the European Union has done in its Declaration marking the 3rd Anniversary of Security Council Resolution 1593, on 31 March 2008;

We, the Members of Parliamentarians for Global Action in the National Diet of Japan urge the Government of Japan to undertake the following urgent steps:

- 1) To be well-informed and actively involved in the UN Security Council deliberations on the situation of Darfur and, in particular, on the enforcement of Resolution 1593, adopted under Chapter VII of the UN Charter and thereby identifying justice as a key tool to restore

international peace and security in Darfur, inside and outside the borders of the territory of Sudan;

- 2) To support all requests presented by the ICC Prosecutor on behalf of the Court concerning measures aimed at bringing about cooperation and compliance of all UN Member States, including Sudan, with the terms of Resolution 1593;
- 3) To be prepared to undertake effectively all necessary measures that the Security Council may adopt to confront the non-cooperation of Sudan, as required by article 87, paragraph 7, of the Rome Statute and the relevant provisions of Chapter VII of the UN Charter, bearing in mind that no comprehensive and durable solution to the Darfur conflict may be found without ending the vicious circle of impunity in order to protect the civilian population;
- 4) To be prepared to undertake targeted sanctions against those individuals bearing responsibility for the continued non-compliance of the Government of Sudan with the obligation of arrest and surrender indicted war criminals to the Court, including, – in coordination with other States or groups of States (e.g. the European Union, the United States etc.) – of:
 - a. Freezing and seizing of assets of individuals identified as those impeding cooperation with the ICC (e.g. the Members of the Cabinet of Sudan’s Government),
 - b. Measures impeding business and other economic or trade relations among these individuals and companies or other legal entities controlled by these individuals and any Japanese national and legal entity (e.g. corporations),
 - c. Increased cooperation with INTERPOL and the ICC itself to monitor and track the activities carried out by these individuals within Sudan and in their interactions with other States
 - d. Any legitimate measure and project that could reinforce the role and position of democratic forces within Sudan who genuinely support full respect of all human rights, justice, peace and development through non-violent means and reforms
- 5) To promptly and comprehensively inform the National Diet concerning all developments relating to the situation in Darfur, the relevant discussions in the UN Security Council and in other international fora – including the positions taken by the permanent members of the Security Council –, as well as the measures undertaken by Japan to help protect the civilian population, with particular reference to the enforcement of Resolution 1593.

PARLIAMENTARIANS FOR GLOBAL ACTION (PGA) IS A NETWORK OF 1,300 INDIVIDUAL LEGISLATORS FROM 117 ELECTED PARLIAMENTS DRAWN FROM ALL REGIONS OF THE WORLD.
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