



Hosted by the National Assembly of the Central African Republic

Parliamentary Consultations on the Rule of Law & Justice in the Central African Republic

National Assembly, Bangui, CAR
13-14 octobre 2011

With the support of
the European Union (European Instrument for Democracy and Human Rights),
the Governments of Belgium, the Netherlands, Germany and Switzerland

BANGUI DECLARATION for JUSTICE and the RULE OF LAW

We, the Members of Parliament who attended the Consultations on the Rule of Law & Justice in the Central African Republic, held in Bangui from 13 to 14 October 2011 under auspices of the Central African National Assembly, are profoundly delighted to welcome this initiative of the Parliamentarians for Global Action, International Law and Human Rights Programme, and we wish to be engaged in the concrete realization of the following action-points, using our parliamentary prerogatives regarding the control of governmental action, budget and legislative initiatives:

1) On the role of the reinforcement of the Rule of Law and national judicial systems in the peace consolidation

- The Rule of Law and Justice are considered priorities for funding by the International Community of donors in peace-building and stabilization efforts
- The mandate of the configuration for the Central African Republic of the Peace Building Commission (PBC) of the UN is fully realized in CAR and used as a reference for other programmes in support of other countries by the international community with the aim to reinforce the rule of law and the respect of fundamental human rights;
- In reference to the situation in the Central African Republic, the recommendations formulated by the “General Conference on Justice” (*Etats Généraux de la Justice*) of 2007, renewed in the Decennial Programme for Justice adopted by the Government in 2010, concerning the resolution of the most important problems affecting the judicial system have to be fully implemented;
- Make adequate allocations to Justice and the Rule of Law institutions and mechanisms in the Budget of the State (on which Parliament must decide and give approval to every year);
- Within the quantitative and qualitative framework of our National budgetary allocations to Justice and the Rule of Law, appropriate allocations are made to Magistrates (Judges and Prosecutors) to safeguard the independent exercise of their judicial mandate (e.g. salaries, tools, infrastructures and staff);

- In the framework of international development cooperation, data and statistics have to be made available concerning the percentage of the aid which is dedicated to rule of law programmes, in order to maximize the impact of these resources and being able to increase them according to identified needs;
- In order to attain sustainable peace, long-term strategies have to be established, allowing Rule of Law programmes protecting the rights and dignity of the population and respond to their request for justice, taking into account the specific needs of the most vulnerable groups, such as women and children.

2) On the priority of putting an end to impunity and the use of the “ICC process” as a catalyst for law reforms

- The full and effective implementation of the Rome Statute provisions in our national laws
- The use of the Rome Statute standards on victims’ rights, criminalization of gender-based offenses and offenses against children, general principles of law (e.g. individual criminal responsibility) and other norms and standards to reform and modernize our national legal and procedural systems

To this effect, we are willing to use the assistance of all development actors and of the PGA expert-Secretariat to submit to our Parliament proposals for reform concerning new laws and proposals of amendment to strengthen existing laws

- In respect of the situation in Central African Republic, the provisions on international crimes, the general principles of law (including universal jurisdiction, the principle *aut dedere aut judicare* and command responsibility) as well as international cooperation for the fight against impunity – which shall be fully integrated in the Code of Criminal Procedure of 2009 – shall be included in training-courses, rules of engagement of all national security forces and security sector reforms.

3) On the full and effective cooperation with the ICC

- Political support to the work of the ICC in fighting impunity, in particular through full support for the effective and prompt cooperation of our States in cooperating with ICC, especially in the execution of pending Arrest Warrants;
- The promotion and support of any adequate, targeted initiative that shall bring about the arrest and surrender to the Court of any person wanted by the ICC and present in the CAR territories, starting with the leaders of the Lord’s Resistance Army (LRA), with specific reference to a new AU initiative for a joint arrest operation among DRC, CAR, Uganda and South Sudan and to the military support of the United States, France, the European Union as well as other relevant stakeholder.
- The promotion of the National Prosecutions of International Crimes to complement the limited cases so far presented before the ICC by the Prosecutor and to advance relevant cooperation with neighboring countries (e.g. CAR-DRC bilateral cooperation on mutual judicial assistance and extradition)
- The dissemination of the knowledge of the Rome Statute among our electorates and peoples to maximize the dissuasive effect of the Rome Statute system and its impact on peace, democracy and Human Rights through the fight against impunity.

Done in Bangui, 14 October 2011