




Parliamentary questions

21 October 2008

E-5676/08

WRITTEN QUESTION by **Raül Romeva i Rueda (Verts/ALE)** to the Commission

► Subject: Request from the AU concerning Universal Jurisdiction

 Answer(s)

In the Eleventh Ordinary Session of the Assembly of the African Union, (in Sharm El-Sheikh, Egypt, 30 June to 1 July 2008), a Decision was adopted on the report of the Commission on the Abuse of the Principle of Universal Jurisdiction (Doc. Assembly/AU/14 (XI)). The decision recognised 'that universal jurisdiction is a principle of International Law whose purpose is to ensure that individuals who commit grave offences such as war crimes and crimes against humanity do not do so with impunity and are brought to justice, which is in line with Article 4(h) of the Constitutive Act of the African Union'; but resolved as follows: '(i) The abuse of the Principle of Universal Jurisdiction is a development that could endanger International law, order and security; (ii) The political nature and abuse of the principle of universal jurisdiction by judges from some non-African States against African leaders, particularly Rwanda, is a clear violation of the sovereignty and territorial integrity of these States; (iii) The abuse and misuse of indictments against African leaders have a destabilising effect that will negatively impact on the political, social and economic development of States and their ability to conduct international relations; (iv) Those warrants shall not be executed in African Union Member States; (v) There is need for establishment of an international regulatory body with competence to review and/or handle complaints or appeals arising out of abuse of the principle of universal jurisdiction by individual States'. Furthermore, it requested 'to urgently cause a meeting between the AU and European Union (EU) to discuss the matter with a view to finding a lasting solution to this problem and in particular to ensure that those warrants are withdrawn and are not executable in any country'. Finally, it also requested 'all UN Member States, in particular the EU States, to impose a moratorium on the execution of those warrants until all the legal and political issues have been exhaustively discussed between'.

Could the Commission explain what have been the reactions to this statement? Is the requested meeting already set up? What will be the Commission's position, particularly in view of the European SIRENE system presently in force?

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