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Suriname: important commitment to the International Criminal Court must not be marred by entering into an unlawful impunity agreement with the USA

Amnesty International today welcomed President Ronald Venetiaan's statement to parliament on 6 December that Suriname will accede to the Rome Statute of the International Criminal Court. This statement represents an important commitment to joining the international effort, supported by the vast majority of countries, to end impunity for the worst crimes known to humanity: genocide, crimes against humanity and war crimes.

President Venetiaan's announcement is the latest in a series of positive statements by the Suriname government on acceding to the Rome Statute. Amnesty International urges the government to complete the process as soon as possible.

Amnesty International is, however, concerned that, at the same time as announcing Suriname's intention to accede, President Venetiaan also stated that Suriname will enter into an agreement with the USA that would attempt to prevent Suriname from surrendering US nationals accused of genocide, crimes against humanity and war crimes to the Court.

The USA has been the only state actively campaigning against the Court. The Bush Administration has repeatedly voiced fears that the Court could be used to bring politically motivated prosecutions against US nationals and on that basis it is demanding that governments around the world sign these impunity agreements.

However, while the administration's campaign to force states to sign impunity agreements continues, it has run into increasing criticism in US Congress as needlessly antagonizing friendly countries. In addition, in a significant retreat from its previous opposition to other states ratifying the Rome Statute, it stated in the United Nations General Assembly on 23 November 2005 that "[w]e respect the right of other states to become parties to the Rome Statute; we ask in return, however, that other states respect our decision not to do so."

Amnesty International has analyzed the agreements and has concluded that they are illegal impunity agreements which violate both the Rome Statute and other conventions under international law - including the Geneva Conventions and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment - all of which demand that persons responsible for the crimes are brought to justice. The European Union has analysed these agreements and reached the same conclusion.

US fears of politically motivated prosecutions are not shared by the vast majority of other states and international lawyers. It is widely recognized that comprehensive fair trial guarantees and safeguards included in the Rome Statute would prevent such a situation from ever arising. Indeed, the conduct of the Court in its first years, which has focused on the worst situations under its jurisdiction where crimes against international law are being committed on a huge scale - Darfur, Sudan; northern Uganda and the Democratic Republic of Congo - confirms that the fears are unfounded.

Despite threats by the USA to withdraw military and other assistance to countries that refuse to sign impunity agreements, over 50 countries have committed to uphold the fundamental principle that no-one must have impunity for these crimes by refusing to sign. These countries include: EU states, Argentina, Brazil, Canada, Japan, Mali, Mexico, New Zealand, Paraguay, Peru, Samoa, Slovenia, South Africa, St. Lucia, Switzerland, Tanzania, Trinidad and Tobago, Uruguay and Venezuela. In other cases, when governments have signed, national parliaments are refusing to ratify them.

Amnesty International calls on the government of Suriname to commit fully to international justice by refusing to sign an impunity agreement with the USA. At the same time, the organization urges parliamentarians to declare that they will not ratify any such unlawful agreement if it is signed.