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Andorra : 30th country to ratify the Rome Statute- Halfway towards the International Criminal Court

"Andorra's ratification of the Rome Statute is not only an important national commitment to end impunity for the worst crimes known to humanity but also marks a major milestone for the international community in the establishment of the Court" Amnesty International said today.

On 30 April Andorra became the 30th country to ratify the Rome Statute of the International Criminal Court, bringing the international community to the important halfway mark of ratifications required to establish the Court.

There is overwhelming support within the international community for the Court. By the deadline for signatures on 31 December 2000, 139 states had signed the Statute.

Amnesty International calls upon all those states that have signed the Rome Statute to make ratification a national priority so that the 60th ratification is reached and the Court can be established as soon as possible.

The Court will prosecute individuals accused of crimes including genocide, crimes against humanity and war crimes committed both in international and non-international conflicts.

"In the past, perpetrators of these crimes have acted in the knowledge that they are unlikely to be held accountable for their actions

and victims have been denied their right to see justice done. The Court is an important opportunity for the world to halt this trend." Amnesty International said.

Andorra should now enact implementing legislation consistent with Amnesty International's *Checklist for effective implementation* (AI Index: IOR 40/11/00), to ensure that it can cooperate effectively with the Court. In particular, Andorra should enact or amend its national laws to ensure that its national courts can prosecute people accused of committing these crimes regardless of where the crime was committed, the nationality of the accused or the victim.

"By ensuring that its territory is not a safe haven for perpetrators of these crimes, Andorra would set an important example for the world to follow." added the organization.

Background

The Rome Statute was adopted on 17 July 1998 at the conclusion of a diplomatic conference in Rome. One hundred and twenty of the 148 countries present voted in favour of the Statute. Only seven countries voted against it and 21 abstained. Many of those states which abstained or voted against adoption have since signed the Statute. Sixty states must ratify the Rome Statute before it enters into force.

Once it has been established, the Court will not be a substitute for national courts. Indeed, as the Preamble of the Rome Statute makes clear, states have the primary responsibility to prosecute people accused of these grave crimes in their national courts. The Court will act only when the state with custody of an accused is unable or unwilling to investigate and prosecute the case. The very existence of the Court will

act as a catalyst to inspire national legal systems to fulfil their duties and will act as a deterrent to such crimes.

Unless a situation is referred to the Court by the United Nations Security Council, the Court will only have jurisdiction to prosecute people who are nationals of a country that has ratified the Rome Statute or people who have committed crimes in a country that has ratified it. Therefore, if the Court is to be effective it is essential that as many countries as possible ratify the Rome Statute.

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