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International Criminal Court : US nationals must not be given impunity for the genocide, crimes against humanity and war crimes

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"No one should have impunity for the worst crimes known to humanity" Amnesty International said today, submitting a petition to all governments urging them not to enter into impunity agreements with the USA.

The petition, signed by 84,598 people from all over the world was opened in September in response to a worldwide campaign launched by the USA against the new International Criminal Court.

To mark the submission of the petition Amnesty International members all over the world are organizing public events against impunity agreements and meeting with government representatives in their capitals.

The USA is requesting governments all over the world to enter into impunity agreements not to surrender US nationals to the International Criminal Court. In many cases, the USA has threatened to withdraw military and other assistance from states if they refuse to enter into impunity agreements.

"These agreements provide impunity because states would violate their obligations under international law to bring those accused of these most serious crimes to justice. The USA does not have legislation making all the crimes in the Rome Statute crimes under US law. Furthermore, the agreements do not include any commitment by the USA to investigate and prosecute these crimes or to extradite suspects to other states able and willing to do so or to the International Criminal Court."

"US fears that the International Criminal Court will be used to bring politically motivated prosecutions against US nationals are unfounded" Amnesty International said, "The International Criminal Court's statute contains substantive safeguards and fair trials guarantees to ensure that such a situation would not arise."

Background

The Rome Statute of the International Criminal Court, ratified by 87 countries as of 29 January 2003, entered into force on 1 July 2002. The Court is in the process of being established at its expected that it will become operational in 2003. The election of the 18 judges of the Court will take place on 3-7 February 2003 at the UN Headquarter in New York.

As of 29 January 2003, 18 states: Afghanistan, Djibouti, Dominican Republic, East Timor, El Salvador, Gambia, Honduras, India, Israel, Marshall Islands, Mauritania, Micronesia, Nepal, Palau, Romania, Sri Lanka, Tajikistan and Uzbekistan have signed impunity agreements. None have ratified an impunity agreement. Amnesty International is campaigning as part of the Coalition for the International Criminal Court, with more than 1,000 member organizations around the world, for parliaments in these states to refuse to ratify them.

Amnesty International has published two papers explaining why the US impunity agreements are contrary to international law:

International Criminal Court: US efforts to obtain impunity for genocide, crimes against humanity and war crimes (AI Index: IOR 40/023/2002)

International Criminal Court: The need for the European Union to take more significant steps to prevent members from signing US impunity agreements (AI Index: IOR 40/030/2002)

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