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UN Security Council: Open meeting needs to take place before decision on US impunity resolution

(New York) The UN Security Council must hold an open meeting before any decision is taken to renew, for one year, the USA's proposal that gives US nationals impunity from international justice, Amnesty International declared today.

"Last year's resolution is unlawful -- this is the first time ever that Amnesty International has reached such a view about any resolution adopted by a United Nations body," the organization stated.

"It is deeply troubling that the USA is seeking to have the Security Council rush through approval of its proposal on **9 June** without a prior public debate on its legality."

The organization is concerned that the USA is reportedly trying to avoid a public debate before the Council decides whether to adopt its proposal to renew the resolution for another year.

"Some members of the Security Council are willing to have a public debate, and deserve the full support of all UN member states in their efforts," Amnesty International said.

In a legal memorandum just published, Amnesty International explains that the resolution was contrary to the Rome Statute of the International Criminal Court, the UN Charter and other international law.

"The ultimate decision on the legal effect of any renewal of Resolution 1422 will be made by the International Criminal Court," Amnesty International said.

The organization stated that it is confident that the Court will determine that the original resolution and any renewal are unlawful if a state were ever to cite it as a ground for refusing to surrender a person to the Court.

Security Council Resolution 1422 (2002), adopted last July, sought to prevent any state from surrendering to the International Criminal Court nationals of states not a party to the Rome Statute of the Court accused by the Court of genocide, crimes against humanity or war crimes committed in connection with a UN established or authorized operation.

Last year's resolution was only adopted after the USA threatened to veto the extension of all UN peace-keeping mandates unless the resolution was adopted. Although resolution 1422 expires at the end of this month, the Security Council indicated in that resolution that it intended to renew it for one-year periods indefinitely.

For more information, please see: The International Criminal Court: The unlawful attempt by the Security Council to give US citizens permanent impunity from international justice, AI Index: IOR 40/006/2003, May 2003 (<http://www.amnesty.org/icc>)

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