

# AMNESTY INTERNATIONAL

## Open Letter

AI Index: IOR 40/014/2002 (Public)  
News Service No: 113  
3 July 2002

## Security Council: Open letter on immunity debate

UN Ref. UN/Nyt/77/02

### Open Letter to all members of the Security Council

2 July 2002

Dear Ambassador,

Amnesty International is deeply concerned by proposals made by the United Kingdom and the United States of America to introduce language into Security Council resolutions that would exempt United Nations peace-keepers from the jurisdiction of the International Criminal Court and any national court other than a court of the contributing state, and possibly from the jurisdiction of the International Criminal Tribunal for the former Yugoslavia.

The first paragraph of the proposed text embodying these proposals provides that the Security Council will automatically request the International Criminal Court to defer any investigation or prosecution involving current and former officials and personnel from a contributing state that is not a state party to the Rome Statute of the International Criminal Court for acts arising out of UN established or authorized operations. The Security Council would also decide in advance that for such acts, occurring during a 12 months deferral period, the contributing states shall have and retain jurisdiction to investigate and prosecute.

The second paragraph would provide that the deferral and the decision would automatically be renewed for successive one year periods, unless the Security Council decides otherwise.

These proposals take away the jurisdiction of the International Criminal Court to decide these questions and as such violate the integrity of the Rome Statute and undermine the rule of law by in effect granting immunity to nationals of non-states parties to the Rome Statute responsible for the worst possible crimes.

Amnesty International calls upon all members of the Security Council to reject this proposal or any proposal that would undermine the integrity of international justice.

Yours sincerely,

Yvonne Terlingen  
Amnesty International Representative at the United Nations

Public Document

\*\*\*\*\*

For more information please call Amnesty International's press office in London, UK, on +44 20 7413 5566

Amnesty International, 1 Easton St., London WC1X 0DW. web: <http://www.amnesty.org>

For latest human rights news view <http://news.amnesty.org>