

PUBLIC STATEMENT

International Criminal Court: Governments should mark Rome Statute anniversary by prompt signature and ratification

On the eve of the first anniversary of the historic adoption of the Rome Statute for an International Criminal Court, Amnesty International today is calling on those governments which have not yet signed and ratified the statute to do so as rapidly as possible.

Few believed that what was achieved in Rome was possible," said Pierre Sané, Secretary-General of Amnesty International. "It was a huge step in the move towards ending impunity for the most serious international crimes, but much remains to be done to make the Court a reality. Meanwhile, war crimes and crimes against humanity are continuing to occur in nearly every region of the world.

Amnesty International also urges governments to adopt whatever legislation is necessary to ensure that the International Criminal Court is an effective complement to national jurisdictions.

Although there are encouraging signs that the necessary momentum is gathering, some governments are already attempting to weaken the Court by exploiting weaknesses in the statute.

It is vital that political self-interest does not hamper the establishment of the Court which represents the greatest hope for justice and an end to impunity in the next century, said Mr Sané.

The United States has started pressing other states to enter into bilateral agreements under Article 98 (2) prohibiting the surrender of United States nationals who have been charged with genocide, other crimes against humanity or war crimes to the Court. Such agreements would defeat the purpose of the Court to ensure effective international justice when states are unable or unwilling to bring to justice persons responsible for such crimes. Amnesty International calls upon every state to make a public pledge not to enter into such agreements and urges any state which has made such an agreement to cancel it immediately.

In addition, at least one state is planning to make a declaration under Article 124 exempting it from the Courts jurisdiction over war crimes for a seven-year period.

Such a declaration would undermine the very purpose of the Court by giving states impunity from international justice over war crimes for seven years from the moment the Statute enters into force for that state, declared Amnesty International's Secretary General. "No state should make such a declaration and, once the Statute enters into force, the United Nations should not accept troops for its peace-keeping operations from states which refuse to recognize the Courts jurisdiction over war crimes."

Background

Exactly one year ago, on 17 July 1998, 120 governments voted to establish a permanent International Criminal Court. The Court will have jurisdiction over the worst crimes in the world: genocide, other crimes against humanity and war crimes, in both international and non-international conflicts.

To date, eighty-three countries have signed the statute, and three countries have ratified it (Senegal, Trinidad and Tobago and San Marino). However, fifty-seven more governments and parliaments must ratify the statute before the Court begins to operate. In many countries this will require enabling legislation. If sixty countries were to ratify by 30 September 2000, the Statute will enter into force before the end of the twentieth century -- a century plagued by the worst crimes in recorded history.

Italy has virtually completed its domestic ratification process and should formally ratify in the next few weeks. In France the Constitution has now been amended to allow for ratification to proceed. The Ghanaian Parliament is now formally considering ratification, and the Prime Minister of Bangladesh recently stated that her country will very soon sign and ratify", aiming to become the first Asian state to do so.