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Amnesty International's statement on the adoption of Security Council resolution on protection of humanitarian and peacekeeping personnel

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Amnesty International welcomes that the Security Council has passed a resolution that seeks to give humanitarian and peacekeeping personnel additional legal and other protection. But the organization also deplores the pressure once more exerted by the United States that caused the Council to delete any reference to the Rome Statute of the International Criminal Court. The Statute defines intentional attacks against such personnel as a war crime in international or non-international armed conflict. Humanitarian and peacekeeping personnel were thus deprived of the important support the Security Council would have provided through an express reference to potential prosecutions by the International Criminal Court.

It is most regrettable that the United States chose to insist on deleting all language referring to the Rome Statute in the wake of the vicious and tragic attack on the United Nations in Baghdad, which has been universally condemned. The UN Secretary-General has insisted that impunity for those who commit such unpardonable crimes cannot stand and that action must be taken. The six co-sponsors of Mexico's draft resolution, Germany, Bulgaria, the Russian Federation, France and Syria, had rightly insisted that the text should refer to the Rome Statute in the context of ending impunity. Amnesty International regrets that they gave in to US pressure.

Nevertheless, in emphasizing that attacks knowingly and intentionally directed against humanitarian and peacekeeping personnel constitute war crimes, the Security Council, including the United States, has implicitly accepted that the Rome Statute reflects customary international law.

The resolution also requires improved inclusion in relevant agreements of provisions of the Convention on the Safety of UN and Associated Personnel. It also requests the UN Secretary-General to report on the safety and security of humanitarian and UN personnel and on remedial action taken to hold those responsible for acts of violence against such personnel accountable.

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