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AMNESTY INTERNATIONAL

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Yemen: parliamentarians urged to support ratification of the Rome Statute of the International Criminal Court

Amnesty International today wrote to members of Yemen's parliament, urging them to support the prompt ratification of the Rome Statute of the International Criminal Court (Rome Statute).

The Council of Representatives of Yemen will consider the issue at its forthcoming session. Amnesty International hopes that a positive endorsement of the International Criminal Court (ICC) by the Council could open the way for Yemen to shortly become the first Gulf state to join the new system of international justice.

The ICC was established in 2002 and has since begun its important work to investigate and prosecute genocide, crimes against humanity and war crimes when national courts are unable or unwilling to bring those responsible for committing such crimes to justice. Investigations are currently taking place in the Democratic Republic of Congo (DRC), Uganda and Sudan. The ICC's first arrest warrants have been issued against five leaders of the Lord's Resistance Army for crimes committed in northern Uganda since 2002.

The ICC is as an essential and long overdue mechanism to end impunity for these crimes and to establish an effective deterrent against them being committed in the future. It is important that all states ratify the Rome Statute to ensure that the ICC has jurisdiction over these horrific crimes, wherever they are committed in the world.

In its letter to parliamentarians, Amnesty International notes the important contribution made by the majority of states from the Middle East and North Africa towards the establishment of the ICC. Middle East and North African states played an active role in drafting the Rome Statute and supported its adoption. When the Statute was opened for signature, many states indicated their intention to ratify by signing it, including Algeria, Bahrain, Egypt, the Islamic Republic of Iran, Jordan, Kuwait, Oman, the Syrian Arab Republic, the United Arab Emirates and Yemen. Jordan became the first country from the region to ratify on 11 April 2002. Globally, 100 states have now ratified the Rome Statute.

Ratification of the Statute would give Yemen an important role as a state party since it would then be able to participate in the ICC's oversight and governing body (the Assembly of States Parties) and to nominate candidates for judges of the ICC.

Amnesty International's letter also addresses the current campaign by the USA to undermine the ICC. Noting that the USA is the only country to actively oppose the ICC –citing fears that the ICC could bring politically motivated prosecutions against US nationals – Amnesty International argues that such concerns are unfounded because the Rome Statute contains comprehensive safeguards and fair trial guarantees to prevent such a situation arising.

The organization notes that there have been a number of unconfirmed reports that the government of Yemen has signed an unlawful impunity agreement with the USA, committing not to surrender US nationals accused of genocide, crimes against humanity and war crimes to the ICC. Amnesty International is calling on Yemeni parliamentarians, if they have not already done so, to seek clarification from the government as to whether such an agreement has been signed. If such an agreement has been signed, Amnesty International is calling on Yemeni parliamentarians to demand that it be revoked.

Background

The Rome Statute of the International Criminal Court, adopted on 17 July 1998, provides that the ICC will have initial jurisdiction over genocide, crimes against humanity and war crimes. The Statute entered into force on 1 July 2002.

States that have ratified the Rome Statute accept the primary responsibility to investigate and prosecute people accused of genocide, crimes against humanity and war crimes in their national courts. The ICC will only step in when national courts are unable or unwilling to do so.

For more than two years, the USA has been conducting a campaign to undermine the International Criminal Court, including

by asking states to sign unlawful bilateral impunity agreements which commit them not to surrender US personnel accused of genocide crimes against humanity and war crimes to the ICC.

For more information about the International Criminal Court, please see Amnesty International's web pages:
www.amnesty.org/icc

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