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## Council of Europe Steps Up ICC Support *Resolution a "Decisive Benchmark"*

(Brussels, June 25, 2003) -- The Parliamentary Assembly of the Council of Europe's (PACE) passage of a resolution supporting the International Criminal Court (ICC) marks a decisive benchmark of support for the ICC, Human Rights Watch said today.

"In the face of mounting threats from the Bush administration, the Council of Europe's resolution is a welcome development," said Geraldine Mattioli of Human Rights Watch. "With this resolution, parliamentarians from across Europe have placed themselves firmly on the side of accountability for the worst atrocities."

The resolution was adopted by the Assembly after being unanimously endorsed as an urgent matter by the PACE's Legal Affairs and Human Rights Committee on Tuesday, June 24. The resolution criticizes recent Bush administration efforts to undermine the court, supporting those Council of Europe member and observer states that have refused to enter into bilateral immunity agreements with the United States.

Recently, U.S. diplomats have stepped up their pressure on Council of Europe members, including Serbia, Croatia, Slovenia, Bosnia and Herzegovina, Poland and Estonia, among others, to return to the United States any U.S. citizen the ICC may be seeking, in exchange for continued military assistance. This would amend the treaty text.

The ICC has authority to prosecute mass slaughter, widespread rape and forced displacement where the national authorities are unable or unwilling to do so. The United States claims the ICC could be used for unwarranted prosecutions. However, the Rome Statute includes numerous safeguards, specifically established to avoid politically motivated trials. Many of the safeguards were proposed by the United States, and subsequently incorporated into the Rome Statute.

"Coming one week after the European Union's adoption of a strong, renewed Common Position, European leaders-- representing citizens from Marseilles to Murmansk-- have



said they are standing for principle behind the ICC and that the Bush administration's virulent opposition to the court is wrong."

The PACE resolution applauds those European Union candidate countries that have resisted pressure for their "solidarity with the vast majority of European countries in supporting the ICC."

The resolution also urges the parliaments of those few Council of Europe member states and observers that have signed these bilateral agreements-- Israel and Romania-- not to ratify them. Council of Europe member states Bosnia-Herzegovina, Albania, Azerbaijan and Georgia have ratified agreements, but the resolution urges them to apply the agreements in a way that is most consistent with their obligations under international law.

On June 16, Luis Moreno Ocampo, an Argentine who had prosecuted the leaders of that country's junta, took office as the court's first Prosecutor. Moreno Ocampo was recently a Robert F. Kennedy Visiting Professor of Latin American Studies at Harvard University. He was elected unanimously by the court's Assembly of States Parties in April. The court's eighteen judges were elected in February and inaugurated in March. Ninety states have ratified the ICC Treaty and nearly 50 more have signed it. The court is located in The Hague.

For more information on the International Criminal Court, please see:

<http://www.hrw.org/campaigns/icc/>