

AMNESTY INTERNATIONAL

Public Statement

AI Index: MDE 31/004/2007 (Public)
News Service No: 060
27 March 2007

Yemen: Amnesty International urges Yemen to complete the ratification of the Rome Statute

Amnesty International welcomes the vote in the Yemeni Council of Representatives (Majlis al-Nuwab) in favour of ratification of the Rome Statute of the International Criminal Court (Rome Statute). The organization urges the Yemeni government to take without delay all necessary steps to complete the country's ratification process by depositing its instrument of ratification with the Secretary-General of the United Nations.

The Yemeni Council of Representatives voted for ratification of the Rome Statute on 24 March 2007. As of 27 March 2007, 104 States have ratified the Rome Statute – over half of the international community. After depositing its instrument of accession with the Secretary-General of the United Nations, Yemen would be the 105th state party, the fourth member state of the Arab League and the first state in the Arabian Peninsula. Amnesty International hopes that ratification by Yemen will send a strong signal to all other states in the region and encourage them to take this fundamental step in the fight against impunity.

It is now essential that Yemen enacts effective implementing legislation and brings its national laws in line with its international obligations by ensuring that crimes of genocide, crimes against humanity and war crimes can be investigated and prosecuted by its national courts and enabling it to cooperate fully with the International Criminal Court (Court). This process of implementation of the Rome Statute should be transparent and be open to full consultation with civil society. Yemen should also promptly accede to the Agreement on Privileges and Immunities of the International Criminal Court (APIC), which is essential to ensuring full cooperation with the Court.

Amnesty International urges Yemen to denounce the agreement signed with the United States of America (USA) committing Yemen not to surrender US nationals to the Court. Such an agreement, which amounts to granting impunity, is unlawful and violates Yemen's obligations under international law as a signatory to the Rome Statute, even before ratification.

Background

The Rome Statute, adopted on 17 July 1998, entered into force on 1 July 2002. The Court is currently conducting three full investigations into crimes committed in the Democratic Republic of Congo, Sudan and Uganda.

Against the backdrop of recent discussions in the Council of Representatives (Majlis al-Nuwab), the lower chamber of the Yemeni Parliament, Amnesty International had appealed to President 'Ali 'Abdullah Saleh to support Yemen's ratification of the Rome Statute.

Of the 22 member states of the Arab League, Jordan became the first to ratify on 11 April 2002. Djibouti ratified on 5 November 2002 and Comoros ratified on 18 August 2006.

The USA has been conducting a campaign to undermine the Court 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 Court. The impunity agreement with Yemen, an exchange of notes of 10 and 18 December 2003 between the US Secretary of State Colin Powell and the Yemeni Minister of Foreign Affairs Abu Bakr al-Qirbi

“regarding the surrender of persons to International Tribunals”, has been made public under the US Freedom of Information Act (FOIA). It is available on the Internet at the following web address: <http://foia.state.gov/documents/IntAgreements/000BA1E.pdf>