

AMNESTY INTERNATIONAL

Public Statement

AI Index: AMR 41/080/2005 (Public)
News Service No: 291
28 October 2005

Mexico: 100th ratification of International Criminal Court marks an historic development in international justice

Amnesty International today welcomed Mexico's ratification of the Rome Statute of the International Criminal Court as a landmark in the fight to end impunity for the gravest possible crimes under international law.

On 28 October 2005, Mexico became the 100th state party to the Rome Statute marking an important milestone towards universal support of the International Criminal Court. Over half of the international community have now ratified.

Mexico's ratification affirms the overwhelming support for the International Criminal Court. Amnesty International calls on all other states that have not yet ratified the Rome Statute to do so as soon as possible.

Every ratification discredits the groundless accusations by opponents of the Court, in particular the United States, that the Court has inadequate safeguards against politically motivated prosecutions. 100 states are satisfied that this is not the case."

Amnesty International also welcomed recent reports that Mexico has refused to sign an unlawful impunity agreement with the USA. By doing so, it joins more than 50 other states that have also refused, committing instead to upholding the fundamental principle that no-one should have impunity for the worst crimes known to humanity.

It is now essential that Mexico amends its national laws to ensure that crimes of genocide, crimes against humanity and war crimes can be investigated and prosecuted by its national courts and to enable it to cooperate fully with the Court. This process of implementation of the Rome Statute should be transparent and be open to full consultation with civil society.

To ensure there are no obstacles to cooperation, Mexico must also ratify and implement the Court's Agreement on Privileges and Immunities.

Background

The Rome Statute of the International Criminal Court, adopted on 17 July 1998, provides that the Court 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 Court will only step in when national courts are unable or unwilling to do so.

The Court is currently conducting three full investigations into crimes committed in the Democratic Republic of Congo, Sudan and Uganda. On 13 October 2005, the Court unsealed its first arrest warrants for five members of the Lord's Resistance Army in Uganda, who are charged with committing crimes against humanity and war crimes. See: Amnesty International's Press Release, *Uganda: First ever arrest warrants – a first step towards addressing impunity* (AI Index: AFR 59/008/2005).

For more than two years, the USA has been conducting a campaign to undermine the International Criminal Court by asking states to sign illegal bilateral impunity agreements which commit them not to surrender US personnel accused of genocide crimes against humanity and war crimes to the Court.