

DOKUMENTATION

Mitgliedstaaten des Römischen Statuts vom 17. Juli 1998

(Stand: 31. Mai 2003*, Quelle: www.un.org/icc, www.iccnw.org)

<i>Teilnehmerstaat</i>	<i>Unterzeichnung</i>	<i>Ratifikation Annahme (A) Beitritt (B)</i>	<i>Vertrags- partei Nr.</i>
Afghanistan		10.02.2003 (B)	89
Ägypten	26.12.2000		
Albanien	18.07.1998	31.01.2003	88
Algerien	28.12.2000		
Andorra	18.07.1998	30.04.2001	30
Angola	07.10.1998		
Antigua und Barbuda	23.10.1998	18.06.2001	42
Argentinien	08.01.1999	08.02.2001	38
Armenien	01.10.1999		
Australien	09.12.1998	01.07.2002	75
Bahamas	29.12.2000		
Bahrain	11.12.2000		
Bangladesch	16.09.1999		
Barbados	08.09.2000	10.12.2002	87
Belgien	10.09.1998	28.06.2000	13
Belize	05.04.2000	05.04.2000	8
Benin	24.09.1999	22.01.2002	49
Bolivien	17.07.1998	27.06.2002	71
Bosnien-Herzegovina	17.07.2000	11.04.2002	60 ¹
Botswana	08.09.2000	08.09.2000	18

* Der aktuelle Stand der Mitgliedschaft des Römischen Statuts einschließlich abgegebener Erklärungen und Vorbehalte ist im Internet auf der Website der Vereinten Nationen (www.un.org/icc) dokumentiert.

¹ 10 Staaten hinterlegten in einer besonderen Zeremonie bei den Vereinten Nationen am 11. April 2002 ihre Ratifikationsurkunden gleichzeitig, womit die Schwelle der 60 für das Inkrafttreten des Römischen Statuts notwendigen Ratifikationen überschritten wurde. Aufgrund ihres gemeinsamen Vorgehens wurde jeder von ihnen als 60. Vertragspartei anerkannt.

			DOKUMENT
Brasilien	07.02.2000	20.06.2002	69
Bulgarien	11.02.1999	11.04.2002	60 ¹
Burkina Faso	30.11.1998		
Burundi	13.01.1999		
Chile	11.09.1998		
Costa Rica	07.10.1998	07.06.2001	33
Demokratische Republik Kongo	08.09.2000	11.04.2002	60 ¹
Dänemark ²	25.09.1998	21.06.2001	35
Deutschland	10.12.1998	11.12.2000	25
Dominica		12.02.2001 (B)	29
Dominikanische Republik	08.09.2000		
Dschibuti	07.10.1998	05.11.2002	82
Ekuador	07.10.1998	05.02.2002	52
Elfenbeinküste	30.11.1998		
Eritrea	07.10.1998		
Estland	27.12.1999	30.01.2002	50
Fidschi	29.11.1999	29.11.1999	5
Finnland	07.10.1998	29.12.2000	27
Frankreich	18.07.1998	09.06.2000	12
Gabun	22.12.1998	20.09.2000	21
Gambia	04.12.1998	28.06.2002	73
Georgien	18.07.1998		
Ghana	18.07.1998	20.12.1999	6
Griechenland	18.07.1998	15.05.2002	67
Guinea	07.09.2000		
Guinea-Bissau	12.09.2000		
Guyana	28.12.2000		
Haiti	26.02.1999		
Honduras	07.10.1998	01.07.2002	76
Island	26.08.1998	25.05.2000	10
Iran	31.12.2000		
Irland	07.10.1998	11.04.2002	60 ¹
Israel ³	31.12.2000		

² vorläufig mit Ausnahme der Färøer-Inseln und Grönlands.

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Italien	18.07.1998	26.07.1999	4
Jamaika	08.09.2000		
Jemen	28.12.2000		
Jordanien	07.10.1998	11.04.2002	60 ¹
Kambodscha	23.10.2000	11.04.2002	60 ¹
Kamerun	17.07.1998		
Kanada	18.12.1998	07.07.2000	14
Kap Verde	28.12.2000		
Kenia	11.08.1999		
Kirgisien	08.12.1998		
Kolumbien	10.12.1998	05.08.2002	77
Komoren	22.09.2000		
Kongo	17.07.1998		
Kroatien	12.10.1998	21.05.2001	32
Kuwait	08.09.2000		
Lettland	22.04.1999	28.06.2002	74
Lesotho	30.11.1998	06.09.2000	16
Liberia	17.07.1998		
Liechtenstein	18.07.1998	02.10.2001	40
Litauen	10.12.1998	12.05.2003	90
Luxemburg	13.10.1998	08.09.2000	19
Madagaskar	18.07.1998		
Makedonien	07.10.1998	06.03.2002	54
Malawi	02.03.1999	19.09.2002	81
Mali	17.07.1998	16.08.2000	15
Malta	17.07.1998	29.11.2002	85
Marokko	08.09.2000		
Marshallinseln	06.09.2000	07.12.2000	24
Mauritius	11.11.1998	05.03.2002	53

³ Die israelische Regierung zog ihre Unterschrift in einem Schreiben, das dem UN-Generalsekretär am 28. August 2002 zugeht, zurück. Das Schreiben hat folgenden Wortlaut: "... in connection with the Rome Statute of the International Criminal Court adopted on 17 July 1998, [...] Israel does not intend to become a party to the treaty. Accordingly, Israel has no legal obligations arising from its signature on 31 December 2000. Israel requests that its intention not to become a party, as expressed in this letter, be reflected in the depositary's status lists relating to this treaty."

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Mexiko	07.09.2000		
Monaco	18.07.1998		
Mongolei	29.12.2000	11.04.2002	60 ¹
Mosambik	28.12.2000		
Namibia	27.10.1998	25.06.2002	70
Nauru	13.12.2000	12.11.2001	45
Niederlande ⁴	18.07.1998	17.07.2001 (A)	37
Neuseeland ⁵	07.10.1998	07.09.2000	17
Niger	17.07.1998	11.04.2002	60 ¹
Nigeria	01.06.2000	27.09.2001	39
Norwegen	28.08.1998	16.02.2000	7
Oman	20.12.2000		
Österreich	07.10.1998	28.12.2000	26
Ost-Timor		06.09.2002 (B)	79
Panama	18.07.1998	21.03.2002	56
Paraguay	07.10.1998	14.05.2001	31
Peru	07.12.2000	10.11.2001	44
Philippinen	28.12.2000		
Polen	09.04.1999	12.11.2001	46
Portugal	07.10.1998	05.02.2002	51
Republik Korea	08.03.2000	13.11.2002	83
Republik Moldau	08.09.2000		
Rumänien	07.07.1999	11.04.2002	60 ¹
Russische Föderation	13.09.2000		
Salomonen	03.12.1998		
St. Lucia	27.08.1999		
St. Vincent und die Grenadinen		03.12.2002 (B)	86
Sambia	17.07.1998	13.11.2002	84
Samoa	17.07.1998	16.09.2002	80
San Marino	18.07.1998	13.05.1999	3
São Tomé und Príncipe	28.12.2000		
Schweden	07.10.1998	28.01.2001	36
Schweiz	18.07.1998	12.10.2001	43

⁴ einschl. der Niederländischen Antillen und Arubas

⁵ vorläufig mit Ausnahme Tokelaus

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Senegal	18.07.1998	02.02.1999	1
Serbien-Montenegro	19.12.2000	06.09.2001	38
Seychellen	28.12.2000		
Sierra Leone	17.10.1998	15.09.2000	20
Simbabwe	17.07.1998		
Slowakei	23.12.1998	11.04.2002	60 ¹
Slowenien	07.10.1998	31.12.2001	48
Spanien	18.07.1998	24.10.2000	22
Sudan	08.09.2000		
Südafrika	17.07.1998	27.11.2000	23
Syrien	29.11.2000		
Tadschikistan	30.11.1998	05.05.2000	9
Tansania	29.12.2000	20.08.2002	78
Thailand	02.10.2000		
Trinidad und Tobago	23.03.1999	06.04.1999	2
Tschad	20.10.1999		
Tschechische Republik	13.04.1999		
Uganda	17.03.1999	14.06.2002	68
Ukraine	20.01.2000		
Ungarn	15.01.1999	30.11.2001	47
Uruguay	19.12.2000	28.06.2002	72
Usbekistan	29.12.2000		
Venezuela	14.10.1998	07.06.2000	11
Vereinigte Arabische Emirate	27.11.2000		
Vereinigte Staaten von Amerika ⁶	31.12.2000		
Vereintes Königreich von Großbritannien und Nordirland	30.11.1998	04.10.2001	42
Zentralafrikanische Republik	07.12.1999	03.10.2001	41
Zypern	15.10.1998	07.03.2002	55

⁶ Die US-Regierung zog ihre Unterschrift in einem Schreiben, das dem UN-Generalsekretär am 6. Mai 2002 zuring, zurück. Das Schreiben hat folgenden Wortlaut: "This is to inform you, in connection with the Rome Statute of the International Criminal Court adopted on July 17, 1998, that the United States does not intend to become a party to the treaty. Accordingly, the United States has no legal obligations arising from its signature on December 31, 2000. The United States requests that its intention not to become a party, as expressed in this letter, be reflected in the depositary's status lists relating to this treaty."

S/RES/1422 (2002)

12 July 2002

Resolution 1422 (2002)

Adopted by the Security Council at its 4572nd meeting,
on 12 July 2002*

The Security Council,

Taking note of the entry into force on 1 July 2002, of the Statute of the International Criminal Court (ICC), done at Rome 17 July 1998 (the Rome Statute),

Emphasizing the importance to international peace and security of United Nations operations,

Noting that not all States are parties to the Rome Statute,

Noting that States Parties to the Rome Statute have chosen to accept its jurisdiction in accordance with the Statute and in particular the principle of complementarity,

Noting that States not Party to the Rome Statute will continue to fulfil their responsibilities in their national jurisdictions in relation to international crimes,

Determining that operations established or authorized by the United Nations Security Council are deployed to maintain or restore international peace and security,

Determining further that it is in the interests of international peace and security to facilitate Member States' ability to contribute to operations established or authorized by the United Nations Security Council,

Acting under Chapter VII of the Charter of the United Nations,

1. *Requests*, consistent with the provisions of Article 16 of the Rome Statute, that the ICC, if a case arises involving current or former officials or personnel from a contributing State not a Party to the Rome Statute over acts or omissions relating to a United Nations established or authorized operation, shall for a twelve-month period starting 1 July 2002 not commence or proceed with investigation or prosecution of any such case, unless the Security Council decides otherwise;
2. *Expresses* the intention to renew the request in paragraph 1 under the same conditions each 1 July for further 12-month periods for as long as may be necessary;
3. *Decides* that Member States shall take no action inconsistent with paragraph 1 and with their international obligations;
4. *Decides* to remain seized of the matter.

* Der Text der Resolution ist im Internet unter www.un.org verfügbar.

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STATE DEPARTMENT LISTS COUNTRIES THAT HAVE SIGNED ARTICLE 98 AGREEMENTS*

Date: June 12, 2003

Following is the official answer to a question taken at the June 12 regular State Department briefing:

Question taken at June 12, 2003 Daily Press Briefing

COUNTRIES THAT HAVE SIGNED ARTICLE 98 AGREEMENTS WITH THE UNITED STATES

Question: Is there a secret list of countries who have signed Article 98 agreements with the United States and what countries have signed the agreement?

Answer: A total of 38 countries have publicly announced that they have concluded Article 98 or Non-Surrender Agreements with the United States.

The countries are: Uganda, Romania, Israel, East Timor, the Marshall Islands, Tajikistan, Palau, Mauritania, the Dominican Republic, Uzbekistan, Honduras, Micronesia, Afghanistan, the Gambia, El Salvador, Sri Lanka, India, Nepal, Djibouti, Tuvalu, Bahrain, Georgia, Nauru, Azerbaijan, Rwanda, the Democratic Republic of the Congo, Tonga, Sierra Leone, the Maldives, Gabon, Ghana, Madagascar, Albania, Bhutan, Philippines, Bosnia and Herzegovina, Bolivia, and Thailand.

Several other countries have signed agreements but have asked us not to identify them as signers. We are respecting their wishes.

We will continue our efforts to conclude these agreements with as many countries as possible. We seek to protect American citizens and non-U.S. citizens serving in the U.S. Armed Forces from the potential danger of being tried by a court that lacks sufficient safeguards against politically motivated prosecutions and was established outside the UN system by a treaty to which we are not a party.

The United States remains committed to justice, the practice of the rule of law, and full accountability for war crimes, crimes against humanity, and genocide. As a sovereign nation, the United States accepts the responsibility to investigate and prosecute its own citizens for such offenses should they occur

(Distributed by the Bureau of International Information Programs, U.S. Department of State.)

* Quelle: Website der Gesandtschaft der Vereinigten Staaten bei der Europäischen Union in Brüssel (www.useu.be)

**Agreement Regarding the Surrender of Persons
to the International Criminal Court,
Aug. 23, 2002, U.S.–E. Timor***

Between the Government of the United States of America and the Government of the Democratic Republic of East Timor regarding the surrender of persons to the International Criminal Court The Government of the United States of America and the Government of the Democratic Republic of East Timor, hereinafter “the Parties;”

Reaffirming the importance of bringing to justice those who commit genocide, crimes against humanity and war crimes;

Recalling that the Rome Statute of the International Criminal Court done at Rome on July 17, 1998 by the United Nations Diplomatic Conference of Plenipotentiaries on the Establishment of an International Criminal Court is intended to complement and not supplant national criminal jurisdiction;

Taking note of United Nations Security Council Resolution 1422;

Considering that the United States of America has expressed its intention to investigate and to prosecute where appropriate acts within the jurisdiction of the International Criminal Court alleged to have been committed by its officials, employees, military personnel or other nationals;

Bearing in mind Article 98 of the Rome statute;

Hereby agree as follows:

1. For purposes of this agreement, “persons” are current or former government officials, employees (including contractors), or military personnel or nationals of one Party.
2. Persons of one Party present in the territory of the other shall not, absent the expressed consent of the first Party,
 - (a) be surrendered or transferred by any means to the International Criminal Court for any purpose, or
 - (b) be surrendered or transferred by any means to any other entity or third country, or expelled to a third country, for the purpose of surrender to or transfer to the International Criminal Court.
3. When the United States extradites, surrenders, or otherwise transfers a person of the other Party to a third country, the United States will not agree to the surrender or transfer of that person to the International Criminal Court

* Quelle: www.derechos.org/nizkor/icc/tmicc.html; American Journal of International Law 97 (2003), p. 201 f.

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by the third country, absent the expressed consent of the government of East Timor.

4. When the government of East Timor extradites, surrenders, or otherwise transfers a person of the United States of America to a third country, the government of East Timor will not agree to the surrender or transfer of that person to the International Criminal Court by a third country, absent the expressed consent of the government of the United States.
5. This agreement shall enter into force upon an exchange of notes confirming that each Party has completed the necessary domestic legal requirements to bring the Agreement into force. It will remain in force until one year after the date on which one Party notifies the other of its intent to terminate this Agreement. The provisions of this Agreement shall continue to apply with respect to any act occurring, or any allegation arising, before the effective date of termination.

Done in Dili, East Timor this 23rd day of August, 2002, in duplicate, in the English language.

/s/ Shari Villarosa, Chargé d'Affaires, U.S. Embassy, Dili, East Timor
FOR THE GOVERNMENT OF THE UNITED STATES OF AMERICA

/s/ Jose Ramos-Horta, Minister of Foreign Affairs and Cooperation FOR THE
GOVERNMENT OF THE DEMOCRATIC REPUBLIC OF EAST TIMOR