

General Affairs Council of EU, Conclusions of 17th of June 2002

"Council Conclusions on the International Criminal Court (ICC) and the Draft US American Servicemembers' Protection Act (ASPA)"

The Council recalls its Common Position on the ICC and welcomes the forthcoming entry into force of the ICC Statute on 1 July. While respecting the right of the United States to do so, the Council regrets its decision not to become a party to the Rome Statute establishing the ICC.

The EU expresses its concern about ASPA as currently drafted which would restrict US participation in UN peacekeeping operations, prohibit transfer of information to the ICC or prohibit US military assistance to parties to the ICC. These provisions could seriously undermine the work of the ICC.

The Council is particularly concerned about the current provision authorising the President to use all means necessary and appropriate to bring about the release of any person who is being detained or imprisoned by, on behalf of, or at the request of the ICC, including on the territory of EU Member States.

The Council urges the US Administration to give full weight to these European Union concerns in considering whether to support ASPA."

At the request of the Italian delegation, the Council agreed to consider the question of CFSP financing at a future session.