

State department press briefing with Richard Boucher, July 31, 2003

QUESTION: Richard, on the resolution at the UN and the language on immunity, the British and some other countries, as far as I understand, are trying to adjust the language to exclude from that paragraph, or that sentence, states that are members of the ICC. Are you willing to do that, to make that adjustment in the text, and have you had any discussions so far about it?

MR. BOUCHER: We are consulting with other countries about the text, and, indeed, the language that we have proposed on this point has been a subject of some discussion. I am not able to give you particular details on how it might be worked and how it might work out.

What I would say is this should not be a problem, that we proposed language in our draft that is consistent with those who have obligations under the International Criminal Court and consistent with other UN resolutions. So we don't think that should be a problem.

QUESTION: Can you explain why you're looking for this at all? UN peacekeepers already have immunity from -- at least for another year. Are you just trying to hammer this point home in another form that you don't like it, which - because I think everyone already knows that you don't like it. (Laughter.)

MR. BOUCHER: Well, that's not what the language says. The language applies to the people who might be going in as peacekeepers in this circumstance, in this case, and we think it's useful to have it there.

QUESTION: Why? Do you not accept that they already have immunity?

MR. BOUCHER: We certainly think that this language is consistent with those previous UN resolutions. It doesn't detract from those in any way. And second of all, as you yourself said, that last resolution applies for a year. Whether this may or may not go on longer than that I don't know, but we thought it was appropriate to provide for an appropriate framework for people to consider these issues in the context of this particular resolution.

QUESTION: Does that mean you do not trust the UN necessarily to renew the immunity for another year?

MR. BOUCHER: I don't think the UN is committed to that, although that is generally the -- I mean, that's what happened last year and generally what we would expect. But I think if we want it to apply to this particular resolution and this particular group of peacekeepers, then the simplest way is to put language in this particular resolution for this particular group of peacekeepers that is consistent with UN resolutions and consistent with those who have obligations to the court. It doesn't detract in any way from any of that other -- those other commitments that people have made.