

Text of letter to US Secretary of State Colin Powell on behalf of
the European Union transmitted on October 30, 2001

Mr. Secretary,

Writing on behalf of the European Union, I wish to inform you of the concern felt in the Union at the prospect that the "American Servicemembers' Protection Act" (ASPA) may, with Administration support, become law.

As set out in its Common Position of 11 June 2001, the EU fully supports the International Criminal Court (ICC), in particular the early entry into force of the Rome Statute and the establishment of the Court.

The United States have made clear their position on the ICC and the Rome Statute. We hope that due course they will change their mind. In the meantime, the EU particularly urges the United States not to obstruct those states which support the Court and wish to accede to it. States which support the Court and value their relations with the United States should not have to make a choice between the two.

Therefore, the EU asks you to reconsider the Administration's support to ASPA. At the very least, we would hope that the Administration will clearly indicate its intention to use the proposed wide provisions for the President to waive the Act's requirements. We would be grateful if you could clarify the Administration's intentions on this point.

Yours Sincerely,

Louis Michel