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U.S. SEES GERMANY AS KEY IN IMMUNITY PACTS, REPORT SAYS

The Bush administration views Germany as the key to winning European support for the U.S. effort to win immunity for its troops from war-crimes prosecution, according to a news report.

The report in Monday's editions of Handelsblatt newspaper quoted a high-ranking State Department official as saying Berlin holds the key to U.S. efforts to get troop immunity treaties with a number of countries.

"The stance of the Germans is especially important on this issue," the unidentified official was quoted as saying.

"Germany wields great weight in Europe," he added. "What the German government does sets a signal for others."

At issue are concerns by the Bush administration that U.S. troops on peacekeeping missions could be put on trial for alleged war crimes.

That issue was at the core of the dispute in recent weeks in the U.N. Security Council over U.S. participation in peacekeeping efforts in the Balkans.

But German backing for the U.S. stance will be hard to win in the wake of Foreign Minister Joschka Fischer's outspoken criticism of the Bush administration's insistence on exemption for U.S. troops from the jurisdiction of the new International Criminal Court.
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Handelsblatt (English version)
Global News Wire - Europe Intelligence Wire
July 22, 2002

**U.S. SEEKS ACCORD WITH GERMANY TO GIVE U.S.
SOLDIERS ICC IMMUNITY**

The United States considers Germany a key ally in winning support in Europe for the bilateral agreements it is seeking to give immunity to U.S. soldiers participating in U.N. peacekeeping missions from prosecution before the new International Criminal Court (ICC).

"The stance Germany will take on this issue will be of particular importance for us," a high ranking official at the U.S. State Department said. "Germany carries great weight in Europe and its opinion will sent a signal," the official added.

According to the U.N. Embassy in New York, the U.S. is already involved in negotiations with several governments. But no official agreement has as yet been signed.

People close to the German government said Sunday that Washington had approached Germany and a number of other European partners on this issue. At present, Berlin government officials were involved in consultations with various ministries as well as with the governments of other EU member states, these people said.

But the United States' request is likely to stir controversy in Germany. High-ranking government ministers, including Foreign Minister Joschka Fischer (Greens), Development Minister Heidemarie Wieczorek-Zeul (SPD) and Justice Minister Herta Daubler-Gmelin (SPD), have been highly critical of the United States government's decision not to recognize the ICC.

The Washington administration strongly opposes the ICC, the world's first permanent tribunal created to prosecute war crimes, genocide, and crimes against humanity. Given Washington's military dominance, U.S. officials argue, U.S. peacekeepers could become the target of politically-inspired prosecutions by the ICC, a notion criticized as extremely unlikely by the ICC's supporters, including Washington's closest allies, such as Britain and Canada.

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July 23, 2002

GERMANY GIVES COOL RESPONSE TO U.S. REQUEST FOR SOLDIERS' IMMUNITY

HB BERLIN. The U.S. attempt to gain immunity for its soldiers from the newly created International Criminal Court looks set to be rebuffed by one of its key potential allies in the matter.

A German Foreign Office spokeswoman said that individual bilateral agreements between the U.S. and foreign governments on the issue could not happen until a Europe-wide vote on the subject had taken place. She stressed that no real negotiations were as yet underway, pointing out that some EU member states had not yet received a request from the U.S. about forging agreements.

U.S. officials had hoped that a quick agreement with Germany would send the right signal to other EU member states. But people close to the Berlin government said the

talks were "likely to take months" and could thus end up coinciding with negotiations aimed at persuading Washington to recognize the ICC.

The U.S. considers Germany a key ally in winning support in Europe for the agreements it is seeking to guard its soldiers on U.N. peacekeeping missions from prosecution before the ICC. The U.S. is basing its drive for support on Article 98 of the court's statute, which limits the court's ability to ask a country to surrender suspects if that clashes with another international agreement. According to the U.N. in New York, the U.S. is already involved in negotiations with several governments.

People close to the German government said Sunday that Washington had approached Germany and a number of other European partners. High-ranking government ministers, including Foreign Minister Joschka Fischer, Development Minister Heidemarie Wieczorek-Zeul and Justice Minister Herta Daeubler-Gmelin, have been highly critical of the U.S. government's decision not to recognize the ICC.

About 70,000 U.S. troops are based in Germany, by far the largest contingent in Europe.

The ICC formally came into existence on July 1 but the U.S. has refused to join, fearing it may be targeted for political reasons. U.S. officials threatened to veto U.N. peacekeeping operations if its troops weren't granted immunity and the Security Council agreed last week to a one-year exemption.