

FORM FOR TABLING PARLIAMENTARY QUESTIONS

To the: COUNCIL   
 COMMISSION

ORAL QUESTIONS	WRITTEN QUESTIONS
Oral Question with debate (Rule 42) <input checked="" type="checkbox"/> Question Time (Rule 43) <input type="checkbox"/>	Written Question (Rule 44) <input type="checkbox"/> Priority Written Question (Rule 44 (4)) <input type="checkbox"/>

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SUBJECT: (please specify) Will the International Criminal Court be ignored in the new EU-US extradition agreement? Which further art.98 US bilateral exemption agreements have been signed? How will Iraqi prisoners be tried?

TEXT:

- 1) What is the status of the negotiations on the EU-US extradition agreement? Why are these negotiations so extremely confidential? Bearing in mind the substantial effects of the envisaged agreement and noting it will be scrutinised by National Parliaments, how will the Council ensure to fully inform and consult the European Parliament as required by art.39(2) EU and that its recommendations will be taken into account seriously?
- 2) Is it true that the USA - with support of the UK - is successfully opposing any reference to the International Criminal Court (or to any Special <Military> Courts set up to try 'terrorist' cases) in the draft agreement?
- 3) Does the Council recognise that this will create conflicts with the obligations of EU Member States stemming from the Rome Statute to co-operate with the ICC? How will the new agreement foresee to solve a potential conflict between a request from the ICC to surrender a person - either a US national or a non US national - to the Court and the obligations stemming from the extradition agreement?
- 4) Since the European Parliament adopted its resolution against the so called 'art.98 US Bilateral Exemption Agreements' (Impunity Agreements), how many and which EU Member States and applicant Member States have signed such agreements with the USA or are preparing to sign? Which EU Member States and applicant EU Member States have refused to sign?
- 5) What steps is the Council undertaking to guarantee that Iraqi prisoners - responsible for atrocities in the past under the Saddam Hussein regime - will not be arbitrarily tried by US military tribunals or by the new rulers in Iraq but be prosecuted and judged through a true independent internationally-led judicial process under the auspices of the UN?

Signature(s):  
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