

Overview of Rome Statute Signatories, Ratifications and Implementing Legislation

	State	Signature	Ratification, Acceptance(A) Accession (a)	Domestic Legislation	Summary of specific gender provisions
1	Afghanistan		10.2.03 a		
2	Albania	18.7.98	31.1.03		
3	Algeria	28.12.00			
4	Andorra	18.7.98	30.4.01		
5	Angola	7.10.98		Drafting process has begun [source: iccnw.org]	
6	Antigua and Barbuda	23.10.98	18.6.01		
7	Argentina	8.1.99	8.2.01	<i>Proyecto de Ley de implementación del Estatuto de Roma de la Corte Penal Internacional, 2004 [draft]</i> Defines Genocide and crimes against humanity by reference to Rome Statute (in Article 2) (source: Amnesty 1)	Definitions as per RS
8	Armenia	1.10.99		The Constitutional Court has ruled that the RS is inconsistent with the Armenian constitution on the basis that it supplements the national judicial system which is inconsistent with articles 91	s393 - Genocide – means used to prevent births must be 'violent'. s392 - Crimes against humanity – omits all sexual/gender crimes except enslavement.

				<p>and 92. Implementing the RS would also mean denial of national authorities' power to grant pardons. However, genocide and crimes against human security were added as crimes in the <i>Criminal Code</i> in 2003.</p> <p><i>Criminal Code</i> <u>Section 392</u> Crimes against human security – includes enslavement without definition, omits Article 7(1)(G)RS crimes and omits gender as a basis for persecution.</p> <p><u>Section 393</u> Genocide – imposition of measures to prevent births must be "violent".</p> <p><u>Article 63</u> Committing and crime in the <i>code</i> against an 'obviously pregnant woman' is an aggravating factor.</p>	
9	Australia	9.10.98	1.7.02	<p><i>International Criminal Court Act 2002; International Criminal Court (Consequential</i></p>	s268.4 - Genocide – may be broadened to include sexual violence

			<p><i>Amendments) Act 2002.</i> The <i>ICC Act 2002</i> deals with procedural matters relating to Australian co-operation with the ICC. The <i>ICC (CA) Act 2002</i> amends the <i>Criminal Code Act 1995</i>. <u>Subdivision B - Genocide</u> <u>268.4:</u> recognises that genocide can be committed by inflicting serious bodily or mental harm and notes that this may include, but is not restricted to rape, sexual violence and degrading treatment. <u>Subdivision C – Crimes Against Humanity</u> <u>268.10:</u> enslavement definition taken directly form RS. <u>268.14:</u> defines rape as sexual penetration (which is defined somewhat narrowly); also outlines a number of situations which might lead to a conclusion of non-consent (reasonably broad and possibly encompassing more situations</p>	<p>s268.10 - CAH – enslavement as per RS s268.14 – CAH - rape restricted to sexual penetration s268.15 - CAH - sexual slavery must be with threat or force s268.16 – CAH - enforced prostitution as per RS s268.17 – CAH - forced pregnancy as per RS s268.18 – CAH - forced sterilization as per RS s268.19 – CAH - sexual violence s268.59 – 268.64 – War Crimes – include same crimes and definitions as per CAH. Elements of crime - issue of consent dealt with in regard to rape (ss268.14 and 268.59)</p>
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				<p>than RS e.g. recklessness as to lack of consent).</p> <p><u>268.15</u>: [attached] defines sexual slavery as not being free to cease the provision of sexual services due to threat or force. Note odd definition of threat in part 3(c).</p> <p><u>268.16</u>: enforced prostitution defined in substantially similar terms as RS.</p> <p><u>268.17</u>: forced pregnancy defined in substantially similar terms as RS.</p> <p><u>268.18</u>: forced sterilization defined in substantially similar terms as RS.</p> <p><u>268.19</u>: [attached] defines sexual violence as committing or causing to be committed acts of a sexual nature without consent. May cover what is left out by narrow definition of rape.</p> <p><u>268.20</u>: persecution can be on gender grounds, but no definition of gender.</p> <p><u>Subdivision E – War Crimes</u></p>	
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				<p><u>268.59 - 268.64</u>: respectively deal with the same crimes as in 268.14 - 268.19, with the same definitions, in situations of international armed conflict.</p> <p><u>Subdivision G</u></p> <p><u>268.82-268.87</u>: respectively deal with the same crimes as in 268.14 - 268.19, with the same definitions, in situations of non-international armed conflict</p>	
10	Austria	7.10.98	28.12.00	<i>Bundesgesetz Über Die Zusammenarbeit Mit Dem Internationalen Strafgerichtshof</i>	
11	Bahamas	29.12.00			
12	Bahrain	11.12.00			
13	Bangladesh	16.9.99			
14	Barbados	8.9.00	10.12.02		
15	Belgium	10.9.98	28.6.00	<p>Loi de 29 mars 2004 concernant la cooperation avec la cour pénale internationale et les tribunaux pénaux internationaux</p> <p>Loi du 5 août 2003 relative aux violations graves du droit international humanitaire.</p> <p>Directly imports Article 6 (RS)</p>	Definitions as per RS

				terms (Article 6, Law made 5 August 2003). Directly imports Article 7 (RS) (Article 7, Law of 5 August 2003). Uses Protocol I definition of War Crimes (same as Australia) (Article 8, Law of 5 August 2003). (Source: Amnesty 1)	
16	Belize	5.4.00	5.4.00		
17	Benin	24.9.99	22.1.02	Ratification by parliament and presidential approval - no legislation needed according to constitution.	
18	Bolivia	17.7.98	27.6.02		
19	Bosnia-Herzegovina	17.7.00	11.4.02	<i>Criminal Code of Bosnia and Herzegovina, November 2003.</i> Chapter 17. <u>Article 171</u> – almost verbatim from Article 6(RS) <u>Article 172</u> – large parts extracted from Article 7(RS), Part (g) appears to have a narrower application than the equivalent in the RS, requiring that the crimes in that section only occur “by force or by threat of immediate attack	Art 171 - Genocide – as per RS Art 172 - CAH – part g potentially of narrower application than RS because of necessity of attack’s immediacy. Art 173 - War crimes - omits forced pregnancy, enforced sterilization and any other form of sexual violence

				<p>upon his (sic.) life or limb, or the life or limb of a person close to him (sic.)". No definition of gender included. The rest of this Article is almost verbatim from Article 7(RS) and includes all other definitions. <u>Article 173</u> – pertains to War Crimes but differs significantly from Article 8 (RS). Ss1(e) incorporates some of the crimes in (b)(xxii)(RS), omitting forced pregnancy, enforced sterilization and any other form of sexual violence also constituting a grave breach of the Geneva Convention. Does not distinguish between international and national armed conflict.</p>	
20	Botswana	8.9.00	8.9.00		
21	Brazil	7.2.00	20.6.02	<p><i>Un-named Bill of 2002 [Draft]</i> <u>Chapter II</u> – Genocide, principally the same as RS. <u>Chapter III</u> – Crimes Against</p>	<p>Ch II - Genocide - As per RS Ch III Art 26 - CAH - slavery doesn't specifically relate to women and</p>

				<p>Humanity. Article 26: "The crime against humanity of slavery" (enslavement) does not relate in particular to women or children. Article 30: "Crime against humanity of sexual violence" is required to be by violence or threat thereof, refers only to "carnal relations" and "libidinous acts" without definition thereof. Sufficient to encompass all forms of rape? Article 31: "The crime against humanity of sexual aggression" makes it illegal to coerce someone to "undertake obscene acts" without definition thereof. Article 32: forcing a person to witness an act of sexual violence or aggression. Article 33: [attached] sexual slavery – ambiguous definition. What are "conditions analogous to that of a slave"? Article 34: forced prostitution –</p>	<p>children Art 30 – CAH - Sexual violence limited and lacking in definition Art 31 – CAH - sexual aggression includes "obscene acts" but no definition Art 32 – CAH - forced witness of sexual violence or aggression Art 33 – CAH - sexual slavery ambiguously defined Art 34 – CAH - forced prostitution ambiguous Art 35 – CAH - forced pregnancy broadened definition/elements Art 36 – CAH - forced sterilization Art 37 – CAH - group (to be deprived of rights) includes gender groups Ch IV Arts 76-82 - War crimes – are; sexual violence, sexual aggression, forced witness of sexual violence or aggression, sexual slavery, forced prostitution, forced pregnancy and forced sterilization respectively, and are worded in</p>
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				<p>ambiguous, makes coercing someone into any form of prostitution "in order to obtain any type of advantage" a crime against humanity.</p> <p>Article 35: forced pregnancy – omits requirement of illegal detention and includes threats against third parties.</p> <p>Article 36: forced sterilization</p> <p>Article 37: makes deprivation of rights for reason of belonging to a group (including gender) illegal as opposed to persecution.</p> <p>Does not include "any other sexual crime of comparable gravity"</p> <p>No definition of gender</p> <p><u>Chapter IV: War Crimes</u></p> <p>Articles 76 – 82 are; sexual violence, sexual aggression, forced witness of sexual violence or aggression, sexual slavery, forced prostitution, forced pregnancy and forced sterilization respectively, and are worded in the same way as</p>	<p>the same way as the respective CAH.</p>
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				the respective crimes against humanity, noted above.	
22	Bulgaria	11.2.99	11.4.02	Bulgaria ratifies international treaties through a Ratification Act. According to Article 5 (4) of the Constitution, any international instruments which have been ratified by the constitutionally established procedure, promulgated and having come into force with respect to the Republic of Bulgaria, are considered part of the domestic legislation. They supersede any domestic legislation stipulating otherwise.	
23	Burkina Faso	30.11.98	16.4.04		
24	Burundi	13.1.99	21.9.04	Has changed criminal legislation to incorporate genocide, CAH and war crimes. Could not locate legislation. Extradition legislation yet to be implemented.	
25	Cambodia	23.10.00	11.4.02		
26	Cameroon	17.7.98			
27	Canada	18.12.98	7.7.00	<i>Crimes Against Humanity and War Crimes Act, (2000)</i>	4(3) – definition of CAH as per customary law.

				4.(3) and 6.(3) Define Crimes Against Humanity, Genocide and War Crimes according to the state of customary law. Ss(4) of each part then states that Articles 6 and 7 and paragraph 2 of Article 8 of RS are customary law definitions of these crimes (but do not limit their scope).	6(3) - definition of war crimes as per customary law.
28	Cape Verde	28.12.00			
29	Central African Republic	7.12.99	3.10.01		
30	Chad	20.10.99			
31	Chile	11.9.98			
32	Colombia	10.12.98	5.8.02	<i>Ley 599 de 2000 por la cual se expide el Código Penal</i> Extends jurisdiction over genocide to forced pregnancy [Book 2 chapter 1 (2)]. (Source: Amnesty 1) NB these amendments were made prior to ratification and there have been no moves to implement other aspects of the RS, including on criminal responsibility.	Book 2, chapter 1(2) - Genocide – definition includes forced pregnancy.

				Has draft laws on co-operation currently being discussed by Congress. [source: iccnw.org]	
33	Comoros	22.9.00			
34	Congo	17.7.98	3.5.04	<p><i>Loi N° 8-98 du 31 octobre 1998 portant définition et répression du génocide, des crimes de guerre et des crimes contre l'humanité</i></p> <p>Groups for the purposes of genocide includes "all other arbitrary criteria" (Article 1). Article 6 excludes some RS provisions from definition of Crimes against Humanity (source: Amnesty 1)</p> <p>Article 4: prohibits all serious violations of the laws and customs applicable to international and non-international armed conflicts, "as provided by international law". (source: Amnesty 1)</p>	Art 1 – groups for purposes of genocide may include gender.
35	Costa Rica	7.10.98	7.7.01	<p><i>Law 8272 (amendment to the Penal Code)</i></p> <p><u>Amendment to Article 378:</u> defines war crimes as anything</p>	Definitions as per RS

				<p>defined as such in a treaty to which Costa Rica is a party. <u>Amendment to Article 379:</u> defines crimes against humanity as anything defined as such in a treaty to which Costa Rica is a party, concerning the protection of human rights, or under the Rome Statute. <u>Amendment to Article 7:</u> refers to genocide – Penal Code must have made genocide a crime prior to these amendments.</p>	
36	Cote d'Ivoire	30.11.98		<p><i>Code Pénal du 31 août 1981</i> Claims that Penal Code sufficient to comply with obligations under ICC statute.</p>	
37	Croatia	12.10.98	21.5.01	<p><i>November 2003 Law on the Application of the Statute of the International Criminal Court and the Prosecution of Criminal Acts Against the International Law on War and Humanitarian Law</i> This is a procedural law, outlining means of co-operation</p>	

				with the ICC. no provisions are made for the appointment of female judges on national court or experts on gender/sexual crimes. But includes many of the other suggestions of best practice set out in the Rome Statute such as the need to afford witnesses in any proceedings the highest possible protection (Article 8).	
38	Cyprus	15.10.98	7.3.02		
39	Czech Republic	13.4.99			
40	Democratic Republic of the Congo	8.9.00	11.4.02	<p><i>Avant-projet de loi portant mis en oeuvre du Statut de la Cour pénale internationale, (July 2003) [Draft]</i></p> <p>Article 19: Genocide, [includes intention to bring about mental handicap].</p> <p>Article 21: ss4 expands the scope of the crime of forced pregnancy by omitting the requirement that the detention of the woman must be illegal. Includes enslavement</p> <p>Article 22: includes persecution on 'sexist grounds' (as opposed</p>	<p>Art 21 – crime of forced pregnancy expanded by omission of requirement of illegality of detention.</p> <p>Art 22 – includes persecution on sexist grounds.</p> <p>Art 26 – includes sexual abuse, forced prostitution, forced sterilization and forced pregnancy as war crimes but not sexual slavery or any other sexual violence of comparable gravity.</p>

				to using term gender). Article 26: includes sexual abuse, forced prostitution, forced sterilization and forced pregnancy as war crimes, but not sexual slavery or any other sexual violence of comparable gravity. **Has changed since Amnesty report, no longer includes the death penalty**	
41	Denmark	25.9.98	21.6.01	<i>Act No. 342 of 16 May 2001 on the International Criminal Court Annexes RS</i> stating that it now applies in Denmark.	Definitions as per RS
42	Djibouti	7.10.98	5.11.02		
43	Dominica		12.2.01 a		
44	Dominican Republic	8.9.00	12.5.05		
45	Ecuador	7.10.98	5.2.02	<i>Proyecto de ley sobre delitos contra la humanidad [draft]</i> Article 19 includes as groups for the purposes of genocide: - gender and sexual orientation (as well as political condition, age, health and conscience). (source: Amnesty 1)	Art 19 – gender included as group for purposes of genocide.
46	Egypt	26.12.00			

47	Eritria	7.10.98			
48	Estonia	27.12.99	30.1.02	<p><i>Penal Code (2001)</i></p> <p>Chapter 8 Division 2</p> <p><u>Section 90:</u> includes “any other social group” in definition of genocide. Specifies that measures intended to prevent childbirth be ‘coercive’.</p> <p><u>Section 89:</u> includes rape and forced prostitution in definition of crimes against humanity. Does not include sexual slavery, forced pregnancy, forced sterilization, enslavement or any other form of sexual violence of comparable gravity. No definitions of any of these terms or of gender.</p> <p>Division 4</p> <p><u>Section 95:</u> includes in war crimes against civilians only rape. Does not include rape under s99 (which deals with war crimes against prisoners of war).</p>	<p>Ch 8, Div 2</p> <p>S89 – CAH – does not include sexual slavery, forced pregnancy, forced sterilization, enslavement or any other form of sexual violence of comparable gravity.</p> <p>S90 – genocide – specifies that measures intended to prevent childbirth be coercive.</p> <p>S95 – war crimes – only includes rape, not other war crimes of sexual violence.</p>
49	Fiji	29.11.99	29.11.99		

50	Finland	7.10.98	29.12.00	<p><i>Act on the implementation of the provisions of a legislative nature of the Rome Statute of the International Criminal Court and on the application of the Statute (No 1284/2000). And amendments to the Penal Code (No 1285/2000).</i></p> <p><i>Finnish Act on International Legal assistance in Criminal Matters (No 4/1994).</i></p> <p>Genocide, war crimes and crimes against humanity were criminalized in Finland in 1974. The pre-amble to Act no 1284/2000 states that in substance the crimes of Genocide and War Crimes correspond with the definitions in RS. The definition of crimes against humanity differs, but it is said that this "do[es] not mean that such crimes would go unpunished under the Finnish Penal Code. Crimes against humanity usually fulfill the elements of homicide and bodily injury, sexual offences</p>	<p>Ch 11 S6 – genocide – may include gender as group, criminalizes prevention of procreation as opposed to prevention of births</p>
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				<p>and offences against personal liberty within the meaning of the Penal Code.”</p> <p><u>Chapter 11</u></p> <p><u>Section 1:</u> Definition of war crimes does not explicitly include rape, sexual slavery and the other crimes referred to at Article 8(2)(b)(xxii) RS, but does state that any violation of an international convention relating to war crimes to which Finland is a party is a violation of that section.</p> <p>Also appears to include customary law definition of war crimes.</p> <p><u>Section 6:</u> groups for the purposes of definition of genocide includes "another comparable group"</p> <p>Instead of measures designed "to prevent births", part 3 of this section criminalizes the prevention of "procreation".</p> <p>NB Crimes Against Humanity is not really dealt with at all in the</p>	
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				<p><i>Penal Code. Section 1 is headed "war crimes and offences against humanity", however it only appears to deal with war crimes, and even then not exhaustively. The preamble might impact judicial interpretation of the crimes, however, and broaden them to encompass more of the RS crimes, given that it could be construed as 'expressed parliamentary intention'. No definition of gender. Incorporates a lot of ICC evidentiary procedures but nothing regarding women's past sexual history or protection of women giving evidence.</i></p>	
51	France	18.7.98	9.6.00	<p><i>LOI no 2002-268 du 26 février 2002 relative à la coopération avec la Cour pénale Internationale</i></p>	
52	Gabon	22.12.98	20.9.00		
53	Gambia	4.12.98	28.6.02		
54	Georgia	18.6.98	5.9.03	<p><i>Law of Georgia on cooperation</i></p>	Art 1

				<p><i>between the International Criminal Court and Georgia; Law of Georgia on amendments to the Criminal Code of Georgia.</i></p> <p><u>Article 1</u></p> <p><u>Section 5</u> (amending Article 408 of the Criminal Code): Crimes against Humanity definition omits crime of enslavement. Also omits "any other form of sexual violence of comparable gravity". Includes persecution on gender grounds but fails to define this or any other term.</p> <p>Criminal Code may already criminalize genocide and war crimes under Georgian national law because they are not listed in the amendments. Does not otherwise specify any provisions relating to gender.</p>	<p>S5 – CAH – omits enslavement and “any other form of sexual violence of comparable gravity”.</p>
55	Germany	10.12.98	11.12.00	<p><i>Law on Cooperation with the International Criminal Court (ICC Act) (2002)</i></p> <p><u>Part 2</u></p>	<p>As per RS; except Pt2, Ch1, s7(6) – CAH – excludes any other sexual crime of comparable gravity</p>

				<p><u>Chapter 1</u> <u>Section 6</u>: adopts RS definition of Genocide. <u>Section 7</u>: deals with crimes against humanity subsection 3 makes enslavement a crime, noting that it specifically relates to women and children. Subsection 6 is substantially the same as subsection g of Article 7 RS except that it excludes "any other form of sexual violence of comparable gravity". Subsection 10 is substantially the same as subsection h of Article 7 RS. Both of the above include definitions as per RS, except for gender. <u>Section 8</u>: (1)(4) is substantially the same as Article 8 (2)(b)(xxii) RS [has same wording as Section 8(6)], however excludes "any other form of sexual violence constituting a grave breach of</p>	<p>Pt 2, Ch1, 8(1)(4) – war crimes – omits "any other form of sexual violence constituting a grave breach of the Geneva Conventions"</p>
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				the Geneva Conventions". The act also amends the German Constitution regarding the definition of genocide to adopt that of RS.	
56	Ghana	18.7.98	20.12.99	Legislation has not yet been made public. Not sure if laws are complementary or co-operation. [draft]	
57	Greece	18.7.98	15.5.02		
58	Guinea	7.9.00	14.7.03		
59	Guinea-Bissau	12.9.00			
60	Guyana	28.12.00	24.9.04		
61	Haiti	29.2.99			
62	Honduras	7.10.98	1.7.02		
63	Hungary	15.1.99	30.11.01		
64	Iceland	26.8.98	25.5.00	Passed laws in Spring 2002, not yet available in English. [source iccnw.org] Amnesty report states that this legislation covers both Co-operation and Complementarity obligations.	
65	Iran	31.12.00			
66	Iraq			Acceded on 15.2.05 but withdrew its accession 2 weeks later.	

67	Ireland	7.10.98	11.4.02	International Criminal Court Bill, 2003, (No. 36 of 2003) [draft] Annexes RS to legislation and states that the offences specified therein are crimes under domestic law.	Definitions as per RS
68	Israel	31.12.00			
69	Italy	18.7.98	26.7.99	XIV Legislatura; Progetto di Legge – N.2724 [draft]	
70	Jamaica	8.9.00			
71	Jordan	7.10.98	11.4.02	Claim to be currently in process of drafting.	
72	Kenya	11.9.99	15.3.05	<i>International Crimes Bill, 2005</i> [draft] <u>Part 2</u> : defines genocide, crimes against humanity and war crimes by reference to RS.	Definitions as per RS
73	Kuwait	8.9.00			
74	Kyrgyzstan	8.12.98		Has draft legislation according to Juan.	
75	Latvia	22.4.99	28.6.02	<i>Criminal Code</i> <u>Part IX</u> <u>Section 71</u> Genocide – substantially the same as RS. <u>Section 74</u>	

				<p>War crimes – defined by reference to all international treaties to which Latvia is a party, as manifested in murder, torture, robbery, deportation or assignment to forced labour of civilians, hostages and prisoners of war of occupied territory, or unjustifiable destruction of cities and other entities [therefore likely excludes all sexual crimes] No mention of CAH. Nothing relating specifically to gender in international crimes. NB these amendments were made prior to Latvia ratifying the RS. Latvia has made no attempt to take its laws further subsequent to its said ratification.</p>	
76	Lesotho	20.11.98	6.9.00		
77	Liberia	17.7.98	22.9.04		
78	Liechtenstein	18.7.98	2.10.01	<i>Gesetz vom über die Zusammenarbeit mit den Internationalen Gerichten zur Verfolgung von schwerwiegenden Verletzungen</i>	

				<i>des humanitären Völkerrechts (ZIG) [draft]</i>	
79	Lithuania	10.12.98	12.5.03	<i>Amendments to Criminal Code; Code of Criminal Proceedings; Code on Execution of Penalties</i> all came into force on 1 May 2003 [source: iccnw.org].	
80	Luxembourg	13.10.98	8.9.00	<i>Constitution of the Grand-Duché of Luxembourg</i> <u>Article 118</u> States that the <i>Constitution</i> is not inconsistent with the RS.	
81	Madagascar	18.7.98			
82	Malawi	2.3.99	19.9.02		
83	Mali	17.7.98	16.8.00	<i>Extracts from the Penal Code</i> <u>Article 30</u> : directly imports terms of art 6) (source: Amnesty 1)	
84	Malta	17.7.98	29.11.02	<i>International Criminal Court Act</i> – <u>Article 54B</u> : defines genocide in the exact terms of the RS. <u>Article 54C</u> : defines crimes against humanity in the exact terms of the RS, including verbatim definitions.	Definitions as per RS

				Article 54D: defines war crimes in the exact terms of the RS. S23E(3)(c): gives minister power to make laws in regard to rules of evidence and procedure	
85	Marshall Islands	6.9.00	7.12.00		
86	Mauritius	11.11.98	5.3.02		
87	Mexico	7.9.00	28.10.05		
88	Monaco	18.7.98			
89	Mongolia	29.12.00	11.4.02		
90	Morocco	29.12.00			
91	Mozambique	8.9.00			
92	Namibia	28.12.00	25.6.02		
93	Nauru	13.12.00	12.11.01		
94	Netherlands	18.7.98	17.7.01 A	<i>International Crimes Act (2003)</i> <u>Section 1</u> : definitions. Includes definition of forced pregnancy substantially the same as in RS. <u>Section 3</u> : defines Genocide in substantially the same terms as RS. <u>Section 4</u> : defines Crimes Against Humanity in substantially the same terms as RS. <u>Section 5</u> : defines war crimes in substantially the same way	Definitions substantially as per RS

				as RS, with some modifications, (3)(a) includes enforced sterilization as a war crime.	
95	New Zealand	7.10.98	7.9.00	<p><i>International Criminal Court Act 2000; International Crimes and International Criminal Court (Amendment) Act 2002.</i></p> <p><u>Article 9</u>: (2) defines genocide by reference to RS</p> <p><u>Article 10</u>: (2) defines crimes against humanity by reference to RS.</p> <p><u>Article 11</u>: (2) defines war crimes by reference to RS. No other references to or definitions of gender, sex crimes etc.</p> <p>Includes many of the Rules of Evidence and procedure, however none relate to gender issues, the admissibility of past sexual histories etc.</p>	Definitions as per RS
96	Niger	17.7.98	11.4.02	<p><i>Law No. 421/2002 – 025 of 13th June 2003</i></p> <p>Entered into force on 7 April 2004, only addresses some complementarity obligations – (source HRW) Unable to obtain.</p>	

97	Nigeria	1.6.00	27.9.01	<i>ICC Ratification and Jurisdiction Bill 2005 [draft]</i> Passed by parliament on 19 May 2005, but has not yet entered into force as it awaits publication in the official Gazette. Unable to obtain.	
98	Norway	28.8.98	16.2.00	<i>ACT NO. 65 OF 15 JUNE 2001 relating to the implementation of the Statute of the International Criminal Court of 17 July 1998 (the Rome Statute) in Norwegian Law</i> This act does not deal with definitions of crime, only the means by which Norway will co-operate with the ICC. Has not addressed complementary obligations under RS. <i>Penal Code</i> does not deal with RS crimes.	
99	Oman	20.12.00			
100	Panama	18.7.98	21.3.02	<i>Anteproyecto de ley no ... Por la cual se adiciona el Título XIII Delitos contra la Humanidad al Código Penal y se modifican algunos Artículos del Código</i>	Art 1 – genocide – includes abuses against sexual liberty.

				<i>Penal [draft]</i> <u>Article 1</u> : (modifying Article 392 of the Criminal Code) includes in definition of genocide "abuses against sexual liberty". (Source: Amnesty 1)	
101	Paraguay	7.10.98	14.5.01		
102	Peru	7.12.00	10.11.01	<i>Código Procesal Penal, Decreto Legislativo No. 957 Criminal Procedure Act</i> amended in July 2004, introducing co-operation obligations. [draft] due to enter into force in early 2006. Deals only with co-operation obligations.	
103	Philippines	28.12.00			
104	Poland	9.4.99	12.11.01	Claims that their <i>Penal Code</i> of 1997 is sufficient to meet Poland's obligations under the RS. Chapter XVI deals with "Offences against the peace, and humanity and war crimes". <u>Section 118</u> : deals with genocide, and is substantially the same as the RS.	Sexual crimes/gender omitted from relevant provisions on war crimes and CAH.

				<p><u>Sections 117 – 126</u>: criminalize some war crimes, but fail to mention any specific crimes against women or sexual crimes. No mention is made of slavery, forced pregnancy, or any other crime that tends to be committed predominantly against women.</p> <p>Includes no definition of gender, and no provision for gender being the basis of an unlawful threat.</p> <p><i>Criminal Procedure Code</i> entered into force on 1 July 2003, deals with co-operation obligations.</p>	
105	Portugal	7.10.98	5.2.02	<p><i>Lei 31/2004: Adapta a Legislação Penal Portuguesa ao Estatuto do Tribunal Penal Internacional, tipificando as condutas que constituem crimes de violação do Direito Internacional Humanitário - 17.ª Alteração ao Código Penal</i></p> <p><u>Article 8</u>: (1)(c) includes “cruel, degrading or inhuman treatment” in conditions of</p>	<p>Art 8 (1)(e) – includes imposing measures designed to prevent birth or procreation in a group</p>

				life calculated to bring about the destruction of a group, and excludes the provision that this destruction must be "physical" (1)(e) includes imposing measures intended to prevent procreation or births in the group. (source: Amnesty 1)	
106	Puerto Rico			<i>Código Penal del Estado Libre Asociado de Puerto Rico 2004</i>	
107	Republic of Korea	8.3.00	13.11.02		
108	Republic of Moldova	8.9.00			
109	Romania	7.7.99	11.4.02		
110	Russian Federation	13.9.00			
111	Saint Lucia	27.8.99			
112	Saint Vincent and the Grenadines		3.12.02 a		
113	Samoa	17.7.98	16.9.02		
114	San Marino	18.7.98	13.5.99		
115	Sao Tome and Principe	28.12.00			
116	Senegal	18.7.98	2.2.99	Ministry of Justice announced a review of criminal laws	

				including amendments relating to the RS on 20 June 2003. The draft amendments have not yet been published. [source: iccnw.org]	
117	Serbia and Montenegro	18.7.98	6.9.01	<p><i>Criminal Code of Serbia</i> [draft] <u>Chapter 34</u> <u>Article 370</u>: Defines Genocide in substantially the same terms as RS. <u>Article 371</u>: Does not include sexual slavery or “any other sexual crime of comparable gravity” in crimes against humanity, but does include general enslavement. Does not define any of these terms, or gender. <u>Article 372</u>: includes only rape and enforced prostitution as war crimes, omits sexual slavery, forced pregnancy and any other sexual violence constituting a grave breach of the Geneva Conventions.</p> <p><i>Criminal Code of Montenegro</i> Official Gazette of the Republic</p>	<p>Ch 34 Art 371 – CAH – includes Art 7(1)(g) crimes except sexual slavery, “any other sexual crime of comparable gravity”. Art 372 – war crimes – includes only rape and enforced prostitution, omits sexual slavery, forced pregnancy and any other sexual violence constituting a grave breach of the Geneva Conventions.</p>

				of Montenegro no 70/2003, and correction no 13/2004.	
118	Seychelles	28.12.00			
119	Sierra Leone	17.10.98	15.9.00		
120	Slovakia	23.12.98	11.4.02	<i>Law No 421/2002 of 19th June 2002 amending the Penal Code</i> Became affective as of 1 September 2002 not able to obtain.	
121	Slovenia	7.10.98	31.12.01	<i>Law on Cooperation between the Republic of Slovenia and the International Criminal Court</i> Deals with co-operation obligations, no provisions regarding evidence of women in sexual assault cases or issue of consent. No legislation dealing with complementary obligations.	
122	Solomon Islands	3.12.98			
123	South Africa	17.7.98	27.11.00	<i>Implementation of the Rome Statute of the International Criminal Court Act 2002.</i> <u>Schedule 1:</u> <u>Part 1:</u> directly imports definition of genocide from Rome statute. <u>Part 2:</u> directly imports	Definitions as per RS

				<p>definition of crimes against humanity from RS, including definitions contained therein. <u>Part 3</u>: directly imports definition of war crimes from RS.</p> <p>The remainder of the act incorporates many of the rules of evidence and procedure, but none relating to the admissibility of past history evidence.</p>	
124	Spain	18.7.98	24.10.00	<p><i>Ley Orgánica 15/2003, de 25 de noviembre, por la que se modifica la Ley Orgánica 10/1995 de 23 de noviembre, del Código Penal</i></p> <p><i>Ley orgánica 18/2003, de 10 de diciembre 2003 de Cooperación con la corte Penal Internacional</i></p>	
125	Sudan	8.9.00			
126	Suriname			<p>Intention to accede after signing bi-lateral immunity treaty with the USA.</p>	
127	Sweden	7.10.98	28.6.01	<p><i>Cooperation with the International Criminal Court Act</i></p> <p>Deals only with co-operation</p>	

				obligations, nothing concerning admissibility of past history evidence of sexual assault victims or issue of consent. <i>Penal Code [draft]</i> does not cover RS crimes. Does not have legislation covering complementary obligations. But has draft amendments to its Penal Code. Details of the amendments have not been released by the Ministry of Justice. [source: iccnw.org]	
128	Switzerland	18.7.98	12.10.01	<i>Swiss Federal Law of 22 June 2001 on Co-Operation with the International Criminal Court</i> Deals only with co-operation obligations, nothing concerning admissibility of past history evidence of sexual assault victims or issue of consent. <i>Penal Code [draft]</i> Draft amendments made in August 2005. unable to locate copy.	
129	Syrian Arab Republic	29.11.00			
130	Tajikistan	30.11.98	5.5.00		
131	Thailand	2.10.00			

132	The former Yugoslav Republic of Macedonia	7.10.98	6.3.02	Has draft amendments to criminal code according to Juan	
133	Timor-Leste		6.9.02 a		
134	Trinidad and Tobago	23.3.99	6.4.99		
135	U.A.E	27.11.00			
136	Uganda	17.3.99	14.6.02	<i>International Criminal Court Bill (2004) [draft]</i> <u>Article 7</u> : defines genocide by reference to RS <u>Article 8</u> : defines crimes against humanity by reference to RS. <u>Article 9</u> : defines war crimes by reference to RS. No additional definitions.	Definitions by reference to RS
137	United Kingdom	30.11.98	4.10.01	<i>International Criminal Court Act 2001</i> <i>International Criminal Court (Scotland) Act 2001.</i> <u>(UK)Section 50</u> : defines genocide, crimes against humanity and war crimes by reference to RS. Annexes RS. <u>(Scotland) Part 1 (1)(4)</u> : defines genocide, crimes against humanity and war	Definitions by reference to RS

				crimes by reference to RS. Annexes RS.	
138	Ukraine	20.1.00			
139	United Republic of Tanzania	29.12.00	20.8.02		
140	Uruguay	19.12.00	28.6.02	<i>Proyecto de ley Implementación del Estatuto de Roma de la Corte Penal Internacional 2003, (17 January 2003) [draft]</i> <u>Article 2</u> : Definition of genocide and crimes against humanity by reference to RS.	As per RS
141	USA	31.12.00		Stated that it has no intention of ratifying RS and withdrew signature, stating that it is not bound. 6 May 2002.	
142	Uzbekistan	29.12.00			
143	Venezuela	14.10.98	7.6.00	<i>Los crímenes previstos en el Estatuto de Roma de la Corte Penal Internacional y la reforma penal y militar en Venezuela, Una propuesta legislativa, (25 July 2002) [draft]</i>	
144	Yemen	28.12.00			
145	Zambia	17.7.98	13.11.02		
146	Zimbabwe	17.7.98			

Amnesty1 = Amnesty International, International Criminal Court: The failure of states to enact effective implementing legislation, September 2004, AI Index: IOR 40/019/2004.

HRW = Human Rights Watch, The Status of ICC Implementing Legislation; States Parties need to expedite enactment of implementing legislation