



Foreign &
Commonwealth
Office

27 July 2010

Lord Chidgey
House of Lords
SW1A 0PW

Dear Lord Chidgey

During the starred question on the outcome of the ICC Review Conference tabled on 22 July, you asked a question about the implementation of new legislation to cover the prosecution of genocide, war crimes and crimes against humanity. I would like to take this opportunity to clarify the answer I gave at that time.

The amendments to the International Criminal Court Act 2001, on the prosecution of UK nationals and residents for genocide, war crimes and crimes against humanity, were contained in the Coroners and Justice Act 2009. The Act received Royal Assent on 12 November 2009. The provisions regarding genocide, war crimes and crimes against humanity came into force on 6 April 2010. They make provision for the retrospective application of those offences to acts committed on or after 1 January 1991.

Any decision on bringing prosecutions under this new legislation is a matter for the Crown Prosecution Service. However, it remains our strong preference that, where possible, those accused of committing these crimes should be brought to justice in the country where the crimes are alleged to have been committed.

A copy of this letter will be placed in the library of the House.

*Yours sincerely
David Howells*

LORD HOWELL OF GILDFORD