



ЕВРОПЕЙСКИ ПАРЛАМЕНТ PARLAMENTO EUROPEO EVROPSKÝ PARLAMENT EUROPA-PARLAMENTET
EUROPÄISCHES PARLAMENT EUROOPA PARLAMENT ΕΥΡΩΠΑΪΚΟ ΚΟΙΝΟΒΟΥΛΙΟ EUROPEAN PARLIAMENT
PARLEMENT EUROPÉEN PARLAIMINT NA HEORPA PARLAMENTO EUROPEO EIROPAS PARLAMENTS
EUROPOS PARLAMENTAS EURÓPAI PARLAMENT IL-PARLAMENT EWROPEW EUROPEES PARLEMENT
PARLAMENT EUROPEJSKI PARLAMENTO EUROPEU PARLAMENTUL EUROPEAN
EURÓPSKY PARLAMENT EVROPSKI PARLAMENT EUROOPAN PARLAMENTTI EUROPAPARLAMENTET

Baroness Catherine Ashton of Upholland
High Representative of the Union for Foreign Affairs and Security Policy
Vice-President of the European Commission
Rue de la Loi 200
B-1049 Brussels

Brussels, 19th March 2013

Subject: PCA Agreement with Thailand

Dear High Representative/Vice President,

It has been reported that the newly negotiated Partnership and Cooperation Agreement with Thailand includes a reference to the International Criminal Court only in a Joint Declaration, inserted as an annex to the Agreement.

If confirmed, this would appear to be the first time since the EU has developed its strong and preminent policy in support of the ICC, that references to the Court (the "ICC clause") would thus be relegated from the core of a framework agreement with a third country to an annex.

Moreover, we understand that the content of the Joint Declaration on the ICC would contain language which might be considered significantly weaker than could have been expected from a PCA with a country such as Thailand, which has not ratified the Rome Statute and which is a close partner of the EU.

We wish therefore to share our serious concern with the reported developments, which if confirmed, would risk setting an unfortunate precedent vis-à-vis other third countries where negotiations are ongoing, notably in the ASEAN region but also worldwide, and which could be encouraged to request similar treatment. Moreover,



ЕВРОПЕЙСКИ ПАРЛАМЕНТ PARLAMENTO EUROPEO EVROPSKÝ PARLAMENT EUROPA-PARLAMENTET
EUROPÄISCHES PARLAMENT EUROOPA PARLAMENT ΕΥΡΩΠΑΪΚΟ ΚΟΙΝΟΒΟΥΛΙΟ EUROPEAN PARLIAMENT
PARLEMENT EUROPÉEN PARLAIMINT NA HEORPA PARLAMENTO EUROPEO EIROPAS PARLAMENTS
EUROPOS PARLAMENTAS EURÓPAI PARLAMENT IL-PARLAMENT EWROPEW EUROPEES PARLEMENT
PARLAMENT EUROPEJSKI PARLAMENTO EUROPEU PARLAMENTUL EUROPEAN
EURÓPSKY PARLAMENT EVROPSKI PARLAMENT EUROOPAN PARLAMENTTI EUROPAPARLAMENTET

we are concerned that this situation would send a worrisome signal with regards the EU's position towards the ICC and be at odds with the spirit and commitments of the EU with regards the promotion of the universality of the Rome Statute, as contained in the Council Decision on the ICC of 21 March 2011 and the related Action Plan.

We would be grateful for your clarification on this matter of concern to us.

Kind regards,

Barbara LOCHBIHLER

Marietje SCHAAKE

Helmut SCHOLZ

Sarah LUDFORD

Mark DEMESMAEKER

Wolfgang KREISSL-DÖRFLER

Ana GOMES

Gerald HÄFNER