**TITLE 22**

**UNITED STATES CODE**

**§ 7424.  Restriction on United States participation in certain United Nations peacekeeping operations.**

**(a)** Policy. Effective beginning on the date on which the Rome Statute enters into force pursuant to Article 126 of the Rome Statute, the President should use the voice and vote of the United States in the United Nations Security Council to ensure that each resolution of the Security Council authorizing any peacekeeping operation under chapter VI of the charter of the United Nations or peace enforcement operation under chapter VII of the charter of the United Nations permanently exempts, at a minimum, members of the Armed Forces of the United States participating in such operation from criminal prosecution or other assertion of jurisdiction by the International Criminal Court for actions undertaken by such personnel in connection with the operation.

**(b)** Restriction. Members of the Armed Forces of the United States may not participate in any peacekeeping operation under chapter VI of the charter of the United Nations or peace enforcement operation under chapter VII of the charter of the United Nations, the creation of which is authorized by the United Nations Security Council on or after the date that the Rome Statute enters into effect pursuant to Article 126 of the Rome Statute, unless the President has submitted to the appropriate congressional committees a certification described in subsection (c) with respect to such operation.

**(c)** Certification. The certification referred to in subsection (b) is a certification by the President that--

**(1)** members of the Armed Forces of the United States are able to participate in the peacekeeping or peace enforcement operation without risk of criminal prosecution or other assertion of jurisdiction by the International Criminal Court because, in authorizing the operation, the United Nations Security Council permanently exempted, at a minimum, members of the Armed Forces of the United States participating in the operation from criminal prosecution or other assertion of jurisdiction by the International Criminal Court for actions undertaken by them in connection with the operation;

**(2)** members of the Armed Forces of the United States are able to participate in the peacekeeping or peace enforcement operation without risk of criminal prosecution or other assertion of jurisdiction by the International Criminal Court because each country in which members of the Armed Forces of the United States participating in the operation will be present either is not a party to the International Criminal Court and has not invoked the jurisdiction of the International Criminal Court pursuant to Article 12 of the Rome Statute, or has entered into an agreement in accordance with Article 98 of the Rome Statute preventing the International Criminal Court from proceeding against members of the Armed Forces of the United States present in that country; or

**(3)** the national interests of the United States justify participation by members of the Armed Forces of the United States in the peacekeeping or peace enforcement operation.

Credits

(Aug. 2, 2002, [P.L. 107-206](http://www.lexis.com/research/buttonLink?_m=e46ae2019c4c0441af3f3ed9d86612bd&_xfercite=%3ccite%20cc%3d%22USA%22%3e%3c%21%5bCDATA%5b22%20USCS%20%a7%207424%5d%5d%3e%3c%2fcite%3e&_butType=1&_butStat=0&_butNum=2&_butInline=1&_butinfo=LXE_107_PL_206&_fmtstr=FULL&docnum=1&_startdoc=1&wchp=dGLzVzz-zSkAb&_md5=a191d9212d0fc8804c447823070dec24), Title II, § 2005, [116 Stat. 903](http://www.lexis.com/research/buttonLink?_m=e46ae2019c4c0441af3f3ed9d86612bd&_xfercite=%3ccite%20cc%3d%22USA%22%3e%3c%21%5bCDATA%5b22%20USCS%20%a7%207424%5d%5d%3e%3c%2fcite%3e&_butType=1&_butStat=0&_butNum=3&_butInline=1&_butinfo=LXE_116_STAT_903&_fmtstr=FULL&docnum=1&_startdoc=1&wchp=dGLzVzz-zSkAb&_md5=3eed8b9a7f96b98c78d51f324bbd6bb2).)