

2001 - AEU National Service Conference and Board of Directors

Supporting The International Criminal Court

Resolution of THE NATIONAL SERVICE CONFERENCE of The American Ethical Union in Support of US Ratification of the Statute for The International Criminal Court

RATIONALE:

A CULTURE OF PEACE MUST BE GLOBALIZED TODAY. Only the pursuit of a just peace, which includes the search for truth and justice for victims, will bring about reconciliation and healing in many rural villages, towns, cities, nations and regions of the world that are scarred by conflict and war.. The establishment of an International Criminal Court (ICC), as provided for in a treaty adopted in Rome in June, 1998, by the United Nations Diplomatic Conference of Plenipotentiaries on the Establishment of an International Criminal Court, provides an important step in ending impunity. This court will hear cases against war crimes, genocide, crimes against humanity and crimes of aggression.

The draft stated, "Desirous that the quest for justice includes retributive justice whose purpose is the prosecution and punishment of offenders while insuring the rights of the accused to fair trials, restorative justice whose purpose is that of reparations, restitution and rehabilitation for the victims, and redemptive justice which must be seen as the enablement of communities to deal with the truths of the past in ways which will allow and enable social reconstruction and reconciliation, and the ending of cycles of violence; ¶ recognizing that adjudication of crimes of international concerns that have transcended national boundaries are often beyond the scope of national criminal justice systems, and that crimes whose immediate victims have occurred within national contexts are often beyond the competence or ability of national judicial systems; noting the basic principles of justice for victims of crime and the abuse of power approved by the United Nations General Assembly; therefore, establish the International Criminal Court,¶"

Once 60 nations have ratified this ICC (presently 37 signatories

have), it will begin to be in force. In all likelihood, this will happen sometime in 2002. Now is the time for The American Ethical Union to urge the United States to ratify the treaty to establish the Court. In support of the American Coalition for an International Criminal Court and the Washington Working Group on the International Criminal Court (which focus on getting the US to ratify the treaty), it is also urgent to preserve and strengthen the provisions of the Rome Statute calling for an end to impunity for crimes committed against women and children

WHEREAS US support for the international system of justice has manifested itself over the past 50 years, beginning with the Nuremberg Trials and the Geneva Conventions and continuing in the last decade with the UN International Tribunals in Rwanda and the former Yugoslavia. Furthermore, when President Clinton signed the United Nations Rome Statute, December 31, 2000 the debate on whether the US should join the International Criminal Court (ICC) as one of its 60 founding members moved from the White House to the US Senate;

WHEREAS the ICC is an important advance toward global justice because it will try individuals accused of war crimes rather than nation states. While broad trade sanctions target an entire population, many of whom are innocent victims, the ICC will take legal action against the responsible individuals who give commands for crimes against humanity, such as genocide. The list of war crimes now includes the systematic rape and sexual assault of ethnic groups, as well as sexual slavery, enforced prostitution or sterilization of a population. For the first time systematic crimes against humanity can be prosecuted even if they do not occur during wartime.

WHEREAS now the United States needs to ratify the Rome Treaty to be a full member at the negotiating table during the selection of judges and prosecutors. The US has influenced every stage of the Court's development by participating in United Nations Preparatory Commission meetings to define issues such as "crimes of aggression" and to provide adequate safeguards for US military personnel on humanitarian missions. The war crimes prohibited by the ICC are prohibited by the US Uniform Code of Military Justice and impose no new laws on American service personnel. The ICC is limited to

prosecuting only the most heinous war crimes against humanity, and only if a country itself is "unwilling or unable genuinely to carry out the investigation or prosecution." The primary responsibility for law enforcement remains with each country's civil and military courts.

WHEREAS ratification will ensure that the United States is the leader in creating a court that best reflects American principles and values. The Senate can uphold our role as the foremost defender of international human rights by voting for ratification and securing our full membership in the ICC.

WHEREAS The American Ethical Union as a Humanist Movement, has supported the work of The United Nations, our best hope for creating world peace, from its inception. Furthermore, the AEU has always espoused the interconnection and interdependence of all peoples and works to bring out the highest in all persons.

THEREFORE, BE IT RESOLVED THE NATIONAL SERVICE CONFERENCE OF THE AMERICAN ETHICAL UNION:

1. COMMENDS the United Nations and the Diplomatic Conference in Rome for the drafting and adoption of the Rome Statute of the International Criminal Court.
2. AFFIRMS the need for international judicial mechanisms for the administration of justice capable of addressing major categories of crime with consistent application for all countries.
3. COMMENDS President William Clinton for signing the Rome Statute of the ICC thereby keeping alive hopes for US leadership on the Court.
4. CALLS upon the United States government to provide international leadership by ratifying the treaty, and actively supporting the International Criminal Court.
5. ENCOURAGES our members to learn about the International Criminal Court and the necessity for its

creation, and to support the participation of the US in the

International Criminal Court, including ratification of the Rome Statute.

Approved by the Board of Directors of the American Ethical Union -
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