

October 29, 2006

UCA speaker: World court flawed Domestic tribunals crucial to genocide fight, ex-ambassador contends

By Amy Upshaw

Arkansas Democrat-Gazette (Little Rock)

CONWAY – The former U.S. ambassador-at-large in charge of the Office of War Crimes Issues told a lunchtime crowd Friday that the international community, including the United States, doesn't do enough to prevent genocide.

“We need to stand up, do our part as individuals - as nations,” Pierre-Richard Prosper told about 50 people who gathered at the University of Central Arkansas to celebrate United Nations Day.

The answer to genocide, Prosper said, is not the International Criminal Court in its current form. The ICC, as it is known in government circles, is an independent, permanent court that tries people accused of the most serious crimes of international concern, namely genocide, crimes against humanity and war crimes. It is based on a treaty joined by 100 countries. The United States is not among them.

Prosper, who as an ambassador advised Secretaries of State Colin Powell and Condoleezza Rice and created policies regarding international atrocities, said the Bush administration believes that the International Criminal Court could fall prey to politics.

“The problem with that is there is no one really supervising” the court or the prosecutor, who can choose to investigate anyone, even presidents. “It's dangerous.” Prosper, who also served as a war-crimes prosecutor for the United Nations' International Criminal Tribunal for Rwanda, said he believes a better way to handle and ultimately prevent genocide is to create domestic courts in the countries where the genocide takes place “so that the people have the power over their governments.” Countries should build “a rule of law,” Prosper said, so that they can better control their environments. That combined with diplomatic and financial assistance would provide hope for countries that have none.

The International Criminal Court has merit, Prosper said, but he worries that by moving a trial to the Netherlands (where the court is based), citizens could lose sight of their individual responsibilities to peace.

Jose Guzzardi, a Brazilian who is attending UCA and is president of the UCA Student Alliance for the International Criminal Court, acknowledged that the court has flaws, but he believes it could be used to help prevent genocide.

The alliance was created, he said, to help educate Arkansans about the International Criminal Court in the hope they would ask their elected officials to push the United States to join the treaty that created the court.

“Most people don't know about it,” he said before Prosper spoke.

As for Prosper's preference for domestic courts rather than the International Criminal Court, Guzzardi said domestic courts would be "perfect in an ideal world." But, he said, this isn't an ideal world, and there are rogue states that wouldn't police and prosecute citizens for such grave abuses as genocide.

"I think the ICC has problems that need to be addressed," Guzzardi said. "Why isn't the United States at the table working on those problems?"