

IGNORING CRIMINAL TREATY HARMS U.S. LEGACY

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Thursday, the United States was left at the train station by the world community as the engine creating the International Criminal Court (ICC) got underway ("U.N. criminal court to become a reality," News, Thursday).

The Rome Statute, which creates this international court, came formally into existence after 60 or more nations ratified the accord.

America signed the treaty on New Year's Eve 2000 in the waning days of the Clinton administration, but the Bush administration has signaled its intent to withdraw that signature -- moving in the opposite direction of ratification.

Signature removal is unprecedented in American international legal practice, and for good reason.

Signing a treaty is the first step in accepting its provisions as binding. Ratification and deposit are the final steps.

By signing the treaty one and half years ago, we as a country became obligated not to actively undermine the Rome Statute even though we were not yet obliged to follow it absent Senate approval.

If the Bush State Department withdraws America's signature from this document, the negative ramifications go well beyond the significance of this particular instrument.

Indeed, signature removal could destabilize the entire framework of interlocking expectations upon which international law is built. It would signal the world that democracies can unilaterally sign or unsign treaties whenever there is a change in administration.

As the oldest republican democracy, America's historical reluctance to withdraw treaty signatures showed that democracies were stable entities which could enter into multilateral arrangements with foreign powers despite electoral regime changes. Shall we undermine that legacy now for the sake of playing to an internal isolationist and conservative constituency?

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