

**JUSTICE IN THE BALANCE; DOES WORLD COURT THREATEN U.S.
OR IS IT THE BEST HOPE FOR PEACE?**

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OPINION/COMMENTARY/EDITORIAL;

One of the many issues Congress has addressed this session has been the emergence of an International Criminal Court and such a court's influence on this nation. I have opposed the establishment of this court for many reasons, realizing that the ICC, unlike U.S. courts that focus on individual rights and a constitution, emphasizes strong central authority.

By endorsing the ICC, the United States, in effect, would turn over its constitutionally guaranteed judicial system to a politically driven international court accountable to no one.

The ICC does not guarantee due process or a trial by jury. Individual rights and their protection through checks and balances could also be called into question.

Furthermore, the ICC lacks any right of appeal, which is a bedrock of American justice. The ICC's decision is final and binding.

The issue is how much sovereignty and individual liberty Americans are willing to yield. I cannot support an international entity that forces the U.S. to compromise its sovereignty and cedes the constitutional rights of all Americans to an inherently flawed court that allows for exploitation and politically motivated prosecutions.

The concern is not what actions the U.S. has taken that could open the door for ICC intervention, but the authority and platform this court provides to other countries that oppose the U.S. and who will use the ICC to further their own political agendas. The ICC is a politically motivated body subject to international manipulation to achieve desired results. America's democratic standards should not be subject to the agendas of large and powerful authoritarian nations.

What about our peacekeepers? Do you really want them subject to an international court supervised by a judge from a nation hostile to the U.S. and U.S. citizens? The ICC does not advance, but rather, undermines the role of the United Nations Security Council in maintaining international peace and security. U.S. peacekeepers should be held accountable by the U.S. government and not an international prosecutor, unsupervised by any elected body and unbound by the concepts of Western civilization.

There are two pieces of good news to keep in mind with regard to the ICC. The first piece of good news is the Bush administration firmly opposes the court and has renounced any further obligations under the treaty. The second piece of good news is that included in the Defense Supplemental Spending measure - recently passed with my support and awaiting signature by the president - is a measure intended to shield members of the U.S. armed forces and other covered persons from the jurisdiction of the ICC.

The ICC is not consistent with our constitutional framework of rights and judicial process. As the greatest country in the world, we have repeatedly met and exceeded our responsibility to maintain important peacekeeping missions and a strong presence across the globe. The U.S. Constitution and judicial system cannot be negotiated but should be used as a prototype for other nations committed to ensuring justice within their borders and throughout the international community.

NOTES:

Republican Rep. Scott McInnis represents Colorado's 3rd Congressional District.