

RESOLUTION OF THE
LOS ANGELES CITY COUNCIL

WHEREAS, it has been 50 years since the United Nations first recognized the need to establish an international criminal court, to prosecute crimes such as genocide, and in Resolution 260 on December 9, 1948, "recognizing that all periods of history genocide has inflicted great losses on humanity; and being convinced that, in order to liberate mankind from such an odious scourge, international co-operation is required," adopted the Convention on the Prevention and Punishment of the Crime of Genocide; and

WHEREAS, in the same resolution, the General Assembly of the United Nations also invited the International Law Commission "to study the desirability and possibility of establishing an international judicial organ for the trial of persons charged with genocide"; and

WHEREAS, the General Assembly established a committee to prepare proposals to establish an international criminal court to address war crimes, genocide and crimes against humanity, and that this committee prepared a draft statute in 1951 and a revised draft statute in 1953; and

WHEREAS, the General Assembly did not immediately implement the statute but continued to consider establishing an international criminal court, and in December 1989, in response to a request by Trinidad and Tobago, the General Assembly asked the International Law Commission to resume work on an international criminal court with jurisdiction to include drug trafficking; and

WHEREAS, in 1993, the conflict in the former Yugoslavia erupted, and war crimes, crimes against humanity and genocide -- in the guise of "ethnic cleansing" -- once again commanded international attention, further suggesting the need for an international criminal court; and

WHEREAS, shortly thereafter, the International Law Commission successfully completed its work on the draft statute for an international criminal court and in 1994 submitted the draft statute to the General Assembly, which established the Ad Hoc Committee on the Establishment of an International Criminal Court, which met twice in 1995; and

WHEREAS, ultimately, at its fifty-second session, the General Assembly decided to convene the United Nations Diplomatic Conference of Plenipotentiaries on the Establishment of an International Criminal Court, subsequently held in Rome, Italy, from June 15, 1998 to July 17, 1998, "to finalize and adopt a convention on the establishment of an international criminal court"; and

WHEREAS, in the waning days of his administration, President Clinton signed the treaty that establishes the Court on December 31, 2000, but it was not yet ratified by the Senate, and on February 14, 2002, President George W. Bush took the unprecedented step of "unsigned" the treaty; and

WHEREAS, 92 nations have ratified or acceded to the treaty, which entered into force on July 1, 2002, with the seat of the Court in the Hague, the Netherlands; and

WHEREAS, as one of only seven nations to vote against the treaty at the 1998 Rome conference, the continued United States failure to participate with the ICC is in stark contrast to the strong support for the Court of most of America's closest allies and to American ideals of accountability for crimes pursuant to the Rule of Law applied equally to all;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Los Angeles confirms its support for the formation of the International Criminal Court, and urges President Bush to sign the treaty to establish the International Criminal Court and take other actions to support the formation of the International Criminal Court.

PRESENTED BY: _____
ERIC GARCETTI
Councilmember, 13th District

SECONDED BY: _____