

June 17, 2002

Santa Fe, New Mexico

Dear _____:

Thank you for contacting me to share your thoughts regarding the Proposed International Criminal Court agreement. I appreciate hearing from you on this important issue.

The creation of an International Criminal Court (ICC) has been a recurring subject of debate since the end of World War I. The issue, however, has most recently resurfaced as a result of an agreement reached at the United Nations Diplomatic Conference in July 1998. At the UN Conference, 120 nations voted to adopt the Rome Treaty, an agreement to establish a permanent International Criminal Court designed to prosecute war crimes. The United States, along with 6 other countries, opposed the measure.

Following the UN Conference, the Clinton Administration continued negotiations with the International Community to amend the ICC statute in hopes of making it more acceptable to the United States. Former President Clinton eventually signed the Rome Treaty to set up the International Criminal Court. As enumerated in the Constitution of the United States of America, the Senate must now ratify the treaty. However, Rep. Ron Paul (TX) has introduced House Concurrent Resolution 23, which expresses the sense of the Congress that President George W. Bush should declare to all nations that the United States does not intend to assent to or ratify the ICC Treaty. More recently, Rep. Paul introduced H.R. 4169, which would require that the United States not cooperate with the ICC. The legislation would rescind the U.S. signature on the Statute of the ICC and prohibit the spending of government funds on the establishment of the ICC. In its most controversial provision, H.R. 4169 declares that any attempt by the ICC to assert jurisdiction over U.S. citizens or servicemen should be considered an act of war against the United States.

Both H.R. 4169 and H. Con. Res. 23 have been referred to the House Committee on International Relations where they currently await further action. Both, however, may now be moot, as President Bush has already said he will remove the U.S. signature from the Rome treaty. The President has also informed the United Nations that he will not accept the jurisdiction of the ICC.

Again, thank you for contacting me to share your views regarding the proposed International Criminal Court. I hope you continue to contact me on issues of importance to you during the 107th Congress.

Very Truly Yours,

Tom Udall
Member of Congress