

Celebrating the International Criminal Court Sunday, March 9, 2003

Introduction:

In March the first judges of the International Criminal Court (ICC) will be inaugurated, and in July the ICC will begin hearing cases of persons charged with war crimes, genocide, and other crimes against humanity. Though the United States has chosen not to become a part of this international treaty ratified by its allies and most nations around the world, it is fitting that Christian churches in the U.S. recognize this major advance in establishing universal justice.

*God has told you, O mortal, what is good:
and what does the Lord require of you
but to do justice, and to love kindness,
and to walk humbly with your God?
Micah 6:8*

All pastors and congregations are asked to call attention that as of July 1, 2002 the ICC is now in force. And churches and governing bodies are asked to celebrate this first permanent international tribunal that will call to account persons who have committed horrendous crimes of genocide, war crimes, and other crimes against humanity.

The following resources are aids for those planning worship, discussions, or articles for newsletters for congregations and/or governing bodies of the church:

- 1) A Brief History of the International Criminal Court
- 2) Quotations about the International Criminal Court
- 3) Lectionary Comments and Suggested Hymns for March 9 (First Sunday of Lent)
- 4) A Sermon Illustration
- 5) A Litany for International Justice

A Brief History of the International Criminal Court

July, 1998 At a UN diplomatic conference in Italy 160 countries signed the “Rome Statute,” calling for creation of an international criminal court.

December, 2000 The U.S. signed the “Rome Statute,” but Pres. Clinton called it “flawed” and did not forward it to the Senate for ratification.

2001 Genocide Watch attributed over 120,000 documented deaths worldwide to genocide and political or religious killings during the year.

April 11, 2002 The 60th country ratifies the Rome Statute, thus insuring that the International Criminal Court would be established in international law.

May 6, 2002 The U.S. Administration notified the U.N. that the U.S. will not become a party to establish the ICC and nullified its signature on the Rome statute. Thus U.S. formally opposed the Rome statute along with China, Iraq, Libya and North Korea. The Bush Administration said the ICC undermines the UN Security Council, gives unchecked power to its prosecutors, threatens U.S. sovereignty over its own citizens, and is open to politically motivated prosecutions.

July 1, 2002 The International Criminal Court (ICC) comes into force as international law. From this date on, any persons charged with genocide, war crimes, and crimes against humanity can be tried by the Court.

August, 2002 The American Servicemembers Protection Act of 2002 was signed into law by President Bush. It approves withdrawing U.S. military aid from countries ratifying the ICC and restricts U.S. participation in UN peacekeeping unless the U.S. obtains immunity from prosecution. The U.S. begins seeking “impunity agreements” with other countries so they will not surrender or transfer U.S. nationals to the ICC if they are accused of crimes.

September, 2002 The ICC holds its first session of the Assembly of States Parties. That is, those nations that have signed the treaty begin setting up the Court. Other non-participating nations attend as observers, such as Russia, China, Israel, India and Pakistan, but the U.S. is the only major power absent from the Assembly.

October, 2002 The quadrennial public opinion survey “Worldviews” reports that 65% of Americans support the ICC even if “trumped up charges may be brought against Americans, for example, U.S. soldiers who use force in the course of a peacekeeping operation.”

November, 2002 Germany and Canada firmly reject U.S. impunity agreements.

March, 2003 The ICC will inaugurate its judges.

July, 2003 The ICC will begin hearing cases.

International Criminal Court

Quotations:

“For nearly half a century—almost as long as the United Nations has been in existence—the General Assembly has recognized the need to establish such a court to prosecute and punish persons responsible for crimes such as genocide. Many thought . . . that the horrors of the Second World War—the camps, the cruelty, the exterminations, the Holocaust—could never happen again. And yet they have. In Cambodia, in Bosnia and Herzegovina, in Rwanda. Our time—this decade even—has show us that man’s capacity for evil knows no limits. Genocide . . . is now a word of our time, too, a heinous reality that calls for an historic response.”

--Kofi Annan, United Nations Secretary-General

[Without an International Criminal Court] “A person stands a better chance of being tried and judged for killing one human being than for killing 100,000.”

--José Ayala Lasso, former United Nations High Commissioner for Human Rights

“The U.S. government [by opting out of the Court] has effectively forfeited its leadership role in the search for justice and the promotion and the protection of the rule of law and human rights in the international sphere.”

--Param Kumaraswamy, United Nations special rapporteur on judicial independence

“Although virtually every Western democracy has ratified the treaty under which the Court will operate, the United States will not participate . . . On a macro level, it sends a message to the rest of the world that the United States will continue to renounce international obligations, as it has done with the land mine ban treaty, the Kyoto Protocol, the biological weapons treaty, the comprehensive test ban treaty and the ABM treaty . . . On a micro level, the U.S. will not have input into selection of the Court’s judges and prosecutors.”

--Marjorie Cohn, Professor, Thomas Jefferson School of Law.

Lectionary and Suggested Hymns for March 9 (first Sunday in Lent)

Gen. 9:8-17

God’s covenant with Noah, his family and the creatures of the ark: “never again shall all flesh be cut off.” Could a sermon draw an interesting comparison and contrast between the ancient covenant and the Rome statute to end crimes against humanity by establishing the International Court of Justice?

Psalms 25:1-10

“All the paths of the Lord are steadfast love and faithfulness, for those who keep God’s covenant and decrees.”

I Peter 3:18-22

Christ suffered once for all to bring you/us to God, and “made a proclamation of the spirits in prison, who did not obey” in the days of Noah. The ark prefigures our baptism and salvation. The text speaks of Christian hope during the time of suffering by the early church. May the ancient apostolic promise also remind to us of the recent “century of massacres” and our hope for greater justice as we enter a new era of international law. “In the prospect of an international criminal court lies the promise of universal justice. That is the simple and soaring hope of this vision.” (Kofi Annan, United Nations Secretary-General)

Mark 1:9-15

The earliest account of the baptism of Jesus by John the Baptist. May the gospel

story reinforce the glad tidings of God's message to every person through the Beloved Son, for God also speaks to us in our baptism, saying, "You are my Child, my Beloved; with you I am well pleased." When "the kingdom is at hand" or "draws near," we are called to "repent and believe the good news."

Is the ICC an instance of the world community at last "changing its mind" or "repenting" of ignoring crimes against humanity and genocide? Are we beginning to believe the good news that justice must come to all peoples? Are we at last believing that each vulnerable child and woman is indeed "God's beloved" and that their tormentors and killers must be brought to trial?

Suggested Hymns in the Presbyterian Hymnal

- 83 "O Love, How Deep, How Broad, How High" (Deo Gratias)
- 45 "What Does the Lord Require" (Sharpthorne)
- 432 "Canto de Esperanza" "Song of Hope" (Argentina)
- 433 "Today We All Are Called to Be Disciples" (Kingsfold)
- 283 "God Marked a line and Told the Sea" (Kedron)

One Possible Sermon Illustration

This month (March) the first judges of the International Criminal Court are being inaugurated, an historic moment in the human quest for universal justice. The Court will hold its first hearings this summer. One case that should be heard concerns human rights crimes in Sudan. Sudan's 18-year civil war has resulted in the death of 2 million, the displacement of 4.5 million, and the exile of half a million Sudanese. Many of these deaths point to Sudan's governmental policy to destroy certain ethnic, racial and religious groups.

Sudanese atrocities have included bombing clearly marked hospitals, churches, feeding centers and schools; enslaving thousands of southern Sudanese, some for sexual exploitation; and the kidnapping of Sudanese children to be used as soldiers against their own people. The severity of the situation prompted the United States Holocaust Memorial Museum to issue its first ever "Genocide Warning."

Although the Sudan has not ratified the International Criminal Court (as the United States has not), still the U.N. Security Council has the authority to refer cases to the Court. Even a discussion in the Security Council would put Sudan on notice that the international community will no longer tolerate Sudanese leaders who order bombing of hospitals, slavery, and use of child soldiers.

--Based on a report from the NGO: USA for the International Criminal Court, www.usaforicc.org and on "Genocide Warning" see www.ushmm.org/conscience. Note also the Social Justice Action on "Civil War in Sudan" adopted by the 213th General Assembly (2001) of the Presbyterian Church (U.S.A.) as reported in *Church And Society* (July/August 2001), 62.

A Litany for International Justice

"You are blessed when you're at the end of your rope."

Bless, O God, all men and women, children and youths who are tortured, enslaved, exploited and "disappeared." May they know more of your rule in the world because of the International Criminal Court.

"You are blessed when you feel you've lost what is most dear to you."

Bless, O God, all who have been driven from ancient homelands, who mourn at mass graves of innocents, who despair of justice because nations turned away from their misery.

"You are blessed when you're content with just who you are—no more, no less."

Bless, O God, subsistent farmers whose fields are full of mines, threatened teachers who dared to teach young girls and illiterate adults, brave union organizers who struggled to end sweatshops for children.

"You are blessed when you've worked up a good appetite for God."

Bless, O God, those who must worship in secret, those who challenge unjust laws, those who stand up for what is right. Feed them with your strength. Make them to drink from the deep well of your grace.

"You are blessed when you care."

Bless, O God, lawyers who defend the defenseless, judges who decide justly for the meek of the earth, officials who show kindness to the alien and refugee. May they also receive your mercy and care.

"You are blessed when you get your inside world—your mind and heart—put right."

Bless, O God, those called as witnesses of horrible crimes against humanity. Help them see your truth and grant them courage.

"You are blessed when you can show people how to cooperate instead of compete and fight."

Bless, O God, all diplomats who shape international law to bring equity among the earth's peoples and who restore and preserve your creation.

"You are blessed when your commitment to God provokes persecution."

Bless, O God, ethnic peoples, religious societies, indigenous communities, and all claiming dignity and worth who challenge powers that dominate and oppress your children. Hasten the day when your family does justice, loves mercy and walks humbly with you, O Lord.

We pray in the name of the One who was arrested at night, imprisoned and tortured, found no justice, and was cruelly executed to placate powerful, fearful leaders. Because he yet lives, we live to praise you, O God.

Amen.

--Quotations from the Beatitudes as paraphrased by Eugene H. Peterson, *The Message: The New Testament, Psalms, and Proverbs in Contemporary Language* (1995), pp. 18, 19.