

UNITED CHURCH OF CHRIST SUPPORT FOR THE INTERNATIONAL CRIMINAL COURT

Adopted by the Twenty-fifth General Synod in July 2005

THEOLOGICAL RATIONALE

The United Church of Christ has a long and vigorous history of commitment to human rights, justice and peace. The International Criminal Court reflects the strongly affirmed hope in the United Church of Christ that there is an emerging global consensus about human rights and justice long ago revealed in God's profoundly hopeful promise in Biblical history. Like our spiritual ancestors, we glimpse a common and vibrant humanity underlying all of our separate identities.

Today, that still awakening awareness of common humanity tragically falters in the chaos of terrorism and yet grows stronger in global humanitarian efforts and in acts of justice and reconciliation. The International Criminal Court addresses the large scale and notorious crimes that grossly violate a fundamental moral sensitivity reflected in the vision of a common humanity, a vision revealed in Jesus' life and teachings, in the history of Christian thought and in the moral laws of the great religions. For instance, genocide and rape are grossly wrong and never should be dismissed as unfortunate mistakes of military or political policies.

BACKGROUND TO THE INTERNATIONAL CRIMINAL COURT

The International Criminal Court, now permanently located in The Hague, came into being in July 2002 when the required minimum of 60 nations ratified the treaty establishing the Court. The Treaty, called the Rome Statute of the International Criminal Court, was formulated on the basis of previous international agreements, such as the 1948 Universal Declaration of Human Rights, on precedents established in the Nuremberg and Tokyo tribunals – in which the United States played major roles – and on more recent learning from the criminal tribunals for the former Yugoslavia and for Rwanda. The United States was an influential participant throughout the negotiations that in 1998 led to the initial approval of the treaty by 120 nations. Today, nearly 100 nations, including most democratic nations worldwide, have ratified the Rome Statute.

The International Criminal Court (ICC), though initiated through the United Nations, is a fully autonomous international criminal court that will investigate and bring to justice individuals who commit the worst crimes known to humanity, specifically the crimes of genocide, war crimes and crimes against humanity.

The ICC is not intended to replace national courts but rather to strengthen and complement them. The Court will only undertake investigations and prosecutions of a case if the nation of the citizen accused cannot or will not hold the individual accountable.

In December 2000, the United States joined 138 other nations to become a signatory to the Rome Statute, thus indicating continuing participation but not necessarily readiness for ratification. Sadly, however, in May 2002 in an unprecedented and hostile act, the United States severed all diplomatic contact with the emerging Court and withdrew the American signature from the

Treaty. Since then the Bush Administration sought to undermine the Court's credibility and international support.

A citizen of the United States would not be prosecuted by the ICC unless our government refused to make a good faith effort to investigate the alleged crime – and only if the allegation itself were the horrific claim of genocide, war crimes or crimes against humanity.

The Rome Statute resolves “to guarantee lasting respect for the enforcement of international justice.” The ICC safeguards the rights of persons accused of atrocities in ways that are compatible with the Constitution of the United States. It provides unprecedented protection and roles for victims, and fully respects the prior claims of jurisdictions that belong to courts within nations. The Court's concept of punitive justice prohibits the death penalty. The Court is shaped in part by the increasingly fruitful concept of restorative justice, wherein the restoration of relationships and accountability to victims and the community are essential.

RESOLUTION

WHEREAS the United Church of Christ is committed to educating and advocating on behalf of human rights, global justice and peace.

WHEREAS the International Criminal Court sustains the advancement of human rights and, within the norms of international law, supplants impunity with accountability concerning crimes of genocide, war crimes and crimes against humanity,

WHEREAS for reasons of moral leadership and national interest, the United States should once again fully participate in the shaping of the policies of the International Criminal Court,

THEREFORE, BE IT RESOLVED, that the Twenty-fifth General Synod of the United Church of Christ encourages members of the United Church of Christ to become informed advocates for the International Criminal Court,

BE IT FURTHER RESOLVED that the Twenty-fifth General Synod of the United Church of Christ urges the President of the United States to restore our signature to the Treaty establishing the International Criminal Court and to cease efforts to undermine the Court's effectiveness and international support, and to prepare for eventual ratification by the Senate of the United States,

AND, TO THAT END, the Twenty-fifth General Synod of the United Church of Christ urges the Covenanted Ministries of the United Church of Christ, in particular the Public Life and Social Policy Ministry in Washington, DC, to educate and advocate for responsible United States participation in the International Criminal Court.

Funding for the implementation of this resolution will be made in accordance with the overall mandates of the affected agencies and the funds available.

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