Date 27th April, 2001

REF: L F - U

Mr Andrew Thomson
Chairman of the Joint Standing Committee on Treaties
Parliament House Canberra ACT 2601

Submission No. ...200...........

Dear Mr Thomson,

## Re Proposed International Criminal Court

The Social Justice Committee of Our Lady of the Rosary Parish The Entrance NSW, has formed the view it is not in Australia's best interests to ratify this proposal.

Our understanding is that the Court could at any time, take matters away from Australian Authorities, if, in the Court's opinion, the Australian Court's proceedings were not adequate. The Proposed Court could require Australian Nationals to be extradited for proceedings to be undertaken against them. These Australians would be denied: - the right to Trial by Jury, the right to not give Self Incriminating Testimony, the right to cross-examine all witnesses for the prosecution. The Proposed Court would be the sole determining body as to whether the Australian Court proceedings were adequate.

The effects of this power could be, that should some decision of an Australian Court be unpopular, then, for the Proposed Court to find some reason, real or false, to intervene, would present no great difficulty. Australian servicemen operating abroad could be extradited for prosecution even though they were following orders.

It is this Social Justice Committee's view that the proposed Court's Powers and the Legal System under which it will operate, have not been adequately and clearly enunciated by the Officers of the various Government Departments who were involved in presenting advice to the Ministers responsible for the carriage of this legislation.

Yours faithfully,

L R FLYNN
Social Justice Contact

c    Hon. J Howard        Prime Minister
     Mr Michael Lee       Member for The Entrance
     Mr Kim Beasley       Leader of the Opposition