

Morris, Robert (REPS)

Submission No. 35

From: Kaida, Lisa (REPS)
Sent: Wednesday, 3 January 2001 9:43 AM
To: Morris, Robert (REPS)
Subject: FW: Ratification of Rome Statute

-----Original Message-----

From: Susan Clarke [SMTP:sclarke@cygnus.uwa.edu.au]
Sent: Tuesday, January 02, 2001 4:58 PM
To: jsct@aph.gov.au
Cc: icj-l@cleo.murdoch.edu.au
Subject: Ratification of Rome Statute

The Secretary
Joint Standing Committee on Treaties
Parliament House
Canberra ACT 2600

Dear Secretary

re: Statute on the International Criminal Court (ICC)

I am writing to express my support for the ratification by Australia of the Statute for the International Criminal Court.

Having studied the statute I consider that ratification is in the national interest for the following reasons:

1. There will be a body to whom crimes against humanity can be referred without the need for the establishment of separate intentional instruments every time a tribunal is needed to address breaches of international criminal law.
2. The referral of matters to the ICC will assist Australia in its role as a "regional mate" rather than a "regional deputy", as it will be the international community which will undertake investigations and prosecutions. This will reduce pressure being placed on large regional nations like Australia to undertake such tasks without substantial international support.
3. Australia has a proud traditional as advocate and role model for human rights compliance, although Australia's commitment in this area has visibly decreased over the last decade. Ratification will demonstrate Australia's continued commitment to upholding international norms in the area of protection from human rights abuses by the perpetrators of serious crimes, crimes against humanity and war crimes.
4. The Statute holds states responsible for ensuring that their representatives do not commit crimes against international law. Ratification will demonstrate to our regional partners and neighbours that Australia does not condone state sponsored violence or other human rights abuses.
5. The principals set out in the statute reflect and give effect to the values of the Australian people in their frequent demands for:
 - a) the bringing to justice of suspected war criminals whether found in our country or abroad, and
 - b) respect for the fundamental rights of Australian citizens awaiting charge or trial in foreign countries.

yours sincerely

Ben Clarke LLB, LLM
5 Spey Road Applecross