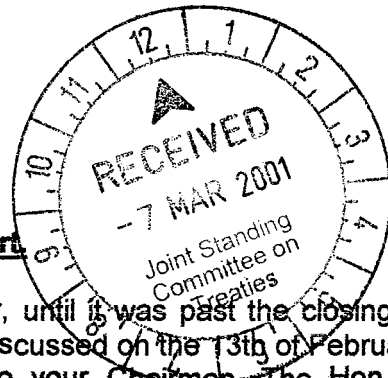


25 Februarv. 2001

Attention: Mr Grant Harrison,

Secretary, Joint Standing Committee on Treaties.
Parliament House,
Canberra, ACT, 2600.

Submission No. 1544



Submission Re. The Statute of the International Criminal Court

I was unaware of the hearing by the Committee on this matter, until it was past the closing date for entering of submissions, but I was privy to some of the matters discussed on the 13th of February at the Sydney meeting and subsequently sent the attached letter to your Chairman, The Hon. Andrew Thomson. He kindly responded and informed me that the Committee were, in fact, still receiving submissions and suggested that I resubmit my letter to the Committee. Therefore I reproduce it below:

*Attention The Hon. Andrew Thomson, 15th February 2001
Chairman of the Joint Standing Committee on Treaties.*

Dear Mr Thomson,

Re; The International Criminal Court.

Due to the lack of publicity regarding requests for submissions to hearings concerning the above, I was unaware of them until too late and so unable to table a submission in the prescribed time frame.

However, I wish to advise you that I am totally against the formation of this body and did, in fact, make a submission on 12th February 2000 to the sub-committee on 'Australia's relations with the UN in the Post Cold War Period'. The viability of the ICC was included in it's brief and on which I commented as follows:

"The background and issues referred to in the information booklet are so numerous it is self evident it can never work satisfactorily. It will affect National Sovereignty and we have expressed our views on that. If a Country (member state) was found to be engaged in some sort of criminal activity (determined by whom?) how are they to be punished and discouraged from their misdemeanours? Sanctions do not appear to be very effective when you consider Iraq, even if it is killing the children. Also, is this a ploy to assist in the setting up of a covert MAI?

You may remember that under the original MAI proposal, any Country found to be imposing 'unfair trading conditions upon another country or foreign enterprise, was to be hauled up before an International Court and if found guilty, punished. It did not say how.

This writer says, "A Pox on International Courts, Criminal or otherwise. We are incapable of keeping our own Courts honest, what chance would we have with the International ones?" End of quote.

I understand that at the hearing on Tuesday 13th February, following Ms June Beckett's address, Mr John Stone also made reference to the attempt to subversively bring in the MAI and I would add that subsequent to the apparent abandoning of it I understand a sneaky bit of legislation was enacted known as the Fifth Protocol which effectively amounts to the same thing.

This is a further example of the Fabians philosophy of furthering Communism by Gradualism, as is the snide comment made by Committee Member Senator Schacht to MS June Beckett when she made comment about that organisation of which the Senator is apparently a proud member. The derogatory epithet is a very effective tool that has been honed to an art form by the Fabians. If I may, I would suggest you watch the Senator very closely. I wonder if he realises the philosophy of his beloved Communist Manifesto has been taken over by the trans nationals and international financiers and is being exploited for THEIR benefit not the Proletariat?

What also worries me is the fact that your Committee can only make recommendations to the Government and whilst I believe you will make the right ones to it, inasmuch as I perceive a considerable amount of antipathy by the Committee toward the formation of the ICC, there is no obligation on the part of the Government to comply. The recommendations of a Committee cannot be legally binding on a Government, because the members only represent their own electorates.

Given Alexander Downer's sensitivity to World Perceptions and the leading role he has played in getting the matter this far, it seems likely that the fear of loss of face, internationally, may make him and his Parliamentary colleagues disposed toward disregarding your recommendations if they impact negatively against their preconceptions.

I suggest therefore, it might be politically expedient to engender as much publicity for the matter as possible, particularly on the lines of the Alan Jones interview you just had and considering when he broached the subject on 'The Today Show' last Thursday, his switchboard went into meltdown with the response from the public. If enough voter wrath can be generated in this especially election sensitive year, Government might, for once, comply with the Will of the People.

*The other cause for concern is that because it is unlikely the Coalition will retain Government at the next Federal election and I believe since the last election Howard has always been aware of this and does not particularly care because **HE** will be alright. It is imperative, therefore, that you are able to get this matter resolved well before the next election. It is later than you think.*

Yours sincerely,

Cec. Clark.

Since the above letter State elections in WA and Queensland have come and gone and the consequences have been reverberating around the Country ever since. Without wishing to be repetitive I feel I must re-emphasise the statement I made concerning the next Federal election.

From a purely unbiased point of view it seems inevitable the Howard Government will lose next time. Personally I have been of that opinion since they were elected last time but will not go into the reasons why unless the Committee wishes it at a later date.

Therefore I feel it is a matter of the utmost urgency that this Committee, if it does indeed see the very real dangers in us ratifying this Treaty (and I fervently hope it does), expedites with great alacrity it's Report to the Government, so that if they do intend to take note of the recommendations they have time to do something about it before the next election. Because if they do not veto it before then, when Kim Beazley and Co. get to work, they will ratify it without further ado.

However, I will make the following prediction and hope I am wrong,

You will submit your report and whatever your recommendation Howard and Co will do nothing.

This will leave the coast clear for the ALP to pick it up again and ratify it without so much as a ripple on the UN puddle. Mr Howard will say with his hand on the place where his heart would have been if he had one, **"WE DID NOT RATIFY IT, THE ALP DID"**. Just as Beazley say's **"WE DID NOT INTRODUCE THE GST"** whilst knowing full well they would like to have done so, but did not dare, and also knowing they will do nothing to ameliorate the consequences of this inequitable tax. This with a straight face and his hand similarly disposed.

As I see it we, the People, are on a hiding to nothing. Heads the UN wins, Tails they still win. I wonder if you, Ladies and Gentlemen of the Committee, understand the nature of the formidable forces ranged against us. I would expect Senator Schacht, as a Fabian, to have a very clear idea since he would have to be a part of them as indeed Bob Hawke was and is.

I have observed the evolution of the Marx and Engels Communist Manifesto over the decades across the World and watched it's development as a tool of the International Financiers and it terrifies me to see how **vulnerable** we have all become to complete and utter domination by them. It is a Reality not a Conspiracy. We are teetering on the brink of a 'Brave New World' or a '1984' and it only needs a little push and we will be gone.

I sincerely pray the majority of this Committee are able to tip the balance in favour of this Country so that it escapes the consequences of this bureaucratic monstrosity.

My personal consolation is I will probably not be around by the time it all comes to fruition and that the Senator Schachts and Bob Hawkes of this world, probably will be. They will then find out first hand, the true meaning of the slavery into which they will have plunged us all, **themselves included**.

Having unburdened myself of the foregoing, there are some further cogent observations:

If the assumption is made that the ICC is 'A GOOD IDEA', it must be apparent to Blind Freddie that its implementation is fraught with pitfalls. The National Interest Analysis is overwhelming evidence of the sheer impracticability of ever making it work with **Justice**. One has only to dip into the document to extract copious examples of this.

For example, under the section **Obligations;- Officials of the Court**, it states: "The Statute provides for the Judges to be chosen from among persons 'of high moral character". Does this include Homosexuals and Paedophiles? It is well known they exist or have existed in our own Judiciary. The same applies to the other Officers of the Court. **WHO DECIDES WHO FULFILLS THE LAUDIBLE ASPIRATIONS OF THE STATUTE AND ARE THEIR OWN CREDENTIALS AS IMPECCABLE?**

It also states that '**no two Judges be of the same Nationality and the Prosecutor and Deputy Prosecutors must be of different Nationalities**'. This is stark raving lunacy, presumably in the name of impartiality. What if you have say, a German Prosecutor and an Armenian Deputy and they have no common language? Do they have to have a translator and what if he or she is politically biased? It compounds the difficulties between the Judges who have to rely on interpreters if they want to discuss a case between themselves.

I have said in my submission to the **sub Committee to the Enquiry into Australia's Relations with the United Nations in the Post Cold War period**, that the whole thing is so complex it can never work and this can also be seen in the rest of the National Interest Analysis document. Eg. Article 112 states; 'The Assembly may establish subsidiary bodies, including an independent oversight mechanism for inspection, evaluation and investigation of the Court, in order to enhance its efficiency and economy'.

What a bonanza for the bureaucrats. They get funded to pick holes in the Court system and hold interminable enquiries at our expense into this and that, all in the name of efficiency and economy. To which I respond, OH YEAH? Who do they think they are they kidding?

Really, the whole document is so full of holes, ambiguities and complexities an International Criminal Court set up under it's aegis **can never work and DELIVER justice**. It is at once a bureaucratic nightmare and a gift to them from their Master in Hell. **If they ever try to make it work it will:**

(1) Take too long. (2) Be too little. (3) Be too late. (4) Be too costly. Especially if we are to fund not only the Court, but (8) below as well. (5) Destroy our National Sovereignty. (6) Make a legion of Lawyers richer than they already are. (7) Take us further down the path to a One World Government. (8) Require a policing force capable of taking on the new super military force being assembled in Europe with the supposed intention of dealing with like matters in that territory.

In my previously mentioned submission to the UN enquiry, I also dealt with the matter of policing at some length. The whole thing reeks of Socialist control and Free (comparatively) Australians do not want a bar of it.

Here are a few more 'off the cuff' observations:

Under Future Protocols, Annexes and other legally binding Instruments article 121 refers to: *'Amendments to all other provisions cannot be proposed until seven years after the Statute's entry into force'*. This is followed by more UN speak language apparently designed to further obfuscate the weary reader. It really is a load of rubbish. What nonsense to have to put up with a faulty structure for 7 years before steps can be taken to correct it. Are these faceless bureaucrats really serious? If so they need to be eliminated.

Under Implementation, via our very own Alexander Downer in a media release 12 December 1999 is a Reference to the fact that OUR Government will introduce legislation under the International Organisations (Privileges and Immunities) Act 1963, via Regulation (not as it says, Legislation), to effectively tin plate the posteriors of the Courts Officials. This bears a remarkable similarity to the proposed legislation regarding the MAI, the Officials of which were to be likewise similarly and appropriately tin-plated.

In other words, these officials can do no wrong, can make horrendous mistakes or more sinisterly deliberately distort the process of such justice as there may be, without any regard to their personal liability. An invitation to corruption if ever there was. Oh yes, these folk are supposed to be of impeccable character and Pigs might fly.

Under Consultations the Government (ours) claims it has *'Consulted with the States and Territories Through the Standing Committees on Treaties'* etc. etc. and states: ***'There have been no objections from State or Territory Governments to Australian ratification of the Statute'***. In view of the Committees participation in this enquiry that statement is at least suspect and at worst shows a gross dereliction of duty by the various States and Territory Governments to ascertain the true wishes of their Representatives electorates and once again the Elitists are trying to decide for us what they consider is best for us and *also probably for themselves*. ***When the likes of Alan Jones of 2 UE claim that at this late date to never have heard of this proposed ratification of the ICC, one may be forgiven for suspecting a hidden agenda.***

It also refers to the bi-annual consultations between various Departments and NGO's, the Major political Parties in Federal Parliament, the Australian Red Cross and the RSL, all of whom are encouraging the Government to ratify the Statute. Once again this would have to be a very suspect statement. For starters I can't believe the older stalwarts of the RSL would countenance the surrender of our National Sovereignty, ***'IF THEY REALIZED THAT IS WHAT THE RATIFICATION WILL MEAN'***. As for the Majors, the National Consultative Committee and the NGO's, well they have an obvious vested interest in the promotion of it. This Committee should be well aware of this.

The supporting Nations (States) are keen to impose their own standards of morality on other cultures and seek to do so by setting up this International Criminal Court. Whilst we may believe that our standards are, if not impeccable, certainly superior to those we condemn, on the other hand ***they*** may look at the events of East Timor over the last 26 years or so and see us as a bunch of hypocritical manipulators. Who is to be the final arbiter? This ICC? I think not.

Finally, in the slightly parodied words of a comedy song of the twenties or thirties in the UK that may not have made the Charts in Australia, in reference to the ratification of the Treaty of the Statute of the International Criminal Court (which should not have been signed in the first place), my Will is:

"NO, NO, A THOUSAND TIMES NO", for 'WE WILL ALL DIE, IF YOU SAY YES' !!!!!!!

We will die as a Nation, as a People and possibly in the Literal sense also.

Cec. Clark. M.I.I.E. February 2001.

