



newsletter

of the Maine Chapter
of the United Nations Association



July, 2002, Vol. XI, No. 3

11 Columbia Street, Augusta, ME 04330

OFFICERS

President

Robert Howe, Harpswell
(O) 622-4466
(H) 729-5299

Vice President

David Pearson, Readfield
685-3749

Secretary

Wendy Hazard, Belgrade
495-2675

Treasurer

Trudi Schneider, Georgetown
371-2152

DIRECTORS

Paula Brayson, Gray
428-3676

Julia Edwards, So. Portland
799-5827

Thurston Holt, Cape Elizabeth
799-8290

Lynn Kuzma, Portland
(O) 780-4347
(H) 773-7353

Thesil Morlan, Waldoboro
832-6863

Al Niese, Woolwich
443-8613

Kenneth Rodman,
Colby College, Waterville

Mary Lee Rushmore,
New Harbor, 677-3647

Norman Seagrave, Brunswick
725-8478

Barbara Skapa, Mt. Vernon
293-2892

Lydia Sparrow, Brunswick
725-5477

Bruce Stedman, Westport
882-7387

Jack Swift, Georgetown
371-2567

Philip Thompson, Portland
871-7171

Charles Weitz, Portland
774-1741

MODEL UN 2002



From left coaches David Pearson, UNA Vice President, Bruce Stedman and Charles Weitz, UNA Board members, Bob Howe, UNA President, and keynote speaker Natalie Hahn of UN Headquarters

Once again, the Model United Nations Conference was a great success — clearly a high point in the Chapter's annual program. Held from May 14 to May 16, 166 students from 11 high schools in Maine attended the 2002 conference. The students were each assigned the role of a delegate to one of four UN bodies (Security Council; Human Rights Commission; Legal Committee of the General Assembly, and the GA Special Session on the Rights of the Child), representing a particular member country.

The Secretary General of the Conference and the presiding officers of the various UN bodies were represented by students from the University of Southern Maine. The participating high school students had spent many months preparing themselves for their roles, often with the assistance of USM students, studying the countries they would be representing, their politics and principal concerns. They performed their duties as delegates with enthusiasm and vigor, doing their best to represent faithfully the known views of the governments they were representing.

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Model UN

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Seven Chapter board members served as coaches in the various bodies. The board has viewed a critique of the 2002 session and is already laying plans for 2003 session, which will again be held at the Gorham campus of the University of Southern Maine. The Model UN conferences are jointly sponsored by the Maine Chapter of the United Nations Association, the World Affairs Council of Portland and the University of Southern Maine. Our Chapter contributed \$2500 toward the costs of the conference, derived entirely from donations by Chapter members and friends. Their support was greatly appreciated.



Some of the students representing members of the United Nations Human Rights Commission, in caucus, with their coach, Charles Weitz

EYES ON THE ICC

Recent actions in the United States Congress and at the United Nations Security Council underline the timeliness and significance of the UNA-Maine Board of Directors' decision, announced in the April Newsletter, to sponsor a symposium about the International Criminal Court, to be held during United Nations Week, in October 2002.

The statute of the ICC, which was drafted with the active participation of the United States and 70 other governments, and approved in Rome for circulation to member states about four years ago, became effective on July 1st, 2002, after 76 governments (16 more than the required minimum) ratified it.

Under the treaty, any genocide, war crime or crime against humanity, committed by an individual or individuals, can be investigated and prosecuted by the ICC, if it occurs in a country that accepts the Court's jurisdiction, or is committed by a citizen of that country, or if the UN Security Council refers the case.

THE COURT MAY ACT ONLY IF THE NATION HAVING JURISDICTION OVER THE OFFENDER IS GENUINELY UNWILLING OR UNABLE TO PROSECUTE.

American opponents of all forms of international cooperation appear to have seized on the treaty establishing the ICC as an opportunity to reassert their determination that the United States will never join in any multilateral effort that might in any way constrain or constrict the freedom of that government and of its citizens to act in any way they please. Statements by President Bush, Secretary Rumsfeld and other senior Americans have asserted that the United States will neither accept the jurisdiction of the Court nor cooperate with it in any way. Under-secretary of State, Marc Grossman, formally revoked US support of the treaty in May, 2002.

Although President Clinton signed the treaty on his last day in office, he had reservations

about it and never submitted it to the Senate for ratification. The United States exerted great pressure on other countries against ratification of the treaty, without success.

Both houses of the US Congress have passed legislation called "American Servicemembers' Protection Act (ASPA)" which is aimed at forestalling any possibility that an American soldier could be tried for war crimes in the ICC. The bills prohibit US cooperation with the ICC, restrict participation in UN peacekeeping, prohibit military assistance to most countries that ratify the ICC, and authorize the president to use all necessary and appropriate means to free from captivity any US personnel held by or on behalf of the ICC. The bills will need to be reconciled in conference committee before submission for the president's signature.

In the Security Council, the United States has been trying to obtain approval for immunity from ICC prosecution for any US servicemember serving on UN peacekeeping missions, and has indicated the possibility of the United States withdrawing its citizens from such missions and withholding payment of peacekeeping dues if the immunity is not granted. Having failed to gain appreciable support in the Council, and encountering strong opposition from the governments of France and the United Kingdom, in early July the United States attempted to bludgeon the Council into acquiescence by refusing to agree to an extension of the peacekeeping mission in Bosnia unless the decision included provision for immunity of American troops from ICC jurisdiction. When that maneuver failed, the US vetoed the resolution extending the mission, and threatened to halt all American financial support for all UN peacekeeping operations and to veto any proposals for new peacekeeping activities.

Thus, the American delegation continued to raise the ante in this game of power politics, leaving little wriggle room for itself or its allies. In the Bosnian case, at issue is the status of 46 US servicemen attached to the police contingent of 1500 men. Clearly, America's stated objection to the ICC, on the ground that American servicemembers serving overseas might be prosecuted by the ICC on trumped-up criminal charges, has no legal basis. The ICC has provided a pretext for the strong anti-UN elements in the administration and the congress to do vital damage to the UN. As we went to press, it appeared that they were determined to do just that. It is impossible to foresee what the situation will be at the time of the UNA-Maine symposium in October; the American attitude toward the ICC is almost certain to become a campaign issue. Clearly, UNA-Maine has selected a hot-button subject for examination.

Meanwhile, plans for the symposium are firming up. It will explore such issues as:

- Can the Court help to prevent crimes against humanity?
- Why is the United States opposing the Court?
- Why do our allies favor it?
- What are the Court's possible strengths and weaknesses?

These and other issues will be explored by way of films, workshop discussions and a mock "Senate Committee Hearing," with expert witnesses - proponents and opponents of the ICC - who will be questioned by our senators or their substitutes and also by the audience. The symposium will be a half-day event (12:30 to 6:00 PM) at the University of Maine Law School in Portland, on Saturday, 26 October. **SAVE THE DATE!**

In addition to the UNA of Maine, cosponsors of the symposium include Amnesty International (Maine), International Law Society of the University of Maine, Political Science Department of USM, and the World Federalist Association, Maine Chapter.

The October 2002 issue of the Newsletter will contain the final program and registration forms.

Switzerland to Join the United Nations

Switzerland formally signed its application for UN membership on June 21st. It will be presented personally to the Secretary General in July and will likely be approved by the General Assembly when it opens in September. Swiss citizens approve accession to the United Nations in a referendum in March 2002.

To Contact Your Congressional Legislators

Representative Tom Allen

1717 Longworth House Bldg
Washington, D.C. 20515

Tel: 202 225-6116

Fax: 202-225-5590

Local Office
234 Oxford St. Portland 04101

Tel: 774-5019

Fax: 871-0770

e-mail: rep.tomallen@mail.house.gov

Representative John Baldacci

1740 Longworth House Building
Washington, D.C. 20515

Tel: 202 225-6306

Fax: 202 225-2943

e-mail: Baldacci@mail.house.gov

Local Office

157 Main St. Lewiston 04240, 782-3704

Senator Susan Collins

172 Russell Senate Office Bldg.

Washington, D.C. 20510

Tel: 202 224-2523

Fax: 202 224-2693

e-mail: senator@collins.senate.gov

Local Office

11 Lisbon St. Lewiston 04240

784-6969

Senator Olympia Snowe

154 Russell Senate Office Bldg

Washington, D.C. 20510

Tel: 202 224-5344

Fax: 202 224-1946

e-mail: olympia@snowe.senate.gov

Local Office

2 Great Falls Place, Auburn 04210

786-2451