

Proposal for Skopje Spring Congress 2020

Proposal
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LYMEC Spring Congress, April 3 to 5, 2020 in Skopje

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Status: accepted rejected transferred to _____

The Skopje Spring Congress 2020 may decide:

1 **EU should pressure the US to respect the International** 2 **Criminal Court**

3 **Noting that:**

- 4 • The International Criminal Court (the ICC) was established to strengthen the international
5 norms of justice by prosecuting individuals who commit crimes against humanity, war
6 crimes, genocide and crime of aggression.
- 7 • The court has the legal authority to investigate and prosecute various forms of serious
8 criminal actions by individuals from member states or actions committed on the territory of
9 a member state.
- 10 • The ICC is currently investigating US war crimes in Afghanistan and European "black
11 sites" where the US has allegedly made use of torture to question war
12 prisoners
- 13 • The United States, who is not a state party to the ICC, has continuously tried to
14 undermine and weaken the court through public threats and various policy initiatives
15 aimed at making US allies distance themselves from the court.
- 16 • Donald Trump's Former National Security Advisor, John Bolton, proposed unacceptable
17 sanctions on the ICC while in office – e.g. banning ICC judges and prosecutors from
18 entering the US, withholding any funds they had in the States and prosecuting them in the
19 American court system.

20 **Believing that:**

- 21 • All states are expected to behave responsibly and follow the rules of warfare as stated in
22 the Geneva Conventions, when engaged in military conflict - especially the strongest.
- 23 • The international court has the potential to be a bastion of a global rules-based order
24 which foundation lay on equality, justice, and fairness.
- 25 • Opposition from the United States poses an alarming constraint on the court's ability to
26 fulfill its tasks of prosecuting war criminals and preventing future atrocities.
- 27 • Banning ICC judges and prosecutors from entering the US would severely hamper the
28 efficiency of said persons to do their mandated assignment and, in addition, it would deal
29 a major blow to the multilateral order based on freedom, democracy and the rule of law,
30 that the US itself has attempted to establish.

- 31 • As liberals, we have an obligation to protect the global rule of law and to speak out
32 against those who attempt to undermine it.

33 **Therefore, LYMEC calls on:**

- 34 • The EU, member states to condemn the actions of the United States undermining the ICC
35 as an institution and its functioning.
- 36 • The EU and member states to increase diplomatic pressure on the United States to
37 cease efforts of undermining the ICC's decisions and legal authority. Even if the United
38 States chooses not to join the ICC, undermining the ICC through veiled threats is
39 unacceptable.
- 40 • In the long term, the EU and member states should continue to encourage the US to
41 become a member of the ICC.

Attention: This is a preview! The official text is printed in the proposal book for Skopje Spring Congress 2020 03 - 05 April 2020.