

Blackmail Efforts of the Bush Administration at the UN End in Failure This Time

By Ian Williams | June 3, 2004

On Wednesday, May 19th, the U.S. delegation withdrew the “blackmail-the world” resolution that they had been trying to force to a vote in the Security Council, when they realized that there was a serious chance that other members may try to call Washington’s bluff. The resolution was to renew Resolution 1487, which in turn was to renew Resolution 1422, which sought to exempt U.S. military in UN peacekeeping forces from any chance of arrest and removal for trial before the International Criminal Court (ICC) in The Hague.

On previous occasions, the U.S. was prepared to veto every peacekeeping operation across the globe unless it got its way—which was an illustration for the rest of the world of how the unilateralist obsessions of the Pentagon gang in the Bush administration, and their envoy in the State Department John Bolton, could threaten world peace.

The resolution requested the ICC not to open proceedings against any current or former officials from “a contributing state nor a party to the Rome Statute” for a twelve month renewable period.

However, the last twelve months have not been encouraging for the U.S. Ironically, supporters of the ICC used to suggest that it was unthinkable that U.S. military would be guilty of crimes against humanity, or that the U.S. would fail to deal with them adequately.

Sadly, their argument—that the U.S. had little or nothing to fear from the court—does not ring so true anymore. The behavior of the U.S. military in Abu Ghraib and potentially in Afghanistan combined with the deaths and abuse of journalists suggests exactly the kind of culture of impunity that the ICC was set up to counter.

Faced with the American threat to veto peacekeeping in previous years, the British have led some of the Europeans into the “hold your nose and vote for the resolution” lobby. This time, with the images of battered bodies of dead Iraqis and the humiliated live ones fresh in the minds of the world, and indeed of

Americans, is an opportune moment for the Europeans to make a stand.

Han Corell, who was Legal Counsel for the UN at the time in effect argued that the resolution had no legal force, since the clause of the ICC statute it invoked was clearly aimed at individual cases, and not at giving a blanket exemption, a preemptive “get out of jail free card” to U.S. troops, but he warns that the resolutions effectively dilute the authority of the Security Council—and call into question the credibility of the U.S. administration. In fact, he is too kind: they call into question the sanity of the Bush administration.

So far, over 120 countries have signed the treaty setting up the ICC, and 94 have ratified it. The U.S. has expended immense diplomatic effort, and incurred equally immense ill will by bullying nations into signing bilateral exemption treaties promising not to hand over Americans to the Court. The treaties are of dubious legality, and have set Washington at loggerheads with all its Western allies.

A New Electoral Logic

While even a year ago, the thought that the U.S. might need allies, and might need the help of the global community for its endeavors would have tickled the ribs of the unilateralists in the administration, the June 30 deadline for renewal of 1487 now coincides with the final date for the U.S. “handover” in Iraq, for which it is desperately seeking the support

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of the UN and its members. The reason for that is the impending U.S. election.

Taken together the “favorable” conjunction of the recently exposed flagrant torture and murder of detainees by American forces, the need for international help and a UN Resolution on the Iraqi handover, and the impending Presidential election, offer an unrivalled opportunity to restore some sanity to this degrading annual charade. Under such circumstances could Bush actually veto peacekeeping operations as he has threatened in the past and keep any credibility either domestically or globally?

While it is hardly likely that any of the other permanent members of the Security Council would tweak the deranged eagle’s feathers by actually vetoing the resolution, there may well be enough countries prepared to call the Bush bluff and at least abstain on the resolution, thus denying it the nine positive votes it needs. Of course, if the British lived up to their other principles, other than the cardinal one of assisting their special relation across the Atlantic no matter how eccentric it gets, it would be a done deal.

But even without London’s dubious help, that this is an unrivalled opportunity to get U.S. policy down to a soft landing from Cloud Nine is suggested by the hasty U.S. withdrawal of the resolution on the 19th. Now is the time to ponder an end to pandering.

(Ian Williams contributes frequently to Foreign Policy in Focus (online at www.fpif.org) on UN and international affairs.)

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