

**H. Thomas Wells, Jr.**  
President

AMERICAN BAR ASSOCIATION

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March 20, 2009

The President  
The White House  
Washington, DC 20500

Dear Mr. President:

The American Bar Association (ABA) shares your stated commitment to observing the rule of law and respecting human rights at home and abroad. We therefore are heartened by two specific actions your administration recently has taken in this regard and would encourage your taking further action accordingly.

Specifically, we applaud the participation of the United States as an observer at the current session of the United Nations Human Rights Council. Despite its shortcomings, the Council is an important international institution for monitoring and addressing human rights abuses throughout the world. However, active participation and engagement by countries strongly committed to the promotion and protection of human rights is essential to the Council's ultimate success, and we, like many others, believe the U.S. would have greater influence as a Council member. We therefore urge the U.S. to seek election to the Council in May 2009 and to compete on an open slate within the Western European and Others group.

The ABA also welcomes your administration's current review of the United States' posture toward the International Criminal Court (ICC), with a view to greater American support for the Court. The ICC's recent issuance of an arrest warrant for the sitting Sudanese president, in response to his alleged orchestration of war crimes and crimes against humanity in Darfur, attests to the Court's unique potential to end impunity for the world's worst crimes. Strengthening U.S. engagement with the ICC would assist in fulfilling our traditional role as a leader in promoting international justice and the rule of law. To this end, we urge you to reinstate the U.S. signature to the Rome Statute and initiate the appropriate executive branch process that will lead to the treaty's submission before the Senate for ratification. We also ask that you direct that the U.S. fully participate as an observer in the Assembly of States Parties (including activities in preparation for and at the 2010 review conference) and ensure that the U.S. government cooperates and assists in all ongoing ICC investigations and prosecutions.

March 20, 2009

Page Two

Thank you for considering our views. We would be pleased to discuss these recommendations with, or provide additional information to, appropriate administration officials.

Sincerely,

A handwritten signature in black ink, appearing to read "H. Thomas Wells Jr.", written in a cursive style.

H. Thomas Wells Jr.

cc: Secretary of State Hillary Clinton