

## **International Criminal Court (Report No. 111)**

In lieu of the Task Force's recommendation, the proponents presented a substitute resolution jointly with the New York State Bar Association, which was approved by voice vote. It reads:

BE IT RESOLVED, That the American Bar Association recommends that the U.S. Government work toward finding solutions to the numerous important legal and practical issues identified in the accompanying reports of the Task Force on an International Criminal Court and the New York State Bar Association, with a view toward the establishment of an international criminal court, considering the following principles and issues:

- A. Jurisdiction of the court shall be concurrent with that of member states. It may cover a range of well established international crimes, but member states shall be free to choose by filing a declaration of the crimes they shall recognize as within the court's jurisdiction.
- B. No person shall be tried before the court unless jurisdiction has been conferred upon the court by the state or states of which he is a national and by the state or states in which the crime is alleged to have been committed.
- C. The fundamental rights of an accused shall be protected by appropriate provisions in the court's constituent instruments and in its rules of evidence and criminal procedure.
- D. The obligations of states under the court's constituent instruments shall be enforced by sanctions.