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## **US Defends its Record on International Law**

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Financial Times  
October 14, 2005

Condoleezza Rice, US Secretary of State, is determined to tackle the perception that the US has an "appalling" record on international law, according to her principal legal adviser.

John Bellinger, the State Department's legal chief, said yesterday: "We are very interested in countering this perception that the US doesn't have regard for international law. Secretary Rice is fully committed to the rule of international law and we take our international obligations very seriously."

Mr Bellinger was visiting London for the drafting of an international treaty on the illegal transport of nuclear weapons components by sea.

His comments will be interpreted as confirmation that there is a growing recognition within the US administration that its record on international law is hampering diplomatic ties. He has also visited judges at the International Court of Justice in the Hague to deliver the same message.

Washington's refusal to recognise the International Criminal Court and its indefinite detention of terror suspects at the Guantánamo Bay detention centre, as well as its legal arguments justifying the Iraq war, have angered many Europeans.

Mr Bellinger was yesterday at pains to point out a number of instances of US adherence to international law. He pointed to the US's compliance with an ICJ ruling that it violated the rights of 51 Mexicans on death row by denying them access to assistance from their government.

However, the US later withdrew from the optional protocol as the ICJ's insistence on retrials was "not what we had signed up for".

He said the ICJ's ruling, enforced by the federal government, had raised significant constitutional issues over intervention in the jurisdiction of state courts.

Mr Bellinger also highlighted the US's acceptance of the UN resolution to try Sudanese war crime suspects at the ICC. The US abstained in the vote, but Mr Bellinger said that was because it could not vote for a body it did not support.

He also stressed that the new focus on international law "does not make [Ms Rice] more favourable to the ICC as a matter of policy".

Many changes had been made to the conditions and procedures at Guantánamo Bay but they had not been generally recognised, he said. He had been "surprised" that the US had not been able to convince Lord Goldsmith, the UK attorney-general, to be more "comfortable" with the military commissions for detainees.

He also defended the US's refusal to adhere to the Geneva Conventions at Guantánamo, on the grounds that al-Qaeda had not signed the conventions and a new type of conflict required a different legal framework. "Nobody went in and said 'we should ignore international law'," he said.