

Mirror Mirror on the Wall, Who's the Biggest Rogue of All?

By Richard Du Boff

1. Comprehensive [Nuclear] Test Ban Treaty, 1996. Signed by 164 nations and ratified by 89 including France, Great Britain, and Russia; signed by President Clinton in 1996 but rejected by the Senate in 1999. The US is one of 13 nonratifiers among countries that have nuclear weapons or nuclear power programs. In November 2001, the US forced a vote in the UN Committee on Disarmament and Security to demonstrate its opposition to the Treaty, and announced plans to resume nuclear testing for development of new short-range tactical nuclear weapons.

2. Antiballistic Missile Treaty, 1972. In December 2001, the US officially withdrew from the landmark agreement - the first time in the nuclear era that the US renounced a major arms control accord.

3. Biological and Toxin Weapons Convention, 1972, ratified by 144 nations including the US. In July 2001 the US walked out of a London conference to discuss a 1994 protocol designed to strengthen the Convention by providing for on-site inspections. At Geneva in November 2001, Undersecretary of State for arms control John Bolton stated that "the protocol is dead," at the same time accusing Iraq, Iran, North Korea, Libya, Sudan, and Syria of violating the Convention but offering no specific allegations or supporting evidence to substantiate the charges. In May 2002 Bolton accused Cuba of carrying out germ-warfare research, again producing no evidence. The same month, three Pentagon documents revealed proposals, dating from 1994, to develop US offensive bioweapons that destroy materials ("biofouling and biocorrosion"), in violation of the Convention and a 1989 US law that implements the Convention.

4. UN Agreement to Curb the International Flow of Illicit Small Arms, 2001: the US was the only nation in opposition. Undersecretary Bolton said the agreement was an "important initiative" for the international community, but one that the US "cannot and will not" support, since it could impinge on the Constitutional right of Americans to keep and bear arms.

5. International Criminal Court (ICC) Treaty, 1998. Set up in The Hague to try political leaders and military personnel charged with war crimes and crimes against humanity. Concluded in Rome in July 1998, the Treaty was signed by 120 countries. Although President Clinton signed the Treaty in December 2000, he announced that the US would oppose it, along with 6 others (including China, Russia, and Israel). In May 2002 the Bush administration announced that it was "unsigned" - renouncing - the Treaty, something the US had never before done, and that it will neither recognize the Court's jurisdiction nor furnish any information to help the Court bring cases against any individuals. In July 2002 the ICC went into force after being ratified by more than the required number of 60 nations, including Britain, Canada, France, Germany, Italy and Spain (Russia now having signed but not ratified).

Throughout 2002 and 2003, the US worked to scuttle the treaty by signing bilateral agreements not to send each other's citizens before the ICC. By mid-2003 the US had signed 37 mutual immunity pacts, mostly with poor, small countries in Africa, Asia, Central America, and Eastern Europe. Threatened with the loss of \$73 million in US aid, for example, Bosnia signed such a deal. In July 2003 the Bush administration suspended all military assistance to 35 countries which refused to pledge to give US citizens immunity before the ICC.

6. Vienna Convention on the Law of Treaties, 1969, which the US signed but did not ratify. In May 2002, as the US was unsigned the ICC Treaty, it simultaneously announced that it will not be bound by the Vienna Convention, which outlines the obligations of nations to obey

other treaties. Article 18 requires signatory nations not to take steps to undermine treaties they sign even if they do not ratify them.

7. The American Servicemen's Protection Act, 2002. The Bush administration has been working overtime to nullify the ICC. In November 2002 the President signed this Act, which not only bars cooperation with the ICC and threatens sanctions for countries that ratify it, but authorizes the use of "all means necessary" to free any US national who might be held in The Hague for trial before the ICC.

8. Land Mine Treaty, 1997. Banning the use, production or shipment of anti-personnel bombs and mines, the treaty was signed in Ottawa in December 1997 by 123 nations. President Clinton refused to submit it for ratification, claiming that mines were needed to protect South Korea against North Korea's "overwhelming military advantage," a proposition denied by the heads of North and South Korea in June 2000. In August 2001 President Bush rejected the treaty.

9. Kyoto Protocol of 1997, for controlling greenhouse gas emissions and reducing global warming: declared "dead" by President Bush in March 2001. No other country has chosen to abandon the treaty completely. In November 2001 the Bush administration shunned negotiations in Marrakech (Morocco) to revise the accord, mainly by watering it down in an attempt to gain US approval. In February 2002 Mr. Bush announced a new plan to limit emissions - by measures that are to be strictly voluntary. The US is the largest single producer of emissions, generating 20 percent of the world's total.

10. International Plan for Cleaner Energy, 2001. The US was the only nation to oppose this Plan, put forth by the G-8 group of industrial nations (US, Canada, Japan, Russia, Germany, France, Italy, UK) in Genoa in July 2001. It would phase out fossil fuel subsidies and increase financing for nonpolluting energy sources worldwide.

11. UN Convention on the Law of the Sea, 1982, and the 1994 Agreement relating to Implementation of Part IX (Deep Seabed Mining), establishing a legal framework for management of marine resources and preservation of the marine environment for future generations (including fish stocks, minerals, international navigation, marine scientific research and marine technologies). President Clinton submitted these treaties to the Senate in 1994, but they have not been ratified, as they have been by 135 and 100 countries respectively. The primary obstacle to applying them remains the absence of US ratification.

12. Cartagena Protocol on Biosafety to the UN Convention on Biological Diversity, 2000: an international treaty sponsored by 130 nations, seeking to protect biological diversity from risks posed by genetically modified organisms resulting from biotechnology. To date, it has been ratified by 13 countries and signed by 95 more, including United Kingdom, Canada, France, Germany, Italy, Ireland, both Koreas, China, India, Indonesia, Argentina, Mexico. The US has long argued that there is no reason for such a protocol, has not ratified it, and is not expected to do so.

13. European Union (EU) Talks on economic espionage and electronic surveillance of phone calls, e-mail, and faxes, May 2001. The US refused to meet with EU nations to discuss, even at lower levels of government, these activities carried out under its Echelon program. Meanwhile, the US escalated its opposition to the EU's Galileo project, a global satellite navigation system that would rival the US Global Positioning System (GPS), funded and controlled by the Department of Defense and serving thousands of corporate and individual users worldwide, all monitored and recorded by the US. In December 2001 Deputy Defense Secretary Paul Wolfowitz told the EU that Galileo would have "negative consequences for future NATO operations" and would interfere with GPS (in fact it is planned to be compatible).

In March 2002 the EU announced that it would proceed with Galileo, slated to be operational in 2008.

14. Multilateral talks sponsored by the Organization for Economic Cooperation and Development, Paris, May 2001, on ways to end "Harmful Tax Competition" - tax evasion and money-laundering operations carried out through off-shore tax havens. The US refused to participate. The US, Treasury Secretary Paul O'Neill stated, "will not participate in any initiative to harmonize world tax systems."

In negotiations in Vienna under the auspices of the UN, the US and the EU are also battling over a proposed global Convention Against Corruption. Europe wants the pact to cover businesses and governments; the US wants it restricted to governments.

15. World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, September 2001, convened by UNESCO (UN Educational, Scientific and Cultural Organization) and the UN High Commission for Human Rights and bringing together 163 countries. The US withdrew from the conference, alleging anti-Israel and anti-semitic politics on the part of many delegations. The final declaration of the Conference expressed "concern about the plight of the Palestinian people under foreign occupation" and "recognized the inalienable right of the Palestinian people to self-determination and to the establishment of an independent State and ... the right to security for all States in the region, including Israel."

16. The illegal embargo against Cuba by the US, now 39 years old: under Bush II, it has been tightened. In November 2002, the UN General Assembly passed, for the eleventh consecutive year, a resolution calling for an end to the boycott by a vote of 173 to 3, the largest majority since the General Assembly first debated the issue in 1992. As usual, the US, Israel, and the Marshall Islands voted against the resolution.

17. The US quit UNESCO and ceased its payments for UNESCO's budget, 1984. The pretext was the New World Information and Communication Order (NWICO), which was not a UNESCO project but a proposal, backed by several groups including UNESCO, for change in global communications designed to lessen dependence of developing countries on Western media, news agencies, and advertising firms. The NWICO proposal was dropped in 1989; the US nonetheless refused to rejoin UNESCO. In 1995 the Clinton administration proposed rejoining; the move was blocked in Congress. In February 2000 the US finally paid some of its arrears to the UN but excluded UNESCO. President Bush stated that the US would rejoin UNESCO in September 2002, when he appeared before the UN to ask for a resolution authorizing him to attack Iraq.

18. The International Court of Justice (ICJ) in The Hague held the US in violation of international law for "unlawful use of force" in Nicaragua, 1986, through its own actions and those of its Contra proxy army. The US refused to recognize the Court's jurisdiction. A 1988 UN resolution that "urgently calls for full and immediate compliance with the Judgment of the International Court of Justice of 27 June 1986 in the case of 'Military and Paramilitary Activities in and against Nicaragua' in conformity with the relevant provisions of the Charter of the United Nations" was approved 94-2 (US and Israel voting no).

19. Optional Protocol, 1989, to the UN's International Covenant on Civil and Political Rights (1966), aimed at abolition of the death penalty and containing a provision banning the execution of those under 18. The US has neither signed nor ratified and exempts itself from the latter provision, making it one of five countries that still execute juveniles (with Saudi Arabia, Democratic Republic of Congo, Iran, Nigeria). China abolished the practice in 1997, Pakistan in 2000.

20. UN Convention on the Elimination of All Forms of Discrimination against Women, 1979, ratified by 169 nations. President Carter signed CEDAW in 1980, but the Senate blocked it. The only countries that have signed but not ratified are the US, Afghanistan, Sao Tome and Principe.

21. UN Convention on the Rights of the Child, 1989, which protects the economic and social rights of children. The US has signed but not ratified. The only other country not to ratify is Somalia.

22. Cairo Action Plan, adopted by 179 nations at the Cairo International Conference on Population and Development in 1994, for establishing "reproductive health services and health care" as a means for curbing population growth in developing countries. In July 2002 the US cut off its \$34 million annual contribution to the UN family-planning program, and in November withdrew its support of the Cairo Action Plan. The State Department's population office stated that the Plan implied a right to abortion and undermined the US international campaign for sexual abstinence to avoid pregnancy. "This hit like a bombshell. People were stunned," the senior UN official stated.

23. UN Convention on the Prevention and Punishment of the Crime of Genocide, 1948. The US finally ratified in 1988, adding several "reservations" to the effect that the US Constitution and the "advice and consent" of the Senate are required to judge whether any "acts in the course of armed conflict" constitute genocide. The reservations are rejected by Britain, Italy, Denmark, the Netherlands, Spain, Greece, Mexico, Estonia, and others.

24. Convention Against Torture and Other Cruel, Inhumane or Degrading Treatment or Punishment, 1987, ratified by the US in 1994. In the UN Economic and Social Council in July 2002, the US tried to stop a vote on a protocol to reinforce the Convention. The protocol would establish a system of inspections of prisons and detention centers worldwide to check for abuses. The US claimed that the new plan would allow monitors to gain access to American prisoners and detainees - including, presumably, those held in US detention camps in Guantanamo and Afghanistan, and now Iraq.

25. Vienna Convention on Consular Relations and Optional Protocols, 1963. The US is a long-time violator, by detaining foreign nationals and failing to notify their governments. In 1999 two German citizens, Walter LeGrand and his brother Karl, were put to death in an Arizona gas chamber. When arrested in 1984 for the murder of a bank teller, the LeGrands were not informed of their right to contact the German embassy, and German officials were unable to provide legal aid. In 1998 the World Court (the ICJ) ruled that the US had violated international law in the case and asked the US Supreme Court to stay the execution; the Supreme Court dismissed the request. In 2002 Mexico petitioned the ICJ to grant stays of execution for 54 Mexicans held on death row in the US, arguing that US municipal and state officials are violating the Vienna Convention. In August 2002 Mexican President Vicente Fox cancelled a meeting with President Bush at his Texas ranch to protest Alabama's execution of Mexican citizen Javier Suarez Medina, who was denied the right to seek help from his government when arrested in 1988.

After September 11, 2001 US violations of the Convention multiplied, with more than 600 "unlawful combatants" detained in Guantanamo and elsewhere without charges, denied all legal rights, and held for possible trial before closed military tribunals.

26. Agreement among all other 143 members of the World Trade Organization (WTO) to help poor nations buy medicines to fight AIDS, tuberculosis, malaria and other diseases, by relaxing patent laws which keep prices of drugs beyond their reach, concluded at the WTO Ministerial Conference in Doha, Qatar in November 2001. In December 2002, the US single-handedly destroyed the agreement. Sources at the WTO in Geneva said that the US decision

came directly from the White House, following intense lobbying from US pharmaceutical companies.

27. Is the status of "we're number one!" Rogue overcome by generous foreign aid given to less fortunate countries? The three best foreign aid providers in 2002, measured by the aid percentage of their gross domestic products, were Denmark (1.01%), Norway (0.91%), and the Netherlands (0.79). The worst was the US (0.10%) followed by the UK (0.23%). A 2003 index, put together by the Center for Global Development and Foreign Policy magazine and ranking the contribution made by 21 developed nations to growth in the developing world, placed the US 20th; only Japan ranked lower.

The foregoing record of the biggest Rogue of all excludes ... the use of armed force against other nations. According to the Congressional Research Service (Report 96-119F, "Instances of Use of United States Armed Forces Abroad"), from 1798 through 1995 there were 251 instances, of which only five were declared wars, when the US used its armed forces abroad, in situations of military conflict or potential conflict or for other than normal peacetime purposes. For an account of US intervention abroad since the Second World War, see William Blum, *Rogue State* (Common Courage Press, 2000). Since the collapse of the Soviet Union, the level of US military activism abroad has been "unprecedented." "Since the end of the Cold War, the United States has embarked on nearly four dozen military interventions [during 1989-1999] as opposed to only 16 during the entire period of the Cold War. Many of these interventions, such as those in Somalia, Haiti, Bosnia, and Kosovo, were launched into areas traditionally considered marginal to US interests" (United States Commission on National Security/21st Century, *New World Coming. American Security in the 21st Century*, September 1999).