

Comment by Michael C H Jones

When I was a boy in the early 1950s my mother had a substantial library in which many of the books had brown paper covers like my primary school books. Naturally these were the books that first attracted my attention and hence my knowledge grew of Australian Prime Minister Menzies's 1951 referendum to ban the Communist Party and post WORLD War 11 McCarthyism, named after US Senator Joseph McCarthy, which character assassinated and smeared so many patriotic Americans. Two of those books have remained in my mind - 'High Treason' and 'Generals in Grey Suits'. The principles enunciated have stood the test of time and could quite easily be the inspiration for the International Criminal Court (ICC) - "the greatest treason is not the treason against governments but the treason against human beings".

Recently on 6th February 2012 I taped a two and a half hour interview with Global Link Media representing the Chinese publication The Economic Observer. In my Interview/Statement now in the Speeches and Media section of this website I referred to monitoring PRC affiliations with global institutions and acceptance of global norms such as the WTO and its recent decisions adverse for China. Chamber has selected 9 , old and new, global institutions and is considering a tenth - the ICC has been recommended. The problem is that throughout Indauspac, apart from Australia few countries have endorsed the ICC - not the major powers in the G20 such as USA, PRC, Russia, India or Indonesia. So what's the point?

The ICC is about International Standards Setting and going behind the veils of State Sovereignty and "Exceptional" countries that never do anything wrong. The new international norm pioneered in Libya and on the precipice in Syria, namely the 'Obligation to Protect' places obligations on nations to stop the brutalities of fellow governments in their domestic controls of their citizens. Crimes Against Humanity are not acceptable but how are those accused of such acts to be brought to justice? The way in which Gaddafi was murdered and its condoning by Western Governments is also not acceptable. Support for the ICC over the last decade has been a bit like support for China during the 1970s - an intellectual punt, a gamble on the future as I have said elsewhere.

As with the older global institutions such as the World Bank, International Monetary Fund, and International Labour Organisation, the ICC terms of reference, operating structures, financing and membership may have to be reviewed. A more pro-active momentum may be needed and pre-emptive strategies developed against for example military coups and their treatment of massed peoples protests. Australia as a Great Power in the broader sense has a leadership role to play.