

NIXON MAPS APPROVAL FIGHT

N.O. Lawyer Leading Foe Of Genocide Treaty Okay

President Nixon is mapping a fight to break a logjam that has made the United States a 20-year holdout against an international treaty banning genocide.

However, he is opposed by the American Bar Association and Eberhard P. Deutsch, a New Orleans lawyer who is chairman of the ABA's treaty law committee.

Deutsch, explaining his opposition, said the treaty could lead to trial in Vietnam of U.S. soldiers accused by Hanoi of genocide, whether the charges are justified or not.

"IF THE MAN were tried in the United States he would even be subject to extradition to Vietnam if he were found innocent here," Deutsch said.

Similarly, the lawyer said, the United States would be subject to trial as a country on allegations by the Black Panthers that the government is attempting genocide of the movement.

"We can take care of our own business pretty well," Deutsch said. "We consider these sort of charges internal and not subject to the treaty powers of the United States, which should deal only with matters of foreign relations."

DEUTSCH ALSO stressed another common ground of opposition to ratification—that in the United States murder generally is a state crime. The treaty would oblige the federal government to try genocide murders, upsetting, thereby, according to Deutsch, the delicate balance between state and federal governments.

Does he expect his side to win?

"I think so," Deutsch replied. "There is a new element in the American Bar Association which tends toward the liberal side of things but I think the inclination will be to not change our position."

Nixon's first step, he said, will be an effort to reverse ABA opposition to the treaty, an outgrowth of German extermination of 6,000,000 Jews during World War II.

NIXON PROBABLY will ask for Senate ratification later this month, sources have said, timing his statement to coincide with consideration of the treaty at the ABA's mid-winter convention Feb. 23 in Atlanta.

The treaty makes an international crime acts of mass destruction of racial, religious or ethnic groups. The ratifying nations agree to punish individuals for acts of genocide. Individuals—or countries—could be punished by the United Nations.

Though the United States signed the treaty in 1948 under President Harry S. Truman, it has withheld ratification since. Opposition has been voiced by ABA spokesmen, some Southern members of Congress and the late John Foster Dulles, secretary of



EBERHARD P. DEUTSCH

state to former President Dwight D. Eisenhower.

NOW, IN THE expectation that a new generation of bar leaders has emerged after two decades, sources say, administration forces will join hands with ABA President Bernard G. Segal and other top law-

yers to try to win endorsement by the association's House of Delegates.

Rita Hauser, U.S. representative to the U.N. Human Rights Commission; Erwin N. Groszold, U.S. solicitor general; and Charles S. Rhyne, a former ABA president and a friend of Nixon, will fight for ABA approval.

Also on their team are Nicholas Katzenbach, a former attorney general, and William Gossett of Detroit and Whitney North Seymour of New York City, former ABA presidents.

The State and Justice departments already have given their clearance to ratification.

"We anticipate a hard core of opposition which has existed for 20 years," said Mrs. Hauser, "but we feel the developments in the last 20 years in the field of international human rights are going to produce a change of minds in the current membership of the American Bar Association."