

'Exercise in Futility'

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Genocide Ban Plan Hit by N.O. Lawyer

New Orleans attorney Eberhard P. Deutsch said today any treaty banning genocide is "an exercise in futility" and he urged U.S. Senate defeat of the proposed ratification of the United Nation's Genocide Convention.

Deutsch, chairman of the American Bar Association's committee of the law of treaties, said the convention, ratified by the U.N. in 1948 and recently reported favorably by the Senate Foreign Relations Committee, contains "constitutional infringements which are devoutly to be avoided."

SPEAKING TO the Women's Auxiliary of the Chamber of Commerce of the New Orleans Area Deutsch said the constitutional problems arise in "making genocide an international crime" and in removing the responsibility of individual governments for defining genocide and protecting the rights of their citizens.

Ratification of the convention, he said, would commit the U.S. to defend citizens of other countries against their own governments and to allow

other countries "to decide what constitutes genocide within the U.S."

The treaty, opposed by the ABA since 1949, contains "judicial sorcery" which limits the constitutional rights of defendants, Deutsch said.

By ratifying the treaty, he said, the U.S. would force itself to make a defense in an international court against charges of genocide against the black race brought before the U.N. General Assembly by black leaders such as the Rev. Ralph Abernathy, Mrs. Martin Luther King and Bobby Seale. Similar charges against Americans by North Vietnam in connection with alleged massacres by U.S. troops would have to be tried in courts outside the U.S., he said.

Deutsch said he doubted that the convention would be ratified by the required two-thirds of the Senate, despite a 10-to-four favorable vote by the Foreign Relations Committee, and despite support for the treaty by President Nixon, Secretary of State William Rogers and Attorney General John Mitchell.