

The U.S. and international treaties

Currently the U.S. does not participate fully in a number of international treaties. Below are a few important treaties that the next president should sign and/or urge the Senate to ratify.

<p>Comprehensive Test Ban Treaty</p>	<p>Signed by the U.S. Sept. 24, 1996. In 1999 the U.S. Senate refused to provide advice and consent leaving it unratified. In early 2002 the Bush White House took a step away from the agreement by releasing the Nuclear Posture Review (NPR) hinting at a return to testing and reserving the right to use nuclear weapons in a first-strike attack. Over the last few years, the U.S. has increased funding for the Nevada test site to enhance readiness and shorten the timeline necessary to prepare for resumption of nuclear weapons testing.</p>
<p>Anti-Ballistic Missile (ABM) Treaty</p>	<p>The United States signed and ratified the ABM in the summer 1972. In 2001 the U.S. became the first major power to unilaterally withdraw from a nuclear arms control treaty. At the time the U.S. cited “terror threats,” and accelerated efforts to pursue an enormously costly missile defense program, even though its scientific feasibility remains dubious.</p>
<p>Biological and Toxin Weapons Convention (BWC) and Draft Proposal</p>	<p>Signed by the U.S. April 10, 1972 and ratified March 23, 1975. An “ad-hoc group” formed in 1994 to negotiate changes to strengthen the BWC’s verification mechanisms, as was agreed to by its 144 state parties shortly after it was drafted in 1972. When the group presented its draft proposal in 2001, the U.S. offered a different, more controversial proposal to dismantle the ad-hoc group and replace it with annual meetings; these meetings have not led to agreement on verification procedures have prevented the BWC from being fully implemented.</p>
<p>Chemical Weapons Convention</p>	<p>Signed January 13, 1993 and when ratified April 25, 1997, the U.S. set extensive limitations on how it could be applied in the U.S. The CWC is a prime example of how the U.S. is unwilling to be constrained by international treaties while insisting that other parties adhere to the letter of the law.</p>
<p>Mine Ban Treaty</p>	<p>The U.S. never signed the Mine Ban treaty. The U.S. used anti-personnel landmines in the first Gulf War, and claims that landmines are essential to protecting the South Korea’s border in the demilitarized zone between North and South Korea. The U.S. is the only member of NATO besides Turkey, and the only state in the Western Hemisphere besides Cuba, not to sign the Mine Ban Treaty.</p>
<p>Cluster Bomb Ban Treaty</p>	<p>In February 2007, 46 governments meeting in Oslo agreed to conclude a new legally binding treaty in 2008 that prohibits the use, production, transfer, and stockpiling of cluster munitions that cause unacceptable harm to civilians. Subsequent Oslo Process meetings increased the number of countries endorsing the goal to more than 90 by the end of 2007. The U.S. is not among them. Supportive countries will negotiate the treaty in Dublin, Ireland from May 19-30, 2008.</p>
<p>Rome Statute of the International Criminal Court (ICC)</p>	<p>Signed by the U.S. Dec. 31, 2000; in 2002, the U.S. made the unprecedented move to “unsign” the treaty establishing the ICC. Since then, the U.S. has systematically undermined the ICC by signing bilateral agreements with states to exempt U.S. military and government personnel from the court's jurisdiction.</p>
<p>Convention on Discrimination Against Women (CEDAW)</p>	<p>Signed by the U.S. July 17, 1980, never ratified. The U.S. is one of a handful of countries, including Iran and Sudan, not to ratify CEDAW. Although President Bush said the treaty was “generally favorable,” he has not promoted its ratification.</p>

International Labor Organization (ILO) Conventions	As of 2004, the United States had only ratified 14 of the 62 active ILO conventions. The U.S. has only signed two of eight conventions that the ILO describes as fundamental to the human rights of workers. Additionally, the ILO committee of experts (in 2002) found that the U.S. was not in compliance with Convention 105, the abolition of forced labor, ratified in 1991.
International Covenant on Economic, Social, and Cultural Rights (CESCR)	Signed by U.S. Oct. 5, 1977, but never ratified, the U.S. maintains that economic, social and cultural rights are “aspirational,” not inalienable or enforceable. As of February 2008, there were 157 states parties to the ICESCR, the U.S. is one of six states that have signed the treaty but have not ratified it.
Convention on the Rights of the Child	Signed by the U.S. Feb. 16, 1995. The U.S. and Somalia (which has no functional government) are the only states that have not ratified the CRC. Conservatives who favor the death penalty for minors strongly oppose it. Others argue against ratification because the CRC requires the U.S. to ensure economic, social and cultural rights, included in the CESCR which has not been ratified. The U.S. has ratified two protocols to the CRC, one prohibiting the use of child soldiers and the other prohibiting the sale of children, child prostitution or child pornography.
UN Framework Convention on Climate Control (UNFCCC) and the Kyoto Protocol	The U.S. ratified the UN Framework Convention on Climate Control, a non-binding treaty aimed at reducing greenhouse gases, on October 15, 1992. The convention provided for further work known as protocols that would set mandatory emission limits. The U.S. signed the Kyoto Protocol on Nov. 12, 1998, mandating a reduction in carbon emissions to below 1990 levels by 2012, but it was never sent to the U.S. Congress for ratification. In 2001 the Bush administration explicitly rejected the protocol, objecting to its discretionary nature in that developing countries are not held to the same standard as developed, industrialized countries. At the December 2007 United Nations Framework Convention on Climate Change (UNFCCC) meeting in Bali, Indonesia, nations agreed to the “Bali Roadmap,” a negotiation timeline for the post 2012 framework. The United States is currently involved in those ongoing negotiations.

U.S. behavior on some ratified human rights treaties: *The next president could lead the U.S. to more fully comply with a number of human rights treaties, for example:*

Convention on Elimination of all Forms of Racial Discrimination (CERD)	The United States ratified CERD in 1994, though it is now behind in submitting the required reports of enforcement. The U.S. delegation walked out of the World Conference Against Racism in 2001 over disagreements on racial discrimination in the Middle East.
Two protocols connected with the Convention on Civil and Political Rights	The United States has not ratified the protocol adding enforcement and another outlawing the death penalty to the parent convention on civil and political rights.
Convention Against Torture	Ratified by the U.S. in 1994, the Senate passed an act implementing Article 3 which prohibits transfer of any persons to another state where there is evidence he or she would be subject to torture. There is mounting evidence that the current administration has violated the treaty through transferring individuals to such states and by actual torture.