

## Senate ratifies Desertification Treaty, 33 others

### *eco-logic report*

**Editor's note:** This article first appeared in the November 1 issue of *eco-logic*. It has caused substantial controversy. Callers to Senator Thomas' office were told that he had nothing to do with the ratification. Other Senators told callers that the treaty had not been ratified. Clearly, this treaty slipped through the process without adequate review, and without the knowledge of some of the Senators who voted for it.

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On December 8, Senator Thomas' office called to explain that it was he who happened to be on the floor late in the afternoon of October 18, 1999 and was asked to "handle" the package procedurally. His office has inquired of the Foreign Relations Committee to find out how why the treaty was included in the package.

**I**n the last days of the 106<sup>th</sup> Congress, the U.S. Senate ratified [34 treaties](#) - without debate, without a vote, and almost without notice. Most of the treaties were between the U.S. and a single other nation, having to do with treatment of criminals, stolen vehicles, and other single-issue matters. Two of the treaties, however, have much broader implications: the [International Plant Protection Convention](#), adopted at the World Conference on Food and Agriculture in Rome in 1997, and the [Convention on Desertification](#), adopted in Paris, in 1994.

These two treaties are an integral part of the global environmental agenda contained in [Agenda 21](#), adopted in Rio de Janeiro, at the 1992 Earth Summit II. The [Convention on Climate Change](#), and the [Convention on Biological Diversity](#), are also a part of the process through which the non-binding, "soft-law" Agenda 21, is converted into legally binding international law. These two newly ratified treaties further entangle the United States in the United Nations' web of environmental policy.

Consider how easily this was accomplished. On October 18, Senator Craig Thomas (R-WY), was recognized by the Senate President:

(Congressional Record: Page: S10658)

Mr. THOMAS. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the following treaties on today's Executive Calendar. They will consist of Nos. 20 through 53.

I further ask unanimous consent that the treaties be considered as having passed through their various parliamentary stages up to and including the presentation of the resolutions of ratification; all committee provisos, reservations, understandings, declarations be considered and agreed to; that any statements be printed in the Congressional Record as if read; further, that when the resolutions of ratification are voted upon, the motion to reconsider be laid upon the table, the President be notified of the Senate's action, and that following the disposition of the treaties, the Senate return to legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. THOMAS. Mr. President, I ask unanimous consent that the clerk report each treaty by title prior to the vote on each treaty, and further I ask for a division vote on each resolution of ratification.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered. The treaties will be considered to have passed through their various parliamentary stages up to and including the presentation of the resolutions of ratification, which the clerk will report.

For each treaty ratified, there was entered into the record a [Resolution of Ratification](#). This resolution sets forth conditions, understandings, and reservations, which is always the case with international treaties. What this means, is an open question.

Since 1992, almost all U.N. treaties contain a specific Article that prohibits reservations. Article 37 of the Convention on Desertification is such an Article. In such cases, the United Nations, and the other parties to the Convention, do not recognize or honor such reservations.

When the United States ratified the [Covenant on Civil and Political Rights](#) in June, 1992, it attached a laundry list of

reservations. Other parties to the treaty began filing their rejections of the U.S. reservations. What this means is unclear, since at the present time, the United Nations has no enforcement mechanism. Decisions of the International Court of Justice are non-binding.

This situation is changing dramatically with the creation of the [International Criminal Court](#), adopted in Rome, in 1998 - over the objection of the United States. The purpose of this new court is to prosecute violations of "human rights," which are presently defined in the Court's Charter to be limited to war crimes, genocide, international terrorism, and the like. The Court, though, has the authority to redefine its jurisdiction at will, well beyond the reach of U.N. Security Council veto.

Use of the death penalty in the United States is considered to be a violation of human rights within the United Nations community. American pilots have been denounced as war criminals by United Nations Human Rights officials. Delegates to the U.N. Climate Change conferences have accused the United States of human rights violations for its so-called global warming emissions.

The point is, we are witnessing the restructuring of the United Nations system which is posturing to acquire the ability to enforce international law. International law is not modified by any reservations that the U.S. Senate may include in a resolution of ratification. International law, and certainly, international attitude, is rarely in the best interest of the United States.

When the Convention on Desertification was introduced, Tom McDonnell of the American Sheep Industry Association, and a Director of Sovereignty International, analyzed the document, looking specifically for potential impact on U.S. policy. In March, 1998, [McDonnell spoke](#) to the Trans-Texas Heritage Association, pointing out some of the plans the U.N. has for water use. In July, 1998, *eco-logic* reported the creation of a new [U.N. Commission on Water \(M\)](#). The new Commission met in New York in 1999, to discuss the issues related to global water use management. [The discussions](#) included the need to integrate the other Agenda 21 Treaties into the new, emerging U.N. treaty on water. The Convention on Desertification is one of those treaties.

Neither the Convention on Desertification, nor the International Plant Protection Convention, is designed to benefit the United States. Our ratification only benefits other nations who have

demonstrated willingness, and desire, to bring our nation under the control of an international power.

The ill-advised ratification of these two U.N. treaties - without review, comment, debate, or even a recorded vote - makes a mockery of the advise and consent responsibility placed upon the Senate by our Constitution. Further, it subjects the citizens of the United States to the increasing reach of global governance by the United Nations.

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