

Statement of

The Honorable Patrick Leahy

United States Senator
Vermont
April 22, 2010

Statement Of Senator Patrick Leahy (D-Vt.),
Chairman, Senate Judiciary Committee,
Executive Business Meeting
April 22, 2009

I can report to the Committee that Majority Leader Reid, Senator McConnell, Senator Sessions and I had a good meeting yesterday with the President. I appreciate that President Obama is, again, consulting with the Senate in a bipartisan way before making his nomination to the vacancy on the Supreme Court. The President takes seriously, as do I, the advice and consent role of the United States Senate in selecting judges for the Federal judiciary.

I have said for some time, and have told several Presidents, that I would like to see a Supreme Court nominee from outside the "judicial monastery." Americans want and deserve a Justice who will make decisions based on the law and the Constitution, not politics or an ideological agenda.

In my view, a pattern has emerged of Supreme Court decisions by a slim, activist, conservative majority. These opinions have overridden congressional intent and misconstrued laws designed to protect the American people, tilting the scales of justice in favor of corporate rights and against the rights of individual citizens.

When Vermonters ask me what I would like to see in Justice Stevens' successor, I tell them someone who reflects Justice Stevens' reverence for the rule of law and for the Supreme Court as an institution. I want a Justice for all Americans. I know that President Obama does, as well.

We can act on the U.S. Attorney nominations on today's agenda quickly, I believe. We will then turn to the Crimes against Humanity bill if Senator Durbin is prepared to proceed.

I am sorry that the other matters, the legislation about cameras in the courtroom that I noticed for our agenda, are being held over another week. Those measures are intended to increase transparency in our Federal court system. The first one is a bipartisan bill that we have reported out of this Committee twice. It has been improved over the years to provide important protections for witnesses and jurors. I hope we can begin consideration of these important measures without further delay next week.

I will need to proceed to the floor to manage the debate on the nomination of Judge Denny Chin to the Second Circuit before too long, so I hope we can proceed expeditiously this morning to do what we can.

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Statement Of Senator Patrick Leahy (D-Vt.),
Chairman, Senate Judiciary Committee,
On Consideration of the Crimes Against Humanities Act of 2009
April 22, 2010

Today we begin consideration of the Durbin-Leahy-Feingold-Cardin Crimes Against Humanity Act of 2009. This legislation will make it a violation of United States law to commit a crime against humanity, and will help ensure that the perpetrators of crimes against humanity do not escape accountability for their actions by coming to the United States. I commend Senator Durbin for his work on this legislation and for his leadership as Chairman of the Subcommittee on Human Rights and the Law.

I am always looking for ways to facilitate the investigation and prosecution of international human rights abusers, including those who seek safe haven here in the United States. Too often, while I am traveling in other countries, I am asked why the United States does not do more to prosecute the human rights violators we find in our own country. It is vital that America reclaim its historic role as a world leader on issues of human rights. That is what led me to develop and fight for years to enact the Anti-Atrocity Alien Deportation Act, which became law in 2004. I am pleased that that important law has served as the foundation for much of the human rights legislation enacted in recent years, including the Genocide Accountability Act of 2007, the Child Soldiers Accountability Act of 2008, and the Human Rights Enforcement Act of 2009.

We are beginning to see the fruit of our hard work. In 2008, Chuckie Taylor, the son of former Liberian President Charles Taylor, was tried and convicted under the Federal Torture Statute, a law I supported. The law implements the Convention Against Torture. Chuckie Taylor was prosecuted for violent assaults, rape, and the fatal beatings and burning of civilians in Liberia. His case was the first brought under the torture statute, and his 97-year prison sentence sent a clear message that the United States is no longer a place to hide from accountability. The United States can and will hold violators of human rights accountable for their atrocious acts.

We reaffirm that message today as we consider the Crimes Against Humanity Act of 2009, a bill I am pleased to cosponsor. Along with genocide, war crimes and torture, crimes against humanity are among the most serious crimes under international law. Although the United States has strongly and consistently supported the international prosecution of perpetrators of crimes against humanity, there is no United States law prohibiting these acts. As a result, the Federal government is unable to prosecute perpetrators found in our country. This legislation will fix that loophole.

We must promote accountability for human rights violations committed anywhere in the world, and we must do whatever we can to prevent those who commit such crimes from escaping justice in the United States. A foreign policy that seeks to defend human rights will never fully achieve its goals if we undermine our own credibility by failing in our commitment to uphold the highest standards of human rights here at home. This country simply cannot and will not provide a refuge for those who commit human rights violations. I urge members of the Committee to support the Crimes Against Humanities Act of 2009.

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