

Vatican official says rule of law applies to terrorists

VATICAN CITY - The rule of law cannot be abandoned when dealing with terrorists, a Vatican official told the United Nations.

Although terrorists may have no respect for legal systems, states risk compromising their legitimacy if they bend the rule of law in confronting terrorism, Archbishop Celestino Migliore, the Vatican's permanent observer to the United Nations, told one of the general assembly's main committees Oct. 26.

"The struggle against terrorism is necessary, but at the same time it must be established through the drafting, adoption, and effective enforcement of juridical instruments designed to tackle this violent menace with right reason," said Archbishop Migliore, whose remarks were released at the Vatican.

"The rule of law at times is difficult to apply to terrorists who have little or no respect for it. However, states must not engage in measures antithetical to the very principles that give them legitimacy through the rule of law," he said.

Archbishop Migliore said the rule of law was the basis of international cooperation. He pointed to a recent expansion of cooperative efforts in international criminal justice, which has brought to trial people accused of crimes against humanity.

Increasingly, he said, there was a sense of a collective international responsibility to protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity.

He said U.N. member states were more willing today to take decisive collective action through the Security Council to prevent such crimes, when peaceful means are inadequate and when national authorities are failing to protect these populations.

"My delegation believes there is need to pursue the debate and juridical codification along this very line, wherein sovereignty is not understood as an absolute right and

used as a shield against outside involvement," he said.

National sovereignty, he said, should be understood as a responsibility "not merely to protect citizens, but also to promote their welfare."