

# ORIGINAL

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REMARKS

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OF

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THE HONORABLE GRIFFIN B. BELL

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UNITED STATES ATTORNEY GENERAL

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BEFORE

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AMERICAN BAR ASSOCIATION DELEGATION

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TO THE U.S.S.R.

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Seminar: "Role of Law and Legal Institutions in  
the Development of Positive Relations between the  
U.S. and the U.S.S.R."

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TUESDAY, JUNE 19, 1979

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MOSCOW, U.S.S.R.

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P R O C E E D I N G S

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2 ATTORNEY GENERAL BELL: Esteemed Chief Justice, dis-  
3 tinguished lawyers, law teachers, other distinguished guests,  
4 and my own colleagues: It is good to be in the Soviet Union,  
5 it is good to be in Russia, and I wish to thank the Chief  
6 Justice for his warm greeting.

7 We are now one day past SALT II. a memorable event,  
8 and as our President and Mr. Brezhnev noted in Vienna, our two  
9 nations have never been at war, and we have close ties tracing  
10 back to World War II. We are powerful nations. The world is  
11 very small, given the great changes that have come about in  
12 transport and in communications. We are indeed, our two  
13 countries, the keepers of the peace.

14 The fight will now start in our country, in the  
15 Senate, for ratification of SALT II. Under our form of govern-  
16 ment, the President makes treaties, but they must be ratified  
17 by the Senate, so there will be a great debate over ratifica-  
18 tion. The President addressed a joint session of the Congress  
19 last evening to begin the debate.

20 I wish to note that we pay high honor to treaties,  
21 once we -- the treaty is ratified. Our Constitution includes  
22 treaties as a supreme law of our land, along with the Consti-  
23 tution. Our seminar today is addressed to finding ways to  
24 better utilize the law in improving relations between countries.  
25 And I want to speak a few moments on that subject.

1           There is a commonality in law, through universal  
2 procedures and terminology, and through the operation of  
3 neutral principles. Law is a tool available for government  
4 leaders and to government leaders for deescalating tensions  
5 and for relegating all possible problems to regularized and  
6 systematic procedures, under bilateral arrangements. I wish  
7 now to suggest some possible problems and problem areas which  
8 might be dispatched to bilateral legal groups.

9           One example is acts of terrorism, which involve more  
10 than one country. Another, aircraft hijacking. Still another  
11 is international drug trade and drug problems, something we  
12 are deeply interested in in our country where drugs, illegal  
13 drugs, are a great problem. Another area, problem area, which  
14 might be dispatched to legal groups for handling would be  
15 border problems, including fishing rights. Still another,  
16 extradition, where treaty provisions exist. Lately we have  
17 been engaged in prisoner exchange agreements under treaties  
18 with Canada and Mexico, and lawyer groups have been in charge  
19 of implementing those treaties.

20           Lawyer groups will be heavily involved in solving  
21 environmental problems, which are more and more international  
22 in nature. We have had considerable experience in delegating  
23 to lawyers, on a bilateral basis, international business  
24 practices which contravene the law of one country or the other  
25 within the limits of comity. Another fruitful area for

1 resolution by lawyer groups will be seen in the alleged denial  
2 of rights in violation of international compacts.

3 I now wish to mention a suggested mechanism, and it  
4 is based on what I will call the "Canadian experience".  
5 Shortly after President Carter assumed office, he met with  
6 President Trudeau of Canada to go over a range of problems.  
7 He concluded, and so stated to President Trudeau, that they  
8 all seemed to be legal problems, and suggested that the  
9 Minister of Justice in each country meet, assisted by diplomats,  
10 in an effort to resolve the problems.

11 I went to Canada. We met for three days, and were  
12 able to work out many of the problems. Others were left to  
13 the standing committee of lawyers and lower-level diplomats  
14 who agreed to meet in the future on a quarterly basis, to  
15 discuss such problems as might be placed on the agenda for  
16 discussion.

17 There could be, of course, variations of the  
18 mechanism that I have just described. The point is that  
19 lawyers and lawyer groups, in and out of the government, are  
20 available to help resolve problems which lie between the  
21 giant problems that government leaders face and those problems  
22 of a lower order which are routinely handled in diplomacy.  
23 Such an approach would offer a new forum or channel for the  
24 resolution of international problems which may utilize neutral  
25 or set principles, and where negotiation, factfinding, or even

1 mediation might be employed.

2 It is a pleasure to be with you, and Mr. Chief  
3 Justice, I thank you again.

4 (Applause.)

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