

## United States of America Memorial Concerning Germany v. United States, LaGrand Case

The facts concerning this case are clear: The LaGrand brothers committed a crime within the borders of the United States—bank robbery and homicide—these crimes led to their execution under Arizona state law. Germany believes the Arizona authorities did not follow the proper international procedures after detaining the LaGrands. Germany also believes that the United States government did not step in to assure International law was followed, which led to the executions of the LaGrand brothers. This case is being called to decide whether the Vienna Convention on Consular Relations (VCCR) confers enforceable rights on individuals or states.

In this case, the United States recognizes the International Court of Justice's jurisdiction, seeing as this is an international issue. The issue being whether states or individuals are protected by the VCCR, not if proper international policies were followed, as the policies which would be under scrutiny cannot be proved or disproved until the exact protections granted by the VCCR are more specifically stated.

For this case, the Court must take into account first and foremost, the VCCR International treaty, followed by the Federal Laws of the United States, the State laws of Arizona—and the relationship between the two—, and the National laws of Germany, possibly including how their influence on the LaGrands' case in Arizona would have made a difference, depending on the decision of the Court in the matter of the protections granted by the VCCR.

The United States of America believes that neither itself as a governing body, nor the state of Arizona as a governing body under the Constitution of the United States are at fault of breaking any treaties, as the nation of Germany suggests, under the view that the International Treaty in question, the VCCR, grants its protection to states and not individuals. This interpretation of the treaty puts no one at fault of any wrong-doing but the

LaGrand brothers, who broke American laws by attempting to rob a bank, and in the process, killing the bank manager. The state of Arizona acted accordingly under its laws, and justice, according to those laws, was upheld. Germany's interpretation of the VCCR holds that its protections are conferred upon individuals, and, under that assumption, the United States, as well as the state of Arizona, would be at fault for allowing two men to be killed without a fair trial as International Law sees it. That being said, the United States has reason to believe that its interpretation of the VCCR is correct, because, in general, International treaties are written to bestow their provisions upon the members of the International Community, which is made of states, not individuals. This way the treaties affect the national sovereignty of the member states as little as possible, while at the same time working to assure that interaction between the countries works as smoothly as possible.

The United States wishes greatly that the International Court of Justice understands the United States' position on this matter, and sees the position the U.S. has taken on this issue is the just one, in order to keep future confusion when writing International Treaties to a minimum, as a decision in favor of Germany will set a precedent for future treaties to affect individuals instead of states, which would impose international laws upon the citizens of every nation supporting such treaties, without the whole consent of the supporting nations' law-making bodies. Such consent would require the law-making body of every supporting state to pass such a treaty into law within its borders before a treaty could be fully accepted as international law. Obviously, such a prerequisite would needlessly lengthen the International law-making process, bogging it down with an endless furthering of bureaucracy, which is, and will remain, unneeded as long as International treaties remain focused on supporting states and not the individual citizens from each.