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NEWS RELEASE

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After serving three years on the United Nations Appeals Tribunal, Judge Mark Painter has resigned from the court, citing the “subversion” of UN reform. Judge Painter originally was elected to this new court by the U.N. General Assembly. The court’s purpose was to resolve internal legal disputes.

When his term came up for renewal, the Internal Justice Council (the nominating committee) did not renominate him or a fellow judge from India. Judge Painter calls the IJC a “misguided bunch” trying to obstruct reform and remove judges who strictly followed the rule of law.

“I interpret the UN statutes and rules as written, rather than by conjuring up some ‘general principles of international law,’ Painter said. “And it was clear that the nominating committee was not happy with the direction of the court. Our unanimous decisions established consistent legal rules, transparency, and fairness. But the IJC proposed we follow a loose and arbitrary view of the law, which would not bring reform but regression and confusion. So they took the opportunity to purge two of the three judges whose terms were expiring.”

Painter continued: “Sadly, the court began as part of a UN reform imitative, which has now been subverted. I can no longer be a part of this farce, so I have resigned the remaining three months of my term—they don’t want judicial conservatives.”

Judge Painter is a Republican, but was endorsed in 2009 by the U.S. Mission to the UN (under Ambassador Susan Rice) with enthusiastic bipartisan support from Ohio's top elected officials, including then-Governor Ted Strickland (D), then-Senator George Voinovich (R), now-Sen. Rob Portman, Cincinnati Mayor Mark Mallory (D) and state Senator Eric Kearney (D).

The Internal Justice Council nominated another American, a California magistrate, who has never been an appellate judge.

Prior to his service on the UN court, Judge Painter served on the Ohio Court of Appeals from 1995–2009 and on the Hamilton County Municipal Court from 1982–1995. He is one of the most-published judges in history—the author of more than 400 published decisions, 140 articles, and six books.

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Judge Painter's letter to the President of the UN General Assembly:

“Because the Internal Justice Council refused to renominate me—and my honorable colleague from India—to the United Nations Appeals Tribunal, the General Assembly was not even allowed to vote to extend our tenure. When the GA elected us three years ago as two of the court's first judges, it was with the understanding that we were eligible for another full term, as is customary with UN tribunals. This unprecedented purge comes after our three years of hard work, under difficult conditions, helping to form the court that was to be the cornerstone of internal reform.

“The UN reform initiative has lost its way. It has been subverted by the IJC's apparent desire to remove those jurists who insist on adhering to the rule of law. Given these circumstances, I feel that honor and a commitment to transparency require me to resign the remainder of my term on the UNAT, effective immediately.”

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