

US Defense Department briefing with Lawrence Di Rita, Special Assistant to The Secretary of Defense; Brigadier General David Rodriguez, Deputy Director for Operations, J-3, Joint Staff

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Q I do have a question about the U.N.'s decision with regard to the ICC and how it applies to peacekeeping forces. Could you explain that decision and what impact that has on U.S. forces, and particularly talk about where, in those cases, U.S. forces might be assigned to a U.N. force where the U.S. also has a bilateral agreement exempting soldiers from the ICC --

MR. DIRITA: Well, as I understood -- first of all, I'm not sure there was a U.N. decision as much as there was a decision not to decide. We've had this U.N. resolution that's been extended now one year, and there was a desire on the United States' side to extend it again, which would essentially -- and I don't know if this is the right legal term -- indemnify U.S. forces, which -- the United States is not subject to -- is not a signatory to nor does it intend to become a signatory to the ICC. And ultimately that extension didn't occur.

So we've gone about in that -- I just -- I would refer you to the State Department for additional detail, but we've gone about the process of reviewing those U.N. peacekeeping missions in which we have forces who we may determine have been -- have exposure that is -- offers a risk that's sufficient for us to want to evaluate their presence in those missions. And in fact, as I understand it -- and I believe there have been some notifications made in Congress today and that the State Department has advised, through the diplomatic channels, that we will be withdrawing from two particular U.N. peacekeeping missions, the U.N. Mission in Ethiopia and Eritrea, in which we, I believe, currently have seven people assigned. Four of those individuals will be coming out right away. There are three senior individuals -- U.S. individuals in that mission that we're prepared to allow to remain in for some period of time, until they can be replaced.

The U.N. Mission in Kosovo is another one in which we have two individuals who will come out.

Q (Off mike) -- in particular? I mean --

MR. DIRITA: Again, it's because, for the nature of the U.N. mission in both those countries, it's determined that the risk assigned to -- because we don't have Article 98 agreements, and the Article 98 agreements are the agreements that the treaty permits on a bilateral basis between countries that don't wish to participate in the ICC, to provide protections to soldiers that are involved in any operations in their countries.

Q Can you just be more specific about what jobs they do that expose them?

MR. DIRITA: Yeah. Apparently, in the case of -- it's -- I'm not so much sure it's their jobs as by virtue of being in the U.N. mission. And again, I would refer you to State for additional detail. But in the case of the U.N. Mission in Kosovo, it's liaison officers. In the case of the U.N. Mission in Eritrea and Ethiopian, the chief military observer has kind of responsibility for the mission overall. That's a pretty senior position. And I think there was a general understanding that's one that we wouldn't withdraw right away. And there's two others, somebody identified as the sector air liaison officer and the chief logistics officer. This is in the Eritrea and Ethiopia mission. Those three will be permitted to remain until they can be replaced in a more systematic fashion.

Q So the forces that we have in Kosovo beyond those two, they're not assigned to the U.N.?

MR. DIRITA: They're not assigned to the U.N. mission. So the civilian police trainers, the -- there's, I think -- there's a number of other people involved in the mission, plus the U.S. participants in the KFOR, they're not subject to the U.N. mission, so they don't have the same exposure.

So, you know, we'll continue to evaluate these missions go forward. And additional U.N. missions, we'll certainly evaluate the importance and -- the importance of the U.S. being involved in the mission and balance that against the risks of U.S. exposure to the mission, and make determinations on a case-by-case basis. But in these two particular cases, it was determined on an interagency basis that the risk was not appropriate to our forces, and so they were withdrawn.