

THE WHITE HOUSE
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PRESS BRIEFING BY ARI FLEISCHER

Full text:

<http://usinfo.state.gov/cgi-bin/washfile/display.pl?p=/products/washfile/latest&f=02101102.tlt&t=/products/washfile/newsitem.shtml>

Excerpts:

Q: How would war crimes trials figure into [US plans for Iraq], Ari?

MR. FLEISCHER: Well, the experience there comes as a result of what happened with Serbia's attacks and attempts at ethnic cleansing and their brutality in the recent events in Kosovo. And that was an agreement by a variety of nations around the world to create a court with jurisdiction over the war criminals in Serbia. And that has worked as a good example and worked well to bring people to justice.

Q: So who among the Iraqi leadership might be guilty of war crimes?

MR. FLEISCHER: I don't think that's an answer I can give you. That's the type of thing that --

...

Q: Regarding war crimes trials of the Iraqis, did I understand you to say in response to Steve's question that the International Criminal Court would have jurisdiction if --

MR. FLEISCHER: No, I referred to the court that was set up after Serbia was created as a result of the action in Serbia, specifically under rules to try Serbian war criminals.

Q: Isn't the International Criminal Court the successor, though, to those ad hoc courts that were set up to deal with Serbia --

MR. FLEISCHER: It's a successor in terms of time. But it's not a successor as different from what that court was.

Q: So you would envision another ad hoc, special tribunal -- international tribunals?

MR. FLEISCHER: That's what worked -- my point was that's what worked well after Serbia. And that's what the President believes can work well again.

Q: But not the International Criminal Court?

MR. FLEISCHER: Not the International Criminal Court.

Q: Is there a jurisdiction -- as I understand, the U.N. has, in effect, transferred the authority of -- to try war criminals from these ad hoc commissions to the ICC?

MR. FLEISCHER: I think that given how much controversy there is about the ICC and its ability to have jurisdiction over nations that don't even subscribe to the ICC, that's an unsettled matter. And the President thinks this needs to work in a matter that has proven successful in the past.