

U.S. House of Representatives
Committee on International Relations
Subcommittee on Africa, Global Human Rights and International Operations

Hearing: Sudan: Losing Ground on Peace?

November 1, 2005 at 4:00 p.m.

2172 Rayburn House Office Building

Witness: U.S. Assistant Secretary of State for African Affairs Jendayi Frazer

http://www.house.gov/international_relations/afhear.htm

Unofficial transcription:

Mr. Chairman (Representative Christopher Smith): "And finally, when it comes to accountability, Mr. Payne and I and many of us are trying to get a human rights bill, which is now a bipartisan piece of legislation, moved forward, but the key end and key phrase of that legislation is accountability, holding those men and women to account who have committed those atrocities. The U.N. resolution 1593, which was adopted on March 29th, provides for referral to the ICC of those who, perhaps, perhaps not, have committed the atrocities. The International Commission of Inquiry recommended that the ICC prosecute, where is that? Is there a list of individuals on a printed page somewhere of people who need to be prosecuted at the ICC and will that be made public, if you will, and what is the status of that whole effort?"

Assistant Secretary of State for African Affairs Jendayi Frazer: "On accountability, as far as I know Mr. Chairman, the ICC list has not become public. But Ambassador Zoellick again has signaled that if the ICC requires assistance, the United States stands ready for any assistance. But they haven't asked us for any assistance in developing their list or getting the government to adhere to any ICC charges."

...

Representative Donald Payne: The State Dept as you know in the last administration did a very intensive interviewing of I think over 1200 individuals that built up a case to declare genocide in Darfur and it would appear to me that this information would certainly be helpful for the ICC. I know that there was the problem that formal relations, although the US did abstain and therefore allowed the International Criminal Court to proceed, and in that we are very thankful, however we do feel that since we did indicate by our abstention that we felt that there should be prosecutions going on in Sudan by the ICC, it would appear that we would try to cooperate with the Court and to allow the Court if they ask to review any materials that was taken, that Secretary Powell built the case of genocide, so I would hope that some way there could be cooperation with the ICC and our State Dept.

Assistant Secretary of State for African Affairs Jendayi Frazer: Yes, Amb Zoellick, Deputy Secretary Zoellick has made very clear that if we were asked by the ICC for our help we would try to make sure that this gets pursued fully, to use his words, because we don't want to see impunity for any of these actors, so they haven't asked, but if they did, we stand ready to assist.

...

Representative Royce: ...so would I ask you specifically tell us about government support for the Janjaweed, how is it done, who is in it? The International Criminal Court is supposed to be undertaking an examination- they're interviewing Janjaweed leaders who are ratting out people in the government and vice versa, pointing fingers. How widespread is this backing? What do we know?

(answer does not mention ICC)

...

Representative Tancredo: ...Secondly, the ICC and its... and the status of the investigation, I know, I'm well aware of our position with regards to the ICC, but several of us have attempted to, you know, make sure that we would like the State Dept to help and cooperate in any way possible with that investigation. What is the status?

Assistant Secretary of State for African Affairs Jendayi Frazer: This issue did come up before... (Tancredo was not in the room earlier)