

STATEMENTS OF BARACK OBAMA ON THE INTERNATIONAL CRIMINAL COURT

Response to a candidate questionnaire during 2004 Senate race:

Question: “Should the United States ratify the ‘Rome Statute of the International Criminal Court’? If not, what concerns do you have that need to be resolved before you would support joining the court? Prior to ratification, what should the United States relationship with the Court be, particularly in regards to sharing intelligence, prosecuting war criminals, and referring cases to the UN Security Council?”

Answer: “Yes[.] The United States should cooperate with ICC investigations in a way that reflects American sovereignty and promotes our national security interests.”

http://globalsolutions.org/politics/elections_and_candidates/questionnaire/2004?id=20

October 6, 2007 responses to candidate questionnaire:

Question: “Given the International Criminal Court’s recent activities in pursuing war crimes and crimes against humanity, what would be your administration’s policy regarding U.S. cooperation with ongoing investigations?”

Answer: “Now that it is operational, we are learning more and more about how the ICC functions. The Court has pursued charges only in cases of the most serious and systemic crimes and it is in America’s interests that these most heinous of criminals, like the perpetrators of the genocide in Darfur, are held accountable. These actions are a credit to the cause of justice and deserve full American support and cooperation. Yet the Court is still young, many questions remain unanswered about the ultimate scope of its activities, and it is premature to commit the U.S. to any course of action at this time.

“The United States has more troops deployed overseas than any other nation and those forces are bearing a disproportionate share of the burden in the protecting Americans and preserving international security. Maximum protection for our servicemen and women should come with that increased exposure. Therefore, I will consult thoroughly with our military commanders and also examine the track record of the Court before reaching a decision on whether the U.S. should become a State Party to the ICC.”

<http://globalsolutions.org/08orburst/quotes/2007/10/31/quote484>

Question: “Beyond cooperation with current investigations, what should the United States’ relationship be with the Court?”

Answer: “My administration would continue to cooperate with ongoing ICC investigations in Sudan.”

<http://globalsolutions.org/08orburst/quotes/2007/10/31/quote483>

April 23, 2008: “Those that continue to commit war crimes and obstruct peace and protection efforts must face significant penalties. The US should lead in the UN Security Council to impose effective targeted sanctions and to curtail violations of the arms embargo through the UN Security Council Sanctions Committee and the US Department of Treasury’s Office of Foreign Assets Control. At the same time, the Administration should urge the AU to rebuke Khartoum for its role in the attempted coup in Chad. The US also needs to work with the International Criminal Court to ramp up the pace of indictments of those responsible for war crimes and crimes against humanity, while Khartoum must feel increased pressure to hand over those individuals already indicted by the Court.”

http://obama.senate.gov/press/080423-statement_of_se_22/



May 24, 2010 Statement by the President on the Signing of the Lord's Resistance Army Disarmament and Northern Uganda Recovery Act of 2009:

"The Lord's Resistance Army preys on civilians – killing, raping, and mutilating the people of central Africa; stealing and brutalizing their children; and displacing hundreds of thousands of people. Its leadership, indicted by the International Criminal Court for crimes against humanity, has no agenda and no purpose other than its own survival. It fills its ranks of fighters with the young boys and girls it abducts. By any measure, its actions are an affront to human dignity.

[...]

"I signed this bill today recognizing that we must all renew our commitments and strengthen our capabilities to protect and assist civilians caught in the LRA's wake, to receive those that surrender, and to support efforts to bring the LRA leadership to justice. The Bill reiterates U.S. policy and our commitment to work toward a comprehensive and lasting resolution to the conflict in northern Uganda and other affected areas, including northeastern Democratic Republic of Congo, southern Sudan, and the Central African Republic. We will do so in partnership with regional governments and multilateral efforts."

<http://www.whitehouse.gov/the-press-office/statement-president-signing-lords-resistance-army-disarmament-and-northern-uganda-r>

May 2010 National Security Strategy:

"International Justice: From Nuremberg to Yugoslavia to Liberia, the United States has seen that the end of impunity and the promotion of justice are not just moral imperatives; they are stabilizing forces in international affairs. The United States is thus working to strengthen national justice systems and is maintaining our support for ad hoc international tribunals and hybrid courts. Those who intentionally target innocent civilians must be held accountable, and we will continue to support institutions and prosecutions that advance this important interest. Although the United States is not at present a party to the Rome Statute of the International Criminal Court (ICC), and will always protect U.S. personnel, we are engaging with State Parties to the Rome Statute on issues of concern and are supporting the ICC's prosecution of those cases that advance U.S. interests and values, consistent with the requirements of U.S. law."

http://www.whitehouse.gov/sites/default/files/rss_viewer/national_security_strategy.pdf

July 14, 2010 interview with South African Broadcasting Corporation:

Question: "The International Criminal Court has added the charges of genocide to the arrest warrant of Sudan's President Omar al-Bashir. There's a view in Africa, certainly with the African Union, that the pursuit of President Bashir will be undermining or detrimental to the Doha peace process. What's your view?"

Answer: "Well, my view is that the ICC has put forward an arrest warrant. We think that it is important for the government of Sudan to cooperate with the ICC. We think that it is also important that people are held accountable for the actions that took place in Darfur that resulted in, at minimum, hundreds of thousands of lives being lost.

"And so there has to be accountability, there has to be transparency. Obviously we are active in trying to make sure that Sudan is stabilized; that humanitarian aid continues to go in there; that efforts with respect to a referendum and the possibility of Southern Sudan gaining independence under the agreement that was brokered, that that moves forward.

"So it is a balance that has to be struck. We want to move forward in a constructive fashion in Sudan, but we also think that there has to be accountability, and so we are fully supportive of the ICC."

Question: "Is peace not at risk if he were to present himself to the ICC?"



Answer: “Well, I think that peace is at risk if there’s no transparency and accountability of the actions that are taking place, whether it’s in Sudan or anywhere else in the world.”

<http://www.whitehouse.gov/the-press-office/interview-president-south-african-broadcasting-corporation>

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August 27, 2010 statement by President Obama on the promulgation of Kenya’s new constitution:

“I am disappointed that Kenya hosted Sudanese President Omar al-Bashir in defiance of International Criminal Court arrest warrants for war crimes, crimes against humanity, and genocide. The Government of Kenya has committed itself to full cooperation with the ICC, and we consider it important that Kenya honor its commitments to the ICC and to international justice, along with all nations that share those responsibilities. In Kenya and beyond, justice is a critical ingredient for lasting peace.”

<http://www.whitehouse.gov/the-press-office/2010/08/27/statement-president-obama-promulgation-kenyas-new-constitution>

November 24, 2010 Strategy to Support the Disarmament of the Lord’s Resistance Army:

“The ICC has outstanding arrest warrants for four senior LRA [Lord’s Resistance Army] commanders, including Joseph Kony, Okot Odhiambo, Dominic Ongwen, and Vincent Otti, the last of whom is believed to be dead. The United States has been and will continue to be supportive of the ICC cases against LRA leaders, as well as the current and possible future cases before the War Crimes Division in the Ugandan High Court or other national courts. Bringing these senior commanders to justice is a key component of creating a lasting peace in the region.”

http://pulitzercenter.org/sites/default/files/WhiteHouseLRAStrategy_opt.pdf

December 15, 2010 Statement by President Obama on the International Criminal Court announcement:

“In pursuit of these goals, I urge all of Kenya’s leaders, and the people whom they serve, to cooperate fully with the ICC investigation and remain focused on implementation of the reform agenda and the future of your nation. Those found responsible will be held accountable for their crimes as individuals. No community should be singled out for shame or held collectively responsible. Let the accused carry their own burdens – and let us keep in mind that under the ICC process they are innocent until proven guilty. As you move forward, Kenyans can count on the United States as a friend and partner.”

<http://www.whitehouse.gov/the-press-office/2010/12/15/statement-president-obama-international-criminal-court-announcement>

April 14, 2011 Op-Ed by President Obama, David Cameron and Nicolas Sarkozy:

“Our duty and our mandate under U.N. Security Council Resolution 1973 is to protect civilians, and we are doing that. It is not to remove Qaddafi by force. But it is impossible to imagine a future for Libya with Qaddafi in power. The International Criminal Court is rightly investigating the crimes committed against civilians and the grievous violations of international law. It is unthinkable that someone who has tried to massacre his own people can play a part in their future government.”

<http://www.nytimes.com/2011/04/15/opinion/15iht-edlibya15.html>

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