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SUDAN

Strongly Committed to Peace in Sudan/ Urge Restraint After the ICC Arrest Warrant/ US Committed to Aid Sudan/ US Embassy is Open and Functioning and All Employees at Work/ US Expects All Parties to Cooperate with the ICC Arrest Warrant/ Sudan Bears the Brunt of What Happens in Darfur/ US Carefully Considers its Contacts with Sudan/ US Does not Have Full Diplomatic Relations with Sudan/ US is Not a Signatory to ICC/ Sudanese Government Should Take This Indictment Seriously

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11:02 a.m. EST

MR. DUGUID: Good morning, everyone. I'd like to read a statement to begin this morning's briefing.

The United States is strongly committed to the pursuit of peace in Sudan, and believes those who have committed atrocities should be held accountable for their crimes.

We urge the Government of Sudan, armed rebel groups, and all others – all other concerned parties to exercise restraint in responding to the ICC arrest warrant that was issued today and to ensure the safety and security of vulnerable Sudanese populations, international civilians, and peacekeepers on the ground.

The United States will continue to support efforts to ease the suffering of the Sudanese people and to promote a just and durable peace. We remain committed to the full implementation of the Comprehensive Peace Agreement that brought an end to the conflict between North and South Sudan. We will also continue to support the UN-AU mediator Bassole's efforts to achieve a permanent cessation of hostilities and a political settlement that will end the humanitarian crisis and bring a lasting peace to Darfur.

With that, I shall take your questions.

QUESTION: Are there any American personnel still in Darfur? What's the situation at the Embassy? Are there any concerns that – even though you're not a member of the ICC, that there might be some kind of a – there might be some kind of disturbance around your facilities?

MR. DUGUID: I checked just before coming out, so my information is as recent as I could have it, that the Embassy was open and functioning, that all American citizens were safe and accounted for. There had been protests in Khartoum, but there has been no violence that I am aware of at this particular point.

QUESTION: And in terms of Americans who might be in Darfur --

MR. DUGUID: In Darfur, I'll have to check on that for you. I don't have those particular figures. If we have anybody on the ground at the moment, it's --

QUESTION: Apparently, all of the international NGOs have been called in and asked to leave. Do you have anything on that?

MR. DUGUID: I don't. That would be something that the UN perhaps had organized. I don't have any information on it. Our Embassy is, as I said, open and our people are at work.

Yes.

QUESTION: Since the United States is not a signatory to the ICC, if for some reason President Bashir were to be on U.S. soil, would the U.S. be under any obligation to arrest him and turn him over to international authorities?

MR. DUGUID: That's a speculative question. I don't expect President Bashir to be here anytime soon, so I will defer that question until it actually happens.

QUESTION: Well, it's not a speculative question.

MR. DUGUID: Yes, the --

QUESTION: Forget about Bashir.

MR. DUGUID: Yes.

QUESTION: If there's – if the ICC has issued an arrest warrant for someone who then turns up on U.S. soil --

MR. DUGUID: The United States expects all parties to the conflict in Darfur to cooperate fully with the ICC and its prosecutors called upon by the relevant UN Security Council resolution. The question of whether or not someone charged by the ICC shows up on U.S. soil, what is the U.S. response for that, I'll have to ask our lawyers to provide me with an answer.

QUESTION: Okay. Can I – because I don't know if there is any obligation at all, but it's not incredibly hypothetical to think that Bashir might come to the United States. I mean, a lot of world leaders go to the UN.

MR. DUGUID: The UN would be a different case as the diplomatic organization there.

QUESTION: They have to land at an airport on U.S. soil.

MR. DUGUID: They also have special arrangements for them. Let's ask the lawyers to get us an answer on this so we are not speculating.

Yes.

QUESTION: I heard you in your statement say that you remain committed to the process, but I didn't hear you say that you welcomed this step by the ICC. Can you say whether you do or not?

MR. DUGUID: Well, what the United States does is we expect all parties in Darfur to cooperate with this. We want to see an end to the violence in Darfur, we want to see an end to the violence in Sudan, and we want to see those who have committed atrocities held accountable for their actions and their crimes.

QUESTION: Would you count President Bashir among those?

MR. DUGUID: We would refer you to what the ICC has said, what the international community said, what we have supported in the UN on Sudan; and it is evident that the Government of Sudan has the brunt of the responsibility for what has happened in Darfur, and he is the head of that government.

QUESTION: So you would welcome President Bashir being taken to The Hague and placed on trial?

MR. DUGUID: We would welcome an end to the conflict and violence in Darfur and a peaceful resolution to the differences between the conflicting parties.

QUESTION: So this is a helpful step, then, toward that?

MR. DUGUID: This is a helpful – this is – can be a helpful step. We will see how it proceeds from here.

QUESTION: What is the status, though, of the U.S. – of diplomatic contact with President Bashir at all? Do you still – obviously, you still recognize him as the head of state, but you know, will U.S. diplomats meet with Bashir if the opportunity arises?

MR. DUGUID: We already carefully consider contact with Sudanese Government officials based on a need to try and help resolve the crisis. For example, the United States does not maintain full diplomatic relations with Sudan. We only have a chargé in place at the Embassy. But because we take the court's actions very seriously, any official contacts with President Bashir would have to be carefully reviewed on a case-by-case basis, very mindful of the indictment.

QUESTION: Well, can – I know that this is a new Administration, but the Bush Administration had called the atrocities in Darfur genocide.

MR. DUGUID: And I think you'll find that Ambassador Rice did so --

QUESTION: Okay. So --

MR. DUGUID: -- just a few moments ago in the UN.

QUESTION: So I mean, if you could – you know, just to pick up where Kirit was about whether you welcome the decision and what cooperation did the United States have with the court in providing information to get the indictment?

MR. DUGUID: This was taken by the ICC, to which we are not a party and not a signatory; therefore, I am stating what our position is. Things that then run from the ICC's own train of events, I have to refer you to the ICC.

QUESTION: Well, but I mean, were you – did you cooperate with the court? Did you provide the court information? You've always said that even though you're not a party to the court, you can still cooperate with the court on --

MR. DUGUID: I'm not at liberty to discuss whatever diplomatic communication we may have had with the court. We do see this as a step that the Sudanese Government should take seriously and respond to in a positive manner in order to try and end the violence in Darfur.

Yes.

QUESTION: Whether or not you cooperate with the court, does the United States have independent evidence that Bashir and his aides have committed war crimes?

MR. DUGUID: As it's now a matter for a court, I think I should refrain from making a statement on what might influence that court's decisions.

QUESTION: Can I go back to the Bashir thing for one second?

MR. DUGUID: Yes.

QUESTION: You said that any contact with Bashir would have to be considered very carefully on a case-by-case basis --

MR. DUGUID: That's correct.

QUESTION: -- considering the indictment --

MR. DUGUID: That is correct.

QUESTION: Considering the arrest warrant?

MR. DUGUID: Yes.

QUESTION: Well, does that mean that you will or you won't meet with him?

MR. DUGUID: That means that should that opportunity present itself, we would have to consider that very, very carefully in light of our – of any obligations that might be laid upon us due to the ICC warrant; also, any possible ramifications that it would present, given the situation on the ground at the time.

QUESTION: Well, that – your answer seems to suggest that there may be obligations that you have to the ICC, but you're not a signatory.

MR. DUGUID: As I indicated earlier, we will take the question on --

QUESTION: Thank you.

MR. DUGUID: -- our obligations and find out what they are. But I'm unaware of any, so I don't want to rule any in or out.

QUESTION: Okay. Can you make sure when you ask for the obligations that you might have if he steps foot on U.S. soil, if he comes to the United States, also ask them, you know, what obligations there might be for anyone -- any American official seeing him?

MR. DUGUID: We will -- we will --

QUESTION: Thank you.

MR. DUGUID: -- ask the full range of the question.

Thank you. Yes, please.

MR. DUGUID: Anything else?

QUESTION: Thank you.

MR. DUGUID: You're welcome.

(The briefing was concluded at 11:25 a.m.)
