State Dept. Spox on ICC: U.S. Courts Best to Handle Cases for American Citizens, Military

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A State Department press briefing became heated Tuesday over a question about the International Criminal Court (ICC), leading department spokesperson Heather Nauert to say U.S. courts are the best place to handle cases for American citizens and members of the U.S. military.

Associated Press reporter Matt Lee asked Nauert if the State Department has confidence in the Burmese government handling cases to prosecute individuals who have [committed genocide](https://freebeacon.com/issues/un-report-accuses-myanmar-military-genocide/) against the Rohingya, a minority within Myanmar.

"Do you have faith in the Burmese judicial system to hold people accountable for what's happened to them?" Lee asked.

"Based on how they treated the Reuters journalists, I think we would have serious concerns about the judicial system in Burma," Nauert responded. Two Reuters journalists were arrested by the government. They are [accused](https://www.reuters.com/article/us-myanmar-journalists/verdict-postponed-in-reuters-journalists-case-as-pressure-mounts-on-myanmar-idUSKCN1LC080) of breaching the Official Secrets Act. The U.S. embassy said they were "deeply concerned" about the government arresting the two reporters.

"I think you're probably–what you're getting at, is the U.N. report on that," Nauert said.

Lee said he was actually referring to the ICC prosecutor who is going to open an investigation into the Rohingya.

"I'm getting at the fact that the ICC prosecutor decided to open an investigation into the treatment of the Rohingya. So I'm assuming by your comments that the Burmese judicial system is not good enough, that you would support an ICC investigation?" Lee said.

"Matt, I'm not going to get into that. I know you think you're being cute," Nauert said. "I'm not going to get ahead of the process."

"I'm not being cute, I'm asking you a damn serious question," Lee said. "The National Security Adviser got up last week and trashed the ICC and said it was basically an illegal organization and that should not be allowed to have any–"

Heather interrupted Lee to say it is the belief of the U.S. government that its judicial system is the best for American citizens and military members.

"The U.S. government believes the U.S. courts as it pertains to our citizens whether it be our civilians or our military, those cases are best handled in the U.S. judicial system," Nauert said.

National Security Adviser John Bolton [announced](https://freebeacon.com/national-security/john-bolton-says-u-s-desert-outright-dangerous-international-criminal-court/) last week that the U.S. would withdraw from the ICC and condemned the body as an "assault" on the U.S. Constitution and American sovereignty.

"Now to your question, what is the appropriate venue to handle some of these very very delicate cases that we watch closely and are passionate about," Nauert said. "There are different kind of venues that are options. We have seen in the past that tribunals have been held, where tribunals have been held in the Hague, for example."

Nauert said she wasn't going to get ahead of the discussions on what options the U.S. might advocate for in the "sensitive" cases.