Extent

107 folders, approximately 3,743 pages

Summary

This collection consists of material created or received by members of the Clinton Administration regarding the International Criminal Court (ICC). The collection contains letters, memoranda, papers, press statements and briefings, news articles, speeches, and bound material. Topics include gender violence, genocide, human rights, the Kosovo intervention, the United Nations, and war crimes.

Scope and Content Note

The materials in FOIA 2012-0956-F are a selective body of documents responsive to the topic of the FOIA. Researchers should consult the archivist about related materials. FOIA 2012-0956-F concerns correspondence to and from President Clinton and others in the administration regarding the International Criminal Court (ICC). On 17 July 1998, the Rome Statute established the ICC with 120 signatories to the treaty. The United States was one of seven States in attendance that voted against it. The Clinton Administration eventually signed the Rome Statute in 2000 but it was never sent to the Senate for ratification. By the time the ICC came into force on 1 July 2002 the Bush Administration refused to be bound by the previous administration’s signature. Records responsive to this request include letters, memoranda, papers, press statements and briefings, news articles, speeches, and bound material. Topics include gender violence, genocide, human rights, the Kosovo intervention, the United Nations, and war crimes. Included are letters from Former President Jimmy Carter, businessman and philanthropist George Soros, Senators Christopher Dodd and Arlen Specter, and Representative Nancy Rubin, all urging the President to support the establishment of an International Criminal Court. Also included is a 29 December 2000 letter to President Clinton from 2012-0956-F www.clintonlibrary.gov - 2 - United Nations Secretary General Kofi Annan urging the

President to sign the Rome Statute before the midnight deadline on 31 December. The head of the U.S. delegation to the United Nations talks to establish a permanent International Criminal Court, David Scheffer, is the author of several memoranda and papers included in this collection. These documents show the debate over what should be included in the jurisdiction of the Court. International terrorism, genocide, war crimes, crimes against humanity, drug crimes and crimes of aggression were all considered. Also debated was the question of what should trigger the ICC's consideration of a case.

Record Type

Textual

System of Arrangement

Records that are responsive to this FOIA request were found in these collections areas— Clinton Presidential Records: White House Office of Records Management (WHORM) Subject Files, Clinton Presidential Records: White House Staff and Office Files, and Clinton Presidential Records: NSC Cable, Email, and Records Management Systems. The White House Office of Records Management (WHORM) contains a variety of series created to organize and track documents and correspondence. The WHORM Subject file was compiled by the White House Office of Records Management and is a series of categories designated by a letter/number combination. Staff and Office files were maintained at the folder level by staff members within their individual offices and document all levels of administration activity. WHORM files are processed at the document level; whereas, Staff and Office files are processed at the folder level, that is, individual documents are not selected and removed from a folder for processing. While this method maintains folder integrity, it frequently results in the incidental processing of documents that are not wholly responsive to the subject area. FOIA 2012-0956-F includes WHORM records from these subject codes: [FG999] [Federal Government-Organizations-Federal Agencies-Proposed] [IT] [International Organizations] [IT086] [International Organizations-Secretariat, United Nations] [JL003] [Judicial-Legal Matters-Criminal Matters] [ND016] [National Security-Defense-Wars-Conflicts]

Access

Collection is open to all researchers. Access to Clinton Presidential Records is governed by the Presidential Records Act (PRA) (44 USC Chapter 22, as amended) and the Freedom of Information Act (FOIA) (5 USC 552, as amended) and therefore records may be restricted in whole or in part in accordance with legal exemptions.

Copyright

Documents in this collection that were prepared by officials of the United States government as part of their official duties are in the public domain. Researchers are advised to consult the copyright law of the United States (17 USC, Chapter 1) which governs the making of photocopies or other reproductions of copyrighted material.

Provenance

Official records of William Jefferson Clinton’s presidency are housed at the Clinton Presidential Library and administered by the National Archives and Records Administration (NARA) under the provisions of the Presidential Records Act (PRA).

Processed by

Staff Archivist, 2013. Previously restricted materials are added as they are released

Last Modified Date

2016-05-27

Container List

The following is a list of documents and folders processed in response to FOIA 2012-0956-F:

Box 1

Clinton Presidential Records: WHORM: Subject File

Category Case Number

FG999 418234

IT 271882

271918

IT086 037094

076884

[IT086] 434556

434771

438587

439570

Clinton Presidential Records: WHORM: Subject File (continued)

439636

439676

439677

439688

JL003 033824

ND016 037646

Clinton Presidential Records: White House Staff and Office Files

Chief of Staff

Podesta, John

[International Criminal Court] [OA 24972]

Counsel’s Office

General Files

[Rome Statute for the International Criminal Court (ICC)] [OA 24302]

Ruff, Charles

International Criminal Court [OA 15372]

Box 2

National Security Council

Defense Policy

Bouchard, Joseph

ICC [International Criminal Court] [OA/ID 2984]

Global Affairs
Eisenhower, James
ICC/ICJ [International Criminal Court/International Court of Justice] [1] [OA/ID 750]
ICC/ICJ [International Criminal Court/International Court of Justice] [2] [OA/ID 750]
Legal Advisor
Allen, Charles
ICC [International Criminal Court] Working File [OA/ID 2672]
Derosa, Mary
ICC [International Criminal Court]: [Correspondence to the President] [OA/ID 3410]
ICC [International Criminal Court]: [Memo from Nancy Rubin, 12/22/2000] [OA/ID 3410]
ICC [International Criminal Court]: [Samuel Berger to the President, 12/12/1997] [OA/ID 3410]
International Criminal Court (File #1): [Arlen Specter to the President, 8/26/1994] [OA/ID 2843]
International Criminal Court (File #1): [Correspondence]: [Senator Dodd to the President, 9/15/1993] [OA/ID 2843]
International Criminal Court (File #3) [1] [OA/ID 2843]
International Criminal Court (File #3) [2] [OA/ID 2843]
International Criminal Court (File #3) [3] [OA/ID 2843]
International Criminal Court (File #3) [4] [OA/ID 2843]
Box 3
International Criminal Court (File #3) [5] [OA/ID 2843]
International Criminal Court (File #3) [6] [OA/ID 2843]
International Criminal Court (File #3) [7] [OA/ID 2843]
International Criminal Court (File #3) [8] [OA/ID 2843]
International Criminal Court (File #3) [9] [OA/ID 2843]
International Criminal Court (File #4): [Correspondence to the President] [OA/ID 2843]
International Criminal Court (File #4): [Former President Jimmy Carter to President Clinton, 7/11/1998] [OA/ID 2843]
International Criminal Court (File #4): [Samuel Berger to the President, 6/20/1998] [OA/ID 2843]
International Criminal Court (File #6): [Correspondence to the President] [OA/ID 2842]
International Criminal Court (File #6): [Letter from Norman Dorsen et al., 5/15/1998] [OA/ID 2842]

International Criminal Court (File #6): [Letters to the President from George Tenet and Janet Reno] [OA/ID 2842]
International Criminal Court (File #6): [Memos to the President] [OA/ID 2842]
International Criminal Court (File #6): [President Clinton to Croatian President Tudjman, 11/12/1997] [OA/ID 2842]
International Criminal Court (File #6): [Samuel Berger to the President regarding article] [OA/ID 2842]
International Criminal Court (File #6): [Samuel Berger to the President, 12/121997] [OA/ID 2842]
Multilateral and Humanitarian Affairs
Busby, Scott
ICC [International Criminal Court]: [Madeleine Albright for the President, 6/3/1998] [OA/ID 1897]
ICC [International Criminal Court]: [President Clinton to Former President Jimmy Carter, 8/5/1998] [OA/ID 1897]
ICC [International Criminal Court]: [President Clinton to George Soros, 8/5/1998] [OA/ID 1897]
ICC [International Criminal Court]: [President Clinton to Norman Dorsen, 6/15/1998] [OA/ID 1897]
ICC [International Criminal Court]: [Samuel Berger to the President Regarding Establishment of the ICC] [OA/ID 1897]
Box 4
ICC [International Criminal Court]: [Samuel Berger to the President, 7/23/1998] [OA/ID 1897]
Feldman, Daniel et al.
ICC [International Criminal Court] Correspondence [OA/ID 3346]
ICC [International Criminal Court], January – February 1999 [1] [OA/ID 3346]
ICC [International Criminal Court], January – February 1999 [2] [OA/ID 3346]
Feldman, Daniel et al.
[International Criminal Court]: Memos to Berger [OA/ID 3346]
[International Criminal Court]: Prodi Letter [OA/ID 3346]
Schwartz, Eric
ICC [International Criminal Court] Part 2 [1] [OA/ID 3070]
ICC [International Criminal Court] Part 2 [2] [OA/ID 3070]
ICC [International Criminal Court] Part 2 [3] [OA/ID 3070]
ICC [International Criminal Court] Part 2 [4] [OA/ID 3070]
ICC [International Criminal Court] Part 2 [5] [OA/ID 3070]

ICC [International Criminal Court] Roll-Out Signature [1] [OA/ID 4016]
Box 5
ICC [International Criminal Court] Roll-Out Signature [2] [OA/ID 4016]
ICC [International Criminal Court] Roll-Out Signature [3] [OA/ID 4016]
ICC [International Criminal Court] Roll-Out Signature [4] [OA/ID 4016]
ICC [International Criminal Court], 1998 – 2000 [OA/ID 3426]
[International Criminal Court Part 1, 1994 – 1998] [1] [OA/ID 3070]
[International Criminal Court Part 1, 1994 – 1998] [2] [OA/ID 3070]
Shea, Dorothy
ICC [International Criminal Court] Press/Public Statements [1] [OA/ID 3345]
ICC [International Criminal Court] Press/Public Statements [2] [OA/ID 3345]
ICC [International Criminal Court] Reporting Cables/Memos: [French President Jacques Chirac to President Clinton, 12/15/2000] [OA/ID 3345]
ICC [International Criminal Court] Reporting Cables/Memos: [Kenneth Roth, Director of Human Rights Watch, to the President, 12/13/2000] [OA/ID 3345]
ICC [International Criminal Court] Reporting Cables/Memos: [Letters to the President Regarding the Rome Treaty] [OA/ID 3345]
ICC [International Criminal Court] Reporting Cables/Memos: [Samuel Berger to the President, 12/28/2000] [OA/ID 3345]
ICC [International Criminal Court] Reporting Cables/Memos: [Vivian Stromberg to the President, 9/15/2000] [OA/ID 3345]
Stromseth, Jane
ICC (International Criminal Court): [Correspondence to the President] [OA/ID 2143]
Wippman, David/Feldman, David
ICC [International Criminal Court]: [Correspondence to the President] [OA/ID 2546]
ICC [International Criminal Court]: Op-Ed Drafts [OA/ID 2546]
Box 6
ICC [International Criminal Court]: [Samuel Berger to the President, 12/27/1997] [OA/ID 2546]
ICC [International Criminal Court]: Strategy and Options Meeting [1] [OA/ID 2546]
ICC [International Criminal Court]: Strategy and Options Meeting [2] [OA/ID 2546]

Strategic Planning
Bobbitt, Philip
ICC [International Criminal Court] [OA/ID 1752]
Clinton Presidential Records: NSC Cable, Email, and Records Management System
NSC Records Management

[Intl Criminal Court]
9307141 [OA/ID 162]
9400787 [OA/ID 184]
9402291 [OA/ID 189]
9407042 [OA/ID 211]
9508251 [OA/ID 614]
9600215 [OA/ID 1081]
9708402 [OA/ID 1659]
9803596 [OA/ID 2037]
9804029 [OA/ID 2041]
9804189 [OA/ID 2042]
9804478 [OA/ID 2045]
9804503 [OA/ID 2045]
9804547 [OA/ID 2045]
9804587 [OA/ID 2046]
9805053 [OA/ID 2049]
Box 7
9805180 [OA/ID 2050]
9805231 [OA/ID 2051]
9806133 [OA/ID 2057]
9905559 [OA/ID 2741]
0000178 [OA/ID 4073]
0004162 [OA/ID 4096]
0006031 [OA/ID 4107]
0007242 [OA/ID 4113]
0007742 [OA/ID 4116B]