

Testimony of

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Statement of  
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Chairman Durbin, Ranking Member Coburn, and distinguished Members of the Subcommittee, thank you for inviting the Department of Justice to testify at this hearing. Pursuing justice against the perpetrators of genocide and other atrocities is a mission of the highest importance. As the Deputy Assistant Attorney General in the Criminal Division who supervises two key participants in that mission - the Domestic Security Section and the Office of Special Investigations - I am pleased to address the Department of Justice's ongoing efforts against the perpetrators of genocide, war crimes and crimes against humanity.

The Department has a long and distinguished history in this mission. Indeed, Former Attorney General Robert H. Jackson and his colleagues prosecuted the leading Nazi war criminals after World War II. The court before which those Nazi leaders were tried, the International Military Tribunal, convened in Nuremberg, Germany, precisely 62 years ago today, on November 14, 1945. Exactly 10 years earlier, the Third Reich had taken a fateful step along the road to genocide by issuing the first regulations implementing the notorious Nuremberg laws. Those November 14, 1935 regulations deprived all of the country's Jews of their German citizenship and established an elaborate scheme to classify people as Jews based on their ancestry and affiliations.

Who could have imagined on November 14, 1945, that genocide and other crimes against humanity would be committed again, much less that it would be perpetrated within the lifetimes of many who had somehow survived the Nazi Holocaust. Today reflects another important anniversary. On November 14, 1995, the International Criminal Tribunal for the Former Yugoslavia, sitting in The Hague, issued its first indictments for genocide arising out of the Srebrenica massacre - an infamous atrocity in which up to 8,000 Bosnian Muslims had been brutally murdered earlier that year in the largest mass murder committed in Europe since the Holocaust. The fact that Radovan Karadzic and Ratko Mladic, the two men indicted twelve years ago today for that massacre, remain fugitives from justice is emblematic of the work that remains in the quest to deter the repetition of such monstrous crimes.

Federal efforts directed against participants in genocide are part of an important and time-honored national commitment. The United States government has long been a key participant in worldwide law enforcement efforts to help end impunity for genocide, war crimes and crimes against humanity. Thus, for example, our nation has taken a leading role in establishing and supporting such notable institutions as the Nuremberg and Tokyo Tribunals after World War II and, more recently, the International Criminal Tribunals for Rwanda and the former Yugoslavia, the Special Court for Sierra Leone, and the Iraqi High Tribunal. Most recently, the United States has been the worldwide leader in diplomatic efforts to stop the unspeakable atrocities in Darfur. In 2004, the U.S. State Department commissioned an Atrocities Documentation Team which, on only a few weeks notice, assembled a team of experienced law enforcement investigators and legal experts, including Department of Justice personnel. The team

interviewed over 1,100 Darfuri refugees who had taken shelter in refugee camps in neighboring Chad. Based on the information elicited in those interviews, then-Secretary of State Powell was able to conclude and state publicly that genocide has been committed in Darfur. In the Criminal Division today, a former prosecutor at the International Criminal Tribunal for the Former Yugoslavia, who more recently headed the Criminal Division's Domestic Security Section, serves as Senior Counsel to Assistant Attorney General Alice Fisher, focusing on international humanitarian and human rights law matters, including those related to genocide, war crimes and torture.

The federal government pursues this mission on multiple fronts. The first of these is to prevent perpetrators from gaining entrance to this country. This is accomplished principally by attempting to identify such individuals before they try to enter the United States and by adding their names to the interagency border control system. In addition, the government takes proactive measures targeted at identifying any such persons who have already gained entry, so that criminal prosecution or other appropriate law enforcement action can be taken in this country. In cases in which domestic criminal prosecution is not possible or is not the most desirable course of action, we seek to arrest and extradite or transfer suspects to stand trial abroad or to denaturalize them and accomplish their departure through administrative removal proceedings. Lastly, the Department of Justice, acting principally in conjunction with the Department of State, continues to take important initiatives aimed at enhancing the capacity of foreign governments and international tribunals to investigate and prosecute criminal cases against participants in genocide, war crimes and crimes against humanity - including, of course, investigations and prosecutions of suspects whom the U.S. government removes.

Among the numerous federal agencies involved in pursuing these law enforcement strategies are the Department of Justice's Criminal Division (primarily through the Domestic Security Section, the Office of International Affairs, the Office of Special Investigations, the Office of Overseas Prosecutorial Development, Assistance and Training (OPDAT) and the International Criminal Investigative Training Assistance Program (ICITAP)), the National Security Division, the United States Attorneys Offices, the U.S. Immigration and Customs Enforcement (ICE) of the Department of Homeland Security, and the Federal Bureau of Investigation. Their efforts receive important support from the State Department and other components of the federal government. In 2005, seeking to strengthen their collaborative work on these often very challenging cases, an interagency group formed the Ad Hoc Interagency Working Group on Human Rights Violator Cases. The member agencies meet frequently to share information and to coordinate enforcement strategies.

I would like to elaborate on each of the key areas I have mentioned - identification, exclusion, criminal prosecution, international extradition, denaturalization, removal, and foreign capacity-building - and to provide examples of important successes that have been achieved.

First, extensive efforts have been made to identify and exclude participants in genocide and other heinous mass crimes. For example, laborious investigations conducted in archives here and abroad over the course of more than twenty-five years have enabled the Office of Special Investigations to identify and contribute to the system managed by the Departments of State and Homeland Security the names of numerous individuals suspected of complicity in World War II-era Nazi and Japanese crimes. Working together, OSI and agents of U.S. Customs and Border Protection (CBP) of the Department of Homeland Security have thereby succeeded in stopping more than 180 suspected Axis criminals at U.S. ports of entry and have prevented them from entering the country. The most recent such incident occurred in August of this year, when CBP inspectors at John F. Kennedy International Airport in New York prevented a former SS officer from entering the United States under the visa waiver program. Among the Nazi perpetrators who have been excluded is Franz Doppelreiter, a convicted Nazi criminal who was stopped in November 2004 at Atlanta's Hartsfield-Jackson International Airport and admitted under questioning at the airport that he had physically abused prisoners at the notorious Mauthausen concentration camp while serving in the SS.

The federal government also seeks to bar entry to the United States to those who participated in genocide, war crimes, or crimes against humanity that have been committed since World War II. In June, for example, Isaac Kamali, an accused architect of the 1994 Rwandan genocide, was taken into custody by Department of Homeland Security (DHS) officials when he arrived at Philadelphia International Airport on an international flight and tried to enter the United States on a French passport. After notifying French officials, DHS returned Kamali to France, where he was immediately placed under arrest pending adjudication of an extradition request from the Government of Rwanda.

Second, the Department is committed to bringing criminal prosecutions against individuals for substantive human rights-related violations, where we have jurisdiction to do so. Although the Title 18 genocide statute, which was enacted in 1988, is limited to cases in which genocide has either been committed in the United States or committed abroad by a U.S. national,<sup>1</sup> the Justice Department makes use of other criminal and civil charges to ensure that the perpetrators of genocide, war crimes and crimes against humanity do not find safe haven in the United States.

When evidence is surfaced implicating U.S. residents or citizens in such acts, the federal government moves swiftly to investigate and take legal action. Even when offenders are not subject to prosecution in the United States (for example, when the crimes were committed before the applicable Federal statutes were enacted, as was the case with World War II-era Nazi criminals, among others), the U.S. government can often employ other effective law enforcement tools, such as instituting criminal prosecutions for visa fraud, unlawful procurement of naturalization, and making false statements, as well as bringing civil denaturalization actions as a prelude to the commencement of removal actions by ICE. For example, ICE and the U.S. Attorney's Office for the Southern District of Florida successfully prosecuted Telmo Ricardo Hurtado-Hurtado this year for false statements and visa fraud for failing to reveal on his immigration forms that he had been convicted in Peru for abuse of authority in connection with the murder of 69 civilians in the 1985 Accomarca massacre in Peru. ICE has commenced removal proceedings against Hurtado, based on visa fraud and visa overstay charges and on his participation in extrajudicial killings. He faces removal to Peru, where the government has announced that he will be tried on charges of murder and forced disappearance. In another major case, Jean-Marie Vianney Mudahinyuka was convicted in Chicago in 2004 of lying on his U.S. immigration forms to gain entry to the U.S. as a refugee. He was sentenced to 51 months in prison for that offense and for assaulting Federal officers who arrested him. Upon his release from prison, Mudahinyuka will also be subject to removal. He is wanted in Rwanda on charges of genocide and crimes against humanity.

The World War II Nazi cases demonstrate the utility of civil denaturalization and removal strategies. The Criminal Division's Office of Special Investigations has compiled a 28-year record of identifying, investigating, and bringing civil denaturalization and removal actions against World War II-era participants in genocide and other Nazi crimes. OSI has successfully pursued more than one hundred of these criminals and it is widely considered to be the most successful law enforcement operation of its kind in the world. One of the program's recent victories was recorded on January 3, when a U.S. immigration judge ordered the removal of Josias Kumpf of Racine, Wisconsin. By his own admission, during a mass killing operation in occupied Poland in 1943, Kumpf stood guard at a pit containing dead Jewish civilians and others he described as "halfway alive" and "still convuls[ing]," with orders to shoot to kill anyone who attempted to escape. Also this year, OSI accomplished the denaturalization of Ivan (John) Kalymon after proving in federal district court in Detroit that he had shot Jews while serving in a Nazi-sponsored police unit during the 1942 liquidation of a Jewish ghetto in L'viv, Poland. In September, OSI accomplished the denaturalization and return to Germany of Martin Hartmann of Mesa, Arizona, based on his admitted participation in Nazi-sponsored acts of persecution while serving as an armed SS Death's Head guard at the infamous Sachsenhausen Concentration Camp and several of its subcamps in Germany during World War II.

To date, some 60 Nazi criminals have been returned to countries of Europe that possess the criminal jurisdiction that the United States lacks in the World War II cases. OSI continues to work with prosecutors overseas to facilitate the criminal prosecution of Nazi criminals, including, of course, those perpetrators whom we succeed in removing from the United States. Those efforts have borne fruit in a number of important instances. For example, in Vilnius, Lithuania, in 2001, former OSI defendant Kazys Gimzauskas became the first person ever convicted on genocide charges in any of the successor states to the former Soviet Union. Year after year, in recognition of its commitment to, and success in, pursuing justice in the World War II Nazi genocide cases, the United States government has been the only government in the world to receive the AA<sup>+</sup> rating of the Simon Wiesenthal Center, the Los Angeles-based organization named after the renowned Nazi-hunter.

In 2004, the Intelligence Reform and Terrorism Prevention Act expanded OSI's mission to include investigating and bringing civil denaturalization cases and criminal prosecutions for unlawful procurement of U.S. citizenship against post-World War II participants in genocide, extrajudicial killings and torture perpetrated under color of foreign law. With this law, OSI became only the newest component of a comprehensive Federal interagency effort to ensure that perpetrators of these terrible crimes find no sanctuary in this country. A leading role in this effort is played by the Department of Homeland Security, particularly ICE and its Human Rights Violators and Public Safety Unit and Human Rights Law Division, as well as Citizenship and Immigration Services. Other components of the Department of Justice

that participate in this effort are the Criminal Division=s Domestic Security Section and Office of International Affairs, the National Security Division=s Counterterrorism Section, the FBI and the U.S. Attorneys Offices.

In September 2005, a number of Bosnian Serbs who allegedly lied on immigration forms about their prior service in the Bosnian Serb army were arrested by ICE in Phoenix and indicted by the U.S. Attorney=s Office there on immigration-related charges. Two of those who have since been removed by ICE to Bosnia were indicted last December 13 by Bosnian authorities on charges of murder and other serious offenses.<sup>2</sup> Also in December of last year, individuals in six states were charged with criminal violations in connection with their alleged efforts to obtain refugee status in the United States by concealing their prior service in the Bosnian Serb military. One of the defendants is alleged in a Federal affidavit as having been a commander of a police unit that cooperated with other Bosnian Serb entities in the Srebrenica massacre. All but one of the defendants face criminal charges that include immigration fraud and/or making false statements. The maximum sentence for making false statements is five years in prison, while the maximum sentence for immigration fraud is 10 years imprisonment. One defendant is a naturalized U.S. citizen, and he has been charged with unlawful procurement of citizenship and making false statements, offenses that carry maximum potential sentences of 10 and 5 years, respectively. The cases were investigated by ICE special agents with assistance from the Justice Department=s Office of Special Investigations, and both agencies are actively reviewing other cases for further action.. The U.S. Attorney=s Offices that have prosecuted these cases include those in the Middle District of Florida; Eastern District of Wisconsin; Middle District of North Carolina; District of Colorado; Eastern District of Michigan; Northern District of Ohio, District of Oregon, District of Utah and District of Arizona. (The Office of Special Investigations is also participating in the prosecution of the U.S. citizen defendant, in Tampa, Florida, and a Bosnian Serb defendant in Utah.)

The Kelbessa Negewo case is another excellent example of Federal agencies working together to pursue justice in these cases even when domestic criminal prosecution for the underlying offenses is not possible. Negewo served as a local official under the repressive military regime that ruled Ethiopia from 1974 to 1991. He subsequently immigrated to the United States, settled in Georgia, and obtained U.S. citizenship. Three Ethiopian women later filed suit against him under the Alien Tort Claims Act in U.S. District Court in Atlanta, alleging that they had been tortured in a jail that he had controlled. The district court found that Negewo had both supervised and directly participated in the torture of the women, and the court awarded damages. A civil denaturalization action was filed against Negewo in May 2001 by the U.S. Attorney=s Office in Atlanta. His U.S. citizenship was revoked in October 2004 pursuant to a settlement agreement negotiated by that office. After a lengthy overseas investigation by ICE agents, removal proceedings were initiated by ICE in 2005 following Negewo=s denaturalization. These proceedings were the first to charge participation in torture and extrajudicial killings, charges that were made possible by amendments made to the Immigration and Nationality Act by the 2004 Intelligence Reform and Terrorism Prevention Act. In October of last year, ICE removed Negewo to Ethiopia and he is now serving a life sentence there.

Our successes notwithstanding, experience has consistently shown that investigations targeted at building prosecutable cases against suspected perpetrators of genocide, war crimes or crimes against humanity can be extremely complex, whether the investigations concern those offenses directly or instead involve immigration-related violations prosecuted criminally or civilly. This is hardly surprising, as the activities at the heart of these cases occurred in foreign countries, often many years in the past, and they frequently took place in the context of complex political, military or social conflicts. Moreover, access to the crime scenes may be limited and our ability to gather evidence relies largely on the cooperation of other governments. Witnesses - if any survived - may face reprisals for testifying or may themselves be perpetrators who are statutorily barred from entering the United States, or they may speak only a rare dialect of a little-known language. In the unlikely event that pertinent written records were prepared by the perpetrators, they may have been destroyed, be inaccessible, or present insoluble chain-of-custody problems. Obtaining sufficient evidence that is admissible in a U.S. court of law therefore is apt to be a time-consuming undertaking, and it typically requires highly specialized expertise.

Third, at the Justice Department, we have helped facilitate the criminal prosecution abroad of the perpetrators of genocide, war crimes and crimes against humanity found in this country. For example, in March 2000, following the conclusion of hard-fought litigation,<sup>3</sup> the United States turned over Elizaphan Ntakirutimana to the International Criminal Tribunal for Rwanda (ICTR). He had been a pastor in Rwanda at the time of the 1994 genocide. Ntakirutimana was accused of devising and executing a lethal scheme in which Tutsi civilians were encouraged to seek refuge in a local religious complex, to which he then directed a mob of armed attackers. With his participation, the attackers thereupon slaughtered and injured those inside. The United States surrendered Ntakirutimana to the

ICTR in response to a request made by the Tribunal pursuant to an Executive Agreement by which the U.S. agreed to transfer Rwandan suspects in its territory to the ICTR for trial.<sup>4</sup> In 2003, Ntakirutimana, a onetime Texas resident, was convicted by the Tribunal of aiding and abetting genocide and he was sentenced to ten years= imprisonment. A prosecutor from the Justice Department played a significant role in charging Ntakirutimana.

The United States has extradited other perpetrators to other countries to stand trial in their domestic courts. A recent extradition in the bilateral context was the January 2006 extradition of Mitar Aramba=i??to Croatia. Aramba=i??had been convicted in absentia in Croatia and sentenced to twenty years= imprisonment for crimes against humanity and war crimes perpetrated against civilians during the break-up of the former Yugoslavia. The charges included the murder of two Croatian police officers in 1991 and the beheading of civilians with an axe. The Department of Justice successfully pursued this extradition, which was contested by Aramba=i??in litigation spanning three years, and he was returned to Croatia, where he faced a trial in person. The Justice Department also accomplished the extradition of several accused participants in World War II-era Nazi crimes between 1973 and 1993 (when the last such extradition request was received).

Extradition matters are coordinated within the Justice Department by the Criminal Division=s Office of International Affairs, which also responds each year to thousands of requests and inquiries from foreign law enforcement authorities for assistance in their investigations and prosecutions. The Federal government works diligently to locate international fugitives and return them to the countries in which their alleged crimes were committed. Extradition, however, is contingent upon receipt of a request from a foreign government with which the United States has an extradition treaty, and the United States has received relatively few such requests in these cases.

Finally, in cooperation with the State Department, the Justice Department also has long devoted very considerable resources to enhancing the capacity of foreign governments to investigate and prosecute cases of genocide, war crimes or crimes against humanity. Three components of the Justice Department's Criminal Division provide much of the assistance given to foreign law enforcement authorities. As noted, the Office of International Affairs takes the lead in executing foreign requests for evidence or other legal assistance and has responded to dozens of requests for assistance in matters relating to genocide, war crimes and crimes against humanity. Similarly, the OPDAT and ICITAP take the lead for the Department in providing training and assistance in criminal justice sector reform and development.

OPDAT was established to harness the Department of Justice's resources to develop foreign justice sector institutions and to enhance the administration of justice abroad. OPDAT also assists foreign prosecutors and judicial personnel by providing technical assistance and skills development support. OPDAT helps fulfill the Justice Department's commitment to assist foreign governments as they attempt to build and maintain, or improve viable criminal justice institutions. OPDAT commonly implements its programs by assigning experienced federal prosecutors to serve on long-term bases as Resident Legal Advisors overseas. Resident Legal Advisors develop and implement programs of criminal justice assistance that emphasize the need to balance effective and aggressive law enforcement techniques with laws, procedures and policies that are based on rule of law principles and respect for human rights.

OPDAT supports the Department's and the U.S. Government's interests by promoting the rule of law and regard for human rights, by preparing foreign counterparts to cooperate more fully with the United States in combating transnational crime and terrorism, and by improving foreign judicial assistance to the investigative and prosecutorial elements of the Department of Justice. As a general rule, internationally accepted standards are a primary focus of OPDAT programs. In areas such as human rights, trafficking in persons, public corruption, gender-based violence, and transnational organized crime, international and regional conventions and agreements are routinely explained and the need for compliance with international obligations is emphasized.

Working with funding from the State Department and the Agency for International Development (AID), OPDAT uses a best practices methodology to develop effective criminal codes and procedures, improve institutional structures and relationships, and enhance the professional capabilities of prosecutors, judges, defense attorneys, and select law enforcement officers to help create more responsive and responsible criminal justice systems abroad. Currently, OPDAT provides justice sector development assistance in Africa and the Middle East, Asia and the Pacific, Central and Eastern Europe, Latin America and the Caribbean, and Eurasia.

OPDAT has provided capacity-building assistance in the investigation and prosecution of war crimes to the various countries and jurisdictions of the former Yugoslavia, principally Serbia and Bosnia-Herzegovina, to some extent Croatia, and to a lesser extent (and more recently) Kosovo, Macedonia and Montenegro. This has included provision of training; advice on legislation; assistance in the development of witness protection programs and witness exchange agreements; capacity-building in the area of victim-witness assistance; videoconferencing equipment (to allow witnesses in criminal cases, including war crimes cases, to testify safely from one country to another); and assistance to promote the exchange of information and cooperation between and among the countries and jurisdictions in the region. Prosecutors and other personnel of the National Security Division's Counterterrorism Section, the U.S. Attorney's Office for the District of Columbia, and the Criminal Division's Office of Special Investigations have also participated in the training programs in Croatia.

The Justice Department's efforts in the former Yugoslavia have been coordinated with the ICTY. For example, OPDAT has sponsored study tours by Bosnian prosecutors to the Tribunal (at The Hague), and ICTY representatives have participated in conferences that OPDAT has sponsored, such as regional conferences held in October 2006 in Montenegro and in October 2007 in Croatia. Members of the recently formed ICTY transition team attended the second conference. Both conferences were attended by officials from Serbia, Croatia, Bosnia and Herzegovina, Montenegro and Macedonia; the October 2006 conference was also attended by officials from Kosovo. The October follow-on war crimes conference in Croatia was conducted in cooperation with the U.S. Ambassador-at-Large for War Crimes Issues. The conferences focused on issues such as cooperation and exchange of evidence between the countries and jurisdictions of the former Yugoslavia in war crimes investigations and prosecutions - which is particularly important since there are constitutional and/or legal impediments to extraditing suspects between those countries and jurisdictions.

ICITAP, also via State Department funding, has similarly provided assistance directly to foreign law enforcement authorities in the former Yugoslavia. In Bosnia and Herzegovina, Croatia and Serbia, ICITAP conducted extensive assessments of the needs of law enforcement authorities responsible for investigating and prosecuting war crimes cases. Equipment, software, and training that ICITAP subsequently supplied has significantly enhanced the capacity of the local authorities to identify and investigate complex and politically charged crimes. In Croatia, ICITAP, in coordination with OPDAT, provided specialized training to members of the criminal justice system who are directly responsible for the investigation and prosecution of war crimes cases. That training focuses on evidence collection, courtroom presentation, and witness protection. The work undertaken in this field by OPDAT and ICITAP draws extensively on the resources of Federal investigating agencies and the U.S. Attorney's Offices. It is an integral part of the Justice Department's commitment to assisting cognizant foreign governments and tribunals.

The assistance that we have provided in the former Yugoslavia, as elsewhere, is given with a view toward increasing the ability of these countries and jurisdictions to prosecute cases involving genocide, war crimes and crimes against humanity. This capability is especially important now that the ICTY is progressing towards its U.N. Security Council-endorsed closure and has transferred a number of cases to the individual countries in the region for investigation and prosecution.

OPDAT has provided assistance in the area of war crimes and other crimes against humanity in other regions of the world as well. For example, in 2001 and 2002 OPDAT assigned a Resident Legal Advisor to Rwanda to provide assistance to the Rwandan criminal justice sector. The program focused on investigations and prosecutions involving the most serious category of genocide-related offenses. The Resident Legal Advisor provided advice and support to the prosecution service in its efforts to evaluate and prosecute those detainees who were alleged to have planned and orchestrated the 1994 genocide. The OPDAT program in Rwanda provided advice, support and technical assistance that was intended to improve the capacity of Rwandan justice officials to gather evidence and prosecute cases based on rule of law principles.

In Colombia, the Justice Department provides assistance to the Colombian Prosecutor General's Human Rights Unit, which consists of a National Unit in Bogota and 15 regional units in the Colombian cities of Medellin, Cali, Bucaramanga, Villavicencio, Neiva, Cucuta and Barranquilla. This Unit is responsible for the investigation and prosecution violations committed either by illegally armed groups or government officials. In addition, the Unit has been tasked with four sub-unit areas: cases involving union members, cases involving Union Patriótica (political organization), forced disappearances, and extrajudicial killings by the Colombian military. Justice Department assistance involves training and technical assistance, as well as provision of equipment and operational support. In

addition, the Department provides forensic assistance specifically designed to focus on the scientific analyses that will directly support human rights investigations. Those areas are DNA analysis (CODIS), Integrated Ballistics Identification Systems (IBIS), Automated Fingerprint Identification Systems (AFIS), and Questioned Document (QD) examination. The Department has also provided a wireless network to transmit investigative and laboratory examination reports securely between and among prosecutors, investigators, and forensic examiners in remote locations.

The Department of Justice is also providing assistance to the Colombian Prosecutor General's Office Justice and Peace Unit tasked with investigating demobilized paramilitary organization members, identifying responsibility in serious criminal activity, identifying and locating assets, receiving complaints and interviewing victims, performing exhumation and identification at massacre sites, preparing for and interviewing the demobilized members in their proffers or "version libres," developing the subsequent criminal charging documents to form the basis of guilty pleas or passing the cases on for prosecution under ordinary criminal justice. Justice Department-provided assistance involves training, providing technical assistance, supplying equipment, enhancing and securing hearing rooms, advising on interview techniques, case and questioning strategies, and providing logistical and administrative support, data base development, and forensic support including training and aiding exhumation teams.

In conclusion, Mr. Chairman, I would like to express to you and the Subcommittee the Justice Department's appreciation for your leadership and this opportunity to discuss the government's ongoing efforts to ensure that justice is credibly and aggressively pursued both here and abroad on behalf of the victims of mass atrocities. We are very grateful for the tools that Congress has provided for law enforcement in these cases. Most important, we are committed to continuing and expanding our already vigorous efforts to promote fulfillment at last of the essential - but tragically unkept - promise of Nuremberg and its juridical progeny: that no man, woman or child anywhere will ever again be subjected to the cruel ravages of genocide, war crimes and crimes against humanity.

1 See 18 USC 1091.

2 The two men are Zdravko Bozic and Mladen Blagojevic, who were arrested in Phoenix in 2005 and subsequently convicted there on visa fraud and related charges.

3 See *Ntakirutimana v. Reno*, 184 F.3d 419 (5th Cir. 1999), cert. denied, 528 U.S. 1135 (2000).

4 Agreement on Surrender of Persons Between the Government of the United States and the ICTR, Jan. 24, 1995, U.S.-Int'l Trib. Rwanda, KAV No. 4529, 1996 WL 165484 as implemented by National Defense Authorization Act, Pub. L. 104-106, § 1342, 110 Stat. 486 (1996).