**State Department Deputy Spokesman on U.S. Bombing Afghanistan Hospital**

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By Mark C. Toner

State Department

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**QUESTION:** The – so MSF is calling for an independent investigation of this incident by a neutral international body. Is that something the Administration would support?

**MR TONER:** Well, we’ve got three investigations underway. Certainly, we’ve got our own DOD-led investigation. We obviously strongly believe that can be a very transparent and accountable investigation. Let’s let these three investigations run their course and see what the results are.

I would say – and I know the White House spoke about this earlier – we have reached out to some of the leadership in Medecins Sans Frontieres to express our condolences over this tragic incident. But as to whether there needs to be an independent fourth investigation, we’re satisfied, I think, at this point that enough investigations are underway that we’ll get to the truth.

**QUESTION:** You don’t think that with the U.S., which is – which has an interest in how this investigation proceeds and what the outcome is, and being involved in all three investigations somehow affects the legitimacy of it?

**MR TONER:** I mean, frankly, I think we’ve proven over time that we can investigate incidents like these – like this, and as I said, hold anyone accountable who needs to be held accountable, and do it in such a way that’s transparent and, I think, credible.

**QUESTION:** Just along those lines --

**MR TONER:** Please.

**QUESTION:** -- MSF has said that this is a clear presumption of a war crime that’s been committed here. Some have suggested that the ICC take it up. Is it a safe bet that the U.S. would vote against/veto any attempt in the Security Council to bring this incident for – up for an ICC investigation?

**MR TONER:** I don’t want to answer a hypothetical. On the war crime question itself, we’re just not there yet, and I don’t want to prejudge any outcome of any investigation.

Please, sir.

**QUESTION:** What do you mean, “We’re just not there yet”?

**MR TONER:** I mean we’re conducting investigations, we’re looking at this very closely, and we’re going to, as multiple folks have said including the President over the weekend – that we’re going to hold those accountable and it’s going to be a credible investigation.

**QUESTION:** Does that mean --

**QUESTION:** So it’s conceivable to you that this could have been a war crime?

**MR TONER:** I said we’re not – we’re letting the investigations run their course.

**QUESTION:** Well, regardless of whether or not you --

**MR TONER:** I’m not going to – I’m not even – yeah, please, Matt.

**QUESTION:** No, but I want to --

**MR TONER:** Sure, go ahead. Sorry.

**QUESTION:** Is it not – I mean, it’s always been assumed, I think – and I just want to know if this assumption is still safe – that the U.S. would oppose an attempt to refer an incident involving U.S. troops to the International Criminal Court.

**MR TONER:** That’s --

**QUESTION:** I mean, as it’s – as it was being formed, you guys ran around signing these Article 98 --

**MR TONER:** That’s a perfectly sound assumption.

**QUESTION:** Okay.

**MR TONER:** I just didn’t want to --

**QUESTION:** So – right. So regardless or not whether it was or whether it might be a war crime, you would oppose an ICC investigation?

**MR TONER:** I think that’s a safe bet, yes.