



PRESS RELEASE
Howard Salter
202-546-3950, ext. 112
Hsalter@globalsolutions.org

IMMEDIATE RELEASE
November 29, 2006

U.S. Recognizes Counterproductive Foreign Policy: Bush waives aid cuts for ICC member states

Citizens for Global Solutions welcomes President Bush's move on Tuesday to waive a U.S. law that prevents some nations that support the International Criminal Court from receiving U.S. foreign assistance.

The waiver is recognition of a counterproductive U.S. policy toward ICC member states. Specifically, President Bush's decision allows millions of dollars of Economic Support Funds (ESF) to be provided to countries that are members of the Court and have refused to sign Bilateral Immunity Agreements (BIAs) with the U.S.

"By threatening to deny much needed economic assistance to some of our key allies, the administration was cutting off its nose to spite its face," said Golzar Kheiltash, Citizens for Global Solutions Legal Analyst. "It was prioritizing its ill-conceived BIA campaign over its own most vehemently stated foreign policy objectives, namely winning the "war on terror," promoting democracy and the rule of law, ending poverty, and preventing narco-trafficking.

"President Bush's waiver demonstrates that the U.S. government is beginning to re-evaluate its counterproductive BIA policy and work toward separating its ideological opposition to the ICC from its foreign aid policy. By issuing this waiver, the administration has taken another step in the right direction, namely recognizing that strong-arming tactics only serve to alienate U.S. friends and allies. To that end, additional, more comprehensive action by Congress and the administration is necessary," she said.

This waiver allows for economic aid to fund such initiatives as democratic governance, rule of law and poverty alleviation in 14 countries: Bolivia, Costa Rica, Cyprus, Ecuador, Kenya, Mali, Mexico, Namibia, Niger, Paraguay, Peru, Samoa, South Africa, and Tanzania. According to the U.S. State Department, all of these countries are considered vital U.S. allies and friends in key geo-strategic regions of the world.

Via its aggressive BIA policy the U.S. has penalized and alienated its friends and allies in Latin America. The administration, with the help of the new Congress, must strive to rectify the situation beyond just issuing waivers. Attorney Salvador Herencia Carrasco, who advises on ICC ratification and implementation efforts in six key Latin American countries as part of the Andean Commission of Jurists, said "This is a realization that the [BIA campaign] was a wrong strategy from the beginning." Countries like Peru, Bolivia, and Ecuador "will not sign BIAs out of respect for the integrity of the Rome Statute of the ICC."

The ESF waiver does not include all ICC members that are being denied aid. Three countries: Ireland, Brazil, and Venezuela are still facing aid cuts totaling over \$33 million for Fiscal Year 2006. In the case of Ireland, the threatened ESF is intended for furthering the peace process and supporting the International Fund for Ireland.

Citizens for Global Solutions believes that the ESF waiver, coupled with a congressional amendment and presidential waiver last month which exempted international military education and training aid cuts to ICC member states, are a positive step but an ultimately insufficient solution. These actions must mark the beginning of a comprehensive overhaul of the BIA campaign.

The U.S. must abandon its underlying policy of penalizing other countries simply for being members of the ICC. This court is of utmost importance to these countries, and is widely viewed as the only impartial, effective legal institution capable of providing justice to victims of war crimes, genocide, and crimes against humanity. Given the unwavering support of 104 countries for the ICC, the U.S. must find less alienating ways of addressing its concerns about the Court.

We hope the recent actions in Congress and the latest waiver by the president are indicative of this realization, and Citizens for Global Solutions will continue to push for U.S. engagement, not opposition, to the ICC.

For more information, please visit our BIA Resource Center at www.globalsolutions.org/programs/law_justice/foreign_ops_2006.html, or contact Golzar Kheiltash, Legal Analyst for International Law and Justice, at gkheiltash@globalsolutions.org, or 202.546.3950, ext. 117.

###

Notes to Editors:

Citizens for Global Solutions is a non-partisan membership organization that envisions a future in which nations work together to abolish war, protect our rights and freedoms, and solve the problems facing humanity that no one nation can solve alone.