

COUNTRIES OPPOSED TO SIGNING A US BILATERAL IMMUNITY AGREEMENT (BIA): US AID LOST IN FY04 & US AID THREATENED IN FY05

As of 1 October 2005, a total of **54** countries have rejected US efforts to sign bilateral immunity agreements (BIAs), despite unrelenting US pressure and the threat and actual loss of military assistance as mandated by the US law known as the American Servicemembers' Protection Act (ASPA). All of the governments listed below have spoken out publicly against signing such agreements which is seen as a US attempt to create a two-tier system of international justice. In addition to government opposition to BIAs, some regional groups – such as the European Union and MERCOSUR – have also passed resolutions condemning the signing of such agreements, as they expressly violate the letter and spirit of the ICC treaty.

As a result of ASPA, at least **18** ICC States Parties have lost *all* International Military Education and Training and Foreign Military Financing funds for FY04*, as indicated below. For FY05, many of the countries below may be impacted by additional US legislation passed at the end of 2004, known as the Nethercutt Amendment (NA), which threatens Economic Support Funds (ESF). It is unclear, however, how the US Administration will implement this law. ESF funds include assistance for programs eliminating sweatshops and the trafficking of persons, as well as for reconciliation, democracy-building and wheelchairs. For more information on the NGO campaign against these efforts, visit: www.iccnw.org

* Sources: US State Department "Country/Account Summaries" (February 2004): <http://www.state.gov/documents/organization/28982.pdf> and (February 2005): <http://www.state.gov/documents/organization/42257.pdf>

Please Note: A hyphen (-) indicates that a country did not request aid in a particular category.

AFRICA (8)

	Lost Under ASPA (FY04)	Threatened Under ASPA (FY05)	Threatened Under NA (FY05)	Total Threatened (FY05)
Benin	\$500,000	\$250,000	-	\$250,000
Kenya*	-	\$7.6 million	\$8.9 million	\$16.5 million
Lesotho	\$125,000	\$50,000	-	\$50,000
Mali	\$350,000	\$175,000	-	\$175,000
Namibia	\$225,000	\$100,000	-	\$100,000
Niger	\$200,000	\$100,000	-	\$100,000
South Africa	\$7.6 million	\$50,000	\$992,000	\$1.04 million
Tanzania	\$230,000	-	-	-
Africa Coastal/Border Security Prgm ¹	-	\$3.97 million	-	\$3.97 million
Safe Skies ²	-	-	\$3.47 million	\$3.47 million

*Kenya received full funding under ASPA in FY04 since it was not yet an ICC State Party.

¹The Africa Coastal/Border Security Program provides funding to Kenya, Mali, Namibia, Niger, and Tanzania, among others. ²The Safe Skies Program provides funding to Kenya, Mali, Namibia, and Tanzania, among others.

The Coalition for the International Criminal Court is a global network of over 2,000 civil society organizations supporting a fair, effective and independent International Criminal Court.

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Regional Representatives
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 Mexico City, Mexico • Abuja, Nigeria • Quezon City, Philippines • Sana'a, Yemen

AMERICAS (14)

	Lost Under ASPA (FY04)	Threatened Under ASPA (FY05)	Threatened Under NA (FY05)	Total Threatened (FY05)
Argentina	EXEMPT	EXEMPT	-	-
Barbados	Aid Amount Unknown	Aid Amount Unknown	Aid Amount Unknown	Aid Amount Unknown
Brazil	\$500,000	-	-	-
Canada	EXEMPT	EXEMPT	-	-
Costa Rica	-	-	-	-
Ecuador	\$7.6 million	\$1.3 million	\$12.9 million	\$14.2 million
Mexico	Not ICC Party	Not ICC Party	Not ICC Party	Not ICC Party
Paraguay	\$300,000	\$250,000	\$2.98 million	\$3.2 million
Peru	\$2.4 million	\$1.3 million	\$7.9 million	\$9.2 million
St. Lucia	Not ICC Party	Not ICC Party	Not ICC Party	Not ICC Party
St. Vincent & Grenadines	Aid Amount Unknown	Aid Amount Unknown	Aid Amount Unknown	Aid Amount Unknown
Trinidad & Tobago	-	-	-	-
Uruguay	\$1.4 million	\$547,000	-	\$547,000
Venezuela	-	-	\$496,000	\$496,000
Peru-Ecuador Peace ³	-	-	\$2.98 million	\$2.98 million
Third Border Initiative ⁴	-	-	\$8.93 million	\$8.93 million

³ The Peru-Ecuador Peace program provides funding to Peru and Ecuador.

⁴ The Third Border Initiative provides funding to Barbados, St. Vincent & Grenadines, and Trinidad & Tobago, among others.

ASIA (1)

	Lost Under ASPA (FY04)	Threatened Under ASPA (FY05)	Threatened Under NA (FY05)	Total Threatened (FY05)
Samoa	\$150,000	\$50,000	-	\$50,000

EUROPE (30)

	Lost Under ASPA (FY04)	Threatened Under ASPA (FY05)	Threatened Under NA (FY05)	Total Threatened (FY05)
Austria	-	-	-	-
Belgium	EXEMPT	EXEMPT	-	-
Bulgaria	EXEMPT	EXEMPT	-	-
Croatia	\$800,000	\$50,000	-	\$50,000
Czech Republic	EXEMPT	EXEMPT	-	-
Cyprus	-	-	\$13.4 million	\$13.4 million
Denmark	EXEMPT	EXEMPT	-	-
Estonia	EXEMPT	EXEMPT	-	-

France	EXEMPT	EXEMPT	-	-
Germany	EXEMPT	EXEMPT	-	-
Greece	EXEMPT	EXEMPT	-	-
Hungary	EXEMPT	EXEMPT	-	-
Iceland	EXEMPT	EXEMPT	-	-
Ireland	-	-	\$21.82 million	\$21.82 million
Italy	EXEMPT	EXEMPT	-	-
Latvia	EXEMPT	EXEMPT	-	-
Liechtenstein	-	-	-	-
Lithuania	EXEMPT	EXEMPT	-	-
Luxembourg	EXEMPT	EXEMPT	-	-
Malta	\$1.1 million	-	-	-
Netherlands	EXEMPT	EXEMPT	-	-
Norway	EXEMPT	EXEMPT	-	-
Poland	EXEMPT	EXEMPT	-	-
Portugal	EXEMPT	EXEMPT	-	-
Serbia and Montenegro	\$250,000	\$50,000	-	\$50,000
Slovakia	EXEMPT	EXEMPT	-	-
Slovenia	EXEMPT	EXEMPT	-	-
Spain	EXEMPT	EXEMPT	-	-
Sweden	-	-	-	-
Switzerland	-	-	-	-