

**High Costs:
Threatened Military and Economic Aid for Latin American and African Countries
for Fiscal Year 2006**

Under the American Servicemembers Protection Act (2002) and the Nethercutt Provision (2005, 2006) in the Congressional Foreign Operations Appropriations Bill, countries in Latin America and Africa stand to lose millions of dollars in military and economic aid because they are members of the International Criminal Court (ICC) and have not signed a Bilateral Immunity Agreement (BIA) with the U.S. A BIA requires ICC member states to grant blanket immunity to all U.S. servicemembers, nationals, and non-nationals working for the U.S. government from the jurisdiction of the ICC.

Conditioning crucial military and economic aid on the execution of a BIA is highly counterproductive and sends the wrong message to our allies. By using this strong-arm tactic, the U.S. is burning political capital and undermining its own interests in these countries.

The numerical analysis below highlights the amount of aid each country affected by the U.S. BIA policy stands to lose or has already lost, and the specific uses for each type of aid. It is clear that ICC member states affected by this policy are incurring a high cost for their commitment to international law and justice.

I. LATIN AMERICAN COUNTRIES

A. Total Aid Threatened for Fiscal Year (FY) 2006

Country	ICC Member	BIA Signed	FMF	IMET	ESF	TOTAL
1. Bolivia	Yes	No	\$1,800,000	\$800,000	\$8,000,000	\$10,600,000
2. Brazil	Yes	No	N/A	\$50,000	\$750,000	\$800,000
3. Costa Rica	Yes	No	N/A	\$50,000	N/A	\$50,000
4. Ecuador	Yes	No	\$750,000	\$50,000	\$7,000,000	\$7,800,000
5. Mexico	Yes	No	\$2,500,000	\$1,100,000	\$11,500,000	\$15,100,000
6. Paraguay	Yes	No	N/A	\$50,000	\$2,550,000	\$2,600,000
7. Peru	Yes	No	\$300,000	\$50,000	\$8,000,000	\$8,350,000
8. Uruguay	Yes	No	\$150,000	\$50,000	N/A	\$200,000
9. Venezuela	Yes	No	N/A	\$50,000	\$500,000	\$550,000
					GRAND TOTAL	\$46,050,000

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NOTE: Many of the countries listed below received significantly more military and economic aid before the U.S. threatened cuts under ASPA and the Nethercutt Provision. In light of the U.S. legislation, many countries have requested much lower aid amounts in the hope that they will be granted despite the absence of BIAs with the U.S. All numbers are requested amounts.

B. IMET, FMF, and ESF Specifics

1. Bolivia

FY 2006 Amount Threatened:

FMF: \$1.8 million
IMET: \$800,000
ESF: \$ 8 million

FMF used for: providing equipment and training assistance to Bolivian Armed Forces and to military police to increase their effectiveness in their traditional national security role. Assistance will focus on sustaining operations, repairing vehicles, and maintaining equipment. The State Department is also working with the military to better coordinate Bolivia's counter-terrorism activities.

IMET used for: providing professional military education to key Bolivian military personnel, with a focus on civil-military relations, resource management, and democratic institution building.

ESF used for: promoting trade capacity and competitiveness as well as democratic values and practices. Programs will advance the productivity of Bolivian businesses in key value-added sectors with export potential; support the development of a well-formulated trade policy framework; improve municipal governments and administration of justice reform; strengthen democratic political parties; and enhance conflict prevention and mitigation efforts.

Bolivia TOTAL: \$10.6 million

2. Brazil

FY 2006 Amount Threatened:

IMET: \$50,000
ESF: \$750,000

IMET used for: promoting Brazil's ability to serve in international peacekeeping missions, and improving the interoperability of U.S. and Brazilian forces.

ESF used for: promoting sustainable economic growth and regional stability, expanding free trade, controlling international crime, terrorism and drug trafficking, poverty alleviation, environmental protection, and reducing infectious diseases.

Brazil TOTAL: \$800,000

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3. Costa Rica

FY 2006 Amount Threatened:

IMET: \$50,000

IMET used for: promoting the U.S. goal of ensuring peace and regional security. IMET will further professionalize law enforcement officers and coast guard personnel through courses such as patrol craft commander training, rule of law, and discipline in police operations.

Costa Rica TOTAL: \$50,000

4. Ecuador

FY 2006 Amount Threatened:

2006
FMF: \$750,000
IMET: \$50,000
ESF: \$7,000,000

FMF used for: providing tactical vehicles, communications equipment, equipment to enhance coastal and riverine mobility, and logistics packages to armed forces. FMF will also support operations and maintenance of logistical aircrafts, as well as increase Ecuador's readiness for peacekeeping operations (such as its operation in Haiti).

IMET used for: enhancing Ecuadorian military professionalism and technical expertise; helping further consolidate civilian control of the military.

ESF used for: increasing support for the democratic system by strengthening the justice sector, building democratic local governance, fighting corruptions, and supporting free and fair elections.

Ecuador TOTAL: \$7.8 million

5. Mexico

FY 2006 Amount Threatened:

FMF: \$2.5 million
IMET: \$1.1 million
ESF: \$11.5 million

FMF used for: improving joint counterterrorism efforts along the long U.S. border. FMF will complement the U.S.'s already broad engagement with Mexico on homeland security activities by improving the capability of Mexican forces to respond to terrorist threats by providing equipment and training to Mexican military units. These funds will likely support training and improvements in naval and air interdiction and radar capabilities, as well as the acquisition of communications and detection equipment.

IMET used for: providing training to strengthen military command and technical capabilities, human rights standards, resource management, and English-language skills. These programs will increase

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interoperability and enhance cooperation in counter-drug and other law enforcement support missions.

ESF used for: promoting democracy and improved economic competitiveness by strengthening the rule of law and supporting greater transparency and accountability in government. Funds will be used for technical assistance and training to support civil and criminal justice reform and greater respect for human rights, and greater access to justice for disadvantaged populations in selected states.

Mexico TOTAL: \$15.1 million

6. Paraguay

FY 2006 Amount Threatened:

IMET: \$50,000
ESF: \$2.55 million

IMET used for: promoting democracy in Paraguay and regional stability by increasing the professional of military personnel and continuing to develop military respect for civilian authority. IMET will also be used to train Paraguayan officials and officers at various military schools, with a focus on civil-military operations and sustaining democracy.

ESF used for: strengthening democracy, helping protect the environment, and improving child and maternal health. ESF will promote democracy by strengthening local governments, encouraging reform, and supporting civil-military dialogue and a vigorous civil society.

Paraguay TOTAL: \$ 2.6 million

7. Peru

FY 2006 Amount Threatened:

FMF: \$300,000
IMET: \$50,000
ESF: \$8 million

FMF used for: improving the military's capabilities to protect Peru's borders and promote regional stability. FMF will upgrade medical, engineering, general field support and C-130 maintenance capabilities of the Peruvian army. The enhancement support by FMF will increase the ability of GOP security units to operate in remote areas where illicit crop cultivation and drug production are prevalent and where domestic terror groups seek refuge. FMF will also support acquisition of field operations items, communications gear, and specialized equipment. Funds will provide body armor, night vision goggles and small arms for Peru's only dedicated counterterrorism unit.

IMET used for: improving military professionalism and capabilities by providing military and civilian defense professional training, which reinforces the critical principle of civilian rule.

ESF used for: strengthening democratic institutions and further reforming the economy; improving administration of justice and the rule of law, improving the investment and business climate,

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reducing poverty, improving local governance, encouraging greater citizen participation in decisions-making and increase civilian control over the military.

Peru TOTAL: \$ 8.35 million

8. Uruguay

FY 2006 Amount Threatened:

FMF: \$150,000

IMET: \$50,000

FMF used for: supporting Uruguay's efforts in international peacekeeping by providing spare part and maintenance support, especially for aviation units and specialized naval patrol boats.

IMET used for: promoting regional stability by strengthening the Uruguayan military as a democratic institution. Participation by civilians and military officers in the Center for Hemispheric Defense Studies and IMET-funded courses will improve civil-military relations, rationalize the defense policy planning process, build civilian expertise in defense matters, and inculcate the principles of human rights in future military leaders.

Uruguay TOTAL: \$200,000

9. Venezuela

FY 2006 Amount Threatened:

IMET: \$50,000

ESF: \$500,000

IMET used for: strengthening military links and providing important training to the Venezuelan military, including training on human rights.

ESF used for: strengthening democratic institutions and promoting the rule of law and respect for human rights.

Venezuela TOTAL: \$550,000

→GRAND TOTAL for Latin American Countries: \$ 46,050,000

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II. AFRICAN COUNTRIES

A. Total Aid Threatened for Fiscal Year (FY) 2006

Country	ICC Member	BIA Signed	FMF	IMET	ESF	TOTAL
Kenya	Yes	No	\$7,000,000	\$650,000	\$8,000,000	\$15,650,000
Nigeria	Yes	No	\$1,000,000	\$800,000	\$5,000,000	\$6,800,000
South Africa	Yes	No	N/A	\$50,000	\$1,300,000	\$1,350,000
GRAND TOTAL						\$23,800,000

***Kenya, Nigeria, and South Africa are three of the most important geo-strategic countries in Africa, and they are all U.S. allies.**

B. IMET, FMF, and ESF Specifics

1. Kenya

According to the U.S. State Department, "Kenya is the linchpin of East Africa stability and security. Kenyan support for the war on terrorism has been solid and wholehearted...Kenya remains a principle point of access for U.S. military and relief operations in the region."

FY 2006 Amount Threatened:

FMF: \$7 million

IMET: \$650,000

ESF: \$8 million

FMF used for: enhancing Kenya's counter-terrorism capabilities, its border and coastal security, and its peacekeeping capacity. FY 2006 funds will be used to procure new and maintain previously purchased U.S.-origin patrol crafts, supplies, individual-soldier equipment, weapons, communications equipment and night vision devices, radars/sensors, medical equipment vehicles, maintenance, and repair and spare parts for military systems.

IMET used for: supporting peacekeeping and counter-terrorism efforts; increasing the professionalism of the Kenyan military and providing specialized border and coastal security training.

ESF used for: strengthening democratic institutions, supporting Kenya's nascent anticorruption campaign, assisting critical economic and government reform programs, reinforcing Kenya's counter-terrorism capacity, improving its legal system and enhancing the government's interaction with marginalized Muslim communities along the Swahili coast. ESF also buttresses Kenya's vital regional leadership as mediator in the Somalia and Sudan peace processes.

Kenya TOTAL: \$15.65 million

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2. Nigeria

According to the U.S. State Department, "Nigeria is the dominant economic and political power in West Africa. Nigeria strongly supports U.S. counter-terrorism efforts and has been at the forefront of African efforts to combat terrorism. Our over-arching national interests in Nigeria...include ensuring that Nigeria is a cooperative partner on issues ranging from regional stability to its importance as a leading supplier of petroleum to the U.S."

FY 2006 Amount Threatened:

FMF: \$1 million
IMET: \$800,000
ESF: \$5 million

FMF used for: emphasizing improved accountability' training will consolidate the Nigerian military's position under civilian authority, improve professionalism and enhance its regional peacekeeping capabilities.

IMET used for: helping Nigeria improve military management and training. FMF will strengthen the Armed Forces Staff College/Infantry Center and the school's simulation center, train teams in counter-terrorism and peacekeeping, build military justice capacity, and provide C130 technical support to enhance air mobility.

ESF used for: developing conflict resolutions mechanisms; working with the judiciary and local and international human rights groups to address concerns about harsh punishments; supporting preparations for 2007 National elections with a focus on capacity building for Nigeria's Independent National Election Commission (INEC) and training for domestic non-governmental organization election observers and political party representatives.

Nigeria TOTAL: \$ 6.8 million

3. South Africa

According to the U.S. State Department, "South Africa is the cornerstone of regional stability and the leading catalyst for economic growth in southern Africa...The U.S. has major interests in South Africa's continuing development as a stable, democratic, and market-oriented state that can address major internal challenges. South Africa is a cooperative partner of the United States in addressing terrorist and international criminal threats, nonproliferation, and regional instability."

FY 2006 Amount Threatened:

IMET: \$50,000
ESF: \$1.3 million

IMET used for: further transforming South Africa's defense force into a professional military cognizant of human rights considerations and subject to civilian control by the government. This would include sponsoring training at U.S. command and staff colleges, and focus on peacekeeping, flight safety, and medical/health issues, such as the prevention and treatment of HIV/AIDS.

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ESF used for: expanding existing forensic and investigative capabilities, particularly with regard to financial crime and counterfeiting, which have a direct impact on U.S. citizens and businesses.

South Africa TOTAL: \$1.35 million*

*State Department information indicates that the U.S. cut funds to South Africa starting in FY 2004: In FY 2003, South Africa received **\$6,000,000** in FMF and **\$1,258,000** in IMET.

→**GRAND TOTAL for African Countries: \$23.8 million**

For more information about BIAs and their negative impact, visit our BIA Resource Center at www.globalsolutions.org/programs/law_justice/latin_amer_nations.html, or email gkheiltash@globalsolutions.org.