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Department of State Press Briefing

QUESTION: Totally new subject? The International Criminal Court. Under Secretary Bolton gave remarks at the AEI today, and there was some questioning about how the U.S. has withheld military aid, as we know, to countries who have not signed Article 98 agreements. Some countries were given waivers for U.S. national security waivers, but others, several Eastern European nations, were not given waivers. And some of these countries are actually committing troops to Iraq.

So is there any thought to giving waivers to any country that has not signed an Article 98 agreement who is -- which is contributing either to the war on terrorism or to Iraq?

MR. ERELI: Under the act, we are allowed to sign waivers for countries that have signed agreements. And we have -- currently my information is that we have waived the prohibition for such countries, as well as for those countries that we determine to be important to the national interest of the United States.

There are currently five countries, European countries, that you mentioned -- I'm sorry -- five countries, European and otherwise, that we have -- that are under a temporary waiver based on a determination that it is important to the national interest to waive prohibition. Those countries are Guinea, Macedonia, Romania, Bolivia and Panama.

All these countries have signed Article 98 agreements, but they have not yet entered into force. And these waivers will expire at different times.

Does that answer your question?

QUESTION: Well actually, not really, because there are some countries that you have not offered waivers to who -- you have offered several waivers to countries who have not signed agreements with the U.S., but that the President determined were -- you know, it was in the national security interest to offer waivers, as with other legislation.

But some of these countries that you have not provided waivers to are, in fact, you know, either key allies in the war on terrorism or, you know, in the case of some countries such as Bulgaria, Estonia, have -- are contributing to the war in Iraq.

MR. ERELI: Right. So your question is about those countries for whom we have not done waivers and why we have not done them, if they're important for other things?

QUESTION: Well, don't -- do you think that all countries that are offering troops to the effort in Iraq right now should be given waivers?

MR. ERELI: Right. I'm not real -- I'm not completely up to date on what is the status in Article 98 negotiations with those countries that are -- all those countries that are giving troops in Iraq.

Let me -- you know, if you want to get into a country-by-country analysis of that, I'd have to get back to you on it. I can tell you who we've issued waivers for, who's signed -- you know, there are 70 countries that have signed them.

Are all those 70 countries working with us in Iraq? Are all the countries working with us in Iraq signed -- signed 98 agreements? I don't know. But what I can do is, you know, look into it, and if your interest is on the countries that are with us in Iraq, see what the status is.

QUESTION: Thank you.

MR. ERELI: Okay.

QUESTION: Well, on that, on that particular point, I think Mr. Bolton - I wasn't there myself. I understand that he -- he was critical of European Union members for trying to persuade aspirant members not to sign these agreements. Do you -- have you been pressing the European Union to stop this practice? Is this something that you believe is continuing?

MR. ERELI: You know, I haven't seen Mr. Bolton's remarks. I think he was pretty explicit about where we stand on that issue. I'll let his remarks speak for themselves.