

Political Grapevine; A Large Number of Security Protected Bush in Colombia

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WILSON:

...Congress wants to deny U.S. economic aid to any country that has endorsed the International Criminal Court, but has not agreed to exempt any U.S. personnel from criminal persecution. Millions in economic aid hang in the balance. Conservative Republican fear the court could become a venue for reckless prosecution of U.S. leaders or soldiers. Backers of the treaty say such concerns are groundless.

For more on this, we turn now to Fox News correspondent Major Garrett.

Hello, Major.

MAJOR GARRETT, FOX NEWS CORRESPONDENT: Hello and good afternoon, Brian. You know, in large measure this dispute boils down a definition over national sovereignty. Now, conservative House Republicans want to keep all U.S. personnel out of the International Criminal Court and are using U.S. economic aid as a weapon against the 139 nations that have signed the treaty that established the International Criminal Court. But haven't yet signed a separate agreement with the U.S. that would exempt U.S. personnel and U.S. military leadership from prosecution.

Washington Congressman George Nethercutt wrote a provision in this year's end of session spending bill that blocks all U.S. economic aid to any country that has signed the treaty but not formally agree not to prosecute any members of the U.S. military or military leadership. Now, the U.S. already blocks military aide to countries that does not shield U.S. personnel. This provision is now part of a massive spending bill Congress will consider in early December to fund numerous government operations for the fiscal year 2005.

One of the reasons the Nethercutt provision survived is that it passed the House in July by a vote of 241-166, 40 House Democrats supported it. President Bush nullified former President Clinton's acceptance of the treaty in May of 2001. Back then, it was over general concerns about encroaching on U.S. sovereignty. But since the 9/1 atrocities, the White House has feared runaway attempts to prosecute either U.S. military leaders or military personnel involved in Afghanistan or Iraq.

The president addressed the subject in the second presidential debate with John Kerry.

(BEGIN VIDEO CLIP)

BUSH: I made a decision not to join the International Criminal Court in the Hague, which where our troops could be brought in front of a judge, an unaccounted judge. I don't believe we ought to join it.

(END VIDEO CLIP)

GARRETT: The White House originally opposed efforts to use economic aid as a weapon in the dispute over the International Criminal Court. It feared the language could hurt nations now cooperating in the war on terror. Take Jordan, for example. It could lose up to \$250 million. The president and Jordan's King Abdullah are close. And Abdullah is expected to discuss this issue with the president when he travels to Washington next month.

Now to address these concerns, Congress gave the president the power to exempt all 26 NATO countries, as well as: Australia, Egypt, Israel, Japan, Jordan, Argentina, South Korea, New Zealand and Taiwan from the ban on the economic aid.

European defenders of the criminal court say it will only prosecute genocide and crimes against humanity, and will not supercede U.S. courts or military justice. But conservative House Republicans fear the global climate of anti-Americanism does raise a real risk of runaway prosecutions. And they say they'd rather be safe than sorry when it comes out to doling U.S. foreign aid -- Brian.

WILSON: Major Garrett, thank you.