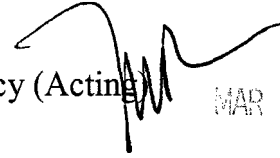


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FOU/SDP MAR 3 2005
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ES-2523

INFO MEMO

FOR: SECRETARY OF DEFENSE
FROM: Mira Ricardel, ASD for International Security Policy (Acting)
SUBJECT: Update on Article 98 Agreements and Strategy (U)



MAR 3 2005

- (U) As of Feb 25, **99 countries** have signed an Article 98 agreement with the U.S., of which 88 are officially in force.
 - Of the 99 agreements concluded, 41 agreements are with parties to the ICC Treaty, and 29 more are with countries that have only signed the ICC Treaty. The remaining 29 agreements are with countries that have not signed the ICC Treaty.
 - Our latest signatory was Guinea Bissau on February 2.
- (FOUO) We believe we will conclude perhaps as many as **6-10** more Article 98 agreements in the next three to four months.
 - Angola and South Africa have both agreed to conclude Article 98 agreements – we are working with them to identify the best time and circumstances for final signature. South Africa has requested that its decision not be made public.
 - We are working with State to put together at least two negotiating trips in March to countries in South America and Africa. Other negotiations will take place here in Washington.
- (FOUO) Fully implementing the military assistance prohibitions of the American Servicemembers' Protection Act (ASPA), not compromising on scope (all US nationals will be covered) and holding **firm** on not granting waivers from ASPA prohibitions continue to effectively support our Article 98 effort.

COORDINATION: none

Reviewed by: Jack David, DASD/NP *JD 3/2/05 0935*
Prepared by: Jed Royal, OSD/ISP/NP, 602-5620 x125



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