

§ 262–1. Restriction relating to United States accession to any new international criminal tribunal

(a) Prohibition

The United States shall not become a party to any new international criminal tribunal, nor give legal effect to the jurisdiction of such a tribunal over any matter described in subsection (b) of this section, except pursuant to—

- (1) a treaty made under Article II, section 2, clause 2 of the Constitution of the United States on or after October 21, 1998; or
- (2) any statute enacted by Congress on or after October 21, 1998.

(b) Jurisdiction described

The jurisdiction described in this section is jurisdiction over—

- (1) persons found, property located, or acts or omissions committed, within the territory of the United States; or
- (2) nationals of the United States, wherever found.

(c) Statutory construction

Nothing in this section precludes sharing information, expertise, or other forms of assistance with such tribunal.

(d) “New international criminal tribunal” defined

The term “new international criminal tribunal” means any permanent international criminal tribunal established on or after October 21, 1998, and does not include—

- (1) the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law in the Territory of the Former Yugoslavia, as established by United Nations Security Council Resolution 827 of May 25, 1993; or
- (2) the International Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighboring States, as established by United Nations Security Council Resolution 955 of November 8, 1994.

(Pub. L. 105–277, div. G, subdiv. B, title XXV, § 2502, Oct. 21, 1998, 112 Stat. 2681–836.)

RESTRICTION RELATING TO UNITED STATES ACCESSION TO THE INTERNATIONAL CRIMINAL COURT

Pub. L. 106–113, div. B, § 1000(a)(7) [div. A, title VII, § 705], Nov. 29, 1999, 113 Stat. 1536, 1501A–460, formerly set out as a note under this section, was transferred and is classified to section 7401 of this title.

PROHIBITION ON EXTRADITION OR TRANSFER OF UNITED STATES CITIZENS TO THE INTERNATIONAL CRIMINAL COURT

Pub. L. 106–113, div. B, § 1000(a)(7) [div. A, title VII, § 706], Nov. 29, 1999, 113 Stat. 1536, 1501A–461, formerly set out as a note under this section, was transferred and is classified to section 7402 of this title.

§ 262a. Contributions to international organizations; consent of State Department; limitations as to certain organizations

All financial contributions by the United States to the normal operations of the inter-

national organizations covered by this Act, which member states are obligated to support annually, shall be limited to the amounts provided in this Act: *Provided*, That contributions for special projects not regularly budgeted by such international organizations shall not be subject to the above limitation.

All financial contributions by the United States to international organizations in which the United States participates as a member shall be made by or with the consent of the Department of State regardless of the appropriation from which any such contribution is made.

(Sept. 21, 1950, ch. 976, § 2, 64 Stat. 903; Pub. L. 107–228, div. A, title IV, § 405(b)(1), Sept. 30, 2002, 116 Stat. 1391.)

REFERENCES IN TEXT

This Act, referred to in text, is act Sept. 21, 1950, ch. 976, 64 Stat. 903, which enacted section 262a of this title, and amended sections 269b, 272a, 279a, 280b, 290b of this title. For complete classification of this Act to the Code, see Tables.

The international organizations covered by this Act, referred to in text, are the Inter-American Children's Institute, the International Labor Organization, the United Nations Food and Agriculture Organization, the South Pacific Commission, and the World Health Organization.

AMENDMENTS

2002—Pub. L. 107–228 struck out at end “The Secretary of State shall report annually to the Congress on the extent and disposition of such contributions.”

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 2226 of this title.

§ 262b. Commitments for United States contributions to international organizations; limitations; consultation with Congressional committees

No representative of the United States Government in any international organization hereafter shall make any commitment requiring the appropriation of funds for a contribution by the United States in excess of 33½ per centum of the budget of any international organization for which the appropriation for the United States contribution is contained in this Act: *Provided*, That in exceptional circumstances necessitating a contribution by the United States in excess of 33½ per centum of the budget, a commitment requiring a United States appropriation of a larger proportion may be made after consultation by United States representatives in the organization or other appropriate officials of the Department of State with the Committees on Appropriations of the Senate and House of Representatives: *Provided, however*, That this section shall not apply to the United States representatives to the Inter-American organizations, Caribbean Commission and the Joint Support program of the International Civil Aviation Organization.

(Oct. 22, 1951, ch. 533, title VI, § 602, 65 Stat. 599; Aug. 5, 1953, ch. 328, title I, 67 Stat. 368.)

REFERENCES IN TEXT

This Act, referred to in text, is act Oct. 22, 1951, ch. 533, title VI, 65 Stat. 599, popularly known as the Departments of State, Justice, Commerce and Judiciary Appropriation Act of 1952. For complete classification of this Act to the Code, see Tables.

CODIFICATION

Section is comprised of first paragraph of section 602 of act Oct. 22, 1951. Second par. of such section 602 contained a fiscal year provision.

AMENDMENTS

1953—Act Aug. 5, 1953, inserted proviso that this section is not to apply to the United States representatives to the Caribbean Commission and the Joint Support program of the International Civil Aviation Organization.

SIMILAR PROVISIONS

Provisions similar to this section were contained in act July 10, 1952, ch. 651, title I, 66 Stat. 550.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in title 16 sections 773j, 3641, 5709.

§ 262c. Commitments for United States contributions to international financial institutions fostering economic development in less developed countries; continuation of participation

(a) Congressional findings

It is the sense of the Congress that—

(1) for humanitarian, economic, and political reasons, it is in the national interest of the United States to assist in fostering economic development in the less developed countries of this world;

(2) the development-oriented international financial institutions have proved themselves capable of playing a significant role in assisting economic development by providing to less developed countries access to capital and technical assistance and soliciting from them maximum self-help and mutual cooperation;

(3) this has been achieved with minimal risk of financial loss to contributing countries;

(4) such institutions have proved to be an effective mechanism for sharing the burden among developed countries of stimulating economic development in the less developed world; and

(5) although continued United States participation in the international financial institutions is an important part of efforts by the United States to assist less developed countries, more of this burden should be shared by other developed countries. As a step in that direction, in future negotiations, the United States should work toward aggregate contributions to future replenishments to international financial institutions covered by this Act not to exceed 25 per centum.

(b) Funding commitments to international financial institutions; availability of funds subject to appropriations

The Congress recognizes that economic development is a long-term process needing funding commitments to international financial institutions. It also notes that the availability of funds for the United States contribution to international financial institutions is subject to the appropriations process.

(Pub. L. 95-118, title I, § 101, Oct. 3, 1977, 91 Stat. 1067.)

REFERENCES IN TEXT

This Act, referred to in subsec. (a)(5), is Pub. L. 95-118, Oct. 3, 1977, 91 Stat. 1067, as amended, known as

the International Financial Institutions Act, which enacted sections 262c, 262d, 262e to 262g-3, 262m to 262p-7, 262r to 262t, 282i, 284n, 285s, 285t, 286e-1f, and 290g-10 of this title, repealed sections 283y, 284m, and 290g-9 of this title, and enacted provisions set out as notes under sections 262c and 282i of this title. For complete classification of this Act to the Code, see Short Title of 1977 Amendment note set out under section 261 of this title and Tables.

EFFECTIVE DATE

Section effective Oct. 3, 1977, see section 1001 of Pub. L. 95-118, set out as a note under section 282i of this title.

FUTURE UNITED STATES CONTRIBUTIONS TO THE INTERNATIONAL FINANCIAL INSTITUTIONS

Pub. L. 96-536, § 101(b) [H.J. Res. 637, § 101(b); H.R. 4473, title I], Dec. 16, 1980, 94 Stat. 3167, provided in part that: “It is the sense of the Congress that the United States share of contributions to future replenishments of the International Financial Institutions should not exceed the percentages enumerated below for each of the respective accounts within these institutions:

“Asian Development Bank:

“Paid-in capital, 16.3 percent;

“Callable capital, 16.3 percent;

“Asian Development Fund, 22.2 percent;

“African Development Bank:

“Special Fund, 18 percent;

“Inter-American Development Bank:

“Paid-in capital, 34.5 percent;

“Callable capital, 34.5 percent;

“Fund for Special Operations, 40 percent;

“International Bank for Reconstruction and Development:

“Paid-in capital, 24 percent;

“Callable capital, 24 percent;

“International Development Association, 25 percent;

“International Finance Corporation, 23 percent.”

Similar provisions were contained in the following appropriation acts:

Pub. L. 96-123, § 101(a) [incorporating Pub. L. 95-481, title III], Nov. 20, 1979, 93 Stat. 923.

Pub. L. 95-481, title III, Oct. 18, 1978, 92 Stat. 1599.

Pub. L. 95-148, title III, Oct. 31, 1977, 91 Stat. 1238.

STANDARDS FOR HUMAN NEEDS AND PROTECTION OF HUMAN RIGHTS; CONSULTATION FOR DEVELOPMENT OF CRITERIA; REPORT TO CONGRESS

Section 703 of Pub. L. 95-118 provided that:

“(a) The Secretary of State and the Secretary of the Treasury shall initiate a wide consultation designed to develop a viable standard for the meeting of basic human needs and the protection of human rights and a mechanism for acting together to insure that the rewards of international economic cooperation are especially available to those who subscribe to such standards and are seen to be moving toward making them effective in their own systems of governance.

“(b) Not later than one year after the date of enactment of this Act [Oct. 3, 1977], the Secretary of State and the Secretary of the Treasury shall report to the President of the Senate and the Speaker of the House of Representatives on the progress made in carrying out this section.”

§ 262d. Human rights and United States assistance policies with international financial institutions

(a) Policy goals

The United States Government, in connection with its voice and vote in the International Bank for Reconstruction and Development, the International Development Association, the International Finance Corporation, the Inter-