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## Presidential Documents

Presidential Determination No. 2006-16 of June 19, 2006

### Eligibility of the Kingdom of Swaziland to Receive Defense Articles and Defense Services Under the Foreign Assistance Act and the Arms Export Control Act

#### Memorandum for the Secretary of State

Pursuant to section 503(a) of the Foreign Assistance Act of 1961, as amended (22 U.S.C. 2311), and section 3(a)(1) of the Arms Export Control Act, as amended (22 U.S.C. 2753), I hereby find that the furnishing of defense articles and defense services to the Kingdom of Swaziland will strengthen the security of the United States and promote world peace.

You are authorized and directed to transmit this determination, including the justification, to the Congress and to arrange for the publication of this determination in the **Federal Register**.



THE WHITE HOUSE,  
Washington, June 19, 2006.

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JUSTIFICATION FOR PRESIDENTIAL DETERMINATION OF THE  
ELIGIBILITY OF SWAZILAND TO BE FURNISHED DEFENSE  
ARTICLES AND DEFENSE SERVICES UNDER THE FOREIGN  
ASSISTANCE ACT OF 1961, AS AMENDED, AND THE ARMS  
EXPORT CONTROL ACT, AS AMENDED

Section 503 of the Foreign Assistance Act of 1961, as amended (FAA), and section 3(a)(1) of the Arms Export Control Act, as amended (AECA), require, in order for the United States to furnish defense articles and defense services (either as military assistance or by sale or lease from the USG), that the President find that the furnishing of such defense articles and defense services to the country or international organization will "strengthen the security of the United States and promote world peace."

The accompanying Presidential Determination would allow the U.S. Government to provide defense articles and defense services directly to Swaziland.

This determination will enable the USG to deliver HIV/AIDS prevention and treatment assistance to the defense force in Swaziland, where the HIV/AIDS prevalence rate is 42.6 percent, the highest in the world. The Umbutfo Swaziland Defense Force (USDF) has been implicated in a number of human rights abuses, and there are no plans to provide defense articles or services beyond HIV/AIDS prevention assistance at this time. Should conditions change in the country, we may consider the provision of defense articles and defense services, including training, to increase the USDF's professionalism and help reduce incidences of abuses, enhance its capacity to take part in African peacekeeping activities, strengthen its ability to control Swaziland's borders, detect terrorists, and deal with humanitarian emergencies.

Any future provision of defense articles or defense services would be considered on a case-by-case basis, including with respect to relevant guidelines and criteria established in the existing Conventional Arms Transfer policy. Each request would also be reviewed to ensure that there are no legal prohibitions or policy prohibitions existing at the time with regard to the sale, lease or other transfer.

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