

Exchange Mail

DATE-TIME 12/7/98 12:45:13 PM
FROM Naplan, Steven J.
CLASSIFICATION UNCLASSIFIED
SUBJECT DRAFT Meeting Memo for HR Day [UNCLASSIFIED]
TO Schwartz, Eric P.

CARBON_COPY Kale, Dora A.
Naplan, Steven J.

TEXT_BODY Eric - for your review, ASAP.
edits to Dora.
SN

TRANSLATED_ATTACHMENT 8204 AM SRB.doc

December 7, 1998

ACTION

MEMORANDUM FOR SAMUEL R. BERGER

THROUGH: ERIC SCHWARTZ

FROM: STEVEN J. NAPLAN

SUBJECT: The President's Human Rights Day Event

Attached is a Meeting Memorandum to the President for his Thursday morning event to commemorate Human Rights Day.

Concurrence by: Tony Blinken (required), Mara Rudman (required)

RECOMMENDATION

That you sign the attached Memorandum to the President.

Attachments

Tab I Meeting Memorandum to the President

Tab A Talking Points for Private Greetings Before Event

Tab B Citations for the Four Awardees

Tab C Biographies of the Four Awardees

Tab D List of Invitees

I

8204

TRANSLATED_ATTACHMENT 8204 POTUS Mtg Memo.doc

REMARKS TO COMMEMORATE ANNUAL HUMAN RIGHTS
DAY AND ANNOUNCEMENT OF RECIPIENTS OF
ELEANOR ROOSEVELT HUMAN RIGHTS AWARD

DATE: December 10, 1998

LOCATION: OEOB, Room 450

TIME: 9:50 AM - 10:45 AM

FROM: SAMUEL BERGER

MELANNE VERVEER

ANN LEWIS

I. PURPOSE

To commemorate the 50th anniversary of the adoption of the Universal Declaration of Human Rights. To demonstrate your commitment to democracy and human rights by addressing an audience of NGO leaders and activist. To announce policy deliverables to advance the cause of human rights at home and abroad, to announce the establishment of the Eleanor Roosevelt Award to honor outstanding American human rights leaders and to issue awards to the four inaugural recipients.

II. BACKGROUND

This December 10, annual Human Rights Day, will mark the 50th anniversary of the Universal Declaration of Human Rights (UDHR), the UN General Assembly declaration affirming universal standards of human rights and fundamental freedoms.

-- The Eleanor Roosevelt Award for Human Rights

Eleanor Roosevelt was the driving force behind the Declaration. To honor her commitment to the principles of the Declaration you have established (upon the recommendation of the Secretary of State) The Eleanor Roosevelt Award for Human Rights.

Based on the recommendations of the Secretary of State, the Award will be presented annually to no more than five U.S. citizens for leadership and activism on behalf of human rights at home or abroad.

For the inaugural recipients of this new award, you have approved the following four distinguished U.S. citizens (biographies attached), as recommended by the Secretary of State and with the concurrence of the First Lady and National Security Advisor to the President.

- Representative John Lewis, for his life-long commitment to civil rights.

- Bette Bao Lord, human rights activist, China scholar and novelist.

- Robert Bernstein, founder of the Fund for Free Expression and well as Human Rights Watch; retired Chairman of Random House.

- Dorothy Thomas, women's rights activist who has done groundbreaking research and advocacy on issues relating to the rights of women.

--Human Rights Policy Deliverables

In addition to issuing the inaugural Eleanor Roosevelt Awards, you

will also
deliver general remarks recounting your Administration's considerable
record of
human rights accomplishments followed by the announcement of
several policy
deliverables which advance the cause of human rights abroad and at
home.

These policy deliverables include:

- Human Rights Executive Order, to announce our policy commitment
to compliance
with those international human rights treaties we have ratified and to
establish
an interagency working group to facilitate our doing so.
- Establishment of a Genocide Early Warning Center which will focus
intelligence resources on situations that might become genocidal.
- Enhancing our response to human rights emergencies by funding
nongovernmental
organizations to develop rapid response capacities.
- Increased assistance to victims of human rights abuse through the
funding
of several NGOs assisting human rights victims, including Afghan
women and
survivors of genocide, as well as an increase in contributions to the
UN
Voluntary Fund for Torture.
- Combating child labor by contributing \$30 million this year to the
ILO's
International Program on the Elimination of Child Labor, a sizeable
increase
over last year's \$3 million contribution.
- Protecting abused workers in the U.S. by putting forward a
legislative
proposal to permit illegal aliens who are the victims of serious abuses
in the
U.S. (e.g., forced labor, forced prostitution) to gain lawful status if
they
collaborate with authorities in identifying abusers.
- Preventing youth hate crime through the Department of Education
publication of
an "Anti-Harassment Guide for Schools."

- Issuance of new asylum guidelines for children who seek asylum in the United States.

III. PARTICIPANTS

(Greetings in OEOB Room 450 "Hold Room")

Representative John Lewis
Bette Bao Lord
Robert Bernstein
Dorothy Thomas
one representative Roosevelt family member

The First Lady
Strobe Talbott (serving as Acting Secretary)
Sandy Berger
Maria Echaveste ???
Melanne Verveer
Eric Schwartz

IV. PRESS PLAN

Open press coverage of remarks made in OEOB Room 450.

V. SEQUENCE

* You will greet the award recipients and Roosevelt family representative in the OEOB Room 450 "Hold Room."

* The Roosevelt Family representative, Strobe Talbott, Sandy Berger, Maria Echaveste and Melanne Verveer will take their seats in room OEOB 450.

* Following an off-stage announcement, you will take the stage of room 450 accompanied by the First Lady, Representative John Lewis, Bette Bao Lord, Robert Bernstein and Dorothy Thomas.

* The First Lady will deliver brief welcoming remarks and will introduce you.

* You will deliver remarks on human rights and will announce the creation of The Eleanor Roosevelt Award for Human Rights.

* A military aide will read the citations as you award the four recipients. The four awardees will not be offering remarks.

* Following the awards ceremony, you will thank the guests for coming and close the event.

Attachments

Tab A Talking Points for Private Greetings Before Event

Tab B Citations for the Four Awardees

Tab C Biographies of the Four Awardees

Tab D List of Invitee for OEOB Room 450 Event

4

3

8204

Exchange Mail

DATE-TIME 12/8/98 9:09:24 AM
FROM Busby, Scott W.
CLASSIFICATION UNCLASSIFIED
SUBJECT FW: DRAFT Fact Sheet [UNCLASSIFIED]
TO Naplan, Steven J.

CARBON_COPY**TEXT_BODY**

Steve -- What's our deadline on this? I still need to nail down details of Afghan women and abused workers.

-----Original Message-----

From: Naplan,
Steven J.
Sent: Monday, December 07, 1998 10:10 PM
To: Busby,
Scott W.
Cc: Naplan, Steven J.
Subject: DRAFT Fact Sheet [UNCLASSIFIED]
Importance: High

Scott,
please look at attached for PRESS RELEASE FACT SHEET purposes.

thanks.

SN

TRANSLATED_ATTACHMENT

DRAFT HR Day '98 Fact Sheet.doc
THE WHITE HOUSE

Office of the Press Secretary

For Immediate Release December 10, 1998

FACT SHEET

Human Rights Day 1998 & Eleanor Roosevelt Human Rights Award

December 10, 1998, Human Rights Day, also marks the 50th anniversary

Universal Declaration of Human Rights (UDHR), the UN General Assembly declaration affirming universal standards of human rights and fundamental freedom

In order to commemorate this historic anniversary, President Clinton announced a number of policy initiatives, as well as the establishment of the new annual Eleanor Roosevelt Human Rights Award to demonstrate the Administration's commitment to the promotion of human rights and democracy, the world

--Human Rights Policy Initiatives

- Human Rights Executive Order, reiterating our commitment to implementation of those international human rights treaties we have ratified, and creating a Administration working group to coordinate implementation of those treaties and consider ratification of other human rights instruments.

- Establishment of a Genocide Early Warning Center which will focus U.S. Government intelligence resources on situations that could become genocidal

- Enhancing U.S. Government response to human rights emergencies by funding nongovernmental organizations to develop rapid response capacities.

- Increased assistance to victims of human rights abuse through the funding of several non-governmental organizations assisting human rights victims, including Afghan women and survivors of genocide, as well as an increase in contributions to the UN Voluntary Fund for Torture.

- Combating child labor by contributing \$30 million this year to the International Labor Organization's International Program on the Elimination of Child Labor, a ten-fold increase over last year's \$3 million contribution.

[- Protecting abused workers in the U.S. by putting forward a legislative proposal to permit illegal aliens who are the victims of serious abuses in the U.S. to gain lawful status if they cooperate with authorities in identifying abusers.]

- Preventing youth hate crime through the Department of Education's publication of an "Anti-Harassment Guide for Schools."

- Issuance of new asylum guidelines for children who seek asylum in the U.S.

United
States.

Eleanor Roosevelt Human Rights Award:

Eleanor Roosevelt was the driving force behind the adoption of the Universal Declaration of Human Rights. To honor her commitment to the principles of the Declaration the President established the Eleanor Roosevelt Award for Human Rights.

For the inaugural recipients of this new award, the Secretary of State recommended, and the President approved four distinguished U.S. citizens:

- * Representative John Lewis, for his life-long commitment to civil rights
- * Bette Bao Lord, human rights activist, China scholar and novelist.
- * Robert L. Bernstein, founder of the Fund for Free Expression and well known Human Rights Watch; retired chairman of Random House.
- * Dorothy Q. Thomas, women's rights activist responsible for groundbreaking research and advocacy on human rights violations against women around the world.

1998 Eleanor Roosevelt Human Rights Citations:

drop FINAL approved citation language in here.

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Exchange Mail

DATE-TIME 12/8/98 10:30:49 AM
FROM Busby, Scott W.
CLASSIFICATION UNCLASSIFIED
SUBJECT UDHR Fact Sheet [UNCLASSIFIED]
TO Schwartz, Eric P.

CARBON_COPY Naplan, Steven J.

TEXT_BODY

Here it is. Steve -- use this one.

TRANSLATED_ATTACHMENT

DRAFT HR Day '98 Fact Sheet_.doc
THE WHITE HOUSE

Office of the Press Secretary

For Immediate Release December 10, 1998

FACT SHEET

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In order to commemorate this historic anniversary, President Clinton
announced a
number of policy initiatives, as well as the establishment of the new annual
Eleanor Roosevelt Human Rights Award to demonstrate the Administration's
commitment to the promotion of human rights and democracy, the world

--Human Rights Policy Initiatives

- Human Rights Executive Order, reiterating our commitment fully to recommit
and
implement those international human rights treaties we have ratified, and

creating
an Administration working group to coordinate these efforts and to consult
our
position on other human rights instruments.

- Establishment of a Genocide Early Warning Center which will focus U.S. Government intelligence resources on situations that could become genocidal.

- Enhancing U.S. Government response to human rights emergencies by funding nongovernmental organizations to develop rapid response capacities (up to \$10 million over the next five years).

- Increased assistance to victims of human rights abuse through the funding of several efforts to assist human rights victims, including Afghan women survivors of genocide, as well as an increase in our annual contribution to the UN Voluntary Fund for Torture (from \$1.8 million in FY 1998 to \$3 million in FY 1999).

- Combating child labor by contributing \$30 million this year to the International Labor Organization's International Program on the Elimination of Child Labor, a ten-fold increase over last year's \$3 million contribution.

- Preventing youth hate crime through the Department of Education's publication of an "Anti-Harassment Guide for Schools."

- Issuance of new guidelines for the adjudication of asylum claims by consular officers in the United States.

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* Dorothy Q. Thomas, women's rights activist responsible for groundbreaking research and advocacy on human rights violations against women around world.

1998 Eleanor Roosevelt Human Rights Citations:

drop FINAL approved citation language in here.

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Exchange Mail

DATE-TIME 12/8/98 3:01:55 PM
FROM Busby, Scott W.
CLASSIFICATION UNCLASSIFIED
SUBJECT Revised Fact Sheet [UNCLASSIFIED]
TO Schwartz, Eric P.
CARBON_COPY Naplan, Steven J.

TEXT_BODY

Here's the version with my latest edits.

TRANSLATED_ATTACHMENT

DRAFT HR Day '98 Fact Sheet__.doc
DRAFT

THE WHITE HOUSE

Office of the Press Secretary

For Immediate Release December 10, 1998

FACT SHEET

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December 10, 1998, Human Rights Day, also marks the 50th anniversary

Universal Declaration of Human Rights (UDHR), the UN General Assembly's

declaration affirming universal standards of human rights and fundamental freedoms

In order to commemorate this historic anniversary, President Clinton announced a

number of policy initiatives, as well as the establishment of the new annual Eleanor Roosevelt Human Rights Award to demonstrate the Administration's commitment to the promotion of human rights and democracy, the world

--Human Rights Policy Initiatives

- Human Rights Executive Order, reiterating our commitment fully to re

and
implement those international human rights treaties we have ratified, and
creating an Administration working group to coordinate these efforts and
develop our position on other human rights instruments.

- Establishment of a Genocide Early Warning Center which will focus U.S.
Government intelligence resources on situations that could become genocidal

- Enhancing U.S. Government response to human rights emergencies by
funding
nongovernmental organizations to develop rapid response capacities (up to
\$100 million over the next five years).

- Increased assistance to victims of human rights abuse through the funding of
several efforts to assist human rights victims, including Afghan women
survivors of genocide, as well as an increase in our annual contribution to the
UN Voluntary Fund for Torture (from \$1.8 million in FY 1998 to \$3 million in
FY 1999).

- Combating child labor by contributing \$30 million this year to the
International Labor Organization's International Program on the Elimination of
Child Labor, a ten-fold increase over last year's \$3 million contribution.

- Preventing youth hate crime through the Department of Education's
publication
of an "Harassment and Anti-Hate Guide for Schools."

- Issuance of new guidelines for the adjudication of asylum claims by the
in
the United States.

- Protecting abused workers in the U.S. by exploring legislative options
would permit illegal aliens who are the victims of serious abuses in the U.S.
gain lawful status if they cooperate with authorities in identifying abuse

Eleanor Roosevelt Human Rights Award:

Eleanor Roosevelt was the driving force behind the adoption of the Universal
Declaration of Human Rights. To honor her commitment to the principles of
the
Declaration the President established the Eleanor Roosevelt Award for Human
Rights.

For the inaugural recipients of this new award, the Secretary of State
recommended, and the President approved four distinguished U.S. citizens:

- * Representative John Lewis, for his life-long commitment to civil rights

* Bette Bao Lord, human rights activist, China scholar and novelist.

* Robert L. Bernstein, founder of the Fund for Free Expression and well Human Rights Watch; retired chairman of Random House.

* Dorothy Q. Thomas, women's rights activist responsible for groundbreaking research and advocacy on human rights violations against women around world.

1998 Eleanor Roosevelt Human Rights Citations:

drop FINAL approved citation language in here.

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Exchange Mail

DATE-TIME 12/9/98 11:47:47 AM
FROM Busby, Scott W.
CLASSIFICATION UNCLASSIFIED
SUBJECT TPs on deliverables [UNCLASSIFIED]
TO Schwartz, Eric P.

CARBON_COPY**TEXT_BODY****TRANSLATED_ATTACHMENT**

UDHR deliverables TPs.doc
Executive Order Relating to Human Rights Treaties

* The EO will confirm our commitment as a matter of policy and practice to fully respect and implement our obligations under those international human rights treaties to which we've become a party.

* Will mean that in the absence of implementing legislation, Executive Branch will do what it can to ensure compliance with these treaties consistent with domestic law, e.g., recent INS practice regarding Article 3 of the Torture Convention.

* Will also establish Interagency Working Group that will coordinate Executive Branch efforts on these issues, including developing positions on those human rights treaties to which we are not parties.

Genocide Early Warning Center

* Would focus U.S. intelligence resources on situations that could become genocidal.

* Would be composed of State and CIA personnel who would be housed in State INR bureau. These people would analyze raw data likely to indicate

whether a
genocide will occur. (NIC is developing methodology and indicators
for genocide.)

* This entity will then prepare analyses that will be passed to
policymakers for
appropriate action.

Working with NGOs to Better Respond to Human Rights Emergencies

* USAID is prepared to fund NGOs to enhance their capacity to
respond to human
rights emergencies

* USAID is negotiating these agreements right now

* Such capacities might include sending out assessment teams to
rapidly assess
human rights situations on the ground, hiring monitors who could
quickly be put
on the ground in situations of escalating human rights abuse, provide
money to
indigenous NGOs, etc. The contracts permit the NGOs to use the
money as they
think best.

* These agreements have a ceiling value of \$8 million over the next
five years.

Combating Child Labor

* We successfully sought from Congress for this fiscal year a tenfold
increase
(from \$3 to \$30 million) in our annual contribution to the ILO's
International
Program on the Elimination of Child Labor

* This increase will make us the largest funder of this program in the
world

* This program helps to develop with governments and business and
then fund
projects that are aimed at discouraging child labor

* Our significant increase in funding will allow the Program to develop many more projects around the world than would otherwise be the case.

Exchange Mail

DATE-TIME 12/9/98 11:49:07 AM
FROM Busby, Scott W.
CLASSIFICATION UNCLASSIFIED
SUBJECT UDHR deliverables [UNCLASSIFIED]
TO Schwartz, Eric P.

CARBON_COPY**TEXT_BODY**

TRANSLATED_ATTACHMENT DRAFT HR Day '98 Fact Sheet ____ .doc
DRAFT

THE WHITE HOUSE

Office of the Press Secretary

For Immediate Release December 10, 1998

FACT SHEET

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--Human Rights Policy Initiatives

- Human Rights Executive Order, reiterating our commitment fully to recognize and

implement those international human rights treaties we have ratified, and creating an Administration working group to coordinate these efforts and develop our position on other human rights instruments.

- Establishment of a Genocide Early Warning Center which will focus U.S. Government intelligence resources on situations that could become genocide.
- Enhancing U.S. Government response to human rights emergencies by providing additional funding to nongovernmental organizations to develop rapid response capacities (up to \$10 million over the next five years).
- Increased assistance to victims of human rights abuse through the funding of several efforts to assist human rights victims, including Afghan women survivors of genocide, as well as an increase in our annual contribution to the UN Voluntary Fund for Torture (from \$1.8 million in FY 1998 to \$3 million in FY 1999).
- Combating child labor by contributing \$30 million this year to the International Labor Organization's International Program on the Elimination of Child Labor, a ten-fold increase over last year's \$3 million contribution.
- Preventing youth hate crime through the Department of Education's publication of an "Harassment and Anti-Hate Guide for Schools."
- Issuance of new guidelines for the adjudication of asylum claims by consular officers in the United States.
- Protecting abused workers in the U.S. by exploring legislative options that would permit illegal aliens who are the victims of serious abuses in the United States to gain lawful status if they cooperate with authorities in identifying abuse.

Eleanor Roosevelt Human Rights Award:

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For the inaugural recipients of this new award, the Secretary of State recommended, and the President approved four distinguished U.S. citizens:

- * Representative John Lewis, for his life-long commitment to civil rights
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1998 Eleanor Roosevelt Human Rights Citations:

drop FINAL approved citation language in here.

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Exchange Mail

DATE-TIME 12/9/98 5:03:55 PM
FROM Busby, Scott W.
CLASSIFICATION UNCLASSIFIED
SUBJECT Updated fact sheet [UNCLASSIFIED]
TO Naplan, Steven J.

CARBON_COPY**TEXT_BODY**

TRANSLATED_ATTACHMENT UDHR Fact Sheet.doc
DRAFT

THE WHITE HOUSE

Office of the Press Secretary

For Immediate Release December 10, 1998

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- Human Rights Executive Order, reiterating our commitment to respect and implement those international human rights treaties we have ratified, and creating an Administration working group to coordinate these efforts and develop our position on other human rights instruments.

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- Enhancing U.S. Government response to human rights emergencies by providing additional funding to nongovernmental organizations to develop rapid response capacities (up to \$5 million over the next five years).
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- Combating child labor by contributing \$30 million this year to the International Labor Organization's International Program on the Elimination of Child Labor, a ten-fold increase over last year's \$3 million contribution.
- Preventing youth hate crime through the Department of Education's publication of an "Harassment and Anti-Hate Guide for Schools."
- Issuance of new guidelines for the adjudication of asylum claims by consular officials in the United States. These will sensitize immigration officials to the special needs of our youngest and most vulnerable asylum seekers.
- Protecting victims of smugglers, traffickers and sweatshop owners in the United States by asking the Department of Justice to explore legislative options that would permit illegal aliens who are the victims of serious abuses in the United States (forced labor, forced prostitution, etc.) to avoid deportation if they cooperate with authorities in identifying abusers.

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* Robert L. Bernstein, founder of the Fund for Free Expression and well Human Rights Watch; retired chairman of Random House.

* Dorothy Q. Thomas, women's rights activist responsible for groundbreaking research and advocacy on human rights violations against women around world.

1998 Eleanor Roosevelt Human Rights Citations:

drop FINAL approved citation language in here.

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Exchange Mail

DATE-TIME 12/23/98 8:39:03 AM
FROM Sherman, David J.
CLASSIFICATION UNCLASSIFIED
SUBJECT RE: Press Release Coordination [UNCLASSIFIED]
TO Crowley, Philip J.
Crowley, Philip J.
Leavy, David C.
Wozniak, Natalie S.

CARBON_COPY

TEXT_BODY It's attached. Second bullet on the genocide early warning center is what has CIA bent out of shape. Was also alluded to in POTUS speech same day.

-----Original Message-----

From: Crowley,
Philip J.
Sent: Tuesday, December 22, 1998 7:04 PM
To: Sherman,
David J.; @PRESS - Public Affairs
Subject: RE: Press Release Coordination
[UNCLASSIFIED]

Can you be more specific? Give us an example of an issue where we obviously went past you and should have seen the Intel link?

PJ

-----Original Message-----

From: Sherman, David
J.
Sent: Monday, December 21, 1998 2:48 PM
To: @PRESS - Public
Affairs
Subject: Press Release Coordination [UNCLASSIFIED]

David/PJ/Natalie:

Mary
McCarthy has asked me to check with you on the way in which draft

press releases are coordinated within the NSC.

The issue has arisen because of a recent RBTP and fact sheet that, while not dealing with intelligence matters generally, did commit the Intelligence Community to undertaking certain actions.

CIA claims it was not consulted in advance of this commitment and did not agree to it. The responsible NSC directorate claims that CIA was informed and signed up to the mission. NSC/Intel was not involved in these discussions, so we have no idea where the truth lies. Nor did we clear the remarks/fact sheet (CIA claims it didn't see them in advance, either). While Mary and I think the specific initiative is a good one, we have had to put up with considerable grouching from CIA about bad process.

My question, and perhaps it's an ill-informed one, is whether it is inevitable that such things slip through the cracks from time to time, or whether there is a way to avoid such situations in future. If you have any thoughts, let me know.

dave

TRANSLATED_ATTACHMENT Human Rights Fact Sheet.doc
THE WHITE HOUSE

Office of the Press Secretary

For Immediate Release December 10, 1998

FACT SHEET

Human Rights Day 1998 and Eleanor Roosevelt Human Rights Award

President Clinton today commemorates Human Rights Day and marks the anniversary of the Universal Declaration of Human Rights (UDHR), the Assembly declaration affirming fundamental freedoms and human rights for all people. On the historic anniversary of the UDHR, President Clinton announced several policy initiatives to advance human rights at home and abroad. He also honors four distinguished American human rights leaders as the inaugural recipients of the newly-created Eleanor Roosevelt Award for Human Rights.

Human Rights Policy Initiatives

- Signing of a Human Rights Executive Order, that strengthens our effort to implement human rights treaties, and creates an Administration working to coordinate these efforts.
- Establishment of a genocide early warning center, jointly run by the State Department and the Central Intelligence Agency, to focus intelligence resources on situations that could potentially lead to genocide.
- Enhancing our response to human rights emergencies. The U.S. Agency for International Development will provide up to \$8 million over the next five years to non-governmental organizations to enhance their rapid response capabilities. Organizations can use these funds for a variety of purposes, including the creation of assessment teams, monitoring units or other means of addressing situations where human rights may be imminently threatened.
- Providing increased assistance to victims of human rights abuse. The Department of State will significantly increase our annual contribution to the U.N. Voluntary Fund for Torture Victims (from \$1.8 million in FY 1998 to \$3 million in FY 1999). This Fund distributes money to organizations around the world that rehabilitate those who have suffered torture. In addition, the Department of State is initiating a program to address the needs of genocide survivors in Rwanda, Bosnia and Cambodia. This program will primarily assist women, providing training and counseling.
- Combating child labor by contributing \$30 million this year to the International Labor Organization's International Program on the Elimination of Child Labor, a ten-fold increase over last year's \$3 million contribution. The program works with governments, businesses and non-governmental organizations to discourage the use of child labor around the world.
- Issuing new guidelines for the adjudication of asylum claims by children in the U.S. The U.S. is the second country after Canada to adopt such guidelines. These guidelines will sensitize immigration officials to the special needs of our youngest and most vulnerable asylum seekers.
- Preventing youth hate crime through publication in January of a guide for schools entitled "Protecting Students from Harassment and Hate Crimes" jointly by the Department of Education and the National Association of Public Schools. The guide provides suggestions to school systems for addressing the issue of school violence.
- Protecting victims of smugglers, traffickers and sweatshop owners. The Department of Justice will explore legislative options to address the immigration situation of illegal aliens in the U.S. who are the victims of serious abuses such as forced labor and forced prostitution. The aim is to encourage greater reporting to and cooperation with U.S. authorities in targeting abusers and protecting rights.

Eleanor Roosevelt was the driving force behind the adoption in 1948 of Universal Declaration of Human Rights. To honor her commitment to the Declaration the President established the Eleanor Roosevelt Award for Human Rights.

For the inaugural recipients of this new award, the Secretary of State recommended, and the President approved, four distinguished American leaders.

* Robert L. Bernstein, founder of the Fund for Free Expression and well known for his work with Rights Watch and retired chairman of Random House.

* Representative John Lewis, life-long civil rights leader.

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* Dorothy Q. Thomas, women's rights activist responsible for groundbreaking research and advocacy on human rights violations against women around the world.

1998 Eleanor Roosevelt Award Citations

ROBERT L. BERNSTEIN

Robert Bernstein has dedicated his life to giving voice to the voiceless, publishing banned books to founding the groups that led to the creation of Rights Watch. His ceaseless efforts have increased both our determination and ability to oppose human rights violations wherever they occur. We honor him today for a life devoted to the active defense of freedom and dignity throughout the world.

JOHN LEWIS

For 40 years John Lewis has been at the vanguard of the civil rights struggle. From Freedom Rides to the House of Representatives, he has educated generations of Americans in the crusade against injustice. He often did so at great personal risk, yet he never deviated from his commitment to peace through nonviolent means. We honor him today for his uncompromising stand in the face of bigotry and his unswerving commitment to the principles of the Universal Declaration of Human Rights.

BETTE BAO LORD

Born in China, raised in the United States, Bette Bao Lord has dedicated her life to the defense of liberty, particularly through her inspired leadership of Freedom House. One of her books on China includes the story of a boy

kite each day outside a prison so that his captive father will see the kite .
not lose hope. Her work has similarly sustained hope in countless others
honor her today for her own activism and for setting a high standard for
rights and democracy activists around the world.

DOROTHY Q. THOMAS

Dorothy Thomas has played a leading role in efforts to define and defend
rights around the world. Through her work at Human Rights Watch, she
global awareness of state-sponsored violence and discrimination against
helped reshape international law to fight these abuses. We honor her today
her courageous advocacy of women's rights as basic human rights.

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Exchange Mail

DATE-TIME 1/7/99 12:42:28 PM
FROM Busby, Scott W.
CLASSIFICATION UNCLASSIFIED
SUBJECT Please clear this letter re: Human Rights IWG [UNCLASSIFIED]
TO DeRosa, Mary B.

CARBON_COPY Allen, Charles A.
Baker, James E.
DeRosa, Mary B.
Highsmith, Newell L.
Hunerwadel, Joan S.

TEXT_BODY

Thanks.

TRANSLATED_ATTACHMENT

8478 Response_.doc

Dear Mr. Boyle:

Thank you for your letter to Sandy Berger voicing your complaint against the University of Illinois for violating the Convention on the Elimination of all Forms of Racial Discrimination (CERD). I am responding on his behalf.

We appreciate your kind words about the President's Executive Order of December 10 and the Interagency Working Group created by that order. While the group is empowered to consider a range of issues relating to the implementation of human

rights treaties to which the United States is a party, its mandate does not extend to the review of particular complaints of non-compliance with those treaties. Such individual cases are to be reviewed by those agencies with authority over the matter in question. Thus, we are referring your complaint to the Department of Justice for response.

Again, thank you for sharing your concerns with us about this issue.

Sincerely,

Scott Busby
Office of Multilateral and
Humanitarian Affairs

Professor Francis A. Boyle
College of Law
202 Law Building
504 East Pennsylvania Avenue
Champaign, IL 61820

Exchange Mail

DATE-TIME 1/7/99 1:21:25 PM
FROM Busby, Scott W.
CLASSIFICATION UNCLASSIFIED
SUBJECT FW: Please clear this letter re: Human Rights IWG
[UNCLASSIFIED]
TO DeRosa, Mary B.

CARBON_COPY

TEXT_BODY I am relaying a hard copy of the incoming to you. It asserts that Illinois U, and therefore the State of Illinois, continues to violate the Convention on the Elimination of Dsicrimnation based on Race by having a Native American mascot. State and I agree that this should get referred to Justice Civil Rights for a substantive response (to the extent that is possible).

-----Original Message-----

From: Busby,
Scott W.
Sent: Thursday, January 07, 1999 12:42 PM
To: DeRosa,
Mary B.
Cc: @LEGAL - Legal Advisor
Subject: Please clear this letter
re: Human Rights IWG [UNCLASSIFIED]

Thanks.

TRANSLATED_ATTACHMENT

8478 Response_.doc

Dear Mr. Boyle:

Thank you for your letter to Sandy Berger voicing your complaint against the University of Illinois for violating the Convention on the Elimination of all Forms of Racial Discrimination (CERD). I am responding on his behalf.

We appreciate your kind words about the President's Executive Order of December 10 and the Interagency Working Group created by that order. While the group is empowered to consider a range of issues relating to the implementation of human rights treaties to which the United States is a party, its mandate does not extend to the review of particular complaints of non-compliance with those treaties. Such individual cases are to be reviewed by those agencies with authority over the matter in question. Thus, we are referring your complaint to the Department of Justice for response.

Again, thank you for sharing your concerns with us about this issue.

Sincerely,

Scott Busby
Office of Multilateral and
Humanitarian Affairs

Professor Francis A. Boyle
College of Law
202 Law Building
504 East Pennsylvania Avenue
Champaign, IL 61820

Exchange Mail

DATE-TIME 1/7/99 2:46:39 PM
FROM Busby, Scott W.
CLASSIFICATION UNCLASSIFIED
SUBJECT FW: Please clear this letter re: Human Rights IWG
[UNCLASSIFIED]
TO DeRosa, Mary B.

CARBON_COPY**TEXT_BODY**

Stand down on this clearance for the time being. Justice has some reservations about getting a referral on this. I'll come back to you.

-----Original Message-----

From: Busby, Scott W.
Sent: Thursday,
January 07, 1999 1:21 PM
To: DeRosa, Mary B.
Subject: FW: Please
clear this letter re: Human Rights IWG [UNCLASSIFIED]

I am relaying
a hard copy of the incoming to you. It asserts that Illinois U,
and therefore the State of Illinois, continues to violate the Convention
on the Elimination of Discrimination based on Race by having a
Native
American mascot. State and I agree that this should get referred
to Justice Civil Rights for a substantive response (to the extent
that is possible).

-----Original Message-----

From: Busby, Scott
W.
Sent: Thursday, January 07, 1999 12:42 PM
To: DeRosa, Mary
B.
Cc: @LEGAL - Legal Advisor
Subject: Please clear this letter
re: Human Rights IWG [UNCLASSIFIED]

Thanks.

TRANSLATED_ATTACHMENT 8478 Response_.doc

Dear Mr. Boyle:

Thank you for your letter to Sandy Berger voicing your complaint against the University of Illinois for violating the Convention on the Elimination of all Forms of Racial Discrimination (CERD). I am responding on his behalf.

We appreciate your kind words about the President's Executive Order of December 10 and the Interagency Working Group created by that order. While the group is empowered to consider a range of issues relating to the implementation of human rights treaties to which the United States is a party, its mandate does not extend to the review of particular complaints of non-compliance with those treaties. Such individual cases are to be reviewed by those agencies with authority over the matter in question. Thus, we are referring your complaint to the Department of Justice for response.

Again, thank you for sharing your concerns with us about this issue.

Sincerely,

Scott Busby
Office of Multilateral and
Humanitarian Affairs

Professor Francis A. Boyle
College of Law
202 Law Building

504 East Pennsylvania Avenue
Champaign, IL 61820

Exchange Mail

DATE-TIME 2/12/99 11:31:32 AM
FROM Busby, Scott W.
CLASSIFICATION UNCLASSIFIED
SUBJECT 0488 [UNCLASSIFIED]
TO Kale, Dora A.

CARBON_COPY
TEXT_BODY
TRANSLATED_ATTACHMENT 0488 response.doc

Dear Representative Smith:

Thank you for your letter regarding Executive Order 13107 concerning implementation of human rights treaties. I issued this order on the 50th anniversary of the adoption of the Universal Declaration of Human Rights to reaffirm our commitment to the fundamental values enshrined in that document. The intent of this Order is to enhance the work of the Executive Branch in ensuring compliance with those obligations the United States has undertaken by ratifying certain human rights treaties.

I appreciate your strong support for the overall objective of this Executive Order and offer the following information in response to your specific requests for clarification.

First, the Order directs implementation of those human rights treaty obligations

that the United States has assumed, subject to any reservations, declarations or understandings, as a result of having ratified the respective treaties in accordance with our constitutional procedures. The Order is not intended to implement any human rights treaty that the United States has not ratified. As you suggest, the reference in the introductory clause to obligations under treaties to which the United States "may become" a party is intended to refer only to those obligations the United States may undertake in the future through the ordinary ratification process.

Second, consistent with your understanding, it was our intent that the term "human rights obligations" have the same meaning as the term "treaty obligations" throughout the text. Thus, the definition of "treaty obligations" in section 6(c) of the Order applies to the term "human rights obligations." As that definition provides, a treaty obligation of the United States is one that the United States assumes as a result of having ratified a treaty in accordance with our constitutional processes.

Third, I confirm your understanding that, at present, the Executive Order authorizes Executive Branch actions only under the following human rights treaties:

The Agreement for the Suppression of the White Slave Traffic of May 18, 1904, as amended by a Protocol of May 4, 1949;

The Convention to Suppress the Slave Trade and Slavery of September 25, 1926, as amended by a Protocol of December 7, 1953;

The Convention on the Prevention and Punishment of the Crime of Genocide of December 9, 1948;

The Inter-American Convention on the Granting of Political Rights to Women of March 17, 1949;

The Convention on the Political Rights of Women of March 31, 1953;

The Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery of September 7, 1956;

The Convention Concerning the Abolition of Forced Labor of June 25, 1957 (ILO Convention 105);

The International Convention on the Elimination of All Forms of Racial Discrimination of December 21, 1965;

The International Covenant on Civil and Political Rights of December 16, 1966;

The Protocol Relating to the Status of Refugees of January 31, 1967; and

The Convention Against Torture and Other Cruel and Other Cruel, Inhuman or Degrading Treatment or Punishment of December 10, 1984.

Of course, should the United States decide to ratify any additional human rights treaties, those, too, would be covered by the Order.

Fourth, consistent with your understanding, section 4(c)(5) of the Order relating to the improvement of monitoring of State compliance with the relevant treaties is not intended to supersede federal statutes or to create any new federal authority to overturn, invalidate or interfere with the enforcement of State laws.

Fifth, the Interagency Working Group established by the Executive Order is charged, among other things, with coordinating an annual review to determine if consideration should be given to modification of U.S. reservations, declarations or understandings to the relevant human rights treaties. Such a review could lead to a request by the Executive Branch to the Senate that certain modifications be made. However, it is our intent and understanding that any such

modifications, should they be deemed necessary, would require Senate action consistent with the Constitution.

Finally, I would like to stress that it is our intent and understanding that this Executive Order does not create any new legal obligation or right. Rather, the intent of the Order is to improve the work of the Executive Branch in ensuring compliance with those human rights treaties we have ratified.

Again, I appreciate your endorsement of this important Executive Order and thank you for sharing your thoughts with me.

Sincerely,

The Honorable Christopher Smith
House of Representatives
Washington, D.C. 20515

Exchange Mail

DATE-TIME 2/19/99 8:25:13 PM
FROM Schwartz, Eric P.
CLASSIFICATION UNCLASSIFIED
SUBJECT FW: Update on Human Rights Treaty IWG [UNCLASSIFIED]
TO Allen, Charles A.
Baker, James E.
DeRosa, Mary B.
Hunerwadel, Joan S.
Krass, Caroline D.

CARBON_COPY**TEXT_BODY**

info e mail for srb, pls clear.

-----Original Message-----

From: Busby,
Scott W.

Sent: Friday, February 19, 1999 7:45 PM

To: Schwartz,
Eric P.

Subject: Update on Human Rights Treaty IWG [UNCLASSIFIED]

For
your comment

Sandy --

To recall, the Executive Order signed by the President on Human Rights Day in December established a new IWG aimed at enhancing our ability to implement and comply with those human rights treaties we have ratified.

We and Legal have now had two useful meetings of the IWG, focusing on 1) our compliance with reporting requirements under several of these treaties, 2) our strategy for responding to criticisms of the U.S. under these treaties, 3) ways to improve our ability to monitor State and local compliance and 4) our posture toward seeking Senate advice and consent for those treaties we have signed but not ratified (e.g., CEDAW). The IWG has also served as a useful forum in which to discuss some of the issues relating to the U.S. that are likely to crop up at the Human Rights Commission meetings in Geneva. The IWG will be meeting monthly for the foreseeable future.

Exchange Mail

DATE-TIME 2/24/99 5:08:03 PM
FROM Busby, Scott W.
CLASSIFICATION UNCLASSIFIED
SUBJECT FW: Package 0488: Response to Smith letter [UNCLASSIFIED]
TO Kale, Dora A.

CARBON_COPY

TEXT_BODY D -- FYI, Legal has cleared. So as soon as Eric clears, we can move this one (admittedly with his edits).

-----Original Message-----

From: Krass,
Caroline D.
Sent: Wednesday, February 24, 1999 3:24 PM
To: Busby,
Scott W.
Cc: @LEGAL - Legal Advisor
Subject: FW: Package 0488:
Response to Smith letter [UNCLASSIFIED]

Scott -- Legal clears
with the very minor changes attached in the POTUS memorandum
and
the letter. Thanks.

-----Original Message-----

From: Busby,
Scott W.
Sent: Wednesday, February 24, 1999 11:35 AM
To: Krass,
Caroline D.
Cc: Kale, Dora A.; @LEGAL - Legal Advisor
Subject: Package
0488: Response to Smith letter [UNCLASSIFIED]

Caroline --

Here's
the final text of the Chris Smith letter as cleared by agencies (State
(Surena), Justice (Castello), Defense (Koplow) and Labor
(DeShazer)).
Only minor changes since last version you saw.

Your official
clearance, por favor. Thanks.

TRANSLATED_ATTACHMENT 0488 BERGER memo.doc

February 24, 1999

ACTION

MEMORANDUM FOR SAMUEL R. BERGER

THROUGH: ERIC SCHWARTZ

FROM: SCOTT BUSBY

SUBJECT: Congressional Correspondence on Human Rights
Executive Order

Attached is a memorandum to the President and a proposed response
to
Congressional correspondence on the above subject.

Concurrence by: Caroline Krass

RECOMMENDATION

That you sign the attached memorandum.

Attachments

Tab I Memorandum to the President

Tab A Proposed Response

Tab B Incoming Correspondence

1

0488

TRANSLATED_ATTACHMENT 0488 POTUS memo.doc

ACTION

MEMORANDUM FOR THE PRESIDENT

FROM: SAMUEL BERGER
LARRY STEIN

SUBJECT: Congressional Correspondence on Human Rights
Executive Order

Purpose

To respond to a letter from Representative Christopher Smith.

Background

On December 10, Human Rights Day, you signed an Executive Order relating to the implementation of human rights treaties to which the U.S. is a party. Among other things, the Order directed agencies to ensure compliance with our international obligations under these treaties and created an interagency working group to enhance our implementation of these norms. Some have reacted negatively to the Order on the belief that it purports to implement human rights treaties that we have not ratified. Congressman Christopher Smith wrote to express his general support for the Executive Order but also to request your clarification of a number of points relating to the Order.

Your response describes in general terms what we have sought to accomplish with the Order and addresses specifically each of the Smith's questions in a way that should help allay many of the misconceptions and concerns that have been expressed about the Order.

RECOMMENDATION

That you sign the attached response.

Attachments
Tab A Proposed Response

Tab B Incoming Correspondence

2

0488

cc: Vice President
Chief of Staff

TRANSLATED_ATTACHMENT 0488SmithLtr.doc

Dear Representative Smith:

Thank you for your letter regarding Executive Order 13107 concerning implementation of human rights treaties. I issued this order on the 50th anniversary of the adoption of the Universal Declaration of Human Rights to reaffirm our commitment to the fundamental values enshrined in that document. The intent of this Order is to enhance the work of the Executive Branch in ensuring compliance with those obligations the United States has undertaken by ratifying certain human rights treaties.

I appreciate your strong support for the overall objective of this Executive Order and offer the following information in response to your specific requests for clarification.

First, the Order relates to the implementation of those human rights treaty obligations that the United States has assumed, subject to any reservations, declarations or understandings, as a result of having ratified the respective

treaties in accordance with our constitutional procedures. The Order is not intended to implement any treaty that the United States has not ratified. As you suggest, the reference in the introductory clause to obligations under treaties to which the United States "may become" a party is intended to refer only to those obligations the United States may undertake in the future through the ordinary ratification process.

Second, consistent with your understanding, it was our intent that the term "human rights obligations" have the same meaning as the term "treaty obligations" throughout the text. Thus, the definition of "treaty obligations" in section 6(c) of the Order applies to the term "human rights obligations." As that definition provides, a treaty obligation of the United States is one that the United States assumes as a result of having ratified a treaty in accordance with our constitutional procedures.

Third, I confirm your understanding that, at present, the Executive Order authorizes Executive Branch actions only under the following human rights treaties:

The Agreement for the Suppression of the White Slave Traffic of May 18, 1904, as amended by a Protocol of May 4, 1949;

The Convention to Suppress the Slave Trade and Slavery of September 25, 1926, as amended by a Protocol of December 7, 1953;

The Convention on the Prevention and Punishment of the Crime of Genocide of December 9, 1948;

The Inter-American Convention on the Granting of Political Rights to Women of March 17, 1949;

The Convention on the Political Rights of Women of March 31, 1953;

The Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery of September 7, 1956;

The Convention Concerning the Abolition of Forced Labor of June 25, 1957 (ILO Convention 105);

The International Convention on the Elimination of All Forms of Racial Discrimination of December 21, 1965;

The International Covenant on Civil and Political Rights of December 16, 1966;

The Protocol Relating to the Status of Refugees of January 31, 1967; and

The Convention Against Torture and Other Cruel and Other Cruel, Inhuman or Degrading Treatment or Punishment of December 10, 1984.

I also confirm your understanding that any Executive Branch actions under the Executive Order will be subject to any reservations, understandings, and declarations of the Senate in giving its advice and consent to ratification. Of course, should the United States decide to ratify any additional human rights treaties, those, too, would be covered by the Order.

Fourth, consistent with your understanding, section 4(c)(5) of the Order relating to the improvement of monitoring of State compliance with the relevant treaties is not intended to supersede federal statutes or to create any new federal authority to overturn, invalidate or interfere with the enforcement of State laws.

Fifth, the Interagency Working Group established by the Executive Order is charged, among other things, with coordinating an annual review to determine if consideration should be given to modification of U.S. reservations, declarations or understandings to the relevant human rights treaties. This review could lead

to recommendations to me or any future President regarding proposed changes. Any such changes to these human rights treaties would require Senate approval.

Finally, I would like to stress that it is our intent and understanding that this Executive Order does not create any new legal obligation or right. Rather, the intent of the Order is to improve the work of the Executive Branch in ensuring compliance with those human rights treaties we have ratified.

Again, I appreciate your endorsement of this important Executive Order and thank you for sharing your thoughts with me.

Sincerely,

The Honorable Christopher H. Smith
House of Representatives
Washington, D.C. 20515

Exchange Mail

DATE-TIME 2/26/99 12:56:02 PM
FROM Elkon, Nicole L.
CLASSIFICATION UNCLASSIFIED
SUBJECT RE: Invitations to Human Rights NGO briefing next Wednesday [UNCLASSIFIED]
TO Schwartz, Eric P.
Bernard, Kenneth W.
Busby, Scott W.
Denniston, Richard L.
Guarnieri, Valerie N.
Hill, Roseanne M.
Kale, Dora A.
Keenan, Josefine (Chris)
Malley, Robert
Naplan, Steven J.
Schwartz, Eric P.
Stromseth, Jane E.
Vaccaro, Jonathan M. (Matt)
Williamson, Joel E.
Wippman, David

CARBON_COPY**TEXT_BODY**

I don't see any scheduling conflicts there - have fun

-----Original

Message-----

From: Schwartz, Eric P.

Sent: Friday, February 26,
1999 12:38 PM

To: Elkon, Nicole L.; @MULTILAT - Multilateral and
Humanitarian Affairs

Subject: FW: Invitations to Human Rights NGO
briefing next Wednesday [UNCLASSIFIED]

Nicole: I will attempt
to keep my schedule pretty free and clear until the trip. But event
below will not be changeable without tremendous upset. Does this
conflict with anything you have planned?

-----Original Message-----

From: Busby,
Scott W.

Sent: Friday, February 26, 1999 11:49 AM
To: Kale, Dora
A.
Cc: @MULTILAT - Multilateral and Humanitarian Affairs
Subject: Invitations
to Human Rights NGO briefing next Wednesday [UNCLASSIFIED]

Here's
the invite list for the briefing Eric and DRL will do next Weds at
3 p.m. on the Human Rights EO and generally on implementation of international
human rights norms in the U.S.:

USG
Leslie Gerson, State, 647-2590
Steve
Wagonseil, State, 647-1255
Andre Surena, State, 647-4065
David
Killian, State H
Bev Zweiben, State
James Castello, DOJ, 514-3392
Richard
Jerome, DOJ, 514-8696
Paul Virtue, INS, 514-2895
David Koplow,
DOD
Mac DeShazer, Labor

NGOs
Elisa Massimino, Lawyers Committee
for Human Rights, 547-5692
Steve Rickard, Amnesty International,
544-0200
James Silk, RFK Memorial, 463-7575 x236
Gay McDougal,
International Human Rights Law Group
Ken Roth, (or Washington Rep
for), Human Rights Watch (call New York number)
Leonard Bernstein,
Physicians for Human Rights
John Salzberg, Committee for Victims
of Torture

Here's what to tell them:

Meeting is to brief NGOs
about the Executive Order relating to the Implementation of Human
Rights Treaties signed by the President on December 10 and other
Administration actions on implementation of human rights norms in
the U.S. Would like to get feedback from NGOs as well.

Dora --

Per Eric, this meeting should not be cancelled. Also, we will likely be adding people as we go along.

Others in Multi -- If I've missed anyone on invite list, please let me know.

Exchange Mail

DATE-TIME 3/3/99 12:21:23 PM
FROM Busby, Scott W.
CLASSIFICATION UNCLASSIFIED
SUBJECT Meeting with NGOs on Human Rights EO and IWG
[UNCLASSIFIED]
TO Krass, Caroline D.

CARBON_COPY Allen, Charles A.
Baker, James E.
DeRosa, Mary B.
Hunerwadel, Joan S.
Krass, Caroline D.
Bernard, Kenneth W.
Busby, Scott W.
Denniston, Richard L.
Guarnieri, Valerie N.
Hill, Roseanne M.
Kale, Dora A.
Keenan, Josefina (Chris)
Malley, Robert
Naplan, Steven J.
Schwartz, Eric P.
Stromseth, Jane E.
Vaccaro, Jonathan M. (Matt)
Williamson, Joel E.
Wippman, David

TEXT_BODY

Caroline -- As discussed, TPs for Eric to use in our meeting with NGOs this p.m. Your comments ASAP, please. Thx.

TRANSLATED_ATTACHMENT

Human Rights EO -- TPs for NGOs.doc
Meeting with NGOs on Human Rights EO and IWG
March 3, 1999

* Introductions

* Point of this meeting is tell you more about the Executive Order on Implementation of Human Rights Treaties in the United States signed by the

President on December 10, Human Rights Day and the Interagency Working Group (IWG) that was established by the EO.

* In our mind, the EO has two primary purposes:

* To reaffirm our commitment to complying with our international human rights obligations and to working with and supporting the mechanisms and agencies that enforce and promote human rights.

* To enhance interagency coordination in the implementation of our human rights obligations through creation of an Interagency Working Group (IWG) on Human Rights Treaties.

* Among other things, the IWG is charged with

* coordinating significant decisions relating to the implementation of our human rights obligations and the EO

* coordinating the submission of reports required by the various treaties to which we're a party

* coordinating responses to complaints filed against the U.S. in international bodies

* reviewing our policy and strategy for pursuing the ratification of additional human rights instruments (e.g., CEDAW, ILO Convention 111)

* improving our monitoring capacity vis-à-vis State and Local compliance with our international obligations

* The IWG has met twice so far and will continue to meet on a monthly basis.

* It is jointly chaired by my office and the Legal office (Jamie Baker) at the NSC. My office will be responsible for leading the discussion on policy issues; Jamie's office is responsible for leading the discussion on legal issues.

* Like other IWGs chaired by NSC, the IWG will refer issues

requiring
higher-level approval to a Deputies Committee, which will in turn
make
recommendation to the NSC Principals' Committee. The PC will in
turn make
recommendations to the President.

* The agencies primarily involved in the IWG to date are State,
Justice, Labor
and Defense, although we will be including other agencies (like
Interior,
Education and HHS) as we engage on issues of direct relevance to
their mandates.

* The issues we are currently focusing on are:

* Responding to questions raised about the EO on the Hill (e.g., letters
from
Chris Smith and Jesse Helms)

* Chief concern has been that the EO could be read by some to
authorize
implementation of human rights treaties which we have not ratified.
By the terms
of the EO itself, this is clearly not the case.

* Getting out our long-overdue reports under the Torture and Race
Conventions,
and then our second report under the ICCPR.

* Coordinating our response to Amnesty International's
comprehensive report on
human rights in the U.S. and other similar reports

* Developing a ratification strategy for CEDAW and ILO Convention
111

* Developing a plan for the improvement of our monitoring
responsibilities
vis-à-vis state and local entities.

* We of course welcome your input in helping to create a process that
addresses
the important issues relating to U.S. implementation of international
human
rights norms

* Questions, comments?

Exchange Mail

DATE-TIME 3/10/99 2:02:34 PM
FROM Busby, Scott W.
CLASSIFICATION UNCLASSIFIED
SUBJECT David/Jane -- Could you take a quick look at this? Thx.
[UNCLASSIFIED]
TO Wippman, David
Stromseth, Jane E.

CARBON_COPY
TEXT_BODY
TRANSLATED_ATTACHMENT 1091 Helms letter.doc

Dear Senator Helms:

Thank you for your letter regarding Executive Order 13107 relating to the implementation of human rights treaties. I issued this Order on the 50th anniversary of the adoption of the Universal Declaration of Human Rights to reaffirm our commitment to the fundamental values enshrined in that document. The intent of this Order is to enhance the work of the Executive Branch in ensuring compliance with those obligations the United States has undertaken by ratifying certain human rights treaties.

In response to your first point, I can confirm that the Order relates only to the implementation of those human rights treaty obligations the United States has assumed, subject to any reservations, declarations or understandings,

as a result
of having ratified the respective treaties in accordance with our
constitutional
procedures. (Per your request, a list of those treaties is attached.) The
Order
is not intended to implement any treaty the United States has not
ratified or to
otherwise circumvent the Senate's role of providing advice and
consent in the
ratification process.

Second, the Order is not intended by itself to implement any treaty or
to cause
any non-self-executing treaty provision to take on the force of U.S.
law.

Rather, the purpose of the Order is to reaffirm to Executive Branch
agencies
their obligations under those human rights treaties to which the United
States is
a party and to establish a process through an interagency working
group that will
enhance the ability of the Executive Branch to comply with such
obligations.

Third, the Order is not intended to permit me or the Executive Branch
to modify
the current reservations, understandings, declarations or provisos
contained in
the Senate's resolutions of ratification giving advice and consent to
these
treaties. It is our understanding that changes of this type would require
the
Senate's advice and consent.

I hope this information allays any concerns that you or your
constituents may
have about this Order. Please let me know if you need further
clarification on
these or other points.

Thank you for sharing your thoughts with me on this issue.

Sincerely,

The Honorable Jesse Helms

United States Senate
Washington, D.C. 20510

Exchange Mail

DATE-TIME 3/13/99 3:54:19 PM
FROM Busby, Scott W.
CLASSIFICATION UNCLASSIFIED
SUBJECT FW: Package 1091: Response to Helms' letter [UNCLASSIFIED]
TO Wippman, David

CARBON_COPY

TEXT_BODY Also, are you comfortable with these changes?

-----Original Message-----

From: Busby,
Scott W.
Sent: Saturday, March 13, 1999 3:50 PM
To: Wippman, David
Subject: Package
1091: Response to Helms' letter [UNCLASSIFIED]

David -- As discussed,
could you see this letter through the rest of the clearance process?
I got comments from Harold Koh and Rosemary Hart at OLC
yesterday.
The changes I made pursuant to their comments are shown in red-lines

on attached draft. I have sent this red-lined version to Andre Surena
to make sure he's comfortable with the changes. Could you follow
up with him? 647-4035. If he's okay with it, then give to Dora
to give to Eric (with a red dot -- push Eric to do it if at all possible).
After Eric's edits, then to Legal & Leg. And then out. Thanks
much. (Note: the letter's about to be more than 30 days overdue,
so if you could get it out before end of next week would be much
appreciated. Also Helms' staffer called Myles Lackey last week to
check on status of response so we need to move it.)

TRANSLATED_ATTACHMENT

1091 Berger memo.doc

March 13, 1999

ACTION

MEMORANDUM FOR SAMUEL R. BERGER

THROUGH: ERIC SCHWARTZ

FROM: SCOTT BUSBY

SUBJECT: Implementation of Human Rights Treaties

Attached is a memorandum to the President and a response to a letter from Senator Helms and 28 others on the above subject.

Concurrence by: Caroline Krass, Myles Lackey

RECOMMENDATION

That you sign the attached memorandum.

Attachments

Tab I Memorandum to the President

Tab A Proposed Response

Tab B Incoming Correspondence

1

1091

TRANSLATED_ATTACHMENT 1091 POTUS memo.doc

ACTION

MEMORANDUM FOR THE PRESIDENT

FROM: SAMUEL BERGER

LARRY STEIN

SUBJECT: Implementation of Human Rights Treaties

Purpose

To respond to a letter from Senator Helms and 28 other senators about Executive Order 13107 relating to the implementation of human rights treaties.

Background

On Human Rights Day, you signed an Executive Order that reaffirms our commitment to the implementation of our human rights treaty obligations and enhances our ability to ensure that such obligations are carried out. Senator Helms and 28 others wrote to inform you that they have received a "deluge" of phone calls from citizens expressing concern that it is the intent of this Order is to circumvent the Senate's role in the ratification process. (We have received a significant amount of positive response to the Order as well.) The Senators ask you to confirm several points relating to the Order and to provide a list of the human rights treaties covered by the Order.

Your response confirms each of the points raised by the letter. It reassures the Senators that the EO does not authorize the circumvention of the Senate's role in the ratification process.

RECOMMENDATION

That you sign the attached letter.

Attachments

Tab A Proposed Response

Tab B Incoming Correspondence

2

1091

cc: Vice President
Chief of Staff

Dear Senator Helms:

Thank you for your letter regarding Executive Order 13107 relating to the implementation of human rights treaties. I issued this Order on the 50th anniversary of the adoption of the Universal Declaration of Human Rights to reaffirm our commitment to the fundamental values enshrined in that document.

In response to your first point, I can confirm that the Order relates only to the implementation of those human rights treaty obligations the United States has assumed, subject to any reservations, declarations or understandings, as a result of having ratified the respective treaties in accordance with our constitutional procedures. (Per your request, a list of those treaties is attached.) The Order is not intended to implement any treaty the United States has not ratified or to circumvent the Senate's role of providing advice and consent in the ratification process.

Second, the Order does not cause any non-self-executing treaty provision to take on the force of U.S. law. Rather, the purpose of the Order is to reaffirm to Executive Branch agencies their role in fulfilling U.S. obligations under those human rights treaties to which the United States is a party and to establish an interagency process that will enhance our ability to carry out such duties.

Third, the Order is not intended to authorize the unilateral modification by the Executive Branch of current reservations, understandings, declarations or

provisos contained in the Senate's resolutions of ratification giving advice and consent to these treaties. It is my understanding that changes of this type could be made either with the Senate's advice and consent or by some other recognized constitutional method, such as legislation enacted by the Congress as whole.

I hope this information allays any concerns that you or your constituents may have about this Order. Please let me know if you need further clarification on these or other points.

Thank you for sharing your thoughts with me on this issue.

Sincerely,

The Honorable Jesse Helms
United States Senate
Washington, D.C. 20510

Human Rights Treaties to Which the United States is a Party

The Agreement for the Suppression of the White Slave Traffic of May 18, 1904, as amended by a Protocol of May 4, 1949;

The Convention to Suppress the Slave Trade and Slavery of September 25, 1926, as amended by a Protocol of December 7, 1953;

The Convention on the Prevention and Punishment of the Crime of Genocide of December 9, 1948;

The Inter-American Convention on the Granting of Political Rights to Women of March 17, 1949;

The Convention on the Political Rights of Women of March 31, 1953;

The Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery of September 7, 1956;

The Convention Concerning the Abolition of Forced Labor of June 25, 1957 (ILO Convention 105);

The International Convention on the Elimination of All Forms of Racial Discrimination of December 21, 1965;

The International Covenant on Civil and Political Rights of December 16, 1966;

The Protocol Relating to the Status of Refugees of January 31, 1967; and

The Convention Against Torture and Other Cruel and Other Cruel, Inhuman or Degrading Treatment or Punishment of December 10, 1984.

Exchange Mail

DATE-TIME 3/14/99 9:43:43 AM
FROM Busby, Scott W.
CLASSIFICATION UNCLASSIFIED
SUBJECT FW: Package 0835: Response to Annan and Robinson
[UNCLASSIFIED]
TO Wippman, David

CARBON_COPY**TEXT_BODY**

I just noted that the file on this is confidential (I guess it's considered a head of state communication) so I had to lock it up in my safe. Dora has the combo. It will be in the third drawer down.

-----Original Message-----

From: Busby, Scott W.
Sent: Sunday,
March 14, 1999 9:41 AM
To: Wippman, David
Subject: FW: Package
0835: Response to Annan and Robinson [UNCLASSIFIED]

relevant numbers:

Surena
647-4035
Wagonseil 647-1522
Zweiben 647-1155

-----Original Message-----

From: Busby,
Scott W.
Sent: Sunday, March 14, 1999 9:33 AM
To: Wippman, David
Cc: Stromseth,
Jane E.; Kale, Dora A.
Subject: Package 0835: Response to Annan
and Robinson [UNCLASSIFIED]

David --

As discussed, here's a
draft of the reponse to Annan and Robinson on implementation of the

UDHR. I have faxed a copy of the letter to Steve Wagonseil at DRL, Andre Surena in L and Bev Zweiben in IO to get their clearances. (Of course, any input from you or Jane is most welcome.) Then on to Schwartz, etc. Thanks for your help on this one.

TRANSLATED_ATTACHMENT 0835 POTUS memo.doc

ACTION

MEMORANDUM FOR THE PRESIDENT

FROM: SAMUEL BERGER

SUBJECT: Implementing the Universal Declaration of Human Rights

Purpose

To respond to a letter from Secretary General Annan and High Commissioner Robinson on the above subject.

Background

Secretary General Annan and High Commissioner Robinson wrote to thank you for your participation in the commemoration of the 50th Anniversary of the Universal Declaration of Human Rights and to urge you to implement fully the provisions in that document. Specifically, they recommend that we sign and ratify the principal human rights treaties, publicize the Universal Declaration to all our citizens and implement the recent U.S. declaration on human rights defenders.

Your response notes that you helped commemorate the 50th of the Universal Declaration by issuing an Executive Order that reaffirms our duty and commitment to implement those human rights treaties to which we are a party. You note that

the Order established an Interagency Working Group on these issues, which, among other things, is pursuing the recommendations Annan and Robinson made.

RECOMMENDATION

That you sign the attached letter.

Attachments

Tab I Proposed Response

Tab II Incoming Correspondence

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0835

cc: Vice President
Chief of Staff

TRANSLATED_ATTACHMENT 0835 Berger memo.doc

March 15, 1999

ACTION

MEMORANDUM FOR SAMUEL R. BERGER

THROUGH: ERIC SCHWARTZ

FROM: SCOTT BUSBY

SUBJECT: Implementing the Universal Declaration of Human Rights

Attached is a memorandum to the President and a response to Secretary-General Kofi Annan and High Commissioner for Human Rights Mary Robinson on the above subject.

This response has been delayed by our involvement in preparations for the President's trip to Central America and by our efforts to respond to two other critical letters from the Congress regarding our recent Executive Order

on the
Implementation of Human Rights Treaties.

Concurrence by: Caroline Krass

RECOMMENDATION

That you sign the attached memorandum.

Attachments

Tab I Memorandum to the President

Tab A Proposed Response

Tab B Incoming Correspondence

1

0835

TRANSLATED_ATTACHMENT 0835 Annan-Robinson letter.doc

Dear Secretary-General Annan and High Commissioner Robinson:

Thank you for your letter regarding the 50th anniversary of the Universal Declaration of Human Rights. I share your commitment to advancing the noble principles in that document.

As you may know, to mark the 50th anniversary of the Universal Declaration, I issued an Executive Order relating to the Implementation of Human Rights Treaties in the United States. The chief purpose of that Order was to reaffirm to all components of our Federal Government our duty and commitment to implement fully the obligations we have undertaken by ratifying certain human rights

instruments.

To enhance our ability to do so, the Order established an Interagency Working Group on Human Rights Treaties which will consider and coordinate actions on these matters. I attach a copy of the Order for your reference.

The Group has already met several times and will continue to do so on a monthly basis. Among other things, the Group is pursuing several of the objectives you urge, including the signature and ratification of additional human rights instruments, the more effective dissemination of the Universal Declaration to our citizens and the implementation of the General Assembly's recent declaration on human rights defenders. We will keep you apprised of significant developments in these areas.

Again, thank you for your letter. I appreciate the attention you are devoting to these critical issues.

Sincerely,

Secretary-General Kofi Annan
High Commissioner for Human Rights Mary Robinson
United Nations, NY 10017

Exchange Mail

DATE-TIME 3/24/99 11:34:49 AM
FROM Burrell, Christina L.
CLASSIFICATION UNCLASSIFIED
SUBJECT RE: Executive order [UNCLASSIFIED]
TO Hill, Roseanne M.

CARBON_COPY

TEXT_BODY 13107--it's a Scott Busy special

-----Original Message-----

From: Hill,
Roseanne M.
Sent: Wednesday, March 24, 1999 11:25 AM
To: Burrell,
Christina L.
Cc: Kale, Dora A.
Subject: Executive order [UNCLASSIFIED]

Can
you help me get a copy of an executive order relating to the Implementation
of Human Rights Treaties in the U.S. I don't have a number.