

Withdrawal/Redaction Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. email	Eric Schwartz to Dora Kale. Subject: [International Criminal Court] (14 pages)	06/10/1998	P1/b(1)

COLLECTION:

Clinton Presidential Records
NSC Emails
Exchange-Record (Sept 97-Jan 01) ([Senator Helms])
OA/Box Number: 620000

FOLDER TITLE:

[06/08/1998-06/17/1998]

2006-1363-F

vz5656

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

Freedom of Information Act - [5 U.S.C. 552(b)]

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

Exchange Mail

DATE-TIME 6/8/98 9:03:07 AM
FROM Bouchard, Joseph F.
CLASSIFICATION UNCLASSIFIED
SUBJECT RE: Memo on Law of the Sea for John Podesta [UNCLASSIFIED]
TO Allen, Charles A.

CARBON_COPY

TEXT_BODY My memo went up. Here's the final. I'm trying to get feedback on how John Podesta Reacted.

Joe Bouchard

-----Original
Message-----
From: Allen, Charles A.
Sent: Monday, June 08, 1998
9:00 AM
To: Bouchard, Joseph F.
Cc: @LEGAL - Legal Advisor
Subject: RE:
Memo on Law of the Sea for John Podesta [UNCLASSIFIED]

Joe, I
just returned and skimmed your paper. It looks good. Did it go
up? Request copy of the final, please. Anything else you need?

I just talked to Lowell Weiss, who said he still has at least
one more speech he's working on before he gets to it. He said he
has all the materials he needs, and I offered assistance if he has
any further questions.

-----Original Message-----
From: Bouchard,
Joseph F.
Sent: Thursday, June 04, 1998 3:50 PM
To: Bell, Robert
G.; @LEGISLAT - Legislative Affairs
Cc: Allen, Charles A.
Subject: Memo
on Law of the Sea for John Podesta [UNCLASSIFIED]

Importance: High

Bob
and Mara,

Laura Marcus asked me for a memo summarizing the Law of the Sea Treaty and the status of our ratification effort. Attached is my draft response. Please provide comments this afternoon as she wanted this today. Sorry for the short fuse. Thanks for your support.

<< File: LOS-mem5.doc >>

Joe Bouchard

TRANSLATED_ATTACHMENT LOS-mem5.doc
Summary

There are critically important national security, economic and environmental grounds for ratifying the UN Convention on the Law of the Sea. Ratification of the treaty would be a significant Presidential legacy to national security and to the rule of law on the high seas.

The Administration should attempt to gain Senate advice and consent to ratification in 1998 rather than waiting until later because the United States will lose its provisional seat on the International Seabed Authority if it has not ratified the treaty by October 31. That would have serious long term negative consequences for U.S. ocean interests and our competitiveness in the seabed mining industry.

Remarks by the President on the Law of the Sea Treaty at the National Ocean Conference would be perfectly timed to support our ratification effort. The President's remarks should devote a paragraph or two to the treaty, emphasizing the national security and commercial grounds for ratifying the treaty. His remarks should point out the strong bipartisan support for the treaty and that the Administration is working with the Senate Foreign Relations

Committee on
gaining ratification. NSC has provided Lowell Weiss with background
materials on
the treaty.

Current Status of the Ratification Effort

There is strong bipartisan support for the Law of the Sea Treaty in the Senate.

The only barrier to getting the Senate to pass it is the calendar. If we can get

the Law of the Sea Treaty on the SFRC calendar, we will not have a problem

getting it out of Committee. If we can get it on the docket for a vote by the

Senate, it will pass easily. We are confident that we can dispose of the Law of

the Sea Treaty quickly without prejudicing our efforts to ratify the Comprehensive Test Ban Treaty.

Secretary Albright will call Senator Helms next week to ask his support for

moving the treaty out of committee. Secretary Cohen will meet with or call

Senator Helms next week to follow up on Secretary Albright's call.

Senator Lott

has agreed to ask Senator Helms to hold hearings on the treaty.

Background

The Law of the Sea Treaty was signed in 1982. Need for the treaty arose from the

breakdown of customary international law as more and more nations unilaterally

declared ever larger territorial seas and other claims over ocean resources. It

is the first time in history, after several failed multi-year efforts, that the

international community has developed a comprehensive legal regime covering the

world's oceans, comprising 72% of the Earth's surface. The treaty lends the

certainty of the rule of law to an area critical to our national security --

maintaining global access and freedom of navigation.

Unfortunately, Part XI of the treaty contained provisions on deep seabed mining

to which Senator Stevens and other senators objected. Due to this opposition,

the Reagan Administration decided not to submit the treaty to the Senate. An Agreement on Implementation of PART XI signed in 1994 eliminated the objectionable provisions on deep seabed mining and Senator Stevens now supports the treaty.

On October 7, 1994, President Clinton submitted the Law of the Sea Treaty and the Seabed Mining Agreement to the Senate for advise and consent to ratification. The SFRC held an initial round of hearings on the treaty and agreement, but no action has been taken by the SFRC on them since 1994. PDD-36 set ratification of the treaty as the Administration's top ocean policy objective, and the treaty was listed in the highest priority of treaties in the State Department's June 1998 letter to Senator Helms on Administration treaty priorities. President Clinton submitted the treaty to the Senate after it had languished for twelve years; it is entirely appropriate that ratification of the treaty be a legacy of his Presidency.

Ratification Strategy

On March 2, 1998, Berger, Albright and Cohen agreed on a strategy that gives DOD the lead in the effort to gain Senate advice and consent to ratification of the Law of the Sea Treaty this year. They last discussed the ratification effort on April 13 to coordinate calls to Senators Lott and Helms.

The ratification strategy emphasizes national security grounds for ratification. DOD and Navy have the lead and have been very successful in gaining support. Our other primary effort has been to point out commercial grounds for ratification and correct lingering misconceptions about seabed mining. Commerce has had the lead here and has had great success. Secondary effort has been to counter opposition to anything with "UN" in the title and threat of the treaty being portrayed as "internationalism that sacrifices U.S. interests" by

pointing out
the significant leverage that the treaty gives the United States in
international
affairs, particularly in ocean policy.

Background on the Ratification Effort

* Beginning in November 1997, DOD and Navy briefed Helms' Chief of Staff (Bud Nance), the staffs of key Republican Senators (Lott, Stevens, Lugar, McCain, Warner, Murkowski and Snowe) and Senate Democrats' staffs. All went very well.

* On November 14, Secretary Cohen sent a letter to Senator Helms urging
ratification on national security grounds.

* In December 1997, a State/Commerce/Navy briefing team began a series of
briefings to staffs of key Senators and Committees on national security and
economic reasons for ratification.

* In March and April, Under Secretary Pickering spoke with Senators Stevens,
Murkowski, Warner and Snowe, and Under Secretary Slocumbe spoke with Bud Nance
and Senators McCain and Warner.

* In April, Secretary Cohen spoke with Senator Lott. He agreed to
speak with
Helms about moving the treaty out of Committee.

* Secretary Daley spoke with Senators Stevens, Murkowski and McCain in April and
wrote to Senator Helms in May.

* Secretary Dalton held a meeting with former Navy Secretaries in April, urging
Senators Chafee and Warner to support ratification of the treaty.

* On April 20, the Commerce Department held an event at the National Press Club
to brief industry on the treaty. The event went very well.

* On May 5, a letter co-signed by Senators Chafee, McCain, Murkowski and Snowe
was sent to Senator Helms supporting the treaty and urging him to schedule

hearings on it.

* In May, AT&T and the Chamber of Shipping of American sent letters to Senator Helms emphasizing the importance of the treaty to American commerce and industry.

* In May, Senator Stevens spoke with Senator Helms, urging him to hold hearings on the treaty. He has offered to speak with Senator Helms again after Secretaries Albright and Cohen call.

* DOD and Navy briefed Senator Lott's staff on June 4 to help prepare the Senator for his approach to Senator Helms.

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. email	Eric Schwartz to Dora Kale. Subject: [International Criminal Court] (14 pages)	06/10/1998	P1/b(1)

COLLECTION:

Clinton Presidential Records
NSC Emails
Exchange-Record (Sept 97-Jan 01) ([Senator Helms])
OA/Box Number: 620000

FOLDER TITLE:

[06/08/1998-06/17/1998]

2006-1363-F

vz5656

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

Freedom of Information Act - [5 U.S.C. 552(b)]

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

Exchange Mail

DATE-TIME 6/15/98 12:13:55 PM

FROM Busby, Scott W.

CLASSIFICATION UNCLASSIFIED

SUBJECT International Criminal Court press guidance: revised
[UNCLASSIFIED]

TO Budig, Nyda N
Crowley, Philip J.
Rubin, Eric S.
Wozniak, Natalie S.

CARBON_COPY Busby, Scott W.
Kale, Dora A.
Malley, Robert
Naplan, Steven J.
Ragan, Richard F.
Schwartz, Eric P.
Williams, Mary C.
Allen, Charles A.
Baker, James E.
DeRosa, Mary B.
Highsmith, Newell L.
Hill, Roseanne M.
Hunerwadel, Joan S.

TEXT_BODY Slightly revised based on comments from Legal. Legal now clears.

TRANSLATED_ATTACHMENT ICC guidance.doc
International Criminal Court
June 15, 1998

Background: The United Nations Diplomatic Conference of Plenipotentiaries on the Establishment of an International Criminal Court will take place in Rome from June 15 to July 17. The Clinton Administration supports the creation of a strong and effective Court. We believe that countries should bring to justice those who commit genocide, war crimes, and crimes against humanity, or turn

suspects over to institutions who will, such as an impartial ICC. However, we need to design a document that reflects a variety of U.S. concerns, including the role of the Security Council, deferral to capable national legal systems, jurisdiction, elements of offenses, rules of evidence and criminal procedure. We remain hopeful that governments will resolve differences and that the conference will produce a treaty that the international community, including the United States, can embrace.

Q: What is the U.S. position on the establishment of an International Criminal Court (ICC)?

(Note to briefer: On several occasions, most recently in Rwanda and last year before the General Assembly, President Clinton has reaffirmed his commitment to the creation of a criminal court by the end of the century.)

A: The U.S. supports the creation of a strong and effective international criminal court. We believe that such a court will advance justice on a global scale. It would serve to punish those who are guilty of the most serious violations of international humanitarian law - genocide, crimes against humanity and war crimes - while deterring those who might commit such crimes.

Q: You say that you support the court but many have criticized the U.S. for taking positions that will limit the Court's effectiveness?

A: Founding an international criminal court is an extraordinary event, the culmination of over fifty years of work and advocacy. The Rome treaty hopefully will mark the development of a powerful instrument to safeguard international peace and security.

But we must be careful to reconcile the ideal of an ICC and the reality

of the
world today. We must be sure to negotiate a court that is consistent
with
existing efforts to maintain international peace and security and that
would not
become a vehicle for politicized prosecutions.

Q: What are some of your goals for the court?

A: "Complementarity": An effective ICC must ensure that national
legal systems
with the will and ability to prosecute will have the opportunity to do
so. This
principle of deferral to national legal systems is known as
"complementarity" and
is one of our essential goals.

However, where national systems lack the ability - as in Rwanda - or
the will -
as in the former Yugoslavia - to bring to justice serious violators of
international standards, the ICC would fill the gap.

U.N. Security Council: A practical ICC should also recognize and
reinforce the
work of the U.N. Security Council. The Security Council should have
the ability
to refer situations of armed conflict or atrocities to the court and
should be
able to direct countries to cooperate with the court when necessary.

[Note to briefer: Our current position is that the Security Council
should also
have the authority to review referrals to the court. That position is
currently
under review by the President and we would recommend that you not
discuss it if
at all possible.]

Definitions of Crimes and Procedures: The ICC's statute should also
provide
precise and specific guidance regarding the elements of crimes, rules
of evidence
and rules of procedure.

Q: Some reports suggest that there is tension or conflict within the
U.S.
government on the position we should take toward the ICC. Is this
true and, if

so, what is the President doing about it?

A: U.S. agencies have been working very closely in the formulation of a U.S. policy toward the establishment of an ICC. Experts from the State Department, Defense Department, Joint Chiefs of Staff and Justice Department are all represented on our negotiating team. The U.S. government will present clear and unified positions during the Rome Conference.

Q: How do you respond to those who say that the U.S. is repeating the mistakes it made during the Landmine Conference in Ottawa?

A: The U.S. will not shrink from accountability but will not allow the ICC to become a political forum where rogue states challenge the actions of responsible governments. The final treaty must shield countries from unnecessary and ill-intentioned political attacks against their citizens.

Q: Some nongovernmental organizations have said that they would walk away from the U.S. government if it fails to take positions in favor of an independent court. What is your reaction?

A: The idea that the world would be better off with a so-called "strong court" that does not include the United States than it would with a "weak" court with U.S. participation is unrealistic at best.

If we truly hope to promote justice on a global basis, U.S. participation is essential. The court will need the political support and resources of the U.S. Otherwise, the court is likely to be ineffective.

While we support the creation of such a court, it must be a court that tries those who commit the most heinous crimes, not those who would act courageously to detain the perpetrators.

Q: What is your response to concerns that have been raised in the Senate by Senators Helms, Ashcroft and others about such a court?

A: We understand and respect the concerns that have been expressed by Senator Helms and others. We wish to create a treaty that will ensure against unwarranted prosecutions.

Q: What is the U.S. position on whether the state of the accused should consent before an investigation or prosecution is brought?

A: We have reserved on the issue of whether state consent would be required before individual prosecutions can be brought before the ICC. We are reviewing our position on this issue in light of our negotiations on other critical issues.

However, we firmly believe that a government that has not ratified the ICC treaty must consent before there can be any prosecution of its nationals before the court. Otherwise, you would have a situation whereby failure to ratify would subject citizens to the jurisdiction of the court. This would be a clearly unacceptable situation inconsistent with international law.

Nonetheless, we always have proposed that the Security Council be able to override a state's denial of consent. This would still permit the court to pursue cases involving rogue states.

Exchange Mail

DATE-TIME 6/16/98 6:58:34 PM
FROM Wozniak, Natalie S.
CLASSIFICATION UNCLASSIFIED
SUBJECT FW: NATIONAL SECURITY AFFAIRS GUIDANCE [UNCLASSIFIED]
TO Wozniak, Natalie S.

CARBON_COPY**TEXT_BODY**

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

From: Sapiro, Miriam E.

Sent: Tuesday,

June 16, 1998 6:39 PM

To: @PRESS - Public Affairs

Cc: @EUROPE -

European Affairs

Subject: NATIONAL SECURITY AFFAIRS GUIDANCE [UNCLASSIFIED]

changed

turkey-eu to reflect srb changes and add fyi. deleted background
as no longer nec.

TRANSLATED_ATTACHMENT

jun16gui_.doc

NATIONAL SECURITY AFFAIRS GUIDANCE

June 16, 1998

Russia/Kokoshin

Lebanon/PM Hariri

Lebanon/Violence

Israel/Russia

Iraq

Nigeria

Eritrea/Ethiopia

Cambodia

Turkey/EU

UN Arrears

Russian Financial Situation

ICC

Kosovo

China/Tibet

PLA/Satellites

China Satellites

Chinese Family Planning

China/COSCO

China MFN

China Trip

Pakistan/Wheat

Russia/Iran Missile Sanctions

START II Postponement

MEPP

RUSSIA - KOKOSHIN VISIT

June 16, 1998

* Dr. Andrey Kokoshin, the Secretary of the Security Council of the Russian Federation visited Washington on June 15-17 at the invitation of President Clinton's National Security Adviser, Sandy Berger.

* Dr. Kokoshin also met with Vice President Al Gore, Secretary of State Madeleine Albright, Secretary of Defense William Cohen, Deputy Secretary of State Strobe Talbott, and Deputy Secretary of the Treasury Larry Summers.

* Dr. Kokoshin's discussions covered a range of topics of arms control and nonproliferation issues, including START II ratification, Russia-Iran missile cooperation, and recent Indian and Pakistani nuclear tests.

* In addition, Dr. Kokoshin also discussed the Russian financial situation. U.S. officials reaffirmed recent statements by President Clinton and Treasury Secretary Rubin that the U.S. would support additional conditional IFI financing for Russia, as necessary.

* Dr. Kokoshin met with several members of Congress, including House Speaker

Newt Gingrich, Senators Joseph Biden, Gordon Smith, Carl Levin, and John Warner, as well as Representative Benjamin Gilman and House Minority Leader Dick Gephardt,

* On Tuesday morning, Dr. Kokoshin met with the Council of Presidents of Major Jewish Organizations.

LEBANON: HARIRI MEETING

June 16, 1998

* The Prime Minister of Lebanon, Rafiq Hariri, is currently visiting the United States. This morning, he met with the President and Mr. Berger. Today and tomorrow, he will also meet with Secretary Albright and other State Department officials. (He is travelling on to New York where he will meet with SYG Kofi Annan and other UN officials).

* This is the Prime Minister's first visit to Washington since December 1996 (the Friends of Lebanon conference). They discussed the Middle East Peace Process, including the Palestinian, Lebanese and Syrian tracks. We share a deep interest with Lebanon in reigniting progress on all three tracks. The discussions also covered other regional and bilateral issues.

(Note to briefer): NSC/NESA will also send over to you the old, but still good, guidance on the question you are most likely to get following the meeting: What do we think of the Israeli offer to withdraw from Lebanon in accordance with UNSCR 425?

LEBANON: VIOLENCE IN THE SOUTH

June 16, 1998

What does the State Department make of the violence in south Lebanon, and reports that rockets have hit northern Israel?

* We are concerned with the recent violence in south Lebanon, and the possibility for civilian casualties on both sides of the Israel-Lebanon border.

* The United States calls on all the parties to exercise restraint and to abide by the April 1996 understandings which seek to protect civilian populations in the area.

(If Asked)

* The Israel-Lebanon monitoring group, created by the April 1996 understandings, continues to demonstrate its effectiveness in resolving complaints of violation. The monitoring group ended its latest meeting just this morning.

ISRAEL: RUSSIAN VIEWS UNSCR 425
June 16, 1998

What's your reaction to Posuvalyuk saying Russia supports implementation of UNSCR 425?

* As we have said before, we voted for Resolution 425, we support it and wish to see it implemented.

* We continue to believe in the importance of a comprehensive settlement of the Arab-Israeli conflict, including agreements between Israel and Lebanon and Israel and Syria.

What are you doing to make it happen?

* We support the idea of direct discussions between the parties involved. We maintain a comprehensive peace as our goal, but encourage progress on any track

wherever and whenever progress is possible.

* (IF PRESSED) Clearly, Lebanon will need to make its own decisions about how to respond to the Israeli acceptance of 425. We have long believed that negotiations between Israel and Lebanon would provide a way to resolve the issues that divide them and to advance Lebanese sovereignty and territorial integrity and the security of both countries.

IRAQ/UNSCOM: BUTLER/IRAQ TWO MONTH PLAN June 16, 1998

What can you tell us about the two month program of action which Butler and the Iraqis have agreed to follow?

* Ambassador Butler has just left Baghdad. We expect that whatever course of action Butler does follow will be based on the major conditions Iraq needs to meet as laid out to the Security Council on June 3 and 4.

What is the U.S. position on the Butler roadmap?

* On June 3 and 4, Ambassador Butler provided the Council with an excellent briefing on what major conditions Iraq must meet for UNSCOM to report that substantial progress has been made.

* Butler stressed that his outline of major remaining questions in the missile and chemical and biological weapons areas is not necessarily all inclusive -- new areas might come up.

NIGERIA: POTUS CALL TO GENERAL ABUBAKAR June 15, 1998

What can you say about the release of prisoners by the Nigerian Government?

- * The Government of Nigeria yesterday announced the release of former Head of State Olusegun Obasanjo and eight other prominent political prisoners.
- * We welcome this as an important first step toward national reconciliation and national unity and applaud this decision by the new Nigerian leadership.
- * In addition to General Obasanjo, those released include oil union leaders Milton Dabibi and Frank Kokori, journalist Chris Anyanwu, human rights activist Beko Ransome-Kuti, politicians Bola Ige and Chief Olabiyi Durojaiye, Uwen Udoh and Alhaji Ibrahim Dasuki, the former Sultan of Sokoto.
- * We hope this important step will lead to further releases and will help all Nigerians come together to work to support a credible and open transition to civilian democratic government.

Can you confirm that the President spoke with General Abubakar over the weekend? What did he say? Did he ask for the release of any prisoners?

- * President Clinton telephoned newly installed Nigerian Head of State Abdulsalam Abubakar on Sunday, June 14. He conveyed our hopes for a credible and lasting transition to civilian democratic government in Nigeria, as reiterated by General Abubakar in his first address to the Nigerian people.
- * The President reaffirmed our friendship with the people of Nigeria. He underscored our desire for improved bilateral relations in the context of Nigeria taking swift and significant steps toward a successful transition to a democratically elected civilian government.
- * He noted the need to release political prisoners and detainees as part of a credible transition program. He did not give Abubakar a list of prisoners.

THE WHITE HOUSE

Office of the Press Secretary

For Immediate Release June 16, 1998

STATEMENT BY THE PRESS SECRETARY

Nigerian Government Releases Prominent Political Prisoners

The Government of Nigeria has released former Head of State Olusegun Obasanjo and eight other prominent political prisoners. We welcome this as an important first step toward national reconciliation and national unity and applaud this decision by the new Nigerian leadership.

In addition to General Obasanjo, those released include oil union leaders Milton Dabibi and Frank Kokori, journalist Chris Anyanwu, human rights activist Beko Ransome-Kuti, politicians Bola Ige and Chief Olabiyi Durojaiye, Uwen Udoh and Alhaji Ibrahim Dasuki, the former Sultan of Sokoto.

We hope this action will lead to the unconditional release of all political prisoners and detainees, and will help all Nigerians come together to work in support of a credible and open transition to civilian democratic government. The United States looks forward to improving our relationship with Nigeria as it makes progress towards this goal.

#

ETHIOPIA/ERITREA: PROSPECTS FOR PEACE?

June 15, 1998

What is the status of the border dispute between Ethiopia and Eritrea? Has the U.S. brokered some sort of deal with either government?

* We understand the border area was calm over the weekend.

* In response to a proposal by the United States, the governments of Eritrea and Ethiopia have agreed to halt immediately the further use of air strikes and the threat of air strikes in their present conflict.

* This moratorium will continue indefinitely or until such time as either party concludes that any prospect for a peace process has come to an end and provides formal, advance notice to the United States Government that it will no longer respect this moratorium. We also thank the Government of Italy, whose diplomatic efforts have helped to secure this agreement.

* The United States welcomes this commitment by Eritrea and Ethiopia, which can help restore the mutual confidence necessary to achieve a peaceful resolution of the conflict as quickly as possible.

* The maintenance of this moratorium will limit the risk to civilians as well as to the economic, commercial and social infrastructure in both countries.

CAMBODIA: ELECTION PREPARATIONS

June 16, 1998

What can you tell us about the Cambodian elections?

* We are concerned about the electoral process in Cambodia and the prospects for free, fair and credible elections.

* In recent weeks, there has been some progress in creating the framework for parliamentary elections. Political exiles have returned, international observers are on the ground, and voter registration is underway.

* However, there are continuing reports of political intimidation and abuses of human rights.

* We also are concerned by Phnom Penh's ban on political demonstrations. In order to have credible elections, all parties and candidates must be allowed to compete and to campaign freely.

* The holding of free, fair and credible elections is critical to restoring democracy to Cambodia. The key to this process is to create a political environment that is free from fear and intimidation.

TURKEY/EU: CARDIFF RESULTS

June 16, 1998

Any reaction to end of Cardiff Summit and how it treated Turkey?

* The US is a staunch supporter of EU enlargement and its important role in building a Europe that is united, peaceful and prosperous.

* We have supported Turkey's EU aspirations. We welcome Cardiff's agreement to implement a strategy to prepare Turkey for membership.

* We commend the British Presidency and EU leaders on their decision and commitment to strengthen EU-Turkey ties, which will contribute to Turkey's ability to fulfill EU membership criteria.

Greek PM Simitis told the press that President Clinton called him at 1:30am this morning, at PM Blair's urging, to urge release of the blocked Customs Union funding for Turkey.

-- The President talked to Greek PM Simitis early this morning Cardiff time (which was 7:30 pm yesterday EDT).

-- He discussed with PM Simitis the desirability of a positive outcome at the Cardiff meeting.

(FYI only: The President did not ask Greece to release its block on the Customs Union funds.)

HELMS MEETINGS WITH DIPLOMATIC CORPS ON UN ARREARS

June 15, 1998

What does the Administration think of Helms' move to enlist the aid of the diplomatic corps to resolve U.S. deadlock over arrears and Mexico City language? Isn't the Administration now holding the arrears issue hostage by refusing to negotiate on the Mexico City issue?

* The President has made it clear that it is long past the time to make good on our debt to the UN. He remains committed to paying our UN arrears and will keep emphasizing to Congress and the American public the urgent need for action.

* We do not believe UN arrears legislation should be linked to the family planning restrictions contained in the Mexico City language. The Congress could have resolved the UN arrearages issue last November, but instead added this controversial language, knowing that doing so would defer timely and acceptable action on paying our bills.

* As Chairman Helms said on Evans and Novak on June 6th, "...the House, in its own judgement, added a controversial provision have nothing to do with foreign policy."

* Americans want the United States to pay its bills and continue the process of UN reform. After working hard with Congress for the past 18 months, we are disappointed by Congressional delays in passing an acceptable bill.

If asked:

On Article 19 Loss of Vote:

* This month the window of opportunity closes at the UN, to achieve a reduction in our assessment rates, if the U.S. were to pay its bills. Once this window closes this month, we will have to work with the Congress to make a substantial payment to avoid invocation of UN Charter Article 19 (loss of U.S. vote in the UN General Assembly) on January 1, 1999. The loss of vote in the UN would hurt U.S. national interests, a situation which could be averted by immediate action by Congress now.

On the Views of Other Nations:

* We continue to have an open dialogue with other governments, many of which would receive payments for their past contributions to UN peacekeeping operations. They have always been supportive of the President's efforts to meet our obligations to the UN.

RUSSIAN FINANCIAL SITUATION

June 16, 1998

Background: Despite continued financial turmoil in Asia, Russian markets appear to be taking a breather today. As of mid-afternoon Moscow time, stocks were up 1.6 percent and bond prices had strengthened slightly. The ruble traded near the lower (depreciated) end of-but within--the Central Bank's exchange rate band. Analysts are attributing today's slight rebound to expectations of the arrival in Moscow this weekend of another IMF mission. Tomorrow will be Moscow's biggest test of the week, when it will have to redeem a record amount of T-bills (\$1.5 billion). As it has in the past five weeks, Moscow probably will have to dip into its coffers to cover some of this (the rest will be covered by sales of new T-bills). On Thursday the IMF Executive Board will vote on disbursement of the next \$670 million tranche of Russia's current program.

Did Presidents Clinton and Yeltsin discuss Russia's financial situation in their phone call yesterday?

- * Yes. President Clinton reiterated his support for additional conditional IMF and World Bank funding, if necessary.

- * He urged President Yeltsin to ensure the coordination of his government's reform efforts, push forward on boosting tax collections, and make financial information more available to investors.

- * He also expressed his hope that Russia will complete its current discussions with the IMF swiftly and successfully.

If asked whether President Yeltsin asked for direct U.S. financial support:

- * President Yeltsin did not ask for direct U.S. financial support.

- * As you know, the United States is working with the Russians through the IMF to consider further reforms that could be supported by additional conditional financing.

Are you worried about tomorrow's Russian T-bill auction?

- * No. The Russians have shown that they are well capable of managing their domestic debt obligations, and we have every confidence that this will continue to do so.

- * That said, the week ahead is likely to be a challenging one everywhere because of the decline in Asian markets. We will remain in close contact with the Russians and the IMF to monitor the situation.

When will the IMF announce a bailout package for Russia?

- * IMF Executive Board will meet Thursday to decide on disbursement of the next

\$670 million tranche of Russia's 1998 Extended Fund Facility program.

* In addition, Russia is engaged in discussions with the IMF over additional reforms that could serve as the basis for further IFI financing, if needed. That said, President Yeltsin and Prime Minister Kiriyenko still have not said that they see a need for a new stabilization loan.

* As President and Secretary Rubin have made clear, we support additional conditional support from IFIs in context of strong Russian reform program if needed to avoid market turmoil.

If asked whether IMF is being unreasonable in its demands on Russia

* It is important that Moscow and the IMF continue their dialogue on how to restore Russia's financial health and deepen reform. The discussions that have been going on so far have produced a program that, if fully implemented, should go a long way toward achieving those objectives.

* We encourage both sides to continue their dialogue. Stronger reform measures are essential to providing the basis for additional financing, if needed.

Have we moved fast enough to help Russia?

* President Clinton acted quickly to indicate his support for additional conditional IFI financing as necessary.

* We have also consulted closely with our G-7 partners. Last week they said they are prepared to consider such conditional financing as necessary and appropriate.

* At this point, additional support for Russia will have to come through the IFIs. The IMF is holding exploratory discussions with Russians and we will be looking to see how these discussions develop as well as monitor market developments.

* We continue to emphasize that investors look fundamentally and first at Russia to act quickly and we do as well.

INTERNATIONAL CRIMINAL COURT

June 15, 1998

Background: The United Nations Diplomatic Conference of Plenipotentiaries on the Establishment of an International Criminal Court will take place in Rome from June 15 to July 17. The Clinton Administration supports the creation of a strong and effective Court. We believe that countries should bring to justice those who commit genocide, war crimes, and crimes against humanity, or turn suspects over to institutions who will, such as an impartial ICC. However, we need to design a document that reflects a variety of U.S. concerns, including the role of the Security Council, deferral to capable national legal systems, jurisdiction, elements of offenses, rules of evidence and criminal procedure. We remain hopeful that governments will resolve differences and that the conference will produce a treaty that the international community, including the United States, can embrace.

What is the U.S. position on the establishment of an International Criminal Court (ICC)?

(Note to briefer: On several occasions, most recently in Rwanda and last year before the General Assembly, President Clinton has reaffirmed his commitment to the creation of a criminal court by the end of the century.)

* The U.S. supports the creation of a strong and effective international criminal court. We believe that such a court will advance justice on a global scale. It would serve to punish those who are guilty of the most serious violations of

international humanitarian law - genocide, crimes against humanity and war crimes
- while deterring those who might commit such crimes.

You say that you support the court but many have criticized the U.S. for taking positions that will limit the Court's effectiveness?

* Founding an international criminal court is an extraordinary event, the culmination of over fifty years of work and advocacy. The Rome treaty hopefully will mark the development of a powerful instrument to safeguard international peace and security.

* But we must be careful to reconcile the ideal of an ICC and the reality of the world today. We must be sure to negotiate a court that is consistent with existing efforts to maintain international peace and security and that would not become a vehicle for politicized prosecutions.

What are some of your goals for the court?

* "Complementarity": An effective ICC must ensure that national legal systems with the will and ability to prosecute will have the opportunity to do so. This principle of deferral to national legal systems is known as "complementarity" and is one of our essential goals.

* However, where national systems lack the ability - as in Rwanda - or the will - as in the former Yugoslavia - to bring to justice serious violators of international standards, the ICC would fill the gap.

* U.N. Security Council: A practical ICC should also recognize and reinforce the work of the U.N. Security Council. The Security Council should have the ability to refer situations of armed conflict or atrocities to the court and should be able to direct countries to cooperate with the court when necessary.

[Note to briefer: Our current position is that the Security Council should also have the authority to review referrals to the court. That position is currently under review by the President and we would recommend that you not discuss it if

at all possible.]

* Definitions of Crimes and Procedures: The ICC's statute should also provide precise and specific guidance regarding the elements of crimes, rules of evidence and rules of procedure.

Some reports suggest that there is tension or conflict within the U.S. government on the position we should take toward the ICC. Is this true and, if so, what is the President doing about it?

* U.S. agencies have been working very closely in the formulation of a U.S. policy toward the establishment of an ICC. Experts from the State Department, Defense Department, Joint Chiefs of Staff and Justice Department are all represented on our negotiating team. The U.S. government will present clear and unified positions during the Rome Conference.

How do you respond to those who say that the U.S. is repeating the mistakes it made during the Landmine Conference in Ottawa?

* The U.S. will not shrink from accountability but will not allow the ICC to become a political forum where rogue states challenge the actions of responsible governments. The final treaty must shield countries from unnecessary and ill-intentioned political attacks against their citizens.

Some nongovernmental organizations have said that they would walk away from the U.S. government if it fails to take positions in favor of an independent court. What is your reaction?

* The idea that the world would be better off with a so-called "strong court" that does not include the United States than it would with a "weak" court with U.S. participation is unrealistic at best.

* If we truly hope to promote justice on a global basis, U.S. participation is essential. The court will need the political support and resources of the U.S.

Otherwise, the court is likely to be ineffective.

* While we support the creation of such a court, it must be a court that tries those who commit the most heinous crimes, not those who would act courageously to detain the perpetrators.

What is your response to concerns that have been raised in the Senate by Senators Helms, Ashcroft and others about such a court?

* We understand and respect the concerns that have been expressed by Senator Helms and others. We wish to create a treaty that will ensure against unwarranted prosecutions.

What is the U.S. position on whether the state of the accused should consent before an investigation or prosecution is brought?

* We have reserved on the issue of whether state consent would be required before individual prosecutions can be brought before the ICC. We are reviewing our position on this issue in light of our negotiations on other critical issues.

* However, we firmly believe that a government that has not ratified the ICC treaty must consent before there can be any prosecution of its nationals before the court. Otherwise, you would have a situation whereby failure to ratify would subject citizens to the jurisdiction of the court. This would be a clearly unacceptable situation inconsistent with international law.

* Nonetheless, we always have proposed that the Security Council be able to override a state's denial of consent. This would still permit the court to pursue cases involving rogue states.

KOSOVO
June 16, 1998

Yeltsin-Milosevic Joint Statement on Kosovo

* We appreciate the good work by President Yeltsin to convince Milosevic to take steps to end the violence and begin a genuine dialogue.

* The Yeltsin-Milosevic meeting in Moscow moves us in the right direction. President Milosevic has pledged to allow free access by international monitors and humanitarian organizations and to help refugees return to their homes. Although the language in these areas does not appear to be identical to the Contact Group provisions, we hope this statement signals an intention to meet Contact Group demands in these areas.

* There is one important element of the Contact Group conditions that is not included in this agreement. The FRY must immediately withdraw security units involved in civilian repression, without linkage to what the statement calls "the stopping of terrorist activities.". There is no justification for continuation of the brutal campaign of violence by Serb security forces. The withdrawal of Serb security forces is fundamental.

* President Clinton and President Yeltsin spoke briefly this morning and President Clinton thanked President Yeltsin for his efforts with Milosevic. They agreed to continue to work closely together on Kosovo.

POTUS- Yeltsin

* We and Russia are both deeply concerned with the violence in Kosovo and share the common objective of a peaceful resolution to the situation. President Clinton and President Yeltsin will discuss the issue in advance of Milosevic's visit to Moscow.

* The U.S. and Russia have a long track record of cooperation in the Balkans. It's important for us to work together to encourage Milosevic to halt the violence in Kosovo.

* (if asked about NATO air exercise) Both U.S. and NATO officials discussed the

air exercise with Russia before the exercise began. We expect the Clinton-Yeltsin call to focus on broader issues.

* (if asked about the departure of Russia's military representative at SHAPE) Our understanding is that his return was related to routine business and not to today's NATO military exercise.

NATO Air Exercise DETERMINED FALCON

* We welcome NATO's decision to conduct an air exercise in the region. This successful exercise demonstrated both NATO's deep concern for the stability of the region as well as its ability to rapidly project allied power. Some 80 aircraft from 13 NATO nations participated in the exercise, demonstrating the resolve of the international community to see an end to the violence in Kosovo. (if asked about further details, defer to DoD).

* (if asked about Russian objections) Both U.S. and NATO officials have discussed the air exercise and Kosovo with Russia. NATO has an appropriate role to respond to instability in Europe and take appropriate measures, if needed, to deter further violence and the spread of the conflict.

Kosovo

* We are working closely with allies and other partners in NATO, UN, and Contact Group on measures intended to end the violence and promote a peaceful resolution. This includes accelerated contingency planning in NATO.

* We welcome NATO's timely decision to accelerate contingency planning for a range of possible actions that could halt violent repression and expulsion in Kosovo, and support international efforts toward a political settlement.

* (if asked about decision to employ force) Although we want to be sure we and allies have made prudent preparations should the need arise, we have not made any decisions to carry out military action. We will continue to consult with the Congress as the situation develops.

* (If asked about use of force) We and our partners have a variety of options

available to us -- which I am not going to enumerate or comment upon -- but we are not ruling anything out.

- * (If asked about unilateral action) We believe any action should be in a NATO framework

- * We are working with the British in support of a UN Security Council resolution that could provide a mandate for international action, should that become necessary.

- * We are holding the FRY to its pledge to allow access by international observers and humanitarian organizations in Kosovo. We and our partners may be augmenting Embassy staffs to help.

- * We and others in the international community are mobilizing resources to address humanitarian needs. Of the many Kosovar Albanians who have fled their homes in wake of the recent attacks

- * We are calling on both sides to resume their dialogue. We are urging all parties to avoid actions -- especially the use of force -- that would undermine peaceful negotiations.

Sanctions

- * When the Contact Group met in early May, we agreed to impose an assets freeze and investment ban unless President Milosevic agreed to talks and to take other measures to avoid violence.

- * Although Milosevic agreed to talks, it is his indiscriminate use of violence over the past several weeks that has undermined the talks. Therefore, we implemented the assets freeze and investment ban by Executive Order.

- * As of 12:01 am Tuesday, June 10, the Executive Order froze the assets of Federal Republic of Yugoslavia (Serbia and Montenegro) and prohibited new investment by U.S. persons in the Republic of Serbia.

- * It is our intent to exempt the Republic of Montenegro from these prohibitions

wherever possible.

CHINA/TIBET

June 15, 1998

What is the U.S. position on Tibet? What will the President say to Jiang Zemin on the subject when he visits China?

* The United States strongly supports the protection of Tibet's unique cultural, religious, and linguistic heritage. We believe resumption of the dialogue between Beijing and the Dalai Lama's representatives is an essential step to achieve these goals and to assure greater protection of human rights in Tibet. We consider Tibet a part of China.

* I fully expect the President will raise the subject of Tibet with President Jiang during his visit.

* (if pressed on what he will say) I do not see utility in announcing precisely what the President will say before the President says it.

PLA USE OF U.S.-SUPPLIED COMMUNICATIONS SATELLITES

June 12, 1998

* I'm not going to confirm or deny whether the Chinese military is using U.S.-manufactured communications satellites for internal military communications.

* Of course, as a technical matter, the satellites can be used by any sector of Chinese society, including the PLA.

* In licensing these satellites, we take into consideration the possibility that

they could be used by the PLA.

- * As a matter of general policy, we would not license a commercial satellite to the PLA itself because of our broad restrictions on exporting any commodities to the PLA, but we do not consider potential PLA use of the satellites to pose a national security concern.

- * It is quite common for military organizations to use civilian communications satellites for internal military communications. This is not a national security concern.

- * As a consequence, there are no restrictions in the satellite licenses issued by the Reagan, Bush, and Clinton administrations to China or any other country that prohibit military use of the satellites.

- * Because these are civilian communications satellites, they don't offer the technical and security features of military communications satellites. We do not license export of military communications satellites to China.

- * As a consequence, military organizations, including the PLA, would gain no particular security advantage from using civilian communications satellites for their communications.

CHINA SATELLITES

June 9, 1998

Did licensing the launch of U.S. commercial satellites by China result in a transfer of technology that threatens U.S. security?

- * None of the satellite licenses or waivers authorizes the transfer of sensitive missile technology to China. All are for commercial satellites. The licenses are subject to careful inter-agency scrutiny by the Department of Defense, the

Department of State, the Arms Control and Disarmament Agency and the Department of Commerce and are subject to strict controls and safeguards.

Isn't it true that the waiver granted to Loral this February was granted over the opposition of Justice and compromised U.S. national security?

* Not true. The President did not "overrule" or "ignore" anyone's views, nor has granting the license compromised U.S. national security.

* When the State Department recommended a waiver for a Loral satellite in 1998, it noted that an investigation of Loral was under way. We therefore took the added step of asking Justice for its views on the request. Justice raised concerns about the potential impact of the waiver on its ability to persuade a jury to convict Loral in the event that the incident is found to warrant prosecution.

* The President weighed the Justice Department's views carefully against factors which supported a waiver. The State Department recommended that the waiver would be in the national interest, and State and the Department of Defense found that the license contained the safeguards necessary to protect the national security. The licensing request was for a commercial satellite export, not for the kind of activity for which Loral was being investigated. The State Department has a long-standing practice of not presumptively barring from a license companies under investigation as opposed to indictment. In balancing all these factors, I decided to approve the waiver.

* The process was transparent and open. Agencies responsible for our national security reviewed and supported the request, we took the additional step of asking Justice for its views. These considerations were reflected in a memorandum for my decision.

But didn't the President overrule Secretary Christopher when he opposed the 1996 transfer of licensing jurisdiction for commercial satellites to the Commerce Department?

* The President did not. The State Department initially opposed the transfer of jurisdiction to the Commerce Department. However, we then took specific steps to deal with its concerns. These additional safeguards resulted in State supporting the transfer of jurisdiction to the Commerce Department for commercial communications satellites. Secretary Christopher confirmed this in Sunday's Los Angeles Times.

* Under the approach adopted, Defense, State and ACDA review all commercial satellite license applications to ensure they are consistent with national security. If any agency disagrees with a proposed license, it can block the license and put the issue into a dispute resolution process that can ultimately rise to me.

How do you respond to allegations that Loral's campaign contributions influenced your decision to grant it export waivers and also influenced your decision to transfer licensing jurisdiction from State to Commerce?

* There is absolutely no connection between any campaign contributions and U.S. foreign policy. There is no evidence of such a connection. It simply did not occur.

* The Loral waiver was prepared by State and supported by ACDA and DOD as in our national interest. The President followed their recommendation.

* The policy of licensing U.S. commercial satellites to be launched by Chinese rockets is bipartisan and pre-dates my Administration. It was instituted by President Reagan and further implemented by the Bush Administration. The Bush Administration approved three waivers over three years for nine U.S. satellites to be launched from China; the President has approved ten waivers over five years covering eleven satellite programs.

* Every waiver the President approved was based on a recommendation from the State Department or the Commerce Department. Each license under these waivers was approved after careful interagency review that including State, Defense and ACDA. And the process begins from the bottom-up, with a company making a request for a license to the relevant agency which then seeks approval from the other

agencies. Only then will a recommendation come to the President.

But it appears that the President's decision on the February licensing request by Loral was based on political pressure from one of his largest campaign donors.

- * Loral's request for a prompt response to its 1998 licensing request had no effect on the President's decision or any impact on national security.

- * American companies that need U.S. government approvals for business transactions should be able to expect a prompt response, especially if they are operating under a specific deadline. They are not entitled to a positive response, but they do deserve a timely one.

- * In the case of the 1998 Loral request, our staff was aware of a deadline with important commercial implications and tried to be responsive. But the decision whether or not to grant the waiver was based on the judgments of the agencies involved in reviewing the license and recommending the waiver. In fact, the President's decision came after the deadlines identified by the company had passed, because we took the time to make an informed, judicious decision.

What about the McDonnell-Douglas case -- didn't they transfer sophisticated machine tools to China that were diverted to a facility that produces military aircraft and missiles?

- * In fact, the McDonnell Douglas case is a good example of our export control system working just the way we designed it, with national security as its touchstone. In September 1994, the Administration approved the export to China by McDonnell Douglas of machine tools, to make parts for civilian aircraft to be built in China. The licenses were approved after careful interagency review -- including by the Departments of Defense, State, Energy and the Arms Control and Disarmament Agency.

- * To prevent the equipment from being diverted from its intended use, the reviewing agencies added stringent conditions to the licenses. These included quarterly inspection reports by MD to monitor the equipment and detect

unauthorized use. In preparing its first report in March 1995, the company discovered that the machine tools had been moved without authorization, six to an aircraft production facility in Nanchang that produces both civilian and military aircraft. Only one of the machines in Nanchang -- a large hydraulic tool -- was uncrated, but it had not been rendered operational.

* MD promptly informed Commerce and Defense. Commerce immediately began to work with MD and the Chinese government to secure the equipment. All the machine tools were secured and returned to an authorized location monitored by MD, where they remain today.

* Commerce Department investigators developed sufficient evidence to refer the case to the Department of Justice for a criminal investigation. The investigation is under the leadership of the Department of Justice, with the participation of Commerce and Customs enforcement agents. The matter also was the subject of a detailed report to Congress in November 1996 by the United States General Accounting Office.

Where there's smoke, there's fire: in the last couple of weeks, there have been multiple stories citing numerous cases of our export control system becoming a sieve under the President's watch -- China satellites, McDonnell Douglas, Supercomputers, furnaces to China. Hasn't the system gotten more lax, and isn't this a result of Ron Brown "dollar diplomacy" trumping national security interests?

* Just the opposite. If anything, we've made the export control system stronger, both in terms of protecting our national security and making the license review process more efficient and effective.

* In 1995, by Executive Order, the President expanded the right of Defense, State, Energy and ACDA to fully take part in the licensing process. Previously, these agencies reviewed only certain dual-use applications (i.e. licenses for commercial technology that could have a military application). As a result of the EO, they now have the right to review every dual-use application.

* At the same time, we continued a process begun under the Bush Administration

and supported by both parties in both houses of Congress to move essentially commercial license applications to the Commerce Department, which has tighter deadlines and greater transparency -- but also stringent national security controls, including the obligation to secure the approval of Defense, State, Energy and ACDA on dual-use applications. If any of these agencies object to the license, they can block it and put the issue into a dispute resolution process that ultimately rises to me.

* This move reflected the reality that the Cold war was over and that our companies were being disadvantaged in their competition with foreign companies, which do not face the same export control restrictions. I would also point out that our national security benefits from the ability of our high tech firms to export around the world. These companies give our military its information and technological edge, but need the profits they generate from exports to fund their R&D.

* As to the cases you cite -- several of which were exhaustively reported on months and even years ago -- we should let the facts catch up with the emotional and erroneous charges that have been made.

CHINESE FAMILY PLANNING PRACTICES

June 10, 1998

Background: ABC News featured a report last night on forced sterilization and abortion in China. A women who headed up the population control office in her town asserted that forced sterilization and abortion were used against women who failed to comply with birth control standards.

Is the U.S. aware of the use of coercive practices by the Chinese government in the implementation of its family planning program?

* The Government Of China officially prohibits the use of force to compel people

to submit to abortion and sterilization. Nevertheless, we are aware that poor supervision of local officials who are under intense pressure to meet family planning targets can result in instances of abuse, including forced abortion and sterilization. Family planning policies in China vary widely between provinces and regions. Fertility in China is 2.4 births per woman, indicating that the one-child policy is not enforced on all Chinese couples.

What is the U.S. reaction to the report on Nightline last night?

- * We are troubled by the report and will look into the matter further.
- * We have stressed repeatedly with the Government of China our concern over those elements of China's family planning program that are inconsistent with the internationally agreed upon principles of non-coercion and voluntarism in population control, including the practices of forced sterilization and abortion. The issue will be addressed again during the upcoming visit.
- * We are convinced that Chinese birth rates can be stabilized without coercion, through voluntary family planning and reproductive health services, maternal and child health services, basic education for girls, fighting discrimination against women and generally respecting human rights. We have urged the Chinese government to further embrace the comprehensive approach to population and development agreed to at the U.N. conference in Cairo.
- * We have also sought to provide protection to persons who are the victims of coercive family control practices and flee China. In 1996, the President signed into law immigration provisions that make clear that persons who have experienced forced abortion or sterilization or have reasonable fears of such practices may be eligible for asylum in the United States.

What is the U.S. position on the activities of the U.N. population program (UNFPA) in China?

- * The U.S. does not contribute any funds to UNFPA's work in China. As required by law, U.S. contributions to UNFPA are kept in a separate account so that they

cannot be used for the China program. In addition, U.S. law requires the State Department to subtract the value of UNFPA's 1998 expenditures for China from the U.S. annual contribution of \$25 million to UNFPA. Thus, as UNFPA plans to spend \$5 million in China in 1998, our contribution to UNFPA this year was only \$20 million.

* The new program, as designed by UNFPA, reflects the principles of volunteerism and non-coercion which the international community has been asking China to adopt. UNFPA early this year stated that the Chinese Government has agreed that birth quotas and targets will be suspended or removed in the 32 program counties. UNFPA will only disperse funds upon the removal or suspension of these quotas and targets, and will undertake extensive monitoring and evaluation of its activities in China. We will be watching closely to verify whether these commitments are fully implemented.

CHINA: COSCO
June 10, 1998

Background for the Briefer ONLY: On 26 May, the Navy signed a Record of Decision (ROD) regarding the transfer of the BRAC-closed Long Beach Naval Complex property to the city of Long Beach. Although not the final step (the Navy must complete a "Lease in Furtherance of Conveyance" or LIFOC), the ROD is the principal step towards handing-over this property.

On 27 May, Mayor O'Neill wrote the President requesting a waiver for a port lease to COSCO.

Mayor Beverly O'Neill wrote the President requesting he waive the prohibition contained in , section 2826 of the National Defense Authorization Act for FY-98, which prohibits the transfer or lease of property at the closed Long Beach Naval Station to the China Ocean Shipping Company (COSCO). Per the statute, the President cannot exercise the waiver authority until he has received separate reports from the Secretary of Defense and the Director of the FBI on national security implications of a conveyance to COSCO and determined that appropriate

action has been taken to address any national security risk identified in the reports. Although the statute called for the reports not later than 30 days after the date of enactment of the Act (November 18, 1997), only the FBI report has been submitted. If the President were to exercise this waiver authority, it would go into effect 30 days after the President notifies Congress regarding his determinations under the Act. Anxious over pending FY-99 amendments (both House and Senate) that would deny the President waiver authority for such a lease, the Mayor seeks quick action from the White House.

We understand that the DOD report is awaiting General Counsel review and signature by the Secretary. The FBI report was released by the Justice Department on June 4th.

In order to exercise this waiver authority, the President must first determine that "(A) appropriate action has been taken to address any increased national security risk identified [in the reports from DoD and FBI] . . . ; and (B) the conveyance would not adversely affect national security or significantly increase the counter-intelligence burden on the intelligence community."

Why is the White House involved with COSCO and the City of Long Beach?

* The prohibition contained in section 2826 of the National Defense Authorization Act for FY-98 requires a Presidential waiver in order to allow conveyance (by sale, lease, or other method) of any portion of the closed Naval complex to COSCO.

Will the President grant a waiver to COSCO?

* Mayor Beverly O'Neil of Long Beach has written to the President to request that he exercise his waiver authority under section 2826 of the National Defense Authorization Act for FY-98 to allow the lease of a portion of the closed Long Beach Naval complex to the China Ocean Shipping Company, COSCO. Per the statute, the President's consideration of a waiver cannot be undertaken until he receives required reports from both the Secretary of Defense and the Director of the FBI on the national security implications of a COSCO lease. To date, only

the FBI report has been received by the President.

* [IF PRESSED] The Defense Department is in the process of reviewing the report contents to ensure that they fully assess the national security implications of COSCO's past and present operations. It is expected shortly.

CHINA MFN
June 4, 1998

Why renew MFN?

* MFN is critical to our ability to engage China. U.S. interests are best served by a secure, stable and open China. The manner in which we engage China will help determine whether it becomes more open, or whether it becomes more isolated and unpredictable.

* This vote must be about how best to promote U.S. interests. Extending to China the same normal trade treatment we give to virtually every nation on earth will help further integrate China - and promote the interests of the American people. Revoking MFN would rupture our relationship and jeopardize our political and economic security.

Why is engagement important?

The stakes are enormous, as demonstrated by regional events of the last six months. China has the potential to assist or obstruct U.S. objectives. Engagement is producing tangible results:

* China condemned India's nuclear testing and urged restraint in Pakistan, and is hosting a P5 meeting in Geneva later this week to address South Asian security concerns. China's role critical to preventing arms race and lessening chance of conflict.

* China has responded responsibly to Asia's financial turmoil. China has maintained the value of its currency, despite pressures to devalue -- which would likely set off a new round of competitive devaluation in the region, destroying its fragile stability.

* China continues to play a constructive role in easing tensions and moving peace talks forward on the Korean Peninsula.

* China and Taiwan have resumed cross strait contacts, and will resume talks at senior level later this year. Tensions at lowest in three years, no threatening military exercises.

What steps has China taken toward international cooperation and adoption of international norms of behavior?

China's adherence to international norms advances the interests of the American people.

* On nonproliferation, China has joined us in the NPT, CTBT, and CWC regimes, committed to no new nuclear assistance to Iran, joined a major international nuclear suppliers group, the Zangger Committee, and put into place comprehensive nuclear export controls.

* We have a strong bilateral program to combat alien smuggling, narcotics trafficking and terrorism., and are working with China to meet environmental challenges.

* Negotiations continue on China's acceptance of WTO standards that are critical to greater access for U.S. goods and services. MFN extension supports our efforts to draw China more fully into the global economy and builds cooperation in important areas.

What are the economic stakes of MFN?

* An estimated 170,000 U.S. jobs depend on exports to China. Those exports have more than tripled over the past decade, to \$12.8 billion., and China is now our fifth largest trading partner.

* Revocation would derail the talks on China's entry into the WTO, under which China would reduce its trade barriers substantially, creating new export opportunities for U.S. companies and workers.

* Revocation would invite retaliation against U.S. exporters and investors. Revocation would also hurt U.S. consumers, who could pay upwards of half a billion dollars more in a single year because of higher tariffs on such products as shoes and clothing.

Doesn't MFN undercut movement on human rights?

* Engagement does not mean endorsement. The Administration has consistently pressed its human rights concerns with China, including President Clinton's direct statements to the world at the October summit , in the presence of China's President.

* Our strategy is showing results. China has released dissidents Wei Jingsheng and Wang Dan; signed the International Covenant on Economic, Social and Cultural Rights and committed to signing the Covenant on Civil and Political Rights.

* Normal trade and continued economic engagement continues the process of opening China, exposing Chinese to our politics, ideas, economy and personal freedoms. Revoking normal trade status will diminish these ties and play into the hands of those in China who want less openness.

Doesn't MFN undercut religious freedom?

* Revocation would also set back the cause of expanding religious freedom in China. China has received our religious leaders delegation, expanding the dialogue on this key issue.

* Revoking MFN would close doors to U.S. religious groups and others that seek to promote religious freedom in China through educational, cultural and other exchanges. It would also make it more difficult to pursue the cases of imprisoned religious leaders.

Is MFN important to Hong Kong and Taiwan?

* Hong Kong is the gateway of trade between the U.S. and China. Because of this close linkage, revocation of MFN for China would seriously weaken the People of Hong Kong by slashing its trade, eliminating tens of thousands of jobs, cutting economic growth and income sharply. That's why Hong Kong leaders across the political spectrum favor renewal of MFN for China.

Note: Reason for above changes is that we don't want to suggest that trade with Hong Kong as Hong Kong would be subject to disapproval action by the Congress as regards China's MFN status. Hong Kong in its own right is a WTO member and not subject to Title IV of the Trade Act and Jackson-Vanik.

* Although revocation of MFN for China would not directly affect our trade with Taiwan, it would damage Taiwan's economy, with \$20-30 billion invested in the mainland. Taiwan's economic viability is in the interest of the American people.

WHY CONTINUATION OF NORMAL TRADE STATUS FOR CHINA SERVES THE NATIONAL INTEREST OF THE UNITED STATES

ENGAGEMENT: President Clinton's policy of engagement with China is expanding our cooperation in areas important to the national interest - stability in Asia, preventing the spread of weapons of mass destruction, combating international crime and drug trafficking, protecting the environment and expanding mutually beneficial trade. It also provides us with an effective means to deal forthrightly with our differences, notably human rights. The manner in which we engage China will help determine whether it becomes an increasingly open and

productive partner for America, or whether it becomes more isolated and unpredictable. The President's strategy is showing results and we need to stay the course. This vote must be about how best to promote U.S. interests. Extending to China the same normal trade treatment we give to virtually every nation on earth will help further integrate China - and promote the interests of the American people. Revoking MFN would rupture our relationship with a fourth of the world and jeopardize our political and economic security.

ENORMOUS STAKES: The stakes are enormous, as demonstrated by regional events of the last six months. China has the potential to advance U.S. objectives.

Engagement is producing tangible results:

- * China condemned both India and Pakistan's nuclear testing and urged restraint, and is hosting a P-5 meeting in Geneva later this week to address South Asian security concerns. China's role critical to preventing arms race and lessening chance of conflict.
- * China has played a constructive role in responding to the Asia financial crisis, in part by maintaining its exchange rate, thereby decreasing pressure for competitive devaluation in the region.
- * China continues to play a constructive role in peace talks and easing tensions on the Korean Peninsula.
- * China has resumed cross-Strait contacts with Taiwan, and will resume talks at senior levels later this year. Tensions at lowest level in three years, with no threatening military exercises.

INTERNATIONAL COOPERATION: China's adherence to international rules advances the interests of the American people. On nonproliferation, China has joined us in the NPT, CTBT, CWC, and BWC regimes, committed to no new nuclear assistance to Iran, joined a major international nuclear suppliers group, the Zangger Committee, and put into place comprehensive nuclear export controls. We have a strong bilateral program to combat alien smuggling, narcotics trafficking and terrorism, and are working with China to meet environmental challenges. MFN extension supports our efforts to subject China to the same international disciplines as other major powers and builds cooperation.

JOBS: An estimated 170,000 U.S. jobs depend on exports to China. Those exports have more than tripled over the past decade, to \$12.8 billion, and China is now our fifth largest trading partner. Revocation would derail the talks on China's

entry into the WTO, under which China would reduce its trade barriers substantially, creating new export opportunities for U.S. companies and workers. Revocation would invite retaliation against U.S. exporters and investors. Revocation would also hurt U.S. consumers, who could pay upwards of half a billion dollars more in a single year because of higher tariffs on such products as shoes and clothing.

HUMAN RIGHTS: Engagement does not mean endorsement. The Administration has consistently pressed its human rights concerns with China, including President Clinton's direct statements to the world at the October summit, in the presence of China's President. Our approach is showing results. China has released dissidents Wei Jingsheng and Wang Dan, signed the International Covenant on Economic, Social and Cultural Rights and committed to signing the Covenant on Civil and Political Rights. Normal trade and continued economic engagement continue the process of opening China, exposing Chinese to our politics, ideas, economy and personal freedoms. Revoking normal trade status will diminish these ties and play into the hands of those in China who want less openness.

RELIGIOUS FREEDOM: Revocation would also set back the cause of religious freedom in China. Over the past year, China has received our religious leaders delegation, expanding the dialogue on this key issue. Revoking MFN would close doors to U.S. religious groups and others that seek to promote religious freedom in China through educational, cultural and other exchanges. It would also make it more difficult to pursue the cases of imprisoned religious leaders.

HONG KONG AND TAIWAN: Hong Kong is the gateway of trade between the U.S. and China. Revocation of MFN for China would weaken the Hong Kong economy by slashing its trade, eliminating tens of thousands of jobs, cutting economic growth and income sharply. Hong Kong leaders across the political spectrum favor renewal of MFN for China. Revocation would damage Taiwan's economy, with \$20-30 billion invested in the mainland. Taiwan's economic viability is in the interest of the American people.

CHINA TRIP

June 9, 1998

During the President's upcoming trip to Hong Kong, is he going to meet with top vote-getter Martin Lee?

* The President strongly supports Hong Kong's democratic development and preservation of its way of life and fundamental freedoms. We welcome the Legislative Council elections whose outcome demonstrates Hong Kong's people's desire for more democracy, not less. During his brief visit to Hong Kong, the President plans to meet with democratically elected representatives of Hong Kong's political parties, including Martin Lee's Democratic Party. This meeting will demonstrate the President's personal commitment to the democratic process in Hong Kong.

* The President looks forward to private discussions with Martin Lee.

* (if pressed) The exact form of the meeting is still under discussion. The President's visit to Hong Kong is still five weeks away, and many events on this trip naturally are not yet in final form.

Will the President attend arrival ceremonies in Tiananmen Square and is Sandy Berger going to China next week to negotiate concessions from the Chinese in exchange for such a ceremony?

* During warm weather months, it is Chinese practice to hold arrival ceremonies in front of the Great Hall of the People adjacent to Tiananmen Square. The arrival ceremonies for other heads of state who have visited China since 1989, including Major, Yeltsin, Hashimoto, and Chirac and Netanyahu, have been held there.

* The President's strong views about what happened at Tiananmen in 1989 are well-known and a matter of public record. He has made clear in the past and will continue to make clear our view that the break-up of the demonstrations, and the consequent killing of many innocent civilians, was unacceptable and a great

mistake by the Chinese leaders.

* One should not confuse form with substance. This President has pushed aggressively on human rights issues with the Chinese and has gotten results, such as the release of prominent dissidents Wei Jingsheng and Wang Dan and a Chinese statement of intention to sign the International Covenant on Civil and Political Rights. He will continue to press for progress on human rights during his visit to China and is convinced that engagement at his level is a very important way to encourage such progress.

* As for Sandy Berger's trip to Beijing, this has long been under discussion. Berger held several rounds of talks with Chinese leaders in preparing for Jiang Zemin's visit last October. His visit (leaving Washington May 31 for talks on June 2) next week will serve a similar purpose, namely to discuss the overall planning for the President's visit.

* [IF PRESSED on whether he'll discuss Tiananmen] I'm not going to get into details on what Berger will discuss. He'll discuss a broad range of matters relating to the President's visit.

With Congressional opposition becoming more vocal, is the President still going to China?

* The President absolutely will go to China later this month. He will go to China because it is in the U.S. national interest to continue our successful policy of engagement which has produced results in the areas of nonproliferation, human rights, rule of law, and international trade. It is through constructive dialogue--including visits of heads of state--that we can achieve our goals on these issues.

WHEAT TO PAKISTAN

June 12, 1998

Background: Justice has concluded that one element of the Glenn sanctions captures USDA's export credit program - also known as CCC (Commodity Credit Corporation) credits. CCC reportedly does not have a large credit program for exports to India, but does have a significant program for exports to Pakistan, a large part of which consists of wheat exports. The Administration decided today to support the legislative proposals being discussed in Congress to exempt CCC credit programs from the sanctions. FYI: Agriculture advises that, as a practical matter, there should be no immediate impact because Pakistan is projected to have a good wheat harvest this year. It also advises that it has no current requests for credit or credit guarantees for food exports to these two countries.

- * The Administration has announced its support for legislation that would exempt the Agriculture Department's credit programs for food exports from the sanctions against countries -- such as India and Pakistan -- that test nuclear weapons.

- * As required by law, the President announced last month the imposition of a broad array of sanctions against India and Pakistan based on their detonation of nuclear weapons.

- * Some of these sanctions have been implemented already.

- * Because these sanctions are being imposed for the first time, we have been engaged in a rigorous evaluation process to determine the precise scope of the remaining sanctions.

- * In the course of this evaluation process, the Justice Department concluded that one element of the sanctions captures the Department of Agriculture's export credit program - also known as CCC credits (Commodity Credit Corporation credits).

- * In other words, the sanctions would cut off credit programs that support food exports by U.S. farmers to Pakistan and India.

- * It is not our goal to use food exports as a tool in our sanctions policy here.

On the contrary, one of our goals in implementing these sanctions is to minimize the humanitarian impact on the people of India and Pakistan.

- * Moreover, we share the concern that a cut-off of export credits would adversely affect U.S. farmers.

- * However, the law that's on the books does not have an exception that would cover these credit programs.

- * That's why the Administration has announced its support for legislation to correct this oversight and provide an explicit exception for Department of Agriculture credit programs that support food exports.

- * I understand from the Agriculture Department that we do not anticipate a demand for such export credits for Pakistan or India in the immediate future.

- * We urge the Congress to take advantage of this window and act expeditiously on the proposed legislation.

- * At the same time, we want to emphasize that this approach does not mean we are treating any less seriously the nuclear testing conducted by Pakistan and India. We simply do not believe cutting food exports is an effective way to demonstrate our opposition to nuclear testing.

- * [IF ASKED: You should direct to the Department of Agriculture any questions about the potential impact of this sanction, including the anticipated near-term or long-term demand for credit or credit guarantees for exports to Pakistan and India.]

RUSSIA: IRAN MISSILE SANCTIONS
June 12, 1998

Is the President going to veto the Iran missile sanctions bill? Won't the bill cripple U.S.-Russian space cooperation?

* Congress has passed this legislation. Our position remains that senior advisors recommend a veto.

* We remain concerned that the bill sets a very low standard for imposing sanctions and does not include the kind of waiver we've seen in similar legislation. And it comes at a time when we're working cooperatively with the Russian Federation to address our concerns about technology transfers and proliferation, especially as they relate to Iran.

* Bill's inflexibility handcuffs the President's conduct of foreign policy.

* The bill could have a serious impact on important U.S.-Russian space cooperation activities. But remind you that the bill is targeted at foreign entities that engage in activities with Iran's missile program.

* Not clear yet how many entities that would be affected by the legislation are working on U.S.-Russia space cooperation. It's also hard to come up with an exact dollar figure for the bill's impact on U.S.-Russian space cooperation.

START II POSTPONEMENT

June 10, 1998

What is your reaction to today's reports from Moscow that the Duma has voted to postpone next week's June 16 hearing on START II ratification?

* We are disappointed by this development, as it will delay efforts by Presidents Clinton and Yeltsin to bring START II into force and get on with formal negotiations on START III, which is in both our interests.

[If asked]: What does this mean for the possibility of a Clinton-Yeltsin summit?

* We have set no date for a summit as yet.

[If pressed]

* As I said previously, , we have not ruled out holding a summit prior to Start II ratification.

* As I also noted, the work that President Clinton and President Yeltsin want to do clearly will proceed in a much more fruitful environment if START II has been ratified.

MEPP

June 12, 1998

Where do we stand in the peace process?

* We are continuing intensive consultations with both parties in the hope of closing on the set of ideas we presented to both parties, and moving ahead toward permanent status negotiations.

* (AS NEEDED): We are not setting deadlines or making predictions on how long this will take. There is a great sense of urgency about the consequences of a continued impasse, which the parties ought to share. We are continuing the discussions as long as we believe there is a chance of closing the gaps. If it becomes clear we will not be able to do that, we will say so.

What do you think of the Chirac-Mubarak proposal to convene a summit to "Save the Peace Process"?

* We appreciate the spirit in which it was offered. The whole international community has to be concerned about the lack of progress over the last 18 months, and the prospect of security and economic deterioration in the region if the impasse persists to the end of the interim period (May 1999).

* In order to make a positive contribution to the process, such a conference would have to be carefully prepared in terms of timing, participants, and planned outcome. Those questions need to be addressed.

* In particular, such an event should not distract the parties from the issues they are working on with us right now.

Will you be discussing the conference proposal and your negotiations with Jospin?

* We can brief the Prime Minister on the state of play in negotiations, and we look forward to hearing how some of those questions about the conference proposal would be answered.

Exchange Mail

DATE-TIME 6/16/98 8:39:30 PM
FROM Bouchard, Joseph F.
CLASSIFICATION UNCLASSIFIED
SUBJECT RE: FOREIGN POLICY BREAKFAST [UNCLASSIFIED]
TO Malley, Robert

CARBON_COPY Abercrombie-Winstanley, Gina K.
Burrell, Christina L.
Farrar, Jay C.
Rudman, Mara E.
Allen, Charles A.
Baker, James E.
DeRosa, Mary B.
Highsmith, Newell L.
Hill, Roseanne M.
Hunerwadel, Joan S.
Bell, Robert G.

TEXT_BODY

Rob,

If you are looking for a topic to fill up a bit of uncommitted time, I would propose that Sandy encourage Albright and Cohen to call Senators Helms and Lott to urge them to schedule hearings on the Law of the Sea Treaty and vote on it this year. The President laid the groundwork for their calls by emphasizing the importance of ratifying the treaty in his Friday speech at the National Ocean Conference in Monterey. The President also told the Chairman of the panel that reviewed ocean law and security at the conference that ratifying the Law of the Sea Treaty is his top treaty priority for the rest of the year. Sandy discussed the Law of the Sea Treaty ratification strategy with Albright and Cohen in March and April.

The
attached paper provides background and talking points for Sandy.
Bob Bell concurs.

Joe Bouchard

-----Original Message-----
From: Malley,

Robert
Sent: Tuesday, June 16, 1998 6:19 PM
To: @ALLNSC - NSC
Staff
Subject: FOREIGN POLICY BREAKFAST [UNCLASSIFIED]

Last call
for breakfast topics.

(Please take advantage of these if you
have anything you wish Sandy to raise with counterparts. Much easier
to do this way than randomly during the week).

Rob

TRANSLATED_ATTACHMENT LOS-mem6.doc
POINTS TO BE MADE FOR ABC MEETING ON
LAW OF THE SEA TREATY

Background

There are critically important national security, economic and environmental grounds for ratifying the UN Convention on the Law of the Sea. The Administration should attempt to gain Senate advice and consent to ratification in 1998 rather than waiting until later because the United States will lose its provisional seat on the International Seabed Authority if it has not ratified the treaty by October 31. That would have serious long term negative consequences for U.S. ocean interests and our competitiveness in the seabed mining industry.

There is strong bipartisan support for the Law of the Sea Treaty in the Senate. Senate Republican leadership (Lott, Stevens, Lugar, McCain, Warner, Murkowski and Snowe) all support the treaty. Senator Stevens has approached Helms on the treaty and Senator Lott has agreed to do so. If we can get the Law of the Sea Treaty on the SFRC calendar, we will not have a problem getting it out of Committee. If we can get it on the docket for a vote by the Senate, it will pass easily. We are confident that we can dispose of the Law of the Sea Treaty

quickly without prejudicing efforts to ratify the Comprehensive Test Ban Treaty.

Remarks by the President on the Law of the Sea Treaty last Friday at the National Ocean Conference were perfectly timed to support our ratification effort. President Clinton submitted the treaty to the Senate after it had languished for twelve years; it is entirely appropriate that ratification of the treaty be a legacy of his Presidency.

Points to be Made

- * The efforts by your staffs have been successful in building strong bipartisan support for the Law of the Sea Treaty. Bill, I appreciate your letter to Helms and call to Lott.

- * Madelein, I'd like for you to call Senator Helms and urge him to hold hearings on the treaty and report it out of committee for a vote by the Senate this year.

- * Bill, follow up with Senator Lott. Ask him to approach Helms on reporting the treaty out of committee.

- * Emphasize to Helms and Lott that this is a bipartisan effort.

Exchange Mail

DATE-TIME 6/17/98 1:50:39 PM
FROM Bouchard, Joseph F.
CLASSIFICATION UNCLASSIFIED
SUBJECT RE: Breakfast at Pickering's [UNCLASSIFIED]
TO Hachigian, Nina L.

CARBON_COPY Abercrombie-Winstanley, Gina K.
Burrell, Christina L.
Farrar, Jay C.
Rudman, Mara E.
Allen, Charles A.
Baker, James E.
DeRosa, Mary B.
Highsmith, Newell L.
Hill, Roseanne M.
Hunerwadel, Joan S.
Bell, Robert G.

TEXT_BODY

Nina,

If you are looking for an important but easy topic, I propose that Jim encourage Pickering to have Secretary Albright call Senator Helms to urge him to schedule hearings on the Law of the Sea Treaty soon so that the Senate can vote on it this year. The President laid the groundwork for an Albright call by emphasizing the importance

of ratifying the treaty in his Friday speech at the National Ocean Conference in Monterey. The President also told the Chairman of the panel that reviewed ocean law and security at the conference that ratifying the Law of the Sea Treaty is his top treaty priority for the rest of the year. Sandy discussed the Law of the Sea Treaty ratification strategy with Secretaries Albright and Cohen in March and April.

The attached paper provides background and talking points for Jim. Bob Bell concurs.

Joe Bouchard

-----Original

Message-----

From: Hachigian, Nina L.
Sent: Wednesday, June 17,
1998 9:36 AM
To: @ALLNSC - NSC Staff
Subject: Breakfast at Pickering's
[UNCLASSIFIED]

Please send me topics for the Steinberg-Pickering breakfast by noon tomorrow (Thursday). If you have previously sent me a topic that is still current, please send me that email again. Thanks.

TRANSLATED_ATTACHMENT

LOS-mem7.doc
POINTS TO BE MADE FOR STEINBERG-PICKERING
BREAKFAST
ON THE LAW OF THE SEA TREATY

Background

There are critically important national security, economic and environmental grounds for ratifying the UN Convention on the Law of the Sea. The Administration should attempt to gain Senate advice and consent to ratification in 1998 rather than waiting until later because the United States will lose its provisional seat on the International Seabed Authority if it has not ratified the treaty by October 31. That would have serious long term negative consequences for U.S. ocean interests and our competitiveness in the seabed mining industry.

There is strong bipartisan support for the Law of the Sea Treaty in the Senate. Senate Republican leadership (Lott, Stevens, Lugar, McCain, Warner, Murkowski and Snowe) all support the treaty. Senator Stevens has approached Helms on the treaty and Senator Lott has agreed to do so. If we can get the Law of the Sea Treaty on the SFRC calendar, we will not have a problem getting it out of Committee. If we can get it on the docket for a vote by the Senate, it will pass easily. We are confident that we can dispose of the Law of the Sea Treaty quickly without prejudicing efforts to ratify the Comprehensive Test Ban Treaty.

Remarks by the President on the Law of the Sea Treaty last Friday at the National Ocean Conference (attached) were perfectly timed to support our ratification effort. President Clinton submitted the treaty to the Senate after it had languished for twelve years; it is entirely appropriate that ratification of the treaty be a legacy of his Presidency.

Points to be Made

- * The efforts by State and DOD have been successful in building strong bipartisan support for the Law of the Sea Treaty.
- * Sandy would like Secretary Albright to call Senator Helms and urge him to hold hearings on the treaty and report it out of committee for a vote by the Senate this year.
- * We will be asking Secretary Cohen to follow up with Senator Lott.
- * Secretary Albright should emphasize to Senator Helms that this is a bipartisan effort.

EXCERPT FROM REMARKS BY THE PRESIDENT TO THE NATIONAL OCEANS CONFERENCE

San Carlos Park
Monterey, California

June 12, 1998, 1:30 P.M. PDT

Fifth, we must join the rest of the world in ratifying, at long last, the Convention on the Law of the Sea. (Applause.) The character of our country, and, frankly, the nature of a lot of the economic and political success we have enjoyed around the world has rested in no small part on our continuous championing of the rule of law at home and abroad. The historic Convention on the Law of the Sea extends the rule of law to the world's oceans.

There is not a scientist here in any discipline who seriously believes that we will ever turn the tide on these dangerous trends until we have a

uniform legal
system that can provide a framework necessary to give us a global
approach to
this problem. This convention assures the open seaways that our
Armed Forces and
our fishing, telecommunications and shipping industries require. But it
also, I
will say again, gives us the framework to save the oceans while we
grow as a
people and while we grow economically.

This year, during this legislative session, the United States Senate
should, and
must, confirm its leadership role by making America a part of the
community of
nations already party to the Convention on the Law of the Sea.

Exchange Mail

DATE-TIME 6/17/98 1:54:36 PM
FROM Bouchard, Joseph F.
CLASSIFICATION UNCLASSIFIED
SUBJECT RE: ABC Lunch [UNCLASSIFIED]
TO Malley, Robert

CARBON_COPY Bell, Robert G.
Abercrombie-Winstanley, Gina K.
Burrell, Christina L.
Farrar, Jay C.
Rudman, Mara E.
Allen, Charles A.
Baker, James E.
DeRosa, Mary B.
Highsmith, Newell L.
Hill, Roseanne M.
Hunerwadel, Joan S.

TEXT_BODY

Rob,

Once again, I propose that Sandy encourage Albright and Cohen to call Senators Helms and Lott to urge them to schedule hearings on the Law of the Sea Treaty and vote on it this year. The President laid the groundwork for their calls by emphasizing the importance of ratifying the treaty in his Friday speech at the National Ocean Conference in Monterey (excerpt attached). The President also told the Chairman of the panel that reviewed ocean law and security at the conference that ratifying the Law of the Sea Treaty is his top treaty priority for the rest of the year. Sandy discussed the Law of the Sea Treaty ratification strategy with Albright and Cohen in March and April.

The attached paper provides background and talking points for Sandy. Bob Bell concurs.

Joe Bouchard

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

From: Malley, Robert

Sent: Wednesday, June 17, 1998

1:26 PM

To: @ALLNSC - NSC Staff

Subject: ABC Lunch [UNCLASSIFIED]

Importance: High

Please

provide proposed topics for next week's lunch with MKA and BC by COB today.

Thanks

TRANSLATED_ATTACHMENT

LOS-mem6.doc

POINTS TO BE MADE FOR ABC MEETING ON
LAW OF THE SEA TREATY

Background

There are critically important national security, economic and environmental grounds for ratifying the UN Convention on the Law of the Sea. The Administration should attempt to gain Senate advice and consent to ratification in 1998 rather than waiting until later because the United States will lose its provisional seat on the International Seabed Authority if it has not ratified the treaty by October 31. That would have serious long term negative consequences for U.S. ocean interests and our competitiveness in the seabed mining industry.

There is strong bipartisan support for the Law of the Sea Treaty in the Senate. Senate Republican leadership (Lott, Stevens, Lugar, McCain, Warner, Murkowski and Snowe) all support the treaty. Senator Stevens has approached Helms on the treaty and Senator Lott has agreed to do so. If we can get the Law of the Sea Treaty on the SFRC calendar, we will not have a problem getting it out of Committee. If we can get it on the docket for a vote by the Senate, it will pass easily. We are confident that we can dispose of the Law of the Sea Treaty quickly without prejudicing efforts to ratify the Comprehensive Test Ban Treaty.

Remarks by the President on the Law of the Sea Treaty last Friday at the National

Ocean Conference (attached) were perfectly timed to support our ratification effort. President Clinton submitted the treaty to the Senate after it had languished for twelve years; it is entirely appropriate that ratification of the treaty be a legacy of his Presidency.

Points to be Made

* The efforts by your staffs have been successful in building strong bipartisan support for the Law of the Sea Treaty. Bill, I appreciate your letter to Helms and call to Lott.

* Madelein, I'd like for you to call Senator Helms and urge him to hold hearings on the treaty and report it out of committee for a vote by the Senate this year.

* Bill, follow up with Senator Lott. Ask him to approach Helms on reporting the treaty out of committee.

* Emphasize to Helms and Lott that this is a bipartisan effort.
EXCERPT FROM REMARKS BY THE PRESIDENT
TO THE NATIONAL OCEANS CONFERENCE

San Carlos Park
Monterey, California

June 12, 1998, 1:30 P.M. PDT

Fifth, we must join the rest of the world in ratifying, at long last, the Convention on the Law of the Sea. (Applause.) The character of our country, and, frankly, the nature of a lot of the economic and political success we have enjoyed around the world has rested in no small part on our continuous championing of the rule of law at home and abroad. The historic Convention on the Law of the Sea extends the rule of law to the world's oceans.

There is not a scientist here in any discipline who seriously believes that we will ever turn the tide on these dangerous trends until we have a uniform legal system that can provide a framework necessary to give us a global

approach to
this problem. This convention assures the open seaways that our
Armed Forces and
our fishing, telecommunications and shipping industries require. But it
also, I
will say again, gives us the framework to save the oceans while we
grow as a
people and while we grow economically.

This year, during this legislative session, the United States Senate
should, and
must, confirm its leadership role by making America a part of the
community of
nations already party to the Convention on the Law of the Sea.