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dpb # 1 January 2.doc
U.S. DEPARTMENT OF STATE
Daily Press Briefing Index
TUESDAY, January 02, 2001

BRIEFER: Richard Boucher, Spokesman

WAR CRIMES

1,4-5 Statement on Cambodia's Adoption of a Draft Law to Investigate and Prosecute Khmer Rouge Leaders/Participation of international community and UN

1-4,6 Signing for International Criminal Court (ICC)/Foundation of ICC/Reaction to Senator Helms and other Congresssional Views/U.S. Cooperation with Israel and Arab countries

DEPARTMENT

5-6 New Administration Updates on Developments, including ICC/Secretary Albright's Contacts with Secretary-Designate Powell

6-9 Recent Telephone Conversations between Secretary Albright and Foreign and Domestic Officials

MIDDLE EAST PEACE PROCESS

6-9,13 Recent Telephone Conversations between Secretary Albright and Foreign Officials/Framework for Peace and Meetings with Chairman Arafat in Washington/Arafat Letter to President Clinton/Commission on Violence/Senator Mitchell Fact-Finding Commission/U.S. Efforts to Cease Violence/Clinton Conversations with Arafat

TERRORISM

13-14 Trial of Suspects in Bombings of U.S. Embassies in Africa/U.S. Position on Osama bin Laden

GREECE/TURKEY

14 Aegean Island Disputes between Greece and Turkey

YUGOSLAVIA

14-15 Secretary Albright Meeting with Yugoslav Foreign Minister/Border Tension/Release of Serb Soldiers/NATO Intervention for Grievances/Verbal Agreement between ethnic Serb and Albanian Leaders/Extradition of Yugoslav Leaders and Milosevic/Possibility of Meeting with Secretary-Designate Powell/Sanctions

MEXICO

15-16 Situation in Chiapas

CHINA/TAIWAN

16 Ferries to Mainland China

RUSSIA

16 Possibility of Secretary Albright Meeting with Russian Foreign Minister Ivanov

PHILIPPINES

16-17 American Jeffrey Schilling's Capture by Muslim Rebels/Security Situation

U.S. DEPARTMENT OF STATE

DAILY PRESS BRIEFING

DPB # 1

TUESDAY, JANUARY 2, 2001 1:10 P.M.

(ON THE RECORD UNLESS OTHERWISE NOTED)

MR. BOUCHER: Good afternoon, ladies and gentlemen. Happy New Year to everybody. It's a pleasure for us all to be back together again, isn't it?

If I can, I would like to start off talking a little bit about war crimes in two locations: one is generally and the other is in regard to Cambodia. We will have statements available: one, I think, shortly after this briefing, and the other a little later.

Let me take up the issue of what they have done in Cambodia. The United States welcomes the action that has been taken by the National Assembly of the Cambodian Government to unanimously approve a draft law establishing extraordinary chambers. These chambers are to investigate and prosecute senior Khmer Rouge leaders and others who were responsible for the atrocities of the 1975-79 period in Cambodia.

We look forward now to the further action necessary on this draft before the Senate of the Government of Cambodia and then final consideration by King Sihanouk, and then final consultations between the United Nations and the Government of Cambodia to implement this agreement expeditiously.

We think this is a significant step forward, and we certainly welcome this action. As you know, we have been very involved in this in the past. Senator John Kerry has been very involved in helping work this out, and we certainly tried to support the United Nations in every way to ensure that there can be accountability for the crimes that were committed in Cambodia.

That specific statement will be out shortly, and I would like to say some more general words, and then we'll have a more detailed and technical statement on the general question of war crimes as well later in the day. But I just want to talk a little bit about the signature of the International Criminal Court documents on Sunday that Ambassador Scheffer, our Ambassador-at-Large for War Crimes, carried out. And the President of course issued a statement on the subject.

The Secretary, as I think you all know, has worked very long and hard on this issue ever since her time at the United Nations. She believes very strongly in accountability for crimes, has talked about it and pressed it in many fora, many ways, many times. She has described this as an essential process of turning collective responsibility into individual accountability. This has been the case with the specific war crimes tribunals that have been set up for Rwanda, for Yugoslavia, for other places. And it is also a step forward in this process for the United States to sign the agreement on the International Criminal Court.

The Secretary has made this an issue of her consultations with other foreign ministers, especially in recent months in her consultations at the United Nations, at the APEC meeting and elsewhere, to try to clarify for the United States questions of jurisdiction and more precision in the definitions of the crimes so that the United States could be party to this treaty, so that we could sign.

As the President said in his statement, this process has brought us forward but it hasn't brought us to the

point where he would seek ratification. We have now, by signing it, put the United States in a position to influence the further evolution of the treaty. But the President made quite clear, and the Secretary agrees, that they should not seek ratification until the US concerns are further satisfied.

And, finally, I would like to note in this context the extraordinary work that Ambassador Scheffer, our Ambassador-at-Large for War Crimes Issues, has done over the past several years in bringing us to the point where the treaty is clarified so that we can sign. Maybe not clarified enough so that we could seek ratification, but he has done an extraordinary job and the Secretary values his contribution in that regard very highly.

So with those two discussions, I would be glad to take your questions on these or other matters.

Q Is it realistic to expect these concerns to be satisfied? It took the President to the very last minute. Obviously, the concerns weighed on him. And of course we all know basically what they are, that it will become a political institution to crucify, or to at least hold up for ridicule or worse, leaders who are politically unpopular, which of course the UN does regularly?

MR. BOUCHER: Well, let me take the opportunity to say a number of things. First, this is not a UN court. This is not part of the UN system. This is an independent judicial body. It is a treaty-based independent court. The United Nations serves as a depository for the Rome Treaty, as it does for many treaties, and possibly there may be discussions in the future. But this is an independent body. It is not a UN court and we would not want it to be seen that way. We don't see it that way, and it's not.

Second of all, we have succeeded in clarifying and getting more precise definitions of the crimes, doing a variety of things during this process over the time that we have been considering this, and we felt that that was to the point where we could sign. Is it realistic to think that we might clarify and be able to identify or satisfy our concerns so that someday the United States might ratify? We think, first of all, we are better off trying to get that from within by signing and putting ourselves in a position to influence it. So if we are to get to that point, we are only going to get there if we're in it and in a position to influence. And that is what the President's action has done.

Second of all, it may take some time. It could take years to get to that point, but we do think it is worthwhile for the United States to be there and to have our interests represented. And I think the President also said in his statement that he would expect that there would be some time the United States would want to see how it operates. So once it's finally ratified -- by 60 countries, I think it is -- to come into effect, the United States in any case would want to see how this actually operates before any future American leaders made a decision on seeking ratification.

Q One question on each thing, on the ICC first. So it's your opinion that the very vehement objections to signing this treaty from Senator Helms and others are kind of short-sighted?

MR. BOUCHER: Did I say that?

Q I'm asking you, is it your opinion --

MR. BOUCHER: Let me talk about the --

Q Senator Helms called this an international kangaroo court. He said it should never have been signed in the first place. But regardless, I mean, I don't think they care whether you're not going to seek their approval of it any time in the near future; they don't even want the US to be signed onto it?

MR. BOUCHER: Certainly, we share many of the concerns that are expressed by people in Congress, and we do not wish this to turn into some device that could be used against US leaders or US soldiers or US military people who are acting within the authority of the US Government. And we think that we have clarified things in that direction, and that more needs to be done. So certainly those fundamental concerns are shared.

Second of all, the President made quite clear that there are flaws that need to continue to be addressed and that we are not seeking ratification until those concerns that we have are satisfied. There were, in fact, 18 senators from both parties and 28 representatives who sent letters to the President urging him to sign. So we realize there are different opinions up on the Hill, in addition to the opposition. But, as I said, there are concerns that are well-founded that we share, and we would not think anyone would seek ratification without seeing them clarified.

Q What you do say, then, to people who argue the US should never have signed on in the first place?

MR. BOUCHER: Well, what I've just said: that we think we have to be in a position to influence the outcome; we do have these concerns that are legitimate; and we intend to continue to pursue them before we would expect anyone to seek ratification here.

Q You don't have any concern that this is basically done for show, that it's going to be doomed because the Senate is basically never going to ratify it? And if you look at the --

MR. BOUCHER: Well, I guess I would say that issue will not arise with this Administration, and the future

administration will take whatever position it thinks appropriate. These are the thoughts at this stage at this point in time.

Q Can I ask one about Cambodia?

MR. BOUCHER: Sure.

Q What are your concerns about this draft that's been passed? I know that what was passed was a hybrid arrived at only after some last-minute intervention by Senator Kerry, and that the UN wasn't completely satisfied. So what are your concerns now? How would you like to see this thing changed, if at all, by the Cambodian Senate before it goes into effect?

MR. BOUCHER: I think what we look forward to in terms of defining some of the specifics in further detail, or the final consultations between the United Nations and the Cambodian Government, and they need to work out a Memorandum of Understanding between them on how the process is going to work.

The process, as we see it, is designed to get agreement on issues such as the indictment and judgment between the international community and Cambodian officials, and the extraordinary chambers will include international participation by the international community as judges, prosecutors, investigating judges, administrators, staff and the Cambodian courts to bring these people to justice. So we think the framework is there and the conclusions need to be drawn, the final conclusion of a memorandum between the United Nations and the Government of Cambodia, is where to define further how exactly it will operate.

Q So you don't think that you had wanted, and the UN had wanted, more of an international component to these tribunals or trials? Are you still looking for that? Is that something you would like to see when the MOU is signed -- a greater international participation?

MR. BOUCHER: Well, as I said, what we know about the law -- and we haven't had time to review it completely or closely -- but what we know about it is it does provide for the international participation and the further definition of that participation, and the operating modalities will be between the United Nations and the Government of Cambodia. And that is the next step in the process, to define these things.

Q What is the more "international participation"?

MR. BOUCHER: I've said there is international participation. We haven't had a chance to look at the law in all its detail, but fundamentally that's the right way to go. And there is this opportunity to define it further, which we look forward to.

Q Do you believe the international participants should have veto power over the proceedings?

MR. BOUCHER: Once again, I am not able to go into that much detail at this point because we haven't had a chance to review the law completely or closely. As I said, the process is designed for the international community to participate, to reach agreement with the Cambodian Government on issues of prosecution and investigation. That is the way we think the process ought to work fundamentally. That is the right framework, and it will be defined further as the UN reaches agreement.

Q But if you haven't read it fully, how can you say that it's a positive step forward and welcome it? I don't get it.

MR. BOUCHER: Because we know enough about it to know it's good. Okay?

Q Has a liaison officer been appointed to alert the Colin Powell transition team when things like the International Court is to be announced and so on? In the next two weeks, there is probably going to be a flurry of such last-minute decisions and so on. Is there any way in which you are at least informing them ahead of time -- not asking for their approval, of course?

MR. BOUCHER: They are sort of plugged into the apparatus now and their people are giving them heads-ups on things. And something significant, somebody will give them a call, or he may hear about it and call in and get a briefing on things from appropriate people. So he and his staff are being brought into the process, told what we're doing obviously. The Secretary is the Secretary and she is making the decisions, but one way or the other we are keeping them informed of things like this that are happening.

Q As a follow-up, is she in touch with Colin Powell on a daily basis now? Or almost daily?

MR. BOUCHER: I don't know. I don't think she personally has talked to him quite so often, but certainly he has been in touch with people in the building and the Secretariat and elsewhere, and has been kept up to date on new developments like this. I'm sort of looking through phone calls and I don't see any. She had an extensive meeting with him, I think about a week or ten days ago, before she went off on some family vacation.

Q Is he still in the building?

MR. BOUCHER: Is she back in the building?

Q Is he back in the building?

MR. BOUCHER: Is he back in the building? I don't know. I only keep track of the Secretary?

Q What about the Middle East issues as such? Are they being sort of run by --

MR. BOUCHER: Once again, all I can tell you is that the kind of cooperation that is being established with the new team is extensive and complete. They are being briefed and kept up to date, but I'm not going to start going into single phone call and every --

Q They're getting more than we are here?

MR. BOUCHER: Oh, certainly.

There is one thing I forgot to mention about the International Criminal Court. The one more thing to mention on the International Criminal Court: we worked with Israel in particular, and also with Arab governments and other countries, to achieve a consensus on a point that was of particular concern to Israel, and that was to deal with the customary international law that prevails and the customary international understanding that prevails with regard to certain phrases on the transfer of civilians. That is also an issue -- was an issue -- that we were able to satisfy our concerns and Israel's concerns about before we took this step of deciding to sign.

Q Did you work closely with the Iranians as well?

MR. BOUCHER: I don't think I have that anywhere in my materials.

Q How is this for a segue? Telephones. Did the Secretary make any calls lately on behalf of the US plan for a settlement? Because the Palestinians are saying whatever happens at the White House today, it has to go back to the Arab foreign ministers, so there is a lot of consultation to be done among the Arabs. Is she weighing in with any of them, or does she plan to?

MR. BOUCHER: We didn't go through phone calls with you last week, did we?

Q Well, there wasn't much of last week, really.

MR. BOUCHER: Well, there was.

Q Well, I mean we didn't have many briefings last week.

MR. BOUCHER: The Secretary actually sort of spent her vacation on the phone, wherever she was. She was making phone calls constantly, so I'll go back and just very quickly give you an idea. Since a week ago, Friday the 22nd, that day she was on the phone with the Israeli Foreign Minister, the Lebanese Prime Minister, a couple senators, the Czech Ambassador on a couple issues. Then on Saturday, starting at five in the morning, they had some discussions with UN Secretary-General Anan.

Q (Inaudible)?

MR. BOUCHER: This was local time here because she wasn't --

Q (Inaudible.)

MR. BOUCHER: Starting early on --

Q (Inaudible.)

MR. BOUCHER: No, she was here.

Q At three o'clock?

MR. BOUCHER: It was here before she went to mountain time. On the Saturday, she talked to the Russian Foreign Minister, to the European High Representative Solana, to the Israeli Foreign Minister, again to the German Foreign Minister on that day. I think that was Saturday. Is there a chance that -- that was either Saturday or Sunday, now that I look at it. No, that was Saturday.

On Sunday, she was on the phone with the European High Representative Solana again, French Foreign Minister Vedrine, the Spanish Foreign Minister Pique, German Foreign Minister Fischer. On Monday it was Turkish Foreign Minister Cem, Tunisian Foreign Minister Ben Yahia, European High Representative Solana, Turkish Foreign Minister Cem again, Canadian Foreign Minister Manley, Saudi Arabia's Ambassador Bandar. That was Monday.

Then Tuesday it was the Canadian Foreign Minister again. This is full vacation. This is what she does on her vacation.

Q It doesn't sound like much of a vacation.

MR. BOUCHER: Tuesday was Canadian Foreign Minister, the Dutch Foreign Minister, the Spanish Foreign Minister, the French Foreign Minister and the European High Representative Solana again.

This is only about half of her phone calls or a third of her phone calls, since she had a lot of phone calls with people in the building as well -- Sandy Berger, Dennis Ross, Ambassador Sherman, staff and others.

Wednesday, you get the Egyptian Foreign Minister three times and the European High Representative Solana again. She even talked to some journalists once or twice during her vacation. I'll mention that.

Thursday she talked to Russian Foreign Minister Ivanov. Friday, the Bahamian Foreign Minister, the Saudi Ambassador, European High Representative Solana, Secretary-General Anan. Saturday it was the Jordanian, Saudi, Egyptian, Tunisian Foreign Ministers and European Representative Solana.

On Sunday was the Tunisian Foreign Minister and European Representative Solana again. Did I miss Monday? I guess I missed yesterday, but there were plenty others.

Q What's with Solana?

MR. BOUCHER: I think there is obviously lots of things to discuss with the Europeans, but Solana has been involved and interested in the peace process all along, and that's one of the issues we discussed with him.

Q Were all of these calls --

MR. BOUCHER: Most of this has to do with the Middle East. A few other issues come up.

Q Who in that massive group that you just read out was not about the Middle East, other than the Czech?

MR. BOUCHER: Well, the Czech -- she discusses other things with Foreign Minister Ivanov of Russia.

Q About the presidency?

MR. BOUCHER: No, I don't think that is an issue that she discusses. She discusses other things with Secretary-General Anan. She discusses other things with Foreign Minister Ivanov of Russia. Who else was in there? The Canadian Foreign Minister -- the Canadians have been working -- we have talked to them quite a bit about war crimes and the International Court, for example. That was a subject when they first

met at the APEC meeting.

Q Last week it was said that apropos these calls -- last week it was said, without the detailing of her calls, that the Arabs, Arab ministers, support the President's efforts, which is not the same thing as supporting the President's plan, although it could be.

Can you advance that any? I mean, did she try to rally support for his parameters, suggestions, outline? The word changes every day, but it's a summary of what the two sides need, he decided, and I wondered if she was finding it falling favorably on those ears?

MR. BOUCHER: I am not really in a position to characterize the calls in any detail other than to say that she was discussing what we're doing, discussing the importance of moving forward if we can, and discussing the need for support in this process. We will get, I am sure, a more up-to-date readout after the meetings today at the White House.

Q So can you characterize them as saying that, you know, she is not slowing down at all as she nears the end of her term?

MR. BOUCHER: I would be happy to say that because it's quite obviously true that she continues to work very hard to advance the interests of the United States and, in particular, to work very hard on the Middle East peace process. We have said all along the President and the Secretary would both be very committed to doing whatever they can. And I think she is not only talking about it, but she's doing it.

Q Without belaboring this, can you give us an indication of how much time actually these phone calls took of her vacation?

MR. BOUCHER: I --

Q Are these phone calls like 30-second calls or are they like a half hour?

MR. BOUCHER: No, these are generally --

Q Forty-five minutes, an hour?

MR. BOUCHER: I've been there during some of them. They are generally a minimum of five minutes and can often go hours. Just giving a spacing of some of the calls that were made one after another after another, I'd say most of them are in the 15-minute to a half-hour range.

Q Can we just go more macro for a second?

MR. BOUCHER: Please.

Q And have you generally assess --

MR. BOUCHER: Good. I got lost.

Q If you could just give a very general assessment of where things stand right now, what's the point of bringing Arafat here when the two sides are said to be still so far apart on key issues and what the Administration is hoping to accomplish.

MR. BOUCHER: The meetings this afternoon that President Clinton, Secretary Albright and others will have at the White House with Chairman Arafat are designed to try to ensure that there is common understanding of the parameters that the President has put forward as a basis to moving forward with the negotiations. Clearly we will have a better sense of where we are and where we're headed after this meeting.

As the President said last week, both sides have legitimately asked a lot of questions. Those questions need to be answered, but there is also no point in trying to move forward unless we have got a basic framework on which we can negotiate. So the meeting is intended to focus on ensuring that there is a common understanding of the parameters and suggestions put forward by the President and to determine whether we have a basis for proceeding with the negotiations.

Q Does that raise the possibility that a conclusion may be reached, that with 18 days left, if the disagreement is wide, that maybe there will be a decision to just hold it right there? Is that possible?

MR. BOUCHER: I am sure there are many possibilities. I think at this moment with meetings starting in an hour or so, it's probably better for me not to start prejudging the outcome.

Q Richard, this Palestinian letter that was sent to the President, the Palestinians also sent an open letter on why they disagree with some of Clinton's proposals, and in pretty fair detail go over point by point what their problems are. Today do you expect the President and Secretary to address these points one by one, or just re-instill these parameters for a more common understanding?

MR. BOUCHER: As I said, there have been questions from both sides; the questions do deserve to be

answered. I'm not familiar with the letters you're speaking about so I can't tell you whether they'll go one by one through those points. But, as I said, it's important that we ensure that we do have a common understanding of the parameters, and that is what they will try to accomplish by having these meetings.

Q Last week it was said from this podium, as well as from the White House by both Clinton and his people that this was not the time to be answering more questions; this was the time to, you know, let's get it done. Why change now? Why say, okay, come on over and we'll answer or try to answer some of these questions when the United States was so vehement against that?

MR. BOUCHER: Well, I don't think it's such a change because clearly there are questions that need to be answered, but there also has to be a basic framework that's accepted in dealing with the questions. That is why I say I'm not promising that they'll go one by one through a whole long host of questions. What is important is trying to achieve that common understanding in that process. You have to answer a certain number of questions, but you need to reach an understanding, reach a knowledge, that there is a basic framework, a set of parameters, that can be accepted by both sides. And that's what we're trying to do.

Q So the bottom line is still take-it-or-leave-it? That's what it was last week. You know, if it isn't, then it's a change.

MR. BOUCHER: Again, I say there has to be a basic framework, and we'll leave it at that until the meetings are over.

Q Isn't that what he proposed? Isn't that -- so, and it's not going to change now, is it? Is there a possibility that things in the parameters that the President suggested two weeks ago are going to be changed as a result of these consultations?

MR. BOUCHER: I'm not suggesting that.

Q Is it possible?

MR. BOUCHER: I'm not suggesting that. That's where I'll leave it.

Q Given some of the statements over the weekend in Israel and then some of the concern -- I think it came out yesterday that the Israeli Attorney General said that Barak maybe lacked the authority to negotiate the Temple Mount. I mean, is there still an understanding? Are you operating from the assumption that the Israelis have agreed if the Palestinians agree to proceed with the framework?

MR. BOUCHER: Once again, maybe that's the kind of question that's best answered at the end of our discussions during the course of the day. I'm not going to try to get too far ahead of this, but we think it's important for both sides to ensure that there is a common understanding of the framework and that the framework, the suggestions, the parameters, be accepted as a basis for going forward. That is the only way we're going to go forward at this stage. Time does not last forever.

Q Richard, time does last forever.

MR. BOUCHER: Well, the time available right now to do this does not last forever.

Q The Prime Minister said he is suspending all contact, he said today, with the Palestinians. Does the State Department have a view of that statement?

MR. BOUCHER: I am afraid I didn't see that statement, so I don't have any reaction.

Q Okay. Could I ask you something else that I just thought of over the long weekend? Whatever happened to that celebrated committee or commission on incitement of violence? Is that --

MR. BOUCHER: The fact-finding committee?

Q Did it quietly just -- no, no, no. A couple of years ago, I believe, if I remember right, one of the --

Q Last year.

Q Was it last year? I don't know. It was an attempt to stem violence or stop it before it starts. There was supposed to be some sort of a panel that would look into causes of violence and inciting violence. Maybe it has been subsumed by the Mitchell group. I don't know. I thought it pre-dated --

MR. BOUCHER: Well, if it pre-dates the Mitchell group, it pre-dates me as well. What I am familiar with is the fact-finding committee that was discussed during the course of the fall in Paris and elsewhere that was agreed to at Sharm el Sheikh and Senator Mitchell has headed. They've been out to the region at least once and, as we said, they are an independent body and they are undertaking their work.

Q Will he still talk about that in March? There was some talk that it wouldn't be out until March.

MR. BOUCHER: I'm not sure they ever set the deadline, but they'll decide when they want to report.

Q To follow up on Barry's question, can you give us any update on the status of security cooperation? Is there any right now? I mean, it was also a major issue at Sharm el Sheikh. I remember that you would have the CIA trying to get both sides together.

MR. BOUCHER: I think clearly we have continued to talk to both sides about the need to take steps to end the violence. We have strongly condemned the ongoing violence. We call on both sides to do all they can to end the bloodshed.

President Clinton spoke with both Chairman Arafat and Prime Minister Barak yesterday in separate conversations. In these calls he discussed the need to take steps necessary to bring this violence to an end. The Secretary made clear in her statement to you about two weeks ago what kind of steps we thought were necessary from both sides. It remains important for the sides to take these steps to end the violence, and that will certainly be a subject of discussions today with Chairman Arafat.

Q Israel has taken a number of positions --

MR. BOUCHER: Can we --

Q The same subject. Israel has taken a number of positions in response to the violence, and I wondered if the Administration has any view whether they are helpful, understandable, counterproductive, dividing Gaza into three parts, the continuing of a blockade of Gaza and, of course, Barak saying we have nothing further to talk to them about. Is that something that's just --

MR. BOUCHER: I think we have generally tried not to characterize a position on each particular step. Occasionally, there have been things of particular concern or that were, we thought, particularly important. But the Secretary in her discussions with you, the Secretary publicly a couple weeks ago, laid out the kind of steps we thought were necessary. As you know, many of these were discussed at Sharm el Sheikh. Many of these were discussed before that in Paris. We have been quite clear all along on the need for the two sides to take certain steps to try to reduce the violence and to end the cycle of violence, and we remain clear on that view.

Q At this point, if this meeting is just to flesh out the parameters, is there a concern that the President -- the importance of a presidential meeting with Arafat or Barak-- is kind of diluted in a way? Like, at one point it used to be that if two leaders were to meet with the President, then there was some possibility of tangible progress. And isn't this something that should maybe be gone over with the negotiators at this level?

MR. BOUCHER: Well, let me say two things, three things, four things about that -- five things. Let's start

out with the fact that the meeting is not, as you say, to flesh out the parameters. The meeting is to ascertain, to ensure that we do have a common understanding of the parameters and, on that basis, to see how to move forward with negotiations. So it's an important meeting and it's worth holding at the presidential level.

We have had meetings in recent weeks at other levels to help, as you say, flesh out some of the ideas and discussions. But the President has now put forward parameters and suggestions for how we might move forward and looks to ensure with both sides that they can proceed on that basis, and that is why the President is involved at this level. That wasn't five things; that was only three.

Q I noted, unless I misheard, that she had not talked to Arafat during the holidays and afterwards. And my question has to do with the way in which the President's invitation to Arafat to come to Washington occurred. Can you give us some glimpse of how this happened, because there didn't seem to be any contact between the Secretary of State and Arafat?

MR. BOUCHER: As you know, I think, from the White House -- and given that I was also on a family holiday I don't remember it as precisely as I should -- the President, I believe, had a couple conversations in the last few weeks with Chairman Arafat, including the ones yesterday where, as the White House described it, they suggested that he come to Washington to discuss the suggestions and ensure that we had a common understanding.

In addition to all the Secretary's phone calls, I would have to have to add that Ambassador Ross and other members of our peace team have been in close touch with various people in the region and the Arab world, Israelis and Palestinians included. So this whole process has been moving along with Ambassador Ross, with the Secretary and with the President.

Q Will Ambassador Ross be at the meeting this afternoon, I presume?

MR. BOUCHER: Yes. Okay, where are we going next?

Q Tomorrow, the followers of Usama bin Laden will be tried in a federal court in New York in connection with the bombings of the US Embassies in Africa. Now, as far as Usama bin Laden is concerned, where he stands, number one? Number two, a hundred witnesses from six countries will be brought for the trial. Now, which are those six countries, you think, where the witness are coming from?

MR. BOUCHER: Let me say two things. As far as the witnesses and the trial and which countries they are coming from, I'm afraid information on the trial has got to come from the court. We are not going to try to do that from here. And, second of all, Usama bin Laden, where he stands? I guess as far as we know, he

stands in Afghanistan and he stands as a wanted criminal and we look forward to his being rendered unto justice.

Q Any comments about this trial for tomorrow?

MR. BOUCHER: I mean, obviously, it is very important to us that people that are accused of bombing our embassies be brought to trial and this is a process of justice that we have been extremely involved in. But as the trial begins, I think we prefer to leave it to the courts to carry out appropriate justice.

Q Greece changed 153 problematic Aegean island statue and Turkey start complain about that. In the past, the U.S. plays the mediator role between Greece and Turkey on the subject. Do you have anything on this?

MR. BOUCHER: I don't know. I'll have to see if we are involved; I will check on it.

Q On another subject, the Yugoslav Foreign Minister is due in town later this week and over the holiday period, there was this incident with the six Serbs who were kidnapped and then released. Presumably the security situation in southern Serbia will be discussed but are there any additional measures or ideas the Secretary has for diffusing the tension there and will the extradition of Slobodan Milosevic be on their agenda for discussion?

MR. BOUCHER: I am certain, first of all, that the Secretary and the Yugoslav Foreign Minister will have a wide-ranging discussion and discuss a lot of these issues.

There is actually some news on the issue a border tensions. First of all, the six ethnic Serb civilians have released. They were unharmed and we certainly welcome their release and condemn the actions of the extremist groups who kidnapped and violated the rights of ordinary citizens.

We are very engaged, as is the international community in trying to reduce tensions in the region. The Security Council discussed the situation, I think, in the week before Christmas and condemned the violent actions by extremist groups in the region. NATO and the UN interim administration in Kosovo are working closely with all the parties in the region to achieve a peaceful solution to the grievances.

Now, there has been substantial progress achieved in recent days. Over the weekend, there was a verbal agreement mediated by senior NATO officers that was reached by ethnic Serb and ethnic Albanian leaders. This agreement results in the lifting of roadblocks, reopening of civilian traffic through the three-mile-wide buffer zone. That is a positive development and one that NATO and the United Nations people on the ground were involved in helping produce.

So we think that is a substantial progress and we continue to urge all sides to refrain from violence and seek political solutions to the disputes out there.

Q And extradition?

MR. BOUCHER: Extradition, certainly the whole evolution of Yugoslavia's relations with the international community, including on legal matters, will be an issue of discussion. There is, as we know, some discussion in Yugoslavia of seeing Milosevic tried for violations of Serbian laws in Serbian courts. That doesn't change the need for him to be tried in The Hague for crimes that are within the tribunal's jurisdiction.

Q Can you say what day the meeting is? Is it Thursday?

MR. BOUCHER: It's Thursday.

Q I know that the Yugoslavs have asked for a meeting with Powell or at least some of Powell's people. Are they going to meet with them as well?

MR. BOUCHER: I don't know. Actually, I haven't sort of settled the policy issue of whether I'm going to try to detail his meetings as well; I think probably not.

Q Well, if we could, if we can find - because there has got to be some way of finding out if these people are actually meeting and, as you may have heard last week, there was a slight incident involving people who were trying to find out from his office what was going on. And I don't know if it is confusion among the transition team here and the transition team at the Bush-Cheney campaign or what, but there doesn't seem to be anyone in the office here that is willing to answer any questions, and going to the press office here doesn't seem to yield any results.

MR. BOUCHER: Well, maybe that's the way they want it, but let me find out.

Q If there is a meeting between Powell and the Yugoslav Foreign Minister, how are we going to find out about it?

MR. BOUCHER: The answer is, I don't know, and I will look into the matter and figure out whether this is intentional or inadvertent, but we'll see how much information they want to provide to you.

Q Richard, have all the sanctions against Yugoslavia been lifted?

MR. BOUCHER: That's a big question to which I'm sure the technical answer is, no, because some of the regulations certainly remain in effect. But in terms of the kind of restrictions, particularly in the financial area, I would have to check. Certainly the visa restrictions for individuals remain in effect, since those are many individuals that we want to see held accountable.

Q The United States was a very strong advocate of negotiations for peace in Chiapas with the government of Mexico and the Zapatistas. Now President Fox has pulled out the troops from zones where the Zapatistas were claiming to take it off and then start negotiations. Do you have any comments on the Chiapas issue in Mexico?

MR. BOUCHER: No, we don't, really. It is an internal matter that we will leave to President Fox.

Q But you give comments on every internal matter in other countries; why not Mexico? We are a very strong --

MR. BOUCHER: You may characterize it that way but I would say that we try to stay out of internal matters in other countries and this is one we intend to stay out of.

Q On that same issue, would you have anything to say about these ferries heading to the mainland and actually going there?

MR. BOUCHER: Let me just say, I'm not going to try to define jurisdiction in this matter but let me make a few comments on it. We welcome the decision by Taiwan to begin direct trade, travel and postal links between the islands of Quemoy and Matsu and the Chinese ports Xiamen and Fuzhou. We believe that improving cross-Strait economic ties serves the interests of both Taiwan and the People's Republic of China. We also believe it is conducive to peace and security in the region.

Q Could I quickly ask, if we're finished with that subject, Interfax News Agency is reporting that the Secretary will meet Foreign Minister Ivanov for the last time on the 11th of January in Paris. Is that true?

MR. BOUCHER: I'll have to double-check on that and see if we have anything for you.

Q Do you have any kind of a status update on what has happened with Jeffrey Schilling? And the reason I ask this is because there was a report in Manila yesterday saying that the US wants him to be charged with - I don't know -- some charge which involves colluding with the Abu Sayyaf group and becoming what was described as a walk-in hostage. What's the deal with that?

MR. BOUCHER: I know there has been a lot of speculation about the circumstances of his capture, and I'm just not going to engage in that kind of speculation. What I want to make clear is that our concern in this all along has been exclusively on his safe release. We continue to work closely with the government of the Philippines, which is in charge of the effort to obtain his release. We continue to be in contact with his mother and with his wife. Our sole focus on this remains obtaining his safe release.

Q So not obtaining his safe release so that he can be hauled back here and put on trial for something?

MR. BOUCHER: We have nothing new to say on that kind of speculation. What we are focused on is getting the man released.

Q Can we do an update on which embassies are closed and which ones are open due to security threats?

MR. BOUCHER: No. I'll try. I'll get you something later. I don't have it all in my head.

(The briefing was concluded at 2:05 P.M.)

19 1/2/01

Exchange Mail

DATE-TIME 1/10/01 9:01:49 AM
FROM Jarrett, Kenneth H. (ASIA)
CLASSIFICATION UNCLASSIFIED
SUBJECT paper for Chuck Brain [UNCLASSIFIED]
TO Rosen, Daniel H. (NEC)

CARBON_COPY

TEXT_BODY Dan: look at the attached. Ken

TRANSLATED_ATTACHMENT

NatCmtmoney.doc
Congressional Hold on U.S.-China National Committee Grant

Background: The National Committee on U.S.-China Relations (NCUSCR) has for over three decades implemented exchange programs with the primary goal of providing Chinese participants with a window on the values and systems responsible for America's strength and greatness. As one of the Office of Citizen Exchanges' five long-term partner organizations, the National Committee submits a proposal that is competitively reviewed and has consistently been top ranked first based upon the quality and relevance of the proposal to the Mission Performance Plan. The National Committee FY2000 proposal furthers the goal of advancing the growth of civil society in China by strengthening non-governmental organizations and public-private partnerships. All foreign participants in these exchanges are recommended by NCUSCR to the U.S. Embassy Public Affairs section and accord with The Human Rights, Refugee and Other Foreign Relations Provisions Act of 1996, as amended. A Congressional hold has delayed disbursement of FY2000 grant funds (around \$355,000). The key issue preventing resolution of this impasse seems to be the strong philosophical objection from Senator Helms toward awarding a grant to the National Committee and a policy of engagement with China. National Committee staff have met repeatedly with interested Members and staffers since last February to answer questions about the program and to resolve Congressional concerns. This effort, however, has still not satisfied Senator Helms.

Senator Helms has objected to National Committee programs and funding in the past, but USIA always ultimately decided to disburse funds nonetheless. The requirement for Congressional notification does not prevent the Administration from releasing the funds even if

objections from the Hill cannot be overcome. Our recommendation is that State should do so in this case.

Talking Points for call to A/S Barbara Larkin

- * Understand there's been a delay in releasing the FY2000 grant funds for the National Committee on U.S.-China relations.

- * Also understand that both the National Committee and your office have been working for nearly a year to resolve this matter but have been unable to overcome Senator Helms' objections.

- * We strongly support the work of the National Committee. See no prospect for satisfying Senator Helms on this. Must make a decision on release of the funds.

- * Recommend immediate release of the funds. State Department has the authority to do so. In fact, that was how USIA dealt with similar objections from Helms in the past. See little downside to taking this step at this juncture.

Exchange Mail

DATE-TIME 1/10/01 10:59:16 AM
FROM Patten, Wendy L. (MULTI)
CLASSIFICATION UNCLASSIFIED
SUBJECT RE: Saying Nice to Helms [UNCLASSIFIED]
TO Wilcox, Richard M. (MULTI)

CARBON_COPY Malinowski, Tomasz P. (SPCHW)
Crowley, Philip J. (PRESS)

TEXT_BODY Not to worry Richard. According to no less an authority than Tom,
it's fine to split our infinitives.

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

From: Wilcox,
Richard M. (MULTI)
Sent: Wednesday, January 10, 2001 10:56 AM
To: Crowley,
Philip J. (PRESS); @MULTILAT - Multilateral and Humanitarian Affairs;
Lackey, Miles M. (LEGIS)
Cc: @PRESS - Public Affairs; @LEGISLAT
- Legislative Affairs; @RUDMAN; @PRESS - Public Affairs
Subject: RE:
Saying Nice to Helms [UNCLASSIFIED]

PJ -- split infinitive notwithstanding,
I think to affirmatively offer some nice words would be an appropriate
gesture. To be clear, thus far Helms has only given indications
of his willingness to accept a certification package on Helms-Biden
to be provided by the Secretary towards the end of this week. Legislative
action to release the funds would only begin after January 22.

Miles:

@legis should take a close look at these points (based on State/IO's
guidance)

Points:

We are very pleased that Senator Helms
and members of the Senate Foreign Relations Committee have indicated
their willingness to release the next payment of arrears authorized
under the Helms-Biden legislation. This move would go along way

to putting the U.S.-UN relationship back on track.

IF ASKED:

Q:

With the 25% cap on peacekeeping payments, won't the U.S. continue to accrue new arrears?

A:

While the rate at which new arrears will accrue will significantly decline, as long as the cap is in place, we will incur new arrears for peacekeeping.

We believe it is in the best interests of the United States not to continue to accrue new arrears and would like to encourage Congress to remove legislated cap.

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

From: Crowley, Philip

J. (PRESS)

Sent: Wednesday, January 10, 2001 9:53 AM

To: @MULTILAT

- Multilateral and Humanitarian Affairs

Cc: @PRESS - Public Affairs;

@LEGISLAT - Legislative Affairs; @RUDMAN; @PRESS - Public Affairs

Subject: Saying

Nice to Helms [UNCLASSIFIED]

Jake is wondering if we want to affirmatively offer some nice words to Helms in light of what he has said in the paper today that he will release arrears given progress made. What do you think? If you agree, we obviously need some bullets that Jake would need. He's not thinking a formal statement, but would just offer this up at the top of the briefing..

PJ

Exchange Mail

DATE-TIME 1/10/01 11:42:02 AM

FROM Crowley, Philip J. (PRESS)

CLASSIFICATION UNCLASSIFIED

SUBJECT RE: Saying Nice to Helms [UNCLASSIFIED]

TO Shapiro, Daniel B. (LEGIS)
Wilcox, Richard M. (MULTI)
Banbury, Anthony "Tony" N. (MULTI)
McLean, Matthew K. (MULTI)
Naplan, Steven J. (MULTI)
Patten, Wendy L. (MULTI)
Peterson-Becker, Augustine "Gusti" (ADMIN)
Schwartz, Eric P. (MULTI)
Shea, Dorothy C. (MULTILAT)
Smith, Peter D. R. (MULTI)
Tierney, Mary "Theresa" T. (MULTI)
Wilcox, Richard M. (MULTI)
Lackey, Miles M. (LEGIS)

CARBON_COPY Anderson, Brooke D. (NSCCOMM)
Countryman, Mary Ellen (PRESS)
Crowley, Philip J. (PRESS)
Cruise, Daniel L. (PRESS)
Hammer, Michael A. (INTERAM)
Mitchell, Donald A. (NSCCOMM)
Pisar, Leah F. (NSCCOMM)
Wozniak, Natalie S. (PRESS)
Burrell, Christina L. (LEGIS)
Lackey, Miles M. (LEGIS)
Shapiro, Daniel B. (LEGIS)
Tavlarides, Mark J. (LEGIS)
Walldorff, Rebecca L. (LEGIS)
Gray, Wendy E. (NSA)
Rudman, Mara E. (NSA)
Anderson, Brooke D. (NSCCOMM)
Countryman, Mary Ellen (PRESS)
Crowley, Philip J. (PRESS)
Cruise, Daniel L. (PRESS)
Hammer, Michael A. (INTERAM)
Mitchell, Donald A. (NSCCOMM)
Pisar, Leah F. (NSCCOMM)
Wozniak, Natalie S. (PRESS)

TEXT_BODY

Don't we need a little more on what the deal is? A few percentages and what we say the arrears is as background.

PJ

-----Original

Message-----

From: Shapiro, Daniel B. (LEGIS)

Sent: Wednesday,

January 10, 2001 11:20 AM

To: Wilcox, Richard M. (MULTI); Crowley,
Philip J. (PRESS); @MULTILAT - Multilateral and Humanitarian Affairs;
Lackey, Miles M. (LEGIS)

Cc: @PRESS - Public Affairs; @LEGISLAT

- Legislative Affairs; @RUDMAN; @PRESS - Public Affairs

Subject: RE:

Saying Nice to Helms [UNCLASSIFIED]

I've made a few small additions
in red. See below.

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

From: Wilcox,

Richard M. (MULTI)

Sent: Wednesday, January 10, 2001 10:56 AM

To: Crowley,

Philip J. (PRESS); @MULTILAT - Multilateral and Humanitarian Affairs;
Lackey, Miles M. (LEGIS)

Cc: @PRESS - Public Affairs; @LEGISLAT

- Legislative Affairs; @RUDMAN; @PRESS - Public Affairs

Subject: RE:

Saying Nice to Helms [UNCLASSIFIED]

PJ -- split infinitive notwithstanding,

I think to affirmatively offer some nice words would be an appropriate gesture. To be clear, thus far Helms has only given indications of his willingness to accept a certification package on Helms-Biden to be provided by the Secretary towards the end of this week. Legislative action to release the funds would only begin after January 22.

Miles:

@legis should take a close look at these points (based on State/IO's guidance)

Points:

We are very pleased that Senator Helms,
Senator Biden, and members of the Senate Foreign Relations Committee
have indicated their willingness to release the next payment of arrears

authorized under the Helms-Biden legislation. This move would build on the fine work by Ambassador Holbrooke at the United Nations and go along way to putting the U.S.-UN relationship back on track.

IF ASKED:

Q: With the 25% cap on peacekeeping payments, won't the U.S. continue to accrue new arrears?

A:

While the rate at which new arrears will accrue will significantly decline, as long as the cap is in place, we will incur new arrears for peacekeeping.

We believe it is in the best interests of the United States not to continue to accrue new arrears and would like to encourage Congress to remove legislated cap.

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

From: Crowley,
Philip J. (PRESS)
Sent: Wednesday, January 10, 2001 9:53 AM
To: @MULTILAT
- Multilateral and Humanitarian Affairs
Cc: @PRESS - Public Affairs;
@LEGISLAT - Legislative Affairs; @RUDMAN; @PRESS - Public Affairs
Subject: Saying
Nice to Helms [UNCLASSIFIED]

Jake is wondering if we want to affirmatively offer some nice words to Helms in light of what he has said in the paper today that he will release arrears given progress made. What do you think? If you agree, we obviously need some bullets that Jake would need. He's not thinking a formal statement, but would just offer this up at the top of the briefing..

PJ

Exchange Mail

DATE-TIME 1/10/01 12:29:01 PM

FROM Wozniak, Natalie S. (PRESS)

CLASSIFICATION UNCLASSIFIED

SUBJECT January 10 NSC Press Guidance [UNCLASSIFIED]

TO

Anderson, Brooke D. (NSCCOMM)
Countryman, Mary Ellen (PRESS)
Crowley, Philip J. (PRESS)
Cruise, Daniel L. (PRESS)
Hammer, Michael A. (INTERAM)
Mitchell, Donald A. (NSCCOMM)
Pisar, Leah F. (NSCCOMM)
Wozniak, Natalie S. (PRESS)
Aragoncillo, Leandro A. (VP)
Babbitt, James F. (VP)
Beardsley, Tyler S. (VP)
Black, Steven K. (VP)
Bolán, Christopher J. (VP)
Davidson, Leslie K. (VP)
Dennett, Todd H. (VP)
Fuerth, Leon S. (VP)
Gobush, Matthew N. (VP)
Hinckley, Steedman (VP)
Orfini, Michael H. (VP)
Osius, Theodore G. (VP)
Roberts, Michael W. (VP)
Saunders, Richard M. (VP)
Woolston, Ann E. (VP)
Anderson, Brooke D. (NSCCOMM)
Countryman, Mary Ellen (PRESS)
Crowley, Philip J. (PRESS)

Cruise, Daniel L. (PRESS)
Malinowski, Tomasz P. (SPCHW)
Matthews, Sonyia (SPCHW)
Mitchell, Donald A. (NSCCOMM)
Pisar, Leah F. (NSCCOMM)
Wozniak, Natalie S. (PRESS)

CARBON_COPY

TEXT_BODY

TRANSLATED_ATTACHMENT

Jan10gui2001_.doc
NATIONAL SECURITY AFFAIRS GUIDANCE
January 10, 2001

Berger Media Advisory

MULTILAT
Helms/UN Arrears (new)

NEAR EAST/SOUTH ASIA
MEPP (updated)

EUROPE/SEE
Northern Ireland
ICTY/Plavsic (updated)
Balkans (updated)
Serbia EO
Depleted Uranium Ammunition (updated)

RUSSIA/NIS
Russia/Kidnapping in Chechnya (new)

INTERAM
Chile/F-16s (new)
Colombia/Human Rights Waiver

AFRICA
"Conflict Diamonds"/WH Conference (new)

BERGER MEDIA ADVISORY
January 10, 2001

THE WHITE HOUSE

Office of the Press Secretary

For Immediate Release January 10, 2001

**** MEDIA ADVISORY ****

**NATIONAL SECURITY ADVISOR BERGER
TO SPEAK AT THE COUNCIL ON FOREIGN RELATIONS:
"A FOREIGN POLICY FOR THE GLOBAL AGE"**

Samuel R. Berger, Assistant to the President for National Security Affairs, will speak on the record about foreign policy during the Clinton Administration and the challenges that lie ahead for America over the next four years. Mr. Leslie H. Gelb, President of the Council on Foreign Relations, will preside over the evening's event.

What: Samuel R. Berger, Assistant to the President for National Security Affairs, will speak about foreign policy during the Clinton Administration and the challenges that lie ahead for America over the next four years.

When: Thursday, January 11, 2001; 7:00 p.m. to 8:15 p.m. meeting.

Where: Council on Foreign Relations, The Harold Pratt House,
58 East 68th Street, New York, New York.

Contact: Erin Eizenstat of CFR at 212/434-9536;
Don Mitchell of the NSC at the White House at 202/456-9119.

#

HELMS/UN ARREARS
January 10, 2001

BACKGROUND: Yesterday following Richard Holbrooke's testimony to the SFRC, Senator Helms indicated that the SFRC would release the next payment of U.S. arrears to the UN. This payment of \$582 million was conditioned on the UN General Assembly accepting limits on U.S. contributions of 22% on the regular UN budget and 25% on peacekeeping. While the General Assembly approved the 22% regular budget cap, it only authorized a decrease U.S. contributions to peacekeeping from 30% to 27% (to be reduced to 25% over five years). Therefore, unless Congress creates new legislation to override the 1994 Kassebaum amendment capping U.S contributions to peacekeeping at 25%, we will continue to accrue new arrears at the UN (the difference between the 27% the UN bills us and the 25% we pay).

* We are very pleased that Senator Helms, Senator Biden, and members of the Senate Foreign Relations Committee have indicated their willingness to release the next payment of arrears authorized under the Helms-Biden legislation. This payment of \$582 million would allow the UN to pay the bulk of funds owed to other countries for troop contributions to peacekeeping.

* This move would build on the fine work by Ambassador Holbrooke at the United Nations and go along way to putting the U.S.-UN relationship back on track.

IF ASKED:

With the 25% cap on peacekeeping payments, won't the U.S. continue to accrue new arrears?

* While the rate at which new arrears will accrue will significantly decline, as long as the cap is in place, we will incur new arrears for peacekeeping.

* We believe it is in the best interests of the United States not to continue to accrue new arrears and would like to encourage Congress to remove legislated cap.

MEPP

January 10, 2001

Why has Dennis Ross again delayed his trip? When is he going now?

* Dennis Ross initially delayed his trip by one day due for scheduling reasons. Yasser Arafat is in Tunis today for a meeting of Arab foreign ministers.

* He has now put the trip on hold given the security meetings that are happening at various levels in the region now. You'll recall that CIA Director George Tenet traveled this weekend to Cairo to meet with security officials from both sides to improve the situation on the ground.

* At this point, he still plans to travel to the region. No revised date is set.

Does that mean that the security situation has not improved enough for the two sides to negotiate even some kind of Presidential statement or declaration of principles?

* We have said repeatedly that it would be difficult to imagine reaching an agreement, much less returning to serious negotiations, without seeing a reduction in the violence.

* Last week, Chairman Arafat pledged to resume security cooperation with Israel directed against terrorist acts and take other steps. We continue to work with both sides to implement those steps.

Well, is this yet another reflection that the peace process is essentially dead and that the President has given up making further progress before he leaves office?

* Dennis has put his departure on hold, but don't take this decision too far. Whether and when Dennis travels to the region will be based on the President's judgement of helping the parties close the gaps that remain.

* As the President said on Sunday, he remains committed to work with both sides to make as much progress as he can before he leaves office. He has talked to both Prime Minister Barak and Chairman Arafat about both security issues and negotiations in the past two days. He's determined to do all he can to help them in the time remaining.

NORTHERN IRELAND

January 9, 2001

BACKGROUND: In the President's remarks Sunday night to the Israel Policy Forum, he said Northern Ireland was a "scab" that may be best left alone and will heal on its own.

Does this mean we are changing our approach to the NI peace process, not pushing for full implementation including Patten, etc.?

* No change in our approach: urging parties to build on momentum from POTUS visit to Ireland and overcome the current obstacles to full implementation of GFA.

* Specifically, hope parties and governments will address impasse over decommissioning and suspension of Sinn Fein participation in North/South Ministerial Council.

* Administration is in close contact with HMG, GOI and parties and is prepared to help in any way we can.

Do you think that President-elect Bush will pick up the ball on Northern Ireland?

* There is bi-partisan consensus that our policy on Northern Ireland has helped move the peace process forward dramatically - we hope the next Administration will continue to work closely with British and Irish governments, and parties themselves, in support of Good Friday Accord.

* Meanwhile, we are urging parties to overcome the current obstacles (for example, decommissioning and suspension of Sinn Fein participation in North/South Ministerial Council) to full implementation of the Good Friday Accord. Parties and governments will this week address the impasse.

* We will help in the days ahead in any way we can. We would expect the next Administration to maintain close contact with the British and Irish governments and the parties as well.

ICTY: TRAVEL OF BILJANA PLAVSIC TO THE HAGUE

January 10, 2001

BACKGROUND: Biljana Plavsic, a close ally of wartime leader Radovan Karadzic and president of the Republika Srpska from 1996 to 1998, yesterday flew to The Hague where she presented herself today to the International Criminal Tribunal for the former Yugoslavia (ICTY). Mrs. Plavsic is under a formerly sealed indictment, issued in April 2000 and publicly disclosed by the ICTY today, for genocide, crimes against humanity, violations of the laws and customs of war, and grave breaches of the Geneva Conventions in Bosnia in 1991 and 1992. Mrs. Plavsic is now in the ICTY's custody, and an initial appearance before a Trial Chamber is expected to take place on January 11. The ICTY indictment alleges that Plavsic committed the crimes along with Momcilo Krajisnik, who is also currently in the Tribunal's custody after being detained by SFOR. ICTY Prosecutor Carla del Ponte intends to try Plavsic and Krajisnik jointly thereafter.

The United States, in close consultation with the ICTY, helped to arrange Mrs. Plavsic's voluntary surrender and provided the aircraft; however, we prefer to keep the U.S. role low key and to credit NATO with providing the aircraft. The US worked closely with Plavsic when she was elected president of the Republic Srpska and sought to break ties to Karadzic and Milosevic. Today's Washington Post reports: "Administration officials repeatedly defended their alliance with her on the grounds that she was the best in a bad lot of Bosnian Serb politicians."

* We welcome the decision of Mrs. Plavsic to present herself to the ICTY to cooperate with their prosecution of war crimes in Bosnia

* By helping to underscore the legitimacy of the court and its role, we hope that it will encourage others - in Bosnia and in Belgrade - to cooperate as well.

Has Plavsic negotiated some type of deal with the ICTY? Will she provide evidence against others?

* Ask the ICTY.

Who provided transportation?

* NATO provided an aircraft to The Hague in coordination with the ICTY.

Did the United States play any role?

* We have consistently encouraged cooperation with the ICTY. We hope that Mrs. Plavsic's action sets an example for others.

Wasn't Plavsic helpful with Dayton implementation during her Presidency? Why did the US work with a war criminal?

* From 1996-1998, the U.S. dealt with Plavsic in her capacity as elected President of the Republic of Srpska. During that period she demonstrated greater cooperation with some goals of Dayton implementation than many of her Bosnian Serb nationalist colleagues. In particular, she broke ties with both Karadzic and Milosevic.

* The ICTY did not issue the sealed indictment of Plavsic until after her presidency had ended.

* In appearing before the ICTY today, Plavsic took the right step. We call on all other indictees to follow her example and turn themselves in to the tribunal.

What about other Bosnian war criminals?

* Under the Dayton Peace Accords, it remains the obligation of governments in the region - including the new government being formed in the Republika Srpska -- to transfer indicted war criminals to The Hague.

* In addition, SFOR will continue to apprehend those war criminals who do not surrender voluntarily and the U.S. State Department continues to offer rewards of up to \$5 million for information leading to their apprehension.

BALKANS

January 10, 2001

Do you think that President-elect Bush will pick up the ball on the Balkans?

* Achievement of a peaceful, undivided, and democratic Europe is a bipartisan goal. This requires a continued effort to maintain peace in Southeastern Europe, to press forward with democratic and economic reforms and to integrate the region progressively into Europe as a whole. We think President-elect Bush will see the value of this.

* President Clinton has done much to achieve this goal over the last eight years. We worked through NATO to stop the conflict in Bosnia and defeat ethnic cleansing in Kosovo. We helped to create the conditions for the removal of Milosevic and democratic change in countries like Croatia. We launched the Stability Pact with the EU to promote democratic and economic reform and help integrate the region into Europe.

* We made this progress in concert with our allies and with our allies carrying much of the burden. However American leadership and American involvement, including by our military forces, have been essential.

* American leadership and involvement will continue to be necessary to consolidate the peace and promote continued reform. We believe that this is recognized by President-elect Bush and his new team.

If asked about drawing down military commitments:

* The US and NATO have already reduced their military presence in Bosnia by two-thirds, and the U.S. contributes only 15 percent of the NATO-led force in Kosovo.

* As part of NATO's process of six-month reviews, we anticipate that the new Administration will have the opportunity to make further decisions on force reductions as progress in civil implementation continues and the threat from Serbia recedes.

SERBIA: EXECUTIVE ORDER LIFTING SANCTIONS

January 4, 2001

BACKGROUND: Following the victory of the Democratic Opposition in Serbia in September, the President announced an immediate end to the air ban and oil embargo against Serbia and instructed State, Treasury and other agencies to take the necessary steps to end all other trade and financial sanctions, with the exception of those targeting Milosevic and his cronies. The process of devising a new Executive Order that meets this criteria has taken several weeks, but is now in its final phase. OMB has sent it out for final clearance and will then forward it to the President for his signature, possibly as early as this week. FRY Foreign Minister Svilanovic is currently in Washington (January 4-5) raising interest in when the E.O. will be formally issued.

When will the President sign the Executive Order lifting sanctions against Serbia?

* Following the victory of the Democratic Opposition in Serbia, the President announced on October 12 that the U.S. would immediately lift the air ban and oil embargo against Serbia. At the same time he instructed the relevant agencies to take the necessary steps to lift the remaining trade and economic sanctions, except those targeting Milosevic, his cronies and other war criminals.

* On October 26 the Office of Foreign Assets Control issued a statement of licensing policy implementing the President's instructions on a case by case basis.

* This was an interim solution while State, Treasury, Commerce and other relevant agencies prepared an Executive Order to implement formally the President's decision to lift sanctions while insuring that sanctions targeting Milosevic and his cronies remained in place.

* The Executive Order is in the final stages of the interagency process. We expect it will be submitted to the White House shortly.

USE OF DEPLETED URANIUM BY U.S. FORCES IN THE BALKANS

January 10, 2001

BACKGROUND: Italy has recently called for consultations at NATO on possible links between depleted

uranium (DU) munitions used by U.S. forces in Bosnia and Kosovo and cancer. EC President Prodi and other Europeans have also raised questions about harmful effects of DU munitions. DU is incorporated into shell casings and other munitions to increase density and ability to penetrate armor. The U.S. military used DU munitions in Bosnia during 94-95, in Kosovo during Allied Force, and in Iraq during Desert Storm.

Is exposure to depleted uranium munitions used by U.S. forces in Bosnia and Kosovo causing cancer, "Balkans Syndrome" or other illnesses among NATO peacekeepers?

* The Departments of Defense and Veterans Affairs have sponsored numerous studies and extensively reviewed other studies on the effects of DU. To date we have not found an association between DU and any harmful health effects on our soldiers that have known exposure to DU. Research on this topic continues. You should refer to DoD for details.

Is NATO investigating this issue?

* Numerous government and independent studies have already been conducted on the subject and none have shown that DU is harmful to our soldiers.

* Allies have reviewed the matter in detail this week and taken steps to ensure government and public access to all the facts, including through establishment of an alliance clearinghouse for scientific information on depleted uranium.

* U.S. and allies have cooperated with UN Environmental Program's recent study on DU in Kosovo [FYI: report expected in March.] and are prepared to cooperate with any further studies by responsible international organizations.

Will U.S. support moratorium on DU use?

* As NATO SYG Robertson said in press conference 10 January, there is no evidence to suggest there are health risks from DU, so there is no reason to suspend its use.

RUSSIA: AMERICAN KIDNAPPED IN CHECHNYA

January 10, 2001

BACKGROUND: Yesterday an American aid worker, Kenneth Gluck, from Doctors Without Borders-Holland was kidnapped in Chechnya. A second American, Jonathan Littell, working for Action Against Hunger, was wounded during the kidnapping attempt. We cannot publicly confirm the identities of these two Americans. Littell is now being held by the Russian military and may be released in the next few hours. Both men were part of a humanitarian aid convoy attacked by armed gunmen. There is contradictory reporting on whether Gluck has escaped from his captors or not.

What can you tell us about the kidnapping of an American humanitarian aid worker in Chechnya?

- * Seen reports than an American humanitarian assistance worker working for Doctors Without Borders-Holland was abducted in Chechnya.
- * Another American working with Action Against Hunger and others in the group apparently managed to escape without being abducted.
- * Don't have any good information on the motive for the kidnapping.
- * Our embassy in Moscow has been in contact with Russian authorities about this.
- * Will do everything possible to assist in resolving this situation.
- * Refer you to the State Department for more details.

F-16s TO CHILE

January 10, 2001

BACKGROUND: On December 27, the Chilean government decided to enter into negotiations with Lockheed Martin regarding the purchase of F-16 fighter aircraft. We understand that the proposed package consists of 10 new C/D Model Block 52 F-16 aircraft and that the package price will be somewhere in the neighborhood of \$600 million.

The Process from this Point:

* Now that the Chilean Air Force has awarded the F-16 first place in a comprehensive technical evaluation, the Chilean government and Lockheed Martin have begun negotiations to arrive at a final contract. Negotiations of this type generally take 2-6 months and cover topics such as the final purchase price, training, support equipment, and spare parts.

* During this time, the Departments of State and Defense will comply with Congressional notification requirements specified in the Arms Export Control Act (AECA): The Speaker of the House and the Chairman of the Senate Foreign Relations Committee must be notified before the sale. Congress does not approve; to block a sale, the Congress must pass a joint resolution of disapproval before the end of the formal 30-day notification period. The NSC would review and approve the proposed notification to Congress.

Two Key Milestones

* U.S. regional strategic defense leadership: The Clinton Administration decided in 1997 to significantly change previous U.S. arms transfer policy to Latin America, which [suggest delete: had sought to] limited the sale of U.S. advanced fighter aircraft [in Latin America] to the region. The Administration decided to put Latin America on the same basis as other regions of the world, with arms transfers considered on a case-by-case basis, in an overall context of restraint. This decision reflected the significant changes that had taken place in Latin America over the past 20 years, particularly in the areas of democracy, human rights, and civilian control over the military.

* U.S. technological superiority: The F-16 was chosen on the basis of its technical merits in the Chilean Air Force's "F-2000 Advanced Fighter Aircraft Competition," a project designed to modernize Chile's air defense capabilities. During this very competitive selection process, the Chilean Air Force conducted detailed technical comparison tests of the competing aircraft, which also included the Boeing F/A-18, the French Mirage 2000-5, and the Swedish JAS-39 Gripen.

COLOMBIA WAIVER

January 5, 2001

Do you have a recommendation from the State Department about whether the President should grant another human rights waiver to Colombia?

* Yes, and it's under review.

Do you expect the President to make a decision or will it slide past January 20 to the next Administration?

* As I said, we're reviewing the recommendation from State.

* The more important point here is not process but substance. We strongly support President Pastrana's Plan Colombia, which is a comprehensive approach to dealing with the many difficult problems facing Colombia today. As we have said all along, we will continue to cooperate with Colombia to combat drug trafficking while we work with the Pastrana administration to advance human rights and the rule of law.

WHITE HOUSE CONFERENCE ON "CONFLICT DIAMONDS"

January 10, 2001

BACKGROUND: Today, the White House -- the NSC, OSTP, NEC, State, the National Science Foundation, Treasury and USAID -- is sponsoring an all-day conference on "conflict diamonds." Conflict diamonds are mined by parties in armed conflicts and used to fuel hostilities. Trade in conflict diamonds is threatening the stability of Sierra Leone and Angola, and fueling the conflagration in the Democratic Republic of the Congo. These conflicts have displaced millions of people and produced egregious human rights violations. The conference will bring together scientists, engineers, policymakers, foreign government officials, diamond industry representatives and representatives of non-governmental

organizations (NGOs) to discuss the technologies available to identify the origin of diamonds and the technical options to support a global certificate of origin regime for rough diamonds.

* The White House is sponsoring an all-day conference today on "conflict diamonds" -- diamonds located in parts of Africa controlled by parties to conflict who use the proceeds from the diamond trade to fuel violent hostilities. The conference will examine the technologies available to identify the origin of diamonds and the technical options to support a global certificate of origin regime for diamonds.

* This conference brings together for the first time U.S. and international policymakers, representatives of the scientific/technical, industry and NGO communities for an in-depth review of the short- and medium-term technologies available to support a control regime for rough diamonds.

* The results of this conference will assist U.S. and international policymakers in their efforts to curb the trade in conflict diamonds and provide support to the U.S. delegation to the upcoming February 12 technical meeting on conflict diamonds in Namibia.

Exchange Mail

DATE-TIME 1/12/01 12:22:44 PM

FROM Camp, Donald A. (NESA)

CLASSIFICATION ~~CONFIDENTIAL~~

CLASSIFICATIONREASON 1.5(d)

DATECLASSIFIEDON

DECLASSIFYON 01/11/2011

SUBJECT FW: Glenn Waiver for Sea King transfer from UK to India
[~~CONFIDENTIAL~~]

TO Blinken, Antony J. (EUR)

CARBON_COPY Blinken, Antony J. (EUR)
Crawford, Bernard T. (RECORDS)
Kass, Nicholas S. (EUR)
Maxfield, Nancy H. (EUR)
Munter, Cameron P. (EUR)
Norland, Richard B. (EUR)
Quinn, Mary E. (EUR)
Yee, Hoyt B. (EUR)
Camp, Donald A. (NESA)
Cooper, Kathleen H. (NESA)
Malley, Robert (NESA)
Pollack, Kenneth M. (NESA)
Riedel, Bruce O. (NESA)
White, Felicia A. (NESA)

DECLASSIFIED
E.O. 13526 5/16/2017
White House Guidelines, September 11, 2006
By 12 NARA, Date 2/7/2011
2006-1363-F(3)

TEXT_BODY

Tony, your office is the last clearance I need to send this package forward. Please advise. Don C.

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

From: Camp,
Donald A. (NESA)
Sent: Thursday, January 11, 2001 3:35 PM
To: Cullom,
Philip H. (DEFENSE); Blinken, Antony J. (EUR)
Cc: @DEFENSE - Defense
Policy; @EUROPE - European Affairs
Subject: FW: Glenn Waiver for
Sea King transfer from UK to India [CONFIDENTIAL]

@LEGAL had some

changes to make to the memos (now also cleared by NONPRO and LEGIS).

In your examination of the package, please use this version. Don

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

From: Camp, Donald A. (NESA)

Sent: Thursday, January 11, 2001 2:01 PM

To: DeVine, Stephen (Legal);

Blinken, Antony J. (EUR); Cullom, Philip H. (DEFENSE); Samore, Gary S. (NONPRO); Tavlarides, Mark J. (LEGIS)

Cc: @LEGAL - Legal

Advisor; @EUROPE - European Affairs; @DEFENSE - Defense Policy; @NONPRO

- Export Controls; @LEGISLAT - Legislative Affairs; @NONPRO - Export

Controls

Subject: Glenn Waiver for Sea King transfer from UK to

India ~~CONFIDENTIAL~~

Colleagues: last week you cleared a memo authorizing State to conduct congressional consultations on this proposed waiver. Those took place today. Though Congressional staff

was not unanimous, there was enough support to proceed. Below is the request to the President, recommending that he issue the waiver. I have outlined in the two memos the exact disposition of sentiment on the Hill. Please clear quickly so I can get this up tomorrow. Thank you. Don Camp

TRANSLATED_ATTACHMENT 0167 SRB Sea King waiver.doc

January 11, 2001

ACTION

MEMORANDUM FOR SAMUEL BERGER

THROUGH: BRUCE RIEDEL

FROM: DONALD CAMP

SUBJECT: Waiver of Sanctions Against India

On January 3, you authorized the Department of State to consult with Congress on a proposed Presidential national security waiver of sanctions consistent with the Glenn Amendment, in order to enable the USG to approve the transfer of certain U.S.-origin Sea King helicopter parts from the UK to India. Six of India's Sea Kings are specifically configured for search and rescue, and the parts in question are those India had sent to Britain for repairs which could not be returned because of Glenn sanctions. Strobe had promised UK FCO Permanent Under Secretary Kerr late last year that we would recommend such a waiver to the President.

State has now completed the Congressional consultations you authorized; they were not definitively favorable but we propose going forward anyway. On the Senate side, Helms' staff did not oppose, but raised "serious concerns" that we had not set a high enough standard for issuance of such a national security waiver. On the Senate side, Chairman Hyde's staffer said he supported the waiver but wanted to consult the Chairman (next week) before giving his definitive approval. There was no outright opposition to the waiver proposal. The memorandum at Tab I provides this background and recommends to the President that he authorize the waiver.

If the President authorizes the waiver, State will forward a notification to the Congress to begin the 30-day congressional waiting period prior to authorizing the retransfer. It will then be up to the new administration whether to authorize the retransfer if the Congress has not passed a joint resolution prohibiting it within the statutory 30-day period.

Concurrence by: Steve DeVine (OK), Mark Tavlarides (OK), Gary Samore (OK), Phil Cullom, Tony Blinken

RECOMMENDATION

That you forward the attached memorandum to the President.

Attachments

Tab I Memorandum to the President

Tab A Presidential Determination

Tab B Memorandum of Justification

2

~~CONFIDENTIAL~~

~~CONFIDENTIAL~~

~~CONFIDENTIAL~~ 0167

~~CONFIDENTIAL~~

Reason: 1.5 (d)

Declassify On: 01/11/10

TRANSLATED_ATTACHMENT 0167 POTUS memo Sea King.doc

ACTION

MEMORANDUM FOR THE PRESIDENT

THROUGH: THE EXECUTIVE CLERK

FROM: SAMUEL BERGER
CHARLES BRAIN

SUBJECT: Waiver of Sanctions Against India

Purpose

To waive Glenn Amendment restrictions on India for the transfer of select U.S.-origin helicopter spare parts from the United Kingdom, where they were repaired, back to India.

Background

The Government of the United Kingdom has requested that the USG approve the transfer of certain Sea King helicopter parts from the UK, where they had been sent to be repaired and then caught by our sanctions, back to India. Strobe Talbott told his UK counterpart late last year that the State Department would recommend that you issue a waiver of the Glenn Amendment to allow us to do so.

State Department has now completed Congressional consultations on this proposed waiver of the Glenn Amendment. Hill views were not unanimous but none was sufficiently negative to dissuade us from recommending you proceed. Senator Helms' staff did not oppose, but raised "serious concerns" that we had not set a high enough standard for issuance of such a national security waiver. (This would be the first national security waiver of Glenn.) On the House side, we could not get a timely reading of Chairman Hyde's own views, though the relevant staffer supports the waiver.

If you authorize the waiver, State will forward a notification to the Congress to begin the 30-day congressional waiting period prior to

authorizing the retransfer. It will then be up to the new administration whether to authorize the retransfer if the Congress has not passed a joint resolution prohibiting it within the statutory 30-day period.

Note that the justification at Tab B makes clear we are taking this action in light of our strong relationship with the United Kingdom rather than because of any non-proliferation actions India has taken. We believe it is important for you to authorize the waiver to fulfill our promise to the United Kingdom.

RECOMMENDATION

That you sign the determination at Tab A.

Attachments

Tab A Presidential Determination

Tab B Memorandum of Justification

2

~~CONFIDENTIAL~~

~~CONFIDENTIAL~~

~~CONFIDENTIAL~~ 0167

~~CONFIDENTIAL~~ cc: Vice President

Reason: 1.5 (d) Chief of Staff

Declassify On: 01/11/10

TRANSLATED_ATTACHMENT 0167 POTUS memo Sea King.doc

ACTION

MEMORANDUM FOR THE PRESIDENT

THROUGH: THE EXECUTIVE CLERK

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RECOMMENDATION

That you sign the determination at Tab A.

Attachments

Tab A Presidential Determination

Tab B Memorandum of Justification

~~CONFIDENTIAL~~

~~CONFIDENTIAL~~ 0167

~~CONFIDENTIAL~~ cc: Vice President

Reason: 1.5 (d) Chief of Staff

Declassify On: 01/11/10

TRANSLATED_ATTACHMENT 0167 SRB Sea King waiver.doc

January 11, 2001

ACTION

MEMORANDUM FOR SAMUEL BERGER

THROUGH: BRUCE RIEDEL

FROM: DONALD CAMP

SUBJECT: Waiver of Sanctions Against India

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period.

Concurrence by: Steve deVine, Mark Tavlarides, Gary Samore, Phil Cullom, Tony Blinken

RECOMMENDATION

That you forward the attached memorandum to the President.

Attachments

Tab I Memorandum to the President

Tab A Presidential Determination

Tab B Memorandum of Justification

2

~~CONFIDENTIAL~~

~~CONFIDENTIAL~~

~~CONFIDENTIAL~~ 0167

~~CONFIDENTIAL~~

Reason: 1.5 (d)

Declassify On: 01/11/10