

**Transcript: Clinton-Mubarak Statement at End of Mideast Summit
(Both sides will call for an end to the violence, says Clinton)**

At a joint press conference with Egypt's President Hosni Mubarak October 17 at the conclusion of a two-day Middle East Peace Summit in Sharm el-Sheikh, Egypt, President Clinton said he believes "we have made real progress today" towards putting an end to the violence in the region.

The President said that both the Palestinians and the Israelis "have agreed to issue public statements unequivocally calling for an end of violence. They also agreed to take immediate, concrete measures to end the current confrontation, eliminate points of friction, ensure an end to violence and incitement, maintain calm, and prevent recurrence of recent events."

"To accomplish this," Clinton said, "both sides will act immediately to return the situation to that which existed prior to the current crisis, in areas such as restoring law and order, redeployment of forces, eliminating points of friction, enhancing security cooperation and ending the closure and opening the Gaza airport."

He said the United States will facilitate security cooperation between the parties as needed.

Clinton also announced that the United States will develop with the Israelis and Palestinians, and in consultation with the UN Secretary General, a "committee of fact-finding on the events of the past several weeks and how to prevent their recurrence."

The President also called for a "pathway back to negotiations and a resumption of efforts to reach a permanent status agreement based on the UN Security Council Resolutions 242 and 338 and subsequent understandings," adding that the U.S. would "consult with the parties within the next two weeks about how to move forward."

Egypt's President said "the outcome we have reached in this summit may not meet the expectations of all peoples. However, they constitute at the same time a basis on which we can build, if we have good intentions, and if the real desire to achieve peace is there."

Following is the White House transcript of their remarks:

(begin transcript)

THE WHITE HOUSE
Office of the Press Secretary
(Sharm el-Sheikh, Egypt)

OCTOBER 17, 2000

REMARKS BY THE PRESIDENT
AND PRESIDENT HOSNI MUBARAK OF EGYPT
IN DELIVERY OF JOINT STATEMENTS
AT THE CONCLUSION OF THE MIDDLE EAST PEACE SUMMIT

Jolie Ville Golf Resort
Sharm el-Sheikh, Egypt

PRESIDENT MUBARAK: In the name of God Almighty; to His Excellency, Bill Clinton; His Highness, King Abdullah; Your Majesty, King Hussein; His Excellency, Prime Minister Barak; Mr. Chairman Arafat; U.N. Secretary General Kofi Annan; Mr. Javier Solana, high representative of the European Union: we spent the past two days since we started our summit in constructive discussions and extensive dialogue about all the aspects of the escalating situation in the occupied Palestinian territories -- discussions aimed at restoring the situation back to normal, through withdrawing the occupying forces, lifting the blockade, putting an end to violent acts -- taking measures aiming at restoring trust and confidence to the two Palestinian and Israeli sides, with a view to resuming the peace efforts after the situation is stabilized in the region.

Before I give the floor to His Excellency, President Bill Clinton, the President of the United States of America, in his capacity as the key sponsor of the peace process, to present his report on the outcome of our relentless efforts over the two days, I would like to stress the fact -- I would like to stress a number of key points that we should take into account in the stage to come.

First, the outcome we have reached in this summit may not meet the expectations of all peoples. However, they constitute at the same time a basis on which we can build, if we have good intentions, and if the real desire to achieve peace is there.

Secondly, the most important thing in the vision of all peoples in the days to come is the extent to which the two parties are committed to implement what has been agreed upon precisely, and how far they are willing to push the peace process forward. Hence, the following days will witness redeployment of the Israeli forces, lift the blockade imposed on three million Palestinian people, reopening airports, ports, crossing points, in order to pacify the Palestinian streets and bring matters back to normal.

Number three, our ultimate objective must and will be reaching a just and comprehensive peace. We do appreciate the leading role assumed by the United States of America, the key sponsor of the peace process, and the sponsorship of Mr. Bill Clinton. And we highly commend the role he assumed, including his strenuous efforts he exerted during this summit, which were crowned in reaching an agreement.

It's my fervent hope that the peace process will go on as planned, and that we avoid having recourse to provocative acts, confrontations. Rather, we have to establish a constructive dialogue in order to settle all the unresolved problems, to arrive at a peace agreement in a context of full respect of religious sanctities, and the right of peoples to

live in peace and stability.

And now I give the floor to His Excellency, President Bill Clinton, the President of the United States of America.

PRESIDENT CLINTON: First of all, I want to thank President Mubarak and his able team for making it possible for us to have this meeting that we have held in this magnificent and beautiful place. I especially want to thank President Mubarak for Egypt's consistent and pivotal partnership in the peace process and for playing a critical role in our efforts here. I also want to thank His Majesty King Abdullah for his steadfast leadership for peace, which again was in evidence.

I would like to thank the E.U. High Commissioner Javier Solana, my longtime friend, who worked with me to bring an end to violence in the Balkans, and now is working in the Middle East. And especially I want to thank Secretary General Kofi Annan, who has been here now in the region for more than a week, and who has worked tirelessly to bring an end to violence and to make this meeting possible.

But of course, the greatest credit for the progress we have made today belongs to Prime Minister Barak and Chairman Arafat, who have had to overcome the difficulties of these last several days. And we all recognize that theirs was the primary decision to make.

Our meeting has not been easy because the last two weeks have been so hard. A tragic and terrible confrontation costing many lives and injuries, threatening everything that we have worked to achieve between Israelis and Palestinians and throughout the region and over the past seven years now.

Even as we meet, the situation in the territories remains tense. Yesterday again was violent.

This is a reminder of the urgency of breaking the cycle of violence. I believe we have made real progress today. Repairing the damage will take time and great effort by all of us.

When we leave here today, we will have to work hard to consolidate what we have agreed. Let me summarize what has been agreed so there will be no misunderstanding.

Our primary objective has been to end the current violence so we can begin again to resume our efforts towards peace. The leaders have agreed on three basic objectives and steps to realize them.

First, both sides have agreed to issue public statements unequivocally calling for an end of violence. They also agreed to take immediate, concrete measures to end the current confrontation, eliminate points of friction, ensure an end to violence and incitement, maintain calm, and prevent recurrence of recent events.

To accomplish this, both sides will act immediately to return the situation to that which existed prior to the current crisis, in areas such as restoring law and order, redeployment of forces, eliminating points of friction, enhancing security cooperation, and ending the closure and opening the Gaza airport. The United States will facilitate security cooperation between the parties as needed.

Second, the United States will develop with the Israelis and Palestinians, as well as in consultation with the United Nations Secretary General, a committee of fact-finding on the events of the past several weeks and how to prevent their recurrence. The committee's report will be shared by the U.S. President with the U.N. Secretary General and the parties prior to publication. A final report shall be submitted under the auspices of the U.S. President for publication.

Third, if we are to address the underlying roots of the Israeli-Palestinian conflict, there must be a pathway back to negotiations and a resumption of efforts to reach a permanent status agreement based on the U.N. Security Council Resolutions 242 and 338 and subsequent understandings. Toward this end, the leaders have agreed that the United States would consult with the parties within the next two weeks about how to move forward.

We have made important commitments here today against the backdrop of tragedy and crisis. We should have no illusions about the difficulties ahead.

If we are going to rebuild confidence and trust, we must all do our part, avoiding recrimination and moving forward. I'm counting on each of us to do everything we possibly can in the critical period ahead.

I am sure it will be a disappointment to some of you, but one of the things that all the leaders agreed was that our statement should stand on its own and we should begin by promoting reconciliation and avoiding conflict by forgoing questions today.

Thank you very much.

PRESIDENT MUBARAK: [In Arabic] -- Bill Clinton, for your statement and the speech you just made. And there is no time whatsoever to respond to any media conferences. I declare this summit adjourned.

(end transcript)

NNNN

RESOLUTION 986 (1995)

Adopted by the Security Council at its 3519th meeting, on 14 April 1995

The Security Council,

Recalling its previous relevant resolutions,

Concerned by the serious nutritional and health situation of the Iraqi population, and by the risk of a further deterioration in this situation,

Convinced of the need as a temporary measure to provide for the humanitarian needs of the Iraqi people until the fulfilment by Iraq of the relevant Security Council resolutions, including notably resolution 687 (1991) of 3 April 1991, allows the Council to take further action with regard to the prohibitions referred to in resolution 661 (1990) of 6 August 1990, in accordance with the provisions of those resolutions,

Convinced also of the need for equitable distribution of humanitarian relief to all segments of the Iraqi population throughout the country,

Reaffirming the commitment of all Member States to the sovereignty and territorial integrity of Iraq,

Acting under Chapter VII of the Charter of the United Nations,

1. Authorizes States, notwithstanding the provisions of paragraphs 3 (a), 3 (b) and 4 of resolution 661 (1990) and subsequent relevant resolutions, to permit the import of petroleum and petroleum products originating in Iraq, including financial and other essential transactions directly relating thereto, sufficient to produce a sum not exceeding a total of one billion United States dollars every 90 days for the purposes set out in this resolution and subject to the following conditions:

(a) Approval by the Committee established by resolution 661 (1990), in order to ensure the transparency of each transaction and

its conformity with the other provisions of this resolution, after submission of an application by the State concerned, endorsed by the Government of Iraq, for each proposed purchase of Iraqi petroleum and petroleum products, including details of the purchase price at fair market value, the export route, the opening of a letter of credit payable to the escrow account to be established by the Secretary-General for the purposes of this resolution, and of any other directly related financial or other essential transaction;

(b) Payment of the full amount of each purchase of Iraqi petroleum and petroleum products directly by the purchaser in the State concerned into the escrow account to be established by the Secretary-General for the purposes of this resolution;

2. Authorizes Turkey, notwithstanding the provisions of paragraphs 3 (a), 3 (b) and 4 of resolution 661 (1990) and the provisions of paragraph 1 above, to permit the import of petroleum and petroleum products originating in Iraq sufficient, after the deduction of the percentage referred to in paragraph 8 (c) below for the Compensation Fund, to meet the pipeline tariff charges, verified as reasonable by the independent inspection agents referred to in paragraph 6 below, for the transport of Iraqi petroleum and petroleum products through the Kirkuk-Yumurtalik pipeline in Turkey authorized by paragraph 1 above;

3. Decides that paragraphs 1 and 2 of this resolution shall come into force at 00.01 Eastern Standard Time on the day after the President of the Council has informed the members of the Council that he has received the report from the Secretary-General requested in paragraph 13 below, and shall remain in force for an initial period of 180 days unless the Council takes other relevant action with regard to the provisions of resolution 661 (1990);

4. Further decides to conduct a thorough review of all aspects of the implementation of this resolution 90 days after the entry into force of paragraph 1 above and again prior to the end of the initial 180 day period, on receipt of the reports referred to in paragraphs 11 and 12 below, and expresses its intention, prior to the end of the 180 day period, to consider favourably renewal of the provisions of this resolution, provided that the reports referred to

in paragraphs 11 and 12 below indicate that those provisions are being satisfactorily implemented;

5. Further decides that the remaining paragraphs of this resolution shall come into force forthwith;

6. Directs the Committee established by resolution 661 (1990) to monitor the sale of petroleum and petroleum products to be exported by Iraq via the Kirkuk-Yumurtalik pipeline from Iraq to Turkey and from the Mina al-Bakr oil terminal, with the assistance of independent inspection agents appointed by the Secretary-General, who will keep the Committee informed of the amount of petroleum and petroleum products exported from Iraq after the date of entry into force of paragraph 1 of this resolution, and will verify that the purchase price of the petroleum and petroleum products is reasonable in the light of prevailing market conditions, and that, for the purposes of the arrangements set out in this resolution, the larger share of the petroleum and petroleum products is shipped via the Kirkuk-Yumurtalik pipeline and the remainder is exported from the Mina al-Bakr oil terminal;

7. Requests the Secretary-General to establish an escrow account for the purposes of this resolution, to appoint independent and certified public accountants to audit it, and to keep the Government of Iraq fully informed;

8. Decides that the funds in the escrow account shall be used to meet the humanitarian needs of the Iraqi population and for the following other purposes, and requests the Secretary-General to use the funds deposited in the escrow account:

(a) To finance the export to Iraq, in accordance with the procedures of the Committee established by resolution 661 (1990), of medicine, health supplies, foodstuffs, and materials and supplies for essential civilian needs, as referred to in paragraph 20 of resolution 687 (1991) provided that:

(i) Each export of goods is at the request of the Government of Iraq;

(ii) Iraq effectively guarantees their equitable distribution, on the basis of a plan submitted to and approved by the Secretary-General, including a description of the goods to be purchased;

(iii) The Secretary-General receives authenticated confirmation that the exported goods concerned have arrived in Iraq;

(b) To complement, in view of the exceptional circumstances prevailing in the three Governorates mentioned below, the distribution by the Government of Iraq of goods imported under this resolution, in order to ensure an equitable distribution of humanitarian relief to all segments of the Iraqi population throughout the country, by providing between 130 million and 150 million United States dollars every 90 days to the United Nations Inter-Agency Humanitarian Programme operating within the sovereign territory of Iraq in the three northern Governorates of Dihouk, Arbil and Suleimaniyeh, except that if less than one billion United States dollars worth of petroleum or petroleum products is sold during any 90 day period, the Secretary-General may provide a proportionately smaller amount for this purpose;

(c) To transfer to the Compensation Fund the same percentage of the funds deposited in the escrow account as that decided by the Council in paragraph 2 of resolution 705 (1991) of 15 August 1991;

(d) To meet the costs to the United Nations of the independent inspection agents and the certified public accountants and the activities associated with implementation of this resolution;

(e) To meet the current operating costs of the Special Commission, pending subsequent payment in full of the costs of carrying out the tasks authorized by section C of resolution 687 (1991);

(f) To meet any reasonable expenses, other than expenses payable in Iraq, which are determined by the Committee established by resolution 661 (1990) to be directly related to the export by Iraq of petroleum and petroleum products permitted under paragraph 1 above or to the export to Iraq, and activities directly necessary therefor, of the parts and equipment permitted under paragraph 9 below;

(g) To make available up to 10 million United States dollars every 90 days from the funds deposited in the escrow account for the payments envisaged under paragraph 6 of resolution 778 (1992) of 2 October 1992;

9. Authorizes States to permit, notwithstanding the provisions of paragraph 3 (c) of resolution 661 (1990):

(a) The export to Iraq of the parts and equipment which are essential for the safe operation of the Kirkuk-Yumurtalik pipeline system in Iraq, subject to the prior approval by the Committee established by resolution 661 (1990) of each export contract;

(b) Activities directly necessary for the exports authorized under subparagraph (a) above, including financial transactions related thereto;

10. Decides that, since the costs of the exports and activities authorized under paragraph 9 above are precluded by paragraph 4 of resolution 661 (1990) and by paragraph 11 of resolution 778 (1991) from being met from funds frozen in accordance with those provisions, the cost of such exports and activities may, until funds begin to be paid into the escrow account established for the purposes of this resolution, and following approval in each case by the Committee established by resolution 661 (1990), exceptionally be financed by letters of credit, drawn against future oil sales the proceeds of which are to be deposited in the escrow account;

11. Requests the Secretary-General to report to the Council 90 days after the date of entry into force of paragraph 1 above, and again prior to the end of the initial 180 day period, on the basis of observation by United Nations personnel in Iraq, and on the basis of consultations with the Government of Iraq, on whether Iraq has ensured the equitable distribution of medicine, health supplies, foodstuffs, and materials and supplies for essential civilian needs, financed in accordance with paragraph 8 (a) above, including in his reports any observations he may have on the adequacy of the revenues to meet Iraq's humanitarian needs, and on Iraq's capacity to export sufficient quantities of petroleum and petroleum products to produce the sum referred to in paragraph 1 above;

12. Requests the Committee established by resolution 661 (1990), in close coordination with the Secretary-General, to develop expedited procedures as necessary to implement the arrangements in paragraphs 1, 2, 6, 8, 9 and 10 of this resolution and to report to the Council 90 days after the date of entry into force of paragraph 1 above and again prior to the end of the initial 180 day period on the implementation of those arrangements;

13. Requests the Secretary-General to take the actions necessary to ensure the effective implementation of this resolution, authorizes him to enter into any necessary arrangements or agreements, and requests him to report to the Council when he has done so;

14. Decides that petroleum and petroleum products subject to this resolution shall while under Iraqi title be immune from legal proceedings and not be subject to any form of attachment, garnishment or execution, and that all States shall take any steps that may be necessary under their respective domestic legal systems to assure this protection, and to ensure that the proceeds of the sale are not diverted from the purposes laid down in this resolution;

15. Affirms that the escrow account established for the purposes of this resolution enjoys the privileges and immunities of the United Nations;

16. Affirms that all persons appointed by the Secretary-General for the purpose of implementing this resolution enjoy privileges and immunities as experts on mission for the United Nations in accordance with the Convention on the Privileges and Immunities of the United Nations, and requires the Government of Iraq to allow them full freedom of movement and all necessary facilities for the discharge of their duties in the implementation of this resolution;

17. Affirms that nothing in this resolution affects Iraq's duty scrupulously to adhere to all of its obligations concerning servicing and repayment of its foreign debt, in accordance with the appropriate international mechanisms;

18. Also affirms that nothing in this resolution should be construed as infringing the sovereignty or territorial integrity of Iraq;

19. Decides to remain seized of the matter.

UNITED
NATIONS



Security Council

S/RES/1284
(1999)

17 December 1999

ORIGINAL:
ENGLISH

Resolution 1284

Adopted by the Security Council at its 4084th meeting,
on 17 December 1999

The Security Council,

Recalling its previous relevant resolutions, including its resolutions 661 (1990) of 6 August 1990, 687 (1991) of 3 April 1991, 699 (1991) of 17 June 1991, 707 (1991) of 15 August 1991, 715 (1991) of 11 October 1991, 986 (1995) of 14 April 1995, 1051 (1996) of 27 March 1996, 1153 (1998) of 20 February 1998, 1175 (1998) of 19 June 1998, 1242 (1999) of 21 May 1999 and 1266 (1999) of 4 October 1999,

Recalling the approval by the Council in its resolution 715 (1991) of the plans for future ongoing monitoring and verification submitted by the Secretary General and the Director General of the International Atomic Energy Agency (IAEA) in pursuance of paragraphs 10 and 13 of resolution 687 (1991),

Welcoming the reports of the three panels on Iraq (S/1999/356) and having held a comprehensive consideration of them-and the recommendations contained in them,

Stressing the importance of a comprehensive approach to the full implementation of all relevant Security Council resolutions regarding Iraq and the need for Iraqi compliance with these resolutions,

Recalling the goal of establishing in the Middle East a zone free from weapons of mass destruction and all missiles for their delivery and the objective of a global ban on chemical weapons as referred to in paragraph 14 of resolution 687 (1991),

Concerned at the humanitarian situation in Iraq, and determined to improve that situation,

Recalling with concern that the repatriation and return of all Kuwaiti and third country nationals or their remains, present in Iraq on or after 2 August 1990, pursuant to paragraph 2 (c) of resolution 686 (1991) of 2 March 1991 and paragraph 30 of resolution 687 (1991), have not yet been fully carried out by Iraq,

Recalling that in its resolutions 686 (1991) and 687 (1991) the Council demanded that Iraq return in the shortest possible time all Kuwaiti property it had seized, and noting with regret that Iraq has still not complied fully with this demand,

Acknowledging the progress made by Iraq towards compliance with the provisions of resolution 687 (1991), but noting that, as a result of its failure to implement the relevant Council resolutions fully, the conditions do not exist which would enable the Council to take a decision pursuant to resolution 687 (1991) to lift the prohibitions referred to in that resolution,

Reiterating the commitment of all Member States to the sovereignty, territorial integrity and political independence of Kuwait, Iraq and the neighbouring States,

Acting under Chapter VII of the Charter of the United Nations, and taking into account that operative provisions of this resolution relate to previous resolutions adopted under Chapter VII of the Charter,

A.

1. Decides to establish, as a subsidiary body of the Council, the United Nations Monitoring, Verification and Inspection Commission (UNMOVIC) which replaces the Special Commission established pursuant to paragraph 9 (b) of resolution 687 (1991);

2. Decides also that UNMOVIC will undertake the responsibilities mandated to the special Commission by the Council, with regard to the verification of compliance by Iraq with its obligations under paragraphs 8, 9 and 10 of resolution 687 (1991) and other related resolutions, that UNMOVIC will establish and operate, as was recommended by the panel on disarmament and current and future ongoing monitoring and verification issues, a reinforced system of ongoing monitoring and verification, which will implement the plan approved by the Council in resolution 715 (1991) and address unresolved disarmament issues, and that UNMOVIC will identify, as necessary in accordance with its mandate, additional sites in Iraq to be covered by the reinforced system of ongoing monitoring and verification;

3. Reaffirms the provisions of the relevant resolutions with regard to the role of the IAEA in addressing compliance by Iraq with paragraphs 12 and 13 of resolution 687 (1991) and other related resolutions, and requests the Director General of the IAEA to maintain this role with the assistance and cooperation of UNMOVIC;

4. Reaffirms its resolutions 687 (1991), 699 (1991), 707 (1991), 715 (1991), 1051 (1996), 1154 (1998) and all other relevant resolutions and statements of its President, which establish the criteria for Iraqi compliance, affirms that the obligations of Iraq referred to in those resolutions and statements with regard to cooperation with the Special Commission, unrestricted access and provision of information will apply in respect of UNMOVIC, and decides in particular that Iraq shall allow UNMOVIC teams immediate, unconditional and unrestricted access to any and all areas, facilities, equipment, records and means of transport which they wish to inspect in accordance with the mandate of UNMOVIC, as well as to all officials and other persons under the authority of the Iraqi Government whom UNMOVIC wishes to interview so that UNMOVIC may fully discharge its mandate;

5. Requests the Secretary-General, within 30 days of the adoption of this resolution, to appoint, after consultation with and subject to the approval of the Council, an Executive Chairman of UNMOVIC who will take up his mandated tasks as soon as possible, and, in consultation with the Executive Chairman and the Council members, to appoint suitably qualified experts as a College of Commissioners for UNMOVIC which will meet regularly to review the implementation of this and other relevant resolutions and provide professional advice and guidance to the Executive Chairman, including on significant policy decisions and on written reports to be submitted to the Council through the Secretary-General;

6. Requests the Executive Chairman of UNMOVIC, within 45 days of his appointment, to submit to the Council, in consultation with and through the Secretary-General, for its approval an organizational plan for UNMOVIC, including its structure, staffing requirements, management guidelines, recruitment and training procedures, incorporating as appropriate the recommendations of the panel on disarmament and current and future ongoing monitoring and verification issues, and recognizing in particular the need for an effective, cooperative management structure for the new organization, for staffing with suitably qualified and experienced personnel, who would be regarded as international civil servants subject to Article 100 of the Charter of the United Nations, drawn from the broadest possible geographical base, including as he deems necessary from international arms control organizations, and for the provision of high quality technical and cultural training;

7. Decides that UNMOVIC and the IAEA, not later than 60 days after they have both started work in Iraq, will each draw up, for approval by the Council, a work programme for the discharge of their mandates, which will include both the implementation of the reinforced system of ongoing monitoring and verification, and the key remaining disarmament tasks to be completed by Iraq pursuant to its obligations to comply with the disarmament requirements of resolution 687 (1991) and other related resolutions, which

constitute the governing standard of Iraqi compliance, and further decides that what is required of Iraq for the implementation of each task shall be clearly defined and precise;

8. Requests the Executive Chairman of UNMOVIC and the Director General of the IAEA, drawing on the expertise of other international organizations as appropriate, to establish a unit which will have the responsibilities of the joint unit constituted by the Special Commission and the Director General of the IAEA under paragraph 16 of the export/import mechanism approved by resolution 1051 (1996), and also requests the Executive Chairman of UNMOVIC, in consultation with the Director General of the IAEA, to resume the revision and updating of the lists of items and technology to which the mechanism applies;

9. Decides that the Government of Iraq shall be liable for the full costs of UNMOVIC and the IAEA in relation to their work under this and other related resolutions on Iraq;

10. Requests Member States to give full cooperation to UNMOVIC and the IAEA in the discharge of their mandates;

11. Decides that UNMOVIC shall take over all assets, liabilities and archives of the Special Commission, and that it shall assume the Special Commission's part in agreements existing between the Special Commission and Iraq and between the United Nations and Iraq, and affirms that the Executive Chairman, the Commissioners and the personnel serving with UNMOVIC shall have the rights, privileges, facilities and immunities of the Special Commission;

12. Requests the Executive Chairman of UNMOVIC to report, through the Secretary-General, to the Council, following consultation with the Commissioners, every three months on the work of UNMOVIC, pending submission of the first reports referred to in paragraph 33 below, and to report immediately when the reinforced system of ongoing monitoring and verification is fully operational in Iraq;

B.

13. Reiterates the obligation of Iraq, in furtherance of its commitment to facilitate the repatriation of all Kuwaiti and third country nationals referred to in paragraph 30 of resolution 687 (1991), to extend all necessary cooperation to the International Committee of the Red Cross, and calls upon the Government of Iraq to resume cooperation with the Tripartite Commission and Technical Subcommittee established to facilitate work on this issue;

14. Requests the Secretary-General to report to the Council every four months on compliance by Iraq with its obligations regarding the repatriation or return of all Kuwaiti and third country nationals or their remains, to report every six months on the return of

all Kuwaiti property, including archives, seized by Iraq, and to appoint a high-level coordinator for these issues;

C.

15. Authorizes States, notwithstanding the provisions of paragraphs 3 (a), 3 (b) and 4 of resolution 661 (1990) and subsequent relevant resolutions, to permit the import of any volume of petroleum and petroleum products originating in Iraq, including financial and other essential transactions directly relating thereto, as required for the purposes and on the conditions set out in paragraph 1 (a) and (b) and subsequent provisions of resolution 986 (1995) and related resolutions;

16. Underlines, in this context, its intention to take further action, including permitting the use of additional export routes for petroleum and petroleum products, under appropriate conditions otherwise consistent with the purpose and provisions of resolution 986 (1995) and related resolutions;

17. Directs the Committee established by resolution 661 (1990) to approve, on the basis of proposals from the Secretary-General, lists of humanitarian items, including foodstuffs, pharmaceutical and medical supplies, as well as basic or standard medical and agricultural equipment and basic or standard educational items, decides, notwithstanding paragraph 3 of resolution 661 (1990) and paragraph 20 of resolution 687 (1991), that supplies of these items will not be submitted for approval of that Committee, except for items subject to the provisions of resolution 1051 (1996), and will be notified to the Secretary-General and financed in accordance with the provisions of paragraph 8 (a) and 8 (b) of resolution 986 (1995), and requests the Secretary-General to inform the Committee in a timely manner of all such notifications received and actions taken;

18. Requests the Committee established by resolution 661 (1990) to appoint, in accordance with resolutions 1175 (1998) and 1210 (1998), a group of experts, including independent inspection agents appointed by the Secretary-General in accordance with paragraph 6 of resolution 986 (1995), decides that this group will be mandated to approve speedily contracts for the parts and the equipments necessary to enable Iraq to increase its exports of petroleum and petroleum products, according to lists of parts and equipments approved by that Committee for each individual project, and requests the Secretary-General to continue to provide for the monitoring of these parts and equipments inside Iraq;

19. Encourages Member States and international organizations to provide supplementary humanitarian assistance to Iraq and published material of an educational character to Iraq;

20. Decides to suspend, for an initial period of six months from the date of the adoption of this resolution and subject to review, the implementation of paragraph 8 (g) of resolution 986 (1995);

21. Requests the Secretary-General to take steps to maximize, drawing as necessary on the advice of specialists, including representatives of international humanitarian organizations, the effectiveness of the arrangements set out in resolution 986 (1995) and related resolutions including the humanitarian benefit to the Iraqi population in all areas of the country, and further requests the Secretary-General to continue to enhance as necessary the United Nations observation process in Iraq, ensuring that all supplies under the humanitarian programme are utilized as authorized, to bring to the attention of the Council any circumstances preventing or impeding effective and equitable distribution and to keep the Council informed of the steps taken towards the implementation of this paragraph;

22. Requests also the Secretary-General to minimize the cost of the United Nations activities associated with the implementation of resolution 986 (1995) as well as the cost of the independent inspection agents and the certified public by him, in accordance with paragraphs 6 and 7 of resolution 986 (1995);

23. Requests further the Secretary-General to provide Iraq and the committee established by resolution 661 (1990) with a daily statement of the status of the escrow account established by paragraph 7 of resolution 986 (1995);

24. Requests the Secretary-General to make the necessary arrangements, subject to Security Council approval, to allow funds deposited in the escrow account established by resolution 986 (1995) to be used for the purchase of locally produced goods and to meet the local cost for essential civilian needs which have been funded in accordance with the provisions of resolution 986 (1995) and related resolutions, including, where appropriate, the cost of installation and training services;

25. Directs the Committee established by resolution 661 (1990) to take a decision on all applications in respect of humanitarian and essential civilian needs within a target of two working days of receipt of these applications from the Secretary-General, and to ensure that all approval and notification letters issued by the Committee stipulate delivery within a specified time, according to the nature of the items to be supplied, and requests the Secretary-General to notify the Committee of all applications for humanitarian items which are included in the list to which the export/import mechanism approved by resolution 1051 (1996) applies;

26. Decides that Hajj pilgrimage flights which do not transport cargo into or out of Iraq are exempt from the provisions of paragraph 3 of resolution 661 (1990) and resolution 670 (1990), provided timely notification of each flight is made to the Committee established by resolution 661 (1990), and requests the Secretary-General to make the necessary arrangements, for approval by the Security Council, to provide for reasonable expenses related to the Hajj pilgrimage to be met by funds in the escrow account established by resolution 986 (1995);

27. Calls upon the Government of Iraq:

(i) to take all steps to ensure the timely and equitable distribution of all humanitarian goods, in particular medical supplies, and to remove and avoid delays at its warehouses;

(ii) to address effectively the needs of vulnerable groups, including children, pregnant women, the disabled, the elderly and the mentally ill among others, and to allow freer access, without any discrimination, including on the basis of religion or nationality, by United Nations agencies and humanitarian organizations to all areas and sections of the population for evaluation of their nutritional and humanitarian condition;

(iii) to prioritize applications for humanitarian goods under the arrangements set out in resolution 986 (1995) and related resolutions;

(iv) to ensure that those involuntarily displaced receive humanitarian assistance without the need to demonstrate that they have resided for six months in their places of temporary residence;

(v) to extend full cooperation to the United Nations Office for Project Services mine-clearance programme in the three northern Governorates of Iraq and to consider the initiation of the demining efforts in other Governorates;

28. Requests the Secretary-General to report on the progress made in meeting the humanitarian needs of the Iraqi people and on the revenues necessary to meet those needs, including recommendations on necessary additions to the current allocation for oil spare parts and equipment, on the basis of a comprehensive survey of the condition of the Iraqi oil production sector, not later than 60 days from the date of the adoption of this resolution and updated thereafter as necessary;

29. Expresses its readiness to authorize additions to the current allocation for oil spare parts and equipment, on the basis of the report and recommendations requested in paragraph 28 above, in order to meet the humanitarian purposes set out in resolution 986 (1995) and related resolutions;

30. Requests the Secretary-General to establish a group of experts, including oil industry experts, to report within 100 days of the date of adoption of this resolution on Iraq's existing petroleum production and export capacity and to make recommendations, to be updated as necessary, on alternatives for increasing Iraq's petroleum production and export capacity in a manner consistent with the purposes of relevant resolutions, and on the options for involving foreign oil companies in Iraq's oil sector, including investments, subject to appropriate monitoring and controls;

31. Notes that in the event of the Council acting as provided for in paragraph 33 of this resolution to suspend the prohibitions referred to in that paragraph, appropriate arrangements and procedures will need, subject to paragraph 35 below, to be agreed by the Council in good time beforehand, including suspension of provisions of resolution 986 (1995) and related resolutions;

32. Requests the Secretary-General to report to the Council on the implementation of paragraphs 15 to 30 of this resolution within 30 days of the adoption of this resolution;

D.

33. Expresses its intention, upon receipt of reports from the Executive Chairman of UNMOVIC and from the Director General of the IAEA that Iraq has cooperated in all respects with UNMOVIC and the IAEA in particular in fulfilling the work programmes in all the aspects referred to in paragraph 7 above, for a period of 120 days after the date on which the Council is in receipt of reports from both UNMOVIC and the IAEA that the reinforced system of ongoing monitoring and verification is fully operational, to suspend with the fundamental objective of improving the humanitarian situation in Iraq and securing the implementation of the Council's resolutions, for a period of 120 days renewable by the Council, and subject to the elaboration of effective financial and other operational measures to ensure that Iraq does not acquire prohibited items, prohibitions against the import of commodities and products originating in Iraq, and prohibitions against the sale, supply and delivery to Iraq of civilian commodities and products other than those referred to in paragraph 24 of resolution 687 (1991) or those to which the mechanism established by resolution 1051 (1996) applies;

34. Decides that in reporting to the Council for the purposes of paragraph 33 above, the Executive Chairman of UNMOVIC will include as a basis for his assessment the progress made in completing the tasks referred to in paragraph 7 above;

35. Decides that if at any time the Executive Chairman of UNMOVIC or the Director General of the IAEA reports that Iraq is not cooperating in all respects with UNMOVIC or the IAEA or if Iraq is in the process of acquiring any prohibited items, the suspension of the prohibitions referred to in paragraph 33 above shall terminate on the fifth working day following the report, unless the Council decides to the contrary;

36. Expresses its intention to approve arrangements for effective financial and other operational measures, including on the delivery of and payment for authorized civilian commodities and products to be sold or supplied to Iraq, in order to ensure that Iraq does not acquire prohibited items in the event of *suspension of* the prohibitions referred to in paragraph 33 above, to *begin the* elaboration of such measures not later than the date of the receipt of the initial reports referred to in paragraph 33 above, and to approve such arrangements before the Council decision in accordance with that paragraph;

37. Further expresses its intention to take steps, based on the report and recommendations requested in paragraph 30 above, and consistent with the purpose of resolution 986 (1995) and related resolutions, to enable Iraq to increase its petroleum production and export capacity, upon receipt of the reports relating to the cooperation in all respects with UNMOVIC and the IAEA referred to in paragraph 33 above;

38. Reaffirms its intention to act in accordance with the relevant provisions of resolution 687 (1991) on the termination of prohibitions referred to in that resolution;

39. Decides to remain actively seized of the matter and expresses its intention to consider action in accordance with paragraph 33 above no later than 12 months from the date of the adoption of this resolution provided the conditions set out in paragraph 33 above have been satisfied by Iraq.

Fact Sheet: Iran-Libya Sanctions Act of 1996

Fact Sheet released by the Office of the Press Secretary, The White House, Washington, DC, August 5, 1996.

President Clinton has led the fight against terrorism and will continue to take measures to further pressure and punish states that support it.

Purpose: The Iran and Libya Sanctions Act of 1996 imposes new sanctions on foreign companies that engage in specified economic transactions with Iran or Libya. It is intended to:

- Help deny Iran and Libya revenues that could be used to finance international terrorism;
- Limit the flow of resources necessary to obtain weapons of mass destruction; and,
- Put pressure on Libya to comply with UN resolutions that, among other things, call for Libya to extradite for trial the accused perpetrators of the Pan Am 103 bombing.

The Sanctions: The bill sanctions foreign companies that provide new investments over \$40 million for the development of petroleum resources in Iran or Libya. The bill also sanctions foreign companies that violate existing UN prohibitions against trade with Libya in certain goods and services such as arms, certain oil equipment, and civil aviation services. If a violation occurs, President Clinton is to impose two out of seven possible sanctions against the violating company. These sanctions include:

- denial of Export-Import Bank assistance;
- denial of export licenses for exports to the violating company;
- prohibition on loans or credits from U.S. financial institutions of over \$10 million in any 12-month period;
- prohibition on designation as a primary dealer for U.S. Government debt instruments;
- prohibition on serving as an agent of the U.S. or as a repository for U.S. Government funds;
- denial of U.S. government procurement opportunities (consistent with WTO obligations); and
- a ban on all or some imports of the violating company.
-

This Bill is Another Step in US Efforts to Enforce Compliance from Iran and Libya:

- In 1984, Iran was placed on the list of states that support international terrorism, triggering statutory sanctions that prohibit weapons sales,

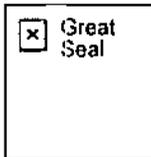
oppose all loans to Iran from international financial institutions, and prohibit all assistance to Iran.

- In 1987, the U.S. further prohibited the importation of any goods or services from Iran and U.S. naval and air forces struck Iranian naval units on several occasions in response to Iranian efforts to disrupt the flow of oil from the Persian Gulf with naval mines and missile attacks.
- In 1995, President Clinton imposed comprehensive sanctions on Iran, prohibiting all commercial and financial transactions with Iran.
- In January 1986, the United States imposed comprehensive sanctions against Libya that froze Libyan assets, and banned all trade and financial dealings with Libya. Two months later, U.S. Air Force and Navy jets bombed Libyan targets in retaliation for Libyan terrorist attacks on Americans in Europe.
- In March 1992, the United States supported the imposition of UN sanction against Libya which prohibited the export of petroleum, military or aviation equipment to Libya; prohibited commercial flights to or from Libya; limited Libyan diplomatic representation abroad; and restricted Libyan financial activities.

In addition, the United States has worked with our allies to further isolate Libya both internationally and within the Middle East and to develop new methods to pressure Qadhafi to comply with the UN Security Council Resolutions directed at Libya.

(###)

XII-14



Secretary of State Madeleine K. Albright
Remarks before the American-Iranian Council
March 17, 2000, Washington, D.C.
As released by the Office of the Spokesman
U.S. Department of State

[NOTE: Also see her Press Breifing at the Department of State following speech]

"American-Iranian Relations"

MODERATOR: Your Excellency, Ladies and Gentlemen. It is a great honor for me to introduce our keynote speaker for today's conference on United States relations with Iran. Before I do that, however, please allow me to do two things. First, to make a blanket thank you remarks to all our coordinators and sponsors, as with that a good number of dedicated individuals who make this event to happen. For the benefit of time, unfortunately, I am not able to go through that list. Some of them are listed on your program. Others will be acknowledged throughout this conference.

Next, I want also to introduce the American-Iranian Council to you. Founded in 1997, AIC is a tax-exempt organization dedicated to promoting dialogue and better understanding between the people and governments of the United States and Iran.

The guiding principle of AIC is that the mutual interest of the United States and Iran far outweigh their differences. We have worked steadily over the past several years to achieve our goals, to host projects, seminars, conferences and publications.

Our honorary chairman is former Secretary of State, the Honorable Cyrus Vance. At the event we organized jointly with the Asia Society in New York in January 1998, he said and I quote, "In the past two decades, what is abnormal in international relations has been accepted as normal in US-Iran relations." He then went on to say that and I quote, "It's time for Iran and the United States to reestablish diplomatic ties."

I have personally spent well over a decade thinking about the day when an Iranian Embassy opens up in this town and an American one in Tehran. And questionably, such an occasion will be a cause for celebration by Americans and Iranians particularly Iranian-Americans in this great nation.

For the 1 million strong Iranian-American community, that will be a particularly auspicious time, a time of reconstructing what has been two decades of painfully divided identity.

In June, 1998, in her important policy speech on Iran, Secretary Albright said, and I quote "We must always be flexible enough to respond to change and seize historic opportunities." In fact, Secretary Albright's presence at our event today is an affirmation of her belief in seizing upon historic opportunities and an indication that the time has come for the two countries to go forward.

Madame Secretary, we are deeply honored to have you with us this morning. Ladies

and gentlemen, please join me in welcoming Secretary of State, The Honorable Madeleine Albright. (Applause.)

SECRETARY ALBRIGHT: Thank you very much. (Applause) Wait 'till I finish! Thank you very much, Professor Amirahmadi and Ambassador Pelleteau, Excellencies from the Diplomatic corps, distinguished colleagues, guests and friends.

Today's conference reflects a coming together of a real pantheon of organizations. Not just the American-Iranian Council, but also the Asia Society, the Middle East Institute and the Georgetown School of Foreign Service. The wealth of expertise in this room is enormous. And it is testimony to Iran's importance.

As this audience well knows, Iran is one of the world's oldest continuing civilizations. It has one of the globe's richest and most diverse cultures. Its territory covers half the coastline of the Gulf and on one side of the Straits of Hormuz through which much of the world's petroleum commerce moves. It borders the Caspian Sea, the Caucasus in Central and South Asia, where a great deal of the world's illegal narcotics are produced, several major terrorist groups are based, and huge reserves of oil and gas are just beginning to be tapped. And it is currently chairing the organization of the Islamic Conference.

There is no question that Iran's future direction will play a pivotal role in the economic and security affairs of what much of the world reasonably considers the center of the world. So I welcome this opportunity to come to discuss relations between the United States and Iran. It is appropriate, I hope, to do so in anticipation both of the Iranian New Year and the start of spring. And I want to begin by wishing all Iranian-Americans a Happy New Year, Eid-e-shuma-Mubarak. (Applause.)

I extend the same wishes to the Iranian people overseas. Spring is the season of hope and renewal; of planting the seeds for new crops. And my hope is that in both in Iran and the United States, we can plant the seeds now for a new and better relationship in years to come.

That is precisely the prospect I would like to discuss with you today. President Clinton especially asked me to come to this group to have this discussion with you. It is no secret that, for two decades, most Americans have viewed Iran primarily through the prism of the U.S. Embassy takeover in 1979, accompanied as it was by the taking of hostages, hateful rhetoric and the burning of the U.S. flag. Through the years, this grim view is reinforced by the Iranian Government's repression at home and its support for terrorism abroad; by its assistance to groups violently opposed to the Middle East peace process; and by its effort to develop a nuclear weapons capability.

America's response has been a policy of isolation and containment. We took Iranian leaders at their word, that they viewed America as an enemy. And in response we had to treat Iran as a threat. However, after the election of President Khatami in 1997, we began to adjust the lens through which we viewed Iran. Although Iran's objectionable external policies remain fairly constant, the political and social dynamics inside Iran were quite clearly beginning to change.

In response, President Clinton and I welcomed the new Iranian's President's call for a dialogue between our people. We encouraged academic, cultural and athletic content. We updated our advisory to Americans wishing to travel to Iran. We reiterated our willingness to engage in officially authorized discussions with Iran regarding each others principle concerns, and said we would monitor future developments in that country closely, which is what we have done. Now we have concluded the time is right to broaden our perspective even further.

Because the trends that were becoming evident inside Iran are plainly gathering steam, the country's young are spearheading a movement aimed at a more open society and a more flexible approach to the world.

Iran's women have made themselves among the most politically active and empowered in the region. Budding entrepreneurs are eager to establish winning connections overseas. Respected clerics speak increasingly about the compatibility of reverence and freedom, modernity and Islam. An increasingly competent press is emerging despite attempts to muzzle it. And Iran has experienced not one but three increasingly democratic rounds of elections in as many years.

Not surprisingly, these developments have been stubbornly opposed in some corners, and the process they have set in motion is far from complete. Harsh punishments are still meted out for various kinds of dissent. Religious persecution continues against the Baha'i and also against some Iranians who have converted to Christianity.

And governments around the world, including our own, have expressed concerns about the need to ensure the process for 13 Iranian Jews, who were detained for more than a year without official charge, and are now scheduled for trial next month. We look to the procedures and the results of this trial as one of the barometers of US-Iran relations.

Moreover, in the fall of 1998, several prominent writers and publishers were murdered, apparently by rogue elements in Iran security forces. And just this past weekend, a prominent editor and advisor to President Khatami was gravely wounded in an assassination attempt.

As in any diverse society, there are many currents swirling about in Iran. Some are driving the country forward; others are holding it back. Despite the trend towards democracy, control over the military, judiciary, courts and police remains in unelected hands, and the elements of its foreign policy, about which we are most concerned, have not improved. But the momentum in the direction of internal reform, freedom and openness is growing stronger.

More and more Iranians are unafraid to agree with President Khatami's assessment of 15 months ago, and I quote, "Freedom and diversity of thought do not threaten the society's security," he said. "Rather, limiting freedom does so. Criticizing the government and state organizations at any level is not detrimental to the system. On the contrary, it is necessary."

The democratic winds in Iran are so refreshing, and many of the ideas espoused by

its leaders so encouraging. There is a risk we will assume too much. In truth, it is too early to know precisely where the democratic trends will lead. Certainly the primary impetus for change is not ideology but pragmatism. Iranians want a better life. They want broader social freedom, greater government accountability and wider prosperity. Despite reviving oil prices, Iran's economy remains hobbled by inefficiency, corruption and excessive state control. Due in part to demographic factors, unemployment is higher and per capita income lower than 20 years ago.

The bottom line is that Iran is evolving on its own terms and will continue to do so. Iranian democracy, if it blossoms further, is sure to have its own distinctive features consistent with the country's traditions and culture. And like any dramatic and political and social evolution, it will go forward at its own speed on a timetable Iranians set for themselves.

The question we face is how to respond to all this. On the people-to-people level, the answer is not hard to discern. Americans should continue to reach out. We have much to learn from Iranians and Iranians from us. We should work to expand and broaden our exchanges. We should engage Iranian academics and leaders in civil society on issues of mutual interest. And, of course, we should strive even more energetically to develop our soccer skills. (Laughter.)

The challenge of how to respond to Iran on the official is more complex, and it requires a discussion not only of our present perception and future hopes but also of the somewhat tumultuous past.

At their best, our relations with Iran have been marked by warm bonds of personal friendship. Over the years, thousands of American teachers, health care workers, Peace Corps volunteers and others have contributed their energy and goodwill to improving the lives and well-being of the Iranian people.

As is evident in this room, Iranians have enriched the United States as well. Nearly a million Iranian-Americans have made our country their home. Many other Iranians have studied here before returning to apply their knowledge in their native land. In fact, some were among my best students when I taught at Georgetown School of Foreign Service.

It's not surprising, then, that there is much common ground between our two peoples. Both are idealistic, proud, family-oriented, spiritually aware and fiercely opposed to foreign domination.

But that common ground has sometimes been shaken by other factors. In 1953 the United States played a significant role in orchestrating the overthrow of Iran's popular Prime Minister, Mohammed Massadegh. The Eisenhower Administration believed its actions were justified for strategic reasons; but the coup was clearly a setback for Iran's political development. And it is easy to see now why many Iranians continue to resent this intervention by America in their internal affairs.

Moreover, during the next quarter century, the United States and the West gave sustained backing to the Shah's regime. Although it did much to develop the country economically, the Shah's government also brutally repressed political dissent.

As President Clinton has said, the United States must bear its fair share of responsibility for the problems that have arisen in U.S.-Iranian relations. Even in more recent years, aspects of U.S. policy towards Iraq, during its conflict with Iran appear now to have been regrettably shortsighted, especially in light of our subsequent experiences with Saddam Hussein.

However, we have our own list of grievances, and they are serious.

The embassy takeover was a disgraceful breach of Iran's international responsibility and the trauma for the hostages and their families and for all of us. And innocent Americans and friends of America have been murdered by terrorist groups that are supported by the Iranian Government.

In fact, Congress is now considering legislation that would mandate the attachment of Iranian diplomatic and other assets as compensation for acts of terrorism committed against American citizens.

We are working with Congress to find a solution that will satisfy the demands of justice without setting a precedent that could endanger vital U.S. interests in the treatment of diplomatic or other property, or that would destroy prospects for a successful dialog with Iran.

Indeed, we believe that the best hope for avoiding similar tragedies in the future is to encourage change in Iran's policies, and to work in a mutual and balanced way to narrow differences between our two countries.

Neither Iran, nor we, can forget the past. It has scarred us both.

But the question both countries now face is whether to allow the past to freeze the future or to find a way to plant the seeds of a new relationship that will enable us to harvest shared advantages in years to come, not more tragedies. Certainly, in our view, there are no obstacles that wise and competent leadership cannot remove.

As some Iranians have pointed out, the United States has cordial relations with a number of countries that are less democratic than Iran. Moreover, we have no intention or desire to interfere in the country's internal affairs. We recognize that Islam is central to Iran's cultural heritage and perceive no inherent conflict between Islam and the United States.

Moreover, we see a growing number of areas of common interest. For example, we both have a stake in the future stability and peace in the Gulf. Iran lives in a dangerous neighborhood. We welcome efforts to make it less dangerous and would encourage regional discussions aimed at reducing tensions and building trust.

Both our countries have fought conflicts initiated by Iraq's lawless regime; both have a stake in preventing further Iraqi aggression. We also share concerns about instability and illegal narcotics being exported from Afghanistan. Iran is paying a high price for the ongoing conflict there.

It has long been host to as many as two million refugees from the Afghan civil war.

And thousands of Iranians have been killed in the fight against drug traffickers. Moreover, Iran is now a world leader in the quantity of illegal drugs annually seized. This is one area where increased US-Iranian cooperation clearly makes sense for both countries.

But there are numerous other areas of potential common interest, such as encouraging stable relations between Armenia and Azerbaijan, regional economic development, the protection of historic cultural sites and preserving the environment.

So the possibility of a more normal and mutually productive relationship is there. But it will not happen unless Iran continues to broaden its perspective of America just as we continue to broaden our view of Iran.

When we oppose terrorism and proliferation, the norms we uphold are not narrowly American, they are global. These standards are designed to safeguard law-abiding people in all countries and reflect obligations that most nations, including Iran, have voluntarily assumed.

When we strive to support progress towards a Middle East Peace, we serve the interest and embrace the aspirations of tens of millions of people, Arab and Israeli alike, of all backgrounds and faiths.

When we talk about human rights, we're not trying to impose our values. We are affirming the principles enshrined in the Universal Declaration of Human Rights that people everywhere are entitled to basic freedoms of religion, expression and equal protection under the law.

And when we talk about the value of an official dialogue with Iran, we have no secret agenda, nor do we attach any conditions. We are motivated solely by a realistic interest in taking this relationship to a higher level so that we may use diplomacy to solve problems and benefit the people of both countries.

In recent months, Iranian leaders have talked about their nation's policy of detente. And Foreign Minister Kharazmi said not long ago that "Iran is ready to act as an anchor of stability for resolving regional problems and crises."

The United States recognizes Iran's importance in the Gulf, and we've worked hard in the past to improve difficult relationships with many other countries -- whether the approach used has been called detente or principle engagements or constructive dialogue or something else.

We are open to such a policy now. We want to work together with Iran to bring down what President Khatami refers to as "the wall of mistrust."

For that to happen, we must be willing to deal directly with each other as two proud and independent nations and address on a mutual basis the issues that have been keeping us apart.

As a step towards bringing down that wall of mistrust, I want today to discuss the

question of economic sanctions. The United States imposed sanctions against Iran because of our concerns about proliferation, and because the authorities exercising control in Tehran financed and supported terrorist groups, including those violently opposed to the Middle East Peace Process.

To date, the political developments in Iran have not caused its military to cease its determined effort to acquire technology, materials and assistance needed to develop nuclear weapons, nor have those developments caused Iran's Revolutionary Guard Corps or its Ministry of Intelligence and Security to get out of the terrorism business. Until these policies change, fully normal ties between our governments will not be possible, and our principle sanctions will remain.

The purpose of our sanctions, however, is to spur changes in policy. They are not an end in themselves, nor do they seek to target innocent civilians.

And so for this reason, last year I authorized the sale of spare parts needed to ensure the safety of civilian passenger aircraft previously sold to Iran, aircraft often used by Iranian-Americans transiting to or from that country. And President Clinton eased restrictions on the export of food, medicine and medical equipment to sanctioned countries including Iran. This means that Iran can purchase products such as corn and wheat from America.

And today, I am announcing a step that will enable Americans to purchase and import carpets and food products such as dried fruits, nuts and caviar from Iran.

This step is a logical extension of the adjustments we made last year. It also designed to show the millions of Iranian craftsmen, farmers and fisherman who work in these industries, and the Iranian people as a whole, that the United States bears them no ill will.

Second, the United States will explore ways to remove unnecessary impediments to increase contact between American and Iranian scholars, professional artists, athletes, and non-governmental organizations. We believe this will serve to deepen bonds of mutual understanding and trust.

Third, the United States is prepared to increase efforts with Iran aimed at eventually concluding a global settlement of outstanding legal claims between our two countries.

This is not simply a matter of unfreezing assets. After the fall of the Shah the United States and Iran agreed on a process to resolve existing claims through an arbitral tribunal in The Hague. In 1981, the vast majority of Iranian assets seized during the hostage crisis were returned to Iran. Since then, nearly all of the private claims have been resolved through The Hague Tribunal process.

Our goal now is to settle the relatively few but very substantial claims that are still outstanding between our two governments at The Hague. And by so doing, to put this issue behind us once and for all.

The points I've made and the concrete measures I have announced today reflect our

desire to advance our common interests through improved relations with Iran. They respond to the broader perspective merited by the democratic trends in that country, and our hope that these internal changes will gradually produce external effects. And that as Iranians grow more free, they will express their freedom through actions and support of international law and on behalf of stability and peace.

I must emphasize, however, that in adopting a broader view of events in Iran, we are not losing sight of the issues that have long troubled us. We looked toward Iran truly fulfilling its promises to serve as an "anchor of stability," and to live up, indeed as well as were, to the pledges its leaders have made in such areas as proliferation and opposition to terrorism.

We have no illusions that the United States and Iran will be able to overcome decades of estrangement overnight. We can't build a mature relationship on carpets and grain alone. But the direction of our relations is more important than the pace. The United States is willing either to proceed patiently, on step-by-step basis, or to move very rapidly if Iran indicates a desire and commitment to do so.

Next Tuesday will mark the beginning of a new year for Iran and the start of spring for us all. And it is true that for everything under Heaven there is a season. Surely the time has come for America and Iran to enter a new season in which mutual trust may grow and a quality of warmth supplant the long, cold winter of our mutual discontent.

For we must recognize that around the world today the great divide is no longer between East and West or North and South; nor is it between one civilization and another.

The great divide today is between people anywhere who are still ensnared by the perceptions and prejudices of the past, and those everywhere who have freed themselves to embrace the promise of the future.

This morning on behalf of the government and the people of the United States, I call upon Iran to join us in writing a new chapter in our shared history. Let us be open about our differences and strive to overcome them. Let us acknowledge our common interests and strive to advance them. Let us think boldly about future possibilities and strive to achieve them, and thereby, turn this new year and season of hope into the reality of a safer and better life for our two peoples.

To that mission I pledge my own best efforts this morning. And I respectfully solicit the counsel and understanding and support of all.

Thank you very much.

[End of Document]

[NOTE: Also see her [Press Briefing](#) at the Department of State following speech]

[Secretary's Home Page](#) | [State Department Home Page](#)

XIV. East Asia and the Pacific

Doc. No. Description

- XIV-1 U.S.-Japan Joint Declaration on Security: Alliance for the 21st Century, Tokyo, April 17, 1996; 4 pp.
- XIV-2 Guidelines for U.S.-Japan Defense Cooperation, New York, September 23, 1997; 14 pp.
- XIV-3 Final Report of the Special Action Committee on Okinawa (SACO), December 2, 1996; 5 pp.
- XIV-4 Statements by the Department of State Spokesman and the Chinese Foreign Ministry Spokesperson on proliferation of weapons of mass destruction, Washington, November 21, 2000; 2 pp.
- XIV-5 Review of U.S. Policy Toward North Korea: Findings and Recommendations, Washington, October 12, 1999; 11 pp.
- XIV-6 White House Press Release: Fact Sheet on Vietnam Bilateral Trade Agreement and Historic Strengthening of U.S.-Vietnam Relationship; Washington, July 13, 2000; 3 pp.

XIV - 1

U.S.-Japan Joint Declaration on Security: Alliance for the 21st Century

Joint Declaration released in Tokyo during the State Visit by President Clinton to Japan, April 17, 1996

1. Today, the President and the Prime Minister celebrated one of the most successful bilateral relationships in history. The leaders took pride in the profound and positive contribution this relationship has made to world peace and regional stability and prosperity. The strong Alliance between the United States and Japan helped ensure peace and security in the Asia-Pacific region during the Cold War. Our Alliance continues to underlie the dynamic economic growth in this region. The two leaders agreed that the future security and prosperity of both United States and Japan are tied inextricably to the future of the Asia-Pacific region.

The benefits of peace and prosperity that spring from the Alliance are due not only to the commitments of the two governments, but also to the contributions of the Japanese and American people who have shared the burden of securing freedom and democracy. The President and the Prime Minister expressed their profound gratitude to those who sustain the Alliance, especially those Japanese communities that host U.S. Forces, and those Americans who, far from home, devote themselves to the defense of peace and freedom.

2. For more than a year, the two governments have conducted an intensive review of the evolving political and security environment of the Asia-Pacific region and of various aspects of the U.S.-Japan security relationship. On the basis of this review, the President and the Prime Minister reaffirmed their commitment to the profound common values that guide our national policies: the maintenance of freedom, the pursuit of democracy, and respect for human rights. They agreed that the foundations for our cooperation remain firm, and that this partnership will remain vital in the twenty-first century.

The Regional Outlook

3. Since the end of the Cold War, the possibility of global armed conflict has receded. The last few years have seen expanded political and security dialogue among countries of the region. Respect for democratic principles is growing. Prosperity is more widespread than at any other time in history, and we are witnessing the emergence of an Asia-Pacific community. The Asia-Pacific region has become the most dynamic area of the globe.

At the same time, instability and uncertainty persist in the region. Tensions continue on the Korean Peninsula. There are still heavy concentrations of military force, including nuclear arsenals. Unresolved territorial disputes, potential regional conflicts, and the proliferation of weapons of mass destruction and their means of delivery all constitute sources of instability.

The U.S.-Japan Alliance and the Treaty of Mutual Cooperation

and Security

4. The President and the Prime Minister underscored the importance of promoting stability in this region and dealing with the security challenges facing both countries.

In this regard, the President and the Prime Minister reiterated the significant value of the Alliance between the United States and Japan. They reaffirmed that the U.S. Japan security relationship, based on the Treaty of Mutual Cooperation and Security between the United States of America and Japan, remains the cornerstone for achieving common security objectives, and for maintaining a stable and prosperous environment for the Asia-Pacific region as we enter the twenty-first Century.

(a) The Prime Minister confirmed Japan's fundamental defense policy as articulated in its new National Defense Program Outline adopted in November, 1995, which underscored that the Japanese defense capabilities should play appropriate roles in the security environment after the Cold War. The President and the Prime Minister agreed that the most effective framework for the defense of Japan is close defense cooperation between the two countries. This cooperation is based on a combination of appropriate defense capabilities for the Self-Defense Forces of Japan and the U.S.-Japan security arrangements. The leaders again confirmed that U.S. deterrence under the Treaty of Mutual Cooperation and Security remains the guarantee for Japan's security.

(b) The President and the Prime Minister agreed that continued U.S. military presence is also essential for preserving peace and stability in the Asia-Pacific region. The leaders shared the common recognition that the U.S.-Japan security relationship forms an essential pillar which supports the positive regional engagement of the U.S.

The President emphasized the U.S. commitment to the defense of Japan as well as to peace and stability in the Asia-Pacific region. He noted that there has been some adjustment of U.S. forces in the Asia-Pacific region since the end of the Cold War. On the basis of a thorough assessment, the United States reaffirmed that meeting its commitments in the prevailing security environment requires the maintenance of its current force structure of about 100,000 forward deployed military personnel in the region, including about the current level in Japan.

(c) The Prime Minister welcomed the U.S. determination to remain a stable and steadfast presence in the region. He reconfirmed that Japan would continue appropriate contributions for the maintenance of U.S. forces in Japan, such as through the provision of facilities and areas in accordance with the Treaty of Mutual Cooperation and Security and Host Nation Support. The President expressed U.S. appreciation for Japan's contributions, and welcomed the conclusion of the new Special Measures Agreement which provides financial support for U.S. forces stationed in Japan.

Bilateral Cooperation Under the U.S.-Japan Security Relationship

5. The President and the Prime Minister, with the objective of enhancing the credibility of this vital security relationship, agreed to undertake efforts to advance cooperation in the following areas.

(a) Recognizing that close bilateral defense cooperation is a central element of the U.S.-Japan alliance, both governments agreed that continued close consultation is essential. Both governments will further enhance the exchange of information and views on the international situation, in particular the Asia-Pacific region. At the same time, in response to the changes which may arise in the international security

environment, both governments will continue to consult closely on defense policies and military postures, including the U.S. force structure in Japan, which will best meet their requirements.

(b) The President and the Prime Minister agreed to initiate a review of the 1978 Guidelines for U.S.-Japan Defense Cooperation to build upon the close working relationship already established between the United States and Japan.

The two leaders agreed on the necessity to promote bilateral policy coordination, including studies on bilateral cooperation in dealing with situations that may emerge in the areas surrounding Japan and which will have an important influence on the peace and security of Japan.

(c) The President and the Prime Minister welcomed the April 15, 1996 signature of the Agreement Between the Government of the United States of America and the Government of Japan Concerning Reciprocal Provision of Logistic Support, Supplies and Services Between the Armed Forces of the United States of America and the Self-Defense Forces of Japan, and expressed their hope that this Agreement will further promote the bilateral cooperative relationship.

(d) Noting the importance of interoperability in all facets of cooperation between the U.S. forces and the Self-Defense Forces of Japan, the two governments will enhance mutual exchange in the areas of technology and equipment, including bilateral cooperative research and development of equipment such as the support fighter (F-2).

(e) The two governments recognized that the proliferation of weapons of mass destruction and their means of delivery has important implications for their common security. They will work together to prevent proliferation and will continue to cooperate in the ongoing study on ballistic missile defense.

6. The President and the Prime Minister recognized that the broad support and understanding of the Japanese people are indispensable for the smooth stationing of U.S. forces in Japan, which is the core element of the U.S.-Japan security arrangements. The two leaders agreed that both governments will make every effort to deal with various issues related to the presence and status of U.S. forces. They also agreed to make further efforts to enhance mutual understanding between U.S. forces and local Japanese communities.

In particular, with respect to Okinawa, where U.S. facilities and areas are highly concentrated, the President and the Prime Minister reconfirmed their determination to carry out steps to consolidate, realign, and reduce U.S. facilities and areas consistent with the objectives of the Treaty of Mutual Cooperation and Security. In this respect, the two leaders took satisfaction in the significant progress which has been made so far through the Special Action Committee on Okinawa (SACO) and welcomed the far reaching measures outlined in the SACO Interim Report of April 15, 1996. They expressed their firm commitment to achieve a successful conclusion of the SACO process by November 1996.

Regional Cooperation

7. The President and the Prime Minister agreed that the two governments will jointly and individually strive to achieve a more peaceful and stable security environment in the Asia-Pacific region. In this regard, the two leaders recognized that the engagement of the United States in the region, supported by the U.S.-Japan security relationship, constitutes the foundation for such efforts.

The two leaders stressed the importance of peaceful resolution of problems in the region. They emphasized that it is extremely important for the stability and prosperity of the region that China play a

positive and constructive role, and, in this context, stressed the interest of both countries in furthering cooperation with China. Russia's ongoing process of reform contributes to regional and global stability, and merits continued encouragement and cooperation. The leaders also stated that full normalization of Japan-Russia relations based on the Tokyo Declaration is important to peace and stability in the Asia-Pacific region. They noted also that stability on the Korean Peninsula is vitally important to the United States and Japan and reaffirmed that both countries will continue to make every effort in this regard, in close cooperation with the Republic of Korea.

The President and the Prime Minister reaffirmed that the two governments will continue working jointly and with other countries in the region to further develop multilateral regional security dialogues and cooperation mechanisms such as the ASEAN Regional Forum, and eventually, security dialogues regarding Northeast Asia.

Global Cooperation

8. The President and the Prime Minister recognized that the Treaty of Mutual Cooperation and Security is the core of the U.S.-Japan Alliance, and underlies the mutual confidence that constitutes the foundation for bilateral cooperation on global issues.

The President and the Prime Minister agreed that the two governments will strengthen their cooperation in support of the United Nations and other international organizations through activities such as peacekeeping and humanitarian relief operations.

Both governments will coordinate their policies and cooperate on issues such as arms control and disarmament, including acceleration of the Comprehensive Test Ban Treaty (CTBT) negotiations and the prevention of the proliferation of weapons of mass destruction and their means of delivery.

The two leaders agreed that cooperation in the United Nations and APEC, and on issues such as the North Korean nuclear problem, the Middle East peace process, and the peace implementation process in the former Yugoslavia, helps to build the kind of world that promotes our shared interests and values.

Conclusion

9. In concluding, the President and the Prime Minister agreed that the three legs of the U.S.-Japan relationship -- security, political, and economic -- are based on shared values and interests and rest on the mutual confidence embodied in the Treaty of Mutual Cooperation and Security. The President and the Prime Minister reaffirmed their strong determination, on the eve of the twenty-first century, to build on the successful history of security cooperation and to work hand-in-hand to secure peace and prosperity for future generations.

April 17, 1996, Tokyo

Prime Minister of Japan
President of the United States

[end of document]

XIV-2

Completion of the Review of the Guidelines for U.S.-Japan Defense Cooperation



Security Consultative Committee
New York, New York, September 23, 1997

Reposted from the U.S. Department of Defense web site, April 1999

The U.S.-Japan alliance is indispensable for ensuring the security of Japan and continues to play a key role in maintaining peace and stability in the Asia-Pacific region. It also facilitates the positive engagement of the United States in the region. The alliance reflects such common values as respect for freedom, democracy, and human rights, and serves as a political basis for wide-ranging bilateral cooperation, including efforts to build a more stable international security environment. The success of such efforts benefits all in the region.

The "Guidelines for U.S.-Japan Defense Cooperation" (the guidelines), approved by the 17th Security Consultative Committee (SCC) on November 27, 1978, resulted from studies and consultations on a comprehensive framework for cooperation in the area of defense. Significant achievements for closer defense cooperation under the guidelines have increased the credibility of bilateral security arrangements.

Although the Cold War has ended, the potential for instability and uncertainty persists in the Asia-Pacific region. Accordingly, the maintenance of peace and stability in this region has assumed greater importance for the security of Japan.

The "U.S.-Japan Joint Declaration on Security" issued by President Clinton and Prime Minister Hashimoto in April 1996, reconfirmed that the U.S.-Japan security relationship remains the cornerstone for achieving common security objectives, and for maintaining a stable and prosperous environment in the Asia-Pacific region as we enter the twenty-first century. The President and the Prime Minister agreed to initiate a review of the 1978 guidelines to build upon the close working relationship already established between the United States and Japan.

In June 1996, the two Governments reconstituted the Subcommittee for Defense Cooperation (SDC) under the auspices of the SCC, to conduct the review of the guidelines (the Review) on the basis of Japan's "National Defense Program Outline" of November 1995, and the "U.S.-Japan Joint Declaration on Security." In view of the changes in the post-Cold War environment, and based on the achievements made under the guidelines, the SDC has considered:

- cooperation under normal circumstances;
- actions in response to an armed attack against Japan; and
- cooperation in situations in areas surrounding Japan that will have an important influence on Japan's peace and security (situations in areas surrounding Japan).

These considerations aimed at providing a general framework and policy direction for the roles and missions of the two countries and ways of cooperation and coordination, both under normal circumstances and during contingencies. The review did not address situations in specific areas.

The SDC has conducted the review with the objective of identifying ideas and specific items that would contribute to more effective bilateral cooperation with the intention to complete the review by autumn of 1997, as instructed by the SCC in September 1996. The discussions at the SDC in the course of the review are summarized in the "Progress Report on the Guidelines Review for U.S.-Japan Defense Cooperation" of September 1996, and in the "Interim Report on the Review of the Guidelines for U.S.-Japan Defense Cooperation" of June 1997.

The SDC prepared and submitted to the SCC new "Guidelines for U.S.-Japan Defense Cooperation." The SCC approved and issued the following guidelines, which supersede the 1978 guidelines.

THE GUIDELINES FOR U.S.-JAPAN DEFENSE COOPERATION

I. THE AIM OF THE GUIDELINES

The aim of these Guidelines is to create a solid basis for more effective and credible U.S.-Japan cooperation under normal circumstances, in case of an armed attack against Japan, and in situations in areas surrounding Japan. The Guidelines also provide a general framework and policy direction for the roles and missions of the two countries and ways of cooperation and coordination, both under normal circumstances and during contingencies.

II. BASIC PREMISES AND PRINCIPLES

The Guidelines and programs under the Guidelines are consistent with the following basic premises and principles.

1. The rights and obligations under the Treaty of Mutual Cooperation and Security between the United States of America and Japan (the U.S.-Japan Security Treaty) and its related arrangements, as well as the fundamental framework of the U.S.-Japan alliance, will remain unchanged.
2. Japan will conduct all its actions within the limitations of its Constitution and in accordance with such basic positions as the maintenance of its exclusively defense-oriented policy and its three non-nuclear principles.
3. All actions taken by the United States and Japan will be consistent with basic principles of international law, including the peaceful settlement of disputes and sovereign equality, and relevant international agreements such as the Charter of the United Nations.
4. The Guidelines and programs under the Guidelines will not obligate either Government to take legislative, budgetary or administrative measures. However, since the objective of the Guidelines and programs under the Guidelines is to establish an effective framework for bilateral cooperation, the two Governments are expected to reflect in an appropriate way the results of these efforts, based on their own judgments, in their specific policies and measures. All actions taken by Japan will be consistent with its laws and regulations then in effect.

III. COOPERATION UNDER NORMAL CIRCUMSTANCES

Both Governments will firmly maintain existing U.S.-Japan security arrangements. Each Government will make efforts to maintain required defense postures. Japan will possess defense capability within the

scope necessary for self-defense on the basis of the "National Defense Program Outline." In order to meet its commitments, the United States will maintain its nuclear deterrent capability, its forward deployed forces in the Asia-Pacific region, and other forces capable of reinforcing those forward deployed forces.

Both Governments, based on their respective policies, under normal circumstances will maintain close cooperation for the defense of Japan as well as for the creation of a more stable international security environment.

Both Governments will under normal circumstances enhance cooperation in a variety of areas. Examples include mutual support activities under the Agreement between the Government of Japan and the Government of the United States of America concerning Reciprocal Provision of Logistic Support, Supplies and Services between the Self-Defense Forces of Japan and the Armed Forces of the United States of America; the Mutual Defense Assistance Agreement between the United States of America and Japan; and their related arrangements.

1. Information Sharing and Policy Consultations

Recognizing that accurate information and sound analysis are at the foundation of security, the two Governments will increase information and intelligence sharing, and the exchange of views on international situations of mutual interest, especially in the Asia-Pacific region. They will also continue close consultations on defense policies and military postures.

Such information sharing and policy consultations will be conducted at as many levels as possible and on the broadest range of subjects. This will be accomplished by taking advantage of all available opportunities, such as SCC and Security Sub-Committee (SSC) meetings.

2. Various Types of Security Cooperation

Bilateral cooperation to promote regional and global activities in the field of security contributes to the creation of a more stable international security environment.

Recognizing the importance and significance of security dialogues and defense exchanges in the region, as well as international arms control and disarmament, the two Governments will promote such activities and cooperate as necessary.

When either or both Governments participate in United Nations peacekeeping operations or international humanitarian relief operations, the two sides will cooperate closely for mutual support as necessary. They will prepare procedures for cooperation in such areas as transportation, medical services, information sharing, and education and training.

When either or both Governments conduct emergency relief operations in response to requests from governments concerned or international organizations in the wake of large-scale disasters, they will cooperate closely with each other as necessary.

3. Bilateral Programs

Both Governments will conduct bilateral work, including bilateral defense planning in case of an armed attack against Japan, and mutual cooperation planning in situations in areas surrounding Japan. Such efforts will be made in a comprehensive mechanism involving relevant agencies of the respective

Governments, and establish the foundation for bilateral cooperation.

Bilateral exercises and training will be enhanced in order not only to validate such bilateral work but also to enable smooth and effective responses by public and private entities of both countries, starting with U.S. Forces and the Self-Defense Forces. The two Governments will under normal circumstances establish a bilateral coordination mechanism involving relevant agencies to be operated during contingencies.

IV. ACTIONS IN RESPONSE TO AN ARMED ATTACK AGAINST JAPAN

Bilateral actions in response to an armed attack against Japan remain a core aspect of U.S.-Japan defense cooperation.

When an armed attack against Japan is imminent, the two Governments will take steps to prevent further deterioration of the situation and make preparations necessary for the defense of Japan. When an armed attack against Japan takes place, the two Governments will conduct appropriate bilateral actions to repel it at the earliest possible stage.

1. When an Armed Attack against Japan is Imminent

The two Governments will intensify information and intelligence sharing and policy consultations, and initiate at an early stage the operation of a bilateral coordination mechanism. Cooperating as appropriate, they will make preparations necessary for ensuring coordinated responses according to the readiness stage selected by mutual agreement. Japan will establish and maintain the basis for U.S. reinforcements. As circumstances change, the two Governments will also increase intelligence gathering and surveillance, and will prepare to respond to activities which could develop into an armed attack against Japan.

The two Governments will make every effort, including diplomatic efforts, to prevent further deterioration of the situation.

Recognizing that a situation in areas surrounding Japan may develop into an armed attack against Japan, the two Governments will be mindful of the close interrelationship of the two requirements: preparations for the defense of Japan and responses to or preparations for situations in areas surrounding Japan.

2. When an Armed Attack against Japan Takes Place

(1) Principles for Coordinated Bilateral Actions

(a) Japan will have primary responsibility immediately to take action and to repel an armed attack against Japan as soon as possible. The United States will provide appropriate support to Japan. Such bilateral cooperation may vary according to the scale, type, phase, and other factors of the armed attack. This cooperation may include preparations for and execution of coordinated bilateral operations, steps to prevent further deterioration of the situation, surveillance, and intelligence sharing.

(b) In conducting bilateral operations, U.S. Forces and the Self-Defense Forces will employ their respective defense capabilities in a coordinated, timely, and effective manner. In doing this, they will conduct effective joint operations of their respective Forces' ground, maritime and air services. The Self-Defense Forces will primarily conduct defensive operations in Japanese territory and its surrounding waters and airspace, while U.S. Forces support Self-Defense Forces' operations. U.S.

Forces will also conduct operations to supplement the capabilities of the Self-Defense Forces.

(c) The United States will introduce reinforcements in a timely manner, and Japan will establish and maintain the basis to facilitate these deployments.

(2) Concept of Operations

(a) Operations to Counter Air Attack against Japan

U.S. Forces and the Self-Defense Forces will bilaterally conduct operations to counter air attack against Japan.

The Self-Defense Forces will have primary responsibility for conducting operations for air defense.

U.S. Forces will support Self-Defense Forces' operations and conduct operations, including those which may involve the use of strike power, to supplement the capabilities of the Self-Defense Forces.

(b) Operations to Defend Surrounding Waters and to Protect Sea Lines of Communication

U.S. Forces and the Self-Defense Forces will bilaterally conduct operations for the defense of surrounding waters and for the protection of sea lines of communication.

The Self-Defense Forces will have primary responsibility for the protection of major ports and straits in Japan, for the protection of ships in surrounding waters, and for other operations.

U.S. Forces will support Self-Defense Forces' operations and conduct operations, including those which may provide additional mobility and strike power, to supplement the capabilities of the Self-Defense Forces.

(c) Operations to Counter Airborne and Seaborne Invasions of Japan

U.S. Forces and the Self-Defense Forces will bilaterally conduct operations to counter airborne and seaborne invasions of Japan.

The Self-Defense Forces will have primary responsibility for conducting operations to check and repel such invasions.

U.S. Forces will primarily conduct operations to supplement the capabilities of the Self-Defense Forces. The United States will introduce reinforcements at the earliest possible stage, according to the scale, type, and other factors of the invasion, and will support Self-Defense Forces' operations.

(d) Responses to Other Threats

(i) The Self-Defense Forces will have primary responsibility to check and repel guerrilla-commando type attacks or any other unconventional attacks involving military infiltration in Japanese territory at the earliest possible stage. They will cooperate and coordinate closely with relevant agencies, and will be supported in appropriate ways by U.S. Forces depending on the situation.

(ii) U.S. Forces and the Self-Defense Forces will cooperate and coordinate closely to respond to a ballistic missile attack. U.S. Forces will provide Japan with necessary intelligence, and consider, as

necessary, the use of forces providing additional strike power.

(3) Activities and Requirements for Operations

(a) Command and Coordination

U.S. Forces and the Self-Defense Forces, in close cooperation, will take action through their respective command-and-control channels. To conduct effective bilateral operations, the two Forces will establish, in advance, procedures which include those to determine the division of roles and missions and to synchronize their operations.

(b) Bilateral Coordination Mechanism

Necessary coordination among the relevant agencies of the two countries will be conducted through a bilateral coordination mechanism. In order to conduct effective bilateral operations, U.S. Forces and the Self-Defense Forces will closely coordinate operations, intelligence activities, and logistics support through this coordination mechanism including use of a bilateral coordination center.

(c) Communications and Electronics

The two Governments will provide mutual support to ensure effective use of communications and electronics capabilities.

(d) Intelligence Activities

The two Governments will cooperate in intelligence activities in order to ensure effective bilateral operations. This will include coordination of requirements, collection, production, and dissemination of intelligence products. Each Government will be responsible for the security of shared intelligence.

(e) Logistics Support Activities

U.S. Forces and the Self-Defense Forces will conduct logistics support activities efficiently and properly in accordance with appropriate bilateral arrangements.

To improve the effectiveness of logistics and to alleviate functional shortfalls, the two Governments will undertake mutual support activities, making appropriate use of authorities and assets of central and local government agencies, as well as private sector assets. Particular attention will be paid to the following points in conducting such activities:

(i) Supply

The United States will support the acquisition of supplies for systems of U.S. origin while Japan will support the acquisition of supplies in Japan.

(ii) Transportation

The two Governments will closely cooperate in transportation operations, including airlift and sealift of supplies from the United States to Japan.

(iii) Maintenance

Japan will support the maintenance of U.S. Forces' equipment in Japan; the United States will support the maintenance of items of U.S. origin which are beyond Japanese maintenance capabilities. Maintenance support will include the technical training of maintenance personnel as required. Japan will also support U.S. Forces' requirement for salvage and recovery.

(iv) Facilities

Japan will, in case of need, provide additional facilities and areas in accordance with the U.S.-Japan Security Treaty and its related arrangements. If necessary for effective and efficient operations, U.S. Forces and the Self-Defense Forces will make joint use of Self-Defense Forces facilities and U.S. facilities and areas in accordance with the Treaty and its related arrangements.

(v) Medical Services

The two Governments will support each other in the area of medical services such as medical treatment and transportation of casualties.

V. COOPERATION IN SITUATIONS IN AREAS SURROUNDING JAPAN THAT WILL HAVE AN IMPORTANT INFLUENCE ON JAPAN'S PEACE AND SECURITY (SITUATIONS IN AREAS SURROUNDING JAPAN)

Situations in areas surrounding Japan will have an important influence on Japan's peace and security. The concept, situations in areas surrounding Japan, is not geographic but situational. The two Governments will make every effort, including diplomatic efforts, to prevent such situations from occurring. When the two Governments reach a common assessment of the state of each situation, they will effectively coordinate their activities. In responding to such situations, measures taken may differ depending on circumstances.

1. When a Situation in Areas Surrounding Japan is Anticipated

When a situation in areas surrounding Japan is anticipated, the two Governments will intensify information and intelligence sharing and policy consultations, including efforts to reach a common assessment of the situation.

At the same time, they will make every effort, including diplomatic efforts, to prevent further deterioration of the situation, while initiating at an early stage the operation of a bilateral coordination mechanism, including use of a bilateral coordination center. Cooperating as appropriate, they will make preparations necessary for ensuring coordinated responses according to the readiness stage selected by mutual agreement. As circumstances change, they will also increase intelligence gathering and surveillance, and enhance their readiness to respond to the circumstances.

2. Responses to Situations in Areas Surrounding Japan

The two Governments will take appropriate measures, to include preventing further deterioration of situations, in response to situations in areas surrounding Japan. This will be done in accordance with the basic premises and principles listed in Section II above and based on their respective decisions. They will support each other as necessary in accordance with appropriate arrangements.

Functions and fields of cooperation and examples of items of cooperation are outlined below, and listed in the Annex.

(1) Cooperation in Activities Initiated by Either Government

Although either Government may conduct the following activities at its own discretion, bilateral cooperation will enhance their effectiveness.

(a) Relief Activities and Measures to Deal with Refugees

Each Government will conduct relief activities with the consent and cooperation of the authorities in the affected area. The two Governments will cooperate as necessary, taking into account their respective capabilities.

The two Governments will cooperate in dealing with refugees as necessary. When there is a flow of refugees into Japanese territory, Japan will decide how to respond and will have primary responsibility for dealing with the flow; the United States will provide appropriate support.

(b) Search and Rescue

The two Governments will cooperate in search and rescue operations. Japan will conduct search and rescue operations in Japanese territory; and at sea around Japan, as distinguished from areas where combat operations are being conducted. When U.S. Forces are conducting operations, the United States will conduct search and rescue operations in and near the operational areas.

(c) Noncombatant Evacuation Operations

When the need arises for U.S. and Japanese noncombatants to be evacuated from a third country to a safe haven, each Government is responsible for evacuating its own nationals as well as for dealing with the authorities of the affected area. In instances in which each decides it is appropriate, the two Governments will coordinate in planning and cooperate in carrying out their evacuations, including for the securing of transportation means, transportation and the use of facilities, using their respective capabilities in a mutually supplementary manner. If similar need arises for noncombatants other than of U.S. or Japanese nationality, the respective countries may consider extending, on their respective terms, evacuation assistance to third country nationals.

(d) Activities for Ensuring the Effectiveness of Economic Sanctions for the Maintenance of International Peace and Stability

Each Government will contribute to activities for ensuring the effectiveness of economic sanctions for the maintenance of international peace and stability. Such contributions will be made in accordance with each Government's own criteria.

Additionally, the two Governments will cooperate with each other as appropriate, taking into account their respective capabilities. Such cooperation includes information sharing, and cooperation in inspection of ships based on United Nations Security Council resolutions.

(2) Japan's Support for U.S. Forces Activities

(a) Use of Facilities

Based on the U.S.-Japan Security Treaty and its related arrangements, Japan will, in case of need, provide additional facilities and areas in a timely and appropriate manner, and ensure the temporary use

by U.S. Forces of Self-Defense Forces facilities and civilian airports and ports.

(b) Rear Area Support

Japan will provide rear area support to those U.S. Forces that are conducting operations for the purpose of achieving the objectives of the U.S.-Japan Security Treaty. The primary aim of this rear area support is to enable U.S. Forces to use facilities and conduct operations in an effective manner. By its very nature, Japan's rear area support will be provided primarily in Japanese territory. It may also be provided on the high seas and international airspace around Japan which are distinguished from areas where combat operations are being conducted.

In providing rear area support, Japan will make appropriate use of authorities and assets of central and local government agencies, as well as private sector assets. The Self-Defense Forces, as appropriate, will provide such support consistent with their mission for the defense of Japan and the maintenance of public order.

(3) U.S.-Japan Operational Cooperation

As situations in areas surrounding Japan have an important influence on Japan's peace and security, the Self-Defense Forces will conduct such activities as intelligence gathering, surveillance and minesweeping, to protect lives and property and to ensure navigational safety. U.S. Forces will conduct operations to restore the peace and security affected by situations in areas surrounding Japan.

With the involvement of relevant agencies, cooperation and coordination will significantly enhance the effectiveness of both Forces' activities.

VI. BILATERAL PROGRAMS FOR EFFECTIVE DEFENSE COOPERATION UNDER THE GUIDELINES

Effective bilateral cooperation under the Guidelines will require the United States and Japan to conduct consultative dialogue throughout the spectrum of security conditions: normal circumstances, an armed attack against Japan, and situations in areas surrounding Japan. Both sides must be well informed and coordinate at multiple levels to ensure successful bilateral defense cooperation. To accomplish this, the two Governments will strengthen their information and intelligence sharing and policy consultations by taking advantage of all available opportunities, including SCC and SSC meetings, and they will establish the following two mechanisms to facilitate consultations, coordinate policies, and coordinate operational functions.

First, the two Governments will develop a comprehensive mechanism for bilateral planning and the establishment of common standards and procedures, involving not only U.S. Forces and the Self-Defense Forces but also other relevant agencies of their respective Governments.

The two Governments will, as necessary, improve this comprehensive mechanism. The SCC will continue to play an important role for presenting policy direction to the work to be conducted by this mechanism. The SCC will be responsible for presenting directions, validating the progress of work, and issuing directives as necessary. The SDC will assist the SCC in bilateral work.

Second, the two Governments will also establish, under normal circumstances, a bilateral coordination mechanism that will include relevant agencies of the two countries for coordinating respective activities during contingencies.

1. Bilateral Work for Planning and the Establishment of Common Standards and Procedures

Bilateral work listed below will be conducted in a comprehensive mechanism involving relevant agencies of the respective Governments in a deliberate and efficient manner. Progress and results of such work will be reported at significant milestones to the SCC and the SDC.

(1) Bilateral Defense Planning and Mutual Cooperation Planning

U.S. Forces and the Self-Defense Forces will conduct bilateral defense planning under normal circumstances to take coordinated actions smoothly and effectively in case of an armed attack against Japan. The two Governments will conduct mutual cooperation planning under normal circumstances to be able to respond smoothly and effectively to situations in areas surrounding Japan.

Bilateral defense planning and mutual cooperation planning will assume various possible situations, with the expectation that results of these efforts will be appropriately reflected in the plans of the two Governments. The two Governments will coordinate and adjust their plans in light of actual circumstances. The two Governments will be mindful that bilateral defense planning and mutual cooperation planning must be consistent so that appropriate responses will be ensured when a situation in areas surrounding Japan threatens to develop into an armed attack against Japan or when such a situation and an armed attack against Japan occur simultaneously.

(2) Establishment of Common Standards for Preparations

The two Governments will establish under normal circumstances common standards for preparations for the defense of Japan. These standards will address such matters as intelligence activities, unit activities, movements and logistics support in each readiness stage. When an armed attack against Japan is imminent, both Governments will agree to select a common readiness stage that will be reflected in the level of preparations for the defense of Japan by U.S. Forces, the Self-Defense Forces and other relevant agencies.

The two Governments will similarly establish common standards for preparations of cooperative measures in situations in areas surrounding Japan so that they may select a common readiness stage by mutual agreement.

(3) Establishment of Common Procedures

The two Governments will prepare in advance common procedures to ensure smooth and effective execution of coordinated U.S. Forces and Self-Defense Forces operations for the defense of Japan. These will include procedures for communications, transmission of target information, intelligence activities and logistics support, and prevention of fratricide. Common procedures will also include criteria for properly controlling respective unit operations. The two Forces will take into account the importance of communications and electronics interoperability, and will determine in advance their mutual requirements.

2. Bilateral Coordination Mechanism

The two Governments will establish under normal circumstances a bilateral coordination mechanism involving relevant agencies of the two countries to coordinate respective activities in case of an armed attack against Japan and in situations in areas surrounding Japan.

Procedures for coordination will vary depending upon items to be coordinated and agencies to be involved. They may include coordination committee meetings, mutual dispatch of liaison officers, and designation of points of contacts. As part of such a bilateral coordination mechanism, U.S. Forces and the Self-Defense Forces will prepare under normal circumstances a bilateral coordination center with the necessary hardware and software in order to coordinate their respective activities.

VII. TIMELY AND APPROPRIATE REVIEW OF THE GUIDELINES

The two Governments will review the Guidelines in a timely and appropriate manner when changes in situations relevant to the U.S.-Japan security relationship occur and if deemed necessary in view of the circumstances at that time.

ANNEXES

(Annex)

FUNCTIONS AND FIELDS AND EXAMPLES OF ITEMS OF COOPERATION IN SITUATIONS IN AREAS SURROUNDING JAPAN

Functions and Fields	Examples of Items of Cooperation	
Cooperation in activities initiated by either Government	Relief activities and measures to deal with refugees	<ul style="list-style-type: none"> - Transportation of personnel and supplies to the affected area - Medical services, communications and transportation in the affected area - Relief and transfer operations for refugees, and provision of emergency materials to refugees
	Search and rescue	- Search and rescue operations in Japanese territory and at sea around Japan and information sharing related to such operations
	Noncombatant evacuation operations	<ul style="list-style-type: none"> - Information sharing, and communication with and assembly and transportation of noncombatants - Use of Self-Defense Forces facilities and civilian airports and ports by U.S. aircraft and vessels for transportation of noncombatants - Customs, immigration and quarantine of noncombatants upon entry into Japan - Assistance to noncombatants in such matters as temporary accommodations, transportation and medical services in Japan
	Activities for	- Inspection of ships based on United Nations Security

<p>ensuring the effectiveness of economic sanctions for the maintenance of international peace and stability</p>	<p>Council resolutions for ensuring the effectiveness of economic sanctions and activities related to such inspections</p> <ul style="list-style-type: none"> - Information sharing
--	--

A-1

(Annex)

FUNCTIONS AND FIELDS AND EXAMPLES OF ITEMS OF COOPERATION IN SITUATIONS IN AREAS SURROUNDING JAPAN

Functions and Fields		Examples of Items of Cooperation	
Japan's support for U.S. Forces activities	Use of facilities	<ul style="list-style-type: none"> - Use of Self-Defense Forces facilities and civilian airports and ports for supplies and other purposes by U.S. aircraft and vessels - Reservation of spaces for loading/unloading of personnel and materials by the United States and of storage areas at Self-Defense Forces facilities and civilian airports and ports - Extension of operating hours for Self-Defense Forces facilities and civilian airports and ports for the use by U.S. aircraft and vessels - Use of Self-Defense Forces airfields by U.S. aircraft - Provision of training and exercise areas - Construction of offices, accommodations, etc., inside U.S. facilities and areas 	
	Rear area support	Supply	<ul style="list-style-type: none"> - Provision of materials (except weapons and ammunition) and POL (petroleum, oil and lubricants) to U.S. aircraft and vessels at Self-Defense Forces facilities and civilian airports and ports - Provision of materials (except weapons and ammunition) and POL to U.S. facilities and areas
	Rear area support	Transportation	<ul style="list-style-type: none"> - Land, sea and air transportation inside Japan of personnel, materials and POL

		<ul style="list-style-type: none"> - Sea transportation to U.S. vessels on the high seas of personnel, materials and POL - Use of vehicles and cranes for transportation of personnel, materials and POL
Rear area support	Maintenance	<ul style="list-style-type: none"> - Repair and maintenance of U.S. aircraft, vessels and vehicles - Provision of repair parts - Temporary provision of tools and materials for maintenance

A-2

(Annex)

FUNCTIONS AND FIELDS AND EXAMPLES OF ITEMS OF COOPERATION IN SITUATIONS IN AREAS SURROUNDING JAPAN

Functions and Fields		Examples of Items of Cooperation	
Functions and Fields Japan's support for U.S. Forces activities	Rear area support	Medical services	<ul style="list-style-type: none"> - Medical treatment of casualties inside Japan - Transportation of casualties inside Japan - Provision of medical supply
		Security	<ul style="list-style-type: none"> - Security of U.S. facilities and areas - Sea surveillance around U.S. facilities and areas - Security of transportation routes inside Japan - Information and intelligence sharing
		Communications	<ul style="list-style-type: none"> - Provision of frequencies (including for satellite communications) and equipment for communications among relevant U.S. and Japanese agencies
		Others	<ul style="list-style-type: none"> - Support for port entry/exit by U.S. vessels - Loading/unloading of materials at Self-Defense Forces facilities and civilian airports and ports - Sewage disposal, water supply, and electricity inside U.S. facilities and areas - Temporary increase of workers at U.S. facilities

		and areas
U.S.-Japan operational cooperation	Surveillance	- Intelligence sharing
	Minesweeping	- Minesweeping operations in Japanese territory and on the high seas around Japan, and information and intelligence sharing on mines
	Sea and Airspace management	- Maritime traffic coordination in and around Japan in response to increased sea traffic - Air traffic control and airspace management in and around Japan

[end of document]

|| Japan | East Asian and Pacific Affairs |
 U.S. Department of State | Disclaimers ||

XIV - 3

SACO Final Report



December 2, 1996 report by Japanese Minister for Foreign Affairs Ikeda, Japanese Minister of State for Defense Kyuma, U.S. Secretary of Defense Perry, and U.S. Ambassador to Japan Mondale
Released by the Bureau of East Asian and Pacific Affairs,
U.S. Department of State, August 5, 1997.

The Special Action Committee on Okinawa (SACO) was established in November 1995 by the Governments of Japan and the United States. The two Governments launched the SACO process to reduce the burden on the people of Okinawa and thereby strengthen the Japan-US alliance.

The mandate and guidelines for the SACO process were set forth by the Governments of Japan and the United States at the outset of the joint endeavor. Both sides decided that the SACO would develop recommendations for the Security Consultative Committee (SCC) on ways to realign, consolidate and reduce US facilities and areas, and adjust operational procedures of US forces in Okinawa consistent with their respective obligations under the Treaty of Mutual Cooperation and Security and other related agreements. The work of the SACO was scheduled to conclude after one year.

The SCC which was held on April 15, 1996, approved the SACO Interim Report which included several significant initiatives, and instructed the SACO to complete and recommend plans with concrete implementation schedules by November 1996.

The SACO, together with the Joint Committee, has conducted a series of intensive and detailed discussions and developed concrete plans and measures to implement the recommendations set forth in the Interim Report.

Today, at the SCC, Minister Ikeda, Minister Kyuma, Secretary Perry and Ambassador Mondale approved this SACO Final Report. The plans and measures included in this Final Report, when implemented, will reduce the impact of the activities of US forces on communities in Okinawa. At the same time, these measures will fully maintain the capabilities and readiness of US forces in Japan while addressing security and force protection requirements. Approximately 21 percent of the total acreage of the US facilities and areas in Okinawa excluding joint use facilities and areas (approx. 5,002 ha/12,361 acres) will be returned.

Upon approving the Final Report, the members of the SCC welcomed the successful conclusion of the year-long SACO process and underscored their strong resolve to continue joint efforts to ensure steady and prompt implementation of the plans and measures of the SACO Final Report. With this understanding, the SCC designated the Joint Committee as the primary forum for bilateral coordination in the implementation phase, where specific conditions for the completion of each item will be addressed. Coordination with local communities will take place as necessary.

The SCC also reaffirmed the commitment of the two governments to make every endeavor to deal with various issues related to the presence and status of US forces, and to enhance mutual understanding between US forces and local Japanese communities. In this respect, the SCC agreed that efforts to these ends should continue, primarily through coordination at the Joint Committee.

The members of the SCC agreed that the SCC itself and the Security Sub-Committee (SSC) would monitor such coordination at the Joint Committee described above and provide guidance as appropriate.

The SCC also instructed the SSC to seriously address the Okinawa-related issues as one of the most important subjects and regularly report back to the SCC on this subject.

In accordance with the April 1996 Japan-US Joint Declaration on Security, the SCC emphasized the importance of close consultation on the international situation, defense policies and military postures, bilateral policy coordination and efforts towards a more peaceful and stable security environment in the Asia Pacific region. The SCC instructed the SSC to pursue these goals and to address the Okinawa-related issues at the same time.

Return Land:

Futenma Air Station -- See attached.

Northern Training Area

Return major portion of the Northern Training Area (approx. 3,987 ha/9,852 acres) and release US joint use of certain reservoirs (approx. 159 ha/393 acres) with the intention to finish the process by the end of March 2003 under the following conditions:

-- Provide land area (approx. 38 ha/93 acres) and water area (approx. 121 ha/298 acres) with the intention to finish the process by the end of March 1998 in order to ensure access from the remaining Northern Training Area to the ocean.

-- Relocate helicopter landing zones from the areas to be returned to the remaining Northern Training Area.

Aha Training Area

-- Release US joint use of Aha Training Area (approx. 480 ha/1185 acres) and release US joint use of the water area (approx. 7,895 ha/19,509 acres) with the intention to finish the process by the end of March 1998 after land and water access areas from the Northern Training Area to the ocean are provided.

Gimbaru Training Area

-- Return Gimbaru Training Area (approx. 60 ha/149 acres) with the intention to finish the process by the end of March 1998 after the helicopter landing zone is relocated to Kin Bluc Beach Training Area, and the other facilities are relocated to Camp Hansen.

Sobe Communication Site

-- Return Sobe Communication Site (approx. 53 ha/132 acres) with the intention to finish the process by the end of March 2001 after the antenna facilities and associated support facilities are relocated to Camp Hansen.

Yomitan Auxiliary Airfield

-- Return Yomitan Auxiliary Airfield (approx. 191 ha/471 acres) with the intention to finish the process by the end of March 2001 after the parachute drop training is relocated to Ie Jima Auxiliary Airfield and Sobe Communication Site is relocated.

Camp Kuwae

-- Return most of Camp Kuwae (approx. 99 ha/ 245 acres) with the intention to finish the process by the end of March 2008 after the Naval Hospital is relocated to Camp Zukeran and remaining facilities there are relocated to Camp Zukeran or other US facilities and areas in Okinawa.

Senaha Communication Station

-- Return Senaha Communication Station (approx. 61 ha/151 acres) with the intention to finish the process by the end of March 2001 after the antenna facilities and associated support facilities are relocated to Torii Communication Station. However, the microwave tower portion (approx. 0.1 ha/0.3 acres) will be retained.

Makiminato Service Area

-- Return land adjacent to Route 58 (approx. 3 ha/8 acres) in order to widen the Route, after the facilities which will be affected by the return are relocated within the remaining Makiminato Service Area.

Naha Port

-- Jointly continue best efforts to accelerate the return of Naha Port (approx. 57 ha/140 acres) in connection to its relocation to the Urasoe Pier area (approx. 35 ha/87 acres).

Housing consolidation (Camp Kuwae and Camp Zukeran)

-- Consolidate US housing areas in Camp Kuwae and Camp Zukeran and return portions of land in housing areas there with the intention to finish the process by the end of March 2008 (approx. 83 ha/206 acres at Camp Zukeran; in addition, approx. 35 ha/85 acres at Camp Kuwae will be returned through housing consolidation. That land amount is included in the above entry on Camp Kuwae.).

Adjust Training and Operational Procedures:*Artillery live-fire training over Highway 104*

-- Terminate artillery live-fire training over Highway 104, with the exception of artillery firing required in the event of a crisis, after the training is relocated to maneuver areas on the mainland of Japan within Japanese Fiscal Year 1997.

Parachute drop training

-- Relocate parachute drop training to Ie Jima Auxiliary Airfield.

Conditioning hikes on public roads

-- Conditioning hikes on public roads have been terminated.

Implement Noise Reduction Initiatives:*Aircraft noise abatement countermeasures at Kadena Air Base and Futenma Air Station*

-- Agreements on aircraft noise abatement countermeasures at Kadena Air Base and Futenma Air Station announced by the Joint Committee in March 1996 have been implemented.

Transfer of KC-130 Hercules aircraft and AV-8 Harrier aircraft

-- Transfer 12 KC-130 aircraft currently based at Futenma Air Station to Iwakuni Air Base after adequate facilities are provided. Transfer of 14 AV-8 aircraft from Iwakuni Air Base to the United States has been completed.

Relocation of Navy aircraft and MC-130 operations at Kadena Air Base

-- Relocate Navy aircraft operations and supporting facilities at Kadena Air Base from the Navy ramp to the other side of the major runways. The implementation schedules for these measures will be decided along with the implementation schedules for the development of additional facilities at Kadena Air Base necessary for the return of Futenma Air Station. Move the MC-130s at Kadena Air Base from the Navy ramp to the northwest corner of the major runways by the end of December 1996.

Noise reduction baffles at Kadena Air Base

-- Build new noise reduction baffles at the north side of Kadena Air Base with the intention to finish the process by the end of March 1998.

Limitation of night flight training operations at Futenma Air Station

-- Limit night flight training operations at Futenma Air Station to the maximum extent possible, consistent with the operational readiness of US forces.

Improve Status of Forces Agreement Procedures:

Accident reports

-- Implement new Joint Committee agreement on procedures to provide investigation reports on US military aircraft accidents announced on December 2, 1996.

-- In addition, as part of the US forces' good neighbor policy, every effort will be made to insure timely notification of appropriate local officials, as well as the Government of Japan, of all major accidents involving US forces' assets or facilities.

Public exposure of Joint Committee agreements

-- Seek greater public exposure of Joint Committee agreements.

Visits to US facilities and areas

-- Implement the new procedures for authorizing visits to US facilities and areas announced by the Joint Committee on December 2, 1996.

Markings on US forces official vehicles

-- Implement the agreement on measures concerning markings on US forces official vehicles. Numbered

plates will be attached to all non-tactical US forces vehicles by January 1997, and to all other US forces vehicles by October 1997.

Supplemental automobile insurance

-- Education programs for automobile insurance have been expanded. Additionally, on its own initiative, the US has further elected to have all personnel under the SOFA obtain supplemental auto insurance beginning in January 1997.

Payment for claims

Make joint efforts to improve payment procedures concerning claims under paragraph 6, Article XVIII of the SOFA in the following manner:

-- Requests for advance payments will be expeditiously processed and evaluated by both Governments utilizing their respective procedures. Whenever warranted under US laws and regulatory guidance, advance payment will be accomplished as rapidly as possible.

-- A new system will be introduced by the end of March 1998, by which Japanese authorities will make available to claimants no-interest loans, as appropriate, in advance of the final adjudication of claims by US authorities.

-- In the past there have been only a very few cases where payment by the US Government did not satisfy the full amount awarded by a final court judgment. Should such a case occur in the future, the Government of Japan will endeavor to make payment to the claimant, as appropriate, in order to address the difference in amount.

Quarantine procedures

-- Implement the updated agreement on quarantine procedures announced by the Joint Committee on December 2, 1996.

Removal of unexploded ordnance in Camp Hansen

-- Continue to use USMC procedures for removing unexploded ordnance in Camp Hansen, which are equivalent to those applied to ranges of the US forces in the United States.

Continue efforts to improve the SOFA procedures in the Joint Committee

[end of document]



[Back to Japan Home Page](#) | [Return to DOSFAN Home Page](#)

[Back to East Asian and Pacific Affairs Home Page](#)

This is an official U.S. Government source for information on the WWW. Inclusion of non-U.S. Government links does not imply endorsement of contents.



U.S. Department of State Office of the Spokesman Press Statement

XIV-4

**Statement by Acting Assistant Secretary Richard Boucher, Spokesman
November 21, 2000**

We welcome the People's Republic of China Foreign Ministry Spokesperson's statement of November 21 regarding China's clear policy commitment not to assist, in any way, other countries to develop ballistic missiles that can be used to deliver nuclear weapons and to further improve and reinforce its export control system, including by publishing at an early date a comprehensive export control list of missile-related items, including dual use items.

This development can strengthen cooperation between the U.S. and China to achieve our common objective of preventing the spread of ballistic missiles that threaten regional and international security. In consideration of China's commitment to strengthen its missile-related export control system, we have decided to waive economic sanctions required by U.S. law for past assistance by Chinese entities to missile programs in Pakistan and Iran.

Given the relationship between missile nonproliferation and peaceful space cooperation, the U.S. will now resume processing of licenses necessary for commercial space cooperation between U.S. and Chinese companies, such as launching U.S. satellites in China. In addition, the U.S. and China will resume discussions as soon as possible on extending the 1995 U.S.-China Agreement Regarding International Trade in Commercial Launch Services. The U.S. stands ready to continue to cooperate and hold consultations with China and other countries on the issue of nonproliferation with a view to strengthening their respective export control systems for missiles-related equipment and technology.

[end of document]

[Press Statements Index](#) | [Department of State](#) | [Secretary of State](#)



**Statement by People's Republic of China
Foreign Ministry Spokesperson**
Released by the Bureau of Nonproliferation
U.S. Department of State, November 21, 2000

China is opposed to the proliferation of weapons of mass destruction. As a State Party to the Treaty of the Non-Proliferation of Nuclear Weapons, Chemical Weapons Convention, and Biological Weapons Convention, China fulfills its obligations under the above international legal instruments in letter and spirit. China has no intention to assist, in any way, any country in the development of ballistic missiles that can be used to deliver nuclear weapons (i.e., missiles capable of delivering a payload of at least 500 kilograms to a distance of at least 300 kilometers).

China will, based on its own missile non-proliferation policy and export control practices, further improve and reinforce its export control system, including by publishing a comprehensive export control list of missile-related items including dual-use items.

Logically speaking, this control list will include equipment, materials, and technology that can be directly used in missiles, as well as missile-related dual-use items. In establishing its control list, China will take into account the relevant practices of other countries in terms of scope and detail with a view to strengthening the effectiveness of its control system. As part and parcel of its efforts in enforcing missile-related export controls in accordance with this control list, the Chinese Government will naturally require all Chinese entities and individuals to obtain a government license for the export of items on this list. In making export licensing determinations for items on the list, the Chinese Government will take into consideration the proposed end-use and end-user for the item and the risk that the item will be diverted to programs for the development of missiles capable of delivering nuclear weapons. In the case of transfers to countries that are developing ballistic missiles capable of delivering nuclear weapons, China will exercise special scrutiny and caution, even for items not specifically contained on the control list, so as to prevent significant contributions to those countries' development of ballistic missiles capable of delivering nuclear weapons.

The Chinese Government will work to publish the above missile-related export control list and related regulations at an early date. Pending that, China will continue to enforce its existing measures so as to ensure that the policy of not assisting, in any way, countries in the development of missiles that can be used to deliver nuclear weapons will be implemented.

China stands ready to continue to cooperate and hold consultations with the U.S. and other countries on the issue of nonproliferation with a view to strengthening their respective export control systems for missile related equipment and technology.

[end of file]

Bureau of Nonproliferation
Department of State



Review of United States Policy Toward North Korea: Findings and Recommendations

Unclassified Report by Dr. William J. Perry, U.S. North Korea Policy Coordinator and Special Advisor to the President and the Secretary of State
Washington, DC, October 12, 1999

XIV-5

A North Korea policy review team, led by Dr. William J. Perry and working with an interagency group headed by the Counselor of the Department of State Ambassador Wendy R. Sherman, was tasked in November 1998 by President Clinton and his national security advisors to conduct an extensive review of U.S. policy toward the DPRK. This review of U.S. policy lasted approximately eight months, and was supported by a number of senior officials from the U.S. government and by Dr. Ashton B. Carter of Harvard University. The policy review team was also very fortunate to have received regular and extensive guidance from the Secretary of State, the Secretary of Defense, the National Security Advisor and senior policy advisors.

Throughout the review the team consulted with experts, both in and out of the U.S. government. Dr. Perry made a special point to travel to the Capitol to give regular status reports to Members of Congress on the progress of this review, and he benefited from comments received from Members on concepts being developed by the North Korea policy review team. The team also exchanged views with officials from many countries with interests in Northeast Asia and the Korean Peninsula, including our allies, the ROK and Japan. The team also met with prominent members of the humanitarian aid community and received a wealth of written material, solicited and unsolicited. Members of the policy review team met with many other individuals and organizations as well. In addition, the team traveled to North Korea this past May, led by Dr. Perry as President Clinton's Special Envoy, to obtain a first-hand understanding of the views of the DPRK Government.

The findings and recommendations of the North Korea Policy Review set forth below reflect the consensus that emerged from the team's countless hours of work and study.

The Need for a Fundamental Review of U.S. Policy

The policy review team determined that a fundamental review of U.S. policy was indeed needed, since much has changed in the security situation on the Korean Peninsula since the 1994 crisis.

Most important -- and the focus of this North Korea policy review -- are developments in the DPRK's nuclear and long-range missile activities.

The Agreed Framework of 1994 succeeded in verifiably freezing North Korean plutonium production at Yongbyon -- it stopped plutonium production at that facility so that North Korea currently has at most a small amount of fissile material it may have secreted away from operations prior to 1994; without the Agreed Framework, North Korea could have produced enough additional plutonium by now for a significant number of nuclear weapons. Yet, despite the critical achievement of a verified freeze on plutonium production at Yongbyon under the Agreed Framework, the policy review team has serious concerns about possible continuing nuclear weapons-related work in the DPRK. Some of these concerns

have been addressed through our access and visit to Kumchang-ni.

The years since 1994 have also witnessed development, testing, deployment, and export by the DPRK of ballistic missiles of increasing range, including those potentially capable of reaching the territory of the United States.

There have been other significant changes as well. Since the negotiations over the Agreed Framework began in the summer of 1994, formal leadership of the DPRK has passed from President Kim Il Sung to his son, General Kim Jong Il, and General Kim has gradually assumed supreme authority in title as well as fact. North Korea is thus governed by a different leadership from that with which we embarked on the Agreed Framework. During this same period, the DPRK economy has deteriorated significantly, with industrial and food production sinking to a fraction of their 1994 levels. The result is a humanitarian tragedy which, while not the focus of the review, both compels the sympathy of the American people and doubtless affects some of the actions of the North Korean regime.

An unrelated change has come to the government of the Republic of Korea (ROK) with the Presidency of Kim Dae Jung. President Kim has embarked upon a policy of engagement with the North. As a leader of great international authority, as our ally, and as the host to 37,000 American troops, the views and insights of President Kim are central to accomplishing U.S. security objectives on the Korean Peninsula. No U.S. policy can succeed unless it is coordinated with the ROK's policy. Today's ROK policy of engagement creates conditions and opportunities for U.S. policy very different from those in 1994.

Another close U.S. ally in the region, Japan, has become more concerned about North Korea in recent years. This concern was heightened by the launch, in August 1998, of a Taepo Dong missile over Japanese territory. Although the Diet has passed funding for the Light Water Reactor project being undertaken by the Korean Peninsula Energy Development Organization (KEDO) pursuant to the Agreed Framework, and the government wants to preserve the Agreed Framework, a second missile launch is likely to have a serious impact on domestic political support for the Agreed Framework and have wider ramifications within Japan about its security policy.

Finally, while the U.S. relationship with China sometimes reflects different perspectives on security policy in the region, the policy review team learned through extensive dialogue between the U.S. and the PRC, including President Clinton's meetings with President Jiang Zemin, that China understands many of the U.S. concerns about the deleterious effects that North Korea's nuclear weapons and missile activities could have for regional and global security.

All these factors combine to create a profoundly different landscape than existed in 1994. The review team concurred strongly with President Clinton's judgment that these changed circumstances required a comprehensive review such as the one that the President and his team of national security advisors asked the team to conduct. The policy review team also recognized the concerns of Members of Congress that a clear path be charted for dealing with North Korea, and that there be closer cooperation between the executive and legislative branches on this issue of great importance to our security. The review team shared these concerns and has tried hard to be responsive to them.

Assessment of the Security Situation on the Korean Peninsula

In the course of the review, the policy team conferred with U.S. military leaders and allies, and concluded that, as in 1994, U.S. forces and alliances in the region are strong and ready. Indeed, since 1994, the U.S. has strengthened both its own forces and its plans and procedures for combining forces with allies. We are confident that allied forces could and would successfully defend ROK territory. We believe the DPRK's military leaders know this and thus are deterred from launching an attack.

However, in sharp contrast to the Desert Storm campaign in Kuwait and Iraq, war on the Korean Peninsula would take place in densely populated areas. Considering the million-man DPRK army arrayed near the DMZ, the intensity of combat in another war on the Peninsula would be unparalleled in U.S. experience since the Korean War of 1950-53. It is likely that hundreds of thousands of persons -- U.S., ROK, and DPRK -- military and civilian -- would perish, and millions of refugees would be created. While the U.S. and ROK of course have no intention of provoking war, there are those in the DPRK who believe the opposite is true. But even they must know that the prospect of such a destructive war is a powerful deterrent to precipitous U.S. or allied action.

Under present circumstances, therefore, deterrence of war on the Korean Peninsula is stable on both sides, in military terms. While always subject to miscalculation by the isolated North Korean government, there is no military calculus that would suggest to the North Koreans anything but catastrophe from armed conflict. This relative stability, if it is not disturbed, can provide the time and conditions for all sides to pursue a permanent peace on the Peninsula, ending at last the Korean War and perhaps ultimately leading to the peaceful reunification of the Korean people. This is the lasting goal of U.S. policy.

However, acquisition by the DPRK of nuclear weapons or long-range missiles, and especially the combination of the two (a nuclear weapons device mounted on a long-range missile), could undermine this relative stability. Such weapons in the hands of the DPRK military might weaken deterrence as well as increase the damage if deterrence failed. Their effect would, therefore, be to undermine the conditions for pursuing a relaxation of tensions, improved relations, and lasting peace. Acquisition of such weapons by North Korea could also spark an arms race in the region and would surely do grave damage to the global nonproliferation regimes covering nuclear weapons and ballistic missiles. A continuation of the DPRK's pattern of selling its missiles for hard currency could also spread destabilizing effects to other regions, such as the Middle East.

The review team, therefore, concluded that the urgent focus of U.S. policy toward the DPRK must be to end its nuclear weapons and long-range missile-related activities. This focus does not signal a narrow preoccupation with nonproliferation over other dimensions of the problem of security on the Korean Peninsula, but rather reflects the fact that control of weapons of mass destruction is essential to the pursuit of a wider form of security so badly needed in that region.

As the United States faces the task of ending these weapons activities, any U.S. policy toward North Korea must be formulated within three constraining facts:

First, while logic would suggest that the DPRK's evident problems would ultimately lead its regime to change, there is no evidence that change is imminent. United States policy must, therefore, deal with the North Korean government as it is, not as we might wish it to be.

Second, the risk of a destructive war to the 37,000 American service personnel in Korea and the many more that would reinforce them, to the inhabitants of the Korean Peninsula both South and North, and to U.S. allies and friends in the region dictate that the United States pursue its objectives with prudence and patience.

Third, while the Agreed Framework has critics in the United States, the ROK, and Japan -- and indeed in the DPRK -- the framework has verifiably frozen plutonium production at Yongbyon. It also served as the basis for successful discussions we had with the North earlier this year on an underground site at Kumchang-ni -- one that the U.S. feared might have been designed as a substitute plutonium production facility. Unfreezing Yongbyon remains the North's quickest and surest path to nuclear weapons. U.S. security objectives may therefore require the U.S. to supplement the Agreed Framework, but we must not undermine or supplant it.

Perspectives of Countries in the Region

The policy review team consulted extensively with people outside of the Administration to better understand the perspectives of countries in the region. These perspectives are summarized below.

Republic of Korea. The ROK's interests are not identical to those of the U.S., but they overlap in significant ways. While the ROK is not a global power like the United States and, and, therefore, is less active in promoting nonproliferation worldwide, the ROK recognizes that nuclear weapons in the DPRK would destabilize deterrence on the Peninsula. And while South Koreans have long lived within range of North Korean SCUD ballistic missiles, they recognize that North Korea's new, longer-range ballistic missiles present a new type of threat to the United States and Japan. The ROK thus shares U.S. goals with respect to DPRK nuclear weapons and ballistic missiles. The South also has concerns, such as the reunion of families separated by the Korean War and implementation of the North-South Basic Agreement (including reactivation of North-South Joint Committees). The U.S. strongly supports these concerns.

President Kim Dae Jung's North Korea policy, known as the "engagement" policy, marked a fundamental shift toward the North. Under the Kim formulation, the ROK has forsworn any intent to undermine or absorb the North and has pursued increased official and unofficial North-South contact. The ROK supports the Agreed Framework and the ROK's role in KEDO, but the ROK National Assembly, like our Congress, is carefully scrutinizing DPRK behavior as it considers funding for KEDO.

Japan. Like the ROK, Japan's interests are not identical to those of the U.S., but they overlap strongly. The DPRK's August 1998 Taepo Dong missile launch over the Japanese islands abruptly increased the already high priority Japan attaches to the North Korea issue. The Japanese regard DPRK missile activities as a direct threat. In bilateral talks with Japan, the DPRK representatives exacerbate historic animosities by repeatedly referring to Japan's occupation of Korea earlier in this century. For these reasons, support for Japan's role in KEDO is at risk in the Diet. The government's ability to sustain the Agreed Framework in the face of further DPRK missile launches is not assured, even though a collapse of the Agreed Framework could lead to nuclear warheads on DPRK missiles, dramatically increasing the threat they pose. Japan also has deep-seated concerns, such as the fate of missing persons suspected of being abducted by the DPRK. The U.S. strongly supports these concerns.

China. China has a strong interest in peace and stability on the Korean Peninsula and is aware of the implications of increased tension on the peninsula. China also realizes that DPRK ballistic missiles are an important impetus to U.S. national missile defense and theater missile defenses, neither of which is desired by China. Finally, China realizes that DPRK nuclear weapons could provoke an arms race in the region and undermine the nonproliferation regime which Beijing, as a nuclear power, has an interest in preserving. For all these reasons the PRC concerns with North Korean nuclear weapons and ballistic missile programs are in many ways comparable to U.S. concerns. While China will not coordinate its policies with the U.S., ROK, and Japan, it is in China's interest to use its own channels of communication to discourage the DPRK from pursuing these programs.

The DPRK. Based on extensive consultation with the intelligence community and experts around the world, a review of recent DPRK conduct, and our discussions with North Korean Korean leaders, the policy review team formed some views of this enigmatic country. But in many ways the unknowns continue to outweigh the knowns. Therefore, we want to emphasize here that no U.S. policy should be based solely on conjectures about the perceptions and future behavior of the DPRK.

Wrapped in an overriding sense of vulnerability, the DPRK regime has promoted an intense devotion to self-sufficiency, sovereignty, and self-defense as the touchstones for all rhetoric and policy. The DPRK views efforts by outsiders to promote democratic and market reforms in its country as an attempt to undermine the regime. It strongly controls foreign influence and contact, even when they offer relief from the regime's severe economic problems. The DPRK appears to value improved relations with US, especially including relief from the extensive economic sanctions the U.S. has long imposed.

Key Findings

The policy review team made the following key findings, which have formed the basis for our recommendations:

1. DPRK acquisition of nuclear weapons and continued development, testing, deployment, and export of long-range missiles would undermine the relative stability of deterrence on the Korean Peninsula, a precondition for ending the Cold War and pursuing a lasting peace in the longer run. These activities by the DPRK also have serious regional and global consequences adverse to vital U.S. interests. The United States must, therefore, have as its objective ending these activities.
2. The United States and its allies would swiftly and surely win a second war on the Korean Peninsula, but the destruction of life and property would far surpass anything in recent American experience. The U.S. must pursue its objectives with respect to nuclear weapons and ballistic missiles in the DPRK without taking actions that would weaken deterrence or increase the probability of DPRK miscalculation.
3. If stability can be preserved through the cooperative ending of DPRK nuclear weapons- and long-range missile-related activities, the U.S. should be prepared to establish more normal diplomatic relations with the DPRK and join in the ROK's policy of engagement and peaceful coexistence.
4. Unfreezing Yongbyon is North Korea's quickest and surest path to acquisition of nuclear

weapons. The Agreed Framework, therefore, should be preserved and implemented by the United States and its allies. With the Agreed Framework, the DPRK's ability to produce plutonium at Yongbyon is verifiably frozen. Without the Agreed Framework, however, it is estimated that the North could reprocess enough plutonium to produce a significant number of nuclear weapons per year. The Agreed Framework's limitations, such as the fact that it does not verifiably freeze all nuclear weapons-related activities and does not cover ballistic missiles, are best addressed by supplementing rather than replacing the Agreed Framework.

5. No U.S. policy toward the DPRK will succeed if the ROK and Japan do not actively support it and cooperate in its implementation. Securing such trilateral coordination should be possible, since the interests of the three parties, while not identical, overlap in significant and definable ways.

6. Considering the risks inherent in the situation and the isolation, suspicion, and negotiating style of the DPRK, a successful U.S. policy will require steadiness and persistence even in the face of provocations. The approach adopted now must be sustained into the future, beyond the term of this Administration. It is, therefore, essential that the policy and its ongoing implementation have the broadest possible support and the continuing involvement of the Congress.

Alternative Policies Considered and Rejected

In the course of the review, the policy team received a great deal of valuable advice, including a variety of proposals for alternative strategies with respect to the security problems presented by the DPRK. The principal alternatives considered by the review team, and the team's reasons for rejecting them in favor of the recommended approach, are set forth below.

Status Quo. A number of policy experts outside the Administration counseled continuation of the approach the U.S. had taken to the DPRK over the past decade: strong deterrence through ready forces and solid alliances and limited engagement with the DPRK beyond existing negotiations on missiles, POW/MIA, and implementation of the nuclear-related provisions of the Agreed Framework. These experts counseled that with the Agreed Framework being verifiably implemented at Yongbyon, North Korea could be kept years away from obtaining additional fissile material for nuclear weapons. Without nuclear weapons, the DPRK's missile program could safely be addressed within the existing (albeit to date inconclusive) bilateral missile talks. Thus, as this argument ran, core U.S. security objectives were being pursued on a timetable appropriate to the development of the threat, and no change in U.S. policy was required.

While there are advantages to continuing the status quo -- since to this point it has served U.S. security interests -- the policy review team rejected the status quo. It was rejected not because it has been unacceptable from the point of view of U.S. security interests, but rather because the policy team feared it was not sustainable. Aside from a failure to address U.S. concerns directly, it is easy to imagine circumstances that would bring the status quo rapidly to a crisis. For example, a DPRK long-range missile launch, whether or not in the form of an attempt to place a satellite in orbit, would have an impact on political support for the Agreed Framework in the United States, Japan, and even in the ROK. In this circumstance, the DPRK could suspend its own compliance with the Agreed Framework, unfreezing Yongbyon and plunging the Peninsula into a nuclear crisis like that in 1994. Such a scenario illustrates the instability of the status quo. Thus, the U.S. may not be able to maintain the

status quo, even if we wanted to.

Undermining the DPRK. Others recommend a policy of undermining the DPRK, seeking to hasten the demise of the regime of Kim Jong Il. The policy review team likewise studied this possibility carefully and, in the end, rejected it for several reasons. Given the strict controls on its society imposed by the North Korean regime and the apparent absence of any organized internal resistance to the regime, such a strategy would at best require a long time to realize, even assuming it could succeed. The timescale of this strategy is, therefore, inconsistent with the timescale on which the DPRK could proceed with nuclear weapons and ballistic missile programs. In addition, such a policy would risk destructive war and would not win the support of U.S. allies in the region upon whom success in deterring such a war would depend. Finally, a policy of pressure might harm the people of North Korea more than its government.

Reforming the DPRK. Many other analysts suggest that the United States should promote the accelerated political and economic reform of the DPRK along the lines of established international practice, hastening the advent of democracy and market reform that will better the lot of the North's people and provide the basis for the DPRK's integration into the international community in a peaceful fashion. However much we might wish such an outcome, success of the policy clearly would require DPRK cooperation. But, the policy team believed that the North Korean regime would strongly resist such reform, viewing it as indistinguishable from a policy of undermining. A policy of reforming, like a policy of undermining, would also take time -- more time than it would take the DPRK to proceed with its nuclear weapons and ballistic missile programs.

"Buying" Our Objectives. In its current circumstance of industrial and agricultural decline, the DPRK has on occasion indicated a willingness to "trade" addressing U.S. concerns about its nuclear weapons activities and ballistic missile exports for hard currency. For example, the DPRK offered to cease its missile exports if the U.S. agreed to compensate it for the foregone earnings from missile exports. The policy review team firmly believed that such a policy of trading material compensation for security would only encourage the DPRK to further blackmail, and would encourage proliferators worldwide to engage in similar blackmail. Such a strategy would not, and should not, be supported by the Congress, which controls the U.S. government's purse strings.

A Comprehensive and Integrated Approach: A Two-Path Strategy

A better alternative, and the one the review has recommended, is a two-path strategy focused on our priority concerns over the DPRK's nuclear weapons- and missile-related activities. We have devised this strategy in close consultation with the governments of the ROK and Japan, and it has their full support. Indeed, it is a joint strategy in which all three of our countries play coordinated and mutually reinforcing roles in pursuit of the same objectives. Both paths aim to protect our key security interests; the first path is clearly preferable for the United States and its allies and, we firmly believe, for the DPRK.

The first path involves a new, comprehensive and integrated approach to our negotiations with the DPRK. We would seek complete and verifiable assurances that the DPRK does not have a nuclear weapons program. We would also seek the complete and verifiable cessation of testing, production and deployment of missiles exceeding the parameters of the Missile Technology Control Regime, and the complete cessation of export sales of such missiles and the equipment and technology associated with them. By negotiating the complete

cessation of the DPRK's destabilizing nuclear weapons and long-range missile programs, this path would lead to a stable security situation on the Korean Peninsula, creating the conditions for a more durable and lasting peace in the long run and ending the Cold War in East Asia.

On this path the United States and its allies would, in a step-by-step and reciprocal fashion, move to reduce pressures on the DPRK that it perceives as threatening. The reduction of perceived threat would in turn give the DPRK regime the confidence that it could coexist peacefully with us and its neighbors and pursue its own economic and social development. If the DPRK moved to eliminate its nuclear and long-range missile threats, the United States would normalize relations with the DPRK, relax sanctions that have long constrained trade with the DPRK and take other positive steps that would provide opportunities for the DPRK.

If the DPRK were prepared to move down this path, the ROK and Japan have indicated that they would also be prepared, in coordinated but parallel tracks, to improve relations with the DPRK.

It is important that all sides make contributions to creating an environment conducive to success in such far-ranging talks. The most important step by the DPRK is to give assurances that it will refrain from further test firings of long-range missiles as we undertake negotiations on the first path. In the context of the DPRK suspending such tests, the review team recommended that the United States ease, in a reversible manner, Presidentially-mandated trade embargo measures against the DPRK. The ROK and Japan have also indicated a willingness to take positive steps in these circumstances.

When the review team, led by Dr. Perry as a Presidential Envoy, visited Pyongyang in May, the team had discussions with DPRK officials and listened to their views. We also discussed these initial steps that would create a favorable environment for conducting comprehensive and integrated negotiations. Based on talks between with Ambassador Charles Kartman and DPRK Vice Foreign Minister Kim Gye Gwan in early September, the U.S. understood and expected that the DPRK would suspend long-range missile testing -- to include both No Dong and Taepo Dong missiles -- for as long as U.S.-DPRK discussions to improve relations continued. The DPRK subsequently announced a unilateral suspension of such tests while talks between the two countries continued. Accordingly, the Administration has taken steps to ease sanctions. This fall a senior DPRK official will likely visit Washington to reciprocate the Perry visit and continue discussions on improving relations. Both sides have taken a bold and meaningful step along the first path. While it is only an initial step, and both sides can easily reverse this first step, we are hopeful that it begins to take us down the long but important path to reducing threat on the Korean Peninsula.

While the first path devised by the review holds great promise for U.S. security and for stability in East Asia, and while the initial steps taken in recent weeks give us great hope, the first path depends on the willingness of the DPRK to traverse it with us. The review team is hopeful it will agree to do so, but on the basis of discussions to date we cannot be sure the DPRK will. Prudence therefore dictated that we devise a second path, once again in consultation with our allies and with their full support. On the second path, we would need to act to contain the threat that we have been unable to eliminate through negotiation. By incorporating two paths, the strategy devised in the review avoids any dependence on conjectures regarding DPRK intentions or behavior and neither seeks, nor depends upon for its success, a transformation of the DPRK's internal system.

If North Korea rejects the first path, it will not be possible for the United States to pursue a new relationship with the DPRK. In that case, the United States and its allies would have to take other steps to assure their security and contain the threat. The U.S. and allied steps should seek to keep the Agreed Framework intact and avoid, if possible, direct conflict. But they would also have to take firm but measured steps to persuade the DPRK that it should return to the first path and avoid destabilizing the security situation in the region.

Our recommended strategy does not immediately address a number of issues outside the scope of direct U.S.-DPRK negotiations, such as ROK family reunification, implementation of the North-South Basic Agreement (including reactivation of North-South Joint Committees) and Japanese kidnapping cases, as well as other key issues of concern, including drug trafficking. However, the policy review team believed that all of these issues should be, and would be, seriously addressed as relations between the DPRK and the U.S. improve.

Similarly, the review team believed the issue of chemical and biological weapons is best addressed multilaterally. Many recommendations have also been made with respect to Korean unification; but, ultimately, the question of unification is something for the Korean people to decide. Finally, the policy review team strongly believed that the U.S. must not withdraw any of its forces from Korea -- a withdrawal would not contribute to peace and stability, but rather undermine the strong deterrence currently in place.

Advantages of the Proposed Strategy

The proposed strategy has the following advantages:

1. Has the full support of our allies. No U.S. policy can be successful if it does not enjoy the support of our allies in the region. The overall approach builds upon the South's policy of engagement with North Korea, as the ROK leadership suggested to Dr. Perry directly and to the President. It also puts the U.S. effort to end the DPRK missile program on the same footing with U.S. efforts to end its nuclear weapons program, as the Government of Japan recommended.
2. Draws on U.S. negotiating strengths. Pursuant to the recommended approach, the United States will be offering the DPRK a comprehensive relaxation of political and economic pressures which the DPRK perceives as threatening to it and which are applied, in its view, principally by the United States. This approach complements the positive steps the ROK and Japan are prepared to take. On the other hand, the United States will not offer the DPRK tangible "rewards" for appropriate security behavior; doing so would both transgress principles that the United States values and open us up to further blackmail.
3. Leaves stable deterrence of war unchanged. No changes are recommended in our strong deterrent posture on the Korean Peninsula, and the U.S. should not put its force posture on the negotiating table. Deterrence is strong in both directions on the Korean Peninsula today. It is the North's nuclear weapons- and long-range missile-related activities that threaten stability. Likewise, the approach recommended by the review will not constrain U.S. Theater Missile Defense programs or the opportunities of the ROK and Japan to share in these programs; indeed, we explicitly recommended that no such linkage should be made.
4. Builds on the Agreed Framework. The approach recommended seeks more than the

Agreed Framework provides. Specifically, under the recommended approach the U.S. will seek a total and verifiable end to all nuclear weapons-related activities in the DPRK, and the U.S. will be addressing the DPRK's long-range missile programs, which are not covered by the Agreed Framework. In addition, the U.S. will seek to traverse the broader path to peaceful relations foreseen by both the U.S. and the DPRK in the Agreed Framework, and incorporated in its text.

5. Aligns U.S. and allied near-term objectives with respect to the DPRK's nuclear and missile activities with our long-term objectives for lasting peace on the Korean Peninsula. The recommended approach focuses on the near-term dangers to stability posed by the DPRK's nuclear weapons- and missile-related activities, but it aims to create the conditions for lasting peace on the Korean Peninsula in the longer run, as the U.S. seeks through the Four Party Talks. As noted above, the recommended approach also seeks to realize the long-term objectives of the Agreed Framework, which are to move beyond cooperation in the nuclear field to broader, more normal U.S.-DPRK relations.

6. Does not depend on specific North Korean behavior or intent. The proposed strategy is flexible and avoids any dependence on conjectures or assumptions regarding DPRK intentions or behavior -- benign or provocative. Again, it neither seeks, nor depends upon, either such intentions or a transformation of the DPRK's internal system for success. Appropriate contingencies are built into the recommended framework.

Key Policy Recommendations

In the context of the recommendations above, the review team offered the following five key policy recommendations:

1. Adopt a comprehensive and integrated approach to the DPRK's nuclear weapons- and ballistic missile-related programs, as recommended by the review team and supported by our allies in the region. Specifically, initiate negotiations with the DPRK based on the concept of mutually reducing threat; if the DPRK is not receptive, we will need to take appropriate measures to protect our security and those of our allies.

2. Create a strengthened mechanism within the U.S. Government for carrying out North Korea policy. Operating under the direction of the Principals Committee and Deputies Committee, a small, senior-level interagency North Korea working group should be maintained, chaired by a senior official of ambassadorial rank, located in the Department of State, to coordinate policy with respect to North Korea.

3. Continue the new mechanism established last March to ensure close coordination with the ROK and Japan. The Trilateral Coordination and Oversight Group (TCOG) -- established during this policy review and consisting of senior officials of the three governments -- is charged with managing policy toward the DPRK. This group should meet regularly to coordinate negotiating strategy and overall policy toward the DPRK and to prepare frequent consultations on this issue between the President and the ROK President and Japanese Prime Minister. The U.S. delegation should be headed by the senior official coordinating North Korea policy.

4. Take steps to create a sustainable, bipartisan, long-term outlook toward the problem of North Korea. The President should explore with the majority and minority leaders of both

houses of Congress ways for the Hill, on a bipartisan basis, to consult on this and future Administrations' policy toward the DPRK. Just as no policy toward the DPRK can succeed unless it is a combined strategy of the United States and its allies, the policy review team believes no strategy can be sustained over time without the input and support of Congress.

5. Approve a plan of action prepared for dealing with the contingency of DPRK provocations in the near term, including the launch of a long-range missile. The policy review team notes that its proposed responses to negative DPRK actions could have profound consequences for the Peninsula, the U.S. and our allies. These responses should make it clear to the DPRK that provocative actions carry a heavy penalty. Unless the DPRK's acts transgress provisions of the Agreed Framework, however, U.S. and allied actions should not themselves undermine the Agreed Framework. To do so would put the U.S. in the position of violating the Agreed Framework, opening the path for the DPRK to unfreeze Yongbyon and return us to the crisis of the summer of 1994.

Concluding Thoughts

The team's recommended approach is based on a realistic view of the DPRK, a hardheaded understanding of military realities and a firm determination to protect U.S. interests and those of our allies.

We should recognize that North Korea may send mixed signals concerning its response to our recommended proposal for a comprehensive framework and that many aspects of its behavior will remain reprehensible to us even if we embark on this negotiating process. We therefore should prepare for provocative contingencies but stay the policy course with measured actions pursuant to the overall framework recommended. The North needs to understand that there are certain forms of provocative behavior that represent a direct threat to the U.S. and its allies and that we will respond appropriately.

In this regard, it is with mixed feelings that we recognize certain provocative behavior of the DPRK may force the U.S. to reevaluate current aid levels.

Finally, and to close this review, we need to point out that a confluence of events this past year has opened what we strongly feel is a unique window of opportunity for the U.S. with respect to North Korea. There is a clear and common understanding among Seoul, Tokyo, and Washington on how to deal with Pyongyang. The PRC's strategic goals -- especially on the issue of North Korean nuclear weapons and related missile delivery systems -- overlap with those of the U.S. Pyongyang appears committed to the Agreed Framework and for the time being is convinced of the value of improving relations with the U.S. However, there are always pressures on these positive elements. Underlying tensions and suspicions have led to intermittent armed clashes and incidents and affect the political environment. Efforts to establish the diplomatic momentum necessary to withstand decades of hostility become increasingly difficult and eventually stall. Nevertheless, the year 1999 may represent, historically, one of our best opportunities to deal with key U.S. security concerns on the Korean Peninsula for some time to come.

[end of document]

[Link to Dr. Perry's October 12, 1999 testimony.](#)

THE WHITE HOUSE

Office of the Press Secretary

XIV-6

For Immediate Release

July 13, 2000

FACT SHEET

Vietnam Bilateral Trade Agreement
Historic Strengthening of the U.S.-Vietnam Relationship

In 1993, President Clinton began a policy of normalization of relations with Vietnam to encourage Vietnam's cooperation on issues of interest to the United States and to promote Vietnam's integration into the region and the world economy. The decision to pursue the trade agreement was made after Vietnam had established a record of cooperation in accounting for POW-MIA's from the war, the highest priority in our relations.

The Bilateral Trade Agreement signed on July 13, 2000, marks a key step in the historic reconciliation between the United States and Vietnam. By normalizing trade relations and committing Vietnam to sweeping economic reform, it will help lay the foundation for a new American relationship with Vietnam.

The policy of normalization has led to:

- Strengthened cooperation on the fullest possible accounting of our missing from the war. Since 1993, the United States has undertaken 39 joint field activities with Vietnam, repatriated 288 possible sets of remains, and identified the remains of 135 formerly unaccounted for American servicemen;
- Resettlement of tens of thousands of refugees through the Orderly Departure Program and related programs. Over 500,000 Vietnamese have emigrated as refugees or immigrants to the United States and only a small number of refugee applicants remain to be processed.
- Enhanced cooperation in combating narcotics trafficking, promoting human rights and religious freedom and expanding economic linkages. Our human rights dialogue, begun in 1993, has led to release of prisoners and some improvements in the overall situation.

The process of normalization has been accomplished in a step-by-step manner, leading to the Bilateral Trade Agreement:

- 1989 -- Vietnam withdraws from Cambodia and seeks admission into regional organizations, sending a clear message that Vietnam intended to play a positive role in regional security and economic liberalization;
- 1993 - The President authorizes the United States to support international lending for Vietnam and allows for U.S. firms to join in development projects;
- 1994 - The President lifts economic embargo to allow U.S. firms to export to Vietnam and compete for business opportunities in Vietnam that had been closed;
- 1995 -- Vietnam joins the Association of Southeast Asian Nations (ASEAN);

- 1995 -- The United States opens normal diplomatic relations with Vietnam;
- 1996 -- The United States begins negotiations with Vietnam on a Bilateral Trade Agreement that would improve the opportunities and protections available to U.S. firms;
- 1997 -- Exchange of ambassadors. President Clinton appoints former Congressman and POW, Douglas "Pete" Peterson to be the U.S. Ambassador to Vietnam;
- 1998 -- Vietnam joins the Asia Pacific Economic Cooperation (APEC) forum;
- 1998 -- The United States grants the first waiver of the Jackson-Vanik amendment extending U.S. export promotion and investment support programs to Vietnam. The waiver was then renewed in 1999 and 2000;
- 1999 -- The United States and Vietnam reach an agreement in principle on key provisions of the Bilateral Trade Agreement; and
- 2000 -- The United States and Vietnam reach final agreement on the Bilateral Trade Agreement, fulfilling the President's goal of negotiating a comprehensive trade agreement with Vietnam that would advance reform by leading to significantly more open markets and to Vietnam's firmer integration into the global economic community.

Vietnam has made a comprehensive set of commitments on: tariffs and non-tariff barriers for industrial and agricultural goods, the full range of services, intellectual property rights, investment, transparency and other issues. This constitutes for the first time a broad opening of Vietnamese markets for the United States, and will provide a major stimulus to Vietnam's economic reform efforts. This agreement sends a positive signal regarding Vietnam's commitment to integrating into the world economy and is an important step toward both the development of the rule of law in Vietnam and its eventual membership in the World Trade Organization (WTO).

The agreement has five major sections, including:

- Dramatic new market access for agricultural and industrial goods for American citizens and companies;
- Increased intellectual property rights protection;
- Market access in a broad array of service sectors;
- Investment provisions to protect U.S. investments; and
- Transparency Measures making Vietnamese laws, rules, and regulations in these areas public and including a right to appeal for U.S. citizens

U.S. total (two-way) goods trade with Vietnam totaled \$900 million in 1999. Exports to Vietnam have increased considerably in recent years from \$4 million in 1992 to \$291 million in 1999.

DETAILS OF THE BILATERAL TRADE AGREEMENT

The agreement has five major sections:

- Market Access for Industrial and Agricultural Goods. Vietnam agrees to allow all Vietnamese firms, and over time U.S. persons and firms, the right to import and export freely from within its borders for

the first time. It has agreed to sharply lower tariffs on the full range of U.S. industrial and agricultural exports, phase out all non-tariff measures, and to adhere to the WTO standards in applying customs, import licensing, state trading, technical standards and sanitary and phytosanitary measures.

-- Intellectual Property Rights. Vietnam agrees to adopt the WTO standard for intellectual property protection within 18 months and take further measures in several other areas such as protection of satellite signals.

-- Market Access for Services. Vietnam allows U.S. persons and firms to enter its services market in the full range of services areas, including financial services (insurance and banking), telecommunications, distribution, audio visual, legal, accounting, engineering, computer and related services, market research, construction, educational, health and related services and tourism. These commitments are phased-in over time, typically within three to five years.

-- Investment Provisions. Vietnam has agreed to protect U.S. investments from expropriation, eliminate local content and export performance requirements and phase out its investment licensing regime for many sectors.

-- Transparency Provisions. Vietnam has agreed to adopt a fully transparent regime with respect to each of the four substantive areas above, by issuing draft laws, regulations and other rules for comment, ensuring that advance public notice is given for all such laws and regulations, that these documents are published and available, and by allowing U.S. citizens the right to appeal rulings made with respect to all such relevant laws and regulations.

Under U.S. law, for Vietnam to receive annual NTR status, a bilateral trade agreement must be completed and approved by Congress, and the President must waive the "Jackson-Vanik" provision, indicating that such a waiver would substantially promote freedom of emigration from Vietnam. Since 1998, the President has granted the annual Jackson-Vanik waiver for Vietnam. Thus, completion of this agreement, and its subsequent approval by Congress, would clear the way for Vietnam to receive NTR treatment on an annual basis. This in turn would bring Vietnam's trade commitments into force.

[End of Document]

[Link to President Clinton's July 13, 2000 statement.](#)

|| [East Asian and Pacific Affairs](#) | [U.S. Department of State](#) | [Disclaimers](#) ||

XVIII. Domestic and International Law

- | <i>Doc. No.</i> | <i>Description</i> |
|-----------------|--|
| XVIII-1 | Statement by Ambassador-at-Large-Designate David J. Scheffer at confirmation hearing before the Senate Foreign Relations Committee, Washington, July 15, 1997; 2 pp. |
| XVIII-2 | Briefing on State Department Report titled <i>Ethnic Cleansing In Kosovo: An Accounting</i> . Washington, December 9, 1999; 8 pp. |
| XVIII-3 | President Clinton's statement on Signing of the International Criminal Court Treaty. Washington, December 31, 2000; 1 p. |
| XVIII-4 | Remarks by Ambassador-at-Large for War Crimes Issues at the Conference on Atrocities Prevention and Response; Washington, October 29, 1999; 6 pp. |

XVIII-1



David J. Scheffer, Ambassador-at-Large-Designate for War Crimes Issues
Statement at confirmation hearing before the Senate Foreign Relations Committee, Washington, DC, July 15, 1997

Mr. Chairman and Members of the Committee: Thank you for the privilege of appearing before you today. I am very grateful to the President and the Secretary of State for their confidence and trust in me, as demonstrated by this nomination. As a student of history and a former staff member on Capitol Hill, I am deeply respectful of the Senate's constitutional power of advice and consent on nominations.

If confirmed, I will be the first to recognize that I have a tough job ahead of me. Unfortunately, war crimes has become a growth industry in international affairs. Genocide, crimes against humanity, and violations of the laws and customs of war are the currency of modern conflict across the globe. My job, if I have the privilege to serve our country, will be to help bring war criminals to justice and to deter aspiring genocidists from committing their heinous crimes.

The post of Ambassador-at-Large would be global in its reach, but within a relatively narrow band of illegal conduct by nations and individuals. My mission would be to confront atrocities, or those crimes which define the most extreme human rights abuses against peoples. If confirmed, I would focus immediately on the former Yugoslavia, the Great Lakes region of central Africa, Cambodia, and Iraq as areas where serious violations of international humanitarian law have occurred and demand our most serious attention.

The President and the Secretary of State have asked me to undertake these duties because of the importance they attach to the rule of law. They want a senior official to focus on war crimes constantly so that it gets the attention it deserves, including in the heat of crises and during policy discussions. If confirmed, I would work closely with other senior officials in our government. On a daily basis, I would be able to coordinate the myriad of actions required within the State Department and elsewhere in the federal bureaucracy to help support the International Criminal Tribunals for the former Yugoslavia and Rwanda and to respond to war crimes committed elsewhere.

The President and Secretary Albright also believe that there is a critical need to have an Ambassador-at-Large who can deal regularly with foreign governments and with the United Nations on these critical issues.

I have worked closely with Secretary Albright since January 1993, when she was preparing for her own confirmation as U.S. Permanent Representative to the United Nations. As her Senior Adviser and Counsel during the President's first term, I handled war crimes issues for then-Ambassador Albright as she led efforts at the United Nations to establish and support the two ad hoc International Criminal Tribunals. Her leadership and commitment to the subject have been inspiring and have only grown with her duties as Secretary of State. I also have been alternate representative on the U.S. delegation to the UN talks on establishment of a permanent international criminal court. During the first term I had the privilege of representing then-Ambassador Albright and the U.S. Mission to the United Nations on the NSC Deputies Committee. That experience gave me a keen appreciation of U.S. national security interests, which will be paramount in the exercise of all of my duties if I am confirmed as Ambassador-at-Large for War Crimes Issues.

I hail from Norman, Oklahoma, where I am proud to have been born and raised. My outlook might be characterized as Midwestern in the basic values of life, hard work, faith in God, and devotion to family. While at college I first studied the laws of war, and I have been immersed

in the discipline ever since. I became an international lawyer and honed my skills in private practice until 1986, when I came to Washington and worked on the House Foreign Affairs Committee (now International Relations Committee) under Chairman Dante Fascell. That experience was invaluable, for it taught me the indispensability of the congressional process in our system of government. My 4-year tour at the Carnegie Endowment for International Peace allowed me to maintain an active involvement with war crimes issues, particularly during the Gulf War.

If confirmed, I would bring to this job much expertise and experience in the field of war crimes. My commitment to this challenging position would be unfailing. And it would be non-partisan. If ever there was a foreign policy issue around which a bipartisan consensus could be cultivated war crimes is that issue. Under the leadership of the President and the Secretary of State, I would intend, if confirmed, to work very closely with the Congress on these important issues.

Thank you for your attention. I look forward to your questions.

Office of the Ambassador-at-Large For War Crimes Issues
Department of State Home Page



Harold Hongju Koh, Assistant Secretary for Democracy, Human Rights and Labor; David Scheffer, Ambassador-At-Large for War Crimes Issues; and James F. Dobbins, Special Advisor to the President and Secretary of State for Kosovo and Dayton Implementation

Briefing on the State Department's Report
Ethnic Cleansing In Kosovo: An Accounting
Washington, DC, December 9, 1999

Mr. Foley: As part of the overall U.S. Government effort to fully document the scope of ethnic cleansing in Kosovo and highlight the plight of its victims, the State Department today has released the report, *Ethnic Cleansing in Kosovo, an Accounting*. The report provides the location and details of approximately 500 towns where atrocities occurred until NATO's arrival in Kosovo and describes other nongovernmental organization efforts to document these violations and notes the more recent problems of retribution against Kosovar Serbs and the question of missing persons.

In releasing this report, we wish to highlight the extensive contributions of international organizations and NGOs to documenting what happened in Kosovo prior to and during NATO's air campaign. In particular, we commend the OSCE for releasing on December 6 its own extensive reports on human rights violations in Kosovo. The United States provided financial and political support for those reports.

Our report today in many ways complements the data provided by the OSCE human rights monitors. We would stress though that our information is not complete. By working together over time, we hope to provide a comprehensive overview of abuses perpetrated against Kosovars of all ethnicities.

Today, we have three distinguished speakers for you. We will first have Assistant Secretary for Democracy, Human Rights and Labor, Harold Koh, who is going to address the report itself; Ambassador-at-Large for War Crimes Issues David Scheffer will discuss the implications of what the report describes for our war crimes policy; and, finally, Ambassador Jim Dobbins, who is the Special Advisor to the President and Secretary Albright for Kosovo and Dayton Implementation, will discuss the implications of this report for Kosovo policy and take your questions.

So, without further ado, Assistant Secretary Koh.

Assistant Secretary Koh: Thank you.

Since February, we have all been witnesses to a brutal historical episode, the largest mass expulsion of people in Europe since the 1940s, the killing of thousands in a premeditated campaign of looting, burning and forced detentions.

When such a campaign of atrocities unfolds before our eyes, it is sometimes hard to fathom all of its facets. The report that we are releasing today, *Ethnic Cleansing in Kosovo, an Accounting*, seeks to lay out in one place what we know about ethnic cleansing that occurred in Kosovo before NATO arrived in June of this year. This report, which has been prepared by the Department's Bureau of Intelligence and Research, my bureau of Democracy, Human Rights and Labor, and the Office of War Crimes Issues, follows and builds upon an earlier State Department report by the same offices that was issued on May 10th, entitled *Erasing History, Ethnic Cleansing in Kosovo*.

Together, the two State Department reports provide what data we have on ten broad

categories of human rights violations that are listed on the cover: forced expulsions, looting, burning, detentions, use of human shields, summary executions, exhumation of mass graves, systematic and organized rape, violations of medical neutrality and a new type of ethnic cleansing, identity cleansing.

The reports seek to provide a comprehensive assessment of the scale and intensity of human rights and humanitarian law violations that occurred in Kosovo this past year. This second chapter in our effort to document ethnic cleansing in Kosovo should not be read in isolation but together with the contribution of many other nongovernmental and intergovernmental organizations who have sought to document human rights violations in Kosovo. As Mr. Foley said, notable among these efforts have been the work of the OSCE, which recently released two important documents addressing human rights violations both before and after NATO and the UN arrived on the scene. Executive summaries of both documents are available in the press office after the briefing.

We are proud to have provided the political and financial support to help make the OSCE reports a reality, and I also want to thank the essential contributions of numerous courageous nongovernmental organizations who have joined the effort to document what happened in Kosovo. The first function of human rights reporting is truth telling but human rights reporting is only part of the unfinished human rights business in Kosovo and Serbia as a whole.

As important as what we have learned is what we still do not know. Five months after the UN and NATO arrived in Kosovo, we are still piecing together what is undeniably a widespread and systematic attempt to cleanse Kosovo of much of its Kosovar Albanian population. As I speak, the War Crimes Tribunal in the Hague has only exhumed about 200 out of 500 known crime scenes. This does not include the unknown, the uncountable and the destroyed - those buried in mass graves that are currently unknown, those that cannot be counted and those whose bodies were destroyed as Serbian military police and paramilitary forces destroyed evidence of their crimes.

Finally, it is our hope that this report will serve not just to disclose what we know but also to help answer the questions of families of missing persons in Kosovo about the whereabouts of their loved ones. At least 2,000 ethnic Albanians are reportedly still being held in Serbian detention facilities, some without charge. The United States calls upon Belgrade to account for and unconditionally return detained Albanians to their families in Kosovo.

Finally, the sheer scope of atrocities by Serb forces against ethnic Albanians has created bitter anger and resentment. The return of ethnic Albanians to Kosovo unleashed a wave of violent acts of retribution against the remaining Serbian population, which has been documented by the OSCE and others. It is our hope that the facts, questions and issues raised in this report can help to build the undisputed history that is necessary to prompt future inquiry, to promote accountability, to facilitate reconciliation and to spur a fuller discussion of the Kosovo conflict within Serbia itself.

Thank you.

Ambassador Scheffer: Let me address three key points in the report. First, we know Serbian forces made many efforts in Kosovo to destroy evidence of their crimes against humanity and war crimes. We expected this based on the well-orchestrated efforts by Bosnian Serb authorities in 1995 to conceal or destroy much of the evidence of the 7,000 men killed at Srebrenica. The efforts by Serbian forces to destroy evidence of their crimes in Kosovo in 1999 came as no surprise to us and we were prepared.

We determined we would try where possible to track and document the effort by Serbian forces to conceal their mass killings in Kosovo. In the several cases where we had

unequivocal evidence of a mass burial site, as happened at Izbica, Pusto Selo and east of Glogovac, we made that imagery public. In the case of Izbica, for example, the 140 men and one woman that were buried at Izbica do not show up on the ICTY's list of confirmed mass graves but no one doubts their existence.

In addition to visual evidence, the US Government also tracked reports from refugees and other sources that pointed to a systematic campaign by Serbian forces to burn, destroy or otherwise conceal the extent of the killings in Kosovo. In many cases, the victims bodies were burned near where they died. In other cases, the burning, destruction or re-burial occurred on a wholesale scale, with bodies being shipped by truck away from the area where they were killed or first buried.

The second point I would like to make concerns the efforts by revisionists to suggest that the number of Kosovar Albanians killed was overstated. In the last few weeks, a number of scholars and historians have thoroughly debunked the revisionists. The number of actual whole bodies reported in the press tells only part of the story for three reasons. First, the Yugoslav tribunal's figure does not include graves that were not reported to the Yugoslav tribunal. Some grave sites will probably never be found.

Second, the Yugoslav tribunal reports a significant number of sites where they said the precise number of bodies found could not be counted or where there were credible evidence of tampering or destruction of evidence.

Third, there are the additional victims whose bodies were burned or destroyed by Serbian forces without being buried. All this tells us that we will never know the full extent of Kosovar Albanian victims of ethnic cleansing in Kosovo. Our best estimate is that the number of Kosovar Albanians killed is on the order of magnitude of 10,000. We may revise this as more is learned.

The third point I would like to make is that the data in the Yugoslav tribunal prosecutor's report show that the number of bodies found by the tribunal's investigations was reasonably close to the number of bodies reported by refugees in 108 out of the 134 sites. Based on what the prosecutor reported in November, we can say that four out of five Kosovar refugee reports of the number of bodies in mass graves turned out to have been correct.

In sum, today's report gives more details in the picture of Serbian forces' ethnic cleansing in Kosovo. The International Criminal Tribunal for the Former Yugoslavia and the judicial authorities of Kosovo deserve our continued support for their essential work to bring those responsible to justice.

Thank you.

Ambassador Dobbins: As Harold indicated, today's report that is being released by the State Department has to be seen in the context of the other two reports which were released by the OSCE earlier this week. It's clear that the international community is facing an ongoing challenge of ethnic violence in Kosovo. It's equally clear that the efforts of NATO and the United Nations have dramatically but not adequately or acceptably reduced the level of this violence.

From March to July of this year, as Harold and David have both indicated, some 10,000 Albanian Kosovars were murdered by Serbian military, paramilitary or police forces.

Another way of judging the scale of this is to look at how it affected the Albanian Kosovars still living in Kosovo, and a recent opinion poll indicates that 85 percent of the current population of Kosovo were touched in one way or another by this tragedy; that 82 percent of them were forced out of their homes; that 66 percent of them had their homes

destroyed or damaged; that 19 percent of them had a family member murdered or injured. So that gives you a sense of the scale of the tragedy as it affected those who survived it.

It's natural that the current focus is on the ethnic violence which continues to take place in Kosovo as a result of the ethnic tensions which are - and the dimensions of this are spelled out in the OSCE report which was released this week. It's somewhat frustrating that attention has shifted from the massive damage which occurred earlier in the year as the result of Serbian armed forces, paramilitaries and police, but it's also natural. That is a problem that we have effectively solved, and the problem of ongoing violence against Serb civilians in Kosovo is a problem which we have reduced and brought under control, but not solved.

Let me just speak briefly about what we're doing about it, and by "we" here I mean the international community. KFOR has 42,000 soldiers deployed in peacekeeping activities in Kosovo, of which 8,300 are American. The United Nations has a staff of 3,000 deployed in Kosovo. In addition to that civilian staff, the United Nations has deployed 1,800 police in Kosovo, of which 450 are American. The United Nations has also trained and deployed the first class of local Kosovo police, 175, of whom 7 are Serbs. A second class is currently in session, another 175, this class including 27 Serbs.

As a result of these efforts, violence has significantly, dramatically - but not yet acceptably - reduced in Kosovo. I think the current rate of deaths in Kosovo is about 25 per 100,000, which makes it better than many metropolitan areas, but Kosovo is not a metropolitan area; it's an area of small villages, small towns, and small cities. And so that comparison is not really adequate and clearly indicates that we have a long way to go before the level of security, and particularly security for minorities, is considered adequate.

Thank you.

Q: Well, one question is a general one, whether in your estimate, from everything you've seen and gathered, you could say that Serb forces or Serbia was planning or had a genocide in the works or, in fact, whether the evidence demonstrates that there was a genocide?

Ambassador Dobbins: Why don't I let both of my colleagues address that. I mean, I think that both reports and, in particular, the OSCE report, but I think ours as well, addressed the question of the degree to which this violence was planned and directed by a central authority as part of a state policy, which I think is what you're after.

Assistant Secretary Koh: As you know, international lawyers think of genocide as a question of intent and that has to be established from the facts. What this report is trying to do is to establish the facts and to demonstrate that there was a concerted campaign of human rights violation which then provoked and, indeed, demanded a human rights response.

What we're trying to do is to lay out the different categories of human rights violation, as we do in all of our human rights reports, and I think the basic contours are clear: tens of thousands summarily executed, widespread looting and burning, 1.5 million forcibly displaced, destruction of the kind that Jim described in some 1,200 plus communities, use of human shields, and under-reported atrocity, widely under-reported atrocity, namely systematic and organized rape. And then identity cleansing, something which got a lot of attention during the conflict itself, now clearly affecting close to 50 percent of the population.

I think what we're trying to determine here is, of course, what we now know is not all we will know. As I said, there are bodies that are - grave sites unknown, uncountable or

destroyed areas but, in fact, the net result is one of a very broad campaign, and that's the basis on which you need to look when you are going to make questions about inferring intent.

Ambassador Scheffer: I would just briefly add to that early on the assault on the civilian population of Kosovo we indicated that we saw indicators of genocide unfolding before us. That is still the case with this report and, as Harold said, it is a matter of intent. The prosecutor of the Yugoslav tribunal, Carla Del Ponte, has made it very clear publicly that she is looking at her existing indictments against the leadership of Serbia in terms of whether or not the crime of genocide was perpetrated by them.

So I think we've got to be a little bit patient on arriving at a judgment about genocide, but very important people, particularly the prosecutor of the Yugoslav War Crimes Tribunal, are focusing on that very issue, and we hope this report will help her in that respect.

Q: Have you reached your own judgment on this? I mean, you have a lot of data and you've been collating it from a lot of places and you've certainly been looking for this very thing. Is your own verdict then that you just don't know, or what?

Ambassador Scheffer: We don't think it would be appropriate because there is a prosecutor who is examining this very issue for us to actually be pronouncing on it in any respect. Let's let the facts unfold and her judgment take its due course.

Q: I have a question that is not so much related to this study that you have done but to the people who--the Kosovars who remain in prison in Serbia. There was a doctor, a woman whose name unfortunately I can't remember, who it was announced at a briefing here was being tried in Nis, I think. And this had to have been at least a month ago, maybe a little longer.

And I was wondering if you had any information about what happened to her and whether you see increasing numbers of these people being put on trial.

Ambassador Dobbins: Thank you. I think it's a good point. I went through a number of statistics about how people were affected, and one of the most important statistics which I neglected to mention is the number of people who are missing. There are thousands and thousands of people missing, of whom we believe at least 2,000 are currently being held by Serbian authorities somewhere in Serbia.

One of them is the individual you cite. Her name is Flora Brovina and she was, in fact, convicted and sentenced today. She was sentenced to 12 years in prison. She's a well known human rights activist. The United States has been steadfast in condemning the proceedings against Dr. Brovina. This action is an example of the bankruptcy that faces the Serbian state and the rule of law in Serbia.

We understand that the court proceedings in and of themselves were severely flawed. We urge Belgrade to reconsider this conviction and, finally, we urge and insist that the Belgrade authorities account for, release, and return the thousands of Kosovar Albanians that they are continuing to hold to Kosovo and to their families.

Q: Do you see an increase in these people being prosecuted, though? I mean, are they more systematically going after the--

Ambassador Dobbins: I think one of the difficulties with them, if they were being prosecuted at least we'd know who they are and where they are. The difficulty with most of them is that we don't know if they're alive or dead. There are many thousands missing, of whom we believe at least 2,000 are being held by Serbian authorities and others probably have died. But until we know who's being held, we don't know--you can't sort

one from the other. And so I would say the average person in Kosovo believes the Serbs are holding like 10,000, and they have good reason because there's 10,000 people missing. And, again, until you have an identification system you can't actually establish the number of people who are missing.

So the problem, in a sense, is that they're not being tried, where at least, you know, you could fault that process but you would at least, you know, some family member would know, yes, my uncle is alive, he's in prison, he's sentenced to ten years, we're going to mount a campaign to get him out. For thousands and thousands of Kosovars, they just don't know whether their relatives are alive or dead.

Q: Is there anything that you all can do to try and sort of track where Dr. Brovina is? Are you going to ask the Red Cross to try and visit her in whatever facility she is held in? Is that an option? I'm not sure what the--

Ambassador Dobbins: Let me ask Harold to add something here, but the answer is we will do everything we can both to track and inform ourselves of her condition and to alleviate it and, ultimately, to get her released.

Assistant Secretary Koh: The problem with determining first how many are missing and then from there determining who is detained and who is dead is always a problem. What we understand from the International Committee on the Red Cross is that they have visited close to 2,000, which is where we get the number 2,000, at least 2,000 detained. But they, themselves, admitted to us that they don't know how many are in there. They're getting visitation, some access. They're trying to expand that access and that effort continues.

Also, the International Commission on Missing Persons has been doing some work on this area, focusing on the missing persons issue and the relationship and explaining the details to the families of the missing.

Ambassador Dobbins: Two thousand is also approximately the number of the capacity of the prisons that were empty when NATO went into Kosovo, so the 2,000 number has a certain logic to it. But the number could be larger and, until there is a full accounting, it leaves many people terribly uncertain.

Q: Can you tell from the evidence you have whether the NATO bombing itself, the atrocities accelerated or slowed on the whole process of the cleansing? How was it affected when the bombs started falling?

Ambassador Dobbins: Well, I think this was something that was discussed repeatedly through the conflict and, again, I will let Harold address it insofar as the report sheds any light on it. I think it's clear, and it's clear from the OSCE report, which has its database going from before the conflict, as I read it, that this was a concerted state-run campaign that began well before the conflict and was not initiated or caused by the NATO bombing decision.

Assistant Secretary Koh: Again, the report is really a snapshot of what was found when NATO troops entered in June and so it's hard to judge what happened during the conflict itself. I think the main thing that emerges from the report, which is confirmed by the two OSCE reports, is the scale and magnitude of the violations in all ten categories we described.

Q: One of the contentious issues is Trepca and, reading through the report, I can't come to much conclusion of what you think happened there. Clearly, you and the US and others had a lot of reports from refugees - rather, from deportees that Trepca was being used as a mass grave and worse. I am wondering what do you think now is the situation based on

the preliminary research being done.

And, secondly, I don't have any sense here what role outsiders played in the ethnic cleansing and, in particular, the Russian volunteers. I don't see any reference to them here.

Ambassador Dobbins: Again, Harold can add. I don't think reports of Trepca's use as a mass grave have been substantiated by inquiries. And I honestly--I have not seen substantiation of the allegations of Russian volunteers. There certainly are allegations. I wouldn't dismiss them but I don't know that they have been substantiated by independent evidence other than the allegations themselves.

Q: Are you planning to go after those? I mean, trying to corroborate them?

Assistant Secretary Koh: Well, again, you know, as you have done in your own important work, we are trying to define a role between anecdote and indelible history for interim human rights reporting.

One thing we tried to do very openly in the appendices of the report is, with regard to particular areas in which there has been much reported activity, to lay out what we know as a way of identifying areas for future inquiry, both by press, human rights investigators from the private sector and also intergovernmental actors. This is one way that we fill out the jigsaw puzzle as time is moving along.

But we thought it was important to release the report at this point because the basic contours of the overall story are now clear. And it was important to get that on the record.

Q: One to Mr. Dobbins, which is there seems to be a lot of tension right now and even a takeover of the airport yesterday, at least briefly.

Is there a U.S. policy to provide security guarantees or to provide security for Montenegro such that it is not going to be taken over in some kind of a coup situation in a short time, and what is the position on the Montenegrin request, as I gather it, for support, for \$10- or \$30- or \$40 million support on their new currency?

Ambassador Dobbins: Well, first as to the situation, there was a confrontation yesterday, which seems to have been diffused, over control of the airport. The airport now seems to be operating and flying normally. The U.S. position on Montenegro has been frequently stated, including in several press conferences by the Secretary. We support both the political and economic reforms taking place in Montenegro in order that Montenegro can serve as a model and a stimulus for similar reforms throughout the rest of Yugoslavia.

The Secretary addressed the issue of the Montenegrin security in the remarks she made when she met with President Djukanovic on the seventh floor three or four weeks ago. I won't elaborate on it.

On the issue of economic assistance, the United States did provide a total of about \$55 million in economic assistance to Montenegro in Fiscal 1999; 20 million of that was technical and humanitarian assistance and 35 million of it was balance of payments, budget support assistance.

We have not yet allocated assistance for the coming year. The process was delayed because the budget, as you know, was only passed and then signed by the President last week. Last week? I think last week it was actually signed. In any case, about ten days ago and the money is not earmarked so it has to be allocated within that budget.

I would certainly anticipate that we will continue to provide economic support of the type and roughly of the dimensions, but I wouldn't get held to a specific amount at this stage

since I don't know what it will be. It will be allocated by the Secretary to Montenegro. So there will be continuing assistance of an amount which we won't be able to specify for another week or two, I would guess.

(The briefing concluded at 11:55 A.M.)

[end of document]

[Remarks Index](#) | [Kosovo Report](#) | [Democracy, Human Rights, and Labor](#) | [Kosovo Home Page](#) | [Department of State](#)



President Clinton
Statement on Signature of the International Criminal Court Treaty,
Washington, DC, December 31, 2000

The United States is today signing the 1998 Rome Treaty on the International Criminal Court. In taking this action, we join more than 130 other countries that have signed by the December 31, 2000 deadline established in the Treaty. We do so to reaffirm our strong support for international accountability and for bringing to justice perpetrators of genocide, war crimes, and crimes against humanity. We do so as well because we wish to remain engaged in making the ICC an instrument of impartial and effective justice in the years to come.

The United States has a long history of commitment to the principle of accountability, from our involvement in the Nuremberg tribunals that brought Nazi war criminals to justice, to our leadership in the effort to establish the International Criminal Tribunals for the Former Yugoslavia and Rwanda. Our action today sustains that tradition of moral leadership.

Under the Rome Treaty, the International Criminal Court (ICC) will come into being with the ratification of 60 governments, and will have jurisdiction over the most heinous abuses that result from international conflict, such as war crimes, crimes against humanity and genocide. The Treaty requires that the ICC not supercede or interfere with functioning national judicial systems; that is, the ICC Prosecutor is authorized to take action against a suspect only if the country of nationality is unwilling or unable to investigate allegations of egregious crimes by their national. The U.S. delegation to the Rome Conference worked hard to achieve these limitations, which we believe are essential to the international credibility and success of the ICC.

In signing, however, we are not abandoning our concerns about significant flaws in the Treaty. In particular, we are concerned that when the Court comes into existence, it will not only exercise authority over personnel of states that have ratified the Treaty, but also claim jurisdiction over personnel of states that have not. With signature, however, we will be in signature, we will not.

Signature will enhance our ability to further protect U.S. officials from unfounded charges and to achieve the human rights and accountability objectives of the ICC. In fact, in negotiations following the Rome Conference, we have worked effectively to develop procedures that limit the likelihood of politicized prosecutions. For example, U.S. civilian and military negotiators helped to ensure greater precision in the definitions of crimes within the Court's jurisdiction.

But more must be done. Court jurisdiction over U.S. personnel should come only with U.S. ratification of the Treaty. The United States should have the chance to observe and assess the functioning of the Court, over time, before choosing to become subject to its jurisdiction. Given these concerns, I will not, and do not recommend that my successor, submit the Treaty to the Senate for advice and consent until our fundamental concerns are satisfied.

Nonetheless, signature is the right action to take at this point. I believe that a properly constituted and structured International Criminal Court would make a profound contribution in deterring egregious human rights abuses worldwide, and that signature increases the chances for productive discussions with other governments to advance these goals in the months and years ahead.

Office of the Ambassador-at-Large For War Crimes Issues

XVIII-4



David J. Scheffer
Ambassador-at-Large for War Crimes Issues
Remarks at the Conference on Atrocities Prevention and Response
U.S. Holocaust Memorial Museum
Washington, DC, October 29, 1999

Atrocities Prevention: Lessons from Rwanda

Almost 1 year ago, I stood in this auditorium and delivered an address on measures to prevent genocide and other atrocities. The Holocaust Museum had convened a conference on "Genocide and Crimes Against Humanity: Early Warning and Prevention," an important event that foreshadowed what we are trying to accomplish at this conference today.

It was December 10, 1998, and the President had just announced at the White House the establishment of a genocide early warning system in the U.S. Government. It was my job, here at the Holocaust Museum, to explain that the core of the system will be the Atrocities Prevention Interagency Working Group (IWG), which I have the honor to lead. The purpose of the Atrocities Prevention IWG has been to strengthen our capabilities to detect and analyze the warning signs of genocide and other atrocities and to make recommendations for possible countermeasures, including options that might prevent atrocities from erupting or continuing. We are mandated to ensure that atrocities prevention forms an integral part of our overall foreign policy, when there is risk of an atrocities outbreak.

The Atrocities Prevention IWG began to meet last December shortly after the President announced this project. The IWG has benefited from an atrocities watch capability within the intelligence community that seeks to monitor relevant indicators and predict the most vulnerable societies. This includes the War Crimes and Atrocities Analysis Division of the State Department's Bureau of Intelligence and Research. During its 1st year of operation, the Atrocities Prevention IWG has enabled our policy makers to understand better what is occurring at the earliest possible stage and to be better prepared to consider possible responses to stem the tide of killing. Some of the countries we have closely examined are Sierra Leone--shortly after I returned from a trip there in February 1999, right after the Freetown massacres and mutilations,--the Democratic Republic of the Congo, Indonesia, Burundi, and the Sudan. We also have taken a hard look at the diamond trade in Africa.

The IWG is not batting 1000 on its work product, to no one's surprise. East Timor could serve as an example, and we will be examining for some time the lessons learned from this particular tragedy.

It is the hope of the Atrocities Prevention IWG that we can begin to work with other governments and the NGO community to ensure that information on emerging atrocities is known as quickly as possible so that effective collective responses can be more likely and rapid.

The non-governmental community has an important role to play in keeping the U.S and other Governments informed. We have benefitted from their experience and observations. The first-hand accounts we heard from representatives of NGOs with people on the ground in East Timor, for example, helped us to shape our response to that crisis.

Last year I spoke here about some important lessons drawn from our experience with genocide. I want to repeat them for this audience:

- We need to heed the warning signs of genocide and crimes against humanity.

- Officially-directed massacres of civilians of whatever numbers cannot be tolerated, for the organizers of genocide and crimes against humanity must not believe that more widespread killing will be ignored.
- "Neutrality" in the face of genocide and crimes against humanity is unacceptable, and must never be used to cripple or delay our collective response to these mega-crimes.
- The international community must respond quickly to confront genocide and crimes against humanity when they begin to unfold.
- The consequences of genocide and crimes against humanity are not only the horrific killings themselves, but the massive refugee flows, economic collapse, and political divisions that tear asunder the societies that fall victim to genocide. The international community will pay a far higher price coping with the aftermath of genocide and crimes against humanity than if it were prepared to defeat such crimes in their earliest stages.

Rwanda 1994

Though I can only scratch the surface in my remarks this morning, I want to try to address, from a forward-looking perspective, the U.S. response to the genocide in Rwanda in 1994. The United States has been strongly criticized for inaction in the face of the Rwandan genocide of 1994. This trend commenced, ironically, with the very statements acknowledging mistakes that the President and the Secretary of State made in 1997 and 1998.

In a speech in Addis Ababa on December 9, 1997, Secretary of State Madeleine Albright acknowledged that, "We, the international community, should have been more active in the early stages of the atrocities in Rwanda in 1994, and called them what they were--genocide." On March 25, 1998--during the first visit of a U.S. President to Rwanda--President Bill Clinton echoed the Secretary's remarks on the genocide:

"The international community, together with nations in Africa, must bear its share of responsibility for this tragedy, as well. We did not act quickly enough after the killing began. We should not have allowed the refugee camps to become safe havens for the killers. We did not immediately call these crimes by their rightful name: genocide."

The U.S. Government was the first major Western government to admit bluntly, at the highest level, that mistakes were made. We applied common sense, our own knowledge of what had transpired, and the urgent need to address this issue for the benefit of the victims. But let's be fair; the people who participated in shaping the policy are very well-intentioned officials who made some very difficult decisions in an unprecedented crisis. We have learned much from those mistakes, but I would be the last to represent that we have developed a perfect response mechanism to atrocities today. Indeed, the purpose of this conference is to understand how much still needs to be done to improve our collective abilities to stop and prevent atrocities.

Conventional Responses Won't Do

We now know that violent humanitarian catastrophes may require unconventional responses, out-of-the-box policy-making, and a more determined effort to focus political will on the imperatives of human survival. Atrocities, or the imminent unleashing of them, scream out for immediate, imaginative, and bold actions. We have a motto in the Office of War Crimes Issues at the State Department "Timing is everything." That motto is deeply embedded in our minds after years of work demonstrating time and again that unless we

act quickly enough to try to head off or end mass killings and wanton destruction, the opportunity is lost. The cost of mopping up will far exceed what would have been required to face down the masters of the killing fields at the earliest possible stage.

The Arusha peace accords had a tight schedule of implementation. But deadlines were missed, prompting calls for speedier implementation. All eyes turned on the how to salvage the peace accords, not on body counts.

Indeed, perhaps the loudest warning signal that went unheeded was the tens of thousands of Tutsis slaughtered in Burundi during a few short weeks in the Fall of 1993. Occurring at the same time as the murder of UN troops-- including 17 U.S. soldiers--in Somalia, the Burundi massacres barely registered in Washington. I have long suspected that the international community's collective gasp of disbelief and detachment from the reality unfolding in Burundi in the wake of the massacres there must have sent a implicit signal to the extremist Hutus in Rwanda that the shooting gallery was open, free of charge.

The killings in Somalia sent shock waves through the entire foreign policy establishment. In the aftermath of the Somalia debacle, both American and international political will to intervene in Africa was evaporating, and the extremists in Rwanda may have suspected as much as 1994 approached.

Violence increased in Rwanda in February 1994. There were several political killings. Each such killing was followed by ethnic massacres--at one point 100 Tutsis were killed. These were warning signs not properly heeded. UN officials and foreign governments misinterpreted the signs and assumed that once the Arusha peace accords were implemented, the killing would stop.

Initial Response

By the end of March 1994, we knew the peace process was being poisoned by the killings and that all efforts to pressure the parties in the conflict to resolve their differences were faltering.

During this time, the Security Council emphasized that support for UNAMIR, the UN peacekeeping force, depended on implementation of the Arusha accords. The UNAMIR mandate's imminent termination was used as leverage on the parties to seek a compromise. Such tactics were viewed as a strong political signal that further delays would not be acceptable.

The lesson learned from the pre-genocide period in Rwanda is that the world focused on the peace accords and missed the real issue, ethnic tension. The militias were getting stronger and more vocal. Newspapers and radio talked about killing Tutsis and UNAMIR soldiers. Rallies held by extremists often went unreported.

Once the genocide erupted, the United States and other governments were seized with the imperative of evacuating their nationals. This objective also dominated UN planning in the weeks ahead. Evacuation is and will remain, for governments and the United Nations, the standard response mode in life-threatening situations. The challenge, however, is how to go immediately beyond the conventional policy of evacuation and determine how also to address the underlying violence that triggers the evacuation.

A Word About Process

The conventional decision-making procedures that unfolded in the Security Council during April and May 1994 were ill-suited for responding to genocide. With each passing day, an average of 8,000 Tutsis were killed (800,000 in 100 days). The inherent delays in getting real action out of the Security Council bore no pragmatic relationship to

responding effectively to the genocide. By the time the troops for UNAMIR could be pulled together, there would be few Tutsis left to protect.

We certainly now appreciate that high-level attention to such calamities must begin much sooner, and that is one of the reasons for the establishment of my own office in the State Department and for the creation in December 1998 of the Atrocities Prevention Interagency Working Group.

Use of the "G" Word

Much has been made of our non-use of the word "genocide" during April, May, and part of June 1994 to describe the killings. In fact, the United Nations refused to refer to "genocide" in connection with the events in Rwanda and held to that position until June.

One of the canards of atrocities work is the obsessive interest of some to immediately brand mass killings as "genocide," and to label the U.S. Government as encouraging genocidal behavior when it delays in the use of the term. We recognize that there is a need to make such determinations sooner, but accurately. As I said last year on this stage, we must pay more heed to "crimes against humanity" which can describe a multitude of atrocities, without having to meet the high standard of intent required for the crime of genocide. This game of who pronounces "Genocide" first when atrocities commence is a destructive one.

Then-U.S. Permanent Representative to the United Nations Madeleine Albright pressed at the end of April for the first UN Human Rights High Commissioner, Ayala, to visit Rwanda for a close look at the situation. He undertook that trip within 2 weeks later and reported back additional information of killings and destruction. It was his 1st trip into an atrocity zone.

PDD-25

The Administration's work on a new peacekeeping policy for the U.S. Government was coming to closure in April 1994 and guided U.S. decision-making on the future of UNAMIR. As one of the staff authors of PDD-25, the Presidential Decision Directive on Multilateral Peacekeeping Operations, I was keenly aware of its use during the Rwandan crisis. In addition to the advice being rendered by the UN Secretariat, PDD-25 influenced our initial decision in mid-April to seek a withdrawal of UNAMIR because of its inability to fulfill its mandate. But the factors set forth in PDD-25 also influenced the downsizing, rather than termination, of UNAMIR in late April and then its increase to 5,500 troops in May.

Those who blame PDD-25 for placing too many constraints on U.S. support for multilateral military action, and hence on confronting atrocities, must bear in mind that the document is essential if Congressional support is to be sustained for any UN peacekeeping operations at all. PDD-25 imposes a discipline on decision-making for UN peacekeeping and peace enforcement operations that has considerable merit. One of the main factors weighed in a PDD-25 assessment is U.S. interests, including humanitarian interests. And in the post-Rwanda environment, we are all more sensitive to humanitarian crises and the extent to which they may affect the interests of the United States and of the international community. PDD-25 is not a straightjacket to deny justifiable interventions or preventive measures when the lives of thousands of innocent civilians are at stake. It is, and should continue to be, applied realistically, in light of the circumstances that confront the international community and the besieged civilian population at the time.

Information Flow

Following the closure of the U.S. Embassy in Kigali, events in Rwanda were monitored

and analyzed from U.S. Embassies in the neighboring or nearby countries of Burundi, Kenya, Tanzania, Uganda, and Zaire. With the exception of a couple of trips to assess the humanitarian situation, U.S. personnel did not enter Rwanda until July 6-7, after the French-led Operation Turquoise had established a presence. The reality of our work in government is that most of us engaged in work pertinent to the unfolding violence are prohibited from visiting violent situations. I am occasionally thwarted from visiting an area of atrocities because our security regulations prohibit any U.S. officials from being exposed to life-threatening situations. This was especially true with Rwanda in the spring of 1994.

These facts may sound tedious, but we are accustomed--and this is critical--to having our own people on the ground gathering and reporting the facts. This simply was not the case during most of the genocide that swept over Rwanda.

The lesson we have drawn from this, however, is to look to a whole package of sources of information--non-governmental organizations, private sector sources, academics, open-source media, and other governments--that can be drawn upon during life-threatening crises and more generally. We also have begun to contact refugees who would have eye witness accounts that may prove beneficial to piecing together what is happening. During the Kosovo crisis this year, we deployed to the Macedonian border to interview the very first waves of refugees. This gave us access to an enormous amount of valuable information about the crimes being committed inside Kosovo.

Hate Radio

Another critical component to the Rwandan genocide was the use of hate radio to stir up anti-Tutsi anger among the Rwandan population. We need to explore ways to better address how we can shut down such incitement machines.

Competing Priorities

A fundamental lesson we learned from the Rwandan genocide is that we cannot allow other policy priorities and breaking events to distract us from the need to respond swiftly to the outbreak of atrocities. Tough problems can be easily shunted aside by simply pointing to another crisis that more desperately needs U.S. engagement.

Further Lessons

In closing, I submit for your consideration a checklist of lessons learned from our experience with atrocities prevention. The challenge before us is how to operationalize these lessons:

- Take seriously smaller-scale outbreaks of violence against specific groups.
- Develop all-source data banks with immediate transmission of information to governments.
- Walk and chew gum at the same time, i.e., don't let other priorities in foreign policy side-line the atrocities priority.
- Accelerate decision-making in the UN Security Council on multilateral military operations.
- Respond to humanitarian imperatives by constituting robust and effective multilateral military operations.
- Address how to thwart the use of hate media to incite atrocities.

- Initiate fact-finding and criminal investigations as soon as possible, but examine carefully the timing and scope of accountability.

Conclusion

Recently I visited another massacre site a great distance from here. I have seen more than I wish to remember sometimes. As I was walking near one mass grave, the hard-driving rain forced up a human tooth which stubbed my boot. I stopped and reflected on whose tooth I had just stumbled across. I am weary of coming across the dead. While accountability remains a central concern, we also must do more to prevent this kind of slaughter. That is the purpose of this conference and the work that must follow it. We must do better at prevention, so that such killing fields do not become a permanent feature of the 21st century as they have during the 20th century.

[end of document]

Democracy, Human Rights, and Labor | Policy Remarks |
U.S. Department of State