

Secretary Albright

# U.S. Strategy for Responding To Russia's Transformation

October 2, 1998

Address to the U.S.-Russian Business Council, Chicago, Illinois.

Thank you Ambassador Strauss for that introduction. As our nation's first Ambassador to a democratic Russia, the experience, perspective, and authority you bring to the subject at hand are truly unmatched. I am glad to see Gene Lawson here—he and I started our PhD's at Columbia on the same day.

And I'm very glad to see in this audience some of the old Russia hands who treated me to a stimulating dinner seminar two nights ago. Today they're going to hear me cribbing their ideas—shamelessly.

Ambassador Vorontsov, distinguished guests: I am happy to be in Chicago and delighted to address a group that shared President Clinton's conviction that what happens in Russia matters profoundly to our security and prosperity. Let me now invite you all to sit back, digest your lunch, and formulate some polite, easy questions to ask me after my speech.

When I think about the situation in Russia today, I can't help thinking about a story I first heard on one of my early visits to that country. A train is going through Siberia when it runs out of track. In Lenin's day, the leadership says: "Our workers are strong and brave; they will keep building." Stalin says: "No, they're lazy; threaten to shoot them and then they will build." Krushchev says: "Russia is going forward, not backward, so we can use the rails we've passed over to finish the track ahead." Brezhnev says: "It's too much work; let's close the blinds and pretend we're moving." Gorbachev says: "Open the windows and let's see what happens."

Then President Yeltsin and the Russian people get the train going again. Except it's moving fast, and he keeps changing engineers. And now there are two tracks ahead. One looks tempting, for it goes downhill—but it leads to the abyss. Only the perilous track through the mountains will get Russia to its destination.

As you can guess, that's an old story, but I made up the ending. And the Russians keep writing new ones themselves.

These are, to use the Russian expression, *smutnoye vremya*—troubled times. The Russian economy is expected to shrink significantly in the coming year. A hard winter lies ahead. To many Russians, it may seem as if the promise of a better future has been betrayed once again. To many Americans, it may seem that the greatest opportunity of the post-Cold War era—building a genuine partnership with a stable, democratic Russia—is now a more distant possibility.

Of course, this is not the first crisis of post-Soviet Russia. Tomorrow will mark the fifth anniversary of the tragic showdown between President Yeltsin and the Supreme Soviet. And it was only 2 years ago that Russians were expected to reject Yeltsin in Russia's presidential election.

Each time, there were people eager to declare that Russia's transition was over for good. Each time, some people were ready to substitute soundbite for serious analysis, by asking rhetorically: Who lost Russia?

But that has always been the wrong question. The drama of Russia's transformation from a dictatorship and an empire to a modern democratic state is far, far from over. We cannot say that Russia has lost its way when, in fact, it has just begun its journey. Nor can we say that Russia is ours to lose. We can help Russia make tough choices, but in the end Russia must choose what kind of country it is going to be.

The real question today is what will the new government of Prime Minister Primakov choose? Will it take sensible steps to stabilize the economy without triggering hyperinflation, a currency meltdown, a collapse of the banking system, or shortages of basic goods? Will it reconcile the political and moral imperative of meeting human needs with the imperative of economic revival? Will it recognize that, in fact, it cannot fulfill either one of these imperatives without fulfilling the other?

On the day he was confirmed by the Duma, Prime Minister Primakov told me that the answer to these questions was "yes." He also asked us to watch his actions and to wait until his team assembled.

I cannot yet say we are reassured. We have heard a lot of talk in recent days about printing new money, indexing wages, imposing price and capital controls, and restoring state management of parts of the economy. We can only wonder if some members of Primakov's team understand the basic arithmetic of the global economy.

So we cannot say with confidence that Russia will emerge from its difficulties any time soon. Nor should we assume the worst, for there are still plenty of people in Russia who will fight against turning back the clock.

A true and lasting transition to normalcy, democracy, and free markets in Russia is neither inevitable nor impossible. It is an open question, the subject of a continuing debate and struggle. That has been true ever since this great but wounded nation began to awake from its totalitarian nightmare, and it will be true for years to come. That is why our policy must continue to be guided by patience, realism, and perspective.

I want to talk today about the Administration's strategy for responding to both the challenge and the opportunity that Russia's transformation poses. I want to speak with you not only as Secretary of State, but as someone who has spent much of her life studying and teaching about the societies that once fell on the far side of the Iron Curtain.

Over the years, my bookshelves filled with the literature of the Cold War, with books about the Soviet communist party, about U.S.-Soviet relations, about nuclear strategy. Nothing gives me greater pleasure than the knowledge that so many of them are now obsolete.

The books that still speak to us are those about Russian history. They tell a story of countless efforts to transform Russia, each leaving its mark, and yet each left unfinished.

Four hundred years ago, Peter the Great sought to open Russia to the West. Yet not till today has Russia had a chance to complete the journey it began when St. Petersburg first rose on the Neva. More than 80 years ago, the Russian monarchy was replaced not by a communist revolution but by a constitutional democracy, which collapsed before its hopes could be realized. A few years later, Stalin tried to move his country in a radically different direction. He failed, too; even his ruthless precision did not turn Russia into a permanent prison.

Today's democratic reformers cannot afford to leave their work half finished, because Russia cannot afford to be half free. But to beat the

odds, they must still beat the legacy they inherited from the last failed effort to transform Russia. And to understand their task, we need to understand just how hard overcoming the legacy of communism has been and will be.

We need to remember that a short time ago, Russia was a country where enterprises competed to produce the biggest piles of junk; a country where the dollar was at once illegal and supreme; a country that did not care for its poor because it did not acknowledge their existence; a country where crime and graft were jealously guarded state monopolies; a country where schoolbooks derided the rule of law as "bourgeois legalism."

The task of rebuilding has been harder still because, unlike the Czechs and Poles and Balts, Russians have no living memory of political and economic freedom to guide them; they are creating something new, not regaining something they had before. What is more, precisely because the collapse of the Soviet system was remarkably peaceful, many responsible for the old order are now struggling over the shape of the new one.

Seen from this perspective, it is remarkable that Russia is as open to the world as it is today. It is remarkable that power is devolving from Moscow to the regions. It is remarkable that people who want to know what is going on inside Russia can call up today's online edition of the *St. Petersburg Times* or the *New Siberia Weekly* or the *Vadivostok News*. It is remarkable that the leaders of American business can gather here to discuss the stake in Russia's future that they share with millions of workers and investors in Russia. And it is remarkable that Russia is becoming a functioning democracy, that its new government came into being because the President and the Parliament played by the rules of its post-Soviet constitution. That is not, to put it mildly, the way Russia's politics worked in the past, but it is the way most of the experts I've talked to expect it to be played in the future.

I will not downplay Russia's present crisis or suggest Russian reformers have made all the right choices. It's a troubling fact that many Russians have come to equate reform with theft. There is a danger many will come to see political and economic freedom as just another Utopian promise that never comes true.

I am deeply concerned about what is happening in Russia, but I also agree with the motto that hangs in the office of our Ambassador to Russia, Jim Collins, which says, "Concern is not a policy."

My job as Secretary of State is not to describe the worst possible outcome in Russia or anywhere else. It is to devise policies that protect American interests and encourage the best

possible outcome. That has been our objective ever since the Russian tricolor rose above the Kremlin in 1991. And while none of our policies should be exempt from scrutiny or criticism today, I believe it is a sound objective still. Our policies toward Russia will continue to be guided by several fundamental principles.

The **first** principle is that our most important priority in dealing with Russia is to protect the safety of the American people. That is an interest we pursue no matter who is up or down in the Kremlin or in which direction Russia is headed.

Our efforts have paid enormous dividends. Today, there are no nuclear weapons in Belarus, Kazakhstan, and Ukraine. Presidents Clinton and Yeltsin have agreed on cuts to be made in the START III treaty that would reduce our nuclear arsenals by 80% from their Cold War peak. Russia has joined us in banning nuclear testing and in ratifying the Chemical Weapons Convention. Our experts have worked together to upgrade the security of nuclear weaponry and materials.

Today, 75% of our assistance dollars to Russia are devoted to programs that diminish the threat of nuclear war and the danger that weapons of mass destruction will fall into the wrong hands. Just last week, our President announced a program to help scientists and workers in Russia close nuclear cities, start commercial, nonmilitary ventures, so that they are not tempted to sell their expertise to those who wish us harm.

Today, there are no Russian troops in the Baltic states. Instead, Russian troops are serving with ours in Bosnia. Russian officers are working with our allies at NATO Headquarters. Our diplomats have been working together to bring peace to the Caucuses and to Kosovo.

Yevgeniy Primakov and I worked closely together when he was foreign minister. We each came to see the other as a forceful, straight-talking advocate of a major power's national interests. We have been able to advance our cooperation where our interests' converge and to manage our differences honestly and constructively.

The question now is whether that cooperation can continue. There are many voices in Russia who want to shift the emphasis in Russia's interaction with America and our allies from one of partnership to one of assertiveness, opposition, and defiance for its own sake.

If that happens, it would be a double disaster for Russia: first, because our ability to help Russians help themselves will go from being merely very, very difficult to being absolutely impossible; and second, because a shift of the kind some are advocating in Russian foreign policy would be contrary to Russia's own

interests. After all, Russia needs an effective non-proliferation regime, and it does need to see that nations like Iran do not acquire nuclear weapons or missiles that can hit its territory. Russia needs strategic arms reduction and a treaty limiting conventional arms in Europe. Russia needs peace in the Balkans and an end to conflict on its borders. Russia needs good relations with NATO. Russia needs neighbors in central Europe and the New Independent States that are secure, thriving models of market reform—for in a global economy success and confidence are as contagious as failure and panic.

Above all, Russia needs to project a preference for cooperation to its partners in trade and investment around the world. The confrontational policies that did Russia no lasting good even in the nuclear age are certainly not going to advance its interests in the information age.

Fortunately, in the last few weeks, we have welcomed signs that the Russian leadership continues to see, as do we, that there is a basis in mutual benefit for cooperative U.S.-Russian relations. Just last week, for example, Russia joined us in the UN Security Council to support a resolution under the peace enforcement provisions of the UN Charter demanding an end to the Serbian offensive in Kosovo. We have a lot of hard work to do in the coming days to see that Milosevic gets the message.

I spoke to Foreign Minister Ivanov this morning about the atrocities of recent days, about the need to see that Milosevic understands our determination. We're continuing to work with Russia throughout this crisis, but let me be clear: If at the end of the day we disagree about whether force has to be used, the United States and its allies must be prepared to act.

Russian ratification of the START II Treaty would further confirm this positive trend. Prime Minister Primakov has said this will be a priority. His government has, by recent standards, unprecedented support in the Duma and therefore an unprecedented opportunity to get this done.

At the same time, we need to recognize that the cash-strapped Russian Government is already hard pressed to slice apart missiles, destroy chemical weapons stocks, and meet the costs of

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other obligations. Over the long haul, arms control saves Russia money, but in the short run, it carries costs we and our partners must be ready to help Russia bear—not out of charity but because our national interests demand it. That’s why it’s so important that Congress voted to increase this year’s Nunn-Lugar funding to \$440 million.

The **second** principle guiding our policy is that we also have an interest in standing by those Russians who are struggling to build a more open and prosperous society. As President Clinton made clear at the Moscow Summit, we will continue to do that in every way we can. At

the same time, we should acknowledge that helping Russia will probably be harder for some time. And the best way to help Russia now is not necessarily to send more money.

Much of the progress Russia has made in the last 7 years has come with the support of international institutions such as the IMF and the World Bank. These institutions helped Russia to conquer hyperinflation, to liberalize prices, and to make the ruble convertible. They pressed policies designed to encourage

competition and discourage corruption.

At the same time, more big bailouts are not by themselves going to restore investor confidence in Russia. Nor will they help the Russian economy unless the Russian Government is committed to sound fiscal and monetary policies.

Foreign funds should continue to be used to help Russia pursue credible reforms but not to help delay them. They should be used to support a policy of tax reform, not to make up for tax revenues the government is unable or unwilling to collect. They should be used to support a program that strengthens banks lending money to entrepreneurs, not banks set up to bet on currency fluctuations. They should be used to support policies that help the neediest Russians, not that enrich off-shore bank accounts.

In the long run, the gap between Russia’s needs and its resources must be met not by foreign bailouts but by foreign investment. Furthermore, what will truly help Russia now is not more people betting on its T-Bills but more people betting on its factories, oil fields, and people.

We need to remember that Russia has tremendous inherent wealth. Yet it has only attracted a trickle of outside investment where there should have been a bonanza. Had the

conditions been right, it is estimated that investors could have pumped more than \$50 billion into Russia’s oil and gas sector alone. As it was, in 1997, energy investment didn’t even reach \$2 billion.

Just think how much could have been done if investment on this scale had been coming into Russia from the very beginning of the 1990s. Those who blocked it have a lot of explaining to do to their people.

One of the obstacles has been Russia’s inability to approve adequate legislation on production-sharing agreements and to create a stable, predictable tax system, which would create an environment for attracting investment. A related obstacle has been the sense among many Russians that accepting foreign investment means selling their country. President Clinton and I have been making the case that this is a dangerously short-sighted view. We have pointed out that foreign investment has fueled growth in every thriving emerging economy from Latin America to central Europe, that it helped build America in the 19<sup>th</sup> century, and that attracting foreign capital to America is one of our highest priorities today.

By welcoming long-term, committed capital, Russia is not giving away its national patrimony; it is gaining jobs, growth, and tax revenues. It is gaining advances in technology that will allow it to market its resources at competitive prices. It is gaining a corporate culture that will help it to replace robber barons with responsible stewards of its national treasure. It is gaining investors who will not fly home or move their money to Switzerland at the first sign of trouble. I gather that some of those who are beginning to understand all this include Russia’s governors—who see, like our own governors, how much foreign investment can do for them.

Let me acknowledge the many members of the U.S. business community who have had the guts to hang in there despite all the difficulties you have suffered and uncertainty you have faced. I thank you all for that.

As long as the Russian Government is willing to play by global rules, foreign governments and institutions will help it to weather tough times. And whatever the policies of the government, we will try to support programs that help the Russian people and advance our shared interest in democracy.

In response to the current crisis in Russia, we have been re-examining all our assistance programs, retargeting money where it can be used effectively to support economic and democratic reform. We will increase our support for small business and the independent media and try to bring a much larger number of

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Russian students, politicians, and professionals to live and learn in America. And we intend to launch a lifeline to non-governmental organizations whose funds have been frozen in Russia's banking crisis.

Precisely because these are troubled times in Russia, these programs are needed today more than ever. They are in our nation's interest, and they support the interest of the business community. We asked the Congress to increase our funding for 1999, and we need your support now, before this year's session ends, to make that happen. This is no time to cut programs that have had such an important payoff for us.

A **third** principle we need to keep in mind is that the solutions to Russia's problems will not stick unless they have popular legitimacy within Russia.

I do not want to suggest that there is any uniquely Russian way to prosperity. If the Russian Government prints too many rubles, there is nothing inherent in Russian culture, nothing imprinted in the Russian character, that will prevent inflation from crushing its people's dreams. The laws of economics may work in mysterious ways, but they do not vary from culture to culture any more than the laws of physics.

But I do believe that even as we urge what is right, we must not treat Russia as a ward of the international community. Russia is too big and too proud for that. The policies we would like the Russian Government to pursue have to be worked out democratically, with the support and understanding of the Russian people, or they are going to fail.

This means we need to be patient with the workings of the democratic process in Russia. Under the best circumstances, there will be compromises between economic orthodoxy and political reality. After all, democracy is not rule by economist kings; it is a system that allows pragmatic politicians to build a consensus for policies that cause short-term pain.

It also means we should not start each day by taking a census of reformers in the Kremlin or hold our breath every time there is a leadership change. We should be interested in policies—not personalities.

In this respect, it is a good thing that Russia now has a government with a mandate from both the Parliament and the President. It is a good thing that communists and agrarians in official positions have to face voters with the results of what they do. They'll learn they have to do more than just complain and denounce. It is a good thing that Russia will hold parliamentary elections next year and presidential elections in

the year 2000. Far from fearing the outcome, we should look forward to what should be the first peaceful, democratic transfer of power in Russia's history.

The historian James Billington has written that many times in their history, "Russians have sought to acquire the end products of other civilizations without the intervening process of slow growth and inner understanding." Today's reformers do not have much time to go through that process. For in today's global marketplaces, Russia will be vulnerable to external shocks as long as basic market reforms remain incomplete.

Russia's transition to true freedom, stability, and prosperity will take time; indeed, it must—to be lasting and genuine. Meanwhile, we need to defend our interests and speak clearly about the choices we hope Russia will make. And we must be ready to stick with this effort for the long haul.

From the beginning of Russia's incredible journey toward freedom, I've tried not to be too euphoric when things are going well or too discouraged when things are going badly. Everything I know about transition from communism to democracy teaches me to be a short-term realist when it comes to Russia. But it also teaches me to be a long-term optimist.

This period is different from all the other periods of change and reform in Russia's history in one important way. Unlike Peter the Great's time, Russia is not seeking to enter a Europe of absolute monarchies in perpetual conflict. Unlike in 1917, it does not need to escape from a Europe engulfed in the senseless slaughter of a total war.

Yesterday, Europe was organized around alliances of countries that knew what they were against. Today, the rest of Europe and much of the world is coming together around a consensus for open markets, for cleaner government, for greater tolerance and peace. In the late 20<sup>th</sup> century, the forces that pull Russia toward integration and that counteract the autarkic, self-isolating forces within Russia itself are more powerful than at any time in history.

It is our job—because it is in our interest—to manage the aftermath of the Soviet Empire's disintegration, to help Russia integrate into the community of which we are a part, and eventually to help Russia thrive, not just muddle along. And that means remaining steady in defense of our principles, interests, and objectives. And it means standing with Russia as it moves forward—as long as it is moving on the right track.

I will continue to dedicate my best efforts to this hard-headed, principled enterprise, and I solicit yours as well.

Thank you very much. ■

*Secretary Albright*

# The Role of the UN and Its Relationship to the United States

September 28, 1998

*Remarks to the Business Council of the United Nations,  
Waldorf-Astoria Hotel, New York City.*

I am very, very grateful, Dick, for that wonderful and very kind introduction. It's terrific to be here with so many friends in a city that seems to love foreign policy and is so welcoming to all of us. It's a real pleasure to be with you.

Mr. Secretary General, excellencies, distinguished leaders of the United Nations system, members of the Business Council of the UN, guests and friends: Good evening. I am delighted to join with you in supporting BCUN and in rededicating ourselves, as the 53rd General Assembly gets underway, to the work and success of the United Nations.

I especially want to acknowledge and thank Ambassador Burleigh and America's UN team, and Assistant Secretary of State Princeton Lyman, who is about to retire after a long and truly brilliant career in the U.S. Foreign Service.

Before I go to my prepared remarks, I thought you might be interested in hearing about the latest developments in our effort to get the Middle East peace process back on track.

For many months, we have been engaged in an exhaustive effort to help the Israelis and Palestinians agree to a process of implementing their obligations under the Oslo Accords. In January, the President laid out his ideas to both sides and, since then, we have been negotiating about the details—and we're getting close to the finish line of an agreement. But so much time has passed that too much focus has been placed on what divides the parties rather than what unites them in the search for peace. That's why the President decided it was time to step up our engagement.

In meetings I had with Prime Minister Netanyahu and Chairman Arafat over the weekend, we were able to narrow the gaps on the two most important issues—the further redeployment and the security issues.

Last night, I hosted the two leaders for their first direct engagement in almost a year. Today, the President invited both leaders to Washington and met with them in the White House. In those meetings, the air was cleared, and we were able to focus on what remains to be done and how to get it done.

As a result, the President has decided to send me to the Middle East next week to prepare the ground for an intensive effort to try to bring this negotiation to a successful conclusion. The President has invited both leaders and their negotiating teams to return to the U.S. in mid-October to work with them on this all-important effort to promote peace in the Middle East.

Now, back to your regularly scheduled speech.

As Secretary of State and a former U.S. Permanent Representative here, I want to thank BCUN for supporting our requests to Congress to pay our share of costs to the International Monetary Fund, the UN, and other international organizations. One of our great concerns at this moment is the extent to which the crisis in financial confidence is proving contagious around the world. One of our great hopes is that the wisdom of the business community in backing U.S. global leadership will prove contagious around our country, including Capitol Hill.

Toward that end, tonight I wish to make an appeal for a fresh start in the debate within America and between America and the world about the role of the United Nations and our relationship to it.

I do so because the current debate has grown increasingly divisive, unproductive, and stale. It has reached the point that the United States is in real danger of losing its right to vote in the General Assembly. Under Article 19 of the UN Charter, that right is revoked for any nation that falls more than 2 years behind in its UN payments.

It's true we would retain our seat on the Security Council even if we lose our Assembly vote. We would continue to have influence within many UN agencies and programs, but the costs, nonetheless, would be high.

For example, we would lose our ability to shape Assembly decisions on many matters, including the UN budget, the selection of Security Council Members, and ensuring a fair deal for U.S. business in UN procurement. We would be less able to protect our interests in the UN's major policy-setting bodies and face greater resistance to the selection of our candidates for UN posts. We would have less credibility as a proponent of UN reform, and the steady barrage of criticism we already receive for our failure to meet UN obligations would become an avalanche. This does not have to be, and we hope it will not be. We remain determined to persuade Congress to make the payments we owe.

As many of you are aware, Congress and the Administration worked together last year to develop a plan to encourage UN reform while paying many of our overdue bills. Unfortunately, a small group of House Members blocked final passage of that plan by tying it to the unrelated issue of U.S. support for voluntary family planning programs overseas.

All year, we have tried without success to break that deadlock. Some in Congress say it's the Administration's fault. They say that if the President would only surrender his principles and cut a deal to sharply restrict international family planning assistance, the money for the UN would be appropriated, albeit subject to a long list of other conditions.

Well, the President is not about to succumb to that kind of legislative blackmail—nor should he. There are strong feelings on both sides of the family planning debate that should be worked out separately and democratically. Moreover, this controversy sidesteps the fundamental issue, which cannot be obscured by dragging in extraneous subjects.

The time has come to stop treating the United Nations like a political football. The United States is not a failed state. We have no excuse; plain and simple, we should pay our UN bills.

As the business community well knows, we have important interests throughout the UN system. That is why I am calling this evening for a fresh start. Whether or not the immediate impasse is settled during the final days of this congressional session, we have to do more next year than just run around the same flagpole chasing our tail.

If we are to break the current deadlock and get out of the rut we are in, the bipartisan mainstream must seize control of the UN

debate. And by mainstream, I mean the majority who fall between those who have nothing but praise for the UN and those who would like nothing better than to bury it.

As surveys indicate, most Americans are in this mainstream. A strong majority support the UN and want us to meet our obligations. With their backing in mind, we need an approach that is realistic, grounded in U.S. interests, and based on a small number of constructive and pragmatic principles.

The **first** is that the success of the United Nations matters greatly to the United States. For all its flaws, the UN system remains indispensable. It is the only multipurpose organization with global membership and legitimacy. It is an unmatched forum for vital statements such as President Clinton's clarion call last week for unity in the battle against international terror. It has maintained pressure on Saddam Hussein and helped to keep peace in troubled regions such as the Middle East and the Aegean.

In this, the 50th anniversary year of the Universal Declaration on Human Rights, the UN is playing a stronger and more effective role than ever in promoting the principles enshrined in that document. In addition, UN agencies help safeguard the handling of nuclear materials. They help businesspeople by protecting intellectual property rights and by setting standards on fairness of competition and quality of products. They help farmers by transmitting early warning of storms. They help workers by promoting core labor standards. They advance opportunities for women by increasing access to education and health. They serve justice through the international war crimes tribunals for Rwanda and the Balkans. And they make the world more humane by feeding children, fighting disease, and caring for the international homeless, the world's refugees.

One of the great lessons of this century is that problems abroad, if left unattended, will all too often come home to America. In a thousand ways every day, the UN helps to ensure that does not happen. And the cost to the U.S. taxpayer—for everything from blue helmets for peacekeepers to polio vaccines for babies—is less than \$7 a year, or about the price of a ticket to see your favorite movie—whether that's *Saving Private Ryan* or *How Stella Got Her Groove Back*.

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The **second** principle in our mainstream approach to the UN should be support for reform—true reform; reform aimed at making the UN more effective.

When I first arrived here in New York in 1993, I found a UN that was attempting to do too much, whose budget was not under control, whose management did not hold poor performers accountable, and whose organizational chart resembled the work of a crazed kitten in a string factory. But I think it is fair to say that, with help from the United States and other leading nations, the UN has achieved more reform in the last half-decade than in the previous 45 years.

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During this period, UN Headquarters staffing has declined. Undersecretary General Joe Connor has helped to establish unprecedented budget discipline. Peacekeeping operations have become more professional, and assessments have dropped by 80%. The Inspector General’s Office, which didn’t even exist in 1993, has grown steadily more aggressive and is responsible for tens of millions of dollars in savings. A culture of accountability, transparency, and results is slowly but surely taking hold at Turtle Bay.

Moreover, throughout the UN system, a new and dynamic generation of leaders has taken the helm, including the Secretary General,

and in a new post, Deputy Secretary General Louise Frechette.

All told, the UN today has a very strong and able management team. This is encouraging, for the reform effort is far from finished. Reform is vital because it is only right that the UN be held accountable to the world’s taxpayers; but also because, in our era, reform has a human face. Every dollar that is not spent on an unneeded report or an unproductive meeting is a dollar that can be made available for programs that save or enrich people’s lives. And that, after all, should be what the UN is all about.

The **third** principle in our approach to the UN is that we should be realistic in our demands and expectations. Over the past half-century, we have learned much about what we can and cannot expect to accomplish through the UN. Certainly, we cannot count on the UN, which is made up of nations, to provide skills or spine that nations lack. But as history has shown in places

such as Namibia, El Salvador, Mozambique, Haiti, Eastern Slavonia, and Bosnia, the UN can make important contributions—especially in post-conflict societies. Here, there is often a need for UN peacekeepers to fill the divide between combat troops, who may have more clout than necessary, and local police, who may have too little.

The UN provides no guarantee of global peace or prosperity. But in both peacekeeping and in development, it can play a vital role as catalyst and coordinator and as a bridge spanning the gaps between the contributions of others.

The **fourth** and final principle in any mainstream approach to the UN is the simplest. As I said before, while insisting that others do the same, we must pay our UN bills. This is not just a question of dollars and cents; it’s a matter of honor, of keeping our word. As business-people, you understand the sanctity of contracts. This is something we tell other nations is essential to attracting investment. What we preach, we must practice.

This is certainly not a partisan issue. As one Republican Senator told me, there is no more conservative a concept than honoring a contract. It’s those liberal Democrats, he said, who are always trying to get something for nothing.

In closing, I want to stress that a fresh approach to relations between the UN and the U.S. requires more than just a new dialogue between Congress and the executive branch. It must involve the American people, including the business community, who believe in the UN’s goals and have a profound stake in its success. And it requires a sense of perspective within the diplomatic community, as well.

America’s debt to the UN grew out of disillusionment with certain peacekeeping operations in the early 1990s and frustration with the pace of reform. But thanks to extensive consultations with the Congress and the reforms I have cited, the United States has maintained its position as by far the largest single financial contributor to the UN system. Let me repeat that, because while we are really very apologetic about not paying our arrears, we do remain the largest single financial contributor to the UN system. And no country does more than America to further the UN’s primary goal of maintaining world stability and peace.

As we explore ways to make the UN a financially viable and more effective player in world affairs, we must all be realistic, we must all be constructive, we must all carry our fair share of the burden, and we must all hold true to the UN’s vision of a world free from the scourge of war.

Let us never forget that the United Nations emerged not from a dream but a nightmare. It was not enough, after World War II, to say that the enemy had been vanquished, that what we were against had failed. The generation that had defeated Hitler was determined to build a foundation of peace, law, and dignity that would last.

To the generation that were children then, their gift of a global organization devoted to world peace was gratefully received. To the generation that are children now, that legacy must be passed on with honor and interest.

When Republican Senator Arthur Vandenberg returned to Washington from the Convention in San Francisco where the UN Charter was drafted, he was challenged by those who thought it too idealistic—even utopian. He replied that,

You may tell me that I have but to scan the present world with realistic eyes to see the Charter's fine phrases reduced to a shambles. I reply that the nearer right you may be, the greater the need for the new pattern which promises to stem these evil tides.

The Truman-Vandenberg generation understood that although the better aspects of human nature had made the UN possible, it was the ignoble aspects that had made it necessary. It is up to us in our time to do what they did in their time—to scan the world with realistic eyes; to resist the lure of partisanship and division; to establish a common ground on which our interests and our principles come together; and to revitalize and renew institutions such as the United Nations that contribute to peace, build prosperity, support the rule of law, promote social progress, and increase respect for the dignity and value of every human being.

And, as you have heard, to that end, I pledge my own best efforts and respectfully summon both your wise counsel and support.

Thank you very much. ■

*Secretary Albright*  
**Facing New Challenges  
To American Security**

September 9, 1998

*Remarks to the American Legion Convention, New Orleans, Louisiana.*

Thank you very much, Commander Jordan, National Adjutant Spanogle and members of the American Legion, and honored guests. I know that you will be addressed later by Secretary Togo West and Chairman of the Joint Chiefs, Hugh Shelton. I'm delighted to be able to be here today with them.

I want to begin by saying good morning to all of those here in the ballroom and in the grand salon. I also want to say congratulations. In New Orleans, just being awake at 9:00 a.m. is quite an accomplishment.

For my part, I am delighted and honored to participate in this convention. The American Legion is one of our country's truly great organizations. For almost 80 years, you have helped the United States remain strong and free. From sponsoring baseball to promoting child welfare to ensuring that veterans receive the respect they have earned, you serve our country well, and you remind us daily of what it means to be Americans. As Secretary of State and a very proud citizen, I salute you and wish you many more decades of success.

This convention is a wonderful occasion for bringing veterans together, but it is more than that—for it is also a time to remember those who are not here: the brave men and women who made the ultimate sacrifice for us. May we never cease to honor their memory.

Unfortunately, sacrifice has been much on my mind in recent weeks. As the Commander said, about a month ago I had the sad duty of bringing 10 of the 12 Americans who perished in the embassy bombing in Kenya back home to U.S. soil.

As I flew on that mission of pride and sorrow, accompanying the flag-draped coffins, I studied the pictures I had been given of our fallen colleagues; among them, the Marine guard, the career Foreign Service officer and his son, the epidemiologist from here in New Orleans, the Army Sergeant with the boyish expression and the future in his eyes. Theirs were the faces of America.

Like the members of this Legion, and your compatriots of long and not so long ago, they went in harm's way for our country. But there is a difference between them and you, for they were not participants in a war as we have long understood that term. They were caught up, instead, in a new kind of confrontation that looms as a new century is about to begin.

This is a confrontation not so much of armies as of values and emotions, of reason versus hate, of faith versus fear. It is not as much a clash between cultures or civilizations; it is a clash between civilization itself and anarchy—between the rule of law and no rules at all.

In this struggle, our adversaries are likely to avoid traditional battlefield situations because there, American dominance is well established. We must be concerned, instead, by weapons of mass destruction and by the cowardly instruments of sabotage and hidden bombs. These unconventional threats endanger not only our armed forces but all Americans and America's friends everywhere.

We must understand that this confrontation is long term. It doesn't lend itself to quick victories. To prevail we must summon our courage, and we must equip ourselves with a full range of foreign policy tools. Our armed forces must remain the best led, best trained, best equipped, and most respected in the world. And as President Clinton has pledged, and Defense Secretary Cohen and General Shelton ensure, they will.

But we also need first-class diplomacy. Force, and the credible possibility of its use, are essential. On most occasions, we rely on diplomacy to cement our alliances, build coalitions, and find ways to defend our interests without putting our fighting men and women at risk. At the same time, our diplomacy is stronger because we have the threat of force behind it. In this way, force and diplomacy complement each other. It's a little like having the best pitchers in the league and also having Mark McGwire to do bat clean-up.

This morning, I would like to discuss with you the new struggle we face and describe our efforts—using diplomacy backed by the threat of force—to keep Americans secure.

First, there is the challenge posed by international terror. This plague is not new; we've been fighting it a long time. But what is new is the emergence of terrorist coalitions that do not answer fully to any government, that operate across national borders, and that have access to advanced technology. Well-financed terrorist leaders, such as Osama Bin Laden, have vowed to kill Americans worldwide. Their goal is to cause America to abandon its friends, allies, and responsibilities. To that, I can only say—to use an old U.S. Army expression—“nuts!” The nation whose finest planted the flag at Iwo Jima and plunged into hell at Omaha Beach will not be intimidated.

In the aftermath of the embassy bombings, President Clinton did the right thing by striking back hard, and we are grateful to Commander Jordan and the Legion for your support. The terrorists should have no illusion: Old Glory will continue to fly wherever we have interests to defend. We will meet our commitments. We will strive to protect our people. And we will wage the struggle against terror on every front on every continent with every tool, every day.

For example, although we do not publicize it, we often use law enforcement and other assets to disrupt and prevent planned terrorist attacks. We use the courts to bring suspected terrorists before the bar of justice, as we are trying to do in the case of Pan Am 103, and as we have done in the World Trade Center case, the CIA murders, and already in the Nairobi bombing.

At home, we have changed our laws to prevent terrorists from raising funds here and allowing us to bar foreigners who support them. At antiterrorist instruction facilities here in Louisiana, and elsewhere, we've trained more than 19,000 law enforcement officers from more than 90 countries.

Around the world, we're pressing other nations to crack down hard on terrorism and have imposed economic sanctions against state sponsors of terror. Every nation has a responsibility to arrest or expel terrorists, shut down their businesses, and deny them safe haven. Despite this, some regimes still help terrorists train, like Osama Bin Laden. Those regimes help terrorists acquire funds, train, and get the travel documents they need to commit and escape punishment for their murderous acts. That's not legal; it's not right, and it's got to stop.

Finally, as our recent actions demonstrate, we will employ military force where necessary and appropriate to prevent and punish terrorist attacks. Some suggest that by striking back, we

risk more bombings in retaliation. Unfortunately, risks are present either way. Firmness provides no guarantees, but it is far less dangerous than allowing the belief that Americans can be assaulted with impunity. And as President Clinton has said, our people are not expendable.

Amidst the emotions stirred by recent events, it is vital to understand that our struggle is directed against terror, not against Islam, as our adversaries want the world to believe. Terror is not a legitimate form of political expression, and it is certainly not a manifestation of religious faith. It is murder, plain and simple. And we must strive to ensure that sooner or later, one way or another, terrorists are held accountable for their crimes.

America has been targeted by terror because we are the strongest force for peace, freedom, progress, and law in the world. But no threat, no bomb, no terrorist can diminish America's determination to lead.

A second major threat to America's security also has entered a new phase, and that is weapons of mass destruction and the systems that deliver them. For decades, we viewed this threat primarily through a narrow Cold War lens. Now, our concerns have broadened. We are deeply disturbed by regional tensions in South Asia, where both India and Pakistan have conducted nuclear tests; by Iran's test of a new missile and its pursuit of a nuclear weapons capability; and by clandestine chemical and biological weapons programs, particularly in the Middle East and North Africa.

Some point to this array of threats and throw up their hands. They say there is no way to stop the spread of such weapons and that because nonproliferation standards are sometimes violated, we ought to accept a world with no standards at all. That is dangerous nonsense.

Certainly, it will take more than arms control treaties to keep Americans secure. We need the best defense we can devise, the best intelligence we can develop, and the best emergency planning we can prepare. We must, and we are, taking steps to protect our troops against exposure to biological weapons and poison gas. But we also need the best legal framework we can create to detect and diminish these threats and discredit those who brandish them. By so doing, we can cut the number of such weapons we might one day face and reduce the chance that the deadliest arms will fall into the wrong hands.

*“America has been targeted by terror because we are the strongest force for peace, freedom, progress, and law in the world. But no threat, no bomb, no terrorist can diminish America's determination to lead.”*

For example, we will be safer if the United States and Russia are able further to reduce their nuclear arsenals. We will be safer if we continue to work with Russia—as we pledged during last week’s summit—to share data on missile launches worldwide, dispose of bomb-usable plutonium, and prevent nuclear smuggling. No nukes should become loose nukes. We will be safer if the Agreed Framework can be fulfilled—if North Korea’s dangerous nuclear program is forever put to rest and if we are able to persuade North Korea to end its reckless development and sale of missile technologies.

We will be safer if the Chemical Weapons Convention is implemented, the Biological Weapons Convention is strengthened, the Comprehensive Test Ban Treaty is ratified by the Senate and enters into force, and if a treaty to halt the production of fissile materials is negotiated. Finally, we will be safer if we can develop an effective bipartisan approach here at home to the issue of ballistic missile defense.

We all worry about long-range missiles in the hands of potential adversaries. Missiles are fast flyers. They can be fitted with nuclear, chemical, or biological warheads. And they are devilishly difficult to shoot down. That’s why we have pressed hard and successfully to reduce the number of countries that develop ballistic missiles.

In the early 1980s, for example, Argentina agreed to stop its “Condor” project, which it was developing with—of all nations—Iraq. In 1987, many of the world’s leading nations agreed to President Reagan’s plan to limit missile-related exports. Since then, South Africa and most central and east European countries have voluntarily terminated their missile programs. And we are continuing to press nations that have advanced missile technology to keep that technology to themselves.

Because of these efforts, combined with the formidable difficulties and costs of developing intercontinental ballistic missiles—or ICBMs—Russia and China are the only countries thus far to develop missiles capable of reaching the United States.

The intelligence community tells us that, of the nations that now concern us most, none except perhaps North Korea is likely to deploy a missile able to reach our shores before the year 2010. A panel of outside experts, however, has expressed a more pessimistic view, warning that Iran, for example, could be ready to deploy such an ICBM within 5 years of a decision to do so. In addition, there is the more immediate threat posed by shorter-range, or theater missiles, in hot spots such as the Middle East, Persian Gulf, and Korea.

The risks for us are two-fold. The first is that we will be complacent and leave ourselves unprepared to deal with emerging missile threats. The second is that we will rush to deploy systems that don’t work or that cost so much they hurt other defense priorities. As General Shelton recently wrote, the threats we confront must be addressed consistent with a balanced judgment of risks and resources.

The Administration’s strategy is to develop missile defense systems to protect our territory, troops, friends, and allies as a complement to other deterrence and non-proliferation measures. Currently, six theater missile defense programs are under way, and we are committed to developing and testing a National Missile Defense system by the year 2000 for deployment, if circumstances warrant, as early as 2003.

But even as we develop missile defenses, we know it would be foolhardy to put all our hopes in that technologically unproven basket, just as it would be foolhardy to entrust our security entirely to the prescriptions of arms control. We must devote attention and resources to all the capabilities we need to deter and defeat potential adversaries. And we must be prepared—as recent events demonstrate we are—to act preemptively if American lives are in danger.

Countering terror is one aspect of our struggle to maintain international security and peace. Limiting the dangers posed by weapons of mass destruction is a second. Saddam Hussein’s Iraq encompasses both of these challenges, while posing yet a third.

Unlike World War II, the Persian Gulf war did not end with the surrender and prosecution of enemy leaders. Although humiliated and weakened, Saddam Hussein and his military survived. Since then, the goal of the UN Security Council has been to deny Saddam the capacity to strike again. Its tools have included the toughest economic and military sanctions ever imposed and weapons inspections by the UN Special Commission, or UNSCOM.

In recent weeks, some in Washington have suggested that the United States has not done enough to support the UN inspectors. It has even been suggested that we have tried to prevent UNSCOM from doing its job. The critics are sincere—we are, after all, on the same side—but they are sincerely wrong when they blame America for the world’s failure to uncover the full truth about Iraq’s weapons of mass destruction program.

In fact, the United States has been by far the strongest international backer of UNSCOM. I, along with Secretary Cohen and other members of the President’s foreign policy team, have traveled the world demanding that Iraq cooperate with UNSCOM. We have provided indispensable technical and logistical support. We’ve

pushed and pushed and pushed some more to help UNSCOM break through the smoke-screen of lies and deception put out by the Iraqi regime. And we have made important progress.

Thanks to UNSCOM, more Iraqi weapons of mass destruction capacity have been destroyed since the Gulf war than during it. And just this summer, UNSCOM was able, for the first time, to conduct inspections of sensitive sites where it found new evidence that Iraq had lied about the size of its chemical weapons stocks.

Now, we have reached another critical point. In August, Saddam decided once again to cease cooperation with UN inspectors. This is a direct challenge to the authority of the Security Council and a rebuff to the Secretary General. As a Council member, the United States seeks a firm and principled response.

But I don't have to tell this audience the value in any confrontation of being able to choose your own timing and terrain. Saddam's tantrums have a political purpose: to spark a reaction; divide the Security Council; isolate the United States; and diminish support for sanctions. We have not taken any option off the table, including military force, which we have used against Iraq on three separate occasions since the end of the Gulf war. But our strategy is to keep the world spotlight not on us but on Saddam's ongoing failure to meet his obligations.

In the Security Council, even the members who have been most sympathetic to Iraq's point of view can find no excuse—or even any sense—in Saddam's latest actions. The Council is united in demanding that Iraq resume its cooperation with UNSCOM.

From the perspective of our own security, we are in a position of strength. Our ability is significantly more robust now than it was a year ago. We have added a rapid reinforcement capability. With our allies, we are tracking Iraqi troops closely through the enforcement of Operations Northern and Southern Watch. The multinational Maritime Interception Force is keeping the teeth in UN sanctions, having seized more than 30 vessels since January.

For all its bluster, Iraq remains within the strategic box Saddam Hussein's folly created for it 7 years ago. As we look ahead, we will decide how and when to respond to Iraq's actions based on the threat they pose to Iraq's neighbors, to regional security, and to U.S. vital interests. Our assessment will include Saddam's capacity to reconstitute, use, or threaten to use weapons of mass destruction. The bottom line is that if Iraq tries to break out of its strategic box, our response will be swift and strong.

Before closing, I want to say a few words about resources both for our military and our diplomats.

When I go overseas, I always try to visit with the men and women of our armed forces. It's a testament to their skills and to the unsettled nature of the world that they are present in many trouble spots—from the Gulf to the Balkans to the Korean Peninsula. The risks are always present, the tangible rewards are few, and the living conditions are never the best. But they are doing a magnificent job for America.

And so I will tell you what I tell them. As long as I am Secretary of State, I will do all I can to see that the operational tempo of our armed forces is the right one so that training is sufficient and equipment does not run down; and that whenever and wherever U.S. forces are deployed, important American interests must be at stake, the mission must be clear, and our military must have all the tools and backing they need to get the job done.

I have to tell this audience that our diplomats, too, deserve backing. This month, Congress will take final action on President Clinton's request for funds for the entire range of international affairs programs. It will also consider a special emergency request we intend to put forward in response to the recent terrorist bombings.

After what happened in Africa last month, we can no longer consider any American mission overseas to be a low-threat post. We will seek funds to restore our operations in Kenya and Tanzania and increase security worldwide. We will seek, as well, to augment our antiterrorism training program and improve our ability to track terrorists and their munitions, seize their assets, and respond to terrorist threats.

I hope we will have your support. Whether the specific challenge is building a security fence, easing a financial crisis, or preventing a regional rivalry from erupting into violence, we cannot lead without resources—and we cannot be secure unless we lead.

Fifty years ago, President Harry Truman told this convention that America will continue to take a firm position where our rights are threatened, but our firmness should not be mistaken for a warlike spirit. Those words still ring true. History has taught us that firmness in defense of reason and law is the best way—perhaps the only way—to ensure not only peace but also freedom.

*“When I go overseas, I always try to visit with the men and women of our armed forces. It's a testament to their skills and the unsettled nature of the world that they are present in many trouble spots—from the Gulf to the Balkans to the Korean Peninsula.”*

In this century, we have endured Depression, prevailed with our allies in two global wars, defended liberty through decades of Cold War, and answered the call in numerous other crises and conflicts. Now, we confront new dangers at a time of great turbulence and complexity.

We are learning, as former Secretary of State Dean Acheson once said, that the problems of American foreign policy are not like headaches when you take a powder and they are gone. We've got to understand that all our lives the danger, the uncertainty, the need for alertness, for effort and for discipline will be upon us.

Notwithstanding all this, we are not weary. We are confident. We look to the future with optimism and faith.

Long ago, when Hitler invaded my native Czechoslovakia, my family sought and found refuge in London. Europe was our world then and the war a battle for its survival. When my family was not in a bomb shelter, we were glued to the radio. Through the darkness, we were

sustained by the inspiring words of Eisenhower, Roosevelt, and Churchill, and by the courage of Allied soldiers. I was just a little girl; even then, I developed deep admiration for those brave enough to fight for freedom. And I fell in love with Americans in uniform.

The story of my family has been repeated in millions of variations over more than two centuries in the lives of those around the world who have been liberated or sheltered by American soldiers, empowered by American assistance, or inspired by American ideals.

For our country, there are no final frontiers. We are doers. Whatever threats the future may hold, we will meet them. With the memory alive in our hearts of past sacrifice, we will defend our freedom. Together, we will honor our flag, meet our responsibilities, and live up to our principles.

That, this morning, is my pledge to you—the heroes of our past, the guardians of our present, the builders of our future, the members of the American Legion.

Thank you all very much, and may God bless the United States. ■

Charles Kartman

# Recent Developments In North Korea

September 10, 1998

*Statement before the Subcommittee on East Asia and the Pacific of the Senate Foreign Relations Committee, Washington, DC.*

Senator Thomas, the last time I appeared before you was to seek confirmation as the U.S. Special Envoy for the Korean Peace Process. Subsequently, the Secretary also appointed me the U.S. Representative to the Korean Peninsula Energy Development Organization, more commonly known as KEDO.

I want to thank you again for your and the committee's support. And, I reiterate to you my intention to consult regularly with you as we proceed with North Korea.

It has been a busy month since I assumed my duties. As you know, I returned from New York September 5, following two weeks of intensive negotiations with the North Koreans.

Those negotiations resulted in commitments from the D.P.R.K. to take a number of steps toward resolving key U.S. concerns about North Korea's suspect underground construction, its August 31 launch of a new, longer-range missile, and its implementation of the Agreed Framework.

Let me make clear that, in these as in past negotiations, the U.S. approach was one of seriousness with respect to the security risks at stake, coupled with deep skepticism. Let me be clear: We do not trust North Korean intentions. It remains indisputable that North Korea represents a major threat to peace and stability not only in northeast Asia but also in other volatile areas in the region.

We have no illusions about our dealings with North Korea. There are no assured outcomes. But, I must underscore the significance of the commitments we just obtained in New York. They will facilitate our ability to deal squarely with the issues of great and immediate concern—suspect underground construction and the North Korean missile program. It will also lead to the quick conclusion of the spent fuel canning—thus dealing with an otherwise serious proliferation risk. The understanding we have reached also will lead to a resumption of Four-Party talks in the near future.

We made clear in New York that the North Koreans need to satisfy our concerns about suspect construction in the D.P.R.K. This is essential for the Agreed Framework. Reaching an agreement to deal with our concerns in this area is a top priority. Further talks on this issue, which we intend to continue in the coming weeks, will get into the details of clarifying D.P.R.K. activities to our satisfaction; clarification will have to include access to the site. We made it quite plain to the North Koreans that verbal assurances will not suffice.

During our recent talks, in close consultation with our South Korean and Japanese allies, we put the North's missile program and alleged nuclear activities front and center, insisting that the D.P.R.K. address U.S. concerns in these areas. As a result, North Korea has agreed to resume missile talks October 1. During these upcoming negotiations, we will seek to curtail North Korea's efforts to develop, deploy, and sell long-range missiles.

But, if there is anything more dangerous than a long-range missile, it is a long-range missile with a nuclear warhead. That is why we sought and obtained in New York a North Korean commitment to resume by mid-September, and to complete quickly and without interruption the canning of their remaining spent nuclear fuel. This will put an end to their threat of recent months to reprocess this spent fuel.

Finally, the North Koreans have agreed to convene a third round of Four-Party peace talks by October. It is understood by all, including the North Koreans, that the participants must move on to practical business such as tension reduction.

We remain convinced that firm and steadfast use of available channels is the best way to achieve the results we seek with respect to North Korea. This is the basic approach we used in New York, and it is one that proved to be of value during our negotiations of the Agreed Framework in Geneva.

While we are hopeful that the resumption of the various talks agreed to in New York will result in concrete benefits, we also firmly believe that the Agreed Framework must continue to be the centerpiece of U.S. policy toward the D.P.R.K. for some time to come. Though not perfect, the Agreed Framework is still the only viable alternative we have that has a chance to keep North Korea's nuclear activities in check and keep the North engaged on other matters.

Without the Agreed Framework, North Korea would have produced a sizeable arsenal of weapons-grade plutonium by now. We have prevented that for close to 4 years, and we are committed to ensuring that the D.P.R.K. nuclear program remains frozen for the future. This is, without doubt, in the interest of the U.S. and our friends and allies in and beyond the region.

We are clearly better off with the North Korean nuclear facilities at Yongbyon frozen. To cite specifics: The nuclear facilities are under IAEA inspection; Pyongyang has agreed, as a result of this past round of negotiations, to can its remaining spent fuel; the D.P.R.K. is not reprocessing nuclear fuel. In other words, the compliance record for the existing facilities is good, and a dangerous program at Yongbyon is frozen and under inspection. We have made it crystal clear to the North Koreans that we expect them to continue to live up to these obligations under the Agreed Framework.

In conclusion, what we seek in our present dealings with the D.P.R.K. is to avoid a return to the circumstances of 1993-94 when tensions between North Korea, its neighbors, the United States, and the international community were dangerously high. We will continue to look for ways to reduce tensions on the Korean Peninsula, but we will also continue to be firm and deliberate with the North. With the proper support, we can go a long way toward eliminating North Korea's ability to threaten its neighbors and to export that threat to other parts of the world.

There is no question that much depends on North Korean intentions. But, with the limited tools we have, I can assure you that we will press the North to take substantive steps to comply fully with its obligations; we will push to resolve questions about suspect underground construction; and we will persist in our efforts to eliminate the destabilizing nature of the North's missile program, including testing, deployment, and exports of missiles.

As we have explained on many occasions, however, this strategy will be best served if we are honoring our own commitments undertaken in the Agreed Framework, and, specifically, the provision of heavy fuel oil to the D.P.R.K. through KEDO.

Mr. Chairman, this Administration has worked closely with Congress as a partner in our broader policy toward the North and will continue to do so. Together, along with our allies and friends, we can make a difference and do what we can to ensure that Koreans in both the North and South can live on a peaceful and secure peninsula. ■

David J. Scheffer

# Realizing the Vision of the Universal Declaration of Human Rights

September 16, 1998

*Address by the Ambassador at Large for War Crimes Issues on the 50th anniversary of the Universal Declaration of Human Rights, Ramapo College, Mahwah, New Jersey.*

I am deeply honored to have this opportunity to open Ramapo College's celebration of the 50th anniversary of the Universal Declaration of Human Rights. This college prides itself on being a "global village" that prepares its students for an increasingly interdependent world. The fact that your student body is drawn from more than 50 foreign countries demonstrates such an international commitment. The fact that you are launching today a 4-month lecture series on human rights also demonstrates a unique understanding of global realities that surely will benefit this distinguished community of students and faculty. I want to thank, in particular, President Robert Scott and Terence Miller, the Director of International and Intercultural Education, for their gracious invitation to address you today.

No one can survey events of this decade without profound concern about worldwide respect for internationally recognized human rights. We live in a world where entire populations can still be terrorized and slaughtered by nationalistic butchers and undisciplined armies.

We have witnessed this in Iraq, in the Balkans, and in central Africa. Internal conflicts dominate the landscape of armed struggle today, and impunity too often shields the perpetrators of the most heinous crimes against their own people and others. As the most powerful nation committed to the rule of law, we have a responsibility to confront these assaults on humankind. One response mechanism is accountability; namely, to help bring the perpetrators of genocide, crimes against humanity, and war crimes to justice. If we allow them to act with impunity, then we will only be inviting a perpetuation of these crimes far into the next millennium. Our legacy must demonstrate an unyielding commitment to the pursuit of justice.

The touchstone of our work today is two documents framed 50 years ago at the United Nations. At the conclusion of World War II, the global collective conscience was devastated by reports of hitherto unthinkable atrocities committed during the war. It is from this dark period in history that both the international human rights system and international humanitarian law emerged on the world scene. In the space of 2 days in December 1948, the UN General Assembly adopted both the Convention on the Prevention and Punishment of the Crime of Genocide and the Universal Declaration of Human Rights. These two instruments—the first one binding on those countries, including the United States, which have ratified it, and the second serving as a nonbinding but powerful instrument of influence over state behavior—are the backbone of all that has followed in the fields of human rights and international humanitarian law.

Eleanor Roosevelt was this country's leading advocate for the Universal Declaration of Human Rights. Her tireless work to achieve this historic affirmation of human dignity resonates to this day in the countless actions of governments, international organizations, non-governmental organizations, journalists, and courageous individuals who seek to defend and implement the principles of the Universal Declaration. Mrs. Roosevelt said of the Declaration that, "the observance of human rights can be one of the foundation stones for peace." That remains as true today as when she spoke these words a half-century ago.

One of the resonating themes of the Universal Declaration is the rule of law in the protection of human rights. The Declaration declared that "disregard and contempt for human rights have resulted in barbarous acts which have outraged the conscience of mankind," that "human rights should be protected by the rule of law," that "no one should be subjected to torture or to cruel,

inhuman, or degrading treatment or punishment," that "all are equal before the law and are entitled without any discrimination to equal protection of the law;" that "everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal, in the determination of his rights and obligations and of any criminal charge against him;" that "everyone charged with a penal offense has the right to be presumed innocent until proved guilty according to law in a public trial in which he has had all the guarantees necessary for his defence;" that "everyone has the right to freedom of movement and residence within the borders of each State;" and that "no one shall be arbitrarily deprived of his property."

These principles and others in the Declaration complement international humanitarian law and international criminal law today. Their relevance grows with every passing day.

Until relatively recently, the aspirations of the Genocide Convention went largely unfulfilled by governments. Recall Article 1 of the Convention, which states that, "The Contracting Parties confirm that genocide, whether committed in time of peace or in time of war, is a crime under international law which they undertake to prevent and to punish." The crime of genocide includes acts "committed with intent to destroy, in whole or in part, a national, ethnical, racial, or religious group," such as "killing members of the group," "causing serious bodily or mental harm to members of the group," and "deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part."

Two weeks ago, in Arusha, Tanzania, a three-judge panel of the International Criminal Tribunal for Rwanda handed down the first judgment in history on the crime of genocide. Jean-Paul Akayesu, a former mayor of a town in Rwanda, was found guilty of genocide. Jean Kambanda, a former Rwandan prime minister, pled guilty to genocide and was sentenced to life imprisonment. Other indicted officials of the Rwandan Government are being tried on charges of genocide. A genocide case before the International Criminal Tribunal for the Former Yugoslavia was almost concluded this summer before the death of the defendant, Milan Kovacevic.

The Genocide Convention speaks loudly in the indictments by the Yugoslav Tribunal against Radovan Karadzic and Ratko Mladic. These prominent figures of the Bosnian conflict remain at large, a fact that is certainly frustrating to the victims of their alleged crimes. But their day will come, and they will face justice in The Hague. U.S. policy remains constant. Neither should

assume anything else. We would have hoped that these indictees had shown the courage to voluntarily defend themselves before the tribunal rather than cower from the international community. In the meantime, we are confident of the tribunal's continuing progress. Thirty-three indictees have been apprehended or otherwise brought into custody. Thirty publicly indicted individuals remain at large. Six judicial proceedings covering a large number of indictees currently are underway in The Hague.

So when you think of the U.S. Constitution and the UN Charter as being "living" documents, consider also the vibrancy of the Universal Declaration of Human Rights and the Genocide Convention. In the end, words embodied in documents can matter. They can be powerful swords on the side of justice.

### **International Criminal Court**

Both the Universal Declaration and the Genocide Convention helped frame the 3 years of negotiations at the United Nations over the establishment of a permanent international criminal court. These talks culminated 2 months ago in Rome at a diplomatic conference with the adoption of a statute for the court. I led the U.S. delegation to the Rome talks and know well the enormous influence the post-World War II declarations and treaties on human rights and international humanitarian law had on our labors.

We were enthused about the possibilities of the Rome negotiations. Around the world, the United States has taken the lead in efforts to bring to justice those guilty of genocide, crimes against humanity, and war crimes. We've promoted and strongly supported the international tribunals to punish widespread abuses in the former Yugoslavia and Rwanda, and we have long supported the creation of an appropriate international criminal court.

So why, on July 17th, did the United States vote against the agreement to establish a permanent court? Because the agreement that was reached in Rome puts at risk the vital efforts of the United States and others to promote international peace and security, while the worst perpetrators of atrocities may go unpunished. Such an outcome hardly promotes the interests of justice.

History teaches us that the best hope for peace and justice is when both are pursued together. The Nuremberg trials would not have been possible had the allies not defeated the Nazi regime. When U.S. and other NATO forces arrived in Bosnia in early 1996, only one indictee had been taken into custody; today, the number is 33. In practice, collective action is often the only way to lay the groundwork for justice to begin.

Thus, the U.S. delegation went to the Rome conference with twin goals: continue the progress toward international justice, while protecting the critical roles of the United States and other responsible members of the international community in maintaining peace and security through humanitarian action, peacekeeping, and, when necessary, collective military action.

We sought a court that would be empowered by the UN Security Council to pursue those responsible for heinous crimes, wherever and wherever they are, but also a court whose ability to act without a Security Council mandate would be shaped in such a way as to protect against a misguided exercise of authority that might harm legitimate national and international interests.

This was a reasonable approach that had been initially proposed by a UN team of international law experts. In Rome, we indicated our willingness to be flexible as to how cases would be referred to the court, but we felt it was essential to recognize a government's right to assess the court's fairness and impartiality before allowing its people to come under the court's jurisdiction in the absence of a referral from the Security Council. This approach guaranteed the ability of responsible governments to undertake lifesaving missions without fear that their troops would be dragged before a tribunal that had yet to stand the test of time.

Unfortunately, a small group of countries, meeting behind closed doors in the final days of the Rome conference, produced a seriously flawed take-it-or-leave-it text—one that provides a recipe for politicization of the court and risks deterring responsible international action to promote peace and security. Most problematic is the extraordinary way the court's jurisdiction was framed at the last moment. A country whose forces commit war crimes could join the treaty but escape prosecution of its nationals by "opting out" of the court's jurisdiction over war crimes for 7 years. By contrast, a country that does not join the treaty but deploys its soldiers abroad to restore international peace and security could be vulnerable to assertions that the court has jurisdiction over acts of those soldiers.

Under the treaty, the court may exercise jurisdiction over a crime if either the country of nationality of the accused or the country where the alleged crime took place is a party to the treaty or consents. Thus, with only the consent of a Saddam Hussein, even if Iraq does not join the treaty, the treaty text purports to provide the court with jurisdiction over American or other troops involved in international humanitarian action in northern Iraq, but the court could not on its own prosecute Saddam for massacring his own people.

These and other problems with the existing treaty will make it tougher to put together effective coalitions to conduct international peacekeeping and enforcement actions. This difficulty will be increased if, as envisioned by the treaty, the court tries to prosecute a crime of "aggression" that the delegates in Rome were not able even to define.

Foreign officials and representatives of non-governmental organizations tried to assure us in Rome that procedural safeguards built into the treaty—many sought successfully by the United States—meant that there would be no plausible risk to U.S. soldiers. We could not share in such an optimistic view of the infallibility of an untried institution.

The United States remains strongly committed to addressing the challenges of justice, peace, and security. We hope that other governments will recognize the benefits of potential American participation in the Rome treaty and correct its flawed provisions. The United States can make the critical difference in the ability and willingness of reluctant governments to cooperate with the court, but not if the court places at risk those who shoulder the responsibility for international peace and security.

In the meantime, the United States will continue to lead efforts to bring to justice those who have committed and, in some cases, are continuing to commit, the most horrifying of crimes. We trust our friends and allies will show as much resolve to pursue the challenges of today as they have shown in creating a future court. We hold the stakes for international peace, security, and justice to be too great to accept anything else.

## Iraq

For example, we are focusing renewed attention on Saddam Hussein and the senior members of his regime. His record is a long one. As Secretary Albright has often said, he is a repeat offender. It is extremely important that the pattern of Saddam Hussein's conduct be well known by the international community. That pattern of conduct has been criminal in character. It involves the actions of Saddam Hussein's regime during the Anfal campaign of the late 1980s against the Iraqi Kurdish people. It includes what he did to the Iranians during the Iran-Iraq

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war. It includes the invasion and occupation of Kuwait and the torture and killing of Kuwaiti civilians, and it involves actions that Saddam Hussein's regime has taken against the Marsh Arabs in southern Iraq following the Gulf war.

Our government is working with others to pull together the record of Saddam's regime in a way that can be useful to a prosecutor. For example, some years ago, Human Rights Watch and the Senate Foreign Relations Committee helped collect 5.5 million pages of Iraqi documents captured in northern Iraq. The U.S. Government has now scanned and indexed these 5.5 million pages into computer-readable form on 176 CD-ROM disks. Our goal now is to make this information accessible to investigators and prosecutors looking into Saddam's activities.

One incident stands out in the horror story of the abuses Saddam Hussein visited upon the Iraqi people. A little more than 10 years ago, Saddam's forces dropped poison gas on the Iraqi town of Halabja. Halabja's story was told on *60 Minutes* through the work of a courageous British doctor, Dr. Christine Gosden of the University of Liverpool. Dr. Gosden examined hundreds of Iraqis, many of whom were children or were not even born at the time of the 1988 attack. Her observations of birth defects, cancers, neurological disease, and more show the effects of Saddam's willingness to violate the prohibition on the use of poison gas that was codified in the 1925 Geneva Protocol. *The Washington Post* turned its entire Op-Ed page of March 11, 1998, over to Dr. Gosden so that she could tell the world the consequences of the actions of Saddam's forces on the Iraqi people. As horrible as it was, Halabja was not the only Iraqi or Iranian town attacked by poison gas dropped by Iraqi forces. We don't yet know the full extent of the lasting damage suffered by the Iraqi or Iranian people as a result of Saddam Hussein's use of poison gas.

We know even more about Saddam Hussein's actions during the invasion and occupation of Kuwait in 1990-91, including crimes against U.S. and coalition forces. Last May, I was in Kuwait and met with officials of the Government of Kuwait and leading experts at universities and non-governmental organizations. I wanted to see the evidence they had accumulated in their archives. I met with groups dedicated to keeping alive the memories of the civilians tortured to death by Saddam's forces. During the occupation, even having a camera in Kuwait could get you the death sentence, but courageous Kuwaitis working in hospitals took pictures to record the suffering these men and women endured, in most cases before being tortured to death. This, I need hardly say, is a war crime.

I was extremely impressed by what the Kuwaitis have done to gather evidence of the atrocities committed against them. Block by block, they have documented Saddam's campaign against the Kuwaiti people. This record must not be forgotten.

I was also able to visit what must be regarded as a war crime scene—the oil fields of Kuwait. As Saddam Hussein's forces were forced to flee Kuwait in 1991, he ordered his forces to destroy or release into the Gulf what turned out to be between 7 and 9 million barrels of oil. Five hundred and ninety oil well heads were damaged or destroyed, 508 were set on fire, and 82 were damaged so that oil and gas flowed freely from them. The scene at that time can barely be described—photographs and films shot at that time show a black cloud that literally turned day into night. Kuwait has done a heroic job in restoring itself from this crime. Even so, some 7 years later, the damage remains. Pools of oil remain. At one gathering station, where the oil from the wells was supposed to be processed prior to being shipped to tankers, Saddam's forces started a fire so hot it melted half-inch-thick steel like candy. These were wanton acts of destruction of property not justified by military necessity and carried out unlawfully and wantonly. If ever there was a case of a gross violation of military necessity and wanton destruction, this was the case.

Today, Kuwait is free, thanks to the action of U.S. forces, our coalition partners, and the Kuwaitis themselves. As a result, we have access to the evidence of crimes that have been committed against the Kuwaiti people and their environment. Much of Iraq remains sealed off to international investigators, but there are substantial archives outside of Iraq that document crimes committed against the Iraqi people, as well. I wish those on the Security Council could see the evidence that I have seen. There have been many threats by Saddam Hussein's regime to international peace and security to which the international community has had to respond. The Clinton Administration recognizes that the record of Saddam Hussein's conduct under international law is deplorable. We are taking measures to ensure that this record becomes better known to the world at large.

### **Kosovo**

If one is looking for an example where the principles of the Universal Declaration of Human Rights and of international humanitarian law are under direct assault, Kosovo is a prime example. A few weeks ago, I sought to visit Kosovo to bear witness to the conflict there. The Government of Serbia and Montenegro refused to issue me a visa. It also has refused visas to forensic

experts seeking to investigate reports of mass graves. President Milosevic and Serbian security forces appear, therefore, to be reluctant to encourage international observation of their military actions in Kosovo. Ironically, the refusal to grant me a visa has inhibited my ability to examine alleged criminal conduct by the Kosovo Liberation Army as well.

Serbian actions in Kosovo increasingly demonstrate that the leaders of Serbia-Montenegro are insecure about their own accountability under international law. Serbia-Montenegro has a long history of refusing to cooperate in a meaningful and constructive way with the International Criminal Tribunal for the Former Yugoslavia, particularly by refusing to turn over indicted suspects who comfortably reside on its territory. This includes the so-called "Vukovar 3" who have been indicted for crimes committed in Vukovar, Croatia in 1991. But beyond that, Serbian actions in Kosovo increasingly demonstrate that the leaders of Serbia-Montenegro appear determined to continue to ignore the requirements of international humanitarian law. Thus, the isolation of Serbia-Montenegro, including the retention of the outer wall of sanctions, will continue.

The United States deplores actions by Serb authorities in Kosovo that have resulted in widespread burnings of settlements, the displacement of hundreds of thousands of Serb citizens, and the deaths of many innocent civilians and humanitarian aid workers. We know that enough of these actions have occurred to give rise to serious concerns under international criminal law. When Assistant Secretary Shattuck was in Kosovo recently, he saw "horrendous human rights violations, violations of humanitarian law, and acts of punitive destruction on a massive scale." What is disturbing is that we do not yet know the full extent of this activity, particularly killings of innocent civilians.

Nonetheless, there is no question that the Yugoslav War Crimes Tribunal has jurisdiction to investigate and prosecute war crimes and crimes against humanity committed in Kosovo pursuant to UN Security Council Resolution 827 (1993), which covers the former Yugoslavia. There also is no question that an armed conflict exists in Kosovo.

The United States firmly supports the conclusions reached by the Office of the Prosecutor—OTP—of the Yugoslav Tribunal on both of these issues. The OTP affirmed the Yugoslav Tribunal's jurisdiction on March 10, 1998, and on June 12th, and again in July confirmed its opinion to the Contact Group that events in Kosovo constituted an internal armed conflict, which is the factual prerequisite for bringing indictments for crimes against humanity or violations of the laws and customs of war.

That means, quite simply, that the laws of war must be adhered to. Serb and KLA, or rebel combatants are required to observe international law and international humanitarian law. The Yugoslav Tribunal has the authority to prosecute those responsible for ordering atrocities and officials who fail to punish those responsible.

We also agree with the Prosecutor of the Yugoslav Tribunal, as she wrote to the Contact Group in July that any attempt by Serbia-Montenegro to deny the tribunal's jurisdiction on the grounds that Kosovo is a "police action" is simply wrong both in law and in fact.

The United States is cooperating fully with the Yugoslav Tribunal as it investigates the conflict in Kosovo. We are ensuring that relevant information is provided to the tribunal in a timely manner so that its investigations can proceed efficiently. We are urging other governments to cooperate with and provide information to the tribunal regarding the conflict in Kosovo.

Most of our concern in Kosovo resides with the performance of the Serb security forces, especially the police—MUP. Serb operations in the last few weeks show far more extensive destruction of civilian property than was seen earlier in the campaign. A scorched-earth policy appears to be unfolding in some areas. The fact that much of the damage has occurred in areas where there was no appreciable combat and frequently well after Serb forces moved through suggests a punitive rather than military motivation for much of the destruction.

In the area covered by the Serb offensives since July 26th, over one-third of the villages are damaged and an average of one-fourth of their structures—not all of which are houses—have significant damage. At least an estimated 4,000 houses have been severely damaged or destroyed.

In other words, hostilities in central and western Kosovo have resulted in at least 59 towns that have sustained 50% or more damage, and at least 105 towns that have received less than 50% damage. Crop burning also has been frequently employed by Serb forces. Livestock also are being deliberately killed.

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In short, the number of structures damaged has increased precipitously since mid-August, when Serb security forces shifted operations back to western Kosovo. Though initial operations in late July to early August were more rigorous—or punitive—against towns that served as redoubts for KLA forces, the levels of destruction since then have broadened significantly.

Serb forces have returned to areas of previous security operations to re-engage or mop up KLA insurgents, subjecting numerous towns to cyclical damage. But the majority of the destruction has been caused by the deliberate torching of structures—either a punitive measure or to conceal looting—after civilians have fled and the area has been secured by Serb forces. Most of the burning appears attributable to interior ministry forces—MUP—who occupy areas at the conclusion of Serbian army—VJ—operations.

Furthermore, Serb security forces continue to delay relief convoys to populations in need until they have deemed an area “secure,” have conducted protracted shelling of targets in close proximity to large groups of internally displaced persons, and have displayed extremely heavy-handed behavior when dealing with such persons. The forced displacement of hundreds of thousands of Kosovo-Albanians cannot be justified under any military doctrine.

We are concerned about the possibility that mosques have been destroyed in a manner reminiscent of what occurred to religious buildings during the ethnic cleansing in Bosnia. The United States believes that these attacks on both the civilian population of Kosovo—as well as civilian structures that serve no military objective—points toward the kind of activity prohibited under well-established customary international law. The United States worked hard to successfully include criminal penalties for these kinds of attacks in the statute of the international criminal court that was recently negotiated in Rome.

Article 3 of the Yugoslav Tribunal statute vests the tribunal with the power to prosecute persons violating such laws or customs of war as the “wanton destruction of cities, towns, or villages, or devastation not justified by military necessity,” as well as the “attack, or bombardment, by whatever means, of undefended towns, villages, dwellings, or buildings,” the “destruction or willful damage done to institutions dedicated to religion,” and the “plunder of public or private property.” Common Article 3 of the 1949 Geneva Conventions codifies the criminality of acts committed against persons taking no active part in non-international armed conflicts—including violence to life and person, in particular murder of all kinds—mutilation, cruel treatment, and torture; committing outrages upon personal

dignity; in particular humiliating and degrading treatment; and the taking of hostages. Other prohibitions of customary international law for non-international armed conflict include intentionally directing attacks against the civilian population as such or against individual civilians not taking direct part in hostilities; intentionally directing attacks against buildings, material, medical units, and transport and personnel using the distinctive emblems of the Geneva Conventions in conformity with international law; and intentionally directing attacks against buildings dedicated to religion.

The United States has information, which we are sharing with the tribunal, that shows the relevance of these principles of codified and customary international law with respect to the actions of Serbian security forces in Kosovo.

The Rome treaty sets forth principles of established customary international law. Despite the fact that the United States could not, in the end, sign the treaty text for other reasons, its definitions of crimes remain a useful guide for armed forces, whatever side or cause they are fighting for. We negotiated in Rome the inclusion of a specific war crime, grounded in customary international law, that confirms the criminality of an intentional direct attack against personnel, installations, material, units, or vehicles involved in a humanitarian assistance mission in accordance with the Charter of the United Nations. We believe that this kind of incident probably occurred a few weeks ago when Serbian security forces launched a cowardly mortar attack that killed three ethnic Albanian employees of the Mother Teresa NGO. This appeared to be a direct attack on a clearly marked humanitarian vehicle in open terrain during the middle of the day.

There has been much media attention and speculation about whether or not ethnic cleansing is occurring in Kosovo. Let me make clear a very simple point: For purposes of international criminal law, it does not matter. “Ethnic cleansing” is largely a political term. It is commonly used to describe the forced removal of an ethnic population from a region and replacing it with a different ethnic population. That is what occurred in Bosnia and what the Dayton Agreements are intended to reverse with the return of refugees and displaced persons to their hometowns.

In Kosovo, this kind of ethnic cleansing would not appear to yet be occurring. However, the actions taken by Serbian security forces to assault settlements and displace their populations need not be ethnic cleansing per se to be criminal in character. Although Serb civilians are not flooding into the abandoned settlements, we do not know whether such population transfers might be contemplated for the future. If they are, then ethnic cleansing indeed may be occurring.

We may just happen to be in the interregnum right now between the forced removal of one ethnic group and its replacement with another ethnic group. We are also concerned by actions of the Kosovo Liberation Army—KLA—especially disturbing reports of kidnaping of noncombatants and mass graves.

We strongly support the Yugoslav Tribunal's intentions to fully investigate the actions in Kosovo. We trust that in the coming weeks tribunal investigators, including forensic experts, will be given full access to Kosovo and that the tribunal will sustain a regular presence in Kosovo until the necessary investigations are completed. The Yugoslav Tribunal's presence on the ground in Kosovo can help deter further criminal actions as well as permit thorough examination of alleged mass grave sites and other targets of investigation. Transparency also requires access by non-governmental organizations which can assist in this process under the guidance of the Yugoslav Tribunal.

### **Afghanistan**

A final area of the world to which I would direct your attention today is Afghanistan. In August, the Taliban attacked the city of Mazar-e-Sharif and, according to reports we have seen, many civilians—we do not know how many—were killed. Officials of the United Nations High Commissioner for Refugees have heard eyewitness accounts of unlawful killings from survivors who arrived in Pakistan. While we have no independent confirmation of killings of thousands of civilians, as has been reported in the media, we certainly do not rule it out at this stage. Yesterday, the UN Security Council, on which the United States sits, expressed "its deep concern at the escalating military operations in the Bamyan Province and at reports of mass killings of civilians in northern Afghanistan." The Council demanded "that the Taliban fully respect international humanitarian law and human rights." It is essential that independent observers be permitted to determine the facts on the ground. The work of the UN High Commissioner for Refugees, non-governmental organizations, and journalists working under extremely difficult and dangerous circumstances to gather the facts has been commendable.

Among the dead in Mazar-e-Sharif in early August were 9 Iranian diplomats. The Taliban initially denied the diplomats had been killed, then a month later they admitted it. The

United States last week publicly condemned the killing of the Iranian diplomats in Mazar-e-Sharif. The inviolability of diplomats is one of the oldest rules of civilization. We have joined with other members of the United Nations Security Council in calling for an urgent investigation into these crimes so that the perpetrators can be brought to justice. This includes both those responsible for unlawful killings of diplomats as well as those responsible for war crimes against other civilians in Mazar-e-Sharif and Bamyan. On Tuesday, the Security Council issued a statement strongly condemning the killings of the Iranian diplomats and stating its belief "that this criminal act should be fully investigated with the participation of the United Nations with a view to prosecuting those responsible."

We note that press reports say the Taliban soldiers who killed the Iranian diplomats were not acting under orders and that they will be punished. The United States and all civilized nations will be watching this case to see if justice is done.

Tens of thousands of Iranian military forces and hundreds of pieces of heavy equipment are near Iran's border with Afghanistan today, and we are monitoring it very closely. The best solution to the crisis in Afghanistan is a solution that avoids military conflict and sees justice done for both Afghan and Iranian victims.

We have also seen press reports that Taliban spiritual leader Mohammad Omar has told his fighters to treat any prisoners taken in Bamyan according to the principles of Islam. The Taliban also have an obligation to respect international humanitarian law, as well. As Secretary Albright has said, if the Taliban expect to be accepted in the international community, they must respect international law.

### **Conclusion**

Next week, world leaders, including President Clinton and Secretary Albright, will gather in New York for the beginning of the UN General Assembly's 53rd session. They are confronted with a world that remains violent and dangerous, particularly for millions of innocent civilians trapped in vicious cycles of war, senseless slaughter, and greedy retribution. In this year of the 50th anniversary of the Universal Declaration of Human Rights, let us hope that all world leaders will heed the Declaration's wise principles of human conduct and finally recognize the benefits of peace and the imperatives of international justice. ■

## Special Notice

# Dissolution of the Tripartite Gold Commission

September 9, 1998

### Notice of Closure

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On September 27, 1946, as announced in the *Department of State Bulletin* on September 29, 1946, the Governments of the United States of America, France, and the United Kingdom of Great Britain and Northern Ireland established the Tripartite Commission for the Restitution of Monetary Gold in order to implement Part III of the Agreement on Reparation signed in Paris on 14 January 1946.

The Commission having completed its work, the three governments hereby announce the formal dissolution of the Commission on September 9, 1998, and the cessation of the functions of the three Commissioners on that same date.

The above text also is being published in the *Journal Officiel de la Republique Francaise* and the *London Gazette*.

### Joint Statement

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*Joint Statement of the Governments of France, the United Kingdom, and the United States On Dissolution of Tripartite Gold Commission.*

1. The Governments of France, the United Kingdom, and the United States today announce the closure of the Tripartite Commission for the Restitution of Monetary Gold. The Governments established the Commission in Brussels on 27 September 1946 to help them fulfill their duties under Part III of the Paris Agreement of 1946.<sup>1</sup> A joint announcement published by the three Governments formally established the Commission and set forth its Terms of Reference. Consistent with the Agreement's goal of arranging "an equitable procedure for the restitution of monetary gold" which would be pooled and distributed among participants in proportion to their losses, the three Governments charged the Commission with receiving claims for looted monetary gold, adjudicating those claims, and making distributions from the monetary gold pool assembled by the Governments.

2. The Commission received claims from Albania, Austria, Belgium, Czechoslovakia, Greece, Italy, Luxembourg, the Netherlands, Poland and Yugoslavia. Following extensive deliberations conducted in accordance with its Terms of Reference, the Commission established as valid claims amounting to 16,527,422.101 troy ounces/514,060.2909 kgs of gold. In reaching its determinations, the Commis-

sion treated its adjudicatory responsibilities with the utmost care and diligence, and each claim received the Commission's close and deliberate attention. In accordance with the Commission's Terms of Reference, the costs of running the Tripartite Commission were deducted from the Gold Pool. The total gold deducted for this purpose was 43,880.424 troy ounces/1,364.8337 kgs, some 0.406% of the gold pool.

3. With one exception, all distributions from the gold pool have now been concluded and waivers of claims have been received from each of the recipient countries. A small remaining share of gold and currency allocated to the successor states of the former Yugoslavia has not yet been distributed, but will be held by the three Governments pending agreement among those successor states on its disposition. The Commission has delivered a final report on its work to the three Governments, which have in turn arranged for its delivery to each of the parties to the Paris Agreement. Accordingly, the Commission's work is now completed, and its archives have been transferred to Paris, and will be made available to the public.

4. The Tripartite Commission was able to meet about 64% of the validated claims on the gold pool. The three Governments had assembled the gold pool from various sources found on territories previously under the control of Nazi Germany and from certain third countries to which gold had been transferred from Germany. Through these combined efforts, the Governments were able to assemble a monetary gold pool amounting to 10,817,021.139 ounces/336,446.97 kgs.

5. In the view of the three Governments, it is appropriate under the circumstances that prevail today—over 50 years after the conclusion of the Paris Agreement—to consider the process of collecting gold for the gold pool complete. At the same time, the three Governments remain mindful of the possibility that additional Nazi-looted gold could yet come to light. The three Governments envisage that any such gold would be handled in a manner consistent with the Paris process.

Agreement on Reparation from Germany, on the Establishment of an Inter-Allied Reparation Agency and on the Restitution of Monetary Gold, done at Paris, entered into force 24 January 1946.

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<sup>1</sup> Agreement on Reparation from Germany, on the Establishment of an Inter-Allied Reparation Agency and on the Restitution of Monetary Gold, done at Paris, entered into force 24 January 1946. ■



# TREATY ACTIONS

## MULTILATERAL

### Chemical Weapons

Convention on the prohibition of the development, production, stockpiling, and use of chemical weapons and on their destruction, with annexes. Done at Paris Jan. 13, 1993. Entered into force Apr. 29, 1997. [Senate] Treaty Doc. 103-21, 103rd Cong., 1st Sess.

*Ratifications:* Benin, May 14, 1998; The Gambia, May 19, 1998; Lithuania, Apr. 15, 1998.

### Children

Convention on the protection of children and cooperation in respect of intercountry adoption. Done at The Hague May 29, 1993. Entered into force May 1, 1995.<sup>1</sup>

*Ratifications:* Colombia, July 13, 1998; France, June 30, 1998.

### North Atlantic Treaty Organization

Protocol amending the security annex to the agreement between the parties to the North Atlantic Treaty for Cooperation regarding atomic information. Done at Brussels June 2, 1998.<sup>2</sup>

*Signatures:* Denmark, June 5, 1998; Germany, June 10, 1998.

Agreement between the parties to the North Atlantic Treaty for the security of information. Done at Brussels Mar. 6, 1997. Entered into force Aug. 16, 1998.

*Ratifications:* Belgium, July 17, 1998; United States of America, June 24, 1998.

Protocol to the North Atlantic Treaty on the accession of the Czech Republic. Signed at Brussels Dec. 16, 1997.<sup>2</sup> [Senate] Treaty Doc. 105-36, 105th Cong., 2d Sess.

Protocol to the North Atlantic Treaty on the accession of Hungary. Signed at Brussels Dec. 16, 1997.<sup>2</sup> [Senate] Treaty Doc. 105-36, 105th Cong., 2d Sess.

Protocol to the North Atlantic Treaty on the accession of Poland. Signed at Brussels Dec. 16, 1997.<sup>2</sup> [Senate] Treaty

Doc. 105-36, 105th Cong., 2d Sess.

*Acceptances:* Belgium, Sept. 14, 1998; Iceland, Aug. 25, 1998; Luxembourg, July 24, 1998; Spain, July 29, 1998; United Kingdom, Aug. 17, 1998.

*Ratifications:* France, July 15, 1998; Germany, Apr.

24, 1998; Greece, July 31, 1998; Italy, Sept. 23, 1998; Spain, July 29, 1998; United States of America, Aug. 20, 1998.

## BILATERAL

### Benin

Agreement regarding the provision of commodities, services, and related training to assist the Republic of Benin's forces participating in the African Crisis Response Initiative. Effected by exchange of notes at Cotonou June 24 and July 23, 1998. Entered into force July 23, 1998.

Agreement regarding the status of U.S. military personnel and civilian employees of the U.S. Department of Defense temporarily present in Benin in connection with the African Crisis Response Initiative and other activities. Effected by exchange of notes at Cotonou June 24 and July 29, 1998. Entered into force July 29, 1998.

### Canada

Agreement amending Annex IV to the treaty concerning Pacific salmon of Jan. 28, 1985 (TIAS 11091), with attachment. Effected by exchange of notes at Washington July 24 and Aug. 12, 1998. Entered into force Aug. 12, 1998.

### China

Agreement extending the agreement of Dec. 15, 1988 (TIAS 12026), as amended and extended, on maritime transport. Effected by exchange of notes at Washington June 22 and July 20, 1998. Entered into force July 20, 1998.

### Finland

Acquisition and cross-servicing agreement, with annex. Signed at Helsinki and Stuttgart June 25 and July 25, 1998. Entered into force July 25, 1998.

### Greece

Agreement extending the air transport agreement of July 31, 1991, as extended. Effected by exchange of notes at Athens July 24 and 29, 1998. Entered into force July 29, 1998.

### Russia

Agreement on scientific and technical cooperation in the management of plutonium that has been withdrawn from nuclear military programs, with annex. Signed at Moscow July 24, 1998. Entered into force July 24, 1998.

## Ukraine

Agreement concerning the International Radioecology Laboratory of the International Chernobyl Center on Nuclear Safety, Radioactive Waste and Radioecology, with annex. Signed at Kiev July 22, 1998. Entered into force July 22, 1998.

Agreement extending the agreement of Oct. 25, 1993, concerning operational safety enhancements, risk reduction measures, and

nuclear safety regulation for civilian nuclear facilities in Ukraine. Effected by exchange of notes at Kiev July 22, 1998. Entered into force July 22, 1998.

Agreement on trade in textiles and apparel, with annexes. Signed at Kiev July 22, 1998. Entered into force July 22, 1998; effective Dec. 1, 1994.

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<sup>1</sup> Not in force for the U.S.

<sup>2</sup> Not in force. ■