

Secretary Albright

# A New Chapter in U.S.-Africa Relations

December 9, 1997

*Remarks at the Organization of African Unity, Economic Commission for Africa, Addis Ababa, Ethiopia.*

Good morning. Thank you, Dr. Amoako, for making this beautiful and historic hall available.

And thank you, Secretary General Salim, for your introduction and for all you have done to make the Organization for African Unity a force for peace, democracy, and development in Africa. I was glad to have the opportunity to greet the representatives of the Great Lakes states and of this subregion earlier this morning. And I am pleased to have with me this morning Ambassador David Shinn, America's very capable ambassador to Ethiopia.

On my first visit to the continent as America's Secretary of State, I do not come with a ready-made sermon, a long list of requests, or a sack full of promises. I come rather to open a dialogue with you and with people from all parts of Africa—whether they are powerful or impoverished, high officials or refugees.

This is my first visit as Secretary, but it will not be my last. And our dialogue will reach new heights when President Clinton makes his planned trip to Africa. I have come because it is time for the people of the United States to open a new chapter in our relations with the people of this continent.

It is time because Africa's best new leaders have brought a new spirit of hope and accomplishment to your countries, and that spirit is sweeping across the continent. They know that the greatest authority any leader can claim is the consent of the governed. They know that the greatest challenges to their plans are the twin threats of corruption and cynicism. And they know the value of cooperation—within their own societies, with their neighbors, across the continent, and throughout the international community.

Africa's new leaders come from varied backgrounds. They are as diverse as the continent itself. But they share a common vision of empowerment—for all their citizens, for their nations, and for their continent. They share an energy, a self-reliance, and a determination to shape their own destinies.

They are moving boldly to change the way their countries work and the way we work with them. They are challenging the United States and the international community to get over the paternalism of the past; to stop thinking of its Africa policy as a none-too-successful rescue service; and to begin seizing opportunities to work with Africans to transform their continent.

The United States and the international community have not always worked together with Africa and Africans as well as we might. In my view, if we are all more ready to listen, if we all push ourselves to understand, and if we are ready to work as true partners, we can do better. And we must do better.

We must do better because Africa matters. And right now, no place matters more in Africa than the Great Lakes. Achieving lasting peace in this region will be as difficult as implementing the Camp David agreement and as complex as sustaining the Dayton accords. Yet the rewards are surely as great—and success no less important to us.

The region's natural and human resources as well as its strategic location make it either a catalyst or a stumbling block to African unity. Central Africa can steady or destabilize half a continent; it can inspire or retard economic growth from Kampala to Cape Town.

I have begun my trip here at the OAU because I want the people of Africa to know that the people of the United States care about what happens in Africa. We care because we have our own important interests—economic, political, humanitarian. And we care for the sake of Africans.

But we also care because Africa's leaders have embarked on one of the great projects of our time. Can viable democratic societies be built to withstand the challenges of our times, such as globalization, environmental degradation, overpopulation? That enterprise demands the ideas and energy of people everywhere.

I will travel to the Great Lakes region to say that building an enduring peace will require more than words of concern and more than a

few visits. We must make the effort to know each other well, to learn from each other, and eventually to trust each other. I will seek out the region's young people—in schools and hospitals, clubs, and refugee camps—because Africa's youth have been for too long the victims of our failures. They must instead be the foundation of our success.

In the Great Lakes today, we have an opportunity—unprecedented since African states gained their independence—to build a true partnership. A successful effort will support peace and the rule of law, promote good governance and democracy, and encourage economic development and integration. The United States is prepared to engage deeply in this shared effort—and to act as a catalyst to gain the support of others.

Together we must break the cycle of violence within and between societies. For decades, Central Africa has been the scene of multiple conflicts fueled by the tragic legacy of colonialism, by destabilizing Cold War rivalries, and by a recent

history of international neglect. In too many places, those conflicts continue—driven by ethnic rivalries, long-held grievances, or simply lust for power.

We must put an end to the culture of impunity that has claimed so many lives and done so much to discredit legitimate authority throughout the region. To do our part in addressing this challenge, the United States hopes to work with leaders across the region in a Great Lakes Justice Initiative, to develop judicial systems that are impartial, credible, and effective. We are working to make \$30 million available to support national initiatives to train court and police officials, rebuild legal machinery where it has fallen into disrepair, and assist programs that promote reconciliation and healing after conflict.

But justice is only part of the answer in the Great Lakes. Although the states of the region are making important strides toward stability, we must also admit that Central Africa's peace is partial at best and threatened both within and across borders—a situation none of us can afford to ignore. Neither can we stand by when we have the opportunity to help Africans who are bringing new vigor and determination to the task of rebuilding their societies.

In the Democratic Republic of Congo, the end of Mobutu's repressive reign has opened a historic opportunity for the Congolese people

to achieve the democracy, prosperity, and peace they have so long been denied. The new government, under President Kabila, has expressed a commitment to constitutional reform, democratic elections, and economic recovery. The Kabila government has a great distance to travel to meet these goals and overcome justified skepticism. We want to do all we can to help. We all owe the Congolese people our support as they work toward those goals.

Clearly, there is no simple blueprint for success. Overcoming the distrust and fragmentation that are legacies of the Mobutu years is essential. Securing the rule of law and the observance of human rights for all the country's inhabitants will be a critical step toward enabling them to transform their own lives and build better futures.

The Constitution Drafting Commission that President Kabila has established can, if it operates openly and inclusively, help create a government that works, that is representative, and that earns the respect of its citizens. If fulfilled, President Kabila's commitment to holding elections will be a first step toward invigorating the democratic process, and his government's cooperation with the work of the UN human rights groups is a necessary step to end the culture of lawlessness under which the Congo's people have suffered for so long.

Unlocking the Congo's vast potential will be essential to any long-term strategy for peace and prosperity in the Great Lakes. As African leaders apply their energy and creativity to that challenge, the United States is prepared to make a substantial commitment to supporting them.

I am pleased to announce today that the United States will contribute \$10 million to the World Bank trust fund that the Friends of the Congo have pledged to establish. Through it, the international community will support reconstruction projects that reflect Congolese priorities.

I can also announce today that the United States intends to work with our Congress to enable us to expand our aid to the Congo, significantly. Through financial and technical assistance programs in health, sanitation, finance, infrastructure, and other areas, this money aids the Congolese people in their struggle to rebuild their lives and renew their country.

We are also looking at the possibility of debt relief: We encourage the Government of the Congo to work with the World Bank and the International Monetary Fund to develop an economic reform program. When an appropriate program is in place, the United States will cooperate with other creditors to provide relief.

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But the cycle of violence will not be broken until citizens can pursue their goals more successfully with ballots rather than with bullets, and until investors replace insurgents as forces for social transformation. The commitment of regional leaders to the social, political, and economic empowerment of all their citizens is fundamental. It is through such empowerment that citizens gain a meaningful stake in their societies.

Those who would build democratic institutions and market-based economies in the Great Lakes face tremendous obstacles: societies weakened by protracted and brutal conflicts; devastated government institutions; and the legacies of authoritarian rule. The process will be long, and there will be setbacks.

Democracy is always and everywhere a work in progress. But in all its forms—and there are many—democracy has universal qualities that transcend institutional choices: the primacy of the will of the people; respect for the rule of law.

Openness and transparency in government will also help release the region's economic potential. Some of the region's governments are already making important progress in reforming their economies, and their growth rates show it.

Through debt relief and President Clinton's Partnership for Economic Growth and Opportunity, we are committed to helping countries that undertake economic reforms find capital to develop their industries and markets to sell their products. A presidential delegation of businesspeople, Members of Congress, and U.S. Government officials were in Addis Ababa just yesterday—as the Secretary General mentioned—looking at ways that this initiative can reinforce reforms already in place.

Whether economically, politically, or socially, we know that regional integration has worked wonders for peace around the world—from Europe to South America to Southeast Asia. None of us has all the answers. Could it be that, for peace to take hold in the Great Lakes, the barriers must come down and the region must open up—to free trade, to free travel, to free exchange of ideas?

In this and other areas, I want to work with the region's leaders to ask the right questions. And one subject on which you are asking very legitimate questions, and where we must help provide answers, is the responsibility of donor countries, international organizations, and African nations to learn from our successes and failures to:

- Ensure that humanitarian aid is not used to sustain armed camps or to support genocidal killers;

- Find more effective ways of preventing conflict and reconciling former adversaries;
- Achieve justice and accountability in the aftermath of large-scale human rights violations; and
- Resist the emergence of new tyrannies.

Let me be totally clear on where we stand. The United States has made a strong commitment to supervise our refugee assistance far more closely—and to work to keep humanitarian aid from falling into the wrong hands.

Prime Minister Meles and the OAU have taken an important step toward learning from past mistakes, by proposing that an international panel of eminent persons be convened to study the recent genocidal violence, to examine the international community's response, and to consider how such humanitarian disasters might be prevented in future.

The United States strongly supports your proposal. We will cooperate with you in every way possible to help such a commission do its work. Let me begin that process here today by acknowledging that we—the international community—should have been more active in the early stages of the atrocities in Rwanda in 1994, and called them what they were—genocide.

We also welcome the joint initiative that the OAU and UNHCR have undertaken to promote respect for humanitarian principles. In this as in so many other areas, the OAU is at the forefront of the search for African solutions to African problems.

But even more important than these steps toward a new chapter in our relations is the tone in which our partnership is conducted. It must rest on shared responsibility, mutual respect, and mutual self-interest. It must allow us to speak frankly and disagree openly, without putting into question the principles we share. And it must contain a long-term commitment to meet formidable challenges by promoting peace, building democracy, and supporting economic growth.

Today we have a choice. We can pursue shortsighted rivalries, seek short-term gains, and make only commitments of short duration; or we can decide to move forward from the

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failures and recriminations of the past and begin to forge pragmatic, enduring responses to the immense challenges we face. We have reached a point in history when no nation need be left out of the global system, and every nation that seeks to participate and is willing to do all it can to aid itself will have America's help in finding the right path.

This view is not based on any illusions. Africa, and its friends, have seen far too much of poverty and suffering to indulge in sentimentalism. But we live in a world that has been

enriched immeasurably by those who have emerged from the ravages of war to rebuild their lives, recreate their communities, and renew the progress of their nations.

It is from the best efforts of those citizens that a new Africa can be built. It is my belief that we are seeing just that from Africa's ground-breaking leaders—and people. And we pledge our best efforts to nurturing a new partnership that will work to the benefit of Africans and Americans alike. ■

Secretary Albright

# 1998: A Year of Decision in American Foreign Policy

January 13, 1998

Remarks at the Center for National Policy, Washington, DC  
(introductory remarks deleted).

Thank you very much. It is a great pleasure to be here. Since this is my first speech of the year, I thought I would use it to preview our 1998 foreign policy agenda here on Capitol Hill. But before doing that, I want to reflect a little on 1997. It is hard for me to believe that only 12 months ago, I was awaiting confirmation by the Senate as Secretary of State.

For me, the year since has been extraordinary. Not only have I had the opportunity to engage in diplomacy full time, in Baltimore, I was invited to throw out the first baseball on opening day; in Asia, I was allowed to sing in public for the first time since grade school; and just last month, I was included on a national magazine's list of the 25 most intriguing people—alongside a cloned sheep.

I also had the experience of receiving letters such as one referred to in *The Washington Post* not long ago, about the very pregnant crossword puzzle fan in England who couldn't come up with an answer to the clue, America's Secretary of State—and who, then, while in the midst of a difficult and protracted labor, suddenly began hollering, "It's bloody Madeleine Albright."

Fortunately, there were many substantive high points, as well. Despite frustrations and setbacks, it was a very good year for our foreign policy.

Thanks to bipartisan support, the United States joined the Chemical Weapons Convention as an original member. And, clearly, given recent events in the Gulf, our leadership in opposing the spread of weapons of mass destruction is vital.

In Europe, NATO invited new members and prepared for new missions, while forging historic partnerships with Russia and Ukraine. In Bosnia, we reinvigorated efforts to fulfill the Dayton accords so that the hard-earned peace will last, and the investment and sacrifices we have made will not have been in vain.

In Asia, we signed new defense guidelines with Japan, began Four-Party talks aimed at lasting peace on the Korean Peninsula, and intensified a dialogue with China in which we achieved progress on economic and security matters and maintained our principles on human rights, where we saw Beijing take several positive steps, including the release of Wei Jingsheng.

In preparation for planned visits by the President this year, we opened new chapters in our relations with Latin America and the Caribbean, South Asia, and Africa. We took an essential first step toward a global agreement to combat climate change. We put efforts to advance the status of women right where they belong—in the mainstream of American foreign policy. We laid the groundwork for a much needed reorganization of our foreign policy institutions. And we made progress toward reestablishing a bipartisan consensus for U.S. leadership in world affairs, as evidenced by the first increase in funding for international programs in several years.

So we begin 1998 in a position of strength. Our economy is humming, our alliances are firm, our military is the best, and the democratic values we cherish are embraced by a greater portion of the world than ever before. But experience warns us that the course of events is neither predictable nor smooth. And given the pace of our era, we know that new threats to our security and prosperity could arise with 21st-century speed.

Accordingly, we must—and we will—maintain our vigilance in the Gulf, so that Saddam Hussein is never again able to threaten Iraq's neighbors with aggression or the world with weapons of mass destruction. Earlier this morning, I took a telephone call from Foreign Minister Primakov in order to talk about what is going on in Iraq. It is very important; the President stated it yesterday. We will restate it

and continue to restate it: that unconditional access by UNSCOM must be the Council's bottom line. It is absolutely essential that Saddam Hussein live up to the obligations that are in the Security Council resolutions, and that he must come clean as far as the weapons of mass destruction are concerned. We need to know what he has had and what the potentials are—and we need to have access. UNSCOM must have access unconditionally and unfettered to the various sites.

I think we have to keep in mind and remember that the regime put forward by the Security Council and sanctions is the most

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comprehensive sanctions regime in the history of the world. It is not there in order to punish the Iraqi people. We feel very deeply about them and have, in fact, been authors of a resolution in order to make sure that Saddam Hussein does provide for humanitarian help and goods for the people of Iraq.

But it is also absolutely essential that Saddam Hussein live up to his obligations and that he not be a threat to the region. Therefore, we will continue to be vigilant and determined, and we do not rule out any options.

In the Middle East, we will strive to make this a year in which decisive steps toward a lasting peace are taken. And I know the President will make that clear in his meetings next

week with Prime Minister Netanyahu and Chairman Arafat.

We will be looking for opportunities to strengthen our key bilateral relationships in every region on every continent. And we will continue working on an urgent basis with affected governments, the IMF, the international community, and the private sector to restore confidence to the troubled economies of East Asia.

Because the world economy is so interconnected, restoring confidence and financial stability in Asia is very much in our long-term economic and security interests. That is why the President has responded to the current

financial crisis by strongly backing recent IMF initiatives in Asia and by underscoring this support by pledging to work with others in the international community to provide contingency funding should this prove necessary.

We have stressed that successful restoration of market confidence and future growth and development in East Asia will depend on vigorous and sustained implementation of economic reform commitments. These reforms include the implementation of market-opening measures, restructuring of financial sectors, and greater investment transparency.

In the weeks to come, I will be addressing these and other issues in more detail. But this morning, I wanted to highlight in particular four tests of American leadership that we will confront this year on Capitol Hill, because 1998 will be a year of decision—and the decisions we make in collaboration with Congress will do much to determine our course in the next century.

One choice is whether Congress will support continued implementation of the Dayton accords. Shortly before Christmas, I went to Bosnia with the President, Senator Dole, and Members of Congress to visit our troops and talk frankly with local leaders. We found a nation that remains deeply divided but which has also made great strides since the days of ethnic cleansing and non-stop shelling. Slowly, the infrastructure of peace is taking shape, and the psychology of reconciliation is taking hold.

The Bosnian people and their partners have a broad agenda for the coming year—to strengthen multi-ethnic institutions that are now beginning to function, assist refugees who are now returning home, help local economies that are now starting to recover, and back the war crimes tribunal, which is now making its presence felt in the cause of justice and the pursuit of truth.

As the elements of a new Bosnia come together, the evidence is growing that if we persevere, peace will be sustained. But if we were to leave now, as some urge, the confidence we are building would erode, the fragile institutions of democracy would become embattled, the purveyors of hate would be emboldened, and a return to war and possible renewed genocide would be likely.

This would squander the progress Americans have helped Bosnians to achieve and devalue the sacrifice our armed forces, diplomats, and private citizens have made. It would undermine American leadership within NATO, which is vital to our overall national security. And it would abandon those throughout Bosnia who believe in democracy and have put their faith in the United States.

Quitting is not the American way. The mission in Bosnia should determine the timetable, not the other way around. And as the President made clear last month, that mission must be achievable, tied to concrete benchmarks, not a deadline. Our purpose is to do all we can—in partnership with our allies and in cooperation with the people of Bosnia—to create a climate of security that is sustainable, so that when our troops do leave Bosnia, they leave for good. The NATO-led effort to build peace in Bosnia reflects the importance of a second test for 1998, which is to gain the Senate's agreement to the proposed enlargement of that alliance, perhaps the best friend peace has ever had.

Through five decades, NATO has proven itself not as an instrument of war—although its ability to counter aggression is unparalleled—but as a guarantor of peace. Since the alliance was established, no nation has dared attack a NATO member in Europe. By adding Poland, Hungary, and the Czech Republic to the alliance, we will expand the area within Europe where wars simply do not happen. And we will enlist in the cause of peace three new allies that are dedicated to NATO principles and ready to contribute to the freedom and security of the continent. We will also maintain a strong incentive for the nations of central and eastern Europe to build true democracies, respect human rights, and resolve long-festered ethnic and territorial disputes.

During my lifetime, I have been both a product and a student of European history. And when I see Romanians and Hungarians becoming friends after centuries of enmity; when I see Poles, Ukrainians, and Lithuanians forming joint military units; when I see Czechs and Germans overcoming decades of mistrust and central Europeans improving their political and economic ties with Russia—I know the currents of history are shifting in directions that will make us all more secure.

The choice the Senate will be asked to make this spring is whether to reject NATO enlargement and leave the alliance organized to fight an enemy that no longer exists; or to validate America's leadership in a new NATO, bolstered by new democracies, sustained by enduring principles, and dedicated to deterring and defeating new threats. I hope and I believe that with the support of leaders from both parties, and with the encouragement of the American people, the Senate will make the right choice and allow NATO enlargement to proceed.

The third legislative test for 1998 is whether we will pay what we owe to the United Nations and the International Monetary Fund. This matters because the United States cannot solve every problem that affects us on our own, nor would we want to try. We use international

organizations to address challenges that extend far beyond our borders and to ensure that others bear a fair share of the costs and risks. And do not doubt, we have serious business to conduct in these organizations.

As we speak, UN inspectors are striving to overcome Iraqi deception and obstruction concerning Iraq's weapons of mass destruction programs. The IMF is playing the central role in efforts to end the financial crisis in East Asia. And to succeed, the IMF must have the resources required to leverage reform, restore stability, and spur renewed growth. At the same time around the world, international bodies are striving to remove land mines, punish genocide, promote human rights, prevent disease, feed the hungry, halt the exploitation of children, provide early warning of hurricanes, and ensure that the rights and safety of those who travel or do business overseas are protected.

The fact that we are so far behind in our payments to these organizations hurts America. It makes it harder for them to carry out programs that serve our interests, it undermines our proposals for making them more efficient, and it is an open invitation to potential adversaries to run America down.

That is why we were pleased last year to receive bipartisan support for legislation that would have gone a long way toward meeting our obligations. Unfortunately, final passage of that bill was blocked by a small group of House members—not because they opposed the bill or had credible arguments against it, but because they wanted to take a legislative hostage. And as the price for releasing the hostage and allowing the bill to pass, they insisted that the Administration agree to their unrelated position on international population programs.

The victims of this act of legislative blackmail are the American people, for the failure to pay our UN debts undermines our leverage just as Saddam Hussein was challenging the authority of the Security Council. And it damaged our credibility just as the General Assembly was voting on a plan that could have reduced by roughly \$100 million a year the amount we are assessed by the UN system.

In 1998, we will insist that the hostage be released so that members be permitted to vote on this issue on its own merits. After all, the

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best America is a leader, not a debtor. We have an obligation that we must meet—as members of organizations we helped build—to abide by rules we helped write, to further goals of law, peace, and prosperity that Americans deeply support.

I have to say, as I read this part of the speech, it is so ludicrous that we have done this that I cannot imagine how we can continue to damage America by holding this plan hostage. It is truly ridiculous.

A fourth test of foreign policy leadership this year is whether Congress approves the proposed Africa Growth and Opportunity Act. This is a Capitol Hill initiative—supported by the Administration—designed to frame a new American approach to a new Africa.

During my recent visit to that continent, I was impressed by the opportunities that have arisen to integrate Africa into the global economy, build democracy, move beyond the terrible conflicts that have plagued the region, and cooperate in responding to global threats. We believe that the African countries that most deserve our help are those that are doing the most to help themselves. And that the most useful help we can provide is the kind that will enable economies to stand on their own feet through open markets, greater investment, increased trade, and the development among their people of 21st-century skills.

Obviously, this is not a complete list of the foreign policy tests that Congress and the Administration will face in the months ahead. We will be seeking the funds we need to give Americans the diplomatic leadership they deserve by supporting programs that range from the inspection of North Korean nuclear facilities to fighting the war against drugs to training Peace Corps volunteers to protecting the global environment.

We will be working with Congress to see that the President has the tools and authorities he needs to promote American prosperity by opening markets and bringing down barriers to trade. We will be asking Congress to approve legislation to implement U.S. participation in the Chemical Weapons Convention, and the Senate to approve treaties such as the Comprehensive Nuclear Test Ban, the Law of the Sea Treaty, and the Convention to Eliminate All Forms of Discrimination Against Women.

We will be seeking to ensure that the full range of American interests are protected in legislation affecting key relationships, such as those with Russia and China. We will be asking congressional approval, where needed, of our foreign policy reorganization plans. Above all, we will be working to build and maintain bipartisan support for principled and purposeful American leadership.

The spirit of bipartisanship in American foreign policy was perhaps never more visible or vital than in 1948, exactly a half-century ago. That was an intensely political year, in which a bitter Presidential campaign was closely contested. Yet, in that year, a Democratic President and a Republican Congress came together to approve the Marshall Plan, lay the groundwork for NATO, help create the Organization of American States, recognize the newborn state of Israel, assist Greece and Turkey in their struggle to remain on freedom's side of the Iron Curtain, and airlift supplies around the clock to a blockaded Berlin. Secretary of State Marshall called this record a brilliant demonstration of the ability of the American people to meet the great responsibilities of their new world position.

There are those who say that Americans have changed and that we are now too inward-looking and complacent to shoulder comparable responsibilities. In 1998, we have the opportunity to prove the cynics wrong. And I believe we will.

From the streets of Sarajevo to the Korean demilitarized zone to village squares in Africa to classrooms in Central America to boardrooms in central Europe and courtrooms at The Hague, the influence of American leadership is as deeply felt in the world today as it has ever been. That is not the result of some foreign policy theory; it is a reflection of American character.

We Americans have an enormous advantage over many other countries because we know who we are and what we believe. We have a purpose. And like the pilots of a plane who know from experience that their instruments will guide them home, like the faith of a farmer that seeds and rain will cause crops to grow, we have faith that if we are true to our principles, we will succeed.

Let us, then, do honor to that faith. In this year of decision, let us reject the temptation of complacency and assume—not with complaint, but welcome—the leader's role established by our forebearers. Let us be doers and not doubters. Let us be confident that the values that have sustained Americans from Valley Forge to Desert Storm are the right ones, and that by living up to the heritage of our past, we will fulfill the promise of our future and enter the new century free and respected, prosperous and at peace.

To that end, I pledge my own best efforts and respectfully solicit yours. Thank you very much. ■

*Deputy Secretary Talbott*

# Opening Doors and Building Bridges in the New Europe

January 21, 1998

*Address before the Paasikivi Society, Helsinki, Finland  
(introductory remarks deleted).*

I would like to speak to you this afternoon about my own country's perspective and role. First, I will address U.S. strategy toward Europe as a whole, then our strategy toward the Nordic and Baltic region.

The premise of U.S. policy could not be simpler. It is this: The safety and well-being of the American people depend in no small measure on the peace and prosperity of Europe. We have learned that basic truth the hard way. Twice in the lifetime of our more senior citizens, Europe exploded into world wars that cost the lives of over a half-million Americans. The Cold War also began on this continent, and it cost the United States the equivalent of over \$13 trillion. Moreover, in the crises over Berlin and Cuba, it brought us all near the brink of nuclear holocaust.

Bill Clinton came into office acutely aware that he was the first American President to be elected after the end of the Cold War. Hence he sees it as not just an opportunity but as an obligation to make sure that the United States does everything in its power to help build a Europe that is whole and free and at peace for the first time in its history.

That is the goal. The means, as we see it, are largely institutional or—as is often said—architectural. We are building a structure in which we, our children, and our grandchildren will make our homes. The foundation of that structure is a shared commitment to democratic governance, to civil society, to sustainable development through the dynamism of the free market, to the rule of law and human rights, to the principles of mutual respect, and to the peaceful settlement of disputes.

The task of constructing a new Europe requires us to adapt existing structures where possible and build new ones where necessary. They include mature institutions, now entering dignified middle age, such as the Council of Europe and the OECD, which have been

around for decades. Others, like the Euro-Atlantic Partnership Council, were born only last year.

The United States belongs to some of these organizations; it is an observer in others. With respect to others still, the United States is an interested well-wisher. The size, the scope, the job descriptions, and the membership lists of these institutions are different, but their missions and their compositions are often overlapping. In some key respects, they are mutually reinforcing. Together, they make up the superstructure of the new Europe.

Let me zero in on a key component of European architecture—the Organization for Security and Cooperation in Europe, which, in a very real sense, came of age here in Helsinki 23 years ago. The OSCE is not only the most inclusive of our Euro-Atlantic institutions, it is also the premier mechanism for the prevention of conflicts before they occur, for the management and amelioration of conflicts when they occur, and for reconciliation after they occur.

The OSCE has been deeply involved in Bosnia and elsewhere in the former Yugoslavia, where Finnish and American forces are serving alongside soldiers from 37 other nations. Finland has also provided a major portion of the Nordic battalion that is helping to ensure that the conflict does not reignite in Macedonia.

The success erstwhile enemies have had working together in the Balkans illustrates a fundamental principle that must continue to guide the construction of a new Europe: Only through ongoing, day-to-day, practical cooperation can we establish the reservoir of trust necessary to dissolve the antagonisms and suspicions of the past.

It follows that we must, in our approach to virtually all the structures of the new Europe, put a premium on inclusiveness. Or, to restate the same principle in the negative, we must take care not, inadvertently or otherwise, to

practice exclusion or discrimination. The end of the Cold War gives us an opportunity to heal old divisions; we must be sure not to create new ones.

Let me amplify this point with regard to two key institutions—the European Union and NATO. First, on the EU. Finland’s entry into the Union three years ago was not just a historic step for you; it was an important, path-breaking step for the EU itself, because it encouraged all the nations of this region to believe that there is a place for them in the major pan-European institutions.

But the point I want to stress here is that it was Finland’s own decision to join the EU, and the door of the Union was open to your citizens when they chose to walk through. That open door is perhaps the single-most important feature of European—and transatlantic—architecture; hence, the U.S.’s strong belief in the broadening as well as the deepening of the EU; and hence, more specifically, our advocacy of Turkey’s desire for eventual membership in the EU. I realize how controversial this issue is, particularly among some of your neighbors. That makes it all the more important that all our European partners understand the American view.

Over the centuries, Europe at its best—and its most peaceful and most prosperous—has defined itself in terms of universal values, not in terms of artificial barriers—a river here, a mountain range there, a concrete-and-barbed-wire wall somewhere else.

Turkey has been a part of the European system for over 400 years. True, most of Turkey is separated from the rest of Europe by a bit of water, but, then, so is all of the United Kingdom.

The current debate over the nature—and limits—of Turkey’s “European vocation” resonates with references to “culture” and “civilization.” These words are often euphemisms for religion. There is a theory currently in vogue that the Cold War rivalry between communism and capitalism has given way to a global “clash of civilizations,” including one between the Judeo-Christian world and the Islamic one.

That idea gives short shrift both to the great diversity inside these supposedly separate civilizations and also to what they have in common between them. It underestimates the

ethnic and religious diversity of the United States, Canada and, increasingly, of Europe as well.

As we’ve been reminded just in the past week, Turkey is still struggling to define its identity, its orientation, and its democratic institutions. It is still trying to strike a balance between the secularism of the state and the predominant faith of its citizenry—between the values of tolerance and order. Quite simply, Turkey is more likely to make the right choices about its own future if we make clear that we believe its future lies with us.

For us to do otherwise would be a great mistake. If we thwart the aspirations of any European nation that is willing to accept the standards and responsibilities of our democratic community, or if we define the “Europeanness” of a village on the basis of whether its landmarks are church spires or minarets, we will create for ourselves dangers in the 21st century that will be all-too reminiscent of the follies and tragedies we experienced in the 20th. That is why the United States will continue to urge that Europe define itself as inclusively, as expansively, as comprehensively as possible.

NATO, we believe, can be an engine that helps drive Europe in that direction. It is against that backdrop that NATO has opened its own doors. We make no bones about our hope that NATO enlargement will help induce EU enlargement.

NATO has been and will remain, at its core, a military alliance and a collective defense pact. But it is also a political organization, with a useful—and I’d even say unique—role to play in fostering inclusiveness and integration within the larger community whose peace and security NATO undergirds.

In pursuit of their goal to join NATO, a number of central European states have already accelerated their internal reforms and improved relations with each other. NATO enlargement will continue to have this positive effect as the process moves forward in a way that is open-ended and nondiscriminatory.

At the Madrid Summit in July, NATO’s leaders made clear that the first three nations invited to join will not be the last. Specifically, the alliance agreed to review the process of enlargement again at the next summit in 1999, and it noted the progress that Romania, Slovenia, and the Baltic states have made toward meeting the criteria for admission. Thus, NATO committed itself to look both South and North for qualified members in the years to come.

Among the applicants for future rounds of enlargement will undoubtedly be those states that applied but were not selected for inclusion

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in the first tranche. In addition, future rounds may also include a number of countries that have thus far not expressed an interest in membership.

In this context, let me say a word about Finland and Sweden, countries where I have spent the past two days. These are two European states that have long traditions of maintaining independent, nonaligned defense postures. The United States respects the course you and your Swedish neighbors have chosen, and we will continue to do so. We are not going to pressure any country to alter its status or posture.

At the same time, we will defend every sovereign state's right to decide for itself how it wishes to ensure its own security. That principle is well established, going back to the Helsinki Final Act, and the member states of the OSCE have reiterated it on numerous occasions since, most recently at the ministerial in Copenhagen last month.

Sweden and Finland remain not just non-members of the alliance but nonapplicants. They are, however, to their credit and to everyone's benefit, actively involved in what might be called the NATO family of institutions and enterprises. I am referring to the Euro-Atlantic Partnership Council, the Stabilization Force in the former Yugoslavia, and the Partnership for Peace. We particularly appreciate how Finland has worked assiduously within the Partnership for Peace to narrow the difference between Partners and allies and to develop interoperability among all of the Partners' military establishments.

Now, ladies and gentlemen, NATO and the other institutions I have mentioned so far in these remarks are regional in scope. Let me turn at this point to subregional organizations. They, too, are crucial to the stability of European architecture.

Yesterday, I had a chance to appreciate one of those organizations in action. Along with your foreign minister, my friend Tarja Halonen, I attended the Barents Euro-Arctic Council in Lulea, Sweden. That's a place I had never been before and a place that makes me think Helsinki in January is positively balmy, even Santa Monica-like. I am still recovering, if I can be so honest, from the exhilarating experience I had 24 hours ago, when my hosts in Lulea arranged for me to travel from the conference center to the airport by dog sled. I very much hope that the evening here in Helsinki will include both a sauna and some Finlandia, if only to help me recover from that experience.

But the Barents Council is a serious organization doing extremely impressive, practical work. It is making its own contribution to bridging the divides of the Cold War by

combating tuberculosis and other epidemic diseases, lowering and where possible removing trade barriers, encouraging the development of small business, fighting organized crime, and cleaning up nuclear waste.

The United States is all for innovations like the Barents Council; that's why Secretary Albright sent me to Lulea in the dead of winter. But that said, let me attach a caveat to our support for the council and other subregional initiatives, for all the benefits they generate, they do not, in our view, constitute an alternative to pan-European or transatlantic organizations. We believe we must be vigilant against any development, deliberate or otherwise, that would have the effect of lumping neighboring states together in a way that consigns them to some sort of backwater of the mainstream; that excludes them from eligibility for membership in larger bodies; or that implies that they're on their own and must look out for each other without our help.

That is why America's support for subregional integration here and elsewhere around the world is always within the context of our support for overarching regional, transregional, and global integration. As far as we're concerned, that's a cardinal principle of structurally sound architecture.

And it's with that principle very much in mind that the United States has launched what we call our Northeast Europe Initiative. The goal of the initiative is to work through existing institutions and structures to encourage integration among the nations of the Nordic and Baltic region—but to do so in a way that strengthens the region's ties with the European Union, with key nearby countries like Germany and Poland, and with North America as well.

The initiative has three purposes: first, reinforcing the U.S.'s own ties with the countries of this region; second, helping the new democracies become stronger candidates for membership in European institutions; and third, increasing cooperation with, and the integration of, Russia.

The Baltic states are obviously key to this effort. Last week in Washington, President Clinton and the Presidents of Estonia, Latvia, and Lithuania signed a Charter of Partnership. It represents an important part of the blueprint toward a new, undivided Europe. As President Clinton told the Baltic presidents last Friday,

*“... America's support for subregional integration here and elsewhere around the world is always within the context of our support for overarching regional, transregional, and global integration.”*

the charter formalizes America's commitment to help create the conditions that will one day allow their countries to walk through the open doors of Europe's expanding institutions.

In this regard, my government applauds the way Finland has played mentor to the fledgling border guards and armed forces of the Baltic states. I'd like to express my admiration to Prime Minister Lipponen for the initiative he unveiled in Luxembourg to accentuate what he called the Northern Dimension of the EU. I should add my congratulations on his forthcoming marriage. January seems to be a big month for engagements over here; I guess it's an additional way of keeping warm.

Let me turn now to the third element of our Northeast Europe Initiative—the Russian dimension. This aspect of our strategy is essential. Without it, our other objectives will prove far more difficult, perhaps impossible, to achieve. If, on the one hand, Russia smoothly integrates with this strategically and economically vital region, it is more likely to integrate smoothly with the rest of Europe.

But the ominous converse is also true: If Russia fails—or refuses—to build strong ties based on mutual respect and mutual benefit with this region, it will be much harder for Russia to find its place within the new Europe. Moreover, it will be much harder for Europe as a whole to realize the potential that has come with the end of the Cold War.

As your leaders have reminded me often in the past, and as Prime Minister Lipponen made clear again today, Finland has a special part to play in this effort. You are the only current member of the EU to share a border with Russia. Prime Minister Lipponen's Northern Dimension Initiative capitalizes on the opportunity to make sure that your border with Russia, which is also the EU's border with Russia, unites rather than divides; that it is increasingly a seam of cooperation rather than a fault-line of confrontation.

Returning to the lesson that Jukka Valtasaari taught me over lunch nine years ago, you Finns have had many decades of practice in deftly managing, from a position of sovereignty and independence, your relations with a large and, to put it gently, often problematic neighbor. The Balts have regained that opportunity only recently. So you have a lot to teach them, and my sense after talking to their leaders last Friday is that they know it.

We all recognize that the relationship of the Baltic states with Russia is one of the most acute challenges we face in our common effort to enhance peace, stability, and security throughout the region. For their part, the Balts harbor deep anxieties and suspicions about Russian

motivations. Like Finns, they come by their feelings honestly. As for the Russians, they harbor anxieties of their own, especially about the prospect of the Balts' fulfilling their entirely legitimate desire to join the European Union and NATO.

President Clinton and Secretary Albright believe, quite bluntly, that it's in the Russians' own interest to get over this particular hang-up. For them to regard the Baltic region as a pathway for foreign armies or as a buffer zone is at best an anachronism, since there are no longer any would-be aggressors to be rebuffed. In the final analysis, Russia will have to make that psychological and political adjustment itself, by its own lights, for its own reasons, in keeping with its own evolving concept of its national interest.

But we and our European partners can help. We can do that by applying the general principle of inclusiveness in every possible specific instance. That means involving Russia to the greatest extent possible in the commercial, political, environmental, and other forms of collaboration we are developing among the states along the littoral of the Baltic Sea. The Barents Council and the Council of Baltic Sea States are models of what is required, and the U.S. will participate as appropriate in both.

We will also try to help foster Nordic-Baltic cooperation in our own direct dialogue with Russia. What we are saying to Moscow is basically this: If you Russians insist on looking to the 13th century for models applicable to the 21st, then you should dwell less on the image of Alexander Nevsky defeating Swedish knights on the ice of the Neva River and think instead in what might be called "Hanseatic" terms. That is, think about the Baltics not as an invasion route inward, but as a gateway outward. My colleague Ron Asmus, who is here today, laid out this concept in some detail in October at a seminar co-sponsored by the U.S. embassy and *Nordicum* magazine.

Generally speaking, our Baltic friends have found the invocation of the Hanseatic League useful and salutary because it recalls a time when their ancestors were deeply integrated into Europe—and at peace with Russia. The Hanseatic concept should also appeal to Russians—at least to those Russians who will, we hope, prevail in the struggle under way in that country for the soul and the future of their nation; that is, those Russians who believe in integration rather than in a return to isolation.

In addition to taking encouragement from us, they can also take sustenance from their own past, especially from the legacy of Peter the Great, who was himself a master-architect of modern Europe. After all, he opened for

Russia a window—and a door—to the West nearly 300 years ago. In fact, St. Petersburg is an obvious candidate for participation in a revival of the Hanseatic concept.

So, too, might be Novgorod, and Kaliningrad, the former Königsberg—both of which were associated with the original Hanseatic League. In fact, Kaliningrad is an especially tantalizing case, at least historically. Those of us who labor in the thickets of CFE—the Conventional Forces in Europe talks—tend to think of Kaliningrad as the headquarters of the Russian 11th Guards Army with its 850 tanks and 100 combat aircraft. But it is also one corner of what is now Russia that experienced the Enlightenment. It's where Immanuel Kant lived, taught, and set forth several principles of international law intended to bind like-minded democratic republics into a community of "civil states" that could enjoy what he called "perpetual peace."

That ideal is still just that—an ideal, a benchmark against which to judge a highly imperfect reality. But that reality is evolving auspiciously; it is easier today for Europeans,

and Americans, to imagine the fulfillment of that ideal than at any time in our history. For the first time we have the incentive, the political will, and the practical means to bring about, around the core of Europe, a community of nations—and, more to the point, a community of civic and political values—that extends west beyond the Atlantic, east beyond the Urals, southeast beyond the Bosphorus, and northeast beyond the North Cape.

In ways that are far more than merely geographical, Finland is on the frontier in that great venture; indeed, in many ways, Finland is helping to lead the way. And the United States is glad to be at your side. Together, we have reason to be proud of what we have accomplished in the century now drawing to a close. Even more to the point, we have reason to be optimistic about the one that begins in 1 year, 11 months, 10 days, 6 hours, and 20 minutes.

That barely leaves us time for what I'm sure will be a lively discussion, so we'd better get started. I look forward to your questions and your comments. Thank you very much. ■

Stephen Sestanovich

## U.S.-Russian Relations

January 15, 1998

*Remarks by the Ambassador at Large and Special Adviser to the Secretary of State on the New Independent States at the Heritage Foundation, Washington, DC.*

It is a pleasure for me to open today's discussion of Russian-American relations. In saying this, I should probably add that it's a pleasure that feels, at one and the same time, completely familiar and thoroughly unfamiliar.

Familiar, because many of us in this room have talked over and tried to interpret developments in Russia—and before that, in the Soviet Union—throughout the 1980s and 1990s. Unfamiliar, because I never expected to carry forward this discussion in my current capacity.

Now, Washington being what it is, showing up in a new role is actually not quite as strange as it may seem. You and I have, after all, talked about Russian-American relations over many years in many different capacities. Many participants in today's meeting are veterans of previous administrations. I, myself, first came to meetings here at Heritage as a Hill staffer, then as a member of the Reagan NSC, and thereafter as a colleague from sister think tanks downtown.

I can even boast of having been in the offices of the Heritage Foundation in Moscow, back when the Carnegie Center was located in the same building. We cooperated in many ways in those days. Those of you who visited either institution may recall that, the plumbing in some old Moscow office buildings being what it is, Carnegie and Heritage staffers often used to make joint expeditions to use the facilities in the Polytechnic Museum two blocks away.

There have been other changes in our discussions over the years. Until 1991, they were united by the conviction that Soviet communism was a unique source of danger—a present danger, we used to say—to us, to our friends, to supporters of freedom in other countries, to the international order, even to itself. The question for us was how best to deal with that danger.

Since 1991, we have had discussions of a different kind, united by the need to understand the opportunities created by the fall of Soviet communism. The question for us has been how to make the most of these opportunities—above all, how to do so in a way that

advances American interests. For those of us who didn't much like the old international order, the end of the Cold War has been a unique chance to start over. In Russia and, just as importantly, in Ukraine and the other states that were born or reborn when the U.S.S.R. collapsed, we have dealt with governments possessing—for the first time—a mandate for democratic and market reform and a desire to work with us to refashion the international order.

This work involved transformations of a kind and on a scale rarely seen in history. It is often compared to the seminal policies of the late 1940s, but to my mind the changes brought on by the fall of communism have been in many ways even more fundamental.

**First**, there has been the opportunity to overcome the strategic nuclear stand-off. This means not only the chance to pursue deep cuts in nuclear arsenals, but also to move toward the far more significant goal of putting mutual assured destruction behind us.

**Second** has been the job of creating a security order for Europe that truly reflects the end of its long, artificial division into two blocs. Doing this fully has meant opening key institutions to new members and mobilizing them to meet security challenges such as the war in Bosnia. It has meant negotiating massive reductions of military equipment and troops on the continent while reinforcing economic and political integration trends already underway.

**Third** has been the job of knitting together worlds that were isolated from each other by the bizarre political and economic structures of Soviet communism. Overcoming them has turned out to be a harsh and painful experience with a great deal at stake: Economic success can clearly affect the fate of democratic institutions and the growth of civil society.

A **fourth** and final task has proved central: I have in mind the importance of finding new partners—among old adversaries—for strengthening peace and security in sensitive regions such as the Persian Gulf. We have had

a better chance—but also a greater need—to create alliances against the proliferation of the most dangerous military technologies.

Taken together, these challenges make up the American agenda for dealing with the post-communist world. Tackling them is perhaps the most important work of American foreign policy in this decade. And no part of it is more consequential than what I will talk about today—the unique opportunity presented to us by the fall of communism to forge a more cooperative and productive relationship with Russia.

The Clinton Administration—like the Bush administration before it—has been determined to seize this opportunity. The President set this course five years ago and has held to it since then not because of romantic feelings toward a former adversary—although Americans are sometimes sentimental in such matters; not because of an unexamined attachment to one leader—Americans are said to make this mistake, too; and not because of some starry-eyed assumption that the world of the future will be conflict-free.

To the contrary, we all recognize that the future will hold conflicts and new threats that we can only guess at now. Our conviction is that we will be able to cope with them more successfully if we can develop a cooperative relationship with Russia and the other countries of the former Soviet Union. And we aim to do so in a way that, as Secretary Albright has put it, “encourages Russia’s modern aspirations rather than accommodates its outdated fears.”

These are the judgments that underlie President Clinton’s policy. They will, I predict, underlie that of future presidents as well, no matter who occupies the White House. The reason is simple: It’s the policy that best serves American interests.

In 1992, it’s fair to say, the wisdom of this policy seemed self-evident to most of us. In 1998, by contrast, it has become debatable. Today, Russian-American relations are subject to stricter scrutiny, and I think that’s both understandable and desirable. We need to take a hard look at our assumptions—in particular, at the hope that over the long term, Russian and American interests will converge enough to permit sustained cooperation and to justify the kind of support and attention that the international community has given Russia since 1991.

Let me try to contribute in a small way to this discussion by recalling a debate from a previous administration—a debate in which I don’t want to say I was wrong, but I will admit that in some ways I may not have understood what was happening as well as my boss at that time, Ronald Reagan.

When I worked at the White House in the mid-1980s, my colleagues and I on the NSC staff were sometimes puzzled by the President’s utter certitude that he knew where Mikhail Gorbachev was headed. And the explanation we got back when we raised this question also puzzled us: The President, it seems, had come to the conclusion from his very first meetings with Gorbachev at Geneva and Reykjavik that the General Secretary of the CPSU no longer believed in Marxism-Leninism. Now did we understand why the President was so confident?

To me and to others working on Soviet affairs, this answer was not immediately satisfying, and maybe even a little naive. Surely, the President could see that the Soviet leaders, no matter what their ideological views, might continue to define their national interests in ways that conflicted with ours? Well, of course, he did. And that’s why, whenever they did—Afghanistan was what I worked on—our policy was as tough as it had always been. But Ronald Reagan’s intuition was that something bigger was happening; that if the Cold War had really lost its ideological roots, it would necessarily wither—and not least because the Soviet system itself could not long survive the collapse of the beliefs that were supposed to justify it.

Looking back, I think one would have to acknowledge that, from an old President to his pseudo-worldly young aides so convinced of the permanence of national interests, this was a pretty good answer. What some of us at first took for sentimentality or woollymindedness turned out to be the true realism.

Now I have already said—and I’m not the first to say it—that the end of ideological conflict is not the end of conflict as such. The 1990s have already been far too bloody and tumultuous for us to indulge that hope. But if a post-ideological world isn’t free of conflict, what kind of conflict will it be? When we look at Russian-American relations, should we expect—as my NSC colleagues and I counseled

*“We need to take a hard look at our assumptions—in particular, at the hope that over the long term, Russian and American interests will converge enough to permit sustained cooperation and to justify the kind of support and attention that the international community has given Russia since 1991.”*

President Reagan when we analyzed Soviet policy—an inevitable clash of national interests?

This is a very common forecast. I read it all the time, and I'm quite sure it will be voiced around the table here today. It certainly captures one crucial element of our relations with Russia: National interests will be the foundation of both countries' foreign policies. But that is only to state the obvious. The hard question is whether these interests are bound to produce conflict. Answering that question is not quite so easy as deducing conflict from a fundamental ideological clash. For national interests are not holy writ; they are not dogma; they are not a matter of divine revelation; they are a matter of choice. They are the result of a political process. They change. Sometimes, as people who used to be trapped behind the Iron Curtain found, they change in the most radical ways.

To my mind, there is no more important prerequisite for understanding how Russia will define its place in the world than recognizing that the idea of national interests is an open-ended one. In a country that has, in the course of the past decade, seen all the institutions of its national life turned upside down, the process of coming up with a workable definition of national interests may be a slow one. For it is inseparable from other transformations that are underway—the consolidation of new political institutions, the emergence of a new economy, the search for national identity, and the experience of dealing with new neighbors that are themselves consolidating their statehood and undergoing major upheavals. Russia has to develop a new consensus on where its interests lie in a world that has changed dramatically almost overnight.

Amid such changes, who can claim that national interests will be a constant? What we see instead is an open-ended process of defining those interests. New approaches will be tried out and discarded; others will hold. Some of these will create concerns and frictions with Russia's friends and neighbors; others will begin to identify common ground. I'll turn to some of our concerns in a minute, but first a word about the role we play in the way Russia defines its interests.

The United States cannot make Russia's choices for it. Only the Russian people can make choices that will last. But we need to understand what the choices are. As President Clinton has said, Russia has

a chance to show that a great power can promote patriotism without expansionism; that a great power can promote national pride without national prejudice.

For some, the historic scale of this choice—and the likelihood that we will not know for years how much progress we have made—means that we should mute our differences with Russia when they arise. Others say that our differences will be insurmountable. The Clinton Administration's approach is different. Our job is to pursue American national interests, to defend our principles, and—anyone who works for Madeleine Albright learns this right away—to tell it like it is. And telling it like it is means, among other things, recognizing how important it is to build a seat at the table for post-communist democracies, including Russia, that are prepared to take a full and responsible part in resolving international problems. To give you an idea of where this work stands, let me turn back to the four post-Cold War challenges I described earlier.

Of all the problems we want to address in Russian-American relations, none is more important than the future of nuclear weapons. And none makes the slow sorting out of Russian national interests more visible. After all, the Russian Duma has been debating the merits of the START II Treaty for five whole years now. Clearly, some deputies consider a treaty with the United States providing for deep cuts in strategic nuclear forces as *ipso facto* contrary to Russia's interests.

Last year, Presidents Clinton and Yeltsin sought to break this logjam by making clear what kind of START III agreement would be possible once START II is ratified. The target they agreed on—2,000 to 2,500 strategic weapons on each side—would represent a cut of approximately 80% from the highest levels of the Cold War. They also agreed that these negotiations must improve transparency of our nuclear inventories and assure the irreversibility of warhead destruction.

It is this Administration's judgment that the ABM Treaty has made possible reaching agreement on deeper strategic nuclear weapons reductions, and in this spirit last September Secretary Albright signed agreements demarcating the ABM Treaty and our ongoing work on theater-missile defense. I should note that these agreements fully protect all of our TMD programs and that they will move forward as planned. These agreements will be submitted, along with the START II Protocol, for Senate advice and consent after Russian ratification of START II. In the meantime, we will continue to pool our efforts with the Russians to fight nuclear smuggling and proliferation, to eliminate excess plutonium, and to enhance the security of Russia's nuclear stockpile.

The second challenge I mentioned was European security. No issue has stimulated more heated assessments of the irreconcilability

between U.S. and Russian interests than this one. As everyone knows, four years ago the U.S. launched the process of expanding NATO. Russia didn't like it. It doesn't like it now. And its leaders have said they will never like it. Yet both sides said their goal was a secure and integrated Europe. In 1997, the most important question for Russian-American relations was: Did that common goal mean anything?

In 1998, I think it's clear that the answer is, yes. The U.S. Senate is about to consider the membership of three new NATO members. The NATO-Russia Permanent Joint Council—created by the NATO-Russian Founding Act—is up and running. We have begun the process of adapting the CFE treaty to Europe's new security realities. And American soldiers are serving shoulder to shoulder with Russian troops in Bosnia.

This record gives real meaning to the hope that Secretary Albright expressed to Yevgeniy Primakov last fall

that Russia will come to know the real NATO for what it is: as neither a threat to Russia nor the answer to Russia's most pressing dilemmas, but simply as an institution that can help Russia become more integrated with the European mainstream.

I should add that Russia is not the only post-Soviet state that we think should play a larger role in European security. This Administration has advocated greater cooperation between NATO and Ukraine, in particular. And it seems to us no accident that the creation of new institutional ties between NATO and both Russia and Ukraine has gone along with the improvement of ties between them.

Similar changes are visible in Russia's relations with other neighbors. In two key conflict zones in the Caucasus—Nagorno-Karabakh and Abkhazia—Russia has begun to work in tandem with international organizations in the pursuit of negotiated settlements.

Let me turn to economic issues. Last year, the Russian Government brought inflation down to record lows and kept the ruble stable. With U.S. support, the international financial institutions provided necessary assistance, linked, of course, to structural reforms and sound fiscal policy. The Russian stock market enjoyed a surge of Western portfolio investment.

This should be the moment at which common economic interests become a major factor in Russian-American relations. To make that happen, Russia still needs to build the legislative framework and government machinery to improve the investment climate, to revitalize tax collection, to tackle crime and corruption, to protect private investors, to

spur cooperation in the energy sector—both in Russia itself and in the Caspian region—and to join the World Trade Organization. We are working hard in a number of ways, including through innovative assistance programs under our Partnership for Freedom, to address many of these problems, each of which deserves a long discussion. Instead, let me state a one-sentence bottom-line: Failure to resolve them will come at a heavy price in Russian national interests.

The question before us is whether Russian interests inevitably clash with our own. The issues that I have described so far offer cases of disagreement—sometimes major disagreements. But they also provide powerful evidence of common interests and of our ability to find common solutions. Whatever one's view of this matter, there is no doubt that the biggest challenge we face and the greatest difficulty in finding common solutions is in the Persian Gulf. I have in mind troubling developments in Russia's relations with Iran and our occasional differences on Iraq.

In the Iran case, we have a real problem on our hands. I'll be very blunt: Iran is taking advantage of Russia's economic woes and its large reservoir of defense technology and scientific talent to accelerate development of an indigenous ballistic missile capability. Russian authorities understand that Iran's activities could have grave consequences for stability throughout the Middle East and that Iran's ambitions to acquire weapons of mass destruction and delivery systems pose a direct security threat to Russia itself. President Yeltsin, Prime Minister Chernomyrdin, and Foreign Minister Primakov have repeatedly told us that they oppose the transfer of missile technology to Iran. In response, we have launched an intensive dialogue on how to choke off Russian entities' cooperation with Iran's missile program. This is not a dialogue in the usual sense. What is involved is not just sharing information about the problem; its aim is to identify concrete steps toward effective enforcement and monitoring. We have some progress to show, but a lot more hard work will be needed before we can say that the problem is on the way to being solved.

*“... it seems to us no accident that the creation of new institutional ties between NATO and both Russia and Ukraine has gone along with the improvement of ties between them.”*

We also have concerns about potential Russian investments in Iran's energy sector. Energy investment in Iran, after all, only serves to strengthen one of Russia's most formidable regional competitors.

In Iraq, Russia and the U.S. agree on the need to uncover and end Saddam Hussein's WMD programs. We also agree that Saddam must fully comply with all relevant UN Security Council resolutions, including full cooperation with UNSCOM. But there have been differences between us when it comes to defining and achieving full compliance. In October, after much intensive consultation between us and in the UN Security Council, the Russians played a role in bringing Saddam back into compliance. Iraq's attempt on Tuesday to exclude American and British inspection team members is the latest step in a long-standing Iraqi campaign to ignore, frustrate, and deceive the international community about

Iraq's enormous programs to develop weapons of mass destruction. What I have said about other issues applies here: The test of whether our interests converge or clash lies in whether we can find common ground on the big problems, one at a time.

Let me close with a word about bipartisanship. To make the most of the opportunities created by the end of the Cold War, our strategy toward Russia—as much as any other element of our foreign policy—needs bipartisan support, and it needs public understanding. At the State Department, I am lucky to have a boss who is more committed to real bipartisanship and to active participation in public debate than any Secretary of State I can remember. No one who works for her is likely to have the kind of success she has had in these areas. But she has told us that it's our job to try. Thank you. ■

David J. Scheffer

# Challenges Confronting International Justice

January 14, 1998

Address by the U.S. Ambassador at Large for War Crimes Issues at the New England School of Law, Boston, Massachusetts.

I am very pleased to address such a distinguished audience this evening at the New England School of Law and, in particular, to have the pleasure of Professor Michael Scharf's company. Professor Scharf is a leading scholar on international humanitarian law and the institutions being forged to prosecute war criminals. His new book, *Balkan Justice*, is a testament to that scholarship. New England School of Law can be very proud of his contributions to both theory and practice in a field that is, unfortunately, growing.

The challenges confronting international justice today are daunting. The absence of justice is too often the norm rather than the exception in lands where armed conflicts and atrocities proliferate. Combatants are as likely to know as much about the laws of war as they do about quantum mechanics. The typical victims are women and children—in the thousands—raped and macheted for their mere existence. The severity of mass killings in our own time, on the eve of the millennium, reflects how little we know of ourselves, of our neighbors, and of our future. Neither our faith in the impressive march of technology nor our other aspirations for the next century can overshadow the grotesque reality of the massacres that characterize civilization, or the lack thereof, in today's troubled world.

National systems of justice are the front-line defense, but they have proven problematic. In the ideal world, every war crime, every crime against humanity, and every act of genocide would be prosecuted either in the territory where it was committed or by the state of nationality of the defendant. Yet there are significant cases in which no one is prosecuted by responsible domestic authorities.

In recent years, much effort has been expended to establish international criminal prosecutions in two regions where domestic efforts have been lacking. The [UN] Security Council responded to the challenges of accountability in the former Yugoslavia and Rwanda by establishing ad hoc international criminal

tribunals. Other nations of the world could easily be candidates for similar ad hoc tribunals. "Tribunal fatigue" in the Security Council explains, at least in part, why ad hoc tribunals have not become the universal mechanism for accountability.

But we should pause for a moment and note just how far the tribunals for the former Yugoslavia and for Rwanda have come. We are in the fifth year of the Yugoslav War Crimes Tribunal. From the beginning of the Clinton Administration in 1993, we have viewed the pursuit of justice in that region as reinforcing the pursuit of peace, for without sufficient accountability of individual criminals, there remains the collective guilt of ethnic groups fueling continued inter-ethnic conflict for generations.

You do not hear many people talking about the Yugoslav Tribunal as a purely symbolic exercise anymore. While the tribunal has experienced great difficulties in fulfilling the mandate entrusted to it by the Security Council, those difficulties have neither defeated it nor dissuaded those governments that are its pillars of support. Let me share some facts with you.

As of mid-January 1998, 79 individuals have been publicly indicted by the tribunal—57 are ethnic Serb, 19 are ethnic Croat, and three are ethnic Bosniak. Three indictees have died, meaning that we know of 76 living indictees—54 remain at large, and 19 are in custody in The Hague. The indictments against three ethnic Croats were withdrawn last month, and they were released from custody. Of those indictees at large, 52 are ethnic Serbs and two are ethnic Croats. Of those indictees in custody now, only three are ethnic Serbs, 13 are ethnic Croats, and three are ethnic Bosniak.

The United States Government worked hard to facilitate the surrender on October 6th of 10 Bosnian Croat indictees. The surrender, including by indictee Dario Kordic, was a welcome step that would not have happened without the cooperation of the Government of Croatia. We continue to press Zagreb for

further cooperative actions with the tribunal, particularly regarding the apprehension or surrender of Ivica Rajic and Zoran Marinic and the production of documents in the Blaskic trial.

As a consequence of the Bosnian Croat surrender, the United States entered into intensive consultations with the tribunal and with the Dutch Government in October to determine what is most critically needed to strengthen the tribunal's capabilities and ensure timely trials of those who are in custody. The answer was two-fold. First, the tribunal's full budget request for 1998 needed to be approved in New York by the General Assembly.

This was a tough task for us, because it was hard to argue for an increase for the tribunals when the United States was so far behind in our own dues to the UN. When the repayment of dues was held hostage in Washington over an unrelated family planning issue, our ability to support the tribunals in New York was made that much more difficult. One lesson of the last few months is that we need to show progress on our UN dues if we are to advance the cause of the tribunals at the UN.

In the end, we were pleased with the outcome on the tribunals' budgets. The General Assembly approved 97% of the tribunal's request, resulting in a budget of \$69 million for calendar year 1998, which reflects more than a 30% increase over the 1997 budget.

That is an extraordinary development given the budgetary crisis at the

United Nations. The projected U.S. assessment for the 1998 budget will be over \$17.5 million.

We were advised that the second priority was the immediate construction of a second major courtroom that would be fully functional and capable of conducting joint trials with multiple defendants. Last week, I visited The Hague and delivered to the Dutch Government \$1 million as the U.S. share of a joint Dutch-U.S. undertaking to build such a courtroom by April of this year. The new courtroom will greatly enhance the tribunal's capacity to hold trials and thus lessen the pre-trial detention periods

of indictees in custody. A third smaller courtroom will be built with a generous donation by the British Government. The Canadian Government has offered funds to assist with courtroom capacity as well.

Our experience with Croatia highlighted a fundamental issue that has bedeviled the tribunal since its creation—state cooperation. States and entities are required to cooperate with the tribunal, but often noncooperation is the norm. The worst offenders are Republika Srpska and Serbia-Montenegro. Neither has apprehended or orchestrated the voluntary surrender of a single indictee. So our outer wall of sanctions on the FRY will continue to stand. That wall blocks access to the international community until there is real progress on resolving the problems in Kosovo, improved cooperation with the Yugoslav Tribunal, including transfer of the "Vukovar 3" to The Hague, progress on resolving the successor state questions, and support for democratization in Serbia. Aid to Republika Srpska is conditioned on the cooperation of individual local authorities with the Dayton peace process. We are working closely with Congress under recently enacted law to ensure that U.S. and multilateral funds are expended to promote Dayton objectives, including the isolation of those who fail to cooperate with the tribunal in the apprehension of indictees.

Although the number of indictees in custody has, in recent months, more than doubled, clearly much more needs to be achieved. The United States is totally committed to strengthening the capabilities of the Yugoslav Tribunal and to pressuring the regional authorities in order to accomplish the arrest or voluntary surrender and subsequent prosecution of the indictees. Those indictees who remain at large, including Radovan Karadzic and Ratko Mladic, must realize that their day before the Yugoslav Tribunal will come, that there are no deals to cut, and that there is no way out of avoiding a fair trial. Karadzic's pathetic efforts to seek exoneration through publication of hand-picked documents and to avoid a trial in The Hague, elicit no sympathy from this quarter. The smartest move by Karadzic and Mladic would be to voluntarily surrender to tribunal officials. They would live their natural lives, since there is no death penalty at the tribunal, and they can argue their innocence before the world rather than pursue the cowardly isolation of men who appear to fear their past as much as they do their future.

There is no statute of limitations on these crimes, and the work of the Yugoslav Tribunal will continue for many years. Of course, we are impatient for justice to be rendered, and we hear the criticism of those, particularly the victims, who understandably are frustrated

*"We are working closely with Congress under recently enacted law to ensure that U.S. and multilateral funds are expended to promote Dayton objectives, including the isolation of those who fail to cooperate with the tribunal in the apprehension of indictees."*

with the pace of apprehensions. But the fact that certain major indictees are not yet in custody should lead no one to assume that we are complacent. Nor should anyone underestimate how seriously we view Karadzic's corrosive influence on the Dayton peace process. The President's commitment to maintain a military presence in Bosnia should signal to all alleged war criminals that they cannot beat the clock by waiting for July and the end of the deployment of the Stabilization Force—SFOR. Acting within the mandate approved by the North Atlantic Council, SFOR has demonstrated on two occasions since last July that it has the will to apprehend indictees.

The International Criminal Tribunal for Rwanda poses comparable, though not identical, challenges to the international community. Following the UN Inspector General's report on the maladministration of the Rwanda Tribunal one year ago, much change has occurred that leads us to conclude that the tribunal is back on track, albeit with a long way to go before achieving the efficiency and competence expected of a criminal court. Nonetheless, of the 32 publicly indicted individuals of the Rwanda Tribunal, 23 are in custody. Some of the major figures in the Rwandan genocide of 1994, including Bagasora, are in custody awaiting trial in Arusha. There are currently three trials underway. We hope that these trials will be conducted more efficiently and judgments handed down as soon as possible.

Like the Yugoslav Tribunal, the Rwanda Tribunal received a major boost in its 1998 budget. Recently, the General Assembly approved 96% of the tribunal's request for a total budget of \$59 million for 1998. That represents a more than 30% increase over its 1997 budget of \$45 million. The projected U.S. assessment will total almost \$16 million.

We believe that Chief Prosecutor Louise Arbour and the new Deputy Prosecutor Bernard Muna are rebuilding the Rwanda Tribunal into a powerful institution for justice in the Great Lakes region of Africa. Arbour and Muna plan multiple indictments and joint trials that will demonstrate the conspiracy that led to and implemented the genocide in Rwanda.

However, in Rwanda, the genocide continues. The Rwanda Tribunal's temporal jurisdiction only encompasses the calendar year 1994 and, therefore, there is no international accountability available for current atrocities as there remains in the Former Yugoslavia. My own investigation of the Mudende refugee camp massacre in northwest Rwanda in early December persuaded me that resurgent genocide is being waged there. Yet the perpetrators cannot be brought to trial before the Rwanda Tribunal for these more recent crimes.

This dilemma is emblematic of the yawning gap between the jurisprudence of the two ad hoc tribunals and the creation of a permanent international criminal court, which at best is years distant. Either the international community relies entirely on national justice systems to prosecute perpetrators of war crimes, crimes against humanity, or genocide, in our own time or new ad hoc tribunals or other mechanisms of accountability take up the slack until a permanent court can function. Given the frequency of atrocities in various parts of the world, the rule of law will suffer a major defeat unless the gap is closed with the means to bring individuals to justice.

The UN talks on the establishment of a permanent international criminal court—ICC—have entered perhaps their most critical stage. Only one Preparatory Committee meeting remains, in March and April, before the diplomatic conference begins in Rome this summer for a fixed, five-week period. The number of issues to be resolved between now and June is daunting, for the ICC would be an institution that melds the common law and civil law systems and takes into account other major legal systems. The stakes are very high, for the perpetual absence of an appropriate permanent international criminal court would embolden war criminals to conduct their business with impunity. But an ill-conceived permanent court might create bad law, discourage effective national prosecutions, and create new divisions among States.

President Clinton has repeatedly expressed his Administration's commitment to the establishment of an ICC. U.S. leadership in establishing the two ad hoc international criminal tribunals for the former Yugoslavia and Rwanda, and U.S. support for their full operation reflects a strong U.S. commitment to international criminal justice that underpins our participation in the UN talks on an ICC. We know that the success of the ad hoc tribunals is a necessary predicate to gaining universal support for the establishment and operation of a permanent court.

I want to emphasize why an appropriately constituted permanent international criminal court is in the best interests of the United States. We live in a world following the Cold War where mass killings, mass rapes, and other atrocities are occurring with shocking frequency. The rule of law, which the United States has always championed, is at risk again of being trampled by war criminals whose only allegiance is to their own pursuit of power. We believe that a core purpose of an international criminal court must be to impose a discipline of law enforcement upon national governments themselves to investigate and prosecute

genocide, crimes against humanity, and war crimes; failing that, the permanent court will stand prepared to undertake that responsibility. Just as the rule of extradition treaties is "prosecute or extradite," the rule governing the international criminal court must be "prosecute nationally or risk international prosecution." That discipline on national systems to fulfill their obligations under international humanitarian law has been and will continue to be central to the U.S. position. Our long-term vision is the prevention of these crimes through effective national law enforcement joined with the deterrence of an international criminal court.

A number of important issues in the UN talks require further rigorous consideration by governments before the Rome diplomatic conference this summer. For example:

- Will the jurisdiction of the court be limited to the core crimes of genocide, crimes against humanity, and war crimes, or will it extend to cover crimes such as drugs or terrorism?
- Will all states' parties be obligated to accept all of the crimes within the jurisdiction of the court, or will they have a right to "opt-in" or "opt-out?"
- Will states' parties file complaints against named individuals with the court, or will they refer entire situations for investigation to the prosecutor?
- Will the Security Council have any authority under the statute of the court to involve itself in the referral of situations to the court?
- Will the prosecutor be able to investigate and seek indictments against any individual, under any circumstances, anywhere in the world?
- Will the prosecution of an individual case be subject to any requirement of prior consent by any particular state or states?
- What will be the limits of obligatory state cooperation with the investigations and prosecutions by the court?
- What will be the precise character of penalties?
- How will the court be organized, and will there be an oversight mechanism of states' parties to the treaty to ensure administrative and fiscal discipline in the operation of the court?
- What will be the source of funding for the court?
- How will the rules of evidence and procedure, and the elements of offenses, be prepared?
- Should a state have the right to attach reservations to its ratification of the treaty?

- What U.S. constitutional issues need to be considered for the United States to be a party to the treaty?

This is only a short list of the multitude of tough questions that must be answered in the coming months. The ICC will be an institution of considerable complexity, because it will truly be unique in its fusion of international and criminal law and procedure, and its enforcement against individuals located within sovereign borders.

Notwithstanding such complexities, the United States will continue to play a leading role in the UN talks and seek to resolve differences among delegations. Last September, before the UN General Assembly, President Clinton challenged governments to establish a permanent international criminal court to prosecute the most serious violations of humanitarian law before the century ends.

Some commentators would have you believe that because the U.S. Government has taken some tough positions on how the court should be structured and its jurisdiction triggered, U.S. resolve to establish an international criminal court is somehow less convincing than that of other governments. One non-governmental organization has gone so far as to suggest that the United States should be abandoned in this whole process. That is rubbish. It dangerously reflects a tendency to misrepresent U.S. positions in the UN talks and assume that an ICC will be viable without U.S. participation or support.

The establishment of a permanent international criminal court can bridge the millenniums with two prospects. Sadly, the need to establish such a court reflects the darker vision of our future. It assumes that atrocities will continue to be the norm and require judicial responses. Nonetheless, an effective and efficient permanent criminal court should help deter the commission of these heinous crimes, and thus save lives.

When I visited Gisenyi Hospital last month, I saw the living horror of genocide in the anguished faces of 267 victims of a genocidal assault on the Mudende refugee camp in Rwanda. The wounded were overwhelmingly women and children. Many had multiple wounds caused by gunshot, machete, and burns. The lone surgeon in the hospital told me how he literally stuffed the brains of children back into their skulls and stitched up the consequences of malicious machete attacks. Women and babies with compound fractures moaned in agony. One young beautiful girl lay paralyzed by a gunshot wound to her lower spine. We all have a duty to respond to this barbarity. Thank you. ■



# TREATY ACTIONS

## JANUARY 1998

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### BILATERAL

#### Argentina

Agreement on cooperation in management and protection of national parks and other protected natural and cultural heritage sites. Signed at Buenos Aires Oct. 16, 1997. Entered into force Oct. 16, 1997.

Agreement for cooperation concerning peaceful uses of nuclear energy, with annex and agreed minute. Signed at Buenos Aires Feb. 29, 1996. Entered into force Oct. 16, 1997.

Implementing agreement for technical exchange and cooperation in the area of peaceful uses of nuclear energy. Signed at Buenos Aires Oct. 16, 1997. Entered into force Oct. 16, 1997.

Memorandum of understanding concerning the flight of the SAC-A mission on the NASA Space Shuttle. Signed at Buenos Aires Oct. 16, 1997. Entered into force Oct. 16, 1997.

#### Austria

Convention for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income, with memorandum of understanding. Signed at Vienna May 31, 1996. Enters into force Feb. 1, 1998.

#### Belgium

Agreement amending the agreement of May 6 and 11, 1982, as amended, concerning provision of mutual logistic support. Signed at Evere, Belgium and Patch Barracks, Germany Oct. 27 and 30, 1997. Entered into force Oct. 30, 1997.

#### Brazil

Implementing arrangement for the design, development, operation, and use of flight equipment and payloads for the International Space Station Program. Signed at Brasilia Oct. 14, 1997. Entered into force Oct. 14, 1997.

Implementing arrangement for cooperation in the area of energy technology, with annexes. Signed at Brasilia Oct. 14, 1997. Entered into force Oct. 14, 1997.

#### Canada

Protocol amending the convention with respect to taxes on income and on capital of Sept. 26,

1980, as amended. Signed at Ottawa July 29, 1997. Entered into force Dec. 16, 1997.

#### China

Agreement amending the memorandum of agreement of Mar. 13, 1995, regarding international trade in commercial launch services. Signed at Washington Oct. 27, 1997. Entered into force Oct. 27, 1997.

#### Ecuador

Memorandum of understanding concerning scientific and technical cooperation in the earth sciences, with annexes. Signed at Reston and Quito Apr. 3 and July 15, 1997. Entered into force July 15, 1997.

#### Ethiopia

Agreement regarding the consolidation and rescheduling of certain debts owed to the United States Government and its agency, with annexes. Signed at Addis Ababa Oct. 9, 1997. Entered into force Dec. 3, 1997.

#### European Community

Agreement for scientific and technological cooperation, with annex. Signed at Washington Dec. 5, 1997. Enters into force on date on which parties have notified each other in writing that their respective internal procedures necessary for entry into force have been completed.

#### Guinea

Agreement regarding the consolidation, reduction, and rescheduling of certain debts owed to, guaranteed by, or insured by the United States Government and its agencies, with annexes. Signed at Conakry Oct. 29, 1997. Entered into force Dec. 17, 1997.

#### Honduras

Agreement for cooperation in the Global Learning and Observations to Benefit the Environment (GLOBE) Program, with appendices. Signed at Tegucigalpa Nov. 13, 1997. Entered into force Nov. 13, 1997.

#### India

Investment incentive agreement. Signed at New Delhi Nov. 19, 1997. Enters into force on date on which India notifies U.S. that legal requirements for entry into force have been fulfilled.

**Ireland**

Convention for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income and capital gains, with protocol and related agreement. Signed at Dublin July 28, 1997. Entered into force Dec. 17, 1997.

**Japan**

Agreement concerning a cash contribution by Japan for administrative and related expenses arising from implementation of the mutual defense agreement. Effected by exchange of notes at Tokyo Oct. 17, 1997. Entered into force Oct. 17, 1997.

**Lithuania**

Agreement concerning exchange of research and development information, with appendix. Signed at Washington Oct. 16, 1997. Entered into force Oct. 16, 1997.

**Madagascar**

Agreement regarding the consolidation, reduction, and rescheduling of certain debts owed to, guaranteed by, or insured by the United States Government and its agency, with annexes. Signed at Washington Dec. 16, 1997. Enters into force following signature and receipt by Madagascar of written notice from U.S. that all necessary domestic legal requirements have been fulfilled.

**Mexico**

Agreement for cooperation in the area of civil aviation research and development. Signed at Washington and Mexico Sept. 17 and Oct. 14 and 16, 1997. Entered into force Oct. 16, 1997.

**Micronesia**

Agreement for cooperation in the Global Learning and Observations to Benefit the Environment (GLOBE) Program, with appendices. Signed at Kolonia Nov. 7, 1997. Entered into force Nov. 7, 1997.

**Pakistan**

Investment incentive agreement. Signed at Islamabad Nov. 18, 1997. Enters into force on the date on which Pakistan notifies the U.S. that all legal requirements for entry into force have been fulfilled.

**South Africa**

Convention for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income and capital gains. Signed at Cape Town Feb. 17, 1997. Entered into force Dec. 28, 1997.

**Spain**

Implementing arrangement on cooperation in research on radiological evaluations. Signed at Madrid Sept. 15, 1997. Entered into force Sept. 15, 1997.

**Switzerland**

Convention for the avoidance of double taxation with respect to taxes on income, with protocol. Signed at Washington Oct. 2, 1996. Entered into force Dec. 19, 1997.

**Thailand**

Convention for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income, with exchange of notes. Signed at Bangkok Nov. 26, 1996. Entered into force Dec. 15, 1997.

**Turkey**

Agreement for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income, with protocol. Signed at Washington Mar. 28, 1996. Entered into force Dec. 19, 1997.

**United Arab Emirates**

Agreement extending the memorandum of understanding of Feb. 6, 1988, as amended and extended, concerning scientific and technical cooperation in the earth sciences. Signed at Abu Dhabi Nov. 1, 1997. Entered into force Nov. 1, 1997; effective Feb. 6, 1998.

**Venezuela**

Memorandum of understanding concerning the conservation of protected natural areas and their biodiversity. Signed at Caracas Oct. 12, 1997. Entered into force Oct. 12, 1997.

Agreement for energy cooperation, with annex. Signed at Caracas Oct. 13, 1997. Entered into force Oct. 13, 1997.

**Zambia**

Agreement regarding the consolidation, reduction, and rescheduling of certain debts owed to, guaranteed by, or insured by the United States Government and its agency, with annexes. Signed at Conakry Oct. 29, 1997. Entered into force Dec. 17, 1997.

**FEBRUARY 1998**

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**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.

*Ratifications:* Russian Federation, Nov. 5, 1997; Venezuela, Dec. 3, 1997.

### **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>

*Signature:* Denmark, July 2, 1997.

*Ratifications:* Denmark, July 2, 1997; Norway, Sept. 25, 1997.<sup>2</sup>

### **Education**

Convention on the recognition of qualifications concerning higher education in the European region. Done at Lisbon Apr. 11, 1997. Enters into force on the first day of the month following the expiration of the period of one month after five states, including at least three member states of the Council of Europe and/or the UNESCO Europe Region, have expressed their consent to be bound by the Convention.

### **Finance**

United Nations Convention on Independent Guaranties and Stand-by Letters of Credit.

Adopted by the General Assembly of the United Nations at New York Dec. 11, 1995.

Enters into force on the first day of the month following the expiration of one year from the date of the deposit of the fifth instrument of ratification, acceptance, approval, or accession.

### **Wills**

Convention providing a uniform law on the form of an international will, with annex. Done at Washington Oct. 26, 1973. Entered into force Feb. 9, 1978.<sup>1</sup>

*Territorial Application:* Extended to the Province of New Brunswick by Canada, June 5, 1997.

### **Women**

Convention on the Political Rights of Women.

Done at New York Mar. 31, 1953. Entered into force July 7, 1954; for the U.S. July 7, 1976.

*Accession:* Uzbekistan, Sept. 29, 1997.

## **BILATERAL**

### **Botswana**

Investment incentive agreement. Signed at Gaborone Dec. 12, 1997. Enters into force on date on which Botswana notifies U.S. that all legal requirements for entry into force have been fulfilled.

### **Canada**

Agreement amending the arrangement of June 4 and 12, 1980, relating to the employment of dependents of official government employees. Effected by exchange of notes at Ottawa Oct. 3 and Nov. 13, 1997. Entered into force Nov. 13, 1997.

### **Costa Rica**

Agreement regarding the transboundary movement of hazardous waste. Effected by exchange of notes at San Jose Sept. 30 and Nov. 17, 1997. Entered into force Nov. 17, 1997.

### **Estonia**

Convention for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income. Signed at Washington Jan. 15, 1998. Enters into force on the later of notifications through diplomatic channels that constitutional requirements have been complied with.

### **Georgia**

Agreement concerning cooperation in the area of the prevention of proliferation of weapons of mass destruction and the promotion of defense and military relations. Signed at Washington July 17, 1997. Entered into force Nov. 10, 1997.

### **Germany**

Agreement for promotion of aviation safety. Signed at Milwaukee May 23, 1996. Entered into force July 18, 1997.

### **Guatemala**

Agreement for cooperation in the Global Learning and Observations to Benefit the Environment (GLOBE) program, with appendices. Signed at Guatemala Dec. 5, 1997. Entered into force Dec. 5, 1997.

### **Kazakhstan**

Agreement amending the agreement of Dec. 13, 1993, concerning control, accounting, and physical protection of nuclear material to promote the prevention of nuclear weapons proliferation. Signed at Washington Nov. 17, 1997. Entered into force Nov. 17, 1997.

Agreement extending the agreement of Dec. 13, 1993, concerning the provision to Kazakhstan of emergency response equipment and related training in connection with the removal of nuclear warheads from Kazakhstan for destruction and the removal of intercontinental ballistic missiles and the destruction of their silo launchers. Signed at Washington Nov. 17, 1997. Entered into force Nov. 17, 1997.

Agreement concerning cooperation in the area of the prevention of proliferation of weapons of mass destruction. Signed at Washington Nov. 18, 1997. Entered into force Nov. 18, 1997.

Implementing arrangements concerning long-term disposition of BN-360 nuclear material. Signed at Washington Nov. 18, 1997. Entered into force Nov. 18, 1997.

Agreement concerning the establishment and operation of nuclear test seismic monitoring stations in Kazakhstan. Signed at Washington Nov. 18, 1997. Entered into force Nov. 18, 1997.

#### **Latvia**

Convention for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income. Signed at Washington Jan. 15, 1998. Enters into force on the later of notifications through diplomatic channels that constitutional requirements have been complied with.

#### **Liechtenstein**

Agreement relating to employment of dependents of official government employees. Effected by exchange of notes at Bern and Vaduz Sept. 18 and Nov. 14, 1997. Entered into force Nov. 14, 1997.

#### **Lithuania**

Convention for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income. Signed at Washington Jan. 15, 1998. Enters into force on the later of notifications through diplomatic channels that constitutional requirements have been complied with.

#### **Luxembourg**

Agreement amending the air transport services agreement of Aug. 19, 1986 (TIAS 11249). Effected by exchange of notes at Washington June 6, 1995. Entered into force Jan. 9, 1998.

#### **Mali**

Agreement for cooperation in the Global Learning and Observations to Benefit the Environment (GLOBE) Program, with appendices. Signed at Washington Nov. 19, 1997. Entered into force Nov. 19, 1997.

#### **Mauritius**

Investment incentive agreement. Signed at Port Louis Dec. 15, 1997. Enters into force on date on which Mauritius notifies U.S. that all legal requirements for entry into force have been fulfilled.

#### **Nicaragua**

Agreement concerning protection of intellectual property rights. Signed at Managua Jan. 7, 1998. Enters into force upon the exchange of notes between the parties in which they indicate that the agreement has been ratified by the Congress of each of the parties if their constitution so requires.

Air transport agreement, with annexes. Signed at San Jose May 8, 1997. Entered into force Dec. 5, 1997.

#### **Niger**

Agreement regarding the consolidation, reduction, and rescheduling of certain debts owed to, guaranteed by, or insured by the United States Government and its agencies, with annexes. Signed at Niamey Jan. 14, 1998. Enters into force upon receipt by Niger of written notice from U.S. that all necessary domestic legal requirements for entry into force have been fulfilled.

#### **Pakistan**

Agreement for cooperation in the Global Learning and Observations to Benefit the Environment (GLOBE) program, with appendices. Signed at Islamabad Nov. 18, 1997. Entered into force Nov. 18, 1997.

#### **South Africa**

Agreement for cooperation concerning peaceful uses of nuclear energy, with annex and agreed minute. Signed at Pretoria Aug. 25, 1995. Entered into force Dec. 4, 1997.

#### **Tanzania**

Agreement regarding the consolidation, reduction, and rescheduling of certain debts owed to, guaranteed by, or insured by the United States Government and its agency, with annexes. Enters into force upon receipt by Tanzania of written notice from U.S. that all necessary domestic legal requirements have been fulfilled.

#### **United Arab Emirates**

Agreement regarding taxation of income derived from the international operation of ships or aircraft. Effected by exchange of notes at Abu Dhabi Oct. 7 and Dec. 1, 1997. Entered into force Dec. 1, 1997; effective Jan. 1, 1994.

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

<sup>2</sup> With declarations. ■