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 AMEMBASSY PARIS PRIORITY
 AMEMBASSY PORT AU PRINCE PRIORITY
 AMCONSUL RIO DE JANEIRO PRIORITY

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 INFO USMISSION USUN NEW YORK
 AMCONSUL SAO PAULO
 AMCONSUL CIUDAD JUAREZ
 AMCONSUL NUEVO LAREDO
 AMCONSUL TIJUANA
 USCINCLANTFLT NORFOLK VA
 USCINCTRANS INTEL CEN SCOTT AFB IL
 USCINCSO MIAMI FL
 USCINCSO MACDILL AFB FL //POLAD

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ALL POSTS FOR PAO; ROME FOR VATICAN; USSOCOM FOR POLAD

E.O. 12958: N/A

TAGS: OPRC, KPAO

SUBJECT: WHA GUIDANCES, NOVEMBER 2, 2000

SUMMARY OF CONTENTS:

1. WHA PRESS GUIDANCE, NOV 2 (PERU, VENEZUELA)
 2. INL PRESS GUIDANCE, NOV 1 (MEXICO, MAJORS LIST)
 3. INL FACT SHEET, NOV 1 (MAJORS LIST/CERTIFICATION PROCESS)
- END SUMMARY.

-
1. WHA PRESS GUIDANCE, NOVEMBER 2, 2000:
-

-- PERU: POLITICAL CRISIS UPDATE --
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Q: UPDATE ON REBELLION OF ARMY LIEUTENANT COLONEL, REPORTS THAT RESERVISTS HAVE JOINED HIS CAUSE?

A: THE PROTEST ACTION BY A SINGLE MILITARY UNIT IN SOUTHERN PERU APPEARS TO BE AN ISOLATED INCIDENT INVOLVING A DISGRUNTLED ARMY LIEUTENANT COLONEL, COLONEL HUMALA. ALTHOUGH THERE ARE REPORTS THAT UP TO 100 UNARMED ARMY RESERVISTS HAVE JOINED THE PROTEST, THE NUMBER OF ACTIVE-DUTY MILITARY OFFICERS SUPPORTING THE ACTION HAS DWINDLED TO A HANDFUL AND COLONEL HUMALA HAS REPORTEDLY AGREED TO NEGOTIATE WITH PERU'S HUMAN RIGHTS OMBUDSMAN ON POSSIBLE CONDITIONS FOR SURRENDER. THE PERUVIAN ARMY HAS CONDEMNED COLONEL HUMALA'S INSUBORDINATION AND SENT UNITS TO ARREST HIM AND HIS REMAINING FOLLOWERS.

Q: IS PRESIDENT FUJIMORI IN CHARGE? HOW SERIOUS ARE THE THREATS TO HIS GOVERNMENT FROM THE PERUVIAN MILITARY AND EX-INTELLIGENCE ADVISER VLADIMIRO MONTESINOS?

A: PRESIDENT FUJIMORI HAS TAKEN ACTION TO UNDERScore THAT CONSTITUTIONAL ORDER AND CIVILIAN RULE WILL BE MAINTAINED DURING THIS TIME OF POLITICAL CRISIS. HE HAS REPLACED THE MILITARY HIGH COMMAND AND THE MILITARY HAS ACCEPTED THIS

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DECISION APPARENTLY WITHOUT PROTEST. THE PERUVIAN ARMED FORCES HAVE AFFIRMED THEIR ALLEGIANCE TO CONSTITUTIONAL ORDER AND WE EXPECT THEY WILL HONOR THAT COMMITMENT.

PRESIDENT FUJIMORI HAS TAKEN ACTION AGAINST THE INFLUENCE OF EX-INTELLIGENCE ADVISER MONTESINOS BY REASSIGNING MILITARY OFFICERS BELIEVED TO BE SUPPORTIVE OF MONTESINOS, AND HE HAS
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ORDERED A SEARCH TEAM TO LOCATE MR. MONTESINOS AND TURN HIM OVER TO JUDICIAL AUTHORITIES.

Q: WHAT ABOUT STATEMENTS BY THE POLITICAL OPPOSITION PRAISING THE ACTIONS BY THE ARMY LIEUTENANT COLONEL? DOESN'T THIS SHOW THAT FUJIMORI'S PRESIDENCY IS ILLEGITIMATE AND HE SHOULD STEP DOWN NOW?

A: WHILE WE CONTINUE TO BELIEVE THE ELECTORAL PROCESS WHICH RETURNED PRESIDENT FUJIMORI TO OFFICE WAS DEEPLY FLAWED, PRESIDENT FUJIMORI HAS TAKEN SEVERAL POSITIVE STEPS OVER THE PAST WEEKS TOWARDS RESTORING DEMOCRACY. WE EXPECT PRESIDENT FUJIMORI TO UPHOLD HIS COMMITMENT TO HOLD NEW ELECTIONS, IN WHICH HE WILL NOT RUN, AND TO STEP DOWN IN JULY WHEN A NEW PRESIDENT IS INAUGURATED.

IT IS IMPORTANT TO NOTE THAT THE PERUVIAN POLITICAL OPPOSITION CONTINUES TO ENGAGE IN DIALOGUE WITH THE GOVERNMENT THROUGH THE OAS-SPONSORED TALKS ON DEMOCRATIC REFORM. APRIL 8, 2001 HAS BEEN AGREED UPON AS THE DATE FOR NEW ELECTIONS AND DISCUSSION NOW FOCUSES ON REFORMS TO THE ELECTORAL AND JUDICIAL SYSTEMS.

-- VENEZUELA: COAST GUARD CUTTER RELIANCE INCIDENT --

Q: COMMENT ON THE EXCHANGE OF DIPLOMATIC NOTES BETWEEN THE UNITED STATES AND THE VENEZUELAN GOVERNMENT REGARDING THE OCTOBER 21, 2000 INCIDENT INVOLVING THE USCG CUTTER RELIANCE?

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A: THE UNITED STATES SENT A DIPLOMATIC NOTE TO THE GOV ON OCTOBER 27 REGARDING THE RELIANCE, AND VENEZUELA REPLIED IN A DIPLOMATIC NOTE DATED OCTOBER 31.

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IN ITS NOTE, THE UNITED STATES EXPLAINED ITS VIEWPOINT ON THE INCIDENT. THE U.S. FURTHER EXPRESSED OUR DESIRE TO DISCUSS THE MATTER WITH VENEZUELA, IN ORDER TO CLARIFY BOTH COUNTRIES' PERSPECTIVES ON THE ISSUE AND TO IMPROVE COUNTER-NARCOTICS MARITIME COOPERATION.

VENEZUELA'S REPLY STATED ITS VIEW AND WELCOMED THE UNITED STATES' OFFER TO DISCUSS THE MATTER IN GREATER DETAIL. THESE DISCUSSIONS HAVE IN FACT ALREADY BEGUN. AMBASSADOR HRINAK AND FOREIGN MINISTER RANGEL MET ON NOVEMBER 1 AND DISCUSSED THE INCIDENT.

(IF ASKED CONTENTS OF U.S. NOTE)

I'M NOT GOING TO COMMENT ON THE SUBSTANCE OF DIPLOMATIC COMMUNICATIONS.

(IF ASKED U.S. POSITION ON VENEZUELA'S CLAIM TO THE GULF OF VENEZUELA)

VENEZUELA AND THE UNITED STATES DISAGREE ON THE STATUS OF THE GULF OF VENEZUELA.

(IF ASKED REASON RELIANCE WENT INTO THE GULF ON OCTOBER 21)

THE RELIANCE WAS CONDUCTING A ROUTINE MARITIME COUNTER-NARCOTICS OPERATION PURSUANT TO ITS RIGHT OF FREEDOM OF
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NAVIGATION IN THOSE WATERS.

2. IML PRESS GUIDANCE, NOVEMBER 1, 2000:

(IF ASKED)

-- MEXICO: EXEMPT FROM THE NARCOTICS CERTIFICATION PROCESS?
--

Q: WILL MEXICO BE EXEMPT FROM THE CERTIFICATION PROCESS THIS YEAR, PER SENATOR HUTCHISON'S RESOLUTION?

A: NO. RESOLUTION 366, WHICH WAS APPROVED BY THE SENATE BACK IN OCTOBER, EXPRESSED A "SENSE OF THE SENATE" THAT THE PRESIDENT SHOULD TEMPORARILY WAIVE THE ANNUAL DRUG CERTIFICATION PROCESS FOR MEXICO. HOWEVER, THIS RESOLUTION DOES NOT ALTER THE LAW AS IT CURRENTLY STANDS (FOREIGN

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ASSISTANCE ACT OF 1961, AS AMENDED).

THE PRESIDENT HAS NO DISCRETIONARY AUTHORITY TO EXEMPT ANY COUNTRY FROM THE CERTIFICATION PROCESS. HE COULD ONLY DO SO IF THE CONGRESS CHANGED THE LAW.

Q: WON'T THIS HURT OUR RELATIONSHIP WITH THE NEW FOX ADMINISTRATION? HE IS AGAINST THE CERTIFICATION PROCESS.

A: FIRST, I'D LIKE TO TAKE THIS OPPORTUNITY TO SAY THAT WE LOOK FORWARD TO CONTINUING THE CLOSE U.S.-MEXICO BILATERAL RELATIONSHIP UNDER PRESIDENT-ELECT FOX'S ADMINISTRATION, ESPECIALLY ON THE COUNTERNARCOTICS FRONT.

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OUR CLOSE RELATIONSHIP WITH MEXICO OR WITH ANY OTHER PARTNER DOES NOT DEPEND ON THE CERTIFICATION PROCESS.

NARCOTICS CERTIFICATION IS A STATUTORY REQUIREMENT LEGISLATED BY THE U.S. CONGRESS. THE FOREIGN ASSISTANCE ACT OF 1961, AS AMENDED, REQUIRES THE PRESIDENT TO IDENTIFY BY NOVEMBER 1 OF EACH YEAR THE MAJOR DRUG PRODUCING AND/OR TRANSIT COUNTRIES.

THE LAW ALSO REQUIRES THE PRESIDENT TO DETERMINE BY MARCH 1 OF EACH YEAR WHETHER THESE MAJORS LIST COUNTRIES HAVE COOPERATED FULLY WITH THE UNITED STATES, OR TAKEN ADEQUATE STEPS OF THEIR OWN TO MEET THE GOALS AND OBJECTIVES OF THE 1988 UNITED NATIONS CONVENTION.

ALTERNATIVELY, THE PRESIDENT MAY GRANT A NATIONAL INTEREST CERTIFICATION UNDER CERTAIN CIRCUMSTANCES.

UNDER THE LAW, THE PRESIDENT HAS NO AUTHORITY TO EXEMPT ANY COUNTRY THAT MEETS THE STATUTORY DEFINITION OF A MAJOR DRUG PRODUCING AND/OR TRANSIT COUNTRY FROM THIS ANNUAL PROCESS.

AT THE SAME TIME, WE RECOGNIZE THE SENSITIVITY OF THE GOVERNMENT OF MEXICO TO THIS CONGRESSIONAL REQUIREMENT.

WE ARE CURRENTLY WORKING WITH THE GOVERNMENT OF MEXICO AND OTHER GOVERNMENTS IN THE REGION TO CREATE A MULTILATERAL EVALUATION MECHANISM UNDER THE AUSPICES OF THE ORGANIZATION OF AMERICAN STATES (OAS), WHEREBY ALL WESTERN HEMISPHERE GOVERNMENTS WILL MUTUALLY EVALUATE EACH OTHER'S PERFORMANCE

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IN AN OBJECTIVE MANNER. SO FAR, WE ARE ENCOURAGED BY
PROGRESS ON THIS FRONT.

THE CERTIFICATION LAW, SINCE CONGRESS ENACTED IT, HAS PLAYED
AN IMPORTANT ROLE IN ADVANCING BILATERAL AND MULTI-LATERAL
DRUG-CONTROL OBJECTIVES. THE ADMINISTRATION WELCOMES
ADDITIONAL INITIATIVES SUCH AS THE MULTILATERAL EVALUATION
MECHANISM, DESIGNED TO ACHIEVE OUR MUTUAL INTERNATIONAL
OBJECTIVES.

BECAUSE THE MULTILATERAL EVALUATION MECHANISM IS STILL IN
THE EARLY STAGES OF DEVELOPMENT, IT IS PREMATURE TO COMMENT
ON IT AS AN ALTERNATIVE TO CERTIFICATION. MEANWHILE, THE
ADMINISTRATION MUST ABIDE BY EXISTING LAW.

FOR USE AFTER DECISIONS ARE RELEASED BY THE WHITE HOUSE
-- STATUS OF THE 2000 MAJORS LIST --
(THE ANNUAL LIST OF MAJOR DRUG PRODUCING AND/OR TRANSIT
COUNTRIES)

Q: WE'VE HEARD THAT THE WHITE HOUSE HAS JUST RELEASED THE
PRESIDENT'S DECISIONS REGARDING THE LIST OF MAJOR DRUG
PRODUCING AND/OR TRANSIT COUNTRIES, A.K.A. THE "MAJORS
LIST?" ANY COUNTRIES ADDED OR TAKEN OFF THE LIST?

A: ON NOVEMBER 1, THE PRESIDENT APPROVED AND SENT TO
CONGRESS THE 2000 LIST OF MAJOR DRUG PRODUCING COUNTRIES
AND/OR MAJOR DRUG-TRANSIT COUNTRIES, AS REQUIRED BY U.S. LAW
(THE FOREIGN ASSISTANCE ACT OF 1961, AS AMENDED).

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THIS YEAR HONG KONG AND TAIWAN WERE REMOVED FROM THE MAJORS
LIST.

THE MAJORS LIST IS NOW COMPOSED OF 24 COUNTRIES.

IF ASKED ON WHO REMAINS ON THE LIST: AFGHANISTAN, THE
BAHAMAS, BOLIVIA, BRAZIL, BURMA, CAMBODIA, CHINA, COLOMBIA,
DOMINICAN REPUBLIC, ECUADOR, GUATEMALA, HAITI, INDIA,
JAMAICA, LAOS, MEXICO, NIGERIA, PAKISTAN, PANAMA, PARAGUAY,
PERU, THAILAND, VENEZUELA, AND VIETNAM.

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I WOULD LIKE TO EMPHASIZE THAT THIS LIST DOES NOT JUDGE THE PERFORMANCE OF MAJOR DRUG PRODUCING OR TRANSIT COUNTRIES, MANY OF WHICH ARE WORKING HARD TO STOP DRUG TRAFFICKING.

THE LAW REQUIRES THE PRESIDENT TO IDENTIFY BY NOVEMBER 1 OF EACH YEAR THOSE COUNTRIES THAT ARE EITHER MAJOR DRUG PRODUCING AND/OR TRANSIT COUNTRIES.

Q: WHY WOULD HONG KONG AND TAIWAN BE ON A LIST OF "COUNTRIES?"

A: THE MAJORS LIST APPLIES TO COUNTRIES. HOWEVER, WE HAVE ALWAYS INTERPRETED THE TERM BROADLY TO INCLUDE CERTAIN ENTITIES THAT EXERCISE AUTONOMY IN WAYS THAT WOULD LEAD TO A DECISION TO PLACE THEM ON THE MAJORS LIST OR IDENTIFY THEM AS BEING "OF CONCERN."

JUST TO BE CLEAR, WHEN WE DISCUSS THE LIST TODAY, I WILL REFER TO COUNTRIES OR ENTITIES. RECALL THAT IF WE SOMETIMES USE ONLY THE TERM "COUNTRY" IN THIS CONTEXT, IT IS FOR

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SIMPLICITY AND IT SHOULD BE UNDERSTOOD TO INCLUDE OTHER ENTITIES OF THE TYPE I JUST DESCRIBED.

Q: HOW DOES A COUNTRY/ENTITY GET ON THE LIST?

A: SECTION 481 (E) OF THE FOREIGN ASSISTANCE ACT OF 1961, AS AMENDED, DEFINES THE TERMS "MAJOR ILLICIT DRUG PRODUCING COUNTRY" AND "MAJOR ILLICIT DRUG-TRANSIT COUNTRY" AND, IF THE PRESIDENT DETERMINES THAT A COUNTRY MEETS EITHER DEFINITION, IT IS INCLUDED ON THE LIST.

IN DESIGNATING A COUNTRY AS A MAJOR ILLICIT DRUG PRODUCING COUNTRY, FACTORS TAKEN INTO CONSIDERATION INCLUDE ESTIMATES OF CROP SIZE IN INDIVIDUAL COUNTRIES AND IN CERTAIN CASES, INFORMATION ON WHETHER DRUG CULTIVATION OR HARVESTS SIGNIFICANTLY AFFECT THE UNITED STATES.

IN DESIGNATING A COUNTRY AS A MAJOR DRUG-TRANSIT COUNTRY, FACTORS TAKEN INTO CONSIDERATION INCLUDE WHETHER THE COUNTRY IS A SIGNIFICANT DIRECT SOURCE OF ILLICIT NARCOTICS THAT SIGNIFICANTLY AFFECT THE UNITED STATES.

A COUNTRY'S COUNTER-DRUG PERFORMANCE IS EVALUATED IN THE SECOND STAGE OF THE PROCESS - CERTIFICATION. THOSE

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DETERMINATIONS ARE DUE TO CONGRESS NO LATER THAN MARCH 1 OF EACH YEAR.

(IF ASKED) THE FOREIGN ASSISTANCE ACT REQUIRES THAT HALF OF MOST FORMS OF U.S. GOVERNMENT ASSISTANCE - NOT INCLUDING HUMANITARIAN AND COUNTERNARCOTICS ASSISTANCE - TO ANY COUNTRY ON THE MAJORS LIST BE WITHHELD UNTIL THE PRESIDENT

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DETERMINES WHETHER THE COUNTRY SHOULD BE "CERTIFIED."

Q: WHY WAS HONG KONG REMOVED FROM THE MAJORS LIST?

A: HONG KONG'S ROLE AS A TRANSIT POINT FOR U.S.-BOUND DRUGS HAS DECLINED MARKEDLY DUE TO STRINGENT LAW ENFORCEMENT MEASURES BY HONG KONG AUTHORITIES, EXCELLENT COOPERATION WITH THEIR U.S. COUNTERPARTS, AND AN EXTRADITION AGREEMENT WITH THE UNITED STATES. THE RISK OF HAVING A NARCOTICS SHIPMENT SEIZED AND POSSIBLE EXTRADITION TO THE UNITED STATES HAVE BECOME EFFECTIVE DETERRENTS TO SHIPPING NARCOTICS THROUGH HONG KONG'S TERRITORY.

FURTHERMORE, SEIZURE RATES IN BOTH THE UNITED STATES AND HONG KONG SUGGEST THAT TRAFFICKING ORGANIZATIONS ARE NO LONGER USING HONG KONG AS A TRANSIT POINT FOR U.S.-DESTINED HEROIN.

Q: WHY WAS TAIWAN REMOVED FROM THE MAJORS LIST?

A: TAIWAN'S ROLE AS A TRANSIT POINT FOR U.S.-BOUND DRUGS HAS DECLINED MARKEDLY THANKS TO STRINGENT LAW ENFORCEMENT MEASURES, IMPROVED CUSTOMS INSPECTION PROCEDURES, AND SOPHISTICATED SURVEILLANCE METHODS ON THE PART OF TAIWAN AUTHORITIES. AS A RESULT, HEROIN TRAFFIC THROUGH TAIWAN TO THE UNITED STATES HAS BEEN SIGNIFICANTLY REDUCED.

FURTHERMORE, SEIZURE RATES IN BOTH THE UNITED STATES AND TAIWAN SUGGEST THAT TRAFFICKING ORGANIZATIONS ARE NO LONGER USING TAIWAN AS A TRANSIT POINT FOR U.S.-DESTINED HEROIN.

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Q: (IF ASKED) IF HONG KONG AND TAIWAN ARE NO LONGER ON THE MAJORS LIST, WHY ARE THEY REFERRED TO AS "COUNTRY/ENTITY OF CONCERN" IN THE PRESIDENT'S LETTER?

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A: A "COUNTRY/ENTITY OF CONCERN" MEANS WE WILL CONTINUE TO MONITOR THE REGION FOR CHANGES IN TRANSIT PATTERNS.

IF WE DETECT DRUG FLOWS THROUGH A "COUNTRY/ENTITY OF CONCERN" THAT SIGNIFICANTLY AFFECT THE UNITED STATES, THAT COUNTRY/ENTITY WOULD BE PLACED ON THE MAJORS LIST.

Q: (IF ASKED) WHY WAS CUBA NOT ADDED TO THE MAJORS LIST?

A: WHILE THERE HAVE BEEN SOME REPORTS THAT TRAFFICKING SYNDICATES USE CUBAN LAND TERRITORY FOR MOVING DRUGS, WE HAVE YET TO RECEIVE ANY INDICATION THAT THIS TRAFFIC CARRIES SIGNIFICANT QUANTITIES OF COCAINE OR HEROIN TO THE UNITED STATES.

Q: (IF ASKED) WHY WAS NORTH KOREA NOT ADDED TO THE MAJORS LIST?

A: NORTH KOREA DOES NOT MEET THE STATUTORY DEFINITION OF EITHER A MAJOR DRUG PRODUCING OR MAJOR DRUG-TRANSIT COUNTRY. OUR OBSERVATIONS THIS YEAR HAVE BEEN UNABLE TO CONFIRM THAT SIGNIFICANT QUANTITIES OF OPIUM POPPY MAY BE UNDER CULTIVATION IN NORTH KOREA OR THAT HEROIN ORIGINATING IN THE COUNTRY SIGNIFICANTLY AFFECTS THE UNITED STATES. WE CONTINUE, HOWEVER, TO MONITOR THE SITUATION.

Q: (IF ASKED) WHAT ABOUT ALLEGATIONS THAT THE NORTH KOREAN
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GOVERNMENT IS ENGAGED IN ILLICIT NARCOTICS TRAFFICKING?

A: OVER THE PAST 20-30 YEARS, THERE HAVE BEEN MANY DOCUMENTED OCCURRENCES INVOLVING INDIVIDUAL NORTH KOREANS IN INCIDENTS OF DRUG TRAFFICKING AND OTHER ILLEGAL ACTIVITIES. ALTHOUGH NORTH KOREANS HAVE BEEN IMPLICATED IN INTERNATIONAL DRUG TRAFFICKING, WE HAVE NO EVIDENCE THAT ANY OF THE HEROIN FROM NORTH KOREA IS REACHING U.S. SHORES.

3. INL (FACT SHEET), NOVEMBER 1, 2000:

U.S. DEPARTMENT OF STATE
OFFICE OF THE SPOKESMAN
FOR IMMEDIATE RELEASE
NOVEMBER 1, 2000
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FACT SHEET

-- MAJORS LIST AND THE CERTIFICATION PROCESS --

THE FOREIGN ASSISTANCE ACT OF 1961, AS AMENDED (FAA), REQUIRES THE PRESIDENT EVERY YEAR TO SUBMIT TO CONGRESS A LIST OF THOSE COUNTRIES HE HAS DETERMINED TO BE MAJOR ILLICIT DRUG PRODUCING AND/OR DRUG-TRANSIT COUNTRIES. THE FAA REQUIRES THAT HALF OF MOST U.S. GOVERNMENT FOREIGN ASSISTANCE TO ANY COUNTRY ON THIS MAJORS LIST BE WITHHELD UNTIL THE PRESIDENT DETERMINES WHETHER THE COUNTRY SHOULD BE "CERTIFIED."

A MAJOR ILLICIT DRUG PRODUCING COUNTRY IS DEFINED AS ONE IN
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WHICH:

- A) 1,000 HECTARES OR MORE OF ILLICIT OPIUM POPPY IS CULTIVATED OR HARVESTED DURING A YEAR;
- B) 1,000 HECTARES OR MORE OF ILLICIT COCA IS CULTIVATED OR HARVESTED DURING A YEAR; OR
- C) 5,000 HECTARES OR MORE OF ILLICIT CANNABIS IS CULTIVATED OR HARVESTED DURING A YEAR, UNLESS THE PRESIDENT DETERMINES THAT SUCH ILLICIT CANNABIS PRODUCTION DOES NOT SIGNIFICANTLY AFFECT THE UNITED STATES.

A MAJOR DRUG-TRANSIT COUNTRY IS DEFINED AS A COUNTRY:

- A) THAT IS A SIGNIFICANT DIRECT SOURCE OF ILLICIT NARCOTIC OR PSYCHOTROPIC DRUGS OR OTHER CONTROLLED SUBSTANCES SIGNIFICANTLY AFFECTING THE UNITED STATES; OR
- B) THROUGH WHICH ARE TRANSPORTED SUCH DRUGS OR SUBSTANCES.

THE MAJORS LIST FOR 2000

ON NOVEMBER 1, THE PRESIDENT APPROVED AND SENT TO CONGRESS THE MAJORS LIST FOR 2000. THE 24 COUNTRIES INCLUDED WERE:

AFGHANISTAN, THE BAHAMAS, BOLIVIA, BRAZIL, BURMA, CAMBODIA, CHINA, COLOMBIA, DOMINICAN REPUBLIC, ECUADOR, GUATEMALA, HAITI, INDIA, JAMAICA, LAOS, MEXICO, NIGERIA, PAKISTAN, PANAMA, PARAGUAY, PERU, THAILAND, VENEZUELA, AND VIETNAM.

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THE MAJORS LIST APPLIES BY ITS TERMS TO "COUNTRIES."
CONGRESS IS ON NOTICE, HOWEVER, THAT WE INTERPRET THE TERM
BROADLY TO INCLUDE CERTAIN ENTITIES THAT EXERCISE AUTONOMY
OVER ACTIONS OR OMISSIONS THAT WOULD LEAD TO A DECISION TO
PLACE THEM ON THE LIST AND SUBSEQUENTLY TO DETERMINE
ELIGIBILITY FOR CERTIFICATION.

THE PRESIDENT IS REQUIRED UNDER THE FAA TO REVIEW ANTI-
NARCOTICS EFFORTS UNDERTAKEN BY THOSE COUNTRIES ON THE
MAJORS LIST IN ORDER TO TRANSMIT CERTIFICATION DECISIONS TO
CONGRESS BY MARCH 1. THE PRESIDENT MAY SELECT FROM THE
FOLLOWING CERTIFICATION OPTIONS FOR EACH OF THE COUNTRIES ON
THE MAJORS LIST: FULL CERTIFICATION, DENIAL OF
CERTIFICATION OR A "VITAL NATIONAL INTEREST" CERTIFICATION.

IN ORDER TO "FULLY" CERTIFY A COUNTRY, THE PRESIDENT MUST
DETERMINE THAT DURING THE PREVIOUS YEAR IT HAS COOPERATED
FULLY WITH THE UNITED STATES, OR HAS TAKEN ADEQUATE STEPS ON
ITS OWN, TO ACHIEVE FULL COMPLIANCE WITH THE GOALS AND
OBJECTIVES OF THE 1988 UN DRUG CONVENTION. IF A COUNTRY
RECEIVES FULL CERTIFICATION, ALL AID THAT WAS WITHHELD IS
RELEASED.

DENIAL OF CERTIFICATION REQUIRES THE U.S. TO DENY SALES OR
FINANCING UNDER THE ARMS EXPORT CONTROL ACT; DENY THE
PROVISION OF AGRICULTURAL COMMODITIES, OTHER THAN FOOD,
UNDER THE AGRICULTURAL TRADE DEVELOPMENT AND ASSISTANCE ACT
OF 1954; DENY FINANCING UNDER THE EXPORT-IMPORT BANK ACT OF
1945; AND WITHHOLD MOST ASSISTANCE UNDER THE FAA WITH THE
EXCEPTION OF SPECIFIED HUMANITARIAN AND COUNTERNARCOTICS
ASSISTANCE. THE U.S. MUST ALSO VOTE AGAINST PROPOSED LOANS

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FROM SIX MULTILATERAL DEVELOPMENT BANKS.

IF A COUNTRY HAS NOT MET THE STANDARDS FOR FULL
CERTIFICATION, THE PRESIDENT MAY NEVERTHELESS CERTIFY THE
COUNTRY BY DETERMINING THAT THE U.S. VITAL NATIONAL INTEREST
REQUIRES THAT ASSISTANCE BE PROVIDED AND THAT THE U.S. NOT
VOTE AGAINST MULTILATERAL DEVELOPMENT BANK ASSISTANCE FOR
THE COUNTRY. WHEN A COUNTRY RECEIVES A "VITAL NATIONAL
INTEREST" CERTIFICATION, ASSISTANCE IS PROVIDED IN THE SAME
MANNER AS IF IT HAD BEEN GIVEN FULL CERTIFICATION.

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THE CERTIFICATION DETERMINATIONS FOR 1999

LAST MARCH THE PRESIDENT DETERMINED AND CERTIFIED THAT THE FOLLOWING MAJOR ILLICIT DRUG PRODUCING AND/OR DRUG-TRANSIT COUNTRIES/ENTITIES HAVE COOPERATED FULLY WITH THE UNITED STATES, OR HAVE TAKEN ADEQUATE STEPS ON THEIR OWN, TO ACHIEVE THE GOALS AND OBJECTIVES OF THE 1988 UN DRUG CONVENTION:

THE BAHAMAS, BOLIVIA, BRAZIL, CHINA, COLOMBIA, DOMINICAN REPUBLIC, ECUADOR, GUATEMALA, HONG KONG, INDIA, JAMAICA, LAOS, MEXICO, PAKISTAN, PANAMA, PERU, TAIWAN, THAILAND, VENEZUELA, AND VIETNAM.

THE PRESIDENT DETERMINED THAT IT IS IN THE VITAL NATIONAL INTEREST OF THE UNITED STATES TO CERTIFY THE FOLLOWING MAJOR ILLICIT DRUG PRODUCING AND/OR DRUG-TRANSIT COUNTRIES:

CAMBODIA, HAITI, NIGERIA, AND PARAGUAY.

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THE PRESIDENT DETERMINED THAT THE FOLLOWING MAJOR ILLICIT DRUG PRODUCING AND/OR DRUG-TRANSIT COUNTRIES DO NOT MEET THE STANDARDS FOR CERTIFICATION:

AFGHANISTAN AND BURMA.

THE BUREAU FOR INTERNATIONAL NARCOTICS AND LAW ENFORCEMENT AFFAIRS (INL) AT THE DEPARTMENT OF STATE INITIATES THE CERTIFICATION PROCESS EACH SPRING. BASED UPON THE INTERNATIONAL NARCOTICS CONTROL STRATEGY REPORT (INCSR) PRODUCED BY INL EACH YEAR, AND ALSO UPON INPUT FROM OTHER U.S. GOVERNMENT SOURCES, A PROPOSED MAJORS LIST IS COMPILED AND PRESENTED TO THE SECRETARY OF STATE FOR CONSIDERATION.

THE SECRETARY SENDS HER RECOMMENDATIONS TO THE PRESIDENT, WHO MAKES THE FINAL DETERMINATIONS REGARDING INCLUSION ON THE MAJORS LIST. THE WHITE HOUSE TRANSMITS THE LIST TO THE CHAIRMEN OF THE SENATE FOREIGN RELATIONS COMMITTEE, HOUSE INTERNATIONAL RELATIONS COMMITTEE, AND THE APPROPRIATION COMMITTEES. THE MAJORS LIST IS DUE IN THE CONGRESS BY NOVEMBER 1.

INL WORKS WITH U.S. EMBASSIES AND GOVERNMENTS IN THE COUNTRIES ON THE MAJORS LIST TO DEVELOP TARGETS THAT EACH

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COUNTRY SHOULD WORK TOWARD IN THE COMING YEAR IN ORDER TO BE CERTIFIED. THROUGHOUT THE YEAR THESE CRITERIA ARE DISCUSSED WITH EACH NATION AND PERIODIC PROGRESS REPORTS ARE PROVIDED BY THE U.S. EMBASSIES.

BETWEEN DECEMBER AND MID-FEBRUARY, THE ASSISTANT SECRETARY FOR INTERNATIONAL NARCOTICS AND LAW ENFORCEMENT AFFAIRS
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COORDINATES AN INTERAGENCY PROCESS TO RECOMMEND WHETHER COUNTRIES SHOULD BE CERTIFIED FULLY BASED ON THEIR COUNTERNARCOTICS PERFORMANCE, DENIED CERTIFICATION, OR GRANTED A VITAL NATIONAL INTEREST CERTIFICATION. THESE RECOMMENDED DETERMINATIONS ARE PRESENTED TO THE SECRETARY OF STATE, WHO FORWARDS THE STATE DEPARTMENT'S RECOMMENDATIONS TO THE PRESIDENT. THE PRESIDENT MAKES THE FINAL DETERMINATIONS IN A MEMO TO THE SECRETARY OF STATE, WHO THEN NOTIFIES THE CONGRESS BY MARCH 1.

THE CONGRESS HAS THE OPTION OF PASSING A JOINT RESOLUTION DISAPPROVING ANY OF THE PRESIDENT'S CERTIFICATION DETERMINATIONS WITHIN 30 CALENDAR DAYS, WHICH THE PRESIDENT CAN EITHER SIGN OR VETO. IF THE PRESIDENT VEToes THE RESOLUTION, THE CONGRESS WOULD NEED A TWO-THIRDS MAJORITY TO OVERRIDE THE VETO AND OVERTURN THE PRESIDENT'S DECISIONS.
(END FACT SHEET)
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