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OFFICE OF THE ASSISTANT SECRETARY OF DEFENSE

WASHINGTON, D.C. 20301-2500

OSD 5 U.S.C. § 552 (b)(6)

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SPECIAL OPERATIONS/
LOW-INTENSITY CONFLICT

OSD 1.4 (d)

DOS 1.4(d)

MEMORANDUM FOR ASSISTANT SECRETARY OF DEFENSE FOR SPECIAL OPERATIONS AND LOW-INTENSITY CONFLICT

FROM: DEPUTY ASSISTANT SECRETARY FOR COMBATING TERRORISM POLICY AND SUPPORT

DOS

Prepared by: Mr. Frank Light, (SO/LIC)CTP&S, [REDACTED]

TRANSFERRED/RECOMMEND PART 14 (D) RECOMMEND AND TRANSFER 14 (D)

SUBJECT: CSG, Wednesday, August 16, 2000, 3 - 4:30 p.m.
INFORMATION MEMORANDUM (U)

(U) PURPOSE: To provide background for Wednesday's CSG principals meeting (Tab A) chaired by Mr. Clarke in the White House Situation Room.

(U) DISCUSSION: Mr. Yamada will accompany you. Generals Newbolt (J-31) and Kofer (J34) will represent Joint Staff. We understand this will be their first CSG.

(U) The first agenda item is the Sheehan-DPRK talks in Pyongyang. State's lead. Uncleared drafts reporting on the talks appear at Tab B.

(U) At the CSG Sheehan may distribute for comment a draft joint statement, an early version of which appears at Tab D.

(U) The second item is the U.S.-Russia working group on Afghanistan (Tab F). State has the lead, and U/S Pickering led the U.S. side at the Washington meetings August 1 - 2. The CIA and

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Reason: (S)(d)

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FBI also participated. Both sides agreed to work with the other Perm-5 states on the UN Security Council for additional sanctions against the Taliban. They also committed to engage with [redacted] to pressure the Taliban into ending its support for international terrorism.

(S) At the CSG Sheehan may distribute for comment the draft of a joint summary report. Once final, it will be presented to Secretary Albright and Foreign Minister Albright for transmittal to Presidents Clinton and Putin on the margins of the Millenium Summit. RECOMMENDATION: In light of DoD's own engagement with Russia on combating terrorism, you may wish to propose greater DoD involvement, including participation in the next working group in Moscow this October.

(S) Tab G contains a TWC paper on the final three agenda items: designation of foreign terrorist organizations; threat assessment for POTUS trips to Nigeria and Cartagena; and terrorist fundraising. State/Justice have the lead on the first, the CIA on the second, and NSC on the third.

Attachments:

- Tab A. (S) Agenda.
- Tab B. (S) Sheehan-Kim talks.
- Tab C. (S) Process for determining state sponsors of terrorism.
- Tab D. (S) Early draft of joint statement.
- Tab E. (S) [redacted]
- Tab F. (S) U.S. - Russia on Afghanistan.
- Tab G. (S//SI) TWC paper on agenda items 3-5.

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Office of the Secretary of Defense 5U.S.C § 552

Chief, RDD, ESD, WHS

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Reason: 1.4(b)(1) + 5U.S.C. 552(b)(5)+(6)

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DRAFT U.S.-DPRK STATEMENT

(Place)

(Date)

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The United States and the Democratic People's Republic of Korea held a series of talks in March, August, (and _____) 2000, at which the two sides expressed their views on the issue of international terrorism.

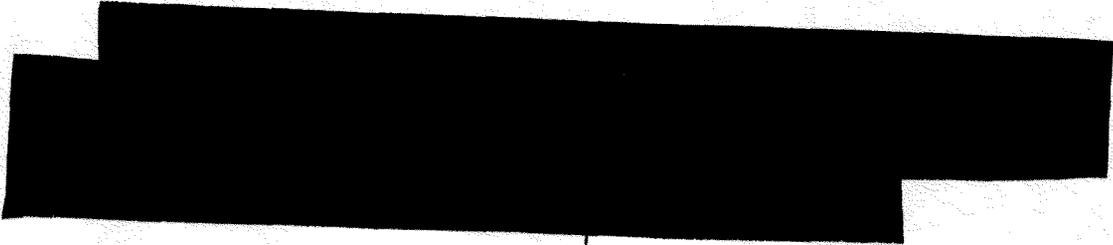
At the talks, the two sides agreed that international terrorism poses an unacceptable threat to global security and peace, and that terrorism should be opposed in all its forms, including terrorist acts involving chemical, biological, or nuclear devices or materials.

During the talks, the DPRK side affirmed that, as a matter of official policy and as its government has stated previously, it opposes all forms of terrorism. The DPRK noted that that it was the responsibility of every UN member state to refrain from organizing, instigating, facilitating, financing, encouraging, or tolerating terrorist activities.

On the basis of their common concerns about the threat of terrorism to international peace and stability, the two sides underscored their commitment to support the international legal regime combatting international terrorism and to cooperate with each other in taking effective measures to fight against terrorism. The sides shared the view that such measures included not supporting terrorists and terrorist groups, bringing terrorists to justice, fighting terrorist acts against the safety of civil aviation and maritime navigation. The two sides shared the view that this understanding would prohibit either side from providing material support or resources, including safehaven, to terrorists and their groups. The two sides joined in encouraging all UN member states to sign and become a party to all twelve UN counterterrorism conventions.

As a demonstration of their cooperation in the fight against international terrorism, the US and the DPRK intend to exchange information on global issues of support to terrorism and terrorist organizations.

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I:\Docs\East Asia-Pacific\DPRK draft terrorism statement -
8-10-00.doc

Draft: S/CT:CEnsley

Clear:S/CT:MASheehan

:EAP:THubbard

:EAP/K:DShear/EDong

:IO/UNP:KBoesel

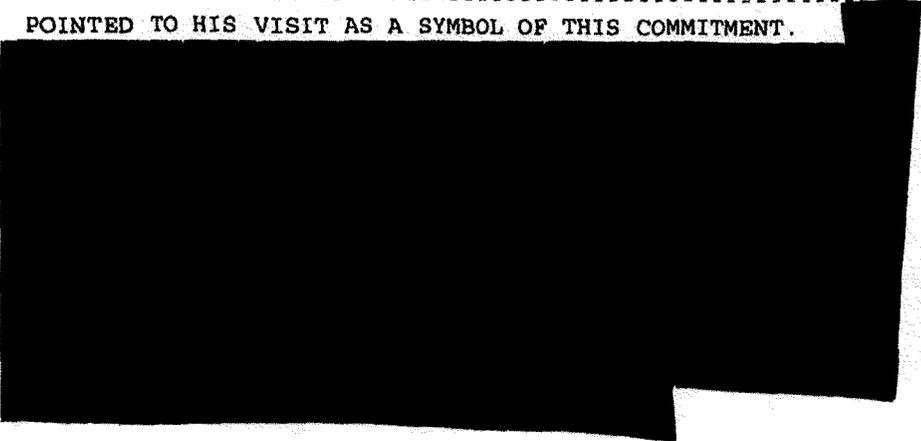
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POINTED TO HIS VISIT AS A SYMBOL OF THIS COMMITMENT.



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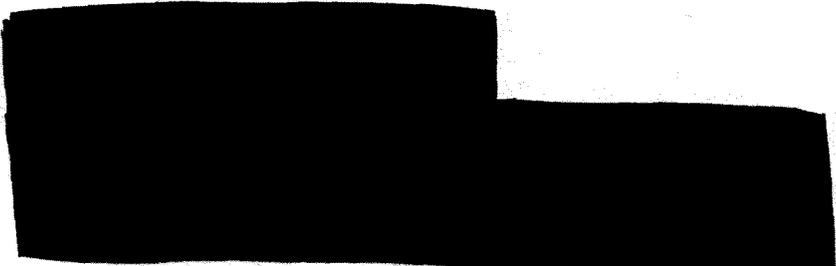
US LAWS ON TERRORISM: A PRIMER

5. THE GOAL OF THESE TALKS, SHEEHAN EXPLAINED, WAS FOR THE DPRK TO UNDERSTAND - NOT NECESSARILY AGREE WITH - THE USG COUNTERTERRORISM LAWS AND IMPLICATIONS OF STATE SPONSORSHIP DESIGNATION. IF THE DPRK CAN UNDERSTAND THIS PROCESS, WE CAN MOVE FORWARD. THE USG HAS DESIGNATED 28 FOREIGN TERRORIST ORGANIZATIONS (FTOS), WHICH, SHEEHAN NOTED, ARE FUNDAMENTALLY DIFFERENT THAN INSURGENT GROUPS. INSURGENTS ENGAGE IN COMBAT AGAINST MILITARY COMBATANTS, AS ALLOWED UNDER THE GENEVA CONVENTION, WHILE FTOS USE VIOLENCE AGAINST CIVILIANS, WHICH IS NOT COVERED BY INTERNATIONAL UNDERSTANDINGS. COUNTRIES THAT PROVIDE SUPPORT TO FTOS ARE, UNDER USG LAW, ELIGIBLE TO BE DESIGNATED AS STATE SPONSORS. THE USG RESERVES THE RIGHT TO DESIGNATE FTO AND STATE SPONSORS BECAUSE PRESSURING SUCH ACTORS AND IDEALLY LIMITED OR ENDING THEIR SUPPORT FOR TERRORISM IS VITAL TO INCREASING AMERICAN SECURITY.

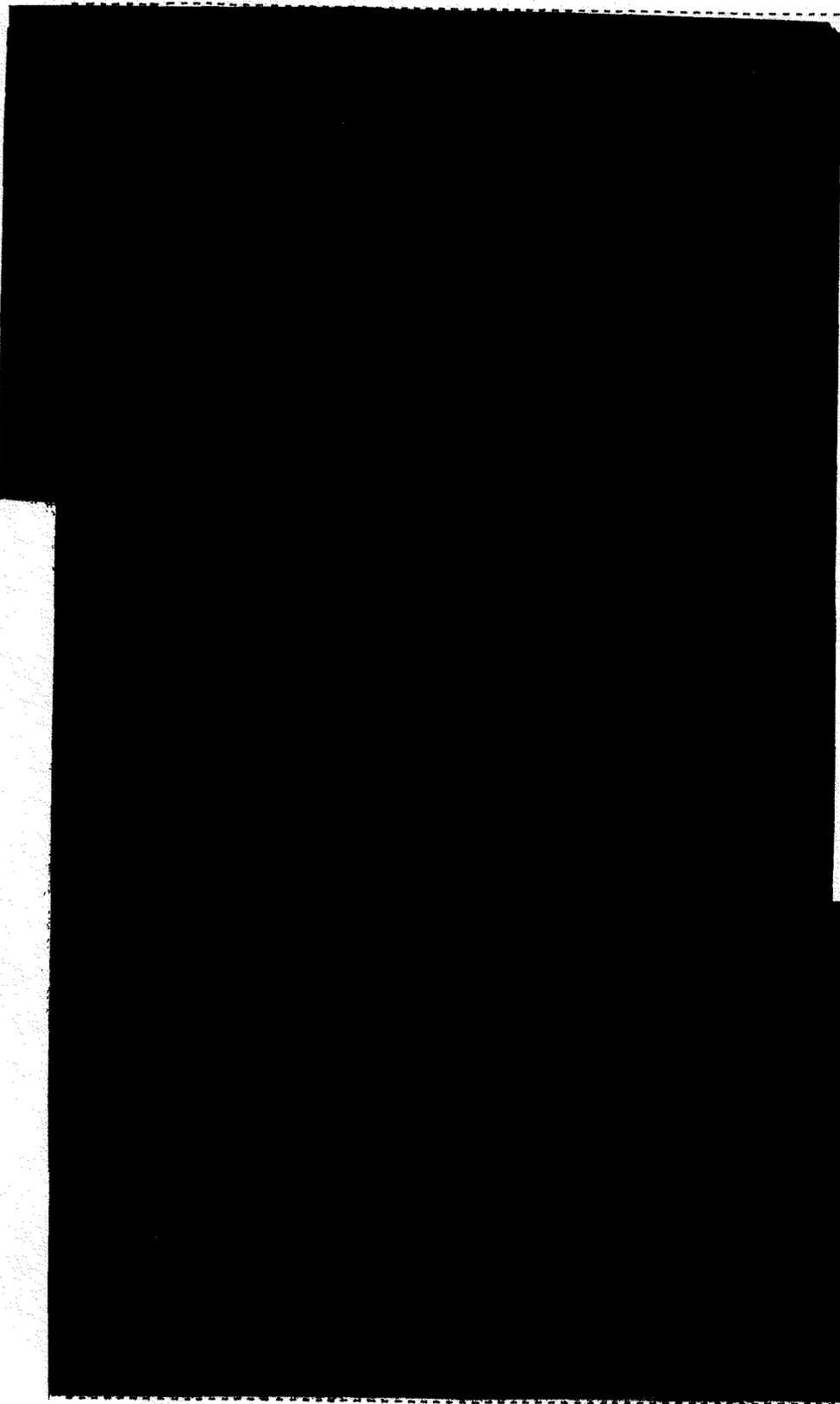
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6. (U) AFTER OUTLINING THE LEGAL FRAMEWORK, SHEEHAN STRESSED HIS COMMITMENT TO GETTING STATE SPONSORS OUT OF THE BUSINESS OF TERRORISM AND MOVING COUNTRIES OFF OF THE STATE SPONSOR LIST. HE IS ALSO COMMITTED TO DELINKING THE STATE SPONSORSHIP PROCESS FROM OTHER BILATERAL ISSUES. IF THIS LIST IS SEEN AS POLITICAL OR LINKED TO OTHER ISSUES, IT LOSES ITS CREDIBILITY. SHEEHAN CLARIFIED THAT BEING DESIGNATED A STATE SPONSOR DOES NOT NECESSARILY MEAN A COUNTRY COMMITS TERRORIST ACTS, BUT RATHER THAT THEY PROVIDE SUPPORT, INCLUDING SANCTUARY, SAFEHOUSES, WEAPONS, DIPLOMATIC ASSISTANCE, AND LOGISTICAL SUPPORT TO TERRORIST GROUPS OR INDIVIDUALS.

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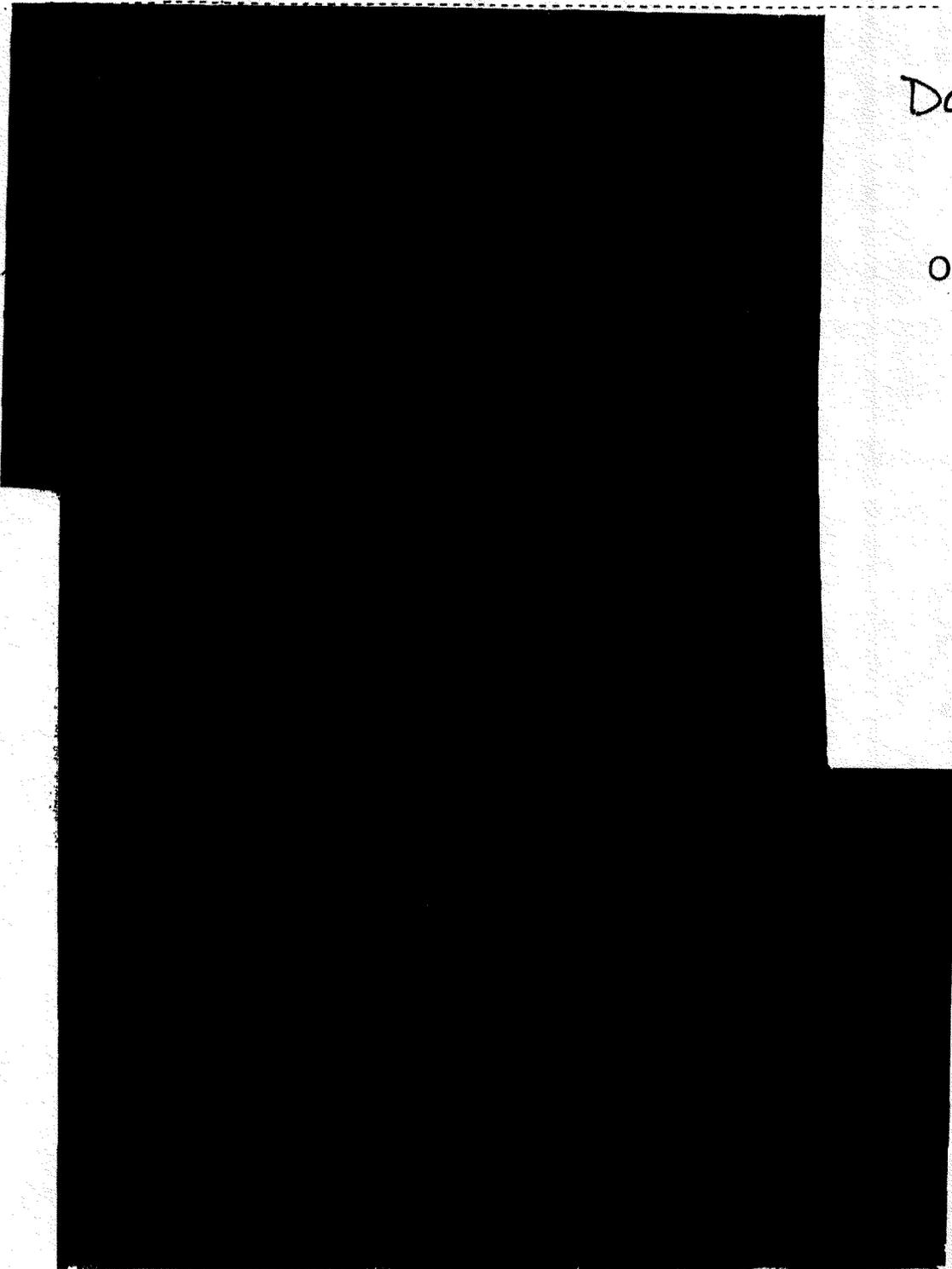


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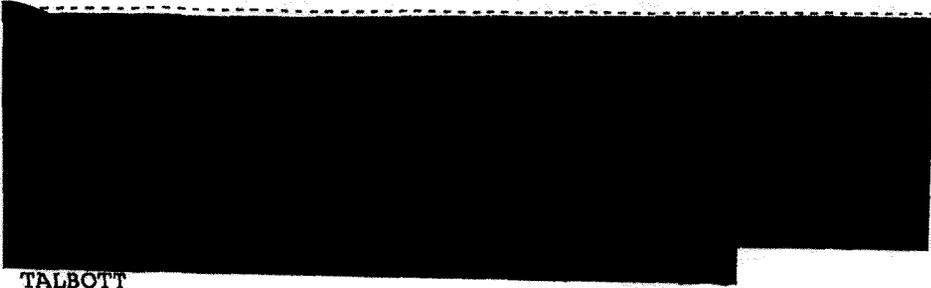
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COMMENT

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INFO: 12558: DECL: 08/11/00
TAGS: PREF, PREL, NK
SUBJECT: US-DPRK COUNTERTERRORISM TALKS: DAY II

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[redacted] SHEEHAN, FOR REASONS [redacted]
AND D.

1. SUMMARY:

[redacted]
SHEEHAN AND KIM AGREED TO CONTINUE DISCUSSIONS, OPEN A
DIALOGUE CHANNEL IN NY, AND DRAFT A JOINT STATEMENT FOR
ISSUANCE ON/AROUND THE MILLENNIUM SUMMIT. END SUMMARY.

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2. PRIOR TO BEGINNING THE SECOND DAY OF TALKS, AMB.
SHEEHAN AND VFM KIM HAD AN INTENSE ONE-ON-ONE DISCUSSION,
[redacted]

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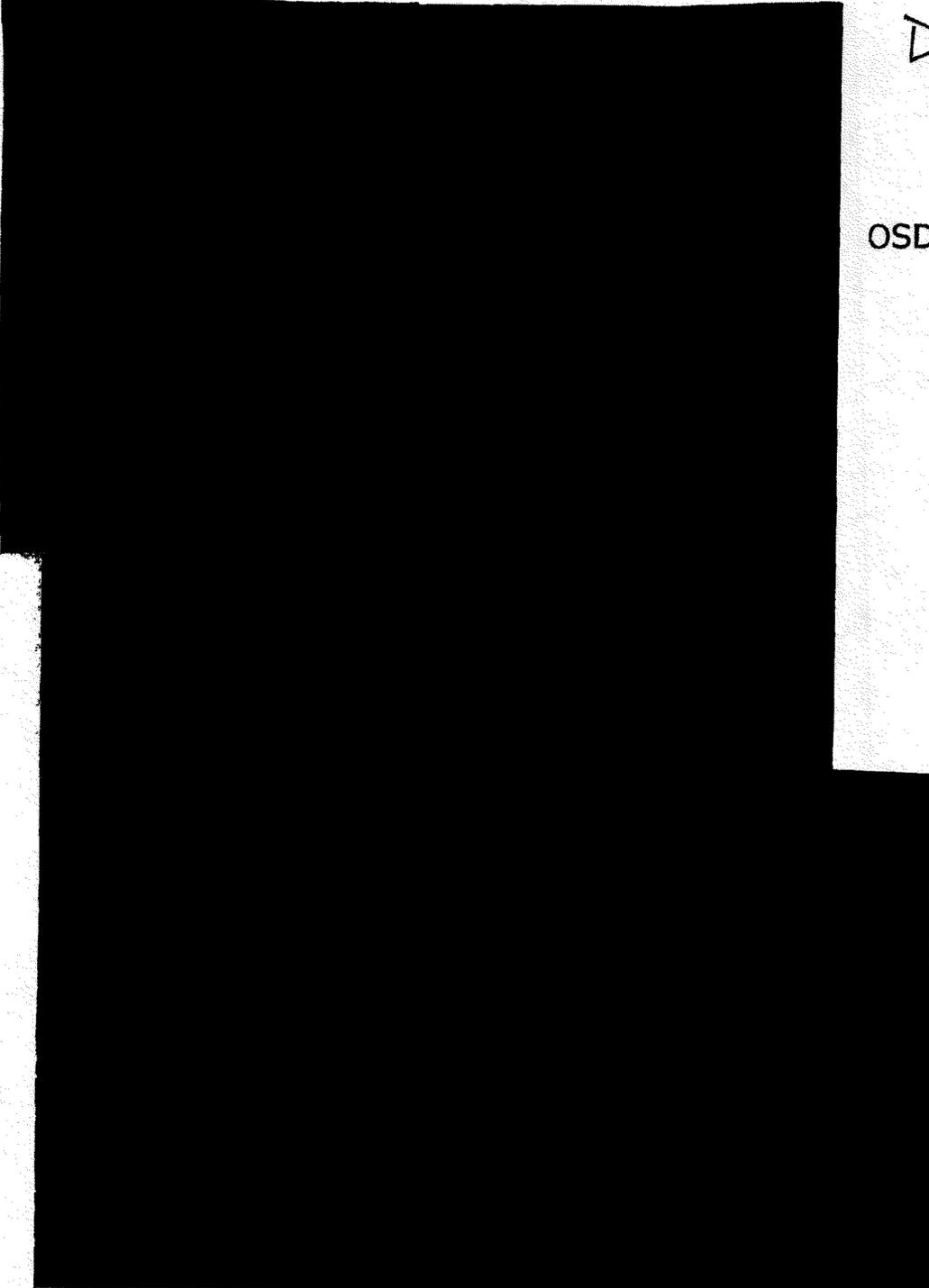
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LOOKING AHEAD

4. SHEEHAN REITERATED THE USG'S COMMITMENT TO THE
PROCESS, AS ILLUSTRATED BY HIS VISIT. STRESSING THE
IMPORTANCE OF BUILDING ON THE MOMENTUM OF THESE MEETINGS,
[redacted]

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SHEEHAN RECOMMENDED TWO IMMEDIATE NEXT STEPS: OPENING A CHANNEL IN NY TO DISCUSS TERRORISM CONCERNS AND PREPARING A JOINT STATEMENT FOR RELEASE AS A HIGH-LEVEL VISIT.

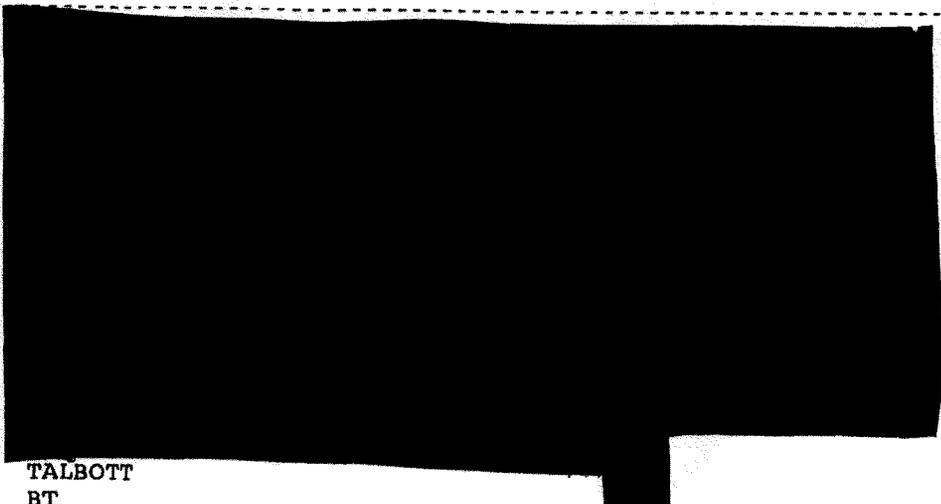


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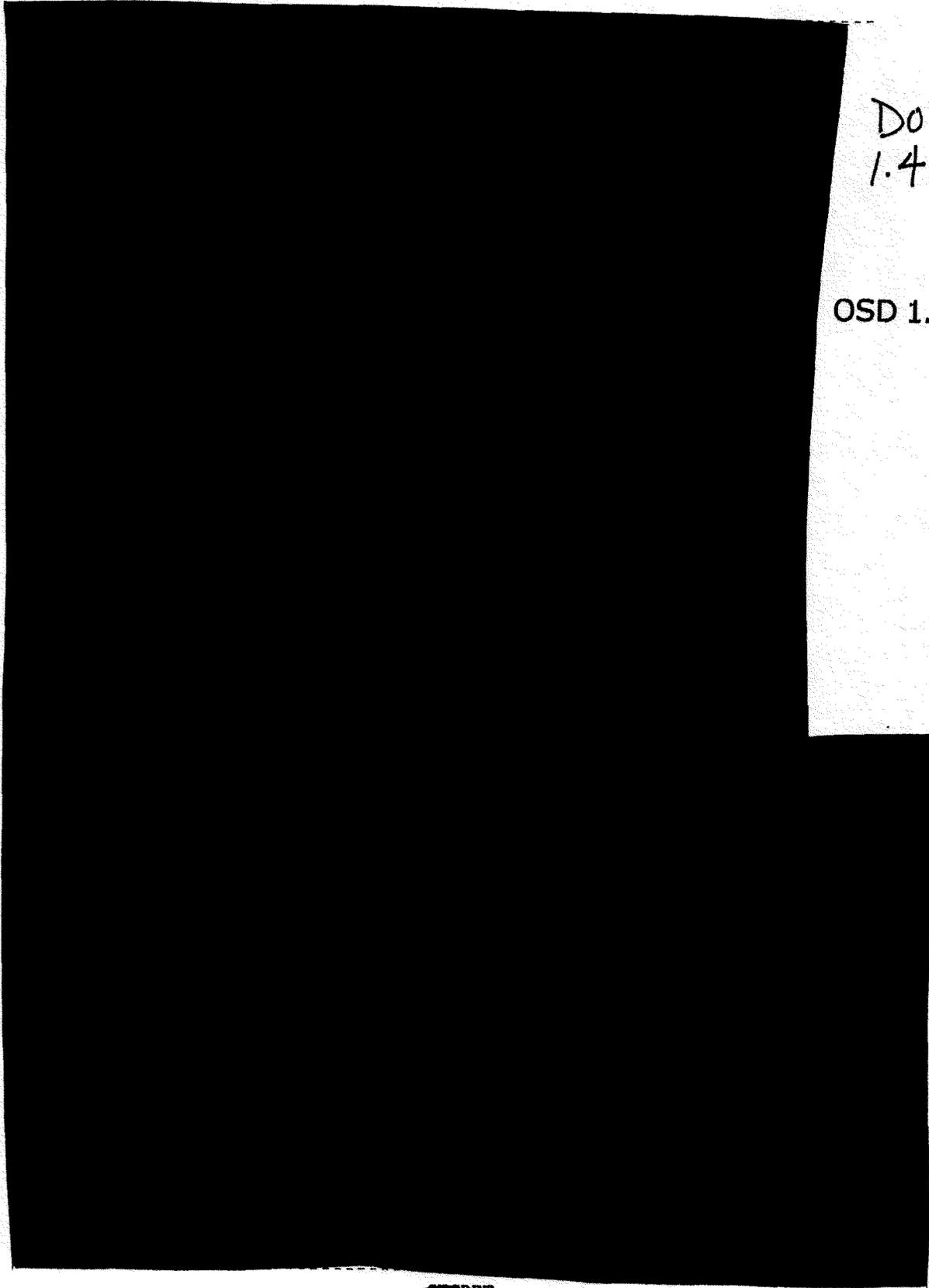


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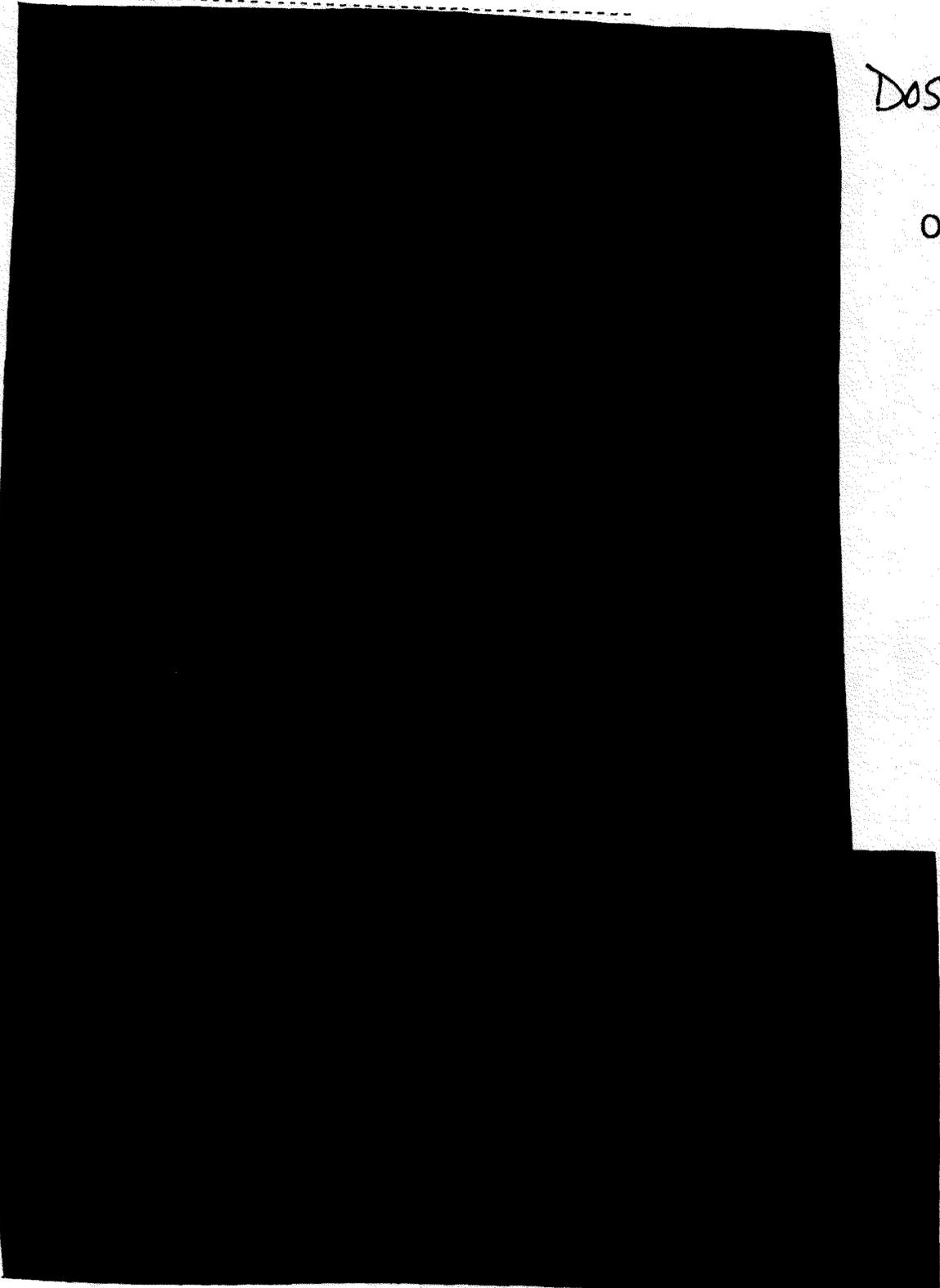
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CONCERN U.S. MIGHT MOVE WITHOUT HEEDING JAPAN



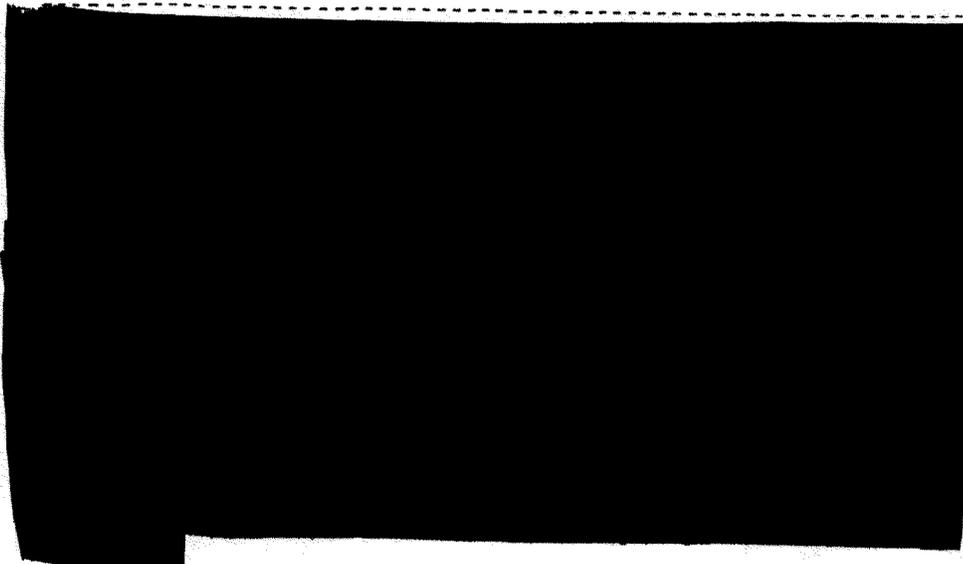
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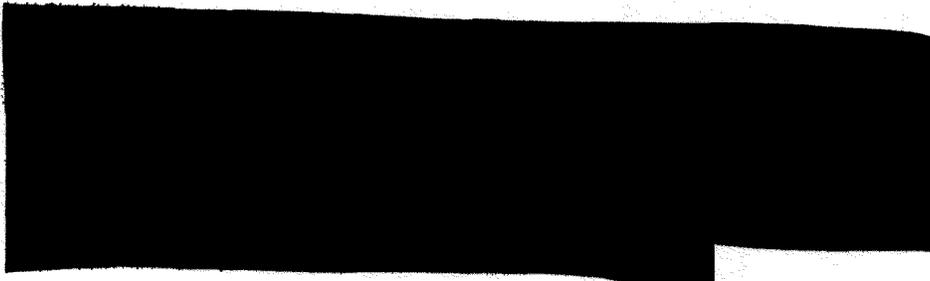


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16. (U) ON HOW THE GOJ WOULD RESPOND TO ANY PRESS INQUIRIES, [REDACTED] ASSURED SHEEHAN THAT MOFA WOULD STATE ONLY THAT IT RECEIVED A BRIEFING. HE NOTED THAT THE FACT THE MEETING TOOK PLACE WOULD BE WELL RECEIVED HERE.

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COMMENT



DOS 1.4(b),(d)

18. (U) AMBASSADOR SHEEHAN CLEARED THIS MESSAGE.
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SPECIAL OPERATIONS/
LOW-INTENSITY CONFLICT

CIA

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DOS 1.4(b),(d)

MEMORANDUM FOR PRINCIPAL DEPUTY ASSISTANT SECRETARY OF DEFENSE FOR
SPECIAL OPERATIONS AND LOW-INTENSITY CONFLICT

FROM: DEPUTY ASSISTANT SECRETARY FOR COMBATING TERRORISM
POLICY AND SUPPORT

Prepared by: Mr. Frank Light, (SO/LIC)CTP&S [REDACTED]

OSD 5 U.S.C. § 552 (b)(6)

SUBJECT: CSG SVTS, Friday, March 3, 2000, 11 a.m. – 12 noon.
INFORMATION MEMORANDUM (U)

PURPOSE: (U) To provide background for Friday's CSG chaired by Mr. Clarke in the White House Situation Room.

(U) DISCUSSION: The CSG invitation (Tab A) restricts participation in the second and probably most interesting of the two agenda topics to one representative per agency. MG Honore and BG Sattler also intend to participate.

(S) The first item on the agenda -- the threat situation in India and Bangladesh in the context of POTUS travel -- is covered at Tab B. Not a DoD lead. OSD 1.4(b),(4),(d)

(S) The second item concerns the Democratic People's Republic of Korea. The USG's highest priority with the DPRK is nuclear weaponry and missiles, an issue worked through the Perry process in Berlin. To advance the discussions the U.S. has proposed a High Level Visit (HLV) by a DPRK delegation to Washington in late March. [REDACTED]

OSD 1.4 (d)

(S) Along with Cuba, Libya, Sudan, Syria, Iraq, and Iran, the DPRK is one of seven countries the U.S. has designated a state sponsor of terrorism even though the annual *Patterns of Global Terrorism* report that State issues each April notes the DPRK "has not been linked solidly to the planning or execution of an international terrorist attack since 1987." [REDACTED]

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Reason: (S)

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OSD 1.4 (b)(d)



(U) RECOMMENDATION: Convey strong DoD interest. Our position will require adequate time to assess the roadmap and its implications for defense policy.

Attachments:

- Tab A. ~~(S)~~ Agenda.
- Tab B. ~~(S/NF)~~ TWC analysis.
- Tab C. ~~(S)~~ Marked-up, early draft of DPRK roadmap.
- Tab D. (U) Process for determining state sponsors of terrorism.

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 Chief, RDD, ESD, WHS
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 Reason: 1.4(b)(3)(d); 3.5(c) + 5 U.S.C. § 552(b)(3); 50 U.S.C. § 413, section 6(b)(6)
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50 U.S.C. § 403g Section 6

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DATE/TIME: 2/29/00

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50 U.S.C. § 403g Section 6

MESSAGE #: 0349

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Date: APR 02 2014

FROM: RICHARD CLARKE PH: [REDACTED] ROOM: 302

SUBJECT: CSG MEETING, FRIDAY, MARCH 3, 2000 FROM 11:00AM TO 12:00PM IN THE WHITE HOUSE SITUATION ROOM PAGES: 3

AGENDA ATTACHED

RICHARD CLARKE WILL BE CHAIRING

PLEASE DELIVER TO:

LOCATION	DELIVER TO	ROOM	PHONE
11 STATE S/CT STATE/DC	Michael Sheehan David Carpenter		202-647-9892 202-647-6290
12 DOD/SOLIC	[REDACTED]		[REDACTED]
5 JCS/J-3 JCS/J-34	MGEN Russel Honore BGEN John Sattler		[REDACTED]
7 CIA	[REDACTED]		[REDACTED]
14 FBI	Dale Watson	[REDACTED]	202-324-4664
15 JUSTICE	Jim Reynolds	[REDACTED]	202-514-0849
USSS	Dennis Lynch	[REDACTED]	406-9134
NSC	Paul Kurtz/Jack Pritchard/Mary McCarthy		handcarried



Counter-Terrorism Security Group

Chaired by Richard Clarke

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Date: APR 02 2014

March 3, 2000

11:00 - 12:00PM

WHITE HOUSE SITUATION ROOM

AGENDA

1. POTUS trip to South Asia -- Review of Threat Situation
 - India
 - Bangladesh

2. North Korea *** (restricted participation -- one rep per agency for this portion of the meeting)
 - Preparations for terrorism discussions with DPRK

Please call Donna Lieberon or Beverly Roundtree with your clearance info to gain access to the White House compound. [REDACTED] Thank you for your cooperation in advance.

OSD 5 U.S.C. § 552 (b)(6)

DOS

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1.4(D) CONCURRENCE REQUESTED - NSC

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State Sponsors of Terrorism

The Statute(s)

The Anti-Terrorism and Arms Export Amendments Act of 1989 amended three statutes to create a uniform statutory process for designating countries whose governments have "repeatedly provided support for acts of international terrorism." This process is commonly referred to as placing a country on the "terrorism list" or designating a country as a "state sponsor of terrorism." The statutes provide for the imposition of a broad range of sanctions whenever the Secretary of State makes such a determination. A determination by the Secretary may not be rescinded unless the President submits to Congress a report with various certifications regarding the changed behavior of that country's government with respect to terrorism.

In authorizing the Secretary of State to determine whether to designate a country as a state sponsor of terrorism, Congress did not define the key terms in the statute nor did it establish specific criteria for making the determination. The Secretary has broad discretion in weighing the evidence and deciding which factors to consider in making a determination.

The Process

The activities of foreign governments with respect to supporting terrorism are reviewed on an ongoing basis. Any proposals to change the terrorism list receive extensive coordination within the U.S. Government and draw upon a full range of public and classified information. Any changes to the terrorism list are announced as soon as they take effect. The Department's annual terrorism report, issued no later than April 30, includes an assessment of each country on the terrorism list.

The Implications and Current List

Placing a country on the terrorism list imposes four main sets of USG sanctions: a ban on arms-related exports and sales; controls over export of dual use items and technology; prohibitions on economic assistance; and imposition of various financial and other restrictions. Additionally, inclusion on the terrorism list makes a country the target of various non-proliferation and other sanctions laws that penalize persons and countries that engage in certain trade with terrorism list countries. The seven countries currently on the "terrorism list" are: Iran, Iraq, Libya, Syria, Sudan, Cuba and North Korea.

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