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ORIGIN EUR-00

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SOURCE: CBLEXCLS.000137

DRAFTED BY: EUR/PPD:LSCHWARTZ -- 11/12/2002 202-647-6291

APPROVED BY: EUR/PPD:AONEAL

LSCHWARTZ

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R 122216Z NOV 02  
FM SECSTATE WASHDC  
TO EUROPE ONLY COLLECTIVE  
AMEMBASSY ALMATY  
AMEMBASSY BRATISLAVA  
AMEMBASSY CHISINAU  
AMEMBASSY KIEV  
AMEMBASSY MINSK  
AMEMBASSY TASHKENT  
AMEMBASSY TIRANA  
AMEMBASSY YEREVAN

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E.O. 12958: N/A

TAGS: OPRC, KPAO

SUBJECT: EUR DAILY PRESS GUIDANCE - 11/12/02

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1. THE FOLLOWING PRESS GUIDANCE WAS PREPARED AND APPROVED BY THE BUREAU OF EUROPEAN AND EURASIAN AFFAIRS AND OTHER SELECTED BUREAUS HANDLING ISSUES OF INTEREST TO EUR POSTS FOR THE DEPARTMENT BRIEFING. QUESTIONS SHOULD BE REFERRED TO EUR PRESS OFFICE (202) 647-6925.

TOPICS INCLUDE:

- BULGARIA: ARMS TO <<IRAQ>> ALLEGATION
- KAZAKHSTAN: CHARGES AGAINST JOURNALIST

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UNITED STATES DEPARTMENT OF STATE  
REVIEW AUTHORITY: SHARON E AHMAD  
DATE/CASE ID: 26 OCT 2004 200303827

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-- <<IRAQ>>: SURVEILLANCE OF U.S. FACILITIES ABROAD  
 -- SERBIA: PRESIDENTIAL ELECTIONS FOLLOW-UP  
 -- TURKEY: COMPENSATION FOR ATTACK ON <<IRAQ>>  
 -- UN: AGENDA FOR SECRETARY POWELL'S MEETING TODAY WITH  
 UN SECRETARY GENERAL KOFI ANNAN  
 -- UN: DRAFT OPTIONAL PROTOCOL TO THE CONVENTION AGAINST  
 TORTURE

2. BULGARIA: ARMS TO <<IRAQ>> ALLEGATION

Q: IS BULGARIA PROVIDING ARMS TO <<IRAQ>>?

A:-- THE BULGARIAN GOVERNMENT IS ACTIVELY INVESTIGATING THE  
 RECENT TRANSFER OF MILITARY EQUIPMENT TO SYRIA FROM A COMPANY  
 OWNED BY THE BULGARIAN MINISTRY OF DEFENSE. BULGARIA IS  
 LOOKING CLOSELY INTO ALLEGATIONS THAT THE EQUIPMENT MAY HAVE  
 BEEN INTENDED FOR SUBSEQUENT TRANSFER TO <<IRAQ>>.

-- THE U.S. GOVERNMENT CONTINUES TO WORK CLOSELY WITH THE  
 HIGHEST LEVELS OF THE BULGARIAN GOVERNMENT ON GRAY ARMS  
 TRANSFERS, INCLUDING THIS CASE. WE ARE WORKING WITH BULGARIA  
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 TO ESTABLISH EFFECTIVE SAFEGUARDS TO PREVENT A RECURRENCE OF  
 ILLEGAL ARMS TRANSFERS.

-- BULGARIAN AUTHORITIES ARE TAKING VIGOROUS ACTION AGAINST  
 THE DEFENSE CONTRACTOR, TEREM, INCLUDING THE HEAD OF THE  
 COMPANY AND OTHER RELEVANT PERSONNEL. THE BULGARIAN POLICE  
 ALSO HAVE DETAINED SEVERAL INDIVIDUALS QUESTIONING.

Q: HOW DID BULGARIA DISCOVER THE ILLEGAL SHIPMENT?

A:-- I REFER YOU TO THE GOVERNMENT OF BULGARIA FOR SPECIFIC  
 DETAILS.

-- AS I HAVE SAID PREVIOUSLY, THE U.S. WILL CONTINUE TO WORK  
 CLOSELY WITH THE GOVERNMENT OF BULGARIA ON NON-PROLIFERATION  
 ISSUES.

Q: WILL THIS ILLEGAL ARMS TRANSFER IMPAIR BULGARIA'S CHANCES  
 FOR AN INVITATION TO JOIN NATO?

A:-- WE HAVE RAISED CONCERNS ABOUT PROLIFERATION ALONG WITH  
 OTHER ISSUES, WITH ALL THE NATO ASPIRANTS. THEIR EFFORTS ON  
 NON-PROLIFERATION ARE PART OF OUR EVALUATION OF THEIR  
 READINESS TO ASSUME THE OBLIGATIONS OF NATO MEMBERSHIP.

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Q: WHAT CRITERIA WILL THE U.S. USE IN MAKING ITS OWN SELECTION DETERMINATION?

A:-- ALL OF THE ASPIRANT COUNTRIES WILL BE EVALUATED FOR MEMBERSHIP BY THEIR PROGRESS TOWARDS ACHIEVING THE GOALS AND OBJECTIVES SPECIFIED IN THEIR RESPECTIVE INDIVIDUAL  
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MEMBERSHIP ACTION PLANS. THESE PLANS INCLUDE POLITICAL AND ECONOMIC OBJECTIVES, ALONG WITH MILITARY GOALS.

-- IN ADDITION TO PROGRESS ON THE MEMBERSHIP ACTION PLANS, OTHER FACTORS WILL EFFECT THE U.S. DECISION REGARDING NATO MEMBERSHIP INVITATIONS.

-- BECAUSE NATO IS NOT ONLY A MILITARY ALLIANCE, BUT ALSO A COMMUNITY OF DEMOCRATIC VALUES, THE U.S. AND OUR ALLIES ALSO WILL TAKE INTO CAREFUL CONSIDERATION THE DEGREE TO WHICH EACH COUNTRY UNDER CONSIDERATION FOR MEMBERSHIP SHARES A PERMANENT COMMITMENT TO DEMOCRACY AND CIVIL LIBERTIES UNDER THE RULE OF LAW.

3. KAZAKHSTAN: CHARGES AGAINST JOURNALIST

Q: ANY COMMENT ON THE RAPE CHARGES FILED AGAINST KAZAKHSTANI JOURNALIST SERGEI DUVANOV? WHAT ABOUT HIS HUNGER STRIKE?

A:-- THE CHARGES FILED AGAINST MR. DUVANOV ARE VERY SERIOUS. OUR PRIMARY CONCERN IS THAT ANY LEGAL PROCESS AGAINST HIM BE CARRIED OUT IN A FAIR, TRANSPARENT, AND OPEN MANNER.

-- WE UNDERSTAND MR. DUVANOV HAS AGREED TO END HIS HUNGER STRIKE. WE REMAIN CONCERNED ABOUT THE STATE OF MR. DUVANOV'S HEALTH, AND HAVE RAISED THESE CONCERNS WITH THE KAZAKHSTANI AUTHORITIES.

(IF PRESSED:)

Q: DO YOU BELIEVE THIS JOURNALIST WAS THE TARGET OF  
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ORCHESTRATED HARASSMENT?

A:-- WE HAVE NOTED BEFORE THAT THIS SAME JOURNALIST WAS BRUTALLY BEATEN BY UNKNOWN ASSAILANTS IN AUGUST AND THAT, IN RECENT MONTHS, THERE HAS BEEN AN APPARENT PATTERN OF HARASSMENT OF KAZAKHSTAN'S INDEPENDENT MEDIA. WE HAVE

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FREQUENTLY RAISED AND WILL CONTINUE TO RAISE OUR CONCERNS WITH THE KAZAKHSTANI AUTHORITIES.

4. <<IRAQ>>: SURVEILLANCE OF U.S. FACILITIES ABROAD

Q: CAN YOU COMMENT ON THE NEWS REPORT THAT <<IRAQ>> HAS BEGUN AN AGGRESSIVE SURVEILLANCE CAMPAIGN OF U.S. FACILITIES ABROAD?

A:-- WE HAVE SEEN THE REPORTS, BUT HAVE NOTHING FOR YOU ON THEM.

-- OUR MISSIONS ABROAD OPERATE AT A VERY HIGH STATE OF ALERT. THEY REVIEW THEIR SECURITY FREQUENTLY, AND TAKE ADDITIONAL SECURITY MEASURES AS NECESSARY. FOR SECURITY REASONS, WE DO NOT COMMENT ON SPECIFIC SECURITY MEASURES TAKEN.

Q: WILL THE STATE DEPARTMENT ISSUE A NEW WORLDWIDE CAUTION?

A:-- THE NOVEMBER 6, 2002, WORLDWIDE CAUTION, WHICH REMAINS IN EFFECT, ADVISES AMERICANS THAT THE U.S. GOVERNMENT CONTINUES TO RECEIVE CREDIBLE INDICATIONS THAT EXTREMIST GROUPS AND INDIVIDUALS ARE PLANNING ADDITIONAL TERRORIST ATTACKS AGAINST U.S. INTERESTS. THESE GROUPS DO NOT DISTINGUISH BETWEEN OFFICIAL AND CIVILIAN TARGETS.

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-- WE ENCOURAGE AMERICAN CITIZENS TO REMAIN VIGILANT WITH REGARD TO THEIR PERSONAL SECURITY AND TO EXERCISE CAUTION.

-- IF WE RECEIVE INFORMATION THAT IS RELATED TO THE SAFETY OR SECURITY OF PRIVATE AMERICAN CITIZENS, WE WILL ALERT THE PUBLIC THROUGH OUR CONSULAR INFORMATION PROGRAM AND OUR EMBASSY WARDEN SYSTEMS.

5. SERBIA: PRESIDENTIAL ELECTIONS FOLLOW-UP

Q: ANY COMMENT ON SERBIAN DEPUTY PRIME MINISTER LABUS DECISION NOT TO RUN IN THE FOLLOW-UP PRESIDENTIAL ELECTIONS?

A:-- THE U.S. DOES NOT TAKE SIDES IN SERBIA'S INTERNAL POLITICS. THE SELECTION AND ELECTION OF LEADERS ARE FOR VOTERS TO DECIDE.

-- WE WELCOME THE ACTIONS OF THE SERBIAN PARLIAMENT THAT HAVE ALLOWED THE PRESIDENTIAL ELECTIONS TO BE SCHEDULED FOR DECEMBER 8TH.

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-- THESE ELECTIONS WILL OFFER VOTERS IN SERBIA ANOTHER OPPORTUNITY TO VOTE FOR LEADERS COMMITTED TO ECONOMIC REFORM AND TO THE INTEGRATION OF YUGOSLAVIA AND SERBIA INTO EURO-ATLANTIC INSTITUTIONS.

-- THE <<UNITED>> <<STATES>> WILL CONTINUE TO WORK WITH YUGOSLAV DEPUTY PRIME MINISTER LABUS AND OTHER POLITICAL LEADERS IN BELGRADE AND PODGORICA TO ADVANCE DEMOCRACY AND ECONOMIC REFORM IN YUGOSLAVIA.

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6. TURKEY: COMPENSATION FOR ATTACK ON &lt;&lt;IRAQ&gt;&gt;

Q. ANY COMMENT REGARDING GENERAL OZKOK'S DEMAND THAT TURKEY BE COMPENSATED FOR ANY WAR COSTS IT MIGHT INCUR?

A:-- WE HAD A PRODUCTIVE MEETING WITH GENERAL OZKOK LAST WEEK.

-- WE CONTINUE TO CONSULT CLOSELY WITH OUR CLOSE ALLY TURKEY ON THE THREAT THAT <<IRAQ>> POSES TO THE REGION.

-- WE ARE STILL IN THE PROCESS OF LOOKING AT OUR OVERALL ASSISTANCE PACKAGE FOR TURKEY.

7. UN: AGENDA FOR SECRETARY POWELL'S MEETING TODAY WITH UN SECRETARY GENERAL KOFI ANNAN

SECRETARY POWELL IS MEETING WITH UN SECRETARY GENERAL KOFI ANNAN TODAY FROM 4:45PM. THERE IS NO FORMAL AGENDA.

THE PRIMARY TOPIC OF DISCUSSION WILL BE <<IRAQ>>, SPECIFICALLY NEXT STEPS FOLLOWING PASSAGE OF THE UN RESOLUTION.

SECONDARY TOPICS WILL LIKELY INCLUDE DEVELOPMENTS IN THE MIDDLE EAST, CYPRUS, <<AFGHANISTAN>>, THE BAKASSI PENINSULA, AND THE DEMOCRATIC REPUBLIC OF CONGO.

8. UN: DRAFT OPTIONAL PROTOCOL TO THE CONVENTION AGAINST TORTURE

Q: LAST THURSDAY (NOVEMBER 7) A UN COMMITTEE SLAMMED THE U.S. POSITION ON A PROPOSED PROTOCOL TO FIGHT TORTURE. COUNTRIES

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VOTED OVERWHELMINGLY IN FAVOR OF THIS MAJOR HUMAN RIGHTS MEASURE. WILL THE U.S. RECONSIDER ITS FINAL VOTE?

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A:-- SEVERAL COUNTRIES WITH STRONG HUMAN RIGHTS RECORDS AGREED WITH OUR CONCERNS ABOUT THE DRAFT PROTOCOL. A SYSTEM OF REGULAR INSPECTIONS ON A ROTATING BASIS, RATHER THAN AD-HOC, TARGETED VISITS, BRINGS INTO QUESTION WHETHER THE DESIRED RESULT WILL BE ACHIEVED - REDUCING THE USE OF TORTURE AROUND THE WORLD. THE <<UNITED>> <<STATES>> PREFERS STRENGTHENING EXISTING INTERNATIONAL MECHANISMS, PARTICULARLY THE WORK OF THE UN COMMITTEE AGAINST TORTURE. WE ARE TALKING WITH JAPAN AND OTHER COUNTRIES THAT SHARE OUR CONCERNS REGARDING THE NEXT STEPS. WE CANNOT SUPPORT THE DRAFT OPTIONAL PROTOCOL AS IT CURRENTLY STANDS.

Q: BY OPPOSING THIS MEASURE, ISN'T THE U.S. UNDERCUTTING A WORTHY GOAL OF EMERGING DEMOCRACIES?

A:-- OUR GOAL IS TO CONSULT WITH OTHER NATIONS IN THE UN, ANALYZE MECHANISMS AND BUDGET IMPLICATIONS, AND ARRIVE AT AGREEMENT ON MEASURES THAT REALLY WORK. WE DON'T THINK THE CURRENT DRAFT DOES THAT. WE THINK WE CAN ALL DO BETTER.

Q: WHAT HAS THE U.S. DONE TO COMBAT AND REMEDY TORTURE?

A:-- THE <<UNITED>> <<STATES>> ABHORS THE DESPICABLE PRACTICE OF TORTURE AND IS ONE OF THE WORLD'S MOST FORCEFUL VOICES AGAINST IT. THE <<UNITED>> <<STATES>> HAS LED INTERNATIONAL EFFORTS TO PUT PRESSURE ON GOVERNMENTS TO PUBLICLY CONDEMN TORTURE; TO ENACT LEGISLATION; TO INVESTIGATE AND PROSECUTE ABUSIVE OFFICIALS; TO TRAIN LAW ENFORCEMENT OFFICERS AND MEDICAL  
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PERSONNEL, AND TO PROVIDE COMPENSATION AND REHABILITATION FOR VICTIMS. THE <<UNITED>> <<STATES>> IS A PARTY TO THE CONVENTION AGAINST TORTURE, WHICH 130 OTHER STATES HAVE RATIFIED. AN AMERICAN EXPERT SITS ON THE COMMITTEE AGAINST TORTURE, THE OVERSIGHT COMMITTEE ESTABLISHED UNDER THE CONVENTION. THE <<UNITED>> <<STATES>> IS THE WORLD'S LARGEST DONOR TO THE UN VOLUNTARY FUND FOR VICTIMS OF TORTURE, TO WHICH WE CONTRIBUTED \$5 MILLION IN FY 2002, AND 67% OF ITS TOTAL BUDGET IN THE LAST BIENNIUM.

Q: WHAT IS THE DRAFT OPTIONAL PROTOCOL TO THE CONVENTION AGAINST TORTURE?

A:-- THE DRAFT OPTIONAL PROTOCOL TO THE CONVENTION AGAINST TORTURE WOULD ESTABLISH A NEW INTERNATIONAL OVERSIGHT BODY CHARGED WITH INSPECTING DETENTION FACILITIES IN ALL SIGNATORY NATIONS. SUCH VISITS WOULD BE SCHEDULED IN ADVANCE ON A ROTATING BASIS FOR NATIONS THAT BECOME STATES PARTIES. THE

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NEW BODY WOULD NOT BE ABLE TO CONDUCT AD HOC OR TARGETED VISITS.

Q: WHY IS THE U.S. OBJECTING NOW TO THE DRAFT OPTIONAL PROTOCOL TO THE CONVENTION AGAINST TORTURE?

A:-- OVER A TEN-YEAR NEGOTIATING PERIOD, WE WORKED HARD WITH THE INTERNATIONAL COMMUNITY TO FIX MAJOR PROBLEMS OF THE DRAFT OPTIONAL PROTOCOL. WE HAVE CONSISTENTLY RAISED A NUMBER OF CONCERNS. UNFORTUNATELY, THE PROTOCOL WAS PUSHED TO WHAT ULTIMATELY WAS A DIVISIVE VOTE AT THE UN HUMAN RIGHTS COMMISSION THIS PAST SPRING AND AGAIN AT THE UN ECONOMIC AND SOCIAL COUNCIL (ECOSOC) IN JULY WITH MANY CONCERNS UNRESOLVED.

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-- IN ADDITION TO THE FLAWED INSPECTION PROCESS, THE <<UNITED>> <<STATES>> HAS CONCERNS ABOUT THE FINANCING SCHEME OF THE PROTOCOL. WE BELIEVE THIS TREATY WILL NOT ENHANCE THE WORK OF THE EXISTING COMMITTEE AGAINST TORTURE AND OTHER MORE RESULTS-ORIENTED INTERNATIONAL HUMAN RIGHTS BODIES. IF ADOPTED IN ITS PRESENT FORM, THE PROTOCOL WOULD REQUIRE MANDATORY ASSESSMENTS ON ALL MEMBERS OF THE UNITED NATIONS. NATIONS NOT PARTY TO THIS AGREEMENT SHOULD NOT BE FORCED TO PAY. ONLY STATES PARTIES SHOULD FUND THE OPTIONAL PROTOCOL. FOR THIS REASON, THE U.S. OFFERED AN AMENDMENT PROVIDING THAT STATES PARTIES PAY.

Q: WHY ARE YOU STANDING IN THE WAY OF OTHERS JOINING IN A PROTOCOL WHICH IS OPTIONAL?

A:-- WE ARE NOT STANDING IN THE WAY OF OTHERS JOINING THE DRAFT OPTIONAL PROTOCOL. THE PARTIES TO IT CAN USE VOLUNTARY FUNDING AND CAN ALSO PUT TOGETHER ANY FORMULA OF ASSESSMENTS ON STATES PARTIES THAT THEY DEEM APPROPRIATE TO FUND THIS MECHANISM.

( IF ASKED: )

Q: DOES THE U.S. OBJECT TO INSPECTIONS OF ITS OWN PRISONS? ISN'T GUANTANAMO AT THE HEART OF U.S. OPPOSITION?

A:-- WE HAVE OPENED OUR DETENTION FACILITIES TO VARIOUS INSPECTIONS. IN THE CASE OF GUANTANAMO, <<DETAINEES>> ARE HELD AS A RESULT OF ARMED CONFLICT. THE 1949 GENEVA CONVENTIONS ALLOW FOR ACCESS BY THE INTERNATIONAL COMMITTEE OF THE RED

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CROSS (ICRC) IN SUCH CASES. FROM THE BEGINNING, THE ICRC HAS  
CONDUCTED PERIODIC VISITS AND INTERVIEWED THESE <<DETAINÉES>>.  
<<TREATMENT>> HAS BEEN HUMANE AND IN ACCORDANCE THE PRINCIPLES OF  
THE GENEVA CONVENTIONS.

Q: WHY DID THE U.S. VOTE "NO" IN THE VOTE ON THE DRAFT  
OPTIONAL PROTOCOL TO THE CONVENTION AGAINST TORTURE:

A:-- WE WERE UNABLE TO AMEND THE TEXT TO ENSURE THAT ONLY  
STATES PARTIES WOULD COVER THE IMPLEMENTATION COSTS. THE  
<<UNITED>> <<STATES>> CANNOT SUPPORT ADOPTION OF THE DRAFT PROTOCOL  
IN ITS CURRENT FORM BECAUSE WE BELIEVE THAT THERE ARE MORE  
EFFECTIVE WAYS TO FIGHT TORTURE.  
POWELL

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