

Case Number: 2013-0122-M; 2014-0118-M

# MIR MARKER

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| Original OA/ID Number:<br>302                      |               |             |                |             |
|  |               |             |                |             |
| Document ID:<br>Haiti 1994 [Folder 2] [5]: 9402520 |               |             |                |             |
| Row:<br>37   | Section:<br>4 | Shelf:<br>4 | Position:<br>1 | Stack:<br>V |

# Withdrawal/Redaction Sheet

## Clinton Library

| DOCUMENT NO.<br>AND TYPE | SUBJECT/TITLE  | DATE       | RESTRICTION |
|--------------------------|--|------------|-------------|
| 001. memo                | To: Anthony Lake; From: Lawrence Rossin; Re: haiti: Proposed Strategy Revision (5 pages) | 04/02/1994 | P1/b(1)     |

### COLLECTION:

Clinton Presidential Records  
National Security Council  
Inter-American Affairs  
OA/Box Number: 302

### FOLDER TITLE:

Haiti 1994 [Folder 2] [5]: 9402520

2013-0122-M  
sb2518

### RESTRICTION CODES

#### Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
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PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

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| Document ID:<br>Haiti 1994 [Folder 2] [1]: 9404007 |               |             |                |             |
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| DOCUMENT NO.<br>AND TYPE | SUBJECT/TITLE   | DATE       | RESTRICTION |
|--------------------------|---|------------|-------------|
| 001. memo                | To: POTUS; From: Anthony Lake; Re: [President Aristide] (2 pages) | 05/20/1994 | P1/b(1)     |

### COLLECTION:

Clinton Presidential Records  
National Security Council  
Inter-American Affairs (Feinberg, Richard)  
OA/Box Number: 302

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Haiti 1994 [Folder 2] [1]: 9404007

2013-0122-M  
sb2532

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| Document ID:<br>Ref. Staff Drawer Files, Haiti 1993/1994 [1]: 9404022 |               |             |                |             |
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| DOCUMENT NO.<br>AND TYPE | SUBJECT/TITLE   | DATE                  | RESTRICTION                           |
|--------------------------|---|-----------------------|---------------------------------------|
| 001a. memo               | To: Anthony Lake; From: Lawrence Rossin; Re: Haiti - Sanctions, UNMIH, and Use of Force (1 page)  | 05/24/1994            | P1/b(1)                               |
| 001b. memo               | To: POTUS; From: Anthony Lake; Re: Haiti: Additional Sanctions, UN Mission Mandate ...] (7 pages) | 00/00/0000            | P1/b(1)                               |
| 001c. paper              | Haiti - Use of Force [partial] (6 pages)  | 00/00/0000            | P1/b(1) <i>VL 3/3/2020</i>            |
| 001d. paper              | Haiti - Political Action Plan (4 pages)   | 00/00/0000            | P1/b(1)                               |
| <del>001e. paper</del>   | <del>Functions and Parameters of UNMIH (4 pages)</del>  | <del>00/00/0000</del> | <del>P1/b(1)</del> <i>VL 3/3/2020</i> |

**COLLECTION:**

Clinton Presidential Records  
 National Security Council  
 Inter-American Affairs (Feinberg, Richard)  
 OA/Box Number: 507

**FOLDER TITLE:**

Ref. Staff Drawer File, Haiti 1993/1994 [1]: 9404022

2013-0122-M  
 sb2533

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|--------------------------|--|------------|-------------|
| 001a. memo               | To: Anthony Lake; From: Lawrence Rossin; Re: Haiti - Sanctions, UNMIH, and Use of Force (1 page) | 05/24/1994 | P1/b(1)     |

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Ref. Staff Drawer File, Haiti 1993/1994 [1]: 9404022

2013-0122-M

sb2533

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|--------------------------|--|------------|-------------|
| 001b. memo               | To: POTUS; From: Anthony Lake; Re: Haiti: Additional Sanctions,<br>UN Mission Mandate ...] (7 pages) | 00/00/0000 | P1/b(1)     |

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Ref. Staff Drawer File, Haiti 1993/1994 [1]: 9404022

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|--------------------------|--|------------|-------------|
| 001c. paper              | Haiti - Use of Force [partial] (6 pages) | 00/00/0000 | P1/b(1)     |

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HAITI - USE OF FORCE ACTION PLAN

This paper lays out a scenario, objectives and justification for use of force and describes a political scenario for the restoration and stabilization of democracy and return of Aristide. The political action plan at annex I describes a scenario for building pressure on the military in the leadup period to the ultimatum threatening use of force. The paper at annex II describes alternative concept for UNMIH which would provide the basis for the follow-on force. Such a force would be needed in Haiti whether the military left under pressure or was displaced by massive force.

(b)(1), EO 13526 1.4d

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Declassify on: OADR

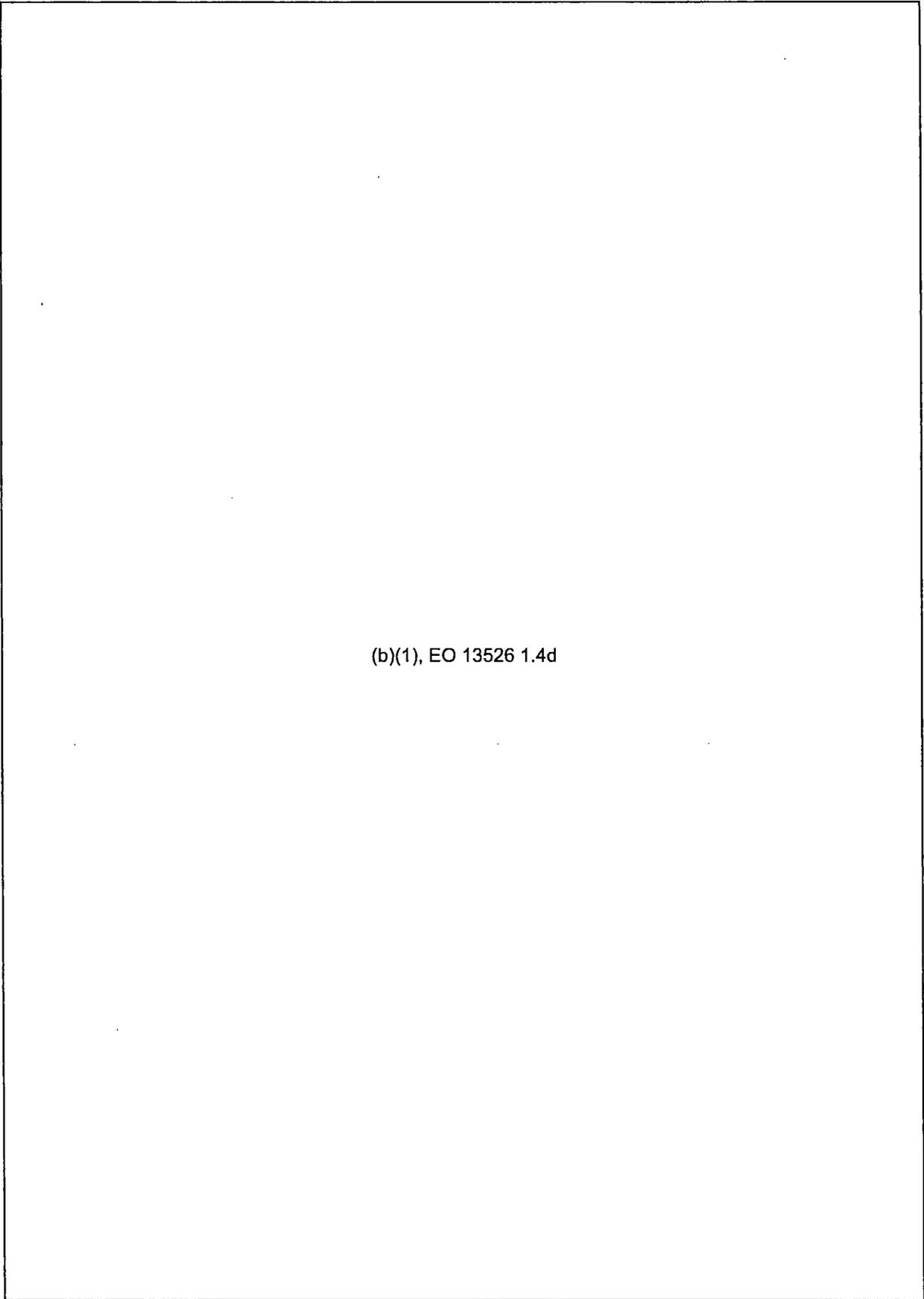
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Declassified in Part

Per E.O. 13526

VZ 10/08/2019 (2.75)

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(b)(1), EO 13526 1.4d

(b)(1), EO 13526 1.4d

V. D-DAY

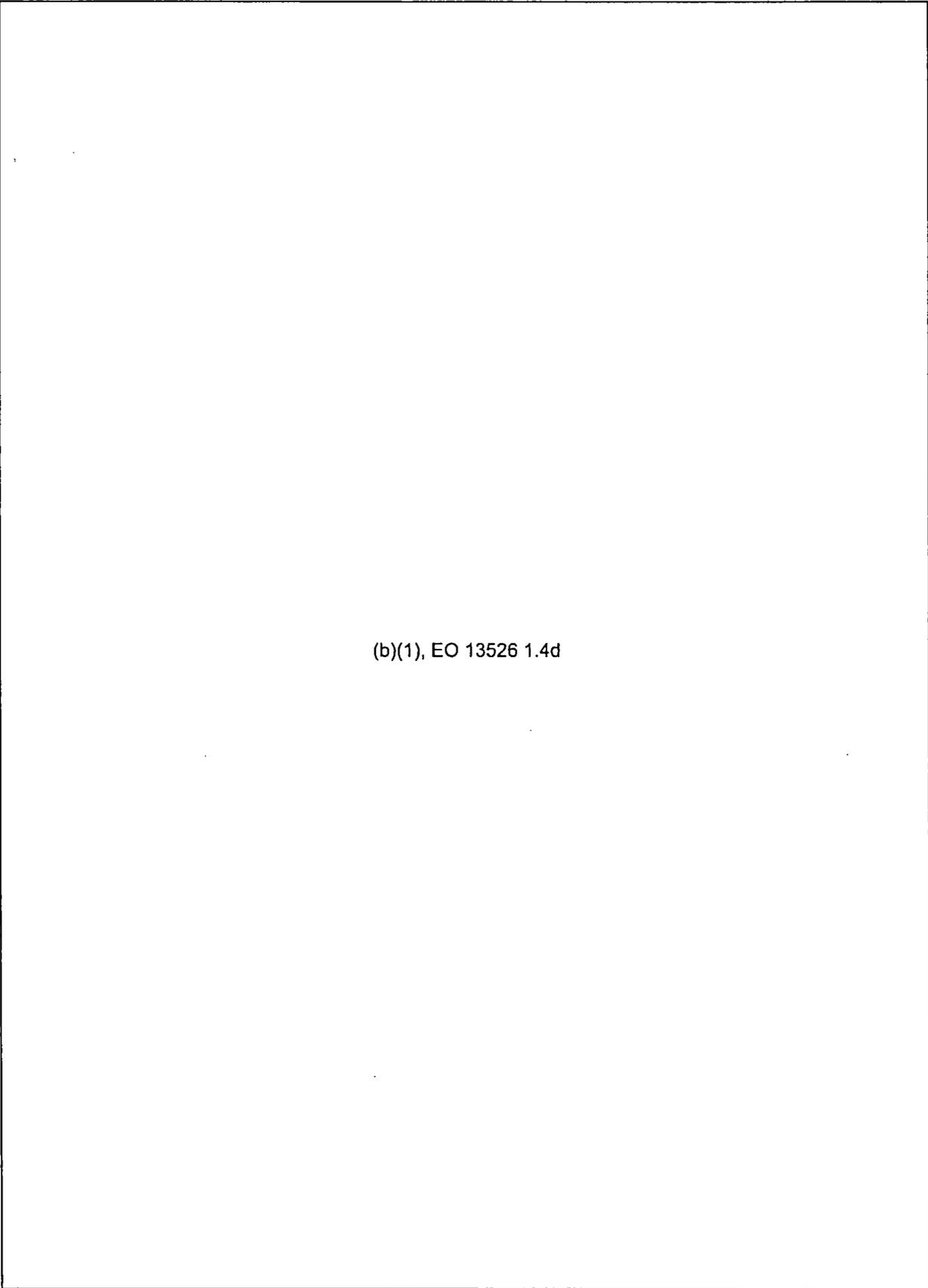
If ultimatum works

Send aircraft to Haiti to transport the military leadership and their families to safe haven in the United States. If they wish to go to a third country, we can seek to arrange that after they are in the U.S. (but we must be prepared for such third country to reject our overtures).

Ensure Aristide follows through on his commitments to name new Prime Minister and FAD'H CINC and to request prompt deployment of the UN or multilateral peace enforcement/assistance Mission as a stabilizing measure. If Aristide refuses to invite the UNMIH or *ad hoc* force, deploy anyway in view of our larger interests.

President Clinton outlines justification for having threatened force and for UNMIH/*ad hoc* force deployment and mission objectives as outlined below, followed by rest of scenario.

(b)(1), EO 13526 1.4d



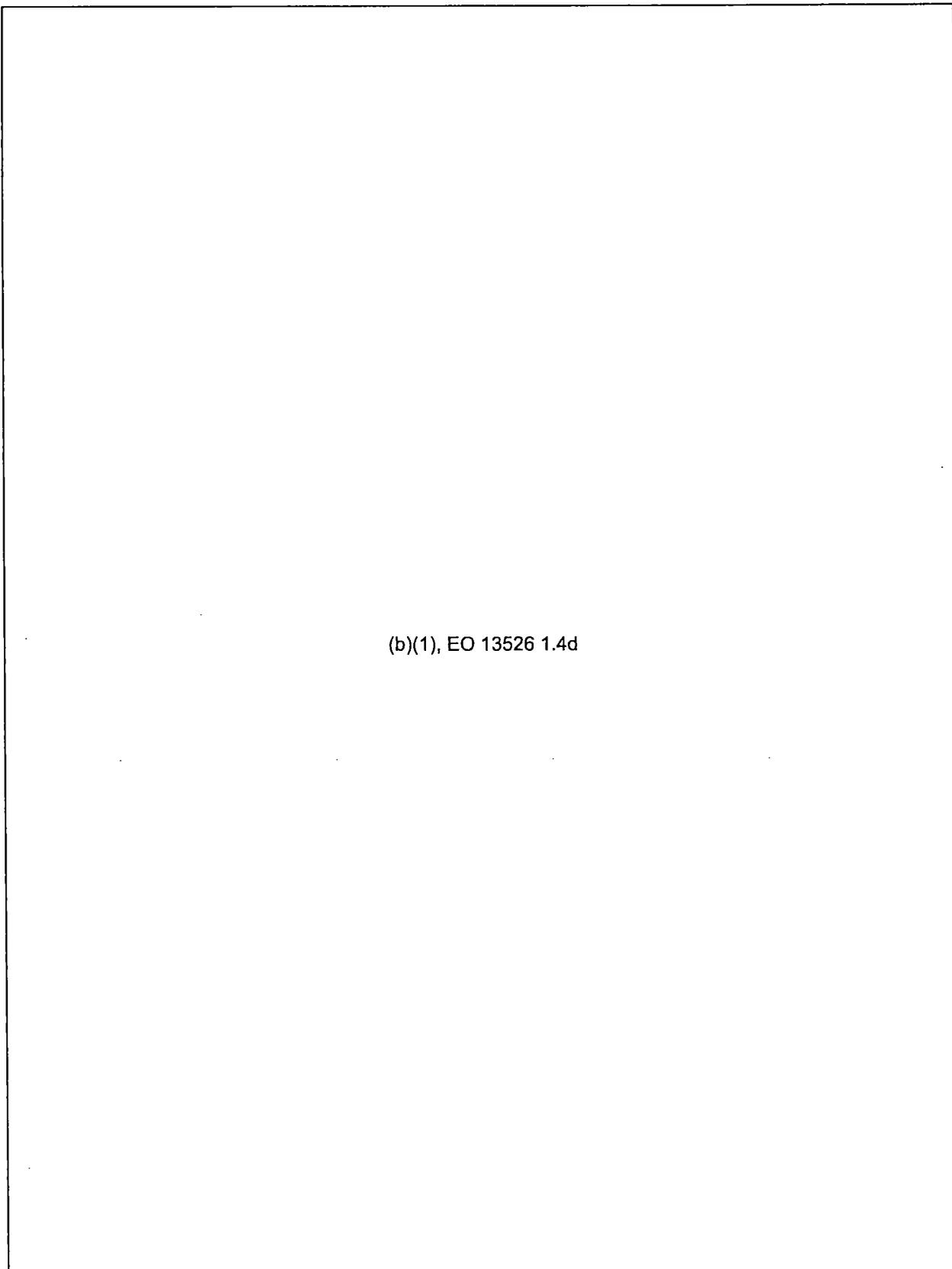
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(b)(1), EO 13526 1.4d

Annex I Political Action Plan  
Annex II Follow-on force parameters

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| 001d. paper              | Haiti - Political Action Plan (4 pages) | 00/00/0000 | P1/b(1)     |

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Functions and Parameters of UNMIH

This paper addresses the role of the United Nations Mission in Haiti (UNMIH) under two differing scenarios: one in which it has followed a US-led Vanguard Force and one in which it has deployed without such a prior operation. The overall goal is to use multinational involvement to the greatest extent possible.

SUMMARY

UNMIH Missions: the missions of the military portion of UNMIH would consist of:

- professionalization of the military;
- protection of key facilities;
- protection of international monitors/NGOs/PVOs;
- protection of Haitian government VIPs and key political leaders;
- assisting in providing essential civic order; and
- some aspects of military logistics

Not UNMIH Military Missions: the UNMIH military force would not perform the following functions:

- civic action/development activities: these would be performed by international civilian agencies;
- police training: the new civilian police would be trained by international civilian police trainers, notably a US ICITAP team;
- basic policing: the existing Haitian authorities would perform the normal urban and rural traffic and criminal police functions;
- some aspects of logistics: civilian contractors would perform some logistics tasks for UNMIH.

Geographic Scope: UNMIH would have nation-wide deployment capability, but would not be present constantly in all towns. It would be present where the international civilian operation was active and required protection. It would also be located in some regional centers from which it could operate when needed in its mission of assisting in providing essential civic order.

MISSION DETAIL

- Protecting the International Presence: the UN and NGO human rights monitors, civilian police trainers, development

officials, and civilian contract logistics operations would all require some degree of UNMIH military protection. This requirement could be reduced somewhat by employing contractor security guards for fixed sites.

- Executive Security: in addition to training Haitian government executive protection, UNMIH would augment the personal security of senior Haitian officials and the site security of key installations.
- Essential Civic Order: The UNMIH would assist Haitian authorities in the prevention of large scale looting and rioting.

OPTION ONE: It would not undertake to respond to incidents of political violence, nor to take over the main functions to the existing Haitian police force and military. If those forces were to be vetted or disbanded, it would perform routine police functions, which would be carried out, as now, by the Haitian military and then by the new Haitian civilian police. UNMIH civilian monitors and trainers might accompany some police patrols, but not routinely nor on a nationwide basis.

It would, however, suppress wide-spread looting and/or political violence and protect the Aristide government against a coup. Government officials would have personal protection through the UNMIH executive security function. Citizens, including military and their families, who demonstrated they might be subject to politically motivated individual violence could be afforded protection in "safe" neighborhoods or compounds.

OR

OPTION TWO: It would, in addition to the tasks for the Option One force, undertake to accomplish the disbanding and vetting of the existing Haitian police and military, to the degree not accomplished by the vanguard. It would assist the Haitian police/army in maintaining order through joint patrolling and on-the-job training. In addition to preventing rioting and looting, UNMIH would assist the Haitian police in seeking out illegal arms caches and terror groups intent on political violence and human rights abuses and respond to incidents that showed a pattern of organized lawlessness. UNMIH would have a widespread nationwide presence for these tasks.

- Central Reserve: As a back-up to other units with specific site or regional deployments, a central reserve force within UNMIH would be highly mobile and well armed.
- Military Infrastructure: The military portion of UNMIH would require a headquarters staff, including an intelligence component, and some uniquely military logistics that could not be performed well by a civilian contractor. These functions could be the normal U-1, U-2, and U-4 tasks found in most UN missions.

-- Military Professionalization: UNMIH would help in the training and professionalization of the Haitian military after the police had separated.

TWO SCENARIOS

A. Following the Vanguard: In this scenario, a predominately US force would have already deployed to the country and taken control of the existing Haitian military nationwide. Only those units whose loyalty to the civilian government could be established or procured would be maintained. The US force would disband some groups, such as the Heavy Weapons Battalion and the "Cafeteria Force" in Port au Prince. Many of the outlying and less politicized units would be maintained. They would be quickly provided new uniforms, pay, and indoctrination. This would be done, in part, to avoid the need for the vanguard force or UNMIH to assume basic policing duties as currently performed by the Haitians themselves.

During the operation of the Vanguard Force organized, large scale military resistance would have been eliminated. Thus, there would not be a need for UNMIH to have a capability to deal with heavily armed, organized military resistance. UNMIH might, however, inherit a detention facility in which the vanguard force had detained some who resisted its operation.

B. No Vanguard: If UNMIH were to deploy without the US first having disarmed and disbanded certain Haitian military units via a vanguard force, UNMIH might have to be sized to deter or obstruct organized Haitian military resistance to the civilian government and to UNMIH itself.

This requirement would mean that the UNMIH force would have to be both larger and include a more heavily armed element.

SIZING

There are four possible overall levels for UNMIH as shown in the four box matrix below:

|                       | <u>ESSENTIAL CIVIC ORDER</u> | <u>HELP IN POLICING</u> |
|-----------------------|------------------------------|-------------------------|
| <u>AFTER VANGUARD</u> | 6400                         | 10,900                  |
| <u>NO VANGUARD</u>    | 8400                         | 18,600                  |

(The above table represents the maximum level of military involvement for each option and does not break down forces by military, police, and contractors.)

The overall size of the military portion of UNMIH could vary depending upon the degree to which UN civilian personnel or contractors were employed. Below are three cases, assuming the

task is essential civic order (not standard policing) and that the UNMIH follows after a vanguard force:

ESSENTIAL CIVIC ORDER/AFTER VANGUARD

|              | <u>Max Military</u> | <u>Mixed Force</u> | <u>Max Civilian</u> |
|--------------|---------------------|--------------------|---------------------|
| SECURITY     | 2450                | 1450/1000          | 1000/1450           |
| POLICE TRNG. | 130                 | 130/0              | 130/0               |
| LOGISTICS    | 3295                | 2500/795           | 500/2795            |
| EXEC PROT.   | 100                 | 75/25              | 25/75               |
| HQ/INTEL     | 225                 | 225/0              | 225/0               |
| RESERVE      | 200                 | 200/0              | 200/0               |
| CIVIC ACTION | ----                | ----               | ----                |
| OTHER        | ----                | ----               | ----                |
| <u>TOTAL</u> | 6400                | 4580/1820          | 1750/4320           |

(Note: Where two numbers are given, the breakout is military/civilian)

Case Number: 2013-0122-M; 2014-0118-M

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| Original OA/ID Number:<br>507   |               |             |                |             |
|   |               |             |                |             |
| Document ID:<br>Ref. Staff Drawer Files, Haiti 1993/1994 [2]: 9403022 |               |             |                |             |
| Row:<br>37  | Section:<br>2 | Shelf:<br>8 | Position:<br>2 | Stack:<br>v |

# Withdrawal/Redaction Sheet

## Clinton Library

| DOCUMENT NO. AND TYPE | SUBJECT/TITLE  | DATE                  | RESTRICTION                   |
|-----------------------|--|-----------------------|-------------------------------|
| 001a. memo            | To: Anthony Lake; From: Lawrence Rossin; Re: Haiti: Secretary Christopher's Proposed Diplomatic and Political Strategy (3 pages) | 04/19/1994            | P1/b(1)                       |
| <del>001b. memo</del> | <del>To: POTUS; From: Anthony Lake; Re: Haiti: [Strategy Proposal by Secretary Christopher] (1 page)</del>                       | <del>00/00/0000</del> | <del>P1/b(1)</del> ✓ 3/3/2020 |
| 001c. report          | Haiti: Proposed Diplomatic and Political Strategy (9 pages)  | 00/00/0000            | P1/b(1)                       |
| <del>001d. memo</del> | <del>To: The Vice President, et al; From: Anthony Lake; Re: Discussion Paper for Meeting on Haiti (1 page)</del>                 | <del>04/20/0000</del> | <del>P1/b(1)</del> ✓ 3/3/2020 |
| 001e. paper           | Duplicate of 001c (9 pages)  | 00/00/0000            | P1/b(1)                       |

**COLLECTION:**

Clinton Presidential Records  
 National Security Council  
 Inter-American Affairs (Feinberg, Richard)  
 OA/Box Number: 507

**FOLDER TITLE:**

Ref. Staff Drawer Files, Haiti 1993/1994 [2]: 9403022

2013-0122-M

sb2525

**RESTRICTION CODES**

**Presidential Records Act - [44 U.S.C. 2204(a)]**

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
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PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

**Freedom of Information Act - [5 U.S.C. 552(b)]**

- b(1) National security classified information [(b)(1) of the FOIA]
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- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

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| DOCUMENT NO.<br>AND TYPE | SUBJECT/TITLE   | DATE       | RESTRICTION |
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| 001a. memo               | To: Anthony Lake; From: Lawrence Rossin; Re: Haiti: Secretary<br>Christopher's Proposed Diplomatic and Political Strategy (3 pages) | 04/19/1994 | P1/b(1)     |

## COLLECTION:

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## FOLDER TITLE:

Ref. Staff Drawer Files, Haiti 1993/1994 [2]: 9403022

2013-0122-M  
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## RESTRICTION CODES

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THE WHITE HOUSE  
WASHINGTON

INFORMATION

MEMORANDUM FOR THE PRESIDENT

FROM: ANTHONY LAKE

SUBJECT: Haiti: Sanctions-based Strategy Proposal by  
Secretary Christopher

At the conclusion of Friday's meeting on Haiti you asked Secretary Christopher to flesh out his idea of a strategy based on comprehensive sanctions, an increased international human rights observer presence and augmented humanitarian aid. Secretary Christopher's recommended approach is laid out in the paper at Tab A.

Attachment

Tab A Secretary Christopher's Proposed Diplomatic and  
Political Strategy

DECLASSIFIED  
E.O. 13526, Sec. 3.5 (b)  
White House Guidelines, September 11, 2006  
By VZ NARA, Date 10/8/2019  
2013-0172-m (2.68)

~~SECRET~~

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Declassify on: OADR

cc: Vice President  
Chief of Staff

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|--------------------------|---|------------|-------------|
| 001c. report             | Haiti: Proposed Diplomatic and Political Strategy (9 pages) | 00/00/0000 | P1/b(1)     |

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Clinton Presidential Records  
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2013-0122-M  
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PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

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THE WHITE HOUSE  
WASHINGTON

EYES ONLY

MEMORANDUM FOR THE VICE PRESIDENT  
THE SECRETARY OF DEFENSE  
THE U.S. PERMANENT REPRESENTATIVE TO  
THE UNITED NATIONS  
THE DIRECTOR OF CENTRAL INTELLIGENCE  
THE CHAIRMAN, JOINT CHIEFS OF STAFF

SUBJECT: Discussion Paper for Meeting on Haiti, Wednesday,  
April 20, 12:15 p.m.

At the conclusion of last Friday's meeting on Haiti the President asked Secretary Christopher to develop his ideas on a strategy based on comprehensive sanctions, increased international human rights monitoring and augmented humanitarian assistance.

Secretary Christopher's proposal is at Tab A and will be discussed at the meeting on Haiti April 20.

Anthony Lake  
Assistant to the President  
for National Security Affairs

Attachment  
Tab A Discussion Paper

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DECLASSIFIED  
E.O. 13526  
White House Guidelines, May 16, 2017  
By VL NARA, Date 10/8/2019

2013 0177-M

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| 001e. paper              | Duplicate of 001c (9 pages) | 00/00/0000 | P1/b(1)     |

**COLLECTION:**

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 National Security Council  
 Inter-American Affairs (Feinberg, Richard)  
 OA/Box Number: 507

**FOLDER TITLE:**

Ref. Staff Drawer Files, Haiti 1993/1994 [2]: 9403022

2013-0122-M  
sb2525

**RESTRICTION CODES**

**Presidential Records Act - [44 U.S.C. 2204(a)]**

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C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

**Freedom of Information Act - [5 U.S.C. 552(b)]**

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Case Number: 2013-0122-M

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| Original OA/ID Number:<br>366  |               |              |                |             |
|  |               |              |                |             |
| Document ID:<br>Haiti - July 1994 Restricted Data Group [2]: 9407113 |               |              |                |             |
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# Withdrawal/Redaction Sheet

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| DOCUMENT NO.<br>AND TYPE | SUBJECT/TITLE   | DATE       | RESTRICTION |
|--------------------------|---|------------|-------------|
| 001. memo                | To: POTUS: From: Anthony Lake; Re: Haiti Next Steps (5 pages) | 09/05/1994 | P1/b(1)     |

### COLLECTION:

Clinton Presidential Records  
National Security Council  
Inter-American Affairs (Rossin, Lawrence)  
OA/Box Number: 366

### FOLDER TITLE:

Haiti - July 1994 Restricted Data Group [2]: 9407113

2013-0122-M  
sb2541

### RESTRICTION CODES

#### Presidential Records Act - [44 U.S.C. 2204(a)]

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| DOCUMENT NO.<br>AND TYPE | SUBJECT/TITLE   | DATE       | RESTRICTION |
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| 001. memo                | To: POTUS: From: Anthony Lake; Re: Haiti Next Steps (5 pages) | 09/05/1994 | P1/b(1)     |

## COLLECTION:

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National Security Council  
Inter-American Affairs (Rossin, Lawrence)  
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Haiti - July 1994 Restricted Data Group [2]: 9407113

2013-0122-M  
sb2541

## RESTRICTION CODES

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Case Number: 2013-0122-M; 2014-0118-M

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|  |               |             |                |             |
| Document ID:<br>Haiti-Options, April 1994 [1]: 9402938 |               |             |                |             |
| Row:<br>49   | Section:<br>1 | Shelf:<br>1 | Position:<br>2 | Stack:<br>v |

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## Clinton Library

| DOCUMENT NO.<br>AND TYPE | SUBJECT/TITLE   | DATE                  | RESTRICTION         |
|--------------------------|---|-----------------------|---------------------|
| 001a. memo               | <del>To: POTUS; From: Anthony Lake; Re: [Haiti: Refining the Option ...]</del><br>(4 pages) | <del>00/00/0000</del> | P1/b(1) VL 3/3/2020 |
| 001b. paper              | [Haiti: Option Involving Possible ...] [partial] (8 pages)                                  | 00/00/0000            | P1/b(1) VL 3/3/2020 |

**COLLECTION:**

Clinton Presidential Records  
 National Security Council  
 Staff Director (Soderberg, Nancy)  
 OA/Box Number: 1392

**FOLDER TITLE:**

Haiti-Options, April 1994 [1]: 9402938

2013-0122-M

sb2521

**RESTRICTION CODES**

**Presidential Records Act - [44 U.S.C. 2204(a)]**

- P1 National Security Classified Information [(a)(1) of the PRA]
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THE WHITE HOUSE

WASHINGTON

INFORMATION

MEMORANDUM FOR THE PRESIDENT

FROM: ANTHONY LAKE

SUBJECT: Haiti: Refining the Option Involving Possible Use of Force

DECLASSIFIED  
E.O. 13526, Sec. 3.5 (b)  
White House Guidelines, September 11, 2006  
By VL NARA, Date 10/8/2013  
203-0122-M (2.61)

In Friday's meeting on Haiti General Shalikashvili and other participants highlighted several aspects of the use of force which they believed merited close consideration. This memorandum discusses those issues. We have also revised the option paper at Tab A to cover these points.

1. Prospects for obtaining a follow-on force; its size and duration; circumscribing its mission to insure exit strategy viability.

Our paper proposed seeking to augment the currently-authorized UN Mission with a peacemaking force of 1-3,000 plus support units. General Shalikashvili posited the need for a follow-on force of possibly 10,000 or more performing both internal security and broad civic action missions. He anticipated that it would have to stay for a long time to deal with problems flowing from, and to some degree to resolve, Haiti's lack of effective law enforcement, functioning institutions and basic services. Secretary Christopher predicted that negative Latin and international reaction to unilateral use of force would require a mostly or entirely American follow-on presence. Without downplaying the challenges at the UN, Ambassador Albright suggested that renewed U.S. leadership and a well-delineated rationale might win UN approval for a multilateral force and tougher sanctions.

We need to try to use the destructive potential of sanctions to create a compelling rationale for the use of force -- to support a call on the UN to have the multilateral force participate in the intervention or failing that to support unilateral U.S. action with the UN force then replacing our combat troops. Our paper proposes that we seek the augmented UN Mission in the same resolution as tougher sanctions, arguing that the UN should be prepared to address the sanctions' potentially dire consequences after the military leadership has left. We would want the force approved and created on that basis since we would not want to inform the UN at the outset of our decision to use force if necessary. The subsequent period could then be used to condition the UN and force participants for an eventual call for use of force -- either the UN force or our own -- to stop the

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~~SECRET~~cc: Vice President  
Chief of Staff

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humanitarian catastrophe those sanctions and the military's intransigence were creating.

The key to keeping the follow-on multilateral force feasible in size and duration is to define its objectives carefully. We should distinguish between pacifying Haiti, which our proposal focussed on, and the nation-building that Shalikashvili and Christopher foresaw. The follow-on force's mission can and should be limited primarily to the former (plus the long-planned training of the Haitian military and police). By stabilizing the security situation the force would allow the restored constitutional government to work with the international community to create hope among the Haitian people by addressing the fundamental, long-term needs to which Shalikashvili and Christopher alluded. This is the purpose of the financial and technical assistance funded by the multi-year international economic aid program originally intended to start after Aristide's scheduled return last October. Inevitably, some of the World Bank, IDB and bilateral money then available has in the meantime been reprogrammed. The bulk of those funds, however, some \$200-250 million in the first 18 months, remain available for disbursement beginning some three months after the restoration of constitutional government.

We will need to work hard with donors and possibly reallocate some of our own aid resources to ensure that Haiti's arrears are cleared so that IFI aid can flow. But in the context of an effective economic aid program it is reasonable to predict that a smaller, more narrowly-focussed follow-on force than Shalikashvili postulates can stabilize Haiti's security environment, get the constitutional government under Aristide's leadership off to a safe start and leave after the 1995 elections, turning long-term reconstruction over to that government supported by international aid and protected by a retrained Haitian army and police. There is of course no guarantee that over the long run Haiti will escape its tragic history but any recidivism is likely to occur gradually and well after our departure.

## 2. Timing of Aristide's return.

We are all agreed that Aristide should return as early as possible, while our presence is still significant, in order to discourage the turmoil this critical event could spark. Getting him back early also will increase our leverage over him should he seek -- as can be anticipated -- to operate outside the constitutional system and to rely on his Lavalas base rather than stressing reconciliation, and if he promotes friction with our forces in Haiti following his return. At the same time we cannot return him before the constitutional system is functioning or he will probably act dictatorially.

That is why our approach stresses the importance of prior installation of a new Prime Minister and cabinet working with the Parliament and of a new Commander-in-Chief. The modalities of Aristide's return should be agreed by him and his Prime Minister

and should be crystallized in a formal invitation home from the government when the agreed conditions exist. Our paper also notes the need to be prepared to push Aristide if he balks at returning. We should be able to pressure Aristide more effectively in the context of having intervened on his behalf than now when we are perceived as pursuing our policy objectives ineffectively. And if he refuses to return we will have strong arguments for ending our support for him and working with the restored internal constitutional authorities.

### 3. Internecine slum violence as a threat to our troops.

Shalikashvili suggested that the major risk of casualties would arise when intra-Haitian bloodletting broke out in slum areas, where our troops would operate at great risk. It is likely that Aristide backers will seek revenge on those who have oppressed them. The extent of such score-settling cannot be predicted though it could diminish rather quickly as it has after past transitions in Haiti. Although circumstances are not comparable to Mogadishu (fewer and lighter weapons, no clan organization), our troops would have trouble containing violence safely or effectively in the slum setting. We may well conclude that it is wiser to let the fires of vengeance die down themselves than to place our forces in serious peril and create the risk of consequent calls for premature withdrawal. We could press Aristide through his Congressional supporters to call on his Lavalas supporters for reconciliation (something he did not do while in office). Finally, as with our exit strategy above, our thrust would be to use international aid to help the new government shift people's focus to building the future.

### 4. "Ti soldats" as a possible resistance threat.

Shalikashvili correctly noted that Haitian enlisted personnel and non-coms have a history of independent and violent action (they have sparked most recent coups) and that removing their leaders would not eliminate the threat they could pose. Some sergeant may well attempt to mobilize resistance to our forces or lead a plot as time progresses; however, the record of their last several coups demonstrate that the "ti soldats" are unable to sustain operations on their own. As likely is that they will doff their uniforms and seek to disappear into the civilian populace. It will be important to address the special threat they perceive from Aristide's return -- they were the chief victims of Lavalas mobs during his Presidency. We will need to press Aristide to discourage such Lavalas retribution. We might make the "ti soldats" early beneficiaries of job creation in the international aid program. We might also consider creating and moving them and their families from the slums to special barracks areas where they can have a sense of security (this was, on a smaller scale, a component of the original UN Mission military cooperation package). The key will be to persuade the "ti soldats", whose interests have always been separate from those of the officers, that their future lies with us and eventually the new government and reformed military we are supporting.

## 5. Reserve mobilization.

Shalikashvili stated that civil affairs reserves would be an essential element of our intervention force and, since they are reserves, their mobilization would publicly signal our planned use of force. We agree that civil affairs units will be an essential component of the intervention force. However, we believe the exact timing of their mobilization and the sequencing of their arrival in the intervention should be carefully considered to ensure that they are not mobilized and public attention is not drawn to our plans before it is absolutely necessary.

## 6. Requirement for humanitarian aid in post-intervention period.

Shalikashvili anticipated an interruption of our current humanitarian feeding programs for at least a short period following intervention presuming that the private voluntary organizations which implement the current program suspended operations. If they did this would become a task for reserve civil affairs units whose presence would then be required early on. They would be able to draw on food stocks currently in-country and presumably could rely on the same feeding centers infrastructure the PVOs use. Our goal would be to stabilize the security situation rapidly so the PVOs could resume operations. At the same time the possibility of a spike in feeding requirements in the post-intervention period would require us to use the leadup period to identify and set aside funds and additional food and other emergency supplies as needed. Our control of the country would make transport of such supplies to Haiti relatively easier than now; if necessary they could be airlifted to Port-au-Prince and regional centers.

## 7. A note on migrants.

Christopher and Woolsey are absolutely correct when they note that the single most important determinant of migrant departures has been the fluctuation of our direct return policy. It does not therefore follow that total sanctions will create no threat of a migrant exodus. Total sanctions will take us into uncharted territory. In the 13 years of the interdiction program there has never been the sort of mass privation, possible widespread human rights abuses and sense of despair that we can foresee total sanctions and ongoing military repression quickly creating. It is not prudent to consider our options in Haiti without taking seriously the strong possibility of a sharp increase in departures by desperate Haitians who have concluded that however we may handle them once they leave, they cannot survive any longer in Haiti and must bet that growing public revulsion over returning them will lead to a reversal of our current policy. And if that happens, we must be ready to shift fast from sanctions to the use of force to resolve the crisis in Haiti so we can justify returning the migrants.

Attachment

Tab A

Revised Paper on Option Involving Possible Use of Force

# Withdrawal/Redaction Marker Clinton Library

| DOCUMENT NO.<br>AND TYPE | SUBJECT/TITLE  | DATE       | RESTRICTION |
|--------------------------|--|------------|-------------|
| 001b. paper              | [Haiti: Option Involving Possible ...] [partial] (8 pages) | 00/00/0000 | P1/b(1)     |

**COLLECTION:**

Clinton Presidential Records  
National Security Council  
Staff Director (Soderberg, Nancy)  
OA/Box Number: 1392

**FOLDER TITLE:**

Haiti-Options, April 1994 [1]: 9402938

2013-0122-M  
sb2521

### RESTRICTION CODES

**Presidential Records Act - [44 U.S.C. 2204(a)]**

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
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C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

**Freedom of Information Act - [5 U.S.C. 552(b)]**

- b(1) National security classified information [(b)(1) of the FOIA]
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HAITI: OPTION INVOLVING POSSIBLE USE OF FORCE

Our current Haiti strategy has hit a dead end. The Haitian military leadership and Aristide are dug into polarized positions. Human rights and humanitarian conditions are deteriorating. Our direct return policy is increasingly under attack. The tenability of in-country processing is in serious question with returnees facing genuine risks of falling victim to violence. Criticism from liberal circles is intensifying. We have three strategy options:

-- Longer-run, lower-profile approach (two possible variations):

(1) Pursue the course the Vice President proposed to Aristide but substitute internal democratic political actors for Aristide given his unwillingness to cooperate. Thus, threaten the military high command and Police Chief François with comprehensive sanctions unless within 15 days they leave and permit internal democrats (rather than Aristide) to restore democracy, and terminate sanctions when we have that internal outcome. In due course endorse an Article 148 or 149 maneuver to legitimize a new Prime Minister and government without Aristide's blessing. Adopt an institution-building approach for the long haul.

We would argue that Aristide's demonstrated inability to make the tactical compromises needed for a political solution had dealt him out of the effort to resolve the crisis. Aristide's backers would assault us both for abandoning Aristide and embracing an "illegitimate" government, but they might become isolated voices over time. We might seek to mollify them by adjusting our refugee policy, e.g., easing treatment of Haitian asylum seekers in the U.S. by applying quasi-Cuban standards and/or improving screening on our ships.

A centrist solution might well congeal if we tighten sanctions as pressure while offering the inducements of lifting sanctions without Aristide's return. However, there could be no assurance that this approach would lead to the replacement of all the coup leaders, the establishment of a stable democratic government or significant diminution of human rights abuses, important for its own sake and to sustain direct return of migrants.

(2) Alternatively, simply drop the internal political initiative (the parliamentarians), keep the existing sanctions with better enforcement, pay lip service to Aristide's return and wait for something to emerge. The ongoing deterioration within Haiti and growing domestic focus on the issue could make this approach unsustainable over the longer run.

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Declassify on: OADR

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Declassified in Part

Per E.O. 13526

VZ 10/08/2019 (2.63)

2013-0122-M

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-- Comprehensive sanctions alone: Get the UN to impose comprehensive sanctions, deploy with the OAS more civilian human rights observers and take complementary active measures short of intervention intended to persuade the military leadership to leave, allow the UN Mission to deploy and bring about Aristide's return soon thereafter while forswearing any effort to build a broad-based internal political process. Because this is the course Aristide demands, it would temporarily mute the Aristide backers' criticism. However it offers no assurance that the military would capitulate before public outcry over the resultant human rights/humanitarian catastrophe led to pressure to back off the sanctions or alternatively to intervene before Aristide's return (probably his hidden agenda). The extreme impact of comprehensive sanctions could also spark a migrant exodus while rendering direct return politically, practically or morally impossible. This strategy also would do nothing to create conditions for a viable Aristide return. As a consequence any "resolution" of the Haitian crisis would likely prove ephemeral and we would face future demands from Aristide's backers for U.S. intervention to prop him up as internal conditions deteriorate.

-- Force-based strategy: Decide we are willing to use unilateral force if necessary to remove the military; having made that decision internally and following assurances that Aristide would take essential actions following the military leadership's departure, impose comprehensive sanctions and begin augmenting UN Mission with peacemakers. As soon as we determine that the sanctions are starting to take too heavy a toll without yielding a solution (we would anticipate having to confront that situation within one-two months), issue an ultimatum to the military leaders to leave or be ousted by force; introduce U.S. forces (if possible accompanied by the multilateral force or else with UN blessing) to prevent civil disorder either through intervention or, if the ultimatum is accepted, as lead elements of an international force; launch genuine reconciliation and reconstruction in Haiti with Aristide's active cooperation; most of our forces extracted in 120 days with some remaining to form the core of a multilateral force for peacekeeping and training.

This option offers the surest prospect of attaining the Administration's fundamental objectives of restoring democracy and returning Aristide. We will underline our commitment to the guiding principles of U.S. foreign policy. This approach also gives the best chance to limit human rights violations, avert the humanitarian crisis and justify maintenance of our current migrant policy while we attack the underlying causes of Haiti's instability and poverty.

There are also risks and costs. Our forces inevitably will sustain casualties. It is not clear that we would be able to obtain UN or OAS support for our use of force or participation in a multilateral peacemaking force, creating questions about the legitimacy of our action and the risk that we would not be able responsibly to draw down our forces after 120 days. (We believe that Argentina, Canada and some African and Caribbean states might well agree to join in a multilateral force, if not as part

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of an intervention then afterward.) Post-intervention hit and run attacks on our military personnel might cause casualties especially if they seek to curb internecine violence in slum areas, creating domestic pressure for a premature departure. Aristide might renege on his agreements on which the intervention would be based or, once back, create friction with and/or call for the departure of our forces. Factional disagreements among Haitian politicians could prevent formation of an effective government or impede needed parliamentary actions. We might not be able to control right-wing groups and therefore fail to limit the abuses they perpetrate. Stabilization achieved during the international presence might prove ephemeral once we leave, given Haiti's profound political polarization and atomization. Recent improvements in our hemispheric relations would suffer a temporary setback, possibly damaging the December Summit of the Americas. We could undermine our efforts to limit unilateral Russian "peacekeeping" in the near abroad.

There will be public and Congressional opinion to praise and to damn us whichever course we choose. If the crisis is not resolved, criticism from Aristide's Black Caucus and other backers and the liberal press will deepen. The nascent mobilization of pressure groups once active on Central America in opposition to U.S. policy will also accelerate, as will the concern of international legal, refugee and human rights groups based on their rejection of direct return of migrants. A migrant exodus consequent to tighter sanctions coupled with a determination that direct return was no longer sustainable would cause a public outcry. On the other hand, using force will be a hard sell to those who doubt Aristide's stability and distrust his democratic *bona fides* as well as to many moderate-to-conservative members of Congress, the public they represent and individuals within the bureaucracy who will selectively leak to feed that opposition. (In the end, if the two concerns are of approximately equal weight, it is better to be criticized for resolving the crisis than for not doing so.)

This paper develops the force-based option in greater detail.

PROPOSED FORCE-BASED STRATEGY: SCENARIO

1.

EO 13526 1.4d

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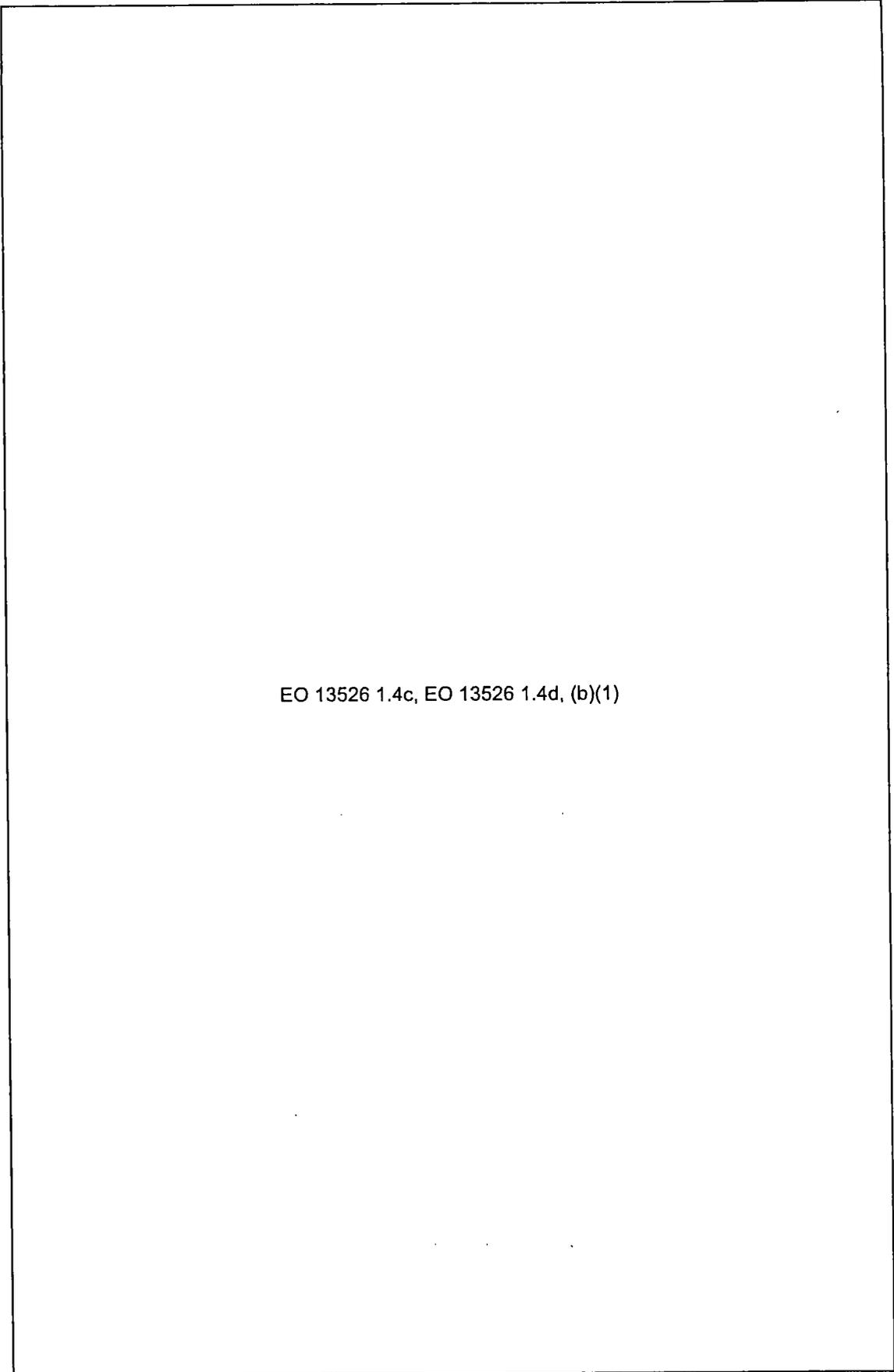
2.

EO 13526 1.4d, (b)(1)

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EO 13526 1.4c, EO 13526 1.4d, (b)(1)

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3.

4.

EO 13526 1.4c, EO 13526 1.4d, (b)(1)

5.

EO 13526 1.4d, (b)(1)

6. D-DAY

IF ULTIMATUM WORKS

Send aircraft to Haiti to transport the military leadership and their families to safe haven in the United States. If they wish to go to a third country, we can seek to arrange that after they are in the U.S. (but we must be prepared for such third country to reject our overtures).

Ensure Aristide follows through on his commitments to name new Prime Minister and FAD'H CINC and to request prompt deployment of the UN or multilateral peace enforcement/ assistance Mission as a stabilizing measure, including temporary deployment of U.S. units until the UN or *ad hoc* multilateral force deploys.

President Clinton outlines justification for having threatened force and mission objectives as outlined below, followed by rest of scenario.

EO 13526 1.4d, (b)(1)

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EO 13526 1.4b, (b)(1)

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7.

EO 13526 1.4d, (b)(1)

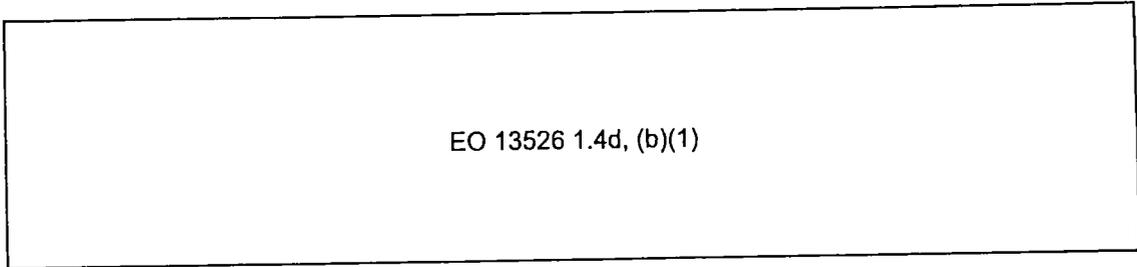
8.

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1. b



EO 13526 1.4d, (b)(1)

Case Number: 2013-0122-M; 2014-0118-M

# MR MARKER

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| Original OA/ID Number:<br>1392                         |               |             |                |             |
|  |               |             |                |             |
| Document ID:<br>Haiti-Options, April 1994 [1]: 9402957 |               |             |                |             |
| Row:<br>49   | Section:<br>1 | Shelf:<br>1 | Position:<br>2 | Stack:<br>v |

# Withdrawal/Redaction Sheet

## Clinton Library

| DOCUMENT NO.<br>AND TYPE | SUBJECT/TITLE  | DATE       | RESTRICTION        |
|--------------------------|--|------------|--------------------|
| 001. memcon              | Meeting with Foreign Policy Advisors on Haiti [partial] (11 pages) | 04/15/1994 | P1/b(1) ✓ 3/3/2020 |

**COLLECTION:**

Clinton Presidential Records  
 National Security Council  
 Staff Director (Soderberg, Nancy)  
 OA/Box Number: 1392

**FOLDER TITLE:**

Haiti-Options, April 1994 [1]: 9402957

2013-0122-M  
sb2522

### RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
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- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request

Freedom of Information Act - [5 U.S.C. 552(b)]

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
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- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

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# Withdrawal/Redaction Marker

## Clinton Library

| DOCUMENT NO.<br>AND TYPE | SUBJECT/TITLE  | DATE       | RESTRICTION |
|--------------------------|--|------------|-------------|
| 001. memcon              | Meeting with Foreign Policy Advisors on Haiti [partial] (11 pages) | 04/15/1994 | P1/b(1)     |

### COLLECTION:

Clinton Presidential Records  
National Security Council  
Staff Director (Soderberg, Nancy)  
OA/Box Number: 1392

### FOLDER TITLE:

Haiti-Options, April 1994 [1]: 9402957

2013-0122-M  
sb2522

### RESTRICTION CODES

#### Presidential Records Act - [44 U.S.C. 2204(a)]

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- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

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THE WHITE HOUSE

WASHINGTON

Declassified in Part  
Per E.O. 13526  
VZ 10/08/2019 (2.58)  
2013-0122-M

MEMORANDUM OF CONVERSATION

SUBJECT: Meeting with Foreign Policy Advisers on Haiti

PARTICIPANTS: The President  
The Vice President  
The Secretary of State  
The Secretary of Defense  
The U.S. Permanent Representative to the  
United Nations  
The Assistant to the President for National  
Security Affairs  
The Chairman of the Joint Chiefs of Staff  
The Director of Central Intelligence  
The Deputy Assistant to the President for  
National Security Affairs  
The Assistant to the Vice President for  
National Security Affairs  
Lawrence G. Rossin, NSC (Notetaker)

DATE, TIME April 15, 1994, 9:30 - 10:45 a.m.  
AND PLACE: Oval Office

Mr. Lake: Next Thursday, Strobe Talbott and I will be meeting with President Aristide. We need to have an approach by then. We have two fundamental options: to move forward and resolve this problem, or to find a sustainable muddling through approach. The course we have been following over the last few months has little prospect of success. Reordering the Governor's Island steps, making adjustments and so forth has not worked given the polarized positions of the two sides. The military does not find our approach credible; it likes the power it holds and appears determined to hold on.

So, we need a strategic choice. I would oppose taking any further incremental steps which do not set us on course for ending this crisis. We need to avoid the illusion of doing things when nothing is really being accomplished.

We wanted to give you the opportunity to hear and get advice from your advisers on the hard options we face. It appears that a decision to threaten to use force if necessary, combined with a political process on the ground, or actually to use force is feasible. They key issues are: how we get out once we are in -- obtaining a follow-on force, the UN Mission, which would remain through the 1995 election; and the return of President Aristide, whether he would support use of force, when he would return, etc.

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Sec. Perry: There are three phases associated with the possible use of force: taking over; sustaining the new government for months afterward; and extraction of our forces. The first is straightforward and I am confident it can be accomplished with few challenges. The second and third are more difficult. General Shalikashvili will describe the concept of operations and his assessment of the use of force in more detail.

Gen. Shalikashvili: I have had a small group looking at the use of force for some time. We have concluded that such an operation is militarily executable at an acceptable risk of U.S. casualties -- there would be casualties but we would not anticipate them being heavy. These are not major issues from the military viewpoint.

Our concern is that once military operations begin there could be general disorder, score-settling and violence between Haitians. Therefore we believe that a U.S. military presence would be required nearly simultaneously all over Haiti. That would be effective, we believe, in deterring such violence. The Haitian armed forces and police would be expected to disperse fairly quickly. Local groups or pockets of resistance could develop but we do not anticipate that becoming a significant military threat.

We believe there would be a simultaneous requirement for large scale humanitarian feeding operations since we expect that the private voluntary groups currently implementing these programs could cease operating.

(b)(1), EO 13526 1.4d

We believe that as our forces begin to pull out they will need to be replaced by an equally robust civil-military force. Such a force would go beyond the normal UN/OAS blue helmets guaranteeing security and would also have to include a sizable civil action contingent to rebuild Haiti's institutions and infrastructure -- utilities, communications, and so forth, all of which are dysfunctional.

The President: There was such a component in the Governor's Island Agreement, wasn't there?

Mr. Berger: Yes, on a smaller scale.

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Gen. Shalikashvili: So we believe that our forces could begin a slow drawdown 30 days after the intervention but would need to be replaced by others as they pulled out. We would need the entire follow-on force in country by 120 days or whenever we wanted our force out. The replacement force must be prepared to stay for the long term -- not the initial force, but the follow-on force -- to guarantee security and carry out civil action.

Sec. Perry: Can you define "robust" as applied to this follow-on force?

Gen. Shalikashvili: We mean a force capable of performing civil action activities of every sort.

Sec. Perry: What size would this force have to be?

Gen. Shalikashvili: [redacted] (b)(1), EO 13526 1.4d

[redacted] (b)(1), EO 13526 1.4d, EO 13526 1.4g

Mr. Lake: That would be a problem no matter how we succeeded in Haiti, whether through Governor's Island or whatever.

Gen. Shalikashvili: Yes, that is correct. I just wanted to point out that a heavy follow-on will be required.

[redacted] (b)(1), EO 13526 1.4d, EO 13526 1.4g

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(b)(1), EO 13526 1.4d, EO 13526 1.4g

To conclude:

- The operation would be militarily executable;
- Casualties are hard to predict but would be acceptable for an operation of this nature;
- We must be prepared for intra-Haitian disorder and casualties in slum areas. These areas are a bit like Mogadishu. It would be hard for our troops to go in there; that is where we could run the risk of more significant casualties. Such disorder would likely be delayed for a few days by the shock of our initial action. I would not want to rely on U.S. forces to go into those areas.
- Someone must be prepared to stay for a long time after our initial force departs.

Mr. Lake: Two questions. Is there a danger, if we use special units to decapitate the military then wait a period for the main force, that disorders could develop in the intervening period?

Gen. Shalikashvili:

(b)(1), EO 13526 1.4g

(b)(1), EO 13526 1.4d, EO 13526 1.4g

Mr. Lake: Aren't there less and lighter weapons in the Haitian slums as compared to Mogadishu?

Gen. Shalikashvili: Yes, that is probably true, but the streets are the same narrow warrens. Sending U.S. troops into those slums to control Haitian-on-Haitian fighting would be difficult and run the risk of casualties.

The Vice President: Your planning places a lot of emphasis on capturing Cédras, François and the other military leaders. Is the success of the overall mission dependent on surprise and would these initial actions affect that?

Gen. Shalikashvili: This is not a necessary part of the operation but it is one we believe is worth trying. We can carry out the overall operation even if such initial efforts fail. I think we can still maintain tactical surprise but it would not necessarily be bad if some signal of our intentions got out; that might increase the leverage of our threat. But we think these initial actions would be worth trying to cut down the threat of organized resistance.

The Vice President: But if the plan were effective, the odds are that we might give the Haitians strategic warning of our intentions?

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Gen. Shalikashvili: Yes, and they might go into hiding or start moving around as Aideed, Saddam and others have done.

Mr. Lake: They might find it hard to hide. These guys have a smaller base of popular support that did Aideed, with his clan status, or even Noriega with his organized political backing.

Gen. Shalikashvili: We also think that the removal of the military leaders will not necessarily make the soldiers come over to our side or lay down their arms. They are the most worried about Aristide's return because of the threat he poses to them of necklacing and retribution from his followers. They carried out the coup against Aristide. We could take out Cédras but some sergeant could rally the soldiers against us.

Mr. Berger: Also these lower-level soldiers are spread out in local bases. They are like local bosses with civilian "attachés" helping them.

(b)(1), EO 13526 1.4d

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(b)(1), EO 13526 1.4c, EO 13526 3.3(b)(1), EO 13526 3.3(b)(6), EO 13526 3.5c

The Vice President:

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(b)(1), EO 13526 1.4d

Mr. Lake: Yes, I agree, but only once the Prime Minister and Parliament are functioning.

Gen. Shalikashvili: Offered what we are considering, he is likely to agree to anything for now.

Mr. Fuerth: Another issue is how to accomplish our objectives at the point when public opinion here and abroad is most receptive or at least minimally hostile. In this regard, the moment you call up reserve units there will be leaks. That is when people will start making mischief, including the Latins and in the UN Security Council. So there needs to be a relationship between the timing of the ultimatum, and the time between then and our follow up action which, if it is too long, will give an opportunity for the opponents' arguments to gain salience. You also need to figure out how to control when the press goes in.

Another important issue is ensuring that the resources needed for reconstruction of Haiti are available right away. This is more than just humanitarian aid. It means real economic assistance for forests, fisheries, agriculture, etc.

Mr. Berger: The feasibility of this approach depends on a multilateral replacement force. Shali, you suggested we would need nearly as large a replacement force as the initial force. We had \$1 billion - \$1.5 billion economic assistance planned under Governor's Island including technical personnel (b)(1)

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Mr. Lake: What about the situation at the UN, with the Russians and so forth? What are the prospects for a follow-on force and how can we know in advance?

Amb. Albright: It is not a great picture in New York. There is basic opposition to a force, even multilateral, due I think primarily to the Latin attitude. But if we took the lead I think we could move the process forward though it would be hard. We would need to be persuasive, use the Argentinians (who, it was clear from my visit there, want to work with us) and others.

On the second point, the Russians will seize on such an action to justify their actions in Georgia and Azerbaijan. We can make distinctions, based on Aristide's democratic legitimacy, but there are many humanitarian similarities and we would have to argue hard.

Also, I must note that everyone is very frustrated. The Friends have come to the point where they don't like each other any more. The Canadians have put together a non-paper summarizing "points of agreement" starting with no use of force; they are advocating a "Governor's Island II" Conference and total sanctions. So the temper is bad and it would be a hard sell. But I think a force might be put together if we fight hard for it, build on the Argentinians, sell it as a response to special circumstances.

Mr. Lake: This will be tricky because we will have to get the UN Mission set up without revealing our readiness to invade.

Amb. Albright: We are blamed at the UN for dismantling the UN Mission and undermining the overall effort. That was the thrust of Caputo's letter to me. Tony is right, we will need to get to work early and there would be a risk of leaks.

Sec. Christopher:

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(b)(1), EO 13526 1.4d

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prepared to leave U.S. forces there and to see them become increasingly unpopular with Haitians including Aristide.

Finally, this issue would come to dominate the news and our foreign policy agenda. It would force other issues off the agenda. It would interrupt the December Summit; I believe the Brazilians would stay away and others might too.

I admire Tony for advancing the tough choices but I would recommend against authorizing the unilateral use of force now.

The Vice President: Let me ask you a question. As I watch the body language as people put this option forward I find that it is partly due to repulsion from the other option. There are a lot of awful complications either way. But if you look at the other alternatives you have to ask: what is the impact on the President and the country of a situation where you have a freely-elected government thrown out, there is growing terror and abuse and when people try to escape it we pick them up and throw them back into the cage for more? The repugnance of that situation is what drives this.

The President: Let me follow on that. Senators Helms, Nunn and the others who would attack us for using force; how would they feel if with people's faces being cut off, 100,000 Haitians invade Miami? That would create tremendous political problems and they would be out front criticizing me there too. Sooner or later direct return is going to be successfully legally challenged and become untenable.

The Vice President: Or, if not that, it will become immoral to continue refusing 100,000 Haitians into this country. This is driving the concern.

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South America here. We cannot let our policy be driven by immigration concerns.

The President: These are refugees, not immigrants.

Sec. Christopher: We have in-country processing for refugees.

The President: This is the only country with direct return.

Sec. Christopher: That is not so, it is not unique.

The President: I am concerned that when the abuses in Haiti become too bad this policy will become untenable.

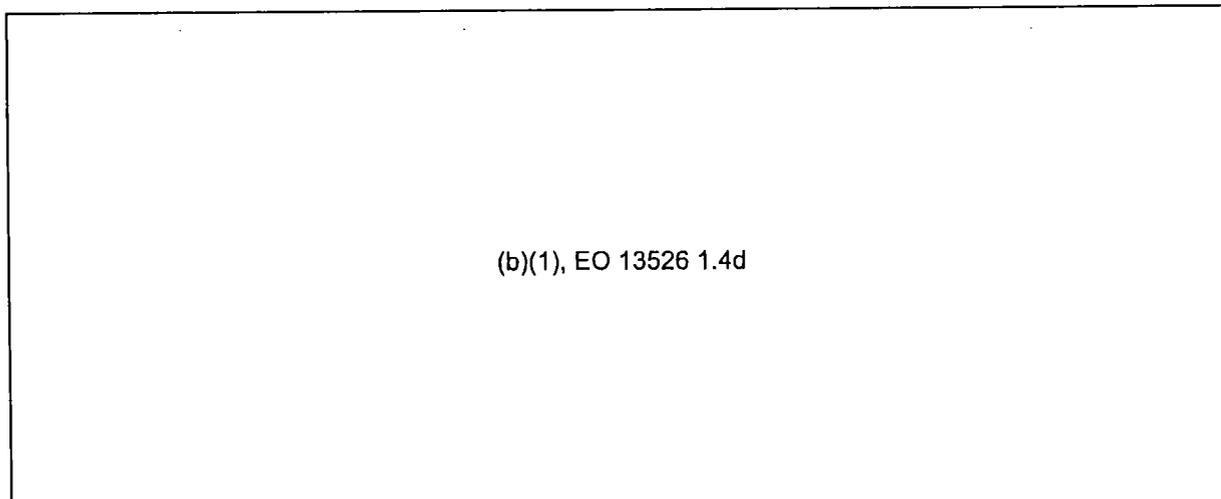
Mr. Berger: If Jim is right, the military is heading toward installation of a *de facto* government. What will we do in that case? Will we recognize that government?

Mr. Lake: There is a logic here. If we are going to try to ride it out on the return policy, then we cannot turn the sanctions screws. So we will need a way to deal with the political situation.

Sec. Christopher: I would favor increasing the sanctions, increasing the number of human rights observers and retaining the humanitarian exemptions in the sanctions.

The President: So you favor increased sanctions?

Sec. Christopher: Yes.



Mr. Berger: Another complication is that direct return relies on regime acquiescence in our docking, putting the migrants ashore and so forth. If we impose tighter sanctions the Haitian Armed Forces could block this.

The President: Chris points out the virtue of trying sanctions first, as the Friends and Aristide want. What bothers me is that for the last six months we've been telling Aristide and the

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others what their best interests are. Maybe we should listen to them.

Sec. Christopher: You assume that harsher sanctions would increase the flow of migrants. I doubt that. Anyone who wanted to leave would have done so by now.

Mr. Woolsey: One of the clearest things in Haiti is that the flow of migrants depends almost entirely on our policy.

The President: But do you believe we would have to directly return more migrants under a tighter sanctions regime?

Mr. Woolsey: Perhaps a few more. (b)(1), EO 13526 1.4c  
little new boat construction. The boats are there but the flow awaits a change in our policy.

The Vice President: Has anyone analyzed the correlation between migrant flows and Aristide's statements?

Mr. Woolsey: No.

Sec. Perry: The current policy clearly is at a dead end. Having reviewed the use of force option, I am skeptical we can do it, not so much the first or second phases of it but getting political support for it in the first place. My contacts on the Hill lead me to predict active opposition to it. Many of the Aristide supporters would prove faint-hearted in the event. The group favoring such action is small, the opponents are numerous. There is also a lack of support for force in DOD, on both the military and civilian sides. The arguments boil down to "Mogadishu redux."

The President: I have always been held back by concern about what the successor regime would do.

Sec. Perry: At DOD people believe that Aristide would not cooperate. In the end, people at Defense will stand up and salute of the decision for force is taken -- but there will also be anonymous leakers feeding the opponents.

So, we need political support and it will be a problem to get it. On balance, I would rather face the problems associated with larger migration flows than those associated with force.

But I agree with Shali: We can execute this option -- if we can get the requisite political support.

The President: Tony, your argument is that we should not increase the sanctions without a commitment to the use of force if necessary. But if we did sanctions alone and they did not work, then what would the attitudes of the Canadians, French and Venezuelans be?

Amb. Albright: Then they would have to support us more.

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Mr. Lake: The advantages of going ahead on sanctions now are that it could help head off an Article 149-type maneuver and address the internal political deterioration. And it would give us something to discuss with Aristide. But I would urge all of us to recognize that if it does not work, it will lead us to a very hard choice of backing off the sanctions or using force later on.

I still prefer that we avoid taking any more incremental decisions. We must decide soon either that we want a sustainable long-term policy -- and then develop that -- or else resolve the situation. Either way we are going to get hammered; it would be better that we do for having resolved the situation than not.

The President: Do you think the Friends would be more inclined to support a multilateral force if we followed their course first?

Amb. Albright: Yes, but it will still be hard to get a force and also to get tougher sanctions, which the Brazilians and the Chinese oppose. But the view in New York is that we have not been exerting leadership, and there is also discontent about language in the current resolution conditioning new sanctions on Aristide cooperating in a political effort.

Mr. Lake: I think Chris needs to show us how the course he advocates is a strategy and not just another incremental tactic.

The President:

(b)(1), EO 13526 1.4d

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(b)(1), EO 13526 1.4d

--- End of Conversation ---

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Case Number: 2013-0122-M; 2014-0118-M

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# Withdrawal/Redaction Sheet

## Clinton Library

| DOCUMENT NO.<br>AND TYPE        | SUBJECT/TITLE   | DATE                  | RESTRICTION                           |
|---------------------------------|---|-----------------------|---------------------------------------|
| <del>001a. memo</del>           | <del>To: Anthony Lake; From: Lawrence Rossin; Re: Haiti: Revised Paper on Option ... (1 page)</del> | <del>04/12/1994</del> | <del>P1/b(1)</del> <i>vr 3/3/2020</i> |
| 001b. paper                     | Haiti: Option...[partial] (7 pages)   | 00/00/0000            | P1/b(1) <i>vr 3/3/2020</i>            |
| <del>001c. talking points</del> | <del>Meeting with President Aristide of Haiti (3 pages)</del>                                       | <del>00/00/0000</del> | <del>P1/b(1)</del> <i>vr 3/3/2020</i> |

**COLLECTION:**

Clinton Presidential Records  
 National Security Council  
 Staff Director (Soderberg, Nancy)  
 OA/Box Number: 1392

**FOLDER TITLE:**

Haiti-Options, April 1994 [2]: 9402732

2013-0122-M  
sb2520

**RESTRICTION CODES**

**Presidential Records Act - [44 U.S.C. 2204(a)]**

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- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
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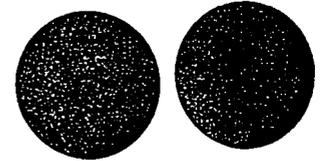
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NATIONAL SECURITY COUNCIL  
WASHINGTON, D.C. 20506

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LIMITED ACCESS

*Nancy - with JL/SB-direct  
revisions, L Rossin 4/12*

April 12, 1994



INFORMATION

MEMORANDUM FOR ANTHONY LAKE

THROUGH: RICHARD E. FEINBERG *MRJ*

FROM: LAWRENCE G. ROSSIN *MR*

SUBJECT: Haiti: Revised Paper on Option Involving Possible Use of Force and Talking Points for Meeting with Aristide

Provided at Tab I is a paper on the option involving stronger sanctions and possible use of force, revised to reflect the discussion in your office on Saturday and the further comments you and Sandy provided this afternoon. With any additional changes you direct the paper at Tab I is ready for inclusion in the package for the small meeting with the President Wednesday morning (log number 2749).

At Tab II are suggested talking points for your discussion with Aristide later this week, also revised to reflect your edits. The points presume that a decision in favor of the third option has been taken by the time of your meeting.

Concurrence by: *MRJ MRJ*  
Leon Fuerth, Morton Halperin

Attachments

- Tab I Revised Paper on Option Involving Possible Use of Force
- Tab II Revised Talking Points for Aristide Meeting

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E.O. 13526, Sec. 3.5 (b)  
White House Guidelines, September 11, 2006  
By *VL* NARA, Date *10/8/2019*  
*2013-0122-M (2.48)*

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| 001b. paper              | Haiti: Option...[partial] (7 pages) | 00/00/0000 | P1/b(1)     |

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HAITI: OPTION INVOLVING POSSIBLE USE OF FORCE

Our current Haiti strategy has hit a dead end. The Haitian military leadership and Aristide are dug into polarized positions. Human rights and humanitarian conditions are deteriorating. Our direct return policy is increasingly under attack. The tenability of in-country processing is in serious question with returnees facing genuine risks of falling victim to violence. Criticism from liberal circles is intensifying. We have three strategy options:

-- Longer-run, lower-profile approach (two possible variations):

(1) Pursue the course the Vice President proposed to Aristide but substitute internal democratic political actors for Aristide given his unwillingness to cooperate. Thus, threaten the military high command and Police Chief François with comprehensive sanctions unless within 15 days they leave and permit internal democrats (rather than Aristide) to restore democracy, and terminate sanctions when we have that internal outcome. In due course endorse an Article 148 or 149 maneuver to legitimize a new Prime Minister and government without Aristide's blessing. Adopt an institution-building approach for the long haul.

We would argue that Aristide's demonstrated inability to make the tactical compromises needed for a political solution had dealt him out of the effort to resolve the crisis. Aristide's backers would assault us both for abandoning Aristide and embracing an "illegitimate" government, but they might become isolated voices over time. We might seek to mollify them by adjusting our refugee policy, e.g., easing treatment of Haitian asylum seekers in the U.S. by applying quasi-Cuban standards and/or improving screening on our ships.

A centrist solution might well congeal if we tighten sanctions as pressure while offering the inducements of lifting sanctions without Aristide's return. However, there could be no assurance that this approach would lead to the replacement of all the coup leaders, the establishment of a stable democratic government or significant diminution of human rights abuses, important for its own sake and to sustain direct return of migrants.

(2) Alternatively, simply drop the internal political initiative (the parliamentarians), keep the existing sanctions with better enforcement, pay lip service to Aristide's return and wait for something to emerge. The ongoing deterioration within Haiti and growing domestic focus on the issue could make this approach unsustainable over the longer run.

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Per E.O. 13526

VZ 10/08/2019 (2.49)

2013-0122-M

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-- Comprehensive sanctions alone: Get the UN to impose comprehensive sanctions and take complementary active measures short of intervention intended to persuade the military leadership to leave, allow the UN Mission to deploy and bring about Aristide's return soon thereafter while forswearing any effort to build a broad-based internal political process. Because this is the course Aristide demands, it would temporarily mute the Aristide backers' criticism. However it offers no assurance that the military would capitulate before public outcry over the resultant human rights/humanitarian catastrophe led to pressure to back off the sanctions or alternatively to intervene before Aristide's return (probably his hidden agenda). The extreme impact of comprehensive sanctions could also spark a migrant exodus while rendering direct return politically, practically or morally impossible. This strategy also would do nothing to create conditions for a viable Aristide return. As a consequence any "resolution" of the Haitian crisis would likely prove ephemeral and we would face future demands from Aristide's backers for U.S. intervention to prop him up as internal conditions deteriorate.

-- Force-based strategy: Decide we are willing to use unilateral force if necessary to remove the military; having made that decision internally and following assurances that Aristide would take essential actions following the military leadership's departure, impose comprehensive sanctions. As soon as we determine that the sanctions are starting to take too heavy a toll without yielding a solution (we would anticipate having to confront that situation within one-two months), issue an ultimatum to the military leaders to leave or be ousted by force; introduce U.S. forces (if possible under UN umbrella) to prevent civil disorder either through intervention or, if the ultimatum is accepted, as lead elements of an international force; launch genuine reconciliation and reconstruction in Haiti with Aristide's active cooperation; most of our forces extracted in 120 days with some remaining to form the core of a multilateral force for peacekeeping and training.

This option offers the surest prospect of attaining the Administration's fundamental objectives of restoring democracy and returning Aristide. We will send a strong albeit exceptional deterrent message to potential interrupters of democracy elsewhere in the hemisphere and underline our commitment to the guiding principles of U.S. foreign policy. This approach also gives the best chance to limit human rights violations, avert the humanitarian crisis and justify maintenance of our current migrant policy while we attack the underlying causes of Haiti's instability and poverty.

There are also risks and costs. Our forces inevitably will sustain casualties. It is not clear that we would be able to obtain UN or OAS support for our use of force or participation in a multilateral peacemaking force, creating questions about the legitimacy of our action and the risk that we would not be able responsibly to draw down our forces after 120 days. (We believe that Argentina, Canada and some African and Caribbean states

might well agree to join in a multilateral force, if not as part of an intervention then afterward.) Post-intervention hit and run attacks on our military personnel might develop, creating domestic pressure for a premature departure. Aristide might renege on his agreements on which the intervention would be based. Factional disagreements among Haitian politicians could prevent formation of an effective government or impede needed parliamentary actions. We might not be able to control right-wing groups and therefore fail to limit the abuses they perpetrate. Stabilization achieved during the international presence might prove ephemeral once we leave, given Haiti's profound political polarization and atomization. Recent improvements in our hemispheric relations would suffer a temporary setback, possibly damaging the December Summit of the Americas. We could undermine our efforts to limit unilateral Russian "peacekeeping" in the near abroad.

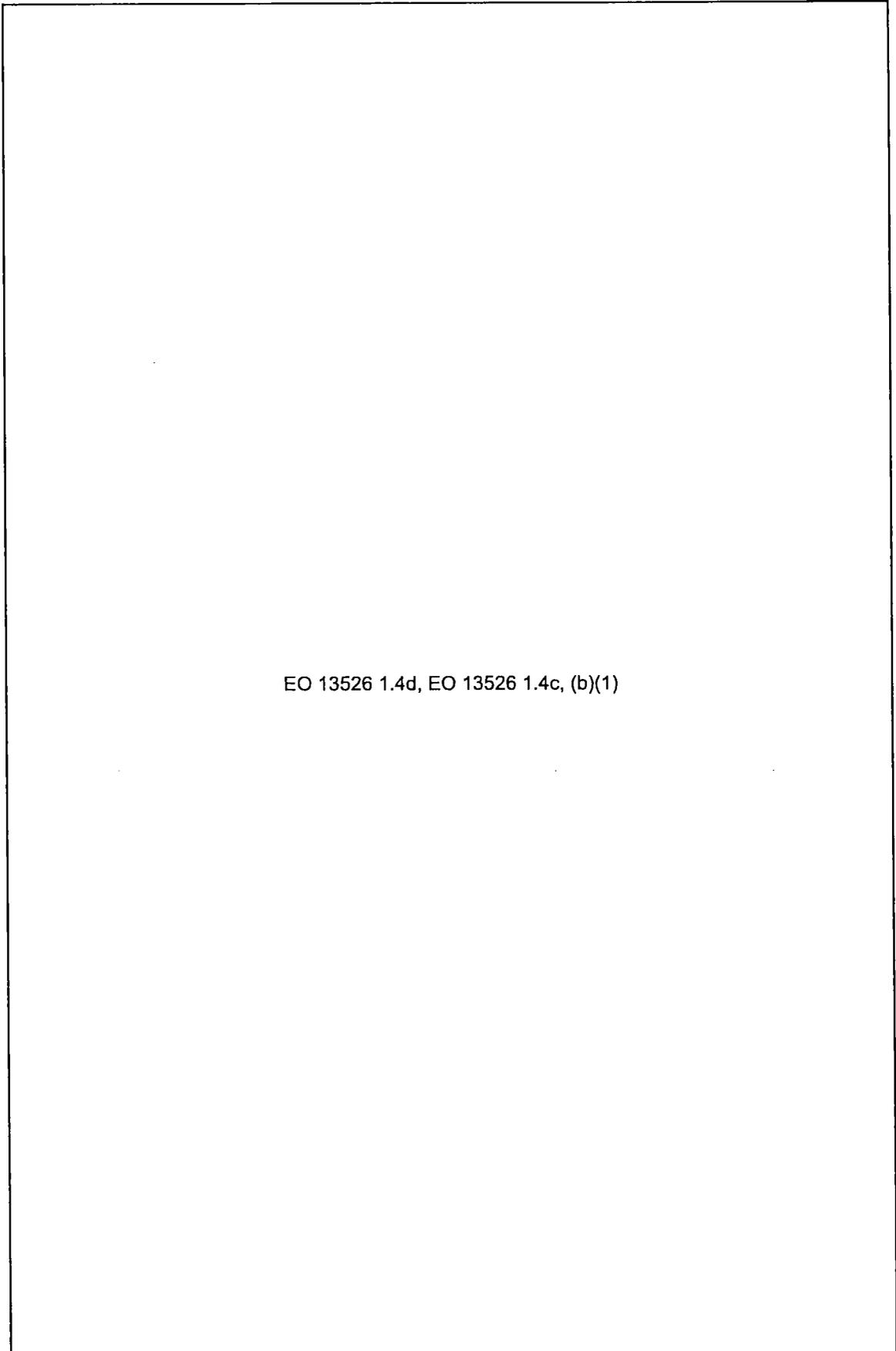
There will be public and Congressional opinion to praise and to damn us whichever course we choose. If the crisis is not resolved, criticism from Aristide's Black Caucus and other backers and the liberal press will deepen. The nascent mobilization of pressure groups once active on Central America in opposition to our policy will also accelerate, as will the concern of international legal, refugee and human rights groups based on their rejection of direct return of migrants. On the other hand, using force will be a hard sell to those who doubt Aristide's stability and distrust his democratic *bona fides* as well as to many moderate-to-conservative members of Congress, the public they represent and individuals within the bureaucracy who will selectively leak to feed that opposition. (In the end, if the two concerns are of approximately equal weight, it is better to be criticized for resolving the crisis than for not doing so.)

This paper develops the force-based option in greater detail.

EO 13526 1.4d, (b)(1)

2.

EO 13526 1.4d, (b)(1)



EO 13526 1.4d, EO 13526 1.4c, (b)(1)

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EO 13526 1.4d, EO 13526 1.4c

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EO 13526 1.4d, (b)(1)

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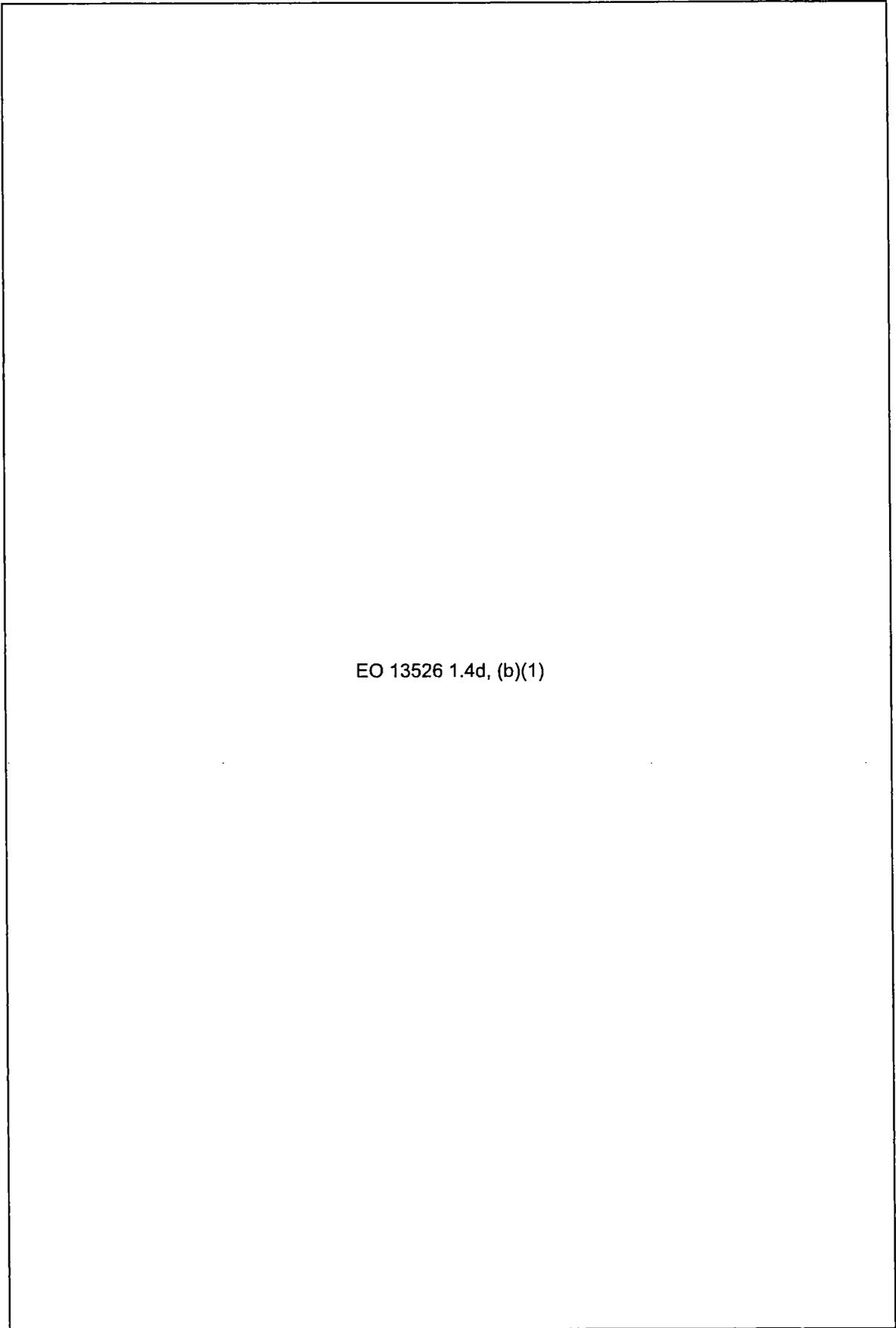
IF ULTIMATUM WORKS

Send aircraft to Haiti to transport the military leadership and their families to safe haven in the United States. If they wish to go to a third country, we can seek to arrange that after they are in the U.S. (but we must be prepared for such third country to reject our overtures).

Ensure Aristide follows through on his commitments to name new Prime Minister and FAD'H CINC and to request prompt deployment of the UN or multilateral peace enforcement/ assistance Mission as a stabilizing measure, including temporary deployment of U.S. units until the UN or ad hoc multilateral force deploys.

President Clinton outlines justification for having threatened force and mission objectives as outlined below, followed by rest of scenario.

EO 13526 1.4d, (b)(1)



EO 13526 1.4d, (b)(1)

7.

EO 13526 1.4d, (b)(1)

8.

Meeting with President Aristide of HaitiTalking Points

- We are pleased to be able to resume our discussions. Serious dialogue is essential to achieve our common objectives.
- We have been engaged in an intensive policy review since our last meeting with you on April 2.
- President Clinton has asked us to reaffirm to you his commitment, and that of the entire Administration, to the restoration of democracy and your return to Haiti.
- We are determined that General Cédras, Colonel François and the other members of the High Command and General Staff should either retire or resign from the military or should leave Haiti as part of a resolution of the crisis in your country.
- Our review has led us to conclude that nothing less can permit you and your constitutional government, with the support of the international community, to succeed in the process of reconciliation and reconstruction which Haiti needs after more than two years of repression and sanctions-induced economic contraction.
- In particular we consider their departure essential if the current worsening human rights situation, which we condemn and abhor, is to be improved.
- We have determined that we will do whatever is necessary to bring about these objectives.
- We have therefore decided that we will lead efforts at the United Nations to obtain a strong new sanctions resolution which will set the groundwork for the restoration of democracy and your return at whatever moment you and your Prime Minister deem appropriate.
- We will seek passage of a resolution with the most comprehensive possible sanctions, excluding only food and medical supplies and a very limited range of other humanitarian exceptions including possibly certain exemptions needed to protect the welfare of American citizens living in Haiti.
- We will also seek to have included in this resolution provision for the reconfiguration of the UN Mission in Haiti to add to the training mission new authority for a peace enforcement force.

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E.O. 13526, Sec. 3.5 (b)

White House Guidelines, September 11, 2006

By VL NARA, Date 10/8/2015

2013-0722-M (2.52)

- o Recognizing the fragility of the social fabric in Haiti at present and the risk that the tightened sanctions could tear that fabric and threaten the physical existence of the Haitian people, this force will be designed to deploy to Haiti only if required to ensure the delivery of humanitarian relief supplies, suppress major civil disorders and widespread human rights abuses or preserve a minimal environment for political and economic reconstruction once the military leadership departs.
  
- For us to be able to set course in this direction, it is essential that we be assured by you that you will support all necessary steps we may have to take to make the military leadership relinquish power, restore democracy and make it possible for you to resume your rightful leadership of Haiti's constitutional government.
  
- We would also need your assurance that you will take the following critical steps as soon as the military leadership has retired/resigned or has left Haiti:
  - o Name a confirmable Prime Minister. I would ask that you identify that person to us -- and us alone -- now or as soon as possible so we may rest assured on this point.
  
  - o Name a new Commander-in-Chief of the Haitian Armed Forces so that that person may appoint a new general staff and make other needed transfers (for example, of departmental commanders whose performance has been inappropriate).
    - We must be assured that if necessary you will select the new CINC from among current colonels in the event that all presently-serving generals retire or resign without having promoted such colonels to general rank first. We note that the constitution makes no provision for this eventuality, so that exceptional action would be required. Obviously, the selection would be entirely yours subject to the confirmation provisions of the Haitian constitution.
  
  - o Confirm your invitation to the United Nations to dispatch the reconfigured and enlarged UN Mission to Haiti through 1995 to ensure stability, in cooperation with your new government and commanders, while your country's institutions are rebuilt and your economy is restored; the Mission will still include the police and military training component.
    - We consider this critical; otherwise, the vacuum resulting from the decapitation of the military could give free rein to FRAPH and similar groups,

creating instability which would make restoration of democracy and your return impossible.

- o Extend an invitation to the UN and OAS to send an election support and monitoring team to work with your government to create the technical framework for successful elections in 1995.
- We will monitor the effectiveness of the comprehensive sanctions in attaining our objectives and their impact on the poor in Haiti, and will consider further escalation of pressure on the military should the situation warrant and in consultation with you.
- We are prepared to move without delay on a new sanctions resolution as described once we have these assurances. We would appreciate hearing from you directly and confidentially as soon as possible.
- We have appreciated your discretion on these matters since the Vice President's meeting with you, and we hope your aides will take the same constructive tack. Knowledge of the character of our policy review is restricted to very few senior officials of our government. We will treat the current discussion confidentially and hope we may anticipate your doing the same.
- Public discussion of our policy dialogue will impede our ability to take the actions we have outlined. Confidentiality on the substance of our discussions will help us reach a common position and achieve our objectives.
- [IF RAISED] We have received the letter you sent to the President on the migrant issue. It raises a number of complex legal issues which require careful study.
- We must tell you, however, that we found the general tone and thrust of the letter unjustifiable. We were not happy with this letter or its timing so soon after our last meeting.
- Our current policy of direct return is necessarily continuing.
- It is to be hoped that the underlying causes of our disagreement over the implementation of the migrant agreement will have been removed before six months have passed. We will then be able to put this issue behind us as part of a comprehensive resolution of Haiti's crisis.

Case Number: 2013-0122-M; 2014-0118-M

# MIR MARKER

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| Original OA/ID Number:<br>1392                         |               |             |                |             |
|  |               |             |                |             |
| Document ID:<br>Haiti-Options, April 1994 [2]: 9402973 |               |             |                |             |
| Row:<br>49   | Section:<br>1 | Shelf:<br>1 | Position:<br>2 | Stack:<br>v |

# Withdrawal/Redaction Sheet

## Clinton Library

| DOCUMENT NO.<br>AND TYPE        | SUBJECT/TITLE   | DATE                  | RESTRICTION         |
|---------------------------------|---|-----------------------|---------------------|
| <del>001a. memo</del>           | <del>To: Anthony Lake; From: Lawrence Rossin; Re: Haiti: Implementing a Decision to Tighten Sanctions (4 pages)</del> | 04/18/1994            | P1/b(1) NR 3/3/2020 |
| <del>001b. talking points</del> | <del>Meeting with President Aristide of Haiti (3 pages)</del>   | <del>00/00/0000</del> | P1/b(1) NR 3/3/2020 |

**COLLECTION:**

Clinton Presidential Records  
 National Security Council  
 Staff Director (Soderberg, Nancy)  
 OA/Box Number: 1392

**FOLDER TITLE:**

Haiti-Options, April 1994 [2]: 9402973

2013-0122-M  
sb2524

### RESTRICTION CODES

**Presidential Records Act - [44 U.S.C. 2204(a)]**

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
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- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

**Freedom of Information Act - [5 U.S.C. 552(b)]**

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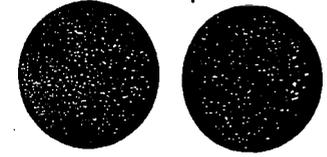
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LIMITED ACCESS

NATIONAL SECURITY COUNCIL  
WASHINGTON, D.C. 20508

CHRON

PREPARED 4/18 AT SANDY'S  
REQUEST



April 18, 1994

INFORMATION

MEMORANDUM FOR ANTHONY LAKE

THROUGH: RICHARD E. FEINBERG *RF*

FROM: LAWRENCE G. ROSSIN *LGR*

SUBJECT: Haiti: Implementing a Decision to Tighten Sanctions

DECLASSIFIED  
E.O. 13526, Sec. 3.5 (b)  
White House Guidelines, September 11, 2006  
By VL NARA, Date 10/8/2015  
2013-0122-M (2.46)

You and Strobe Talbott will meet with Aristide on Thursday to pursue the dialogue begun April 2. Suggested talking points, based on what you approved last week, are at Tab I. These points presume that the President will have decided by Thursday to seek tougher sanctions against Haiti. They are usable whether or not he has also made a decision on the use of force. They refer to our intention to seek an augmented UN Mission for peacemaking. Unless the President has definitely decided by Thursday against the use of force, we should work toward the augmentation of the UN Mission as part of toughening sanctions in order to keep our options open for an eventual Presidential decision in favor of force. The points also urge Aristide to tone down his public polemics, which have resumed (see Tab II).

Once you meet with and have received a positive response from President Aristide, we should be prepared to brief the UN and Friends, the Congress, the press and pressure groups so that we rather than he can condition perceptions of our revised strategy. Our Embassy will also need guidance for its contacts with the Haitian military, parliamentarians and others. You should press Aristide to give you his answer on the conditions first, not the press and his backers as he did after the Vice President's proposal. Confidentiality is an earnest of good faith and a determinant of our ability to work with him.

This roll-out strategy presumes Aristide's assent to the conditions for tougher sanctions you will outline. If he refuses, we will have to reconsider our ability to seek tougher sanctions, contemplate use of force and work with him at all. The strategy also presumes Pezzullo being replaced by a new envoy.

1. The United Nations and the Friends: At the earliest possible moment, perhaps right after your meeting if your sense of

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Aristide is positive, Talbott should instruct a small group to redraft the UNSC resolution to incorporate more comprehensive sanctions and the augmentation of the UN Mission and to drop the Aristide conditionality. (We will need to decide the exact parameters of the tougher sanctions. We also will need to decide about retaining the controversial assembly sector exemption.)

The new U.S. draft should be ready within 24 hours to form the basis for contacts between Ambassador Albright and Boutros Ghali and Dante Caputo, Ambassador Babbitt and OAS Secretary General Baena Soares and Secretary Christopher or Strobe Talbott and their key counterparts (the Friends, Perm-5, Argentina, Brazil, the Dominican Republic) to seek support for our new approach. They might be buttressed by Presidential calls or messages.

2. **The Congress:** The President should receive key members of Congress at the White House to announce the results of the strategy review. A public event would ensure the widest exposure. In addition to the CBC and other Aristide supporters, the audience should include members of the leadership (both houses, both parties) and the Florida delegation.

The President would presumably receive positive comments from the Aristide supporters both on the approach and on the fact that there was serious and productive dialogue with Aristide. Skeptical questions from others about the humanitarian impact of tighter sanctions and the potential for increased migration would be a good way to begin conditioning the public for follow-up action once the sanctions began biting too hard, whether the President were ultimately to rule for or against use of force. They would also provide a good context in which to discuss the proposed augmentation of the UN Mission.

3. **The Press:** The press cover the Congressional session launching the new approach. We would suggest aggressive backgrounding by you, Sandy, Talbott and others to put our spin on the President's decision, to describe how we arrived at it (stressing our dialogue with Aristide as we weighed overall U.S. interests) and to leave open the possibility of further adjustments depending on the impact of the sanctions.

4. **Human Rights Groups:** We would suggest an event to brief human rights, refugee and other organizations on the new approach. Agreement between us and Aristide would mute their basic policy criticism. We will still hear about the migrant policy but we might seek to leverage our new agreement on the basic policy approach to soften the debate on migrants. Going beyond this, Eric Schwartz is preparing a memo to you proposing that we explore alterations to the current migrant policy; he suggests stating publicly that our Haiti policy review includes migration and that, while direct return continues, we are taking into account points raised by critics.

5. **In Haiti:** At the same time as he convenes a group to revise the UNSC resolution, Talbott (or Christopher) should call Bill Swing to brief him on the new approach and to discuss how best to

preserve what we have been able to achieve internally including what we might do to discourage an Article 149 maneuver. State should then prepare and clear with us talking points for Swing. We must be realistic, however: if a 149 vote has not already occurred by Thursday our action is likely to spark it. The impulsion toward this maneuver in Haiti has been the erosion of the center which supported the parliamentary plan (and of those military people who briefly were willing to contemplate opposing Cédras) in the face of Aristide's intransigence, our failure to break with him over it and the continuing impact of sanctions. Our new approach will reinforce the message that 149 is no way out of sanctions but it will also crystallize the "hunker down" mentality among the military and its backers who have concluded that no livable compromise is possible and they can tough it out.

THEMES FOR NEW STRATEGY ROLL-OUT

- We have completed a comprehensive review of our strategy to restore democracy and return President Aristide to Haiti.
- This review has considered the evolution of the political, economic, human rights and humanitarian situations within Haiti, including the military leaders' rejection of all recent initiatives aimed at ending the crisis.
- It also has taken into account counsel from President Aristide and members of Congress. And it reflects consultations in the past three months with Canada, France and Venezuela (the Friends of Haiti) and other UN members.
- The Haitian people are suffering. They are at the mercy of the military and its brutal thugs.
- Haiti's economy is disintegrating as the military leaders blatantly misappropriate their people's resources.
- We have held that a political process is needed to transform the sanctions' impact into a peaceful end of the crisis.
- That remains true, but the military has rejected efforts by courageous democrats within Haiti to spark such a process.
- Instead they have turned up the terror and are pressing the parliament to install a new *de facto* government. That will only reinforce our will to impose and enforce sanctions.
- The Haitian military cannot be allowed to defy their own people and the international community indefinitely. The suffering of the Haitian people must end. Otherwise there will be a human rights and humanitarian catastrophe and the risk of a migrant exodus to our shores.
- The current UN sanctions have not succeeded in forcing the military to end their usurpation of political power.

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- We have therefore begun consultations in the UN on a resolution tightening the economic sanctions unless the military takes steps we demand within 15 days.
  - o Cédras must retire and François and the rest of the High Command and general staff must resign from the Armed Forces or leave Haiti. In addition, all the military's Governor's Island obligations must be met. Conditions must be created for UN Mission deployment.
  - o Departure of the entire military leadership goes beyond what was agreed at Governor's Island. Those concessions were made in good faith. The perfidy of the military leaders has rendered them forfeit.
  
- As we seek more comprehensive sanctions, we will also seek a stronger UN Mission which can ~~to~~ stabilize the situation and ensure humanitarian aid delivery once the military leaders leave.
  - o This is a responsible step given the political and economic vacuum created by military obstinacy and since tighter sanctions may cause further deterioration.
  
- [-- Finally, we are appointing a new Special Envoy for Haiti to coordinate our support for President Aristide and democrats within Haiti. We are grateful for the tireless efforts on behalf of Haitian democracy of Ambassador Pezzullo who has requested a rest.]
  
- The UN resolution we are proposing will not depend on actions by President Aristide. We have been assured that he will appoint a Prime Minister to work with the Parliament and a new Commander-in-Chief and will invite the UN Mission and UN/OAS elections assistance at the appropriate time, which is as soon as the military has <sup>(met)</sup> the requirements we have laid out.
  
- These measures demonstrate our determination to end the military assault on the Haitian people's democracy, their livelihood and, too often, their lives. We look forward to quick UN action and urge the Haitian military leaders to hear and act upon the message we are sending today.

Concurrence by: Morton Halperin



Attachments

Tab I Talking Points  
Tab II Reuter Article on Aristide's Berkeley News Conference

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Meeting with President Aristide of Haiti

Talking Points

DECLASSIFIED  
E.O. 13526, Sec. 3.5 (b)  
White House Guidelines, September 11, 2  
By VL NARA, Date 10/8/201  
2013-0122-m (2.47)

- We are pleased to be able to resume our discussions. Serious dialogue is essential to achieve our common objectives.
- We have been engaged in an intensive policy review since our last meeting with you on April 2.
- President Clinton has asked us to reaffirm to you his commitment, and that of the entire Administration, to the restoration of democracy and your return to Haiti.
- We are determined that General Cédras, Colonel François and all the members of the High Command and General Staff should either retire or resign from the military or should leave Haiti as part of a resolution of the crisis in your country.
- Our review has led us to conclude that nothing less can permit you and your constitutional government, with the support of the international community, to succeed in the process of reconciliation and reconstruction which Haiti needs after more than two years of repression and sanctions-induced economic contraction.
- In particular we consider their departure essential if the current worsening human rights situation, which we condemn and abhor, is to be improved.
- We have determined that we will do whatever is necessary to bring about these objectives. ] ?
- We have therefore decided that we will lead efforts at the United Nations to obtain a strong new sanctions resolution which will set the groundwork for the restoration of democracy and your return at whatever moment you and your Prime Minister deem appropriate.
- We will seek passage of a resolution with the most comprehensive possible sanctions, excluding only food and medical supplies and a very limited range of other humanitarian exceptions including possibly certain exemptions needed to protect the welfare of American citizens living in Haiti.
- We will also seek to have included in this resolution provision for the reconfiguration of the UN Mission in Haiti to add to the training mission new authority for a peace enforcement force.
  - o Recognizing the fragility of the social fabric in Haiti at present and the risk that the tightened sanctions

could tear that fabric and threaten the physical existence of the Haitian people, this force will be designed to deploy to Haiti once the military leadership departs to ensure the delivery of humanitarian relief supplies, suppress major civil disorders and widespread human rights abuses and/or preserve a minimal environment for political and economic reconstruction.

-- For us to be able to set course in this direction, it is essential that we be assured by you that you will support all necessary steps we may have to take to make the military leadership relinquish power, restore democracy and make it possible for you to resume your rightful leadership of Haiti's constitutional government.

-- We would also need your assurance that you will take the following critical steps as soon as the military leadership has retired or resigned or has left Haiti:

o Name a confirmable Prime Minister. I would ask that you identify that person to us -- and us alone -- now or as soon as possible so we may rest assured on this point.

o Name a new Commander-in-Chief of the Haitian Armed Forces so that that person may appoint a new general staff and make other needed transfers (for example, of departmental commanders whose performance has been inappropriate).

-- We must be assured that if necessary you will select the new CINC from among current colonels in the event that all presently-serving generals retire or resign without having promoted such colonels to general rank first. We note that the constitution makes no provision for this eventuality, so that exceptional action would be required. Obviously, the selection would be entirely yours subject to the confirmation provisions of the Haitian constitution.

o Confirm your invitation to the United Nations to dispatch the reconfigured and enlarged UN Mission as described above to Haiti through 1995 to ensure stability, in cooperation with your new government and commanders, while your country's institutions are rebuilt and your economy is restored; the Mission will still include the police and military training component.

-- We consider this critical; otherwise, the vacuum resulting from the decapitation of the military could give free rein to FRAPH and similar groups, creating instability which would make restoration of democracy and your return impossible.

- o Extend an invitation to the UN and OAS to send an election support and monitoring team to work with your government to create the technical framework for successful elections in 1995.
  
- We will monitor the effectiveness of the comprehensive sanctions in attaining our objectives and their impact on the poor in Haiti, and will consider further escalation of pressure on the military should the situation warrant and in consultation with you.
  
- We are prepared to move without delay on a new sanctions resolution as described once we have these assurances. We would appreciate hearing from you directly and confidentially as soon as possible.
  
- We have appreciated your discretion about our discussions since the Vice President's meeting with you, and we hope your aides will take the same constructive tack. Knowledge of the character of our policy review is restricted to very few senior officials of our government. We will treat the current discussion confidentially and hope we may anticipate your doing the same.
  
- Public discussion of our policy dialogue would impede our ability to take the actions we have outlined. Confidentiality on the substance of our discussions will help us reach a common position and achieve our objectives.
  
- In a similar vein, public statements which question the President's degree of commitment to his Haitian policy or which impute unworthy motives (i.e., racism) to him and this Administration are not acceptable. If they continue our ability to work with you will be jeopardized.
  
- [IF RAISED] We have received the letter you sent to the President on the migrant issue. It raises a number of complex legal issues which require careful study.
  
- We must tell you, however, that we found the general tone and thrust of the letter unjustifiable. We were not happy with this letter or its timing so soon after our last meeting.
  
- Our current policy of direct return is necessarily continuing.
  
- It is to be hoped that the underlying causes of our disagreement over the implementation of the migrant agreement will have been removed before six months have passed. We will then be able to put this issue behind us as part of a comprehensive resolution of Haiti's crisis.

Pulled for 2006-11670-F

Case Number: 2013-0122-M; 2014-0118-M

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| Original OA/ID Number:<br>1392                         |               |             |                |             |
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| Document ID:<br>Haiti-Options, April 1994 [2]: 9403043 |               |             |                |             |
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# Withdrawal/Redaction Sheet

## Clinton Library

| DOCUMENT NO.<br>AND TYPE | SUBJECT/TITLE   | DATE       | RESTRICTION |
|--------------------------|---|------------|-------------|
| 001a. memo               | To: Anthony Lake; From: Lawrence Rossin; Re: Your Meeting with Haitian President Aristide (3 pages) | 04/20/1994 | P1/b(1)     |
| 001b. talking points     | Meeting with President Aristide of Haiti (4 pages)  | 00/00/0000 | P1/b(1)     |

**COLLECTION:**

Clinton Presidential Records  
 National Security Council  
 Staff Director (Soderberg, Nancy)  
 OA/Box Number: 1392

**FOLDER TITLE:**

Haiti-Options, April 1994 [2]: 9403043

2013-0122-M  
sb2526

### RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

Freedom of Information Act - [5 U.S.C. 552(b)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
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- C. Closed in accordance with restrictions contained in donor's deed of gift.
- PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).
- RR. Document will be reviewed upon request.

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## Clinton Library

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|--------------------------|---|------------|-------------|
| 001a. memo               | To: Anthony Lake; From: Lawrence Rossin; Re: Your Meeting with Haitian President Aristide (3 pages) | 04/20/1994 | P1/b(1)     |

### COLLECTION:

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National Security Council  
Staff Director (Soderberg, Nancy)  
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Haiti-Options, April 1994 [2]: 9403043

2013-0122-M  
sb2526

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| 001b. talking<br>points  | Meeting with President Aristide of Haiti (4 pages) | 00/00/0000 | P1/b(1)     |

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OA/Box Number: 1392

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2013-0122-M  
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Case Number: 2013-0122-M; 2014-0118-M

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# Withdrawal/Redaction Sheet

## Clinton Library

| DOCUMENT NO.<br>AND TYPE | SUBJECT/TITLE   | DATE                  | RESTRICTION                           |
|--------------------------|---|-----------------------|---------------------------------------|
| <del>001a. memo</del>    | <del>To: Anthony Lake; From: Lawrence Rossin; Re: Haiti: Forcible Introduction of UNMIH (5 pages)</del> | <del>04/29/1994</del> | <del>P1/b(1)</del> <i>ru 3/3/2020</i> |
| <del>001b. paper</del>   | <del>Subject: Tasks for UNMIH (2 pages)</del>   | <del>04/29/1994</del> | <del>P1/b(1)</del> <i>ru 3/3/2020</i> |

**COLLECTION:**

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 OA/Box Number: 1392

**FOLDER TITLE:**

Haiti-Options, April 1994 [2]: 9403333

2013-0122-M  
sb2528

**RESTRICTION CODES**

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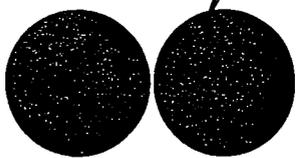
**Freedom of Information Act - [5 U.S.C. 552(b)]**

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NATIONAL SECURITY COUNCIL  
WASHINGTON, D.C. 20506

April 29, 1994

copy for Nancy Soderber  


INFORMATION

MEMORANDUM FOR ANTHONY LAKE

THROUGH: RICHARD E. FEINBERG *RF*  
FROM: LAWRENCE G. ROSSIN *LR*  
SUBJECT: Haiti: Forcible Introduction of UNMIH

As a result of our policy review we are actively promoting new comprehensive sanctions and complementary measures. However, there is broad skepticism -- within the USG, at the UN, in the Congress and public -- that the sanctions can achieve our policy objectives or even the ouster of the three key military leaders. Nor is it apparent that Haitians, including the military, see how the sanctions will work politically (though they concede the economic impact may be severe). The military is obviously headed the other way, preparing to install a new *de facto* regime as it perpetrates continuing abuses and profits from the sanctions.

In directing these new steps last week the President himself expressed doubt about the sanctions' likely efficacy and reserved his decision on force. The debate about force during the policy review was based on a model of massive U.S. intervention, probably unilateral, at a point when the deleterious impact of sanctions on ordinary Haitians contrasted with their minimal effect on the coup authors built a self-evident justification for the threat and if necessary use of force. A robust longer-term UN Mission would follow once our forces had established internal security and brought about Aristide's return and the restoration of constitutional government. The UN Mission would then preserve internal security and provide military and police training.

This paper discusses an alternative model based on a rapid in-and-out U.S. intervention, acting as an agent of and with the approval of the UN. Our forces would decapitate the military and forcibly introduce a robust UN Mission either under Security Council control (Chapter VII) or organized by the United States under authority of a UNSCR. The UN Mission would ensure the subordination of the Haitian military and police to Aristide and suppression of civilian thugs. It would work with those now-loyal Haitian security forces to bring about the initial internal security stabilization needed for restoration of democracy, Aristide's return and the start of international aid. It would then push the Haitian military under its new leadership out front to control public disorders. Its trainers and civic action elements would restructure the FAD'H radically and set up the new police. It would also protect the international presence and

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E.O. 13526, Sec. 3.5 (b)

White House Guidelines, September 11, 2006

By *VL* NARA, Date *10/8/19*

2013-0122-WM (2.53)

perform several similar functions. DOD is preparing a detailed description of what a UN Mission might entail to carry out those functions (see Tab A for summary of tasks).

SEQUENCE OF EVENTS

1. Impose comprehensive sanctions as presently planned.
2. Meet with Aristide.
  - One approach would be to request his support for this US/UN "hand-off" approach at the outset. If he agreed, proceed. If he balks, warn him that we would go public with our offer and his rejection and that we will reconsider our ability to support his return based on doubt about his commitment to stabilizing Haiti so genuine democracy could be restored and the economy could be rebuilt, the goals the robust UNMIH's mandate would serve.
  - Another approach would be to tell Aristide that we are determined to get him back no matter what and, without further specifying how, say that a robust UNMIH is needed for us to succeed. Ask him to endorse that. Save discussing use of force until the time comes.
3. Build on Aristide's approval, widespread expectations that the sanctions will drive Haiti into the ground, the military-forced installation of an illegitimate government and ongoing abuses to win UN approval for a substantially augmented UNMIH to deploy once the military is out and recruit multinational participants. The justifying phenomena cited above should become evident during the 3-4 months gaining authorization and participants would take. This is important: it will be a major uphill effort to get the rest of the world to endorse our use of American force to implant a UN Mission. UNITAF was clearly a humanitarian mission; to make that case here our proposed action must be seen as a last resort born of frustration at the failure of sanctions, the exhaustion of all other methods.

We could inform the UN at the outset of our intent to intervene to get the UNMIH in. Alternatively we could base the initiative to augment UNMIH on the projected impact of sanctions and need to address the worsening situation once we've achieved the military leaders' ouster -- but given the challenge obtaining international support poses, not raise the intervention idea until the failure of sanctions was more apparent.

4. Once UNMIH is mobilized, stage a U.S. intervention to remove Cédras, François and Biamby from Haiti and to clear the way for immediate entry of the UNMIH. If you wish to continue exploring this option, DOD should be asked to specify whether it would utilize Special Operations Forces (as in first stage of Gen. Shalikashvili's previous concept of

operations) or massive force. The choice will have a significant impact on reactions everywhere: in Haiti, domestically, at the UN.

5. U.S. forces, having completed these missions, redeploy to CONUS as UNMIH deploys to Port-au-Prince and key towns.
6. UNMIH oversees installation of Aristide-appointed FAD'H CINC and his subsequent promotions and appointments and suppresses FRAPH. Creates stable security climate for installation of new PM, government, Aristide's return, enactment of police law, start of FAD'H restructuring and police training and beginning of international economic assistance. Protects international presence and GOH officials and installations until (possibly contractors and) eventually FAD'H and police can assume these functions.
7. When military subordinated, FRAPH under control, internal security stabilized, new government installed and Aristide back (approx. 4 months?), main UNMIH force draws down. Personal/facilities protective elements withdraw as circumstances allow. Training elements plus reduced security force for international presence remain until 1996 inauguration of new President, by which time FAD'H restructuring and police establishment are largely complete and GOH is left with a reliable security and public order force.

#### PROJECTED ATTITUDES OF KEY PLAYERS

1. Aristide: A lightning strike decapitation of the military à la Noriega will likely win Aristide's support since it has always been his preferred force model. It is what he described to the Vice President last October. (He refers to Panama but his description of what he wants sounds more like a Delta Force take-down than a major invasion.) Aristide may in contrast balk at a robust UNMIH citing his claimed constitutional impediment. He may also privately harbor concern that a robust foreign presence would interfere with reassertion of his exclusionary model of governance, although he has emphasized to us his commitment to reconciliation and inclusiveness.
2. The Military: Leaders and the Rest: Our efforts to win approval for and participation in a UNMIH under this model would become public, as therefore would our intervention plan. As word got out of our plans the military leaders might leave or be ousted by elements wanting to avoid foreign intervention (either outcome obviating the need for our initial intervention). Alternatively they might succeed in rallying the troops into a more intransigent position as they prepared to avoid capture by our eventual invading force. However, the time it would take to authorize and recruit UNMIH might lull the cocky FAD'H leaders into believing they faced a hollow threat, restoring the element of surprise.

This approach is based on reliance on the Haitian military to address Haitian-on-Haitian violence and maintain general public order. The Haitian military may prove incapable or unwilling to do so. It could disintegrate when we intervened as soldiers melted into the populace. If our training emphasized radical restructuring (as Swing recommends) which cost many FAD'H personnel their jobs or damaged institutional morale, the military might refuse to cooperate, leaving internal security responsibilities to UNMIH. Finally, the FAD'H's ethic is brutality. They do not understand humane crowd control. Relying on them to control internecine violence risks exacerbating rather than diminishing instability and associating UNMIH with their inevitable excesses.

3. The UN: The very limited, objective-oriented character of the U.S. intervention might make our action more acceptable and increase the chances for UNMIH authorization and participation. Possible candidates for participation would be Canada, Argentina, Chile, Venezuela, Bolivia, Uruguay, Costa Rica, Honduras, CARICOM members and Francophone African and Mahgrebian states which showed interest during the original UNMIH recruitment cycle. France might be possible though with its internal divisions is very uncertain. We should consider offering inducements to the Latins in the context of Summit-related discussions of freer trade and expanded investment. Other inducements might encourage African and Mahgrebian participation. Police recruitment was a particular problem last time and will be again due to the limited resources most countries have available. We should cast our net wider than the Francophones on whom we concentrated last summer. For example, Argentina and Chile both have *gendarmarie*-type forces experienced in training and peacekeeping.

However, the military component of the Mission is certain to be predominantly American. We may find that some countries which were willing to participate in a smaller UNMIH would be put off by this more robust model. There may also be resistance to a Chapter VII Mission due to general concerns over the proliferation and cost of such missions. We must consider that if the UN does not endorse the Mission or if it does but recruitment fails, we could find ourselves facing increased domestic pressure for unilateral action.

This use of force model is less likely than our other to encourage Russian arguments for their "near abroad" peacekeeping due to its clear and abbreviated goal of introducing a fully multilateral UN Mission. Nonetheless, we need to be extremely careful about the precedent we might be creating. We would not want the Russians to try this model in the Caucasus or Central Asia.

4. The Congress and Public Opinion: Our plans would become public quickly as we sought Aristide's concurrence and UN approval for the UNMIH, requiring prompt Congressional

consultation and an active public relations strategy. There would be a fierce debate and the possibility of a Congressional prohibition on the use of U.S. troops in Haiti or even in the robust UNMIH. We would want to encourage further Congressional and public expressions of concern about the efficacy and adverse humanitarian impact of sanctions in order to build the groundswell for use of force in Haiti. That would mean enduring criticism of our policy but would help build understanding that U.S. interests warranting use of force were at stake.

Those now supporting use of force in Haiti would probably find this quick use of force model more attractive than the more traditional occupation model because, normally being opponents of intervention, they should appreciate the limited character of our unilateral role. On the other hand, the majority who are less involved in Haiti and not supporting use of force there might find this model even less attractive than the other since they could perceive it as irresolute and overreliant on the UN. They generally hold UN operations in low regard and are skeptical of U.S. participation in them. Cost issues would also arise (DOD's paper will attempt to cost out the UN Mission).

Concurrence by: Morton Halperin



Attachment  
Tab A "Tasks for UNMIH"

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29 Apr 94

SUBJECT: Tasks for UNMIH

(S) The following list of tasks will be used for the purpose of estimating force composition and associated costs.

- Training/Construction
- Self-protection
- Protect International Presence (including ICM, PVOs, UN/OAS observers, economic aid workers)
  - Advise on security requirements
  - Provide escorts as requested/needed\*
  - Provide security for humanitarian supplies\*
  - Respond if international monitors, NGO's etc., request emergency aid
- Protect/evacuate US/UN/other third country nationals
- Protect Aristide-nominated PM, government, CINC, police chief, parliament, operatives in countryside\*/\*\*
- Protect key facilities (port, radio/TV, power supply)\*/\*\*
- Disarm/detain military/police remnants\*\*
  - Uniformed forces
  - FRAPH
  - Attaches, etc.
  - Assist new government's security leadership
- Break up army's infrastructure (section chiefs, etc.), separately identifying capability required to perform this effort, where possible.
- Deter/counter resistance from military/police remnants\*\*

\* Consider degree to which these functions could be provided by Haitian or foreign civilian contractor security personnel.

\*\* Consider degree to which new government's own security forces can perform this function. UNMIH to serve as backup only.

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E.O. 13526, Sec. 3.5 (b)

White House Guidelines, September 11, 2006

By vc NARA, Date 10/1/2015

2013-0122-m (2.55)

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- Visible patrolling to deter resistance/violence
- Prevent/Respond to Haitian on Haitian violence beyond ability/willingness of Haitian security forces\*\*
  - Respond to organized efforts or that which threatens survival of new government
  - protect dismissed Ti Soldat
  - deal with pro-Aristide violence
- Respond if military/police hard-liners attempt coup

~~(S)~~ The above tasks are based upon the following planning assumptions:

- US invasion will have seized control of key points in PAP, arrested key leaders of military/de facto regime
- US invasion force will protect UNMIH arrival and withdraw in a few days, turning over to UNMIH
- Aristide will have named new PM, army commander
- Army commander will come from existing officer corps (not necessary a general); bulk of officer corps will be in place when UNMIH arrives
- Sanctions will be lifted (except targeted) as UNMIH arrive

~~(S)~~ Questions to be addressed, beyond force requirements

- ROEs
- Legal authority (rely on Haitian courts, prison system)
- Command arrangements (relation/responsiveness to new government)
- Intelligence/communications requirements
- Costs/financing
- Level of US participation -- none? logistics/commo/intell? substantial?

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| 001a. memo            | To the President from Anthony Lake. Subject: Meeting with President Jean-Bertrand Aristide. (3 pages) | 03/15/1993 | P1/b(1), P5 VZ 3/3/2020 |
| 001b. report          | Outline of Action Plan for Haiti. (3 pages)   | 03/15/1993 | P1/b(1) VZ 2/3/2020     |
| 001c. memo            | [Points for Meeting]. (4 pages)   | 03/15/1993 | P1/b(1) VZ 2/3/2020     |
| 001d. talking points  | Press Talking Points. (1 page)  | 03/15/1993 | P1/b(1) VZ 3/3/2020     |
| 001e. report          | Haiti: Policy on Boat People. (1 page)  | 03/15/1993 | P1/b(1) VZ 3/3/2020     |
| 001f. report          | Haiti: Contacts with De Facto Regime. (1 page)  | 03/15/1993 | P1/b(1) VZ 2/3/2020     |
| 001g. report          | Haiti: International Observers. (1 page)  | 03/15/1993 | P1/b(1) VZ 3/3/2020     |
| 001h. report          | Haiti: Next Steps. (1 page)   | 03/15/1993 | P1/b(1) VZ 3/3/2020     |
| 001i. report          | Haiti: Embargo. (1 page)  | 03/15/1993 | P1/b(1) VZ 3/3/2020     |
| 001j. report          | Haiti: Aristide Return. (1 page)  | 03/15/1993 | P1/b(1) VZ 3/3/2020     |
| 001k. report          | Meeting with Aristide. (1 page)   | 03/15/1993 | P1/b(1) VZ 3/3/2020     |
| 001l. report          | U. S. Support for Aristide. (1 page)  | 03/15/1993 | P1/b(1) VZ 2/3/2020     |

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| 001n. report             | New Haiti Policy. (1 page)                            | 03/15/1993 | P1/b(1) VZ          |
| 001o. report             | Haiti: Refugee Policy. (1 page)                       | 03/15/1993 | P1/b(1) VZ          |
| 001p. report             | Jailing of Approved Refugee Applicant. (1 page)       | 03/15/1993 | P1/b(1) VZ          |
| 001q. report             | Norde Refugee Case in Haiti. (1 page)                 | 03/15/1993 | P1/b(1) VZ          |
| 001r. report             | Haiti: HIV Positive Haitians at Guantanamo. (2 pages) | 03/15/1993 | P1/b(1) VZ          |
| 001s. report             | Jesse Jackson (1 page)                                | 03/15/1993 | P1/b(1) VZ          |
| 001t. talking<br>points  | Duplicate of 001d. (1 page)                           | 03/15/1993 | P1/b(1) VZ          |
| 001u. report             | Haiti: The Political Crisis. (1 page)                 | 03/15/1993 | P1/b(1) VZ          |
| 001v. report             | Haiti: President Aristide. (1 page)                   | 03/15/1993 | P1/b(1) VZ          |
| 001w. report             | Haiti: The De Facto Regime and the Military. (1 page) | 03/15/1993 | P1/b(1) VZ          |
| 001x. report             | The Role of the UN and OAS. (1 page)                  | 03/15/1993 | P1/b(1) VZ          |

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| 001y. report          | Haiti: the Human Rights Situation. (1 page)               | 03/15/1993 | P1/b(1) VZ 3/3/2020 |
| 001z. report          | Haiti's Economy and the Embargo. (1 page)                 | 03/15/1993 | P1/b(1) VZ 3/3/2020 |
| 001za. report         | Litigation Dealing with Haitian Refugee Issues. (2 pages) | 03/15/1993 | P1/b(1) VZ 3/3/2020 |
| 001zb. report         | Haiti Migrant Issues. (2 pages)                           | 03/15/1993 | P1/b(1) VZ 3/3/2020 |
| 001zc. report         | U.S. Government Report. (2 pages)                         | 03/10/1993 | P1/b(1), P6/b(6)    |
| 001zd. report         | Incomplete copy of U.S. Government Report 001zc. (1 page) | 03/10/1993 | P1/b(1), P6/b(6)    |
| 001ze. report         | U.S. Government Report. (1 page)                          | 09/27/1991 | P1/b(1)             |
| 001zf. report         | U.S. Government Report. (2 pages)                         | 03/10/1993 | P1/b(1)             |
| 001zg. report         | Incomplete Copy of U.S. Government Report 001ze. (1 page) | 03/10/1993 | P1/b(1)             |
| 001zh. report         | U.S. Government Report. (1 page)                          | 03/11/1993 | P1/b(1)             |

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THE WHITE HOUSE

WASHINGTON

March 15, 1993

MEETING WITH  
PRESIDENT JEAN-BERTRAND ARISTIDE

DATE: March 16, 1993  
LOCATION: Oval Office  
TIME: 4:00

FROM: ANTHONY LAKE

I. PURPOSE

Your meeting with President Aristide is intended to convey the seriousness of your commitment to restore democracy and President Aristide to Haiti. Your meeting is the pivot point to accelerate dramatically the existing OAS/UN negotiations that seek those same objectives. It will build on actions to date: the OAS/UN peace initiative and observer mission we have launched; the ground-work laid for intensified Caputo talks; the appointment last week by Secretary Christopher of Ambassador Pezzullo as his special Representative for Haiti.

Aristide's cooperation with the Caputo mission backed by Ambassador Pezzullo, is key to its success. If he hesitates or obstructs, the talks are doomed. At this meeting you should seek to win Aristide's confidence, while impressing upon him that he, too, must compromise if the negotiations are to prosper. He has a tendency to freeze in meetings, and you need to make a special effort to put him at ease.

There will be a brief press availability following the meeting to underscore publicly your support for Aristide.

**Key Points**

- Establish personal rapport with Aristide, conveying your strong personal commitment to restoring democracy in Haiti and to his safe, non-violent return as quickly as possible, but no artificial deadlines.
- Emphasize that we are ready to intensify our efforts aimed at achieving democracy and his return as rapidly as possible. We will provide maximum support to the Caputo mission.
- The appointment of Ambassador Pezzullo as Special U.S. Advisor on Haiti will provide full-time U.S. support for Caputo; he will act as Chris' and your personal

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E.O. 13526, Sec. 3.5 (b)  
White House Guidelines, September 11, 2006  
By VL-NARA, Date 10/8/2014  
7013-0122 - M (1.90)

representative and has been asked to work closely with Aristide.

- Encourage Aristide to work with the OAS, the UN and us; to allow Caputo the authority, flexibility and cooperation needed to negotiate effectively. Unless he can count on us, we know the process cannot succeed; unless we can count on him to cooperate fully, the effort also will fail.
- Tell him that we are prepared to contribute to an international presence to provide security for his peaceful return and that we will help mobilize international economic assistance to help reconstruct Haiti after democracy is restored. We are also prepared to look at tougher sanctions if the de facto government and military do not cooperate.
- Urge Aristide, for the sake of national unity, to accept compromise on issues key to the success of negotiations: the choice of Prime Minister and Cabinet, power-sharing within the new government, and the need to provide security to all Haitians, including his opposition.
- Emphasize your commitment to improving human rights in Haiti and our support for the OAS/UN observer mission in Haiti, but discourage his suggestions that negotiations should be delayed until civil liberties have been fully restored, the army purged, or for any other reason.

## II. BACKGROUND

We will pursue a greatly accelerated OAS/UN negotiating effort led by Caputo. We will arm him with the necessary carrots and sticks to help move negotiations to a successful conclusion. We will prepare the ground for Caputo's mission by sending Ambassador Pezzullo to Haiti with a tough message to the de factos and military that time is running out.

Aristide's role is key: if he tries to tie Caputo's hands, the talks are doomed. He must be persuaded that you are serious about Haitian democracy and his personal return, that we will maintain momentum in this effort to achieve results promptly, and that he must exercise flexibility and be ready to compromise or the talks will not succeed no matter how much the rest of us try.

For his part, Aristide knows he cannot get back to Haiti without us. He needs the meeting as a symbolic demonstration of U.S. commitment and for the impact it will have on the de factos and the military in Haiti. He may try to pin you down on an exact date for his return, and push for the announcement of additional sanctions before negotiations start, including visa withdrawals and asset freezing targeting the de facto government and the military. He may propose that negotiations be postponed until

civil liberties have been restored to Haiti. You should strongly discourage any further delays in negotiations for whatever reason. He may also raise the HIV cases at Guantanamo.

## OUTLINE OF ACTION PLAN FOR HAITI

1. President meets with Aristide to convey message of:
  - serious commitment, energy and purpose of U.S. to the restoration of democracy in Haiti
  - full support for Aristide's return to power soon
  - energetic support for the UN/OAS negotiations
  - affirmation of the need for Aristide to cooperate with the negotiating process
  - strong support for rapid deployment throughout Haiti of a large international presence of human rights monitors to enhance security for all Haitians
  - preparation of a large multilateral program of assistance to be implemented after democracy is restored
  
2. Trip to Haiti by Ambassador Pezzullo, accompanied by the new Special Charge d'Affaires, to:
  - familiarize themselves with the situation and principal actors
  - convey the message that:
    - o the Clinton Administration is committed to the restoration to democratic government in Haiti, including Aristide's return to power soon, and will apply itself energetically to this end
    - o U.S. patience is running out and, if negotiations do not produce a solution in short order, we will take more aggressive measures to restore democratic government, including but not limited to much tougher, more sharply focussed sanctions targeted at obstructionist groups and persons
    - o the U.S. supports the UN/OAS negotiation to achieve rapid agreement on the restoration of democracy along the lines of the Washington Protocol
    - o the U.S. understands the need for international efforts to overcome the climate of fear in Haiti and supports a further significant expansion of the International Civilian Mission (UN/OAS monitors)
    - o international survey teams will arrive shortly to design technical assistance programs for the security forces and other Haitian institutions

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- o building on previous understandings with moderate elements of the armed forces and business community, stress the urgent importance in the forthcoming talks with Caputo to arrive at agreement on a new Prime Minister and Cabinet of national reconciliation, as well as an amnesty
- 3. Simultaneously begin discussion with OAS and UN Secretaries General and the governments of Canada, France, and Venezuela on the means for introducing a substantial multilateral presence into Haiti in a permissive (i.e. invited in by Aristide and new government) or non-permissive (if negotiations break down) environment; also prospects for universalizing and tightening the embargo.
- 4. Simultaneously, task DOD et. al. to develop options for introducing security personnel, within some multilateral framework, into Haiti to maintain order in permissive or non-permissive situations.
- 5. Caputo proceeds to Port-au-Prince to seek agreements on a new Prime Minister, and broad-based government, amnesty, the timing for Aristide's return and measures to guarantee security involving a large international presence.
- 6. Simultaneously, send the survey teams for the technical assistance programs for the army, police, administration of justice agreed to in the deal that produced the human rights monitors.
- 7. Special Charge supports Caputo's efforts with Port-au-Prince parties.
- 8. Pezzullo and, if necessary the Secretary, keep Aristide apprised of U.S. intentions, status of the negotiations and steps he must take to facilitate them (e.g. cooperation in choosing Prime Minister and government).
- 9. As negotiations proceed and in light of consultations with Baena Soares (OAS), Boutros Ghali (UN), the French, Colombians, Venezuelans, perhaps other Security Council members and Latin American/Caribbean leaders, the U.S. takes unilateral and/or multilateral measures, including targeted sanctions and military maneuvers, to increase pressure on the parties; similarly, if conditions warrant, relax the embargo selectively.
- 10. As negotiations progress, continue to expand the number of human rights monitors and bring into Haiti the technical assistance teams, particularly for armed forces and police training/monitoring.
- 11. Once agreement is reached on the new government, have it invite in a large international armed presence to guarantee the security of all parties.
- 12. Installation of new Prime Minister and cabinet.

13. Full deployment of adequate international armed presence, effective establishment of atmosphere of non-violence.
14. Return of Aristide.
15. Maintain current efforts to discourage and return "boat people" unless Supreme Court overturns executive order.
16. If negotiating track breaks down, possible introduction of multilateral peace-making force.

POINTS TO BE MADE FOR MEETING WITH  
PRESIDENT JEAN-BERTRAND ARISTIDE

Putting Aristide at ease:

- I am delighted to meet a man who is not a professional politician, but who won 67% of the vote!
- Thank you very much for giving me a copy of your biography. I very much appreciate the personal note you wrote for me on the title page.

Convincing him of your support:

- I want you to understand that for this President, returning democracy and President Aristide to Haiti is not just rhetoric; let me tell you that I am dead serious. I want to be clear that our objective is a return of democracy to Haiti and, for me, full democracy means your return as President.
- We will provide public and behind-the-scenes support for an accelerated negotiating process led by Mr. Caputo.
- We have appointed Ambassador Pezzullo to work exclusively on Haiti in support of Mr. Caputo's negotiating effort. Ambassador Pezzullo has only one mission: to help restore democracy and to get you back safely and non-violently to govern Haiti.
- We are prepared to put considerable U.S. muscle into this effort, including additional sanctions. Pezzullo's message to those obstructing democracy in Haiti will be very tough. I plan to stay personally engaged until we have reached our objectives.
- We will help put together a substantial international economic reconstruction package for Haiti of up to \$1 billion, to be implemented only after the return of democracy and you.

Aristide's own cooperation key

- Obviously, your commitment, your cooperation is critical to the achievement of a negotiated settlement. Mr. Caputo's success will depend a lot on the leverage you give him, on the confidence you show in him.
- Equally important, as we and the international community rally behind you, I hope that in return you will be willing to compromise to secure your return to Haiti -- on a Prime Minister, on a broad government, on the security even of your opponents. I know it is not easy, but believe me, it

is the only way. Together, we must replace fear and revenge with hope and reconciliation.

- In your autobiography, you spoke of the importance of "building bridges" to your opponents. That is exactly the type of approach we need now.
- For us to work with you, you must trust us.
- I think we would all be wise to give Caputo maximum flexibility and authority to conduct these negotiations. As Presidents, you and I should leave the detailed tactics to the negotiators to decide. Ambassador Pezzullo is available to discuss these issues with you at any time.
- Please, now tell me about Haiti, your vision for its future, and what you hope to accomplish when you return.

If President Aristide pushes for:

1. Date certain for his return

- I understand your impatience, and we will push very hard for rapid results. However, this is a negotiating process, and ~~it would not be wise to set a specific date.~~ We all want to ~~make sure that the security situation will allow you to return safely.~~

2. Tightening of sanctions before negotiations

- We will help arm Caputo with the right tools to get the job done. There is no need to delay talks any further.
- ✓ If the threat of more sanctions proves not to be enough, we will impose new sanctions, including specific measures targeted against those who are against democracy.
- ✓ As a matter of tactics, I do not think we should show all of our cards in advance, but let the other side imagine and worry about what we might do.

3. Restoration of civil liberties before negotiations

- I agree that the civil liberties must be restored as soon as possible, and of course the OAS/UN human rights observers are helping to pave the way. My sense is that we should go ahead with the negotiations immediately and work on the human rights issues along side.
- I frankly think serious negotiations are long overdue and that we should let nothing delay them further.

4. Military should be purged as the first priority

-- I recognize that the army is a repressive institution, and I agree that its leadership has to change.

-- As a first step, however, we need to negotiate with the military to restore democracy. Then we can focus on how to professionalize the security forces, and help train a separate professional police force.

5. Economic aid for reconstruction projects

-- Yes, absolutely. We intend to help a democratic Haiti produce economic benefits for all the people. We will contribute to a broader international assistance effort that we will help mobilize.

6. Haiti migrant issues

Direct return

-- As you know, I maintained the practice of direct return because I concluded it was the best way to save lives.

-- I feared that hundreds, if not thousands, could die at sea if there was a large boat exodus.

-- And I was grateful for your statement before January 29, urging Haitians not to risk their lives in perilous boat journeys.

Refugee processing

-- The U.S. is committed to providing a fair and safe alternative to boat departures through our in-country refugee processing program.

-- The U.S. Embassy in Haiti has already implemented my instructions to streamline refugee processing and high priority cases can now be processed within seven working days, down from over two months.

-- ~~We have already doubled our refugee processing capacity in Haiti.~~

-- ~~We hope to open two additional refugee processing facilities in the north and south of Haiti.~~

-- We are also working to improve procedures for managing repatriations and enhancing the security of refugee applicants.

-- I appreciate the urgency of finding a solution to the problems that cause people to take to boats and we're actively working on finding one now.

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- In the meantime, however, I appreciate your understanding on this difficult issue as well as your support.

HIV positive applicants at Guantanamo

- This is a compelling and complicated issue that is under careful review.
- We seek a solution that responds to the humanitarian needs of the Haitians while avoiding serious problems that entry of this population could create for seriously overburdened public health facilities in the United States.

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PRESS TALKING POINTS

- I have just had the pleasure of meeting with President Aristide of Haiti. I conveyed to him in the strongest terms my personal commitment to the restoration of democracy in Haiti.
- I told President Aristide that, for our part, full democracy in Haiti means the return of Haiti's elected President, father Aristide, under safe and peaceful conditions. To those in Haiti who continue to oppose the return of democracy and President Aristide let me say this: The patience of the international community and the United States is running out; if you do not cooperate in achieving a peaceful negotiated settlement, you will face even further regional and international isolation. you will be responsible for ever-increasing hardship and suffering for the Haitian people. In the end you will not prevail. An early political settlement offers the best opportunity for national reconciliation, for peace and stability, for economic reconstruction of Haiti.
- President Aristide and I also discussed the importance of reconciliation and the peaceful resolution of differences. Democracy requires the building of bridges to your opponents in the constant search for compromise.
- The people of Haiti have the right to the full exercise of their basic human rights and political freedoms. Their dignity and self-respect deserve no less.
- I told President Aristide that I will put the weight of the United States behind the negotiating effort undertaken by the OAS and UN negotiator Mr. Dante Caputo. We will arm Mr. Caputo with all the necessary support to achieve an acceptable political settlement. Every effort will be made to achieve this objective as soon as possible.
- Secretary of State Christopher has appointed Ambassador Lawrence Pezzullo as Special Advisor on Haiti. He has a very clear mission: to lend the strongest possible American support for Mr. Caputo's effort to restore democracy in Haiti.
- The United States is prepared to help the Haitian people overcome a legacy of poverty and oppression and build a more prosperous democratic future. I told President Aristide that we are prepared to contribute resources to an International Fund for Haitian Development, which could begin operations after the return of democracy and President Aristide. This fund could total at least \$1.0 billion over five years to include assistance to foster grassroots economic development, build democratic institutions, and professionalize the security forces. For democracy to endure, it must produce social benefits for all of the people.

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By VC NARA, Date 10/8/2019

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HAITI: POLICY ON BOAT PEOPLE

Question

Why did the Administration defend the direct return of Haitian boat people before the Supreme Court? Does President Aristide support that?

Answer

- o Our actions on this issue have been designed to avoid a humanitarian tragedy that could have resulted from a mass boat exodus. Hundreds, if not thousands, could lose their lives in overloaded, unseaworthy vessels if we were to reverse the practice of direct return precipitously.
- o It is important that I retain the ability to implement such measures when exceptional circumstances demand. These measures are under continual review, and will be adjusted when conditions permit.
- o In addition, we are taking a series of initiatives to promote human rights and democratization in Haiti and to enhance the safety and well-being of those who have reason to fear persecution.
- o Most importantly, we are working hard on the only lasting solution to Haiti's problems: the return of President Aristide and democracy.
- o We'll also keep working on refugee processing at our Embassy in Port-au-Prince so those Haitians who truly are persecuted can come here.
- o We've already streamlined procedures, added staff and reduced the processing time for refugee applicants ✓

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HAITI: CONTACTS WITH DE FACTO REGIME

Question

There have been reports of contacts between State Department officials and representatives or supporters of the de facto regime in Haiti. Do you support those kinds of contacts?

Answer

- o We're doing everything we can to encourage a process of negotiation and dialogue.
- o Our goal today is what it always has been: restoring the constitutional government of Haiti and helping to ensure the return of President Aristide.
- o Obviously, discussions with the de facto regime is part of the process, but there is no doubt that we recognize the legitimate government of Aristide and not the de facto regime in Haiti.

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HAITI: INTERNATIONAL OBSERVERS

Question

Is the international observer mission going as well as you would like? Has there been a reduction in violence in Haiti?

Answer

- o International observers have a very important role in Haiti.
- o Of course, there are logistical problems in moving so many people into remote and isolated areas of the country.
- o We're doing everything we can to help: our contributions to the observer effort now total \$6 million and we're asking our allies to help as well.
- o International observers were able to stop a violent attack against President Aristide's supporters after a funeral service for people who drowned in a ferry accident several weeks ago.
- o I think that's a good example of the role the observers can play in reducing violence in Haiti.
- o Continued international support for the observers is needed to expand their presence and their role in bringing an end to this crisis.
- o I also call on all Haitians to refrain from violence and provocations and to cooperate with the international observers.

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HAITI: NEXT STEPS

Question

What are the next steps in Haiti?

Answer

- o We will try to accelerate the negotiations conducted by OAS and UN negotiator Caputo to arrive as quickly as possible at a political settlement restoring democracy and President Aristide to Haiti.
- o Secretary of State Christopher has appointed Ambassador Pezzullo to be the U.S. Special Representative on Haiti to support the Caputo mission.
- o We intend to take this process very seriously and are reviewing on a priority basis additional sanctions and other measures that could help move negotiations forward.
- o As an inducement, we are also taking the lead in putting together a major international economic reconstruction program to be disbursed once democracy and President Aristide have returned to Haiti.

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HAITI: EMBARGO

Question

Isn't the embargo just hurting poor Haitians?

Answer

- o The embargo is intended to demonstrate the strong disapproval by the international community of the coup in Haiti, and conversely to signal support for the return of democracy.
- o Unfortunately, nations outside this hemisphere chose not to join in our trade embargo; this naturally reduced its effectiveness.
- o I sympathize with the suffering of the Haitian people, not just economically but socially and politically as well.
- o That's why my Administration is continuing humanitarian programs through private voluntary organizations: these feed nearly half a million Haitians and provide emergency medical help to two million more.
- o Our embargo is continually under review; we'll adjust it, as we have already, to minimize its effects on poor Haitians.
- o But we will not lift it until there is real movement toward a negotiated solution in Haiti; and if some Haitians obstruct a solution, the embargo may need to be tightened.

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HAITI: ARISTIDE RETURN

Question

Will you set a date certain for President Aristide's return to Haiti?

Answer

- o We are committed to President Aristide's early return under reasonably safe and non-violent circumstances where he can govern effectively.
- o To achieve a reasonably safe environment requires negotiations. We cannot predict exactly how long this will take, but the Administration is committed to the quickest possible results.
- o We're working hard, working with the United Nations; the Organization of American States; their representative, Dante Caputo; our allies; and Haitians themselves interested in solving the very complex problems in Haiti.
- o We'll keep working until President Aristide is returned, then we'll help him and his country strengthen democracy and get the economy going.

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Meeting with Aristide

Question

Why did the President wait so long to see Aristide?

Answer

- o Aristide is the first president from Latin American and the Caribbean that President Clinton has received since January 20.
- o The meeting was arranged as soon as mutual scheduling permitted, less than two months into the administration.
- o The early meeting underscores the President's support for Aristide and his return to govern in Haiti an for restoration of full constitutional government there.

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U.S. Support for Aristide

Question

How do you support the return to power of someone who advocated "necklacing" of opponents?

Answer

- o President Aristide was elected President of Haiti with 2/3 of the vote in an undisputedly free and fair election. Accordingly, we recognize unconditionally his claim to the presidency.
- o We acknowledge there have been charges raised against Aristide for alleged advocacy of violence and other related abuses while he was in office. The USG has been very frank in discussing these incidents in our annual human rights reports.
- o We unequivocally condemn political violence and violations of human rights from any quarter in Haiti and anywhere else.

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By 12 NARA, Date 10/8/2015

U.S. SUPPORT FOR ARISTIDE

Question

The previous administration raised some concerns about President Aristide. Is this meeting a signal of your unqualified support?

Answer

- o Certainly I support President Aristide; so did nearly 68 percent of Haitians who chose him as their President.
- o Our concerns are for democracy, human rights and the well-being of the people of Haiti.
- o We're working very hard now to establish conditions in Haiti for President Aristide's return.
- o Having President Aristide at the head of a democratic government is the best way to address our concerns about Haiti and the best way to end this crisis.

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New Haiti Policy

Question

What has really changed in the Haiti policy of this Administration compared to that of its predecessor?

Answer

- o Without trying to draw comparisons, this Administration is committed unequivocally to restoration of democratic government in Haiti and the return to govern of President Aristide.
- o Moreover, we want to see these objectives reached expeditiously. The crisis has dragged on long enough.
- o We are very actively involved both directly with the Haitian parties and through the UN and OAS, especially their special envoy Dante Cupto, to bring these results about. We are considering a number of new policy measures to reinforce our efforts.

(S) (E) (A) (P) (D)  
 Right first  
 from the Overseas  
 Refugee process  
 P. A. S. Johnson  
 New survey

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HAITI: REFUGEE PROCESSING

Question

Can you comment on criticisms that refugee processing in Haiti is not sufficient?

Answer

- o I want our refugee processing in Haiti to be quick, fair and widely available.
- o That's why I asked an ~~interagency~~ team to go to Haiti and make recommendations for improving the process.
- o That team made a series of recommendations, including adding personnel; identifying those who may be especially at risk; and establishing processing centers outside of Port-au-Prince.
- o We are already implementing these and other recommendations made by the team: we've streamlined processing so ~~high-priority cases can be processed in seven days~~; we've ~~doubled our capacity to handle cases~~; and we hope to open two ~~additional processing facilities~~, one in the north and one in the south of the country.

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2013-0172-14

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JAILING OF APPROVED REFUGEE APPLICANT

Question

A military deserter who was granted refugee status by Haitian authorities was jailed last Thursday as he attempted to leave the country. Is this true? What are you doing about it? Doesn't this point up the inadequacy of in-country processing?

Answer

- o I am deeply concerned about this incident, and we have protested this arrest in the strongest possible terms and at the highest levels in Haiti. We are following this matter very closely, and will hold Haitian authorities responsible for this man's treatment.
- o I am shocked by this action, which I hope and expect will be rectified.
- o I see this matter as an ~~important test of the willingness of the de facto regime and the Haitian High Command to work for~~ a tangible improvement in the human rights situation in Haiti, and to cooperate with the basic purposes of the international effort in this regard.
- o I do understand that in-country processing is not risk free, but I believe it ~~is far less risky than the alternative: flight by boat~~. And our continued involvement in this incident reflects our commitment to the safety of those who use the in-country procedures.

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NORDE REFUGEE CASE IN HAITI

Question

The New York Times reported on March 7 that U.S. Embassy officials in Port-au-Prince unfairly denied refugee status to a Haitian applicant (Ferleau Norder), and further suggested that the case demonstrates weaknesses in the in-country processing system. What is the status of this matter?

Answer

0 I understand that this matter has been resolved, and that the individual has been granted refugee status. Let me add that most of the problems associated with this case -- such as a failure to look carefully into some of the applicant's claims before the initial denial -- took place before recent improvements in in-country processing.

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HAITI: HIV-POSITIVE HAITIANS AT GUANTANAMO

Question

Will the HIV-positive Haitians at Guantanamo Naval Base be allowed to leave?

Answer

- o This is a compelling and complicated issue that needs to be resolved in a manner that meets the humanitarian needs of the Haitians while avoiding serious problems for severely overburdened public health facilities in the United States.
- o The issue is under review, and is also the subject of an ongoing court case, the outcome of which may affect how we ultimately deal with this issue.
- o At this point, however, we are bringing these people to the United States if they develop medical conditions that cannot be treated where they are; so far 38 Haitians from Guantanamo have been admitted to the U.S.

Question

Does this case represent another reversal of a campaign pledge?

Answer

- o As I understand it, the major legal issue in the case is whether the full panoply of U.S. immigration laws should apply to aliens outside the United States. We believe they do not, and that is the legal position that is being argued by the U.S. Government in court. This does not represent a change in any position I have previously held.

Question

Why not provide Haitians with access to counsel?

Answer

- o In fact, we have permitted lawyers for the Haitians to have access to their clients at Guantanamo. Lawyers have logged dozens, if not hundreds of hours at Guantanamo with their clients. But we have permitted such access as a matter of policy, rather than a matter of law.

(continued)

HAITI: HIV-POSITIVE HAITIANS AT GUANTANAMO

Question

By voting in each House of Congress to support the ban on entry for immigrants with the HIV virus, hasn't the Congress spoken on the issue of Haitians on Guantanamo and, if so, wouldn't letting the Haitians in violate the intent of Congress?

[Note: The votes in Congress (on an NIH authorization bill) concerned the general HIV exclusion issue, as a matter of policy, and not the question of entry for the 262 Haitians at Guantanamo pursuant to the discretionary parole authority of the Attorney General. Thus, these votes -- even if accepted in the House-Senate NIH conference and enacted into law -- would not prevent you from permitting entry for the Haitians. For example, the New York Times, while supporting at least temporary retention of the HIV ban for immigrants, editorialized on Sunday in favor of admitting the HIV-positive Haitians from Guantanamo].

Answer

0 As I have said, this issue is under careful review and whatever action is taken on the Guantanamo Haitians will come only after consultation with Congress.

Question

On the HIV exclusion, do you endorse congressional action in support of retaining the ban?

Answer

0 Congress has spoken clearly on this issue, and I will certainly take that carefully into account in my review of this issue.

JESSE JACKSON

Question

What role has Jesse Jackson played with respect to Haiti?

Answer

- o Reverend Jackson has a deep interest in Haiti, and I and my advisors have spoken to him at length about his perspectives on the situation. Reverend Jackson has played a very useful role in encouraging dialogue and moderation on all sides.

## PRESS TALKING POINTS

- I have just had the pleasure of meeting with President Aristide of Haiti. I conveyed to him in the strongest terms my personal commitment to the restoration of democracy in Haiti.
- I told President Aristide that, for our part, full democracy in Haiti means the return of Haiti's elected President, father Aristide, under safe and peaceful conditions. To those in Haiti who continue to oppose the return of democracy and President Aristide let me say this: The patience of the international community and the United States is running out; if you do not cooperate in achieving a peaceful negotiated settlement, you will face even further regional and international isolation. you will be responsible for ever-increasing hardship and suffering for the Haitian people. In the end you will not prevail. An early political settlement offers the best opportunity for national reconciliation, for peace and stability, for economic reconstruction of Haiti.
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- The people of Haiti have the right to the full exercise of their basic human rights and political freedoms. Their dignity and self-respect deserve no less.
- I told President Aristide that I will put the weight of the United States behind the negotiating effort undertaken by the OAS and UN negotiator Mr. Dante Caputo. We will arm Mr. Caputo with all the necessary support to achieve an acceptable political settlement. Every effort will be made to achieve this objective as soon as possible.
- Secretary of State Christopher has appointed Ambassador Lawrence Pezzullo as Special Advisor on Haiti. He has a very clear mission: to lend the strongest possible American support for Mr. Caputo's effort to restore democracy in Haiti.
- The United States is prepared to help the Haitian people overcome a legacy of poverty and oppression and build a more prosperous democratic future. I told President Aristide that we are prepared to contribute resources to an International Fund for Haitian Development, which could begin operations after the return of democracy and President Aristide. This fund could total at least \$1.0 billion over five years to include assistance to foster grassroots economic development, build democratic institutions, and professionalize the security forces. For democracy to endure, it must produce social benefits for all of the people.

HAITI -- THE POLITICAL CRISIS

The Haiti crisis began with a September 30, 1991 coup, triggered by Army enlisted men, that deposed Haiti's first democratically-elected president, Jean-Bertrand Aristide. Coup instigators felt threatened by Aristide who, in seven months in office, had targeted the corrupt system under which Haiti's military and oligarchy profited. Aristide also tolerated and even encouraged mob violence against his opponents, which further threatened the military

Most of the military officer corps and traditional ruling elite applauded Aristide's ouster and supported the regime that replaced him. The coup was followed by a violent crackdown against Aristide supporters, hundreds of deaths, and widespread suppression of human rights. The military pressured the democratically-elected parliament into naming a figurehead president and prime minister.

In June 1992, the military installed prominent politician and former World Bank executive Marc Bazin as Prime Minister. This appears to have been both an attempt to legitimize the regime and seek easing of the embargo through Bazin's credentials, and a gesture of readiness to consider restoring Aristide, albeit under stringent conditions. Though a flurry of negotiation overtures followed Bazin's installation, there was no serious movement toward settlement.

Aristide's behavior as President and the military's reaction to it remain as the key issues of the 17-month-long impasse. Much of the military and elite fear and bitterly oppose his return and would, at minimum, demand conditions for return that would significantly curb his authority. To be sure, Aristide fueled apprehensions about his return by insisting on punishing those in the military who ousted him. Recently, however, his public statements suggest a willingness to consider something short of punishment, such as exile, for military figures most closely associated with the coup and its aftermath.

Efforts by the OAS, the U.S., and others to broker a solution have foundered on these issues. The most promising such attempt, an OAS-brokered "Washington Accord" between Aristide and parliamentary leaders in February 1992, broke down when Aristide publicly called for punishment of military leaders. Most observers argue that this amounted to renunciation of an amnesty contained in the agreement. (Others, however, argued that it was fair to read the amnesty as applying only to crimes against the state, such as sedition, and not to include acts such as murder, as the amnesty excluded "ordinary law" crimes.)

In January the regime held elections for one-third of the Senate. Opposition parties boycotted the elections and the results were widely disputed. As a result, the parliament has lost much of its democratic legitimacy.

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HAITI -- PRESIDENT ARISTIDE

The complex figure of Jean-Bertrand Aristide is key to understanding the Haiti crisis. Aristide won the presidency in December 1990 with nearly 68% of the vote. His closest rival, Marc Bazin, now de facto Prime Minister, received 13%. The OAS, the Carter Center and other foreign observers regarded the election as free and fair, a first in the country's turbulent history.

Aristide won -- and still enjoys -- overwhelming support among the poor, who saw him as one of their own who would deliver them from the poverty and hopelessness that has marked their lives. Indeed, the blow of Aristide's ouster was a significant spur to the migrant exodus of 1991-92. Aristide took seriously his role as the champion of the masses, often mixing images of salvation and class conflict in his messianic rhetoric.

For their part, the instigators of the coup perceived a serious threat from Aristide to their well-being. As an advocate of the masses, Aristide threatened the corrupt system under which the military and a small oligarchy have long profited. Moreover, while human rights conditions improved during his short tenure, Aristide's condoning of mob action against alleged oppressors sowed apprehension among the military. His critics allege that he is a dangerous demagogue and call into question his motives, maturity and even his sanity.

Following several months of exile in Caracas, Aristide moved to Washington in June 1992. The move has given him easier access to a large, supportive Haitian community and sympathetic advocacy groups in the U.S. It has also facilitated visits abroad to supporters and international meetings. His official entourage, based at the Haitian Embassy, has assumed the character of a government in exile.

Aristide's critics question his ultimate willingness to make the accommodations necessary to reach a settlement. His stance is further clouded by a tendency to indicate moderation in private meetings and take a harder position in public a short time later. He appears to acknowledge that there would be conditions to his return but it is not yet clear just what limits on his power he will accept. The mutual mistrust between Aristide and his opponents leaves UN/OAS Envoy Caputo worried that none of the Haitian principals, including Aristide, is committed to serious negotiations or understands the need for compromise. On February 25, Aristide for the first time criticized Clinton Administration policy, calling for stronger measures against the regime to pressure them to accept his return.

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E.O. 13526

White House Guidelines, May 16, 2017

By RL NARA, Date 10/1/2019

2013-1177-w (1,94)

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HAITI -- THE DE FACTO REGIME AND THE MILITARY

The Haitian Armed Forces, numbering 980 officers and 7,100 enlisted men have no effective national defense capability. Their role is to maintain internal order. In addition, Graft, extortion and narcotics dealings are endemic to the army. The military also oversees 567 Section Chiefs, or magistrates, who are often the only representatives of the government at the local level. With hired auxiliaries who are often little more than common thugs, Section Chiefs exercise -- often abusively -- executive, legislative and judicial functions subject only to the provincial military commander.

Chief of Staff Raoul Cedras is a technocrat appointed by President Aristide. Prior to the coup, he drew up plans for a smaller, mission-oriented service. Though a moderate (by Haitian military standards) who has expressed support for a return to democracy, Cedras has become a symbol of the coup, as he was head of the armed forces when Aristide was ousted and during the mass killing that followed. Cedras is vulnerable to pressure from military elements who bitterly resist Aristide's return. Such sentiment is strongest in enlisted ranks, whose advocate is the powerful Chief of Police, LTC Michel Francois.

Opposition within the military to Aristide's return is rooted in Haiti's history of corrupt, autocratic rule and accentuated by the fear Aristide generated while in office by advocating mob action against alleged opponents. The enhanced power of the military since the coup has also expanded its opportunities for graft, which exists at all levels. Petty extortion by Section Chiefs is notorious and represents the principal source of income for their auxiliaries. Senior officers have aligned themselves with private, family-based business conglomerates which use their military ties to win government contracts, licenses and freedom to engage in contraband.

The principal civilian authority is Prime Minister Marc Bazin, a member of the ruling elite and a technocrat of proven administrative ability. With no independent political base, Bazin and his government hold power at the pleasure of the military. His skill in steering a course between the extreme right and left over the past eight months; his ability to deal with the UN and OAS; and the lack of a strong alternative have kept him in office. However, Bazin is on a short leash from the military and faces probable removal in any political settlement that gives Aristide the decisive voice in naming a new Prime Minister.

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White House Guidelines, May 16, 2017

By VC NARA, Date 10/8/2019

2017-0112-M (1.45)

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THE ROLE OF THE UN AND OAS

The UN and OAS gave new impetus to efforts to solve the Haitian political crisis when their Secretaries General appointed Dante Caputo a joint Special Envoy for Haiti last December. On January 8, 1993 Aristide wrote the UN and OAS, recognizing those organizations as the fora "par excellence" for resolving the Haitian political crisis and mobilizing international resources to address the country's structural problems. The letter came (and, in effect, was presented to Aristide to sign) after a process of indirect negotiation between the Haitian military, business interests, and Aristide, brokered by the State Department and Clinton transition aides. (Aristide himself may not be fully aware of the process that lead to his signing of the letter.)

The letter specifically mentions the need for judicial reform, professionalization of the armed forces, and separation of the police from the armed forces.

Pursuant to an agreement completed February 9, 1993 between Caputo and the authorities in Haiti, the OAS and UN have begun deploying human rights monitors in Haiti. Full deployment will follow an expected mid-March General Assembly resolution authorizing UN involvement. The monitors--who will likely number some 300--will spread out around the country to observe human rights and related conditions and serve as a deterrent to political violence. We regard this presence as an essential first step to help allay pervasive fear in Haiti and thereby improve the climate for serious negotiations aimed at a political settlement.

It is important now that Caputo capitalize on current momentum and move quickly to begin political negotiations in Haiti leading ultimately to Aristide's return to office. To do so, Caputo must first determine the parties to the negotiations and secure their agreement on an agenda. We have successfully stressed to the UN and OAS that time is of the essence, and welcome their receptiveness to cooperating closely--if quietly--with us. For many in Haiti, the U.S. is the sole credible international interlocutor. Accordingly, our continued engagement is essential to the success of the UN/OAS Mission.

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White House Guidelines, May 16, 2017

By VI NARA, Date 10/2/09

2013-0122-00 (1.96)

HAITI -- THE HUMAN RIGHTS SITUATION

Abuses Under the De Facto Regime

Haitians continue to suffer frequent human rights abuses including extrajudicial killings by the security forces, disappearances, beatings and other mistreatment of detainees, arbitrary arrest and interference with the judiciary -- all carried out with virtual impunity. While still pervasive, abuses have diminished since the period immediately subsequent to the coup, when at least hundreds were killed by security forces.

Activism on behalf of Aristide remains dangerous, as does any efforts to establish and operate within non-governmental organizations such as the press, community groups, or other institutions of "civil society." There have been recent crackdowns on pro-Aristide demonstrators by security forces, although the overall level of political violence is difficult to gauge. Judicial authorities rarely conduct criminal investigations into unexplained deaths, including violent ones, whether political violence is suggested or not. Nonetheless, dozens of murders, presumed to be political, have been carried out with impunity by persons in authority.

Human Rights under President Aristide

Human rights conditions during Aristide's brief reign improved markedly. Some steps were taken to hold security forces accountable for abuses, especially extrajudicial killings. There were no reported disappearances and mistreatment of detainees was substantially less than before or after his administration. During Aristide's more than seven months in office, there were only about 1500 boat departures, according to the Department of State.

Some abuses, however, did continue under Aristide, particularly those committed against his political enemies or by his supporters. On one occasion, Aristide personally intervened to protect a police officer believed to have been involved in killing five youths, and he appeared at to condone acts of "popular justice" through mob action. The commander of the prison in which Roger Lafontant, who attempted an earlier coup against Aristide, was held, has testified to the FBI that Aristide personally ordered Lafontant's murder on the night of the September 1991 coup. Aristide vehemently denies the allegation.

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HAITI'S ECONOMY AND THE EMBARGO

The poorest nation in the hemisphere, Haiti has seen its economy battered further by the OAS-mandated trade and financial embargo and the cutoff of foreign aid. The economy was most severely affected in the months immediately following the coup. Although the slide has lessened as the country adjusts to the sanctions, economic indicators remain down: GDP fell by 8-10% in 1992; the Haitian currency (the gourde) declined 37% against the dollar.

The U.S. suspended all aid immediately following the coup and shortly afterward froze all Haitian Government assets and barred financial transactions with the regime. In accordance with OAS resolutions adopted on October 3 and 8, 1991, the U.S. imposed a commercial embargo, excepting humanitarian goods, on Haiti.

Our embargo has been eased to broaden humanitarian exemptions and add food items, medicines and school supplies. Sanctions have not been applied uniformly by OAS members, and non-OAS members have declined to support the sanctions. Oil has regularly arrived in Haiti, primarily from European sources, and most consumer items are available for those willing to pay inflated prices for European goods or contraband from the U.S. and other hemispheric suppliers.

The offshore assembly sector, which imports raw materials and semi-finished goods and re-exports finished products to the U.S. and Europe, and which employed 32,000 Haitians before the coup, has been crippled by the sanctions. A year ago we began granting licenses to permit imports and exports by assembly sector companies, but today only 55 factories out of 150 remain open, employing 9,000 people.

The February agreement with the regime on deployment of the UN/OAS civilian mission contemplates lifting the embargo in response to "tangible progress" on human rights and resolving the political crisis as determined by UN/OAS envoy Dante Caputo. President Aristide accepted these terms in a January 9 letter to the UN Secretary General, but has more recently indicated he opposes easing the embargo without his explicit approval.

The U.S. resumed humanitarian assistance in November 1991, provided by private voluntary organizations. We transferred \$59 million in aid to Haiti in FY-1992, primarily in feeding programs and emergency health assistance. Since the coup, Haiti has not serviced its debts to bilateral or multilateral creditors. Accumulated arrears (exceeding \$31 million) to the international financial institutions must be settled before normal IFI operations can resume; arrears of \$3.3 million to the USG must be paid or excused by Presidential waiver before U.S. non-humanitarian programs may resume.

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By VL NARA, Date 10/2/2017

2013-0122-14 (1.48)

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LITIGATION DEALING WITH HAITIAN REFUGEE ISSUES

Both prongs of the litigation against the USG's treatment of Haitian migrants -- Haitian Centers Council v. Sales (Sales is the Acting INS Commissioner) -- are under active consideration by U.S. federal courts.

Direct Return

Oral argument on the challenge to the USG's direct return of Haitian migrants, from international waters, without an opportunity to make a claim was heard in the Supreme Court on March 2. The issue was whether to uphold a Second Circuit Court of Appeals' injunction barring direct return. In issuing the injunction, which was later stayed by the Supreme Court pending its own review, the Court of Appeals said that Section 243(h) of the Immigration and Nationality Act, barring return of refugees to places they might be persecuted, prevents the direct return of Haitians refugees interdicted on the high seas. In the Supreme Court, the government responded that 243(h) only applies with respect to refugees located within U.S. territory. (The government made a number of other arguments involving executive authority and limits on judicial review, as well as on the scope of the Refugee Convention.) A decision on the outcome of this case is pending.

Haitians at Guantanamo

A New York Court is now hearing arguments in a case involving another aspect of HRC v. Sales, involving the some 260 Haitians at Guantanamo Bay.

Most of these Haitians have tested positive for the HIV virus; the rest are family members of the HIV positive individuals. All were deemed to have credible claims to refugee status and would have been sent to the U.S. to pursue asylum claims had they not been HIV positive.

This case is part of the same litigation in which the Administration defended the right of the U.S. government to return to Haiti, without a prior hearing, asylum seekers intercepted in international waters.

The issues in this case, however, are different than the issues in the direct return case argued on March 2.

The major issue in this litigation is whether these applicants have a right to constitutional due process guarantees, such as access to counsel during the processing of their claims. As a matter of policy, we have permitted lawyers for the Haitians to have access to their clients, but we maintain that we are not obligated to do so as a matter of law as these aliens are outside the U.S., and the immigration law does not apply. The lawyers for the Haitians are also arguing that it is illegal to exclude these people from the U.S. because of their HIV status, as other asylum-seekers who have

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already arrived in the United States are not deported if they are HIV-sufferers. Finally, the lawyers may also make a due process argument that conditions on Guantanamo are medically inadequate and inhumane.

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HAITI MIGRANT ISSUES

Since the late 1970's, Haitians have attempted to migrate to the U.S. via boat. Haitian migration is primarily (but not exclusively) an economic phenomenon, exacerbated by political unrest and repression. Successive Administrations have sought to enforce U.S. immigration laws, prevent large influxes, and protect migrants' lives. In September 1981, President Reagan issued an Executive Order establishing the Alien Migrant Interdiction Operation (AMIO), which directed the U.S. Coast Guard to intercept migrant vessels at sea. At the same time, the U.S. concluded an agreement with Haiti permitting Coast Guard officials to board Haitian vessels and return both vessels and passengers to Haiti after determining that the Haitians were not refugees.

Immigration and Naturalization Service (INS) officials screened ~~interdicted Haitians on the cutters for possible asylum claims.~~

X ( Those who were deemed to have credible fears of persecution were brought to the U.S. for further processing. From late 1981 to early 1991, the Coast Guard intercepted over 20,000 migrants. Less than 25 were deemed to have credible claims, and the INS procedures were strongly criticized by advocates as being cursory and not genuinely designed to identify bonafide claims. As a result, INS instituted some reforms in early 1991, and cutter screening improved.

After the coup that ousted President Aristide September 1991, departures of migrant boats ceased for about four weeks. However, after the first post-coup boat was interdicted but not returned while the U.S. assessed conditions in Haiti, departures picked up steadily. As the post-coup situation stabilized, and with the number of migrants outstripping the capacity of the cutters, repatriation of non-refugees was resumed. On November 19, however, a temporary restraining order was issued by a New York District Court preventing repatriation and necessitating the establishment of a facility at Guantanamo. After numerous intervening judicial orders, the lower courts' bar of repatriation was stayed by the Supreme Court on January 31, 1992, but the screening and repatriation from Guantanamo could not keep pace with the number of migrants intercepted.

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By late May 1992, over 34,000 Haitians had been interdicted and Guantanamo was approaching 12,500 occupants, which the Department of Defense maintained was its limit in terms of capacity. Diplomatic efforts to locate other sites in the region for processing Haitians were not successful. On May 24, President Bush issued an Executive Order directing cutters to repatriate migrants directly (without screening) to Haiti, where passengers could apply for refugee status at the U.S. Embassy. Since that time, the number of new interdictions has fallen considerably, and since January 20, 1993, only one boat and 110 persons have been repatriated.

In-country refugee processing began at the U.S. Embassy in Haiti in February 1992 (before the May 24 Executive Order). In October, a Refugee Processing Center (RPC) was established in Port-au-Prince. Based upon a technical team's recommendations, the processing capacity of the RPC has been doubled, processing has been streamlined, plans are now being made to open other processing facilities outside of the capital, and improved procedures for managing repatriations and protecting refugee applicants are being implemented.

President Aristide initially did not publicly oppose the continued repatriation of Haitians, but on March 4 he criticized the policy in a speech before the Congressional Black Caucus and Transafrica.

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| 001zc. report            | U.S. Government Report. (2 pages) | 03/10/1993 | P1/b(1), P6/b(6) |

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Clinton Presidential Records  
NSC Records Management  
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## RESTRICTION CODES

### Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
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- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

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Case Number: 2013-0122-M

# MIR MARKER

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| Original OA/ID Number:<br>143 |               |             |                |             |
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| Document ID:<br>9301605       |               |             |                |             |
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# Withdrawal/Redaction Sheet

## Clinton Library

| DOCUMENT NO.<br>AND TYPE | SUBJECT/TITLE   | DATE       | RESTRICTION         |
|--------------------------|---|------------|---------------------|
| 001. memcon              | Meeting with President Aristide of Haiti on March 16, 1993. (5 pages) | 03/18/1993 | P1/b(1) v2 3/3/2020 |

**COLLECTION:**

Clinton Presidential Records  
 NSC Records Management  
 [Aristide]  
 OA/Box Number: 143

**FOLDER TITLE:**

9301605

2006-0651-F  
vz643

### RESTRICTION CODES

**Presidential Records Act - [44 U.S.C. 2204(a)]**

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
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- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

**Freedom of Information Act - [5 U.S.C. 552(b)]**

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
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1605

THE WHITE HOUSE

WASHINGTON

MEMORANDUM OF CONVERSATION

SUBJECT: Meeting with President Aristide of Haiti (C)

PARTICIPANTS: The President  
The Vice President  
Warren Christopher, Secretary of State  
Anthony Lake, Assistant to the President for  
National Security Affairs  
Samuel R. Berger, Assistant to the President  
and Deputy for National Security Affairs  
Ambassador Lawrence Pezullo, Special  
U.S. Advisor on Haiti  
Richard E. Feinberg, Inter-American Affairs,  
NSC Staff

Stephanie Van Reigersberg, Interpreter  
Jean Bertrand Aristide, President  
Jean Casimir, Ambassador  
Jean-Robert Sabalat, Foreign Minister  
Rene Preval, Interior Minister  
Mme Mildred Trouillot, Esq.

DATE, TIME March 16, 1993, 4:00 - 5:00pm EST  
AND PLACE: The Oval Office

The President: Welcome. I want to thank you for this copy of your book, which I have read portions of and enjoyed very much. I also gave my wife a copy of your other book. Thank you very much. (U)

It's important to me that you understand that I have a deep and personal commitment to the restoration of democracy and of you to Haiti. We've decided that we ought to meet first, at the beginning of our aggressive diplomatic effort. We have named Ambassador Pezullo as our Special Advisor on Haiti, and have also appointed a new charge to our embassy in Port-au-Prince. We will communicate to the de facto government and others in Haiti that our patience is running thin. We think it is better to take these steps now than to tighten the embargo, so as to leave some steps that we could take if they don't respond. (C)

You will have to reassure people that you will be willing to respect the human rights of all of the Haitian people, and that you will be willing to govern with a representative government. You have spoken eloquently about reconciliation, which I agree is very important. If your intentions are clear to all parties, then we will be able to prevail. (C)

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E.O. 13526, Sec. 3.5 (b)

White House Guidelines, September 11, 2006

By VZ NARA, Date 10/8/2019

2013-0122-m (7.01)

~~CONFIDENTIAL~~

Also, I believe that it is important for the United States to take the lead in helping with the economic reconstruction of Haiti. We are prepared to support an International Fund for Haitian Development and Democracy of at least \$1 billion over five years, and we will contribute our share. ~~(C)~~

I am strongly supportive of the economic embargo and I wish that we could get more countries to do more. ~~(C)~~

I've grown impatient, and we are going to deliver a very clear and strong message, and it is equally important that you deliver a clear message of reconciliation and respect for the human rights of all the Haitian people. ~~(C)~~

President Aristide: I am delighted to be here. I very much enjoyed the way you discussed the restoration of democracy in Haiti. ~~(C)~~

After 200 years of independence, we have 6.5 million people, 80 percent illiterate. Less than one percent of the population has more than 45 percent of the wealth. We want to progress from misery to poverty with dignity. We want to bring the army and the people of Haiti together. But the army we have is involved in drug trafficking. We need to transform these structures of corruption. The country can't return to democracy unless we do something to neutralize the army. ~~(C)~~

It is an historic opportunity for us to meet with you. For us, it is an opportunity to separate the army from the coup leaders. ~~(C)~~

I know I must ask the Haitian people to avoid vengeance and retaliation. We must remove the symbols of the coup, and once that happens, the process can proceed more smoothly, and we will be able to separate the army from the police, and have an army that protects democracy. ~~(C)~~

The President: We are prepared to support professionalization of the army. What happens to individuals should be subject to negotiation and be dealt with by the Caputo mission, which the U.S. strongly supports. Obviously, as you say, the army must cooperate with and reinforce democracy. ~~(C)~~

President Aristide: I agree. (U)

The President: I'm impatient and I want this done. You have said that you don't want us to impose our will. We do not want to set a date certain. There should be a date fairly soon after negotiations are complete. But right now, if I were to set a date, which would be something very serious for the United States to do, and if we acted we could undermine your legitimacy. Right now, I know that if there were another election, you'd win again as you did before. ~~(C)~~

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Also, the security and integrity of agreements will have to be protected. We'll have to provide the means to accomplish this, but this has to be discussed and negotiated. (e)

President Aristide: I am ready to offer a general amnesty to the army. I am the President of every single Haitian citizen. I must respect justice. The judges have to do their work. (e)

I strongly support Caputo. He said that an agreement should be reached in three months. I believe it could be done in that time. I know you cannot give it to me now. But a date is a way of helping Haitians who are suffering, and it would be easier for the people suffering in Guantanamo, and for the refugees in Haiti that cannot flee, if they had a certain date. (e)

I am ready to give that amnesty and to forgive. (e)

Vice President Gore: When you discussed the amnesty, you mentioned a general amnesty, but you seemed to imply that the coup leaders might be subject to prosecution. Could you please clarify that? (e)

President Aristide: If I said a general amnesty that included the coup leaders, people might think that I was proposing to rule together with Cedras. We have many victims who do not have institutions to give them justice, and if they see coup leaders remaining in their positions of power, that would not promote peace. I want the coup leaders to be removed, but not to put them in jail. If they want to leave, or to stay in the country, that would be okay. (e)

Vice President Gore: If they were given amnesty and removed from their positions, would you be content to see them protected from the courts? (e)

President Aristide: That can be part of the negotiations. I would have to see what the Haitian people would get back, whether we still have the same repressive army. I have to protect the army because of the constitution. But if we have your help with the police, and if we can create jobs for the military, for example to help reclaim the topsoil and the forests that we have lost. That would be a beautiful way to put that 7000-man army to work, with your economic help. Then Haitians would be happy to have a police force that protected human rights. Then I would be ready to say that I would live with Cedras in the same house.

(e)

I have to forgive, that is what the gospel requires. I have to show that I love them, that there is no personal conflict, no will to persecute them. (e)

Secretary Christopher: The President is fully supportive of the return of democracy and of you to Haiti. When the President says that he is impatient, as Secretary of State I get the message. Let me clarify that Caputo's three months was the period during which he intended to bring the negotiations to a conclusion, not

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for your return. We do want to move as rapidly as we can, but not to set a fixed date. ~~(C)~~

When the U.S. makes a commitment, the U.S. might have to take actions which none of us would want. ~~(C)~~

President Aristide: Thank you. I enjoy saying, Lavalas, which means a flood of unity. With you, we are Lavalas. I agree with you to proceed as you explain. It is just that people fear that the negotiations could drag on and delay until my mandate has run out. ~~(C)~~

The President: We will not let that happen. (U)

President Aristide: My people, my supporters are putting pressure on me. I know that you cannot set a date certain. Is Mr. Caputo's timeframe okay? ~~(C)~~

Secretary Christopher: It is unwise to set a date. The President will indicate that those holding illegal power must yield. Mr. Pezzullo will push ahead as rapidly as possible. ~~(C)~~

President Aristide: I will talk that way. ~~(C)~~

The President: We fully expect you to be back in Haiti with plenty of time to govern. My specific concern is that if we can get you back to Haiti under OAS and UN auspices, we will have established a good precedent for the hemisphere, for sticking up for democracy. But if we set a date certain,, we might be put in the position to take actions which would undermine your legitimacy, which would be a terrible price indeed. ~~(C)~~

We had a very tough meeting here in the White House this Saturday and I said that I was frustrated. We will try to reassure people who are pulling for you. ~~(C)~~

I want to emphasize that we will begin now to construct an economic package for the reconstruction and development of Haiti. I would like the input of you and your team. My daughter, Chelsea, is very knowledgeable about the environmental problems of Haiti, and cares very much about them. Perhaps she could travel to Haiti to help to improve the environment. ~~(C)~~

President Aristide: We would be honored to have her. ~~(C)~~

The President: There are thousands of jobs that could be created to replace topsoil. (U)

President Aristide: During my seven months in government, the international community was willing to provide \$507 million, because they saw political stability. In those seven months, our economic policies were not perfect, but we were making progress. ~~(C)~~

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The wealthy in Haiti are part of the solution. The country is like a broken glass, and we have to put it together again. I am ready to meet with those people who invested in the coup. (C)

Ambassador Pezzullo: People must work together, to seek reconciliation. There is a period for Haiti to emerge reborn. We will work with the army to redefine its mission in the future. Now, we need to work hard, hand-in-hand. I am available to you. (C)

President Aristide: Yes. How do we connect democracy to refugees, to give hope to them? (C)

The President: In Haiti, we'll soon have 200 human rights observers. They've been effective. We've doubled our in-country screening capacity and we will soon open two new centers. Regarding Guantanamo, I am going to send a member of my White House staff to review the situation, and I will meet with my new Attorney General. The problem is under immediate review. Regarding the Haitians in the United States, they will soon have the choice to return home. I do not like the policy of direct return, but I do not want people to die at sea either. (C)

-- End of Conversation --

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Case Number: 2013-0122-M

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# Withdrawal/Redaction Sheet

## Clinton Library

| DOCUMENT NO.<br>AND TYPE | SUBJECT/TITLE  | DATE                  | RESTRICTION                    |
|--------------------------|--|-----------------------|--------------------------------|
| 001a. memo               | To the President from Anthony Lake (4 pages)   | 07/21/1993            | P1/b(1), P5                    |
| <del>001b. list</del>    | <del>Talking Points for the President's Meeting with Jean-Bertrand Aristide. (2 pages)</del> | <del>07/21/1993</del> | <del>P1/b(1)</del> VZ 3/3/2020 |
| 001c. report             | U.S. Government Report. (2 pages)  | 03/10/1993            | P1/b(1), P6/b(6)               |
| 001d. report             | U.S. Government Report. Incomplete. (1 page)   | 03/10/1993            | P1/b(1), P6/b(6)               |
| <del>001e. memo</del>    | <del>To Anthony Lake from Lawrence Rossin. (1 page)</del>                                    | <del>07/20/1993</del> | <del>P1/b(1)</del> VZ 3/3/2020 |
| 001f. talking points     | Talking Points for the President's Meeting with Jean-Bertrand Aristide. (1 page)             | 07/21/1993            | P1/b(1) VZ 3/3/2020            |

**COLLECTION:**

Clinton Presidential Records  
 NSC Records Management  
 [Aristide]  
 OA/Box Number: 154

**FOLDER TITLE:**

9305294

2006-0651-F  
vz649

**RESTRICTION CODES**

Presidential Records Act - [44 U.S.C. 2204(a)]

Freedom of Information Act - [5 U.S.C. 552(b)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
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- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]
  
- C. Closed in accordance with restrictions contained in donor's deed of gift.
- PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).
- RR. Document will be reviewed upon request.

- b(1) National security classified information [(b)(1) of the FOIA]
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| DOCUMENT NO.<br>AND TYPE | SUBJECT/TITLE                                | DATE       | RESTRICTION |
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| 001a. memo               | To the President from Anthony Lake (4 pages) | 07/21/1993 | P1/b(1), P5 |

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TALKING POINTS FOR THE PRESIDENT'S  
MEETING WITH JEAN-BERTRAND ARISTIDE

- It is a great pleasure to see you again. Since our meeting on March 16, we have made great progress toward our common objectives. I congratulate you on the leadership and courage you have demonstrated during these four months of difficult negotiations.
- Credit also goes to the international community, the OAS and UN and special envoy Dante Caputo. This success to date demonstrates the importance of international support and cohesion.
- Ambassador Larry Pezzullo has worked tirelessly on behalf of democracy in Haiti.
- The Governors Island Agreement offers an historic moment for the Haitian people and for the entire hemisphere. The United States will back this agreement to the fullest. We will urge all Haitians to cooperate in its implementation.
- The success of the Governors Island Agreement is also very much in your hands. It is vital that the transition stay on track for your October 30 return to Haiti. There are two key steps:
  - The first critical step is your nomination of a Prime Minister. It is crucial that this occur immediately. Have you reached a decision?
  - The UN also must receive promptly your request for all elements of the international security presence. This is essential to provide safety for all Haitians.
- As Haiti's first democratically elected President, your great mission will be to bring the whole Haitian community together in national reconciliation. As you told me last March, Haiti is "like a broken glass" which you will have to put together again.
- Your good intentions must be clear to all parties:
  - I hope that the Prime Minister's new cabinet can be representative of a wide spectrum of interests and opinions.
  - What other initiatives do you plan to promote reconciliation and social peace? How can we help?

DECLASSIFIED  
 E.O. 13526, Sec. 3.5 (b)  
 White House Guidelines, September 11, 2006  
 By VL NARA, Date 10/8/2014  
 2013-0122-M (2.03)

~~SECRET~~

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- The international community is actively preparing a package of economic aid for Haiti of at least \$1 billion over five years. I was pleased the G-7 included a statement of support for Haitian democracy in Tokyo.
- We are ready to do our part and we will urge the international financial institutions and bilateral donors to make Haiti a high priority. Disbursements can begin as soon as the Prime Minister is installed and the embargo is suspended.
- The meeting you will be having with Haitian business executives in Miami this week is an excellent step toward making the private sector an ally of your government.
- We are your partner. You must do your part to fulfill the promise of the Governors Islands Agreement. We will work hard with you to reach the goal line on October 30.

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# Withdrawal/Redaction Marker

## Clinton Library

| DOCUMENT NO.<br>AND TYPE | SUBJECT/TITLE                     | DATE       | RESTRICTION      |
|--------------------------|-----------------------------------|------------|------------------|
| 001c. report             | U.S. Government Report. (2 pages) | 03/10/1993 | P1/b(1), P6/b(6) |

### COLLECTION:

Clinton Presidential Records  
NSC Records Management  
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### FOLDER TITLE:

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2006-0651-F  
vz649

### RESTRICTION CODES

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| DOCUMENT NO.<br>AND TYPE | SUBJECT/TITLE                                | DATE       | RESTRICTION      |
|--------------------------|--|------------|------------------|
| 001d. report             | U.S. Government Report. Incomplete. (1 page) | 03/10/1993 | P1/b(1), P6/b(6) |

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[Aristide]  
OA/Box Number: 154

### FOLDER TITLE:

9305294

2006-0651-F  
vz649

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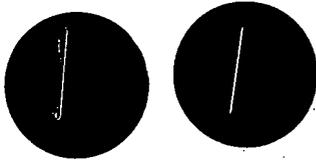
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NATIONAL SECURITY COUNCIL  
WASHINGTON, D.C. 20506

July 20, 1993



ACTION

MEMORANDUM FOR ANTHONY LAKE

THROUGH: RICHARD E. FEINBERG *RF*

FROM: LAWRENCE G. ROSSIN *LMR*

SUBJECT: The President's Meeting with  
President Jean-Bertrand Aristide  
July 22, 1993, 9:30-10:00 a.m.

Attached at Tab I is a Meeting Memorandum to the President including Talking Points (Tab A) for his meeting with President Aristide of Haiti on July 22, 1993.

Concurrence by: Richard *Clarke*

RECOMMENDATION

That you sign the Meeting Memorandum to the President at Tab I.

Attachments

- Tab I Memorandum to the President
- Tab A Talking Points
- Tab B Participants List
- Tab C Aristide Bio

DECLASSIFIED

E.O. 13526, Sec. 3.5 (b)

White House Guidelines, September 11, 2006

By *VR* NARA, Date *10/8/2019*

KEY POINTS FOR MEETING WITH PRESIDENT ARISTIDE

- RECOGNIZE LEADERSHIP, COURAGE IN SIGNING GOVERNORS ISLAND AGREEMENT AND ENDORSING PARLIAMENTARIANS' AGREEMENT.
- STRESS UNWAVERING COMMITMENT TO ARISTIDE'S RETURN AND DEMOCRACY. THE GOVERNORS ISLAND AGREEMENT ESTABLISHES SOUND TRANSITION FORMULA.
- IMPORTANT TO KEEP TRANSITION ON TRACK FOR OCTOBER 30 RETURN TO HAITI. URGE TO NOMINATE PROMPTLY A NEW PRIME MINISTER AND AGREE TO ACCEPTABLE TERMS OF REFERENCE FOR INTERNATIONAL FORCE.
- URGE NATIONAL RECONCILIATION.
- ASSURE INTERNATIONAL SUPPORT.

KEY POINTS FOR MEETING WITH PRESIDENT ARISTIDE

- RECOGNIZE LEADERSHIP, COURAGE IN SIGNING GOVERNORS ISLAND AGREEMENT AND ENDORSING PARLIAMENTARIANS' AGREEMENT.
- STRESS UNWAVERING COMMITMENT TO ARISTIDE'S RETURN AND DEMOCRACY. THE GOVERNORS ISLAND AGREEMENT ESTABLISHES SOUND TRANSITION FORMULA.
- IMPORTANT TO KEEP TRANSITION ON TRACK FOR OCTOBER 30 RETURN TO HAITI. URGE TO NOMINATE PROMPTLY A NEW PRIME MINISTER AND AGREE TO ACCEPTABLE TERMS OF REFERENCE FOR INTERNATIONAL FORCE.
- URGE NATIONAL RECONCILIATION.
- ASSURE INTERNATIONAL SUPPORT.

Case Number: 2013-0122-M

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|                               |               |              |                |             |
| Original OA/ID Number:<br>154 |               |              |                |             |
|                               |               |              |                |             |
| Document ID:<br>9305405       |               |              |                |             |
| Row:<br>44                    | Section:<br>1 | Shelf:<br>10 | Position:<br>1 | Stack:<br>v |

# Withdrawal/Redaction Sheet

## Clinton Library

| DOCUMENT NO. AND TYPE | SUBJECT/TITLE  | DATE       | RESTRICTION                    |
|-----------------------|--|------------|--------------------------------|
| 001. memcon           | Meeting with Jean-Bertrand Aristide, President of Haiti. (4 pages) | 07/30/1993 | P1/b(1) <del>12</del> 3/3/2020 |

### COLLECTION:

Clinton Presidential Records  
NSC Records Management  
[Aristide]  
OA/Box Number: 154

### FOLDER TITLE:

9305405

2006-0651-F

vz652

### RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

Freedom of Information Act - [5 U.S.C. 552(b)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
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- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

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5405

THE WHITE HOUSE

WASHINGTON

MEMORANDUM OF CONVERSATION

SUBJECT: Meeting with Jean-Bertrand Aristide,  
President of Haiti

PARTICIPANTS: The President  
The Vice President  
Warren Christopher, Secretary of State  
Anthony Lake, Assistant to the President for  
National Security Affairs  
Samuel Berger, Deputy Assistant to the President  
for National Security Affairs  
Ambassador Larry Pezzullo, Assistant Secretary  
of State for Inter-American Affairs  
Richard Feinberg, NSC Notetaker

Jean-Bertrand Aristide, President of Haiti

DATE, TIME July 22, 1993, 9:30 - 10:00 a.m.  
AND PLACE: The Oval Office

The President: (Following the press pool spray.) I want to say how pleased I am regarding the Governors Island Agreement and the parliamentary agreement in New York and to reaffirm my commitment to that timetable. We are prepared to do our part to accomplish those objectives and to get it done. Particularly important is the appointment of the Prime Minister and agreeing on the details of the agreement on police monitors, trainers and military construction. I know you have some reservations regarding the arrival of the police force before you return. We know that you are interested in French speakers. We're with you to work to get it done. We must take the steps that are necessary along the way. (S)

We won't let anything happen during that period to keep you from returning. We want to assure that you are safe, that democracy is safe, so that the process can go forward. (S)

I want to emphasize that I am pleased with the Governors Island Agreement. There are always problems in any agreement. We will stick with you and keep to this timetable and we won't let any of the interim steps undermine our objective. (S)

President Aristide: I am so pleased to be with you again. Thank you very much for everything. I will take the leadership to make the agreement work. (S)

Let me share signs we are seeing of efforts to change the agreement. If I am the President, they can't stop the message I am sending to the nation. Finally, they broadcasted the message

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Declassify on: OADR

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DECLASSIFIED  
E.O. 13526, Sec. 3.5 (b)  
White House Guidelines, September 11, 2006  
By: JL NARA, Date 10/8/2009  
2013-0722-01 (2.04)

~~SECRET~~

at 3 a.m. That was not good. They continue to arrest people, to beat people who are holding my picture. That is not good. It

would be good for the rest of the country to see that the press could be free, that the national television could not fight against us and that it would be necessary to respect human rights. Once we have those signs, it will make it easier for us. (S)

I don't call Cedras a criminal the way I used to. I am doing my best to cooperate with him. (S)

Regarding the international police and trainers for the army, it is a psychological question. I am with you and I know that I cannot return without you, that I am nothing without you. It is good for the Haitian people to hear there is something for the judicial system at the same time that they are hearing about the army and the police, so that it does not seem the same as in 1915. It is good for the people to hear about international aid. How can we talk about the four points together? (NOTE: In the press pool spray, Aristide referred to the four points: professionalization of the army, a new police force, reform of the judicial system, and the economic package having something for every single citizen of the country.) (S)

Politicians can use the international presence to talk against us, if they separate it from the other points. It is a psychological problem. (S)

The President: You believe that we can comply with the Governors Island Agreement if we can talk about the four points? (S)

President Aristide: Yes, it is a psychological matter, a very important one for me. (S)

The President: One thing we might do is to flesh out in more detail the kind of economic partnership we are planning and talk about it more. As a practical, logistical matter, we feel strongly, even if Cedras proceeds in good faith, that we need to be sure regarding your safety and the safety of all Haitians. We must go forward with the international operation. I see what you are saying regarding what the Haitian people must be able to see. (S)

Secretary Christopher: In our meeting earlier today, I emphasized that President Aristide must demonstrate leadership. It was reassuring that he has identified a Prime Minister and will present his name to the legislature. President Aristide is going to Miami this afternoon to speak to Haitian businessmen, and that is good as well. He will also meet tomorrow with members of the legislature, and so much depends on this. And then it is important to agree with the Aide Memoire on an international security presence. We have a number of aid programs to create jobs in Haiti. The international presence will take a month perhaps to get into place, so we must go to the

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UN quickly for approval. We don't want the October 30 date to slip. We had a very good talk today. (S)

Ambassador Pezzullo: Mr. President, all this is part of a return to a durable democracy under your leadership. If you want to deliver a speech on this subject, on what your new administration will do, we will make that happen. We can have it broadcast by Voice of America. (S)

Samuel Berger: There is a meeting at the World Bank this week to put together a program of at least \$1 billion over 5 years. We are working hard on the economic development piece as well. (S)

Secretary Christopher: Every day counts on this before October 30. (S)

The Vice President: I want to thank you for the way you have worked with us. We are totally committed to your return and to the restoration of democracy to Haiti. We are working hard on this, every day. I think it is fair to say that at every point in the process, when we have made a suggestion and you have considered to do so, it has worked out. Now, this is a critical moment. The forces that want to prevent democracy have only one last hope -- that you will choose not to follow through. If you go forward quickly and boldly, this will work and our prayers will be answered for Haiti. (S)

The President: Are you excited? (U)

President Aristide: I am a little happy and a little sad. I am glad to know you and to work with you. I am sad because Haitians don't see a sign of change. (S)

The President: Would it help if we could get the radio broadcast into Haiti? That won't be inconsistent with the Governors Island Agreement, would it? (S)

Ambassador Pezzullo. No, not at all. (U)

Secretary Christopher: Yes. You could also say that you met today with President Clinton, and with the business leaders in Miami.

The President: Yes, you should start to think about the radio address and we will get it put on. We would also like it played in Florida and New York. There is a lot of interest in this around the country.

President Aristide: I have prepared a reconciliation speech to deliver to the businessmen in Miami, in order to not hurt them. I have to show them that I am playing the role. The businessmen will be from the richest families. That will be an exciting time. If that speech could be broadcast... (S)

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The Vice President: Yes. (U)

Secretary Christopher: Yes. (U)

Ambassador Pezzullo: Yes. (U)

The Vice President: That will let your people share those feelings of joy. (U)

President Aristide: I am happy because I know that will happen. But I can't ask the Haitian people to believe...they share frustrations. That is why I share those concerns. Otherwise, there is a tremendous frustration. Many are not happy when I give amnesty to leaders of the coup. The people believe that the leaders of the coup will continue to receive money. Over 2000 people lost their lives in the coup. They don't believe that the international force will be there for them but rather to protect the army. The people fear they won't have jobs. I make them understand we aren't giving a gift to the military and the police. They have difficulty in trusting, because they don't see the signs. ~~(S)~~

Samuel Berger: I think it is 100 days to October 30. If we all work hard, we will celebrate together. ~~(S)~~

The Vice President: One hundred days to freedom. ~~(S)~~

President Aristide: The man I will select to be Prime Minister, Robert Malval, is from the bourgeoisie, a businessman, because I want to make that bridge between the poor and the rich. I can tell you, that will be done. It is my responsibility. If I didn't announce it yet, it is an issue of the Parliament where there are two presidents in the Senate and in the Chamber. Yesterday, the Chamber met and I will call upon them to move faster. On Saturday, I will get them to come to Miami and I will give them the name for the Prime Minister. Those consultations are necessary. About the Aide Memoire, I will do my best to go faster. Next week, we will get these solved. ~~(S)~~

Secretary Christopher: Mr. President, you should be very pleased with those two commitments. It has been a very good meeting. ~~(C)~~

The President: Have a wonderful trip to Miami. ~~(C)~~

- END OF MEETING -

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Case Number: 2013-0122-M

# MIR MARKER

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|                               |               |             |                |             |
| Original OA/ID Number:<br>168 |               |             |                |             |
|                               |               |             |                |             |
| Document ID:<br>9308181       |               |             |                |             |
| Row:<br>44                    | Section:<br>2 | Shelf:<br>4 | Position:<br>2 | Stack:<br>V |

# Withdrawal/Redaction Sheet

## Clinton Library

| DOCUMENT NO.<br>AND TYPE | SUBJECT/TITLE  | DATE       | RESTRICTION      |
|--------------------------|--|------------|------------------|
| 001a. profile            | Record ID 9308181. To President from Lake. (1 page)      | 10/21/1993 | P1/b(1)          |
| 001b. draft              | Memorandum for the President from Anthony Lake. (1 page) | 10/21/1993 | P1/b(1)          |
| 001c. report             | [Background Information on Haiti] (3 pages)              | 10/21/1993 | P1/b(1), P6/b(6) |
| 002a. memo               | To the President from Anthony Lake. (1 page)             | 10/21/1993 | P1/b(1)          |
| 002b. report             | [Background Information on Haiti.] (3 pages)             | 10/21/1993 | P1/b(1), P6/b(6) |

**COLLECTION:**

Clinton Presidential Records  
 NSC Records Management  
 [Aristide]  
 OA/Box Number: 168

**FOLDER TITLE:**

9308181

2006-0651-F  
 v2655

**RESTRICTION CODES**

**Presidential Records Act - [44 U.S.C. 2204(a)]**

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

**Freedom of Information Act - [5 U.S.C. 552(b)]**

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
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## Clinton Library

| DOCUMENT NO.<br>AND TYPE | SUBJECT/TITLE                                       | DATE       | RESTRICTION |
|--------------------------|---|------------|-------------|
| 001a. profile            | Record ID 9308181. To President from Lake. (1 page) | 10/21/1993 | P1/b(1)     |

### COLLECTION:

Clinton Presidential Records  
NSC Records Management  
[Aristide]  
OA/Box Number: 168

### FOLDER TITLE:

9308181

2006-0651-F  
vz655

### RESTRICTION CODES

#### Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
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| DOCUMENT NO.<br>AND TYPE | SUBJECT/TITLE  | DATE       | RESTRICTION |
|--------------------------|--|------------|-------------|
| 001b. draft              | Memorandum for the President from Anthony Lake. (1 page) | 10/21/1993 | P1/b(1)     |

### COLLECTION:

Clinton Presidential Records  
NSC Records Management  
[Aristide]  
OA/Box Number: 168

### FOLDER TITLE:

9308181

2006-0651-F  
vz655

### RESTRICTION CODES

#### Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
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PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

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## Clinton Library

| DOCUMENT NO. AND TYPE | SUBJECT/TITLE                               | DATE       | RESTRICTION      |
|-----------------------|---|------------|------------------|
| 001c. report          | [Background Information on Haiti] (3 pages) | 10/21/1993 | P1/b(1), P6/b(6) |

### COLLECTION:

Clinton Presidential Records  
NSC Records Management  
[Aristide]  
OA/Box Number: 168

### FOLDER TITLE:

9308181

2006-0651-F  
vz655

### RESTRICTION CODES

#### Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
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PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

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#### Freedom of Information Act - [5 U.S.C. 552(b)]

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- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
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# Withdrawal/Redaction Marker

## Clinton Library

| DOCUMENT NO.<br>AND TYPE | SUBJECT/TITLE                                | DATE       | RESTRICTION |
|--------------------------|--|------------|-------------|
| 002a. memo               | To the President from Anthony Lake. (1 page) | 10/21/1993 | P1/b(1)     |

### COLLECTION:

Clinton Presidential Records  
NSC Records Management  
[Aristide]  
OA/Box Number: 168

### FOLDER TITLE:

9308181

2006-0651-F  
vz655

### RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
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PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

Freedom of Information Act - [5 U.S.C. 552(b)]

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
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# Withdrawal/Redaction Marker Clinton Library

| DOCUMENT NO.<br>AND TYPE | SUBJECT/TITLE                                | DATE       | RESTRICTION      |
|--------------------------|--|------------|------------------|
| 002b. report             | [Background Information on Haiti.] (3 pages) | 10/21/1993 | P1/b(1), P6/b(6) |

## COLLECTION:

Clinton Presidential Records  
NSC Records Management  
[Aristide]  
OA/Box Number: 168

## FOLDER TITLE:

9308181

2006-0651-F

vz655

## RESTRICTION CODES

### Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
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Case Number: 2013-0122-M

# MIR MARKER

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|                               |               |             |                |             |
| Original OA/ID Number:<br>170 |               |             |                |             |
|                               |               |             |                |             |
| Document ID:<br>9308457       |               |             |                |             |
| Row:<br>44                    | Section:<br>2 | Shelf:<br>5 | Position:<br>1 | Stack:<br>V |

# Withdrawal/Redaction Sheet

## Clinton Library

| DOCUMENT NO. AND TYPE           | SUBJECT/TITLE  | DATE                  | RESTRICTION                    |
|---------------------------------|--|-----------------------|--------------------------------|
| <del>001a. memo</del>           | <del>For the President from Anthony Lake. Subject: Talking Points for your Telephone Call to President Aristide of Haiti. (1 page)</del> | <del>10/29/1993</del> | <del>P1/b(1)</del> VZ 3/3/2020 |
| <del>001b. talking points</del> | <del>For Telephone Call to Haitian President Aristide. (2 pages)</del>   | <del>10/29/1993</del> | <del>P1/b(1)</del> VZ 3/3/2020 |

**COLLECTION:**

Clinton Presidential Records  
 NSC Records Management  
 [Aristide]  
 OA/Box Number: 170

**FOLDER TITLE:**

9308457

2006-0651-F  
 vz597

**RESTRICTION CODES**

**Presidential Records Act - [44 U.S.C. 2204(a)]**

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
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C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

**Freedom of Information Act - [5 U.S.C. 552(b)]**

- b(1) National security classified information [(b)(1) of the FOIA]
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- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

CLINTON LIBRARY PHOTOCOPY

THE WHITE HOUSE  
WASHINGTON

INFORMATION

MEMORANDUM FOR THE PRESIDENT

FROM: ANTHONY LAKE

SUBJECT: Talking Points for Your Telephone Call to  
President Aristide of Haiti

The main purpose of your call to President Aristide is to reassure him of your support for his return to Haiti. Aristide was to return to Haiti on Saturday as the culmination of the Governor's Island process but the insecurity created by the Haitian military has made that impossible. Your call will underscore to Aristide your conviction that this crisis must and can be resolved peacefully through negotiations backed by the pressure of sanctions.

We also want to let Aristide know that we are taking steps to protect Prime Minister Malval and to urge him to give Malval maximum negotiating flexibility. Finally we think it important, in the wake of Aristide's inability to return this weekend, that he call on his countrymen to keep their faith in his eventual return and not to risk their lives by leaving the country by boat.

Attachment  
Tab A Talking Points

DECLASSIFIED  
E.O. 13526, Sec. 3.5 (b)  
White House Guidelines, September 11, 2006  
By VZ NARA, Date 10/8/2019  
2013-0122-m (2.10)

~~CONFIDENTIAL~~  
Declassify on: OADR

~~CONFIDENTIAL~~

cc: Vice President  
Chief of Staff

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Talking Points for Telephone Call  
to Haitian President Aristide

- I want to congratulate you for the forward-looking character of your speech to the United Nations yesterday.
- Your emphasis on reconciliation, democracy, economic development with a strong emphasis on building the private sector and extending social justice sent a powerful message of hope to your people. You have my promise that we will support your economic recovery programs once you return.
- Continually stressing these themes in your public statements will bring closer the restoration of Haitian democracy.
- I am as disappointed as you are that military intransigence is blocking your return tomorrow, the goal toward which we all have been working.
- But Governor's Island is not dead because this date has passed. The Agreement remains the best formula for a peaceful end to Haiti's crisis. I will continue to press hard for its implementation.
- We will maintain and enforce the UN and OAS sanctions and our own targeted measures. We will also explore the most effective ways to tighten the sanctions regime.
- Prime Minister Malval has performed magnificently. Together with Dante Caputo he has left no stone unturned in his effort to place the Governor's Island process back on track.
- I urge that you empower Prime Minister Malval to negotiate with flexibility, subject to your ultimate authority.
- We are acutely conscious of threats to the Prime Minister's safety. We are helping him already and are considering other things we may be able to do to protect him.
- I will call him later to express my solidarity.
- Finally, I ask that you appeal publicly to your people not to give up hope after Saturday and attempt the dangerous sea voyage to the United States. I am concerned that many will die should they set out to sea in small boats.
- We know that sanctions hurt the poor the most and may impel migrant departures. Our refugee processing and humanitarian assistance in Haiti will continue. We will be working to ensure there is fuel available to distribute relief supplies.

~~CONFIDENTIAL~~

Declassify on: OADR

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~~CONFIDENTIAL~~

DECLASSIFIED  
E.O. 13526, Sec. 3.5 (b)  
White House Guidelines, September 11, 2006  
By VT NARA, Date 10/1/7017

13-0122-M (2.11)

~~CONFIDENTIAL~~

2

~~CONFIDENTIAL~~

-- Working together, Mr. President, and relying on negotiation and the pressure of sanctions, I am confident we will bring the military to end its usurpation of democracy and your country's long suffering.

~~CONFIDENTIAL~~

~~CONFIDENTIAL~~

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Case Number: 2013-0122-M

# MIR MARKER

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# Withdrawal/Redaction Sheet

## Clinton Library

| DOCUMENT NO. AND TYPE | SUBJECT/TITLE  | DATE       | RESTRICTION            |
|-----------------------|--|------------|------------------------|
| 001a. memo            | <del>For the President from Anthony Lake. Subject: Talking Points for your Telephone Call to President Aristide and Prime Minister Robert Malval of Haiti. (2 pages)</del> | 10/29/1993 | P1/b(1), P5 v2 3/3/020 |
| 001b. talking points  | <del>Annotated talking points for Telephone Call to Haitian President Aristide. (2 pages)</del>  | 10/29/1993 | P1/b(1), P5 v2         |
| 001c. talking points  | <del>Annotated talking points for Telephone Call to Haitian President Aristide. (2 pages)</del>  | 10/29/1993 | P1/b(1), P5 v2         |
| 001d. draft           | <del>Memorandum for the President from Anthony Lake. Subject: Talking Points for Your Telephone Call to President Aristide of Haiti. (1 page)</del>                        | 10/29/1993 | P1/b(1) v2             |
| 001e. draft           | <del>Memorandum for the President from Anthony Lake. Subject: Talking Points for Your Telephone Call to President Aristide of Haiti. (1 page)</del>                        | 10/29/1993 | P1/b(1) v2             |
| 001f. note            | <del>From Larry Rossin to Nancy Soderberg. (1 page)</del>  | 10/29/1993 | P1/b(1) v2             |

**COLLECTION:**

Clinton Presidential Records  
 NSC Records Management  
 [Aristide]  
 OA/Box Number: 170

**FOLDER TITLE:**

9308458

2006-0651-F  
 vz598

**RESTRICTION CODES**

**Presidential Records Act - [44 U.S.C. 2204(a)]**

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

**Freedom of Information Act - [5 U.S.C. 552(b)]**

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
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- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

CLINTON LIBRARY PHOTOCOPY

THE WHITE HOUSE

WASHINGTON

THE PRESIDENT HAS SEEN

10-29-93

INFORMATION

MEMORANDUM FOR THE PRESIDENT

FROM: ANTHONY LAKE

SUBJECT: Talking Points for Your Telephone Call to President Aristide and Prime Minister Robert Malval of Haiti

The "Four Friends" of Haiti will be meeting at 9:30am Friday to discuss the convening of the conclave next week in Haiti. Dante Caputo is expected to announce it shortly after noon today. Malval will be informed of the idea around 10:30 or 11:00am. He is not yet aware of the idea and you should not mention it to him as the Friends have not yet met on it.

We want to be able to say this afternoon that you have spoken directly to both Malval and Aristide in order to underscore your commitment to the process. We hope you will be able to read a short statement around 2pm.

Aristide call

The main purpose of your call to President Aristide is to reassure him of your support for his return to Haiti. Your call will underscore to Aristide your conviction that this crisis must and can be resolved peacefully through negotiations backed by the pressure of sanctions.

We also want to let Aristide know that we are taking steps to protect Prime Minister Malval and to urge him to give Malval maximum negotiating flexibility. Finally we think it important, in the wake of Aristide's inability to return this weekend, that he call on his countrymen to keep their faith in his eventual return and not to risk their lives by leaving the country by boat.

Malval call

The main purpose of your call to Prime Minister Malval is to congratulate him for his courageous efforts to get the Governor's Island process back on track and to urge him to stay the course in the wake of President Aristide's inability to return home on Saturday. Malval has operated in a tenuous security environment; we have provided some security for him and are considering further measures.

DECLASSIFIED

E.O. 13526, Sec. 3.5 (b)

White House Guidelines, September 11, 2006

By VL NARA, Date 10/8/2015

~~CONFIDENTIAL~~

Declassify on: PAIR

cc: Vice President  
Chief of Staff

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Although Malval has told President Aristide he will not resign on Saturday when President Aristide does not return, as he had previously wanted to do. However, he could change his mind at any time given his continuing security concerns and the tensions between his inclination toward flexibility and President Aristide's more rigid approach. ~~could change his mind at any time.~~ Most recently he asked that we send the USS HARLAN COUNTY back to Haiti to begin the security assistance included in the Governor's Island agreement. While changed circumstances render our originally planned military assistance program infeasible, we are considering sending a delegation to Haiti next week to review alternative assistance ideas with Malval. Malval may ask you about this; a contingency talking point is included.

**Attachments**

Tab A Talking Points for President Aristide  
Tab B Talking Points for Prime Minister Malval

Talking Points for Telephone Call  
to Haitian President Aristide

- I want to congratulate you for the ~~forward-looking character~~ *message of reconciliation in* of your speech to the United Nations yesterday.
- Your emphasis on reconciliation, democracy, economic development with a strong emphasis on building the private sector and extending social justice sent a powerful message of hope to your people. You have my promise that we will support your economic recovery programs once you return.
- Continually stressing these themes in your public statements will bring closer the restoration of Haitian democracy.
- I am as disappointed as you are that military intransigence is blocking your return tomorrow, the goal toward which we all have been working.
- But Governor's Island is not dead because this date has passed. The Agreement remains the best formula for a peaceful end to Haiti's crisis. I will continue to press hard for its implementation.
- We will maintain and enforce the UN and OAS sanctions and our own targeted measures. We will also explore the most effective ways to tighten the sanctions regime.
- Prime Minister Malval has performed magnificently. Together with Dante Caputo he has left no stone unturned in his effort to place the Governor's Island process back on track.
- I urge that you empower Prime Minister Malval to negotiate with flexibility, subject to your ultimate authority.
- We are acutely conscious of threats to the Prime Minister's safety. We are helping him already and are considering other things we may be able to do to protect him.
- I will call him later to express my solidarity.
- Finally, I ask that you appeal publicly to your people not to give up hope after Saturday and attempt the dangerous sea voyage to the United States. I am concerned that many will die should they set out to sea in small boats.
- We know that sanctions hurt the poor the most and may impel migrant departures. Our refugee processing and humanitarian assistance in Haiti will continue. We will be working to ensure there is fuel available to distribute relief supplies.
- We share an interest in restoring *democracy so that your people can remain*

DECLASSIFIED

E.O. 13526, Sec. 3.5 (b)

White House Guidelines, September 11, 2006

By VC NARA, Date 10/8/2019

2013-0122-m (2.13)

~~CONFIDENTIAL~~  
Declassify on: OADR

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*Haiti*

- Working together, Mr. President, and relying on negotiation and the pressure of sanctions, I am confident we will bring the military to end its usurpation of democracy and your country's long suffering.

[If asked to support a total blockade]

- We are looking at the most effective way to tighten the embargo.



- I look forward to the day that democracy is restored so we can begin our economic and security assistance programs.
- Once again, let me thank you for the extraordinary contribution you are making to the cause of democracy in Haiti and in the hemisphere as a whole. You set a standard of civic dedication to which we all can aspire and your important work will continue to enjoy my full support.

Request for Harlan county and UN team (if asked)

- We will be talking with the Friends about your immediate security assistance thinking and hope to send a team to Haiti in the very near future to work on these issues in more detail.

Will the seabees return?

- We are committed to the Governors Island Agreements and its security provisions.
- The modalities need to be restudied.

THE WHITE HOUSE  
WASHINGTON

INFORMATION

MEMORANDUM FOR THE PRESIDENT

FROM: ANTHONY LAKE

SUBJECT: Talking Points for Your Telephone Call to President Aristide of Haiti

*used to ~~assist~~ demonstrate your publicly that your commitment will ~~be~~ made the detail of my own call public!*

The ~~main~~ purpose of your call to President Aristide is to reassure him of your support for his return to Haiti. ~~Aristide was to return to Haiti on Saturday as the culmination of the Governor's Island process but the insecurity created by the Haitian military has made that impossible.~~ Your call will underscore to Aristide your conviction that this crisis must and can be resolved peacefully through negotiations backed by the pressure of sanctions.

We also want to let Aristide know that we are taking steps to protect Prime Minister Malval and to urge him to give Malval maximum negotiating flexibility. Finally we think it important, in the wake of Aristide's inability to return this weekend, that he call on his ~~countrymen~~ to keep their faith in his eventual return and not to risk their lives by leaving the country by boat.

*follow Aristide*

Attachment  
Tab A Talking Points

*His speech yesterday*

*Summarize speech*

DECLASSIFIED  
E.O. 13526, Sec. 3.5 (b)  
White House Guidelines, September 11, 2006  
By 12 NARA, Date 10/8/2019  
2013-0122-M (2.15)

THE WHITE HOUSE  
WASHINGTON

INFORMATION

MEMORANDUM FOR THE PRESIDENT

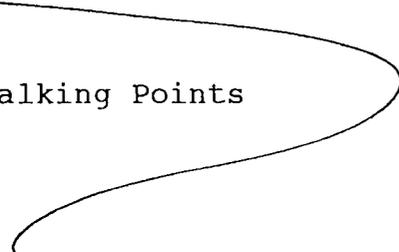
FROM: ANTHONY LAKE

SUBJECT: Talking Points for Your Telephone Call to Prime Minister Robert Malval of Haiti

The main purpose of your call to Prime Minister Malval is to congratulate him for his courageous efforts to get the Governor's Island process back on track and to urge him to stay the course in the wake of President Aristide's inability to return home on Saturday. Malval has operated in a tenuous security environment; we have provided some security for him and are considering further measures. ~~You can ask him if there is any more security he feels we could provide.~~

Although Malval has told President Aristide he will not resign on Saturday when President Aristide does not return, as he had previously wanted to do, ~~his security concerns and tensions between his inclination toward flexibility and President Aristide's more rigid approach could change his mind at any time.~~ *However, he could change his mind at any time when his continuing* Most recently he asked that we send the USS HARLAN COUNTY back to Haiti to begin the security assistance included in the Governor's Island agreement. While changed circumstances render our originally planned military assistance program infeasible, we are considering sending a delegation to Haiti next week to review alternative assistance ideas with Malval. Malval may ask you about this; a contingency talking point is included.

Attachment  
Tab A Talking Points



~~Conclave~~

DECLASSIFIED  
E.O. 13526, Sec. 3.5 (b)  
White House Guidelines, September 11, 2006  
By VL NARA, Date 10/8/2009  
2013-0122-M (2.16)

*If you should also ~~mean~~ underscore your support for the ~~meeting~~ Conclave meeting next week in Haiti as the best way to demonstrate the Gov. Island process is still alive.*

CONFIDENTIAL  
Declassify On: OADR

cc: Vice President  
Chief of Staff

CLINTON ~~CONFIDENTIAL~~ PHOTOCOPY

~~SECRET~~

NATIONAL SECURITY COUNCIL

Nancy:

Richard and I both believe it is very possible that Malval will ask the President about his request of 10/27 to the Friends in PaP that the HARLAN COUNTY be sent back and that we implement the security assistance called for in point 5 of the Governor's Island Agreement. As you'll recall from the 10/27 DC teleconference it was agreed that the Seabees concept is no longer valid but we are not so sure there was final agreement that we would, as the Deputies discussed, send a delegation to meet with Malval to discuss these issues next week. At a minimum, I think there was consensus that a final decision to do so should await weekend developments. At the same time I got the strongest impression from Sandy's remarks that he was determined that such a delegation should go -- that basically the only thing that would prevent it would be if Malval quit or was ousted first.

The memo to the President and the next to last talking point (top of page 2) assume that we will send such a team. You may want to talk about this with Sandy. As I said, I think the President has to be prepared for the question from Malval.

Larry 10/29

~~SECRET~~

DECLASSIFIED

E.O. 13526, Sec. 3.5 (b)

White House Guidelines, September 11, 2006

By VZ NARA, Date 10/8/19

2013-0122-m (2.17)

Case Number: 2013-0122-M

# MR MARKER

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|                               |               |             |                |             |
| Original OA/ID Number:<br>170 |               |             |                |             |
|                               |               |             |                |             |
| Document ID:<br>9308470       |               |             |                |             |
| Row:<br>44                    | Section:<br>2 | Shelf:<br>5 | Position:<br>1 | Stack:<br>V |

# Withdrawal/Redaction Sheet

## Clinton Library

| DOCUMENT NO.<br>AND TYPE | SUBJECT/TITLE   | DATE                  | RESTRICTION                   |
|--------------------------|---|-----------------------|-------------------------------|
| 001. telecon             | Presidential Telephone Conversation with President Aristide of Haiti on October 29, 1993. (2 pages) | <del>10/29/1993</del> | <del>P1A(1)</del> VZ 3/3/2020 |

**COLLECTION:**

Clinton Presidential Records  
 NSC Records Management  
 [Aristide]  
 OA/Box Number: 170

**FOLDER TITLE:**

9308470

2006-0651-F  
vz599

**RESTRICTION CODES**

**Presidential Records Act - [44 U.S.C. 2204(a)]**

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

**Freedom of Information Act - [5 U.S.C. 552(b)]**

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
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CLINTON LIBRARY PHOTOCOPY

THE WHITE HOUSE  
WASHINGTON

MEMORANDUM OF TELEPHONE CONVERSATION

SUBJECT: Telcon with Jean-Bertrand Aristide, President of Haiti, on October 29, 1993 ~~(C)~~

PARTICIPANTS: The President  
Jean-Bertrand Aristide, President of Haiti  
Notetakers: Lawrence G. Rossin  
Richard E. Feinberg  
Carlos A. Burgos

DATE, TIME: October 29, 1993, 10:24 - 10:28 am  
AND PLACE: Boston, Massachusetts

The President: Congratulations on your good message to the United Nations yesterday. I've been working hard on this and am as disappointed as you are that the military blocked your return to Haiti. Governor's Island is still the best formula and I will be working hard to implement it. We want to maintain the sanctions and we are looking for new ways to tighten them. Dante Caputo is working hard down there and Prime Minister Malval is working very well. I know Prime Minister Malval's safety is under threat. We are already doing things to protect him and are looking at new things we can be doing. I believe we should encourage him to negotiate with maximum flexibility subject to your final authority. We need to try and get some new things going there. Meanwhile, we'll be firm on sanctions and protect Malval. ~~(C)~~

President Aristide: Thank you, Mr. President, for sharing these thoughts with me. I am with you and I will continue to be with you in asking for the implementation of and respect for the Governor's Island Agreement. I too want the sanctions to be maintained. I will encourage Prime Minister Malval to negotiate as you suggest. I am with you and I support the way you are moving. Thank you for your support. ~~(C)~~

The President: We need to keep Malval on the job. ~~(C)~~

President Aristide: I agree and have said so publicly and privately. I have told him that already and will discuss it with him again today. We must see how we can give him support. ~~(C)~~

The President: You need to give him flexibility in negotiating without throwing in the towel, he needs flexibility and our encouragement. I will be calling him to convey this same message and to urge him not to lose heart. I wanted to call you to congratulate you on your speech and to express my support for your return to Haiti. ~~(C)~~

~~CONFIDENTIAL~~  
Declassify on: OADR

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~~CONFIDENTIAL~~

DECLASSIFIED  
E.O. 13526, Sec. 3.5 (b)  
White House Guidelines, September 11, 2006  
By: [redacted] NARA, Date 10/8/2019  
2013-0122-M (2.09)

~~CONFIDENTIAL~~

~~CONFIDENTIAL~~

President Aristide: I understand the point you are making. Your support is important for Haiti and for the world. I cannot get far without you and I will be with you. ~~(C)~~

The President: Thank you, President Aristide. (U)

President Aristide: Thank you. (U)

-- End of Conversation --

~~CONFIDENTIAL~~

CLINTON LIBRARY PHOTOCOPY

~~CONFIDENTIAL~~

Case Number: 2013-0122-M

# MIR MARKER

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| Original OA/ID Number:<br>175 |               |             |                |             |
|                               |               |             |                |             |
| Document ID:<br>9309524       |               |             |                |             |
| Row:<br>44                    | Section:<br>2 | Shelf:<br>6 | Position:<br>3 | Stack:<br>V |

# Withdrawal/Redaction Sheet

## Clinton Library

| DOCUMENT NO.<br>AND TYPE       | SUBJECT/TITLE   | DATE                  | RESTRICTION                    |
|--------------------------------|---|-----------------------|--------------------------------|
| <del>001. note</del>           | <del>To the President from Tony Lake. Subject: Haiti (1 page)</del>                           | <del>12/05/1993</del> | <del>P1/b(1) v2 3/3/2020</del> |
| <del>002. talking points</del> | <del>Key Points for Meeting. (1 page)</del>   | <del>12/05/1993</del> | <del>P1/b(1) v2 3/3/2020</del> |
| <del>003. memo</del>           | <del>For the President from Anthony Lake. Subject: Meeting. (4 pages)</del>                   | <del>12/05/1993</del> | <del>P1/b(1) v2 3/3/2020</del> |
| <del>004. talking points</del> | <del>for Meeting (2 pages)</del>  | <del>12/05/1993</del> | <del>P1/b(1) v2 3/3/2020</del> |
| 005. report                    | U.S. Government Report. (2 pages)   | 12/05/1993            | P1/b(1)                        |
| 006. report                    | U.S. Government Report. (2 pages)   | 12/02/1993            | P1/b(1)                        |
| <del>007. letter</del>         | <del>To the President from Sam Nunn and Dick Lugar. Subject: Haiti (3 pages)</del>            | <del>12/03/1993</del> | <del>P1/b(1) v2 3/3/2020</del> |
| <del>008. memo</del>           | <del>To Anthony Lake from Lawrence Rossin. Subject: Meeting, December 6, 1993. (1 page)</del> | <del>12/04/1993</del> | <del>P1/b(1) v2 3/3/2020</del> |
| <del>009. note</del>           | <del>For Anthony Lake re: Read-out from Meeting. (1 page)</del>                               | <del>n.d.</del>       | <del>P5 v2 1/21/2013</del>     |
| 010. note                      | To Nancy Soderberg from Lawrence Rossin. (1 page)   | 12/03/1993            | P1/b(1)                        |
| <del>011. draft</del>          | <del>Annotated draft of 001b (6 pages)</del>  | <del>12/03/1993</del> | <del>P1/b(1) v2 3/3/2020</del> |
| <del>012. draft</del>          | <del>Annotated draft of 001c (4 pages)</del>  | <del>12/03/1993</del> | <del>P1/b(1) v2 3/3/2020</del> |

**COLLECTION:**

Clinton Presidential Records  
NSC Records Management  
[Aristide]  
OA/Box Number: 175

**FOLDER TITLE:**

9309524

2006-0651-F

vz601

**RESTRICTION CODES**

Presidential Records Act - [44 U.S.C. 2204(a)]

Freedom of Information Act - [5 U.S.C. 552(b)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
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- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

CLINTON LIBRARY PHOTOCOPY

# Withdrawal/Redaction Sheet

## Clinton Library

| DOCUMENT NO.<br>AND TYPE | SUBJECT/TITLE  | DATE       | RESTRICTION                   |
|--------------------------|--|------------|-------------------------------|
| 013-memo                 | To Anthony Lake from Lawrence Rossin. Subject: Meeting, December 6, 1993. (1 page) | 12/03/1993 | <del>P1/b(1)</del> vz 3/3/020 |

**COLLECTION:**

Clinton Presidential Records  
 NSC Records Management  
 [Aristide]  
 OA/Box Number: 175

**FOLDER TITLE:**

9309524

2006-0651-F

vz601

### RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

Freedom of Information Act - [5 U.S.C. 552(b)]

- P1 National Security Classified Information [(a)(1) of the PRA]
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PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

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THE WHITE HOUSE

WASHINGTON

12.5.93 2 pm

Mr. President:

As we'd feared, Aristide's advisors may be trying to walk him back. Aristide has asked Malval (via fax) to meet with A and his advisors. Malval has faxed back a confirmation of yesterday's agreement.

In addition, Aristide wants his Foreign Minister (a hardliner) at your meeting tomorrow, in addition to the Ambassador. Unless Aristide's confirms their agreement, Malval doesn't want the Foreign Minister there.

Until this is resolved -- Pozzullo is working on it -- we are holding the public announcement of your meeting.

R

(The attached is written on the assumption that the deal holds. We will see...)

KEY POINTS FOR MEETING WITH ARISTIDE & MALVAL

- REAFFIRM YOUR UNWAVERING COMMITMENT TO THE RESTORATION OF DEMOCRACY IN HAITI AND TO ARISTIDE'S RETURN WITHIN THE PRINCIPLES OF THE GOVERNOR'S ISLAND AGREEMENT.
- ENDORSE MALVAL'S EFFORTS TO BUILD A DEMOCRATIC CENTER AND CREATE THE CONDITIONS FOR ARISTIDE'S RETURN.
- EXPRESS DEEP APPRECIATION FOR PRESIDENT ARISTIDE'S COMMITMENT TO LEND HIS FULL AND PUBLIC BACKING TO MALVAL IN THIS INITIATIVE.

- INFORM MALVAL THAT WE WILL SUPPORT HIS EFFORTS IF HE IS SUCCESSFUL IN GAINING BROAD AGREEMENT TO THE RETURN OF PRESIDENT ARISTIDE BY LIFTING SANCTIONS, EXPANDING INTERNATIONAL AID AND, UNDER APPROPRIATE CIRCUMSTANCES, DEPLOYING OUR MILITARY IN THE UN MISSION WHEN THE PREREQUISITES FOR EACH ACTION ARE MET.
- (IF ASKED) INFORM ARISTIDE THAT WE CONSIDER COMPREHENSIVE TRADE SANCTIONS UNNECESSARY AT THIS TIME.

THE WHITE HOUSE  
WASHINGTON  
December 5, 1993

THE PRESIDENT HAS SEEN  
12.6.93

MEETING WITH  
PRESIDENT JEAN-BERTRAND ARISTIDE AND  
PRIME MINISTER ROBERT MALVAL

DATE: December 6, 1993  
LOCATION: The Oval Office  
TIME: 6:30 - 7:15 pm

FROM: ANTHONY LAKE *AL*

I. PURPOSE

To reaffirm your commitment to the restoration of democracy and return of President Aristide to Haiti, to support efforts by Prime Minister Malval to end the Haitian crisis peacefully within the context of the Governor's Island process and to commend President Aristide for his commitment to give his full backing to Prime Minister Malval in that endeavor.

There will be a pool spray at the start of the meeting.

Key Points

- Reaffirm your unwavering commitment to the restoration of democracy in Haiti and to Aristide's return within the principles of the Governor's Island Agreement.
- Endorse Malval's efforts to build a democratic center and create the conditions for Aristide's return.
- Express deep appreciation for President Aristide's commitment to lend his full and public backing to Malval in this initiative.
- Inform Malval that we will support his efforts if he is successful in gaining broad agreement to the return of President Aristide by lifting sanctions, expanding international aid and, under appropriate circumstances, deploying our military in the UN Mission when the prerequisites for each action are met.
- (If Asked) Inform Aristide that we consider comprehensive trade sanctions unnecessary at this time.

~~SECRET~~II. BACKGROUND

Haitian Prime Minister Robert Malval arrived in Washington last week. He met with Aristide on Thursday and Saturday. We have had a number of discussions with him and he met with Senators Nunn and Lugar and with Senator Kennedy and staffers. He travels to New York on Tuesday to see Boutros Ghali and will go from there to Rome to meet with Vatican officials before returning to Haiti. (A supportive memo from Nunn and Lugar is at Tab E. We will stay in touch with them.)

Malval's visit marks a critical stage in our efforts to foster a peaceful resolution of the Haitian crisis. He spent ten days before this trip canvassing all sectors of Haitian society, including the military. He emerged convinced that the peaceful restoration of democracy, if possible at all, could only come about through a broad national conference which can lead to a centrist government embracing all democratic political sectors with a strong Prime Minister at its head. In Malval's thinking Aristide would remain outside Haiti until the centrist government determines that the conditions have been created for his return. Malval feels that time is of the essence; the Haitian economy is disintegrating fast under the pressure of sanctions and will soon collapse.

Malval is determined to resign on December 15. He says that he will remain as acting Prime Minister (as the Haitian constitution prescribes) and announce his plans for a national conference to develop his initiative. He believes that as acting Prime Minister he will have more independence and credibility and no longer have to defer to Aristide whenever they disagree. Malval believes the army and business sector will no longer see him as "Aristide's Prime Minister" and will be more cooperative.

Malval came to Washington to solicit Aristide's, our and the UN's backing for his effort. His meeting with Aristide this weekend in which he described his intentions to the President was successful. Aristide endorsed and promised to give his full support to Malval's proposed national conference and to its outcome (a broadened centrist government working for Aristide's return within the Governor's Island framework) and accepted that Malval's plan would probably preclude his early return to Haiti. He also indicated a deep desire to meet with the Pope to end the conflict between his status as priest and president so that, with Vatican encouragement, the Haitian bishops will join in the national dialogue. Malval's trip to Rome is designed to lay the groundwork for this important reconciliation.

For our part we had already conveyed our support for Malval's initiative before he met with Aristide. You can now give Aristide, Malval and what we should now consider as their joint effort the major boost it deserves. With

~~SECRET~~CLINTON L ~~SECRET~~ PHOTOCOPY

Aristide's and our support in hand, Malval will seek to persuade the military that their interests are better protected by fulfilling their Governor's Island commitments than by letting sanctions crush Haiti and them with it.

We believe that Malval's initiative, however unclear its precise elements and cloudy its prospects, offers the last decent chance to resolve the crisis in a manner which achieves our core objectives of democracy and Aristide's return. We agree with Malval that Haiti cannot long survive under the pressure of sanctions -- by the end of January fuel will have run out and economic chaos is expected to deepen, risking a humanitarian crisis and migrant exodus we would be hard put to handle with our current relief and control mechanisms. It is therefore essential that we do everything within our power to help Malval succeed. Senators Nunn and Lugar share this analysis and have offered their own recommendations in the memorandum at Tab E.

It is important to recognize that this is the first true Haitian effort to resolve the crisis. Governor's Island was in effect a U.S. effort and previous efforts were very much UN/OAS-driven. This truly Haitian effort deserves our strong support. But as we embrace it, we must be careful not to appear to be seeking to make it our own -- that could crush it -- and we must remain sensitive to the special dynamic of the Aristide-Malval relationship.

We have several ways we can strengthen Malval's hand as he returns to Haiti to deal with the military and with the anti-Aristide politicians: by letting Malval know (as we have) that if he is successful we will work with the UN to lift sanctions, begin the international aid program to Haiti and deploy a reconstituted and appropriately protected UN Mission. We have also told him that these commitments are stringently conditioned in order to pressure the military to fulfill its part of Malval's plan:

- o Sanctions: We will support the lifting of sanctions once the amnesty and police laws are passed, key military leadership changes have occurred (i.e., retirement of Cedras, transfer of Francois, replacement of high command) and the military has acted against right-wing violence.
- o Aid: The international aid program can begin quickly once all parties are implementing Malval's plan.
- o UN Mission deployment: We will participate in a reconstituted UN Mission once conditions on the ground are suitable. The Haitian military must create a secure and cooperative environment. The amnesty and police laws must be enacted and the military leadership changes be completed. We will require tougher rules of engagement and armament for our forces and will warn

the military against obstructing the arrival of the UN Mission a second time.

We are gratified that Aristide has promised to give Malval his active support and he fully deserves our appreciation. Malval has asked a lot of Aristide -- to place his return to power in the hand of forces in Haiti he does not control, some antagonistic; to endorse government roles for politicians he has never regarded as truly democratic; to drop his demands for the immediate, unconditional departure of General Cedras, Police Chief Francois and the high command; and to endorse the passage of an amnesty law. However, Aristide could be tempted to backslide or pressed to do so by his more radical advisers. We need to convey to Aristide our sense that this initiative may well be the last decent chance to restore democracy and for his peaceful return to Haiti, and that it is in all our interests to back Malval consistently and energetically for that reason. Aristide must understand that our backing for him as President is not diminished by our support for Malval; the two are part of the same democratic process.

Aristide strongly advocates and may well press you for the immediate imposition of comprehensive UN sanctions against Haiti as the way to resolve the crisis. Malval adamantly opposes a total embargo. France has floated but not yet formally proposed comprehensive sanctions at the UN. The Principals Committee reaffirmed on December 2 our opposition to total sanctions at this time for several reasons: to avoid sparking a humanitarian crisis; to avoid giving Aristide any signal that there is an alternative to Malval's efforts; because comprehensive sanctions would in fact add little pressure since 90 percent of Haiti's remaining imports are food (which enjoys a humanitarian exemption); and since in any case the economy will be hit dramatically when fuel runs out. Tightening sanctions would also be at odds with Malval's initiative. It is better kept in reserve in case we need to put further pressure on the military if it resists Malval's efforts. You should not raise this issue but if Aristide does your talking points reflect our policy.

#### Attachments

Tab A Participants  
Tab B Talking Points  
Tab C Aristide Bio  
Tab D Malval Bio  
Tab E Nunn - Lugar Memo

TALKING POINTS FOR THE PRESIDENT'S MEETING WITH  
JEAN-BERTRAND ARISTIDE AND ROBERT MALVAL

- It is a real pleasure to welcome you to the White House again, President Aristide, and to have you in the Oval Office for the first time, Prime Minister Malval.
- I want to emphasize at the outset that my commitment to the restoration of democracy in your country and to your return, President Aristide, is unwavering and ironclad. I am determined to achieve our mutual objectives through the full implementation of the Governor's Island Agreement.
- General Cedras, Colonel Francois and their allies gravely underestimated our determination when they blocked the arrival of the UN Mission in October and prevented your return to Haiti, President Aristide, on October 30.
- Let me assure you: We will enforce the sanctions until the military fulfills its commitments -- and I expect the military to do so as fuel supplies dwindle and Haiti's isolation deepens. And we will reinforce our humanitarian aid to cushion Haiti's most vulnerable citizens.
- (IF RAISED ONLY) President Aristide, we have carefully weighed the possibility of comprehensive sanctions. We consider them unnecessary given the rapidity with which the oil embargo is bringing the economy to a halt. Already 90 percent of the goods arriving by ship are food and medicine.
- Prime Minister Malval, I cannot overstate my admiration for your courageous efforts to resolve this crisis peacefully. You have gained respect inside and outside your country.
- It would be easy to lose hope. I thus applaud your current initiative to end the crisis and suffering in your country.
- Your effort to bring all legitimate political sectors behind efforts to revitalize the Governor's Island process has my full support because it offers the hope of reestablishing democracy and returning President Aristide to Haiti.
- President Aristide, I appreciate the strong backing you are giving to this critical endeavor. It is consistent with the dedication you have shown to your country's best interests.

~~SECRET~~

2

~~SECRET~~

- It is important that you have empowered Prime Minister Malval. It is in all our interests that he succeed. If he does not, the economic chaos which looms could cause a humanitarian crisis.
- Prime Minister Malval, when you return to Haiti, you can tell your interlocutors that there is much we can -- and will -- do to help Haiti if you are successful in gaining broad agreement to the return of President Aristide and the restoration of democracy within the framework of the Governor's Island Agreement.
- President Aristide and Prime Minister Malval, the effort to resolve your country's crisis has reached a critical turning point. Prime Minister, you have brought a remarkable Haitian initiative to the table. By that fact alone, we must give it every chance to prosper.
- By combining your strengths, building on the goodwill of many sectors within Haiti and creating conditions for the full international assistance program, you can restore Haiti's democracy and its legitimate President and launch your country on the path to reconciliation and economic reconstruction.
- Prime Minister Malval: could you summarize your plans for your continuing efforts to resolve the situation?

~~SECRET~~

~~SECRET~~  
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| DOCUMENT NO.<br>AND TYPE | SUBJECT/TITLE                     | DATE       | RESTRICTION |
|--------------------------|-----------------------------------|------------|-------------|
| 005. report              | U.S. Government Report. (2 pages) | 12/05/1993 | P1/b(1)     |

### COLLECTION:

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NSC Records Management  
[Aristide]  
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2006-0651-F  
vz601

### RESTRICTION CODES

#### Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
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RR. Document will be reviewed upon request.

#### Freedom of Information Act - [5 U.S.C. 552(b)]

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| 006. report              | U.S. Government Report. (2 pages) | 12/02/1993 | P1/b(1)     |

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December 3, 1993

MEMORANDUM FOR THE PRESIDENT

FROM: Sam Nunn *Sam*  
Dick Lugar *Dick*

SUBJECT: Haiti -- the Role of Prime Minister Malval

We met this morning with Haitian Prime Minister Malval, with whom we understand you may be meeting Monday, December 6. We wanted to give you our impressions of our 90-minute conversation with Malval and our recommendations for a U.S. policy response to Malval's proposal for a meeting of national reconciliation in Haiti later this month.

Malval's Analysis of the Current Situation. Malval, who comes across as a well-intentioned and reasonably objective person, believes that Haiti is no more than three months from total collapse and ensuing domestic chaos. He also believes that senior Haitian military leaders, including General Cedras, are coming to realize this and to understand that societal collapse is not in their personal interests.

Malval has concluded that the last chance for Haiti is a meeting of national reconciliation, which he hopes to convene in Port-au-Prince later this month. He would do this after resigning as Aristide's Prime Minister December 15, in his personal capacity as a centrist democrat. He wants U.S. help in pressuring both sides -- the pro-Aristide forces, including President Aristide, and the anti-Aristide forces -- to agree to this concept.

In particular:

-- Malval will be meeting with Aristide over the weekend to try and sell the national reconciliation idea. He believes Aristide will be reasonable but has concerns about Aristide's entourage, some of whom counsel against further compromise.

-- Malval noted that the Aristide camp has some unfortunate policy inclinations, citing one example in which Aristide forces recently undertook to set up a separate police force in the country (the plan quickly became known to current police chief Francois).

-- He believes the military will agree to attend a national reconciliation gathering but at present will not take a constructive position. Cedras has said, for instance, that if he resigns President Aristide must also resign. Malval also believes that the military thinks it enjoys some measure of continuing support from our Department of Defense and the CIA. He thinks the U.S. can help pressure the military to be more cooperative.

-- Malval sees no other promising strategy. He feels the Governors Island accord is dead. U.S. military intervention, which he thinks 90% of the Haitian population would welcome, is not desirable. The status quo will soon lead to chaos; even the Catholic Church is split into anti-Aristide and pro-Aristide factions. A final attempt at a compromise solution, involving all responsible sectors of Haitian society, is therefore urgently needed.

Recommendations. We find Malval's analysis of the situation persuasive. Assuming that he is able to sell Aristide on the idea of a December national reconciliation meeting in Haiti, we believe the undertaking merits U.S. support. As Senator Nunn indicated to you last month, our goals should include (1) alleviation of Haitian suffering, (2) prevention of massive Haitian emigration, and (3) a shift of near-term policy focus away from restoring democracy via President Aristide's return, to building democracy via consensus and vitalizing political and economic structures in Haiti, with Aristide's return deferred until this process takes hold. We believe Malval's proposal can further each of these goals. It can be portrayed as the beginning of a political process leading to Aristide's peaceful return and to subsequent fair parliamentary and presidential elections.

More specifically, we suggest:

-- You find time to receive Prime Minister Malval next week.

-- Assuming Malval has gained Aristide's support, the Administration consult with the UN Secretary General and members of Security Council regarding Malval's approach (Malval plans to meet with the Secretary General in the next few days).

-- If Malval is unsuccessful with Aristide and his advisors, discuss with him how the Administration might assist in persuading Aristide of the wisdom of Malval's proposal.

-- Once Aristide has agreed with the initiative, the Administration then issue a statement supporting Malval's proposal and work with the main elements of Haitian society (parliament, the church, business, the military and police), as well as the UN, the OAS and involved non-governmental organizations to support it vigorously.

-- The Administration create incentives for the Haitian military and other anti-Aristide forces to be cooperative by (1) making clear that the Administration in no way supports or is sympathetic to them (for maximum impact, this message should be conveyed by a senior U.S. military officer) but would not oppose a reasonable amnesty, (2) leaving military options on the table, (3) indicating that we will review sanctions and economic assistance in light of the results of the Malval initiative.

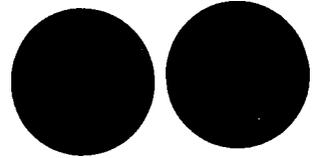
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9524 REDO

NATIONAL SECURITY COUNCIL  
WASHINGTON, D.C. 20506

December 4, 1993



ACTION

MEMORANDUM FOR ANTHONY LAKE

FROM: LAWRENCE G. ROSSIN *LR*

SUBJECT: The President's Meeting with President Aristide  
and Prime Minister Malval, December 6, 1993,  
6:30 - 7:15 pm

Attached at Tab I is the Meeting Memorandum for the President's meeting with Haitian President Aristide and Prime Minister Malval on December 6, 1993.

RECOMMENDATION

That you sign the Memorandum to the President at Tab I.

Attachments

Tab I Memorandum to the President

- Tab A Participants
- Tab B Talking Points
- Tab C Aristide Bio
- Tab D Malval Bio
- Tab E Nunn - Lugar Memo to President

~~SECRET~~

Declassify on: OADR

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White House Guidelines, May 16, 2017  
By *lc* NARA, Date *10/8/2019*  
2513 0122-11

THE WHITE HOUSE  
WASHINGTON

TL -

NS view to complete this package today and supplement on Monday. Still no read-out from Aristide-Malval. Dickey meeting, but I think this is about right approach, which we'll need to revise.

We will need to make decision on meeting tomorrow.

SUN

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| DOCUMENT NO.<br>AND TYPE | SUBJECT/TITLE                                     | DATE       | RESTRICTION |
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| 010. note                | To Nancy Soderberg from Lawrence Rossin. (1 page) | 12/03/1993 | P1/b(1)     |

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THE WHITE HOUSE  
WASHINGTON

MEETING WITH  
PRESIDENT JEAN-BERTRAND ARISTIDE AND  
PRIME MINISTER ROBERT MALVAL

DATE: December 6, 1993  
LOCATION: The Oval Office  
TIME: 6:30 - 7:15 pm

FROM: ANTHONY LAKE

I. PURPOSE

To reaffirm your commitment to the restoration of democracy and return of President Aristide to Haiti, to urge Prime Minister Malval to ~~remain in office and to~~ pursue his efforts to end the Haitian crisis peacefully within the context of the Governor's Island Agreement and to urge President Aristide to give his active support to Prime Minister Malval in that endeavor.

There will be a pool spray at the start of the meeting.

Key Points

- Reaffirm your unwavering commitment to the restoration of democracy in Haiti and to Aristide's return within the framework of the Governor's Island Agreement, which continues to be the framework for the achievement of those objectives. We want both sides to fulfill their commitments under it.
- ~~Urge Malval to stay in office and pursue his effort to form a centrist government to rebuild democracy and create the conditions for Aristide's return.~~ (Praise Malval's)
- Inform Malval that we ~~will~~ <sup>will</sup> support his efforts by lifting sanctions, expanding international aid and, ~~under~~ <sup>appropriate</sup> circumstances.
- Urge President Aristide to ~~lend full and public backing to Malval by giving him great latitude to bring all democratic sectors into the effort to complete the Governor's Island process.~~ <sup>give Malval</sup>
- Convey to Aristide that Malval's plan may be his last hope of returning home as President.

build a democratic center

SECRET

-- (If Asked) Inform Aristide that we consider comprehensive trade sanctions unwise and unnecessary at this time and cannot support them.

II. BACKGROUND

Haitian Prime Minister Robert Malval arrived in Washington last week. He met with Aristide on Thursday and Saturday and we have had a number of discussions with him. He travels to New York on Tuesday to see Boutros Ghali and returns to Haiti next Wednesday.

Malval's visit marks a critical stage in our efforts to foster a peaceful resolution of the Haitian crisis. He spent ten days before this trip canvassing all sectors of Haitian society, including the military. He emerged convinced that the peaceful restoration of democracy, if possible at all, could only come about ~~by the formation of a broad centrist government~~ embracing all democratic political sectors with a strong Prime Minister at its head. Malval feels that time is of the essence; the Haitian economy is disintegrating fast under the pressure of sanctions and will soon collapse.

Malval has told us and Aristide that he ~~will~~ <sup>is determined to</sup> resign on December 15. ~~However,~~ He says that he will remain as acting Prime Minister (as the Haitian constitution prescribes) and announce his plans for a national conference to develop his initiative. He believes that as acting Prime Minister he will no longer have to defer to Aristide whenever they disagree. Malval believes the army and business sector will no longer see him as "Aristide's Prime Minister" and will be more cooperative.

In Malval's thinking Aristide would remain outside Haiti until the centrist government determines that the conditions have been created for his return. That could mean a long delay. Malval is asking a lot of Aristide -- to place his return to power in the hand of forces in Haiti he does not control, some antagonistic; to endorse government roles for politicians he has never regarded as truly democratic; to drop his demands for the immediate, unconditional departure of General Cedras, Police Chief Francois and the high command; and to endorse the passage of an amnesty law.

Malval has come to Washington to ~~solicit~~ <sup>seek</sup> Aristide's, our and the UN's backing for his effort. With this support in hand he will seek to persuade the military that their interests are best protected by fulfilling their Governor's Island commitments rather than by letting sanctions crush the country and them with it. ~~He has not yet discussed his initiative with Aristide, however. He plans to go into his plans in detail with Aristide on Saturday.~~ We will provide you early Monday with a read out of that meeting and the current state of play.

*about through a broad national conference which can lead to a centrist*

*have more independence and credibility and*

*And Malval is expected to outline his plan to Aristide on Saturday (Dec 04); the contents of your meeting reaction could change depending on his*

SECRET

Sandy -

Perhaps add  
a paragraph that  
this is a Haitian  
initiative?

"It is important to recognize  
that this is the first true  
Haitian effort to resolve the  
crisis. Gov. Island in effect  
was a US effort, ~~per previous~~

efforts have been UN/OAS.  
~~We discuss~~ This  
truly Haitian effort  
deserves our strong  
support. 4

plus point that we  
must embrace it  
into crushing it  
A-M  
dynamic

*(is expectedly)*

*decent*

We believe that Malval's initiative, however unclear its precise elements and cloudy its prospects, offers the last ~~good~~ <sup>good</sup> chance to resolve the crisis in a manner which achieves our core objectives of democracy and Aristide's return. We agree with Malval that Haiti cannot long survive under the pressure of sanctions -- by the end of January fuel will have run out and economic chaos ~~may~~ deepen, risking a humanitarian crisis and migrant exodus we would be hard put to handle with our current relief and control mechanisms. It is therefore essential that we do everything within our power to help Malval succeed.

We have several ways we can strengthen Malval's hand as he returns to Haiti to deal with the military and with the anti-Aristide politicians: ~~by working with the UN to lift sanctions, by beginning the international aid program to Haiti and by deploying a reconstituted UN Mission.~~ We have also told him that these commitments are stringently conditioned to pressure the military to fulfill its part of Malval's plan:

*by letting Malval know (as we have) that if he is successful, we will work*

- o Sanctions: We will support the lifting of sanctions once the amnesty and police laws are passed, key military leadership changes have occurred (i.e., retirement of Cedras, transfer of Francois, replacement of high command) and the military has acted against right-wing violence.
- o Aid: The international aid program can begin quickly once all parties are implementing Malval's plan.
- o UN Mission deployment: We will participate in a reconstituted UN Mission once conditions on the ground are suitable. The Haitian military must create a secure and cooperative environment. The amnesty and police laws must be enacted and the military leadership changes be completed. We will require tougher rules of engagement and armament for our forces and will warn the military against obstructing the arrival of the UN Mission a second time.

*and appropriately protected*

Your talking points reflect this approach.

*(tells us he believes it is helpful)*

We can also help Malval by ~~pressing Aristide, to the extent Malval deems appropriate, to give this initiative his active support. Malval has not yet indicated to us that such pressure is needed in any specific area. However, on past performance Aristide will undercut Malval unless you make it clear that you expect his cooperation. Aristide needs to know that we are backing Malval because we see his initiative as the last good chance to restore democracy and return Aristide to Haiti peacefully, and that it is in his interest to back Malval for that same reason. Aristide must understand that our backing for him as President is not diminished by our support for Malval; the two are part of the same democratic process.~~ *Start*

*Malval believes it will be helpful. You should convey to Aristide that*

*supportive of the Malval initiative precisely*

Aristide strongly advocates and may well press you for the immediate imposition of comprehensive UN sanctions against Haiti as the way to resolve the crisis. Malval adamantly opposes a total embargo. France has floated but not yet formally proposed comprehensive sanctions at the UN. The Principals Committee reaffirmed on December 2 our opposition to total sanctions at this time for several reasons: to avoid sparking a humanitarian crisis; ~~and consequent risk of mass emigration;~~ to avoid giving Aristide any signal that there is an alternative to Malval's efforts; because comprehensive sanctions would in fact add little pressure since 90 percent of Haiti's remaining imports are food (which enjoys a humanitarian exemption), cement and toys; and since in any case the economy will be hit dramatically when fuel runs out. You should not raise this issue but if Aristide does your talking points reflect our policy.

Attachments

- Tab A Participants
- Tab B Talking Points
- Tab C Aristide Bio
- Tab D Malval Bio

~~SECRET~~

DECLASSIFIED  
E.O. 13526, Sec. 3.5 (b)  
White House Guidelines, September 11, 2006  
By VZ NARA, Date 10/8/2019  
2013-0122-m

TALKING POINTS FOR THE PRESIDENT'S MEETING WITH  
JEAN-BERTRAND ARISTIDE AND ROBERT MALVAL

- It is a real pleasure to welcome you to the White House again, President Aristide, and to have you in the Oval Office for the first time, Prime Minister Malval.
- I want to emphasize at the outset that my commitment to the restoration of democracy in your country and to your return, President Aristide, is unwavering and ironclad. I am determined to achieve our mutual objectives through the full implementation of the Governor's Island Agreement.

- General Cedras, <sup>our</sup> Colonel Francois and their allies gravely underestimated ~~my~~ determination when they blocked the arrival of the UN Mission in October and prevented your return to Haiti, President Aristide, on October 30.

Let me assure you: We will enforce the sanctions until the military fulfills its commitments -- and I expect the military to do so as fuel supplies dwindle and Haiti's isolation deepens. And we will reinforce our humanitarian aid to cushion Haiti's most vulnerable citizens.

(IF RAISED ONLY) President Aristide, we have carefully weighed the possibility of comprehensive sanctions. We consider them unwise, due to their humanitarian implications, and unnecessary given the rapidity with which the oil embargo will bring the economy to a halt. We cannot support this proposal at this time.

Prime Minister Malval, I cannot overstate my admiration for your courageous efforts to resolve this crisis peacefully. We have been concerned for your security and that of your family. I am glad you and they have remained safe.

- It would be easy to lose hope. I thus applaud your current initiative to end the crisis and suffering in your country.

Your effort to bring all legitimate political sectors behind efforts to revitalize the Governor's Island process has my full support.

- I ~~urge~~ <sup>hope that</sup> you to stay on as Prime Minister; <sup>to</sup> pursue this initiative. ~~You have been the focus of democratic legitimacy within the country since last summer, That is an important symbol of hope for your countrymen and for the international community.~~ <sup>in any event, it is important</sup>

*because it offers the hope of ~~restoring~~ <sup>reestablishing</sup> democracy and returning President Aristide to Haiti.*

*as President Aristide's head-of-government will gain respect inside and outside your country.*

Sandy -

Do we want  
to be so specific  
with Kristide +  
Madral?

Perhaps we  
should just  
say "a  
change in the  
military command,  
including Cedras +  
Francors."

Kerry,  
too specific -

One talking pt.  
Much we can  
do to help if  
successful in  
gaining broad  
agreement to  
return of Pres A  
+ democracy ...

- When you return to Haiti you can tell your interlocutors that I will back you and them in several key ways as you work together to complete the Governor's Island process and create the conditions for President Aristide's return.
  - o We will work for the lifting of sanctions when the amnesty and police laws have been passed, when General Cedras has retired, Colonel Francois has been transferred and the high command has been replaced, and when the military has demonstrated its will to curb "attache" violence.
  - o We will launch the full international aid program once all parties are implementing your plan.
  - o And we will deploy our military personnel in the UN Mission once conditions on the ground are suitable. We must insist that the military create a secure and cooperative environment for our forces and will warn them against a repeat of their October obstructionism. And we will want to see the changes in the military command and enactment of the amnesty and police laws.
  
- President Aristide, I know that you will give the Prime Minister your strongest public backing. This will be consistent with the dedication you have shown to your country's best interests.
  
- I urge you to empower Prime Minister Malval without reserve to pursue his initiative. It is in all our interests that he succeed. If he does not, the economic chaos which looms could cause a humanitarian crisis and place our sanctions-based strategy under tremendous pressure. ~~I know you will understand the conflicting domestic perspectives my policy must address.~~
  
- President Aristide and Prime Minister Malval, the effort to resolve your country's crisis has reached a critical turning point. Prime Minister, you have brought a remarkable Haitian initiative to the table. By that fact alone, we must give it every chance to prosper.
  
- By combining your strengths, building on the goodwill of many sectors within Haiti and creating conditions for the full international assistance program, you can restore Haiti's democracy and its legitimate President and launch your country on the path to reconciliation and economic reconstruction.

NATIONAL SECURITY COUNCIL  
WASHINGTON, D.C. 20506

December 3, 1993

ACTION

MEMORANDUM FOR ANTHONY LAKE

FROM: LAWRENCE G. ROSSIN *LR*

SUBJECT: The President's Meeting with President Aristide and Prime Minister Malval, December 6, 1993, 6:30 - 7:15 pm

Attached at Tab I is the Meeting Memorandum for the President's meeting with Haitian President Aristide and Prime Minister Malval on December 6, 1993.

RECOMMENDATION

That you sign the Memorandum to the President at Tab I.

Attachments

- Tab I Memorandum to the President
- Tab A Participants
- Tab B Talking Points
- Tab C Aristide Bio
- Tab D Malval Bio

Case Number: 2013-0122-M

# MIR MARKER

This is not a textual record. This is used as an administrative marker by the Clinton Presidential Library Staff.

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| Original OA/ID Number:<br>176 |               |             |                |             |
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# Withdrawal/Redaction Sheet

## Clinton Library

| DOCUMENT NO.<br>AND TYPE | SUBJECT/TITLE   | DATE       | RESTRICTION         |
|--------------------------|---|------------|---------------------|
| 001. memcon              | Presidential Meeting between President Clinton, President Aristide of Haiti, and Prime Minister Robert Malval of Haiti. (4 pages) | 12/18/1993 | P1/b(1) v2 3/3/2020 |

**COLLECTION:**

Clinton Presidential Records  
 NSC Records Management  
 [Aristide]  
 OA/Box Number: 176

**FOLDER TITLE:**

9309590

2006-0651-F  
vz603

**RESTRICTION CODES**

Presidential Records Act - [44 U.S.C. 2204(a)]

Freedom of Information Act - [5 U.S.C. 552(b)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
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- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

CLINTON LIBRARY PHOTOCOPY

THE WHITE HOUSE

WASHINGTON

MEMORANDUM OF CONVERSATION

SUBJECT: Presidential Meeting with President Aristide and Prime Minister Malval of Haiti (C)

PARTICIPANTS: The President  
Peter Tarnoff, Acting Secretary of State  
Anthony Lake, Assistant to the President for National Security Affairs  
Samuel R. Berger, Deputy Assistant to the President for National Security Affairs  
Lawrence Pezzullo, Special Envoy for Haiti  
William Swing, U.S. Ambassador to Haiti  
Lawrence Rossin, NSC (Notetaker)

President Jean-Bertrand Aristide  
Prime Minister Robert Malval  
Foreign Minister Claudette Werleigh  
Jean Casimir, Haitian Ambassador to the United States  
Frantz Voltaire, Chief of Staff to the Prime Minister

DATE, TIME AND PLACE: December 6, 1993, 6:30 - 7:15 p.m.  
The Oval Office

The President: I know this is a difficult period for all of you as it is for us. I appreciate the efforts you are making to work through this crisis. What can we do to increase the chances of your success? The United States remains committed to the restoration of democracy in Haiti and to President Aristide's return. I'm excited by Prime Minister Malval's new initiative and want to know what we can best do to help you in it. (C)

President Aristide: On behalf of the people of Haiti let me thank you again for all the support you have given to us. We thank you also for sending Ambassador Swing to us. In the name of the Haitian people I would like to be there to share their suffering. You have been by our side for a long time and I thank you for this. As you know there is genocide occurring in Haiti. The Haitian people have lost 4,000 of their number in the twenty-seven months since the coup and they continue to live in a climate of genocide. This continued after the signing of the Governor's Island Agreement on July 3. Justice Minister Guy Malary was shot right after you had encouraged the Prime Minister and his government on television. So I know you share Haiti's suffering. This is why I was not indifferent to the death of Antoine Izmary. Also, I know your heart beats for the refugees.

~~CONFIDENTIAL~~

It helps that there are no longer any at Guantanamo and I thank you for that. (C)

I don't want to take too long speaking but our people are dying at the hands of a few armed persons who staged the coup and are preventing an end to the violence, both in Haiti and at sea. As the Prime Minister said so well before leaving Haiti, Haiti will collapse if there is no solution to the crisis very soon. Please keep helping us, we need to save our country, of course by reconciliation and by restoring democracy, but we need concrete steps soon or we will lose too many people, in fact our entire country. We need a chance to succeed with you by our side. Haitians are dying standing up, as heroes. They are sending a historic SOS. (C)

Prime Minister Malval: Before I get back to the drama, I want to note that I've lost all my hair in three months in office. All of you have good heads of hair and I hope you will keep it through two terms! (C)

The President: Yours will grow back once the crisis is solved. (Laughter). (C)

Prime Minister Malval: We are in the midst of a national drama. We are trying our best to bring our country together and to develop compromises with the different forces. More and more, all are realizing that there is no future without an end to this crisis, and everyone, or nearly everyone, is in the mood for compromise. But those with the guns are the exception, because they realize that compromise implies that they must lay down their guns. (C)

At this point the U.S. government can say that "enough is enough," that it will not permit a band of thugs to bring the country to its knees and therefore that it will support this initiative to get Governor's Island restarted. We soon will have no hope in Haiti, no foreign exchange reserves, no jobs. A country with no hope will die or take to the seas. I want to bring hope back, that is the reason for my initiative. I want to invite your close aides to participate in this "gathering for national salvation." I will be pressing the army to provide security for the gathering so that you can feel safe sending representatives to it. (C)

The President: When will the gathering be held? (C)

Prime Minister Malval: We are working on it. It will be next week or the week after. We cannot wait longer than that, we have to grab the Christmas spirit and hope for a miracle by the end of the year. (C)

Ambassador Pezzullo: Another factor is the impact of the sanctions. Fuel will run out in mid- to late January. Smaller enterprises are already out of business and others are closing down. So there has to be a solution to the impasse soon. Haiti

~~CONFIDENTIAL~~CLINTON ~~CONFIDENTIAL~~ HOTOCOPY

~~CONFIDENTIAL~~

is going downhill. If the depression gets deep enough all Haitians will say there is no future. (C)

Ambassador Casimir: I want to thank you, Mr. President, for the humanitarian aid you have given to Haiti. We have a serious problem of lawlessness, however, which poses a problem for the distribution of aid. We cannot trust the military and we can't be sure the aid will reach the right people. USAID is sending people to study these problems and make arrangements for continued distribution. We must avoid the risk of diversion and of creating structures of oppression. But I do want to thank you for this help. (C)

Foreign Minister Werleigh: The Prime Minister spoke of the importance of maintaining hope among the Haitian people. I remember the joy Haitians felt in February 1991 as President Aristide was being inaugurated. There was that same joy before October 30, 1993 when President Aristide's return to Haiti was anticipated. Now there is much despair because he did not return. So the international community must send a strong signal that President Aristide is going to return to Haiti. (C)

Regarding the national gathering, we must have a security structure for it. It is important that the International Civilian Mission return to Haiti to monitor for human rights violations. Also it is important that you send police and military trainers to help us create the new army. I am convinced that if the UN Mission had come, our government would have been able to function and the Haitian people would now be secure. (C)

Ambassador Swing: Thank you, Mr. President, for having me here in this meeting. It is nice to see President Aristide again -- I bother Prime Minister Malval every day! I want to note the importance of the meeting the Prime Minister will have tomorrow with the UN Secretary General. It will give further endorsement to this effort to relaunch the Governor's Island process and renew progress toward reconciliation. The absence of the UN Mission and of the civilian monitors is palpable in Haiti, since there are no observers of abuses. So we need the national gathering to create the conditions in which redeployment of these elements can occur. (C)

Mr. Lake: That is why we find this initiative so hopeful, because it can create the conditions for deployment. After all given its mandate the UN Mission cannot invade Haiti. (C)

The President: The resolution of the Haitian crisis won't work without an international presence who can defend themselves (and therefore others as well). You deserve credit, President Aristide and Prime Minister Malval, for trying to work through this without asking the United States and the international community for a force first. If there is an agreement, then a force can be deployed and then the army won't be able to back out of its agreement like it did before. Prime Minister Malval, how do you see the odds for success? (C)

~~CONFIDENTIAL~~CLINTON ~~CONFIDENTIAL~~ PHOTOCOPY

~~CONFIDENTIAL~~

Prime Minister Malval: All the actors in Haiti including the army are desperate. There could be a split in the army; the hierarchy is afraid of this happening. I have no precise information on this but it could be a fear of theirs. (C)

I don't know if they will agree to this initiative. At our first meeting last week, General Cedras said he no longer felt bound by the Governor's Island Agreement. But at our second meeting he denied ever having said that. Cedras feels like he is in a bind and may conclude he has no other choice but to join this initiative. I'm not over optimistic but events are taking a toll on them, too, and may force them to cooperate. (C)

Mr. Berger: As sanctions put pressure on the military we want to minimize the suffering of innocent Haitians. Is our effort sufficient? Will the fuel distribution plan we have developed work? Will it permit us to keep sanctions on? (C)

President Aristide: I am convinced that you, who know Haiti, know the courage of the Haitian people. The Haitian people gave themselves for their first gift freedom. When they lost democracy, they lost their freedom, their dignity. They can regain their dignity in a peaceful struggle for freedom. That is why poor Haitians accept the need for sanctions. There is a lot of suffering; the people hope democracy will return. (C)

That is why I ask, with hope and respect, for a total embargo which I expect will be short-lived. People otherwise will say, "Why must I suffer if I cannot see the return of democracy coming on a clear date"? (C)

The President: The sanctions already are causing a lot of harm to Haiti. There really is not much more we can do. Ninety percent of what is still getting through is food. I think we should first see the reaction in Haiti to Prime Minister Malval's announcement. If we must impose comprehensive sanctions, let us do it in sorrow, when it is evident that this initiative has not worked. I think there may be a real positive reaction. Maybe people will listen and do the proper thing. So I don't rule out total sanctions, but let's see what happens in Haiti with this initiative first. (C)

You both are brave and I admire you and what you are doing. If we can get some agreement then we can get the force back in. Not as an invasion but to aid in the peaceful transition to democracy you are working to achieve. (C)

--- End of Conversation ---

Case Number: 2013-0122-M

# MIR MARKER

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| Original OA/ID Number:<br>469 |               |             |                |             |
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| Document ID:<br>9400940       |               |             |                |             |
| Row:<br>44                    | Section:<br>4 | Shelf:<br>2 | Position:<br>3 | Stack:<br>V |

# Withdrawal/Redaction Sheet

## Clinton Library

| DOCUMENT NO.<br>AND TYPE | SUBJECT/TITLE   | DATE       | RESTRICTION         |
|--------------------------|---|------------|---------------------|
| 001a. memocon            | Meeting between Samuel Berger and President Aristide of Haiti, February 4, 1994. (11 pages) | 02/07/1993 | P1/b(1) v2 3/3/2020 |
| 001b. draft              | Partial draft of 001a. (2 pages)  | 02/07/1993 | P1/b(1) v2 3/3/2020 |

**COLLECTION:**

Clinton Presidential Records  
 NSC Records Management  
 [Aristide]  
 OA/Box Number: 469

**FOLDER TITLE:**

9400940

2006-0651-F  
vz604

**RESTRICTION CODES**

Presidential Records Act - [44 U.S.C. 2204(a)]

Freedom of Information Act - [5 U.S.C. 552(b)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]
  
- C. Closed in accordance with restrictions contained in donor's deed of gift.
- PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).
- RR. Document will be reviewed upon request.

- b(1) National security classified information [(b)(1) of the FOIA]
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- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
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THE WHITE HOUSE

WASHINGTON

MEMORANDUM OF CONVERSATION

SUBJECT: Meeting with President Jean-Bertrand Aristide, Haiti

PARTICIPANTS: Samuel R. Berger, DAPNSA  
 Ambassador Lawrence Pezzullo  
 Lawrence G. Rossin, NSC Staff (Notetaker)

President Jean-Bertrand Aristide  
 Jean Casimir, Ambassador of Haiti

DATE, TIME AND PLACE: February 4, 1994, 1:00 - 2:30 p.m.  
 President Aristide's Apartment

President Aristide: Thank you for coming to see me.

Mr. Berger: We wanted to call on you to discuss how we can achieve our common objective of restoring democracy to Haiti. First Ambassador Pezzullo will discuss a few points.

Ambassador Pezzullo: Let me discuss a little recent history to help you understand our position. I know we can speak in the candor which has always characterized our frank and good relationship. You will recall our dinner in January, before the Miami conference, at which we discussed ways you could design it to promote the effort to restore democracy to Haiti. One issue we discussed was building a parliamentary capacity to govern the country, pass the needed laws, confirm nominees and so forth. We continue to feel that this is a mechanism to move the political process forward for you, and to show the military that there is a political force extant with which they must reckon. Right now the military is maneuvering to fill the political vacuum, putting out 148, 149, *tabula rasa* proposals. Importantly, the Parliament is standing up to the military and rebuffing these maneuvers despite threats and bribes -- even Bob Mondé, no ally of yours.

We talked of building a parliamentary capability and I sensed that you had a good idea of the need for this in your discussions in Miami, in order to pressure the military to comply with its Governor's Island obligations. The key issue to make that work is for you to nominate a new Prime Minister.

Since Miami there has been a great deal of discussion between political sectors, the private sector, churches, etc. in Port-au-Prince, and progress has been made. My strong sense is that a resolution of the crisis is now achievable provided you act quickly; the time to build a political coalition under your control is passing quickly. The opportunity to do so before

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Declassify on: OADR

DECLASSIFIED  
 E.O. 13526, Sec. 3.5 (b)  
 White House Guidelines, September 11, 2006  
 By: [initials] NARA, Date 10/8/2009  
 2513-0221-m (221)

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you now, involving specific people who you know and talked with in Miami. You must seize this opportunity to appoint a Prime Minister after which the rest of the Governor's Island process can fall into place. Reporting we have of deepening splits within the military show that they are seeking a way out of this crisis. We need to get the Prime Minister urgently. If not, there will be a sense of an opportunity lost, sanctions will come under increasing pressure from media reports (even if exaggerated) throughout the international community, and our whole approach will become steadily more difficult to maintain.

So this is the issue: either we move ahead, or we lose ground.

Mr. Berger: This is a critical moment for Haiti. The current initiative grows from your efforts in Miami and brings the leaders of both sides together. You would choose one of the two as Prime Minister who would then win parliamentary approval of the police and amnesty laws and ratification of the new army commander-in-chief and police chief you nominate, the international aid can begin, sanctions be lifted and the conditions of your return can be worked out with your new government without military interference.

We are convinced that this initiative holds great promise and hope you can embrace and lead it. We would work closely with you. If you do embrace it and the military fails to cooperate, you are left occupying the high ground. We would swiftly move at the UN to deepen the sanctions. But if you are seen as not open to and cooperative with this initiative, it will be increasingly hard to maintain Congressional and public support for an activist U.S. policy on Haiti. So, we support this initiative which has grown out of your efforts. If we lose this moment, there would be pressure for our approach and yours to diverge, as others assume the mantle of democracy. We want your support for this effort.

President Aristide: During 28 months I have worked with you and I remain willing to do so. I have shared my point of view frankly even when I have disagreed with you. And several times I have agreed to take actions which I did not think wise in order to demonstrate my flexibility. I saw Governor's Island as the wrong strategy but I signed the agreement, even when I knew it would result in deaths, to show my flexibility. When pressed in the Oval Office to appoint my Prime Minister, I did so even having pointed out that, regardless of the international commitment, if the same thugs were present they would use the process against us. The same with my amnesty declaration.

I shared my point of view at Governor's Island and I will share my concerns today. At Miami, I agreed it was good to build a strategy to get members of the Senate and Chamber, the private sector, etc. together to build a coalition. But we still have before us those who have not respected the Governor's Island Agreement. Yesterday alone, 12 of my people were killed in Port-au-Prince. We build reconciliation; they shoot people. They have two years worth of oil on hand, enough to stay on in spite

of those who say the current embargo will force them to leave. So how can we say that if we embrace this initiative, they will leave?

Mr. Berger: As I understand this initiative, you would choose one of the two as Prime Minister, as part of a deal in which Cedras and Francois would be replaced, the laws would be passed and so forth. Only then would the sanctions be lifted and aid begin. If you embrace this and move the process forward, then there will be broad support to further increase sanctions if they fail to cooperate. There is no magic wand to remove the military. They must be forced out by sanctions. We are prepared to increase the sanctions even though it is painful for us to do so. If they still refuse to move, then the pressure will remain on and you will be reaffirmed as the champion of democracy, reconciliation and reconstruction. My concern is that if you are seen as not moving this initiative forward, it will be hard to maintain support for an activist U.S. policy.

President Aristide: Let me clarify one point: since the Miami conference, I have a majority of the Chamber of Deputies behind me and am building a real majority in the Senate. I have been actively pursuing reconciliation and building a consensus. I am not ready to announce my proposal yet but we are doing our job and not just waiting. In Miami, I spent time with many people, going beyond my *Lavalas* supporters, in this effort to build a coalition. I will announce this in the future but must take account of the threat the thugs pose.

Mr. Berger: Is there some reason why you cannot seize on the Larosiliere and Benoit initiative to further your own efforts?

President Aristide: I can do so. But I must be discreet given the risk that my people will be killed. I am trying to share power with non-*Lavalas* people. There have been some meetings in my three Ministers' houses and these will continue; and people come to see me here as part of this coalition-building effort. I am willing to announce this when it is in good shape, but the challenge is when to announce given the people with weapons in front of us.

Ambassador Pezzullo: The issue here is political dynamics. Malval is out, so there is a vacuum and that is bad. It has led to Francois' 148 maneuvering which Parliament has rejected and to Cedras' split from Francois and his scheme. There is another faction in the military led by Duperval. The vacuum is confusing everyone. We see great virtue in your identifying a group of leaders and giving them your sanction -- they are willing to take the risks -- then they can act as a pole around which people can coalesce, giving them courage and producing a constitutional alternative. It can create a critical mass to move the process forward.

President Aristide: In Miami I named three Ministers and two Deputies to advance my coalition-building effort. While in Canada I received reports on their activity. I was supposed to

meet with the Mevs and other representatives of Haiti's rich people this week. If my project is not yet completed it is because it is not fully ready yet to be announced. But now, after the points you have made, I am willing to move further, to take risks to avoid the image of a vacuum.

Mr. Berger: So you are saying that it is not only important to name a Prime Minister but also to get him approved?

President Aristide: Yes.

Mr. Berger: And the current initiative can contribute to that effort?

President Aristide: From my view, the best way forward is not to **announce** it. Let me remind you of a bit of history. In 1946 the political turmoil was very bad in Haiti and we could not have a mulatto as Prime Minister. I had to convince the blacks, the poor that a mulatto Prime Minister (Malval) was essential. I did so but it took a lot of convincing. But after his ratification we lost the climate of unity in the Executive Branch and Parliament. I still must fight to maintain that unity.

So there must be careful, serious consultation so that when I announce a new Prime Minister, that person will be able to follow Malval's path of reconciliation. As I often say, Haiti is like a broken glass I must reassemble. I don't know when I will announce my new Prime Minister but Parliament must then quickly ratify him.

Mr. Berger: My concern is: if two big chunks of the broken glass are coming together and you are perceived not to be helping that, it will be seen as a lack of will on your part, which will create a political dynamic here as well as in Haiti. We must be able to say and believe that a political process is coming together. Without that, support will fade for sanctions and it will be difficult to sustain an activist U.S. policy. So I hope you will support this process and, if you wish, include it into your process, but not reject it.

President Aristide: As you know there is a strike going on in Haiti which the unions are now backing. I had the unions in Miami, and while the private sector was not well represented I got many letters. I expect in one to two weeks to be able to announce the process and vision I have for Haiti and who I will appoint. Maybe the army would like to know today who I have selected but I need to consult more. The worst way to destroy the reconciliation process would be to make a precipitate choice without being clear on that person's commitment to reconciliation.

Ambassador Pezzullo: We share the same objective of building a broad coalition. The difference is timing. You see it coming together at your pace. We see it as more urgent. We have to keep up the pace to counter media reporting of sanctions' impact in the international community. We are in the forefront of this

effort but must have a visible political process to go along with sanctions. We ask you to help us make that argument. We are not asking for a specific choice. These two are both respectable politicians who have the capacity to put together a strong coalition,. Maybe there are others. But it is urgent to have a visible process. We can go into Haiti with projects, aid, a lot to help consolidate a new government. But the President has to lead it. It is urgent.

Mr. Berger: You must understand our domestic dynamic. There is debate within our government over how much to support Haiti or to back off. There were criticisms of your response to Malval's initiative. If for a second time with this initiative you are seen to be saying "no," it will strengthen the pressures to diverge our approaches and make it harder for us to sustain an activist policy, including sanctions. If you reject this initiative or do not try to build it into your plans, you will strengthen the argument that "Aristide is not interested in building a coalition."

President Aristide: You can tell those people that, first, it is me, you, everyone except the military who has worked for democracy, so they should turn their concerns there; and second, that I have always tried to support your efforts by being honest. When I see something proposed which is bad for the United States, I share that concern with you. Even if it seems inflexible, I prefer to be honest.

For example, President Clinton wants to restore democracy and I understand that. He does not want to use force, and I cannot ask him to do so given my constitutional constraint. Now if a new coalition is established under the army's weapons, it could become a danger to democracy. This is why I push to have a coalition **and at the same time** to have Cedras and Francois removed. Otherwise we will face the same problems again.

Mr. Berger: I understand your point, but the capability of the Clinton Administration to support you may turn on whether or not you are seen to be building a coalition urgently.

President Aristide: I will do two things:

- o I will continue my coalition strategy. I will call people from Haiti to meet (the Mevs and others) to see how we can encourage that effort. But I will not pick anyone as Prime Minister first or it will destroy that process.
- o At the same time, I will not just announce my Prime Minister, with those armed people there to destroy my effort.

Ambassador Pezzullo: We agree on coalition-building but disagree on timing. Now within the army there are fissures caused by sanctions, which must be exploited by **action**. That is why we have to have a political force emerge **now**. The vacuum is critical. Why not invite the two Chamber presidents, Larosiliere

and Benoit and others you want and make a decision this weekend with them? Not necessarily publicized, but a decision to forge movement. Let me note: the private sector is desperate for a solution, but they do not see manifestations of or ever speak of your effort. Mr. Berger has been candid on views within the USG. Nobody in the USG is sympathetic to the military, but sanctions on Haiti cause real concern and valid questions are raised about them. We need to be able to say that sanctions are the stick to achieve an end. You must help us construct the answer to their concerns. The way to do so is to invite these people up, begin dialogue with them, and let something emerge.

President Aristide: Could you help me by announcing full sanctions?

Ambassador Pezzullo: Sanctions must be used as a political lever. Their concrete impact is less important given what we are already stopping.

Mr. Berger: If over the next few days you announce your new government and it has substance, we will say that we will give the army perhaps 10 days to cooperate -- we would use the sanctions as leverage. If they refuse to leave, then we would impose the new sanctions. But we must have a broader political process with a solid base, so that we can say that we have in place what we need to resolve the crisis and can say to Cedras that if he does not cooperate with this, then we will hit him with harder sanctions.

President Aristide: I must distinguish between your position and that of Cedras or Francois. You always say "If you don't do this..." to them but it never works -- most recently, January 15 has passed without action. I cannot expose people to danger on that basis. Those thugs will not leave unless put under real pressure. Threats don't work. They will use repression against threats. There will be no climate of freedom in which the Parliament could operate, so how could they freely support this political initiative?

Mr. Berger: I see your point but I am talking about using a short period of intense pressure for completion of the process. If you go along with this initiative then we could impose sanctions if the army does not cooperate. The other side now is harder: if there is a viable political process in Haiti and you fail to embrace it, people will ask why we should cause more pain for the Haitian people. This could be a turning point, a defining moment.

President Aristide: Why should we allow ourselves to be pressured rather than the military?

Mr. Berger: We need to have a political initiative if we are to gain your return. Sanctions are our pressure on them.

President Aristide: No, that won't work, they have 2 years of oil. They won't leave on the basis of an initiative they do not control.

Ambassador Pezzullo: That logic leads to intervention which should not be the basis of your thinking.

President Aristide: There is still the choice of imposing a full embargo.

Ambassador Pezzullo: That will destroy Haiti, rendering it ungovernable whenever you return. It will destroy your hopes.

President Aristide: Haitians want one thing: peace. Once they have that they can move from misery to poverty, but only then. 5% of the population has 45% of the wealth, but rich and poor are under pressure now. Sanctions press everyone to work for peace.

Mr. Berger: It is a tragedy -- there is so much we can do in Haiti if we can get a political solution.

President Aristide: I agree, but without clear steps to remove Cedras and Francois it will not work. Governor's Island, the amnesty, my acceptance of Cedras' resignation -- none worked. I must help you and must say frankly: we must not repeat those mistakes again. If we succeed, it will be good for all of us. If not, it will cause a political problem for the President in three years.

Ambassador Pezzullo: Your approach leads nowhere. We cannot keep going until the end of the month, that is too hard to sustain unless we have a political vehicle. And that initiative will have more impact than you believe it will; **but it needs your sanction.** It will put a stop to 148, CNG and other illegitimate schemes by Francois and Cedras and shift the balance of power to you, putting great pressure on the army from all sides. I believe this group can achieve that and it is urgent. If you want to help us you must move fast. I urge you: invite these people up this weekend and launch a political program. We and the Friends will do whatever we can to pressure the army. We can move Cedras and Francois out under this pressure, especially given the pressure the people from the right involved here can exert.

President Aristide: We don't disagree on the fundamentals. Yes, I will build my political initiative more quickly. But I must know what you will do about Cedras and the others. Pressure is not enough; when under pressure they kill, as they killed Malarly.

Mr. Berger: I understand, but I hope we can continue to move along together. If there is a political initiative that is seen as broad-based, we will tell the army to cooperate or we will raise sanctions. If they leave, that is great. If not, we will have sanctions and your stature will be enhanced.

President Aristide: They won't leave and they will kill people. If my responsibility is to protect Haitian lives, then I must know how they will be stopped.

Ambassador Pezzullo: You must build a political force to get a political process going to achieve this program. You must bless it.

President Aristide: We had a solid government and look what happened. We are beyond the need only for an initiative.

Ambassador Pezzullo: The Malval government was not broad enough. Malval was not politically skilled and he had a weak cabinet. What we are saying is that we have serious political players here who are ready and able to build democracy.

President Aristide: We have to be alert for a second coup maneuver, via Article 148. I have to look to build a real coalition. People spoke of having Franck Romain and his ilk in the cabinet. That was unacceptable. We need a political initiative but it is not enough. I must warn you: the army will not leave on that basis. A full embargo might work.

Mr. Berger: Again, it is an issue of timing. We hope you will embrace, help assemble this initiative. If it is rejected, we impose a full embargo. But it will be hard to do that if you are not seizing upon a real initiative.

President Aristide: The problem for Haiti is not having a new Prime Minister, the problem is that I am out of Haiti. To get me back there, we need a broad government and we need to get the thugs out. The real issue is to get a package with clarity on when I return, when Cedras is out, when the new government is installed and so forth. More clarity is needed.

Mr. Berger: All the elements of this package are there: choosing a Prime Minister, Cedras and Francois stepping down, international aid and lifting sanctions, and you working with the new government without military involvement to arrange your return. I think it would be a problem if it were seen that you were not seizing and leading this political movement.

President Aristide: I see this but I will not make the same mistakes. We must oblige everyone to respect the Governor's Island Agreement. They must leave. I must build the political movement as I am and I will do so faster. This is how it will be good for all of us.

Mr. Berger: How will you build your movement faster?

President Aristide: I will call people to organize meetings here and perhaps first in Haiti.

Mr. Berger: I hope you do not reject the Larosiliere and Benoit initiative.

President Aristide: I am not ready to name a Prime Minister.

Mr. Berger: Their activity is creating expectations. It is important that you be seen to be doing something as it happens. You say you are working within a "larger picture" but that is not visible. We need to find a way to have positive activity and movement.

Ambassador Pezzullo: In Haiti, the rumor mill is spreading fear. We must stop that. If you seize this opportunity it will stop all that. If you do not build on this the present opening will disperse, the situation will appear interminable, sanctions will become problematic. The international community cannot solve this situation. You must and it is urgent. So I urge you to invite this group up this weekend to work up this plan.

President Aristide: I will move faster but I don't hear any assurances of what will stop the killers.

Mr. Berger: If you form a new government and the army does not cooperate, we will impose the tightened sanctions.

President Aristide: Sanctions are not enough.

Mr. Berger: There is no other way short of force which will not work. We want to use our "one more step" most effectively. To do that we must have a political structure.

President Aristide: The problem is that I am being asked to co-habit with the military...

Mr. Berger/Ambassador Pezzullo: No, nobody is asking that. We want the military out of politics and the leadership changes.

Mr. Berger: If you announce your Prime Minister who has parliamentary support and they refuse to step down we will impose sanctions.

President Aristide: I did that and see where we are now. I cannot repeat the same mistake. The army must be compelled to leave.

Ambassador Pezzullo: A political coalition would work out what you are seeking, and this group has the capacity to do it all simultaneously. I could be done in a few days. But we need the coalition first.

Mr. Berger: We must work together on the political side. It will be hard to toughen sanctions without a political process.

President Aristide: I will call people to meet; I can't promise this weekend, but soon. I will **not** announce a Prime Minister until the arrangements are in place. I must be sure first.

Mr. Berger: What can I take back to tell my colleagues? I want to be able to inform them of concrete progress, that you will move rapidly to put this coalition together.

President Aristide: I will do so if at the same time concrete steps are taken to remove the army leadership.

Ambassador Pezzullo: That's the old formula. Without the use of force, that is just kidding ourselves. We must have a strong political force to put through the laws and other actions which are needed. It will not happen unless you empower it.

Mr. Berger: Let's get a new government to get you back.

President Aristide: Pressure must be put on the army while we work for a solution.

Mr. Berger: I understand that, we want the same objective. But we must have a political initiative, then sanctions. You must understand our view. I hope we can find a way to work as closely together as we have over the last year, for you, for us and for Haiti. If the military does not cooperate, then we move to tougher sanctions and wait them out, hard though that will be to stomach. But we could do that because you embraced the initiative and they rebuffed it. If you were seen not to embrace a political initiative which is extant, it would be hard to bring that off. By embracing it, you enable us to stay the course.

President Aristide: How long then until democracy is restored?

Mr. Berger: I see two scenarios:

- o You accept, either they step aside or we deliver a direct message to them to do so; or
- o We increase sanctions and there are months of misery.

Ambassador Pezzullo: The army wants out. Cedras wants to retire without fear of retribution; Francois wants a transfer.

President Aristide: Out of Haiti?

Ambassador Pezzullo: We can deal with that.

President Aristide: Let me ask one last question: Have I done my best to support you?

Mr. Berger: You have acted in the best interests of your people. We want to support that. That can't happen if we diverge. It would be tragic to do so. This is the moment for a political initiative along with sanctions. I hope you will consider it. I say this with respect: you are president, it is your country, but I must be honest. We are at a crossroads: either you seize this to break the logjam, gaining tougher sanctions if rebuffed; or it will be increasingly difficult to sustain an activist Haiti policy and that would be unfortunate. What can I tell my colleagues?

President Aristide: 1) Thanks for their support. 2) I welcome this proposal and I will embrace the proposal with something else, but not your way. 3) I will speed up my political initiative and finish before the end of the month; I will organize something within a few days. 4) No promise to announce the Prime Minister, but I promise to fill the political vacuum to staunch the flow of rumors.

As I move that way, I wish you would move with real pressure to remove the violators of the Governor's Island Agreement. My speed will be faster if yours is. If I hear that Cedras and Francois are on the way out, I will work without delay. It must be a package.

Ambassador Pezzullo: I have talked to the Center for Democracy program who could invite these people up and have them here to meet with you to work this out. I can't guarantee anything but I am convinced there would be progress. If you can talk to them and give us an idea of where this is going...

President Aristide: I will meet with them anytime to see how we can build a package.

Mr. Berger: I know you will work closely with Ambassador Pezzullo.

President Aristide: Of course.

-- End of Conversation --

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THE WHITE HOUSE  
WASHINGTON

MEMORANDUM OF CONVERSATION

SUBJECT: Meeting with President Jean-Bertrand Aristide, Haiti

PARTICIPANTS: Samuel R. Berger, DAPNSA  
Ambassador Lawrence Pezzullo  
Lawrence G. Rossin, NSC Staff (Notetaker)

President Jean-Bertrand Aristide  
Jean Casimir, Ambassador of Haiti

DATE, TIME AND PLACE: February 4, 1993, 1:00 - 2:30 p.m.  
President Aristide's Apartment

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1994

President Aristide: Thank you for coming to see me.

Mr. Berger: We wanted to call on you to discuss how we can achieve our common objective of restoring democracy to Haiti. First Ambassador Pezzullo will discuss a few points.

Ambassador Pezzullo: Let me discuss a little recent history to help you understand our position. I know we can speak in the candor which has always characterized our frank and good relationship. You will recall our dinner in January, before the Miami conference, at which we discussed ways you could design it to promote the effort to restore democracy to Haiti. One issue we discussed was building a parliamentary capacity to govern the country, pass the needed laws, confirm nominees and so forth. We continue to feel that this is a mechanism to move the political process forward for you, and to show the military that there is a political force extant with which they must reckon. Right now the military is maneuvering to fill the political vacuum, putting out 148, 149, *tabula rasa* proposals. Importantly, the Parliament is standing up to the military and rebuffing these maneuvers despite threats and bribes -- even Bob Mondé, no ally of yours.

We talked of building a parliamentary capability and I sensed that you had a good idea of the need for this in your discussions in Miami, in order to pressure the military to comply with its Governor's Island obligations. The key issue to make that work is for you to nominate a new Prime Minister.

Since Miami there has been a great deal of discussion between political sectors, the private sector, churches, etc. in Port-au-Prince, and progress has been made. My strong sense is that a resolution of the crisis is now achievable provided you act quickly; the time to build a political coalition under your control is passing quickly. The opportunity to do so is before

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effort but must have a visible political process to go along with sanctions. We ask you to help us make that argument. We are not asking for a specific choice. These two are both respectable politicians who have the capacity to put together a strong coalition. Maybe there are others. But it is urgent to have a visible process. We can go into Haiti with projects, aid, a lot, to help consolidate a new government. But the President has to lead it. It is urgent.

Mr. Berger: You must understand our domestic dynamic. There is debate within our government over how much to support Haiti or to back off. There were criticisms of your response to Malval's initiative. If for a second time with this initiative you are seen to be saying "no," it will strengthen the pressures to diverge our approaches and make it harder for us to sustain an activist policy, including sanctions. If you reject this initiative or do not try to build it into your plans, you will strengthen the argument that "Aristide is not interested in building a coalition."

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President Aristide: You can tell those people that, first, it is me, you, everyone except the military who has worked for democracy, so they should turn their concerns there; and second, that I have always tried to support your efforts by being honest. When I see something proposed which is bad for the United States, I share that concern with you. Even if it seems inflexible, I prefer to be honest.

For example, President Clinton wants to restore democracy and I understand that. He does not want to use force, and I cannot ask him to do so given my constitutional constraint. Now if a new coalition is established under the army's weapons, it could become a danger to democracy. This is why I push to have a coalition **and at the same time** to have Cedras and Francois removed. Otherwise we will face the same problems again.

Mr. Berger: I understand your point, but the capability of the Clinton Administration to support you may turn on whether or not you are seen to be building a coalition urgently.

President Aristide: I will do two things:

- o I will continue my coalition strategy. I will call people from Haiti to meet (the Mevs and others) to see how we can encourage that effort. But I will not pick anyone as Prime Minister first or it will destroy that process.
- o At the same time, I will not just announce my Prime Minister, with those armed people there to destroy my effort.

Ambassador Pezzullo: We agree on coalition-building but disagree on timing. Now within the army there are fissures caused by sanctions, which must be exploited by action. That is why we have to have a political force emerge now. The vacuum is critical. Why not invite the two Chamber presidents, Larosiliere

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# Withdrawal/Redaction Sheet

## Clinton Library

| DOCUMENT NO. AND TYPE           | SUBJECT/TITLE   | DATE                  | RESTRICTION                     |
|---------------------------------|---|-----------------------|---------------------------------|
| <del>001a. memo</del>           | <del>To the President from Anthony Lake. Subject: Meeting and Public Event with Jean-Bertrand Aristide. (3 pages)</del> | <del>10/13/1994</del> | <del>P1/b(1) - v 3/3/2020</del> |
| <del>001b. talking points</del> | <del>Meeting with Haitian President Aristide. (2 pages)</del>   | <del>10/13/1994</del> | <del>P1/b(1) - v 3/3/2020</del> |

**COLLECTION:**

Clinton Presidential Records  
 NSC Records Management  
 [Aristide]  
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Freedom of Information Act - [5 U.S.C. 552(b)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

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THE WHITE HOUSE

WASHINGTON

October 13, 1994

MEETING AND PUBLIC EVENT WITH  
HAITIAN PRESIDENT JEAN-BERTRAND ARISTIDE

DATE: Friday, October 14, 1994

LOCATION: Oval Office/West Wing Portico

TIME: 9:30 A.M. - 10:45 A.M.

FROM: ANTHONY LAKE 

I. PURPOSE

To greet families of service members now in Haiti and to bid farewell to President Aristide as he prepares to return to Haiti.

II. BACKGROUND

President Aristide's return to Haiti culminates the Administration's long effort to bring about the departure of Haiti's military leaders and the restoration of democracy. Now that Cedras and Biamby have joined Francois in leaving Haiti, the final vestiges of the 1990 coup have been removed. Secretary Christopher will accompany President Aristide back to Haiti on Saturday at the head of a large delegation including both our and President Aristide's invitees. President Aristide will, after arrival, address his countrymen from the Presidential Palace before resuming the reins of governance in meetings with his Cabinet, the military general staff and other key Haitian actors.

The imminent reality that we would use force clearly was critical to achieving the September 18 agreement which led to the deployment of U.S. and multinational forces to Haiti. Since then, those forces have brought a measure of stability to Haiti while facilitating the political steps which have paved the way for Aristide's return: reconvening of Parliament and passage of the amnesty law, removal of the illegal de facto president and cabinet and restoration of the Malval ministers and the resignation and departure from Haiti of the three coup leaders. Our military have also made progress in disarming paramilitaries and restoring Haiti's basic infrastructure. Perhaps their most fundamental achievement, however, has been to replace the pall of fear under which Haitians have lived for three years

with a joyous mood of freedom and hope. Aristide's return to Haiti will confirm that positive transition.

This event is in three parts:

1. A brief mingle with about 30 family members of service men and women currently assigned in Haiti, at which you can express gratitude for the sacrifices their spouses and they are making for their country.
2. A 20-minute bilateral with President Aristide in the Oval Office at which you can assure him of our continuing support for Haiti, exchange views on the challenges which will face Haiti in the time to come and receive his thanks for your efforts.
3. A public event on the West Wing portico at which you and President Aristide will address an audience including the service members' families as well as members of Congress and private citizens from many sectors interested in Haiti. This will allow you to assure the people of Haiti of our continuing support at this culminating moment. President Aristide's pre-eminent contribution will be to express once again to the American people his appreciation for what we are doing for Haiti, democracy and freedom. During this event, you will sign the Executive Order that ends the national emergency regarding Haiti that President Bush put into effect after the 1991 coup and lifts all sanctions effective Sunday, the day after Aristide's return.

III. PARTICIPANTS

Roosevelt Room

Service members' families only

Oval Office

|                           |                    |
|---------------------------|--------------------|
| The President             | President Aristide |
| The Vice President        | Others TBD         |
| Strobe Talbott            |                    |
| John Deutch               |                    |
| Anthony Lake              |                    |
| John Shalikashvili        |                    |
| William Gray              |                    |
| Samuel Berger (Notetaker) |                    |

West Wing Portico

Service members' families; members of Congress; members of Aristide staff and other Haitians; representatives of multinational coalition countries; private sector; labor; religious community; interested private Americans.

IV. PRESS PLAN

Roosevelt Room - White House photo only  
Oval Office - Official photographers/TV  
West Wing Portico - Open press

V. SEQUENCE

Scenario at Tab A.

Attachments

- Tab A Scenario
- Tab B Talking Points for Meeting with Service Families
- Tab C Talking Points for Oval Office Meeting
- Tab D Remarks for Public Event

MEETING WITH HAITIAN PRESIDENT ARISTIDETalking Points

- Pleased to receive you at White House on eve of a historic day for Haiti, the United States and democracy worldwide.
- Culmination of unceasing effort by my Administration and international community to end reign of terror, restore Haitians their democracy and hope for better future.
- Appreciate unstinting cooperation between our two governments throughout crisis and especially since September 19 to remove vestiges of coup, prepare for your return.
- Just talked with American service families, understandably worried about loved ones but proud of their accomplishments.
- They will welcome your support and encouragement on behalf of Haitian people at public event after our meeting.
- At event, will sign Executive Order ending national emergency regarding Haiti, lifting all sanctions effective after your return (Sunday after midnight).
- Time now to turn from sanctions to reconciliation and reconstruction.
- Eager to begin aid programs as well as efforts to attract private investment back to Haiti. With arrears virtually cleared, soon can begin international financial institution aid. In meantime, we, other bilateral donors will assist in quick-impact activities.
- White House business event Thursday, with your and our economic advisers, first step in our investment promotion efforts.
- Confident you will lay the political groundwork of reconciliation and constitutional government essential to underpin economic assistance and recovery.
- Know there are many difficult challenges ahead on security and all fronts. Look forward to your close cooperation with military commanders throughout multinational force and UNMIH periods.

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White House Guidelines, September 11, 2006

By: VC, NARA, Date 10/8/2014

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- Hope you will keep in close touch with our outstanding Ambassador, MNF and UNMIH commanders and all of us once you are back. Our commitment to Haiti not ending, but reinforced, by our mutual success tomorrow.
- Godspeed.

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Case Number: 2013-0122-M

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|                               |               |             |                |             |
| Original OA/ID Number:<br>204 |               |             |                |             |
|                               |               |             |                |             |
| Document ID:<br>9405587       |               |             |                |             |
| Row:<br>44                    | Section:<br>3 | Shelf:<br>5 | Position:<br>2 | Stack:<br>V |

# Withdrawal/Redaction Sheet

## Clinton Library

| DOCUMENT NO.<br>AND TYPE | SUBJECT/TITLE   | DATE                 | RESTRICTION                    |
|--------------------------|---|----------------------|--------------------------------|
| <del>001a. memo</del>    | <del>Anthony Lake to POTUS re: Haiti Migration (1 page)</del> | <del>ca. 07/94</del> | <del>P1/b(1)</del> v2 3/3/2020 |
| <del>001b. memo</del>    | <del>[Duplicate of 001a] (1 page)</del>                       | <del>ca. 07/94</del> | <del>P1/b(1)</del> v2 3/3/2020 |

**COLLECTION:**

Clinton Presidential Records  
 NSC Records Management  
 ([Haiti and Lake])  
 OA/Box Number: 204

**FOLDER TITLE:**

9405587

2006-0187-F  
rs184

**RESTRICTION CODES**

Presidential Records Act - [44 U.S.C. 2204(a)]

Freedom of Information Act - [5 U.S.C. 552(b)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

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- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

CLINTON LIBRARY PHOTOCOPY

THE WHITE HOUSE  
WASHINGTON

INFORMATION

MEMORANDUM FOR THE PRESIDENT

FROM: ANTHONY LAKE

SUBJECT: Haiti Migration - Status of Talks with Other Governments

Panama

Following your call to President Endara, the Panamanian government agreed to create a Haitian refugee camp. They further agreed that until the camp is built, we may use U.S. DoD facilities in Panama as refugee camps. DoD plans to open the first site for 2500 Haitians in about a week. Within a month, four camps at DoD facilities there could hold 10,000 Haitians. State and DoD will work closely with Panama and UNHCR to plan the Panamanian facility. I authorized on your behalf Shali's order that his people in Panama start hard work on practical planning. They will move into action tomorrow, on your order. President Endara is informing key opinion leaders and media owners today.

Dominica, Antigua and Guyana

Dominica's Prime Minister, Eugenia Charles, and Antigua's Prime Minister Lester Bird, have both indicated that they are willing in principle to establish safehaven camps. Discussions are proceeding with them with a view toward announcing a broad agreement on 5 July. Following an announcement, site surveys would begin. After talks with Bill Gray, Guyana's President Jagan is considering establishing a safehaven and may have a decision in a week.

Bahamas

The Bahamas have agreed to a Memorandum of Understanding that would permit us to open a Migrant Processing Center there. We are now discussing with them whether we could change the draft text to permit us to move the Post Adjudication Facility (PAF), where those screened in to the U.S. are held pending placement. A former U.S. defense site on the island of Eluthera could serve as the PAF once some repair work has been done.

Jamaica and TCI

Both Jamaica and Turks and Caicos (TCI) had earlier agreed to our establishing Migrant Processing Centers (MPCs). The Jamaican is operating. The TCI site will open in mid-July. Our current thinking is that MPCs will be used to screen boat migrants for entry to the safehaven(s).

~~CONFIDENTIAL~~

Declassify on: OADR

DECLASSIFIED

E.O. 13526, Sec. 3.5 (b)

White House Guidelines, September 11, 2006

cc: Vice President  
Chief of Staff

CLINTON LIBRARY PHOTO COPY  
By: NARA, Date: 10/8/2015  
2013-0122-10122

~~CONFIDENTIAL~~

THE WHITE HOUSE

WASHINGTON

INFORMATION

MEMORANDUM FOR THE PRESIDENT

FROM: ANTHONY LAKE 

SUBJECT: Haiti Migration - Status of Talks with Other Governments

Panama

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~~CONFIDENTIAL~~

Declassify on: OADR

DECLASSIFIED

E.O. 13526, Sec. 3.5 (b)

White House Guidelines, September 11, 2006

By: [redacted] NARA, Date: 10/16/2013

cc: Vice President  
Chief of Staff

CLINTON LIBRARY PHOTO COPY

2013-0122-11

Case Number: 2013-0122-M

# MIR MARKER

This is not a textual record. This is used as an administrative marker by the Clinton Presidential Library Staff.

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|                               |               |             |                |             |
| Original OA/ID Number:<br>478 |               |             |                |             |
|                               |               |             |                |             |
| Document ID:<br>9405633       |               |             |                |             |
| Row:<br>44                    | Section:<br>4 | Shelf:<br>5 | Position:<br>3 | Stack:<br>V |

# Withdrawal/Redaction Sheet

## Clinton Library

| DOCUMENT NO. AND TYPE | SUBJECT/TITLE   | DATE                   | RESTRICTION                        |
|-----------------------|---|------------------------|------------------------------------|
| <del>001a. note</del> | <del>Todd Stern to POTUS re: [Funding Haiti Migration Memo] (1 page)</del>              | <del>07/26/1994</del>  | <del>P1/b(1), P5 v2</del> 7/3/2020 |
| <del>001b. memo</del> | <del>Anthony Lake and Alice Rivlin to POTUS re: Funding Haiti Migration (5 pages)</del> | <del>07/21/1994</del>  | <del>P1/b(1), P5 v2</del>          |
| <del>001c. memo</del> | <del>[Duplicate of 001b, incomplete copy] (2 pages)</del>                               | <del>ca. 07/1994</del> | <del>P1/b(1), P5 v2</del>          |
| <del>001d. note</del> | <del>Sandy Berger to Lake re: [Funding Haiti Migration Memo] (1 page)</del>             | <del>ca. 07/1994</del> | <del>P1/b(1), P5 v2</del>          |
| <del>001e. memo</del> | <del>[Duplicate of 001a] (1 page)</del>   | <del>07/26/1994</del>  | <del>P1/b(1), P5 v2</del>          |
| <del>001f. memo</del> | <del>[Duplicate of 001b] (5 pages)</del>  | <del>07/21/1994</del>  | <del>P1/b(1), P5 v2</del>          |
| <del>001g. memo</del> | <del>[Duplicate of 001b] (5 pages)</del>  | <del>07/21/1994</del>  | <del>P1/b(1), P5 v2</del>          |
| <del>001h. memo</del> | <del>[Duplicate of 001b] (5 pages)</del>  | <del>07/21/1994</del>  | <del>P1/b(1), P5 v2</del>          |
| <del>001i. memo</del> | <del>[Duplicate of 001b] (5 pages)</del>  | <del>07/21/1994</del>  | <del>P1/b(1), P5 v2</del>          |
| <del>001j. memo</del> | <del>[Duplicate of 001b] (5 pages)</del>  | <del>07/21/1994</del>  | <del>P1/b(1), P5 v2</del>          |

**COLLECTION:**

Clinton Presidential Records  
 NSC Records Management  
 ([Haiti and Lake])  
 OA/Box Number: 478

**FOLDER TITLE:**

9405633

2006-0187-F  
 rs185

**RESTRICTION CODES**

Presidential Records Act - [44 U.S.C. 2204(a)]

Freedom of Information Act - [5 U.S.C. 552(b)]

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- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
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C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

TL-FY

3633

THE PRESIDENT HAS SEEN 7/26  
~~CONFIDENTIAL~~

THE WHITE HOUSE  
WASHINGTON

Natl Sec Advisor  
has seen

July 26, 1994

MR. PRESIDENT:

Attached is a decision memo from Tony Lake and Alice Rivlin on options for providing the \$140 million needed for funding Haiti migration and safe haven operations through the end of FY 94.

Two options are presented: (A) that DOD pay the entire cost through its Defense Emergency Response Fund (\$55 million) and other Defense appropriations, including operations and maintenance; or (B) that DOD pay half, while State and Justice pay half -- with \$50 million coming from State, through various refugee accounts, and \$20 million coming from Justice through its Immigration Emergency Fund. Use of this fund which would require that you declare an immigration emergency.

There are real difficulties with any funding option, given competing needs (e.g., DOD responsibilities for sanctions enforcement and peacekeeping in Haiti and the refugee crisis in Rwanda).

Tony and Alice recommend Option (B). Leon and George concur, though George expresses some concern about having to declare an "immigration emergency." We have not yet heard from the Vice President. NSC advises that they need to begin working this issue on the Hill as soon as possible.

Option (A)  Option (B)  Discuss

*Todd Stern*  
*unless VP*  
*discusses*

~~CONFIDENTIAL~~

7-27

OK w/VP  
*Todd Stern*

DECLASSIFIED  
E.O. 13526, Sec. 3.5 (b)

White House Guidelines, September 11, 2006

CLINTON LIBRARY PHOTOCOPY

2013-0122-um (2.23)

THE WHITE HOUSE

WASHINGTON

July 21, 1994 94 JUL 21 P 8:16

ACTION

MEMORANDUM FOR THE PRESIDENT

FROM: ANTHONY LAKE ✓  
ALICE M. RIVLIN ✓

DECLASSIFIED  
E.O. 13526, Sec. 3.5 (b)  
White House Guidelines, September 11, 2006  
By VZ NARA, Date 10/8/2019  
2013-0122-11 (2.25)

SUBJECT: Funding Haiti Migration/Safe Haven Operations

Although several departments and agencies have been involved in the Haitian migration effort, there has been interagency agreement that Defense would serve as "executive agent" for the government in establishing processing centers and camps, without prejudice to ultimate funding responsibilities.

Defense estimates the cost of migrant centers in Jamaica, Turks and Caicos, and Guantanamo and anticipated safe haven camps will total approximately \$140 million through the end of the fiscal year, and has requested full reimbursement from State and Justice. Additional costs may include incentives negotiated with host countries.

There are emergency authorities for funding efforts in response to migration and refugee needs:

- Justice resources of up to \$36 million in their Immigration Emergency Fund (IEF) can be used if you authorize.
- State has \$25 million in their Emergency Refugee and Migration Assistance (ERMA) Fund, which could be used if you so authorize, plus about \$5 million you have already authorized but which remains unobligated.
- Defense assistance may be provided by using operations and maintenance funding, which could be supplemented, if necessary, by drawdowns of goods and services worth up to \$75 million under Sec. 506(a)(2) of the Foreign Assistance Act, with your authorization (this allows DOD to drawdown existing goods and services, thereby diverting previously appropriated funds).

In addition to these emergency resources, other funds are available. State has about \$20 million in its regular refugee account (MRA) not required for its original programmed use.

~~CONFIDENTIAL~~

State might also be able to use its Peacekeeping Operations (PKO) funding, now that the OAS/UN Civilian Monitor operation in Haiti has been suspended (\$13 million had been available for that purpose). In addition, State might be asked to consider using Economic Support Fund (ESF) balances intended for other countries; \$11 million of ESF is unallocated at this time.

Any proposed use of these funds would have problems. The use of each for Haiti would force difficult tradeoffs with other high priority activities: DOD is being asked to fund and carry out major efforts with regard to Haiti sanctions and would carry most of the burden for establishment of peacekeeping operations; State programs are under serious demands from crises in Rwanda and Bosnia; and Justice faces strong pressures to meet domestic immigration requirements. Any funding option could be, unfortunately, a target of Congressional and public criticism.

We see two possible options:

Option A: DOD Funds All Costs.

Under this option, DOD would use all of the \$55 million available in its Defense Emergency Response Fund (DERF). Additional funding (up to \$85 million) would come from other Defense appropriations, including operations and maintenance.

• Pros:

- DOD, as executive agent through USACOM, has maintained control over expenditures and operations to date. This option would put budgetary responsibility with executive responsibility.
- DOD has the authority to fund these efforts.

• Cons:

- The Administration would be criticized by Defense authorizers and appropriators for using DOD as a "cash cow," while expecting it to fund other efforts such as sanctions enforcement and peacekeeping operations.

- Use of DOD funding to assist refugees may be seen as inappropriate to DOD's mission, although DOD's mission does now include some humanitarian operations.
- The use of DOD operations and maintenance funds could detract from military readiness funding, a major Administration commitment.

Option B: DOD Pays Half, State and Justice Pay Half.

Under this option DOD would be asked to pay for 50 percent of estimated costs or \$70 million (\$55 million from DERF and \$15 million from O&M accounts). State and Justice together would pick up the other half: State, \$25 million from ERMA plus \$5 million already drawn down, and \$20 million from reprogramming its regular refugee account (MRA); and Justice, \$20 million from IEF.

This option -- which would leave the Justice's IEF with about \$16 million -- would require that you declare an immigration emergency. This declaration, combined with the drawdown of \$20 million from the IEF, would increase demands for monies from the IEF from states such as Florida and California. Under the IEF, the Attorney General can allocate up to \$20 million to states to reimburse them for activities she has requested to deal with an immigration emergency. This state reimbursement provision does not require a Presidential declaration of an emergency and the states have had designs on the IEF. However, the Justice Department has resisted disbursements and has argued that there is no domestic immigration emergency that requires such payments.

• Pros:

- The DERF, from which \$55 million already has been obligated for these operations, was established to meet emergencies such as this one.
- This would spread the cost burden equitably among the agencies and might lessen somewhat the argument that DOD resources are being abused.
- It would leave enough in the Immigration Emergency Fund (\$16 million) for payments to U.S. localities.

- Cons:
  - This would exhaust FY 1994 refugee funds available for other contingencies that might arise.
  - Will create pressure to allocate some IEF funds to the states.
  - Justice authorizers and appropriators would likely challenge the use of the IEF for this purpose.
  - Foreign affairs authorizers may object to the use of State refugee funds to pay for, in their view, military-style detention camps. We do not know foreign operations appropriator's views.

DISCUSSION

DOJ states it has no objection to use of the Immigration Emergency Fund for these purposes, though DOJ notes the political costs mentioned above and expresses concern about depletion of immigration emergency resources (though legislation proposed in the Senate would replenish the IEF by \$8.5 million).

There are two ways we could deal with reaction we might expect from the states. First, we could credibly argue that by using IEF funds for safe havens, we are preventing a migration emergency in Florida by dealing with such an emergency outside the United States. This "ounce of prevention" argument might well resonate with Florida, which has not seen any large influx of Haitians despite the change in migration policy. Moreover, this argument could be used to support a Justice Department position not to allocate funds at this time to the states. On the other hand, we could acknowledge that the politics of the issue requires some payment to the states and request the Attorney General to make available some of the remaining \$16 million in the IEF for reimbursement to the states.

RECOMMENDATION

We recommend Option B, but you should be aware of two problems. First, despite your recent approval of \$19 million for Rwanda, humanitarian requirements will continue to increase following the massive migration this week of as many as one million or more refugees to Zaire. Option B will deplete State Department refugee monies. On the other hand, DOD will be providing additional airlift support for the Rwanda relief operation and further State contributions can be made when new funding is available at the beginning of FY 1995; i.e., October 1.

Secondly, you should know that there may be some additional Haitian funding requirements that have not been covered in this memo. Such requirements will be related to the construction of one or more safehavens in third countries. Though we have allocated \$20 million for this purpose in our estimates, we have yet to learn which safehavens will be selected; when they would be open and other factors that would affect costs of construction and operation.

Options for Decision:

\_\_\_\_\_ Option A (DOD funds all costs using its O&M accounts.)

\_\_\_\_\_ Option B (DOD funds \$70 million using O&M; State and Justice pay \$70 million using ERMA, MRA, and IEF.)

Attachment

Tab A Allocation of Funds for Haitian Refugee Emergency

THE WHITE HOUSE  
WASHINGTON

ACTION

MEMORANDUM FOR THE PRESIDENT

FROM: ANTHONY LAKE  
ALICE M. RIVLIN

DECLASSIFIED  
E.O. 13526, Sec. 3.5 (b)  
White House Guidelines, September 11, 2006  
By 12 NARA, Date 10/8/2019  
2013-0122-m (2.27)

SUBJECT: Funding Haiti Migration/Safe Haven Operations

Although several departments and agencies have been involved in the Haitian migration effort, there has been interagency agreement that Defense would serve as "executive agent" for the government in establishing processing centers and camps, without prejudice to ultimate funding responsibilities.

Defense estimates the cost of migrant centers in Jamaica, Turks and Caicos, and Guantanamo and anticipated safe haven camps will total approximately \$140 million through the end of the fiscal year, and has requested full reimbursement from State and Justice. Additional costs may include incentives negotiated with host countries.

There are emergency authorities for funding efforts in response to migration and refugee needs:

- Justice resources of up to \$36 million in their Immigration Emergency Fund (IEF) can be used if you authorize.
- State has \$25 million in their Emergency Refugee and Migration Assistance (ERMA) Fund, which could be used if you so authorize, plus about \$5 million you have already authorized but which remains unobligated.
- ~~Defense has \$55 million in its Defense Emergency Response Fund (DERF) which may be used at the Secretary's discretion.~~ Additional Defense assistance may be provided by using operations and maintenance funding, which could be supplemented, if necessary, by drawdowns of goods and services worth up to \$75 million under Sec. 506(a)(2) of the Foreign Assistance Act, with your authorization (this allows DOD to drawdown existing goods and services, thereby diverting previously appropriated funds).

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\_\_\_\_\_ Option A (DOD funds all costs using ~~the DERF~~ and its O&M accounts.)

\_\_\_\_\_ Option B (DOD funds \$70 million using ~~DERF~~ and O&M; State and Justice pay \$70 million using ERMA, MRA, and IEF.)

Attachment

Tab A Allocation of Funds for Haitian Refugee  
Emergency

THE WHITE HOUSE

WASHINGTON

TL-

In subsequent conversation  
W/ Deutch, he said there  
is no way some of Haitian  
\$ from Defense will not  
have to come from O+M;  
Defense Emergency Response  
Fund (DERF) essentially  
depleted w/ Rwanda. It  
is also true that we  
cannot find more than \$70m.  
for DoD reimbursement on  
Haiti, a difficult problem  
made harder under current  
circumstances. I strongly  
recommend you sign the  
memo so we can resolve  
this asap.

Ⓚ

THE PRESIDENT HAS SEEN <sup>7/26</sup>  
~~CONFIDENTIAL~~

THE WHITE HOUSE  
WASHINGTON

July 26, 1994

7-27  
OK w/VP  
per Todd  
Stern

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There are real difficulties with any funding option, given competing needs (e.g., DOD responsibilities for sanctions enforcement and peacekeeping in Haiti and the refugee crisis in Rwanda).

Tony and Alice recommend Option (B). Leon and George concur, though George expresses some concern about having to declare an "immigration emergency." We have not yet heard from the Vice President. NSC advises that they need to begin working this issue on the Hill as soon as possible.

Option (A)  Option (B)  Discuss

Todd Stern  
unless VP  
discusses

~~CONFIDENTIAL~~

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E.O. 13526, Sec. 3.5 (b)  
White House Guidelines, September 11, 2006  
By WJ NARA, Date 10/8/2019  
2019-0122-m

~~CONFIDENTIAL~~

~~CONFIDENTIAL~~

THE PRESIDENT'S OFFICE 1-26

5633  
Redo

THE WHITE HOUSE  
WASHINGTON

July 21, 1994 94 JUL 21 P8:16

ACTION

MEMORANDUM FOR THE PRESIDENT

FROM: ANTHONY LAKE ✓  
ALICE M. RIVLIN ✓

DECLASSIFIED  
E.O. 13526, Sec. 3.5 (b)  
White House Guidelines, September 11, 2006  
By VL NARA, Date 10/8/2019  
2018-0122-M

SUBJECT: Funding Haiti Migration/Safe Haven Operations

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~~CONFIDENTIAL~~

Declassify on: OADR

cc: Vice President  
Chief of Staff

CLINTON ~~CONFIDENTIAL~~ PHOTOCOPY

~~CONFIDENTIAL~~

State might also be able to use its Peacekeeping Operations (PKO) funding, now that the OAS/UN Civilian Monitor operation in Haiti has been suspended (\$13 million had been available for that purpose). In addition, State might be asked to consider using Economic Support Fund (ESF) balances intended for other countries; \$11 million of ESF is unallocated at this time.

Any proposed use of these funds would have problems. The use of each for Haiti would force difficult tradeoffs with other high priority activities: DOD is being asked to fund and carry out major efforts with regard to Haiti sanctions and would carry most of the burden for establishment of peacekeeping operations; State programs are under serious demands from crises in Rwanda and Bosnia; and Justice faces strong pressures to meet domestic immigration requirements. Any funding option could be, unfortunately, a target of Congressional and public criticism.

We see two possible options:

Option A: DOD Funds All Costs.

Under this option, DOD would use all of the \$55 million available in its Defense Emergency Response Fund (DERF). Additional funding (up to \$85 million) would come from other Defense appropriations, including operations and maintenance.

• Pros:

- DOD, as executive agent through USACOM, has maintained control over expenditures and operations to date. This option would put budgetary responsibility with executive responsibility.
- DOD has the authority to fund these efforts.

• Cons:

- The Administration would be criticized by Defense authorizers and appropriators for using DOD as a "cash cow," while expecting it to fund other efforts such as sanctions enforcement and peacekeeping operations.

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~~CONFIDENTIAL~~

- Use of DOD funding to assist refugees may be seen as inappropriate to DOD's mission, although DOD's mission does now include some humanitarian operations.
- The use of DOD operations and maintenance funds could detract from military readiness funding, a major Administration commitment.

Option B: DOD Pays Half, State and Justice Pay Half.

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This option -- which would leave the Justice's IEF with about \$16 million -- would require that you declare an immigration emergency. This declaration, combined with the drawdown of \$20 million from the IEF, would increase demands for monies from the IEF from states such as Florida and California. Under the IEF, the Attorney General can allocate up to \$20 million to states to reimburse them for activities she has requested to deal with an immigration emergency. This state reimbursement provision does not require a Presidential declaration of an emergency and the states have had designs on the IEF. However, the Justice Department has resisted disbursements and has argued that there is no domestic immigration emergency that requires such payments.

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Options for Decision:

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Attachment

Tab A Allocation of Funds for Haitian Refugee  
Emergency

THE WHITE HOUSE  
WASHINGTON

July 21, 1994 94 JUL 21 8:16

ACTION

MEMORANDUM FOR THE PRESIDENT

FROM: ANTHONY LAKE ✓  
ALICE M. RIVLIN ✓

DECLASSIFIED  
E.O. 13526  
White House Guidelines, May 16, 2017  
By VL NARA, Date 10/8/2019  
2013-0122-2

SUBJECT: Funding Haiti Migration/Safe Haven Operations

Although several departments and agencies have been involved in the Haitian migration effort, there has been interagency agreement that Defense would serve as "executive agent" for the government in establishing processing centers and camps, without prejudice to ultimate funding responsibilities.

Defense estimates the cost of migrant centers in Jamaica, Turks and Caicos, and Guantanamo and anticipated safe haven camps will total approximately \$140 million through the end of the fiscal year, and has requested full reimbursement from State and Justice. Additional costs may include incentives negotiated with host countries.

There are emergency authorities for funding efforts in response to migration and refugee needs:

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THE WHITE HOUSE  
WASHINGTON

July 21, 1994 94 JUL 21 8:16

ACTION

MEMORANDUM FOR THE PRESIDENT

FROM: ANTHONY LAKE *AL*  
ALICE M. RIVLIN *AMR*

DECLASSIFIED  
E.O. 13526  
White House Guidelines, May 16, 2017  
By *VR* NARA, Date *10/2/2019*  
*2013-0122-m*

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Vice President  
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~~CONFIDENTIAL~~

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ACTION

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ALICE M. RIVLIN *AMR*

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By VC NARA, Date 10/8/2015  
2013-0172-14

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There are two ways we could deal with reaction we might expect from the states. First, we could credibly argue that by using IEF funds for safe havens, we are preventing a migration emergency in Florida by dealing with such an emergency outside the United States. This "ounce of prevention" argument might well resonate with Florida, which has not seen any large influx of Haitians despite the change in migration policy. Moreover, this argument could be used to support a Justice Department position not to allocate funds at this time to the states. On the other hand, we could acknowledge that the politics of the issue requires some payment to the states and request the Attorney General to make available some of the remaining \$16 million in the IEF for reimbursement to the states.

#### RECOMMENDATION

We recommend Option B, but you should be aware of two problems. First, despite your recent approval of \$19 million for Rwanda, humanitarian requirements will continue to increase following the massive migration this week of as many as one million or more refugees to Zaire. Option B will deplete State Department refugee monies. On the other hand, DOD will be providing additional airlift support for the Rwanda relief operation and further State contributions can be made when new funding is available at the beginning of FY 1995; i.e., October 1.

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Secondly, you should know that there may be some additional Haitian funding requirements that have not been covered in this memo. Such requirements will be related to the construction of one or more safehavens in third countries. Though we have allocated \$20 million for this purpose in our estimates, we have yet to learn which safehavens will be selected, when they would be open and other factors that would affect costs of construction and operation.

Options for Decision:

- \_\_\_\_\_ Option A (DOD funds all costs using its O&M accounts.)
- \_\_\_\_\_ Option B (DOD funds \$70 million using O&M; State and Justice pay \$70 million using ERMA, MRA, and IEF.)

Attachment

Tab A Allocation of Funds for Haitian Refugee  
Emergency

Case Number: 2013-0122-M

# MIR MARKER

This is not a textual record. This is used as an administrative marker by the Clinton Presidential Library Staff.

|                               |               |             |                |             |
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| Original OA/ID Number:<br>205 |               |             |                |             |
|                               |               |             |                |             |
| Document ID:<br>9405745       |               |             |                |             |
| Row:<br>44                    | Section:<br>3 | Shelf:<br>5 | Position:<br>3 | Stack:<br>V |

# Withdrawal/Redaction Sheet

## Clinton Library

| DOCUMENT NO.<br>AND TYPE | SUBJECT/TITLE  | DATE        | RESTRICTION         |
|--------------------------|--|-------------|---------------------|
| 001a. memo               | Anthony Lake to POTUS re: 1915-1934 Haiti Intervention (2 pages) | 07/28/1994  | P1/b(1) v2 3/3/2020 |
| 001b. memo               | [Duplicate of 001a] (1 page)                                     | ca. 07/1994 | P1/b(1) v2 3/3/2020 |

**COLLECTION:**

Clinton Presidential Records  
 NSC Records Management  
 ([Haiti and Lake])  
 OA/Box Number: 205

**FOLDER TITLE:**

9405745

2006-0187-F  
rs186

**RESTRICTION CODES**

**Presidential Records Act - [44 U.S.C. 2204(a)]**

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM: Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

**Freedom of Information Act - [5 U.S.C. 552(b)]**

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

CONFIDENTIAL

THE WHITE HOUSE

WASHINGTON

July 28, 1994

94 JUL 28 P12:00

INFORMATION

MEMORANDUM FOR THE PRESIDENT

FROM: ANTHONY LAKE

SUBJECT: 1915-1934 Haiti Intervention

You requested a summary of the 1915-1934 U.S. military intervention in Haiti.

The 1915 intervention and subsequent 19-year occupation of Haiti was part of a generalized pattern of intervention throughout Latin America to protect U.S. business interests. The specific antecedent was a July 1915 massacre of 168 political prisoners in Port-au-Prince and the subsequent murder of Haiti's president -- capping seven decades of political instability, including 102 coups, eight since 1909.

In addition to restoring civil order and protecting U.S. economic interests, the Marines attempted to establish the trappings of a constitutional democracy complete with a professional gendarmerie responsive to civilian control. The methods were often heavy-handed, yet most Haitians supported early U.S. efforts. Marines supervised election of a president favorably disposed toward the U.S. and pushed through a treaty granting the U.S. wide latitude in Haiti's internal affairs. The gendarmerie was reorganized and the custom of "corvee" -- of forcing citizens into road-building crews -- was renewed.

Early successes gave way to a 1919 guerrilla uprising (which some historians discount as a civil war unrelated to the U.S. intervention). In hostilities between 1915-1920, some 2000 Haitians and 15 Marines died. Although the Marine-led gendarmerie secured civil order by 1920, and the Marine deployment dropped to roughly 500 men from its early occupation peak strength of over 2000, domestic criticism surfaced in the U.S. regarding the lack of a broad Haiti policy and charges of Marine atrocities (with a racial overlay). Investigations confirmed some abuses and murders, but not on the scale portrayed by critics. During the 1920s the Marine Brigade Commander was named the U.S. High Commissioner to Haiti. He initiated serious modernization efforts, but little was done to reform Haitian political culture.

DECLASSIFIED

E.O. 13526, Sec. 3.5 (b)

White House Guidelines, September 11, 2006

By YL NARA, Date 10/8/2014

2013-0122-M (2.29)

PHOTOCOPY  
WJC HANDWRITING

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Declassify on: OADR

~~CONFIDENTIAL~~

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cc: Vice President  
Chief of Staff

CONFIDENTIAL

~~CONFIDENTIAL~~  
2

In 1929, Marines killed 12 Haitians and criticism again mounted. The Hoover Administration began a withdrawal and the Marine brigade departed in August 1934 as part of Roosevelt's Good Neighbor policy. Without Marine supervision, the gendarmerie reverted to its pre-1915 king-making role and developed into the dreaded Tonton Macoutes, the band of thugs that terrorized Haiti during three decades of Duvalier rule.

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~~CONFIDENTIAL~~  
CLINTON LIBRARY PHOTOCOPY

THE WHITE HOUSE  
WASHINGTON

INFORMATION

MEMORANDUM FOR THE PRESIDENT

FROM: ANTHONY LAKE

SUBJECT: 1915-1934 Haiti Intervention

DECLASSIFIED

E.O. 13526

White House Guidelines, May 16, 2017

By 12 NARA, Date 10/8/2019

2013-0122-m

A July 1915 massacre of 168 political prisoners in Port-au-Prince and the subsequent murder of Haiti's president triggered American intervention and began Haiti's 19-year occupation. During the 72 years prior to the intervention, Haiti had 102 coups, uprisings, and revolutions and U.S. warships patrolled Haitian waters to protect American lives and property during 28 of those years. This was the eighth violent overthrow in less than seven years.

Though Marine landings were intended to restore order after the massacres, the Wilson Administration had already been leaning toward military intervention. Haiti's internal problems destabilized a region where the U.S. had increasing economic and military interests. Geopolitical imperatives also dictated American actions. Approaches to the Panama Canal straddled Haiti. Germany and France had historical involvement in Haiti and French landings a month earlier foreshadowed U.S. intervention.

*Considerat.*

The methods were often heavy-handed, yet most Haitians supported early U.S. efforts. Marines supervised election of a president favorably disposed toward the U.S. government and pushed through a treaty granting the U.S. wide latitude in Haiti's internal affairs. The gendarmerie was reorganized and the custom of "corvee" -- of forcing citizens into road-building crews -- was renewed. This precipitated a 1919 guerrilla uprising. In hostilities between 1915-1920, some 2000 Haitians and 15 Marines died.

By 1920 the Marine-led gendarmerie secured civil order. This coincided with U.S. domestic criticism regarding the lack of a broad Haiti policy and charges of Marine atrocities during the 1919 rebellion. Investigations confirmed some abuses and murders, but not on the scale portrayed by media critics. During the 1920s the Marine Brigade Commander was named the U.S. High Commissioner to Haiti with the rank of ambassador. He initiated serious modernization efforts, although little was done to reform Haitian political culture.

*(with a raci overlay)*

In 1929 Marines killed 12 demonstrators and criticism of U.S. Haiti policy mounted. The Hoover Administration began efforts to end the occupation. The Marine brigade departed in August 1934. Its size varied from 500 to over 2000 during the occupation.

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Declassify on: OADR

cc: Vice President  
Chief of Staff

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Case Number: 2013-0122-M

# MIR MARKER

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| Original OA/ID Number:<br>478 |               |             |                |             |
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| Document ID:<br>9405774       |               |             |                |             |
| Row:<br>44                    | Section:<br>4 | Shelf:<br>5 | Position:<br>3 | Stack:<br>V |

# Withdrawal/Redaction Sheet

## Clinton Library

| DOCUMENT NO.<br>AND TYPE | SUBJECT/TITLE  | DATE       | RESTRICTION         |
|--------------------------|--|------------|---------------------|
| 001. memo                | Anthony Lake to POTUS re: Haiti and the UN (2 pages) | 07/20/1994 | P1/b(1) VL 3/3/2020 |

**COLLECTION:**

Clinton Presidential Records  
 NSC Records Management  
 ([Haiti and Lake])  
 OA/Box Number: 478

**FOLDER TITLE:**

9405774

2006-0187-F  
rs187

**RESTRICTION CODES**

Presidential Records Act - [44 U.S.C. 2204(a)]

Freedom of Information Act - [5 U.S.C. 552(b)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

- b(1) National security classified information [(b)(1) of the FOIA]
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- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

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THE WHITE HOUSE

WASHINGTON

THE PRESIDENT HAS SEEN

7-20-94

INFORMATION

MEMORANDUM FOR THE PRESIDENT

FROM: ANTHONY LAKE

SUBJECT: Haiti and the UN

DECLASSIFIED  
E.O. 13526, Sec. 3.5 (b)  
White House Guidelines, September 11, 2006  
By YZ NARA, Date 10/8/2019  
2013-0122-m (2.30)

On Friday afternoon UN Secretary General Boutros-Ghali distributed the report on peacekeeping in Haiti that the Security Council had asked that he prepare. In it, he notes three options:

1. **A Large UN Peacekeeping Force:** To do the expanded mission (basic civic order during the restoration of democracy) that the OAS and the UN Security Council asked Boutros-Ghali to examine, the Secretary General says a 15,000 person force would be needed. He goes on to say that the UN could not recruit that many without relying heavily on one state (us), but doing that would violate UN tradition that no one country should dominate a peacekeeping mission.

2. **A Coalition Blessed by the UN:** A second way to do the expanded mission, he suggests, would be to empower a coalition of inter-American states. This is the way in which the UN authorized coalition action initially in Somalia and previously in the Gulf War.

3. **Hybrid:** Alternatively, he suggests, a coalition could do the initial work of creating a safe and secure environment following which a small UN force could deploy to create a new Civilian Haitian Police and train the New Armed Forces. In this option, he does not explicitly require the approval of the Aristide government or the prior departure of the de facto regime. Theoretically at least, as Boutros-Ghali has written it, this option could be read as authorizing us to intervene.

As it will be difficult to obtain the large UN mission and expanded mandate we sought without Boutros-Ghali's support, we are probably looking at some form of hybrid. We do not want a prolonged non-UN operation and we seek to avoid a difficult negotiation with Boutros-Ghali, as we had in Somalia, about when the coalition operation should transition to being a UN force. There is some work to do in New York next week. The Deputies Committee, working with Ambassador Albright, will begin to shape a Security Council resolution on Monday.

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WJC HANDWRITING

For now, our public comments are:

-- We are pleased the Secretary General has endorsed an international peacekeeping force for Haiti of the size and mission that the OAS and we support.

-- The ideas about two phases and a first phase with a coalition operation with UN authority are interesting.

-- We will be studying the report and consulting with other concerned states on an urgent basis.

-- We do believe an international peacekeeping effort with broad multinational participation will be necessary to a stable transition back to a democratic government in Haiti and we are prepared to work with the UN in that effort.

Case Number: 2013-0122-M

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| Original OA/ID Number:<br>478 |               |             |                |             |
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| Document ID:<br>9405992       |               |             |                |             |
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# Withdrawal/Redaction Sheet

## Clinton Library

| DOCUMENT NO.<br>AND TYPE | SUBJECT/TITLE   | DATE                   | RESTRICTION                        |
|--------------------------|---|------------------------|------------------------------------|
| <del>001a. memo</del>    | <del>Anthony Lake to POTUS re: Haiti and the UN (3 pages)</del> | <del>ca. 07/1994</del> | <del>P1/b(1), P5 vL 3/3/2020</del> |
| <del>001b. memo</del>    | <del>[Duplicate of 001a] (3 pages)</del>                        | <del>ca. 07/1994</del> | <del>P1/b(1), P5 vL 3/3/2020</del> |
| <del>001c. memo</del>    | <del>[Duplicate of 001a] (3 pages)</del>                        | <del>ca. 07/1994</del> | <del>P1/b(1), P5 vL 3/3/2020</del> |

**COLLECTION:**

Clinton Presidential Records  
 NSC Records Management  
 ([Haiti and Lake])  
 OA/Box Number: 478

**FOLDER TITLE:**

9405992

2006-0187-F  
rs191

**RESTRICTION CODES**

**Presidential Records Act - [44 U.S.C. 2204(a)]**

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
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C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

**Freedom of Information Act - [5 U.S.C. 552(b)]**

- b(1) National security classified information [(b)(1) of the FOIA]
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- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

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~~SECRET~~

THE WHITE HOUSE  
WASHINGTON

5992

ACTION

MEMORANDUM FOR THE PRESIDENT

FROM: ANTHONY LAKE

SUBJECT: Haiti and the UN

DECLASSIFIED  
E.O. 13526  
White House Guidelines, May 16, 2017  
By VL NARA, Date 10/8/2019  
2013-0177-11

Purpose

To approve our approach in the UN on Haitian policy.

Background

The Principals met on Sunday to follow up the discussions we had with you on Friday on Haiti. They reached agreement on an approach to the next Security Council resolution and on the broad shape of the US involvement in Haitian peacekeeping. They also determined to seek your decision on two issues: a) a UN ultimatum and b) Congressional consultations.

**o The Security Council Resolution:** We will circulate a draft UN resolution that would authorize a coalition force to take all necessary means to restore democracy in Haiti. The resolution would decide to create a large peacekeeping force (6000 troops) that would take over all functions of the coalition, after the coalition commander reported to the Security Council that he had established sufficient order for the UN to operate under normal peacekeeping (UN Chapter six) rules. We will press to have a US commander for both the coalition and then the UN forces.

It may be difficult to obtain all that we seek. Boutros-Ghali wants the US-led coalition to do virtually everything, with a small UN force only doing training. He is also opposed to a US commander for the UN force. Finally, he will seek to be the one who decides when the coalition force become a UN mission. We are going around Boutros-Ghali to the Security Council, seeking nine affirmative votes and no vetoes for our approach. Messages from you will be prepared for the head of government of most of the other 14 Council members.

**o The US Role:** The size of the initial US force in Haiti would depend upon the circumstances under which it deployed, but it could range from 12,000 to

~~SECRET~~  
Declassify on: OADR

(1100)  
military and police  
members,  
(before or after the military rulers depart),

18,000. The number of American troops would drop over the following weeks and months, as other nations troops arrived, logistics functions were shifted to civilian contractors, and the security situation improved. When the UN force took over the mission, we would continue a US contingent of about 3000 US troops, some of whom would remain until the peacekeeping force terminated operations in February, 1996 (after a new president had been elected and inaugurated). During the presence of the peacekeepers, a new Civilian Haitian Police will be trained and fielded. The Haitian army will be vetted, purged of human rights abusers, and reduced in size.

**o UN Ultimatum:** One feature that we could add to the draft resolution is an ultimatum to the coup leaders. The resolution could delay the availability of "all necessary means" authority until after a date certain. The US reluctantly accepted the insertion of such a delay when it obtained "all necessary means" authority from the UN to liberate Kuwait.

*but also*  
If another Security Council member insists on inserting an ultimatum into the resolution, or should we decide to do so ourselves, we would place pressure both on the "de factos" ~~and~~ on ourselves. The coup leaders might finally realize that the international community was serious about removing them and, as a result, leave. To maintain credibility, we would probably have to act ~~as soon as~~ the deadline *soon after* came, just as the US attacked Iraq as soon as that deadline came.

Sec. Christopher recommends incorporating a deadline into the resolution, both for its psychological effect on the Haitian military and for the forcing function it would have with regard to our own policy making by bringing closure to the Haiti issue.

*and* My own view is that a deadline would unnecessarily and perhaps dangerously constrain our options in Haiti, trigger a Congressional debate now, ~~and could have unintended consequences elsewhere in the world (Korea, Iraq) if others thought we would be preoccupied at a specific time in the near future.~~

**o Congressional Consultation:** Whatever you decide on the UN ultimatum idea, we will still face calls for prior Congressional authorization of any US intervention in Haiti. Before we decide on an Administration position on this issue, we believe that close hold consultations with a few Democratic leaders would provide us with useful insights. We have in mind a few of the Principals meeting with Speaker Foley, Leader Mitchell, and perhaps a few others quietly early this week.

RECOMMENDATIONS

2 That we avoid a deadline in the UN resolution

Approve \_\_\_\_\_

Disapprove \_\_\_\_\_

Alternatively, that we propose a deadline (e.g. 15 September) when "all necessary means" would be used if the Haitian military leadership had not left.

Approve \_\_\_\_\_

Disapprove \_\_\_\_\_

3. That you authorize a small group of the Principals to meet a close hold basis with a few of the Democratic Congressional leaders this week to discuss the issue of Congressional interest in a prior authorization for US intervention in Haiti.

Approve \_\_\_\_\_

Disapprove \_\_\_\_\_

1 That you approve the basic elements of our approach on the UNSC resolution

Approve \_\_\_\_\_

Disapprove \_\_\_\_\_

THE WHITE HOUSE  
WASHINGTON

ACTION

MEMORANDUM FOR THE PRESIDENT

FROM: ANTHONY LAKE

SUBJECT: Haiti and the UN

DECLASSIFIED  
E.O. 13526  
White House Guidelines, May 16, 2017  
By VL NARA, Date 16/8/2019  
2013-0122-2

Purpose

To approve our approach in the UN on Haitian policy.

Background

The Principals met on Sunday to follow up the discussions we had with you on Friday on Haiti. They reached agreement on an approach to the next Security Council resolution and on the broad shape of the US involvement in Haitian peacekeeping. They also determined to seek your decision on two issues: a) a UN ultimatum and b) Congressional consultations.

**o The Security Council Resolution:** We will circulate a draft UN resolution that would authorize a coalition force to take "all necessary means" to restore democracy in Haiti. The resolution would decide to create a large peacekeeping force (6000 troops) that would take over all functions of the coalition, after the coalition commander reported to the Security Council that he had established sufficient order for the UN to operate under normal peacekeeping (UN Chapter six) rules. We will press to have a US commander for both the coalition and then the UN forces.

It may be difficult to obtain all that we seek. Boutros-Ghali <sup>initially wanted</sup> the US-led coalition to do virtually everything, with a small UN force (1100) only doing military and police training. He also ~~is opposed to~~ a US commander for the UN force. Finally, he will seek to ~~be the one who decides~~ when the coalition force become a UN mission. We are going around Boutros-Ghali to the Security Council members, seeking nine affirmative votes and no vetoes for our approach. Messages from you will be prepared for the head of government of most of the other 14 Council members. <sup>has serious reservations about</sup>

**o The US Role:** The size of the initial US force in Haiti would depend upon the circumstances under which it deployed (before or after the military rulers

CLINTON LIBRARY PHOTOCOPY  
*Have a major role in deciding*  
*Madeline is working with him on all these issues but it will continue to be difficult*

depart), but it could range from 12,000 to 18,000. The number of American troops would drop over the following weeks and months, as other nations troops arrived, logistics functions were shifted to civilian contractors, and the security situation improved. When the UN force took over the mission, we would continue a US contingent of about 3000 US troops, some of whom would remain until the peacekeeping force terminated operations in February, 1996 (after a new president had been elected and inaugurated). During the presence of the peacekeepers, a new Civilian Haitian Police will be trained and fielded. The Haitian army will be vetted, purged of human rights abusers, and reduced in size.

**o UN Ultimatum:** One feature that we could add to the draft resolution is an ultimatum to the coup leaders. The resolution could delay the availability of "all necessary means" authority until after a date certain. The US reluctantly accepted the insertion of such a delay when it obtained "all necessary means" authority from the UN to liberate Kuwait.

If another Security Council member insists on inserting an ultimatum into the resolution, or should we decide to do so ourselves, we would place pressure on the "de factos" but also on ourselves. The coup leaders might finally realize that the international community was serious about removing them and, as a result, leave. To maintain credibility, we would probably have to act soon after the deadline, just as the US attacked Iraq as soon as that deadline came.

Sec. Christopher <sup>(and DOD)</sup> recommends incorporating a deadline into the resolution, both for its psychological effect on the Haitian military and for the forcing function it would have with regard to our own policy making by bringing closure to the Haiti issue. My own view is that a deadline would unnecessarily and perhaps dangerously constrain our <sup>timetable</sup> options in Haiti and trigger a Congressional debate now. *(Chris feels that the lack of a deadline might prompt a Congressional debate now).*

**o Congressional Consultation:** Whatever you decide on the UN ultimatum idea, we will still face calls for prior Congressional authorization of any US intervention in Haiti. Before we decide on an Administration position on this issue, we believe that close hold consultations with a few Democratic leaders would provide us with useful insights. We have in mind a few of the Principals meeting with Speaker Foley, Leader Mitchell, and perhaps a few others quietly early this week.

RECOMMENDATIONS

1. That you approve the basic elements of our approach on the UNSC resolution.

Approve \_\_\_\_\_

Disapprove \_\_\_\_\_

2. That we avoid a deadline in the UN resolution

Approve\_\_\_\_\_

Disapprove\_\_\_\_\_

Alternatively, that we propose a deadline (e.g. 15 September) when "all necessary means" would be used if the Haitian military leadership had not left.

Approve\_\_\_\_\_

Disapprove\_\_\_\_\_

3. That you authorize a small group of the Principals to meet a close hold basis with a few of the Democratic Congressional leaders this week to discuss the issue of Congressional interest in a prior authorization for US intervention in Haiti.

Approve\_\_\_\_\_

Disapprove\_\_\_\_\_

THE WHITE HOUSE  
WASHINGTON

DECLASSIFIED  
E.O. 13526, Sec. 3.5 (b)  
White House Guidelines, September 11, 2006  
By VR NARA, Date 10/4/2014  
2013-0122-u (2,31)

ACTION

MEMORANDUM FOR THE PRESIDENT

FROM: ANTHONY LAKR

SUBJECT: Haiti and the UN

Purpose

To approve our approach in the UN on Haitian policy.

Background

The Principals met on Sunday to follow up the discussions we had with you on Friday on Haiti. They reached agreement on an approach to the next Security Council resolution and on the broad shape of the US involvement in Haitian peacekeeping. They also determined to seek your decision on two issues: a) a UN ultimatum and b) Congressional consultations.

**o The Security Council Resolution:** We will circulate a draft UN resolution that would authorize a coalition force to take "all necessary means" to restore democracy in Haiti. The resolution would decide to create a large peacekeeping force (6000 troops) that would take over all functions of the coalition, after the coalition commander reported to the Security Council that he had established sufficient order for the UN to operate under normal peacekeeping (UN Chapter six) rules. We will press to have a US commander for both the coalition and then the UN forces.

It may be difficult to obtain all that we seek. Boutros-Ghali initially wanted the US-led coalition to do virtually everything, with a small UN force (1100) only doing military and police training. He also has serious reservations about a US commander for the UN force. Finally, he will seek to have a major role in deciding when the coalition force become a UN mission. Madeleine is working with him on all these issues but it will continue to be difficult. We are going around Boutros-Ghali to the Security Council members, seeking nine affirmative votes and no vetoes for our approach. Messages from you will be prepared for the head of government of most of the other 14 Council members.

o **The US Role:** The size of the initial US force in Haiti would depend upon the circumstances under which it deployed (before or after the military rulers depart), but it could range from 12,000 to 18,000. The number of American troops would drop over the following weeks and months, as other nations troops arrived, logistics functions were shifted to civilian contractors, and the security situation improved. When the UN force took over the mission, we would continue a US contingent of about 3000 US troops, some of whom would remain until the peacekeeping force terminated operations in February, 1996 (after a new president had been elected and inaugurated). During the presence of the peacekeepers, a new Civilian Haitian Police will be trained and fielded. The Haitian army will be vetted, purged of human rights abusers, and reduced in size.

o **UN Ultimatum:** One feature that we could add to the draft resolution is an ultimatum to the coup leaders. The resolution could delay the availability of "all necessary means" authority until after a date certain. The US reluctantly accepted the insertion of such a delay when it obtained "all necessary means" authority from the UN to liberate Kuwait.

If another Security Council member insists on inserting an ultimatum into the resolution, or should we decide to do so ourselves, we would place pressure on the "de factos" but also on ourselves. The coup leaders might finally realize that the international community was serious about removing them and, as a result, leave. To maintain credibility, we would probably have to act soon after the deadline, just as the US attacked Iraq as soon as that deadline came.

Sec. Christopher and DOD recommend incorporating a deadline into the resolution, both for its psychological effect on the Haitian military and for the forcing function it would have with regard to our own policy making by bringing closure to the Haiti issue. My own view is that a deadline would unnecessarily and perhaps dangerously constrain our timetable in Haiti and trigger a Congressional debate before the deadline. (Chris feels that the lack of a deadline might prompt a Congressional debate now).

o **Congressional Consultation:** Whatever you decide on the UN ultimatum idea, we will still face calls for prior Congressional authorization of any US intervention in Haiti. Before we decide on an Administration position on this issue, we believe that close hold consultations with a few Democratic leaders would provide us with useful insights. We have in mind a few of the Principals meeting with Speaker Foley, Leader Mitchell, and perhaps a few others quietly early this week.

*\* and that of the Vice President, although it is a close call*

RECOMMENDATIONS

1. That you approve the basic elements of our approach on the UNSC resolution.

~~Approve~~\_\_\_\_\_

Disapprove\_\_\_\_\_

2. That we avoid a deadline in the UN resolution

~~Approve~~\_\_\_\_\_

Disapprove\_\_\_\_\_

Alternatively, that we propose a deadline (e.g. 15 September) when "all necessary means" would be used if the Haitian military leadership had not left.

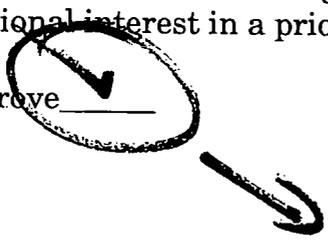
Approve\_\_\_\_\_

Disapprove\_\_\_\_\_

3. That you authorize a small group of the Principals to meet a close hold basis with a few of the Democratic Congressional leaders this week to discuss the issue of Congressional interest in a prior authorization for US intervention in Haiti.

Approve\_\_\_\_\_

Disapprove\_\_\_\_\_



*Clarify  
Shove it in*

PHOTOCOPY  
WJC HANDWRITING

PHOTOCOPY  
WJC HANDWRITING

Case Number: 2013-0122-M

# MIR MARKER

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| Original OA/ID Number:<br>478 |               |             |                |             |
|                               |               |             |                |             |
| Document ID:<br>9406114       |               |             |                |             |
| Row:<br>44                    | Section:<br>4 | Shelf:<br>5 | Position:<br>3 | Stack:<br>v |

# Withdrawal/Redaction Sheet

## Clinton Library

| DOCUMENT NO.<br>AND TYPE | SUBJECT/TITLE   | DATE                  | RESTRICTION                    |
|--------------------------|---|-----------------------|--------------------------------|
| <del>001a. memo</del>    | <del>Anthony Lake to POTUS re: Haiti Update (2 pages)</del>               | <del>07/28/1994</del> | <del>P1/b(1)</del> v2 3/3/2020 |
| <del>001b. memo</del>    | <del>Susan Rice to Lake re: Haiti Update for the President (1 page)</del> | <del>07/27/1994</del> | <del>P1/b(1)</del> v2 3/3/2020 |

**COLLECTION:**

Clinton Presidential Records  
 NSC Records Management  
 ([Haiti and Lake])  
 OA/Box Number: 478

**FOLDER TITLE:**

9406114

2006-0187-F  
rs192

**RESTRICTION CODES**

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
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- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
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RR. Document will be reviewed upon request.

Freedom of Information Act - [5 U.S.C. 552(b)]

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6114

THE WHITE HOUSE  
WASHINGTON  
July 28, 1994

INFORMATION

94 JUL 28 R2: 40

MEMORANDUM FOR THE PRESIDENT

FROM: ANTHONY LAKE

SUBJECT: Haiti Update

DECLASSIFIED  
E.O. 13526, Sec. 3.5 (b)  
White House Guidelines, September 11, 2006  
By VZ NARA, Date 10/8/2011  
2013-0122- m (2.32)

**Current State of Play in the UN Security Council**

**Previous Resolution:** In late June, the UN Security Council (UNSC) passed Resolution 933 endorsing, in principle, the reconfiguration of UNMIH along the lines agreed by the OAS. UNMIH's current mandate lapses on Sunday, July 31, and the UNSC must pass a resolution by then formally authorizing a reconstituted UNMIH.

**U.S. Draft Resolution:** On Monday, USUN circulated a U.S. draft resolution proposing that the UN authorize a multinational coalition to use "all necessary means" to restore the legitimate government of Haiti. It also calls for establishing UNMIH at a strength of 6,000 military personnel to assist the democratic Government of Haiti to maintain public order, protect key government officials and installations, train and professionalize the police and military, and conduct elections in 1996.

**Objections to Elements of the U.S. Draft Resolution:** Certain aspects of our draft resolution have met with some resistance in New York. These include:

-- **The Secretary General's Role in Timing the Hand-off to UNMIH:** The U.S. draft resolution proposed that the hand-off from the coalition force to UNMIH occur when the multilateral coalition contributors report to the Security Council that a secure and stable environment has been established in Haiti. Our goal has been to prevent the Secretary General from being able to stall the hand-off to the UN.

There is broad sentiment in the Security Council for preserving the Secretary General's customary role in recommending to the Council when the UN mission should commence. We are now negotiating alternative resolution language that preserves a central role for the UNSC, emphasizes the force commander's and UNMIH contributors' recommendations, and limits the Secretary-General to an advisory capacity.

-- **UNMIH's Size:** The U.S. recommended strength of 6,000 military personnel is the minimum JCS thinks necessary to fulfill UNMIH's mission. The French, Russians and others have argued for a smaller force of 5,000 or less, presumably to keep costs down.

PHOTOCOPY  
WJC HANDWRITING

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Declassify on: OADR

cc: Vice President  
Chief of Staff

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-- **Method of Financing UNMIH:** As a traditional UN mission, UNMIH would normally be funded through UN assessments, and the U.S. would pay 30.4% of the cost. Russia, with at least tacit support from the UN Secretariat, is resisting funding this mission through UN assessments, due to its own cash problems. From the U.S. perspective, UN assessments are an absolute political and fiscal necessity, particularly if we bear the cost of the coalition force.

***Progress to Date in Building Support:***

- **France:** Secretary Christopher spoke today with Foreign Minister Juppe to urge France's agreement to a force of 6,000. Juppe agreed to be supportive.
- **Brazil:** Undersecretary Tarnoff believes he obtained the Brazilians' commitment to vote in favor of the U.S. draft resolution, despite their reservations.

***Next Steps:***

- **Russia:** Deputy Secretary Talbott will contact Foreign Minister Kozyrev to try to persuade Russia to drop its objections to the size of the force and agree to finance UNMIH through normal UN assessments.
- **Spain and Venezuela:** Secretary Christopher will call Madrid and Caracas to urge support for our draft text.
- **Boutros-Ghali:** The Vice President will call the Secretary General to urge his support for the U.S.-proposed UNMIH. The Secretary General originally recommended an UNMIH consisting only of 1,200 military and civilian personnel for police training and military professionalization. Preferring a minimalist and inexpensive role for UNMIH, Boutros-Ghali has not been helpful thus far in building support for our draft resolution.

**Discussions with President Aristide**

Bill Gray spoke with Aristide about a number of issues of concern, including the need for his concrete support for our UN Security Council resolution. Gray reports that the discussions went well. Aristide was generally positive, but said he would not put anything in writing.

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~~SECRET~~

cc: Vice President  
Chief of Staff

NATIONAL SECURITY COUNCIL  
WASHINGTON, D.C. 20506

July 27, 1994

ACTION

MEMORANDUM FOR ANTHONY LAKE

THROUGH: RICHARD A. CLARKE *RAC*

FROM: SUSAN E. RICE *SER*

SUBJECT: Haiti Update for the President

You requested daily updates for the President on Haiti. At Tab I is a memo to the President reviewing the current state of play in the UN Security Council on Haiti.

Concurrences by: Manuel Rochas *MJR*

RECOMMENDATION

That you sign the memo to the President at Tab I.

Attachment

Tab I Memo to the President

Case Number: 2013-0122-M

# MIR MARKER

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| Original OA/ID Number:<br>207 |               |             |                |             |
|                               |               |             |                |             |
| Document ID:<br>9406128       |               |             |                |             |
| Row:<br>44                    | Section:<br>3 | Shelf:<br>6 | Position:<br>2 | Stack:<br>v |

# Withdrawal/Redaction Sheet

## Clinton Library

| DOCUMENT NO.<br>AND TYPE | SUBJECT/TITLE                              | DATE                  | RESTRICTION                   |
|--------------------------|--|-----------------------|-------------------------------|
| <del>001a. report</del>  | <del>Background on Bosnia (2 pages)</del>  | <del>07/28/1994</del> | <del>P1/b(1)</del> v 3/3/2020 |
| <del>001b. report</del>  | <del>[Background on] Haiti (2 pages)</del> | <del>07/28/1994</del> | <del>P1/b(1)</del> v 7/3/2020 |

**COLLECTION:**

Clinton Presidential Records  
 NSC Records Management  
 ([Haiti and Lake])  
 OA/Box Number: 207

**FOLDER TITLE:**

9406128

2006-0187-F  
rs193

**RESTRICTION CODES**

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
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PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

Freedom of Information Act - [5 U.S.C. 552(b)]

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## Background on Bosnia

- Our efforts to resolve the Bosnian conflict reach a critical juncture this Saturday when Foreign Ministers meet to consider next steps in the face of Bosnian Serb rejection of the Contact Group's proposal. Secretary Christopher departs for Geneva July 29.
- Although Grachev and Churkin came back from Belgrade empty-handed, there is still a chance that the Russians will be successful in persuading the Serbs and Bosnian Serbs to reconsider and accept the proposal offered by the Contact Group. In the event they continue to reject, our efforts will focus on implementing the consequences.
- Secretary Christopher will seek Contact Group Ministers' agreement to implement the full package of consequences agreed earlier: tightening of economic sanctions; stricter enforcement of existing exclusion zones by NATO aircraft; and extension of exclusion zones to the other safe areas.
- We will also lay down a strong marker with our allies and the Russians that, as they have agreed, if these measures fail, lifting the arms embargo as a last resort could become unavoidable.
- Recognizing that Contact Group consensus on all measures is unlikely, Principals concluded on Wednesday that we should insist on strict enforcement of existing zones now, but be prepared to agree only to planning for extension of exclusion zones to other safe areas. Given recent Serb actions in Sarajevo and Gorazde, establishing new exclusion zones without strict enforcement of the present ones would be meaningless.
- If the Serbs continue to reject, and there are no meaningful consequences imposed by the Contact Group, we will face irresistible pressures to lift the arms embargo unilaterally. This political fact may be our best leverage for achieving multilateral action
- Looking a few months down the road, we face some basic choices, which turn in part on whether we want to hasten UNPROFOR's departure.
- If the Contact Group effort fails, we could choose not to increase the pressure on the Serbs, but rather attempt to muddle through -- to maintain the humanitarian aid effort and seek to contain any escalation of the conflict. It is increasingly doubtful, however, that muddling through remains an option: the Bosnian Government is certain to escalate the conflict, and UNPROFOR will be increasingly vulnerable as the war heats up in any case.
- Another possibility would be to attempt to drive a wedge between Belgrade and the Bosnian Serbs in order to pressure the latter to accept the Contact Groupo proposal. This could involve offering Milosevic limited sanctions relief if he cuts off all support for the Bosnian Serbs (and perhaps the Krajina Serbs as well), and agrees to international monitoring of the borders. It is doubtful, however, that Milosevic would be prepared to alienate key domestic constituencies in this way.

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E.O. 13526

White House Guidelines, May 16, 2017

By [redacted] NARA, Date 10/8/2019

2013-0122-m

- If we proceed to a lifting of the arms embargo, there are several options: 1) lift and disengage; 2) lift and provide support to the Bosnian Government (arms supplies, continued NATO air enforcement of exclusion zones, possibly wider air strikes) for a limited transition period, i.e. until the Bosnians can fend for themselves; or 3) lift and provide support to the Bosnian Government for the longer term -- i.e. until they have rolled back the Serbs militarily or brought them to a negotiated settlement.
  
- We are looking at all three options in order to decide whether our strategic objective should be a multilateral lifting of the embargo and, if so, what form it should take. We will shortly present the issue to you for decision.

Questions for Discussion

- Should we make strict enforcement of the existing exclusion zones our minimum objective and be prepared to settle only for further planning on extension of exclusion zones to other safe areas, as Principals recommended?
  
- Is it possible to convince UNPROFOR to stay as we move to strict enforcement?
  
- What are we prepared to do to assist the British and others to redeploy their UNPROFOR troops to safer positions or to withdraw, if they insist that this is the prerequisite to their agreement to strict enforcement?
  
- Are there any modifications to the Contact Group proposal that we could accept in an effort to encourage Serb acceptance, without jeopardizing the Bosnian Government's acceptance?

## Haiti

### **Current State of Play in the UN Security Council**

**U.S. Draft Resolution:** UNMIH's current mandate lapses on Sunday, July 31, and the UNSC must pass a resolution by then formally authorizing a reconstituted UNMIH. USUN has circulated a U.S. draft UN resolution that would authorize a multinational coalition to use "all necessary means" to restore the legitimate government of Haiti. It also calls for establishing a follow-on UNMIH at a strength of 6,000 military personnel to assist the democratic Government of Haiti to maintain basic security, protect key government officials and installations, train and professionalize the police and military, and conduct elections in 1996.

**Obstacles to Adoption of U.S. Draft Resolution:** We have encountered several obstacles in negotiations in New York that we are working to overcome:

- **Aristide's Written Endorsement of UNMIH:** Several countries, principally China and the countries of Latin America, have said they will not support our resolution without a written statement of support from Aristide. Bill Gray has spoken with Aristide several times on Thursday to try to obtain his signature to such a letter.
- **Method of Financing UNMIH:** As a traditional UN mission, UNMIH would normally be funded through UN assessments, and the U.S. would pay 30.4% of the cost. Russia, with at least tacit support from the UN Secretariat, is resisting funding this mission through UN assessments, due to its own cash problems. From the U.S. perspective, UN assessments are an absolute necessity. We are continuing to try to soften Russian opposition.
- **UNMIH's Size:** A related issue is force size. We have proposed that UNMIH consist of 6,000 military personnel, the minimum JCS thinks necessary to fulfill the mission. The French, Russians and others have argued for a smaller force of 5,000 or less, presumably to keep costs down. While the French will likely drop their opposition, the Russians have shown little flexibility thus far.

\*\*\*

USUN and the State Department are continuing negotiations both in New York and in capitals with the goal of voting a resolution by Friday. It is likely that some countries will ultimately dissent or abstain. If there is not sufficient support for an acceptable resolution by Sunday, we may have to accept a brief, technical extension of UNMIH's existing mandate in order to continue negotiations.

Once the resolution passes, we will be in a new phase, with UN authority to act by force if necessary. You need to decide a number of crucial issues in the coming days, including whether

you are prepared to use force; if so, whether you want to establish, at least internally, a deadline against which our planning can take place; what timeframe is most advantageous from the multiple perspective of credibility and leverage with the military leaders and support from the Hemisphere, the Congress and the public; whether we will encourage/discourage a prior Congressional vote; the terms and circumstances of any ultimatum to the coup leaders; and others.

Case Number: 2013-0122-M

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# Withdrawal/Redaction Sheet

## Clinton Library

| DOCUMENT NO. AND TYPE           | SUBJECT/TITLE  | DATE                   | RESTRICTION                   |
|---------------------------------|--|------------------------|-------------------------------|
| <del>001a. memo</del>           | <del>Anthony Lake to POTUS re: Phone Calls to Foreign Leaders (1 page)</del> | <del>09/13/1994</del>  | <del>P1/b(1)</del> r 3/3/2020 |
| <del>001b. talking points</del> | <del>Telephone Call to Polish President Walesa (2 pages)</del>               | <del>ca. 09/1994</del> | <del>P1/b(1)</del> r 3/3/2020 |
| 001c. report                    | U.S. Government Report (2 pages)   | 07/25/94               | P1/b(1)                       |
| <del>001d. talking points</del> | <del>Telephone Call to South African President Mandela (2 pages)</del>       | <del>ca. 09/1994</del> | <del>P1/b(1)</del> r 3/3/2020 |
| 001e. report                    | U.S. Government Report (2 pages)   | 07/28/94               | P1/b(1)                       |
| <del>001f. talking points</del> | <del>Telephone Call to Jordanian King Hussein (2 pages)</del>                | <del>ca. 09/1994</del> | <del>P1/b(1)</del> r 3/3/2020 |
| 001g. report                    | U.S. Government Report (2 pages)   | 06/15/1994             | P1/b(1)                       |
| <del>001h. memo</del>           | <del>Steven Simon to Lake re: Presidential Calls (2 pages)</del>             | <del>09/13/1994</del>  | <del>P1/b(1)</del> r 3/3/2020 |

**COLLECTION:**

Clinton Presidential Records  
 NSC Records Management  
 ([Haiti and Lake])  
 OA/Box Number: 213

**FOLDER TITLE:**

9407298

2006-0187-F  
 rs198

**RESTRICTION CODES**

Presidential Records Act - [44 U.S.C. 2204(a)]

Freedom of Information Act - [5 U.S.C. 552(b)]

- P1 National Security Classified Information [(a)(1) of the PRA]
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THE WHITE HOUSE  
WASHINGTON

THE PRESIDENT HAS SEEN

9-14-94

September 13, 1994

94 SEP 13 P10:48

ACTION

MEMORANDUM FOR THE PRESIDENT

FROM: ANTHONY LAKE *AL*  
SUBJECT: Phone Calls to Foreign Leaders on Participation in the Multi-National Force for Haiti

Purpose

To secure participation of foreign police monitors in Operation Restore Democracy.

Background

Although we are making progress in recruiting police monitors to help Haitian police maintain order after the intervention, more would be better. Phone calls to the following leaders are likely to yield additional monitors:

- President Walesa of Poland (Tab 1)
- President Mandela of South Africa (Tab 2)
- King Hussein of Jordan (Tab 3)

Talking points and background are in the attached briefing book.

RECOMMENDATION

That you call the foreign leaders listed above to request their participation in police monitoring operations in Haiti.

Attachment  
Tab A Briefing Book

DECLASSIFIED  
E.O. 13526, Sec. 3.5 (b)  
White House Guidelines, September 11, 2006  
By *VL* NARA, Date *10/8/2019*  
2013-0122-AM (2.34)

PHOTOCOPY  
WJC HANDWRITING

~~CONFIDENTIAL~~

~~CONFIDENTIAL~~

## TELEPHONE CALL TO POLISH PRESIDENT WALES

**Status:** Poland is not committed to a role in the MNF or UNMIH. Our recent request for civilian or military police to perform police monitoring functions is under consideration. The Poles are reluctant to send forces because of budgetary constraints and Haiti's distance from Central Europe. Some Poles are concerned that Russia would use a Haiti intervention as precedent for their use of force to restore a hegemonic position in the NIS. **Your aim is to set up 40-50 Poles to serve as police monitors.**

### Talking Points

- President Walesa (va-WHEN-sa), Lech (lek), it was good to see you in July. Want to see democratic Poland complete its integration into West.
- We've set out an active agenda -- security cooperation, promoting growth and helping people.
- Want to discuss serious concern: deterioration in Haiti and worsening human rights abuses.
- Multinational coalition to restore democracy to Haiti is gaining momentum -- eighteen nations already committed over 1500 personnel. You can appreciate importance of effort. Seek your help.
- Operation is in three phases. Phase one: multinational intervention force under UN authorization, we are organizing, will lead. Phase two: establish peace and stability basis for democratic process to take root. Phase three: UN Mission in Haiti.
- I am most concerned about the time just after intervention, when Haitian police will need firm guidance to do their job.
- We have a plan to re-build the police force. But this will take time.
- We need police monitors -- soldiers or civilian police -- to ensure that Haitian police act responsibly and to link them to Coalition military forces in emergencies.
- Polish personnel will not be part of the assault force, not be involved in combat; rather, will be in support role.
- Prepared to work closely with your government to identify suitable roles and responsibilities for Polish personnel.
- We will handle your transportation and other costs.
- Can we count on you to help us?

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Declassify on: OADR

DECLASSIFIED  
E.O. 13526, Sec. 3.5 (b)  
White House Guidelines, September 11, 2006  
By VL NARA, Date 10/8/2019  
2013-0122-m (2.35)

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(IF ASKED)

- PFP. Delighted that first PFP exercise in the former Warsaw Pact will begin September 12, in Poland.
- NATO. Partly as result of July trip, decided to begin informal consultations this fall with allies, other PFP Partners about process of NATO expansion. Will be in contact.
- NIS precedent. No precedent or basis for hegemonic Russian behavior in NIS. We see restoration of democracy in Haiti on basis of firm UN authorization.

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~~Chicago~~  
 - Oct 50% Run-PT Cont  
 (22-24)

# Withdrawal/Redaction Marker

## Clinton Library

| DOCUMENT NO.<br>AND TYPE | SUBJECT/TITLE                    | DATE     | RESTRICTION |
|--------------------------|----------------------------------|----------|-------------|
| 001c. report             | U.S. Government Report (2 pages) | 07/25/94 | P1/b(1)     |

**COLLECTION:**

Clinton Presidential Records  
 NSC Records Management  
 ([Haiti and Lake])  
 OA/Box Number: 213

**FOLDER TITLE:**

9407298

2006-0187-F  
rs198

**RESTRICTION CODES**

**Presidential Records Act - [44 U.S.C. 2204(a)]**

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
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C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

**Freedom of Information Act - [5 U.S.C. 552(b)]**

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TELEPHONE CALL TO SOUTH AFRICAN PRESIDENT MANDELA

**Status:** We requested civilian or military police monitors for the multinational coalition on September 3. The Foreign Ministry promised the request would be seriously considered. Our Embassy cautioned that the consensual nature of South African government may preclude a quick decision on MNF participation. Mandela is not likely to agree to military participation. Since May, he has said that he would undertake no military commitments outside South Africa for the foreseeable future (until the South African military completes integration of thousands of poorly trained soldiers from the former liberation armies). We are therefore asking for police monitors, recognizing that the government will have to choose them carefully, given the sensitivity of the task and the record of the police in the prior government. **Your aim is to obtain 30-40 police as monitors.**

Talking Points

- Look forward to seeing you next month.
- Calling to discuss serious concern: deterioration in Haiti and worsening human rights abuses.
- Multinational coalition to restore democracy to Haiti gaining momentum -- eighteen nations already committed over 1500 personnel. You can appreciate importance of effort. Seek your help.
- Operation is in three phases. Phase one: multinational intervention force under UN authorization, we are organizing, will lead. Phase two: establish peace and stability for democratic process to take root. Phase three: UN Mission in Haiti.
- I am most concerned about the time just after intervention, when Haitian police will need firm guidance to do their job.
- We have a plan to re-build the police force. But this will take time.
- We need police monitors, to ensure that Haitian police act responsibly and to link them to Coalition military forces in emergencies.
- Understand you pledged to complete army reorganization before they do UN peacekeeping. Not asking for army troops.
- Contribution of 30-40 police monitors would help ensure Haitian police act responsibly and provide link between them and Coalition military forces in any emergencies.
- South African personnel will not be part of assault force, not involved in combat; rather will be in advisory role.
- We will handle your transportation and other costs.

5  
2

~~Handwritten signature/initials~~

PHOTOCOPYED BY HAND PROCEEDING  
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- Know importance of democracy to you and how difficult it is to nurture. Need your help.

**(IF ASKED)**

**ARMSCOR Legal Case:** South Africa's government-controlled ARMSCOR arms trading company was indicated in the United States for massive violations of the U.S. Arms Export Control Act. South Africa has been pressing the U.S. Government -- including approaches to Vice President Gore by Deputy President Mbeki -- for a political deal to solve this issue. We have firmly rejected these suggestions and consistently insisted that this is a legal matter which can only be resolved judicially.

**Talking Point**

- Appreciate your concerns about ARMSCOR indictment. But this is a legal matter and we cannot interfere in the case.

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| DOCUMENT NO.<br>AND TYPE | SUBJECT/TITLE                    | DATE     | RESTRICTION |
|--------------------------|----------------------------------|----------|-------------|
| 001e. report             | U.S. Government Report (2 pages) | 07/28/94 | P1/b(1)     |

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([Haiti and Lake])  
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2006-0187-F  
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TELEPHONE CALL TO JORDANIAN KING HUSSEIN

**Status:** Jordan has not committed to a role in either the MNF or UNMIIH. Embassy Amman approached the Foreign Ministry on September 12, however, and reports that a request for Jordanian police participation in advising the Haitian police would be positively received. **Your aim is to obtain the participation of 30-40 Jordanian police monitors.**

Talking Points

- Pleased and gratified that Jordan's negotiations with Israel are on track. I know there'll be some difficult problems to overcome, but we will do our best to ensure the negotiations reach a successful conclusion soon.
- I'm glad that Crown Prince Hassan will be coming here for bilateral talks. It'll be a good opportunity to deepen the bilateral relationship.
- Calling to discuss serious concern to us both: deterioration in Haiti and worsening human rights abuses.
- Multinational coalition to restore democracy to Haiti is gaining momentum -- twenty nations already committed over 1500 personnel. You can appreciate importance of effort. Seek your help.
- Operation is in three phases. Phase one: multinational intervention force under UN authorization, we are organizing, will lead. Phase two: establish peace and stability for democratic process to take root. Phase three: UN Mission in Haiti.
- I am most concerned about the time just after intervention, when Haitian police will need firm guidance to do their job.
- We have a plan to re-build the police force. But this will take time.
- We need police monitors -- soldiers or civilian police -- to ensure that Haitian police act responsibly and to link them to Coalition military forces in emergencies.
- Jordanian personnel will not be part of assault force, not be involved in combat; rather, will be in support role.
- Prepared to work closely with your government to identify suitable roles and responsibilities for Jordanian personnel.
- We will handle your transportation and other costs.

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DECLASSIFIED  
E.O. 13526, Sec. 3.5 (b)  
White House Guidelines, September 11, 2006  
By vr NARA, Date 10/8/2019  
2013-0122-M (2.37)

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- Can we count on you to help us?
- Please convey our greetings to Queen Noor.

(IF ASKED)

**Jordanian Security Assistance:** King Hussein may raise the issue of U.S. economic and security assistance to Jordan. The Congress has authorized FY95 (EDA) funding for Jordanian small arms and munitions but has prohibited U.S.-funded procurement of more lethal items until Jordan executes a peace treaty with Israel.

**Talking Points**

- Recent U.S. legislation forgiving Jordanian debt and aiding our military-to-military relationship was a great success.
- Congress authorized lethal EDA for Jordan for FY95, but it limited purchases to small arms until peace treaty is signed with Israel.
- Planned October Joint Military Commission meetings in Amman will permit further discussions on modernizing and streamlining Jordanian forces.
- We will continue consultations on this and other issues at upcoming trilateral and multilateral meetings.

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| 001g. report             | U.S. Government Report (2 pages) | 06/15/1994 | P1/b(1)     |

### COLLECTION:

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([Haiti and Lake])  
OA/Box Number: 213

### FOLDER TITLE:

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2006-0187-F  
rs198

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NATIONAL SECURITY COUNCIL  
WASHINGTON, D.C. 20506

September 13, 1994

ACTION

MEMORANDUM FOR ANTHONY LAKE

THROUGH: RICHARD A. CLARKE <sup>ss/m</sup>

FROM: STEVEN SIMON <sup>ss</sup>

SUBJECT: Presidential Calls on Participation in the Haiti MNF

Attached are background, core talking points, contingency points, and bios for the President's use in calls to:

- 1. ~~President Kim Young Sam of Republic of Korea (Tab 1)~~ *deleted*
- 2. President Walensa of Poland (Tab 2)
- 3. ~~Prime Minister Klaus of the Czech Republic (Tab 3)~~ *VP to call*
- 4. President Mandela of South Africa (Tab 4)
- 5. King Hussein of Jordan (Tab 5)

*done* { In addition, we propose that the President call President Balladares of Panama (Tab 6) to thank him for his decision to send 150 police monitors to Haiti. The first two of these calls will be to President Balladares of Panama and President Kim Young Sam of Korea.

There is disagreement in the South Africa call. Don Steinberg believes the call to Mandela should request civilian peace accord monitors, who oversaw the activities of the South African Police (SAP) during the transition period and have a good international reputation. With regard to SAP participation, he notes that while the SAP is trying to adjust to "new South Africa," it is still viewed internationally as the force that persecuted and tortured thousands of South Africans in the name of apartheid and was planning terrorist acts against the liberation forces as recently as a few years back. He believes their participation in the Haitian monitoring force could tarnish the operation and open us up to embarrassment.

Dick Clarke believes that (a) civilian participants would be inappropriate on the ground; (b) inconsistent with our requests to other contributors; and (c) the South African police force is likely to contain at least 30-40 police who can be counted on to act with restraint. With regard

Haiti  
to their reputation, Panama would provide an opportunity to change international perceptions and acknowledge positive changes in South Africa.

RECOMMENDATION

1. That you recommend to the President that he call President Mandela to ask for police and include the background and talking points included in the attached briefing book for the President's use.

Approve slw Disapprove \_\_\_\_\_

2. That you send forward the background and talking points for the five remaining calls to Panama, Korea, Poland, Czech Republic and Jordan to the President.

Approve slw Disapprove \_\_\_\_\_

Concurrences: Don Steinberg, Stanley Roth, Chat Blakeman, Martin Indyk, Dan Fried

Attachments

- Tab I Memorandum for the President
- Tab A Briefing Book for the President

Case Number: 2013-0122-M

# MR MARKER

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| Original OA/ID Number:<br>480 |               |             |                |             |
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| Document ID:<br>9407433       |               |             |                |             |
| Row:<br>44                    | Section:<br>4 | Shelf:<br>6 | Position:<br>2 | Stack:<br>V |

# Withdrawal/Redaction Sheet

## Clinton Library

| DOCUMENT NO.<br>AND TYPE | SUBJECT/TITLE  | DATE                  | RESTRICTION         |
|--------------------------|--|-----------------------|---------------------|
| 001a. memo               | <del>Anthony Lake to POTUS re: Meeting with Representatives of the Countries Participating (3 pages)</del> | <del>09/15/1994</del> | P1/b(1) VL 7/3/2020 |

**COLLECTION:**

Clinton Presidential Records  
 NSC Records Management  
 ([Haiti and Lake])  
 OA/Box Number: 480

**FOLDER TITLE:**

9407433

2006-0187-F  
rs202

**RESTRICTION CODES**

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THE WHITE HOUSE

WASHINGTON

September 15, 1994

MEETING WITH  
REPRESENTATIVES OF THE COUNTRIES PARTICIPATING IN THE  
MULTINATIONAL FORCE IN HAITI

DATE: September 16, 1994

LOCATION: East Room

TIME: 1:30-3:00pm

FROM: ANTHONY LAKE *JWR*  
*for TL*

I. PURPOSE

The purpose of this meeting is to:

- underscore the multinational character of the coalition;
- express appreciation for the contributions of represented countries to the Multinational Force (MNF) in Haiti;
- underscore to the de facto government the international community's determination to intervene, if necessary;
- provide a briefing on the U.S. political, military and development strategy for Haiti, and;
- provide a forum for President Aristide to offer assurances about his intentions once he returns to Haiti, particularly his commitment to reconciliation.

II. BACKGROUND

You and the Vice President have succeeded in obtaining commitments from twenty-four countries from the Caribbean, Africa, Europe, the Middle East, Latin America and Asia to participate in the MNF. They will all be represented at the meeting in the East Room. (NB: We expect additional countries to announce their participation in the coalition in the coming days. For instance, Nepal will offer approximately 300 soldiers but cannot say so publicly until Monday, when their parliament meets.)

This meeting offers an excellent opportunity to demonstrate to the American public and to the international community the genuinely multinational character of the coalition. In addition, it will enable participating countries to gain a more detailed understanding of the MNF mission and their role in the coalition.

DECLASSIFIED

E.O. 13526, Sec. 3.5 (b)

White House Guidelines, September 11, 2006

By *W* NARA, Date *10/8/2019*

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WJC HANDWRITING

III. PARTICIPANTS

Representatives of the 24 countries that have agreed to participate in the MNF, including eight Prime Ministers, as well as a representative from the United Nations. A complete list of participants is at Tab A.

Administration participants include:

The Vice President  
Leon Panetta  
Anthony Lake  
Warren Christopher  
William Perry  
General Shalikashvili  
Madeleine Albright  
Brian Atwood  
Samuel Berger  
Strobe Talbott  
William Gray III

IV. PRESS PLAN

Prior to the start of the meeting, a White House photographer will take a picture of you with representatives from the coalition countries in the Blue Room.

The White House Press corps will cover the first portion of the meeting in the East Room through the completion of your remarks. The press will leave after you have finished speaking.

The press announcement is at Tab C.

V. SEQUENCE

-- You will pose for a picture with representatives from the coalition countries in the Blue Room.

-- You will enter the East Room.

-- Secretary Christopher will offer brief introductory remarks.

-- President Aristide will speak for up to 10 minutes.

-- Prime Minister Owen Arthur of Barbados, Chairman of CARICOM, will speak briefly on behalf of the coalition (to be confirmed).

-- You will speak for approximately 7 minutes. *Your remarks are at Tab B.*

-- Immediately following your remarks, as the press leaves, you will greet President Aristide and coalition representatives, then leave the meeting.

-- Gen. Shalikashvili will provide a military briefing (10 minutes).

-- Secretary Christopher will invite representatives to ask questions or comment (approximately 30 minutes).

-- Secretary Christopher will offer closing remarks. (10 minutes)

Attachments

Tab A List of Participants

Tab B Your Remarks

Tab C Press Announcement

Case Number: 2013-0122-M

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| Document ID:<br>9407498       |               |             |                |             |
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| DOCUMENT NO. AND TYPE           | SUBJECT/TITLE  | DATE                  | RESTRICTION                    |
|---------------------------------|--|-----------------------|--------------------------------|
| <del>001a. memo</del>           | <del>Anthony Lake to POTUS re: Video Teleconference with U.S Military Commanders (2 pages)</del> | <del>09/17/1994</del> | <del>P1/b(1) v2</del> 3/3/2020 |
| 001b. talking points            | Introductory Talking Points to U.S. Military Field Component Commanders (1 page)                 | 09/17/1994            | P1/b(1) v2                     |
| <del>001c. talking points</del> | <del>[Questions During Video Teleconference Briefing] (1 page)</del>                             | <del>09/17/1994</del> | <del>P1/b(1) v2</del>          |
| <del>001d. talking points</del> | <del>Concluding Talking Points to U.S. Military Field Component Commanders (1 page)</del>        | <del>09/17/1994</del> | <del>P1/b(1) v2</del>          |
| 001e. memo                      | [Duplicate of 001a] (2 pages)  | 09/17/1994            | P1/b(1) v2                     |
| <del>001f. talking points</del> | <del>[Duplicate of 001b] (1 page)</del>  | <del>09/17/1994</del> | <del>P1/b(1) v2</del>          |
| 001g. list                      | List of Participants Video Teleconference (1 page)   | 09/17/1994            | P2, P5, P6/b(6)                |
| <del>001h. talking points</del> | <del>[Duplicate of 001c] (1 page)</del>  | <del>09/17/1994</del> | <del>P1/b(1) v2</del> 3/3/2020 |
| <del>001i. talking points</del> | <del>[Duplicate of 001d] (1 page)</del>  | <del>09/17/1994</del> | <del>P1/b(1) v2</del>          |
| <del>001j. memo</del>           | <del>[Duplicate of 001a] (2 pages)</del>   | <del>09/17/1994</del> | <del>P1/b(1) v2</del>          |
| <del>001k. talking points</del> | <del>[Duplicate of 001b] (1 page)</del>  | <del>09/17/1994</del> | <del>P1/b(1) v2</del>          |

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| <del>0011. talking points</del> | <del>{Duplicate of 001c} (1 page)</del> | <del>09/17/1994</del> | <del>P1/b(1)</del> v2 3/3/2020 |
| <del>001m. talking points</del> | <del>{Duplicate of 001d} (1 page)</del> | <del>09/17/1994</del> | <del>P1/b(1)</del> v2 3/3/2020 |

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THE WHITE HOUSE  
WASHINGTON

VIDEO TELECONFERENCE WITH U.S. MILITARY COMMANDERS  
PARTICIPATING IN OPERATION RESTORE DEMOCRACY

DATE: September 17, 1994  
LOCATION: The Pentagon  
TIME: 11:30 am -12:30 p.m.

FROM: ANTHONY LAKE

I. PURPOSE

The purpose of this video teleconference is to:

- Convey personally to RESTORE DEMOCRACY's operational military commanders the goals and objectives you have in ordering the Operation;
- Receive update on final preparations for OPERATION RESTORE DEMOCRACY, as well as assurances that U.S. forces are ready to carry out their mission, from operational and field commanders;
- Express your appreciation, as well as the profound support of the American people, for the hard work and sacrifice of our military commanders, officers and enlisted men and women serving in OPERATION RESTORE DEMOCRACY; and,
- Underscore to the de facto government in Haiti that the international community is resolved to intervene, if necessary, and that time is short.

II. BACKGROUND

This meeting, hosted by Secretary Perry and the Joint Chiefs of Staff, offers an excellent opportunity for you personally to communicate with the principal operational and component commanders that are deployed and underway in anticipation of OPERATION RESTORE DEMOCRACY. The meeting, about which the press has been informed, will further signal to the de facto government in Haiti the Administration's determination to proceed, if necessary, with the military option.

The video teleconference, which will take place in the Pentagon's National Military Command Center (NMCC), will assist you in conveying to RESTORE DEMOCRACY's field commanders exactly what the United States expects to achieve in the Operation. It will also help demonstrate your support -- and the support of the American people -- for the brave men and women who have now placed themselves in harm's way. Finally, it will

aid you in obtaining the assurances of operational military commanders that U.S. forces deployed have all they need to accomplish their mission.

III. PARTICIPANTS

**A complete list of the participants in the video teleconference is at Tab A.**

IV. PRESS PLAN

Prior to the start of the video teleconference, a brief pool press "spray" of you and the Washington-based military commanders for OPERATION RESTORE DEMOCRACY will take place in the National Military Command Center.

**A press announcement is at Tab B.**

V. SEQUENCE

- You will be escorted into the Pentagon by Secretary Perry. Upon entering the NMCC, video teleconferencing facility, Secretary Perry will introduce you to JCS Chairman General Shalikashvili.
- General Shalikashvili will then call the video teleconference to order and offer brief opening remarks.
- You will then offer your own brief introductory remarks. **Your very short statement is at Tab C.**
- The operational commanders will then provide a briefing updating you on final preparations for OPERATION RESTORE DEMOCRACY. **Suggested questions for the field commanders are at Tab D.**
- You will then offer brief concluding remarks. **Those remarks are at Tab E.**
- General Shalikashvili will close the teleconference.

Attachments

- Tab A List of Participants
- Tab B Press Announcement
- Tab C Brief Opening Remarks
- Tab D Suggested Questions During Briefing
- Tab E Brief Concluding Remarks

**INTRODUCTORY TALKING POINTS  
TO U.S. MILITARY FIELD COMPONENT COMMANDERS  
OPERATION RESTORE DEMOCRACY  
THE PENTAGON  
SEPTEMBER 17, 1994**

- Secretary Perry and I asked for this meeting to review your mission; to hear about the status of your forces; to see if there is anything more you need; and to wish you God speed.
- First, I want to review your mission.
- U.S. military forces--air, ground, and sea--are to engage in a coalition operation in Haiti authorized by UN Security Council Resolution 940. You will remove the military leaders from power and establish a stable and secure environment in which the democratically elected Government of Haiti will be restored.
- As part of this objective, you will assist Haitian authorities to establish an Interim Police Force and civilian control of the military.
- Upon creation of a stable and secure environment, you and our partners in the Multi-National Force will hand off your tasks to the UN Mission in Haiti, which will continue through the February 1996 elections.
- You will cooperate closely with other U.S. agencies in the initial international relief effort in Haiti and repatriation of migrants from that country.
- Want to know that you are ready to carry out your mission.
- Is there is anything you still need?.
- Let's begin the discussion.
- I would like to make some remarks at the end.

**VIDEO TELECONFERENCE WITH**  
**US MILITARY FIELD COMPONENT COMMANDERS**  
**OPERATION RESTORE DEMOCRACY**

**Questions You Might Pose During Briefing**

- Rules of engagement clear?
- Medical support adequate? Medevac in place?
- Security at US sites must be airtight -- we don't want a repeat of Beirut-style truck bombs. Is security being sufficiently stressed?
- Distinction between ensuring essential civic order and police work. You are only responsible for essential civic order (prevent rioting, widespread looting, coup attempts). Is that clear?
- What is state of troops' morale?
- Satisfied with our efforts to keep civilian casualties and collateral damage to an absolute minimum?
- What can I do for you to ensure our success? Do you require anything?

**CONCLUDING TALKING POINTS  
TO U.S. MILITARY FIELD COMPONENT COMMANDERS  
OPERATION RESTORE DEMOCRACY  
THE PENTAGON  
SEPTEMBER 17, 1994**

- In closing, let me say a few words.
- Our cause in Haiti is as old as our country.
- We are restoring democracy and freedom in our region.
- We are putting an end to horrible atrocities and human rights abuses near our border.
- We are maintaining regional stability in the face of economic chaos and the threat of a new wave of destabilizing migration.
- We are demonstrating to all who threaten our interests that we mean what we say.
- We have pressed Haiti's dictators to leave; we have put sanctions on them; we have tried every avenue of diplomacy; and, we have threatened force.
- Every diplomatic option has been exhausted. Now they must leave. If the Carter/Nunn/Powell mission does not get them to leave peacefully now, we must act.
- American public support for OPERATION RESTORE DEMOCRACY is building.
- International momentum is strong, and we have a broad coalition assembled and willing to participate with us.
- The UN has asked for, and authorized, our undertaking this necessary mission.
- I and every American will do anything and everything we can to support you.
- Thank you for your service to our Nation. May God bless you and keep you safe.

THE WHITE HOUSE  
WASHINGTON

VIDEO TELECONFERENCE WITH U.S. MILITARY COMMANDERS  
PARTICIPATING IN OPERATION RESTORE DEMOCRACY

DATE: September 17, 1994  
LOCATION: The Pentagon  
TIME: 11:30 am -12:30 p.m.

FROM: ANTHONY LAKE 

I. PURPOSE

The purpose of this video teleconference is to:

- Convey personally to RESTORE DEMOCRACY's operational military commanders the goals and objectives you have in ordering the Operation;
- Receive update on final preparations for OPERATION RESTORE DEMOCRACY, as well as assurances that U.S. forces are ready to carry out their mission, from operational and field commanders;
- Express your appreciation, as well as the profound support of the American people, for the hard work and sacrifice of our military commanders, officers and enlisted men and women serving in OPERATION RESTORE DEMOCRACY; and,
- Underscore to the de facto government in Haiti that the international community is resolved to intervene, if necessary, and that time is short.

II. BACKGROUND

This meeting, hosted by Secretary Perry and the Joint Chiefs of Staff, offers an excellent opportunity for you personally to communicate with the principal operational and component commanders that are deployed and underway in anticipation of OPERATION RESTORE DEMOCRACY. The meeting, about which the press has been informed, will further signal to the de facto government in Haiti the Administration's determination to proceed, if necessary, with the military option.

The video teleconference, which will take place in the Pentagon's National Military Command Center (NMCC), will assist you in conveying to RESTORE DEMOCRACY's field commanders exactly what the United States expects to achieve in the Operation. It will also help demonstrate your support -- and the support of the American people -- for the brave men and women who have now placed themselves in harm's way. Finally, it will

aid you in obtaining the assurances of operational military commanders that U.S. forces deployed have all they need to accomplish their mission.

III. PARTICIPANTS

**A complete list of the participants in the video teleconference is at Tab A.**

IV. PRESS PLAN

Prior to the start of the video teleconference, a brief pool press “spray” of you and the Washington-based military commanders for OPERATION RESTORE DEMOCRACY will take place in the National Military Command Center.

**A press announcement is at Tab B.**

V. SEQUENCE

- You will be escorted into the Pentagon by Secretary Perry. Upon entering the NMCC, video teleconferencing facility, Secretary Perry will introduce you to JCS Chairman General Shalikashvili.
- General Shalikashvili will then call the video teleconference to order and offer brief opening remarks.
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- Tab A List of Participants
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TO U.S. MILITARY FIELD COMPONENT COMMANDERS  
OPERATION RESTORE DEMOCRACY  
THE PENTAGON  
SEPTEMBER 17, 1994**

- Secretary Perry and I asked for this meeting to review your mission; to hear about the status of your forces; to see if there is anything more you need; and to wish you God speed.
- First, I want to review your mission.
- U.S. military forces--air, ground, and sea--are to engage in a coalition operation in Haiti authorized by UN Security Council Resolution 940. You will remove the military leaders from power and establish a stable and secure environment in which the democratically elected Government of Haiti will be restored.
- As part of this objective, you will assist Haitian authorities to establish an Interim Police Force and civilian control of the military.
- Upon creation of a stable and secure environment, you and our partners in the Multi-National Force will hand off your tasks to the UN Mission in Haiti, which will continue through the February 1996 elections.
- You will cooperate closely with other U.S. agencies in the initial international relief effort in Haiti and repatriation of migrants from that country.
- Want to know that you are ready to carry out your mission.
- Is there is anything you still need?.
- Let's begin the discussion.
- I would like to make some remarks at the end.

# Withdrawal/Redaction Marker Clinton Library

| DOCUMENT NO.<br>AND TYPE | SUBJECT/TITLE                                      | DATE       | RESTRICTION     |
|--------------------------|--|------------|-----------------|
| 001g. list               | List of Participants Video Teleconference (1 page) | 09/17/1994 | P2, P5, P6/b(6) |

## COLLECTION:

Clinton Presidential Records  
NSC Records Management  
([Haiti and Lake])  
OA/Box Number: 480

## FOLDER TITLE:

9407498

2006-0187-F

rs212

## RESTRICTION CODES

### Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
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C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

### Freedom of Information Act - [5 U.S.C. 552(b)]

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CONCLUDING TALKING POINTS  
TO U.S. MILITARY FIELD COMPONENT COMMANDERS  
OPERATION RESTORE DEMOCRACY  
THE PENTAGON  
SEPTEMBER 17, 1994

*Phillip  
Levin  
J. F. ...  
R...*

- In closing, let me say a few words.
- Our cause in Haiti is as old as our country.
- 3 • We are restoring democracy and freedom in our region.
- 1 • We are putting an end to horrible atrocities and human rights abuses near our border.
- 2 • We are maintaining regional stability in the face of economic chaos and the threat of a new wave of destabilizing migration.
- 4 • We are demonstrating to all who threaten our interests that we mean what we say.
- We have pressed Haiti's dictators to leave; we have put sanctions on them; we have tried every avenue of diplomacy; and, we have threatened force.
- Every diplomatic option has been exhausted. Now they must leave. If the Carter/Nunn/Powell mission does not get them to leave peacefully now, we must act.
- American public support for OPERATION RESTORE DEMOCRACY is building.
- International momentum is strong, and we have a broad coalition assembled and willing to participate with us.
- The UN has asked for, and authorized, our undertaking this necessary mission.
- I and every American will do anything and everything we can to support you.
- Thank you for your service to our Nation. May God bless you and keep you safe.

**BACK THEIR OFFENSES**

PHOTOCOPY  
WJC HANDWRITING

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THE WHITE HOUSE  
WASHINGTON

September 17, 1994

VIDEO TELECONFERENCE WITH U.S. MILITARY COMMANDERS  
PARTICIPATING IN OPERATION RESTORE DEMOCRACY

DATE: September 17, 1994  
LOCATION: The Pentagon  
TIME: 11:30 am -12:30 p.m.

FROM: ANTHONY LAKE *TL*

I. PURPOSE

The purpose of this video teleconference is to:

- Convey personally to RESTORE DEMOCRACY's operational military commanders the goals and objectives you have in ordering the Operation;
- Receive update on final preparations for OPERATION RESTORE DEMOCRACY, as well as assurances that U.S. forces are ready to carry out their mission, from operational and field commanders;
- Express your appreciation, as well as the profound support of the American people, for the hard work and sacrifice of our military commanders, officers and enlisted men and women serving in OPERATION RESTORE DEMOCRACY; and,
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II. BACKGROUND

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E.O. 13526

White House Guidelines, May 16, 2017

By *LY* NARA, Date *10/8/2015*

2013-0122-00

aid you in obtaining the assurances of operational military commanders that U.S. forces deployed have all they need to accomplish their mission.

III. PARTICIPANTS

**A complete list of the participants in the video teleconference is at Tab A.**

IV. PRESS PLAN

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Attachments

- Tab A List of Participants
- Tab B Press Announcement
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**INTRODUCTORY TALKING POINTS  
TO U.S. MILITARY FIELD COMPONENT COMMANDERS  
OPERATION RESTORE DEMOCRACY  
THE PENTAGON  
SEPTEMBER 17, 1994**

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- Is there is anything you still need?.
- Let's begin the discussion.
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**VIDEO TELECONFERENCE WITH**  
**US MILITARY FIELD COMPONENT COMMANDERS**  
**OPERATION RESTORE DEMOCRACY**

**Questions You Might Pose During Briefing**

- Rules of engagement clear?
- Medical support adequate? Medevac in place?
- Security at US sites must be airtight -- we don't want a repeat of Beirut-style truck bombs. Is security being sufficiently stressed?
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**CONCLUDING TALKING POINTS  
TO U.S. MILITARY FIELD COMPONENT COMMANDERS  
OPERATION RESTORE DEMOCRACY  
THE PENTAGON  
SEPTEMBER 17, 1994**

- In closing, let me say a few words.
- Our cause in Haiti is as old as our country.
- We are restoring democracy and freedom in our region.
- We are putting an end to horrible atrocities and human rights abuses near our border.
- We are maintaining regional stability in the face of economic chaos and the threat of a new wave of destabilizing migration.
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- International momentum is strong, and we have a broad coalition assembled and willing to participate with us.
- The UN has asked for, and authorized, our undertaking this necessary mission.
- I and every American will do anything and everything we can to support you.
- Thank you for your service to our Nation. May God bless you and keep you safe.

Case Number: 2013-0122-M

# MIR MARKER

This is not a textual record. This is used as an administrative marker by the Clinton Presidential Library Staff.

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# Withdrawal/Redaction Sheet

## Clinton Library

| DOCUMENT NO. AND TYPE           | SUBJECT/TITLE   | DATE                   | RESTRICTION                     |
|---------------------------------|---|------------------------|---------------------------------|
| <del>001a. memo</del>           | <del>William Danvers to Anthony Lake re: Hill Consultations on Haiti (1 page)</del>             | <del>09/17/1994</del>  | <del>P1/b(1) RDS 3/4/2013</del> |
| <del>001b. memo</del>           | <del>Pat Griffin and Lake to POTUS re: Hill Consultations on Haiti (1 page)</del>               | <del>ca. 09/1994</del> | <del>P1/b(1) RDS 3/4/2013</del> |
| <del>001c. talking points</del> | <del>Talking Points to Meeting with Congressional Leaders on Haiti (1 page)</del>               | <del>ca. 09/1994</del> | <del>P1/b(1) RDS 3/4/2013</del> |
| <del>001d. talking points</del> | <del>Talking Points for Meeting with Congressional Leaders on Haiti [notecards] (3 pages)</del> | <del>09/19/1994</del>  | <del>P1/b(1) RDS 3/4/2013</del> |
| <del>001e. memo</del>           | <del>Griffin and Lake to POTUS re: Hill Consultations on Haiti (1 page)</del>                   | <del>09/19/1994</del>  | <del>P1/b(1) RDS 3/4/2013</del> |
| <del>001f. talking points</del> | <del>Talking Points for Meeting with Congressional Leaders on Haiti (2 pages)</del>             | <del>09/19/1994</del>  | <del>P1/b(1) RDS 3/4/2013</del> |
| <del>001g. memo</del>           | <del>William Danvers to Lake re: Hill Consultations on Haiti (1 page)</del>                     | <del>09/18/1994</del>  | <del>P1/b(1) RDS 3/4/2013</del> |

**COLLECTION:**

Clinton Presidential Records  
 NSC Records Management  
 ([Haiti and Lake])  
 OA/Box Number: 480

**FOLDER TITLE:**

9407507

2006-0187-F  
 rs213

**RESTRICTION CODES**

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
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C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

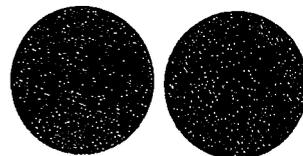
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CLINTON LIBRARY PHOTOCOPY

September 17, 1994



ACTION

MEMORANDUM FOR ANTHONY LAKE

FROM: WILLIAM DANVERS *WCD*

SUBJECT: Hill Consultations on Haiti

As part of consultations with the Hill on our intervention into Haiti, in discussion with Pat Griffin's office, DoD Legislative Affairs and State Legislative Affairs, we recommend that the President, Vice President and key members of their foreign policy team and Administration meet with a select group of Congressional foreign policy leadership at 11:00 AM the morning of the intervention at the White House. The details for setting up the meeting are being taken care of by Pat Griffin's office.

The purpose of the meeting is to brief Members about the situation on the ground in Haiti. In addition to the President and Vice President the Administration would be represented by Secretary Christopher, Secretary Perry, General Shalikashvili, Madeleine Albright, Sandy Berger, Leon Fuerth, Bill Gray, Leon Panetta, Pat Griffin and you.

The President will open up with a brief introduction and turn it over to Secretary Perry. Secretary Perry will speak for a few moments and turn it over to General Shalikashvili who will do the actual briefing.

We have prepared a memo for you (Tab I) to send to the President on the Congressional briefing and talking points for the President (Tab A).

RECOMMENDATION

That you forward the attached memo.

Attachment

- Tab I Memo for the President
- Tab A Talking points for the President

DECLASSIFIED  
E.O. 13526  
White House Guidelines, May 16, 2017  
By EDS NARA, Date 3/4/2013

THE WHITE HOUSE  
WASHINGTON

INFORMATION

MEMORANDUM FOR THE PRESIDENT

FROM: ANTHONY LAKE  
PAT GRIFFIN

SUBJECT: Hill consultations on Haiti

As part of consultations with the Hill on the situation in Haiti, we recommend that you, the Vice President and key members of your foreign policy team and Administration meet with a select group of Congressional foreign policy leadership at 11:00 AM the morning of the intervention at the White House. The meeting will be in the East Room.

The purpose of the meeting is to brief Members and Senators about the situation on the ground in Haiti. The Congressional delegation should include: Sen. Mitchell, Sen. Dole, Sen. Ford, Sen. Simpson, Sen. Pell, Sen. Helms, Sen. Nunn, Sen. Thurmond, Sen. DeConcini, Sen. Warner, Sen. Byrd, Sen. Hatfield, Sen. Leahy, Sen. McConnell, Sen. Inouye, Sen. Stevens, Sen. Hollings, Sen. Sen. Domenici, Sen. Graham, Sen. Dodd, Sen. Kerry, Sen. Harkin, Sen. Moseley-Braun, Speaker Foley, Rep. Gephardt, Rep. Bonior, Rep. Michel, Rep. Gingrich, Rep. Hamilton, Rep. Gilman, Rep. Dellums, Rep. Spence, Rep. Obey, Rep. Livingston, Rep. Murtha, Rep. McDade, Rep. Mollohan, Rep. Rogers, Rep. Glickman, Rep. Combest, Rep. Mfume, Rep. Payne and Rep. Owens.

In addition to the Vice President, we recommend that you be accompanied by Leon Panetta, Secretary Christopher, Secretary Perry, General Shalikhshvili, Madeleine Albright, Sandy Berger, Leon Fuerth, Bill Gray, Tony Lake and Pat Griffin.

We suggest that you begin the meeting with a few opening remarks, then turn it over to Secretary Perry. After a few comments he will turn it over to General Shalikhshvili who will go into detail on the situation.

We have prepared brief talking points for you (Tab A).

Attachment  
Tab A Talking points

DECLASSIFIED  
E.O. 13526  
White House Guidelines, May 16, 2017  
By RDS NARA, Date 3/4/2013  
2013-0122-11

## Talking Points for Meeting with Congressional Leaders on Haiti

- I want to thank you for coming this morning. As you know Operation Maintain Democracy began early this morning.
- Things are proceeding well. General Shalikashvili will give you a full briefing on the situation in Haiti.
- I want to take a moment to reiterate the reasons why we undertook this operation:
  - to promote democracy;
  - to uphold the reliability of our commitments around the world;
  - to stop the horrific atrocities that threaten thousands of men, women and children in Haiti; and
  - to secure our borders and preserve stability in our hemisphere.
- The goals of the international coalition are equally clear-- and limited.
- Once the military regime is removed from power, the coalition will help the democratic government establish basic security; it will begin the process of placing the Haitian police under civilian control and monitor them to help ensure that they respect human rights.
- Let me also stress what this undertaking is not about-- it is not about nation building. That is the task of the Haitian people.
- While I know that some of you had misgivings about this operation, I hope now that our troops are on the ground we can stand united behind them and their mission.
- I will now turn it over to Bill Perry.

TALKING POINTS FOR MEETING  
WITH CONGRESSIONAL LEADERS ON HAITI

- I ASKED YOU TO COME THIS MORNING TO DISCUSS THE DETAILS OF THIS WEEKEND'S EVENTS IN HAITI.
- AS YOU KNOW, THE HAITIAN DICTATORS HAVE RECOGNIZED THAT IT IS IN THEIR BEST INTEREST-- AND THE BEST INTEREST OF THE HAITIAN PEOPLE-- TO RELINQUISH POWER PEACEFULLY, RATHER THAN FACE ACTION BY THE FORCES OF THE MULTINATIONAL COALITION LED BY THE UNITED STATES.

THE PRESIDENT HAS SEEN  
9/19/94

- OUR OBJECTIVE FOR THE LAST THREE YEARS HAS BEEN TO MAKE SURE THAT THE MILITARY DICTATORS LEAVE POWER AND THAT THE DEMOCRATICALLY ELECTED GOVERNMENT IS RETURNED.
- THIS AGREEMENT GUARANTEES THAT THE DICTATORS LEAVE POWER PEACEFULLY AND PROVIDES THE MOST ORDERLY TRANSFER OF POWER POSSIBLE TO HAITI'S DEMOCRATICALLY ELECTED GOVERNMENT.
- UNDER THE AGREEMENT, THE DICTATORS HAVE AGREED TO LEAVE POWER AS SOON AS THE HAITIAN PARLIAMENT PASSES AN AMNESTY LAW BUT, IN ANY EVENT, NO LATER THAN OCTOBER 15TH.

Card 3 of 6

- PRESIDENT ARISTIDE WILL RETURN TO HAITI AS SOON AS POSSIBLE AFTER THE DICTATORS' DEPARTURE FROM POWER.
- THEY HAVE AGREED TO THE IMMEDIATE INTRODUCTION OF TROOPS FROM THE INTERNATIONAL COALITION AND HAVE PLEDGED TO COOPERATE FULLY WITH THE COALITION TROOPS DURING THE PEACEFUL TRANSITION OF POWER.
- I HAVE DIRECTED U.S. TROOPS TO BEGIN DEPLOYMENT INTO HAITI AS PART OF THE U.N. COALITION BEGINNING TODAY.
- THE PRESENCE OF THE 15,000-MEMBER MULTINATIONAL FORCE WILL GUARANTEE THAT THE DICTATORS CARRY OUT THE TERMS OF THE AGREEMENT.

Card 4 of 6

- IT IS CLEAR FROM OUR DISCUSSIONS WITH THE DELEGATION, THAT THE DICTATORS ONLY AGREED TO THESE ARRANGEMENTS BECAUSE OF THE CREDIBLE AND IMMINENT THREAT OF THE MULTINATIONAL FORCE.
- THIS AGREEMENT MEANS THAT AMERICAN TROOPS ARE GOING TO HAITI UNDER MUCH MORE FAVORABLE CONDITIONS.
- THAT IS NOT TO SAY THAT THIS MISSION IS WITHOUT RISKS. HAITI IS STILL A TROUBLED COUNTRY AND THERE REMAIN POSSIBILITIES OF VIOLENCE DIRECTED AT AMERICAN TROOPS. BUT THIS AGREEMENT MINIMIZES THOSE RISKS.

Card 5 of 6

- WITHIN MONTHS, THE COALITION'S TASK OF ESTABLISHING BASIC SECURITY WILL BE ACCOMPLISHED AND A SMALLER CONTINGENT OF U.S. TROOPS WILL JOIN THE UN MISSION THAT WILL REMAIN NO LONGER THAN THE BEGINNING OF 1996, AFTER THE NEXT GENERAL ELECTION.
- AT THE END OF THE DAY, WE KNOW THAT THAT THE JOB OF REBUILDING A DEMOCRATIC HAITI BELONGS TO THE HAITIAN PEOPLE.
- I WANT TO THANK PRESIDENT CARTER, SENATOR NUNN AND GENERAL POWELL FOR ALL THEIR HARD WORK, BUT AS I SAID LAST NIGHT, I ALSO WANT TO GIVE SPECIAL THANKS TO ALL THE MEN AND WOMEN OF THE UNITED STATES ARMED FORCES FOR THEIR DEDICATION TO THEIR NATION.

Card 6 of 6

- LET ME NOW ASK THEM TO REPORT TO YOU ON THEIR MISSION.

~~SECRET~~

## THE WHITE HOUSE

WASHINGTON

September 19, 1994

INFORMATION

## MEMORANDUM FOR THE PRESIDENT

FROM: ANTHONY LAKE  
PAT GRIFFIN

SUBJECT: Hill consultations on Haiti

The purpose of the meeting is to brief Members and Senators about the details of this weekend's events. We recommend that you, the Vice President and key members of your foreign policy team and Administration meet with the bipartisan Congressional leadership and key foreign policy spokespersons at 10:00 a.m. Monday, September 19 at the White House. The meeting will be in the State Dining Room. Former President Carter, General Powell and Senator Nunn will also be there to brief the members.

In addition to the Vice President, we recommend that you be accompanied by Leon Panetta, Secretary Christopher, Secretary Perry, General Shalikashvili, Madeleine Albright, Bill Gray and ourselves.

We suggest that you begin the meeting with a few opening remarks, then ask President Carter, General Powell and Senator Nunn to brief the group on their trip to Haiti. After their remarks, the session should be opened up for questions and answers. Secretary Christopher, Secretary Perry, General Shalikashvili and Anthony Lake will be available for questions.

We have prepared talking points for you (Tab A) and a list of participants (Tab B).

## Attachment

Tab A Talking points  
Tab B List of participants

DECLASSIFIED  
E.O. 13526  
White House Guidelines, May 16, 2017  
By PDS NARA, Date 3/4/2013  
2013-0122-m

~~SECRET~~

Declassify on:

OADR

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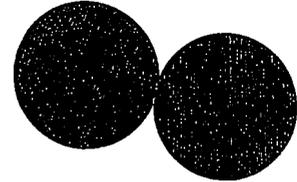
cc: Vice President  
Chief of Staff

## Talking Points for Meeting with Congressional Leaders on Haiti

- I asked you to come this morning to discuss the details of this weekend's events in Haiti.
- As you know, the Haitian dictators have recognized that it is in their best interest-- and the best interest of the Haitian people-- to relinquish power peacefully, rather than face action by the forces of the multinational coalition led by the United States.
- Our objective for the last three years has been to make sure that the military dictators leave power and that the democratically elected government is returned.
- This agreement guarantees that the dictators leave power peacefully and provides the most orderly transfer of power possible to Haiti's democratically elected government.
- Under the agreement, the dictators have agreed to leave power as soon as the Haitian Parliament passes an amnesty law but, in any event, no later than October 15th.
- President Aristide will return to Haiti as soon as possible after the dictators' departure from power.
- They have agreed to the immediate introduction of troops from the international coalition and have pledged to cooperate fully with the coalition troops during the peaceful transition of power.
- I have directed U.S. troops to begin deployment into Haiti as part of the U.N. coalition beginning today.
- The presence of the 15,000-member multinational force will guarantee that the dictators carry out the terms of the agreement.
- It is clear from our discussions with the delegation, that the dictators only agreed to these arrangements because of the credible and imminent threat of the multinational force.
- This agreement means that American troops are going to Haiti under much more favorable conditions.

- That is not to say that this mission is without risks. Haiti is still a troubled country and there remain possibilities of violence directed at American troops. But this agreement minimizes those risks.
- Within months, the coalition's task of establishing basic security will be accomplished and a smaller contingent of U.S. troops will join the UN mission that will remain no longer than the beginning of 1996, after the next general election.
- At the end of the day, we know that that the job of rebuilding a democratic Haiti belongs to the Haitian people.
- I want to thank President Carter, Senator Nunn and General Powell for all their hard work, but as I said last night, I also want to give special thanks to all the men and women of the United States armed forces for their dedication to their nation.
- Let me now ask them to report to you on their mission.

September 18, 1994



ACTION

MEMORANDUM FOR ANTHONY LAKE

FROM: WILLIAM DANVERS

SUBJECT: Hill Consultations on Haiti

In order to inform the Hill of the details of recent events in Haiti, Pat Griffin's office has recommended that the President, Vice President and key members of their foreign policy team and Administration meet with Congressional bipartisan leadership at 10:00 AM Monday, September 19 at the White House. The meeting will be in the State Dining Room.

The purpose of the meeting is to brief the leadership about the details of this weekend's events.

In addition to the President and Vice President we recommend that the Administration be represented by Secretary Christopher, Secretary Perry, General Shalikashvili, Madeleine Albright, Sandy Berger, Leon Fuerth, Bill Gray, Leon Panetta, Pat Griffin and you. *L, Strobe*

We suggest that the President open up with a few remarks, then turn it over to Secretary Christopher for a more detailed account of the arrangement. He in turn should turn to Secretary Perry to discuss the military situation.

We have prepared a memo for you (Tab I) to send to the President on the Congressional briefing and talking points for the President (Tab A) and a list of participants (Tab B).

RECOMMENDATION

That you forward the attached memo.

*\* AT TABLE ONLY  
Others in back*

Attachment

- Tab I Memo for the President
- Tab A Talking points for the President

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E.O. 13526

~~SECRET~~

Declassify on: OADR

CLINTON LIBRARY PHOTO COPY

White House Guidelines, May 16, 2017  
By: NARA, Date: 2/2/20

2013-0122-m

Case Number: 2013-0122-M

# MIR MARKER

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| Original OA/ID Number:<br>481 |               |             |                |             |
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| Document ID:<br>9407605       |               |             |                |             |
| Row:<br>44                    | Section:<br>4 | Shelf:<br>6 | Position:<br>3 | Stack:<br>v |

# Withdrawal/Redaction Sheet

## Clinton Library

| DOCUMENT NO. AND TYPE           | SUBJECT/TITLE  | DATE                   | RESTRICTION                    |
|---------------------------------|--|------------------------|--------------------------------|
| <del>001a. memo</del>           | <del>Lawrence Rossin to Anthony Lake re: Talking Points for Telephone Call to Haitian President Aristide (partial) (1 page)</del>                | <del>09/20/1994</del>  | <del>P5</del> v2 1/21/2013     |
| <del>001b. memo</del>           | <del>Anthony Lake to POTUS re: Talking Points for Telephone Call to President Aristide of Haiti (1 page)</del>                                   | <del>ea. 09/1994</del> | <del>P1/b(1)</del> v2 7/3/2020 |
| <del>001c. talking points</del> | <del>Telephone Call to Haitian President Jean-Bertrand Aristide (2 pages)</del>  | <del>ea. 09/1994</del> | <del>P1/b(1)</del> v2          |
| <del>001d. memo</del>           | <del>Lake to POTUS re: Talking Points for Telephone Calls (1 page)</del>   | <del>09/22/1994</del>  | <del>P1/b(1)</del> v2          |
| <del>001e. talking points</del> | <del>Telephone Call to Haitian President Jean-Bertrand Aristide (2 pages)</del>  | <del>ea. 09/1994</del> | <del>P1/b(1)</del> v2          |
| <del>001f. talking points</del> | <del>Telephone Call to U.S. Ambassador Bill Swing (1 page)</del>   | <del>ea. 09/1994</del> | <del>P1/b(1)</del> v2          |
| <del>001g. memo</del>           | <del>[Duplicate of 001d] (1 page)</del>  | <del>09/22/1994</del>  | <del>P1/b(1)</del> v2          |
| <del>001h. talking points</del> | <del>[Duplicate of 001c] (2 pages)</del>   | <del>ea. 09/1994</del> | <del>P1/b(1)</del> v2          |
| <del>001i. talking points</del> | <del>[Duplicate of 001f] (1 page)</del>  | <del>ea. 09/1994</del> | <del>P1/b(1)</del> v2          |
| 002a. memo                      | To: POTUS; From: Anthony Lake; Re: Talking Points for Telephone Calls to President Aristide of Haiti and Ambassador to Haiti Bill Swing (1 page) | 09/22/1994             | P1/b(1) v2                     |
| <del>002b. talking points</del> | <del>Telephone Call to Haitian President Jean-Bertrand Aristide (2 pages)</del>  | <del>00/00/0000</del>  | <del>P1/b(1)</del> v2          |

**COLLECTION:**

Clinton Presidential Records  
 NSC Records Management  
 ([Haiti and Lake])  
 OA/Box Number: 481

**FOLDER TITLE:**

9407605

2006-0187-F  
 rs215

**RESTRICTION CODES**

Presidential Records Act - [44 U.S.C. 2204(a)]

Freedom of Information Act - [5 U.S.C. 552(b)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

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# Withdrawal/Redaction Sheet

## Clinton Library

| DOCUMENT NO.<br>AND TYPE       | SUBJECT/TITLE                         | DATE                  | RESTRICTION         |
|--------------------------------|---------------------------------------|-----------------------|---------------------|
| <del>002c</del> talking points | <del>Duplicate of 001f (1 page)</del> | <del>00/00/0000</del> | P1/b(1) v2 3/3/2020 |

**COLLECTION:**

Clinton Presidential Records  
 NSC Records Management  
 ([Haiti and Lake])  
 OA/Box Number: 481

**FOLDER TITLE:**

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rs215

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RR. Document will be reviewed upon request.

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NATIONAL SECURITY COUNCIL  
WASHINGTON, D.C. 20506

September 20, 1994

ACTION

MEMORANDUM FOR ANTHONY LAKE

FROM: LAWRENCE G. ROSSIN *[Signature]*

SUBJECT: Talking Points for Telephone Call to Haitian President Aristide

The Memorandum to the President at Tab I provides talking points for ~~the~~ phone call to President Aristide ~~on Wednesday~~

*and Ambassador Swing.*

RECOMMENDATION

That you sign the Memorandum to the President at Tab I.

Attachments

- Tab I Memorandum to the President
- Tab A Talking Points

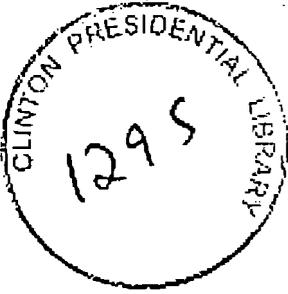
*Larry*

① please redo to reflect today's statement

② do another phone call to Amer Swing (build him up)

*-letter?*

Ⓜ



DECLASSIFIED  
E.O. 12958, As Amended,  
White House Guidelines, August 28, 1997  
By NARA Date 12/7/01

THE WHITE HOUSE  
WASHINGTON

INFORMATION

MEMORANDUM FOR THE PRESIDENT

FROM: ANTHONY LAKE

SUBJECT: Talking Points for Telephone Call to President  
Aristide of Haiti

President Aristide is starting to come around following his negative first reaction to the agreement negotiated by Jimmy Carter's delegation September 18. General Sheehan and I met with him last evening and, stressing your commitment to the departure of the military leaders and his return to Haiti, apparently were able to assuage many of Aristide's concerns. He in turn emphasized his desire to be supportive and accepted an invitation to visit the Pentagon today for a detailed briefing. He indicated that he would make a statement of appreciation for the sacrifices our soldiers are making for the Haitian people and for your commitment to restoring Haitian democracy.

Your phone call will reinforce our efforts to keep Aristide publicly behind our policy in coming transition month.

Attachment  
Tab A Talking Points

*update  
add swing*

DECLASSIFIED  
E.O. 13526

White House Guidelines, May 16, 2017  
by VZ NARA, Date 10/8/2019  
2013-0122-m (2.41)

TELEPHONE CALL TO HAITIAN PRESIDENT JEAN-BERTRAND ARISTIDE

Talking Points

- Glad you had a good briefing last evening from Tony Lake and General Sheehan.
- Know today's Pentagon visit will give you full understanding of our activities, plans.
- We want to work closely with you and want you to be comfortable with implementation of September 18 agreement and Operation Uphold Democracy. Will send you briefers regularly, but let us know whenever questions or concerns arise.
- Can understand your discomfort with some dimensions of September 18 agreement. Imperfect. But stress: It is about removal of coup leaders from power, your return to Haiti without need for invasion, American and Haitian bloodshed. Cedras, Biamby, Francois will step down October 15 at latest. We want you to return as soon thereafter as you wish. 14,000 American troops guarantee compliance.
- Glad you told Tony you will publicly express appreciation for our troops. Essential if we are to maintain our engagement in Haiti. Moving fast on Status of Forces, other agreements will reinforce our visible cooperation.
- Also underscore: We will not recognize *de facto* Jonassaint regime. It, like Cedras, will go October 15 at latest. Will work actively with your ministers on all issues. Hope you can put new government in place quickly once you return.
- Must lift some of our sanctions now to balance our political message to Haitians while giving our military the needed tools. UN sanctions will stay on until military leaders leave, per UNSC resolutions. As Tony explained, will also seek broader humanitarian exemptions.
- Understand your concerns about thugs and disarmament. Weapons buyback, other programs will help get this under control. Having gone in cooperatively, not forcibly, we have to move slower, but we will control this situation. Pentagon briefers can answer your questions.

- Working together, visibly and concretely, we will achieve our shared goals in the next few weeks and set Haiti on a new, hopeful course.

~~CONFIDENTIAL~~

THE PRESIDENT HAS SEEN

9/23/94

THE WHITE HOUSE

WASHINGTON

COPY 7605

INFORMATION

September 22, 1994

94 SEP 22 P 7: 57

MEMORANDUM FOR THE PRESIDENT

FROM: ANTHONY LAKE

SUBJECT: Talking Points for Telephone Calls to President Aristide of Haiti and Ambassador to Haiti Bill Swing

ARISTIDE

President Aristide is coming around nicely following his negative first reaction to the agreement negotiated by Jimmy Carter's delegation September 18. Your phone call will reinforce our efforts to keep Aristide publicly behind our policy in coming transition month.

SWING

Talking points are also provided for a call to our Ambassador in Haiti, Bill Swing. Ambassador Swing was excluded by President Carter from all activities related to the delegation's visit, undercutting Swing's credibility. We need Haitians to know that Swing enjoys your full confidence and authority. A phone call would convey that clearly, if you have time.

Attachments

- Tab A Talking Points for President Aristide
- Tab B Talking Points for Ambassador Swing

For your convenience, I am forwarding you this copy of Haiti Phone Calls in case you would care to review.

DECLASSIFIED  
E.O. 13526, Sec. 3.5 (b)  
White House Guidelines, September 11, 2006  
By VZ NARA, Date 10/8/2019  
7013-0122-M (2,42)

The original memo will be forwarded to the Oval Office in the morning.

~~CONFIDENTIAL~~

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Vice President  
Chief of Staff

TELEPHONE CALL TO HAITIAN PRESIDENT JEAN-BERTRAND ARISTIDE

Talking Points

- Appreciated your strong public support at the Pentagon. American soldiers, their families and all our people glad to know you, Haitian people welcome them, value their sacrifice.
- Hope the briefings there gave you full understanding of our activities, plans.
- We want to work closely with you.
- Glad Pentagon meetings and Tony Lake's, General Sheehan's visit Tuesday evening answered many concerns. Will send you briefers regularly, but let us know whenever questions arise.
- Can understand your discomfort with some dimensions of September 18 agreement. Imperfect. But stress: About removing coup leaders from power, your return to Haiti without American and Haitian bloodshed. Cedras, Biamby, Francois will step down by October 15. We want you to return right thereafter. 14,000 U.S. troops guarantee compliance.
- Moving fast on Status of Forces, other agreements will reinforce our visible cooperation.
- Also underscore: We will not recognize *de facto* Jonassaint regime. It, like Cedras, will go October 15 at latest. Will work actively with your ministers on all issues. Hope you can put new government in place quickly once you return.
- Must lift some of our sanctions now to balance our political message to Haitians while giving our military the needed tools. UN sanctions will stay on until military leaders leave, per UNSC resolutions. As Tony explained, will also seek broader humanitarian exemptions.
- Understand your concerns about disarmament. Weapons buyback, other programs will help get this under control. Having gone in cooperatively, not forcibly, we have to move slower, but we will control this situation. Glad that step by step approach outlined by General Sheehan met with your approval.

- Condemn police violence against innocent Haitians Tuesday. General Shelton stressed to Cedras: Will not be tolerated. Taking steps -- including sending 1,000 U.S. military police -  
- to deal with problem.
- Working together, visibly and concretely, we will achieve our shared goals in the next few weeks and set Haiti on a new, hopeful course.

TELEPHONE CALL TO U.S. AMBASSADOR BILL SWING

Talking Points

- Calling to express appreciation for your fine work in most difficult circumstances.
- Your unstinting support for Carter delegation was invaluable and selfless.
- Arrival of U.S. forces without bloodshed gives momentous opportunity to change history of Haiti.
- I continue to look to you to represent me personally to the Haitian government authorities and to lead our entire mission of courageous and dedicated public servants in opening this new era for Haiti.
- Things going well so far. Your cooperation with General Shelton a model.
- Hopefully, stabilization and end of sanctions in coming days and weeks will allow early return of Mrs. Swing and rest of Mission family. Know you all miss your loved ones.
- Please convey to entire U.S. team in Haiti my respect for your leadership and their dedication under challenging conditions. All of you are in Hillary's and my thoughts.

079560

7605

~~CONFIDENTIAL~~

THE WHITE HOUSE  
WASHINGTON

THE PRESIDENT HAS SEEN  
9/23/94

September 22, 1994

0943SEP 22 P7:57

INFORMATION

MEMORANDUM FOR THE PRESIDENT

FROM: ANTHONY LAKE

SUBJECT: Talking Points for Telephone Calls to President  
Aristide of Haiti and Ambassador to Haiti Bill  
Swing

ARISTIDE

President Aristide is coming around nicely following his negative first reaction to the agreement negotiated by Jimmy Carter's delegation September 18. Your phone call will reinforce our efforts to keep Aristide publicly behind our policy in coming transition month.

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Talking points are also provided for a call to our Ambassador in Haiti, Bill Swing. Ambassador Swing was excluded by President Carter from all activities related to the delegation's visit, undercutting Swing's credibility. We need Haitians to know that Swing enjoys your full confidence and authority. A phone call would convey that clearly, if you have time.

Attachments

- Tab A Talking Points for President Aristide
- Tab B Talking Points for Ambassador Swing

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E.O. 13526  
White House Guidelines, May 16, 2017  
By 12 NARA, Date 10/8/2019  
293-0122-M

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WJC HANDWRITING

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cc: Vice President  
Chief of Staff

TELEPHONE CALL TO HAITIAN PRESIDENT JEAN-BERTRAND ARISTIDE

Talking Points

- Appreciated your strong public support at the Pentagon. American soldiers, their families and all our people glad to know you, Haitian people welcome them, value their sacrifice.
- Hope the briefings there gave you full understanding of our activities, plans.
- We want to work closely with you.
- Glad Pentagon meetings and Tony Lake's, General Sheehan's visit Tuesday evening answered many concerns. Will send you briefers regularly, but let us know whenever questions arise.
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TELEPHONE CALL TO U.S. AMBASSADOR BILL SWING

Talking Points

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- Your unstinting support for Carter delegation was invaluable and selfless.
- Arrival of U.S. forces without bloodshed gives momentous opportunity to change history of Haiti.
- I continue to look to you to represent me personally to the Haitian government authorities and to lead our entire mission of courageous and dedicated public servants in opening this new era for Haiti.
- Things going well so far. Your cooperation with General Shelton a model.
- Hopefully, stabilization and end of sanctions in coming days and weeks will allow early return of Mrs. Swing and rest of Mission family. Know you all miss your loved ones.
- Please convey to entire U.S. team in Haiti my respect for your leadership and their dedication under challenging conditions. All of you are in Hillary's and my thoughts.

TO: PRESIDENT

FROM: LAKE

DOC DATE: 22 SEP 94  
SOURCE REF:

KEYWORDS: HAITI

TELCALL

PERSONS:

SUBJECT: TALKING POINTS FOR TELEPHONE CALLS TO PRES ARISTIDE & AMB SWING

ACTION: NOTED BY PRESIDENT

DUE DATE: 23 SEP 94 STATUS: C

STAFF OFFICER: ROSSIN

LOGREF:

FILES: PA

NSCP:

CODES:

D O C U M E N T   D I S T R I B U T I O N

FOR ACTION  
NSC CHRON

FOR CONCURRENCE

FOR INFO  
ROSSIN

COMMENTS: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

DISPATCHED BY \_\_\_\_\_ DATE \_\_\_\_\_ BY HAND W/ATTCH

OPENED BY: NSASK

CLOSED BY: NSASK

DOC 2 OF 2

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ACTION DATA SUMMARY REPORT

RECORD ID: 9407605

DOC ACTION OFFICER

CAO ASSIGNED ACTION REQUIRED

001 LAKE  
002 PRESIDENT  
002

Z 94092115 FWD TO PRESIDENT FOR INFORMATION  
Z 94092216 FOR INFORMATION  
X 94092816 NOTED BY PRESIDENT

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National Security Council  
The White House

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| Itoh            | _____       | _____          | _____              |
| Soderberg       | _____       | _____          | _____              |
| Berger          | _____       | _____          | _____              |
| Lake            | _____       | _____          | _____              |
| Situation Room  | _____       | _____          | _____              |
| West Wing Desk  | <u>1</u>    | <u>JB 9/28</u> | <u>Add to File</u> |
| NSC Secretariat | <u>2</u>    | _____          | _____              |
| _____           | _____       | _____          | _____              |
| _____           | _____       | _____          | _____              |

A = Action    I = Information    D = Dispatch    R = Retain    N = No Further Action

cc: \_\_\_\_\_

COMMENTS:

Exec Sec Office has diskette \_\_\_\_\_

~~CONFIDENTIAL~~

## THE WHITE HOUSE

WASHINGTON

September 22, 1994

94 SEP 22 P7:57

INFORMATION

MEMORANDUM FOR THE PRESIDENT

FROM:

ANTHONY LAKE 

SUBJECT:

Talking Points for Telephone Calls to President  
Aristide of Haiti and Ambassador to Haiti Bill  
SwingARISTIDE

President Aristide is coming around nicely following his negative first reaction to the agreement negotiated by Jimmy Carter's delegation September 18. Your phone call will reinforce our efforts to keep Aristide publicly behind our policy in coming transition month.

SWING

Talking points are also provided for a call to our Ambassador in Haiti, Bill Swing. Ambassador Swing was excluded by President Carter from all activities related to the delegation's visit, undercutting Swing's credibility. We need Haitians to know that Swing enjoys your full confidence and authority. A phone call would convey that clearly, if you have time.

## Attachments

Tab A Talking Points for President Aristide

Tab B Talking Points for Ambassador Swing

DECLASSIFIED

E.O. 13526

White House Guidelines, May 16, 2017

By VZ NARA, Date 10/4/2019

2013-0722-M

~~CONFIDENTIAL~~

Declassify on: OADR

cc: Vice President  
Chief of Staff

CLINTON LIBRARY PHOTOCOPY

TELEPHONE CALL TO HAITIAN PRESIDENT JEAN-BERTRAND ARISTIDE

Talking Points

- Appreciated your strong public support at the Pentagon. American soldiers, their families and all our people glad to know you, Haitian people welcome them, value their sacrifice.
- Hope the briefings there gave you full understanding of our activities, plans.
- We want to work closely with you.
- Glad Pentagon meetings and Tony Lake's, General Sheehan's visit Tuesday evening answered many concerns. Will send you briefers regularly, but let us know whenever questions arise.
- Can understand your discomfort with some dimensions of September 18 agreement. Imperfect. But stress: About removing coup leaders from power, your return to Haiti without American and Haitian bloodshed. Cedras, Biamby, Francois will step down by October 15. We want you to return right thereafter. 14,000 U.S. troops guarantee compliance.
- Moving fast on Status of Forces, other agreements will reinforce our visible cooperation.
- Also underscore: We will not recognize *de facto* Jonassaint regime. It, like Cedras, will go October 15 at latest. Will work actively with your ministers on all issues. Hope you can put new government in place quickly once you return.
- Must lift some of **our** sanctions now to balance our political message to Haitians while giving our military the needed tools. **UN sanctions** will stay on until military leaders leave, per UNSC resolutions. As Tony explained, will also seek broader humanitarian exemptions.
- Understand your concerns about disarmament. Weapons buyback, other programs will help get this under control. Having gone in cooperatively, not forcibly, we have to move slower, but we will control this situation. Glad that step by step approach outlined by General Sheehan met with your approval.

- Condemn police violence against innocent Haitians Tuesday. General Shelton stressed to Cedras: Will not be tolerated. Taking steps -- including sending 1,000 U.S. military police -  
- to deal with problem.
- Working together, visibly and concretely, we will achieve our shared goals in the next few weeks and set Haiti on a new, hopeful course.

TELEPHONE CALL TO U.S. AMBASSADOR BILL SWING

Talking Points

- Calling to express appreciation for your fine work in most difficult circumstances.
- Your unstinting support for Carter delegation was invaluable and selfless.
- Arrival of U.S. forces without bloodshed gives momentous opportunity to change history of Haiti.
- I continue to look to you to represent me personally to the Haitian government authorities and to lead our entire mission of courageous and dedicated public servants in opening this new era for Haiti.
- Things going well so far. Your cooperation with General Shelton a model.
- Hopefully, stabilization and end of sanctions in coming days and weeks will allow early return of Mrs. Swing and rest of Mission family. Know you all miss your loved ones.
- Please convey to entire U.S. team in Haiti my respect for your leadership and their dedication under challenging conditions. All of you are in Hillary's and my thoughts.

# MR MARKER

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| Original OA/ID Number:<br>139 |               |             |                |             |
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| Document ID:<br>9300147       |               |             |                |             |
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# Withdrawal/Redaction Sheet

## Clinton Library

| DOCUMENT NO.<br>AND TYPE | SUBJECT/TITLE   | DATE       | RESTRICTION        |
|--------------------------|---|------------|--------------------|
| 001a. memo               | <del>From: Eric Schwartz; Re: Meeting with the Reverend Jesse Jackson (2 pages)</del> | 01/28/1993 | P1/b(1) v 3/3/2020 |
| 001b. talking points     | <del>Points to be made Meeting with Jesse Jackson January 29 (3 pages)</del>          | 00/00/0000 | P1/b(1) v 3/3/2020 |

**COLLECTION:**

Clinton Presidential Records  
 NSC Records Management  
 [Haiti and Memcon ...]  
 OA/Box Number: 139

**FOLDER TITLE:**

9300147

2013-0122-M  
sb2492

**RESTRICTION CODES**

Presidential Records Act - [44 U.S.C. 2204(a)]

Freedom of Information Act - [5 U.S.C. 552(b)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

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NSC/RMO PROFILE

RECORD ID: 9300147  
RECEIVED: 28 JAN 93 17

TO: PRESIDENT

FROM: SCHWARTZ  
SODERBERG

DOC DATE: 28 JAN 93  
SOURCE REF:

KEYWORDS: HAITI

AP

PERSONS: JACKSON, JESSE

SUBJECT: TALKER FOR PRES MTG W/ JACKSON RE HAITI ON 29 JAN

ACTION: NOTED BY PRES

DUE DATE: 01 FEB 93 STATUS: C

STAFF OFFICER: SCHWARTZ

LOGREF: 9300144

FILES: WH

NSCP:

CODES:

DOCUMENT DISTRIBUTION

FOR ACTION

FOR CONCURRENCE

FOR INFO

CLARKE  
NSC CHRON  
SCHWARTZ

DECLASSIFIED

E.O. 13526

White House Guidelines, May 16, 2017

By SP8 NARA, Date 8/19/2019

2013-0122-11

COMMENTS: \_\_\_\_\_  
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OPENED BY: NSWEA

CLOSED BY: NSWEA

DOC 2 OF 2

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ACTION DATA SUMMARY REPORT

DOC ACTION OFFICER

CAO ASSIGNED ACTION REQUIRED

001 LAKE  
002 PRESIDENT  
002

Z 93012812 FWD TO PRES FOR INFORMATION  
Z 93012813 FOR INFORMATION  
X 93013012 NOTED BY PRES

**National Security Council  
The White House**

PROOFED BY: \_\_\_\_\_ LOG # 0147  
 URGENT NOT PROOFED: \_\_\_\_\_ SYSTEM PRS NSC INT  
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| Situation Room  | _____       | _____                     | _____       |
| West Wing Desk  | <u>2</u>    | <u>WCD</u><br><u>1/28</u> | <u>D</u>    |
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A = Action    I = Information    D = Dispatch    R = Retain    N = No Further Action

cc:            VP                            McLarty                            Other \_\_\_\_\_

Should be seen by: \_\_\_\_\_  
(Date/Time)

COMMENTS:

*Lake, Berger, Ito  
Soderberg, Surosh,  
and Furlk.*

DISPATCH INSTRUCTIONS:

*have received  
copy*

~~CONFIDENTIAL~~

0147

THE WHITE HOUSE

CONFIDENTIAL

WASHINGTON

January 28, 1993

THE PRESIDENT HAS SEEN

01-29-93

MEETING WITH THE REVEREND JESSE JACKSON

DATE: January 29, 1993  
LOCATION: The Oval Office  
TIME: 4:00 p.m.

THROUGH: NANCY E. SODERBERG NS  
FROM: ERIC SCHWARTZ ES

I. BACKGROUND

On January 29, you will be meeting with The Reverend Jesse Jackson concerning the situation in Haiti.

Jackson was in Port-au-Prince between January 22 and January 24, where he met with Army Commander in Chief General Cedras and members of his General Staff, as well as defacto Prime Minister Marc Bazin. He urged both Cedras and Bazin to cooperate with UN/OAS negotiator Dante Caputo in the effort to deploy human rights monitors in Haiti. While Cedras expressed his willingness to do so, Bazin complained about Caputo, arguing that Caputo announced "non-negotiable demands" to the press without consulting with or informing the defacto government.

Jackson met with Chris yesterday, and displayed a realistic view of the situation in Haiti, understanding that there are intense fears on all sides. He also understands that the return of Aristide can only come after a process of confidence-building that begins with the deployment of human rights monitors and leads to negotiations on the terms of a settlement.

II. DEPLOYMENT OF MONITORS

At this point, deployment of monitors has been delayed due to Marc Bazin's objection to terms of reference for the monitoring mission which Caputo presented to the Haitian parties. Bazin claims the terms violate Haitian sovereignty.

Caputo will be returning to Haiti shortly to negotiate on this question. While he is not prepared to change the terms of reference, he is prepared to negotiate over conditions of deployment, which may satisfy Bazin.

DECLASSIFIED

E.O. 13526, Sec. 3.5 (b)

White House Guidelines, September 11, 2006

By VZ NARA, Date 10/8/2019

2013-0122-01 (1.01)

CONFIDENTIAL

Declassify on: OADR

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CONFIDENTIAL

2

Of course, Aristide may then object to conditions that Caputo works out with Bazin. Thus it would be very useful for you to ask Jackson if he would ~~encourage Aristide to be flexible, and allow Caputo to negotiate practical arrangements.~~ Jackson could remind Aristide that the major objective is to get monitors into Haiti, and Jackson might urge Aristide not to object if Caputo reaches a reasonable outcome.

III. REQUESTS JACKSON MIGHT MAKE

✓ Jackson may ask you to meet with Aristide, and you could restate your intention to do so, but indicate that you would first like Chris to see Aristide.

✓ Jackson may also object to the continuation of the Bush Administration practice of returning Haitian boat people without a hearing. (On January 16, he issued a very strong statement against the practice, comparing it to the U.S. refusal, in 1939, to permit entry of the St. Louis, a German-Jewish refugee ship whose occupants returned to Europe where many were killed.) You could emphasize your concern that immediate reversal would have precipitated a humanitarian tragedy, as well as your desire to change the practice of return without a hearing.

Attachments

Tab A      Points to be Made

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POINTS TO BE MADE  
MEETING WITH JESSE JACKSON JANUARY 29

POLITICAL SETTLEMENT

- I believe that your visit to Haiti and your contacts with both Aristide and members of the defacto government have been extremely helpful.
- I am particularly grateful for your efforts to encourage serious, good faith negotiations on the part of both Aristide and the defacto government.
- As you know, we are committed to the return of President Aristide when conditions permit, and as part of an overall political settlement to the crisis in Haiti.
- I also know of your concern about the effects of the embargo, and we would be prepared to a gradual easing of the  
embargo in conjunction with progress toward a settlement.
- As I understand it, this is President Aristide's position as well.
- The first step, however, is to ensure the deployment of OAS  
and UN human rights monitors, and I understand that Marc

PHOTOCOPY WJC HANDWRITING

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E.O. 13526, Sec. 3.5 (b)  
White House Guidelines, September 11, 2006  
By DL NARA, Date 10/4/2014  
2013-0172-M (1.02)

~~CONFIDENTIAL~~

Bazin has resisted the terms of reference that Dante Caputo has presented for the monitoring mission.

- I'm told that Caputo is planning to travel to Haiti, and will be discussing practical arrangements with Bazin, among others.
- I hope that if Bazin and Caputo reach an agreement with which Caputo is satisfied, President Aristide will allow that agreement to go forward.
- I would deeply appreciate your speaking to President Aristide on this point, emphasizing the importance of getting these monitors on the ground as soon as possible.

REFUGEE/IMMIGRATION ISSUES

- I maintained the practice of direct return because I believed this was necessary to avert a humanitarian tragedy.
- Our policy, however, is to permit safe and accessible processing of refugees, and I have a team in Haiti right now exploring ways to expand in-country processing and make it more secure.

~~CONFIDENTIAL~~

CONFIDENTIAL

3

- At the same time, we have initiated an urgent review of the refugee problem, and are trying to find solutions that are fair and humane.
  
- As I have said before, I will end the practice of direct return when I can do so safely.

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0147

~~CONFIDENTIAL~~

NATIONAL SECURITY COUNCIL  
WASHINGTON, D.C. 20506

January 28, 1993

ACTION

MEMORANDUM FOR ANTHONY LAKE

THROUGH: RICHARD A. CLARKE/<sup>ES for RC</sup>CHARLES A. GILLESPIE <sup>ES for CG</sup>

FROM: ERIC SCHWARTZ <sup>ES</sup>

SUBJECT: Meeting With Jesse Jackson, January 29, 1993

The Reverend Jesse Jackson will be meeting with the President to discuss the situation in Haiti. I have prepared a background memorandum and talking points after consulting with Bernie Aronson and colleagues on the NSC staff.

Concurrences by: Robert Morley,<sup>ES for RM</sup> Nancy Soderberg

RECOMMENDATION

That you sign the memorandum to the President at Tab I.

Attachments

- Tab I Memorandum to the President
- Tab A Points to be Made
- Tab B Participants List

DECLASSIFIED  
E.O. 13526  
White House Guidelines, May 16, 2017  
By DOB NARA, Date 8/19/2019  
2013-0122-M

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| Document ID:<br>9300219       |               |             |                |             |
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# Withdrawal/Redaction Sheet

## Clinton Library

| DOCUMENT NO. AND TYPE  | SUBJECT/TITLE  | DATE                  | RESTRICTION                    |
|------------------------|--|-----------------------|--------------------------------|
| <del>001a.</del> memo  | <del>To: Samuel Berger; From: Eric Schwartz; Re: Haiti Papers (1 page)</del>                                     | <del>02/02/1993</del> | <del>P1/b(1) v2</del> 3/3/2020 |
| <del>001b.</del> paper | <del>Haiti: Diplomatic Strategy, Summary and Comments (2 pages)</del>  | <del>00/00/0000</del> | <del>P1/b(1) v2</del>          |
| <del>001c.</del> paper | <del>Litigation Challenging Direct Return, Summary and Comments (3 pages)</del>                                  | <del>00/00/0000</del> | <del>P1/b(1) v2</del>          |
| <del>001d.</del> paper | <del>Options for Processing of Asylum Seekers, Summary and Comments (2 pages)</del>                              | <del>00/00/0000</del> | <del>P1/b(1) v2</del>          |
| <del>001e.</del> paper | <del>Third Country Holding and/or Processing Centers, Summary and Comments (2 pages)</del>                       | <del>00/00/0000</del> | <del>P1/b(1) v2</del>          |
| 002. memo              | To: Hazel Reitz; From: Grover Joseph Rees III; Re: INS Comments on Document (2 pages)                            | 01/24/1993            | P1/b(1)                        |
| <del>003a.</del> memo  | <del>To: Anthony Lake; From: Marc Grossman; Re: Response to Deputies Committee Decisions on Haiti (1 page)</del> | <del>00/00/0000</del> | <del>P1/b(1) v2</del> 3/3/2020 |
| <del>003b.</del> paper | <del>Haiti: Diplomatic Strategy (8 pages)</del>  | <del>00/00/0000</del> | <del>P1/b(1) v2</del>          |
| <del>003c.</del> paper | <del>Re: Litigation Challenging Direct Return (14 pages)</del>   | <del>00/00/0000</del> | <del>P1/b(1) v2</del>          |
| <del>003d.</del> paper | <del>Tab 1: Re: Principal legal Arguments Concerning Direct Repatriation (3 pages)</del>                         | <del>00/00/0000</del> | <del>P1/b(1) v2</del>          |
| <del>003e.</del> paper | <del>Re: Haiti: Options for Processing of Asylum Seekers (9 pages)</del>   | <del>00/00/0000</del> | <del>P1/b(1) v2</del>          |
| <del>003f.</del> paper | <del>Third Country Processing and/or Holding Centers (10 pages)</del>  | <del>00/00/0000</del> | <del>P1/b(1) v2</del>          |

**COLLECTION:**

Clinton Presidential Records  
 NSC Records Management  
 [Haiti and Memcon ...]  
 OA/Box Number: 139

**FOLDER TITLE:**

9300219

2013-0122-M  
 sb2493

**RESTRICTION CODES**

Presidential Records Act - [44 U.S.C. 2204(a)]

Freedom of Information Act - [5 U.S.C. 552(b)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
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- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

- C. Closed in accordance with restrictions contained in donor's deed of gift.
- PRM, Personal record misfile defined in accordance with 44 U.S.C. 2201(3).
- RR. Document will be reviewed upon request.

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TO: BERGER

FROM: SCHWARTZ  
CLARKE  
FEINBERG

DOC DATE: 02 FEB 93  
SOURCE REF:

KEYWORDS: HAITI

PERSONS:

SUBJECT: HAITI PAPERS

ACTION: NOTED BY BERGER

DUE DATE: 05 FEB 93 STATUS: C

STAFF OFFICER: SCHWARTZ

LOGREF:

FILES: PA

NSCP:

CODES:

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FOR CONCURRENCE

FOR INFO

CLARKE  
FEINBERG  
NSC CHRON  
SCHWARTZ

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E.O. 13526  
White House Guidelines, May 16, 2017  
By AD3 NARA, Date 8/19/2019  
2013-0122-M

COMMENTS: \_\_\_\_\_  
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DISPATCHED BY \_\_\_\_\_ DATE \_\_\_\_\_ BY HAND W/ATTCH

OPENED BY: NSJEB CLOSED BY: NSASK DOC 2 OF 2

ACTION DATA SUMMARY REPORT

DOC ACTION OFFICER

CAO ASSIGNED ACTION REQUIRED

001 BERGER  
002 BERGER  
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Z 93020215 FOR INFORMATION  
Z 93020215 ADD-ON / FOR INFORMATION  
X 93022320 NOTED BY BERGER

2/22 Deputy Natl Sec Adviser Redo has seen

February 2, 1993

INFORMATION

MEMORANDUM FOR SAMUEL R. BERGER

THROUGH: <sup>SS for RC</sup> RICHARD CLARKE/RICHARD FEINBERG *RF*

FROM: ERIC SCHWARTZ *ES*

SUBJECT: Haiti Papers

As you requested, I have enclosed for your information the draft papers that were sent to us by the State Department (Tab VI).

I have also enclosed summaries I prepared of each of the papers, along with my comments (Tabs I-IV). As my comments indicate, I have concerns about the paper on Options for Processing of Asylum-Seekers, the paper on Third Country Processing/Holding Centers, and the paper on Diplomatic Strategy.

Finally, I've included for your information a memo to State from the INS General Counsel, Joseph Rees, commenting on State's paper on Options for Processing of Asylum-Seekers (Tab V).

Concurrence by: Robert Morley *RM*

Attachments

- Tab I Summary and comments: paper on diplomatic strategy
- Tab II Summary and comments: paper on litigation options
- Tab III Summary and comments: paper on options for processing
- Tab IV Summary and comments: paper on third country processing/holding centers
- Tab V Memo to State Dept. from INS General Counsel
- Tab VI Incoming Correspondence from State Department

HAITI: DIPLOMATIC STRATEGY  
Summary and Comments

Summary of State Paper:

- The Haiti crisis is not insoluble, but a solution will require painstaking, step-by-step diplomacy over a period of months by the Clinton Administration.
- The overall goal of our policy is that Aristide return and govern as President through the remainder of his term and that he peacefully pass on the presidency to a successor in February 1996. Achievement of this goal will diminish the incentives for boat departure, promote democracy in the hemisphere, and improve the well-being of the Haitian people.
- Our immediate objectives leading to this goal should be deployment and expansion of human rights monitors (with the expectation that they will stay in Haiti until the next presidential election in December 1995), an amnesty for actions committed in connection with the coup and its aftermath, nomination by Aristide and ratification by the Parliament of a consensus Prime Minister, professionalization of the armed forces and police (with a major role being played by the U.S. military), multilateral reconstruction of the Haitian economy, and establishment of safe, stable conditions for Aristide's return.
- The strategy is to reassure both Aristide and his opponents that the U.S. will not ignore their vital interests, to communicate a high level of U.S. commitment to the settlement process, and to express a willingness to take strong actions in pursuit of U.S. negotiating goals. In this respect, State would like to call on select members of Congress, the Secretary, U.S. military leadership, and the President to press the principal parties, as well as the United Nations and the OAS.
- We should aim to see first deployment of human rights monitors no later than February 15; seek, between February 1 and March 1, General Assembly agreement on an expanded OAS/UN mandate to professionalize the armed forces, police, judiciary and the legislature; seek deployment of technical personnel by March 15; and obtain, also by March 15, Parliamentary agreement on a consensus prime minister.
- In accordance with the Aristide letter to Boutros Ghali, State recommends that as progress is made toward a settlement, there be a gradual lifting of the embargo, which would be undertaken in consultation with Dante Caputo. State recommends that financial sanctions remain in place as the final incentive for the defacto regime.

DECLASSIFIED

E.O. 13526, Sec. 3.5 (b)

White House Guidelines, September 11, 2006

By: [redacted] NARA, Date 10/8/2015

7013-0122-4 (1.04)

- State suggests a range of positive incentives that could be employed to encourage Aristide to be flexible, including a meeting with Secretary Christopher (suggested within the next ten days) and a meeting with the President (perhaps after the first deployment of the civilian mission in mid to late February). With respect to negative sanctions, State suggests that Aristide needs to know that the embargo will be totally lifted if he should obstruct progress, and State adds that stiffer measures could include denying him access to Haiti's frozen accounts, preventing him entry into the U.S., or withdrawing support for his government.
- Positive incentives for the military include the gradual lifting of the embargo and, ultimately, safe haven of some sort for those in the military who will be forced to depart Haiti. Negative incentives include a worldwide embargo on Haiti and the threat of the use of force.
- State believes that a US Ambassador should be nominated and sent to Haiti, and notes that President Aristide does not oppose the dispatch of a U.S. ambassador, who could present credentials to Aristide.
- State recommends that DOD, AID, and Justice be tasked with developing proposals to professionalize and reform Haitian institutions, and recommends that Treasury or State, or both, ask the World Bank and the IDB to reconstitute the multilateral Haiti support group and develop a plan for reconstruction.
- Expenditures for the monitoring mission are estimated at \$3-4 million per month, and State plans to reprogram \$10 million in economic support funds for this purpose and request \$20 million from the Peace Fund which the Clinton Administration has said it will seek to establish (if this money does not become available, State will consider additional reprogramming).

Comments on State paper:

1. State does not discuss in detail the most likely causes of breakdowns in the settlement process, what specific actions we should be prepared to take if such breakdowns occur, and what the requirements of (and obstacles to) an adequate response would be. For instance, there is mention in passing of the possible need for a peace-keeping force or even military intervention, but those actions are not discussed in detail in the paper, even though the authors feel the actions may be necessary components of the strategy at some point.

2. Though State presents a time-line, there are few details in the paper about tactics: that is, what kinds of pressures we should be employing at various stages (e.g., who should be lobbying whom at what point). Indeed, such details may be difficult to include when dealing with a constantly changing situation. If that is the case, it suggests the diplomatic effort needs a very high level of coordination.

LITIGATION CHALLENGING DIRECT RETURN  
Summary and Comments

Summary:

- The major legal issues are whether the Executive's actions in this case are subject to judicial review, whether the Immigration Act's prohibition on return of refugees applies extraterritorially, and whether the UN Refugee Convention (whose obligations are implemented in the Immigration Act) applies extraterritorially.
- While the legal arguments are debatable, State/Legal and Justice strongly believe the far more persuasive legal view is that neither U.S. domestic law nor the UN Refugee Convention precludes direct repatriation of refugees interdicted on the high seas.
- The UN High Commissioner for Refugees, more than 40 NGOs (including the New York City Bar Association and the NAACP), more than 20 members of Congress, and other prominent Americans, including three former Attorneys General, take the opposite view.
- The Supreme Court is very likely to sustain the government's current position and almost certain to reverse the injunction against direct repatriation ordered by the 2nd Circuit in July and immediately stayed by the Supreme Court.
- A Supreme Court victory will keep open Executive Branch options for responding to the situation in Haiti, make future court challenges more difficult, and reinforce judicial doctrines regarding Presidential prerogatives. It will also enable us, if we so choose, to establish refugee processing facilities outside of Haiti with much less fear of lawsuits challenging the procedures that we institute.
- On the other hand, Supreme Court endorsement of the Administration's current interpretation of the Refugee Convention could add an imprimatur to the policy of direct repatriation that would make it more difficult for us to advance the principle of non-return of refugees.

Options:

1. Defend in the Supreme Court, on the basis of the briefs already submitted.
2. Defend in the Supreme Court, after filing a supplemental brief explaining the Clinton Administration's perspective.

Comment: This appears to be the preferred option of lawyers at State and Justice. Such a supplemental brief could stress endorsement of the goal that aliens with a well-founded fear of persecution not be sent back to persecution and emphasize the

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By: 12-NARA, Date: 10/8/2019  
7-12-0177-0001

specific steps that the Administration is taking to protect against persecution: in-country human rights monitors, enhanced in-country processing, and efforts to secure third-country resettlement. While maintaining current legal positions, the brief could be cast largely in terms of preserving the President's ability to respond to changing developments and exigent circumstances.

3. Permit the case to go forward, but do not participate.

Comment: Failure of the USG to participate would be unprecedented, and the Court could direct participation under threat of dismissing the case in favor of the other side. In the view of the Solicitor General's office, this is not an option.

4. Avoid a Supreme Court hearing by bringing policy into line with the existing injunction.

Comment: this would require an end to direct returns, and could result in the Second Circuit injunction (against direct returns) staying in force.

5. Reach a settlement with plaintiffs that results in vacating the 2nd Circuit decision, as well as district court decisions on the right to counsel.

Comment: This was the preferred option of at least some of the lawyers associated with the INS transition team. This option would enable the Administration to avoid arguing that direct returns are legal, but would also remove the Circuit Court ruling that enjoined the Administration from directly returning Haitians. However, it would presumably mean that the Administration would have to reach some sort of agreement with the plaintiffs on ending direct returns. The arrangement would also have to be approved by the Court. It would not, however, prevent other aggrieved parties from relitigating the direct return issue in the future.

6. Postpone the Supreme Court hearing, with a view to keeping litigation options open.

Comment: The prospects for such delay (especially for more than a month or two) are very uncertain, and delay only postpones dealing with the issue.

7. Concede the international law issue; litigate the domestic issue.

Explanation and Comment: We would accept that the Refugee Convention prohibits direct return from the high seas but would nonetheless continue the litigation, arguing that the issue is not subject to Court review. The goal would be to have the Circuit Court ruling vacated, and to insulate us from further court challenges on issues such as lawyers' access, adequacy of Coast Guard screening, etc.

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While we might prevail at the Supreme Court on procedural grounds (i.e., nonavailability of judicial review), we would lessen our chances of prevailing if the Court decided the case on the substantive domestic law, as the relevant domestic law was meant to implement the Refugee Convention.

Conclusion:

None of the options are happy ones. In a separate memo to Tony Lake, Acting Attorney General Stuart Gerson strongly argued for arguing the legality of the executive order, and Michael Cardozo (a Clinton appointee in the AG's office) agrees with Gerson (primarily on the ground of executive prerogative). As I mentioned, a number of lawyers associated with the INS transition team favor option 5.

If the Administration chooses to defend the legality of direct return, it should choose option 2 rather than option 1, which would demonstrate that the President is concerned about the implications of direct return.

(A Justice Department lawyer involved in this case suggests that there is another way President Clinton could demonstrate this concern. Some years ago, the U.S. was involved in a multilateral negotiation effort, under UNHCR auspices, to deal humanely with the question of large movements of people between borders. President Clinton could announce his intention to attempt to renew such discussions, with a view toward coming up with regional solutions that would be relevant not only to Haitians, but also to Bosnians, Iraqis from Northern Iraq, etc.)

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OPTIONS FOR PROCESSING OF ASYLUM-SEEKERS  
Summary and Comments

1. Summary: In-country Processing

- Within Haiti, the U.S. Embassy has adjudicated some 2591 cases (3108 persons) for refugee status, with 320 persons being granted asylum. The 2639 cases which remain are now being called to interview at the rate of 100 per week.
- A planned expansion of this program's capacity to twice its current size will mean that virtually all existing applicants will have been called to interview in a matter of weeks.
- A State/Justice/Congressional technical team that visited Haiti will be proposing additional changes in in-country processing, including reducing processing time in high priority cases to less than a week and opening two provincial processing centers in Haiti. The team will also be recommending procedures for enhancing safety for repatriates at risk.

2. Summary Options for Processing Outside of Haiti

On the U.S. mainland: this option is discouraged due to the magnet effect.

Aboard ships: this option is discouraged because it is deemed unworkable, especially if there are large outflows.

In Third Countries: State notes that efforts to obtain third country agreement to establish processing sites have been unsuccessful in the past.

At Guantanamo: State notes that Guantanamo could be expanded to hold 20,000 and cites claims that even more could be accommodated with additional resources. They note that with sizeable INS and voluntary agency staff, relatively rapid turnaround of denied cases would be possible. At a rate of 500 cases per day, they estimate INS costs of \$348,000 per month addition to start-up costs of \$643,000, and DOS costs for voluntary agency staff at \$270,000 per month, for which an ERMA drawdown could be made. State also notes that UNHCR might be involved in this process. Finally, State observes that ways would have to be found to change the Haitian perception of Guantanamo to avoid large outflows from Haiti.

3. Disincentives to Boat Departure

If processing begins outside of Haiti, the key to diminishing enthusiasm of many Haitians to leave by boat is to repatriate the early groups of unsuccessful applicants quickly, and/or to create a screening program which does not lead to resettlement in the U.S., even of those found to be refugees.

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The prominent involvement of the UNHCR in third country processing, or in third country holding centers, could be helpful, as it might result in regionalizing (or even internationalizing) the issue. With other countries taking some of the responsibilities for holding or resettling Haitians, this might diminish incentives for departure among those Haitians who wish to resettle in the U.S. for economic reasons.

4. Comments on the Paper

I have reservations about this paper, as I believe it omits important facts as well as options:

- It states that "a few" returnees are detained, when in fact, the number of returnees detained since late July is 590, or 18% of all Haitians who were returned over that period.
- It states that there is only a small risk that returning refugees will be put in harm's way. This is simply untrue; in fact, the U.S. Embassy has documented cases of returnees who not only have been subjected to politically motivated abuses, but have been subjected to persecution (defined as severe mistreatment based on political affiliation/activities). (Perhaps State meant that only a small percentage of returnees are at risk; if so, that is very different than the statement in the paper.)
- Its discussion of ship-board screening is confused, and does not deal with the most relevant issues.
- Its discussion of the mechanics of processing outside of Haiti is inadequate, as it does not fully discuss the possible roles of the INS in refugee screening.
- It does not present any sort of strategy for ending the practice of direct return.

5. Recommendation

That, over the next day or two, I work with the Refugee Bureau at State to address these problems, and to come up with clear options for processing outside of Haiti should that course ultimately be deemed advisable.

THIRD COUNTRY HOLDING AND/OR PROCESSING CENTERS  
Summary and Comments

1. Summary

The paper notes that countries in the Caribbean and Latin America have proven very reluctant to host Haitian refugee processing facilities, and indicates that the Dominican Republic, geographically most convenient, refused U.S. overtures last year and has made a number of recent public statements reiterating its unwillingness.

However, the paper indicates that there is "a reasonable chance" an effort to obtain a third country site would succeed if an approach at the presidential level were made, if there were significant material inducements offered up front, and if the U.S. was willing to pay for most of the construction and operating costs.

The paper indicates that the Bahamas, Antigua, Guyana, Jamaica, and Honduras are preferred options, and lays out packages of aid that may have to be offered to secure approval. The paper argues that if a supplemental appropriation from Congress were not approved to fund these incentives, funds for this purpose would come at the expense of other priority programs.

The paper also notes that the Government of Colombia has recently advanced a plan to ask a meeting of OAS foreign ministers to allocate to member nations quotas for "Haitian political asylees," as identified by the UN and the OAS. The paper indicates that if we go the third country route, we should explore Colombia's show of goodwill.

In identifying drawbacks to the third country options, the paper mentions expense (estimated at \$35 million to build a new site from scratch, and \$4 million per year for interviews and medical screening at a camp for 20,000), the potential magnet effect of a facility outside Haiti, the creation of expectations on the part of governments that cooperate with the U.S., and the fact that a commitment to such a facility might be open-ended.

2. Comments on the Paper

-- It is not clear to me that a supplemental appropriation would be needed to support this initiative. Some of the incentive packages described in the paper do not involve very large commitments of foreign aid funds, and -- if this is enough of a priority -- there may be opportunities for reprogramming.

-- While costs for facility construction seem high, these costs, which would probably be absorbed by DOD, are comparable or smaller than other DOD humanitarian commitments in recent years, such as missions in Bangladesh, Somalia, and Northern Iraq.

-- Some of the estimated DOD costs seem extraordinarily high, and probably could be reduced through use of contractees and local hires (who would be the more likely participants in a third country facility in any event). For example, DOD estimates costs of \$7 million per month for care and maintenance for a camp on Guantanamo of 20,000, while total annual UN costs for operating a camp of 20,000 in Indonesia was only about \$7.5 million. The cost of living in Indonesia may indeed be lower, but the DOD costs nonetheless seem unreasonable. (It may also be the case that some of this \$7 million monthly cost to DOD is represented by salaries and other fixed payments that would have to be made wherever the DOD were located.)

### 3. Recommendation

It is difficult to argue against at least making an effort to secure third country cooperation on holding/processing centers, especially in view of the Colombian proposal, the President's own expression of interest in this issue, and State's conclusion that such an effort may be successful.

The paper prepared by State, however, does not provide a detailed plan of action to pursue this option.

I therefore propose working with ARA to draft such a plan, containing a strategy for approaching the governments in question and proposing specific incentives.

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United States Department of State

Washington, D.C. 20520

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MEMORANDUM FOR ANTHONY LAKE  
THE WHITE HOUSE

Subject: Response to Deputies Committee Decisions on Haiti (U)

Four papers on Haiti requested by the Deputies Committee on January 23, are attached. The Secretary met with UN/OAS special envoy Dante Caputo on January 28, to relay our continued support for his efforts to negotiate a settlement satisfactory to all parties. In addition, we are processing a drawdown of the Emergency Refugee and Migration Assistance account to finance improvements to processing of asylum seekers in Haiti or third countries.

Marc Grossman  
Executive Secretary

Attachments:

- Tab 1. Haiti - Diplomatic Strategy
- Tab 2. Litigation Challenging Direct Return
- Tab 3. Haiti: Options for Processing of Asylum Seekers
- Tab 4. Third Country Processing and/or Holding Centers

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White House Guidelines, September 11, 2006  
By 12 NARA, Date 10/8/2019  
2013 0122-M (1.08)

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HAITI: DIPLOMATIC STRATEGY

The Haitian political crisis is not insoluble. But a solution will require painstaking, step-by-step diplomacy over a period of months. Fortunately, the UN is now actively engaged and the UN and OAS are cooperating. Nevertheless, while we have the advantage of promoting a solution to the Haitian crisis through multilateral diplomacy, the fact remains that neither the UN, the OAS nor any government other than ours has the capacity to secure the trust or to decisively influence the behavior of the principal actors in the Haitian drama: President Aristide, the military, the de facto regime, and the parliament. Only the United States can play that role. Therefore, while the UN/OAS envoy must and should continue to take the lead, his success will require persistent, daily behind-the-scenes diplomacy by the Clinton Administration. At the same time, a successful negotiated solution will ultimately depend on the Haitians themselves.

I. US Policy Goals in Haiti

The overall goal of our Haiti policy is that Aristide return and govern as President through the remainder of his term and that he peacefully pass on the presidency to a successor in February 1996 through a fair and free electoral process. Our intermediate objectives leading to this goal are the five key elements of the Washington Protocol, agreed to by all parties -- the one agreement they have all signed -- in February 1992. These are:

--deployment of a significant international presence in Haiti to reduce the threat of violence from all quarters;

--nomination by President Aristide of a consensus prime minister and his ratification by the Parliament;

--a program to professionalize the armed forces and police and to strengthen democratic institutions such as the judiciary and the legislature;

--a multilateral reconstruction program for the Haitian economy;

--establishment of safe, stable conditions allowing for Aristide's physical return.

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The Washington Protocol calls for "a general amnesty, except for common criminals". Nevertheless, given the political animosities, it is likely that some members of the military high command, including Cedras, will be forced to leave Haiti prior to Aristide's physical return. We should try to develop a graceful and attractive means for them to do so, such as postings abroad. Venezuela has previously offered to accept such postings.

The amnesty called for in the Washington Protocol would extend to human rights abuses perpetrated before, during, and after the coup. It is highly unlikely we will secure the agreement of the army for a negotiated settlement unless they are confident they will not face retrospective trials and punishment. Moreover, any attempt to punish military members for abuses during the coup will generate strong demands for trial and punishment of Aristide for his alleged abuses, including his alleged order that Roger Lafontant be murdered in his cell.

The return of Aristide will be one of the most delicate and dangerous issues in the negotiations. The prospect of his return inspires exhilaration among his mass followers and abject terror among the political and private sector leaders and members of the armed forces who were the principal victims of his regime. Aristide has a genuinely charismatic hold over the Haitian masses and, if not managed carefully, his return could set off chaos and anarchy in Haiti. A formula will need to be devised that does not require his immediate return, nor set an arbitrary date for it, but that does establish a mechanism in which Aristide will have confidence to determine when conditions are appropriate to permit his physical return. Further, Aristide's opponents should have confidence that presidential power is held in check by a strong, semi-independent Prime Minister, as called for in the Haitian constitution. UN/OAS Special Envoy Dante Caputo could play a crucial role in determining when appropriate conditions exist, perhaps as the deciding vote on a commission composed also of a representative of the de facto authorities (perhaps someone from the private sector) and an Aristide supporter.

## II. The Negotiation Process

For a variety of reasons, there is a window of opportunity today to make progress toward a negotiated solution. All the Haitian actors are exhausted. Although the embargo alone has not produced a diplomatic settlement, it has convinced the leadership of key institutions that they must negotiate with the international community. Uncertainty about the intentions of the new US Administration have also convinced the military and business sector to move.

Still, all sides have hidden agendas. The army, the business community, and the Bazin regime would like to engage in a protracted negotiation that leads to a lifting of the embargo but does not ultimately include Aristide's return. Aristide in turn would like the US to exert maximum pressure to force the high command to flee Haiti and allow him to return early without making any serious concessions. Neither of these solutions is viable.

Ideally, we should reach agreement on deployment of the first contingent of the OAS/UN civilian mission and see the first deployment no later than February 15. Between February 1 and March 1, we should attempt to secure agreement on an expanded mandate for the OAS and UN to professionalize the armed forces and police as well as the judiciary and the legislature and would seek a UN General Assembly mandate for an expanded UN mission. Such an agreement would provide for deployment of technical personnel to undertake these tasks by March 15. Simultaneously, we should pursue an agreement between Aristide and his opponents on a consensus prime minister and strive to secure parliamentary approval of the choice.

Naming of a consensus prime minister is key to reassuring those sectors of Haitian society which were victims of Aristide-sanctioned mob violence during his tenure that the government he will lead in the future will not be entirely his instrument. Aristide stated, both publicly and privately, his willingness to reach outside his own "Lavalas" movement to choose a prime minister. Still, joining this issue risks igniting all of the competing ambitions of the various Haitian political leaders, many of whom are eager to be prime minister and few of whom, based on past experience, are willing to sacrifice their personal ambitions for the good of their country.

In addition, the parliamentary elections which the Bazin regime recently conducted, although not recognized as legitimate by any outside actor, strengthen Bazin's de facto control of parliament. He may well confront the US, the OAS, and the UN with what he hopes will be a fait accompli: A parliament willing to confirm a consensus prime minister so long as it is Marc Bazin. Aristide is highly unlikely to agree to Bazin.

We must press all of the parties -- the military, Bazin, Aristide, the UN/OAS and our allies -- to accelerate the momentum of the diplomacy. (Experience has shown that in particular Canada, France and Venezuela, if not included in our efforts, can become problems.) Certain select members of Congress could play a helpful role. The Congressional

Working Group on Haiti could be reestablished; perhaps headed by Congressman Jim Oberstar, who once taught English to members of the Haitian military and who speaks fluent Creole. Obtaining a balance of views within this group -- including participation by key members of the Black Caucus -- will be important to winning the confidence of all Haitian parties in a negotiated settlement.

President Clinton and Secretary Christopher will be needed at an appropriate time to press some of the principal parties, such as Aristide or Bazin, to show flexibility and also to press Boutros Ghali and Baena Soares to accelerate deployment of the civilian mission. U.S. military leadership could be helpful both in reassuring the Haitian military of our resolve to bring about an end to the crisis and of our understanding of their legitimate concerns.

### III. The UN/OAS Observer Mission

To ensure confidence and stability, an international presence will have to remain in Haiti through the next presidential election in December 1995 and transfer of power to a successor regime in February 1996. The model must be similar to Somalia or El Salvador, where a significant multilateral presence has been required not only to separate competing forces, but also to reform basic institutions. This will require a significant and sustained expenditure of funds. It will be important for the new US administration to signal early to our allies and friends that they will be expected to bear a share of this burden.

Caputo hopes to secure an agreement for an initial mission of 150-200 observers. The terms of reference include freedom of movement throughout Haiti. The initial contingent would have to be expanded rapidly to 500-600 observers, which would include police and military elements to participate in professionalization programs. We estimate the operating costs of the mission would be \$3-4 million per month. The US has already contributed \$2 million toward mission start-up costs. State is currently reprogramming an additional \$10 million in Economic Support Funds (from 1991 Haiti funds and 1992 Bolivia money, for which conditionality was not met) for mission support. State also plans to request \$20 million from the Peace Fund which the Clinton Administration has said it will seek to establish; if this money does not become available, we would consider additional reprogramming.

Professionalization of the armed forces and police is the only mechanism by which we have the capacity to influence the composition and control of the armed forces. The Haitian military has trust only in the US military; therefore, it is important that the US play a significant role in this professionalization effort. DOD, AID, and Justice should be tasked with developing proposals to reform the Haitian judicial system and the legislature (to ensure their independence as co-equal branches of government), to create an independent legislature, to establish a separate and professional police and to professionalize the military. Heavy emphasis should be placed on civic action missions for the Haitian military. Such missions, which could include reforestation, construction of schools and clinics and primary medical/dental care, would reduce fear of the security forces and signal to the Haitian masses their direct interest in a professional military. We believe the Inter-American Defense Board could play an important role in working with the military; ICITAP could be key in dealing with the police. Treasury or State, or both, at senior levels, should ask the World Bank and the IDB to reconstitute the multilateral Haiti support group and develop a plan for reconstruction, including rehabilitation of Haiti's environment.

The UN and OAS are cooperating well, although their institutional rivalries and tensions continue to simmer just below the surface. The Administration needs to signal at the highest levels to both Boutros Ghali and Baena Soares its sense of the need for urgent cooperation. A functional division of technical responsibilities on the ground, with both parties responsible for human rights monitoring, should help reduce institutional conflicts.

If the civilian mission is successfully deployed and slow but steady progress is made toward an overall political solution, it would be neither necessary nor desirable to transform the observer mission into an armed peace-keeping force. However, if diplomatic efforts fail because of internal Haiti factors and particularly if there is widespread violence within Haiti, it may be necessary to ask that the UN Security Council give the mission a formal peacekeeping role. Particularly because of Latin American opposition, such Security Council involvement may be difficult and would require a sophisticated strategy to secure. At the same time, if violence should break out in Haiti once a large civilian mission is deployed, endangering its members, contributing governments including the US, as well as the UN and OAS, will be faced with the difficult choice of evacuating their personnel or defending them.

#### IV. The Embargo and Other Incentives

In his letter asking the UN and OAS Secretaries General to establish an observer mission, President Aristide calls for the beginning of the process of lifting the embargo once the civilian mission is deployed and if Caputo concludes that there has been improvement in the human rights situation and progress is occurring in the overall negotiations. Treasury is prepared to license trade in agricultural products as an early first gesture on our part. A gradual removal of other sanctions in consultation with Caputo would then be necessary (State's draft timetable for gradual lifting of sanctions is attached).

Secretary Christopher should meet with Aristide within the next ten days to maintain his confidence. A meeting with the President could follow, perhaps after the first deployment of the civilian mission. At the same time, it may be necessary for the President to call Aristide or Bazin

or both at a critical moment in negotiations about the consensus prime minister. The Haitian military has two sets of concerns: their personal futures and security and the institutionality of the armed forces. For those officers who will be forced to depart, we need to secure safehaven in friendly countries and probably arrange some sort of retirement package. Finding a suitable international position for Marc Bazin may also be required.

Further sanctions could be used to ensure compliance on either side. Clearly the threat of a Security Council embargo which would apply worldwide or of authorization for an armed peace-keeping mission is a significant threat. However, should a worldwide embargo be placed on Haiti, effectively cutting off its oil, the international community must be prepared to deal with the consequences of a total breakdown in order and the suspension of humanitarian assistance efforts, which would likely follow in a matter of weeks. Aristide, in turn, needs to know that the embargo will be totally lifted if he should obstruct progress towards a negotiated settlement. Obviously, the ultimate sanction against total obstreperousness on the part of Aristide would be withdrawal of recognition of his government; more moderate measures could include denying him access to Haiti's frozen accounts and letting him know he was no longer welcome in the US.

The issue of appropriate incentives and sanctions is a tense

one for relations with some of our allies, particularly the French, the Dutch and the English-speaking Caribbean. To strong supporters of Aristide, any lessening in the embargo is viewed as a betrayal of his cause. The use of the word "modification" rather than "lifting" when referring to changes in the embargo thus conveys an important policy difference. At the same time, in discussing such modifications, we should distinguish between trade elements of the embargo, lessening of which can be phased in rather quickly without undermining Aristide and financial elements, which should remain in place as the final incentive for the de facto regime. US trade sanctions could best be modified through a series of licenses, which would eventually include a general license for trade in all goods. This procedure would allow the Executive Order establishing the sanctions to remain in effect in the event we wanted to reimpose them quickly.

As we have recently seen, the perceived threat (whether intended or not) of military intervention can also be useful. Reminding the military and de facto authorities of the dual-use possibilities of the ships currently engaged in migrant interdiction could promote a serious attitude toward negotiations on their part. The decision whether to deliver on that threat could be made if/when all hopes of a negotiated settlement had been dashed.

State believes a US Ambassador should be nominated and sent to Haiti as soon as possible. President Aristide had already given agreement to a nominee proposed by the Bush Administration. Given Aristide's clearly expressed interest in dispatch of a US ambassador, we see little difficulty in securing his agreement for President Clinton's nominee. The new Ambassador could present credentials to Aristide here in Washington before travel to Haiti. Informal soundings of the de facto authorities indicate they would pose no obstacles to such an arrangement and would not attempt to exploit the arrival of a new ambassador as recognition of the regime. Indeed, all sides in Haiti, including Aristide supporters, the private sector, parliamentary leaders and others, have expressed support for dispatch of a new ambassador. A new envoy, representing the new US Administration, would be an additional authoritative voice in influencing the Haitian actors.

NOTIONAL TIME LINE

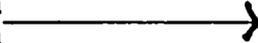
OAS/UN MISSION

| <u>February 1</u>   | <u>February 8</u>                    | <u>February 15</u>                   | <u>February 22</u>                                   | <u>March 1</u>            | <u>March 8</u>            | <u>March 15</u>                            |
|---|--------------------------------------|--------------------------------------|--|---------------------------|---------------------------|--|
| Caputo returns to Haiti to discuss operational modalities.                      | UN/OAS survey team travels to haiti  | 2nd tranche of OAS personnel arrives | 3rd tranche of OAS personnel arrives                 | 1st tranche UN deployment | 2nd tranche UN deployment | Technical personnel begin needs assessment |
| Secretary Christopher meets with Boutros; pledges US support for voluntary fund | 1st tranche of OAS personnel arrives | OAS observers deployed outside PaP   | UNGA resolution authorizing expanded mission mandate |                           |                           |  |
| Caputo reports to UN/OAS on status of operational modalities                    |                                      |                                      |  |                           |                           |  |
| UN/OAS survey team consults in Washington                                       |                                      |                                      |  |                           |                           |  |

POLITICAL SETTLEMENT

Caputo returns to Haiti to undertake political negotiations

Caputo PaP/ Washington shuttle on consensus Prime Minister



Consensus PM named

Parliamentary vote on consensus PM

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SUBJECT: Litigation Challenging Direct Return

SUMMARY:

While the legal arguments are debatable, State/Legal and Justice believe the far more persuasive legal view is that neither U.S. domestic law nor the U.N. Refugee Convention precludes the direct repatriation of aliens interdicted on the high seas. The U.N. High Commissioner for Refugees, numerous human rights and refugee groups (e.g. the NAACP), and many prominent Americans, including three former Attorneys General, take the opposite view. No State (other than Haiti) has criticized our legal position, or publicly defended it.

The Supreme Court is very likely to sustain the government's current position and almost certain to reverse the injunction against direct repatriation ordered by the 2nd Circuit in July and immediately stayed by the Supreme Court. A Supreme Court victory will keep open Executive Branch options for responding to the evolving Haiti situation, make future court challenges more difficult, and reinforce critical judicial doctrines regarding Presidential prerogatives. The litigation can be conducted in the Supreme Court from this point forward in a manner which emphasizes this Administration's support for the objective of nonrefoulement and the measures the Administration has instituted with respect to Haiti.

Any alternative which leaves on the books the current injunction and 2nd Circuit decision would preclude direct return, both now and in the face of any future emergency, invite continuing litigation over our handling of Haitian migrants (e.g. lawyer's access; adequacy of screening), and undermine Executive Branch prerogatives generally. Settling the case with the plaintiffs could lead to a dismissal of the case, but settlement will constrain future options and invite further litigation. A brief delay of the oral argument in the Supreme Court may be possible, but the longer the Administration continues direct repatriation, the more difficult it becomes to argue that we have not de facto taken a position on the legal issue. (Moreover, even if the Supreme Court argument is delayed, we will face the same legal issues in the District Court trial on HIV positives in Guantanamo in March, (unless settled)). Conceding the legal issues would please the NGO community, but would constrain our options and encourage further litigation.

Experience over the past year indicates Haitian migration patterns are very sensitive to the status of litigation in U.S. courts. Changes in our legal position could stimulate new outflows, with potential large-scale loss of life.

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E.O. 13526, Sec. 3.5 (b)

White House Guidelines, September 11, 2006

By ~~ME~~ WARA, Date 10/8/2013

2013-0122-M (1.10)

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Our credibility in advancing the nonrefoulement principle with other countries depends more on our actions than our legal position. We can change our policy position without changing our legal position. Even were we to change our legal position, our past practice and current legal position would make it difficult for us to argue credibly to other countries that the Refugee Convention must be interpreted in accordance with our new position. On the other hand, Supreme Court endorsement of our current interpretation of the Refugee Convention could add an imprimatur to the policy of direct repatriation that would make it more difficult for us to advance the nonrefoulement principle with other countries even as a matter of policy.

BACKGROUND:

HCC v. McNary is before the Supreme Court on appeal by the government from the 2nd Circuit, which directed the district court to issue a preliminary injunction barring forcible repatriation. The Supreme Court stayed the preliminary injunction by a 7-2 vote, and agreed to review the 2nd Circuit decision. Oral argument is scheduled for March 2.

The district court's injunction is not specific to President Bush's E.O. 12807. It bars the government "from returning to Haiti any interdicted Haitian whose life or freedom would be threatened on account of his or her race, religion, nationality, membership in a particular social group, or political opinion." The injunction therefore would remain in effect even if the President rescinded E.O. 12807 or revised current policy. The 2nd Circuit decision conflicts with an 11th Circuit decision earlier in the year, dismissing a challenge to the adequacy of refugee screening procedures outside the United States on the ground that the relevant provisions of domestic law apply only to aliens in the U.S.

The case filed in the district court raises issues beyond direct repatriation, including the question of access by lawyers and advocacy groups to interdictees on Guantanamo ("GTMO") and the adequacy of screening procedures utilized for Haitians interdicted prior to May 24, 1992 (and, presumably, the adequacy of any screening procedures the Administration might institute in the future). This case is scheduled for trial in March. Our handling of the direct repatriation case before the Supreme Court has implications for these issues, since our defense has rested in part on the non-applicability of U.S. immigration law overseas.

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DISCUSSION

A. The Legal Issues

The precise question before the Supreme Court is whether the court of appeals properly ordered the district court to enter a preliminary injunction barring direct repatriation of Haitian migrants interdicted by the Coast Guard on the high seas.

Five issues are involved in the litigation:

--whether either the Immigration and Nationality Act ("INA") or the Administrative Procedure Act permits judicial review. (The USG brief argues that neither act authorizes court review of the President's actions outside the United States.)

--whether equitable principles require that injunctive relief against the President's policy be denied and that the case be dismissed. (Our brief argues that judicial review and injunctive relief would interfere with the President's Commander-in-Chief and foreign affairs prerogatives.)

--whether the suit is barred by "collateral estoppel." (The doctrine of collateral estoppel bars the same plaintiffs from litigating the same issue in different cases. Our brief argues these issues were already addressed by the 11th Circuit, which ruled in HHC v. Baker that U.S. law does not create judicially enforceable rights for aliens outside the United States.)

--whether 8 U.S.C. 1253(h) (section 243(h) of the Immigration and Nationality Act) bars summary repatriation of aliens outside the United States who have a refugee claim. (The brief argues that the provision does not apply beyond our borders.)

--whether the U.N. Refugee Convention prohibits direct repatriation of individuals interdicted on the high seas. (This issue is before the Court in an ancillary manner, since previous courts have held that the Convention does not itself create rights which are justiciable in U.S. courts. The Haitian Centers Council argues Section 1253(h) should be read to apply on the high seas, because it was intended to implement the Convention and the Convention applies on the high seas. The USG brief argues the Convention only applies to aliens who have entered the U.S.)

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The Court would not need to reach the substantive interpretation of either US domestic law or the Refugee Convention if it decides that judicial review is precluded, equitable principles preclude relief, or the suit is barred by collateral estoppel.

The principal legal arguments supporting and challenging the legality of direct repatriation from international waters are included at Tab 1.

State/Legal and Justice believe the arguments supporting the legality of direct repatriation are far more persuasive. The historical record indicates that States in 1951 and since simply have been unwilling to accept the nonrefoulement obligation for aliens at the border (as opposed to those who have already entered a State), in large part because of a concern about mass migrations. The negotiating history of the Refugee Convention is absolutely clear on this point. In contrast to the Alvarez-Machain abduction, where numerous States criticized the lawfulness of our actions, no State (other than Haiti) has criticized our legal interpretation of the Convention. With regard to the reach of section 1253(h), there are no indicia that Congress meant for that provision to apply extraterritorially, and neither respondents nor their amici (including Members of Congress) have cited any evidence suggesting that it did. The presumption against such application, therefore, should not be disturbed.

It is true that the Office of Legal Counsel, Department of Justice, and State/Legal advised in 1981 that the Refugee Convention precludes direct return of individuals interdicted on the high seas. Our review of internal records indicates that no serious research of the issue was undertaken at the time, and the conclusion appears to have been summarily reached. It may be that screening was included within the AMIO Agreement with Haiti purely for humanitarian reasons, and that the legal issue of whether screening could be eliminated was therefore not seriously examined. In any event, in 1985, the Departments of State and Justice thoroughly reviewed the issue in the context of a court challenge (the Gracey case) to the screening procedures being used in the AMIO program. We concluded that the Convention did not apply extraterritorially and so argued to the Court. The D.C. Court dismissed the case on standing grounds. Concurring, Judge Edwards specifically concluded that Article 33 does not apply on the high seas.

The U.S. ratification of the Protocol to the Refugee Convention in 1968 supports this interpretation, as does Congress' amendment of Section 1253(h) in 1980 to implement the Convention. The State Department took the same position in a

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1972 federal register notice, during negotiations of a proposed asylum convention in 1975, and in 1980 and 1989 Congressional testimony.

B. Litigation Options and Their Policy Implications

1. Defend in the Supreme Court, on the basis of the current briefs.

The Supreme Court is virtually certain to rule for the Government. While we cannot be sure on what basis the Court would rely, the Solicitor General's office believes that there is a reasonable possibility that the Court would decide that judicial review is absolutely precluded. Such a ruling would have major precedential benefits for shielding the Executive Branch from future litigation. If the Court reaches the substantive issues of whether section 1253(h) or the Refugee Convention applies outside the United States, the SG's office believes the Court is very likely to rule in our favor. These assessments are based on the strength of the Government's arguments, the Eleventh Circuit's decision in HRC v. Baker sustaining the government's position, and the fact the Supreme Court (7-2) immediately stayed the Second Circuit's decision. Following a favorable decision, the litigation would revert to the district court, which would presumably dismiss the case.

The Government's position could be argued by a career member of the SG's office or by the new SG, if one is appointed in time. (We understand former SG Starr would also be willing to argue the case; there is precedent for this.)

Policy Considerations:

--Maximizes Executive Branch flexibility in defining policy responses to the Haiti situation, and for handling aliens outside the United States in other situations. Even if we discontinue direct repatriation now, preserves the option of resuming direct repatriation in future exigent circumstances.

--The Court's decision is likely to insulate the Executive Branch from future court challenges (e.g. to screening procedures in GTMO or on Coast Guard cutters).

--Reinforces jurisprudential positions critical to Executive Branch in the conduct of foreign affairs: presumption against extraterritorial application of domestic statutes; presumption that statutes should be read not to interfere with foreign affairs powers or the President's Constitutional responsibilities; judicial deference to President in interpretation of treaties.

--Preserves government's credibility and standing with the Supreme Court, which has granted emergency stays on three occasions in this case and HRC v. Baker on the basis of representations that current legal position is strong, that an injunction interfering with President's orders to military vessels on the high seas is intolerable, and that the President must have the flexibility to act without restraints under Section 1253(h) or Article 33.

--Our credibility in advancing the nonrefoulement principle with other countries depends more on our actions than our legal position. We can change our policy on direct return without changing our legal position.

--Changing our legal position will reduce Executive Branch policy options without substantially changing the international legal situation. Given our past practice and current legal position, we would not be in a strong position to argue that other States must accept the broad interpretation of the Refugee Convention.

--A continued policy of direct repatriation, and a Supreme Court validation of the policy's legality, may undercut our credibility in urging broader support for the goal of non-return. We may be able to mitigate this effect by putting more emphasis on the humanitarian nature of our policy (save lives at sea), and the steps we are taking to ensure against persecution in Haiti (human rights monitors, expanded in-country processing).

Option 2. Defend in the Supreme Court, after filing a supplemental brief explaining the Clinton Administration's perspective.

The Government could submit a supplemental brief prior to oral argument, explaining the Clinton Administration's perspective. The supplement could stress endorsement of the goal that aliens with a well-founded fear of persecution not be sent back to persecution and emphasize the specific steps the Clinton Administration is taking to protect against persecution: in-country human rights monitors; enhanced in-country refugee processing; efforts to secure third-country placement. The brief would emphasize direct repatriation is an interim measure, driven by exigent circumstances and humanitarian concerns. While maintaining current legal positions, the brief would be cast in terms of preserving the President's ability to respond to changing developments and exigent circumstances while we pursue a policy which would make direct return unnecessary.

While there is no time set for when a supplemental brief would have to be filed, ideally it would be filed several weeks before oral argument in order to permit the Court to digest any new perspective and to permit the plaintiffs to respond.

The filing of a supplemental brief would increase the already strong likelihood of a favorable Supreme Court decision. The Court would want to avoid overturning a new President on a foreign policy and military issue of central importance and international visibility.

Policy Considerations:

--same as option 1 above.

--enables the Clinton Administration to put its legal arguments into a context which demonstrates its efforts to ensure that individuals have an opportunity to flee persecution and to ensure that individuals are not persecuted if exigent circumstances require repatriation on an interim basis.

Option 3. Permit the Supreme Court case to go forward, but without active USG participation.

Under this option, the USG would not participate in oral argument. (The USG would, however, be participating in the case in the very real sense that the Secretary of State, AG, INS Commissioner, responsible Coast Guard officials and the Commander of GTMO are named parties. Under the Supreme Court's rules, the Clinton Administration's officials are automatically substituted in the case and are necessarily participating in it.)

The failure of the USG to participate in oral argument would be unprecedented. The Court could direct participation, under threat of dismissing the case (e.g. by deciding that certiorari had been improvidently granted.)

Policy Considerations:

--Extremely disruptive of Executive Branch relationship with Supreme Court;

--public perception of Administration trying to avoid responsibility or have it both ways.

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--worst of both worlds. Undermines likelihood of prevailing in the Supreme Court, while associating the Administration with legal position before it.

-- In the view of the SG's office, this is not an option.

Option 4. Avoid a Supreme Court hearing by bringing our policy into line with the existing injunction.

Under this option, the Government would dismiss its certiorari petition to the Supreme Court. (The Court's rules give the petitioning party the absolute right to dismiss its petition, subject only to the payment of opposing party's court costs.) The Second Circuit decision would stand (although it is possible the Court would vacate the decision on grounds of mootness if a new Executive Order were issued) and the preliminary injunction would come into force. We would need to cease direct repatriations immediately, but we would not need to take a definitive position before the Supreme Court on the legal issues. The case would revert to the district court, which would presumably convert the existing temporary injunction into a permanent injunction.

Although this option would avoid a hearing in the Supreme Court, the Administration would almost certainly have to take a position on the legal issues before the district court prior to its entry of final judgment, which could come quite quickly. (The case filed in the district court raises issues beyond the legality of direct repatriation, including the adequacy of prior screening procedures, and a right of access to counsel for individuals at GTMO. One of our arguments in resisting the plaintiff's claim of due process rights, including a right to counsel at GTMO, has been that sections 1253(h) and the Refugee Convention do not apply outside the United States.)

Policy considerations:

--We pass up our best chance to knock these issues out of the courts and foreclose future litigation over Haiti refugee problem. (Over the past year, Haitian outflows have been very sensitive to the posture of litigation in our courts.)

--The existing district court injunction would remain in place. It is written broadly enough that if screening were re-instituted, it could provide a basis for screened out interdictees to litigate the correctness of individual screening decisions or the adequacy of screening procedures

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generally. While the Government would have a reasonable basis for resisting the former and perhaps the latter, we could not be certain of success.

--Even if we limit the interpretation of the existing injunction, the 2nd Circuit decision would provide precedent for judicial review of whatever Haiti policy is put in place by the new Administration, including adequacy of screening on-board cutters and the right of access to counsel at GTMO.

--The 2nd Circuit decision has potential implications for handling of aliens who seek refuge in U.S. embassies or bases.

--The 2nd Circuit decision undermines jurisprudential positions important to the Executive Branch concerning the reach of domestic statutes generally; Executive Branch prerogatives in the conduct of foreign affairs generally and in the interpretation of U.S. treaties; insulation of military vessels from judicial control.

--It would be difficult to re-instate a policy of direct return, if alternatives fail or the situation deteriorates. We would be bound by the 2nd Circuit decision until we got back in the Supreme Court; we would have difficulty getting the issue back to the Supreme Court promptly (or perhaps at all), since we had passed up an opportunity for a ruling.

--A policy change might enhance the credibility of our efforts to get other countries to comply with the non-refoulement principle as a matter of policy; however, we can change our policy without dismissing the petition.

-- Likely to stimulate mass migration, with potential large-scale loss of life.

Option 5. Reach a settlement with plaintiffs which results in vacating the 2nd Circuit and district court decisions, and a dismissal of the district court case.

The Supreme Court will not vacate a lower court's decision just because the parties ask it to do so, although it might be persuaded to do so if the parties settle their underlying dispute. Given that plaintiffs' counsel also believe they will lose if the USG pursues its current position vigorously in the Supreme Court, they might be willing to reach a settlement and withdraw their case. (Since the case is brought as a class action, and the injunction was ordered by the Circuit Court, withdrawal of the case would require the approval of the district court and perhaps the circuit court. Although it is

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possible they would not approve a settlement negotiated with the HCC because of their own views of the best interests of the Haitian class, this is unlikely. Approval could, however, take some time.)

Presumably, the plaintiffs would insist on a guarantee of no future direct returns. They might also attempt to negotiate any renewed screening procedures, and access to counsel issues, since those issues are also technically before the district court. Presumably, plaintiffs would want the settlement reflected in a consent decree issued by the district court.

Policy Considerations:

--We pass up our best chance to knock these issues out of the courts and foreclose future litigation of the Haiti migration problem. (Even if the lower court decisions are vacated, plaintiffs will know that those courts are open to judicial review of the Executive Branch in this area.)

--Limits policy options for dealing with Haiti situation, including return to forcible repatriation if viable alternatives can not be found or the situation deteriorates.

--Gives the plaintiffs continuing leverage (including the possibility of judicial intervention) in connection with the interpretation/implementation of the settlement and future policy options.

--In any renewed litigation, may be more difficult to get the Supreme Court to respond to Executive Branch requests to stay lower court decisions, as it has done three times in this case. These stays were critical to staunching the outflow of Haitian migrants.

--The policy change will be welcomed by the NGO's and enhance our credibility in urging other countries to apply the nonrefoulement obligation broadly. However, we do not need an agreement with plaintiffs to change our policy.

-- Likely to stimulate mass migration, with potential large-scale loss of life.

Option 6. Postpone the Supreme Court hearing, with a view to keeping our litigating options open.

Neither the Government alone nor the parties together can postpone oral argument. That is up to the Supreme Court.

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The SG's Office believes a request from the Government alone would probably not be granted by the Supreme Court. If requested, given the Court's motion calendar, we might not know whether the Court had accepted our motion for a delay until a week before the argument.

A request for a short continuance supported by the plaintiffs might be granted if a persuasive justification can be offered. (This might include, for example, a representation that a new policy is imminent.) The SG's office predicts there is at least a 50% chance that postponement would then be granted until the next argument session (which runs from March 22 to March 31). Postponement until the last argument session of this term (April 19) would be more difficult. Postponement until the Court's next term (October) is almost surely out of the question.

At a meeting on January 29 at Justice, plaintiffs' Counsel said they would oppose any request for a continuance at this time, although they did indicate that they might go along with a brief continuance if there was a public commitment to a change of policy (including revocation of the Executive Order). There was also a mention of a "private commitment" to a change.

Policy considerations:

--A public commitment to major policy change could heighten expectations and constrain options.

--A delay gives additional time to develop alternative policies without reiterating a definitive position on the legal issues. However, the longer direct repatriations continue, the more difficult it becomes to claim the new Administration has not de facto taken a position on its lawfulness.

--Delay appears ultimately aimed at avoiding the Supreme Court litigation, which is the best vehicle for maximizing current and future Executive Branch flexibility in the handling of aliens outside our borders.

--Unless the HIV/GTMO case has been settled, we would face the same legal issues at the district court trial in March.

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Option 7. Concede the international law issue; litigate the domestic issues.

We would accept that the Refugee Convention prohibits direct return from the high seas and modify our policy accordingly. We would nonetheless continue the Supreme Court litigation, in order to have the Supreme Court reverse the Second Circuit, and insulate us from further court challenges (e.g. lawyers' access to GITMO; adequacy of coast guard screening.) The Court should be notified in advance of the oral argument of the change in legal position, in sufficient time to allow the Court to digest its significance. It is possible that the Court would consider that with the change in policy, the case is no longer important and decline to hear it, leaving us with the adverse 2nd Circuit decision.

Policy Considerations:

--The change would be welcomed by the NGO's as a confirmation of their view of existing international law standards and would enhance our credibility on international refugee issues. However, given our past practice, we would not be in a strong position to argue to other States that our new interpretation of the Refugee Convention is obligatory.

--We might prevail in the Supreme Court on purely procedural grounds (i.e. nonavailability of judicial review).

--We lessen our chances of prevailing if the Court does not decide on procedural grounds but instead reaches substantive domestic law, since our domestic law was intended to implement the Refugee Convention.

--Conceding the international law issue would limit future options if Haiti alternatives fail or situation deteriorates. It would concede that the Clinton Administration had initially acted unlawfully, and could lead to claims for compensation on behalf of returned Haitians (although they would be unlikely to recover in U.S. courts.)

--Likely to stimulate mass migrations with potential large-scale loss of life.

Option 8. Concede the illegality of the Executive Order, both as a matter of domestic and international law, even if plaintiffs do not dismiss their case.

We would need to discontinue direct repatriations immediately. We would have two options concerning the Supreme Court case: (1) We could withdraw our petition for certiorari,

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leaving the 2nd Circuit decision in place. The district court case would proceed. (2) We could maintain the petition, and seek to argue the case to the Supreme Court on the basis of the procedural issues only. The Supreme Court could decide that the purely procedural issues do not warrant its consideration and withdraw its grant of certiorari. The Second Circuit decision would stand, and the district court case would proceed. Alternatively, the Court could hear the argument. We would be in the somewhat awkward but not unprecedented position of arguing that the Haitians have rights under our laws, but they are not enforceable in our courts. The outcome in the Supreme Court under this scenario is much more difficult to predict but our prospects would definitely be worsened.

Policy considerations:

--The legal and policy shift would be welcomed by NGO's and would enhance our credibility on refugee policy issues internationally.

--Direct repatriations would be precluded in the future.

--Likely to stimulate mass migration, with potential large-scale loss of life.

--A Supreme Court ruling for us on procedural grounds would be helpful in forestalling future court review of Haiti refugee issues. However, by conceding the substantive law issues, we bolster the Haitians' arguments that they are entitled to due process in the administration of their substantive law rights (e.g. access to counsel, adequate screening procedures). We do not have a strong argument that judicial review of the constitutional claims is precluded.

--A loss on procedural grounds (or a decision by the Supreme Court not to hear the case) invites future litigation.

C. Positions of Members of Congress, the UN and legal organizations.

A list of organizations, Members of Congress, and former Attorneys General supporting plaintiffs position (against direct return) is attached at Tab 2. Only one NGO (the Federation for American Immigration Reform) has filed an amicus brief in support of the USG.

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Former Congressman Solarz presented a bill in the last session of Congress, on behalf of himself and Messrs. Hamilton, Gilman, Morrison, Rangel, Lewis (Georgia) and Berman, which would have codified in U.S. law that the Refugee Convention applied on the high seas. It was reported out of Committee with 55 co-sponsors, but not acted upon.

The United Nations membership has not taken a legal view. The U.N. High Commissioner for Refugees has filed an amicus brief, arguing that the nonrefoulement obligation is categoric and applies on the high seas. In contrast, former High Commissioner for Refugees Aga Khan has taken the position that the nonrefoulement obligation incorporates a territorial limitation.

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SUBJECT: Principal Legal Arguments Concerning Direct Repatriation

1. The principal arguments supporting the legality of direct repatriation from international waters:

A. Domestic Law. U.S. law only applies within the territorial jurisdiction of the United States unless Congress expresses a clear contrary intention. Here, it has not done so. In addition, U.S. statutes should be construed so as not to interfere with foreign policy or the powers of the President under the INA and the Constitution to institute an interdiction and repatriation policy, through use of military vessels, to protect the Nation's borders and save lives. The text of Section 1253(h) applies only to the Attorney General, and he has custody of aliens only if they are in the United States. Section 1253(h) is located in the part of the INA dealing with deportation of aliens who are in the United States. The legislative history of the 1980 amendments to Section 1253 clearly shows that they were intended to extend "withholding" relief to aliens in exclusion as well as deportation proceedings in the United States, not to give it worldwide scope.

B. International law. The U.N. Refugee Convention prohibition against "expulsion" and "return (refoulement)" only applies to individuals who have entered the United States. "Refouler" was inserted in the English text to give "return" a special and limited meaning. Although "refouler" is sometimes used to refer to rejection of an alien at the border, "refouler" refers in French immigration matters to the physical removal of aliens who have unlawfully entered a State's territory. The terms was used in this latter sense in the Convention. At the 1951 Conference of Plenipotentiaries which adopted the Convention, delegates made clear that the prohibition on expulsion and return (refoulement) only applies to individuals who have entered a State's territory, and does not apply at the border. States were particularly concerned not to accept any obligation in cases of attempted mass migrations -- the very situation involved here. This interpretation was made part of the record of the Conference when Article 33 was adopted; no delegate (including the U.S.) objected or offered a different interpretation at any time during the Conference. States were not willing to accept any obligation in cases of mass migration, not just the obligation of admittance. In any event, in cases of mass migrations from

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Eastern Europe into Western Europe (the situation to which the Convention was initially addressed), "non-admittance" would be tantamount to "return" in the broad sense the plaintiffs urge for that term. Moreover, saying the Convention precludes return but does not require admittance effectively means the only realistic U.S. option in the current case is to allow individuals to drown at sea. Writings of advocacy groups (e.g. the World Jewish Congress and the International Refugee Organization) contemporaneous to the Convention acknowledge that this limited interpretation prevailed. Subsequent international efforts to draft a convention applicable to aliens at the border failed, even with a proposed exception for mass migrations; those efforts were premised on the understanding that the existing prohibition against "expelling" or "returning" a refugee applied only when the refugee had entered the State's territory. The U.S. interpretation has been advanced openly, to Congress and to the Executive Committee of the UNHCR Programme. No foreign government (other than Aristide) has criticized the U.S. interpretation. At the time of the U.S. ratification of the Refugee Convention in 1968, the Administration told the Senate the Convention applied to aliens in the United States. The President's interpretation of the Convention to that effect is entitled to great deference by the Courts.

Interference with Haitian vessels on the high seas is authorized by the AMIO agreement with Haiti; it permits but does not require refugee screening. Haiti has not taken the steps necessary (six months notice) to terminate the agreement.

2. Principal arguments that direct repatriation of refugees from international seas is unlawful:

A. Domestic Law. On its face, the current version applies to "any alien". Congress removed the territorial limitation from 1253(h) when it was amended in 1980 to add the term "return" after "deport" and to delete the phrase "within the United States" after "any alien". The Courts should not read language into a statute that Congress has removed from a statute. The ordinary presumption against extraterritorial application of U.S. statutes is inapplicable here because the statute addresses inherently international matters and because the prescription should not apply on the high seas. Section 1253(h) was amended in order to implement the Refugee Convention, and the Refugee Convention applies extraterritorially.

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B. International Law. The prohibition in the Refugee Convention is absolute. Unlike other provisions in the Convention, it contains no express territorial limitation. The text refers to prohibition on "return", without reference to the place from which return occurs. The Convention should be interpreted consistently with its clear text, and its object and purpose. The Convention was drafted in response to the flight of millions of people during and after World War II. Principles of statutory and treaty interpretation preclude recourse to the negotiating record where the text is clear. If examined, the record in the Ad Hoc Committee which initially drafted the Convention for subsequent consideration by the Conference of Plenipotentiaries should also be examined. The US delegate to the committee (Louis Henkin) expressed the view that the Convention would apply to refugees seeking admission. (Henkin has provided an affidavit to the Supreme Court supporting the broad interpretation he espoused in the Ad Hoc Committee.) Interpretive comments at the Conference of Plenipotentiaries are not dispositive because (1) the text is clear and controlling; (2) they reflect only the views of a few delegates; and/or (3) they only retained a a right of non-admission, not repatriation. The Alien Migration Interdiction Agreement with Haiti, the 1981 Executive Order authorizing interdiction at sea, and a 1981 Justice Department Opinion reflect that the U.S. then believed that the prohibition on return of refugees applies on the high seas. The High Commissioner for Refugees supports this interpretation; the UN Executive Committee for Refugees has adopted by consensus resolutions which endorse practices consistent with this interpretation. Numerous international publicists argue that the nonrefoulement prohibition has become customary international law, binding even on States that are not party to the Refugee Convention. No state has publicly endorsed the U.S. legal position.

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## AMICI SUPPORTING PLAINTIFFS

Organizations

Office of the United Nations  
 High Commissioner for Refugees  
 The Association of the Bar of the  
 City of New York  
 National Association for the Advancement  
 of Colored People  
 Transafrica  
 The Congressional Black Caucus  
 Amnesty International  
 Amnesty International--USA  
 Refugee/Human Rights Clinic  
 Human Rights Watch  
 Lawyers Committee for Human Rights  
 American Jewish Committee  
 Anti-Defamation League  
 International Human Rights Law Group  
 Paige Otwell Haines Human Rights Program,  
 Carter Presidential Center  
 American Baptist Churches  
 American Council for  
 Nationalities Service  
 Casa De Proyecto Libertad  
 Catholic Community Services  
 Center for Immigrants Rights, Inc.  
 Child Welfare League of America, Inc.  
 Florida Rural Legal Services  
 Global Exchange  
 Haitian Refugee Center  
 International Institute of Boston  
 International Ladies Garment  
 Workers Union  
 International Rescue Committee, Inc.  
 Lawyers' Committee for Civil Rights  
 Under Law of Texas, Immigrant & Refugee  
 Rights Project  
 Lutheran Immigration and Refugee Service  
 Midwest Immigrant Rights Center  
 National Conference of Black Lawyers  
 National Emergency Civil Liberties Committee  
 National Lawyers Guild, Haiti Asylum Committee  
 Northwest Immigrant Rights Project  
 People for the American Way  
 Refugee Assistance Council  
 Refugees Immigration and International Ministries Commission  
 of Oregon/Sponsors Organized to Assist Refugees  
 Refugees International  
 Union of Councils For Soviet Jews  
 U.S. Committee for Refugees

Members of Congress

Edward M. Kennedy  
Chester G. Atkins  
Howard L. Berman  
Benjamin L. Cardin  
John Conyers, Jr.  
Ronald V. Dellums  
Barney Frank  
Sam Gejdenson  
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Michael J. Kopetski  
John Lewis  
Kweise Mfume  
John Joseph Moakley  
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Major R. Owens  
Nancy Pelosi  
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Paul Simon  
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Edolphus Towns  
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Craig A. Washington  
Elizabeth Holtzman, former Representative

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HAITI: OPTIONS FOR PROCESSING OF ASYLUM SEEKERS

NOTE:

The USG (DOS, INS, congressional staff) technical team, which visited Haiti January 25-29, will make detailed recommendations on several of the issues considered in this paper. This paper includes only their initial input; a detailed report from the team will be submitted to NSC the week of February 1 for interagency consideration.

SUMMARY

The existing in-country processing program in Haiti is keeping up with the applications received to date. An expansion of this program's capacity to twice its current size will mean that virtually all existing applicants - regardless of the strength of their applications - will have been called to interview in a matter of weeks. Absent a significant increase in applications (the likelihood of which will be reported on by the technical team which studied the issue in Haiti) we can easily improve upon and expand the existing program to deal expeditiously with everyone in Haiti who is likely to have and wishes to pursue a claim to refugee status. The technical team recommends doubling processing capacity for high priority cases in Port-au-Prince, reducing processing time to less than a week, and opening two provincial processing centers in Cap Haitien (in the north) and Les Cayes (in the south). The team also recommends procedures for improving repatriations and for bringing repatriates immediately to the refugee processing center in Port-au-Prince.

Description of in-country processing in Haiti

The existing refugee processing infrastructure consists of three DOS employees (American and Haitian nationals), 3 INS adjudicators and 19 International Organization for Migration (IOM) employees. A facility separate from the Embassy in downtown Port-au-Prince is used for processing. It occupies the upper floors of a bank building and is easily accessible to the public. IOM employs security guards for the facility under its contract with RP. There have been no security incidents and no credible reports that would-be applicants are intimidated by the Haitian military in the immediate vicinity of the center, although conditions in Haiti may make it difficult for applicants from the provinces to reach the center in Port-au-Prince.

Refugee processing in Haiti requires that an individual fill out a preliminary questionnaire which elicits basic biodata and the basis for an individual's claim to a well-founded fear of persecution. These questionnaires are reviewed by DOS staff to determine which of three "risk" categories the individual appears to fall into.

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All preliminary applications received as of January 22 (some 5,230 cases representing 7,536 individuals) have been reviewed and categorized in terms of urgency (Categories A, B, or C). Category A cases represent about 10 percent of the caseload and are processed immediately.

- Some 2,591 cases (3,108 persons) have been adjudicated for refugee status by INS, resulting in an approval rate of approximately 10 percent (320 persons). Approved cases have established to the satisfaction of the INS adjudicating officer that they have a well-founded fear of persecution based on race, religion, nationality, membership in a particular social group or political opinion -- the internationally accepted refugee definition and are eligible for admission to the U.S. under our refugee resettlement program.
- The 2,639 cases which remain (some category Bs and all category Cs) are now being called to interview at the rate of 100 per week. However, we are experiencing a 50 percent no-show rate among those called in for case processing and adjudication. (This may be due to recognition on the part of many applicants that refugee approval is not easy to come by.) Since these "no-show" cases are still carried as "pending adjudication" and many will not appear, the actual backlog of cases for interview is considerably smaller.
- Receipt of new preliminary applications in recent weeks has been low (26 during the week of January 18 - 22). In addition, while another 8,356 individuals have previously expressed interest in the program, they have yet to return preliminary applications which would trigger further action on their cases.

Preliminary analysis of applications received to date indicates broad geographic representation among all applicants including those approved. The majority of applicants appear to be from outside of Port-au-Prince. A more detailed examination of each approved case's file is underway. (The technical team will provide the results in its report.)

For those cases approved, medical exams and voluntary agency sponsorship assurances (for initial resettlement services in the U.S.) are required, which normally require 14 and 60 days respectively. Travel arrangements are made as soon as these items are completed and the refugee indicates that he/she is prepared to leave.

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To our knowledge, none of the 3,000 applicants processed to date has encountered difficulty in Haiti at any stage of the process - including airport departures of approved cases - stemming from their involvement with the in-country refugee program. In the early days of the program last February, INS interviewed a few applicants at off-site locations due to security concerns. This possibility still exists and can be used when necessary.

Recommendations for Expanding and Speeding-up Incountry Processing

- The technical team recommends that processing capacity at the Refugee Processing Center be doubled so that 200 cases per week are called for processing/adjudication. This would permit, absent a significant increase in new applications, all existing cases - regardless of Category to be called in within the next twelve weeks.
  - o This level of expansion could be accomplished using the existing physical plant.
  - o It would require the TDY assignment of 3 additional INS adjudicators at a cost to INS of \$180,000 per year plus \$65,000 in start-up costs. (In anticipation of an increased workload, INS last week sent 3 additional officers to Port-au-Prince.)
  - o It would require 14 additional IOM or other voluntary agency staff at a cost to DOS of \$200,000 per year. This staff could be in place within a few weeks.
  - o RP and INS will be able to cover these costs from existing budgets and are prepared to move ahead immediately.
  - o The technical team will recommend procedures to allow processing time, from the initial interview to departure from Haiti, to be reduced to less than a week for those cases requiring rapid departure from Haiti, particularly Category A.

The two variables beyond our control in affecting this result will be: 1) medical conditions which under current regulations require waivers; and 2) the readiness/willingness of the refugee to depart Haiti within this timeframe. Should there be a surge in new applications, we could later decide to further increase the weekly "through-put". This is likely to occur only if the perception of the ease of gaining refugee status changes.

The technical team will also recommend that two provincial processing sites be established in the north at Cap Haitien and in the south at Les Cayes. This would considerably facilitate access to the program from remote areas where there is currently little knowledge about the program. The team found general receptivity to this proposal in both locations. Establishment and functioning of the sites would be carried out by NGOs under contract to RP. Ideally these centers should also be funded to provide some community outreach in the form of small assistance programs.

Procedures accompanying return of Haitian boat people

Embassy staff board Coast Guard vessels before Haitian repatriates disembark at the pier in Port-au-Prince to inform them of the availability of in-country processing, collect any documents that repatriates feel might compromise them with Haitian immigration authorities, and distribute preliminary questionnaires to all returnees as they leave the ship. Embassy staff remain in the dock area during in-processing by GOH and Haitian Red Cross staff in order to observe treatment of the returnees, some of whom are detained allegedly because they are suspected of having organized departures. Consular officers also follow up on those who have been detained.

Haitian authorities no longer photograph the repatriates and they fingerprint only a few who seem to be considered boat organizers or trouble makers. (The fingerprinting serves as a form of intimidation, but is meaningless in tracking people because the quality is so poor.) All repatriates are required to provide their name, date of birth, place of residence, etc, but there is no means of verifying whether this information is correct. It is assumed by Embassy officers that many give false identities. A few are detained by police for further questioning because they are suspected of being boat organizers. The rest proceed to the Red Cross table to receive assistance in returning home.

The technical team will recommend changes in repatriation procedures to provide for all repatriates to fill out preliminary applications on the ship before returning to Port-au-Prince, for consular officers to vet these applications and single out category A and B applicants before debarkation at the pier, and for these applicants to be brought immediately to the processing center, if they wish, to have their cases prepared for adjudication the next day.

Recommendations for changes regarding security and other aspects of current procedures

The technical team is also working out procedures for handling cases off-site when there appears to be a danger for an applicant in coming to the RPC.

Major benefits and drawbacks of direct return

Benefits:

Most would-be boat people do not embark on hazardous and costly boat voyages when they believe the likelihood of reaching the U.S. is small. With fewer boats at sea, the chances for significant loss of life are thereby diminished. Since we believe that the vast majority of the boat people are leaving for reasons other than a well-founded fear of persecution, the direct return policy avoids establishing a new and costly refugee processing infrastructure to deal with an essentially non-refugee population.

The U.S.G.'s processing program in Haiti demonstrates our efforts to protect Haitian refugees, notwithstanding our direct return policy. UNHCR's office in the Dominican Republic can also be utilized by persons claiming to have a fear of persecution. Since the details of individual claims can readily be checked at these locations, many frivolous applications are never filed. (UNHCR has maintained a rather low profile in the Dominican Republic but does interview the relatively small number of Haitians who seek their assistance. They have "recognized" as refugees within their mandate some 200 persons.)

Drawbacks:

We run the risk, admittedly small at this point, of putting legitimate refugees in harm's way. The direct return practice has been criticized as contrary to the 1951 Geneva Convention on the Status of Refugees and could impact adversely on our leadership of refugee protection efforts worldwide. The U.S. position is that the Refugee Convention does not apply extraterritorially. See the Legal Options paper for a more complete discussion of the issue.

Interdiction by the Coast Guard and the direct return of boat people is a practice unique to Haiti and, therefore, the USG's motivation is sometimes viewed as racist. Comparisons with treatment accorded Cuban rafters (many of whom also happen to be black and may also be economic refugees) tend to focus on racism.

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Options for interviewing asylum-seekers outside of Haiti

On the U.S. Mainland:

Haitians, like members of any other nationality group who arrive or are brought to the U.S. and request asylum, are eligible to pursue claims to asylum through the normal channels as established by the Refugee Act of 1980. As is the case in many Western countries, the U.S. asylum system is overburdened with over 200,000 unadjudicated claims on file awaiting the attention of an asylum officer corps of 150.

The delays and employment authorization associated with asylum processing serve to attract many individuals whose reasons for leaving their homeland have nothing to do with persecution. Ultimately most applications are found to be without merit, but the system attracts many persons whose motivations are founded in the desire to remain in the United States as long as possible. It is well known that once physically in the U.S., very few unsuccessful applicants are ever returned home.

Therefore, should all Haitian boat people be allowed to travel on to the U.S. or be brought to the U.S. to pursue claims, the magnet effect would be enormous, since a long stay in the U.S. is virtually guaranteed. Costs and domestic impact would be uncontrollable.

Aboard Ships

Since the interdiction agreement with Haiti was signed in 1981 and until the numbers of persons leaving Haiti overwhelmed the capacity of the Coast Guard early last year, INS officers were conducting brief pre-screening interviews on board the cutters. Haitian advocates complained of the inadequacy of these interviews in establishing whether or not a person had something to fear upon return to Haiti. During the 10 years this practice was in place, some 25 persons (out of 25,000 interdicted) were found to have a possible claim to asylum status. They were transferred to the U.S. in order to apply for asylum. This is well below the percentage of persons screened-in last year at Guantanamo or approved for refugee status at our in-country processing facility in Haiti. In the case of refugee processing, however, the pool of applicants processed to date is not readily comparable to the boat population. At this stage, any deviation from a direct return policy is likely to generate large numbers of departures. Onboard interviewing would therefore be unlikely to prove

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viable should it be reinstated since the Coast Guard and INS would quickly be swamped with departees to interdict and pre-screen. Since complete case adjudications are impossible on board the vessels, Haitian advocates would not be satisfied. It would also invite new litigation.

In Third Countries

Efforts to obtain third country agreement to establish processing sites for interdicted Haitians were unsuccessful during the past fourteen months. While Cuba, the Bahamas and the Dominican Republic all host sizeable Haitian migrant populations of their own, no country has been willing to allow the U.S. or UNHCR to bring interdicted Haitians to their shores for processing.

For a more complete analysis of current prospects for third country processing see accompanying paper.

At Guantanamo Naval Air Station

When on board screening was still in effect last year and interdictions outstripped the Coast Guard's capacity to hold the migrants while they were being pre-screened by INS, arrangements were made to conduct pre-screening at Guantanamo. However, Guantanamo itself became a magnet. DOD's stated the migrant capacity at the base was 12,500. During a visit to Guantanamo in December, however, DOD, DOS and NSC officials were informed by the base commander that additional space has been identified which could, if adjustments in base operations were made, expand capacity to 20,000. In the view of others involved in this issue (such as members of Congress who have favored this alternative), with additional resources, even more could be accommodated.

If refugee processing were to be instituted at Guantanamo and sizeable INS and voluntary agency staff were available, relatively rapid turnaround of denied cases would be possible. It would take a minimum of eight weeks, however, to assemble the required staff and prepare the facilities to receive migrants.

In order to adjudicate 500 cases per day, the INS costs are estimated to be \$348,000 per month in addition to start-up costs of \$643,000. DOS costs for voluntary agency staff would be \$270,000 per month for which a drawdown from the President's Emergency Refugee and Migration Account would be required.

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Initial UNHCR screening of these cases would reduce the number of individuals INS would need to adjudicate. We are uncertain whether UNHCR will agree to play this role or how quickly UNHCR could put together the necessary resources. Savings in INS and voluntary agency costs would be offset by the anticipated request for the USG to fund UNHCR's costs. UNHCR's involvement could make it more difficult to return screened-out cases expeditiously.

However, owing to last year's high "screened-in" rate (30 percent) and the fact that life at the base included food, lodging and medical care, Guantanamo evokes very positive memories among Haitian boat people. Therefore, the news that Guantanamo had reopened would likely lead to an immediate surge in departures from Haiti. Unless ways were found to change the Haitian perception of Guantanamo, it could be a matter of a few weeks (if not days) before capacity had been reached and additional solutions would need to be found.

As with the re-institution of screening aboard Coast Guard vessels, it is likely that reopening Guantanamo would invite additional lawsuits unless a Supreme Court decision in the pending case on direct return precludes them.

#### Disincentives to frivolous use of third country processing

The establishment of any new mechanism which might lead to admission to the United States is likely to be viewed by many Haitians, at least initially, as worth a try. The key to diminishing the enthusiasm of non-refugees would be to repatriate the early groups of unsuccessful applicants quickly. Another possibility would be to create a screening program which does not lead to resettlement in the U.S. - even for those found to be refugees.

The prominent involvement of UNHCR in the establishment of third country processing could benefit the cause of diminishing the departure rate of non-refugees. Were UNHCR to screen all applicants and only refer for third country resettlement (in other countries as well as the U.S.) persons who met the refugee definition, this could cease to be a bilateral issue and evolve into a regional or even multilateral one. At present, UNHCR involvement is limited to a small number of Haitians resettled in third countries and to returning voluntary repatriation cases from the Bahamas, Cuba and Jamaica.

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Assuming UNHCR screened-in rates were similar to what they have found among Haitians they have screened in the Dominican Republic (10%) and only a fraction of those were to be referred to the U.S. for consideration, enthusiasm among prospective boat departees for such a long-odds gamble would diminish.

Another possibility would be for UNHCR to conduct screening in third countries but maintain approved cases in temporary refuge in the region (not the U.S.) rather than seek permanent resettlement elsewhere. This safehaven would continue until the restoration of democracy in Haiti, when they would be safely returned. This is essentially what UNHCR is doing now in the Dominican Republic albeit on a smaller scale than would be anticipated if interdictees were to be brought to third countries. However, while UNHCR involvement could prove desirable, there is little doubt that it would be less efficient than a USG-run operation and would require considerable USG funding.

Phasing in an end to direct returns has been suggested as a possible means of diminishing interest in departures. This form of unequal treatment would almost surely lead to another court case. And while some boat people were getting through our blockade, the magnet effect could incite increased departures.

Cost estimates/funding sources for establishing third country processing facilities

The paper on third country resettlement options includes this information.

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### THIRD-COUNTRY PROCESSING AND/OR HOLDING CENTERS

#### Summary

Countries in the Caribbean and Latin America have proven very reluctant to host Haitian refugee processing facilities. The Dominican Republic, geographically most convenient, refused our overtures last year and has made a number of recent public statements reiterating its unwillingness. Given the prevailing attitude toward Haitian migrants, we believe it will be necessary for the President to intervene personally and to offer significant material inducements, some of which may be difficult for us to guarantee, if we are to be successful. Furthermore, we believe that any facilities should be run by the UNHCR in order to give the operation an international imprimatur. In addition, having UNHCR run the facilities minimizes the chance of U.S. litigation, is the best way to encourage those who have been screened out to return to Haiti, and will take some of the burden of permanent refugee resettlement off the United States. Of possible third-country processing sites, the Bahamas, Antigua, Guyana, Jamaica, and Honduras are preferred options. However, in each case we can expect to be provided only physical space with minimal infrastructure, if any. Any of the third-country sites will require additional large outflows of U.S. money to cover start-up costs and delays as the facilities are built and made habitable.

#### Background

Between November 1991 and April 1992, as it became clear the exodus of Haitian migrants would exceed our capacity to process them on Coast Guard cutters and at Guantanamo, the USG made high-level approaches to some twenty countries in the hemisphere (including Canada which refused to take any migrants) requesting assistance in managing the outflows. The most urgent appeal was for a site for screening migrants under UNHCR auspices and temporary refuge until migrants could be transferred to the U.S., if qualified for asylum processing, or repatriated if not. In addition to providing additional facilities in which to process large numbers of migrants, third-country processing internationalizes the problem and presents low litigation risk. We were categorically turned down by the Bahamas, the Dominican Republic and the Turks and

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Caicos (through the United Kingdom). France, too, refused our requests to use a French Caribbean territory. These would have been the most desirable sites from geographic and infrastructural standpoints. All the governments we approached pointed out that they already had problems with illegal Haitian migrants and were unwilling to take in more. Many expressed misgivings over the economic, social and health implications of hosting such a facility. We also considered approaching Honduras and did approach Antigua and Guyana. Each of these governments offered to consider the request but made clear it would require significant material assistance in return. These expectations, coupled with the physical disadvantages of the sites (notably the distances involved and lack of infrastructure in Guyana and Honduras) plus the uncertainty a deal could be struck in the end, caused us to shelve these options.

Outlook

The above experience indicates the difficulties facing a new effort to arrange a satisfactory third-country migrant facility. Nonetheless, we believe there is a reasonable chance such an effort would succeed assuming the President personally makes the request(s). Approaches at the presidential level were not previously tried and we believe anything less is unlikely to work. Moreover, the President is uniquely positioned, at this stage of his term, to put his prestige behind a request and offer to another government, at least implicitly, ground-floor access to his administration and possible future benefits in return for a favor of this importance. We would also have to offer significant material inducements up front and be prepared to pay for most if not all construction and operating costs of the facility.

The facilities contemplated would have to hold at least 25,000 migrants each at a time. It should be operated by the UNHCR (to emphasize that the host country was responding to an international, not only a U.S. need) and fully funded by the international community (with the U.S. as noted paying the lion's share -- see below for cost estimates). Having the facility run by the UNHCR will also minimize the chance for U.S. litigation and is the best way to encourage those migrants who are screened out return to Haiti (as we saw in the case of the four small UNHCR camps set up last year.) Finally with the UNHCR involved, the burden for permanent resettlement will not fall solely to the U.S. The host country would probably seek a guarantee that all Haitians would leave the host country when the facility was closed. Resettlement within the host country

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of more than a token number of Haitians is not likely to be acceptable. We anticipate that the below-listed countries would offer only the physical space for the facility. Some countries would offer property with limited minimal existing infrastructure, including road, water, and electricity access. Other offers would be completely undeveloped lands, which would require major financial outlay and prolonged delays before centers could be up and running. We anticipate no host-country involvement in actual operation of the facilities or in processing migrants. We would, in all likelihood, need a special Congressional appropriation where large amounts of ESF and FMF are mentioned below as bilateral inducements. If a supplemental appropriation is not approved, these allocations would have to come at the expense of other priority programs.

### Third-Country Options

#### Bahamas (Great Inagua Island):

The Bahamas is the nearest proposed site to Haiti and the Windward Passage. Great Inagua Island, in the Bahamas chain, has an existing infrastructure, including a U.S. Coast Guard facility. However, the Bahamas is home to 40,000 illegal Haitians -- nearly 16 percent of the Bahamian population -- and this large illegal population is already a major political and social problem for the Government. The previous Bahamian administration -- then facing elections -- flatly refused our request to accept a processing facility, fearing that a large influx of Haitian migrants would exacerbate its migrant problem and hurt tourism, on which the country is heavily dependent. With elections past, and a new government in office, we believe a high-level approach could meet with success if accompanied by an inducement package consisting of:

- o Transit Facility for Haitians: The GCOB has requested our assistance in building and funding on one of the undeveloped outer islands a facility to house those Haitian migrants who arrive directly in the country -- and many of those already there. We have previously expressed support in principle for the facility but demurred on funding, referring the GCOB instead to the UNHCR. UNHCR, in turn, has been unwilling to consider caring for Haitians now in the Bahamas illegally who might be rounded up and sent to the center. In exchange for accepting a migrant processing center for all interdicted Haitians, the GCOB would insist that we build and maintain the facility and that it be made available to Haitians who have and will arrive in the

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Bahamas illegally. The GCOB would also require that we leave behind for Bahamian use after the camp was closed any equipment installed for treatment of waste and water.

- o Future Support for IDB Concessionality: Recently the GCOB sought (and received) USG support for full concessionality for a \$21 million IDB multi-sector loan. The Bahamas has relatively high per capita income and is not likely to be a regular customer of the IDB or other international lenders for concessional loans. Nevertheless, the GCOB would expect continued U.S. support for such loans as an added inducement.
- o Hurricane Andrew Disaster Relief: The GCOB needs help in funding mosquito spraying operations and rebuilding schools and public facilities damaged by Hurricane Andrew. USG assistance to date has been minor. The GCOB would request additional financial and logistical (e.g., with U.S. military assets) support for reconstruction efforts.
- o Convention Tax Credits: The GCOB would very much like to receive convention tax credits to U.S. corporations and individuals without first having to sign a Tax Information Exchange Agreement (TIEA) which requires more access to banking information than its current banking secrecy laws permit. Granting this credit without a TIEA would require that Congress pass legislation authorizing the tax credits.

As stated above the island chosen by the Bahamas to house the transit center is an undeveloped one. Thus building a facility there would require major infrastructure outlays, including electrical, water and sewage treatment facilities, increasing the start-up costs and delaying the actual start-up date.

Antigua:

Historically strong ties to the U.S. and geographic proximity to both Haiti and the U.S. make Antigua a potential site for a Haitian refugee processing center. In May 1992 the government of Antigua indicated it would accept a UNHCR processing facility in Antigua provided a number of conditions could be met. The Antiguan pre-conditions (listed below) attempt to secure the future of the American Embassy, which has been included on a list of posts scheduled for closing in FY 1994. The presence of the Embassy (and U.S. Navy training facilities which the GOAB fear would also close) greatly increases the prestige of the Government of Antigua-Barbuda and

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supports Antigua's perception that it has a close relationship with the U.S.

- o The U.S. Embassy continues to operate in Antigua and resumes visa processing, now done in Barbados.
- o U.S. Immigration and Customs facilities be set up in Antigua (similar to the program currently operating in the Bahamas).
- o U.S. Navy training facility remains open.
- o \$20.4 million in debt owed to the USG is forgiven.o US intercedes with the Caribbean Development Bank to forgive debt owed by GOAB to that institution.
- o USG support for any Antiguan soft loan applications to IFIs for infrastructure development in Antigua.
- o Foreign assistance in the neighborhood of \$5 million in Economic Support Funds in each fiscal year during which the facility operates.

While no specific site has been decided upon, it is likely that the best location we could expect to receive for this project would have, at most, access to water, roads and electricity.

Guyana:

While geographically remote, Guyana has large areas of unused land which could be dedicated to a refugee processing facility. The new government is badly in need of financial assistance and is interested in closer ties with the U.S. President Jagan would find attractive an opportunity to visibly help President Clinton with a serious problem. The political downside for Jagan -- probably manageable with the UNHCR imprimatur -- would be the image of the Indo-Guyanese government's maintaining a detention camp for Afro-Caribbeans. To induce the GOG to accept a refugee processing facility, we likely would need to offer:

- o \$10 million in ESF in each fiscal year during which the facility operated. The newly-elected Jagan government is hampered by its predecessor's enormous debt overhang that has limited its ability to implement new programs with

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existing resources. An ESF program of this magnitude would enable the government to invest in human resources and physical infrastructure development.

- o \$2 million in FMF/IMET in each fiscal year during which the facility operated. The Guyanese Defense Force (GDF) has been scaled back significantly in recent years due to forced budget cuts. These cuts have hampered the GDF's ability to carry out its mission of border patrol and counter-narcotics enforcement. FMF/IMET assistance, at this level, would enable the GDF to acquire sufficient non-lethal equipment to build a force capable of meeting its security responsibilities.
- o A three year, \$30 million commitment in PL-480 food assistance. PL-480 food assistance has been the most visible of U.S. assistance programs for the past several years and is Guyana's source of wheat flour, a staple in Indo-Guyanese diets.

Given Guyana's geography, we must assume that any location offered would be without even any basic infrastructure, which, as mentioned above, will mean significant outlays and a long lead time before any facility would become operational.

Honduras:

Swan Island (100 miles north of Honduras) is reasonably close to Haiti, yet unpopulated and distant from the mainland, thus minimizing political downsides. It has some minimal infrastructure and an airstrip. However the remoteness, lack of developed infrastructure, and a close connection with the Nicaraguan war might magnify logistical problems, lead time, and create an image problem. The Government of Honduras (GOH) has been traditionally receptive to requests for assistance on migrants from us. They accepted 250 Haitian migrants last year and have been generally pleased with the UNHCR's performance in managing that facility. We estimate that the following inducements would be necessary to obtain GOH agreement for an in-country refugee processing facility, either on Swan Island or preferably on the Honduran mainland.

- o A minimum of \$20 million of Economic Support Funds and \$10 million in FMF for each fiscal year in which the facility operated. It may be necessary to meet Honduran expectations which date back to the mid-1980's levels with \$50-75 million in ESF and \$20-35 million in FMF.

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Throughout the 1980's Honduras received large amounts of U.S. economic and military assistance as a bastion against the spread of Sandinismo. The reductions in both types of aid occasioned by political changes in El Salvador and Nicaragua have hit Honduras hard and are occurring simultaneously with greatly reduced world prices for its agricultural exports, especially coffee. At the same time, the Honduran military is attempting to expand its counter-narcotics programs, using its F-5's as the principal weapon against traffickers, but cannot fund essential maintenance and fuel requirements.

- o Forgive \$20 million in military assistance loans owed to the USG. (Feasibility to be determined)

Jamaica:

Although Jamaica does not lie within the typical pathway of most departing Haitian migrants, its close proximity to Haiti makes it a likely candidate for reception of intercepted Haitians. Beginning in late 1991, the Jamaican Government accepted a limited number (up to 100) of Haitian refugees in cooperation with the UNHCR, which assisted in paying the costs associated with their temporary stay in Jamaica and voluntary repatriation to Haiti. Its initial success in working with UNHCR would make it easier for the GOJ to deal with the organization again in the future, particularly if the costs of accommodating them in larger numbers were to be covered either by the UNHCR or the U.S.

Throughout the 1980's Jamaica received large amounts of U.S. economic assistance as it took steps to reform its economy and combat serious narcotics trafficking problems. During his tenure, former Prime Minister Michael Manley cultivated close personal ties with President Bush. An offer to assist us by housing Haitian refugees on Jamaican soil could provide current Prime Minister Patterson an opportunity to establish similar personal ties with President Clinton and the new Administration to ensure continued strong U.S. financial support. We estimate Jamaica likely would seek:

- o \$30 million in ESF for each fiscal year in which the facility operates.
- o \$10 million for FMF during same time period.

As with Antigua, the location offered would, at most, afford

access to roads, water and electricity.

Drawbacks to Third-Country Processing

Aside from the country-specific pros and cons of each proposed migrant facility, there are a number of intrinsic downsides to any third-country option:

- Expense: Cost estimates vary depending on the location and the extent of preexisting infrastructure. Based on our experience at Guantanamo (and bearing in mind Guantanamo's relatively high level of infrastructure support) if starting from scratch, we estimate that at least \$35 million would be needed to build a new site which would take 60 days or more to complete where there is no basic infrastructure. Accurate cost and lead time estimates cannot be given until a site is chosen and construction engineers conduct site survey visits. Based upon DOD experiences at Guantanamo, DOD projects that 4000 U.S. military personnel would be needed to run a 20,000 person camp at Guantanamo with monthly costs averaging about \$7 million for the care and maintenance of the migrants. Third-country costs operational costs (above and beyond the start up cost of \$35 million) would be at least this much, if not more, based on limited infrastructure available in-country UNHCR/NGO staff costs for interviews and medical screening are estimated at \$4 million per year for a camp of 20,000 persons.
- Magnet Effect. Our previous experience with Guantanamo suggests that the physical amenities of a third-country site plus the prospect of being found eligible for further processing in the U.S. might constitute a strong inducement for Haitians to put to sea. However, third country facilities are likely to be less attractive since they will not be U.S. run. They will be less of a magnet if they are further away from Haiti and if migrants are screened quickly and are quickly repatriated if found ineligible. If UNHCR resettles migrants to other locations in addition to the U.S., this may further reduce the magnet effect.
- Reciprocal expectations: A government that accepts a large migrant facility at our request may seek to capitalize on this fact for a long time to come in its

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- 9 -

dealings with us. The result could be exaggerated expectations and ensuing irritants in our relations with the country in question and/or others envious of its favored status. This could be magnified by an approach by the President early in his administration, since it raises the expectation that the new administration is upgrading relations with the country.

-- Open-ended commitment: It is impossible to predict a termination date for the migrant facility. The longer it functions, the greater the potential for problems (disturbances, escape into the community) for the host government and thence for us. Likewise, the total number of Haitians for whom third-country processing/refuge may be needed cannot be foreseen. Once started down this path we may have to seek additional sites, perhaps in different countries, if the outflow continues.

-- Inability to Verify Claims: We learned from experience at Guantanamo that it is very important to verify refugee applicant claims to persecution. Before INS began communicating regularly with Embassy Port au Prince, its approval rate was up to 6 times higher than for Haitians screened in Port au Prince. Processing in third-countries will reduce our ability to verify claims, and may result in both delays and falsely high approval rates which would, in turn, increase migrant outflows.

The Colombian Proposal

In addition to the third-country options discussed above, there is a related proposal advanced January 17 by the Government of Colombia. Under this plan, the GOC would ask a meeting of OAS foreign ministers to allocate to member nations quotas for "Haitian political asylees," as identified by the UN and OAS. As soon as this decision is taken, Colombia undertakes to receive an allotment of Haitians to give credibility to the project.

If we wish to go with the third-country option, we should explore Colombia's proposal carefully and take advantage of this show of Colombian goodwill. However, there are several immediate problems:

-- The doubts about at least some OAS-members'

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- 10 -

willingness to take a quota of Haitians, especially for permanent resettlement.

- Most Haitians only want to go to the U.S., not a third country.
- It still must be decided where and how screening takes place to identify eligible asylees and what happens to those who do not qualify.

Attachment:

Map of Caribbean Region

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# The Caribbean



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# MIR MARKER

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| Original OA/ID Number:<br>139 |               |             |                |             |
|                               |               |             |                |             |
| Document ID:<br>9300271       |               |             |                |             |
| Row:<br>44                    | Section:<br>1 | Shelf:<br>2 | Position:<br>2 | Stack:<br>V |

# Withdrawal/Redaction Sheet

## Clinton Library

| DOCUMENT NO.<br>AND TYPE | SUBJECT/TITLE   | DATE       | RESTRICTION               |
|--------------------------|---|------------|---------------------------|
| 001. memo                | To: Samuel Berger; From: Richard Feinberg / Richard Clarke; Re: Haiti Diplomatic Strategy: Options [partial] (1 page) | 02/03/1993 | P1/b(1) <i>✓ 3/3/2020</i> |
| 002. memo                | Duplicate of 001 [partial] (1 page)   | 02/03/1993 | P1/b(1) <i>✓ 3/3/2020</i> |

**COLLECTION:**

Clinton Presidential Records  
 NSC Records Management  
 [Haiti and Memcon ...]  
 OA/Box Number: 139

**FOLDER TITLE:**

9300271

2013-0122-M  
sb2494

### RESTRICTION CODES

**Presidential Records Act - [44 U.S.C. 2204(a)]**

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
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- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
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**Freedom of Information Act - [5 U.S.C. 552(b)]**

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- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

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TO: BERGER

FROM: FEINBERG  
CLARKE

DOC DATE: 03 FEB 93  
SOURCE REF:

KEYWORDS: HAITI

PERSONS:

SUBJECT: HAITI DIPLOMACY STUDY

ACTION: NOTED BY BERGER

DUE DATE: 06 FEB 93 STATUS: C

STAFF OFFICER: FEINBERG

LOGREF:

FILES: PA

NSCP:

CODES:

DOCUMENT DISTRIBUTION

FOR ACTION

FOR CONCURRENCE

FOR INFO

CLARKE  
FEINBERG  
NSC CHRON

DECLASSIFIED  
E.O. 13526  
White House Guidelines, May 16, 2017  
By ANS NARA, Date 8/19/2019  
2013-0122-M

COMMENTS: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

DISPATCHED BY \_\_\_\_\_ DATE \_\_\_\_\_ BY HAND W/ATTCH \_\_\_\_\_

OPENED BY: NSJSL CLOSED BY: NSMEM DOC 1 OF 1

ACTION DATA SUMMARY REPORT

DOC ACTION OFFICER

CAO ASSIGNED ACTION REQUIRED

001 BERGER  
001 FEINBERG  
001 BERGER  
001  
001

Z 93020315 FOR INFORMATION  
Z 93020316 FOR FURTHER ACTION  
Z 93020319 FOR INFORMATION  
Z 93020410 NFAR PER EXEC SEC  
X 93040509 NOTED BY BERGER

National Security Council  
The White House

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| NSC Secretariat | <u>2</u>    | _____              | _____              |
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A = Action    I = Information    D = Dispatch    R = Retain    N = No Further Action

cc:            VP                            McLarty                            Other \_\_\_\_\_

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(Date/Time)

COMMENTS:

4/3

DISPATCH INSTRUCTIONS:

No clue where  
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is...  
For the file.

National Security Council  
The White House

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| ExecSec                          | 2           |          |             |
| Staff Director                   |             |          |             |
| D/APNSA                          |             |          |             |
| APNSA                            |             |          |             |
| Situation Room                   |             |          |             |
| West Wing Desk                   |             |          |             |
| NSC Secretariat                  |             |          |             |
|                                  |             |          |             |
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cc:            VP                            McLarty                            Other \_\_\_\_\_  
 Should be seen by \_\_\_\_\_  
 (Date/Time)

COMMENTS:

3 FEB 93 11:12

DISPATCH INSTRUCTIONS:

2/4/93

Per Allison Wright  
 no further action  
 required. 0271 Redo  
 already gone forward on 2/3/93  
 Ruth Staley

# Withdrawal/Redaction Marker Clinton Library

| DOCUMENT NO.<br>AND TYPE | SUBJECT/TITLE  | DATE       | RESTRICTION |
|--------------------------|--|------------|-------------|
| 001. memo                | To: Samuel Berger; From: Richard Feinberg / Richard Clarke; Re:<br>Haiti Diplomatic Strategy: Options [partial] (1 page) | 02/03/1993 | P1/b(1)     |

## COLLECTION:

Clinton Presidential Records  
NSC Records Management  
[Haiti and Memcon ...]  
OA/Box Number: 139

## FOLDER TITLE:

9300271

2013-0122-M

sb2494

## RESTRICTION CODES

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PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

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NATIONAL SECURITY COUNCIL

WASHINGTON, D.C. 20508

0271 REDO

Declassified in Part

Per E.O. 13526

VZ 10/08/2019 (1.15)

2013-0122-M

February 3, 1993

ACTION

MEMORANDUM FOR SAMUEL R. BERGER

FROM: RICHARD E. FEINBERG/RICHARD A. CLARKE

SUBJECT: Haiti Diplomatic Strategy: Options

There is general agreement in the U.S. Government on the broad objectives of U.S. diplomacy toward Haiti, but there are significant discrepancies with regard to the difficulties of attaining our objectives, and the resource commitment that will be required to secure them:

This memo lays out a "low commitment" and a "high commitment" option. The second, "high commitment" option could be seen as option as supplementary measures to be applied if option #1 stalls, and elements of the strategy could be applied on a gradual basis. State may wish to design a "middle" option. The President should be clear, however, as to which road we are driving down.

U.S. Objectives

The primary goal of U.S. policy is to restore constitutional democracy to Haiti and Aristide to the presidency, which he will pass on peacefully to an elected successor in February, 1996. To strengthen human rights practices and civil society in Haiti, we also seek to professionalize the armed forces and police, and to strengthen the judiciary and legislature. Renewed economic development would also help to strengthen the foundations for democratic governance -- and to reduce the exodus of boat people. These are very ambitious objectives, and they have eluded U.S. diplomacy so far.

To begin to obtain these objectives, the UN/OAS-backed Caputo mission is seeking to create a security climate in Haiti that will eventually permit Aristide's return. Human rights monitors, an incipient security presence, the appointment of a consensus prime minister, and a general amnesty are key steps aimed at overcoming the country's polarized political environment.

But there are many potential stumbling blocks:

-- The army could continue to drag out negotiations -- or an accord with Cedras could provoke a coup by hardliners.

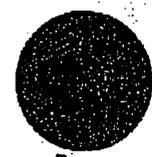
-- The army might itself accept Caputo's terms, only to later undermine confidence by harassing/assassinating UN/OAS

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Deputy Nat Sec Advisor  
has seen

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personnel, or by targeting key Aristide supporters or Aristide himself.

- Aristide could diddle, withdraw from oral commitments, or upon return seek to mobilize mass support to break out of the constraints placed on him by the negotiated accord.
- The consensus prime minister might fail to overcome the nation's political divisions. Political gridlock could then yield ungovernability and ultimately a coup.

Our ability to minimize these and other potential disruptions will depend upon our willingness to commit U.S. resource, including Presidential political capital.

Option 1: Low Commitment

Tactically, the U.S. would continue to support the Caputo mission. We would, however, limit our instruments to a maintenance of the currently leaky trade embargo; diplomatic persuasion; the carrot of a phased lifting of the trade embargo and a renewed multilateral aid program; and the other instruments currently engaged.

This option would pursue the U.S. objectives outlined above, but assessing that the probabilities of success are low, would constrain the commitment of U.S. resources. The clear advantage is that it husbands U.S. resources for other endeavors, domestic and foreign, and safeguards the U.S. from a larger commitment of resources to what could still become an expensive failure.

Risks

President Clinton's commitment to a prompt resolution of the Haiti crisis and, more generally, to democracy in the Western Hemisphere would be questioned at home and abroad. Particularly if combined with a continuation of the direct return policy on refugees, this retreat from earlier statements on Haiti would be denounced by many in the NGO community. In the Hemisphere, there is a danger that the enemies of democracy -- in Venezuela, Peru and elsewhere -- might be embolden. Adherence to this policy also implies a willingness to accept the very slow progress toward a settlement that characterized negotiations during the last year.

A disgruntled Aristide might well turn on the U.S., and directly or indirectly encourage a mass exodus of boat people.

However, these risks might be at least partially contained by articulation and implementation of a broader hemispheric policy intended to reinforce democracy in more promising environments, e.g., a more threatening posture against coup plotters in Venezuela, and a general fortification of OAS human rights machinery.

*Other  
allies  
of  
U.S.*

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Furthermore, we might launch a review of our overall policies in the Caribbean Basin that would seek to devise a set of political and economic initiatives aimed at creating future conditions for democratic governance, consistent with Clinton Administration domestic objectives -- environmental sustainability, family planning, job creation, education for work, and in the political realm, the fortification of civic culture. Funding for such initiatives may, however, be difficult to obtain.

Option 2: High Commitment

The President would decide to commit significant diplomatic capital, some of his own time, and U.S. financial resources to pursue U.S. objectives in Haiti. Two key components are:

- A negotiated deal with the military on a return of Aristide under terms they accept.
- A multinational peacekeeping force of 2-5000 to enforce the deal by protecting and restraining Aristide and the military. The force could also begin to create a depoliticized security force.

The tactics involved in the approach could include:

- Handsome carrots and hard sticks to gain the compliance of the military and the business elite, including a tightening of the embargo to encompass oil, and benefits for accommodation including U.S. visas.
- A subtle program to play on the Haitian military's fear of U.S. military intervention.
- Carrots and sticks to gain Aristide's compliance and adherence to an agreement, including promise of a carefully timed meeting with President Clinton but also a threat to abandon him if he foils compromise; and his public acceptance of a strong, continuing role of the peacekeeping force in security and governance, a sound economic cabinet and regular consultation with the business community, and a redefined role for the army and security forces.
- A large, long-term multilateral aid program implemented by official donors and international NGOs, that would pursue deep structural change in Haiti, and promise economic recovery in a reasonable period of time.
- The expenditure of diplomatic and some financial resources to gain the critical backing of the Balaguer government as well as key players in the OAS and the U.N. Security Council.

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EO 13526 1.4c

It would not be necessary to commit publicly all of these resources up front, but under this option our negotiators would be empowered to employ them as events required.

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This option would imply high-level commitment and coordination in the U.S. Government. It might imply the reinforcement of Caputo with a senior U.S. envoy, as well as the appointment of a senior U.S. ambassador to the vacant post in Port-au-Prince (perhaps as Charge to avoid delay in the confirmation process).

Such a concerted offensive plan to restore democratic rule to Haiti would, if successful, also diminish incentives for boat departure. In U.S. domestic politics, it would also balance the temporary continuation of the more defensive, direct return policy on refugees. It would also reaffirm President Clinton's commitment to democratic forces in developing countries.

### Risks

Even this high commitment of resources would not guarantee success. Failure could cost American lives, and make the Clinton Administration appear naively interventionist, and embolden anti-democratic forces elsewhere by convincing them that, if the United States cannot intervene effectively in Haiti, it is much less able to act decisively in defense of democracy in larger countries, such as Peru and Venezuela. It also implies a commitment of resources on such a scale that expectations would be raised, failure might become politically unacceptable, and pressure for full-scale military intervention may increase. Finally although we would press to maintain the multilateral character of the policy, the United States would have to put up a major portion of the resources implied by this strategy.

### Scenario: Anarchy

An additional risk is that a tightened embargo might fail to induce an agreement, leading instead to anarchy and violence. At this point, the U.S. would come under strong political and moral pressures to intervene militarily, perhaps without the consent of whatever remains of the de facto government, the Haitian army, or Aristide. Such forceful entry would meet with little if any organized armed resistance, but would leave us in the uncomfortable position of having to construct a new government.

Concurrences by: <sup>ES</sup> Eric Schwartz

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## Clinton Library

| DOCUMENT NO.<br>AND TYPE | SUBJECT/TITLE                       | DATE       | RESTRICTION |
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| 002. memo                | Duplicate of 001 [partial] (1 page) | 02/03/1993 | P1/b(1)     |

### COLLECTION:

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NSC Records Management  
[Haiti and Memcon ...]  
OA/Box Number: 139

### FOLDER TITLE:

9300271

2013-0122-M  
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NATIONAL SECURITY COUNCIL  
WASHINGTON, D.C. 20506

0271

February 3, 1993

ACTION

MEMORANDUM FOR SAMUEL R. BERGER

FROM: RICHARD E. FEINBERG, RICHARD A. CLARKE

SUBJECT: Haiti Diplomatic Strategy: Options

There is general agreement in the U.S. Government on the broad objectives of U.S. diplomacy toward Haiti, but there are significant discrepancies with regard to the difficulties of attaining our objectives, and the resource commitment that will be required to serve them.

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To begin to obtain these objectives, the UN/OAS-backed Caputo mission is seeking to create a security climate in Haiti that will eventually permit Aristide's return. Human rights monitors, an incipient security presence, the appointment of a consensus prime minister, and a general amnesty are key steps aimed at overcoming the country's polarized political environment.

But there are many potential stumbling blocks:

- The army could continue to drag out negotiations -- or an accord with Cedras could provoke a coup by hardliners.

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Per E.O. 13526

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- The army might itself accept Caputo's terms, only to later undermine confidence by harassing/assassinating UN/OAS personnel, or by targeting key Aristide supporters or Aristide himself.
- Aristide could diddle, withdraw from oral commitments, or upon return seek to mobilize mass support to break out of the constraints placed on him by the negotiated accord.
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#### Risks

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A disgruntled Aristide might well turn on the U.S., and directly or indirectly encourage a mass exodus of boat people.

However, these risks might be at least partially contained by articulation and implementation of a broader hemispheric policy intended to reinforce democracy in more promising environments, e.g., a more threatening posture against coup plotters in Venezuela, and a general fortification of OAS human rights machinery. In addition, many Latins do not think events in Haiti

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are particularly germane to or provide a precedent for the rest of Latin America.

Furthermore, we might launch a review of our overall policies in the Caribbean Basin that would seek to devise a set of political and economic initiatives aimed at creating future conditions for democratic governance, consistent with Clinton Administration domestic objectives -- environmental sustainability, family planning, job creation, education for work, and in the political realm, the fortification of civic culture. Funding for such initiatives may, however, be difficult to obtain.

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- The expenditure of diplomatic and some financial resources to gain the critical backing of the Balaguer government as well as key players in the OAS and the U.N. Security Council.

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EO 13526 1.4c

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CLINTON ~~SECRET~~ PHOTOCOPY

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It would not be necessary to commit publicly all of these resources up front, but under this option our negotiators would be empowered to employ them as events required.

This option would imply high-level commitment and coordination in the U.S. Government. It might imply the replacement or reinforcement of Caputo with a senior U.S. envoy, as well as the appointment of a senior U.S. ambassador to the vacant post in Port-au-Prince (perhaps as Charge to avoid delay in the confirmation process).

Such a concerted offensive plan to restore democratic rule to Haiti would, if successful, also diminish incentives for boat departure. In U.S. domestic politics, it would also balance the temporary continuation of the more defensive, direct return policy on refugees. It would also reaffirm President Clinton's commitment to democratic forces in developing countries.

#### Risks

Even this high commitment of resources would not guarantee success. Failure could cost American lives, and make the Clinton Administration appear naively interventionist, and embolden anti-democratic forces elsewhere by convincing them that, if the United States cannot intervene effectively in Haiti, it is much less able to act decisively in defense of democracy in larger countries, such as Peru and Venezuela. It also implies a commitment of resources on such a scale that expectations would be raised, failure might become politically unacceptable, and pressure for full-scale military intervention may increase. Finally although we would press to maintain the multilateral character of the policy, the United States would have to put up a major portion of the resources implied by this strategy.

Concurrences by: <sup>ES</sup> Eric Schwartz

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| Original OA/ID Number:<br>140 |               |             |                |             |
|                               |               |             |                |             |
| Document ID:<br>9300892       |               |             |                |             |
| Row:<br>44                    | Section:<br>1 | Shelf:<br>3 | Position:<br>1 | Stack:<br>v |

# Withdrawal/Redaction Sheet

## Clinton Library

| DOCUMENT NO.<br>AND TYPE | SUBJECT/TITLE   | DATE                  | RESTRICTION                          |
|--------------------------|---|-----------------------|--------------------------------------|
| <del>001</del> memo      | To: POTUS; From: Anthony Lake, Samuel Berger; Re: Haiti / HIV (2 pages) | <del>02/24/1993</del> | <del>P1/b(1)</del> <i>VZ 3/3/700</i> |

**COLLECTION:**

Clinton Presidential Records  
 NSC Records Management  
 [Haiti and Memcon ...]  
 OA/Box Number: 140

**FOLDER TITLE:**

9300892

2013-0122-M  
sb2495

**RESTRICTION CODES**

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

Freedom of Information Act - [5 U.S.C. 552(b)]

- b(1) National security classified information [(b)(1) of the FOIA]
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- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
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PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

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TO: PRESIDENT

FROM: LAKE  
BERGER

DOC DATE: 24 FEB 93  
SOURCE REF:

KEYWORDS: HAITI  
REFUGEES

IMMIGRATION  
LEGAL ISSUES

PERSONS:

SUBJECT: HIV IN HAITI

ACTION: NOTED BY PRES

DUE DATE: 26 FEB 93 STATUS: C

STAFF OFFICER: BERGER

LOGREF: 9300289 9300382

FILES: PA

NSCP:

CODES:

DOCUMENT DISTRIBUTION

FOR ACTION

FOR CONCURRENCE

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DECLASSIFIED  
E.O. 13526  
White House Guidelines, May 16, 2017  
By ADSNARA, Date 8/15/2019  
2013-0122-11

COMMENTS: \_\_\_\_\_  
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ACTION DATA SUMMARY REPORT

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CAO ASSIGNED ACTION REQUIRED

001 PRESIDENT  
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Z 93022413 FOR DECISION  
X 93032412 NOTED BY PRES

DISPATCH DATA SUMMARY REPORT

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VICE PRESIDENT  
MCLARTY, T

National Security Council  
The White House

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| ExecSec         | _____       | _____              | _____              |
| Staff Director  | _____       | _____              | _____              |
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| Situation Room  | _____       | _____              | _____              |
| West Wing Desk  | <u>1</u>    | <u>JDA 2/29</u>    | <u>[Signature]</u> |
| NSC Secretariat | <u>2</u>    | <u>[Signature]</u> | <u>[Signature]</u> |
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A = Action    I = Information    D = Dispatch    R = Retain    N = No Further Action

cc: VP    McLarty    Other \_\_\_\_\_

Should be seen by: \_\_\_\_\_  
(Date/Time)

COMMENTS:

*Itoh Soderberg*

DISPATCH INSTRUCTIONS:

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0892

THE WHITE HOUSE

WASHINGTON

February 24, 1993

93 FEB 24 A10:45

ACTION

MEMORANDUM FOR THE PRESIDENT

FROM: ANTHONY LAKE  
SAMUEL R. BERGER

SUBJECT: Haiti/HIV

DECLASSIFIED  
E.O. 13526, Sec. 3.5 (b)  
White House Guidelines, September 11, 2006  
By VL NARA, Date 10/8/2019  
2013-0122 -w (1.16)

Attached are two decision memoranda dealing with specific issues that need to be resolved in the short term because of pending court deadlines: our position in the Supreme Court case challenging the policy of direct return of Haitian asylum seekers and the fate of the 266 Haitians currently detained on Guantanamo, 215 of whom have tested positive for HIV.

In fact, these two immediate issues arise in the larger context of our policy on the overall HIV exclusion under the Immigration Act and our general policy toward Haiti. Indeed, it may be helpful to think about these issues in conjunction with one another.

As a starting point, several propositions seem fairly clear to us:

- At least until there is some political resolution of the Haitian crisis, it would be enormously risky to abandon the instrument of direct return and face the prospect of a massive boat exodus that we could not control;
- Finding a political solution to the situation in Haiti will require a stronger American effort; even with that, the prospects of success are uncertain and it will take time;
- Ending the general exclusion of HIV positive individuals under the Immigration Act would be extraordinarily controversial at best, as the Senate vote demonstrated, and quite conceivably would be reversed by the Congress in any case;
- The situation faced by the 266 Haitians caught on Guantanamo is more compelling but also controversial;
- There are two campaign commitments involved: (a) your denunciation of Bush's policy of direct return and endorsement of the Second Circuit case that held it to be illegal and (b) the statement in "Putting People First" that you will "stop the cynical politicization of federal

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Declassify on: OADR

cc: Vice President  
Chief of Staff

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immigration policies [and] direct the Justice Department to follow the Department of Health and Human Services recommendation that HIV be removed from the immigration restrictions list."

Taking these considerations together, and looking at the HIV-Haiti issues as a whole, we see two conceivable decision "packages." Both would involve the following:

- (1) Defending in the Supreme Court the policy of direct return, although in somewhat narrower terms than were taken by the Bush Administration, on the ground that you seek to avoid a larger humanitarian tragedy;
- (2) Indicating that you are not prepared at this time to end the HIV exclusion for all immigrants, on the ground that further study is needed of its impact;
- (3) Intensifying our efforts to support the return of democracy to Haiti, including announcement this week of a meeting with President Aristide.

The variable in the two packages is how you deal with the Haitians on Guantanamo. If you choose to leave them on Guantanamo, with some upgrade of their conditions, the package undoubtedly will be more acceptable to the Congress, but would be strongly denounced by a combination of gay, pro-Haitian and refugee/humanitarian interests, as well as by the press who will hit you for not living up to campaign commitments. If you choose to bring all or some of the Haitians on Guantanamo into the United States in the context of a larger decision to maintain the overall HIV immigrant ban, the package is more acceptable to Reverend Jackson and the humanitarian groups, but still will provoke reaction on the Hill.

RECOMMENDATIONS

- 1. That you make a decision on the Supreme Court litigation involving direct return based on the options in Tab A.
- 2. That you make a decision on the Haitians on Guantanamo based on the options in Tab B.

Attachments

- Tab A Memo on Supreme Court Case on Direct Return of Haitian Asylum Seekers
- Tab B Memo on Haiti-HIV Cases at Guantanamo Bay, Cuba
- Tab 1 Justice Department Resettlement Plan

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| Original OA/ID Number:<br>142 |               |             |                |             |
|                               |               |             |                |             |
| Document ID:<br>9301287       |               |             |                |             |
| Row:<br>44                    | Section:<br>1 | Shelf:<br>4 | Position:<br>1 | Stack:<br>v |

# Withdrawal/Redaction Sheet

## Clinton Library

| DOCUMENT NO.<br>AND TYPE | SUBJECT/TITLE  | DATE                  | RESTRICTION                    |
|--------------------------|--|-----------------------|--------------------------------|
| <del>001a. memo</del>    | <del>To: POTUS; Re: Haiti Policy [Draft] (9 pages)</del> | <del>00/00/0000</del> | <del>P1/b(1)</del> v2 3/3/2020 |
| <del>001b. paper</del>   | <del>Workplan (5 pages)</del>                            | <del>03/08/0000</del> | <del>P1/b(1)</del> v2 3/3/2020 |
| 002. paper               | [Incomplete, page 2 only] [Serbia] [misfiled] (1 page)   | 00/00/0000            | P1/b(1)                        |

**COLLECTION:**

Clinton Presidential Records  
 NSC Records Management  
 [Haiti and Memcon]  
 OA/Box Number: 142

**FOLDER TITLE:**

9301287

2013-0122-M  
 sb2496

**RESTRICTION CODES**

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
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RR. Document will be reviewed upon request.

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TO: BERGER

FROM: OWENS-KIRKPATRICK  
FEINBERG

DOC DATE: 08 MAR 93  
SOURCE REF:

KEYWORDS: HAITI

PERSONS:

SUBJECT: HAITI POLICY

ACTION: NOTED BY BERGER

DUE DATE: 11 MAR 93 STATUS: C

STAFF OFFICER: OWENS-KIRKPATRICK

LOGREF:

FILES: PA

NSCP:

CODES:

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OWENS-KIRKPATRICK

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E.O. 13526  
White House Guidelines, May 16, 2017  
By NS NARA, Date 8/19/2019  
2013-0122-M

COMMENTS: \_\_\_\_\_  
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ACTION DATA SUMMARY REPORT

DOC ACTION OFFICER

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X 93052816 NOTED BY BERGER

**National Security Council  
The White House**

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| NSC Secretariat     |             |   |             |
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cc:            VP                    McLarty                    Other \_\_\_\_\_

Should be seen by: \_\_\_\_\_  
(Date/Time)

COMMENTS:

*CC: NS*

6 MAR 93 9:37

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National Security Council  
The White House

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| Staff Director      |             |          |   |
| D/APNSA             | <i>2</i>    |          | <b>Deputy Natl Sec Advisor<br/>has seen</b> |
| APNSA               |             |          |   |
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| West Wing Desk      | <i>3</i>    |          |   |
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cc:            VP                    McLarty                    Other \_\_\_\_\_

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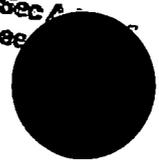
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NATIONAL SECURITY COUNCIL  
WASHINGTON, D.C. 20506

March 8, 1993

Deputy Natl Sec A  
has see



INFORMATION

MEMORANDUM FOR SAMUEL R. BERGER

THROUGH: RICHARD E. FEINBERG *RF*  
FROM: BARBRO OWENS-KIRKPATRICK *BOK*  
SUBJECT: Haiti Policy

Attached is the latest version of the draft Haiti Policy paper. It incorporates comments by Bernie Aronson and Alec Watson. Bernie plans to move it up to Christopher for approval tomorrow morning.

Attachments

- Tab I Draft Memorandum for the President
- Tab A Workplan

DECLASSIFIED  
E.O. 13526  
White House Guidelines, May 16, 2017  
By *DS* NARA, Date 8/19/2019  
2013-0122-M

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DRAFT

ACTION

MEMORANDUM FOR THE PRESIDENT

FROM:

SUBJECT: Haiti Policy

DECLASSIFIED  
E.O. 13526, Sec. 3.5 (b)  
White House Guidelines, September 11, 2006  
By VL NARA, Date 10/8/2019  
2013-0122-M (1.17)

Purpose

The Administration needs to define clearly its political objectives in Haiti, design a gameplan for achieving them, and decide on what instruments it is willing to employ. These decisions will frame the meeting you will have with deposed President Jean-Bertrand Aristide on March 16.

Background

I. INTRODUCTION: POLICY GOALS

For both foreign policy and political reasons, we recommend a major effort to restore democratic government to Haiti. You pledged to do so in your campaign, and it will be increasingly untenable over time to maintain a strict policy of repatriating boat people who attempt to flee under current conditions. Moreover, restoring the democratically-elected government would be a major victory for the Administration, as well as for the OAS and the UN, and send a clear signal to would-be coup plotters in this hemisphere that the U.S. and the international community take seriously our commitment to defend democracy.

Elected with two-thirds of the popular vote, the person of Aristide, complex and unreliable, cannot be separated from democratic restoration in Haiti. Only if he blatantly and repeatedly subverts international mediation efforts might it be legitimate in the eyes of Haitians and the world to seek to restore constitutional rule in Haiti without him. However, Aristide's physical return should be contingent on a sufficiently stable security environment for him to govern safely.

II. THE REFUGEE ISSUE

A political settlement will reduce incentives for boat departures, as it will enhance the prospects for respect for human rights and for economic development. Even with a settlement, however, there will be Haitians who continue to flee Haiti by boat. Moreover, a small number may have valid claims to refugee status despite the existence of a democratic government.

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Thus, beyond your present actions to improve in-country refugee processing, you will ultimately have to decide whether some sort of refugee screening prior to return should be reinstated. While resuming such procedures would be a challenge, it will be much more feasible in the context of an end to the current political crisis in Haiti.

### III. THE CHALLENGE

An impoverished, peasant nation, Haiti lacks the civic culture or political institutions normally associated with liberal democracy. Moreover, it is a profoundly polarized society. The traditional power structure -- the intertwined business elite and army -- were shocked and frightened by the populist rhetoric and mob violence of the brief Aristide interregnum. For their part, the masses' long-simmering hatred of the army was inflamed by the killings that accompanied the ouster of Aristide.

International pressure and presence are essential to fast-forward Haiti out of its authoritarian past into a democratic future, and to open up a third way between the military and the mob. The achievement of our ambitious objectives requires:

- First, an attenuation of the current level of tension, the provision of guarantees regarding physical security to all parties, and the creation of a broad-based, coalition government, in order to improve the human rights situation and create the security required to permit the safe, non-violent return of Aristide. This will require the presence of UN/OAS human rights monitors and security guards -- numbering perhaps several thousand -- at least through the inauguration of the next elected President in February, 1996.
- Second, a long-term commitment by the international community to help construct the institutions that make democracy sustainable. This includes professionalization of the security forces, judiciary, and parliament, as well as a strategy for sustainable economic development. The U.S. share would be some \$50-100 million per annum.

While significant, this commitment is not large in comparison to what we are undertaking elsewhere. In light of Haiti's geographic proximity, its impact on domestic affairs, and its humanitarian needs, we believe it is justified.

### IV. THE DIPLOMATIC GAMEPLAN: ACCELERATED NEGOTIATIONS

We are already involved in a major diplomatic effort to achieve a political settlement in Haiti, but we want to step up the momentum in the coming weeks. The OAS and UN intend to deploy 200 human rights monitors by the end of this month, and have appointed former Argentine foreign minister Dante Caputo to mediate the restoration of constitutional rule. Caputo wants us

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~~SECRET~~

to help him devise a detailed gameplan to accelerate the negotiations and to put our muscle behind it. The gameplan will include initial confidence-building measures, selection of the parties to the negotiations, the agenda, sequence of negotiations, an international diplomatic strategy, and carrots and sticks. Caputo will require the assistance of a small team of skilled diplomats which can be provided under the UN/OAS mission.

While Caputo will of course need to adjust his gameplan as the negotiations progress, we suggest these guidelines:

(1) Preliminary Measures

We want to move forward vigorously in the next two weeks to prepare for an intensification of the negotiations by gaining Aristide's confidence, signalling to the international diplomatic community and the Haitian de facto government and military that now we are seriously engaged, and by strengthening our diplomatic infrastructure:

- Secretary Christopher will meet separately with Caputo, and speak with UN Secretary General Boutros Ghali and OAS Secretary General Baena Soares before your March 16 meeting with Aristide;
- We will reinforce Caputo's effort by warning the parties about some of the carrots and sticks we are prepared to employ in this project and hinting at stronger measures publicly should negotiations fail;
- To backstop Caputo, we will appoint a Charge d'Affaires, or special emissary, to our Embassy in Port of Prince (the Ambassadorial post is now vacant.) We will also name a senior military officer to serve as liaison with the Haitian military;
- We will approach the World Bank and the Inter-American Development Bank to establish an economic reconstruction fund for Haiti that can be held up as an incentive for negotiations to move along;
- We are developing specific options on: additional sanctions measures; security measures to help ensure the safety of Aristide and his opponents when he returns; and technical assistance as a carrot for the military.

(2) Your Meeting with Aristide on March 16

This is an important meeting that will set the stage for Caputo's negotiating effort and hopefully enlist Aristide's full cooperation in this endeavour. We recommend that you focus on the following:

- (a) Reaffirm your strong commitment to the restoration of democracy in Haiti and the return of President

~~SECRET~~

- Aristide;
- (b) Establish a strong personal rapport with Aristide, bolstering his confidence and trust in you, the UN/OAS and the Caputo negotiating process as the best (and only) hope for his return;
  - (c) Express strong USG support for the Caputo mission; emphasizing the need to allow Caputo sufficient authority and flexibility to manage this process;
  - (d) Convey firmly that we expect Aristide's full cooperation and support for Caputo.
  - (e) As tangible demonstrations of the USG's commitment, inform Aristide that you are appointing a Special U.S. Envoy for Haiti to back up Caputo; that Secretary Christopher will meet with Boutros Ghali and Baena Soares; that Christopher will also work directly with Aristide and report on progress; that the USG will encourage the World Bank and the Inter-American Development Bank to establish a special fund for Haiti to be disbursed upon achievement of a negotiated settlement.

These signals should also serve to convince the Haitian military and de facto government of U.S. resolve, thereby enhancing their willingness to compromise.

(3) Parties to the Negotiations

Because the objective is to produce a coalition government which can endure until a democratic transition in early 1996, the negotiations should draw in all interested parties. Thus, Caputo and his team should contact the ministers in the de facto government, the military high command as well as other influential army officers, key members of parliament, Church leaders, and business elites. Caputo would consult not only with Aristide but also his supporters in Haiti. Initially, Caputo would meet with these key persons individually, and then in small groups. He will have to shuttle back and forth between Haiti and Aristide's whereabouts.

(4) Agenda for the Negotiations

The key items on the agenda for negotiations will include:

- Expansion of the UN/OAS team of monitors. A UN survey team will shortly recommend increasing the mission from 200 to about 350. We will want agreement on further augmentation of this critical international presence, to include a lightly armed contingent to provide security, and on its continuation at least until the presidential inauguration in 1996.
- The selection of a consensus prime minister and coalition cabinet, including individuals enjoying the confidence of the private sector.
- Understandings regarding the division of power among

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the presidency, prime minister, and parliament, amplifying on the generalities of the 1987 constitution. Specifically, Aristide should accept constraints on his actions and rhetoric.

- A universal amnesty should be granted.
- Consolidation of civilian authority over the armed forces might require changes in the high command.

(5) Timing and Sequence of Negotiations

Clearly, we want to introduce a sense of urgency into the negotiations. Caputo's target -- to reach agreement on the key agenda items in 3-4 months -- seems reasonable. We should not, however, make public commitments to a "high noon" date certain for Aristide's return. Our internal target might be year's end. We will encourage Caputo to get started in Haiti within the next two weeks.

We will propose to Caputo that the talks be firmly focussed from the outset on the core issue: the conditions for Aristide's return. This will help to identify early the key obstacles and terms for his return and help Caputo address them systematically. Caputo also needs to lay out early and clearly the conditions that must prevail upon Aristide's return, including the security environment, and the division of power among the branches of government. Achieving a political settlement will not be easy as success requires a fundamental reordering of the Haitian power structure.

(6) International Diplomatic Strategy

We should maximize the multilateralism of this endeavor, to provide us with diplomatic cover, to share the financial and political burdens, and to assure the active support of the OAS and UN as necessary. We should:

- Establish a "support group" of representative, concerned countries, including Venezuela, a Caribbean nation (Jamaica or Trinidad), Canada, perhaps France, and the U.S. The inclusion of Mexico would be innovative, but could be extremely useful in consolidating Third World cooperation. You could personally call President Salinas to seek his involvement, implicitly making Haiti policy a test of his goodwill.
- Maintain frequent consultations with the Secretaries General, and undertake regular briefings with members of the UN Security Council and the OAS so that if we decide to seek tougher sanctions the necessary groundwork has been laid, and to seek consensus on security measures to maintain order in the post-settlement period.

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V. CARROTS AND STICKS

We need to decide what instruments we are prepared to employ to accomplish our objectives. If the negotiations are proceeding well, we could reward the de factos by: partially and then completely lifting the trade embargo; providing technical assistance to the security forces; and releasing a multilateral economic assistance package. Conversely, sanctions, which we would first employ as threats intended to induce conciliatory behavior, could include: targeting influential individuals and groups, e.g., by lifting visas, impeding commercial air travel, and freezing assets; through the UN Security Council, enforcing economic sanctions; and through the UN Security Council, deploying a peacekeeping force.

Incentives for the De Factos

(1) Lifting the Trade Embargo

Aristide's January 8 letter to the Secretary Generals calls for a partial lifting of the trade embargo "once the international mission deploys throughout Haitian territory, and if your special envoy certifies that tangible progress is also being made in the human rights situation as well, as called for in this letter, and in solving the political crisis...." Aristide signed this letter under some duress during the Bush/Clinton transition, in return for our assurances that the Clinton administration would work vigorously for his return. A partial lifting of the embargo (e.g. by exempting agricultural products) is a significant carrot for the de facto government and intertwined private sector, and should be reserved until Caputo feels that the security forces are demonstrating greater respect for human rights, and the de facto government has begun to negotiate in good faith.

(2) Technical Assistance to the Army

Technical assistance to the security forces should be phased in by stages. We should immediately seek the deployment of an international survey team, and then "trainers" to provide more intelligence and leverage over the armed forces. We will need to balance this process carefully between the need to provide incentives to the armed forces to cooperate and the danger of rewarding them too quickly. We will need to consult Aristide throughout this process.

(3) Economic Assistance

Economic assistance was suspended by the international community after the September, 1991 coup (excluding humanitarian aid). We propose to quickly assemble a Consultative Group of donors, under the aegis of the World Bank or Inter-American Development Bank, which would design a program for emergency relief and economic development -- to be initiated upon a successful conclusion of the negotiations. Dangling this carrot will serve to put the pressure of Haitian public opinion behind negotiations; place the blame for Haiti's economic distress on those who stymie the

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talks; and make us ready to inject aid rapidly at the precise political moment.

### Sanctions

#### (1) Targeted Sanctions

If we and Caputo judge that the de factos are impeding the talks we could: hit them with measures pinpointed to harm the particular interests of the army, de facto politicians and business elite; seek global economic sanctions; and as a last resort, seek a multilateral peacekeeping force. Inter-agency working groups are currently examining the feasibility and efficiency of these options.

The existing, very leaky trade embargo injures the poor but is largely evaded by the rich and powerful. We could target the elites in the de facto government and their backers in the private sector by: 1) denying them visas, by invoking relevant sections of the Immigration and Naturalization Act which allow the executive to deny the entry of aliens on foreign policy grounds; 2) increasing the elites' sense of isolation by denying landing rights to planes originating in Haiti; 3) blocking the assets of members of the de facto regime, their financial supporters, and other Haitians violating sanctions (invoking the Foreign Asset Control's Specially Designated Nationals Program). For reasons of inadequate information and legal restrictions, the effectiveness of an asset freeze would be limited, especially after Haitians have had so much time to move their wealth out of our reach. We know of no successful precedents whereby such sanctions against individuals have been internationalized. Nevertheless, their harassment value could be significant, materially and psychologically.

#### (2) Worldwide Economic Sanctions

The current OAS-endorsed embargo does not have worldwide applicability, and Haiti continues to receive a regular flow of goods from Europe and elsewhere. A publicized and credible threat of stronger, worldwide sanctions, with enforcement authority, would raise the specter of economic collapse within months, threatening the economic interests of the elite and confronting the army with the nightmare of a breakdown of public order.

We regard such a threat as an important complement to our diplomatic track. Especially if combined with the above-mentioned targeted sanctions, it should induce more cooperative behavior by the de factos and the military. Otherwise, they are likely to continue to believe that they can outlast us, as they have over the last seventeen months.

We judge that the UN Security Council would authorize economic sanctions against Haiti, although you would have to lead a full-court diplomatic press to assure the necessary votes. Actual imposition of sanctions would hopefully break the will of the de factos and result in rapid progress in the negotiations.

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However, there is the risk that an effective embargo could cause the current military high command to dig in, be replaced by even more intransigent and repressive officers, or could lead to deepening poverty, hunger, social chaos and bloodshed, and massive pressures for emigration.

Therefore, we should only seek the actual imposition of worldwide economic sanctions if we are also prepared to seek a multilateral peacekeeping force to deal with this downside risk. Having become engaged and morally exposed by approving the sanctions, the UN Security Council might well authorize such a force. To date, Aristide has indicated his opposition to military force but might change his mind under such dire circumstances.

A UN or hemispheric-sanctioned multilateral military operation (employing perhaps 25,000 troops with significant U.S. involvement) would quickly overwhelm the poorly trained, undisciplined 7000-person Haitian army. It's mission would be to restore the democratically-elected government, as well as to downsize and redefine the mission of the Haitian army and train a professional police force to maintain order once it departed.

#### Measures to Influence Aristide

At your meeting with him on March 16, you will seek to reassure him of your personal support and of our commitment to his return. We should seek to continually bolster his confidence in the negotiations, through frequent consultations with senior U.S. government officials and occasionally with the Secretary Generals of the UN and OAS. As our strategy accelerates, Aristide should become less suspicious of our intentions. However, in the event that his intransigence or duplicity stalls the negotiations, we can threaten to: criticize him publicly; delay disbursements from his blocked accounts; disassociate ourselves from him; and, ultimately, withdraw recognition of his government.

#### VI. NEED FOR ACTIVE U.S. ENGAGEMENT

While the UN and OAS should clearly be out front in this effort, the U.S. remains the only actor which has significant influence over all the parties in Haiti. Certainly, without U.S. cajolement of all the parties, deployment of the civilian human rights monitors would not have occurred. We will have to be actively engaged throughout this process, and it will therefore be necessary for Secretary Christopher to communicate directly with the Secretary Generals of the OAS and UN to signal our sense of urgency and commitment, and on occasion to solicit financial and other commitments from close allies. Your personal involvement may well be necessary at critical junctures. If the negotiations succeed, the U.S. will also have to program \$50-100 million of U.S. foreign aid to help reconstruct the Haitian economy.

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RECOMMENDATIONS

1. That you approve the basic objectives of our strategy as being the restoration of democratic government and, subsequently, President Aristide to Haiti.

Approve \_\_\_\_\_ Disapprove \_\_\_\_\_

2. That you approve an effort to secure the deployment, through multilateral channels, of several thousand lightly armed "trainers" or "guards", including a significant U.S. contingent to provide security for all parties in Haiti.

Approve \_\_\_\_\_ Disapprove \_\_\_\_\_

3. That you approve the use of targeted sanctions to soften resistance by the de factos, the military, and the business elites as negotiations warrant.

Approve \_\_\_\_\_ Disapprove \_\_\_\_\_

4. That we publicly announce our intent, if negotiations stall, to seek UN Security Council support for authorization for worldwide economic sanctions against Haiti, with authority to enforce them.

Approve \_\_\_\_\_ Disapprove \_\_\_\_\_

5. That we be prepared, if conditions warrant, to seek in short order UN Security Council authorization for a peacekeeping force for Haiti.

Approve \_\_\_\_\_ Disapprove \_\_\_\_\_

Concurrences by: Secretary Christopher

Tab A: Workplan

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WORKPLAN

Week of March 8 -13

Monday, March 8

Interagency Group on Sanctions

State convenes interagency Haiti sanctions group to develop options/strategies for tightening and loosening sanctions, including universal embargo, partial lifting of embargo, and targeted sanctions measures

State/NSC Strategy Group

State (ARA) convenes a working group with NSC staff, and other agencies as appropriate to develop by COB March 10, a detailed USG position on negotiating plan, including objectives, strategy, mechanics, participants, agenda, carrots/sticks, timetable to be presented to Caputo

IFIs Approached on Haiti Fund

State/NSC approaches IDB and World Bank to gain support for idea of \$500 million economic reconstruction fund to be disbursed contingent on restoration of democracy

Tuesday, March 9

Strategy Paper to President

State approved strategy paper goes from NSC/Lake to the President

Thursday, March 11

Secretary meets with Caputo

Secretary Christopher, NSC/Berger meet with Caputo to discuss and agree on the principal elements of the negotiating plan. Follow-up meetings as needed between Caputo/State/NSC staff to reach agreement on details of negotiating plan.

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DECLASSIFIED  
E.O. 13526, Sec. 3.5 (b)  
White House Guidelines, September 11, 2006  
By VZ NARA, Date 10/8/2019

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~~SECRET~~Briefing Papers for President

Final briefing book due in NSC Secretariat for the President's March 16 meeting with Aristide

Friday, March 12

Secretary Meets with Boutros Ghali

Christopher meets with UNSYG Boutros Ghali to reinforce USG support for Caputo negotiating mission, urge rapid deployment of more UN observers, explore options for UN sanctions, discuss anticipated security needs for post-settlement order.

Secretary meets with Baena Soares

Christopher meets with OAS SYG Baena Soares to emphasize USG support for Caputo negotiating mission, urge deployment of more OAS observers, consult on security requirements for post-settlement order.

Caputo meets with Aristide

Caputo meets with Aristide to share principal elements of negotiating plan

Other ActionsUS Envoy

"Special Charge" for Haiti identified

Senior Military Advisor

Senior U.S. flag officer identified to liaise with Haitian military

Interagency Group on Security

State convenes an interagency group to develop options/recommendations for ensuring adequate security in Haiti for post-settlement peace both for Aristide both for Aristide, his supporters and his opponents

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~~SECRET~~Interagency group on Technical Assistance/Institution building

State (ARA) convenes an interagency group to consider specific nature/extent/timing of technical assistance and other support for institution building in Haiti, taking into account short term negotiating objectives

Saturday/Sunday

Briefing Papers

Final touches to President's briefing papers as needed

Week of March 14 - 20

Monday, March 15

State Meeting with Aristide

Tarnoff/Aronson meet with Aristide in preparation for Aristide's March 16 meeting with the President

Tuesday, March 16

President's Meeting with Aristide

The President meets with Aristide to (1) reiterate USG support for restoration of democracy and the return of Aristide; (2) express strong US backing of Caputo mission; (3) urge Aristide to trust Caputo/UN/OAS/USG/negotiations as best (only) hope for his return; (4) announce appointment of "Special Charge" (5) inform Secretary will meet with Boutros Ghali and Baena Soares and will work with Aristide; (5) hold out prospect of IDB/WB economic reconstruction package.

Alert de factos and military

Convey through Embassy Port of Prince to the de facto regime and the military the President's resolve, support for Aristide, Caputo effort; emphasizing regimes' responsibility for Caputo's security

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~~SECRET~~Media Events

Use Meeting to convey message as widely as possible of USG vigorous backing of Aristide/Caputo mission, specific USG steps of Special Charge, Secstate meetings at UN/OAS, our initiative with IDB/WB; consider statement, Qs and As by President, Secstate media appearances; Lake telcons with press, etc.

Wednesday, March 17

Demarches to Latin/European Capitals

Demarche cables to key Latin and European posts, Japan, outlining USG policy initiatives, Caputo mission and next steps, sense of urgency, and ask for specific demonstrations of support diplomatically, financially, to help ensure success of negotiating process

Consultations with Congress

State and NSC/Berger consult with key members of Congress on USG initiative/Caputo mission

State/NSC Meeting with Caputo

State/NSC staff meet with Caputo to convey findings of interagency group on sanctions, security and technical assistance (i.e. sum up what USG is willing to do on carrots/sticks to back him up), and for final review of negotiating strategy

Thursday, March 18

Caputo Travels to Haiti

Caputo travels to Haiti to begin negotiating process

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To be Decided:

Timing of travel to Haiti of Special Charge

Timing of travel of technical missions

Clinton/Caputo follow-up meeting

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# Withdrawal/Redaction Marker

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### COLLECTION:

Clinton Presidential Records  
NSC Records Management  
[Haiti and Memcon]  
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- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

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# Withdrawal/Redaction Sheet

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|--------------------------|--|------------|--------------------------------|
| 001. memo                | <del>To: POTUS; From: Anthony Lake, Samuel Berger, Re: Answers to</del><br>questions concerning Haitian asylum-seekers (5 pages) | 03/31/1993 | <del>P1/b(1)</del> VZ 3/3/2020 |

**COLLECTION:**

Clinton Presidential Records  
 NSC Records Management  
 [Haiti and Memcon ...]  
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2013-0122-M  
sb2497

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TO: PRESIDENT

FROM: LAKE

DOC DATE: 31 MAR 93  
SOURCE REF:

KEYWORDS: HAITI

REFUGEES

PERSONS:

SUBJECT: ANSWERS TO QUESTIONS RE HAITIAN ASYLUM SEEKERS

ACTION: NOTED BY PRES

DUE DATE: 12 MAR 93 STATUS: C

STAFF OFFICER: SCHWARTZ

LOGREF:

FILES: PA

NSCP:

CODES:

D O C U M E N T   D I S T R I B U T I O N

FOR ACTION

FOR CONCURRENCE

FOR INFO

CLARKE  
NSC CHRON  
SCHWARTZ

DECLASSIFIED  
E.O. 13526  
White House Guidelines, May 16, 2017  
By AS/NARA, Date 8/19/2019  
2013-0122-11

COMMENTS: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

DISPATCHED BY \_\_\_\_\_ DATE \_\_\_\_\_ BY HAND W/ATTCH

OPENED BY: NSJEB      CLOSED BY: NSASK      DOC 3 OF 3

ACTION DATA SUMMARY REPORT

DOC ACTION OFFICER

CAO ASSIGNED ACTION REQUIRED

001 LAKE  
002 LAKE  
003

Z 93031008 FWD TO PRES FOR INFORMATION  
Z 93031020 FWD TO PRES FOR INFORMATION  
X 93040118 NOTED BY PRES

THE WHITE HOUSE  
WASHINGTON

THE PRESIDENT HAS SEEN  
03.31.93

INFORMATION

MEMORANDUM FOR THE PRESIDENT

DECLASSIFIED  
E.O. 13526, Sec. 3.5 (b)  
White House Guidelines, September 11, 2006  
By VL NARA, Date 10/8/09  
2013-0122-M (1,19)

FROM: ANTHONY LAKE  
SAMUEL R. BERGER

SUBJECT: Answers to questions concerning Haitian asylum-seekers.

You have asked for comment on three issues relating to Haitian asylum-seekers:

I) claims in a March 2 New York Times article that we have not made serious progress in improving in-country refugee processing in Haiti;

II) claims in a March 7 New York Times article that the U.S. Government may have unfairly denied refugee status to a Haitian applicant in Haiti;

III) the circumstances under which Haitians are detained at the Immigration and Naturalization Service detention facility at Krome Avenue in Miami.

I. THE MARCH 2 NEW YORK TIMES ARTICLE

A. Criticisms Contained in the Article

The article states that, despite promises to sharply increase refugee processing in Haiti, asylum procedures in Haiti remain largely unchanged. It goes on to report that State Department and Immigration and Naturalization Service officials acknowledge that we have been slow to form a new approach.

In the article, refugee advocates criticize in-country processing, noting that the offices of the U.S. Refugee Processing Center (RPC) are in downtown Port-au-Prince. The advocates claim that applicants have been discouraged by the fear of exposure during the application process and the duration of bureaucratic procedures, "which involve several layers of screening, health checkups and placement in the United States by voluntary agencies before being ushered out of the country."

B. Comments on the Article

While a number of the improvements we intend to implement have not yet been made, the article is unfair, as it underplays or simply does not mention changes that have been made since

PHOTOCOPY WJC HANDWRITING

\* [ January 20. For example, at the time the article was published, we had already more than doubled the interviewing capacity of the Immigration and Naturalization Service, from about 100 interviews per week to over 200. We had also streamlined processing procedures (for example, by reducing the time needed for health checks) for all applicants. By March 2, we had the ability to move high priority applicants (i.e., those with strong prima facie claims) within seven working days (reduced from two months or more), and our goal is to reduce the time for all others to as few as seven working days as well.

We accomplished these changes by increasing the number of INS interviewers, nearly doubling the number of State Department-hired case processors (from 16 to 29), and altering a variety of case-processing procedures. (The article did mention the increase in staff.)

The article is correct in stating that the Refugee Processing Center (RPC) is in the middle of Port-au-Prince, but this is not necessarily a drawback. The location and the building (which is multipurpose) were chosen in part to provide those who enter a degree of anonymity. Using a more isolated location could make the applicants more susceptible to being targeted. (Of course, some may indeed fear going to the RPC and, as indicated below, we will be making attempts to deal with this problem.)

C. Additional Changes that Have Been or Will Be Made

On March 1, the Immigration and Naturalization Service implemented a detailed plan for selection, training and monitoring of INS adjudicators in Haiti, to ensure that they provide applicants with the fairest possible hearings. Of all the changes we are undertaking, this one may be the most significant, as it will minimize the likelihood of turning away qualified applicants.

In late February, an interagency working group (IWG) was established to implement further improvements based on recommendations of a technical team that travelled to Haiti after the inauguration. In particular, the group will examine where we might open additional processing centers in other parts of Haiti and will develop plans to identify and process those persons who may fear going into the processing centers to apply for refugee status. In addition, the IWG will examine means to increase safety upon return, such as by providing applications to asylum-applicants on the ships prior to repatriation, identifying those who may have strong claims, and providing quick access to Embassy procedures for such persons.

II. THE STATUS OF THE NORDE CASE (THE MARCH 7 NEW YORK TIMES ARTICLE)

The decision of the Immigration and Naturalization Service to deny Ferleau Norde's refugee application in Port-au-Prince has attracted a great deal of press attention. Refugee advocates have claimed that Norde's case, most recently mentioned in the

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March 7 New York Times, demonstrates the flaws in the United States' approach to refugee processing in Haiti.

The case appears to have been badly handled, though most (but not all) of the problems with it seem to have occurred before recent efforts to improve in-country processing.

This appears to be the procedural history of the application:

- On October 29, 1992, INS received a letter on Norde's behalf from the National Coalition for Haitian Refugees, a U.S.-based advocacy organization with an office in Haiti.
- He was "pre-interviewed" in Haiti by the private organization contracted by the State Department to conduct such interviews, and this group -- the International Organization for Migration -- found that the credibility of his claim was "strong".
- After interviewing Norde on November 9, an Immigration and Naturalization Service officer found his testimony not to be credible and "strongly recommended" that the application be denied. Noting that Norde's testimony was quite specific and thus could be verified easily, the INS officer-in-charge set the matter aside for an investigation by Embassy officials. But no investigation appears to have been made.
- On January 26, 1993, a new officer-in-charge -- who may have been eager to clear out a backlog upon assuming office -- accepted the initial recommendation to deny the claim. A denial letter was signed on January 26 but not delivered to Norde until after February 2.
- The New York Times reported on this case on February 2. Within a few days of that report, Norde received his letter of rejection.
- In the meantime, the bureaucracy, reacting to the press report, investigated the case, but not quickly enough to prevent delivery of the rejection letter sometime after February 2.
- On February 10, an INS official in Haiti decided to issue a "call-in" letter requesting that Norde come back to the Refugee Processing Center for another interview. But staff of the Refugee Processing Center had not yet informed Norde of this reconsideration before the most recent Times article was written, on March 7.
- In the wake of the recent article, the State Department reached Norde and is arranging for him to return for an interview on Friday.

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We are looking into the reasons for the initial denial and the slowness of the bureaucratic response, although most of the problems occurred under the "old" regime. In any event, a team of senior Justice Department officials, including Phyllis Coven (a new political appointee in the Attorney General's office), will be travelling to Haiti this week to monitor the new procedures and to ensure that cases like Mr. Norde's do not recur.

### III. DETAINING HAITIANS AT KROME DETENTION CENTER IN MIAMI.

Krome Immigration Detention Center currently houses about 231 persons, 110 of whom are Haitians. There are 30 Mexicans, 18 Guatemalans, 9 Hondurans, 8 Chinese, and 56 others representing 22 nationalities.

Most of the detainees at Krome are people who have entered the U.S. by plane or by boat without proper documentation. The majority of these undocumented aliens are applying for asylum in the United States. They are subject to exclusion proceedings under U.S. law, during which they may make their asylum claims. The general policy of the Immigration and Naturalization Service has been to detain such persons until they are either granted asylum or removed from the United States.

There are, however, a number of exceptions to this general policy. INS usually will not detain mothers with children, or someone with strong ties in the United States that make it likely that he or she will appear at the exclusion hearing. Moreover, INS will not detain persons who they deem have credible claims to asylum status. (As a matter of policy, undocumented asylum applicants go through a pre-screening to determine the credibility of their claims.)

While INS general policy is to detain excludable aliens apprehended at ports of entry, it is not a policy that is universally enforceable. This is because INS only has detention space for about one-quarter of this population of excludable aliens. Different INS district directors deal with the overpopulation issue in different ways, but inevitably end up releasing large numbers of undocumented aliens.

Some have argued that detaining Haitians at Krome is discriminatory. While this accusation is not in itself accurate, there has been at least one recent policy measure that has had a disparate impact on Haitians. When there was fear of a massive influx of Haitians to south Florida in November 1992, INS made special arrangements to rent additional detention space in Florida and to move some of the Haitian entrants to INS facilities in south Texas. Advocates for the Haitians have claimed that INS has not taken similar action to expand detention capacity elsewhere in the country, and that these actions were therefore biased against Haitians.

The average time in detention at Krome is 21.5 days for unauthorized aliens who are not making asylum claims, and 197

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days for those who are. While Krome is not seriously overcrowded (stated capacity is 200 and there are currently 231 detainees), it is a prison-like facility with highly regimented routines imposed on persons who are not necessarily criminals.

Attachment

Tab A New York Times articles of March 2 and March 7

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LEVEL 1 - 3 OF 4 STORIES

Copyright 1993 The New York Times Company  
The New York Times

March 2, 1993, Tuesday, Late Edition - Final

SECTION: Section A; Page 13; Column 1; Foreign Desk

LENGTH: 860 words

HEADLINE: Despite Plans, U.S. Refugee Processing in Haiti Is Said to Lag

BYLINE: By HOWARD W. FRENCH, Special to The New York Times

DATELINE: PORT-AU-PRINCE, Haiti, March 1

BODY:

Six weeks after the Clinton Administration promised to sharply increase refugee processing in Haiti for people trying to flee political violence, asylum procedures here remain largely unchanged, immigration experts say.

The critical assessment comes as the Supreme Court is set to hear arguments on Tuesday in a case that will decide the legality of a decision by the Bush Press Alt-H for Help or Alt-Q to Quit.

The New York Times, March 2, 1993

Administration last May to return all Haitians intercepted on the high seas while trying to flee their country.

After criticizing the Bush policy as immoral during the Presidential campaign, President Clinton, on the eve of his inauguration, endorsed the deployment off Haiti of more than 20 Coast Guard and Navy vessels to prevent a huge new outflow of refugees.

Defending his decision, Mr. Clinton said his Administration would seek to make the perilous exodus by boat unnecessary by posting American consular officials around the Haitian countryside to take asylum applications, and by streamlining procedures for obtaining political refuge from inside Haiti.

40,000 Try to Flee

Since the overthrow of Haiti's elected President, the Rev. Jean-Bertrand Aristide, in September 1991, more than 40,000 Haitians have tried to reach the United States by small boat. Nearly three-quarters of them were returned to Haiti by the United States Coast Guard.

"As far as I can tell, the new Administration is still trying to configure its response to the problem," said Arthur C. Helton, an immigration expert Press Alt-H for Help or Alt-Q to Quit.

The New York Times, March 2, 1993

with the Lawyers Committee for Human Rights, a New York-based organization that has worked on behalf of Haitian refugees. "Based on what we have seen, I have no confidence at this point that we are going to have an improved and more sensitive in-country system."

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Several State Department and Immigration and Naturalization Service officials who are involved in policy toward Haitian refugees conceded that there had been a slow start in forming a new approach to the thousands of Haitians seeking to flee for political reasons. These officials said, however, that in coming days the refugee-processing capacity in the capital, Port-au-Prince, would be doubled to about 200 a week.

Officials said the "turnaround time" required to process an application completely would likewise be quickened to an average of one week. In the past, some applications have languished for months before an asylum-seeker was given final word of his case's outcome.

To this end, officials said, the number of United States immigration agents posted in Haiti has recently been increased to seven from three, and the number of workers for a private agency employed in the screening of the asylum seekers, the International Organization for Migration, nearly doubled to 29.

Press Alt-H for Help or Alt-Q to Quit.

The New York Times, March 2, 1993

As yet, however, officials said, there has been no definitive decision about whether to set up processing centers in Haiti's provincial towns and countryside.

"There have been at least two initiatives, the major one being the effort to get human rights monitors into the country and begin the process of changing Haiti that will lead to the building of institutions that will make democracy durable," a State Department official involved in refugee issues said, referring to the recent deployment of United Nations observers to Haiti. The other initiative, the official said, was the expected speeding of the application process.

Despite the presence of more than 60 monitors in the country, immigration officials in Haiti said applications for asylum at the sole processing center in Port-au-Prince had jumped dramatically in recent days from a trickle to more than 100 a day. The increase comes after a series of violent crackdowns on political dissent by the Haitian military.

#### Screening Is Criticized

Refugee advocates have criticized the screening effort, saying its offices in the capital are conspicuously situated on a congested downtown street near

The New York Times, March 2, 1993

the National Palace and police headquarters.

Applicants for asylum, they say, must reveal themselves before other Haitians employed in the screening process, further increasing their anxiety. For many, a chance at a successful outcome has meant repeated visits to the downtown office, whether the asylum seeker lives in a remote country town or is in hiding in the capital.

For those most at risk, the critics say, participation in the program has been discouraged by the fear of exposure during the application process and the duration of bureaucratic procedures, which involve several layers of screening, health checkups and placement in the United States by voluntary agencies before being ushered out of the country.

"You cannot expect that the reasonable, rational person in hiding will conclude that they should travel to Port-au-Prince to fill out some form, reveal the most intimate and compromising parts of their lives to countrymen and strangers and be told to return," said Carol Wolchok, director of the American Bar Association's Center for Immigration Law. "What Haiti needs is an underground railroad. For many people that railroad was the boats, and we have shut that off. So far there is nothing new out there for them."

Press Alt-H for Help or Alt-Q to Quit.

The New York Times, March 2, 1993

SUBJECT: ASYLUM (POLITICAL); UNITED STATES INTERNATIONAL RELATIONS; ELECTION ISSUES; REFUGEES AND EXPATRIATES; PRESIDENTIAL ELECTION OF 1992

NAME: FRENCH, HOWARD W; CLINTON, BILL (PRES); BUSH, GEORGE

GEOGRAPHIC: HAITI

Press Alt-H for Help or Alt-Q to Quit.

The New York Times, March 7, 1993

one of the  
March 7, 1993, Sunday, Late Edition - Final

SECTION: Section 1; Page 19; Column 1; Foreign Desk

LENGTH: 678 words

HEADLINE: Haitian Dissident Loses Plea for U.S. Refugee Visa

BYLINE: By HOWARD W. FRENCH, Special to The New York Times

DATELINE: PORT-AU-PRINCE, Haiti. March 4

BODY:

In a case that international human rights groups say exemplifies the flaws in a Clinton Administration program to grant asylum to Haitians fleeing persecution in their country, a dissident who fled his hometown after being severely beaten by the military has been denied a visa to the United States.

The dissident, Ferleau Norde, a 27-year-old guitarist, whose story of detention and torture was recounted in The New York Times last month, said he was recently called in by the United States Embassy here and handed a form letter saying that his request for a refugee visa had been rejected.

Press Alt-H for Help or Alt-Q to Quit.

The New York Times, March 7, 1993

The letter, sent from an Immigration and Naturalization Service office in Mexico, said that "after carefully reviewing your version of events and the related circumstances, it was determined that you are not qualified to obtain refugee status for the reasons checked off below." The reasons cited were that the events recounted by Mr. Norde "did not constitute persecution according to immigration law," that they did not constitute a "reasonable fear of persecution" and that he "was not able to prove that the actions taken against him" were because of his political opinions.

Despite the letter's assurances of a careful review, an American official who supervises refugee screening here said there had been no investigation into Mr. Norde's assertions that he had been repeatedly beaten and tortured in his hometown, Dame-Marie, in September.

Asked about Mr. Norde's case, a senior State Department official who oversees refugee policy said local investigation into an individual case was not seen as a requirement before adjudication. The official added, however, that because of the "notoriety" of Mr. Norde's request for a refugee visa, his application might be reconsidered.

Actual asylum is applied for on American soil. But once granted refugee status, on reaching the United States the applicant is routinely granted  
Press Alt-H for Help or Alt-Q to Quit.

The New York Times, March 7, 1993

permanent residence.

Mr. Norde said he had been arrested after signing a petition circulating in the town at the time calling for an international conference on human rights in Haiti. Released only after townspeople rallied outside a military garrison on

his behalf, he said that he soon fled to Port-au-Prince, where he has remained in hiding since.

Mr. Norde's initial request for a refugee visa from the United States, made on Nov. 5, went three months without a definitive reply. "They told me that there is no reason to fear returning home, but every week I hear news of other people I know who have been forced to flee the town," Mr. Norde said in an interview here this week. "At this point I don't believe the embassy has done anything to look into my case. There is a Canadian priest there who can confirm everything I've told them, but they have never contacted him."

Anne Fuller, deputy director of the National Coalition for Haitian Refugees, said: "Here we have a case of someone who suffered greatly, was arrested and tortured, yet was turned down even though the events he told of in his area were easily confirmable. If such an individual is turned down, we must wonder who will be helped by this program."

Press Alt-H for Help or Alt-Q to Quit.

The New York Times, March 7, 1993

Despite the letter saying Mr. Norde had not been able to prove his story, the official said the United States program in Haiti did not place the burden of proving assertions of persecution on those seeking refugee visas.

The Clinton Administration announced this week that it would be spending up to \$5 million to strengthen the program, including the posting of immigration officials in provincial towns to conduct interviews.

Advocates for Haitian refugees say cases like Mr. Norde's are commonplace in the program, which by mid-February had approved 179 applications for refugee visas out of over 5,000 cases the State Department said had been "vetted."

Until recently, they say, immigration officers posted to Haiti to screen for political refugees were sent only for short terms, had no background in such screening and had little familiarity with Haiti or its most widely used language, Creole.

SUBJECT: Terms not available

Press Alt-H for Help or Alt-Q to Quit.

# MIR MARKER

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|                               |               |             |                |             |
| Document ID:<br>9301412       |               |             |                |             |
| Row:<br>44                    | Section:<br>1 | Shelf:<br>4 | Position:<br>2 | Stack:<br>v |

# Withdrawal/Redaction Sheet

## Clinton Library

| DOCUMENT NO.<br>AND TYPE | SUBJECT/TITLE   | DATE                  | RESTRICTION                    |
|--------------------------|---|-----------------------|--------------------------------|
| <del>001</del> memo      | <del>To: POTUS; From: Anthony Lake, Samuel Berger; Re: Haiti Policy (5 pages)</del> | <del>03/12/1993</del> | <del>P1/b(1)</del> v2 3/7/2020 |
| <del>002</del> memo      | <del>[Undated, Partial Duplicate of 001, page 1 only] (1 page)</del>                | <del>00/00/0000</del> | <del>P1/b(1)</del> v2 3/3/2020 |

**COLLECTION:**

Clinton Presidential Records  
 NSC Records Management  
 [Haiti and Memcon ...]  
 OA/Box Number: 143

**FOLDER TITLE:**

9301412

2013-0122-M  
sb2498

**RESTRICTION CODES**

Presidential Records Act - [44 U.S.C. 2204(a)]

Freedom of Information Act - [5 U.S.C. 552(b)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
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- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
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RR. Document will be reviewed upon request.

CLINTON LIBRARY PHOTOCOPY

TO: PRESIDENT

FROM: LAKE  
BERGER

DOC DATE: 12 MAR 93  
SOURCE REF:

KEYWORDS: HAITI

PERSONS:

SUBJECT: HAITI POLICY

ACTION: NOTED BY PRES

DUE DATE: 15 MAR 93 STATUS: C

STAFF OFFICER: OWENS-KIRKPATRICK

LOGREF:

FILES: PA

NSCP:

CODES:

DOCUMENT DISTRIBUTION

FOR ACTION

FOR CONCURRENCE

FOR INFO

FEINBERG

NSC CHRON

OWENS-KIRKPATRICK

DECLASSIFIED  
E.O. 13526  
White House Guidelines, May 16, 2017  
By ADN NARA, Date 8/19/2019  
2013-0122-M

COMMENTS: \_\_\_\_\_  
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OPENED BY: NSJEB CLOSED BY: NSJDA DOC 2 OF 2

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RECORD ID: 9301412

ACTION DATA SUMMARY REPORT

DOC ACTION OFFICER

CAO ASSIGNED ACTION REQUIRED

001 LAKE

Z 93031208 FWD TO PRES FOR INFORMATION

002 PRESIDENT

Z 93031208 FOR INFORMATION

002

X 93032412 NOTED BY PRES

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**National Security Council  
The White House**

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| ExecSec         | _____       | _____          | _____            |
| Staff Director  | <u>2</u>    | _____          | _____            |
| D/APNSA         | <u>2</u>    | _____          | _____            |
| APNSA           | _____       | _____          | _____            |
| Situation Room  | _____       | _____          | _____            |
| West Wing Desk  | <u>3</u>    | <u>JP 3/12</u> | <del>_____</del> |
| NSC Secretariat | <u>A</u>    | _____          | <u>N/R</u>       |
| _____           | _____       | _____          | _____            |
| _____           | _____       | _____          | _____            |

A = Action    I = Information    D = Dispatch    R = Retain    N = No Further Action

cc:            VP                            McLarty                            Other \_\_\_\_\_

Should be seen by: \_\_\_\_\_  
(Date/Time)

COMMENTS:

11 MAR 93 11 04

DISPATCH INSTRUCTIONS:

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THE WHITE HOUSE  
WASHINGTON

THE PRESIDENT HAS SEEN  
3122193  
93 MAR 12 A8:40

March 12, 1993

INFORMATION

MEMORANDUM FOR THE PRESIDENT

FROM: ANTHONY LAKE *TL*  
SAMUEL R. BERGER *SR*

SUBJECT: Haiti Policy

*(Negotiate Aristide's return to office immediately)*  
*B-1*

We have been working over the past several weeks on a realistic strategy for translating your commitment to restore democracy and President Aristide to Haiti. The following approach reflects our thinking and that of Secretary Christopher. We will discuss further our policy options on Haiti at the Principals meeting on Saturday and will get back to you with a decision memorandum before your meeting with President Aristide on Tuesday, March 16.

I. POLICY GOALS

Our objective in Haiti is the creation of a broad-based democratic coalition government, led by President Aristide, that can govern in a relatively safe environment through the next elections in December, 1995, and lead to a democratic transfer of power thereafter. We suggest undertaking a bold and intense diplomatic effort to achieve this objective as rapidly as possible. We propose to accelerate the process through a series of initiatives outlined below ideally aimed at achieving an agreement over the next several weeks. However, our objectives are very ambitious and rapid success could well elude us; we should be careful not to set any public deadlines. Haiti is an impoverished peasant society with no history of democratic practices and which has recently experienced a period of polarizing violence. The goal of democracy will be difficult and will require a continued U.S. commitment.

II. STRATEGY

1. Accelerated negotiations

We want to sharply step up the momentum of the multilateral diplomatic effort we already are engaged in with the OAS and the UN.

- We will urge the OAS and the UN to send more outside human rights monitors to Haiti, beyond the 200 they intend to have in place at the end of this month.

DECLASSIFIED  
E.O. 13526, Sec. 3.5 (b)  
White House Guidelines, September 11, 2006  
By *VL* NARA, Date *10/8/2013*

PHOTOCOPY WJC HANDWRITING

- We will provide the strongest possible support to Dante Caputo, the OAS/UN appointed Haiti negotiator, both in devising a negotiating strategy and maintaining momentum in the talks themselves.
- In the meeting with Secretary Christopher and Dante Caputo on March 11, we urged Caputo now to engage full-time. We suggest that you, too, meet with Caputo briefly (5-10 minutes) before he leaves for Haiti at the end of next week, to demonstrate support for his mission.
- Secretary Christopher will further reinforce the Caputo mission by speaking with UN Secretary General Boutros Ghali and OAS Secretary General Baena Soares before your March 16 meeting with Aristide.
- To backstop Caputo, Secretary Christopher has appointed Ambassador Larry Pezzullo as his Special Representative on Haiti. Pezzullo is an effective diplomat who is experienced in Latin America. We will also dispatch a new Charge d'Affaires to our Embassy in Haiti and name a senior military officer to serve as liaison with the Haitian military. A fresh "Clinton team" on Haiti will help convey a fresh Clinton commitment.
- We will seek to mobilize broad diplomatic and financial support for this intense endeavor from key Latin and European countries.

*debits  
this best  
solution  
for water*

2. Confidence-building with Aristide

For negotiations to succeed, we must gain Aristide's full cooperation and confidence, uncertain by virtue of his perception of U.S. vacillation since his ouster. At the same time, Aristide must be made to understand that negotiation and compromise are the best hope for his return. Even with our best effort, we cannot guarantee that the psychologically complex and politically unreliable Aristide might not torpedo the whole process.

- Your meeting with Aristide is critical to establish strong personal rapport with him; to reaffirm your strong commitment to restoring democracy and to his safe, non-violent return (without artificial deadlines); to underscore to him the need to trust the OAS, the UN and us; and to urge him to give Caputo the authority, flexibility, and cooperation needed to negotiate effectively.
- The meeting also is important to elicit from Aristide a commitment to compromise in areas key to the success of the negotiations: the choice of Prime Minister and Cabinet, negotiation on power-sharing within the new government, and the need to provide security to all

PHOTOCOPY WJC HANDWRITING

elements of Haitian society, including his opponents.  
(We will meet with Aristide before your meeting to try to soften him up on these points.)

- As a strong sign of our commitment, you can tell Aristide that we are helping to mobilize a major international aid package to Haiti to be disbursed upon the return of democracy and Aristide. We want to work with Aristide to help build a "new" Haiti and we can promote the aid as Aristide's reconstruction program for Haiti's poor.
- We will maintain through Ambassador Pezzullo and other interlocutors a continuous close dialogue with Aristide to keep him engaged and try to stop him from derailing the process.

3. Fast Track or Step-by-Step?

Our objective should be to achieve the quickest possible negotiated settlement in Haiti. Our posture should be that the time for obstructionism and delay is over. The intensification of our involvement, the carrots and sticks we are prepared to employ and the accelerated pace of the negotiations are intended to produce a dynamic that is conducive to an early agreement.

But Haiti is a difficult place, with extreme political polarization, weak or non-existent political institutions -- a badly fragmented society full of recrimination, hate and fear. After the first round of diplomacy is completed (your meeting with Aristide, Caputo's trip to Haiti, Pezzullo's initial consultations), we will have to evaluate whether rapid agreement is achievable, stronger measures are required or a more protracted step-by-step process for restoring democracy is practical.

III. CARROTS AND STICKS

We need to decide what instruments we are prepared to employ to back up Caputo and to accomplish our objectives.

Incentives for the "De Factos" (i.e. the current government and military leadership)

(1) Lifting the Trade Embargo

Aristide's January 8 letter to the Secretary Generals of the OAS and UN calls for a partial lifting of the trade embargo "once the international mission (UN/OAS human rights monitors) deploys throughout Haitian territory, and if your special envoy (Caputo) certifies that tangible progress is also being made in the human rights situation as well, as called for in this letter, and in solving the political crisis...." A partial lifting of the embargo (e.g. by exempting agricultural products) is a significant carrot for the de facto government and intertwined

PHOTOCOPY WJC HANDWRITING

private sector, and should be reserved until Caputo feels that the security forces are demonstrating greater respect for human rights, and the de facto government is negotiating in good faith.

(2) Technical Assistance to the Army

Technical assistance to the security forces is an important instrument for professionalizing an undisciplined army and establishing some outside engagement with them. It should be phased in by stages. We should immediately seek the deployment of an international survey team, and then "trainers" to provide more intelligence and leverage over the armed forces. We will need to balance this process carefully between the need to provide incentives to the armed forces to cooperate and the danger of rewarding them too quickly. We will need to consult Aristide throughout this process.

(3) International Economic Assistance

Economic assistance was suspended by the international community after the September, 1991 coup (excluding humanitarian aid). We propose to quickly assemble a Consultative Group of donors, under the aegis of the World Bank or Inter-American Development Bank, which would design a program for emergency relief and economic development -- to be initiated only upon a successful conclusion of the negotiations. This is part of the brighter alternative we hold out to all parties, instead of continued conflict, isolation, and economic sanctions.

Sanctions

(1) Targeted Sanctions

If we and Caputo judge that the de factos are impeding the talks we must be prepared to increase the pressure on them to compromise. As a minimum, we believe that we should be prepared to hit them with measures pinpointed to harm the particular interests of the army, de facto politicians, and business elite. Furthermore, if these fail, we could seek to globalize economic sanctions; and as a last resort, seek a multilateral peacemaking force. Inter-agency working groups currently are examining the feasibility and effectiveness of these options.

\* The existing, very leaky trade embargo injures the poor but is largely evaded by the rich and powerful. We could target the elites in the de facto government and their backers in the private sector by: 1) denying them visas; 2) increasing the elites' sense of isolation by denying landing rights to planes originating in Haiti; 3) blocking the assets of members of the de facto regime, their financial supporters, and other Haitians violating sanctions. Notwithstanding the absence of successful precedents, we could also seek to globalize the targeted sanctions through the UN Security Council.

PHOTOCOPY WJC HANDWRITING

(2) Worldwide Economic Sanctions

The threat of worldwide economic sanctions is a potentially important complement to our diplomatic track. The current OAS-endorsed embargo does not have worldwide applicability, and Haiti continues to receive a regular flow of goods from Europe and elsewhere. A credible threat of stronger, worldwide sanctions, with enforcement authority, would raise the specter of economic collapse within months, threatening the economic interests of the elite and confronting the army with the nightmare of a breakdown of public order. A tightly enforced global embargo on oil alone would have a significant effect.

Actual imposition of sanctions might break the will of the de factos and result in rapid progress in the negotiations. However, there is the corollary risk that an effective embargo could cause the current military high command to dig in, be replaced by even more intransigent and repressive officers, or could lead to social chaos and massive pressures for emigration.

We therefore must review carefully, before making such a threat, the need that may result for a multilateral military peace-making operation to restore democracy in Haiti. The purpose of such a UN or hemispheric-sanctioned multilateral military operation would be to restore the democratically-elected government, as well as to downsize and redefine the mission of the Haitian army and train a professional police force to maintain order once it departed. For now, we propose to examine what might be required under varying circumstances and its potential costs.

Even in a relatively permissive environment where a negotiated settlement has been achieved and the Haitian security forces are cooperating to restore democracy and Aristide, a substantial contingent (several thousand) OAS or joint OAS/UN sponsored peace-keepers will likely be needed to establish security.

Measures to Influence Aristide

In the event that Aristide's intransigence or duplicity stalls the negotiations, we can threaten to: criticize him publicly; delay disbursements from his blocked accounts; disassociate ourselves from him; and, ultimately, withdraw recognition of his government.

IV. NEED FOR ACTIVE U.S. ENGAGEMENT

While the UN and OAS should clearly be out front in this effort, the U.S. remains the only actor that has significant influence over all the parties in Haiti. Certainly, without U.S. engagement with all the parties, deployment of the civilian human rights monitors would not have occurred. We will have to be actively engaged throughout this process, and your personal involvement may well be necessary at critical junctures.

PHOTOCOPY WJC HANDWRITING

NATIONAL SECURITY COUNCIL  
WASHINGTON, D.C. 20506

March 11, 1993

ACTION

MEMORANDUM FOR ANTHONY LAKE

THROUGH: RICHARD E. FEINBERG *RF*  
FROM: BARBRO OWENS-KIRKPATRICK *BO*  
SUBJECT: Haiti Policy

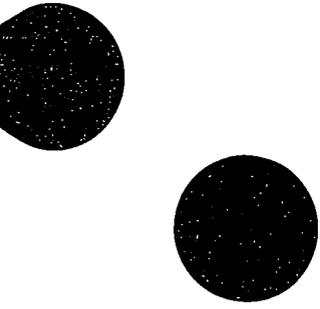
Attached at Tab I is an information memorandum for the President on Haiti policy.

RECOMMENDATION

That you approve the memorandum at Tab I.

Approve  Disapprove

Attachment  
Tab I Information Memorandum for the President



*please make  
change and  
get back to  
me ASAP*

DECLASSIFIED  
E.O. 13526  
White House Guidelines, May 16, 2017  
By *SPNARA*, Date *8/19/2019*  
2013-0122-M

THE WHITE HOUSE  
WASHINGTON

INFORMATION

MEMORANDUM FOR THE PRESIDENT

FROM: ANTHONY LAKE  
~~SAMUEL R. BERGER~~  
SUBJECT: Haiti Policy

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- We will urge the OAS and the UN to send more outside human rights monitors to Haiti, beyond the 200 they intend to have in place at the end of this month.

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E.O. 13526, Sec. 3.5 (b)  
White House Guidelines, September 11, 2006  
By 12 NARA, Date 10/8/2015

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2013-0122-11  
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cc: Vice President  
Chief of Staff

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| Original OA/ID Number:<br>144 |               |             |                |             |
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| Document ID:<br>9301749       |               |             |                |             |
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# Withdrawal/Redaction Sheet

## Clinton Library

| DOCUMENT NO.<br>AND TYPE | SUBJECT/TITLE   | DATE                  | RESTRICTION                   |
|--------------------------|---|-----------------------|-------------------------------|
| <del>001a. note</del>    | <del>To: POTUS; From: John Podesta; Re: HIV positive Haitians (1 page)</del>                                    | <del>03/31/1993</del> | <del>P1/b(1) v 3/3/2020</del> |
| <del>001b. memo</del>    | <del>To: POTUS; From: Anthony Lake, Samuel Berger; Re: HIV positive Haitians ... (6 pages)</del>                | <del>03/30/1993</del> | <del>P1/b(1) v 3/3/2020</del> |
| <del>001c. memo</del>    | <del>To: Anthony Lake, Samuel Berger; From: Eric Schwartz; Re: My Visit to Guantanamo Bay, Cuba (9 pages)</del> | <del>03/29/1993</del> | <del>P1/b(1) v 3/3/2020</del> |
| <del>002a. memo</del>    | <del>To: POTUS; From: Anthony Lake; Re: HIV positive Haitians (4 pages)</del>                                   | <del>00/00/0000</del> | <del>P1/b(1) v 3/3/2020</del> |
| <del>002b. memo</del>    | <del>Draft version of 001c (8 pages)</del>  | <del>03/23/1993</del> | <del>P1/b(1) v 3/3/2020</del> |
| <del>002c. memo</del>    | <del>Draft Verion of 002a (6 pages)</del>   | <del>00/00/0000</del> | <del>P1/b(1) v 3/3/2020</del> |

**COLLECTION:**

Clinton Presidential Records  
 NSC Records Management  
 [Haiti and Memcon ...]  
 OA/Box Number: 144

**FOLDER TITLE:**

9301749

2013-0122-M  
 sb2499

**RESTRICTION CODES**

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
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Freedom of Information Act - [5 U.S.C. 552(b)]

- b(1) National security classified information [(b)(1) of the FOIA]
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- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
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- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

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PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

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TO: PRESIDENT

FROM: LAKE  
BERGER

DOC DATE: 30 MAR 93  
SOURCE REF:

KEYWORDS: HAITI

IMMIGRATION

PERSONS:

SUBJECT: HIV POSITIVE HAITIANS AT GUANTANAMO BAY & 26 MAR ORDER BY NEW YORK  
FEDERAL DISTRICT ORDER

ACTION: NOTED BY PRES

DUE DATE: 26 MAR 93 STATUS: C

STAFF OFFICER: SCHWARTZ

LOGREF:

FILES: PA

NSCP:

CODES:

D O C U M E N T D I S T R I B U T I O N

FOR ACTION

FOR CONCURRENCE

FOR INFO  
NSC CHRON  
SCHWARTZ

DECLASSIFIED  
E.O. 13526

White House Guidelines, May 16, 2017  
By ASNARA, Date 8/19/2019  
2013-0122-M

COMMENTS: \_\_\_\_\_  
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DISPATCHED BY \_\_\_\_\_ DATE \_\_\_\_\_ BY HAND W/ATTCH

OPENED BY: NSASK CLOSED BY: NSJEB DOC 3 OF 3

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ACTION DATA SUMMARY REPORT

RECORD ID: 9301749

DOC ACTION OFFICER

CAO ASSIGNED ACTION REQUIRED

|               |   |          |                          |
|---------------|---|----------|--------------------------|
| 001 LAKE      | Z | 93032508 | FWD TO PRES FOR DECISION |
| 001 SCHWARTZ  | Z | 93032716 | FOR REDO                 |
| 002 LAKE      | Z | 93033019 | FWD TO PRES FOR DECISION |
| 003 PRESIDENT | Z | 93033021 | FOR DECISION             |
| 003           | X | 93080611 | NOTED BY PRES            |

DISPATCH DATA SUMMARY REPORT

| <u>DOC</u> | <u>DATE</u> | <u>DISPATCH FOR ACTION</u> | <u>DISPATCH FOR INFO</u> |
|------------|-------------|----------------------------|--------------------------|
| 003        | 930330      |                            | VICE PRESIDENT           |
| 003        | 930330      |                            | MCLARTY, T               |

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Rec'd 3/25 8:30am  
 National Security Council  
 The White House

Rec'd 3/27 3:39  
 3/25 08:40

PROOFED BY: \_\_\_\_\_ LOG # 1749  
 URGENT NOT PROOFED: \_\_\_\_\_ SYSTEM PRS NSC INT  
 BYPASSED WW DESK: \_\_\_\_\_ DOCLOG KA AO \_\_\_\_\_

|                 | SEQUENCE TO | HAS SEEN                         | DISPOSITION |
|-----------------|-------------|----------------------------------|-------------|
| DepExecSec      |             |                                  |             |
| ExecSec         | 1           | <u>LA</u>                        |             |
| Staff Director  | 4           | <u>M</u>                         |             |
| D/APNSA         | 2 5         | <u>✓</u>                         |             |
| APNSA           | 6           |                                  |             |
| Situation Room  |             | <u>Nati Sec Adviser has seen</u> |             |
| West Wing Desk  | 7 8         | <u>3/30 to person</u>            |             |
| NSC Secretariat |             |                                  |             |
| <u>Schwartz</u> | 3           | <u>✓</u>                         | <u>Redo</u> |

A = Action I = Information D = Dispatch R = Retain N = No Further Action

cc: VP McLarty Other \_\_\_\_\_

Should be seen by: \_\_\_\_\_  
 (Date/Time)

COMMENTS:

24 MAR 93 11 55

cc: wj

See #2  
 Redo  
 for final  
 action

DISPATCH INSTRUCTIONS:

Exec Sec has diskette

THE WHITE HOUSE  
WASHINGTON

March 31, 1993

MR. PRESIDENT:

Attached is a decision memo on the HIV-positive Haitians at Guantanamo Bay. Tony and Sandy are anxious that this be resolved today.

38 The government is under court order to provide adequate care for or evacuate approximately 200 of these individuals by April 5. The order must be complied with or a stay must be sought before that date.

The memo indicates where most of your advisors stand on the recommendations presented. I have also circulated copies to Bruce and George.

If you want to meet to discuss further, please indicate.

  
John Podesta

*the  
letter to  
discuss this  
when I return  
from  
Caracas*

PHOTOCOPY WJC HANDWRITING

THE WHITE HOUSE  
WASHINGTON

March 30, 1993 <sup>93</sup> MAR 30 P9:16

→ Haiti / Guantanamo

ACTION

MEMORANDUM FOR THE PRESIDENT

THE PRESIDENT HAS SEEN

4/13/93

FROM: ANTHONY LAKE *AL*  
SAMUEL BERGER *SB*

SUBJECT: HIV-positive Haitians at Guantanamo Bay, Cuba, and the March 26 Order by the New York Federal District Court

I. VISIT TO GUANTANAMO BY NSC STAFF AIDE: MAJOR FINDINGS

Eric Schwartz of the NSC staff visited Guantanamo Bay, Cuba, from Wednesday evening, March 17, through early Friday morning, March 19. Eric prepared a detailed report on the situation of the HIV-positive Haitians, which is attached at Tab A. The major findings of Eric's report are as follows:

- A. Most of the basic physical needs of the Haitians are met at Guantanamo Bay. However, conditions are austere, and the facility has a prison camp-like environment.
- B. The Haitians at the camp, some of whom have been there for 17 months, have a sense of anger, despair and betrayal. And while this is not a criminal population, incidents of unrest, either preceded or followed by stern measures by the military to maintain order at Camp Bulkeley, are likely to increase as the detention of the Haitians continues, with all the attendant negative publicity.
- C. "Quality of life" improvements, while desirable, are not likely to prevent such occurrences and threats to the safety and well-being of the Haitians as well as to the soldiers at the camp. Measures to augment security and maintain order may diminish the likelihood of unrest, but will not eliminate this potential and will, in any event, be controversial.

Eric's view is that entry for the Haitians is the best of several difficult options, in view of the humanitarian considerations, the risks associated with keeping the Haitians on Guantanamo, and our ability to compensate states for medical costs (through use of a special Immigration Emergency Fund).

DECLASSIFIED  
E.O. 13526, Sec. 3.5 (b)  
White House Guidelines, September 11, 2006  
By *VL* NARA, Date *10/8/2019*

cc: Vice President  
Chief of Staff

GEORGETOWN LIBRARY HANDWRITING

II. IMPACT OF RECENT LITIGATION ON THIS ISSUE

This issue has been further complicated by a March 26 order issued in a New York Federal District Court case involving the Haitians on Guantanamo.

As you will recall, the Guantanamo Haitian case principally involves a claim that the Haitians should be provided with a variety of due process rights as they pursue refugee status on Guantanamo.

Though a final judgment has yet to be made in the case, the Court on Friday, March 26, issued an interim ruling that applies to two subgroups of HIV-positive Haitians: those who have T-Cell counts -- a measure relating to the immune system -- of 200 or below (which is the point at which an individual is diagnosed as having AIDs), and those whose conditions have deteriorated to the extent that their T-Cell percentage -- another measure relating to the immune system -- is 13% or below. The former group is known to include about 9 Haitians; the latter, about 27. (These numbers may increase somewhat after new HIV tests are conducted on the Guantanamo Haitians on Tuesday, March 29.)

The judge ordered that both groups must be provided with adequate care at Guantanamo or be evacuated to the United States within 10 days. You must either comply with, or seek a stay of, the court order by April 5.

With respect to the first subgroup, i.e., those with T-Cell counts of 200 or below, the judge found that medical facilities at Guantanamo do not now provide adequate care. With respect to the second subgroup, i.e., those with T-Cell percentages of 13% or below, the judge found that Guantanamo's present level of care might be inadequate for at least some of this population. The judge's ruling on the second subgroup is based upon testimony from a government doctor that some of the Haitians in the second subgroup might have medical needs equivalent to those in the first subgroup (i.e., those with T-Cell counts of 200 or below), but that case-by-case exams would be necessary to make such determinations of need. Thus, current facilities at Guantanamo might be inadequate for some of the Haitians in the second subgroup but adequate for others (depending on the outcomes of the case-by-case evaluations).

The judge based his ruling on the court's "inherent power to protect the parties appearing before it," and claimed he was acting "to prevent any loss of life or the diminution of the plaintiff class until such time the Court enters a final order."

There are two issues that this interim order raises: first, whether a) to comply while keeping open the option of appeal or b) to seek a stay of the order; and second, how to comply if compliance is the option chosen.

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The Attorney General's office recommends compliance with the Court order. Compliance does not preclude us from ultimately appealing a final ruling to avoid the legal precedent of this order and, more generally, the precedent of a ruling granting a range of due process rights to aliens outside the United States. In support of the Attorney General's position, the Solicitor General argues that the Government probably could not demonstrate the irreparable harm needed for a stay. Refugee advocates and African-American leaders have urged that you do not seek a stay in this case.

If we choose to comply, we can do so by --

- 1) paroling into the United States (i.e., permitting entry for) all the Haitians described in judge's order;
- 2) paroling into the U.S. all the Haitians from the first subgroup (i.e., those with T-Cell counts below 200), as well as those Haitians from the second subgroup (i.e., those with T-Cell percentages below 13%) who cannot be provided with adequate care at Guantanamo; or
- 3) providing at Guantanamo the "adequate level of medical care" demanded by the judge.

Paroling Haitians into the United States (option 1 or 2) in accordance with the judge's order would not represent a wholesale change in U.S. policy. In fact, we already parole Guantanamo Haitians into the U.S. for a variety of humanitarian medical reasons (for example, all those with T-Cell counts below 100 are generally granted entry), though complying with the judge's order would result in an expansion of what we are already doing.

The Office of the Secretary of Defense and the Joint Chiefs of Staff are strongly opposed to upgrading the medical facilities at Guantanamo for the purpose of complying with the judge's order, and have been reluctant even to provide cost estimates. Military doctors have long argued that such an upgrade would require transporting and/or constructing millions of dollars of state-of-the-art equipment and facilities on Guantanamo, would be an extremely inefficient use of medical resources, and would adversely impact other important military medical missions.

Thus, the first decision you face is how to respond to the District Court order.

### III. OPTIONS WITH RESPECT TO THE REMAINDER OF THE 252 HAITIANS

- A. Keep the Haitians not subject to the Court order at Guantanamo until the return of democracy to Haiti and the elimination of the conditions that led to their flight.

This option would enable us to avoid the difficult issues associated of entry of at least most of the HIV-positive asylum-seekers.

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However, even under the most optimistic of scenarios regarding reestablishment of democratic government in Haiti, it would probably be several months or longer before we could contemplate return of the Guantanamo Haitians to Haiti.

Both the military officials who administer the camp for the Haitians and the Guantanamo Base Commander believe that under this option, continued acts of unrest and violence are inevitable. They believe that continued detention will result in deaths (including suicides) or serious injuries for one or more of the Haitians or one or more U.S. military personnel. If this option is chosen, it will have to be accompanied by a willingness to use stern, and possibly controversial, disciplinary measures against an increasingly desperate population.

B. Expand parole (i.e., entry into the U.S.) for the remainder of the Guantanamo Haitians.

In view of the risks of keeping the Haitians at Guantanamo, not to mention the humanitarian implications, it may be worth considering once again these alternatives.

There are basically two versions of this option:

1. Permit the Haitians who remain on Guantanamo -- all of whom have demonstrated prima facie claims to refugee status -- to enter the United States to pursue their asylum claims.
2.  If the Court permits, conduct full-fledged refugee interviews on Guantanamo, permit entry only to those who are deemed to be refugees, and attempt to return those who are deemed not to be refugees. This would probably result in U.S. entry of about two-thirds to three-fourths of the Haitians (about 200 people).

Recent congressional votes strongly affirm general restrictions on entry of immigrants who are HIV-positive. However, congressional leadership -- when provided with the unhappy options and assured of federal reimbursement to the states -- might not oppose a one-time decision to parole this population into the United States. The situation is unique and non-recurring, as these persons are outside their country of origin, under our control, have credible claims to refugee status, and cannot now be returned to Haiti.

Assuming that all of these Haitians will fully access public health services, HHS estimates that costs to states and localities over the lifetime of all the Haitians would be about \$7 million. (The Justice Department's Immigration Emergency Fund could be used to reimburse states for these expenses.) This \$7 million lifetime figure compares to a current estimate of about \$3.65 million per year (exclusive of military salaries) to maintain the population at Guantanamo.

The Catholic Archbishops of Newark (Theodore E. McCarrick) and New York (Cardinal John O'Connor) publicly have stated that the Catholic Church would assist in finding jobs, temporary and permanent living quarters, and pro bono medical care for Haitians permitted entry into the U.S. We could explore this offer more fully.

Finally, the recent interim court order -- or a final order, expected shortly, that would require the Government to provide the Haitians with certain due process guarantees -- could offer a context for a decision to permit entry of the Guantanamo Haitians. We could appeal the legal issues without seeking a stay of a final order, and either permit all the Haitians to enter to pursue asylum claims, or process the Haitians on Guantanamo in accordance with the judge's final order and permit entry for those deemed to be refugees.

RECOMMENDATIONS

1. THE MARCH 26 COURT DECISION

That you do not seek a stay of the District Court order regarding adequate medical care, and that you agree to permit entry to all those Haitians with T-Cell counts below 200 and all those with T-Cell percentages of 13% or below (about 38 Haitians, plus dependents).

(The Attorney General's office, the State Department, the Defense Department, and the JCS support this option. Bernie Nussbaum and the NSC also support this option.)

Approve  \_\_\_\_\_

Disapprove \_\_\_\_\_

In the alternative, that you do not seek a stay, that you permit entry to those with T-Cell counts below 200, but that you authorize military doctors to examine those with T-Cell percentages of 13% or below and that you permit entry only to those for whom facilities on Guantanamo are deemed inadequate.

(Howard Paster supports this option.)

Approve \_\_\_\_\_

Disapprove \_\_\_\_\_

2. THE REMAINDER OF THE HIV-POSITIVE POPULATION

That you agree to a process of consultation with congressional leaders and the Catholic Church on the disposition of the remainder of the Haitians on Guantanamo, after which we will report back on the political implications of parole for this group.

(The State Department, the Defense Department, the JCS, and the NSC support entry of the remainder of the HIV-positive population. Bernie Nussbaum also supports entry of the remainder of the population. The Attorney General has not made a recommendation on this issue to date. Howard Paster, while

*Went  
Nussbaum  
prepared to  
go public*

sympathetic on the substantive issue, does not believe that a process of consultation will prevent political controversy and political costs that will not be justifiable.)

Approve \_\_\_\_\_

Disapprove \_\_\_\_\_

3. CONDITIONS ON GUANTANAMO

That, if you decide that some or all of the Haitians will remain on Guantanamo for now, the Department of Defense, in conjunction with other appropriate agencies, be directed to implement a series of improvements in conditions at Guantanamo based on the recommendations of the NSC staff report.

Approve \_\_\_\_\_

Disapprove \_\_\_\_\_

Attachment

Tab A      Guantanamo Trip Report

NATIONAL SECURITY COUNCIL

WASHINGTON, D.C. 20506

March 29, 1993

INFORMATION

MEMORANDUM FOR ANTHONY LAKE  
SAMUEL BERGER

THROUGH: RICHARD CLARKE SS for RC

FROM: ERIC SCHWARTZ SS

SUBJECT: My visit to Guantanamo Bay, Cuba

I was at Guantanamo Bay from Wednesday evening, March 17, through early Friday morning, March 19. I toured Camp Bulkeley, where the 252 Haitians are housed, spoke at some length with camp residents, and met with the commander of the Joint (Haitian) Task Force (JTF), his deputy, the camp commander, the commander of the camp's security detail, JTF and Justice Department attorneys, JTF medical staff, and JTF operations staff. I also met with the Guantanamo Base Commander, Captain William DeSpain.

GENERAL OBSERVATIONS/RECOMMENDATIONS

1. Most of the basic physical needs of the Haitians are met at Guantanamo Bay. However, conditions are austere and the facility has a prison camp-like environment. Conditions could be substantially improved through provision of additional resources to the camp.
2. Incidents of unrest, as well as punitive measures designed to maintain order at Camp Bulkeley, are likely to increase as the detention of the Haitians continues, with all the attendant negative publicity. "Quality of life" improvements are not likely to prevent such occurrences.
3. Measures to augment security and maintain order might diminish the potential for unrest. However, such measures will not eliminate serious threats to the safety of Haitians and camp personnel, and will, in any event, be very controversial.

I. CAMP CONDITIONS

A. General Conditions

Prior to being transformed into a camp for the HIV-positive Haitians, Camp Bulkeley was an unused facility in a secluded area of Guantanamo Naval Base. In large measure, the camp resembles

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many of the 15-20 refugee camps I have visited elsewhere. The living area is composed of a string of large cinderblock huts placed on barren land in a confined area, with latrine facilities, and common areas for washing and eating.

Living quarters are spacious and well-built by the standards of refugee camps I have seen elsewhere. In the huts, living areas have concrete floors, and are divided by bed linen, which provides individuals with a modicum of privacy. Nonetheless, the camp has serious drawbacks. As mentioned, it is situated on barren, rocky ground with little or no vegetation. The absence of trees or grass in the living area, the hot weather and the general inactivity at the camp, and the existence of barbed "concertina" wire around the living area and barbed wire fencing around the entire facility create an oppressive, prison camp-like environment.

In addition, while the camp is generally well-maintained, there are some hygiene/cleanliness problems, such as trash in the shower facilities, human waste around the "port-a-john" facilities, etc. The JTF Commander told me there are some hygiene-related chores he is not prepared to demand his troops perform -- and that should be undertaken by the camp residents themselves -- but the problem remains.

#### B. Medical conditions

The medical facility at Camp Bulkeley employs two doctors -- one an infectious diseases specialist and another a family practitioner -- five nurses, including a nurse-practitioner, and 23 corpsmen who assist in the operation the facility. The Haitians also have access to the Guantanamo Naval Hospital, whose facilities were described to me as equivalent to a "good community hospital" in the United States. Finally, the Haitians have access to medical specialists who visit Guantanamo to provide treatment to base employees.

At the same time, the Government has acknowledged that we cannot provide AIDs sufferers at Guantanamo the kind of care that they would receive in the United States. (See discussion of New York Federal District Court case, below.)

Hospital staff has requested parole (i.e., entry through use of the Attorney General's discretionary authority) into the United States in at least four kinds of cases, which cannot, in their view, be adequately treated at the base:

- When the individual's so-called T-Cell count -- a measure relating to the body's ability to resist infection -- is below 100.

(An individual is diagnosed as having AIDs when the T-Cell count falls below 200. A low T-Cell count means that the patient is at greater risk of opportunistic infections for which diagnosis and treatment may not be available at Guantanamo. Moreover, the practice of requesting parole for

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those with low T-Cell counts appears designed to avoid AIDs deaths at Guantnamo.)

- HIV-positive pregnant women, who have a higher risk of serious complications surrounding birth.
- Cases for whom Guantnamo does not have appropriate diagnostic equipment.
- Cases with complicated medical problems for which treatment is not available at Guantnamo.

As of last week, there were about 20 parole requests pending.

No estimates appear to have been made on the cost of providing adequate treatment at Guantnamo for all the cases that now are recommended for parole. In terms of cost effectiveness, the JTF supervising physician indicated that it would make little sense to attempt such an upgrade of facilities, which, he suggested, would amount to transporting a broad range of state-of-the-art facilities to Guantnamo.

#### C. Quality of Life Issues

At various times over the past year-and-one-half, the military attempted to institute quality of life improvements at the camp, from English-language classes, to organized soccer games, to outings to the Guantnamo McDonald's for the children, to establishing a system of work-for-credits that could be exchanged for goods at a makeshift store at the camp. However, with the recent hunger strike (which, though not formally ended, has more or less run its course), the Haitians ceased participation in such activities. When asked about resumption of such activities, camp residents with whom I spoke were less than enthusiastic. Camp residents (or at least camp leaders) apparently perceive the military's efforts to improve quality of life as a way to avoid dealing with the fundamental issue of the status of the Haitians.

#### II. THE CURRENT SITUATION AT THE CAMP

Of far more importance than the physical conditions at the camp is the sense of despair expressed by the migrants on Guantnamo, some of whom have been there for 17 months. I spoke to a variety of the migrants during my tour of the camp. In sometimes angry tones, they referred to their confinement as intolerable and prison-like. The migrant's representative (i.e., the "Camp President") expressed his belief that the migrants had been betrayed by the President, characterized the camp as a "real jail," and noted that the situation had affected the Haitians psychologically.

Instances of disturbances, demonstrations and isolated violence among the migrant population are growing at the camp. This is not because these Haitians are a criminal population, but rather because of their general sense of desperation. Moreover, tension at the camp creates an environment in which misunderstandings

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between the military and the Haitians can escalate quickly into violent confrontations.

The following chronology is based primarily on information provided to me by the military:

- March 11: 11 migrants escaped the camp and were returned and taken to the Guantanamo brig for a debrief. Haitians at the camp learned of this, and some formed a group that began to throw rocks at camp security personnel, and broke into a fuel storage area. Three migrants who had been granted parole and were awaiting transportation to the United States were doused with fuel and threatened by other Haitians.
- March 12: A male migrant broke windows of two vehicles and a window in the camp aid station using a weight removed from the camp weight room. The migrant was placed in the Guantanamo brig; some in the camp were observed collecting rocks but the situation was defused.
- March 13: Haitians responded violently to an early morning (between 5 am and 6 am) "sweep" by the JTF designed to move migrants into a smaller (more controllable) area and to obtain an accurate count of the migrants. Seven military personnel were slightly injured by rocks thrown by the Haitians. Molotov cocktails were seen in possession of the migrants but were not used. The migrants set fire to and destroyed 12 cinderblock huts at Camp Bulkeley. Thirty-one migrants were segregated and placed in the Guantanamo brig.
- March 18: a JTF enlisted man was bitten by a migrant; the bite required six stitches. Medical personnel at the camp indicated that the possibility of HIV transmission is very remote, but not inconceivable. (The incident occurred after the migrant claimed he was being threatened by other Haitians at the camp and needed protection, and then sought refuge among camp authorities. After examining his claim, camp authorities determined he did not need such protection and sought to return the migrant to the general residence area. The migrant resisted, and bit the soldier.)

As indicated, 31 migrants were segregated and placed in the Guantanamo brig after the March 13 incident. At this point, the JTF commander believes that use of the facility is essential to ensure safety and security of both the Haitians and the military personnel assigned to them in the Joint Task Force. USCINCLANT's Staff Judge Advocate has permitted use of the brig as a "non-punitive" means to prevent disruption or danger to the individual or others. The JTF commander told me that he intends to build a new segregation facility for those who pose a danger, but will use the brig until the facility is built (this was expected to take several weeks).

Guantanamo's brig is a prison. The facility is behind barbed wire, and the Haitians are held in a building that I was told is the brig's medical annex. When I visited the facility, about 10

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to 15 Haitians were held in a large, screened-in pen, while about the same number were held in pairs in smaller enclosures, either small (possibly 6' x 8') screened-in pens, or even smaller, window-less rooms (which, as I recall, have small slits in the doors). In some cases, there are cots in the cells; in others, there are mattress pads on the floors. I was told that the inmates were permitted out of their cells 3-4 times per day for short periods.

Lawyers for the Haitians have reacted with outrage to the military's sweep of Camp Bulkeley, to the restriction of movement to the smaller (more controllable) area where the camp's living quarters are located, and to the incarceration of some Haitians in the brig. The press has picked up on these events, with stories thus far in the Miami Herald and Newsday. The lawyers claim that military personnel are bullying and brutalizing the Haitians, have provoked the Haitians to acts of violence, and are denying those incarcerated any semblance of due process.

### III. OPTIONS

For the time being, we have, in essence, two choices (each with its own variants): a) keeping the Haitians on Guantanamo, or b) permitting all the Haitians to enter the U.S. to pursue their asylum claims, or processing the Haitians at Guantanamo and admitting those deemed to be refugees.

#### A. Keeping the Haitians at Guantanamo Until the Return of Democracy to Haiti

This option, which could be combined with efforts to enhance the quality of life for the residents at Camp Bulkeley, would enable us to avoid confronting the difficult issue of entry of HIV-positive asylum-seekers. Moreover, this option could be linked with an effort quietly to expand parole for at least some of the Haitians on Guantanamo, such as those who had been at the camp for the longest periods of time, those with family members in the United States, and/or those with young children at the camp.

Both the JTF leadership as well as the Guantanamo Base Commander believe that under this option, continued acts of unrest and violence are inevitable. Based on the experiences over the past several weeks, they seem to believe that continued detention will result in one of the following:

- death (including suicide) or serious injury of one or more of the Haitians or one or more of the JTF personnel;
- HIV infection of one of the military personnel (though this appears to be only the most remote of possibilities);
- the need to incarcerate Haitians in harsher, more prison-like circumstances.

Continuing detention at Guantanamo may have other negative consequences. For example, the Guantanamo Base Commander's

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office reports that two parents of GIs attached to the JTF have written to complain about their sons being forced to administer to an HIV-positive population. Moreover, it may be difficult to prevent incidents such as the biting of one of the enlisted men (which occurred last week) from becoming public.

It is possible that improving the conditions at Guantanamo might reduce the risk of violence. While there are indeed improvements that could (and should) be made to enhance the quality of life in the camp (see listing below), physical conditions at the camp are not the primary cause of discontent among the Haitians. Thus, preventing (or at least diminishing) violence requires a system to control those who are threats to themselves and to those around them. As mentioned, the JTF Commander has now instituted a system of separating out such persons and confining them, and this may have to be supplemented by a system of administrative punishment for those who commit acts of misconduct.

Such stern measures, however, will be increasingly controversial and will not necessarily prevent acts of desperation on the part of the Haitians.

Of course, the quicker we expect to see political change in Haiti, the less risky keeping the Haitians at Guantanamo becomes. However, even under the most optimistic of scenarios for a return to democratic government in Haiti, the continued detention of the Haitians is likely to last at least several months or more, unless we are prepared to return screened-in asylum seekers before the conditions that prompted their flight have been eliminated.

B. Permitting Entry for All the Haitians at Guantanamo, or at Least for Those Deemed to be Refugees.

Recent votes in Congress suggest there would be little support for such a decision. However, congressional leadership -- when provided with the unhappy options and assured of federal reimbursement to the states -- might not oppose a one-time decision to parole the Guantanamo Haitians into the United States, or at least to parole those deemed to be refugees in proceedings held at Guantanamo. (Before the Court enjoined refugee processing on Guantanamo, just over 100 of these Haitians were deemed to be refugees. Subject to Court approval, renewed refugee processing of the remaining 150 on Guantanamo -- all of whom have prima facie claims to refugee status -- might result in another 75 to 125 being deemed refugees. The rest presumably could be returned to Haiti.)

Thus it may be worth consulting with key members of Congress to see whether there might be support for (or at least non-opposition to) such a decision. At the end of that process of consultation, we could then return with a read-out on Hill reaction, so that subsequent decisions could at least be made with a better understanding of just what the political impact of processing the Haitians would be.

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## IV. THE COURT CASE

These issues have been further complicated by a March 26 order issued in a New York Federal District Court case involving the Haitians on Guantanamo.

As you may recall, the Guantanamo Haitian case principally involves a claim that the Haitians should be provided with a variety of due process rights as they pursue refugee status on Guantanamo.

Though a final judgment has yet to be made in the case, the Court on Friday, March 26, issued an interim ruling that applies to two subgroups of HIV-positive Haitians: those who have T-Cell counts -- a measure relating to the immune system -- of 200 or below (which is the point at which an individual is diagnosed as having AIDs), and those whose conditions have deteriorated to the extent that their T-Cell percentage -- another measure relating to the immune system -- is 13% or below. The former group is known to include about 9 Haitians; the latter, about 27. (These numbers may increase somewhat after new HIV tests are conducted on the Guantanamo Haitians on Tuesday, March 29.)

The judge ordered that both groups must be provided with adequate care at Guantanamo or be evacuated to the United States within 10 days.

With respect to the first subgroup, i.e., those with T-Cell counts of 200 or below, the judge found that medical facilities at Guantanamo do not now provide adequate care. With respect to the second subgroup, i.e., those with T-Cell percentages 13% or below, the judge found that Guantanamo's present level of care might be inadequate for at least some of this population. The judge's ruling on the second subgroup is based upon testimony from a government doctor that some of the Haitians in the second subgroup might have medical needs equivalent to those in the first subgroup (i.e., those with T-Cell counts of 200 or below), but that case-by-case exams would be necessary to make such determinations of need. Thus, while current facilities at Guantanamo might be inadequate for some of the Haitians in the second subgroup, current facilities might be adequate for others (depending on the outcomes of the case-by-case evaluations).

The judge based his ruling on the court's "inherent power to protect the parties appearing before it," and claimed he was acting "to prevent any loss of life or the diminution of the plaintiff class until such time the Court enters a final order."

There are two issues that this interim order raises: first, whether a) to comply while keeping open the option of appeal or b) to seek a stay of the order; and second, how to comply if compliance is the option chosen.

The Attorney General's office recommends compliance with the Court order. Compliance does not preclude us from ultimately appealing a final ruling to avoid the legal precedent of this

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order and, more generally, the precedent of a ruling granting a range of due process rights to aliens outside the United States. In support of the AG's position, the Solicitor General argues that the Government probably could not demonstrate the irreparable harm needed for a stay. (Moreover, seeking a stay would anger refugee advocates and African American leaders.)

If we choose to comply, we can do so by--

- 1) paroling into the United States all the Haitians described in judge's order;
- 2) paroling into the U.S. all the Haitians from the first subgroup (i.e., T-Cell counts below 200), as well as those Haitians from the second subgroup (i.e., T-Cell percentages below 13%) who cannot be provided with adequate care at Guantanamo; or
- 3) providing at Guantanamo the "adequate level of medical care" demanded by the judge.

Paroling Haitians into the United States (option 1 or 2) in accordance with the judge's order would not represent a wholesale change in U.S. policy. In fact, we already parole Guantanamo Haitians into the U.S. for a variety of humanitarian medical reasons (for example, all those with T-Cell counts below 100 are generally granted entry), though complying with the judge's order would result in an expansion of what we are already doing.

The Office of the Secretary of Defense and the Joint Chiefs of Staff are strongly opposed to upgrading the medical facilities at Guantanamo for the purpose of complying with the judge's order, and have been reluctant even to provide cost estimates. Military doctors have long argued that such an upgrade would require transporting and/or constructing millions of dollars of state-of-the-art equipment and facilities on Guantanamo, would be an extremely inefficient use of medical resources, and would adversely impact other important military medical missions.

The judge's action not only provides an opportunity to permit entry to the subjects of the court order, but also might offer a political context for the President to admit all the Haitians (or all those who are deemed to be refugees).

#### V. RECOMMENDATION

I believe that the President needs to revisit these issues based on the kind of information contained in this memorandum. Whatever option the President chooses, however, I would recommend immediate implementation of a series of improvements in conditions at Guantanamo, along the following lines:

- bringing into Camp Bulkeley a DOD mental health specialist (I was surprised to learn that there is no such person in the camp);

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- increasing the number of civil affairs officers (i.e., those who deal with quality of life issues) from one to two or three;
- attempting to reinstate classes, excursions, chapel services, and other activities (which had largely ended at the time of the hunger strike, and which now have been formally suspended due to recent disturbances);
- providing paying jobs for the Haitians in areas such as sanitation for camp residents;
- making structural improvements in the huts so as to prevent water from entering them when it rains, and otherwise upgrading the housing and common areas;
- directing a DOD evaluation of JTF staffing to better ensure continuity of camp operations and institutional memory;

(Currently, JTF personnel are deployed from units from all over the country for 90 day periods; the result is that staff is constantly changing, and continuity of camp operations suffers);

- directing DOD to provide a budget that would permit funding for all of the above-described activities;

(Currently, JTF operations -- exclusive of salary, temporary duty, and travel costs -- are estimated at \$2.4 million per year, and come out of the Guantanamo Bay Naval Base operating expenses. As a result of the absence of a dedicated budget, a number of JTF requests for additional services at Guantanamo have been denied due to lack of funding.)

- directing DOD to review procedures designed to maintain discipline and to separate out those who might cause disruption.

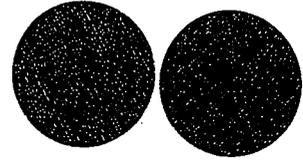
(Such review should take place with the assistance of State and Justice personnel with expertise on issues relating to due process for asylum-seekers.)

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NATIONAL SECURITY COUNCIL  
WASHINGTON, D.C. 20506

1749 Redo #2

March 27, 1993



ACTION

MEMORANDUM FOR ANTHONY LAKE

THROUGH: RICHARD CLARKE *ES & RC*  
FROM: ERIC SCHWARTZ *ES*  
SUBJECT: Memoranda on HIV-positive Haitians

I have enclosed two documents for your consideration:

- 1) A report of my trip to Guantanamo Bay last week to review the situation of the HIV-positive Haitians.
- 2) A decision memorandum to the President, based on the information contained in my report. The decision memorandum also includes discussion of the recent New York Federal District Court order regarding the HIV-positive Haitians.

RECOMMENDATION

That you sign the memorandum to the President at Tab I.

Attachments

Tab I Memorandum to the President  
Tab A Guantanamo Bay Trip Report

DECLASSIFIED  
E.O. 13526  
White House Guidelines, May 16, 2017  
By *AS* SNARA, Date *8/19/2019*  
2013-0122-M

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1749 redo ✓

NATIONAL SECURITY COUNCIL  
WASHINGTON, D.C. 20506

March 27, 1993

ACTION

MEMORANDUM FOR ANTHONY LAKE

THROUGH: RICHARD CLARKE *ES for RC*  
FROM: ERIC SCHWARTZ *ES*  
SUBJECT: Memoranda on HIV-positive Haitians

I have enclosed two documents for your consideration:

- 1) A report of my trip to Guantanamo Bay last week to review the situation of the HIV-positive Haitians.
- 2) A short decision memorandum to the President, based on the information contained in my report. The decision memorandum also includes discussion of yesterday's New York Federal District Court order regarding the HIV-positive Haitians.

RECOMMENDATION

That you sign the memorandum to the President at Tab I.

Attachments

Tab I Memorandum to the President  
Tab A Guantanamo Bay Trip Report

DECLASSIFIED  
E.O. 13526  
White House Guidelines, May 16, 2017  
By *ADSNARA*, Date *8/19/2019*  
2013-0122-M

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THE WHITE HOUSE  
WASHINGTON

ACTION

MEMORANDUM FOR THE PRESIDENT

FROM: ANTHONY LAKE *AL*

SUBJECT: HIV-positive Haitians at Guantanamo Bay, Cuba, and the March 26 Order by the New York Federal District Court

I. VISIT TO GUANTANAMO BY NSC STAFF AIDE: MAJOR FINDINGS

Eric Schwartz of the NSC staff visited Guantanamo Bay, Cuba from Wednesday evening, March 17, through early Friday morning, March 19. Eric prepared a detailed report on the situation of the HIV-positive Haitians, which is attached at Tab A. The major findings/recommendations of Eric's report are as follows:

- A. Most of the basic physical needs of the Haitians are met at Guantanamo Bay. However, conditions are austere, and the facility has a prison camp-like environment.
- B. The Haitians at the camp, some of whom have been there for 17 months, have a sense of anger, despair and betrayal. And while this is not a criminal population, incidents of unrest, either preceded or followed by stern measures by the military to maintain order at Camp Bulkeley, are likely to increase as the detention of the Haitians continues, with all the attendant negative publicity.
- C. "Quality of life" improvements, while desirable, are not likely to prevent such occurrences and threats to the safety and well-being of the Haitians as well as to the soldiers at the camp. Measures to augment security and maintain order may diminish the likelihood of unrest, but will not eliminate this potential and will, in any event, be controversial.

In view of the humanitarian considerations, the risks associated with keeping the Haitians at Guantanamo, and our ability to compensate states and localities for medical costs associated with entry (through use of a special Immigration Emergency Fund), the report recommends a decision to parole the Haitians into the U.S. to pursue their asylum claims. (This is also the position of the Departments of State and Defense.)

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E.O. 13526, Sec. 3.5 (b)

White House Guidelines, September 11, 2006

By *V2* NARA, Date *10/8/2015*

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cc: Vice President  
Chief of Staff

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II. MARCH 26 ORDER IN NEW YORK FEDERAL DISTRICT COURT

As you may recall, the Guantanamo Haitians are the subject of an ongoing New York Federal District Court case. The case principally involves a claim that the Haitians should be provided with a variety of due process rights as they pursue refugee status on Guantanamo.

Though a final judgment has yet to be made in the case, the Court on Friday issued an interim ruling that applies to two subgroups of HIV-positive Haitians: those who have T-Cell counts -- a measure relating to the immune system -- below 200 (~~which is the point at which an individual is diagnosed as having AIDS~~) and those whose conditions have deteriorated to the extent that their T-Cell percentage -- another measure relating to the immune system -- is 13% or below. The former group is known to include about nine Haitians; the latter, about 27. Based on testimony from U.S. military doctors, the judge found that medical facilities at Guantanamo do not now provide adequate care for any of those with T-Cell counts below 200. Moreover, he found that Guantanamo's present level of care might also be inadequate for at least some of those with T-Cell percentages that are 13% or below. He thus ruled that both groups must be provided with adequate care at Guantanamo or evacuated to the United States within 10 days.

The judge based his ruling on the court's "inherent power to protect the parties appearing before it," and claimed he was acting "to prevent any loss of life or the diminution of the plaintiff class until such time the Court enters a final order."

There are two issues that this interim order raises: first, whether a) to comply while keeping open the option of appeal or b) to seek a stay of the order; and second, how to comply if compliance is the option chosen.

The Attorney General is likely to recommend that you comply with the interim order, while retaining the option of appealing until we see the final order in the case. (Appeal would be appropriate to avoid the precedent of a ruling granting due process rights to aliens outside the United States.) I expect that the Attorney General will argue that it may be difficult for the Government to demonstrate the irreparable harm needed for a stay. Moreover, seeking a stay would anger refugee advocates and African American leaders.

If we choose to comply, we can do so by 1) paroling eligible Haitians into the United States, or 2) by providing at Guantanamo the "adequate level of medical care" demanded by the judge.

Paroling eligible Haitians into the United States in accordance with the judge's order would not represent a wholesale change in U.S. policy. In fact, we already parole Guantanamo Haitians into the U.S. for a variety of humanitarian medical reasons (for example, all those with T-Cell counts below 100 are generally granted entry), though complying with the judge's order would

in the subgroup

result in an expansion of what we are already doing. The judge's order would probably not require that all those with T-Cell percentages 13% or below (now estimated at about 27) be paroled into the U.S., but rather that they be evaluated to determine whether adequate care, as defined by the Court testimony, is being offered at Guantanamo.

The Catholic Church has stated that it would assist in finding jobs, living quarters, and medical care for Haitians permitted entry into the U.S. In addition, the Department of Justice's Immigration Emergency Fund could be used to reimburse states and localities for expenses they might incur.

The Department of Defense is now attempting to determine the precise cost of complying with the judge's order by enhancing facilities at Guantanamo, and an estimate should be available on Monday. Military doctors have long argued that such an upgrade would require transporting and/or constructing millions of dollars of state-of-the-art equipment and facilities on Guantanamo, would be an extremely inefficient use of medical resources, and would adversely impact other important medical missions.

III. OPTIONS WITH RESPECT TO THE REMAINDER OF THE 252 HAITIANS

- A. Keeping the Haitians at Guantanamo Until the Return of Democracy to Haiti and the Elimination of the Conditions That Led to Their Flight.

This option would enable us to avoid confronting the difficult issue of entry of at least most of the HIV-positive asylum-seekers.

However, even under the most optimistic of scenarios regarding reestablishment of democratic government in Haiti, it would probably be several months before we could contemplate return of the Guantanamo Haitians to Haiti. Moreover, some of these people may still have bonafide fears of persecution even after Aristide's return, as establishing civilian control over the military in Haiti is not likely to be a short-term proposition.

Both the military officials who administer the camp for the Haitians and the Guantanamo Base Commander believe that under this option, continued acts of unrest and violence are inevitable. They seem to believe that continued detention will result in death (including suicide) or serious injury for one or more of the Haitians or one or more of the U.S. military personnel. If this option is chosen, it will have to be accompanied by a willingness to use stern, and possibly controversial, disciplinary measures.

- B. Permitting Entry for all Those Who Have Made Credible Claims to Refugee Status, or at Least Entry for Those Who are Deemed to be Refugees.

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In view of the risks of keeping the Haitians at Guantanamo, not to mention the humanitarian implications, it may be worth considering once again the option of permitting the Haitians to enter the U.S. to pursue asylum claims.

Despite the recent votes on general HIV policy, congressional leadership -- when provided with the unhappy options and assured of federal reimbursement to the states -- might not oppose a one-time decision to parole into the United States those with credible claims to refugee status (or, again, at least those who have been deemed to be refugees in proceedings taking place at Guantanamo). Thus it may be worth consulting with key members of Congress to see whether there might be support for (or at least non-opposition to) such a decision.

The Catholic Church would also help in finding the Haitians jobs, living quarters and hospital care. And as mentioned, the Justice Department's Immigration Emergency Fund could also be used to defray medical costs that might be incurred by states and localities.

Finally, the recent interim court order -- or a final order, expected shortly, that would require the Government to provide the Haitians with certain due process guarantees -- might offer some political cover for a decision to permit entry of the Guantanamo Haitians. We could appeal the legal issues without seeking a stay of a final order, and either permit all the Haitians to enter to pursue asylum claims, or process the Haitians on Guantanamo in accordance with the judge's final order and permit entry for those deemed to be refugees.

RECOMMENDATIONS

That you do not seek a stay of the District Court order regarding adequate medical care, that you agree to permit entry to those with T-Cell counts below 200 (the AIDs sufferers), and that a final decision on how to proceed with the other medical cases in the judge's interim order await a determination of our ability to care for them at Guantanamo.

Approve \_\_\_\_\_ Disapprove \_\_\_\_\_

That you agree to a process of consultation with congressional leaders on the disposition of the remainder of the Haitians on Guantanamo, after which we will report back on the political implications of parole for this group.

Approve \_\_\_\_\_ Disapprove \_\_\_\_\_

That, under any circumstances, the Department of Defense be directed to implement a series of improvements in conditions at Guantanamo based on the recommendations of the NSC staff report.

Approve \_\_\_\_\_ Disapprove \_\_\_\_\_

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NATIONAL SECURITY COUNCIL

WASHINGTON, D.C. 20506

March 23, 1993

INFORMATION

MEMORANDUM FOR ANTHONY LAKE

THROUGH: RICHARD CLARKE *ES for RC*

FROM: ERIC SCHWARTZ *ES*

SUBJECT: My visit to Guantanamo Bay, Cuba

I was at Guantanamo Bay from Wednesday evening, March 17, through early Friday morning, March 19. I toured Camp Bulkeley, where the 252 Haitians are housed, spoke at some length with camp residents, and met with the commander of the Joint (Haitian) Task Force (JTF), his deputy, the camp commander, the commander of the camp's security detail, JTF and Justice Department attorneys, JTF medical staff, and JTF operations staff. I also met with the Guantanamo Base Commander, Captain William DeSpain.

GENERAL OBSERVATIONS/RECOMMENDATIONS

1. Most of the basic physical needs of the Haitians are met at Guantanamo Bay. However, conditions are austere and the facility has a prison camp-like environment. Conditions could be substantially improved through provision of additional resources to the camp.
2. Incidents of unrest, as well as punitive measures designed to maintain order at Camp Bulkeley, are likely to increase as the detention of the Haitians continues, with all the attendant negative publicity. "Quality of life" improvements are not likely to prevent such occurrences.
3. Measures to augment security and maintain order might diminish the potential for unrest. However, such measures will not eliminate serious threats to the safety of Haitians and camp personnel, and will, in any event, be very controversial.
4. In view of the humanitarian considerations, the risks associated with keeping the Haitians at Guantanamo, and our ability to compensate states and localities for medical costs associated with entry, the Attorney General should be encouraged to parole the Haitians into the United States to pursue their asylum claims. (This is also the position of the Departments of State and Defense.)

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E.O. 13526, Sec. 3.5 (b)

White House Guidelines, September 11, 2006

By: [signature] NARA, Date 10/8/2015

2013-0122-m

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## I. CAMP CONDITIONS

A. General Conditions

Prior to being transformed into a camp for the HIV-positive Haitians, Camp Bulkeley was an unused facility in a secluded area of Guantanamo Naval Base. In large measure, the camp resembles many of the 15-20 refugee camps I have visited elsewhere. The living area is composed of a string of large cinderblock huts placed on barren land in a confined area, with latrine facilities, and common areas for washing and eating.

Living quarters are spacious and well-built by the standards of refugee camps I have seen elsewhere. In the huts, living areas have concrete floors, and are divided by bed linen, which provides individuals with a modicum of privacy. Nonetheless, the camp has serious drawbacks. As mentioned, it is situated on barren, rocky ground with little or no vegetation. The absence of trees or grass in the living area, the hot weather and the general inactivity at the camp, and the existence of barbed "concertina" wire around the living area and barbed wire fencing around the entire facility create an oppressive, prison camp-like environment.

In addition, while the camp is generally well-maintained, there are some hygiene/cleanliness problems, such as trash in the shower facilities, human waste around the "port-a-john" facilities, etc. The JTF Commander told me there are some hygiene-related chores he is not prepared to demand his troops perform -- and that should be undertaken by the camp residents themselves -- but the problem remains.

B. Medical Conditions

The medical facility at Camp Bulkeley employs two doctors -- one an infectious diseases specialist and another a family practitioner -- five nurses, including a nurse-practitioner, and 23 corpsmen who assist in the operation the facility. The Haitians also have access to the Guantanamo Naval Hospital, whose facilities were described to me as equivalent to a "good community hospital" in the United States. Finally, the Haitians have access to medical specialists who visit Guantanamo to provide treatment to base employees.

At the same time, the Government has acknowledged that we cannot provide AIDS sufferers at Guantanamo the kind of care that they would receive in the United States.

Hospital staff has requested travel to the United States in at least four kinds of cases, which cannot, in their view, be adequately treated at the base:

-- When the individual's so-called T-Cell count -- a measure relating to the body's ability to resist infection -- is below 100.

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(An individual is diagnosed as having AIDs when the T-Cell count falls below 200. A low T-Cell count means that the patient is at greater risk of opportunistic infections for which diagnosis and treatment may not be available at Guantanamo. Moreover, the practice of requesting parole for those with low T-Cell counts appears designed to avoid AIDs deaths at Guantanamo.)

- HIV-positive pregnant women, who have a higher risk of serious complications surrounding birth.
- Cases for whom Guantanamo does not have appropriate diagnostic equipment.
- Cases with complicated medical problems for which treatment is not available at Guantanamo.

No estimates appear to have been made on the cost of providing adequate treatment at Guantanamo for all the cases that now are recommended for parole. In terms of cost effectiveness, the JTF supervising physician indicated that it would make little sense to attempt such an upgrade of facilities, which, he suggested, would amount to transporting a broad range of state-of-the-art facilities to Guantanamo. While it may be worth tasking DOD to come up with options for at least some improvements that might reduce the number of parole requests, these requests, of which some 20 are pending, have not been particularly controversial.

### C. Quality of Life Issues

At various times over the past year-and-one-half, the military attempted to institute quality of life improvements at the camp, from English-language classes, to organized soccer games, to outings to the Guantanamo McDonald's for the children, to establishing a system of work for credits that could be exchanged for goods at a makeshift store at the camp. However, with the recent hunger strike (which, though not formally ended, has more or less run its course), the Haitians ceased participation in such activities. When asked about resumption of such activities, camp residents with whom I spoke were less than enthusiastic. Camp residents (or at least camp leaders) apparently perceive the military's efforts to improve quality of life as a way to avoid dealing with the fundamental issue of the status of the Haitians.

## II. THE CURRENT SITUATION AT THE CAMP

Of far more importance than the physical conditions at the camp is the sense of despair felt by the migrants on Guantanamo, some of whom have been there for 17 months. I spoke to a variety of the migrants during my tour of the camp. In sometimes angry tones, they referred to their confinement as intolerable and prison-like. The migrant's representative (i.e., the "Camp President") expressed his belief that the migrants had been betrayed by the President, characterized the camp as a "real

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jail," and noted that the situation had affected the Haitians psychologically.

Instances of disturbances, demonstrations and isolated violence among the migrant population are growing at the camp. This is not because these Haitians are a criminal population, but rather because of the general sense of despair and desperation among the Haitians. Moreover, tension at the camp creates an environment in which misunderstandings between the military and the Haitians can escalate quickly into violent confrontations (see discussion of the March 13 incident, below). The following chronology is based primarily on information provided to me by the military:

- March 11: 11 migrants escaped the camp and were returned and taken to the Guantanamo brig for a debrief. Haitians at the camp learned of this, and some formed a group that began to throw rocks at camp security personnel, and broke into a fuel storage area. Three migrants who had been granted parole and were awaiting transportation to the United States were dowsed with fuel and threatened.
- March 12: A male migrant broke windows of two vehicles and a window in the camp aid station using a weight removed from the camp weight room. The migrant was placed in the Guantanamo brig; some in the camp were observed collecting rocks but the situation was defused.
- March 13: Haitians responded violently to an early morning (between 5 am and 6 am) "sweep" by the JTF designed to move migrants into a smaller (more controllable) area and to obtain an accurate count of the migrants. Seven military personnel were slightly injured by rocks thrown by the Haitians. Molotov cocktails were seen in possession of the migrants but were not used. The migrants set fire to and destroyed 12 cinderblock huts at Camp Bulkeley. Thirty-one migrants were segregated and placed in the Guantanamo brig.
- March 18: a JTF enlisted man was bitten by a migrant; the bite required six stitches. Medical personnel at the camp indicated that the possibility of HIV transmission is very remote, but not inconceivable. (The incident occurred after the migrant claimed he was being threatened by other Haitians at the camp and needed protection, and then sought refuge among camp authorities. After examining his claim, camp authorities determined he did not need such protection and sought to return the migrant to the general residence area. The migrant resisted, and bit the soldier.)

As indicated, 31 migrants were segregated and placed in the Guantanamo brig after the March 13 incident. At this point, the JTF commander believes that use of the facility is essential to ensure safety and security of both the Haitians and the military personnel assigned to them in the Joint Task Force. USCINCLANT's Staff Judge Advocate has permitted use of the brig as a "non-punitive" means to prevent disruption or danger to the individual or others. The JTF commander told me that he intends to build a

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new segregation facility for those who pose a danger, but will use the brig until the facility is built (this is expected to take several weeks).

Guantanamo's brig is a prison. The facility is behind barbed wire, and the Haitians are held in a building that I was told is the brig's medical annex. When I visited the facility, about 10 to 15 Haitians were held in a large, screened-in pen, while about the same number were held in pairs in smaller enclosures, either small (possibly 6' x 8') screened-in pens, or even smaller, window-less rooms (which, as I recall, have small slits in the doors). In some cases, there are cots in the cells; in others, there are mattress pads on the floors. I was told that the inmates were permitted out of their cells 3-4 times per day for short periods.

Lawyers for the Haitians have reacted with outrage to the military's sweep of Camp Bulkeley, to the restriction of movement to the smaller (more controllable) area where the camp's living quarters are located, and to the incarceration of some Haitians in the brig. The press has picked up on these events, with stories thus far in the Miami Herald and Newsday. The lawyers claim that military personnel are bullying and brutalizing the Haitians, have provoked the Haitians to acts of violence, and are denying those incarcerated any semblance of due process.

### III. OPTIONS

For the time being, we have, in essence, two choices (each with its own variants): a) keeping the Haitians on Guantanamo, or b) permitting all the Haitians to enter the U.S. to pursue their asylum claims, or processing the Haitians at Guantanamo and admitting those deemed to be refugees.

In view of the humanitarian considerations, the risks associated with keeping the Haitians at Guantanamo, and our ability to compensate states and localities for medical costs associated with entry, I believe that parole for all the Haitians is the preferred option.

#### A. Keeping the Haitians at Guantanamo Until the Return of Democracy to Haiti

This option, which could be combined with efforts to enhance the quality of life for the residents at Camp Bulkeley, would enable us to avoid confronting the difficult issue of entry of HIV-positive asylum-seekers. Moreover, this option could be linked with an effort to quietly expand parole for at least some of the Haitians on Guantanamo, such as Haitians clinically diagnosed with AIDs, those who had been at the camp for the longest periods of time, those with family members in the United States, and/or those with young children at the camp.

Both the JTF leadership as well as the Guantanamo Base Commander believe that under this option, continued acts of unrest and violence are inevitable. Based on the experiences over the past

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several weeks, they seem to believe that continued detention will result in one of the following:

- death (including suicide) or serious injury of one or more of the Haitians or one or more of the JTF personnel;
- HIV infection of one of the military personnel (though this appears to be only the most remote of possibilities);
- the need to incarcerate Haitians in harsher, more prison-like circumstances.

Continuing detention at Guantanamo may have other negative consequences. For example, the Guantanamo Base Commander's office reports that two parents of GIs attached to the JTF have written to complain about their sons being forced to administer to an HIV-positive population. Moreover, it may be difficult to prevent incidents such as the biting of one of the enlisted men (which occurred last week) from becoming public.

Some might claim that improving the conditions at Guantanamo might reduce the risk of violence. While there are indeed improvements that could (and should) be made to enhance the quality of life in the camp (see listing below), physical conditions at the camp are not the primary cause of discontent among the Haitians. Thus, preventing (or at least diminishing) violence requires a system to control those who are threats to themselves and to those around them. As mentioned, the JTF Commander has now instituted a system of separating out such persons and confining them, and this may have to be supplemented by a system of administrative punishment for those who commit acts of misconduct.

Such stern measures, however, will be very controversial and will not necessarily prevent acts of desperation on the part of the Haitians.

Of course, the quicker we expect to see political change in Haiti, the less risky keeping the Haitians at Guantanamo becomes. However, even under the most optimistic of scenarios for a return to democratic government in Haiti, the continued detention of the Haitians is likely to last at least several months, unless we are prepared to return screened-in asylum seekers before the conditions that prompted their flight have been eliminated. Moreover, some of these Haitians may still have bonafide fears of persecution even after Aristide's return, as establishing civilian control over the military is not likely to be a short-term proposition.

B. Permitting Entry for all the Haitians at Guantanamo, or at least for those Deemed to be Refugees.

It is true that recent votes in Congress suggest there would be little support for such a decision. However, congressional leadership -- when provided with the unhappy options and assured of federal reimbursement to the states -- might not oppose a one-

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time decision to parole the Guantanamo Haitians into the United States (or at least those who have been deemed to be refugees).

Thus it may be worth at least consulting with key members of Congress to see whether there might be support for (or at least non-opposition to) such a decision. At the end of that process of consultation, we could then return to the President with a read-out on Hill reaction, so that subsequent decisions could at least be made with a better understanding of just what the political impact of processing the Haitians would be.

#### IV. THE COURT CASE

A decision in the District Court case will probably be rendered within the next several weeks, and the government is likely to be required by the District Court to provide the Haitians with certain due process guarantees as a matter of law, including access to counsel. Such a decision might not force the Administration's hand in any way on the issue of parole for all the Haitians, but it is difficult to be sure about what exactly the Court will demand.

On the other hand, an interim ruling on parole for Haitians on Guantanamo who are suffering from AIDs or other specified ailments is expected as early as this week.

There are about nine Haitians on Guantanamo who have developed AIDs, and their lawyers contend that the U.S. does not have adequate facilities to care for them at Guantanamo. There are about ten others who have medical conditions that are arguably not treatable at Guantanamo. Based on a due process argument of some sort, the judge may shortly order that these Haitians be paroled into the United States. If this happens, the Government can 1) seek a stay of the order, 2) appeal the order but not seek a stay, thereby challenging the legal authority of the judge to issue the order but acquiescing in the entry of this group, or 3) not contest the judge's order. DOJ is likely to recommend option 2: that we not seek a stay of the order (and thus parole these people into the U.S.), but that we appeal the order so as to preserve our claim that the judge is without legal authority to direct such action.

Such an order from the judge might provide an opportunity not only to permit entry to those with T-Cell counts below 200 and other specified ailments, but might also provide a cover of sorts if the President chooses to admit all the Haitians (or all those who are deemed to be refugees).

#### V. RECOMMENDATION

I believe that the President needs to revisit this issue based on the kind of information contained in this memorandum. As I have mentioned, I believe that parole for the Haitians at Guantanamo is the best of the options. Whatever option the President chooses, however, I would recommend immediate implementation of a

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series of improvements in conditions at Guantanamo, along the following lines:

- bringing into Camp Bulkeley a DOD mental health specialist (I was surprised to learn that there is no such person in the camp);
- increasing the number of civil affairs officers (i.e., those who deal with quality of life issues) from one to two or three;
- attempting to reinstate classes, excursions, chapel services, and other activities (which had largely ended at the time of the hunger strike, and which now have been formally suspended due to recent disturbances);
- providing paying jobs for the Haitians in areas such as sanitation for camp residents;
- making structural improvements in the huts so as to prevent water from entering them when it rains, and otherwise upgrading the housing and common areas;
- directing a DOD evaluation of JTF staffing to better ensure continuity of camp operations and institutional memory;

(Currently, JTF personnel are deployed from units from all over the country for 90 day periods; the result is that staff is constantly changing, and continuity of camp operations suffers);

- directing DOD to provide a budget that would permit funding for all of the above-described activities;

(Currently, JTF operations -- exclusive of salary, temporary duty, and travel costs -- are estimated at \$2.4 million per year, and come out of the Guantanamo Bay Naval Base operating expenses. As a result of the absence of a dedicated budget, a number of JTF requests for additional services at Guantanamo have been denied due to lack of funding.)

- directing DOD to review procedures designed to maintain discipline and to separate out those who might cause disruption.

(Such review should take place with the assistance of State and Justice personnel with expertise on issues relating to due process for asylum-seekers.)

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THE WHITE HOUSE  
WASHINGTON

ACTION

MEMORANDUM FOR THE PRESIDENT

FROM: ANTHONY LAKE  
SAMUEL BERGER

SUBJECT: HIV-positive Haitians at Guantanamo Bay, Cuba, and the March 26 Order by the New York Federal District Court

I. VISIT TO GUANTANAMO BY NSC STAFF AIDE: 0 MAJOR FINDINGS

Eric Schwartz of the NSC staff visited Guantanamo Bay, Cuba from Wednesday evening, March 17, through early Friday morning, March 19. Eric prepared a detailed report on the situation of the HIV-positive Haitians, which is attached at Tab A. The major findings of Eric's report are as follows:

- A. Most of the basic physical needs of the Haitians are met at Guantanamo Bay. However, conditions are austere, and the facility has a prison camp-like environment.
- B. The Haitians at the camp, some of whom have been there for 17 months, have a sense of anger, despair and betrayal. And while this is not a criminal population, incidents of unrest, either preceded or followed by stern measures by the military to maintain order at Camp Bulkeley, are likely to increase as the detention of the Haitians continues, with all the attendant negative publicity.
- C. "Quality of life" improvements, while desirable, are not likely to prevent such occurrences and threats to the safety and well-being of the Haitians as well as to the soldiers at the camp. Measures to augment security and maintain order may diminish the likelihood of unrest, but will not eliminate this potential and will, in any event, be controversial.

Eric's view is that entry for the Haitians is the best of several unenviable options, in view of the humanitarian considerations, the risks associated with keeping the Haitians on Guantanamo, and our ability to compensate states for medical costs (through use of a special Immigration Emergency Fund).

*difficult*

DECLASSIFIED  
E.O. 13526, Sec. 3.5 (b)  
White House Guidelines, September 11, 2006  
By VZ NARA, Date 10/8/2015  
2013-0122-n

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Declassify on

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Chief of Staff

II. IMPACT OF RECENT LITIGATION ON THIS ISSUE

This issue has been further complicated by a March 26 order issued in a New York Federal District Court case involving the Haitians on Guantanamo.

As you <sup>will</sup> recall, the Guantanamo Haitian case principally involves a claim that the Haitians should be provided with a variety of due process rights as they pursue refugee status on Guantanamo.

Though a final judgment has yet to be made in the case, the Court on Friday, March 26, issued an interim ruling that applies to two subgroups of HIV-positive Haitians: those who have T-Cell counts -- a measure relating to the immune system -- of 200 or below (which is the point at which an individual is diagnosed as having AIDs), and those whose conditions have deteriorated to the extent that their T-Cell percentage -- another measure relating to the immune system -- is 13% or below. The former group is known to include about 9 Haitians; the latter, about 27. (These numbers may increase somewhat after new HIV tests are conducted on the Guantanamo Haitians on Tuesday, March 29.)

The judge ordered that both groups must be provided with adequate care at Guantanamo or be evacuated to the United States within 10 days. You must either comply with, or seek a stay of, the court's order by April 5.

With respect to the first subgroup, i.e., those with T-Cell counts of 200 or below, the judge found that medical facilities at Guantanamo do not now provide adequate care. With respect to the second subgroup, i.e., those with T-Cell percentages of 13% or below, the judge found that Guantanamo's present level of care might be inadequate for at least some of this population. The judge's ruling on the second subgroup is based upon testimony from a government doctor that some of the Haitians in the second subgroup might have medical needs equivalent to those in the first subgroup (i.e., those with T-Cell counts of 200 or below), but that case-by-case exams would be necessary to make such determinations of need. Thus, ~~while current facilities at Guantanamo might be inadequate for some of the Haitians in the second subgroup, current facilities might be adequate for others~~ (depending on the outcomes of the case-by-case evaluations).

*but* The judge based his ruling on the court's "inherent power to protect the parties appearing before it," and claimed he was acting "to prevent any loss of life or the diminution of the plaintiff class until such time the Court enters a final order."

There are two issues that this interim order raises: first, whether a) to comply while keeping open the option of appeal or b) to seek a stay of the order; and second, how to comply if compliance is the option chosen.

The Attorney General's office recommends compliance with the Court order. Compliance does not preclude us from ultimately

appealing a final ruling to avoid the legal precedent of this order and, more generally, the precedent of a ruling granting a range of due process rights to aliens outside the United States. In support of the Attorney General's position, the Solicitor General argues that the Government probably could not demonstrate the irreparable harm needed for a stay. ~~Moreover, (seeking a~~

~~stay would anger refugee advocates and African American leaders.)~~  
*Refugee advocates and African American leaders have urged that you do not seek a stay in this case.*  
If we choose to comply, we can do so by --

- 1) paroling into the United States (i.e., permitting entry for) all the Haitians described in judge's order;
- 2) paroling into the U.S. all the Haitians from the first subgroup (i.e., those with T-Cell counts below 200), as well as those Haitians from the second subgroup (i.e., those with T-Cell percentages below 13%) who cannot be provided with adequate care at Guantanamo; or
- 3) providing at Guantanamo the "adequate level of medical care" demanded by the judge.

Paroling Haitians into the United States (option 1 or 2) in accordance with the judge's order would not represent a wholesale change in U.S. policy. In fact, we already parole Guantanamo Haitians into the U.S. for a variety of humanitarian medical reasons (for example, all those with T-Cell counts below 100 are generally granted entry), though complying with the judge's order would result in an expansion of what we are already doing.

The Office of the Secretary of Defense and the Joint Chiefs of Staff are strongly opposed to upgrading the medical facilities at Guantanamo for the purpose of complying with the judge's order, and have been reluctant even to provide cost estimates. Military doctors have long argued that such an upgrade would require transporting and/or constructing millions of dollars of state-of-the-art equipment and facilities on Guantanamo, would be an extremely inefficient use of medical resources, and would adversely impact other important military medical missions.

Thus, the first decision you face is how to respond to the District Court order.

III. OPTIONS WITH RESPECT TO THE REMAINDER OF THE 252 HAITIANS

- A. Keep the Haitians not subject to the Court order at Guantanamo until the return of democracy to Haiti and the elimination of the conditions that led to their flight.

This option would enable us to avoid the difficult issues associated of entry of at least most of the HIV-positive asylum-seekers.

However, even under the most optimistic of scenarios regarding reestablishment of democratic government in Haiti, it would

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probably be several months or longer before we could contemplate return of the Guantanamo Haitians to Haiti.

Both the military officials who administer the camp for the Haitians and the Guantanamo Base Commander believe that under this option, continued acts of unrest and violence are inevitable. They believe that continued detention will result in deaths (including suicides) or serious injuries for one or more of the Haitians or one or more U.S. military personnel. If this option is chosen, it will have to be accompanied by a willingness to use stern, and possibly controversial, disciplinary measures against an increasingly desperate population.

B. Expand parole (i.e., entry into the U.S.) for the remainder of the Guantanamo Haitians.

There are basically two versions of this option:

1. Permit the Haitians who remain on Guantanamo -- all of whom have demonstrated prima facie claims to refugee status -- to enter the United States to pursue their asylum claims.
2. If the Court permits, conduct full-fledged refugee interviews on Guantanamo, permit entry only to those who are deemed to be refugees, and attempt to return those who are deemed not to be refugees. This would probably result in U.S. entry of about two-thirds to three-fourths of the Haitians (about 200 people).

In view of the risks of keeping the Haitians at Guantanamo, not to mention the humanitarian implications, it may be worth considering once again these alternatives.

~~Despite~~ Recent congressional votes strongly ~~affirming~~ <sup>affirm</sup> general restrictions on entry of immigrants who are HIV-positive. However, congressional leadership -- when provided with the unhappy options and assured of federal reimbursement to the states -- might not oppose a one-time decision to parole this population into the United States. The situation is unique and non-recurring, as these persons are outside their country of origin, ~~are~~ <sup>are</sup> under our control, ~~and~~ have credible claims to refugee status, and cannot ~~not~~ be returned to Haiti. *Distorted*

Assuming that all of these Haitians will fully access public health services, HHS estimates that costs to states and localities over the lifetime of all the Haitians would be about \$7 million. ~~(As mentioned,~~ The Justice Department's Immigration Emergency Fund could be used to reimburse states for these expenses.) This \$7 million lifetime figure compares to a current estimate of about \$3.65 million per year (exclusive of military salaries) to maintain the population at Guantanamo.

The Catholic Archbishops of Newark (Theodore E. McCarrick) and New York (Cardinal John O'Connor) have publicly stated that the Catholic Church would assist in finding jobs, temporary and

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*We could explore this offer more fully.*

permanent living quarters, and pre bono medical care for Haitians permitted entry into the U.S.

Finally, the recent interim court order -- or a final order, expected shortly, that would require the Government to provide the Haitians with certain due process guarantees -- ~~might offer~~ *could* ~~some~~ context for a decision to permit entry of the Guantanamo Haitians. We could appeal the legal issues without seeking a stay of a final order, and either permit all the Haitians to enter to pursue asylum claims, or process the Haitians on Guantanamo in accordance with the judge's final order and permit entry for those deemed to be refugees.

RECOMMENDATIONS

1. THE MARCH 26 COURT DECISION

That you do not seek a stay of the District Court order regarding adequate medical care, and that you agree to permit entry to all those Haitians with T-Cell counts below 200 and all those with T-Cell percentages of 13% or below *(about 38 Haitians, plus dependants)*.

(The Attorney General's office, the State Department, the Defense Department, and the JCS support this option. Bernie Nussbaum also supports this option.)

*and the NSC*

Approve \_\_\_\_\_ Disapprove \_\_\_\_\_

In the alternative, that you do not seek a stay, that you permit entry to those with T-Cell counts below 200, but that you authorize military doctors to examine those with T-Cell percentages of 13% or below and that you permit entry only to those for whom facilities on Guantanamo are deemed inadequate.

(Howard Paster supports this option.)

Approve \_\_\_\_\_ Disapprove \_\_\_\_\_

2. THE REMAINDER OF THE HIV-POSITIVE POPULATION

*(and the Catholic Church)*  
That you agree to a process of consultation with congressional leaders on the disposition of the remainder of the Haitians on Guantanamo, after which we will report back on the political implications of parole for this group.

(The State Department, the Defense Department, ~~and~~ the JCS support entry of the remainder of the HIV-positive population. Bernie Nussbaum also supports entry of the remainder of the population. The Attorney General has not made a recommendation on this issue to date. Howard Paster, while sympathetic on the substantive issue, does not believe that a process of consultation will prevent political controversy and political costs that will not be justifiable.)

*(and the NSC)*

Approve \_\_\_\_\_ Disapprove \_\_\_\_\_

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3. CONDITIONS ON GUANTANAMO

That, <sup>if you decide</sup> ~~assuming~~ that some or all of the Haitians will remain on Guantanamo for the time being, the Department of Defense, in conjunction with other appropriate agencies, be directed to implement a series of improvements in conditions at Guantanamo based on the recommendations of the NSC staff report.

Approve \_\_\_\_\_

Disapprove \_\_\_\_\_

*the proposed  
future*

*now,*

Attachment

Tab A Guantanamo Trip Report

# MIR MARKER

This is not a textual record. This is used as an administrative marker by the Clinton Presidential Library Staff.

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| Row:<br>44                    | Section:<br>1 | Shelf:<br>6 | Position:<br>1 | Stack:<br>v |

TO: PRESIDENT

FROM: LAKE  
BERGER

DOC DATE: 17 MAY 93  
SOURCE REF:

KEYWORDS: REFUGEES

HAITI

PERSONS:

SUBJECT: REMAINING HIV POSITIVE HAITIANS AT GUANTANAMO BAY CUBA

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ACTION: OBE / STATUS OF ORIGINAL UNKNOWN      DUE DATE: 20 APR 93      STATUS: C

STAFF OFFICER: SCHWARTZ

LOGREF:

FILES: PA

NSCP:

CODES:

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D O C U M E N T   D I S T R I B U T I O N

FOR ACTION

FOR CONCURRENCE

FOR INFO  
NSC CHRON

COMMENTS: \_\_\_\_\_  
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DISPATCHED BY \_\_\_\_\_ DATE \_\_\_\_\_ BY HAND    W/ATTCH

OPENED BY: NSJDA

CLOSED BY: NSMBN

DOC    3 OF    3

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ACTION DATA SUMMARY REPORT

RECORD ID: 9302475

DOC ACTION OFFICER

CAO ASSIGNED ACTION REQUIRED

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| 001 LAKE      | Z 93042008 FOR DECISION                     |
| 002 LAKE      | Z 93051516 FWD TO PRES FOR DECISION         |
| 003 PRESIDENT | Z 93051720 FOR DECISION                     |
| 003           | X 94111715 OBE / STATUS OF ORIGINAL UNKNOWN |

DISPATCH DATA SUMMARY REPORT

| <u>DOC</u> | <u>DATE</u> | <u>DISPATCH FOR ACTION</u> | <u>DISPATCH FOR INFO</u> |
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| 003        | 930517      |                            | VICE PRESIDENT           |
| 003        | 930517      |                            | WH CHIEF OF STAFF        |

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Rec'd 5/17 10:20am

Rec'd 5/15 10:33am

National Security Council  
The White House

JWR  
5/15 1055L

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| Staff Director  |             |                                      |                          |
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A = Action    I = Information    D = Dispatch    R = Retain    N = No Further Action

cc:            VP                            McLarty                            Other \_\_\_\_\_

Should be seen by: \_\_\_\_\_  
(Date/Time)

COMMENTS:

DISPATCH INSTRUCTIONS:

WGA  
R

ExecSec's Office has deleted

JL -  
through a  
misunderstanding  
this memo  
never went  
to Pres. when  
I discovered,  
I asked  
Eric to update,  
which is  
attached (5)

Rec'd 4/17 6:10pm

4/24 1:15pm

National Security Council  
The White House

JWR

4/24

1340 L

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| Staff Director       | <u>2</u>    | <u>W</u> |             |
| D/APNSA              | <u>3</u>    | <u>W</u> |             |
| APNSA                | <u>4</u>    | <u>5</u> |             |
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| NSC Secretariat      |             |          |             |
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A = Action I = Information D = Dispatch R = Retain N = No Further Action

cc: VP McLarty Other \_\_\_\_\_

Should be seen by: \_\_\_\_\_  
(Date/Time)

COMMENTS:

16 APR 93 11:49

DISPATCH INSTRUCTIONS: \_\_\_\_\_

*SRB -  
Should we  
offer him a choice  
among categories?  
An approval/denial system?  
R*

*Exec Sec has diskette*

WASHINGTON

May 17, 1993

ACTION

MEMORANDUM FOR THE PRESIDENT

FROM: ANTHONY LAKE   
SAMUEL BERGERSUBJECT: Remaining HIV-positive Haitians at Guantanamo Bay,  
Cuba

You asked us to explore whether there are groups or categories of Guantanamo Haitians who could be brought into the U.S. without fanfare on medical or other distinguishable grounds. You also asked us to consult on how these Haitians would be supervised in the U.S. Following are some ideas:

## I. CURRENT SITUATION

There are now 179 Haitians left at Guantanamo Bay, Cuba. There are some 157 adults, nearly all of whom are HIV-positive, and about 22 children. The small numbers of HIV-negative Haitians on Guantanamo include spouses and children of those who are HIV-positive.

Lawyers for the Haitians informed them some time ago that a decision was expected on May 15 in the New York Federal District Court case regarding their status. This apparently raised expectations, which were frustrated when the lawyers later informed the Haitians that the decision would not be made on that date.

These mixed signals have apparently heightened the sense of frustration for the Haitians. According to the Guantanamo camp commander (an Air Force colonel), the current mood at the camp is tense. On May 9 or 10, camp residents began another hunger strike. Although pregnant women and children are not part of the strike, all others were refusing to take food at the camp mess as of May 14 (camp officials note that some may be eating food stocked in their huts). The camp commander reports that camp residents have said they will enter "Phase II" of the hunger strike on or about May 17, but have not indicated what that means. The camp commander has told NSC staff that he is quite concerned by this threat.

Over the past month, there have been several threats of suicide (including one threat that a group of 50 would commit suicide). The camp commander also reports two or three suicide "gestures", actions he seems to regard as something short of credible suicide attempts (e.g., one migrant was reportedly found on the ground in

cc: Vice President  
Chief of Staff

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a latrine and claimed he had tried to hang himself, but there was no sign of a rope or marks on his body).

## II. ENTRY OF HAITIANS FROM GUANTANAMO BAY SINCE JANUARY 20, 1993

Since you assumed office, about 90 of the Haitians at Guantanamo have been permitted entry into the United States to pursue asylum claims. Between January 20 and March 26, the Attorney General permitted entry for Haitians who could not obtain adequate diagnostic treatment or medical care at facilities on Guantanamo, for women in the latter stages of pregnancy, and for those with severely advanced deterioration of their immune system.

On March 26, a New York District Court judge found that a larger class of Haitians was being denied "adequate" medical care on Guantanamo: those with "T-Cell" counts (a measure of the strength of the immune system) below 200 and with T-Cell percentages of 13 percent or below. (According to the Center for Disease Control, such persons are considered to have AIDS.) The judge ordered that the Government provide adequate care. Rather than seek a stay of the Court order, you chose to permit entry for the entire class affected by the order. There has been little reaction from the Congress, the press or the public about the entry of this population.

## III. NEXT STEPS IN THE LITIGATION

A final decision and order in the New York Federal District Court case involving the Guantanamo Haitians is pending. A negative court decision could provide you with an opportunity similar to that presented by the interim court order: to permit entry to some or all the Haitians in compliance with an order, while keeping open the Government's option to appeal the legal issues in the case. However, it is unclear when the District Court will rule.

## IV. PERMITTING ENTRY FOR ONE OR MORE ADDITIONAL GROUPS OF HAITIANS FROM GUANTANAMO

You have asked for information on additional groups of Haitians who might be admitted for medically-related reasons. We have identified a number of categories that relate to medical and other humanitarian considerations. (Note that some of the Haitians will be members of more than one of these groups.)

### A. HIV-positive Haitians with T-Cell counts below 500

The judge's interim order resulted in entry for all Haitians with T-Cell counts of 200 or below, as well as for those with T-Cell percentages of 13 percent or below. As a matter of policy, we could expand the category of Haitians permitted entry to those with T-Cell counts of 500 or below (or the equivalent T-Cell percentages). At this level, the immune system already has deteriorated significantly and most AIDS' researchers maintain that active anti-HIV treatment should be sought. (Note that such treatment is available on Guantanamo.)

At last report, there were 57 Haitians on Guantanamo who would be included in this category.

The Government litigators point out that if we provide entry based explicitly upon this or other medical factors, it could be construed as an admission that we cannot provide adequate care at Guantanamo for the group in question (in this case, those with T-Cell counts below 500). The litigators note that this could conceivably affect the government's arguments in the current case and in future litigation. On balance, however, they seem to feel that the litigation risk is manageable, especially if granting entry is portrayed as a humanitarian policy decision, and not as one taken as a matter of law.

#### B. Children of HIV-positive Haitians

There are now about 22 children on Guantanamo. The children have not been tested for HIV, but some probably have the virus. General policy has been to avoid family separation and thus to keep the children on Guantanamo if their parents are HIV-positive. Permitting entry for this entire group of children with their parents or guardians (who number about 15) would result in entry of about 37 Haitians.

#### C. Spouses of Haitians who have already entered the United States

There are at Guantanamo about 12 HIV-positive spouses of Haitians who have been permitted entry into the U.S. Some of the latter have entered to receive medical care. Others are HIV-negative and made the difficult decision to separate from their spouses and come to the U.S.

#### D. Other medical/humanitarian categories

Two small categories include HIV-positive pregnant women in the early stages of pregnancy (about 4) and unaccompanied minors (about 2).

Any or all of these groups could be permitted entry pursuant to the Attorney General's parole authority, without formal announcement. Obviously, the fact of further paroles could become public and critics could claim the categories chosen were arbitrary.

#### V. DISPOSITION OF HAITIANS PERMITTED ENTRY

A resettlement task force made up of the Justice Department's Community Relations Service (CRS), the Immigration and Naturalization Service, the Department of Health and Human Services and other agencies has organized the process of resettling most of those who have been granted entry thus far. The task force has worked with voluntary resettlement agencies (including the U.S. Catholic Conference) and AIDS and Haitian-American support groups. These organizations take responsibility

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Chief of Staff

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for settling Haitians (often with family members), and providing access to counselling and financial and medical assistance.

The voluntary agencies and support groups have been requested to provide assistance for one year. During the first three months after entry, CRS asks that voluntary agencies and support groups have intensive contact with the entrants (nearly every day, according to a CRS representative), and the voluntary groups report to CRS on a continual basis throughout the year.

If a decision were made to permit entry of some or all of the remaining Haitians, we could increase contact and communication between the voluntary organizations and the Haitians. CRS maintains that the current resettlement program includes "safe-sex" counselling, but we could review such counselling to ensure that it is systematic and comprehensive.

Special "Fascell-Stone" (Cuban-Haitian Entrant) legislation provides benefits to Haitians paroled into the United States for the purpose of seeking asylum. This includes costs of initial resettlement, as well as SSI and Medicaid benefits. Though states participate in funding these programs, the effect of Fascell-Stone is to make the federal share of benefits larger than for other similarly situated entrants.

According to HHS estimates, the cost to states of the extraordinary medical care required by those who are now at Guantanamo would probably be about \$5 million over the lifetime of this population, assuming that all the Haitians were to fully access Medicaid and other public benefits. This is roughly equivalent to the cost of operating the camp at Guantanamo for 12-18 months. As you know, the Immigration and Nationality Act provides for an Immigration Emergency Fund that contains \$31.4 million and has never been accessed. This fund could be used to reimburse states if large numbers of Haitians were admitted.

#### RECOMMENDATIONS

1. That you authorize the Attorney General to exercise her parole authority to allow entry for a small group of Haitians -- e.g. those with T-Cell counts of 500 or below -- as determined by the Attorney General.

Approve\_\_\_\_\_ Disapprove\_\_\_\_\_

OR, IN THE ALTERNATIVE,

2. That you authorize us to develop a plan (political, economic, humanitarian) for entry of all the remaining Haitians from Guantanamo.

Approve\_\_\_\_\_ Disapprove\_\_\_\_\_

NATIONAL SECURITY COUNCIL  
WASHINGTON, D.C. 20506

May 14, 1993

ACTION

MEMORANDUM FOR ANTHONY LAKE  
SAMUEL BERGER

THROUGH: RICHARD CLARKE *ES for RC*  
FROM: ERIC SCHWARTZ *ES*  
SUBJECT: Remaining HIV-positive Haitians on Guantanamo

Sandy has asked for a memorandum to the President on options for expanding medical and humanitarian parole (i.e., U.S. entry) for groups of HIV-positive Haitians now at Guantanamo. As you know, some 90 have now been paroled into the United States for medical or humanitarian reasons, the majority as a result of the interim court order mandating "adequate medical care" for those with "T-Cell" counts below 200 or T-Cell percentages of 13 percent or below. (The President decided not to seek a stay of that order and chose to comply by permitting entry for all members of the class, which include about 45 of the 90 who have been admitted since January 20.)

As Sandy requested, I have included other information relevant to the President's current consideration of this issue. In particular, I have described the role of voluntary agencies (one of which is the U.S. Catholic Conference) in helping to resettle the Haitians.

Sandy inquired about the degree of supervision that the voluntary groups exercise over the Haitians. As indicated in the memorandum, there is a great deal of interaction, especially in the first three months after entry. However, the groups do not in any sense have custody over the Haitians. It would, of course, be possible to detain the Haitians upon arrival in INS or other facilities. But this would be very controversial and conflict with current policy not to detain applicants who have been deemed to be credible claimants.

Concurrences by: Alan Kreczko, Barbro Owens

*ES for AK ES for BO*

RECOMMENDATION

That you sign and forward the enclosed action memorandum to the President

Attachment

Tab I Action memorandum to the President

CLINTON LIBRARY PHOTOCOPY

## NATIONAL SECURITY COUNCIL

WASHINGTON, D.C. 20506

April 16, 1993

ACTIONMEMORANDUM FOR ANTHONY LAKE  
SAMUEL BERGERTHROUGH: RICHARD CLARKE *ES for RC*FROM: ERIC SCHWARTZ *ES*

SUBJECT: Remaining HIV-positive Haitians on Guantanamo

Sandy has asked for a memorandum to the President on options for continuing medical and humanitarian parole (*i.e.*, U.S. entry) for groups of HIV-positive Haitians now at Guantanamo. As you know, some 80 have now been paroled into the United States for medical or humanitarian reasons, the majority as a result of the interim court order mandating "adequate medical care" for those with "T-Cell" counts below 200 or T-Cell percentages of 13% or below. (The President decided not to seek a stay of that order and chose to comply by permitting entry for all members of the class, which include about 45 of the 80 who have been admitted since January 20.)

As Sandy requested, I have included other information relevant to the President's current consideration of this issue. In particular, I have described the role of voluntary agencies (one of which is the U.S. Catholic Conference) in helping to resettle the Haitians.

Sandy inquired about the degree of supervision that the voluntary groups exercise over the Haitians. As indicated in the memorandum, there is a great deal of interaction, especially in the first three months after entry. However, the groups do not (and probably could not) in any sense have custody over the Haitians. It would, of course, be possible to detain the Haitians upon arrival in INS or other facilities. But this would be very controversial and conflict with current policy not to detain applicants who have been deemed to be credible claimants.

Concurrences by: Alan Kreczko, Barbro Owens

*ES for AK**ES for BO*RECOMMENDATION

That you sign and forward the enclosed information memorandum to the President

Approve \_\_\_\_\_

Disapprove \_\_\_\_\_

Attachment

Tab I Information memorandum to the President

CLINTON LIBRARY PHOTOCOPY

*Tab I*

WASHINGTON

INFORMATION

## MEMORANDUM FOR THE PRESIDENT

FROM: ANTHONY LAKE  
SAMUEL BERGER

SUBJECT: Remaining HIV-positive Haitians at Guantanamo Bay,  
Cuba

## I. CURRENT SITUATION

There are now 187 Haitians at Guantanamo Bay, Cuba. There are some 162 adults, nearly all of whom are HIV-positive, and about 25 children. The small numbers of HIV-negative Haitians on Guantanamo include spouses and children of those who are HIV-positive.

Since you assumed office, some 80 Haitians have been permitted entry to the United States to pursue asylum claims. Between January 20 and March 26, the Attorney General permitted entry for Haitians who could not obtain adequate diagnostic treatment or medical care at facilities on Guantanamo, for women in the latter stages of pregnancy, and for those with severely advanced deterioration of their immune system.

On March 26, a New York District Court judge found that a larger class of Haitians were being denied "adequate" medical care on Guantanamo: those with "T-Cell" counts (a measure of the strength of the immune system) below 200 and with T-Cell percentages of 13% or below. (According to the Center for Disease Control, such persons are considered to have AIDS.) Based on an asserted right to protect the class involved in the litigation, the judge ordered that the Government provide adequate care. Rather than seek a stay of the Court order, you chose to permit entry for the entire class affected by the order, which include about 45 of the 80 who have come in since January 20.

It is worth noting that there has been no adverse reaction from the Congress, the press or the public about the entry of this population. This may be because the press reported that you acted to comply with a Court order but did not report that compliance meant deciding against seeking a stay. At the same time, you did receive some credit from liberals on the Hill, refugee advocacy groups and Jesse Jackson, all of whom were aware that you could have contested the order but chose not to.

cc: Vice President  
Chief of Staff

CLINTON LIBRARY PHOTOCOPY

## II. NEXT STEPS IN THE LITIGATION

A final decision and order in the New York Federal District Court case involving these Haitians is pending. At issue is whether these Haitians -- despite their being outside the United States -- are entitled to due process rights (including the right to counsel) guaranteed by the Constitution. While the Court may well rule against the Government, it is not clear what remedy the Court is likely to order. The Court could simply order that the plaintiffs be guaranteed continuous access to counsel, which would amount to requiring that we expand the access we already grant as a matter of policy. The Court could go further and order that we process the Haitians for refugee status and that we permit those deemed to be refugees to depart Guantanamo for any country other than Haiti. (Such a ruling might permit us to return non-refugees to Haiti.) Or the Court might even decide that all of the Haitians are arbitrarily detained and should be released and transferred to a place other than Haiti by a date certain.

Depending on the what the Court orders us to do, a negative Court decision could conceivably provide you with an "opportunity" similar to that presented by the interim court order: to permit entry to some or all the Haitians in "compliance" with an order, while keeping open the Government's option to appeal the legal issues in the case.

Unfortunately, it is unclear when the District Court will rule. One of the Government litigators seems to feel that a ruling will come within the next several weeks. Another believes that the District Court may await the Supreme Court ruling on the legality of directly returning Haitians without interviewing them prior to return. A Supreme Court ruling affirming the legality of that practice might make moot the legal issues in this case, but would not solve the political/humanitarian problem of what to do with these Haitians on Guantanamo.

## III. PERMITTING ENTRY FOR ONE OR MORE ADDITIONAL GROUPS OF HAITIANS FROM CUANTANAMO

You have asked for information on additional groups of Haitians who might be admitted for medically related reasons. We have identified a number of categories that relate to medical and other humanitarian considerations. (Note that some of the Haitians will be members of more than one of these groups.)

### A. HIV-positive Haitians with T-Cell counts below 500

The judge's interim order resulted in entry for all Haitians with T-Cell counts of 200 or below, as well as for those with T-Cell percentages of 13% or below. As a matter of policy, we could expand the category of Haitians permitted entry to those with T-Cell counts of 500 or below (or the equivalent T-Cell percentages). At this level, the immune system has already deteriorated significantly and most AIDS researchers maintain that active anti-HIV treatment should be sought. (Note that such treatment is available on Guantanamo.)

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At last report, there were 49 Haitians on Guantanamo who would be included in this category.

The Government litigators point out that if we provide entry based on medical factors such as this one, it could be construed as an admission that we cannot provide adequate care for such persons outside the U.S. and that such persons may have a right of entry. The litigators note that this could conceivably affect the government's arguments in the current case and in future litigation. On balance, however, they seem to feel that the litigation risk is manageable, especially if granting entry is portrayed as a humanitarian policy decision, and not as one taken as a matter of law.

Ironically, the litigators believe our legal position would be strongest if we were to permit entry for all 187 of the Haitians prior to a District Court final order. This is because our action would not be construed as an admission with respect to medical care for any particular group, but rather would be seen as a humanitarian gesture directed at the whole population. Moreover, we would avoid adverse findings of fact from a hostile judge about conditions on Guantanamo, an issue that would be made moot by a decision to permit entry for all the Haitians.

#### B. Children of HIV-positive Haitians

There are now about 25 children on Guantanamo. The children have not been tested for HIV, but some probably have the virus. General policy has been to avoid family separation and thus to keep the children on Guantanamo if their parents are HIV-positive. Permitting entry for this entire group of children with their parents (who number about 15) would result in entry of about 40 Haitians.

#### C. Spouses of Haitians who have already entered the United States

There are at Guantanamo about 14 HIV-positive spouses of Haitians who have been permitted entry into the U.S. Some of the latter have entered to receive medical care. Others are HIV-negative and made the difficult decision to separate from their spouses and come to the U.S.

#### D. Other medical/humanitarian categories

Other categories include HIV-positive pregnant women in the early stages of pregnancy (4) and unaccompanied minors (2, though they are both 18 years of age).

### IV. DISPOSITION OF HAITIANS WHO ARE PERMITTED ENTRY

A resettlement task force made up of the Justice Department's Community Relations Service (CRS), the Immigration and Naturalization Service, the Department of Health and Human Services, and other agencies has organized the process of resettling most of those who have been granted entry thus far. The task force has worked with voluntary resettlement agencies and AIDS and Haitian American support groups. These

organizations take responsibility for settling Haitians (often with family members), and providing access to counselling and financial and medical assistance.

The voluntary agencies and support groups have been requested to provide assistance for one year. During the first three months after entry, CRS asks that voluntary agencies and support groups have intensive contact with the entrants (nearly every day, according to a CRS representative), and the voluntary groups report to CRS on a continual basis throughout the year.

If a decision were made to permit entry of some or all of the remaining Haitians, we could increase contact and communication between the voluntary organizations and the Haitians. CRS maintains that the current resettlement program includes "safe-sex" counselling, but we could review such counselling to ensure that it is systematic and comprehensive.

Special "Fascell-Stone" (Cuban-Haitian Entrant) legislation provides benefits to Haitians paroled into the United States for the purpose of seeking asylum. This includes costs of initial resettlement, as well as SSI and Medicaid benefits. Though states participate in funding these programs, the effect of Fascell-Stone is to make the federal share of benefits larger than for other similarly situated entrants.

According to HHS estimates, the cost to states of the extraordinary medical care required by those who are now at Guantanamo would probably be about \$5 million over the lifetime of this population, assuming that all the Haitians were to fully access Medicaid and other public benefits. This is roughly equivalent to the cost of operating the camp at Guantanamo for 12-18 months. As you know, the Immigration and Nationality Act provides for an Immigration Emergency Fund that contains \$31.4 million and has never been accessed. This fund could be used to reimburse states if large numbers of Haitians were admitted.

#### V. ISSUES FOR DECISION

1. Should the Attorney General permit entry for one of the groups of Haitians described above? If so, which group or groups, and in what order?
2. Should any decision on entry of the Haitians await the final order of the District Court?
3. If a decision to permit entry is made, should the Attorney General be requested to make available monies from the Immigration Emergency Fund to reimburse states for the costs of medical care for the entrants?
4. Assuming that at least some Haitians will remain at Guantanamo for the time-being, should the NSC staff convene an interagency group to implement improvements in conditions at Guantanamo, as outlined in the recent NSC staff report on the situation at the camp?

# MIR MARKER

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| Document ID:<br>9303546       |               |             |                |             |
| Row:<br>44                    | Section:<br>1 | Shelf:<br>7 | Position:<br>2 | Stack:<br>V |

# Withdrawal/Redaction Sheet

## Clinton Library

| DOCUMENT NO.<br>AND TYPE | SUBJECT/TITLE   | DATE                  | RESTRICTION                          |
|--------------------------|---|-----------------------|--------------------------------------|
| <del>001a</del> memo     | <del>To: POTUS; From: Anthony Lake; Re: Haiti: The US Role in the Security Presence (2 pages)</del> | <del>05/18/1993</del> | <del>P1/b(1)</del> <i>√ 3/3/2020</i> |
| <del>001b</del> memo     | <del>Duplicate of 001a [draft copy, undated] (2 pages)</del>  | <del>00/00/0000</del> | <del>P1/b(1)</del> <i>√ 3/3/2020</i> |

**COLLECTION:**

Clinton Presidential Records  
 NSC Records Management  
 [Haiti and Memcon ...]  
 OA/Box Number: 149

**FOLDER TITLE:**

9303546

2013-0122-M  
sb2500

### RESTRICTION CODES

**Presidential Records Act - [44 U.S.C. 2204(a)]**

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

**Freedom of Information Act - [5 U.S.C. 552(b)]**

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

CLINTON LIBRARY PHOTOCOPY

TO: PRESIDENT

FROM: LAKE

DOC DATE: 18 MAY 93  
SOURCE REF:

KEYWORDS: HAITI

DC

PERSONS:

SUBJECT: US ROLE IN SECURITY PRESENCE IN HAITI

ACTION: PRES APPROVED RECOM

DUE DATE: 21 MAY 93 STATUS: C

STAFF OFFICER: CLARKE

LOGREF:

FILES: PA

NSCP:

CODES:

DOCUMENT DISTRIBUTION

FOR ACTION

FOR CONCURRENCE

FOR INFO  
NSC CHRON

DECLASSIFIED  
E.O. 13526  
White House Guidelines, May 16, 2017  
By DCS NARA, Date 8/17/2019  
2013-0122-11

COMMENTS: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

DISPATCHED BY \_\_\_\_\_ DATE \_\_\_\_\_ BY HAND W/ATTCH

OPENED BY: NSWEA CLOSED BY: NSGVE DOC 2 OF 2

## ACTION DATA SUMMARY REPORT

DOC ACTION OFFICER

001 LAKE  
002 PRESIDENT  
002

CAO ASSIGNED ACTION REQUIRED

Z 93051821 FWD TO PRES FOR DECISION  
Z 93051821 FOR DECISION  
X 93060211 PRES APPROVED RECOM

## DISPATCH DATA SUMMARY REPORT

DOC   DATE   DISPATCH FOR ACTION

002 930518  
002 930518

DISPATCH FOR INFO

VICE PRESIDENT  
WH CHIEF OF STAFF

National Security Council  
The White House

PROOFED BY: WA LOG # 3546  
 URGENT NOT PROOFED: PH SYSTEM PRS NSC INT  
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| DepExecSec      | _____       | _____                   | _____                 |
| ExecSec         | _____       | <u>FRD</u>              | <u>seen</u>           |
| Staff Director  | _____       | <b>Natl Sec Advisor</b> | _____                 |
| D/APNSA         | _____       | <b>has seen</b>         | _____                 |
| APNSA           | _____       | _____                   | _____                 |
| Situation Room  | _____       | _____                   | _____                 |
| West Wing Desk  | <u>2</u>    | <u>WA S/H</u>           | <u>D TO</u>           |
| NSC Secretariat | <u>3</u>    | _____                   | <u>N</u> <u>proof</u> |
| _____           | _____       | _____                   | _____                 |
| _____           | _____       | _____                   | _____                 |

WA = Action    I = Information    D = Dispatch    R = Retain    N = No Further Action

cc:            VP                    McLarty                    Other \_\_\_\_\_

Should be seen by: \_\_\_\_\_  
(Date/Time)

COMMENTS:

18 MAY 93 11:06

DISPATCH INSTRUCTIONS:

National Security Council  
The White House

PROOFED BY: \_\_\_\_\_ LOG # 3546  
 URGENT NOT PROOFED: \_\_\_\_\_ SYSTEM PRS NSC INT  
 BYPASSED WW DESK: \_\_\_\_\_ DOCLOG \_\_\_\_\_ A/O \_\_\_\_\_

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| ExecSec         | _____       | _____    | _____       |
| Staff Director  | _____       | _____    | _____       |
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| Situation Room  | _____       | _____    | _____       |
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| NSC Secretariat | _____       | _____    | _____       |
| _____           | _____       | _____    | _____       |
| _____           | _____       | _____    | _____       |

A = Action    I = Information    D = Dispatch    R = Retain    N = No Further Action

cc:            VP                    McLarty                    Other \_\_\_\_\_

Should be seen by: \_\_\_\_\_  
(Date/Time)

COMMENTS:

DISPATCH INSTRUCTIONS:

THE WHITE HOUSE  
WASHINGTON

May 19, 1993

MR. PRESIDENT:

This is extremely time sensitive.  
We need to let the UN know  
this morning if we agree to  
do this. Sandy is available  
to discuss.

John Podesta

THE WHITE HOUSE  
WASHINGTON

May 18, 1993

93 MAY 18 10:08

ACTION

MEMORANDUM FOR THE PRESIDENT

FROM: ANTHONY LAKE

SUBJECT: Haiti: The US Role in the Security Presence

DECLASSIFIED  
E.O. 13526, Sec. 3.5 (b)  
White House Guidelines, September 11, 2006  
By VL NARA, Date 10/8/2019  
2013-0122-M (1.25)

The discussions with the UN, President Aristide, and the Haitian military have come to a point where we need a decision on the US role in the security component of the transition.

UN and US negotiators have put forward a three part plan for creating a more secure environment during the transition period. This would involve a non-provocative international "presence" which could help deter violence. Since news reports of this plan appeared, the Haitian parties all have backed away from it to some degree, fearful of association with the outside "intervention" which is so sensitive to Haitians. Nonetheless, Ambassador Pezzullo believes that it should be possible to put it back on track.

**Three Part Plan**

o Police: The UN would deploy 500-1000 International Police Monitors. These police would patrol with the Haitians, doing on-the-job training, monitoring for human rights abuses, and protecting the other UN personnel and facilities. Unlike Canada and its Royal Canadian Mounted Police, the US does not have a readily available federal uniformed police, and therefore, would not contribute personnel to this component. If the UN agrees, however, we could offer some Military Police. We would also provide equipment and trainers.

o Military Engineers/Civic Action: The US, and perhaps other nations, would deploy about 500 military engineers such as Seabees and Special Forces personnel to build new military barracks to house the more dangerous military units away from the capital. US military also would build and run small-scale medical clinics. These programs would add to the international presence (which could have a deterrent effect) and would suggest a better future for the military if they cooperate.

o Military Trainers: As part of that better future for the military, we would conduct a military professionalization program

of instruction and training. Another 100 US military personnel would be part of this resumed US Military Assistance Mission.

**Command and Control**

Boutros-Ghali is wary of the US military presence being a "Trojan horse" for a US military intervention in Haiti which would provoke a Latin American backlash. The UN, therefore, has proposed that this US military presence be part of the UN Mission, authorized by a UN Security Council resolution that will be adopted as soon as the parties have agreed to this presence. The UN staff privately have proposed that the international military component be headed by an American officer, reporting to Boutros-Ghali. (The police would report separately.) Secretary Aspin and General Powell concur in this approach, as do Secretary Christopher and Ambassador Pezzullo.

The US military personnel would have the capability to protect themselves from low level threats. If at any point order broke down altogether, you could deploy additional US forces. We would prefer to have UN and Haitian government approval in such an event; nonetheless, the interagency review has concluded that agreeing to this UN command relationship would not preclude you from taking further steps unilaterally if necessary.

**Next Steps**

If you approve this approach in principle, we will proceed immediately with the UN and the Haitian parties. If the process appears to be moving ahead, we would then need to initiate further, detailed planning with the UN and Congressional consultations.

RECOMMENDATION

That we proceed with discussions with the UN about placing up to 600 US military engineers and trainers in Haiti under a UN command, which would be led by an American military officer reporting to the UN.

Approve \_\_\_\_\_ Disapprove \_\_\_\_\_

PHOTOCOPY WJC HANDWRITING

~~SECRET~~

SECRET

3546

NATIONAL SECURITY COUNCIL  
WASHINGTON, D.C. 20506

May 18, 1993

ACTION

MEMORANDUM FOR ANTHONY LAKE  
SAMUEL R. BERGER

FROM: RICHARD A. CLARKE *RAC*

SUBJECT: Haiti: The US Role in the Security Presence

Attached at Tab I is a memorandum for the President summarizing the Deputies Committee decision on Haiti.

Concurrence by: Richard Feinberg *RFeinberg*

RECOMMENDATION

That you sign the memorandum at Tab I to the President.

Attachment  
Tab I Memorandum for the President

DECLASSIFIED  
E.O. 13526  
White House Guidelines, May 16, 2017  
By *AS* NARA, Date *8/19/2019*  
2013-0122-M

SECRET

Declassify on: OADR

CLINTON LIBRARY ~~SECRET~~ COPY

ACTION

MEMORANDUM FOR THE PRESIDENT

FROM: ANTHONY LAKE

SUBJECT: Haiti: The US Role in the Security Presence

DECLASSIFIED  
E.O. 13526, Sec. 3.5 (b)  
White House Guidelines, September 11, 2006  
By VR NARA, Date 10/8/2019  
2013-0122-m

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*This would involve*

*which is so sensitive another to Haitians.*

Three Part Plan

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Command and Control

military in Haiti Louis

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*prefer*

**Next Steps**

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RECOMMENDATION

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Approve \_\_\_\_\_ Disapprove \_\_\_\_\_

# MIR MARKER

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TO: MALVAL, ROBERT

FROM: PRESIDENT

DOC DATE: 23 SEP 93  
SOURCE REF:

KEYWORDS: HAITI

CONGRESSIONAL

PERSONS:

SUBJECT: PRES LTR TO PM MALVAL OF HAITI

ACTION: PRES SGD LTR

DUE DATE: 25 SEP 93 STATUS: C

STAFF OFFICER: ROSSIN

LOGREF:

FILES: PA

NSCP:

CODES:

D O C U M E N T   D I S T R I B U T I O N

FOR ACTION

FOR CONCURRENCE

FOR INFO  
NSC CHRON  
ROSSIN

COMMENTS: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

DISPATCHED BY \_\_\_\_\_ DATE \_\_\_\_\_ BY HAND W/ATTCH

OPENED BY: NSJDA

CLOSED BY: NSJDA

DOC 3 OF 3

UNCLASSIFIED

CLINTON LIBRARY PHOTOCOPY

UNCLASSIFIED  
ACTION DATA SUMMARY REPORT

RECORD ID: 9307188

DOC ACTION OFFICER

CAO ASSIGNED ACTION REQUIRED

001 LAKE  
002 PRESIDENT  
003

Z 93092214 FWD TO PRES FOR SIG  
Z 93092314 FOR SIGNATURE  
X 93092410 PRES SGD LTR

DISPATCH DATA SUMMARY REPORT

DOC    DATE    DISPATCH FOR ACTION

DISPATCH FOR INFO

002 930923  
002 930923  
003 930923 MALVAL, ROBERT

VICE PRESIDENT  
WH CHIEF OF STAFF

UNCLASSIFIED

CLINTON LIBRARY PHOTOCOPY

Kyle -

Can you please  
get this letter  
ready -- date 9/23-1  
and return to me.

Al Maldon will  
handcarry to Cong  
Rangel. Coats

9/23

Cong Rangel  
is pushing  
hard for this  
per Will Ito

Rec'd 9/22 3:36pm  
National Security Council  
The White House

JWR  
9/22

PROOFED BY: ASK LOG # 7188  
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| W DepExecSec    | <u>1</u>    | <u>Walt</u> | _____              |
| ExecSec         | _____       | _____       | _____              |
| Staff Director  | <u>2</u>    | _____       | _____              |
| D/APNSA         | <u>3</u>    | <u>srh</u>  | _____              |
| APNSA           | <u>4</u>    | _____       | _____              |
| Situation Room  | _____       | _____       | _____              |
| West Wing Desk  | <u>4</u>    | <u>9/23</u> | <u>J W/PODESTA</u> |
| NSC Secretariat | <u>5</u>    | _____       | <u>N</u>           |
| _____           | _____       | _____       | _____              |
| _____           | _____       | _____       | _____              |

A = Action    I = Information    D = Dispatch    R = Retain    N = No Further Action

cc:            VP                            McLarty                            Other \_\_\_\_\_

Should be seen by: \_\_\_\_\_  
(Date/Time)

COMMENTS:

SEP 23 2 15

DISPATCH INSTRUCTIONS:

*Ex Sec's Office Hasdel*

JWR  
 9/22

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| W DepExecSec    | <u>1</u>    | <u>W</u>    |                                 |
| ExecSec         |             |             |                                 |
| Staff Director  | <u>2</u>    |             |                                 |
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| APNSA           | <u>4</u>    |             |                                 |
| Situation Room  |             |             |                                 |
| West Wing Desk  | <u>4</u>    | <u>9/23</u> | <u>D</u> <u>4/</u> <u>APNSA</u> |
| NSC Secretariat | <u>5</u>    |             | <u>N</u>                        |
|                 |             |             |                                 |
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A = Action    I = Information    D = Dispatch    R = Retain    N = No Further Action

cc:            VP                            McLarty                            Other \_\_\_\_\_

Should be seen by: \_\_\_\_\_  
 (Date/Time)

COMMENTS:

SEP 23 2 13

DISPATCH INSTRUCTIONS:

Ex Secs Office Tasked

THE WHITE HOUSE  
WASHINGTON  
September 23, 1993

Dear Prime Minister Malval:

I want to take the occasion of the visit to Haiti of an important Congressional delegation led by Representative Charles Rangel to convey my strong personal support for your unstinting efforts to implement the transition to democracy established in the Governor's Island Agreement. I know you face the most severe challenges and I admire the courage and reflection you have brought to your office. Both are essential at this critical moment in your nation's history.

You are laying the foundation which will enable President Aristide to reconcile and rebuild your country after his return. I assure you and President Aristide of our commitment to participate fully in the international program of support for that difficult endeavor. The delegation of senior Administration officials which just visited Haiti to review our assistance plans with your ministers manifested our determination to actively support the Haitian people as they build a new future.

The success of the Governor's Island Agreement and of President Aristide's programs requires a peaceful security environment. We have stated already, and I reaffirm to you, that the United States holds the Haitian military and police responsible for protecting all Haitians from outrages such as occurred recently. We condemn that violence, call for the identification and apprehension of its authors and extend condolences to those who now grieve loved ones.

We continue to work actively to bring about the earliest arrival in Haiti of the United Nations technical assistance and police monitors. It will reassure your people of the world's commitment to Haiti, support the establishment of a new civilian police force and help prepare Haiti's armed forces to carry out their constitutional missions. I am confident that the presence of the United Nations Mission will yield great benefits for your country.

I look forward to receiving Congressman Rangel's and his colleagues' report on their visit to Haiti. I am sure you will let him know of any additional support we can offer to you.

Sincerely,



The Honorable Robert Malval  
Prime Minister of the Republic of Haiti  
Port-au-Prince

CLINTON LIBRARY PHOTOCOPY

THE WHITE HOUSE  
WASHINGTON  
September 23, 1993

93 SEP 23 P2:33

ACTION

MEMORANDUM FOR THE PRESIDENT

FROM: ANTHONY LAKE <sup>AL</sup>  
HOWARD PASTER <sup>HP</sup>

SUBJECT: Letter to Prime Minister Malval of Haiti

Purpose

To underscore your support for Haitian Prime Minister Malval and to reiterate that the Haitian military is responsible for protecting Haitians from violence.

Background

Congressman Charles Rangel will lead a ten-member delegation to Haiti on Friday at President Aristide's request to review the situation and convey Congressional support for full implementation of the Governor's Island Agreement. He would like to be able to deliver a letter from you to Prime Minister Malval expressing your backing for Malval's courageous leadership and reiterating that we hold the Haitian military responsible for ensuring security during the transition period. We agree that such a letter will send an important signal.

RECOMMENDATION

That you sign the letter at Tab A.

Attachment

Tab A Proposed Letter to Prime Minister Malval.

NATIONAL SECURITY COUNCIL  
WASHINGTON, D.C. 20506

September 22, 1993

ACTION

MEMORANDUM FOR ANTHONY LAKE

FROM: LAWRENCE G. ROSSIN *LR*

SUBJECT: Proposed Presidential Letter to Haitian Prime  
Minister Malval

Congressman Charles Rangel will lead a Congressional delegation to Haiti on Friday at President Aristide's request. He has asked that the President entrust to him for delivery to Prime Minister Malval a letter expressing the President's personal support for Malval and reiterating that we hold the Haitian military and police responsible for protecting Haitians from violence during the transition to Aristide's return. Such a letter is at Tab A. It reflects themes provided by Larry Pezzullo and Richard Feinberg who have just been meeting with Malval and other key Haitian figures in Port-au-Prince.

Concurrences by: *JR* Jeremy Rosner

RECOMMENDATION

That you sign the Memorandum to the President at Tab I.

Attachments

Tab I Memorandum to the President  
Tab A Proposed Letter to Prime Minister Malval  
Tab II Incoming Correspondence from Congressman Rangel

7188

**CHARLES B. RANGEL**  
 15TH CONGRESSIONAL DISTRICT  
 NEW YORK  
 DEPUTY CLERK

COMMITTEE:  
**WAYS AND MEANS**

CHAIRMAN, SUBCOMMITTEE ON  
 SELECT REVENUE MEASURES

SUBCOMMITTEE ON OVERSIGHT

CHAIRMAN, SELECT COMMITTEE ON  
 NARCOTICS ABUSE AND CONTROL

**Congress of the United States**  
**House of Representatives**  
 Washington, DC 20515-3215

September 21, 1993

Hon. William Clinton  
 The White House  
 Washington, DC 20500

Dear President Clinton:

It was a pleasure speaking with you last Saturday at the Congressional Black Caucus Awards Dinner. I truly enjoyed your inspiring message and look forward to providing whatever assistance I can.

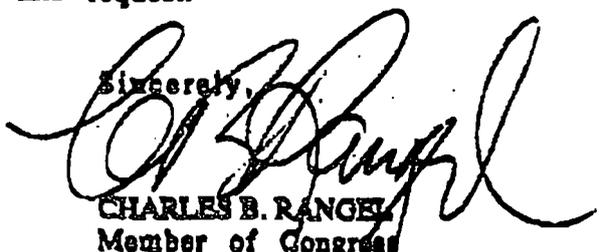
On Friday, September 24, I will be leading a 10-member Congressional fact-finding delegation to Haiti. The mission is the result of an urgent appeal by President Aristide, with the concurrence of Ambassador Lawrence Pezullo, for Members of Congress to address the escalating campaign of violence, which threatens to disrupt the fragile process of restoring Haiti's democratic government.

I commend you for dispatching to Haiti this week Assistant Secretary of State Alexander Watson, Ambassador Pezullo, General John Sheehan and Richard Feinberg. The Congressional delegation, which will be briefed by Ambassador Pezullo and others upon their return, would hope to reinforce their mission by delivering a personal written statement of your support to Prime Minister Robert Malval.

We would hope, too, that you would reiterate your earlier statement that your Administration holds Haiti's military and police authorities completely responsible for maintaining order and protecting lives during the transition period.

Thanks for your commitment to this issue and your consideration of this request.

Sincerely,

  
 CHARLES B. RANGEL  
 Member of Congress

CBR/em

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 DISTRICT ADMINISTRATOR

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 NEW YORK, NY 10027  
 TELEPHONE (212) 865-3400

□ 601 WEST 181ST STREET  
 NEW YORK, NY 10033  
 TELEPHONE (212) 837-3333

□ 2110 FLEET AVENUE  
 NEW YORK, NY 10023  
 TELEPHONE (212) 848-3400

PLEASE REFER TO  
 COVER SHEET

**CHARLES B. RANGEL**  
18th Congressional District  
New York  
DEPUTY WHIP  
COMMITTEE:  
WAYS AND MEANS  
CHAIRMAN, SUBCOMMITTEE ON  
SELECT REVENUE MEASURES  
SUBCOMMITTEE ON OVERSIGHT

**Congress of the United States**  
**House of Representatives**  
Washington, DC 20515-3215

2262 RAYBURN HOUSE OFFICE BUILDING  
WASHINGTON DC 20515-3215  
TELEPHONE (202) 225-4366

DEPUTY CLERK  
MS. VIVIAN E. JONES  
DEPUTY ADMINISTRATOR

153 WEST 125TH STREET  
NEW YORK, NY 10027  
TELEPHONE: (212) 663-3900

651 WEST 181ST STREET  
NEW YORK, NY 10030  
TELEPHONE: (212) 627-6330

8118 FIRST AVENUE  
NEW YORK, NY 10020  
TELEPHONE: (212) 348-8830

PLEASE RESPOND TO  
OFFICE CHECKED

**FAX TRANSMITTAL**

456-6221

DATE: 9/21

TO: Lorraine Miller

FR: Office of Congressman Charles B. Rangel / Emile Milore

TELE: (202) 225-4366

FAX: (202) 225-0816

There are 2 pages being transmitted including this cover sheet.

Lorraine,

Cong. Rangel said he would appreciate  
your taking care of this ASAP  
so that the delegation will have the  
President's letter before leaving on  
Friday, Sept. 24.

Cong. Rangel spoke with the President  
about the trip on Saturday at the  
non dinner

THE WHITE HOUSE  
WASHINGTON

OFFICE OF LEGISLATIVE AFFAIRS  
FAX COVER SHEET

Date 9/21

Number of pages w/cover 3

TO: Don Gross

FAX NUMBER: 7350

FROM: Al Maldon

TELEPHONE: 456-6620 FAX: 456-2604

COMMENTS: Don, I am not sure whether  
you or Mike is handling Haiti  
but I need a letter from your  
shop for POTUS signature by  
COB Wed or noon on Thursday if  
POTUS has already signed. Thanks!  
AL

Note: The information contained in this facsimile message is  
CONFIDENTIAL and intended for the recipient ONLY. If there is  
a problem with this transmission, please contact the sender  
as soon as possible.

THE WHITE HOUSE

WASHINGTON

Dear Prime Minister Malval:

I want to take the occasion of the visit to Haiti of an important Congressional delegation led by Representative Charles Rangel to convey my strong personal support for your unstinting efforts to implement the transition to democracy established in the Governor's Island Agreement. I know you face the most severe challenges and I admire the courage and reflection you have brought to your office. Both are essential at this critical moment in your nation's history.

You are laying the foundation which will enable President Aristide to reconcile and rebuild your country after his return. I assure you and President Aristide of our commitment to participate fully in the international program of support for that difficult endeavor. The delegation of senior Administration officials which just visited Haiti to review our assistance plans with your ministers manifested our determination to actively support the Haitian people as they build a new future.

The success of the Governor's Island Agreement and of President Aristide's programs requires a peaceful security environment. We have stated already, and I reaffirm to you, that the United States holds the Haitian military and police responsible for protecting all Haitians from outrages such as occurred recently. We condemn that violence, call for the identification and apprehension of its authors and extend condolences to those who now grieve loved ones.

We continue to work actively to bring about the earliest arrival in Haiti of the United Nations <sup>technical assistance and police monitors</sup> ~~police and military~~ presence. It will reassure your people of the world's commitment to Haiti, support the establishment of a new civilian police force and help prepare Haiti's armed forces to carry out their constitutional missions. I am confident that the United Nations <sup>Mission</sup> ~~presence~~ will yield great benefits for your country.

I look forward to receiving Congressman Rangel's and his colleagues' report on their visit to Haiti. I am sure you will let him know of any additional support we can offer to you.

<sup>presence of</sup> Sincerely,

The Honorable Robert Malval  
Prime Minister of the Republic of Haiti  
Port-au-Prince

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|                               |               |             |                |             |
| Document ID:<br>9308031       |               |             |                |             |
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# Withdrawal/Redaction Sheet

## Clinton Library

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|------------------------|--|-----------------------|--------------------------------|
| <del>001a. note</del>  | <del>Typed and handwritten notes by SRB; re: #1 and #3 (1 page)</del>                              | <del>00/00/0000</del> | <del>P1/b(1) v2</del> 3/3/2020 |
| 001b. memo             | To: POTUS; From: Anthony Lake; Re: Haiti: Strategic Options [with annotations] [partial] (8 pages) | 10/18/1993            | P1/b(1) v2                     |
| <del>001c. paper</del> | <del>Options Paper: Haiti [with annotations] (7 pages)</del>                                       | <del>00/00/0000</del> | <del>P1/b(1) v2</del>          |
| <del>002a. memo</del>  | <del>To: Anthony Lake; From: Lawrence Rossin; Re: Haiti Strategic Options (1 page)</del>           | <del>10/18/1993</del> | <del>P1/b(1) v2</del>          |
| <del>002b. memo</del>  | <del>Duplicate of 002a [draft version] (1 page)</del>  | <del>10/16/1993</del> | <del>P1/b(1) v2</del>          |
| 002c. memo             | Duplicate of 001b [draft version] [partial] (6 pages)  | 00/00/0000            | P1/b(1) v2                     |
| 002d. memo             | Duplicate of 001b [draft version] [partial] (10 pages)   | 00/00/0000            | P1/b(1) v2                     |

**COLLECTION:**

Clinton Presidential Records  
 NSC Records Management  
 [Haiti and Memcon ...]  
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**FOLDER TITLE:**

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**RESTRICTION CODES**

Presidential Records Act - [44 U.S.C. 2204(a)]

Freedom of Information Act - [5 U.S.C. 552(b)]

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- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

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- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
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- C. Closed in accordance with restrictions contained in donor's deed of gift.
- PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).
- RR. Document will be reviewed upon request.

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OL.

✓ 1) I'm following up  
on drugs w/  
Phil

✓ 2) I will raise  
airborne incidents  
again. Was no  
interest before.  
I'll talk to  
Swing. (A)

#1 and #3 on hold  
(other good - but concerned  
about doing it right  
can UN get counter  
info going thru the radio options  
you outlined on page 2

SRB

TO: PRESIDENT

FROM: LAKE

DOC DATE: 18 OCT 93  
SOURCE REF:

KEYWORDS: HAITI

PERSONS:

SUBJECT: HAITI STRATEGIC OPTIONS

ACTION: NOTED BY PRES

DUE DATE: 20 OCT 93 STATUS: C

STAFF OFFICER: FEINBERG

LOGREF:

FILES: PA

NSCP:

CODES:

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FOR ACTION

FOR CONCURRENCE

FOR INFO  
FEINBERG  
NSC CHRON  
ROSSIN

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E.O. 13526  
White House Guidelines, May 16, 2017  
By AS/NARA, Date 8/19/2019  
2013-0122-M

COMMENTS: \_\_\_\_\_  
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ACTION DATA SUMMARY REPORT

DOC ACTION OFFICER

CAO ASSIGNED ACTION REQUIRED

001 ROSSIN  
001 LAKE  
001 LAKE  
002 PRESIDENT  
002

Z 93101618 FOR FURTHER ACTION  
Z 93101811 FWD TO PRES FOR INFORMATION  
Z 93101819 FWD TO PRES FOR INFORMATION  
Z 93110308 FOR INFORMATION  
X 93110308 NOTED BY PRES

National Security Council  
The White House

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| DepExecSec                                      | <u>1</u>    | <u>hall</u>   |             |
| ExecSec   |             |               |             |
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| D/APNSA   | <u>3</u>    | <u>sdh</u>    |             |
| APNSA   | <u>4</u>    | <u>DL</u>     |             |
| <del>Kennedy</del><br><del>Situation Room</del> | <u>5</u>    | <u>W</u>      | <u>FYI</u>  |
| West Wing Desk                                  | <u>6</u>    | <u>W/W 14</u> | <u>N</u>    |
| NSC Secretariat                                 | <u>7</u>    |               | <u>N/R</u>  |
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cc: VP    McLarty    Other \_\_\_\_\_

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(Date/Time)

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National Security Council  
The White House

10/18 Rec'd  
7:45pm  
Jul

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| W DepExecSec    |             |                                      |             |
| ExecSec         | 1           | <u>VF</u>                            |             |
| Staff Director  | 2           | <u>✓</u>                             |             |
| D/APNSA         | 3           | <b>Natl Sec Advisor<br/>has seen</b> |             |
| APNSA           |             |                                      |             |
| Situation Room  |             |                                      |             |
| West Wing Desk  | 4           | <u>AK 10/18</u>                      | <u>AKS</u>  |
| NSC Secretariat |             |                                      |             |
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cc:            VP                            McLarty                            Other \_\_\_\_\_

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(Date/Time)

COMMENTS:

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*Exec Sec's Office has deleted*

**National Security Council  
The White House**

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| <i>He</i> DepExecSec | <u>1</u>    | <i>He</i> |             |
| ExecSec              |             |           |             |
| Staff Director       | <u>2</u>    |           |             |
| D/APNSA              |             |           |             |
| APNSA                |             |           |             |
| Situation Room       |             |           |             |
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| NSC Secretariat      |             |           |             |
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cc:            VP                            McLarty                            Other \_\_\_\_\_

Should be seen by: \_\_\_\_\_  
(Date/Time)

COMMENTS:

DISPATCH INSTRUCTIONS:

*Exec Sec has distributed*

MR. President:

Helpful, constructive meetings -  
(and need)

But what do you want to achieve this morning? What is our objective this morning?

Point is timeframe and your schedule today.

In my view, we need to conclude this meeting ~~by~~ no later than 10:00, 9:30 if possible and then outline next sequence of steps

Press START re: foreign policy crushes our domestic agenda. Thus, the BASIS for my above points re: your schedule and concluding this meeting in a <sup>way</sup> ~~manner~~ you want and being clear about next steps re: Haiti

Your thoughts?

Respectfully —  
Moif

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| DOCUMENT NO.<br>AND TYPE | SUBJECT/TITLE  | DATE       | RESTRICTION |
|--------------------------|--|------------|-------------|
| 001b. memo               | To: POTUS; From: Anthony Lake; Re: Haiti: Strategic Options [with annotations] [partial] (4 pages) | 10/18/1993 | P1/b(1)     |

## COLLECTION:

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NSC Records Management  
[Haiti and Memcon ...]  
OA/Box Number: 167

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sb2501

## RESTRICTION CODES

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THE PRESIDENT HAS SEEN 10/27

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Per E.O. 13526  
VZ 10/08/2019 (1.28)  
2013-0122-M

THE WHITE HOUSE  
WASHINGTON

October 18, 1993

INFORMATION

MEMORANDUM FOR THE PRESIDENT

FROM: ANTHONY LAKE *lake*  
SUBJECT: Haiti: Strategic Options

As you requested in Friday morning's discussion of Haiti options, this paper lays out two strategic options -- intensified pressure and unilateral military intervention -- our objectives, the course of action we would follow and the anticipated best- and worst-case outcomes. A third option, peacekeeping/peacemaking, is also briefly discussed.

OPTION I: INTENSIFIED PRESSURE

Objectives

To intensify pressure on the Haitian military leaders to complete the Governors Island process -- or some modified version thereof -- and acquiesce in the restoration of democracy and return of President Aristide to Haiti. To prop up the Malval government and keep open the possibility of reinitiating multilateral diplomacy aimed at Aristide's return. To avert a mass migrant exodus. To safeguard American and allied lives via permissive or non-permissive evacuation.

Course of Action

Intensify pressures to shift the psychological balance toward the Aristide/Malval government and to persuade the Haitian military leadership (especially Cedras and Francois) to complete the essential elements of the Governors Island process by:

- Possible augmentation of U.S. and other states' military presence (but without tilting toward military intervention) by deployment of more security guards to the Embassy, more ships to offshore patrol, more troops in standby status to Guantanamo Bay or Roosevelt Roads, overflights.
- Press for broadened UN sanctions under Chapter VII (e.g., amplified trade embargo to include more items, worldwide freeze of personal assets of

*Handwritten notes:*  
18 P10  
Haiti  
The President has seen 10/27  
Haiti - you want  
to get good - but...  
Can we...  
The...  
M...

~~SECRET~~

Declassify on: OADR

cc: Vice President  
Chief of Staff

CLINTON LIBRARY PHOTOCOPY

military and supporters) with strong enforcement provisions.

- Impose a tightened bilateral sanctions program to augment our broadened SDN (Specially Designated National) program by instituting expanded customs inspections of Haitians and reduced non-immigrant visa issuance at the Embassy in Port-au-Prince.

To further the diplomatic track in the context of these intensified pressures:

- Demonstrate support for Malval government. Consider securing the safety of Malval, his cabinet, and possibly key government buildings with a protective security force provided under UN/OAS and/or private auspices. If U.S. soldiers do not participate we would have to provide financial resources and/or logistical support. Use on-going bilateral aid programs to fortify Malval cabinet.

EO 13526 1.4c, EO 13526 1.4d

To cope with a deteriorating security environment and to secure in-country refugee screening:

- If the security situation deteriorates further, draw down the official U.S. presence. Offer to evacuate, in a permissive or non-permissive environment, private American and allied nationals. Only consider evacuating members of the Malval government -- who we wish to remain on scene to represent legitimate authority and be available for eventual negotiations -- if their continued presence in-country is life-threatening.
- Increase humanitarian aid to offset the adverse effects of the embargo on the poor.
- Provide security protection to the three in-country refugee processing centers.

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Best-Case Outcome

- Combination of sanctions, psychological pressure and activities [EO 13526 1.4c] leads to replacement of the current military leadership and disciplining of renegade military and civilian elements by a faction willing to cooperate with Malval and accept the negotiated return of President Aristide.
- Humanitarian assistance, retention of in-country refugee processing capability, continuing and credible commitment to Aristide's return and firm maintenance of direct return policy limit refugee outflow.
- Aristide returns to Haiti and adopts a reconciliation policy, actively discouraging vengeance by his supporters. UN-led reorientation and training of Haitian military and police subordinate them to civilian control. Malval and other transitional moderates grow in strength, laying the foundation for a stabilizing centrist victory in the late 1995 elections.
- The planned international economic and security assistance programs to the restored constitutional government proceed, probably requiring additional funding to compensate for damage caused by sanctions.

Worst-Case Outcome

- The current military leadership defies sanctions and ignores or derides the psychological pressure while increasing repression and violence drastically to cow Aristide's supporters and to destroy the Malval cabinet. As the situation tightens, military control frays and violence from rightist (e.g. Duvalist) elements increase. Having outlasted international sanctions over the last two years and during the early Duvalier era, the Haitian rightists and military gamble on outlasting us again. Aristide remains in exile.
- Harsher sanctions further impoverish the Haitian economy, requiring significantly increased international humanitarian (including U.S.) assistance. However, to weaken international support for the sanctions, the military blocks humanitarian relief to the poor.
- Economic privation and political repression increase dramatically producing wrenching TV images and domestic and international criticism of U.S.
- A mass migrant exodus develops. Systematic human rights violations politically preclude or physically overwhelm a policy of direct return; or the Haitian military bars repatriations in retaliation for our pressure. Refugee crisis in southern Florida and at Guantanamo.

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- If we attempt to maintain direct return through a reinforced flotilla of naval vessels, black leaders and human rights groups will criticize our dual standard regarding Haitian versus Cuban refugees.
- Deteriorating conditions lead to hunger, bloodshed and anarchy, leaving the U.S. with three choices: endless sanctions a la Cuba; lifting of sanctions with admission of diplomatic failure; or humanitarian military intervention.

OPTION II:      MILITARY INTERVENTION

Objectives

To protect American citizens in Haiti. To prevent the development of conditions that would cause a mass migrant exodus. To neutralize the Haitian military and "attaches" and put an end to the brutality. To bring about President Aristide's return and the establishment of a durable constitutional government fostering national reconciliation and reconstruction, while avoiding taking over the administration of Haiti ourselves.

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Course of Action

Phase I: The Intervention

EO 13526 1.4c, EO 13526 1.4d

- Prepare security and evacuation contingency plans for Embassy and U.S. official and private citizens as well as eligible third-country nationals and Malval government officials. Execute as the situation warrants.
- Military intervention at Aristide's prior invitation utilizing overwhelming force. Expulsion or detention of military and armed civilian leaders for handover to legitimate Haitian authorities. Disarm military, police and "attaches."
- Aggressive diplomatic campaign in cooperation with President Aristide to garner ex post international endorsement of the intervention and commitments to join in multilateral economic and security assistance to Aristide's reinstalled government. Preparation and dissemination of international law justification for our action. Prepositioned tailored demarches to key multilateral organizations (UN, OAS) and individual countries (France, Canada,

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Venezuela, Dominican Republic, Russia, China, Latin Americans, Caribbeans).

- Prepositioned approaches to UN High Commissioner for Refugees and International Committee of the Red Cross to assist in and monitor handling of displaced persons and detainees respectively.

Phase II: Consolidation

- Provision of political advice to Aristide to announce upon his return the broadening of his cabinet in order to underscore his commitment to reconciliation while improving the caliber of his ministers. Insistence that Aristide publicly discourage vengeance attacks by his supporters. Denial of political power base to violence-prone Duvalierist or Lavalas elements.
- Strong support for Malval and his cabinet to keep public administration under Haitian direction. Avoid reality and impression of U.S. take-over.
- Commitment for the long term of international technical assistance to overhaul thoroughly state institutions and professionalize the civil service. Creation of a Technical Assistance Unit of 100 foreign professionals to design programs and train Haitians. UNDP-led effort to attract Haitian expatriates to return home.
- Implementation of a development strategy led by the international financial institutions (IFIs) which stabilizes fiscal policy, stimulates the private sector, immediately creates 200,000 jobs, provides basic social services to the populous Port-au-Prince slums and begins to reclaim the environment. (U.S. Contribution: \$50 - \$100 million per year, the lion's share of the resources coming from the IFIs and other donors.)
- Utilization of security and economic assistance funds to restructure and professionalize the existing Haitian armed forces and, under UN/OAS management, establish and develop a civilian police force meeting the criteria and missions established in the Haitian Constitution. Ensure rigorous screening of armed forces and police personnel for human rights criteria. Estimated time to completion: 18-24 months.

Phase III: Exit Strategy

- Drawdown of major combatant elements of intervention force once hostilities have ceased, key military and civilian "attache" leaders have been detained by

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Haitian authorities and we are satisfied that "ti soldats" and "attaches" have been disarmed and neutralized. Seek to convert U.S.-led mission to formal UN/OAS operation (resurrected UNMIH) with international military and police participation. Retention of stay-behind elements (military police, quick reaction teams, psyops unit, trainers and support personnel).

- Withdrawal of our longer-term military presence and reversion to normal security assistance relationship when the elected civilian government is determined to be exercising effective control of the national territory with competent and adequately-sized armed and police forces responding to the authority of the constitutional government. Estimated date of final withdrawal: Following inauguration of new democratically-elected President in early 1996.

Best-Case Outcome

- U.S. national interests are protected: U.S. citizens are safeguarded, mass migrant exodus is forestalled and democratic government led by President Aristide is restored.
- Military intervention presents few technical challenges and is likely to generate no more than several hundred Haitian civilian and military and U.S. military casualties with low collateral damage (JCS assessment). The Haitian military and police mostly refuse to fight in the face of overwhelming force. Cut off from their sources of funding and organization and rapidly disarmed, the "attaches" fade into the civilian population. Most military, police and "attache" leaders are quickly apprehended.
- The above accomplished, U.S. forces can be drawn down to a few thousand within two months. The U.S.-led mission is converted to a UN/OAS operation with international participation, permitting additional withdrawals of U.S. forces.
- Responding to our strong presence and advice, Aristide stresses reconciliation and fosters recovery by appointing a new, broad-based cabinet and cooperating with the private sector. Haiti's economic deterioration is reversed and foreign investment joins high-profile multilateral financing to create new jobs and new hope for Haitians. Significant U.S. and international commitment and influence generate solid short-term improvement in Haitian domestic situation, though degree of lasting amelioration of ingrained Haitian social and political ills may be more limited.

- Initial international criticism or reticence fades in the light of Aristide's backing and the evident successful application of force to laudable ends. U.S. credibility as defender of democracy and human rights is enhanced. The UN and OAS are strengthened through the timely application of this stick to back up multilateral diplomacy. Anti-democratic elements throughout the hemisphere are intimidated.

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|---------------|
| EO 13526 1.4d |
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Worst-Case Outcome

- Initial combat in urban areas causes higher-than-anticipated U.S. military casualties and inflicts significant Haitian civilian casualties and collateral damage.
- Once we have taken control of the country, soldiers and armed civilians regroup and resort to gradually escalating hit-and-run attacks and terrorism against U.S. forces and civilians.
- Aristide stimulates or fails to control popular violence against his adversaries. Internecine warfare with U.S. troops and officials caught in middle. Exit strategy impossible to achieve requiring prolonged U.S. occupation backed by significant military forces -- or Aristide himself asks American forces to leave Haiti without mission having been completed.
- Aristide undercuts moderates in the government, blocks sound economic and administrative reforms, and polarizes politics.
- Instability renders economic assistance infeasible and kills new private investment. Efforts to reform the corrupt Haitian state prove fruitless.
- Harsh international and domestic criticism of Administration for ill-advised and ineffective intervention and for the violence and economic hardship which result. Public and Congressional pressure forces withdrawal of U.S. forces leaving situation worse than before intervention with U.S. influence exhausted.
- Credibility of U.S. commitment to multilateralism and ability to apply force to protect its and UN interests is severely undermined, emboldening anti-U.S. elements globally.
- Even if the intervention succeeds in Haiti, Congress fails to support it or supports it only narrowly after a divisive debate.

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OPTION III: PEACEKEEPING/PEACEMAKING FORCE

\* A more robust version of Option 1 would include a UN-authorized peacekeeping/peacemaking force whose mission would be not only to protect the Malval government but also to disarm "attaches" and generally maintain public order and safety in a permissive or non-permissive environment. This force would require Aristide's approval. If U.S. forces did not participate we would still have to provide logistical and financial support. This UN force would be intended to create conditions enabling the fulfillment of the Governors Island process.

- In the best-case outcome, the addition of this UN force would provide the Governors Island process with the firepower it needs to psychologically counteract and physically repress the violence of the anti-democratic forces. With this UN security shield, the political transition process could advance rapidly.
- In the worst-case outcome, the UN force would meet with mounting resistance. U.S. and international public opinion would dictate withdrawal, leaving anti-democratic elements in total control of Haiti.

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OPTIONS PAPER: HAITI

U.S. Interests

The United States has several vital interests in Haiti:

- The protection of approximately 10,000 American citizens residing in Haiti.
- The prevention of a mass exodus of boat people.
- The restoration of democracy in Haiti, and the positive reinforcement that would give to democratic forces throughout Latin America and the Caribbean.
- An outcome to the crisis that enhances American influence and credibility in the world.

Current U.S. Policy

Current U.S. policy is to reimpose UN/OAS sanctions and targeted unilateral sanctions (lifting visas and freezing assets) in order to persuade the military to honor the Governors Island accords and permit the return of President Aristide by October 30. To this end:

- We are drafting a UN resolution that would permit the U.S. to enforce the oil embargo.
- Ambassador Pezzullo is in Port-au-Prince to consult with Malval, Caputo and others.
- We are making phone calls and issuing statements of strong support for the Aristide/Malval government and condemnation of the military-linked violence.
- We will resume deployment of the Seabees when conditions permit.

But the Haitian military appears unwilling to complete the Governors Island Agreement and has seized the psychological advantage through a campaign of assassination and terror. The Malval government is immobilized and could resign at any time. The situation is unraveling rapidly, leading possibly to a naked military dictatorship, withdrawal of the UN presence, and the failure of American and multilateral diplomacy.

Psychological Reinforcement

In order to reassert U.S. resolve, help the Malval government regain the initiative, and persuade the Haitian military to complete the Governors Island agreement, we could take measures such as:

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E.O. 13526, Sec. 3.5 (b)  
White House Guidelines, September 11, 2006  
By: [redacted] NARA, Date 10/8/2015  
2013-0122-M (1.27)

- In the economic area, we could seek a UN resolution expanding the scope of the embargo to include all goods except those for humanitarian purposes; cease the issuance of U.S. visas; restrict air travel.
- Initiate a psychological campaign to intimidate the military (speeches and phone calls by senior U.S. officials; media broadcasts and leafletting in Haiti).
- A visit by a very senior U.S. delegation to meet with the High Command; to attend Malary's funeral.
- Redeploy the LST, perhaps augmented with more heavily armed soldiers and accompanied by destroyers and/or other ships with dual capacity (evacuation and intervention). Include ships from other nations if possible.
- Place U.S. troops on alert and publicize the decision.
- Order overflights.

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LST's  
LST's*

The latter three sabre-rattling measures, if unheeded, might seem to prejudice U.S. policy toward military intervention. However, they could also be justified as precautionary measures preliminary to a noncombatant evacuation.

If these reinforcement measures succeed, they allow us to conclude the Governors Island process with minimal expenditure of resources. If they fail, the Administration's credibility will have been further damaged and we will be faced with a fork in the road: seek to isolate Haiti and be prepared to evacuate American citizens, UN personnel, and officials of the Malval government; or full-scale military intervention followed by a long-term commitment to nation-building.

OPTION I: ISOLATION

**Mission:** To maintain pressure on the Haitian military to relinquish power; to leave open the possibilities for the reinitiation of multilateral diplomacy; to safeguard American and allied lives via evacuation.

- Means:**
- Maintain, enforce and possibly harden multilateral economic sanctions. Possible imposition of visible naval blockade.
  - Evacuation (whether permissive or non-permissive) of most official Americans (leaving essential personnel) and interested private residents, UN personnel, and members of the Malval government, with the introduction of American forces as required to protect this specific mission.

-- Continuous diplomatic support for President Aristide. Reinitiation of negotiations with the Haitian military should they demonstrate new flexibility.

- PROs:
- A. Protects American and allied lives at least risk to U.S. military personnel.
  - B. Keeps U.S. policy within U.N. and OAS framework and does not close diplomatic option.
  - C. Avoids potentially controversial and costly foreign policy initiative.
- CONS:
- A. Likely to result in massive exodus of boat people with plausible claims for political asylum.
  - B. Will be perceived as a failure of American diplomacy and will weaken our capacity to support democracy elsewhere.
  - C. Economic sanctions work slowly at best, hit the poor hardest, and are ill-suited to prevent political violence or the impending collapse of the Malval government.
  - D. Leaves the Administration with a political albatross. Congressional Black Caucus and Florida delegation would be especially critical.
  - E. Evacuation could prove difficult and dangerous, due to large numbers of dual nationals, physical characteristics of Port-au-Prince, and possible non-permissive environment.
  - F. Unclear that Aristide could rule in still ambiguous security environment.

OPTION II: UNILATERAL MILITARY INTERVENTION

**Mission:** To protect American citizens in Haiti. To prevent the development of conditions that would cause a migrant exodus. To neutralize the Haitian military and "attaches" and put an end to the brutal violence. To bring about President Aristide's return and the establishment of a durable constitutional government fostering national reconciliation and reconstruction, while avoiding taking over administration of Haiti ourselves.

**Means:** -- Unilateral military intervention at Aristide's prior invitation utilizing overwhelming force. Rapid drawdown to stay-behind security force once military and "attaches" neutralized. Further

phased withdrawals as new Haitian security institutions develop.

-- Aggressive diplomatic and public diplomacy campaign in cooperation with President Aristide to win international, domestic and internal Haitian backing.

-- Utilization of economic assistance funds to help Aristide government foster national recovery.

-- Utilization of military and economic assistance funds to create a new security force.

-- Promotion of international technical assistance to help Haiti develop democratic state institutions and professional government servants.

PROs:

- A. Ends threat of violence and chaos threatening Americans living in Haiti as well as innocent Haitians. (Could be coupled with temporary evacuation as necessary.)
- B. Demonstrates that America's commitment to democracy is unyielding; sends a powerful message to anti-democrats around the world. Will enhance U.S. credibility worldwide by demonstrating our willingness to use force to defend vital interests.
- C. Assuming quick success, could enhance Congressional and public support for Administration foreign policy objectives. Likely to enjoy strong backing among African-Americans who believe U.S. foreign policy remains Eurocentric.
- D. Breaks the cycle of insincere military tactical concessions punctuated by defiance of the international community which has prevailed since Duvalier's ouster and which shows every sign of persisting indefinitely. Puts an end to Haiti's status as a perpetual foreign policy sore point for the United States.
- E. Is the only way we are likely to succeed in fulfilling the President's commitment to restore Haitian democracy and return President Aristide to office.
- F. Gives us the leverage over Aristide and the Haitian government to carry out fundamental institutional reconstruction and economic

reform without which Haiti will never emerge from the dire poverty which produces the migrant threat.

- CONS:
- A. Risks lives of American soldiers, of American citizen residents and of innocent Haitians caught in crossfire.
  - B. Outside the Latin American and Caribbean region there would be strong criticism, with France most likely to voice direct opposition. However, with a clear request from President Aristide for U.S. intervention, criticism from Latin America and the Caribbean would be rather muted with Mexico and Brazil most critical.
  - C. Possibility that Haitian army and "attache" elements and radical nationalists may engage in hit-and-run attacks on American soldiers.
  - D. Makes us dependent on Aristide's willingness and ability to work with us to sell the intervention and to reconcile and rebuild his country; past record justifies skepticism. Aristide also says he has a constitutional impediment to calling for intervention, though he favors it personally. He possibly can be brought around.
  - E. Requires commitment to extended presence to rebuild Haiti's government and economic structures virtually from the ground up.
  - F. Requires significant bilateral and multilateral assistance funds.
  - G. Aristide's request for U.S. action, even if made, is likely to be ambiguous, for his own domestic political reasons.
  - H. In the wake of the Somalia debate, there are likely to be many in Congress and public who will claim that military action is being used to cover diplomatic failure.

Mission duration is difficult to predict. Assuming that the application of overwhelming force quickly neutralizes the Haitian military, we would be able rapidly to withdraw most of our troops. A sizeable force, however, would need to remain until the new Haitian security forces were constructed and some presence might possibly be needed through the 1995 election or until a new President was inaugurated in early 1996. We could, however, seek to replace some U.S. forces with those of other nations.

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The exit scenario is relatively clear: The U.S. mission will have been achieved when the civilian elected government has been restored to power and is exercising effective control of the national territory with police and armed forces under civilian control.

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1. Military options
  - immediate measures
  - evacuation
  - implementing embargo/containment
  - option 2
2. Options
3. Congressional and public strategy

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October 14, 1993  
8:32 a.m.

AMENDMENT NO. \_\_\_\_\_

Calendar No. \_\_\_\_\_

Purpose: To provide prohibit funding for the deployment of United States Armed Forces in Haiti.

IN THE SENATE OF THE UNITED STATES -- 103 Cong., 1st Sess.

H.R. 3116

Making appropriations for the Department of Defense for the fiscal year ending September 30, 1994, and for other purposes.

Referred to the Committee on \_\_\_\_\_  
and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be offered by Mr. Dole, Mr. \_\_\_\_\_ to the Committee amendment

Viz:

On page 157, after the committee amendment ending on line 9, insert the following:

1 SEC. \_\_\_\_ . PROHIBITION ON THE USE OF FUNDS FOR UNITED STATES  
2 MILITARY OPERATIONS IN HAITI.

3 (a) PROHIBITION.---Funds appropriated under this Act may not  
4 be obligated or expended for United State military operations in  
5 or over Haiti unless--

6 (1) authorized in advance by the Congress; or

7 (2) the President transmits to the Congress a

8 certification pursuant to subsection (b), along

9 with a written justification for such

10 certification.

11 (b) CERTIFICATION.---The prohibition of subsection (a) shall  
12 not apply if the President certifies to Congress that--

13 (1) the temporary deployment of United States Armed

1 Forces into or over Haiti is necessary in order to  
2 evacuate United States citizens from a situation  
3 of imminent danger;

4 (2) the deployment of United States Armed Forces into  
5 or over Haiti is vital to the national security  
6 interests of the United States and there is not  
7 sufficient time to seek and receive Congressional  
8 authorization; or

9 (3) the deployment of United States Armed Forces into  
10 or over Haiti--

11 (A) is justified by U.S. national security  
12 interests;

13 (B) is justified due to the presence of a real  
14 threat to international peace;

15 (C) will be undertaken only after ensuring all  
16 necessary steps have been taken to guarantee  
17 the security of U.S. Armed Forces, including  
18 steps to ensure that U.S. Armed Forces will  
19 not become targets;

20 (D) will be undertaken only after an assessment  
21 that the proposed mission and objectives of  
22 U.S. Armed Forces cannot be performed by  
23 civilian personnel or armed forces from other  
24 nations;

25 (E) will be undertaken only after clear  
26 objectives for the deployment are

1 established;

2 (F) will be undertaken only after an end point  
3 for the deployment has been identified; and

4 (G) will be undertaken only after the costs of  
5 the deployment are calculated.

6 (c) DEFINITION.---As used in this section, the term "United  
7 States military operations in or over Haiti" means the continued  
8 deployment, introduction or reintroduction of United States Armed  
9 Forces into the territory, airspace or waters of Haiti,  
10 irrespective of whether those Armed Forces are under United  
11 States or United Nations command, but does not include activities  
12 for the collection of foreign intelligence, activities directly  
13 related to the operations of U.S. diplomatic facilities, or  
14 operations of the United States Coast Guard to counter illegal  
15 immigration.

October 14, 1993  
9:32 a.m.

AMENDMENT NO. \_\_\_\_\_

Calendar No. \_\_\_\_\_

Purpose: To provide restrict funding for United States Armed Forces in Bosnia-Herzegovina.

IN THE SENATE OF THE UNITED STATES -- 103 Cong., 1st Sess.

H.R. 3116

Making appropriations for the Department of Defense for the fiscal year ending September 30, 1994, and for other purposes.

Referred to the Committee on \_\_\_\_\_  
and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be offered by Mr. Dole, \_\_\_\_\_ to the Committee amendment

Viz:

At the end of the Committee amendment on page 157, after line 9, insert the following:

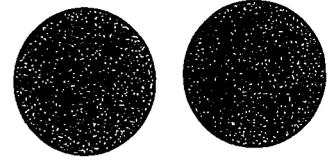
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Sec. \_\_\_\_\_ (a) None of the funds appropriated under this Act may be available for the purposes of deploying United States Armed Forces to participate in the implementation of a peace settlement in Bosnia-Herzegovina, unless previously authorized by the Congress.

(b) Provided that the limitation set forth in subsection (a) shall not preclude the provision of any humanitarian assistance by the Department of Defense.

NATIONAL SECURITY COUNCIL  
WASHINGTON, D.C. 20506

October 18, 1993



ACTION

MEMORANDUM FOR ANTHONY LAKE

THROUGH: RICHARD E. FEINBERG *RF*  
FROM: LAWRENCE ROSSIN *LR*  
SUBJECT: Haiti Strategic Options

On Friday morning the President requested an amplified discussion of Haiti options, including more information on alternative courses of action and anticipated best-and worst-case outcomes. The proposed Memorandum to the President at Tab I responds to the President's request. It has been coordinated with State, JCS and OSD and incorporates their thinking.

RECOMMENDATION

That you sign the Memorandum for the President at Tab I.

Approve *LR* Disapprove \_\_\_\_\_

Attachment  
Tab I Memorandum for the President

DECLASSIFIED  
E.O. 13526  
White House Guidelines, May 16, 2017  
By *LR* NARA, Date *10/8/2017*  
*2013-0122-14*

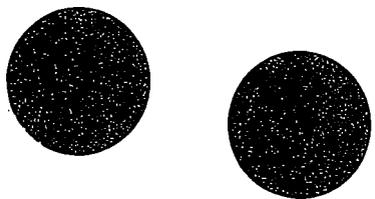
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8031 *Redo*

NATIONAL SECURITY COUNCIL  
WASHINGTON, D.C. 20506

October 16, 1993



ACTION

MEMORANDUM FOR ANTHONY LAKE

THROUGH: RICHARD E. FEINBERG *RF*

FROM: LAWRENCE G. ROSSIN *LR*

SUBJECT: Haiti Options Paper

On Friday morning the President requested an amplified discussion of Haiti options, including more information on alternative courses of action and anticipated best- and worst-case outcomes. The proposed Memorandum to the President at Tab I responds to the President's request. It has been coordinated with State ~~and~~ JCS *and OSD* and incorporates their thinking.

RECOMMENDATION

That you sign the Memorandum to the President at Tab I.

Attachments

Tab I Memorandum to the President

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Declassify on: OADR CLINTON

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PHOTOCOPY

DECLASSIFIED  
E.O. 13526  
White House Guidelines, May 16, 2017  
BY NARA, Date 10/8/2014  
2013-0127-12

# Withdrawal/Redaction Marker

## Clinton Library

| DOCUMENT NO.<br>AND TYPE | SUBJECT/TITLE   | DATE       | RESTRICTION |
|--------------------------|---|------------|-------------|
| 002c. memo               | Duplicate of 001b [draft version] [partial] (3 pages) | 00/00/0000 | P1/b(1)     |

### COLLECTION:

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NSC Records Management  
[Haiti and Memcon ...]  
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### FOLDER TITLE:

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2013-0122-M  
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### RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

Freedom of Information Act - [5 U.S.C. 552(b)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

CC. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C.

22e-1(3).

RR. Document will be reviewed upon request.

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THE WHITE HOUSE  
WASHINGTON

INFORMATION

MEMORANDUM FOR THE PRESIDENT

FROM: ANTHONY LAKE

SUBJECT: Haiti: Strategic Options

Declassified in Part  
Per E.O. 13526  
VZ 10/08/2019  
2013-0122-M

As you requested in Friday morning's discussion of Haiti options, this paper lays out for each strategic option -- intensified pressure and unilateral military intervention -- our objectives, the course of action we would follow and the anticipated best- and worst-case outcomes.

OPTION I: INTENSIFIED PRESSURE

Objectives

To intensify pressure on the Haitian military leaders to relinquish power and acquiesce in the restoration of democracy and return of President Aristide to Haiti. To prop up the Malval government and keep open the possibility of reinitiating multilateral diplomacy aimed at Aristide's return. To avert a mass migrant exodus. To safeguard American and allied lives via permissive or non-permissive evacuation.

Course of Action

1. Possible augmentation of U.S. and other states' military presence (but without tilting toward military intervention) by deployment of more security guards to the Embassy, more ships to offshore patrol, more troops in standby status to Guantanamo Bay or Roosevelt Roads, overflights.
2. Consider securing the safety of Malval, his cabinet, and key government buildings with ~~guards~~ <sup>(a government protective unit security)</sup> provided under UN/OAS or private auspices. ~~Possibly with U.S. funding.~~
3. Press for broadened UN sanctions under Chapter VII (e.g., amplified trade embargo to include more items, worldwide freeze of personal assets of military and supporters) with strong enforcement provisions.
4. Impose a tightened bilateral sanctions program including

*(possibly)  
This could be undertaken w/o or without US force participation*

a broadened SDN (Specially Designated National) program, expanded customs inspections of Haitians and a near-cessation of visa issuance at the Embassy in Port-au-Prince.

why not announce both multilateral Haitian reconstruction fund, conditioned on return to democracy

[Redacted]

EO 13526 1.4c, EO 13526 1.4d

also need int. diplomatic dimension, i.e. efforts by UN, working with this governing environment, etc.

(b)(1)

Best-Case Outcome

- Combination of sanctions, psychological pressure and activities [EO 13526 1.4c] lead to replacement of the current military leadership and disciplining of renegade military and civilian elements by a faction willing to achieve the negotiated return of President Aristide and to support the constitutional government once he is back.
- Humanitarian assistance, retention of in-country refugee processing capability and maintenance of direct return policy limit economic privation. Migrant exodus is deterred and international and domestic support for this policy maintained in spite of sanctions' bite.
- Aristide returns to Haiti within a few months and adopts a reconciliation policy, actively discouraging vengeance by his supporters. Melval, a other similar moderate provides transitional base
- The planned international economic and security assistance programs to the restored constitutional government proceed, probably requiring additional funding to compensate for additional economic deterioration during the time of extended sanctions.

force François Cedras out; with some shift in power-balance and protection for Melval's elements of army force able to move toward Melval

to isolate behind Melval and

Worst-Case Outcome

*and violence*

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- The current military leadership defies sanctions and ignores or derides the psychological pressure while increasing repression drastically to cow Aristide's supporters and to destroy the Malval cabinet. Activities under the finding prove to be too little, too late. Having outlasted international sanctions over the last two years and during the early Duvalier era, the Haitian rightists and military gamble on outlasting us again. Aristide remains in exile.
- Harsher sanctions further impoverish the Haitian economy, requiring significantly increased international humanitarian (including U.S.) assistance. However, to weaken international support for the sanctions, the military blocks humanitarian relief to the poor.
- Economic privation and political repression increase dramatically producing wrenching TV images and domestic and international criticism of U.S. ineptness and inaction.
- A new migrant exodus develops. Systematic human rights violations preclude a policy of direct returns; or the Haitian military bars repatriations in retaliation for our pressure.

*-- criticism from black leaders of dual Haiti v. Cuba on refugees*

- Deteriorating conditions lead to hunger, bloodshed and anarchy, leaving the U.S. with three choices: endless sanctions a la Cuba; lifting of sanctions with admission of diplomatic failure; or humanitarian military intervention.

*need to flesh out options if refugees flood, is it (can) justify action in coming and processing absent or domestic impact of non-intervention*

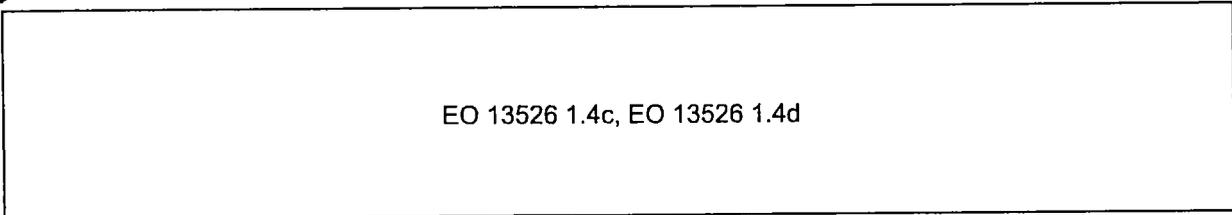
*What about multilateral, a la P.G., is US-led & but internationally authorized*

OPTION II: UNILATERAL MILITARY INTERVENTION

Objectives

To protect American citizens in Haiti. To prevent the development of conditions that would cause a mass migrant exodus. To neutralize the Haitian military and "attaches" and put an end to the brutality. To bring about President Aristide's return and the establishment of a durable constitutional government fostering national reconciliation and reconstruction, while avoiding taking over the administration of Haiti ourselves.

Course of Action



EO 13526 1.4c, EO 13526 1.4d

2. Prepare security and evacuation contingency plans for

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Embassy and U.S. official and private citizens as well as eligible third-country nationals and Malval government officials.

3. Unilateral military intervention at Aristide's <sup>and Malval's</sup> prior invitation utilizing overwhelming force. Detention of military and armed civilian leaders for handover to legitimate Haitian authorities. Disarm military, police and "attaches."
4. Aggressive diplomatic campaign in cooperation with President Aristide to garner ex poste international endorsement of the intervention and commitments to join in multilateral economic and security assistance to Aristide's reinstalled government. Preparation and dissemination of international law justification for our action. Prepositioned tailored demarches to key multilateral organizations (UN, OAS) and individual countries (France, Canada, Venezuela, Dominican Republic, Russia, China, Latin Americans, Caribbeans).
5. Prepositioned approaches to UN High Commissioner for Refugees and International Committee of the Red Cross to assist in and monitor handling of displaced persons and detainees respectively.
6. Provision of political advice to Aristide to announce upon his return the broadening of his cabinet in order to underscore his commitment to reconciliation while improving the caliber of his ministers. Insistence that Aristide publicly discourage vengeance attacks by his supporters in the middle of which our forces might be caught. Denial of political power base to violence-prone Duvalierist or Lavalas elements.
7. Drawdown of major combatant elements of intervention force once hostilities have ceased, key military and civilian "attache" leaders have been detained, and we are satisfied that "ti soldats" and "attaches" have been disarmed and neutralized. Seek to convert U.S.-led mission to UN/OAS operation (resurrected UNMIH) with international military and police participation. Retention of stay-behind elements (military police, quick reaction teams, psyops unit, trainers and support personnel).
8. Implement a development strategy led by the international financial institutions which stabilizes fiscal policy, stimulates the private sector, immediately creates 200,000 jobs, provides basic social services to the populous Port-au-Prince slums and begins to reclaim the environment. (U.S. Contribution: \$50 - \$100 million per year.)
9. Commitment for the long term of international technical assistance to overhaul thoroughly state institutions and

First or  
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Francis  
&  
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professionalize the civil service. Creation of a Technical Assistance Unit of 100 foreign professionals to design programs and train Haitians. UNDP-led effort to attract Haitian expatriates to return home.

- 10. Utilization of security and economic assistance funds to restructure and professionalize the existing Haitian armed forces and, under UN/OAS management, establish and develop a civilian police force meeting the criteria and missions established in the Haitian Constitution. Ensure rigorous screening of armed forces and police personnel for human rights criteria. Estimated time to completion: 18-24 months.
- 11. Withdrawal of our longer-term military presence and reversion to normal security assistance relationship when the elected civilian government is determined to be exercising effective control of the national territory with competent and adequately-sized armed and police forces responding to the authority of the constitutional government. Estimated date of final withdrawal: Following inauguration of new democratically-elected President in early 1996.

Best-Case Outcome

- ~~Vital~~ <sup>national</sup> U.S. interests are protected: U.S. citizens are safeguarded, mass migrant exodus is forestalled and democratic government led by President Aristide is restored.
- Military intervention presents few technical challenges and generates no more than several hundred Haitian and few U.S. military casualties with low civilian collateral damage. The Haitian military and police mostly refuse to fight in the face of overwhelming force. Cut off from their sources of funding and organization and rapidly disarmed, the "attaches" fade into the civilian population. Military, police and "attache" leaders are quickly apprehended.
- The above accomplished, U.S. forces can be drawn down to a few thousand within two months. The U.S.-led mission is converted to a UN/OAS operation with international participation, permitting additional withdrawals of U.S. forces.
- Responding to our strong presence and advice, Aristide stresses reconciliation and fosters recovery by appointing a new, broad-based cabinet and cooperates with the private sector. Haiti's economic deterioration is reversed and foreign investment joins high-profile multilateral financing to create new jobs and new hope for Haitians. Significant U.S. and international commitment and influence generate solid short-term improvement in Haitian domestic situation, though degree

} Is this  
JSS  
Judgment  
of best  
case?

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of lasting alteration of ingrained Haitian social and political ills may be more limited.

- Initial international criticism or reticence fades in the light of Aristide's backing and the evident successful application of force to laudable ends. U.S. credibility as defender of democracy and human rights is enhanced. The UN and OAS are strengthened through the timely application of this stick to back up multilateral diplomacy. Anti-democratic elements throughout the hemisphere are intimidated.

-- EO 13526 1.4d

Worst-Case Outcome

- Initial combat in urban areas causes higher-than-anticipated U.S. military casualties and ~~incidentally~~ inflict significant Haitian civilian casualties and collateral damage.
- Once we have taken control of the country, soldiers and armed civilians regroup and resort to gradually escalating hit-and-run attacks and terrorism against U.S. forces and civilians.
- Aristide stimulates <sup>or fails to control</sup> popular violence against his adversaries. Internecine warfare with U.S. troops and officials caught in middle. Exit strategy difficult to achieve -- or Aristide himself asks American forces to leave Haiti without mission having been completed.
- Instability renders economic assistance infeasible and kills new private investment. Efforts to reform the corrupt Haitian state prove fruitless.
- Harsh international and domestic criticism of Administration for ill-advised and ineffective intervention and for the violence and economic hardship which result. Public and Congressional pressure forces withdrawal of U.S. forces leaving situation worse than before intervention with U.S. influence exhausted.
- Credibility of U.S. commitment to multilateralism and ability to apply force to protect its and UN interests is severely undermined, emboldening anti-U.S. elements globally.

← Aristide fails to support moderate government competent govt necessary to carry out reforms

← Congress fails to support, or supports narrowly after divisive debate

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# Withdrawal/Redaction Marker

## Clinton Library

| DOCUMENT NO.<br>AND TYPE | SUBJECT/TITLE   | DATE       | RESTRICTION |
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| 002d. memo               | Duplicate of 001b [draft version] [partial] (4 pages) | 00/00/0000 | P1/b(1)     |

### COLLECTION:

Clinton Presidential Records  
NSC Records Management  
[Halt and Memcon ...]  
QA/Box Number: 167

### FOLDER TITLE:

9307031

2013-0122-M  
sb2501

### RESTRICTION CODES

#### Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

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PRM. Personal record misfile defined in accordance with 44 U.S.C. 2291(3).

RR. Document will be reviewed upon request.

#### Freedom of Information Act - [5 U.S.C. 552(b)]

- b(1) National security classified information [(b)(1) of the FOIA]
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WASHINGTON

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Per E.O. 13526  
VZ 10/08/2019  
2013-0122-M

INFORMATION

MEMORANDUM FOR THE PRESIDENT

FROM: ANTHONY LAKE  
SUBJECT: Haiti: Strategic Options

As you requested in Friday morning's discussion of Haiti options, this paper lays out two strategic options -- intensified pressure and unilateral military intervention -- our objectives, the course of action we would follow and the anticipated best- and worst-case outcomes. A third option, peacekeeping/peacemaking, is also briefly discussed.

OPTION I: INTENSIFIED PRESSURE

Objectives

*-- a some modified version thereof --*

To intensify pressure on the Haitian military leaders to complete the Governors Island process and acquiesce in the restoration of democracy and return of President Aristide to Haiti. To prop up the Malval government and keep open the possibility of reinitiating multilateral diplomacy aimed at Aristide's return. To avert a mass migrant exodus. To safeguard American and allied lives via permissive or non-permissive evacuation.

Course of Action

Intensify pressures to shift the psychological balance toward the Aristide/Malval government and to persuade the Haitian military leadership (especially Cedras and Francois) to complete the

*essential elements of the*

- Possible augmentation of U.S. and other states' military presence (but without tilting toward military intervention) by deployment of more security guards to the Embassy, more ships to offshore patrol, more troops in standby status to Guantanamo Bay or Roosevelt Roads, overflights.
- Press for broadened UN sanctions under Chapter VII (e.g., amplified trade embargo to include more items, worldwide freeze of personal assets of military and supporters) with strong enforcement provisions.

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Vice President  
Chief of Staff

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- Impose a tightened bilateral sanctions program to augment our broadened SDN (Specially Designated National) program by instituting expanded customs inspections of Haitians and non-immigrant visa issuance at the Embassy in Port-au-Prince.

To further the diplomatic track in the context of these intensified pressures:

- Demonstrate support for Malval government. Consider securing the safety of Malval, his cabinet, and possibly key government buildings with a ~~government~~ <sup>*force*</sup> protective security unit provided under UN/OAS and/or private auspices. If U.S. soldiers do not participate we would have to provide financial resources and/or logistical support. Use on-going bilateral aid programs to fortify Malval cabinet.
- Work with Aristide to make his return more palatable to moderates and his opponents. He could issue conciliatory remarks, denounce "necklacing," and work with Malval to appoint a more representative cabinet.

(b)(1)

EO 13526 1.4c, EO 13526 1.4d

To cope with a deteriorating security environment and to secure in-country refugee screening:

- If the security situation deteriorates further, draw down the official U.S. presence. Offer to evacuate, in a permissive or non-permissive environment, private American and allied nationals. Only consider evacuating members of the Malval government -- who we wish to remain on scene to represent legitimate authority and be available for eventual negotiations -- if their continued presence in-country is life-threatening.
- Increase humanitarian aid to offset the adverse effects of the embargo on the poor.

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used  
swap

- Provide security protection to the three in-country refugee processing centers.

Best-Case Outcome

- Combination of sanctions, psychological pressure and activities EO 13526 1.4c leads to replacement of the current military leadership and disciplining of renegade military and civilian elements by a faction willing to *achieve* the negotiated return of President Aristide. *cooperate with Malval and accept*
- Humanitarian assistance, *continuing and credible commitment to Aristide's* retention of in-country refugee processing capability, *return and* and firm maintenance of direct return policy limit refugee outflow.
- Aristide returns to Haiti and adopts a reconciliation policy, actively discouraging vengeance by his supporters. UN-led reorientation and training of Haitian military and police subordinate them to civilian control. Malval and other transitional moderates grow in strength, laying the foundation for a stabilizing centrist victory in the late 1995 elections.
- The planned international economic and security assistance programs to the restored constitutional government proceed, probably requiring additional funding to compensate for damage caused by sanctions.

Worst-Case Outcome

- The current military leadership defies sanctions and ignores or derides the psychological pressure while increasing repression and violence drastically to cow Aristide's supporters and to destroy the Malval cabinet. *As the situation tightens, military control frays and violence from rightist Duvalist elements increases.* ~~Activities under the finding prove to be too little, too late.~~ Having outlasted international sanctions over the last two years and during the early Duvalier era, the Haitian rightists and military gamble on outlasting us again. Aristide remains in exile.
- Harsher sanctions further impoverish the Haitian economy, requiring significantly increased international humanitarian (including U.S.) assistance. However, to weaken international support for the sanctions, the military blocks humanitarian relief to the poor.
- Economic privation and political repression increase dramatically producing wrenching TV images and domestic and international criticism of U.S. ~~inoptness and inaction.~~

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- A mass migrant exodus develops. Systematic human rights violations politically preclude or physically overwhelm a policy of direct returns; or the Haitian military bars repatriations in retaliation for our pressure. Refugee crisis in southern Florida and at Guantanamo.
- If we attempt to maintain direct return through a reinforced flotilla of naval vessels, black leaders and human rights groups will criticize our dual standard regarding Haitian versus Cuban refugees.
- Deteriorating conditions lead to hunger, bloodshed and anarchy, leaving the U.S. with three choices: endless sanctions a la Cuba; lifting of sanctions with admission of diplomatic failure; or humanitarian military intervention.

OPTION II:      MILITARY INTERVENTION

Objectives

To protect American citizens in Haiti. To prevent the development of conditions that would cause a mass migrant exodus. To neutralize the Haitian military and "attaches" and put an end to the brutality. To bring about President Aristide's return and the establishment of a durable constitutional government fostering national reconciliation and reconstruction, while avoiding taking over the administration of Haiti ourselves.

Course of Action

Phase I: The Intervention

- |                              |
|------------------------------|
| EO 13526 1.4c, EO 13526 1.4d |
|------------------------------|
- Prepare security and evacuation contingency plans for Embassy and U.S. official and private citizens as well as eligible third-country nationals and Malval government officials. Execute as the situation warrants.
- Military intervention at Aristide's prior invitation utilizing overwhelming force. Expulsion or detention of military and armed civilian leaders for handover to legitimate Haitian authorities. Disarm military, police and "attaches."

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- Aggressive diplomatic campaign in cooperation with President Aristide to garner ex post international endorsement of the intervention and commitments to join in multilateral economic and security assistance to Aristide's reinstalled government. Preparation and dissemination of international law justification for our action. Prepositioned tailored demarches to key multilateral organizations (UN, OAS) and individual countries (France, Canada, Venezuela, Dominican Republic, Russia, China, Latin Americans, Caribbeans).
- Prepositioned approaches to UN High Commissioner for Refugees and International Committee of the Red Cross to assist in and monitor handling of displaced persons and detainees respectively.

Phase II: Consolidation

- Provision of political advice to Aristide to announce upon his return the broadening of his cabinet in order to underscore his commitment to reconciliation while improving the caliber of his ministers. Insistence that Aristide publicly discourage vengeance attacks by his supporters. ~~in the middle of which our forces might be caught.~~ Denial of political power base to violence-prone Duvalierist or Lavalas elements.
- Strong support for Malval and his cabinet to keep public administration under Haitian direction. Avoid reality and impression of U.S. take-over.
- Commitment for the long term of international technical assistance to overhaul thoroughly state institutions and professionalize the civil service. Creation of a Technical Assistance Unit of 100 foreign professionals to design programs and train Haitians. UNDP-led effort to attract Haitian expatriates to return home.
- Implementation of a development strategy led by the international financial institutions (IFIs) which stabilizes fiscal policy, stimulates the private sector, immediately creates 200,000 jobs, provides basic social services to the populous Port-au-Prince slums and begins to reclaim the environment. (U.S. Contribution: \$50 - \$100 million per year, the lion's share of the resources coming from the IFIs and other donors.)
- Utilization of security and economic assistance funds to restructure and professionalize the existing Haitian armed forces and, under UN/OAS management, establish and develop a civilian police force meeting the criteria and missions established

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in the Haitian Constitution. Ensure rigorous screening of armed forces and police personnel for human rights criteria. Estimated time to completion: 18-24 months.

Phase III: Exit Strategy

- Drawdown of major combatant elements of intervention force once hostilities have ceased, key military and civilian "attache" leaders have been detained by Haitian authorities and we are satisfied that "ti soldats" and "attaches" have been disarmed and neutralized. Seek to convert U.S.-led mission to formal UN/OAS operation (resurrected UNMIH) with international military and police participation. Retention of stay-behind elements (military police, quick reaction teams, psyops unit, trainers and support personnel).
- Withdrawal of our longer-term military presence and reversion to normal security assistance relationship when the elected civilian government is determined to be exercising effective control of the national territory with competent and adequately-sized armed and police forces responding to the authority of the constitutional government. Estimated date of final withdrawal: Following inauguration of new democratically-elected President in early 1996.

Best-Case Outcome

- U.S. national interests are protected: U.S. citizens are safeguarded, mass migrant exodus is forestalled and democratic government led by President Aristide is restored.
- Military intervention presents few technical challenges and is likely to generate no more than several hundred Haitian civilian and military and U.S. military casualties with low collateral damage (JCS assessment). The Haitian military and police mostly refuse to fight in the face of overwhelming force. Cut off from their sources of funding and organization and rapidly disarmed, the "attaches" fade into the civilian population. Most military, police and "attache" leaders are quickly apprehended.
- The above accomplished, U.S. forces can be drawn down to a few thousand within two months. The U.S.-led mission is converted to a UN/OAS operation with international participation, permitting additional withdrawals of U.S. forces.
- Responding to our strong presence and advice, Aristide stresses reconciliation and fosters recovery by appointing a new, broad-based cabinet and cooperating

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with the private sector. Haiti's economic deterioration is reversed and foreign investment joins high-profile multilateral financing to create new jobs and new hope for Haitians. Significant U.S. and international commitment and influence generate solid short-term improvement in Haitian domestic situation, though degree of lasting amelioration of ingrained Haitian social and political ills may be more limited.

- Initial international criticism or reticence fades in the light of Aristide's backing and the evident successful application of force to laudable ends. U.S. credibility as defender of democracy and human rights is enhanced. The UN and OAS are strengthened through the timely application of this stick to back up multilateral diplomacy. Anti-democratic elements throughout the hemisphere are intimidated.

--

EO 13526 1.4d

Worst-Case Outcome

- Initial combat in urban areas causes higher-than-anticipated U.S. military casualties and inflicts significant Haitian civilian casualties and collateral damage.
- Once we have taken control of the country, soldiers and armed civilians regroup and resort to gradually escalating hit-and-run attacks and terrorism against U.S. forces and civilians.
- Aristide stimulates or fails to control popular violence against his adversaries. Internecine warfare with U.S. troops and officials caught in middle. Exit strategy impossible to achieve requiring prolonged U.S. occupation backed by significant military forces -- or Aristide himself asks American forces to leave Haiti without mission having been completed.
- Aristide undercuts moderates in the government, blocks sound economic and administrative reforms, and polarizes politics.
- Instability renders economic assistance infeasible and kills new private investment. Efforts to reform the corrupt Haitian state prove fruitless.
- Harsh international and domestic criticism of Administration for ill-advised and ineffective intervention and for the violence and economic hardship which result. Public and Congressional pressure forces withdrawal of U.S. forces leaving situation worse than before intervention with U.S. influence exhausted.

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- Credibility of U.S. commitment to multilateralism and ability to apply force to protect its and UN interests is severely undermined, emboldening anti-U.S. elements globally.
- Even if the intervention succeeds in Haiti, Congress fails to support it or supports it only narrowly after a divisive debate.

OPTION III: PEACEKEEPING/PEACEMAKING FORCE

A more robust version of Option 1 would include a UN-authorized peacekeeping/peacemaking force whose mission would be not only to protect the Malval government but also to disarm "attaches" and generally maintain public order and safety in a permissive or non-permissive environment. This force would require Aristide's approval. If U.S. forces did not participate we would still have to provide logistical and financial support. This UN force would be intended to create conditions enabling the fulfillment of the Governors Island process.

- In the best-case outcome, the addition of this UN force would provide the Governors Island process with the firepower it needs to psychologically counteract and physically repress the violence of the anti-democratic forces. With this UN security shield, the political transition process could advance rapidly.
- In the worst-case outcome, the UN force would meet with mounting resistance. U.S. and international public opinion would dictate withdrawal, leaving anti-democratic elements in total control of Haiti.

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| Document ID:<br>9308036       |               |             |                |             |
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# Withdrawal/Redaction Sheet

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| DOCUMENT NO.<br>AND TYPE | SUBJECT/TITLE  | DATE       | RESTRICTION         |
|--------------------------|--|------------|---------------------|
| 001. memo                | To: POTUS; From: Anthony Lake; Re: Haiti: Implementing Sanctions (2 pages) | 10/18/1993 | P1/b(1) v2 3/3/2020 |

**COLLECTION:**

Clinton Presidential Records  
 NSC Records Management  
 [Haiti and Memcon ...]  
 OA/Box Number: 167

**FOLDER TITLE:**

9308036

2013-0122-M

sb2502

**RESTRICTION CODES**

Presidential Records Act - [44 U.S.C. 2204(a)]

Freedom of Information Act - [5 U.S.C. 552(b)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
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- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

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ACTION DATA SUMMARY REPORT

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CAO ASSIGNED ACTION REQUIRED

001 LAKE  
002 PRESIDENT  
002

Z 93101815 FWD TO PRES FOR SIG  
Z 93101816 FOR SIGNATURE  
X 93101817 PRES SGD PER WH EXEC CLERK

DISPATCH DATA SUMMARY REPORT

DOC DATE DISPATCH FOR ACTION

DISPATCH FOR INFO

002 931018  
002 931018

VICE PRESIDENT  
WH CHIEF OF STAFF

President sgd per WH  
 Executive Clerk 10/18/93  
 ASK

INFORMATION

## MEMORANDUM FOR THE PRESIDENT

FROM: ANTHONY LAKE *AL*

SUBJECT: Haiti: Implementing Sanctions

We are taking steps to implement the UN embargo against Haiti as soon as it comes into effect at 11:59 tonight. We have also prepared steps to impose additional unilateral sanctions on those opposing the UN resolutions and the Governor's Island Accord and those perpetrating the violence and their supporters. A White House statement today will announce the following steps:

- Executive Order: The new E.O. will provide the necessary authority to freeze assets under U.S. jurisdiction of individuals ("Specially Designated Nationals") who have obstructed the UN resolutions and activities in Haiti, the Governor's Island process, those perpetrating violence or their material and financial supporters.

The types of individuals it will affect include senior military and police officers, the civilian "attaches" and their patrons (principally officials of parastatal companies who have been funding "attache" terrorism) and returned Duvalierists who are now allied with these groups. (The Malval government has asked that we not target the big families and business community which has become more supportive since Malval took office.) A list of such names is being drawn up based on information from our Embassy. This list will be updated and refined as time passes.

- Visa Denial: The Secretary of State, pursuant to your June 4 Proclamation and delegation of authority to him, is developing a new list of Haitian persons prohibited from entry into the United States (generally the same as the Specially Designated Nationals above). You may also need to sign a Presidential Proclamation to expand the existing authority; we will have a final decision later today.

DECLASSIFIED  
 E.O. 13526, Sec. 3.5 (b)  
 White House Guidelines, September 11, 2006  
 By VL NARA, Date 10/8/2019  
 2013-0122-m (1.32)

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cc: Vice President  
Chief of Staff

~~SECRET~~ CLINTON LIBRARY PHOTOCOPY

The six Navy vessels you ordered deployed to the waters surrounding Haiti are in place, and are moving within sight of the island. The presence of the vessels is also aimed at underscoring to the Haitian military and its backers, to the government of Prime Minister Malval and to all Haitians your determination to restore democracy and see to President Aristide's return.

In addition to the United States, Canada, Argentina and France have confirmed that they will send ships to join in sanctions enforcement. The Netherlands is strongly considering doing so. Venezuela has declined to participate. We await word from Brazil, Chile and Colombia.

You should also be aware that we are taking steps to ensure U.S. compliance with the OAS trade embargo against Haiti. This bans all U.S.-Haitian trade other than for humanitarian purposes.

We also are reviewing the legal basis for continuing to enforce the direct return of refugees under these new circumstances.

TO THE CONGRESS OF THE UNITED STATES:

Pursuant to section 204(b) of the International Emergency Economic Powers Act, 50 U.S.C. section 1703(b), and section 301 of the National Emergencies Act, 50 U.S.C. section 1631, I hereby report that I have again exercised my statutory authority to issue an Executive order with respect to Haiti that, effective 11:59 p.m., e.d.t., Monday, October 18, 1993, that:

(a) Blocks all property in the United States or within the possession or control of United States persons, including their overseas branches, of persons:

(1) who have contributed to the obstruction of the implementation of United Nations Security Council Resolutions 841 and 873, the Governor's Island Agreement of July 3, 1993, or the activities of the United Nations Mission in Haiti;

(2) who have perpetuated or contributed to the violence in Haiti; or

(3) who have materially or financially supported any of the foregoing; and

(b) Prohibits any transaction subject to U.S. jurisdiction that evades or avoids, or has the purpose of evading or avoiding, or attempts to violate, the prohibitions in the new order, or in Executive Orders Nos. 12775, 12779, or 12853, except to the extent now authorized pursuant to the relevant Executive order.

I am enclosing a copy of the Executive order that I have issued.

The new Executive order is necessary to further the implementation of the Governors Island Agreement by reaching

CLINTON LIBRARY PHOTOCOPY

persons who are supporting the groups fomenting violence and opposing the restoration of constitutional government in Haiti. The new Executive order is to be implemented by the Secretary of the Treasury, in consultation with the Secretary of State.

*William J. Clinton*

THE WHITE HOUSE,

October 18, 1993.

CLINTON LIBRARY PHOTOCOPY

BLOCKING PROPERTY OF PERSONS OBSTRUCTING  
DEMOCRATIZATION IN HAITI

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), the National Emergencies Act (50 U.S.C. 1601 et seq.), and section 301 of title 3, United States Code, and in order to take additional steps with respect to the grave events that have occurred in the Republic of Haiti to disrupt the legitimate exercise of power by the democratically elected government of that country and with respect to the national emergency described and declared in Executive Order No. 12775,

I, WILLIAM J. CLINTON, President of the United States of America, hereby order:

Section 1. Except to the extent provided in regulations, orders, directives, or licenses, which may hereafter be issued pursuant to this order, and notwithstanding the existence of any rights or obligations conferred or imposed by any international agreement or any contract entered into or any license or permit granted before the effective date of this order, all property and interests in property of persons:

- (a) Who have contributed to the obstruction of the implementation of the United Nations Security Council Resolutions 841 and 873, the Governors Island Agreement of July 3, 1993, or the activities of the United Nations Mission in Haiti;
- (b) Who have perpetuated or contributed to the violence in Haiti; or
- (c) Who have materially or financially supported any of the foregoing, that are in the United States, that hereafter come within the United States, or that are or hereafter come

CLINTON LIBRARY PHOTOCOPY

within the possession or control of United States persons, including their overseas branches, are blocked.

Sec. 2. Any transaction subject to U.S. jurisdiction that evades or avoids, or has the purpose of evading or avoiding, or attempts to violate, any of the prohibitions set forth in this order, or in Executive Orders Nos. 12775, 12779, or 12853, is prohibited, notwithstanding the existence of any rights or obligations conferred or imposed by any international agreement or any contract entered into or any license or permit granted before the effective date of this order, except to the extent provided in regulations, orders, directives, or licenses issued pursuant to the relevant Executive order and in effect on the effective date of this order.

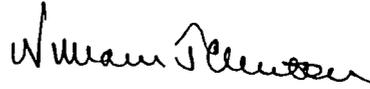
Sec. 3. The Secretary of the Treasury, in consultation with the Secretary of State, is hereby authorized to take such actions, including the promulgation of rules and regulations, and to employ all powers granted to me by the International Emergency Economic Powers Act, as may be necessary to carry out the purpose of this order. The Secretary of the Treasury may redelegate any of these functions to other officers and agencies of the United States Government, all agencies of which are hereby directed to take all appropriate measures within their authority to carry out the provisions of this order, including suspension or termination of licenses or other authorizations in effect as of the date of this order.

Sec. 4. Nothing contained in this order shall create any right or benefit, substantive or procedural, enforceable by any party against the United States, its agencies or instrumentalities, its officers or employees, or any other person.

Sec. 5.

(a) This order shall take effect at 11:59 p.m., eastern daylight time on October 18, 1993.

(b) This order shall be transmitted to the Congress and published in the Federal Register.



THE WHITE HOUSE,

October 18, 1993.

CLINTON LIBRARY PHOTOCOPY

NATIONAL SECURITY COUNCIL  
WASHINGTON, D.C. 20506

October 18, 1993

ACTION

MEMORANDUM FOR ANTHONY LAKE

THROUGH: RICHARD E. FEINBERG *RF*  
FROM: LAWRENCE G. ROSSIN *LR*  
SUBJECT: Haiti: Implementing Sanctions

The proposed Memorandum to the President at Tab I informs him of the steps we will be taking today to implement UN, OAS and our bilateral sanctions against Haiti tonight. It also updates him on the status of naval enforcement of the sanctions.

Concurrences by: Alan Kreczko *AK*, George Tenet *GT*

RECOMMENDATION

That you sign the Memorandum to the President at Tab I.

Attachments  
Tab I Memorandum to the President

DECLASSIFIED  
E.O. 13526  
White House Guidelines, May 16, 2017  
By *ANS* NARA, Date *8/19/2019*  
*2013-0122-M*

10/18 361

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THE WHITE HOUSE

WASHINGTON

October 18, 1993

MEMO FOR RICHARD FEINBERG

SUBJ: Haiti Sanctions

Richard:

Tony Lake has asked that the attached be staffed for Presidential signature on an urgent basis.

Thanks -

*JWR*

Reed



United States Department of State

Washington, D.C. 20520

9323974

October 18, 1993

MEMORANDUM FOR ANTHONY LAKE  
THE WHITE HOUSE

Subject: Executive Order to Tighten United States  
Sanctions on Haiti

Attached for the signature of the President is an Executive order to tighten the sanctions on Haiti by blocking the assets of persons and/or entities obstructing the restoration of democracy in Haiti. The reimposition of sanctions, previously lifted and reinstated by the United Nations Security Council, will be effected by regulation of the Department of the Treasury.

Executive Order No. 12775 of October 4, 1991, declared a national emergency with respect to the events in Haiti following the illegal take-over of the constitutional government by the de facto regime and blocked assets of the Government of Haiti subject to the jurisdiction of the United States. Executive Order No. 12779 of October 28, 1991 imposed a comprehensive economic embargo on Haiti in concert with the Organization of American States.

Executive Order No. 12853 of June 30, 1993 gave effect to particular features of the international regime under the authority of the United Nations Participation Act, 22 U.S.C. 287c ("UNPA") and tightened existing United States measures beyond those required by the United Nations Security Council. It blocked the property and interests in property of Haitian nationals identified by Treasury as providing substantial financial or material support to the de facto regime or doing substantial business with the de facto regime. This authority expanded then existing authority, which reached persons determined to be part of, or owned or controlled by, or acting on behalf of, the de facto regime ("specially designated nationals").

The new Executive order is needed to block the assets subject to United States jurisdiction of persons and/or entities, regardless of nationality, location or affiliation with the de facto regime, who are obstructing the implementation of United Nations sanctions, the Governor's Island Agreement and United Nations activities in Haiti; who are contributing to violence in Haiti; or supporting such activities materially or financially.

CLINTON LIBRARY PHOTOCOPY

The blocking action is authorized under the International Emergency Economic Powers Act, 50 U.S.C. 1701, and the National Emergencies Act, 50 U.S.C. 1601 et seq. This authority will be judiciously exercised to minimize any jurisdictional conflicts with third countries.

Upon signing the Executive Order, the President is required to notify the Congress of his action. A draft letter to the President of the Senate and the Speaker of the House has been prepared for this purpose. The Executive order should also be published in the Federal Register.



Marc Grossman  
Executive Secretary

**Attachments:**

1. Draft Executive Order
2. Draft Notification to Congress

Executive Order

BLOCKING PROPERTY OF PERSONS OBSTRUCTING  
DEMOCRATIZATION IN HAITI  
- - - - -

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), the National Emergencies Act (50 U.S.C. 1601 et seq.), and section 301 of title 3 of the United States Code, and in order to take additional steps with respect to the actions and policies of the de facto regime in Haiti and the national emergency described and declared in Executive Order No. 12775,

I, WILLIAM J. CLINTON, President of the United States of America, hereby order:

Section 1. Except to the extent provided in regulations, orders, directives, or licenses which may hereafter be issued pursuant to this order, and notwithstanding the existence of any rights or obligations conferred or imposed by any international agreement or any contract entered into or any license or permit granted before the effective date of this order, all property and interests in property of persons:

- (a) who have contributed to the obstruction of the implementation of United Nations Security Council

- 2 -

Resolutions 841 and 873, the Governors Island Agreement of July 3, 1993, or the activities of the United Nations Mission in Haiti;

(b) who have perpetuated or contributed to the violence in Haiti; or

(c) who have materially or financially supported any of the foregoing,

that are in the United States, that hereafter come within the United States, or that are or hereafter come within the possession or control of United States persons, including their overseas branches, are blocked.

Sec. 2. Any transaction subject to United States jurisdiction that evades or avoids, or has the purpose of evading or avoiding, or attempts to violate, any of the prohibitions set forth in this order, or in Executive Order No. 12775, 12779, or 12853, is prohibited, notwithstanding the existence of any rights or obligations conferred or imposed by any international agreement or any contract entered into or any license or permit granted before the effective date of this order, except to the extent provided in regulations, orders, directives, or licenses issued pursuant to the relevant Executive order and in effect on the effective date of this order.

Sec. 3. The Secretary of the Treasury, in consultation with the Secretary of State, is hereby authorized to take such

CLINTON LIBRARY PHOTOCOPY

- 3 -

actions, including the promulgation of rules and regulations, and to employ all powers granted to me by the International Emergency Economic Powers Act, as may be necessary to carry out the purpose of this order. The Secretary of the Treasury may redelegate any of these functions to other officers and agencies of the United States Government, all agencies of which are hereby directed to take all appropriate measures within their authority to carry out the provisions of this order, including suspension or termination of licenses or other authorizations in effect as of the date of this order.

Sec. 4. Nothing contained in this order shall create any right or benefit, substantive or procedural, enforceable by any party against the United States, its agencies or instrumentalities, its officers or employees, or any other person.

Sec. 5.

(a) This order shall take effect at 11:59 p.m. Eastern Daylight Time on October 18, 1993.

(b) This order shall be transmitted to the Congress and published in the Federal Register.

THE WHITE HOUSE,

October \_\_\_\_, 1993

CLINTON LIBRARY PHOTOCOPY

MESSAGE TO CONGRESS ON HAITI EXECUTIVE ORDER

Dear Mr. Speaker: (Dear Mr. President:)

Pursuant to section 204(b) of the International Emergency Economic Powers Act, 50 U.S.C. section 1703(b), and section 301 of the National Emergencies Act, 50 U.S.C. section 1631, I hereby report that I have again exercised my statutory authority in order to issue an Executive order with respect to Haiti that, effective 11:59 p.m. EDT, Monday, October 18, 1993:

(a) Blocks all property in the United States or within the possession or control of United States persons, including their overseas branches, of persons:

(1) who have contributed to the obstruction of the implementation of United Nations Security Council Resolutions 841 and 873, the Governor's Island Agreement of July 3, 1993, or the activities of the United Nations Mission in Haiti;

(2) who have perpetuated or contributed to the violence in Haiti; or

(3) who have materially or financially supported any of the foregoing; and

(b) Prohibits any transaction subject to United States jurisdiction that evades or avoids, or has the purpose of evading or avoiding, or attempts to violate, the prohibitions in the new order, or in Executive Order No. 12775, 12779, or 12853, except to the extent now authorized pursuant to the relevant Executive order.

The new Executive order is necessary to further the implementation of the Governor's Island Agreement by reaching persons who are supporting the groups fomenting violence and opposing the restoration of constitutional government in Haiti. The new Executive order is to be implemented by the Secretary of the Treasury, in consultation with the Secretary of State.

This package is with Podesta's Ofc --  
ready to go forward to the President  
but wanted to run this by you for final  
NSC clearance before it goes to President.  
Want President to sign NLT 1:00 pm so it  
can be used at today's briefing.  
Wilma

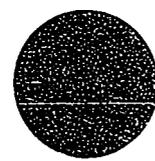
Natl Sec Advisor  
has seen



EXECUTIVE OFFICE OF THE PRESIDENT  
OFFICE OF MANAGEMENT AND BUDGET

WASHINGTON, D.C. 20503

October 18, 1993



8036

10

THE DIRECTOR

MEMORANDUM FOR THE PRESIDENT

FROM: Leon E. Panetta  
Director

SUBJECT: Proposed Executive Order Entitled "Blocking  
Property of Persons Obstructing Democratization in  
Haiti"

SUMMARY: This memorandum forwards for your consideration a proposed Executive order that was prepared by the Department of the Treasury. The proposed order would impose sanctions on persons obstructing democratization in Haiti.

BACKGROUND: On October 13, 1993, the United Nations Security Council ("UNSC") adopted Resolution 873 which reinstated trade sanctions on Haiti. The reinstatement was due to the continued obstruction of the democratization process in Haiti by military authorities. The sanctions are to take effect at 11:59 p.m. on October 18, 1993. The sanctions will be implemented with respect to the United States by a regulation of the Department of the Treasury.

The proposed order would impose sanctions on persons who obstruct the democratization process in Haiti. The order's sanctions are an addition to those reinstated by Resolution 873. Among other things, the order would block the property and interests in property of persons who have: (a) contributed to the obstruction of the activities of the UN Mission in Haiti; (b) perpetrated or contributed to the violence in Haiti; or (c) materially or financially supported the obstruction of the UN Mission and the violence in Haiti. The order's sanctions would take effect at 11:59 p.m., October 18, 1993, concurrent with the UN sanctions on Haiti.

None of the affected agencies objects to the proposed Executive order.

RECOMMENDATION: I recommend that you sign the proposed Executive order.

Attachment

Executive Order

BLOCKING PROPERTY OF PERSONS OBSTRUCTING  
DEMOCRATIZATION IN HAITI

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), the National Emergencies Act (50 U.S.C. 1601 et seq.), and section 301 of title 3, United States Code, and in order to take additional steps with respect to the grave events that have occurred in the Republic of Haiti to disrupt the legitimate exercise of power by the democratically elected government of that country and the national emergency described and declared in Executive Order No. 12775, *with respect to*

I, WILLIAM J. CLINTON, President of the United States of America, hereby order:

Section 1. Except to the extent provided in regulations, orders, directives, or licenses which may hereafter be issued pursuant to this order, and notwithstanding the existence of any rights or obligations conferred or imposed by any international agreement or any contract entered into or any license or permit granted before the effective date of this order, all property and interests in property of persons:

(a) Who have contributed to the obstruction of the implementation of United Nations Security Council Resolutions 841 and 873, the Governors Island Agreement of July 3, 1993, or the activities of the United Nations Mission in Haiti;

(b) Who have perpetuated or contributed to the violence in Haiti; or

(c) Who have materially or financially supported any of the foregoing, that are in the United States, that hereafter come within the United States, or that are or hereafter come within the possession or control of United States persons, including their overseas branches, are blocked.

Sec. 2. Any transaction subject to United States jurisdiction that evades or avoids, or has the purpose of evading

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change

or avoiding, or attempt to violate, any of the prohibitions set forth in this order, or an Executive Order Nos. 12775, 12779, or 12853, is prohibited, notwithstanding the existence of any rights or obligations conferred or imposed by any international agreement or any contract entered into or any license or permit granted before the effective date of this order, except to the extent provided in regulations, orders, directives, or licenses issued pursuant to the relevant Executive order and in effect on the effective date of this order.

Sec. 3. The Secretary of the Treasury, in consultation with the Secretary of State, is hereby authorized to take such actions, including the promulgation of rules and regulations, and to employ all powers granted to me by the International Emergency Economic Powers Act, as may be necessary to carry out the purpose of this order. The Secretary of the Treasury may redelegate any of these functions to other officers and agencies of the United States Government, all agencies of which are hereby directed to take all appropriate measures within their authority to carry out the provisions of this order, including suspension or termination of licenses or other authorizations in effect as of the date of this order.

Sec. 4. Nothing contained in this order shall create any right or benefit, substantive or procedural, enforceable by any party against the United States, its agencies or instrumentalities, its officers or employees, or any other person.

Sec. 5. (a) This order shall take effect at 11:59 p.m. Eastern Daylight Time on October 18, 1993.

(b) This order shall be transmitted to the Congress and published in the Federal Register.

THE WHITE HOUSE,

CLINTON LIBRARY PHOTOCOPY



EXECUTIVE OFFICE OF THE PRESIDENT  
OFFICE OF MANAGEMENT AND BUDGET  
WASHINGTON D C 20503  
October 18, 1993

Honorable Janet Reno  
United States Attorney General  
Washington, D.C. 20530

Dear Madame Attorney General:

Enclosed in accordance with the provisions of Executive Order No. 11030, as amended, is a proposed Executive order entitled "Blocking Property of Persons Obstructing Democratization in Haiti." The proposed order, which was prepared by the Department of the Treasury, would impose sanctions on persons obstructing democratization in Haiti.

On October 13, 1993, the United Nations Security Council ("UNSC") adopted Resolution 873 which reinstated trade sanctions on Haiti. The reinstatement was due to the military authorities' continued obstruction of the democratization process in Haiti. The sanctions are to take effect at 11:59 p.m. on October 18, 1993. The sanctions will be implemented with respect to the United States by a regulation of the Department of the Treasury.

The proposed order would impose sanctions on persons who obstruct the democratization process in Haiti. The order's sanctions are an addition to those reinstated by Resolution 873. Among other things, the order would block the property and interests in property of persons who have: (a) contributed to the obstruction of the activities of the UN Mission in Haiti; (b) perpetrated or contributed to the violence in Haiti; or (c) materially or financially supported the obstruction to the UN Mission and the violence in Haiti. The order's sanctions would take effect at 11:59 p.m., October 18, 1993, concurrent with the UN sanctions on Haiti.

Your staff may direct any questions concerning this proposed Executive order to Mac Reed of this office (202-395-3563).

This proposed Executive order has the approval of the Director of the Office of Management and Budget.

Sincerely,

Robert G. Damus  
Acting General Counsel

Enclosure

CLINTON LIBRARY PHOTOCOPY

OCT 18 1993

MEMORANDUM FOR THE FILE

FROM: Mac Reed *MS*

SUBJECT: Proposed Executive Order Entitled "Blocking  
Property of Persons Obstructing Democratization in  
Haiti"

The following Executive departments and agencies do not  
object to the proposed Executive order:

1. Department of Justice..... R. Hart (514-2027)
2. Department of the Treasury..... B. Hoffman (622-1699)
3. Department of State..... J. Dolan (647-8634)
4. National Security Council..... A. Kreczko (395-5026)
5. White House Staff Secretary's  
Office..... T. Stern (456-2702)
6. White House Counsel's Office..... B. Nussbaum (456-2632)
7. Office of the Vice President..... G. Simon (456-6222)



MEMORANDUM FOR ANTHONY LAKE  
THE WHITE HOUSE

Subject: Executive Order to Tighten United States  
Sanctions on Haiti

Attached for the signature of the President is an Executive order to tighten the sanctions on Haiti by blocking the assets of persons and/or entities obstructing the restoration of democracy in Haiti. The reimposition of sanctions, previously lifted and reinstated by the United Nations Security Council, will be effected by regulation of the Department of the Treasury.

Executive Order No. 12775 of October 4, 1991, declared a national emergency with respect to the events in Haiti following the illegal take-over of the constitutional government by the de facto regime and blocked assets of the Government of Haiti subject to the jurisdiction of the United States. Executive Order No. 12779 of October 28, 1991 imposed a comprehensive economic embargo on Haiti in concert with the Organization of American States.

Executive Order No. 12853 of June 30, 1993 gave effect to particular features of the international regime under the authority of the United Nations Participation Act, 22 U.S.C. 287c ("UNPA") and tightened existing United States measures beyond those required by the United Nations Security Council. It blocked the property and interests in property of Haitian nationals identified by Treasury as providing substantial financial or material support to the de facto regime or doing substantial business with the de facto regime. This authority expanded then existing authority, which reached persons determined to be part of, or owned or controlled by, or acting on behalf of, the de facto regime ("specially designated nationals").

The new Executive order is needed to block the assets subject to United States jurisdiction of persons and/or entities, regardless of nationality, location or affiliation with the de facto regime, who are obstructing the implementation of United Nations sanctions, the Governor's Island Agreement and United Nations activities in Haiti; who are contributing to violence in Haiti; or supporting such activities materially or financially.

The blocking action is authorized under the International Emergency Economic Powers Act, 50 U.S.C. 1701, and the National Emergencies Act, 50 U.S.C. 1601 et seq. This authority will be judiciously exercised to minimize any jurisdictional conflicts with third countries.

Upon signing the Executive Order, the President is required to notify the Congress of his action. A draft letter to the President of the Senate and the Speaker of the House has been prepared for this purpose. The Executive order should also be published in the Federal Register.

Marc Grossman  
Executive Secretary

Attachments:

1. Draft Executive Order
2. Draft Notification to Congress

MESSAGE TO CONGRESS ON HAITI EXECUTIVE ORDER

Dear Mr. Speaker: (Dear Mr. President:)

Pursuant to section 204(b) of the International Emergency Economic Powers Act, 50 U.S.C. section 1703(b), and section 301 of the National Emergencies Act, 50 U.S.C. section 1631, I hereby report that I have again exercised my statutory authority in order to issue an Executive order with respect to Haiti that, effective 11:59 p.m. EDT, Monday, October 18, 1993:

(a) Blocks all property in the United States or within the possession or control of United States persons, including their overseas branches, of persons:

(1) who have contributed to the obstruction of the implementation of United Nations Security Council Resolutions 841 and 873, the Governor's Island Agreement of July 3, 1993, or the activities of the United Nations Mission in Haiti;

(2) who have perpetuated or contributed to the violence in Haiti; or

(3) who have materially or financially supported any of the foregoing; and

(b) Prohibits any transaction subject to United States jurisdiction that evades or avoids, or has the purpose of evading or avoiding, or attempts to violate, the prohibitions in the new order, or in Executive Order No. 12775, 12779, or 12853, except to the extent now authorized pursuant to the relevant Executive order.

The new Executive order is necessary to further the implementation of the Governor's Island Agreement by reaching persons who are supporting the groups fomenting violence and opposing the restoration of constitutional government in Haiti. The new Executive order is to be implemented by the Secretary of the Treasury, in consultation with the Secretary of State.

**Executive Order**

**BLOCKING PROPERTY OF PERSONS OBSTRUCTING  
DEMOCRATIZATION IN HAITI**  
- - - - -

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), the National Emergencies Act (50 U.S.C. 1601 et seq.), and section 301 of title 3<sup>1</sup> of the United States Code, and in order to take additional steps with respect to the actions and policies of the de facto regime in Haiti and the national emergency described and declared in Executive Order No. 12775,

I, WILLIAM J. CLINTON, President of the United States of America, hereby order:

Section 1. Except to the extent provided in regulations, orders, directives, or licenses which may hereafter be issued pursuant to this order, and notwithstanding the existence of any rights or obligations conferred or imposed by any international agreement or any contract entered into or any license or permit granted before the effective date of this order, all property and interests in property of persons:

- (a) who have contributed to the obstruction of the implementation of United Nations Security Council

Resolutions 841 and 873, the Governors Island Agreement of July 3, 1993, or the activities of the United Nations Mission in Haiti;

(b) who have perpetuated or contributed to the violence in Haiti; or

(c) who have materially or financially supported any of the foregoing,

that are in the United States, that hereafter come within the United States, or that are or hereafter come within the possession or control of United States persons, including their overseas branches, are blocked.

Sec. 2. Any transaction subject to United States jurisdiction that evades or avoids, or has the purpose of evading or avoiding, or attempts to violate, any of the prohibitions set forth in this order, or in Executive Order No. 12775, 12779, or 12853, is prohibited, notwithstanding the existence of any rights or obligations conferred or imposed by any international agreement or any contract entered into or any license or permit granted before the effective date of this order, except to the extent provided in regulations, orders, directives, or licenses issued pursuant to the relevant Executive order and in effect on the effective date of this order.

Sec. 3. The Secretary of the Treasury, in consultation with the Secretary of State, is hereby authorized to take such

actions, including the promulgation of rules and regulations, and to employ all powers granted to me by the International Emergency Economic Powers Act, as may be necessary to carry out the purpose of this order. The Secretary of the Treasury may redelegate any of these functions to other officers and agencies of the United States Government, all agencies of which are hereby directed to take all appropriate measures within their authority to carry out the provisions of this order, including suspension or termination of licenses or other authorizations in effect as of the date of this order.

Sec. 4. Nothing contained in this order shall create any right or benefit, substantive or procedural, enforceable by any party against the United States, its agencies or instrumentalities, its officers or employees, or any other person.

Sec. 5.

(a) This order shall take effect at 11:59 p.m. Eastern Daylight Time on October 18, 1993. ✓

(b) This order shall be transmitted to the Congress and published in the Federal Register. ✓

THE WHITE HOUSE,  
October \_\_, 1993

# MIR MARKER

This is not a textual record. This is used as an administrative marker by the Clinton Presidential Library Staff.

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| Original OA/ID Number:<br>168 |               |             |                |             |
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| Document ID:<br>9308088       |               |             |                |             |
| Row:<br>44                    | Section:<br>2 | Shelf:<br>4 | Position:<br>2 | Stack:<br>v |

# Withdrawal/Redaction Sheet

## Clinton Library

| DOCUMENT NO. AND TYPE | SUBJECT/TITLE   | DATE                  | RESTRICTION                    |
|-----------------------|---|-----------------------|--------------------------------|
| <del>001a. note</del> | <del>To: Alan Kresco; From: SRB; Re: [Lake Memo to President, Re: Haiti] (1 page)</del>                       | <del>10/18/0000</del> | <del>P1/b(1) v2</del> 3/3/2020 |
| <del>001b. memo</del> | <del>To: POTUS; From: Anthony Lake; Re: Legal Authority to Interdict Haitian Refugees (2 pages)</del>         | <del>10/25/1993</del> | <del>P1/b(1) v2</del>          |
| <del>001c. memo</del> | <del>To: Anthony Lake; From: Neal Wolin; Re: Legal Authority for Interdicting Haitian Refugees (1 page)</del> | <del>10/21/1993</del> | <del>P1/b(1) v2</del>          |
| <del>001d. memo</del> | <del>-Duplicate of 001b [Draft version] (2 pages)-</del>  | <del>00/00/0000</del> | <del>P1/b(1) v2</del> ↓        |

**COLLECTION:**

Clinton Presidential Records  
 NSC Records Management  
 [Haiti and Memcon ...]  
 OA/Box Number: 168

**FOLDER TITLE:**

9308088

2013-0122-M  
 sb2503

**RESTRICTION CODES**

Presidential Records Act - [44 U.S.C. 2204(a)]

Freedom of Information Act - [5 U.S.C. 552(b)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

CLINTON LIBRARY PHOTOCOPY

TO: PRESIDENT

FROM: LAKE

DOC DATE: 25 OCT 93  
SOURCE REF:

KEYWORDS: HAITI REFUGEES  
LEGAL ISSUES

PERSONS:

SUBJECT: LEGAL AUTHORITY TO INDERDIECT HAITIAN MIGRANTS

ACTION: NOTED BY PRES DUE DATE: 21 OCT 93 STATUS: C

STAFF OFFICER: WOLIN LOGREF:

FILES: PA NSCP: CODES:

DOCUMENT DISTRIBUTION

FOR ACTION

FOR CONCURRENCE

FOR INFO  
KRECKO  
NSC CHRON  
WOLIN

DECLASSIFIED  
E.O. 13526  
White House Guidelines, May 16, 2017  
By ADSNARA, Date 5/30/2019  
2013-0122-11

COMMENTS: \_\_\_\_\_  
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DISPATCHED BY \_\_\_\_\_ DATE \_\_\_\_\_ BY HAND W/ATTCH

OPENED BY: NSJEB CLOSED BY: NSJEB DOC 2 OF 2

ACTION DATA SUMMARY REPORT

DOC ACTION OFFICER

CAO ASSIGNED ACTION REQUIRED

001 LAKE  
002 PRESIDENT  
002

Z 93102210 FWD TO PRES FOR SIG  
Z 93102808 FOR INFORMATION  
X 93102808 NOTED BY PRES

National Security Council  
The White House

JWE

10/28

PROOFED BY: \_\_\_\_\_

LOG # 8088

URGENT NOT PROOFED: \_\_\_\_\_

SYSTEM PRS NSC INT

BYPASSED WW DESK: \_\_\_\_\_

DOCLOG WFO AO \_\_\_\_\_

|                 | SEQUENCE TO | HAS SEEN                             | DISPOSITION            |
|-----------------|-------------|--------------------------------------|------------------------|
| W<br>DepExecSec | <u>1</u>    | <u>Will</u>                          |                        |
| ExecSec         |             |                                      | <u>done</u>            |
| Staff Director  | <u>2</u>    | <u>AW</u>                            | <u>Redo w/SRB CHGS</u> |
| D/APNSA         | <u>3</u>    | <b>Natl Sec Advisor<br/>has seen</b> |                        |
| APNSA           |             |                                      |                        |
| Situation Room  |             |                                      |                        |
| West Wing Desk  | <u>4</u>    |                                      | <del>_____</del>       |
| NSC Secretariat | <u>5</u>    |                                      |                        |
|                 |             |                                      |                        |
|                 |             |                                      |                        |

A = Action    I = Information    D = Dispatch    R = Retain    N = No Further Action

cc:            VP                            McLarty                            Other

Should be seen by: done US  
(Date/Time)

COMMENTS:  
UNCLASSIFIED UPON REMOVAL  
OF CLASSIFIED ATTACHMENTS  
Initials: ASB Date: 8/20/19  
2013-0122-11

*Classify Confidential*

DISPATCH INSTRUCTIONS:

*ExecSec's Office has desheilded*

10/18

THE WHITE HOUSE

Alan Krosko -

Please prepare take memo  
to President on legal basis  
for interdicting Haitian refugees,  
assuming military ~~crack~~ crackdown +  
effects of embargo result in  
resumption and assuming  
in country processing becomes  
untenable. Eric S. has worked  
on this extensively, as you  
know, but I'm not sure when  
he's returning from China.  
Need by mid-day TUES. at  
latest, with quick oral  
explanation Mon.

ard

~~CONFIDENTIAL~~

THE WHITE HOUSE  
WASHINGTON

October 25, 1993 10 OCT 25 P5:24

INFORMATION

MEMORANDUM FOR THE PRESIDENT

FROM: ANTHONY LAKE

SUBJECT: Legal Authority to Interdict Haitian Migrants

In the event of resumed migrant outflows from Haiti, we have clear legal authority to continue interdiction on the high seas or within Haiti's territorial sea, and to repatriate the migrants to Haiti. We have begun planning for such a contingency.

**DOMESTIC LAW.** Executive Order 12807, signed by President Bush in 1992, invoked Presidential authorities under the Constitution and various provisions of the Immigration and Nationality Act to order the Coast Guard to interdict vessels beyond the U.S. territorial sea, where there is reason to believe that such vessels are engaged in the irregular transport of persons, and to return the passengers to the country from which they came.

This past spring, the Supreme Court in Sale v. Haitian Centers Council, agreed that neither domestic nor international law limits the President's power to order the Coast Guard to repatriate undocumented migrants interdicted beyond U.S. territorial waters. The Court agreed that the Refugee Convention's obligation not to return a refugee to a place where his/her life or freedom will be threatened does not apply to individuals interdicted on the high seas. As a result, while we will maintain refugee screening procedures with respect to interdicted individuals, and process them in Haiti as long as that is feasible, we are not obligated to do so. While the Sale decision only addressed interdictions on the high seas, the same result would pertain to interdictions within Haitian territorial waters.

**INTERNATIONAL LAW.** As a general matter of international law, a State can only interdict a foreign flag vessel on the high seas with the consent of the flag State. Also as a general matter, a State can only enter the territorial waters of a foreign State to conduct interdiction with the consent of the coastal State.

A. High Seas. In a 1981 agreement, Haiti agreed by exchange of diplomatic notes to permit U.S. authorities (including the U.S. Coast Guard) to interdict private vessels under Haitian flag on the high seas which the U.S. has reason to believe are carrying

~~CONFIDENTIAL~~

Declassify on: OADR

DECLASSIFIED  
E.O. 13526, Sec. 3.5 (b)  
White House Guidelines, September 11, 2006  
By VZ NARA, Date 10/8/2014

cc: Vice President  
Chief of Staff

CLINTON LIBRARY PHOTOCOPY

PHOTOCOPY WJC HANDWRITING

illegal Haitian immigrants and to return them to Haiti. That Agreement can only be terminated with six months notice.

B. Territorial Sea. The 1981 agreement is not available to justify interdictions within Haiti's 12-mile territorial sea. However, Prime Minister Malval recently authorized interdiction within Haiti's territorial sea (a fact we should disclose only as necessary). Malval prefers that the Coast Guard rather than the Navy be principally responsible for interdiction operations and we are proceeding on that basis. He agreed that if U.S. Navy vessels encountered migrant vessels, especially those in danger of foundering, they could interdict such vessels and rescue the migrants. However, Malval wants such migrants transferred to Coast Guard vessels for repatriation.

If Malval's consent were withdrawn for some reason, we would have to rely upon other alternatives, such as pulling the Coast Guard beyond the 12-mile Haitian waters.

NATIONAL SECURITY COUNCIL  
WASHINGTON, D.C. 20506

October 21, 1993

ACTION

MEMORANDUM FOR ANTHONY LAKE

THROUGH: ALAN KRECZKO *AK*  
FROM: NEAL WOLIN *fw*  
SUBJECT: Legal Authority for Interdicting Haitian Refugees

Attached at Tab I is the memorandum for the President you requested explaining that we have, in the event of resumed migrant outflows from Haiti, clear legal authority to resume interdiction, on the high seas or within Haiti's territorial sea, and to repatriate the migrants to Haiti.

Concurrences by: Larry Rossin *LR*, Eric Schwartz *NIA*

RECOMMENDATION

That you sign the memorandum for the President at Tab I.

Attachments

Tab I Memorandum for the President  
Tab II Incoming Note from Sandy Berger

## THE WHITE HOUSE

WASHINGTON

INFORMATION

## MEMORANDUM FOR THE PRESIDENT

FROM: ANTHONY LAKE

SUBJECT: Legal Authority to Interdict Haitian Migrants

*continue*

In the event of resumed migrant outflows from Haiti, we have clear legal authority to ~~resume~~ interdiction on the high seas or within Haiti's territorial sea, and to repatriate the migrants to Haiti. We have begun planning for such a contingency.

**DOMESTIC LAW.** Executive Order 12807, signed by President Bush in 1992, invoked Presidential authorities under the Constitution and various provisions of the Immigration and Nationality Act to order the Coast Guard to interdict vessels beyond the U.S. territorial sea, where there is reason to believe that such vessels are engaged in the irregular transport of persons, and to return the passengers to the country from which they came.

This past spring, the Supreme Court in Sale v. Haitian Centers Council, agreed that neither domestic nor international law limits the President's power to order the Coast Guard to repatriate undocumented migrants interdicted beyond U.S. territorial waters. The Court agreed that the Refugee Convention's obligation not to return a refugee to a place where his/her life or freedom will be threatened does not apply to individuals interdicted on the high seas. As a result, while we ~~could choose to reinstitute some~~ refugee screening procedures with respect to interdicted individuals, we are not obligated to do so. While the Sale decision only addressed interdictions on the high seas, the same result would pertain to interdictions within Haitian territorial waters.

**INTERNATIONAL LAW.** As a general matter of international law, a State can only interdict a foreign flag vessel on the high seas with the consent of the flag State. Also as a general matter, a State can only enter the territorial waters of a foreign State to conduct interdiction with the consent of the coastal State.

A. High Seas. In a 1981 agreement, Haiti agreed by exchange of diplomatic notes to permit U.S. authorities (including the U.S. Coast Guard) to interdict private vessels under Haitian flag on the high seas which the U.S. has reason to believe are carrying

*will maintain**and proceed from  
in Haiti as  
long as that  
is feasible*cc: Vice President  
Chief of Staff

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recently

(a fact we should disclose only as necessary)

and we are proceeding on that basis.

If Malval's consent were withdrawn for some reason, we would have to rely upon other alternatives, such as pulling the Coast Guard beyond the 12-mile Haitian waters.

# MIR MARKER

This is not a textual record. This is used as an administrative marker by the Clinton Presidential Library Staff.

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| Original OA/ID Number:<br>168 |               |             |                |             |
|                               |               |             |                |             |
| Document ID:<br>9308212       |               |             |                |             |
| Row:<br>44                    | Section:<br>2 | Shelf:<br>4 | Position:<br>2 | Stack:<br>v |

# Withdrawal/Redaction Sheet

## Clinton Library

| DOCUMENT NO.<br>AND TYPE | SUBJECT/TITLE   | DATE                  | RESTRICTION                   |
|--------------------------|---|-----------------------|-------------------------------|
| <del>001a. memo</del>    | <del>To: Anthony Lake; From: Neal Wolin / Larry Rossin; Re: President's Questions on Haiti Sanctions (1 page)</del> | <del>10/21/1993</del> | <del>P1/b(1)</del> ✓ 3/3/2020 |
| <del>001b. memo</del>    | <del>To: POTUS; From: Anthony Lake; Re: Your Questions on Haiti Sanctions (2 pages)</del>                           | <del>10/22/1993</del> | <del>P1/b(1)</del> ✓ 3/3/2020 |

**COLLECTION:**

Clinton Presidential Records  
 NSC Records Management  
 [Haiti and Memcon ...]  
 OA/Box Number: 168

**FOLDER TITLE:**

9308212

2013-0122-M  
sb2504

**RESTRICTION CODES**

Presidential Records Act - [44 U.S.C. 2204(a)]

Freedom of Information Act - [5 U.S.C. 552(b)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]
  
- C. Closed in accordance with restrictions contained in donor's deed of gift.
- PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).
- RR. Document will be reviewed upon request.

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
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- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

CLINTON LIBRARY PHOTOCOPY

TO: PRESIDENT

FROM: LAKE

DOC DATE: 22 OCT 93  
SOURCE REF:

KEYWORDS: HAITI

SANCTIONS

PERSONS:

SUBJECT: PRES QUESTION RE HAITI SANCTIONS

ACTION: NOTED BY PRES

DUE DATE: 25 OCT 93 STATUS: C

STAFF OFFICER: ROSSIN

LOGREF:

FILES: PA

NSCP:

CODES:

DOCUMENT DISTRIBUTION

FOR ACTION

FOR CONCURRENCE

FOR INFO

KRECZKO  
NSC CHRON  
WOLIN

DECLASSIFIED  
E.O. 13526  
White House Guidelines, May 16, 2013  
By AD3NARA, Date 8/26/2019  
2013-0122-M

COMMENTS: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

DISPATCHED BY \_\_\_\_\_ DATE \_\_\_\_\_ BY HAND W/ATTCH

OPENED BY: NSGP

CLOSED BY: NSMEM

DOC 2 OF 2

ACTION DATA SUMMARY REPORT

DOC ACTION OFFICER

CAO ASSIGNED ACTION REQUIRED

001 LAKE  
002 PRESIDENT  
002

Z 93102210 FWD TO PRES FOR SIG  
Z 93102215 FOR INFORMATION  
X 93102509 NOTED BY PRES

DISPATCH DATA SUMMARY REPORT

DOC DATE DISPATCH FOR ACTION

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002 931022  
002 931022

WH CHIEF OF STAFF  
VICE PRESIDENT

National Security Council  
The White House

PROOFED BY: ASK LOG # 8212  
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| APNSA           | _____       | _____            | _____       |
| Situation Room  | _____       | _____            | _____       |
| West Wing Desk  | _____       | <u>ASK 10/23</u> | <u>N</u>    |
| NSC Secretariat | _____       | _____            | _____       |
| _____           | _____       | _____            | _____       |
| _____           | _____       | _____            | _____       |

A = Action    I = Information    D = Dispatch    R = Retain    N = No Further Action

cc:            VP                            McLarty                            Other \_\_\_\_\_

Should be seen by: \_\_\_\_\_  
(Date/Time)

COMMENTS:

DISPATCH INSTRUCTIONS:

— Rec'd 10/22 10:54pm

JWR  
10/22

National Security Council  
The White House

PROOFED BY: \_\_\_\_\_ LOG # 8212  
URGENT NOT PROOFED: \_\_\_\_\_ SYSTEM PRS NSC INT  
BYPASSED WW DESK: \_\_\_\_\_ DOCLOG WFA A/O

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| <i>W</i> DepExecSec | <u>1</u>    | <i>YWR</i>                   |             |
| ExecSec             |             |                              |             |
| Staff Director      | <u>2</u>    | <i>NS</i>                    |             |
| D/APNSA             | <i>#3</i>   | <i>NS</i>                    |             |
| APNSA               | <u>4</u>    | Natl Sec Advisor<br>has seen |             |
| Situation Room      |             |                              |             |
| West Wing Desk      | <u>5</u>    |                              | <u>(D)</u>  |
| NSC Secretariat     |             |                              |             |
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A = Action    I = Information    D = Dispatch    R = Retain    N = No Further Action

cc:            VP                            McLarty                            Other \_\_\_\_\_

Should be seen by: \_\_\_\_\_  
(Date/Time)

COMMENTS:

DISPATCH INSTRUCTIONS:

*ExecSec's Office has dispatched* —

~~SECRET~~

~~SECRET~~

8212

NATIONAL SECURITY COUNCIL  
WASHINGTON, D.C. 20506

October 21, 1993

ACTION

MEMORANDUM FOR ANTHONY LAKE

THROUGH: ALAN KRECZKO <sup>AK</sup> / RICHARD FEINBERG <sup>RFA</sup>

FROM: NEAL WOLIN <sup>NW</sup> / LARRY ROSSIN <sup>LR</sup>

SUBJECT: President's Questions on Haiti Sanctions

Attached at Tab I is a memorandum for the President responding to his question, based on an editorial from The New York Times, as to the legality and practicality of a naval blockade of Haiti and a cessation of all commercial air traffic and financial transactions with Haiti.

RECOMMENDATION

That you sign the memorandum for the President at Tab I.

Attachments

Tab I Memorandum for the President  
Tab A New York Times Editorial

DECLASSIFIED  
E.O. 13526, Sec. 3.5 (b)  
White House Guidelines, September 11, 2006  
By RL NARA, Date 10/8/2009  
203-D122-M

~~SECRET~~

Declassify on: OADR

~~SECRET~~

CLINTON LIBRARY PHOTOCOPY

THE WHITE HOUSE  
WASHINGTON

October 22, 1993

OCT 22 P3:16

INFORMATION

MEMORANDUM FOR THE PRESIDENT

FROM: ANTHONY LAKE 

SUBJECT: Your Questions on Haiti Sanctions

You have asked, based on The New York Times editorial attached at Tab A, about the legality and practicality of a naval blockade of Haiti and a cessation of all commercial air traffic and financial transactions with Haiti.

Our current interdiction operation is limited to enforcing the Security Council prohibition on exporting arms and petroleum to Haiti. Expanding this program to a total naval blockade would require (1) a new U.N. Security Council authorization; or, (2) with Haiti's consent, conducting the interdiction solely within Haiti's 12-mile territorial sea; or, (3) the consent of the flag state of each ship interdicted.

We judged in June that comprehensive sanctions would have little chance of approval when we went to the Security Council. Neither did we have an enforcement mechanism at that time. Now that we have an enforcement mechanism and different circumstances, we could take new soundings on comprehensive sanctions. (The only precedents are Iraq and Serbia). The blockade itself would be relatively easy to enforce given Haiti's few ports and our large number of ships. We will be monitoring the current sanctions very closely to see whether our political objectives would be better served by broader sanctions.

A cessation of all commercial air traffic would require a new U.N. Security Council resolution. This would likely face strong opposition from other UNSC members. As to U.S. commercial air traffic, Treasury has existing authority to impose such a ban by regulation, if desired. Although we have no bilateral aviation agreement with Haiti that would inhibit doing this, State is looking into the remote possibility that third countries may have rights under other agreements to make intermediate stops to Haiti en route to or from the U.S. A cessation of air links raises risks of panicking American citizen residents, and possibly complicating an evacuation. On balance, we do not recommend a cessation of U.S. commercial air links with Haiti.

DECLASSIFIED

E.O. 13526, Sec. 3.5 (b)

White House Guidelines, September 11, 2006

By VL NARA, Date 10/8/2014

203-0172-m (1.34)

PHOTOCOPY WJC HANDWRITING

SECRET

~~SECRET~~

A cessation of financial transactions between the U.S. and Haiti could be accomplished by a new Executive order. (As you know, current Executive orders are limited to prohibit financial transactions with the current regime in Haiti and with those Haitian nationals who are obstructing democratization in Haiti, or are providing substantial financial contributions to or are doing substantial business with that regime or those perpetuating the violence in Haiti.) For the U.S. to impose a total ban on financial transactions with all Haitians would have a severe impact on ordinary Haitians who depend on remittances for their income and on U.S. business operating in Haiti (e.g., the two U.S. banks currently doing business there). With regard to other countries, the State Department is planning to approach other nations to persuade them to impose their own asset control regime targeted in a similar fashion to our Executive orders. A global cessation of financial transactions would require a new U.N. Security Council resolution.

Attachments

Tab A        New York Times Editorial

SECRET

CLINTON ~~SECRET~~ PHOTOCOPY

Alan Kreezke  
Alan/Richard 10/21

To Alan -  
cc Richard

pb respond

COB Thursday or 1<sup>st</sup>

Thing Fri with brief note  
to Pres

ms

THE PRESIDENT HAS SEEN  
10.20.93

# How to Get Tough With Haiti ✓

The thugs who prevented U.S. and Canadian troops from landing in Haiti on Monday do not represent the majority of the Haitian people. The country's voters made their choice three years ago when they elected President Jean-Bertrand Aristide with a 65 percent majority. The military elite, accustomed to unquestioned power, drove him into exile. Now that elite, aided by its paramilitary "attachés," is invoking nationalist pride and characterizing the U.N. mission to restore President Aristide as a foreign invasion.

The attachés, who prevented a U.S. troopship from landing and threatened the U.S. chargé d'affaires on Monday, kept at it yesterday by menacing a television crew with machine guns and preventing children from attending school.

The junta clearly has no intention of following the agreement reached in July on Governors Island in New York City, which created a timetable for returning President Aristide to power. The thwarted mission was supposed to be a part of that process, helping to "professionalize" the military and separate it from the police force.

In accordance with the Governors Island agreement, economic sanctions against Haiti were lifted in August. It was those sanctions — fully supported by Haiti's poor majority, despite the pain it caused them — that finally forced the recalcitrant military, led by Lieut. Gen. Raoul Cédras, to the bargaining table. But General Cédras and his cro-

nies have demonstrated in the past few days that they have no intention of giving up power.

While nominally accepting the U.N.'s conditions to get the sanctions lifted, General Cédras has obviously been sending quite another message to the troops at home, encouraging them to believe they can stop democracy through intimidation.

Now it's time to get serious with the Haitian junta. Since the Governors Island agreement has clearly been broken, the economic sanctions should be reimposed — and strengthened. General Cédras should be given a very short deadline — 24 to 48 hours — to get his followers under control.

President Clinton has belatedly but correctly recognized that the U.N. mission, in its recent form and under the present hostile circumstances, would not work. He has ordered a temporary halt to the mission. Now Mr. Clinton can tell General Cédras that he must give up power to the democratically elected Government, as agreed, or face a naval blockade and cessation of all commercial air traffic and financial transactions — in other words, complete isolation from the international community.

Only when the United Nations joined in the Western Hemisphere's embargo, cutting off its oil supply from Europe, did Haiti's ruling elite feel enough pain to start talking about handing over power. It's clear they now need another sharp reminder that complete disregard for the will of their own people will carry a heavy price.

*Tony  
can we do this legally?  
as a practical matter?*

*Tony  
Can we do this legally?  
As a practical matter?*

B

21

# MIR MARKER

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| Document ID:<br>9308234       |               |             |                |             |
| Row:<br>44                    | Section:<br>2 | Shelf:<br>4 | Position:<br>2 | Stack:<br>v |

TO: CARTER, JIMMY

FROM: PRESIDENT

DOC DATE: 08 NOV 93  
SOURCE REF:

KEYWORDS: HAITI

PERSONS: CARTER, JIMMY

SUBJECT: PRES REPLY LTR TO FORMER PRES JIMMY CARTER OFFER TO MEDIATE IN HAITI

ACTION: FOR DISPATCH

DUE DATE: 26 OCT 93 STATUS: C

STAFF OFFICER: ROSSIN

LOGREF:

FILES: PA

NSCP:

CODES:

DOCUMENT DISTRIBUTION

FOR ACTION  
WH STRIPPING DESK

FOR CONCURRENCE

FOR INFO  
FEINBERG  
NSC CHRON  
ROSSIN

COMMENTS: \_\_\_\_\_  
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OPENED BY: NSKDB

CLOSED BY: NSKDB

DOC 4 OF 4

UNCLASSIFIED  
ACTION DATA SUMMARY REPORT

RECORD ID: 9308234

DOC ACTION OFFICER

CAO ASSIGNED ACTION REQUIRED

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| 001 ROSSIN            | Z | 93102213 | PREPARE MEMO FOR LAKE |
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| 003 PRESIDENT         | Z | 93110521 | FOR SIGNATURE         |
| 004                   | X | 93110819 | PRES SGD LTR          |
| 004 WH STRIPPING DESK | X | 93110819 | FOR DISPATCH          |

DISPATCH DATA SUMMARY REPORT

DOC    DATE    DISPATCH FOR ACTION

DISPATCH FOR INFO

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| 003 | 931105 |                   | VICE PRESIDENT    |
| 003 | 931105 |                   | WH CHIEF OF STAFF |
| 004 | 931108 | CARTER, JIMMY     |                   |
| 004 | 931108 | WH STRIPPING DESK |                   |

UNCLASSIFIED

CLINTON LIBRARY PHOTOCOPY

TO: PRESIDENT

FROM: CARTER, JIMMY

DOC DATE: 22 OCT 93  
SOURCE REF:

KEYWORDS: HAITI

PERSONS:

SUBJECT: LTR TO PRES FM FORMER PRES CARTER RE HAITI

ACTION: PREPARE MEMO FOR LAKE

DUE DATE: 26 OCT 93 STATUS: S

STAFF OFFICER: ROSSIN

LOGREF:

FILES: PA

NSCP:

CODES:

D O C U M E N T D I S T R I B U T I O N

FOR ACTION  
ROSSIN

FOR CONCURRENCE  
CLARKE  
SCHWARTZ

FOR INFO  
BERGER  
FEINBERG  
LAKE

COMMENTS: \_\_\_\_\_  
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DISPATCHED BY \_\_\_\_\_ DATE \_\_\_\_\_ BY HAND W/ATTCH

OPENED BY: NSKDB

CLOSED BY:

DOC 1 OF 1

UNCLASSIFIED

CLINTON LIBRARY PHOTOCOPY

National Security Council  
The White House

8234

PROOFED BY: \_\_\_\_\_ LOG # 8324  
URGENT NOT PROOFED: \_\_\_\_\_ SYSTEM PRS NSC INT  
BYPASSED WW DESK: \_\_\_\_\_ DOCLOG ASK A/O \_\_\_\_\_

|                 | SEQUENCE TO | HAS SEEN         | DISPOSITION |
|-----------------|-------------|------------------|-------------|
| DepExecSec      | <u>1</u>    | <u>WAC</u>       | <u>A</u>    |
| ExecSec         | _____       | _____            | _____       |
| Staff Director  | _____       | _____            | _____       |
| D/APNSA         | _____       | _____            | _____       |
| APNSA           | _____       | _____            | _____       |
| Situation Room  | _____       | _____            | _____       |
| West Wing Desk  | <u>2</u>    | <u>ASK 11/04</u> | <u>D</u>    |
| NSC Secretariat | <u>3</u>    | <u>ASK 11/8</u>  | <u>D</u>    |
| _____           | _____       | _____            | _____       |
| _____           | _____       | _____            | _____       |

A = Action    I = Information    D = Dispatch    R = Retain    N = No Further Action

cc:            VP            McLarty            Other \_\_\_\_\_

Should be seen by: \_\_\_\_\_  
(Date/Time)

COMMENTS:  
Date NOV 8, 1993 ?

DISPATCH INSTRUCTIONS:

Rec'd 11/3 7:30am

JWR  
11/3

National Security Council  
The White House

8234

PROOFED BY: TAH LOG # 8324

URGENT NOT PROOFED: \_\_\_\_\_ SYSTEM PPS NSC INT

BYPASSED WW DESK: \_\_\_\_\_ DOCLOG WJ A/O \_\_\_\_\_

|                 | SEQUENCE TO | HAS SEEN                     | DISPOSITION          |
|-----------------|-------------|------------------------------|----------------------|
| DepExecSec      | <u>1</u>    | <u>WJ</u>                    |                      |
| ExecSec         |             |                              |                      |
| Staff Director  | <u>2</u>    | <u>WJ</u>                    |                      |
| D/APNSA         | <u>3</u>    | <u>srh</u>                   |                      |
| APNSA           | <u>4</u>    | Natl Sec Advisor<br>has seen | <u>pls redo file</u> |
| Situation Room  |             |                              | <u>WJ/CHGS</u>       |
| West Wing Desk  | <u>5</u>    | <u>WJ</u> 11/5               | <u>TO PODESTA</u>    |
| NSC Secretariat |             |                              |                      |
|                 |             |                              |                      |
|                 |             |                              |                      |

|            |                 |              |            |                       |
|------------|-----------------|--------------|------------|-----------------------|
| A = Action | I = Information | D = Dispatch | R = Retain | N = No Further Action |
|------------|-----------------|--------------|------------|-----------------------|

cc: VP McLarty Other \_\_\_\_\_

Should be seen by: \_\_\_\_\_  
(Date/Time)

COMMENTS:

DISPATCH INSTRUCTIONS:

Exec Sec has diskette

MEMORANDUM FOR: WH STRIPPING DESK

DOCUMENT DESCRIPTION:

TO: CARTER, JIMMY

SOURCE: PRESIDENT

DATE: 08 NOV 93

SUBJ: PRES REPLY LTR TO FORMER PRES JIMMY CARTER OFFER TO MEDIATE IN HAITI

---

REQUIRED ACTION: FOR DISPATCH

DUE DATE:

COMMENT:

  
FOR

WILLIAM H. LEARY

NSC RECORDS MANAGEMENT OFFICE

THE WHITE HOUSE

WASHINGTON

November 8, 1993

Dear President <sup>Jimmy</sup> Carter:

Thank you for your recent letter following up on our phone conversation on Haiti and your offer to engage the Council of Freely Elected Heads of Government in mediation.

I have not foreclosed any option in our policy approach to Haiti and truly welcome your ideas. I particularly appreciate your offer to bring your prestige and expertise to bear as a mediator and want to stay in close touch as the situation develops.

We have taken steps to enforce the UN and OAS sanctions and to broaden the scope of our targeted asset freeze and visa prohibitions. We are also looking into reports of the military's involvement in the drug trade. We are supporting Dante Caputo's negotiating efforts, in which Prime Minister Malval has played such a courageous role, and have kept in close contact with both him and President Aristide. I called them on October 29 to reiterate my commitment to restoring democracy and bringing about President Aristide's return to Haiti. President Aristide and I discussed the need to afford Prime Minister Malval maximum flexibility in the negotiating process.

It was good to see you on Tuesday. Your support for NAFTA means a great deal to me and to the success of our effort. Many thanks.

Sincerely,



The Honorable Jimmy Carter  
The Carter Center  
Atlanta, Georgia 30307

CLINTON LIBRARY PHOTOCOPY

THE WHITE HOUSE  
WASHINGTON

November 5, 1993  
NOV 5 PG: 11

ACTION

MEMORANDUM FOR THE PRESIDENT

FROM: ANTHONY LAKEY

SUBJECT: Letter from Former President Carter on Haiti

Purpose

To thank former President Carter for his offer to mediate in Haiti and to inform him that this option will be kept in consideration.

Background

President Carter wrote to you recently with several suggestions to follow up a telephone conversation you and he had on Haiti. He offered his services and those of his Council of Freely Elected Heads of Government as mediators should you deem that appropriate. Circumstances in Haiti could at some point warrant consideration of a new mediator to replace Dante Caputo. In that case we would want to consider former President Carter as a candidate. For the moment, however, Caputo's efforts continue to merit our active support. Our proposed reply thanks President Carter for his thoughts and leaves open the idea of asking him to become more deeply involved.

RECOMMENDATION

That you sign the proposed letter to former President Carter at Tab A.

Attachments

- Tab A Proposed Letter to President Carter
- Tab B Incoming Letter from President Carter

PHOTOCOPY WJC HANDWRITING

NATIONAL SECURITY COUNCIL  
WASHINGTON, D.C. 20506

November 1, 1993

ACTION

MEMORANDUM FOR ANTHONY LAKE

THROUGH: RICHARD E. FEINBERG *RF*  
FROM: LAWRENCE G. ROSSIN *LR*  
SUBJECT: Letter from Former President Carter on Haiti

Former President Carter followed up a telephone call from the President in which they discussed Haiti with a letter providing several suggestions, notably an offer on his own behalf and that of his Council of Freely Elected Heads of Government to mediate if that were deemed appropriate. Our proposed reply informs former President Carter that our efforts so far parallel many of his suggestions and that his offer to mediate will be kept in mind as we monitor developments in Haiti in case there should be an opening for a new mediation effort.

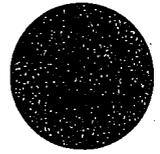
RECOMMENDATION

That you sign the Memorandum to the President at Tab I.

Attachments

Tab I Memorandum to the President  
Tab A Proposed Letter to Former President Carter  
Tab ~~B~~ Incoming Correspondence

→ FOR STAFFING  
ADV CY: TONY LAKE  
SANDY BERI



THE OFFICE OF JIMMY CARTER

THE CARTER CENTER, INC.  
ATLANTA, GEORGIA 30307

404-331-3900 (PHONE)

404-331-0283 (FAX)

Date October 22, 1993

Please deliver the following document to:

Name: The Honorable Tony Lake - National Security Adviser

Phone: \_\_\_\_\_

Fax#: 202/456-6292 or 202/456-2255

Sender Name: Jimmy Carter

Number of pages transmitted including cover sheet 3

If, all pages not received please call 404-331-3900.

COMMENTS: Please deliver the attached to President Carter

ATTENTION: The Honorable Tony Lake

Contact: Faye Dill

404/331-0283 fax

404/331-0281 phone

HAVE A GOOD DAY

CLINTON LIBRARY PHOTOCOPY



JIMMY CARTER

October 22, 1993

To President Bill Clinton

Since you called this week to ask for my thoughts about Haiti, here are a few observations which you may wish to consider:

As we discussed, the U.S./Canada naval barrier should be maintained tightly, and Malval's idea of working through the oil companies and others to strengthen the embargo might also be pursued from our government. Few Western corporations could violate such requests. These and other punitive restraints should be maintained until after the full consummation of any agreements made in the future with the military leaders.

The issue of drug trade in Haiti should be fully publicized, using the Congressional Black Caucus and others to take the lead in these condemnations instead of having them originate in the White House. If drugs are being transported to the U.S. by airplane, our AWACS tracking could be concentrated on these particular flights for interdiction and intimidation.

All blame for a lack of progress should be laid on the military and not on Aristide, but his degree of flexibility on bringing in opposition cabinet members, etc., should be explored privately. Something will have to be devised to let Cedras, et al, save face.

Every effort should be made to entice the civil power structure in Haiti away from the military and toward Malval.

As you know, we have a Council of Freely Elected Heads of Government, with about two dozen members, all of us either now in office or having met the requirements in the title of our group. This includes leaders from Trudeau and Clark in Canada to Alfonsin in Argentina, Manley in Jamaica, Arias and others in Central America and the Caribbean, and President Ford and me in the U.S. On a number of occasions we have joined together to address troubling issues in this hemisphere, sometimes confidentially and most often with publicity. Without implying any criticism of

Page 2

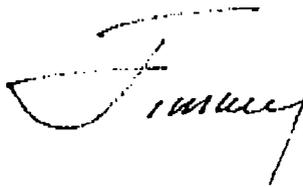
Caputo, Pezzullo or others, you and Boutros-Ghali might want to consider asking our group to take a look at Haiti. Although I am immersed right now in putting together Sudan peace talks, we could help if needed.

I am somewhat reluctant to make this suggestion, because a similar offer earlier this year was not accepted, even though both Cedras and Aristide were requesting that this be done. Let me assure you that this is only a very tentative suggestion and not a request. I have not given up on possible success of the present course of action, and would be relieved to let others continue tackling this difficult issue.

Finally, I have been very pleased since our meeting in September with the briefings we have received and at the free exchange of ideas between The Carter Center, the State Department, and the White House.

You have my personal best regards.

Sincerely,



The Honorable Bill Clinton  
The President  
The White House  
Washington, D.C. 20500-2000

cc: Secretary of State Warren Christopher

p.s. Bob Pastor is in Washington today, if Tony Lake or anyone else wants to discuss this with him.

# MIR MARKER

This is not a textual record. This is used as an administrative marker by the Clinton Presidential Library Staff.

|                               |               |             |                |             |
|-------------------------------|---------------|-------------|----------------|-------------|
|                               |               |             |                |             |
| Original OA/ID Number:<br>169 |               |             |                |             |
|                               |               |             |                |             |
| Document ID:<br>9308443       |               |             |                |             |
| Row:<br>44                    | Section:<br>2 | Shelf:<br>4 | Position:<br>3 | Stack:<br>V |

# Withdrawal/Redaction Sheet

## Clinton Library

| DOCUMENT NO.<br>AND TYPE | SUBJECT/TITLE   | DATE                  | RESTRICTION                        |
|--------------------------|---|-----------------------|------------------------------------|
| <del>001</del> memo      | <del>To: POTUS; From: Anthony Lake; Re: Haiti: Current Situation and Presidential Statement (3 pages)</del> | <del>10/28/1993</del> | <del>P1A(1)</del> <i>nr 3/3/20</i> |

**COLLECTION:**

Clinton Presidential Records  
 NSC Records Management  
 [Haiti and Memcon ...]  
 OA/Box Number: 169

**FOLDER TITLE:**

9308443

2013-0122-M  
sb2505

**RESTRICTION CODES**

**Presidential Records Act - [44 U.S.C. 2204(a)]**

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

**Freedom of Information Act - [5 U.S.C. 552(b)]**

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

CLINTON LIBRARY PHOTOCOPY

TO: PRESIDENT

FROM: LAKE

DOC DATE: 28 OCT 93  
SOURCE REF:

KEYWORDS: HAITI

PERSONS:

SUBJECT: HAITI - CURRENT SITUATION & PRES STATEMENT

ACTION: NOTED BY PRES

DUE DATE: 01 NOV 93 STATUS: C

STAFF OFFICER: FEINBERG

LOGREF:

FILES: PA

NSCP:

CODES:

D O C U M E N T   D I S T R I B U T I O N

FOR ACTION

FOR CONCURRENCE

FOR INFO

FEINBERG  
NSC CHRON

DECLASSIFIED  
E.O. 13526  
White House Guidelines, May 16, 2017  
By ADSNARA, Date 8/20/2019  
2013-0122-M

COMMENTS: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

DISPATCHED BY \_\_\_\_\_ DATE \_\_\_\_\_ BY HAND W/ATTCH

OPENED BY: NSWEA      CLOSED BY: NSJDA      DOC 1 OF 1

ACTION DATA SUMMARY REPORT

DOC ACTION OFFICER

CAO ASSIGNED ACTION REQUIRED

001 PRESIDENT  
001

Z 93110907 FOR INFORMATION  
X 93110907 NOTED BY PRES

11/8  
① raw  
for 3 memo  
per P. Richard  
on 10/28  
fw.

TIME OF TRANSMISSION

TIME OF RECEIPT

**WHITE HOUSE  
SITUATION ROOM**

20 P10:51

PRECEDENCE: IMMEDIATE  
PRIORITY  
ROUTINE

RELEASER: \_\_\_\_\_

DTG: \_\_\_\_\_

MESSAGE NO. \_\_\_\_\_ CLASSIFICATION secret PAGES 3

FROM Sharon Wagner/The White House 2702  
(NAME) (PHONE NUMBER) (ROOM NO.)

MESSAGE DESCRIPTION \_\_\_\_\_

TO (AGENCY) \_\_\_\_\_ DELIVER TO \_\_\_\_\_ DEPT/ROOM NO. \_\_\_\_\_ PHONE NUMBER \_\_\_\_\_

MA Paul Richard (FOR THE PRESIDENT/ACTION)

**REMARKS:**

Paul -- I called Todd after I received this memo and he gave me the OK to send it to you

RE: HAITI

UNCLASSIFIED UPON REMOVAL  
OF CLASSIFIED ATTACHMENTS

Initials: ASB Date: 8/30/2019  
2013-0122-M

THE WHITE HOUSE

WASHINGTON

October 28, 1993

33 OCT 28 PIO: 27

ACTION

MEMORANDUM FOR THE PRESIDENT

FROM: ANTHONY LAKE *mlk*

SUBJECT: Haiti: Current Situation and Presidential Statement

Current Situation

The negotiations among Malval, Cedras and the parliamentarians in Port-au-Prince are stalemated. Moreover, we have learned from reliable sources that the military may be plotting to sweep aside Malval over the weekend (peacefully or with assassinations), to name a new President, and perhaps then to stage new presidential elections in a few months.

In Port-au-Prince, UN/OAS negotiator Dante Caputo faces these problems:

- The military leadership evidently believes it can block Aristide's return by outlasting the resolve of the international community. The enmity between Aristide and the military remains undiminished.
- Even if there were a political agreement on the sequencing of the key issues, the Parliament cannot convene for lack of a quorum. Lawmakers are intimidated or being bribed to stay away.
- Even if Malval and his cabinet remain at their posts after October 30, they are huddled in Malval's residence. They are critical symbols of legitimacy but lack real authority.

At the UNGA today, Aristide -- clearly influenced by his telephone conversation with the Vice President -- delivered a generally statesmanlike speech painting a future vision for Haiti of political dialogue and economic development with justice. However, he said he would sign an amnesty law only after Cedras departed, while allowing that both could be done on the same day (we had urged him to do both simultaneously). He also called for a total trade embargo (we are looking more at targeted sanctions).

DECLASSIFIED

E.O. 13526, Sec. 3.5 (b)

White House Guidelines, September 11, 2006

~~SECRET~~

Declassify on: OADR

By *12* NARA, Date *10/8/2016*  
215 CIA/FM (1.35)

CC: Vice President  
Chief of Staff

CLINTON LIBRARY PHOTOCOPY

~~SECRET~~

SECRET

As the Governors Island deadline for Aristide's return on October 30 approaches and the risk of serious deterioration in the security situation rises, we are working to head off a crisis on Saturday. Our goal is to keep the Governors Island process alive by urging Aristide to give Malval maximum flexibility in negotiating with the Parliament and military while maintaining pressure on the military through our tough sanctions. We are working to remove any misconception that Aristide's inability to return on Saturday means an end to the Governor's Island process.

We are taking steps to guarantee the security of Americans, official and non-official, in Haiti; maintain our refugee strategy; continue our humanitarian assistance programs to Haiti's poor; and keep Congress and the American public informed of our policies. We are also working bilaterally and at the UN to tighten the sanctions against the military by urging other nations to follow our lead in freezing assets and revoking visas.

In addition, we are analyzing the programming which would be required to operationalize an EC-130 airplane equipped to broadcast to Haitian radio and television. The CIA, DEA and our Embassy are also analyzing drug trafficking in Haiti and ways to crack down on traffickers and their military protectors.

To preempt the military, on Friday afternoon Caputo is planning to go public with the military's plans to overthrow Malval and warn that such a move would only lead to intensified sanctions. He will challenge the military to demonstrate their good faith by accepting his call for a conclave next week to reach agree among all parties on how best to implement the remaining steps of the Governors Island accord. The Secretaries General of the UN and OAS and the Head of State of the "Four Friends" (yourself, Canada, France and Venezuela) would issue strong statements of support for Caputo's efforts. We also believe you should have direct contact with both Malval and Aristide on Friday as a demonstration of your strong support for their government. Malval, in particular, needs a morale boost. You should try and call both on Friday. We have also recommended in a separate memo that you call Dominican Republic President Balaguer to press him to tighten sanctions.

### Security Options

We are already providing some security to Malval and will provide you on Friday for your decision a proposal that we station 2-3 State Department security officers at Malval's residence. JCS is also reviewing plans to evacuate Americans in the event conditions deteriorate. We will be meeting with JCS on Friday to discuss.

We are also preparing three peacekeeping options that we will present to you shortly:

- A small force with the tightly circumscribed mission of protecting Malval and his cabinet as well as key

SECRET

CLINTON LIBRARY PHOTOCOPY

~~SECRET~~

government buildings, and to provide military and police training.

- A small but more robust force with the added mission of deterring, preventing and containing political violence in Port-au-Prince only.
- A larger force with the same mission as the previous option but of dimensions adequate to cover all of Haiti.

In each case we assume a prior political settlement, an invitation by Aristide and the new military command, and a permissive security environment (Chapter VI authority under the UN Charter). Each option could be with or without US troops, although in the latter cases we would surely have to provide significant logistical and financial support.

We will forward to you on Friday a draft statement and talking points for the Aristide and Malval calls.

RECOMMENDATIONS

That you telephone Aristide on Friday to signal your continuing support.

Approve \_\_\_\_\_ Disapprove \_\_\_\_\_

That you telephone Malval on Friday to express your support for his courageous efforts to achieve a negotiated settlement.

Approve \_\_\_\_\_ Disapprove \_\_\_\_\_

That you telephone President Balaguer of the Dominican Republic to urge him to enforce the UN sanctions and to halt any oil shipments across the border.

Approve \_\_\_\_\_ Disapprove \_\_\_\_\_

# MIR MARKER

This is not a textual record. This is used as an administrative marker by the Clinton Presidential Library Staff.

|                               |               |             |                |             |
|-------------------------------|---------------|-------------|----------------|-------------|
|                               |               |             |                |             |
| Original OA/ID Number:<br>170 |               |             |                |             |
|                               |               |             |                |             |
| Document ID:<br>9308471       |               |             |                |             |
| Row:<br>44                    | Section:<br>2 | Shelf:<br>5 | Position:<br>1 | Stack:<br>V |

# Withdrawal/Redaction Sheet

## Clinton Library

| DOCUMENT NO.<br>AND TYPE | SUBJECT/TITLE   | DATE       | RESTRICTION        |
|--------------------------|---|------------|--------------------|
| 001. telecon             | The President with Robert Malval, Prime Minister of Haiti (2 pages) | 10/29/1993 | P1/b(1) V 7/3/1020 |

**COLLECTION:**

Clinton Presidential Records  
 NSC Records Management  
 [Haiti and Memcon ...]  
 OA/Box Number: 170

**FOLDER TITLE:**

9308471

2013-0122-M  
sb2506

**RESTRICTION CODES**

**Presidential Records Act - [44 U.S.C. 2204(a)]**

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
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C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

**Freedom of Information Act - [5 U.S.C. 552(b)]**

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- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
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- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

CLINTON LIBRARY PHOTOCOPY

TO: LAKE

FROM: ROSSIN  
FEINBERG

DOC DATE: 29 OCT 93  
SOURCE REF:

KEYWORDS: HAITI

TELCALL

PERSONS: MALVAL, ROBERT

SUBJECT: PRES TELCALL W/ PM MALVAL OF HAITI

ACTION: KENNEY APPROVED RECOM

DUE DATE: 02 NOV 93 STATUS: C

STAFF OFFICER: ROSSIN

LOGREF:

FILES: PA

NSCP:

CODES:

DOCUMENT DISTRIBUTION

FOR ACTION

FOR CONCURRENCE

FOR INFO

EXECSEC  
FEINBERG  
FICKLIN  
ROSSIN  
SIGLER

DECLASSIFIED  
E.O. 13526  
White House Guidelines, May 16, 2017  
By AVS/NARA, Date 8/20/2019  
2013-0122-M

COMMENTS: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

DISPATCHED BY \_\_\_\_\_ DATE \_\_\_\_\_ BY HAND W/ATTCH

OPENED BY: NSJEB CLOSED BY: NSJDA DOC 1 OF 1

ACTION DATA SUMMARY REPORT

DOC ACTION OFFICER

CAO ASSIGNED ACTION REQUIRED

001 LAKE  
001

Z 93110108 FOR DECISION  
X 93110210 KENNEY APPROVED RECOM

DISPATCH DATA SUMMARY REPORT

DOC DATE DISPATCH FOR ACTION

DISPATCH FOR INFO

001 931029

GROSSMAN, M

National Security Council  
The White House

PROOFED BY: \_\_\_\_\_ LOG # 8471

URGENT NOT PROOFED: \_\_\_\_\_ SYSTEM PRS NSC INT

BYPASSED WW DESK: \_\_\_\_\_ DOCLOG Jon A/O \_\_\_\_\_

|                        | SEQUENCE TO | HAS SEEN         | DISPOSITION |
|------------------------|-------------|------------------|-------------|
| <i>W</i><br>DepExecSec | <u>1</u>    | <u>Van</u>       |             |
| ExecSec                |             |                  |             |
| Staff Director         |             |                  |             |
| D/APNSA                |             |                  |             |
| APNSA                  |             |                  |             |
| Situation Room         |             |                  |             |
| West Wing Desk         | <u>2</u>    | <u>Jon 10/30</u> | <u>D</u>    |
| NSC Secretariat        |             |                  |             |
|                        |             |                  |             |
|                        |             |                  |             |

A = Action    I = Information    D = Dispatch    R = Retain    N = No Further Action

cc:            VP                            McLarty                            Other \_\_\_\_\_

Should be seen by: \_\_\_\_\_  
(Date/Time)

COMMENTS:

*Jacelyn - Please wash/*  
*Tab I to Marc Grossman*  
*Eyes Only from Kristie.*

DISPATCH INSTRUCTIONS:

*Thanks*  
*let's*

*ExecSec's Office has desked*

**WHITE HOUSE  
SITUATION ROOM**

PRECEDENCE: IMMEDIATE  
PRIORITY  
ROUTINE

RELEASER: \_\_\_\_\_

DIG: \_\_\_\_\_  
**EYES ONLY**

~~CONFIDENTIAL~~

MESSAGE NO. \_\_\_\_\_ CLASSIFICATION \_\_\_\_\_ PAGES 4

FROM WILLIAM H ITOH 456-6534 \_\_\_\_\_  
(NAME) (PHONE NUMBER) (ROOM NO.)

MESSAGE DESCRIPTION TRANSMITTAL OF TELCONS

NSC LOG # 8470 & 8471

| TO (AGENCY) | DELIVER TO                | DEPT/ROOM NO. | PHONE NUMBER |
|-------------|---------------------------|---------------|--------------|
| STATE       | MARC GROSSMAN - EYES ONLY |               |              |
|             |                           |               |              |
|             |                           |               |              |
|             |                           |               |              |
|             |                           |               |              |
|             |                           |               |              |
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|             |                           |               |              |
|             |                           |               |              |

REMARKS:

PLEASE DELIVER EYES ONLY TO ADDRESSEE ASAP!!

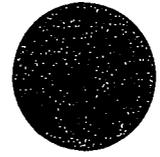
UNCLASSIFIED UPON REMOVAL  
OF CLASSIFIED ATTACHMENTS

Initials: ADS Date: 8/20/2019  
2013-0122-M

**EYES ONLY**

NATIONAL SECURITY COUNCIL  
WASHINGTON, D.C. 20506

October 29, 1993



ACTION

MEMORANDUM FOR WILLIAM H. ITOH

THROUGH: RICHARD E. FEINBERG *RF*

FROM: LAWRENCE G. ROSSIN *LR*

SUBJECT: Presidential Telcon with Prime Minister Malval of Haiti on October 29, 1993

Attached at Tab I is a memorandum of the telephone conversation between the President and Prime Minister Malval of Haiti on October 29, 1993.

RECOMMENDATION

That the attached memorandum of telephone conversation be filed for the record.

Approve  *kan* Disapprove

That a copy of the Memorandum of Telcon be provided to ~~Tarnoff~~ at State.

*Marc Grossman  
Peter for  
Secretary  
Chris to pher*

Approve  Disapprove

Attachments

Tab I Memorandum of Telcon

DECLASSIFIED  
E.O. 13526  
White House Guidelines, May 16, 2017  
By *AS* NARA, Date *10/26/2019*  
2013-0122-M

~~CONFIDENTIAL~~

~~CONFIDENTIAL~~

8471

THE WHITE HOUSE

WASHINGTON

MEMORANDUM OF TELEPHONE CONVERSATION

SUBJECT: Telcon with Robert Malval, Prime Minister of Haiti, on October 29, 1993 (C)

PARTICIPANTS: The President  
Robert Malval, Prime Minister of Haiti  
Notetakers: Lawrence G. Rossin  
Richard E. Feinberg  
Carlos A. Burgos

DATE, TIME: October 29, 1993, 12:12 - 12:17 pm  
AND PLACE: Boston, Massachusetts

The President: Hello, Prime Minister Malval. (U)

Prime Minister Malval: It is nice to speak with you. (U)

The President: I wanted to call to profess my admiration and appreciation for your courageous efforts. We want to do everything we can to provide security for you. Stay on! and keep working. I talked earlier with President Aristide about ways to improve his support for your negotiations. You are correct to explore new options. We are going to maintain our sanctions. I would like your views on how we might tighten them and I want to know what we can do to support your efforts. (C)

Prime Minister Malval: First let me express my family's and my deep appreciation for your concern. I am with Ambassador Swing and the other Ambassadors now discussing the problems in this country. In your speech at 3:15 today, it will be important to know that the United States will not back away from the process. I know you are a "Great Communicator" -- I followed your campaign -- and can make this message heard. Regarding sanctions, I think it is best that they be left as they are and leave in place the threat of further sanctions. That threat is clearly understood by those in power here. (C)

The President: That's good advice and I think I'll take it. In your remarks this afternoon tell your people that I called and that we are with you and that the United States will stay the course and not back off sanctions. You should keep working with Ambassador Swing. He is a good man and was eager to get down there. So again, I'm concerned and want to support you. Stay in office, we need you there. I'm not sure I can work this out if you are not there. (C)

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Declassify on: OADR

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DECLASSIFIED

E.O. 13526, Sec. 3.5 (b)

White House Guidelines, September 11, 2006

By: J. WARA, Date: 10/8/2019

2513-0122-m (1.37)

CONFIDENTIAL

~~CONFIDENTIAL~~<sub>2</sub>

Prime Minister Malval: I will try to do so. I need to open the first door first, then the rest will follow. We have very many good people here who want to serve, but our country must change as the world is changing. You are the most important piece of this puzzle and your concern is the number one factor in resolving this crisis. (C)

The President: I'll stay with you. Look to Ambassador Swing for advice and counsel and I am available any time if you wish to reach me. (C)

Prime Minister Malval: Thank you. I want to say how happy I am to have Ambassador Swing by my side here. (U)

The President: Thank you. (U)

Prime Minister Malval: Thank you. Goodbye.

-- End of Conversation --

~~CONFIDENTIAL~~

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# MIR MARKER

This is not a textual record. This is used as an administrative marker by the Clinton Presidential Library Staff.

|                               |               |             |                |             |
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| Original OA/ID Number:<br>171 |               |             |                |             |
|                               |               |             |                |             |
| Document ID:<br>9308764       |               |             |                |             |
| Row:<br>44                    | Section:<br>2 | Shelf:<br>5 | Position:<br>2 | Stack:<br>v |

# Withdrawal/Redaction Sheet

## Clinton Library

| DOCUMENT NO.<br>AND TYPE | SUBJECT/TITLE   | DATE       | RESTRICTION         |
|--------------------------|---|------------|---------------------|
| 001a. memo               | To: POTUS; From: Anthony lake; Re: Haiti, The Security of PM Malval [partial] (3 pages) | 00/00/0000 | P1/b(1) v2 3/3/2020 |
| 001b. memo               | Duplicate of 001a [partial] (3 pages)   | 00/00/0000 | P1/b(1) v2 3/3/2020 |

**COLLECTION:**

Clinton Presidential Records  
 NSC Records Management  
 [Haiti and Memcon ...]  
 OA/Box Number: 171

**FOLDER TITLE:**

9308764

2013-0122-M  
sb2507

**RESTRICTION CODES**

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
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- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request

Freedom of Information Act - [5 U.S.C. 552(b)]

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- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

CLINTON LIBRARY PHOTOCOPY

TO: PRESIDENT

FROM: LAKE

DOC DATE: 08 NOV 93  
SOURCE REF:

KEYWORDS: HAITI

SECURITY ASSISTANCE

PERSONS: MALVAL, ROBERT

SUBJECT: SECURITY OF PM MALVAL OF HAITI

ACTION: PRES APPROVED RECOMS

DUE DATE: 11 NOV 93 STATUS: C

STAFF OFFICER: LAKE

LOGREF:

FILES: PA

NSCP:

CODES:

D O C U M E N T   D I S T R I B U T I O N

FOR ACTION

FOR CONCURRENCE

FOR INFO

FEINBERG  
NSC CHRON  
ROSSIN

DECLASSIFIED  
E.O. 13526  
White House Guidelines, May 16, 2017  
By ADS NARA, Date 8/26/2019  
2013-0122-M

COMMENTS: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

DISPATCHED BY \_\_\_\_\_ DATE \_\_\_\_\_ BY HAND W/ATTCH

OPENED BY: NSWEA      CLOSED BY: NSWEA      DOC 1 OF 1

ACTION DATA SUMMARY REPORT

DOC ACTION OFFICER

CAO ASSIGNED ACTION REQUIRED

001 PRESIDENT  
001

Z 93110819 FOR DECISION  
X 93110819 PRES APPROVED RECOMS

National Security Council  
The White House

PROOFED BY: \_\_\_\_\_ LOG # 8515

URGENT NOT PROOFED: \_\_\_\_\_ SYSTEM ~~FRS~~ NSC INT

BYPASSED WW DESK: \_\_\_\_\_ DOCLOG ASK A/O \_\_\_\_\_

|                 | SEQUENCE TO | HAS SEEN         | DISPOSITION |
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| DepExecSec      | _____       | _____            | _____       |
| ExecSec         | _____       | _____            | _____       |
| Staff Director  | _____       | _____            | _____       |
| D/APNSA         | _____       | _____            | _____       |
| APNSA           | _____       | _____            | _____       |
| Situation Room  | _____       | _____            | _____       |
| West Wing Desk  | _____       | <u>ASK 11/10</u> | <u>A</u>    |
| NSC Secretariat | _____       | _____            | <u>N</u>    |
| _____           | _____       | _____            | _____       |
| _____           | _____       | _____            | _____       |

A = Action    I = Information    D = Dispatch    R = Retain    N = No Further Action

cc:            VP                            McLarty                            Other \_\_\_\_\_

Should be seen by: \_\_\_\_\_  
(Date/Time)

COMMENTS:  
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walked to one's bin

Slightly Amended  
Version

# Withdrawal/Redaction Marker

## Clinton Library

| DOCUMENT NO.<br>AND TYPE | SUBJECT/TITLE   | DATE       | RESTRICTION |
|--------------------------|---|------------|-------------|
| 001a. memo               | To: POTUS; From: Anthony lake; Re: Haiti, The Security of PM<br>Malval [partial] (1 page) | 00/00/0000 | P1/b(1)     |

### COLLECTION:

Clinton Presidential Records  
NSC Records Management  
[Haiti and Memcon ...]  
OA/Box Number: 171

### FOLDER TITLE:

9308764

2013-0122-M  
sb2507

### RESTRICTION CODES

#### Presidential Records Act - [44 U.S.C. 2204(a)]

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C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request

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CLINTON LIBRARY PHOTOCOPY

THE WHITE HOUSE  
WASHINGTON

MEMORANDUM FOR THE PRESIDENT

FROM: ANTHONY LAKE ✓  
SUBJECT: Haiti, The Security of PM MalvalDeclassified in Part  
Per E.O. 13526  
VZ 10/08/2019 (1.38)  
2013-0122-M

This memorandum outlines what we are now doing to provide for Prime Minister Malval's security and how we could deal with various levels of threats to him. It offers options for dealing with some of those threats.

What we have done

We have provided the Prime Minister with two bullet-proof cars and two lightly armor plated cars. We have trained four Haitian civilians to drive the cars and provide minimal security. (The Haitian Army also has six enlisted men on security patrol outside of his house.) The U.S. Embassy security officer visits the Prime Minister's house daily and has provided Malval with a radio for communicating with the Embassy.

What we are doing this weekend

State has authorized Ambassador Swing to invite Malval to the Ambassador's residence for a prolonged "tennis and pool party" this weekend, beginning at any time and extending overnight if necessary. Alternatively, the Ambassador and his protective detail of 4-5 Diplomatic Security (State Department) officers could visit Malval's home at any time.

In the event that we need to quickly evacuate the official American community, a U.S. Navy Amphibious ship with Marine helicopters and riflemen has taken station over the horizon.

In Extremis Options

If the situation began to deteriorate and Malval were at his home, we see four possible options:

1. Malval Drives to the Residence: The Ambassador's Residence is the location where we would land helicopters to extract U.S. embassy personnel if we had to evacuate quickly. Malval, also could leave on a helicopter from the Residence, if he could get to it. (Malval's home and the area around it does not have a place where a helicopter could land.) If the security conditions were permissive, Malval could drive the two miles from his home to the U.S. Ambassador's Residence in the bullet proof car we have provided, accompanied by his own small security team.

~~SECRET~~

Declassify on: OADR

CLINTON LIBRARY PHOTOCOPY

Ambassador Swing will tell him that coming to the Residence (or the Embassy) before conditions deteriorate badly is the only assured way of getting American protection.

2. Embassy Pickup: If Malval's own security team disappeared or refused to drive him to the Residence, Ambassador Swing could send an embassy officer to pick him up and bring him to the Residence. The embassy officer could be accompanied by a small U.S. security team drawn from the 9 Diplomatic Security officers and 26 Forward Area Security Team (FAST) Marines now at the embassy. Depending upon when such a request were made, a team of 4-6 security personnel might be available on relatively short notice to staff one security trail car.

3. Semi-Permissive Pick-up: If the environment has begun to deteriorate, with attache gangs roaming the neighborhoods between Malval's home and the Ambassador's residence, it might be imprudent to pick him up with only one security car accompanying the embassy officer. By stationing 24 more FAST Marines and 3-6 more Diplomatic Security agents at the U.S. Embassy, we could have a 24 hour capability at the Ambassador's Residence and be able to move with two armor-plated Chevrolet Suburban style vehicles and a dozen U.S. security officers to Malval's home and back to the Residence. This kind of force would deter most low level threats. By assigning them to the residence they could also provide security there during a helicopter evacuation. The Ambassador would be the judge at the time of whether the threat environment were such that he believed that using this option was prudent. At some level of chaos in the city, using this option would merely put the Americans involved at unacceptable risk.

RECOMMENDATION:

You authorize DOD and State to initiate the security force augmentation to create this capability on short notice upon the Ambassador's request. Shali concurs, as does State.

Approve  Disapprove

4. Non-Permissive Environment: If the attaches or the police and military were determined to prevent Malval's movement, we could land an infantry unit from the amphibious force at the port and have it drive in light armored vehicles to Malval's home. By the time that could occur, however, any determined effort to harm Malval could have succeeded.

Providing American Body Guards

We do not know if Malval would accept American body guards. No U.S. agency is eager to provide them. There is some doubt about what legal authority exists for U.S. security personnel to protect foreign officials outside of U.S. territory. What could be done would be to provide on-the-job training to Malval's own

security team [EO 13526 1.4c, 3.3(b)(1), 3.3(b)(6)] protective security trainers. Alternatively, the Embassy could assign a political officer as an advisor to Malval and we could then provide protection to that advisor.

Beyond the issue of explicit legal authority, however, the agencies believe that if the Haitian police/army really want to harm Malval, any protective force could be overwhelmed. There is a related issue of who would be protected. Malval's cabinet and their dependents probably number fifty to one hundred people who live at a dozen locations.

If you believe the extraction options in this paper are insufficient, you could instruct State [1.4(c)] and DOD to develop plans for direct protection of Malval or Malval and his Cabinet.

E.O. 13526  
3.3(b)(1)  
3.3(b)(6)

RECOMMENDATION:

~~For contingency planning purposes~~, I recommend that you ask [1.4(c)] State, and DOD to develop plans for direct protection or on-the-job training of Haitian security. Their plans could include an analysis of legal authorities and the political and security risks.

Approve

Disapprove

# Withdrawal/Redaction Marker

## Clinton Library

| DOCUMENT NO.<br>AND TYPE | SUBJECT/TITLE | DATE | RESTRICTION |
|--------------------------|---------------|------|-------------|
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| 001b. memo | Duplicate of 001a [partial] (1 page) | 00/00/0000 | P1/b(1) |
|------------|--------------------------------------|------------|---------|

### COLLECTION:

Clinton Presidential Records  
NSC Records Management  
[Haiti and Memcon ...]  
OA/Box Number: 171

### FOLDER TITLE:

9308764

2013-0122-M  
sb2507

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CLINTON LIBRARY PHOTOCOPY

THE WHITE HOUSE  
WASHINGTONDeclassified in Part  
Per E.O. 13526  
VZ 10/08/2019  
2013-0122-M

MEMORANDUM FOR THE PRESIDENT

FROM: ANTHONY LAKE

SUBJECT: Haiti, The Security of PM Malval

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RECOMMENDATION:

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Approve  Disapprove

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If you believe the extraction options in this paper are insufficient, you could instruct State [1.4(c)] and DOD to develop plans for direct protection of Malval or Malval and his Cabinet.

E.O. 13526  
3.3(b)(1)  
3.3(b)(6)

RECOMMENDATION:

~~For contingency planning purposes~~, I recommend that you ask [1.4(c)] State, and DOD to develop plans for direct protection or on-the-job training of Haitian security. Their plans could include an analysis of legal authorities and the political and security risks.

Approve

Disapprove

# MIR MARKER

This is not a textual record. This is used as an administrative marker by the Clinton Presidential Library Staff.

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|                               |               |             |                |             |
| Original OA/ID Number:<br>173 |               |             |                |             |
|                               |               |             |                |             |
| Document ID:<br>9309132       |               |             |                |             |
| Row:<br>44                    | Section:<br>2 | Shelf:<br>6 | Position:<br>1 | Stack:<br>V |

# Withdrawal/Redaction Sheet

## Clinton Library

| DOCUMENT NO.<br>AND TYPE | SUBJECT/TITLE   | DATE                  | RESTRICTION                    |
|--------------------------|---|-----------------------|--------------------------------|
| <del>001a. memo</del>    | <del>To: Anthony lake; From: Lawrence Rossin; Re: Haiti: Near-Term Strategy and Contingency Thinking (1 page)</del> | <del>11/20/1993</del> | <del>P1/b(1) v2 3/3/2020</del> |
| <del>001b. memo</del>    | <del>To: POTUS; From: Anthony Lake; Re: Near-Term Strategy for Haiti (4 pages)</del>                                | <del>00/00/0000</del> | <del>P1/b(1) v2 3/3/2020</del> |
| <del>001c. memo</del>    | <del>To: POTUS; From: Anthony lake; Re: Haiti: Contingency Thinking Beyond Sanctions (7 pages)</del>                | <del>00/00/0000</del> | <del>P1/b(1) v2 3/3/2020</del> |

**COLLECTION:**

Clinton Presidential Records  
 NSC Records Management  
 [Haiti and Memcon ...]  
 OA/Box Number: 173

**FOLDER TITLE:**

9309132

2013-0122-M  
sb2508

**RESTRICTION CODES**

Presidential Records Act - [44 U.S.C. 2204(a)]

Freedom of Information Act - [5 U.S.C. 552(b)]

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- RR. Document will be reviewed upon request.

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TO: LAKE

FROM: ROSSIN  
FEINBERG

DOC DATE: 20 NOV 93  
SOURCE REF:

KEYWORDS: HAITI

LIMITED ACCESS

PERSONS:

SUBJECT: MEMO TO PRES ON NEAR TERM HAITI STRATEGY & CONTINGENCY THINKING

ACTION: OBE PER APNSA OFFICE

DUE DATE: 24 NOV 93 STATUS: C

STAFF OFFICER: ROSSIN

LOGREF:

FILES: PA

NSCP:

CODES:

D O C U M E N T D I S T R I B U T I O N

FOR ACTION

FOR CONCURRENCE

FOR INFO  
FEINBERG  
NSC CHRON  
ROSSIN

DECLASSIFIED  
E.O. 13526  
White House Guidelines, May 16, 2017  
By NS NARA, Date 8/20/2019  
2013-0122-M

COMMENTS: \_\_\_\_\_  
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OPENED BY: NSTAS CLOSED BY: NSJDA DOC 1 OF 1

ACTION DATA SUMMARY REPORT

DOC ACTION OFFICER

CAO ASSIGNED ACTION REQUIRED

001 LAKE  
001

Z 93121408 FWD TO PRESIDENT FOR SIG  
X 93121408 OBE PER APNSA OFFICE

National Security Council  
The White House

1000 122 7-200

JWZ  
4/22

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PROOFED BY: JWZ

LOG # 18132 LIMITED ACCESS

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cc:            VP                            McLarty                            Other \_\_\_\_\_

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NATIONAL SECURITY COUNCIL  
WASHINGTON, D.C. 20506

November 20, 1993

ACTION

MEMORANDUM FOR ANTHONY LAKE

THROUGH: RICHARD E. FEINBERG *MR FA*

FROM: LAWRENCE G. ROSSIN *MR*

SUBJECT: Haiti: Near-Term Strategy and Contingency Thinking

Attached at Tabs I and II are proposed Memorandums to the President, the first detailing our current sanctions-based effort to bring about completion of the Governor's Island Agreement, the second describing a possible new diplomatic approach in the event that the sanctions-based strategy fails. These memorandums reflect the discussion of November 12 and the points you made to us in your office on November 19.

RECOMMENDATION

That you sign the Memorandums to the President at Tabs I and II.

Attachments

Tab I Memorandum to the President on "Near-Term Strategy for Haiti"

Tab II Memorandum to the President on "Haiti: Contingency Thinking Beyond Sanctions"

THE WHITE HOUSE  
WASHINGTON

INFORMATION

MEMORANDUM FOR THE PRESIDENT

FROM: ANTHONY LAKE

SUBJECT: Near-Term Strategy for Haiti

DECLASSIFIED  
E.O. 13526, Sec. 3.5 (b)  
White House Guidelines, September 11, 2006  
By VL NARA, Date 10/8/2014  
2013-0122-4 (1, 42)

CURRENT SITUATION

UN/OAS efforts to foster the restoration of democracy and return of President Aristide are aimed at consummating the Governor's Island Agreement. Implementation of the Agreement would create the security environment for Aristide's return through the deployment of a UN Mission cooperating with the Haitian military and police. While neither President Aristide nor General Cedras has formally disavowed the Governor's Island Agreement, positions have hardened.

The military believes it has the upper hand. It has allowed the growth of and used right-wing elements allied to neo-Duvalierists and the "attaches" to carry out violence and intimidation while distancing the army from responsibility. The military judges that they can wear down our will to maintain sanctions by encouraging negative publicity about their impact on Haiti's poor. As long as they believe they can defeat the sanctions through public relations work, they are in no mood for genuine compromise.

President Aristide has also hardened his stance. He insisted going into Dante Caputo's failed "conclave" meeting November 5 in Port-au-Prince on terms which rewrote the Governor's Island Agreement and were a negotiating non-starter. Since then he has repeated his calls for a comprehensive trade embargo and come out for an invasion -- while emphasizing that as President he cannot formally request foreign intervention.

CURRENT APPROACH

We are seeking to utilize UN oil and arms sanctions and targeted asset freezes and visa prohibitions to force the military to comply with its Governor's Island Commitments, notably Cedras' resignation and Police Chief Francois' transfer from his current assignment. We are warning the military and its Parliamentary allies that a quasi-constitutional coup against Aristide and Prime Minister Malval will lead to intensified sanctions. And we are reminding all concerned that the UN has never backed away from sanctions until its objectives were achieved,

~~SECRET~~

notwithstanding the humanitarian concerns that all such programs raise.

At the same time we have encouraged President Aristide to accord Malval maximum tactical flexibility as he works to revive the Governor's Island process. We are seeking to boost Malval's shaky confidence to keep him on the job.

Finally, we are maintaining and exploring ways to bolster our humanitarian relief programs to counter military efforts to undermine our will to impose sanctions. We are considering options to assure the availability of fuel for delivery and cold storage of medications; security for relief supplies and personnel may also become an issue as sanctions bite. We also are working to publicize our humanitarian relief program in order to shore up external support for sanctions and let Haitians know that we are there with them while the military and its allies prolong the crisis by their intransigence.

The sanctions may constitute a powerful pressure on both sides which ultimately can drive them to the bargaining table. By making clear our commitment to maintain the sanctions and at the same time refusing to come up with new initiatives of our own, we may be successful in encouraging the Haitian parties to come to grips with their common problem. By taking some additional measures, we can enhance the leverage that Prime Minister Malval and his centrist allies bring to the bargaining table.

However, we will need results by the turn of the year, when fuel supplies will be exhausted and the socioeconomic disruption of sanctions will increase dramatically. Already fuel availability is diminishing, causing social hardships as it increases the difficulties the military and industry have functioning, including the army's business allies. Prime Minister Malval is unhappy with the impact of sanctions for which much of the public has blamed him. He is not likely to last into the new year and could quit earlier unless he receives visible signals of international commitment to resolving the political crisis.

#### MAKING THE CURRENT STRATEGY WORK

Within the framework of our continued support for the Governor's Island Agreement we will consider several additional measures in the next few weeks to enhance the leverage of the legitimate Haitian government and bring the Haitian issue to closure.

1. **Wedge-Driving in the Army:** There are growing indications of tensions within the army over the current stonewalling approach to sanctions and over increasing signs that the civilian "attaches" and neo-Duvalierists may be slipping out of control. It would be wrong to overstate the potential for internal changes which would end the crisis. We may nonetheless wish to consider pursuing a finding to permit the use of covert resources to explore and if warranted exploit these disagreements to our advantage.

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2. **Tightening sanctions:** Comprehensive trade sanctions are unnecessary and risk provoking a debate over responsibility for Haitian misery. But we may want to push for stronger sanctions (e.g., a UN resolution on targeted sanctions or sanctions on luxury imports) if our current efforts produce no movement by the military.

3. **Publicity:** Though Haitian commercial radio is not closed to pro-democracy voices, intimidation has driven many of these spokesmen underground. Caputo proposed placing a radio transmitter on board one of the ships enforcing sanctions, an idea the "Friends of Haiti" (Canada, France, Venezuela, ourselves) have endorsed. State is leading inter-agency review of the technical and programming considerations involved in using U.S. Navy and Special Operations assets for such transmissions and plans to seek a decision shortly. We and the other "Friends" are also working to increase Creole programming on the Voice of America and its French and Canadian counterparts. In these ways the Haitian people can receive Aristide's and Malval's perspectives and also understand the truth about sanctions and humanitarian relief.

4. **Talking Turkey with Aristide:** Aristide has been increasingly unhelpful in recent weeks. Contrary to promises to you and the Vice President, he has curbed, not expanded, Malval's room for maneuver. We must not drive wedges between Malval and Aristide. We should however use the leadup to a Malval visit and the visit itself to convey our insistence that Aristide (1) adhere to his Governor's Island commitments and (2) give Malval authority to take any steps -- including bringing other democratic elements into his government -- he thinks will help break the negotiating stalemate. We must tell Aristide that he will not get our support for demands going beyond what was agreed at Governor's Island.

5. **UN Security and Peacekeeping Options:** Depending on the evolution of the situation as the pressure of sanctions intensifies, we may wish to consider one of several options which have been advanced for a UN security presence. We are studying how we might adapt our originally-planned training mission to the changed circumstances which sanctions may produce. We also have done preliminary planning for various models for UN peacekeeping operations -- in Port-au-Prince or throughout the country, with narrow or broader mandates -- which could be proposed for UN Security Council approval in the event the political climate takes a favorable turn. Finally, we are considering security options, including the possibility of seeking UN blue helmets, for the protection of the humanitarian relief effort which could be subject to military extortion or simple criminal attacks. In the latter event we would confront the Haitian military with the choice of accepting the UN deployment or being seen as fully responsible for preventing humanitarian aid. We might even co-opt them into assisting in that effort. Any UN Mission would require U.S. participation, logistical support and extensive funding.

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6. **High-Level Meetings with Malval in Washington:** Malval is disappointed by the perceived lack of concrete backing from Aristide and the international community (he wants us to deploy our military engineers and trainers which we will not now do). Aristide wants Malval to come to Washington without delay. Malval may do so at the end of the month. We are considering options should he come including a meeting or "drop-in" with you. This would allow you to emphasize your commitment to restoring democracy through the Governor's Island process and your appreciation of Malval's heroic efforts to keep that process alive. If and when Malval comes, we would hope he would return with Aristide's mandate to negotiate as well as the ability to deliver the end of sanctions and the initiation of international assistance. If he gets this backing and uses it deftly it should give him negotiating leverage he has lacked until now.

THE END GAME

The strategy we are now pursuing -- sanctions plus full diplomatic support for implementation of the Governor's Island Agreement -- is fully consistent with your repeatedly declared commitment to provide full support short of the use of force for the return of constitutional government and of President Aristide. We will know that strategy has worked when the military takes concrete actions to fulfill its Governor's Island commitments.

The current approach must be considered at an end if our sanctions fail to bring the military to compromise before they have sparked chaos and mass privation which our humanitarian aid program cannot effectively ameliorate. Not only sanctions but the direct return of migrants may at that point become morally and diplomatically unsustainable. We could then face a migrant exodus. At that point we will need to consider new policy options which go beyond sanctions and the provisions of the Governor's Island Agreement.

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THE WHITE HOUSE  
WASHINGTON

DECLASSIFIED  
E.O. 13526, Sec. 3.5 (b)  
White House Guidelines, September 11, 2006  
By VL NARA, Date 10/3/2019  
2013-0122-M (1.43)

INFORMATION

MEMORANDUM FOR THE PRESIDENT

FROM: ANTHONY LAKE

SUBJECT: Haiti: Contingency Thinking Beyond Sanctions

Purpose

To develop a final effort to achieve a peaceful solution to the Haitian crisis if our sanctions-based policy proves unsuccessful.

Background

Where We Stand

The international community's efforts to bridge the gulf between President Aristide and the Haitian military have not borne fruit. As we have supported the UN/OAS mediation effort, we have already pressured President Aristide into significant compromises of his long-held positions in order to meet the imperatives of a negotiating process. At Governor's Island, Aristide moderated his stance that General Cedras and Police Chief Francois should resign immediately and ~~be tried for their crimes and that he should return to Haiti without delay.~~ He agreed to their remaining in office through the transition to his return, to issue a broad amnesty and essentially to permit the authors of the coup to escape the consequences of their offenses. For its part, the military ~~made concessions under the pressure of sanctions, to allow Aristide's return, that Cedras would retire and a new high command and police chief would be named and that it would accept UN assistance for a force modernization that could reduce its political influence.~~

*Spoke of amnesty @ WH in Spring*

*agreed to*

The Governor's Island Agreement, while the product of compromise, nonetheless met Aristide's and our own core requirements: the restoration of democracy, Aristide's return, departure of the coup leaders and arrangements under which the international community could have a shot at building the restored democratic government's viability amidst safeguards against retribution.

The military broke its commitments once sanctions had been lifted and as the date for President Aristide's return neared. Since then neither side has explicitly disavowed Governor's Island but positions have hardened. The military ~~expects to outlast sanctions and is signalling that Aristide will never be allowed back.~~ Aristide is again demanding Cedras', the entire high

*has been emboldened and*

command's and Francois' departure before he will take further steps to implement his commitments and is pushing for total sanctions and even foreign invasion. Deepening intransigence on both sides calls into question the viability of the Governor's Island Agreement as a vehicle to end the Haitian crisis.

← Malval initiative: need to pursue vigorously

Our current approach relies on sanctions to force the military to comply. This is combined with support for Prime Minister Malval and UN/OAS envoy Caputo so that the way to renewed cooperation on Governor's Island is kept open and with humanitarian assistance to ameliorate the impact of sanctions on Haiti's poor and thus to sustain public support for our sanctions-based approach. We have perhaps six weeks to make this approach work before fuel runs out, Malval loses heart and quits and chaos and mass privation beyond the capacity of our aid to address loom. At that point our current approach may become morally and diplomatically unsustainable and we may also face a migrant crisis. We have identified several additional measures we should consider taking as needed to give our current approach every chance of succeeding.

← If on economic/humanitarian outlook: how will the crunch come?

**If Sanctions Fail**

If our sanctions-based approach proves ineffective, that will signify that we have misjudged the strength and resolve of the Haitian military. We will then face a fundamental choice:

-- One option would be to step back from Haiti, adopting a low profile, long-haul strategy aimed at gradually building the institutions that are the prerequisites of democracy, promoting free elections as scheduled in late 1995, while maintaining humanitarian assistance with a possible UN presence but relaxing sanctions to end their unacceptable socioeconomic impact. Though not publicly presented as such, this approach would abandon our effort to reverse the 1991 coup and return President Aristide.

what do we do about refugees? humanitarian situation? need to think

-- The other option would be much harsher military and diplomatic measures to bring the crisis to an end. It would require the decision to intervene militarily if that is what it takes to resolve the crisis and at the same time to develop a new diplomatic strategy which can be sold to the military (and which will be unpopular with Aristide and his domestic backers).

harder about how manage this

If we follow the second approach, and having made the fundamental decision to use force if necessary, we should try to leverage it into a credible diplomatic strategy which will maximize our chance of not having to intervene. This would require that we identify a balance of compromises which, in priority order: (1) respects our basic commitment to democracy and Aristide's eventual return; (2) will bring the army around to cooperation with us and the international community; and (3) is salable to Aristide. That inevitably would mean giving the military more and Aristide less than the two sides agreed to at Governor's Island.

need to explore multilateral aspect intervention who would join us?



~~SECRET~~

retired Aristide would have a suitable candidate to select as Cedras' successor (subject to consultation with the Prime Minister and to Senate consent as established in the constitution).

5. **Transfer of Police Chief Francois** by General Cedras to a new military command within Haiti upon passage of the police law (as Francois has said would be acceptable to him). Appointment of a new police chief by Aristide, in consultation with the Prime Minister and with the consent of the Senate as established in the constitution.
6. **Simultaneous enactment of the amnesty and police laws** now languishing before the Parliament. Aristide to convoke the Parliament to act on the amnesty law; Cedras actively to ensure the security of the Parliamentary session.
7. **Enactment of public security legislation** delegitimizing the civilian "attaches" and imposing strict gun controls.
8. **Action by the army and current police force to ensure public security** -- for the government, for the Parliament and for all law-abiding Haitians -- by enforcing public security legislation against recalcitrant "attaches" and their political sponsors.
9. **If possible, introduction of a robust Chapter VII UN peacekeeping force** in Port-au-Prince and a few key towns (up to 7,000 troops) to facilitate implementation of this agreement by keeping hostile factions apart, preventing reprisals by either side, suppressing rioting, protecting key military and government figures and providing military and police modernization training.
10. **Lifting of sanctions and provision of international economic assistance** as previously planned.

#### Discussion

This approach differs from Governor's Island in fundamental ways. Most changes involve major concessions by Aristide going beyond Governor's Island. The military would give less than it did in July on the political issues but accept new security requirements: suppression of the "attaches" and their patrons, and perhaps the introduction of UN peacekeepers. Both sides might be brought to accept such a deal albeit with difficulty and only under threat of completely unacceptable alternatives.

- Aristide's return: We have held Aristide's return to be inseparable from the restoration of democracy, so that his return is the core purpose of any settlement. This package however sets no date.
- Broadened government: Aristide has never agreed that his Parliamentary opponents have any role to play in his government. This package requires him not merely to broaden

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his government to accommodate some or all of these groups, but to give them a voice in selecting a new Prime Minister should Malval leave office and in determining the date of his eventual return.

- Amnesty: Aristide insists, correctly in a technical reading, that he completed the amnesty portion of Governor's Island and granted as much as the Constitution permitted him to do. He fears that the Parliament would pardon all murders and abuses since the coup and deprive the Haitian people of justice. He also fears that with the amnesty in hand the army will renege on its side of any deal. This package requires him to take steps needed for Parliament to pass an amnesty law.
- Cedras' departure: Aristide had demanded Cedras' immediate resignation. At Governor's Island Aristide agreed that Cedras could stay until the last stages of the transition to democracy. Aristide has since reverted to his traditional position. This deal would give Cedras even more than he extracted at Governor's Island by allowing him to complete his full constitutional term.
- Francois' reassignment: Aristide has wanted Francois out of Haiti. Francois has said he is willing to step aside as police chief but only to accept a unit command commensurate with his rank. The Governor's Island Agreement would have allowed this to Francois. However, as violence traceable to Francois mounted in subsequent weeks we came to believe that he had to be removed from Haiti (e.g., by assignment to an overseas military attache position) in order to assure the physical safety of Aristide and his associates. In this deal we recognize the showstopper role Francois can play and give him what he wants. Aristide will balk.
- Crackdown on "attache" violence: The military encouraged the flourishing "attache" phenomenon and has collaborated with the resurgent neo-Duvalierists. This package legislates an end to the "attaches" and requires the military to enforce it. It tests whether the military is acting in good faith and whether it has the capability to control the resurgent far right, which is becoming an independent locus of power in Haiti.
- UN Peacekeeping: Neither Aristide nor the military has shown a willingness to agree to the robust presence suggested in this approach. Aristide has recently indicated he would welcome (but never invite) an intervention to return him to power. However the mission of the force we propose would be more complex and even-handed than he probably would like. Peacekeeping is not essential to this deal if the military likes it enough on its own merits to stick with it, but an external security presence would be the only sure way to guarantee that the military would not again renege once sanctions were lifted or when Aristide's return became imminent. Should we decide to seek a

*say he wants*

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peacekeeping force it will be the hardest point to sell to the army, which knows that such a force will end its political control of Haiti. Getting Aristide to request peacekeepers -- essential to give us a chance to win UNSC backing and UN member state participation -- will also be difficult given the overall unattractiveness of this package to him.

**If We Must Use Force**

Should the military balk and use of force prove inescapable we should consider doing so to enforce a political arrangement incorporating many of the elements laid out above rather than simply to restore Aristide and destroy the current security forces.

-- We will not be able to win Congressional support for an intervention if the purpose is to restore President Aristide -- confidence in him personally and in his commitment to democratic ideals and practices is too low. There is too high a probability that returning him to power by force would further polarize Haitian society and set the stage for a degree of violent instability not seen in Haiti in decades. Returning Aristide in this forcible manner also increases the likelihood that the external force would have to stay for a long period and that the world community would have to run Haiti while its institutions were rebuilt from scratch.

*Multilateral  
who would  
participate?  
Politics  
quite  
different if  
US + half  
dozen  
hemispheric  
nations*

-- On the other hand, we might be able to win Hill support for intervention to end the humanitarian crisis and put in place a government of reconciliation to create the consensus and safeguards for Aristide's eventual return. This approach would avoid the overidentification of our action with a single flawed individual. It probably would also require a smaller force, tasked with facilitating installation of the broadened government and completion of the other steps suggested above within six months. Most troops could then be withdrawn, with police and military trainers and possibly a small security element for government officials and facilities remaining until after the 1995 Presidential election.

*Tricky:  
how do  
you explain  
why Aristide  
not going  
back?*

*need  
statement  
about end  
point  
final offer?  
force?*

*I think  
package  
changes if  
military reject  
it and we  
intervene (e.g.*

**Domestic Pros and Cons**

This approach would come under intense political criticism and levy significant resource costs.

*Cedras  
departure,  
prospect for  
Aristide  
return)*

-- The failure to guarantee Aristide's return would lead to accusations that the Administration had caved to military intransigence, broken promises to Aristide and the Haitian people, condoned human rights abuses during and since the coup and ultimately sacrificed basic American principles. Aristide's acceptance of this arrangement would dampen but

not silence such criticism since it would be presumed he agreed under duress.

- If we sought UN peacekeepers, we would probably have to provide a large majority of the troops and foot most of the bill (unless we could persuade the Russians to accept UN-assessed financing, which is doubtful). We would be criticized for participating in another UN peacekeeping effort where our troops were exposed to low-level casualties.
- Reaction to lifting sanctions before Aristide's return would be mixed. Some would criticize us for abandoning our pressure on the military without achieving the Administration's major policy objective in Haiti. Others would support if not applaud the end of sanctions given the severe dislocation they were causing.
- Finally and more fundamentally, many would argue that we were using force to make the two sides paper over their deep-seated differences for our political convenience and that we were doing no more than laying the seeds for renewed, possibly worse internal strife once our presence in Haiti came to an end.

*-- criticized for creating conditions (see sanctions) that lead to crisis*

We would have several counterarguments to win support for our approach:

- That we had forced the military to suppress "attache" violence thus enhancing the security of all Haitians;
- (If the UN sent peacekeepers) That we had forced the army to accept an international force which would end military control of the country and create a security climate for Aristide's return;
- That we had created a broad political framework in which all Haitian parties could contribute to national reconciliation and reconstruction supported by an extensive international economic and security assistance program;
- That this approach, while not ideal, preserved our ability to attain fundamental policy objectives while ending the intolerable misery sanctions were causing. If achieved diplomatically, that we had achieved those objectives without requiring foreign military invasion. If achieved by force, that we had exhausted diplomatic alternatives and were pursuing a political strategy that maximized the prospects for internal Haitian reconciliation and minimized the degree of U.S. military involvement.

*refugees*

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| 001b. memo               | Duplicate of 001a [with handwritten edits] (2 pages)             | 00/00/0000 | P1/b(1)     |

**COLLECTION:**

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FROM: LAKE

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KEYWORDS: HAITI

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PERSONS: MALVAL, ROBERT

SUBJECT: HAITI POLICY REVIEW

ACTION: NOTED BY PRESIDENT

DUE DATE: 06 DEC 93 STATUS: C

STAFF OFFICER: ROSSIN

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2013-0122-M

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DOC 2 OF 2

ACTION DATA SUMMARY REPORT

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| NSC Secretariat         | _____       | _____          | _____        |
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| _____                   | _____       | _____          | _____        |

A = Action    I = Information    D = Dispatch    R = Retain    N = No Further Action

cc:            VP                    McLarty                    Other \_\_\_\_\_

Should be seen by: \_\_\_\_\_  
(Date/Time)

COMMENTS:

DISPATCH INSTRUCTIONS:

Exec Sec has disballe

TIME OF TRANSMISSION

TIME OF RECEIPT

**WHITE HOUSE  
SITUATION ROOM**

3 P4:31

PRECEDENCE: IMMEDIATE  
PRIORITY  
ROUTINE

RELEASER: \_\_\_\_\_

DTG: \_\_\_\_\_

MESSAGE NO. \_\_\_\_\_ CLASSIFICATION SECRET PAGES 2  
FROM JOHN PODESTA/THE WHITE HOUSE  
(NAME) (PHONE NUMBER) (ROOM NO.)

MESSAGE DESCRIPTION  
HAITI POLICY REVIEW

| TO (AGENCY)   | DELIVER TO                       | DEPT/ROOM NO. | PHONE NUMBER |
|---------------|----------------------------------|---------------|--------------|
| AIR FORCE ONE | PAUL RICHARD (FOR THE PRESIDENT) |               |              |
|               | BRUCE LINDSEY                    |               |              |
|               |                                  |               |              |
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REMARKS:

UNCLASSIFIED UPON REMOVAL  
OF CLASSIFIED ATTACHMENTS  
Initials: ASB Date: 8/20/2019  
2013-0122-M

CLINTON LIBRARY PHOTOCOPY

THE WHITE HOUSE  
WASHINGTON

DATE: 12/3/93

**TO:** GEORGE STEPHANOPOULOS  
DAVID GERGEN

**FROM:** JOHN D. PODESTA  
Assistant to the President and  
Staff Secretary

The attached has been forwarded  
to the President.

CLINTON LIBRARY PHOTOCOPY

# Withdrawal/Redaction Marker

## Clinton Library

| DOCUMENT NO.<br>AND TYPE | SUBJECT/TITLE  | DATE       | RESTRICTION |
|--------------------------|--|------------|-------------|
| 001a. memo               | To: POTUS; From: Anthony Lake; Re: Haiti Policy Review (2 pages) | 12/03/1993 | P1/b(1)     |

### COLLECTION:

Clinton Presidential Records  
NSC Records Management  
[Haiti and Memcon ...]  
OA/Box Number: 175

### FOLDER TITLE:

9309490

2013-0122-M  
sb2509

### RESTRICTION CODES

#### Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

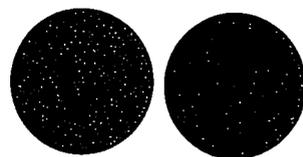
#### Freedom of Information Act - [5 U.S.C. 552(b)]

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

CLINTON LIBRARY PHOTOCOPY

NATIONAL SECURITY COUNCIL  
WASHINGTON, D.C. 20506

December 2, 1993



ACTION

MEMORANDUM FOR ANTHONY LAKE

FROM: LAWRENCE G. ROSSIN *LGR*

SUBJECT: Haiti Policy Review

The attached Memorandum to the President briefs him on the conclusions of the Principals Committee on December 2.

RECOMMENDATION

That you sign the Memorandum to the President at Tab I.

Attachments

Tab I Memorandum to the President

DECLASSIFIED  
E.O. 13526  
White House Guidelines, May 16, 2017  
By *AS* NARA, Date *8/26/2019*  
2013-0122-11

# Withdrawal/Redaction Marker

## Clinton Library

| DOCUMENT NO.<br>AND TYPE | SUBJECT/TITLE  | DATE       | RESTRICTION |
|--------------------------|--|------------|-------------|
| 001b. memo               | Duplicate of 001a [with handwritten edits] (2 pages) | 00/00/0000 | P1/b(1)     |

### COLLECTION:

Clinton Presidential Records  
NSC Records Management  
[Haiti and Memcon ...]  
OA/Box Number: 175

### FOLDER TITLE:

9309490

2013-0122-M  
sb2509

### RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

Freedom of Information Act - [5 U.S.C. 552(b)]

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C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request

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CLINTON LIBRARY PHOTOCOPY

# MIR MARKER

This is not a textual record. This is used as an administrative marker by the Clinton Presidential Library Staff.

|                               |               |             |                |             |
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|                               |               |             |                |             |
| Original OA/ID Number:<br>177 |               |             |                |             |
|                               |               |             |                |             |
| Document ID:<br>9309811       |               |             |                |             |
| Row:<br>44                    | Section:<br>2 | Shelf:<br>7 | Position:<br>2 | Stack:<br>v |

# Withdrawal/Redaction Sheet

## Clinton Library

| DOCUMENT NO.<br>AND TYPE | SUBJECT/TITLE  | DATE                  | RESTRICTION                    |
|--------------------------|--|-----------------------|--------------------------------|
| <del>001. memo</del>     | <del>To: POTUS; From: Anthony Lake; Re: Haiti Policy Options (6 pages)</del> | <del>00/00/0000</del> | <del>P1/b(1)</del> VL 3/3/2020 |
| <del>002. memo</del>     | <del>Duplicate of 001 (6 pages)</del>  | <del>00/00/0000</del> | <del>P1/b(1)</del> VL 3/3/2020 |
| <del>003. memo</del>     | <del>Draft version of 001 (6 pages)</del>                                    | <del>00/00/0000</del> | <del>P1/b(1)</del> VL 3/3/2020 |

**COLLECTION:**

Clinton Presidential Records  
 NSC Records Management  
 [Haiti and Memcon ...]  
 OA/Box Number: 177

**FOLDER TITLE:**

9309811

2013-0122-M  
sb2510

**RESTRICTION CODES**

**Presidential Records Act - [44 U.S.C. 2204(a)]**

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
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RR. Document will be reviewed upon request.

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CLINTON LIBRARY PHOTOCOPY

TO: LAKE

FROM: ROSSIN  
FEINBERG

DOC DATE: 15 DEC 93  
SOURCE REF:

KEYWORDS: HAITI

PERSONS:

SUBJECT: HAITI POLICY OPTIONS

ACTION: NFAR PER ROSSIN DUE DATE: 18 DEC 93 STATUS: C

STAFF OFFICER: ROSSIN LOGREF:

FILES: PA NSCP: CODES:

D O C U M E N T D I S T R I B U T I O N

FOR ACTION

FOR CONCURRENCE

FOR INFO  
NSC CHRON

DECLASSIFIED  
E.O. 13526  
White House Guidelines, May 16, 2017  
By ~~NS~~NARA, Date 8/20/2019  
2013-0122-M

COMMENTS: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

DISPATCHED BY \_\_\_\_\_ DATE \_\_\_\_\_ BY HAND W/ATTCH

OPENED BY: NSJDA CLOSED BY: NSMEM DOC 1 OF 1

ACTION DATA SUMMARY REPORT

DOC ACTION OFFICER

CAO ASSIGNED ACTION REQUIRED

|            |   |          |                          |
|------------|---|----------|--------------------------|
| 001 LAKE   | Z | 93121607 | FWD TO PRESIDENT FOR SIG |
| 001        | X | 93121610 | OBE PER APNSA OFFICE     |
| 001 ROSSIN | Z | 93122109 | FOR FURTHER ACTION       |
| 001        | X | 93122208 | NFAR PER ROSSIN          |

Rec'd 12/16 3:08pm

National Security Council  
The White House

PROOFED BY: \_\_\_\_\_ LOG # 9811 REDD  
URGENT NOT PROOFED: \_\_\_\_\_ SYSTEM PRS NSC INT  
BYPASSED WW DESK: \_\_\_\_\_ DOCLOG ASK AO \_\_\_\_\_

|                     | SEQUENCE TO | HAS SEEN                             | DISPOSITION                   |
|---------------------|-------------|--------------------------------------|-------------------------------|
| <i>W</i> DepExecSec | <u>3</u>    | <u>nan</u>                           | _____                         |
| ExecSec             | _____       | _____                                | _____                         |
| Staff Director      | _____       | _____                                | _____                         |
| D/APNSA             | <u>A</u>    | <u>svr</u>                           | _____                         |
| APNSA               | <u>5</u>    | <b>Natl Sec Advisor<br/>has seen</b> | _____                         |
| Situation Room      | _____       | _____                                | _____                         |
| West Wing Desk      | <u>6</u>    | <u>DB 12/21</u>                      | _____                         |
| NSC Secretariat     | _____       | _____                                | _____                         |
| <u>Rossin</u>       | <u>7</u>    | _____                                | <u>see note -&gt;<br/>FFH</u> |

A = Action    I = Information    D = Dispatch    R = Retain    N = No Further Action

cc:    VP    McLarty    Other \_\_\_\_\_

Should be seen by \_\_\_\_\_  
(Date/Time)

COMMENTS:    OBE - per TL

DISPATCH INSTRUCTIONS: \_\_\_\_\_  
*Exec Sec has diskette -> OBE or in need of further action? Thanks Wendy*



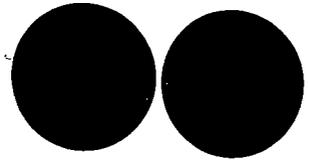
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9811 REDO

NATIONAL SECURITY COUNCIL  
WASHINGTON, D.C. 20506

December 16, 1993



ACTION

MEMORANDUM FOR ANTHONY LAKE

THROUGH: RICHARD E. FEINBERG *RF*  
FROM: LAWRENCE G. ROSSIN *LR*  
SUBJECT: Haiti Policy Options

The proposed Memorandum to the President at Tab I describes our options following Prime Minister Malval's abandonment of his initiative for a national conference and asks him to decide on a course of action.

RECOMMENDATION

That you sign the Memorandum to the President at Tab I.

Attachments

Tab I Memorandum to the President

DECLASSIFIED  
E.O. 13526  
White House Guidelines, May 16, 2017  
By *DS* NARA, Date *8/20/2019*  
2013-0122-M

SECRET

Declassify on:

CLINTON OADR

~~SECRET~~

PHOTOCOPY

Rec'd 12/16 3:08pm

National Security Council  
The White House

PROOFED BY: \_\_\_\_\_ LOG # 9811 REDD  
URGENT NOT PROOFED: \_\_\_\_\_ SYSTEM - PRS NSC INT -  
BYPASSED WW DESK: \_\_\_\_\_ DOCLOG ASK A/O \_\_\_\_\_

|                                  | SEQUENCE TO | HAS SEEN                                   | DISPOSITION                         |
|----------------------------------|-------------|--|-------------------------------------|
| <i>W</i> DepExecSec              | <u>3</u>    | <u>WAW</u>                                 | _____                               |
| ExecSec                          | _____       | _____                                      | _____                               |
| Staff Director                   | _____       | _____                                      | _____                               |
| D/APNSA                          | <u>A</u>    | <u>WAW</u>                                 | _____                               |
| APNSA                            | <u>5</u>    | <u>Natl Sec Advisor</u><br><u>has seen</u> | _____                               |
| Situation Room                   | _____       | _____                                      | _____                               |
| West Wing Desk                   | <u>6</u>    | <u>OB 12/21</u>                            | _____                               |
| NSC Secretariat<br><u>Rossin</u> | <u>7</u>    | _____                                      | <u>see note -&gt;</u><br><u>FFA</u> |

A = Action    I = Information    D = Dispatch    R = Retain    N = No Further Action

cc:            VP                    McLarty                    Other \_\_\_\_\_

Should be seen by: \_\_\_\_\_  
(Date/Time)

COMMENTS:

*Fany - is this  
-> OBE or in  
need of further  
action?  
Thanks  
Went*

DISPATCH INSTRU

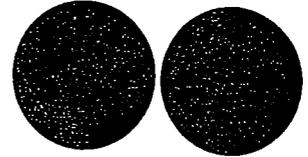
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9811 REDO

NATIONAL SECURITY COUNCIL  
WASHINGTON, D.C. 20506

December 16, 1993



ACTION

MEMORANDUM FOR ANTHONY LAKE

THROUGH: RICHARD E. FEINBERG *RF*  
FROM: LAWRENCE G. ROSSIN *LR*  
SUBJECT: Haiti Policy Options

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Attachments

Tab I. Memorandum to the President

DECLASSIFIED  
E.O. 13526  
White House Guidelines, May 16, 2017  
By *ADG*NARA, Date *8/20/2019*  
2013-0122-M

~~SECRET~~

Declassify on: OADR

~~SECRET~~  
CLINTON LIBRARY PHOTOCOPY

THE WHITE HOUSE  
WASHINGTON

ACTION

MEMORANDUM FOR THE PRESIDENT

FROM: ANTHONY LAKE

SUBJECT: Haiti Policy Options

DECLASSIFIED  
E.O. 13526, Sec. 3.5 (b)  
White House Guidelines, September 11, 2006  
By VL NARA, Date 10/8/2009  
2013-0122-m (1.45)

Purpose

To determine our policy approach to Haiti following the collapse of the Malval initiative due to President Aristide's opposition.

Background

Prime Minister Malval announced on his return to Haiti yesterday that he had canceled his initiative to convene a national gathering of all democratic elements in Haiti to revitalize the Governor's Island process. In his public remarks, Malval cited as reasons a lack of willingness to participate by all those whose presence was desired and President Aristide's and others' perceptions of a security problem. Malval further announced that, while he will stay on as acting Prime Minister, he will strictly be a caretaker and will "no longer deal with political matters."

In fact, Malval was deeply upset by public disavowal and condemnation of the conference by Aristide supporters inside Haiti and abroad, behind which he saw Aristide's hand. Malval first informed us of his decision to drop the initiative during the Paris meeting of the "Four Friends" (the U.S., the French, Canadians and Venezuelans) on Monday. Our subsequent intensive efforts to change his mind were fruitless.

Before Aristide and Malval met with you December 6, Aristide directly and through his lawyer Mike Barnes had assured Malval that he would not undermine the plan, even if he was not enthusiastic about it. Aristide lawyer Barnes expressed Aristide's concerns to us in terms of security for his people returning for the conference. In essence, however, Aristide torpedoed a plan that was attempting to move the locus of power away from him and toward the political center within Haiti.

In the wake of Malval's decisions, it is increasingly likely that anti-democratic elements associated with the military will attempt to seize on his resignation to replace him with a pliable de facto Prime Minister and set the stage for Aristide's formal ouster from the Presidency and new elections.

SECRET

Declassify on: OADR

cc: Vice President  
Chief of Staff

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The lack of a political initiative forces us into exclusive reliance on sanctions -- the current version or intensified -- to drive the military leadership to agree to Aristide's return and their own departure. Whether or not that will work remains to be seen, but we do not have long to test the hypothesis. Already the sanctions are extinguishing the economy, hampering food imports and distribution and causing a general breakdown of infrastructure. Fuel supplies will be exhausted by late January or sooner. We then anticipate economic collapse and there will arise a real risk of mass privation and a migrant exodus. The military believes we will not persist with sanctions when suffering and dying become highly visible -- that calculus underpins their current intransigence.

Our humanitarian assistance is critical to the sustainability of sanctions. So far it has shielded the most vulnerable Haitians from the sanctions' worst effects. We and the UN are finalizing arrangements which will provide indefinite fuel availability for private voluntary organizations to deliver food and health services, provided the military cooperates and there is not excessive theft of supplies and fuel. However, our assistance program and migrant return policy will come under increasing strain as the situation deteriorates. There are indications that Aristide soon may criticize direct return. The flashpoint can come when sanctions produce unacceptable suffering and/or a mass refugee exodus begins and we are forced to return Haitians into the harsh and violent sanctions environment.

The failure of the Malval initiative faces us with difficult choices. We see six different ways we could proceed.

Options

1. Seek to resurrect the Malval plan. This would involve persuading Malval to return to his plan while we went to Aristide at a high level and pressed him to give it public and private backing, in the first instance by appointing a broadly-acceptable centrist politician to replace Malval as Prime Minister and lead the conference effort.

This approach would be our choice under ideal circumstances for the same reasons that we supported Malval's initiative originally: it offered some potential that Haitians, working together, would find the path to the restoration of democracy and eventual return of Aristide within the Governor's Island principles, while giving us levers to work for stability, reconciliation and reconstruction. This approach also would allow us to convey a warning to Aristide that Administration support for him is not unconditional, while remaining clearly within our current policy bounds.

The shortcoming is that Malval has firmly decided to drop his initiative and desist from further political activity. We cannot press Aristide to back the plan if Malval has not agreed in advance to revive it. Malval told us repeatedly during this process that he did not want us to intervene

~~SECRET~~

with Aristide on his behalf. In fact, a strong message was conveyed on Tuesday by Berger to Aristide through Barnes, his most reasonable adviser, that he risked undermining political support for him here if he was seen as sabotaging this reasonable initiative; this did not alter Aristide's opposition. Malval's view is that if Aristide is capable of wiggling out of a commitment to the President of the United States, then no promise he makes can be relied upon as the basis of an initiative. Malval always was a "reluctant warrior." The obstacles thrown in his path by Aristide and his supporters appear to have convinced him that he had lost all credibility and that his only course was to withdraw from politics.

Thus, we conclude that this option is not feasible. However, we should press Aristide to name a centrist Prime Minister and not (as reports in Port-au-Prince indicate he may do) one of his Washington-based advisers who would be completely unacceptable to and isolated from the mainstream of Haitian political life.

2. Four Friends adopt and push a Malval-like plan themselves. Malval's approach remains attractive even if its author has disavowed it. It has become increasingly clear that a peaceful solution to the Haitian crisis must involve the broad range of democratic elements in Haiti, and that in the absence of military intervention President Aristide's return probably is not feasible until a centrist government can enable him to resume office amid safeguards from retribution for all sides.

Convinced of these stark realities, we and the other Friends decided in Paris earlier this week to seek to fashion our own solution. We will send delegations to Aristide (Monday) and the military (Tuesday) to initiate a plan involving most of the elements of the "Haitian solution" Malval's conference would probably have produced -- including formation of a centrist government, consensual arrangements for a new military leadership, passage of the police and amnesty laws and a crackdown on right-wing violence. The Friends agreed that a group comprising one senior official from each country would act as our envoys, with a combined military delegation to meet with the High Command.

The key aspect of this plan would be its recognition that we lack sufficient leverage over the military (assuming we are not willing to threaten credibly to intervene). Since the army's core objective has been to prevent Aristide's return as President, this initiative might therefore defer Aristide's return until the security and political conditions were ripe -- which as a practical matter could be toward the end of Aristide's term of office. If we were to decide not to insist on a firm commitment to Aristide's early return by conditioning it on a propitious internal environment, we could strike a deal with the Haitian military, which could also involve lifting of sanctions.

This offer -- or ultimatum -- could be presented to Aristide accompanied by the threat that we would ease or lift sanctions if he rejected it. That would signal that we were no longer actively working for his return to Haiti as President.

To the extent that this approach works with the military leadership and delays Aristide's return (elements which may be necessary to its success in the absence of other leverage against Francois), it will entail political costs. The liberal press, the Congressional Black Caucus and the human rights community would denounce this approach for betraying commitments to Aristide and to Haitian democracy, for caving to the Haitian military's intransigence and for abandoning campaign commitments. In addition, while the Four Friends are prepared to go to Aristide and the military next week and seek flexibility from both, it is not at all clear that the Four, let alone other UN members, would support the approach described above. We could do it alone if their approach fails.

3. Diplomatic initiative accompanied by threat of force. Instead of sidelining Aristide in order to win Haitian military acquiescence in a peaceful resolution of the crisis, as described in Option 2, the Friends could present a plan with similar provisions but requiring that the military unequivocally accept Aristide's early return to Haiti. They would commit to cooperate actively with the centrist government to create conditions permitting Aristide's return within several months at most. We would threaten intervention and be committed to following through if the Haitian military balked. This option is detailed in separate paper we are providing to you.
4. New mediation led by President Carter. This is a variation of Option 3 because it probably implies a willingness to use force. In consultation with the UN and OAS (to maintain international legitimacy), you would take up President Carter's earlier offer to engage his Council of Freely-Elected Heads of Government in mediation to revive a Malval-like initiative. Carter's group comprises hemispheric luminaries such as Oscar Arias, Raul Alfonsin, Michael Manley and Joe Clark. They could bring new pressure to bear on both sides by the weight of their own prestige and by touring the hemisphere to win broad international backing for a Malval-like effort to revitalize Governor's Island, restore democracy and return President Aristide.

Carter has been closely identified with Aristide in the past. The Haitian military might be unwilling to work with him; he has no leverage over them and we believe that he might ask for your commitment to intervene if the military were uncooperative. If we decided that we were willing to use force, however, Carter and his colleagues could help gain the participation of at least a few hemispheric countries in a multilateral force.

There are other risks. Carter may be reluctant to push a plan Aristide opposes, especially one which would not fix a specific date for Aristide's return. Once Carter had accepted your request that he assist in resolving this crisis, he would become a largely autonomous actor. Carter disagrees with direct return of migrants and could put us in a difficult position by urging its discontinuation. We would want to work out clear understandings with Carter before asking him to undertake this mission.

5. Wait for sanctions to work. President Aristide and his backers have long argued that, given time and especially if made comprehensive, the pressure of sanctions alone will restore democracy and permit his return without any need for compromise with the military or anti-Aristide politicians. We could test Aristide's hypothesis by sitting tight. To parry pressure from Aristide's backers we could agree to comprehensive UN sanctions. Given that our current sanctions are virtually total in their impact, the marginal impact of full sanctions may not be substantial. Already the Friends have agreed that the military delegation scheduled to visit Haiti next week will threaten tighter sanctions if the military does not fulfill its Governor's Island commitments within a month.

The advantage of giving sanctions time is that we gain the chance to see if they widen already evident splits in the military. Internal pressures could induce the current military leadership to compromise or to surface a new, more moderate high command. That depends on their perception of our willingness to keep squeezing. A sanctions-induced humanitarian crisis is likely soon and probably before the military capitulates given their resistance to Aristide and indifference to the suffering of the Haitian people. Even if this option failed to resolve the crisis, it would buy time and possibly throw up new, currently unforeseen initiatives from within Haiti which we could support.

6. Back off from Aristide. In this option we would denounce both Aristide's and the military leadership's intransigence and state that their rigidity renders further international mediation pointless. We would say that we have tried our best to facilitate an end to the crisis but that since neither side is willing to work with the other, no external hand can solve their problems for them. We would announce that we could no longer justify the impact of broad-based sanctions and that therefore they were being exclusively targeted on the military leadership (e.g., denying visas, freezing assets). We would reiterate our commitment to democracy and to Aristide's eventual return, but state that henceforth our focus would be on working with broad democratic sectors within Haiti on long-term institution building. The clear implication would be that Aristide would never return as President.

This approach would hurt the Administration's international credibility by abandoning your commitment to Aristide and by signalling a clear defeat for the UN and OAS. It would also fuel criticism of our migrant policy although legally we can still maintain direct return and count on strong political support from Florida for it. As with Option 2, there would be significant public criticism as well as a countervailing body of supportive opinion.

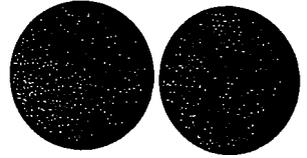
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NATIONAL SECURITY COUNCIL  
WASHINGTON, D.C. 20506

December 16, 1993



ACTION

MEMORANDUM FOR ANTHONY LAKE

THROUGH: RICHARD E. FEINBERG *RF*  
FROM: LAWRENCE G. ROSSIN *LR*  
SUBJECT: Haiti Policy Options

The proposed Memorandum to the President at Tab I describes our options following Prime Minister Malval's abandonment of his initiative for a national conference and asks him to decide on a course of action.

RECOMMENDATION

That you sign the Memorandum to the President at Tab I.

Attachments

Tab I. Memorandum to the President

DECLASSIFIED

E.O. 13526

White House Guidelines, May 16, 2017

By ANS NARA, Date 8/26/2019

2013-0122-11

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Declassify on: OADR

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THE WHITE HOUSE

WASHINGTON

ACTION

MEMORANDUM FOR THE PRESIDENT

FROM: ANTHONY LAKE

SUBJECT: Haiti Policy Options

DECLASSIFIED  
E.O. 13526, Sec. 3.5 (b)  
White House Guidelines, September 11, 2006  
By VL NARA, Date 10/8/2014  
2013-0122-4 (1.46)

Purpose

To determine our policy approach to Haiti following the collapse of the Malval initiative due to President Aristide's opposition.

Background

Prime Minister Malval announced on his return to Haiti yesterday that he had canceled his initiative to convene a national gathering of all democratic elements in Haiti to revitalize the Governor's Island process. In his public remarks, Malval cited as reasons a lack of willingness to participate by all those whose presence was desired and President Aristide's and others' perceptions of a security problem. Malval further announced that, while he will stay on as acting Prime Minister, he will strictly be a caretaker and will "no longer deal with political matters."

In fact, Malval was deeply upset by public disavowal and condemnation of the conference by Aristide supporters inside Haiti and abroad, behind which he saw Aristide's hand. Malval first informed us of his decision to drop the initiative during the Paris meeting of the Four Friends (the U.S., the French, Canadians and Venezuelans) on Monday. Our subsequent intensive efforts to change his mind were fruitless.

Before Aristide and Malval met with you December 6, Aristide directly and through his lawyer Mike Barnes had assured Malval that he would not undermine the plan, even if he was not enthusiastic about it. In the days following your meeting, however, Aristide instructed supporters in Port-au-Prince to announce that they would boycott the conference. Aristide's associates abroad also stated strong opposition. Barnes expressed Aristide's concerns to us in terms of security for his people returning for the conference. In essence, however, Aristide torpedoed a plan that was attempting to move the locus of power away from him and toward the political center within Haiti.

In the wake of Malval's decisions, it is increasingly likely that anti-democratic elements associated with the military will seize on his resignation to replace him with a pliable de facto Prime Minister and set the stage for Aristide's formal ouster from the Presidency and new elections.

The lack of a political initiative forces us into reliance on sanctions -- the current version or intensified -- to drive the military leadership to agree to Aristide's return and their own departure. Whether or not that will work remains to be seen, but we do not have long to test the hypothesis. Already the sanctions are extinguishing the economy, hampering food imports and distribution and causing a general breakdown of infrastructure. Fuel supplies will be exhausted by late January or sooner. We then anticipate economic collapse and there will arise a real risk of mass privation and a migrant exodus. The military believes we will not persist with sanctions when suffering and dying become highly visible -- that calculus underpins their current intransigence.

Our humanitarian assistance is critical to the sustainability of sanctions. So far it has shielded the most vulnerable Haitians from the sanctions' worst effects. We and the UN are finalizing arrangements which will provide indefinite fuel availability for food and health services distribution provided the military cooperates and there is not excessive violent theft of supplies and fuel. However, our assistance program and migrant return policy will come under increasing strain as the situation deteriorates. Aristide may criticize direct return. The sanctions will become more difficult to sustain politically as chaos rises in Haiti and concern grows in the U.S. and abroad about their terrible impact.

The failure of the Malval initiative faces us with difficult choices. We see six different ways we could proceed.

Options

1. Seek to resurrect the Malval plan. This would involve persuading Malval to return to his plan while we went to Aristide at a high level and pressed him to give it public and private backing, in the first instance by appointing a broadly-acceptable centrist politician to replace Malval as Prime Minister and lead the conference effort.

This approach would be our choice under ideal circumstances for the same reasons that we supported Malval's initiative originally: it offered some potential that Haitians, working together, would find the path to the restoration of democracy and eventual return of Aristide within the Governor's Island principles, while giving us levers to work for stability, reconciliation and reconstruction. This approach also would allow us to convey a warning to Aristide that Administration support for him is not unconditional, while remaining clearly within our current policy bounds.

The shortcoming is that Malval has firmly decided to drop his initiative and desist from further political activity. We cannot press Aristide to back the plan if Malval has not agreed in advance to revive it. Malval told us repeatedly during this process that he did not want us to intervene with Aristide on his behalf. In fact, a strong message on Tuesday to Aristide through Barnes, his most reasonable adviser, that he risked undermining our support for him if he was seen as sabotaging this reasonable initiative was unsuccessful in altering Aristide's opposition. Malval's view is that if Aristide is capable of wiggling out of a commitment to the President of the United States, then no promise he makes can be relied upon as the basis of an initiative. Malval always was a "reluctant warrior." The obstacles thrown in his path by Aristide and his supporters appear to have convinced him that he had lost all credibility and that his only course was to withdraw from politics.

Thus, we conclude that this option is not feasible. However, we should press Aristide to name a centrist Prime Minister and not (as reports in Port-au-Prince indicate he may do) one of his Washington-based advisers who would be completely unacceptable to and isolated from the mainstream of Haitian political life.

2. Four Friends adopt and push a Malval-like plan themselves. Malval's approach remains attractive even if its author has disavowed it. It has become increasingly clear that a peaceful solution to the Haitian crisis must involve the broad range of democratic elements in Haiti, and that in the absence of military intervention President Aristide's return probably is not feasible until a centrist government can enable him to resume office amid safeguards from retribution for all sides.

Convinced of these stark realities, we and the other Friends would seek to impose our own solution. We would send delegations to Aristide and the military to present a plan involving most of the elements of the "Haitian solution" Malval's conference would probably have produced -- including formation of a centrist government, consensual arrangements for a new military leadership, passage of the police and amnesty laws and a crackdown on right-wing violence. The Friends agreed earlier this week in Paris that a group comprising one senior official from each country would meet with Aristide next week and that a delegation of senior military officers would then visit Haiti to convey our determination to the Haitian military. These delegations could act as our envoys.

The key aspect of this plan would be its recognition that we lack sufficient leverage over the military (assuming we are not willing to threaten credibly to intervene). Since the army's core objective has been to prevent Aristide's return as President, this plan would therefore defer Aristide's

return until the security and political conditions were ripe -- which as a practical matter could be toward the end of Aristide's term of office. If we were to decide not to insist on a firm commitment to Aristide's early return by conditioning it on a propitious internal environment, we could most probably strike a deal with the Haitian military achieving our other objectives relatively quickly.

This offer -- or ultimatum -- would be presented to Aristide accompanied by the threat that we would ease or lift sanctions if he rejected it and develop a longer-term, institution-building relationship with Haiti. That would signal that we were no longer actively working for his return to Haiti as President.

This approach, while feasible, would entail political costs. The liberal press would vie with elements of the Congressional Black Caucus and the human rights community in denouncing this plan for betraying commitments to Aristide and to Haitian democracy and for caving to the Haitian military's intransigence. In addition, it is not certain that all the Four Friends, let alone other UN members, would support this approach. This unfair criticism could however be counterbalanced by praise from moderates and conservatives of both parties for your pragmatic realism, your clear ability to set global priorities and your knowing when, as you said in your UN General Assembly speech, to say "no" to foreign military entanglements.

Breaking with Aristide in this manner would offer advantages if the alternative would be use of force. Military intervention would generate substantial public, Congressional and international criticism. It would turn attention from our recent international accomplishments and positive agenda of change and back to the troublesome crisis areas. It could also set back the historic advances we have made in building cooperative relations with Latin America and undermine the broad-ranging initiatives we hope to launch at the Western Hemisphere Summit.

3. Diplomatic initiative accompanied by threat of force. Instead of sidelining Aristide in order to win Haitian military acquiescence in a peaceful resolution of the crisis, as described in Option 2, the Friends could present a plan with similar provisions but requiring that the military unequivocally accept Aristide's early return to Haiti. They would commit to cooperate actively with the centrist government to create conditions permitting Aristide's return within several months at most. We would threaten intervention and be committed to following through if the Haitian military balked. This option is detailed in separate paper we are providing to you.
4. New mediation led by President Carter. This is a variation of Option 3 because it probably implies a willingness to use force. In consultation with the UN and OAS (to avoid

bruised sensibilities), you would take up President Carter's long-standing offer to engage his Council of Freely-Elected Heads of Government in mediation to revive a Malval-like initiative. Carter's group comprises hemispheric luminaries such as Oscar Arias, Raul Alfonsin, Michael Manley and Joe Clark. They could bring new pressure to bear on both sides by the weight of their own prestige and by touring the hemisphere to win broad international backing for a Malval-like effort to revitalize Governor's Island, restore democracy and return President Aristide.

Carter has been closely identified with Aristide in the past. The Haitian military might be unwilling to work with him; he has no leverage over them and we believe that he might ask for your commitment to intervene if the military were uncooperative. If we decided that we were willing to use force, Carter and his colleagues could help gain the participation of at least a few hemispheric countries in a multilateral force.

There are other risks. Carter may be reluctant to push a plan Aristide opposes, especially one which would not fix a specific date for Aristide's return. Once Carter had accepted your request that he assist in resolving this crisis, he would become a largely autonomous actor. Carter disagrees with direct return of migrants and could use his new status to push for its discontinuation, placing you in an awkward position. You would want to work out clear understandings with Carter before asking him to undertake this mission.

5. Wait for sanctions to work. President Aristide and his backers have long argued that, given time and especially if made comprehensive, the pressure of sanctions alone will restore democracy and permit his return without any need for compromise with the military or anti-Aristide politicians. We could test Aristide's hypothesis by sitting tight. To parry pressure from Aristide's backers we could agree to comprehensive UN sanctions. Given that our current sanctions are virtually total in their impact, this would be an easy symbolic gesture. Already the Friends have agreed that the military delegation scheduled to visit Haiti next week will threaten tighter sanctions if the military does not fulfill its Governor's Island commitments within a month.

The advantage of giving sanctions time is that we gain the chance to see if they widen the already evident splits in the military. Internal pressures could induce the current military leadership to compromise or to surface a new, more moderate high command. However, a sanctions-induced humanitarian crisis is likely soon and probably before the military capitulates given their resistance to Aristide and indifference to the suffering of the Haitian people. Even if this option failed to resolve the crisis, it would buy

time and possibly throw up new, currently unforeseen initiatives from within Haiti which we could support.

6. Back off from Aristide. In this option we would denounce both Aristide's and the military leadership's intransigence and state that their rigidity renders further international mediation pointless. We would say that we have tried our best to facilitate an end to the crisis but that since neither side is willing to work with the other, no external hand can solve their problems for them. We would announce that we could no longer justify the impact of broad-based sanctions and that therefore they were being exclusively targeted on the military leadership. We would reiterate our commitment to democracy and to Aristide's eventual return, but state that henceforth our focus would be on working with broad democratic sectors within Haiti on long-term institution building. The clear implication would be that Aristide would never return as President.

This approach would hurt the Administration's international credibility by abandoning your commitment to Aristide and by signalling a clear defeat for the UN and OAS. It would also fuel criticism of our migrant policy although legally we can still maintain direct return and count on strong political support from Florida for it. As with Option 2, there would be significant public criticism as well as a countervailing body of supportive opinion.

RECOMMENDATION

That you advise the course of action we should adopt.

THE WHITE HOUSE  
WASHINGTON

ACTION

MEMORANDUM FOR THE PRESIDENT

FROM: ANTHONY LAKE

SUBJECT: Haiti Policy Options

DECLASSIFIED  
E.O. 13526, Sec. 3.5 (b)  
White House Guidelines, September 11, 2006  
By VZ NARA, Date 10/8/2013  
2013-0122-M (

Purpose

To determine our policy approach to Haiti following the collapse of the Malval initiative due to President Aristide's opposition.

Background

Prime Minister Malval announced on his return to Haiti this week that he had canceled his initiative to convene a national gathering of all democratic elements in Haiti to revitalize the Governor's Island process. Malval further announced that, while he will stay on as acting Prime Minister, he will strictly be a caretaker and will "no longer deal with political matters."

Privately, Malval was deeply upset by public disavowal and condemnation of the conference by Aristide supporters inside Haiti and abroad, behind which he saw Aristide's hand. Malval first informed us of his decision to drop the initiative during the Paris meeting of the "Four Friends" (the U.S., the French, Canadians and Venezuelans) last Monday. Our subsequent intensive efforts to change his mind were fruitless.

Before Aristide and Malval met with you December 6, Aristide directly and through his lawyer Mike Barnes had assured Malval that he would not undermine the plan, even if he was not enthusiastic about it. Barnes later expressed Aristide's concerns to us in terms of security for Aristide's people returning for the conference. In essence, however, Aristide torpedoed a plan that he saw as attempting to move the locus of power away from him and toward the political center within Haiti.

In the wake of Malval's decisions, it is increasingly likely that anti-democratic elements associated with the military will attempt to seize on his resignation to replace him with a pliable de facto Prime Minister and set the stage for Aristide's formal ouster from the Presidency and new elections.

The lack of a political initiative forces us into exclusive reliance on sanctions -- the current version or intensified -- to

drive the military leadership to agree to Aristide's return and their own departure. Whether or not that will work remains to be seen, but we do not have long to test the hypothesis. Already the sanctions are strangling the economy, hampering food imports and distribution and causing a general breakdown of infrastructure. Fuel supplies will be exhausted by late January or sooner. We then anticipate economic collapse and there will arise a real risk of mass privation and a migrant exodus. The military believes we will not persist with sanctions when suffering and dying become highly visible nor undertake more intrusive measures. That calculus underpins their current intransigence.

Our humanitarian assistance is critical to the sustainability of sanctions. So far it has shielded the most vulnerable Haitians from the sanctions' worst effects. We and the UN are finalizing arrangements which will provide indefinite fuel availability for private voluntary organizations to distribute food and health services, provided the military cooperates and there is not excessive theft of supplies and fuel. However, our assistance program and particularly our migrant return policy are coming under increasing strain as the situation deteriorates. Already some members of the CBC have denounced direct return (Rangel) and there are indications that Aristide soon may criticize it. The flashpoint can come when sanctions produce unacceptable suffering and/or a mass refugee exodus begins and we are forced to return Haitians into the harsh and violent sanctions environment.

The failure of the Malval initiative presents us with difficult choices. We see six basic ways we might proceed. The first is not feasible, however, for the reasons described. We are preparing to implement the second. Should it fail due to Aristide's or the military leadership's intransigence, we will need to consider the remaining four options.

### Options

1. Seek to resurrect the Malval plan. This would involve persuading Malval to revive his plan while we pressed Aristide to give it active backing. This would be our preferred option under ideal circumstances for the same reasons that we supported Malval's initiative originally: it offered some potential that Haitians, working together, would find the path to the restoration of democracy and eventual return of Aristide within the Governor's Island principles, while giving us levers to work for stability, reconciliation and reconstruction. The shortcoming is that Malval has firmly decided to drop his initiative and desist from further political activity. Malval's view is that if Aristide is capable of wiggling out of a commitment to you, then no promise he makes can be relied upon as the basis of an initiative. Malval always was a "reluctant warrior." The obstacles thrown in his path by Aristide and his supporters appear to have convinced him that he had lost all credibility and that his only course was to withdraw from

politics. Thus, we conclude that this option is not feasible.

2. Four Friends adopt and push the national conference concept themselves. Malval's approach remains attractive even if its author has disavowed it. It has become increasingly clear that a peaceful solution to the Haitian crisis must involve the broad range of democratic elements in Haiti, and that in the absence of military intervention, President Aristide's return probably is not feasible until a centrist government can enable him to resume office amid safeguards from retribution for all sides.

Convinced of these stark realities, we and the other Friends decided in Paris last week to seek to fashion our own Malval-like initiative. The Four Friends, agreeing more clearly than ever before that both sides must act to help resolve the crisis, will send delegations to Aristide and the military on December 20-21 to urge each to agree to support and participate in a national conference such as proposed by Malval, which could be held inside or outside Haiti. The aims of the conference will be to deal with the issues left on the table by both sides' failure to comply with the Governor's Island Agreement and, more fundamentally, to help create a political consensus to make constitutional government a viable reality.

We and the Friends anticipate that the conference would develop a "Haitian solution," much as Malval's proposed gathering would have done -- formation of a centrist government, consensual arrangements for designating a new military leadership, passage of the police and amnesty laws and a crackdown on right-wing violence. The key aspects of this approach is that we are not requiring up front that a date certain be set for Aristide's return, we are telling the military exactly what the international community expects it to do and indicate that we would lift sanctions if they acted in good faith but Aristide did not. That was a critical Governor's Island element. With the Governor's Island date of October 30 having passed, the conference would have to agree on a new procedure for his return. (One mechanism which might be expected to emerge would be prior creation of the proper security and political conditions and an explicit determination by the centrist government that those conditions had been achieved.)

As leverage, we will put both sides publicly on notice (by releasing the texts of the Aides-Memoires the Friends' delegations will present on December 20-21) that they will be held responsible for actions which lead to continuation of the current crisis. The delegation to Aristide will warn him that he will be held accountable if he demonstrates unwillingness to help this effort to find a negotiated solution. We will state that we will hold the conference regardless of his rejection if all other parties including the military agree to attend. Our implicit threat would be

that we would be willing to accept a conference outcome which could delay his return indefinitely. The delegation to the military will let them know that if they fulfill all their remaining Governor's Island commitments so that the conditions for Aristide's return have been created, including publicly reaffirming their acceptance of the return of Aristide, sanctions will be lifted. The military leadership also will be warned that if they do not fulfill their commitments by January 15, the Friends will ask the UN Security Council to consider imposing harsher sanctions on Haiti and individually against them.

Given that this approach fails to fix a date certain for Aristide's return and demands that Aristide deal with his political adversaries to resolve the Governor's Island stalemate, it will entail political costs. Aristide and his most avid supporters (many in the press, the Black Caucus and the human rights community) will attack the Administration in an effort to force us to back off.

3. Diplomatic initiative accompanied by threat of force. Should the leverage brought to bear on the military by the Friends' delegation on December 20-21 prove insufficient to bring about their compliance with their Governor's Island commitments and their clear commitment to participate in good faith in a national conference, we will need to consider whether we are prepared to use force and then attempt to leverage that into Haitian military agreement to a negotiated solution. The Friends could present a plan with provisions similar to what a conference would be expected to produce, including the requirement that the military unequivocally accept Aristide's eventual return to Haiti. They would commit to cooperate actively with the centrist government to create conditions permitting Aristide's return within several months at most. The dynamics of such a proposal would be very different than Option 2 since we would be committed to following through with intervention if the Haitian military balked. This option is detailed in separate paper we are providing to you.
4. New mediation led by President Carter. This is a variation of Option 3 because it probably implies a willingness to use force. In consultation with the UN and OAS (to maintain international legitimacy), you would take up President Carter's earlier offer to engage his Council of Freely-Elected Heads of Government in mediation to revive a Malval-like initiative. Carter's group comprises hemispheric luminaries such as Oscar Arias, Raul Alfonsin, Michael Manley and Joe Clark. They could bring new pressure to bear on both sides by the weight of their own prestige and by touring the hemisphere to win broad international backing for a Malval-like effort to revitalize Governor's Island, restore democracy and return President Aristide.

Carter has been closely identified with Aristide in the past. The Haitian military might be unwilling to work with him; but he has no leverage over them and we believe that he might ask for your commitment to intervene if the military were uncooperative. If we decided that we were willing to use force, however, Carter and his colleagues could help gain the participation of at least a few hemispheric countries in a multilateral force.

There are other risks. Carter may be reluctant to push a plan Aristide opposes, especially one which would not fix a specific date for Aristide's return. Once Carter had accepted your request that he assist in resolving this crisis, he would become a largely autonomous actor. Carter disagrees with direct return of migrants and could put us in a difficult position by urging its discontinuation. We would want to work out clear understandings with Carter before asking him to undertake this mission.

5. Wait for sanctions to work. President Aristide and his backers have long argued that, given time and especially if made comprehensive, the pressure of sanctions alone will restore democracy and permit his return without any need for compromise with the military or anti-Aristide politicians. We could test Aristide's hypothesis by sitting tight. To parry pressure from Aristide's backers we could agree to comprehensive UN sanctions. Given that our current sanctions are virtually total in their impact, the marginal impact of full sanctions may not be substantial. Already the Friends have agreed that the military delegation scheduled to visit Haiti next week will threaten tighter sanctions if the military does not fulfill its Governor's Island commitments within a month.

The advantage of giving sanctions time is that we gain the chance to see if they widen already evident splits in the military. Internal pressures could induce the current military leadership to compromise or to surface a new, more moderate high command. That depends upon their perception of our willingness to keep squeezing. A sanctions-induced humanitarian crisis is likely soon and probably before the military capitulates given their resistance to Aristide and indifference to the suffering of the Haitian people. Even if this option failed to resolve the crisis, it would buy time and possibly throw up new, currently unforeseen initiatives from within Haiti which we could support.

6. Back off from Haiti. In this option we would denounce both Aristide's and the military leadership's intransigence and state that their rigidity renders further international mediation pointless. We would say that we have tried our best to facilitate an end to the crisis but that since neither side is willing to work with the other, no external hand can solve their problems for them. We would announce that we could no longer justify the impact of broad-based sanctions and that therefore they were being exclusively

targeted on the military leadership (e.g., denying visas, freezing assets). We would reiterate our commitment to democracy and to Aristide's eventual return, but state that henceforth our focus would be on working with broad democratic sectors within Haiti on long-term institution building. The clear implication would be that Aristide would never return as President.

This approach would hurt the Administration's international credibility by abandoning your commitment to Aristide and by signalling a clear defeat for the UN and OAS. It would also fuel criticism of our migrant policy although legally we can still maintain direct return and count on strong political support from Florida for it. As with Option 2, there would be significant public criticism as well as a countervailing body of supportive opinion.

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# Withdrawal/Redaction Sheet

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|--------------------------|--|-----------------------|----------------------------|
| <del>001. memo</del>     | <del>To: POTUS; From: Anthony Lake; Re: Haiti: Four Friends Effort to Launch National Conference (2 pages)</del> | <del>12/19/1993</del> | P1/b(1) <i>VL 3/3/2020</i> |

**COLLECTION:**

Clinton Presidential Records  
 NSC Records Management  
 [Haiti and Memcon ...]  
 OA/Box Number: 178

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2013-0122-M  
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**RESTRICTION CODES**

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- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

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TO: PRESIDENT

FROM: LAKE

DOC DATE: 19 DEC 93  
SOURCE REF:

KEYWORDS: HAITI

PERSONS:

SUBJECT: HAITI -- FOUR FRIENDS EFFORT TO LAUNCH NATL CONF

ACTION: NOTED BY PRESIDENT

DUE DATE: 22 DEC 93 STATUS: C

STAFF OFFICER: ROSSIN

LOGREF:

FILES: PA

NSCP:

CODES:

DOCUMENT DISTRIBUTION

FOR ACTION

FOR CONCURRENCE

FOR INFO  
NSC CHRON  
ROSSIN

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E.O. 13526  
White House Guidelines, May 16, 2017  
By ADNARA, Date 8/20/2019  
2013-0122-M

COMMENTS: \_\_\_\_\_  
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OPENED BY: NSWEG CLOSED BY: NSMEM DOC 2 OF 2

ACTION DATA SUMMARY REPORT

DOC ACTION OFFICER

CAO ASSIGNED ACTION REQUIRED

001 LAKE  
002 PRESIDENT  
002

Z 93122210 FWD TO PRESIDENT FOR DECISION  
Z 93122210 FOR DECISION  
X 93122210 NOTED BY PRESIDENT

DISPATCH DATA SUMMARY REPORT

DOC DATE DISPATCH FOR ACTION

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002 931219  
002 931219

VICE PRESIDENT  
WH CHIEF OF STAFF

— Rec'd 12/21 2:12pm

JWR  
12/21

National Security Council  
The White House

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|-----------------|-------------|-----------------------------|---------------|
| DepExecSec      | <u>1</u>    | <u>WHR</u>                  | <u>Review</u> |
| ExecSec         |             |                             |               |
| Staff Director  | <u>2</u>    |                             | <u>Fyi</u>    |
| D/APNSA         | <u>3</u>    |                             |               |
| APNSA           | <u>4</u>    |                             |               |
| Situation Room  |             | <b>Natl Sec Advisor</b>     |               |
| West Wing Desk  | <u>5</u>    | <u>(WHR) has seen 12/21</u> | <u>N</u>      |
| NSC Secretariat | <u>6</u>    |                             | <u>N</u>      |
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|                 |             |                             |               |

A = Action    I = Information    D = Dispatch    R = Retain    N = No Further Action

cc:            VP                            McLarty                            Other \_\_\_\_\_

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(Date/Time)

COMMENTS:

DISPATCH INSTRUCTIONS:

National Security Council  
The White House

PROOFED BY: \_\_\_\_\_ LOG # 9911  
 URGENT NOT PROOFED: \_\_\_\_\_ SYSTEM PRS NSC INT  
 BYPASSED WW DESK: \_\_\_\_\_ DOCLOG WT A/O \_\_\_\_\_

|                 | SEQUENCE TO        | HAS SEEN        | DISPOSITION        |
|-----------------|--------------------|-----------------|--------------------|
| DepExecSec      | _____              | _____           | _____              |
| ExecSec         | _____              | _____           | _____              |
| Staff Director  | _____              | _____           | _____              |
| D/APNSA         | _____              | _____           | _____              |
| APNSA           | <u>1</u>           | _____           | _____              |
| Situation Room  | _____              | _____           | _____              |
| West Wing Desk  | <u>2</u>           | <u>12/20 JB</u> | <u>[Signature]</u> |
| NSC Secretariat | <u>[Signature]</u> | _____           | _____              |
| _____           | _____              | _____           | _____              |
| _____           | _____              | _____           | _____              |

A = Action    I = Information    D = Dispatch    R = Retain    N = No Further Action

cc:            VP                            McLarty                            Other \_\_\_\_\_

Should be seen by: \_\_\_\_\_  
(Date/Time)

COMMENTS: WWP - original was taken to ushers office Sunday night. Copies have been provided to TL, SRB. Read NES WHI + KAK. VP COS  
 DISPATCH INSTRUCTIONS: + Podesta's office still need copies Weg

PHOTOCOPIED WJC HANDWRITING

~~SECRET~~

THE WHITE HOUSE  
WASHINGTON  
December 19, 1993

ACTION

MEMORANDUM FOR THE PRESIDENT

FROM: ANTHONY LAKE

SUBJECT: Haiti: Four Friends Effort to Launch National Conference

Prime Minister Malval's sudden abandonment of his plan to convene a national gathering of all democratic sectors in Haiti led the Four Friends of Haiti (the United States, Canada, France and Venezuela), meeting in Paris last week, to develop a new effort to seize on the momentum that Malval briefly had created. The Friends agreed that the national conference concept should be pursued even if President Aristide and his advisers initially oppose it. We and the other Friends therefore will send a joint delegation of senior officials to Aristide on Monday and another of flag officers to the Haitian military on Tuesday in an effort to revive the conference concept.

A conference offers some potential that Haitians, working together, can restore democracy and bring about Aristide's eventual return within the Governor's Island principles, while giving the international community levers to work for stability, reconciliation and reconstruction. We have agreed that a peaceful solution to the crisis must involve all democratic elements in Haiti. Absent his return through military intervention, President Aristide's return probably must wait until a centrist government creates the conditions for him to resume office amid safeguards from retribution for all sides. The hope is that such a conference could produce a "Haitian" outcome which would work toward those objectives; at least this initiative will place responsibility for continued stalemate more clearly on one side or the other.

The delegations to Aristide and the military will ask each to agree to such a conference. They will also warn each that they will be held accountable for actions or inaction which prolong the crisis. (The delegation to the military on Tuesday will hand them an aide-memoire detailing our position. The Friends will deliver an oral demarche to Aristide on Monday and follow up on Tuesday with an aide-memoire. We will also on Tuesday publicize the two aides-memoires to demonstrate that we are asking Aristide to help resolve the political issues impeding a settlement of the crisis, not retreating from our commitment to his return, and to underscore our firm resolve to the military.) The delegations will put pressure on both parties. Aristide will be told that we will hold the conference whether he agrees to it or not if all other invitees, including the military, accept. The delegation to the military will let them know that fulfilling all their Governor's Island commitments will end sanctions, regardless of

DECLASSIFIED

E.O. 13526, Sec. 3.5 (b)

cc: Vice President  
Chief of Staff

~~SECRET~~

Declassify on: OADR

White House Guidelines, September 11, 2006  
NARA, Date 10/8/2019

CLINTON LIBRARY PHOTOCOPY

2013-0122-m (1.47)

~~SECRET~~  
PHOTOCOPY WJC HANDWRITING

Aristide's actions. They will also be warned that failure to comply by January 15 will lead the Friends to consider stronger UN sanctions.

This approach differs from prior initiatives in several ways:

- It is a joint Four Friends plan enjoying their unified backing. Such a cooperative effort has not been undertaken before.
- It does not break with President Aristide, but it implicitly demands that he take affirmative action to justify our continued active support.
- It maintains our insistence that the military fulfill their Governor's Island commitments, but it does not hold them responsible or sanction them for failure by President Aristide to carry out his responsibilities.
- It adheres to the principle of Aristide's return to Haiti, but does not require that a date certain for his return be set or agreed to by the military.

Because of its failure to require a date certain for Aristide's return and its more demanding approach to Aristide, he and his most avid supporters are likely to perceive it as "distancing" by the international community and the U.S. from our hitherto ironclad commitment to his earliest return and our lockstep approach with Aristide. We can expect an active campaign of public criticism from Aristide supporters.

We will meet that criticism by emphasizing that we remain committed to democracy and Aristide's return but that all sides must make concrete efforts to remove the remaining impediments to achievement of our basic policy objectives. In any case, Aristide's supporters will continue their current attacks on us. This course gives us, at least, something to say to them and to a larger audience.

We believe the current Friends' initiative is a sensible next step which may bring about the political consensus in Haiti needed to make Aristide's return a practical possibility. This initiative must be given every chance to prosper quickly, before rightwing extremists install a regime rejecting the concept of democracy itself, or before the sanctions spark a humanitarian crisis in Haiti which will require the international community to face tough and unpleasant policy choices.

The Principals will be meeting on Monday to discuss approaches to the Haiti issue if this effort does not succeed.

RECOMMENDATION

That you approve the initiative described above.

Approve       Disapprove

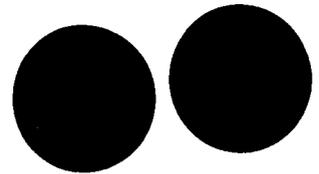
SECRET

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9911

NATIONAL SECURITY COUNCIL  
WASHINGTON, D.C. 20506

December 19, 1993



ACTION

MEMORANDUM FOR ANTHONY LAKE

FROM: LAWRENCE G. ROSSIN *LGR*

SUBJECT: Haiti: Four Friends Effort to Launch National Conference

The proposed Memorandum to the President at Tab I describes the new initiative being undertaken by the Four Friends of the Secretary General to win President Aristide's and the Haitian military's agreement to support and participate in a national conference.

RECOMMENDATION

That you sign the Memorandum to the President at Tab I.

Attachments

Tab I Memorandum to the President

DECLASSIFIED  
E.O. 13526  
White House Guidelines, May 16, 2017  
By *SS* NARA, Date *8/20/2019*  
2013-0122-N

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Declassify on: OADR

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# MIR MARKER

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|                               |               |             |                |             |
| Original OA/ID Number:<br>468 |               |             |                |             |
|                               |               |             |                |             |
| Document ID:<br>9400582       |               |             |                |             |
| Row:<br>44                    | Section:<br>4 | Shelf:<br>2 | Position:<br>2 | Stack:<br>V |

# Withdrawal/Redaction Sheet

## Clinton Library

| DOCUMENT NO.<br>AND TYPE | SUBJECT/TITLE  | DATE       | RESTRICTION |
|--------------------------|--|------------|-------------|
| 001a. memo               | To: POTUS; From: Anthony Lake; Re: Haiti: Sanctions Enhancement and Strategy Review [with POTUS Annotation] (1 page) | 01/27/1994 | P1/b(1)     |
| 001b. memo               | Draft Version of 001a (1 page)   | 00/00/0000 | P1/b(1)     |

**COLLECTION:**

Clinton Presidential Records  
 NSC Records Management  
 [Haiti and Memcon ...]  
 OA/Box Number: 468

**FOLDER TITLE:**

9400582

2013-0122-M  
sb2512

**RESTRICTION CODES**

Presidential Records Act - [44 U.S.C. 2204(a)]

Freedom of Information Act - [5 U.S.C. 552(b)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

CLINTON LIBRARY PHOTOCOPY

TO: PRESIDENT

FROM: LAKE

DOC DATE: 27 JAN 94  
SOURCE REF:

KEYWORDS: HAITI

SANCTIONS

PERSONS:

SUBJECT: HAITI - SANCTIONS ENHANCEMENT & STRATEGY REVIEW

ACTION: NOTED BY PRESIDENT

DUE DATE: 28 JAN 94 STATUS: C

STAFF OFFICER: ROSSIN

LOGREF:

FILES: PA

NSCP:

CODES:

DOCUMENT DISTRIBUTION

FOR ACTION

FOR CONCURRENCE

FOR INFO

FEINBERG  
NSC CHRON  
ROSSIN

DECLASSIFIED  
E.O. 13526  
White House Guidelines, May 16, 2017  
By AS/NARA, Date 8/26/2019  
2013-0122-M

COMMENTS: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

DISPATCHED BY \_\_\_\_\_ DATE \_\_\_\_\_ BY HAND W/ATTCH

OPENED BY: NSGP

CLOSED BY: NSJDA

DOC 2 OF 2

ACTION DATA SUMMARY REPORT

DOC ACTION OFFICER

CAO ASSIGNED ACTION REQUIRED

001 LAKE  
002 PRESIDENT  
002

Z 94012614 FWD TO PRESIDENT FOR INFORMATION  
Z 94020215 FOR INFORMATION  
X 94020215 NOTED BY PRESIDENT

DISPATCH DATA SUMMARY REPORT

DOC DATE DISPATCH FOR ACTION

DISPATCH FOR INFO

002 940127  
002 940127

VICE PRESIDENT  
WH CHIEF OF STAFF

National Security Council  
The White House

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|                 | SEQUENCE TO | HAS SEEN      | DISPOSITION |
|-----------------|-------------|---------------|-------------|
| DepExecSec      | <u>7</u>    | <u>W</u>      | <u>I *</u>  |
| ExecSec         | _____       | _____         | _____       |
| Staff Director  | _____       | _____         | _____       |
| D/APNSA         | _____       | _____         | _____       |
| APNSA           | _____       | _____         | _____       |
| Situation Room  | _____       | _____         | _____       |
| West Wing Desk  | <u>8</u>    | <u>VA 2/1</u> | <u>NFA</u>  |
| NSC Secretariat | <u>9</u>    | _____         | <u>N</u>    |
| _____           | _____       | _____         | _____       |
| _____           | _____       | _____         | _____       |

A = Action    I = Information    D = Dispatch    R = Retain    N = No Further Action

cc:            VP                            McLarty                            Other \_\_\_\_\_

Should be seen by: \_\_\_\_\_  
(Date/Time)

COMMENTS:

CC: NS, SRB, TZ

\* SEE POTUS COMMENT.

DISPATCH INSTRUCTIONS:

National Security Council  
The White House

*Rec'd 1/26  
6:20 PM*

PROOFED BY: \_\_\_\_\_ LOG # 0582  
 URGENT NOT PROOFED: \_\_\_\_\_ SYSTEM PRS NSC INT  
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| DepExecSec      | _____       | _____                                | _____       |
| ExecSec         | _____       | _____                                | _____       |
| Staff Director  | _____       | _____                                | _____       |
| D/APNSA         | <u>4</u>    | <u>sub</u>                           | _____       |
| APNSA           | <u>5</u>    | <b>Natl Sec Advisor<br/>has seen</b> | _____       |
| Situation Room  | _____       | _____                                | _____       |
| West Wing Desk  | <u>6</u>    | _____                                | <u>D</u>    |
| NSC Secretariat | _____       | _____                                | _____       |
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| _____           | _____       | _____                                | _____       |

A = Action    I = Information    D = Dispatch    R = Retain    N = No Further Action

cc:            VP                            McLarty                            Other \_\_\_\_\_

Should be seen by: \_\_\_\_\_  
(Date/Time)

COMMENTS:

*has been re done  
by Larry Rossen  
per Mr. Berger's*

DISPATCH INSTRUCTIONS:

*instructions*

*Ex Sec's office has new dispatch (1/26-1645)*

Rec'd 1/26 7:30am

JWR  
1/26

National Security Council  
The White House

PROOFED BY: JSK LOG # 0582  
URGENT NOT PROOFED: \_\_\_\_\_ SYSTEM PBS NSC INT  
BYPASSED WW DESK: \_\_\_\_\_ DOCLOG JSK A/O \_\_\_\_\_

|                        | SEQUENCE TO | HAS SEEN | DISPOSITION                     |
|------------------------|-------------|----------|---------------------------------|
| <u>W</u><br>DepExecSec | <u>1</u>    | <u>W</u> |                                 |
| ExecSec                |             |          |                                 |
| Staff Director         | <u>1000</u> |          |                                 |
| D/APNSA                | <u>2</u>    | <u>W</u> | <u>to be redone by Feinberg</u> |
| APNSA                  |             |          |                                 |
| Situation Room         |             |          |                                 |
| West Wing Desk         |             |          |                                 |
| NSC Secretariat        |             |          |                                 |
| <u>Feinberg</u>        | <u>3</u>    |          | <u>FF-A</u>                     |

A = Action    I = Information    D = Dispatch    R = Retain    N = No Further Action

cc:            VP                            McLarty                            Other \_\_\_\_\_

Should be seen by: \_\_\_\_\_  
(Date/Time)

COMMENTS:

cc: NS ✓

DISPATCH INSTRUCTIONS:

Exec Secs Office has desked

Rec'd 1/26 7:30am JUR  
1/26  
National Security Council  
The White House

National Security Council  
The White House  
Rec'd 1/26  
6:20 PM

PROOFED BY: JSK LOG # 0582  
 URGENT NOT PROOFED: \_\_\_\_\_ SYSTEM (PRS) NSC INT  
 BYPASSED WW DESK: \_\_\_\_\_ DOCLOG JSK A/O \_\_\_\_\_

PROOFED BY: \_\_\_\_\_ LOG # 0582  
 URGENT NOT PROOFED: \_\_\_\_\_ SYSTEM PRS NSC INT  
 BYPASSED WW DESK: \_\_\_\_\_ DOCLOG \_\_\_\_\_ A/O \_\_\_\_\_

CENTRAL INTELLIGENCE AGENCY PHOTOCOPY

|                  | SEQUENCE TO | HAS SEEN    | DISPOSITION                      |
|------------------|-------------|-------------|----------------------------------|
| DepExecSec       | <u>1</u>    | <u>Walt</u> |                                  |
| ExecSec          |             |             |                                  |
| Staff Director   | <u>2</u>    | <u>ork</u>  | <u>to be redone by Rosenberg</u> |
| D/APNSA          |             |             |                                  |
| APNSA            |             |             |                                  |
| Situation Room   |             |             |                                  |
| West Wing Desk   |             |             |                                  |
| NSC Secretariat  |             |             |                                  |
| <u>Rosenberg</u> | <u>3</u>    |             | <u>FFA</u>                       |

|                 | SEQUENCE TO | HAS SEEN                         | DISPOSITION |
|-----------------|-------------|----------------------------------|-------------|
| DepExecSec      |             |                                  |             |
| ExecSec         |             |                                  |             |
| Staff Director  |             |                                  |             |
| D/APNSA         | <u>4</u>    | <u>ork</u>                       |             |
| APNSA           | <u>5</u>    |                                  |             |
| Situation Room  |             | <u>Natl Sec Advisor has seen</u> |             |
| West Wing Desk  | <u>6</u>    |                                  | <u>D</u>    |
| NSC Secretariat |             |                                  |             |

A = Action I = Information D = Dispatch R = Retain N = No Further Action

A = Action I = Information D = Dispatch R = Retain N = No Further Action

cc: VP McLarty Other \_\_\_\_\_  
 Should be seen by: \_\_\_\_\_ (Date/Time)

cc: VP McLarty Other \_\_\_\_\_  
 Should be seen by: \_\_\_\_\_ (Date/Time)

COMMENTS: cc: NS ✓

COMMENTS: has been redone by Larry Rossen per Mr. Berger's instructions  
 DISPATCH INSTRUCTIONS: instructions

DISPATCH INSTRUCTIONS: \_\_\_\_\_

... has new desk at 1/26

National Security Council  
The White House

PROOFED BY: \_\_\_\_\_ LOG # 0582

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|                 | SEQUENCE TO | HAS SEEN      | DISPOSITION |
|-----------------|-------------|---------------|-------------|
| DepExecSec      | <u>7</u>    | <u>W</u>      | <u>I *</u>  |
| ExecSec         | _____       | _____         | _____       |
| Staff Director  | _____       | _____         | _____       |
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| APNSA           | _____       | _____         | _____       |
| Situation Room  | _____       | _____         | _____       |
| West Wing Desk  | <u>8</u>    | <u>PH 2/1</u> | <u>NFA</u>  |
| NSC Secretariat | <u>9</u>    | _____         | <u>N</u>    |
| _____           | _____       | _____         | _____       |
| _____           | _____       | _____         | _____       |

A = Action    I = Information    D = Dispatch    R = Retain    N = No Further Action

cc:            VP                            McLarty                            Other \_\_\_\_\_

Should be seen by: \_\_\_\_\_  
(Date/Time)

COMMENTS:

CC: NS, SRB, TL

\* SEE POTUS COMMENT.

DISPATCH INSTRUCTIONS:

# Withdrawal/Redaction Marker

## Clinton Library

| DOCUMENT NO.<br>AND TYPE | SUBJECT/TITLE  | DATE       | RESTRICTION |
|--------------------------|--|------------|-------------|
| 001a. memo               | To: POTUS; From: Anthony Lake; Re: Haiti: Sanctions Enhancement and Strategy Review [with POTUS Annotation] (1 page) | 01/27/1994 | P1/b(1)     |

### COLLECTION:

Clinton Presidential Records  
NSC Records Management  
[Haiti and Memcon ...]  
OA/Box Number: 468

### FOLDER TITLE:

9400582

2013-0122-M  
sb2512

### RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

Freedom of Information Act - [5 U.S.C. 552(b)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
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C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

CLINTON LIBRARY PHOTOCOPY

NATIONAL SECURITY COUNCIL  
WASHINGTON, D.C. 20506

January 25, 1994

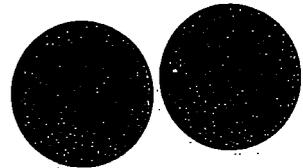
ACTION

MEMORANDUM FOR ANTHONY LAKE

THROUGH: RICHARD E. FEINBERG *RF*

FROM: LAWRENCE G. ROSSIN *LR*

SUBJECT: Haiti: Sanctions Enhancement and Strategy Review



The memorandum to the President at Tab I informs him of the decisions on new sanctions against Haiti taken by the Principals in today's meeting and previews the discussion of longer-term strategy scheduled for January 28.

RECOMMENDATION

That you sign the Memorandum to the President at Tab I.

Attachment  
Tab I Memorandum to the President

DECLASSIFIED  
E.O. 13526  
White House Guidelines, May 16, 2017  
By ANSNARA, Date 8/20/2019  
2013-0122-M

# Withdrawal/Redaction Marker

## Clinton Library

| DOCUMENT NO.<br>AND TYPE | SUBJECT/TITLE                  | DATE       | RESTRICTION |
|--------------------------|--------------------------------|------------|-------------|
| 001b. memo               | Draft Version of 001a (1 page) | 00/00/0000 | P1/b(1)     |

### COLLECTION:

Clinton Presidential Records  
NSC Records Management  
[Haiti and Memcon ...]  
OA/Box Number: 468

### FOLDER TITLE:

9400582

2013-0122-M  
sb2512

### RESTRICTION CODES

#### Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
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RR. Document will be reviewed upon request.

#### Freedom of Information Act - [5 U.S.C. 552(b)]

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|                               |               |             |                |             |
| Original OA/ID Number:<br>469 |               |             |                |             |
|                               |               |             |                |             |
| Document ID:<br>9401027       |               |             |                |             |
| Row:<br>44                    | Section:<br>4 | Shelf:<br>2 | Position:<br>3 | Stack:<br>v |

# Withdrawal/Redaction Sheet

## Clinton Library

| DOCUMENT NO.<br>AND TYPE | SUBJECT/TITLE   | DATE                  | RESTRICTION                   |
|--------------------------|---|-----------------------|-------------------------------|
| <del>001a.</del> memo    | <del>To: POTUS; From: Anthony Lake; Re: Status of Efforts to Foster a Political Settlement in Haiti (2 pages)</del> | <del>02/11/1994</del> | <del>P1/b(1)</del> ✓ 3/3/2020 |
| 001b. memo               | To: Anthony Lake; From: Lawrence Rossin; Re: Status of Efforts to Foster a Political Settlement in Haiti (1 page)   | 02/09/1994            | P1/b(1)                       |
| <del>001c.</del> memo    | <del>[partial duplicates, draft versions of page 2 only of 001a] (2 pages)</del>                                    | <del>00/00/0000</del> | <del>P1/b(1)</del> ✓ 3/3/2020 |

**COLLECTION:**

Clinton Presidential Records  
 NSC Records Management  
 [Haiti and Memcon ...]  
 OA/Box Number: 469

**FOLDER TITLE:**

9401027

2013-0122-M  
sb2513

**RESTRICTION CODES**

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
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C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

Freedom of Information Act - [5 U.S.C. 552(b)]

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- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
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- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

CLINTON LIBRARY PHOTOCOPY

TO: PRESIDENT

FROM: LAKE

DOC DATE: 11 FEB 94  
SOURCE REF:

KEYWORDS: HAITI

PERSONS:

SUBJECT: STATUS OF EFFORTS TO FOSTER A POLITICAL SETTLEMENT IN HAITI

ACTION: NOTED BY PRESIDENT

DUE DATE: 12 FEB 94 STATUS: C

STAFF OFFICER: ROSSIN

LOGREF:

FILES: PA

NSCP:

CODES:

DOCUMENT DISTRIBUTION

FOR ACTION

FOR CONCURRENCE

FOR INFO  
FEINBERG  
NSC CHRON  
ROSSIN

DECLASSIFIED  
E.O. 13526  
White House Guidelines, May 16, 2017  
By ADBNARA, Date 8/26/2019  
2013-0122-M



COMMENTS: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

DISPATCHED BY \_\_\_\_\_ DATE \_\_\_\_\_ BY HAND W/ATTCH

OPENED BY: NSJEB CLOSED BY: NSJDA DOC 2 OF 2

ACTION DATA SUMMARY REPORT

DOC ACTION OFFICER

CAO ASSIGNED ACTION REQUIRED

001 LAKE  
002 PRESIDENT  
002

Z 94020917 FWD TO PRESIDENT FOR INFORMATION  
Z 94021116 FOR INFORMATION  
X 94021515 NOTED BY PRESIDENT

DISPATCH DATA SUMMARY REPORT

DOC    DATE    DISPATCH FOR ACTION

DISPATCH FOR INFO

002 940211  
002 940211

VICE PRESIDENT  
WH CHIEF OF STAFF

Rec'd 2/11

National Security Council  
The White House

PROOFED BY: \_\_\_\_\_ LOG # 1027  
URGENT NOT PROOFED: AB SYSTEM PRS NSC INT  
BYPASSED WW DESK: \_\_\_\_\_ DOCLOG AB A/O \_\_\_\_\_

|                        | SEQUENCE TO | HAS SEEN                            | DISPOSITION                  |
|------------------------|-------------|-------------------------------------|------------------------------|
| <u>W</u><br>DepExecSec | 1           | <u>Walt</u>                         |                              |
| ExecSec                |             |                                     |                              |
| Staff Director         | 2           | <u>Walt</u>                         |                              |
| D/APNSA                | 3           | <u>Walt</u>                         |                              |
| APNSA                  | 4           | <b>Natl Sec Advisor</b><br>has seen |                              |
| Situation Room         |             |                                     |                              |
| West Wing Desk         | 5           | <u>Walt</u> 2/11                    | <u>D</u> <sup>TO</sup> POTUS |
| NSC Secretariat        |             |                                     |                              |
|                        |             |                                     |                              |
|                        |             |                                     |                              |

A = Action I = Information D = Dispatch R = Retain N = No Further Action

cc: VP McLarty Other \_\_\_\_\_

Should be seen by: \_\_\_\_\_  
(Date/Time)

COMMENTS:

cc: wlt

DISPATCH INSTRUCTIONS:

Exec Sec's Office has deleted

February 11, 1994

NOTE FOR NSC STAFF DIRECTOR'S OFFICE

FROM: LARRY ROSSIN *LRR*

SUBJECT: Package 1027

After making updates as requested  
by Mr. Lake through Neal Wolin,  
I have returned the original of this  
directly to Neal. Diskette  
is current.

CLINTON LIBRARY PHOTOCOPY

National Security Council  
The White House

PROOFED BY: \_\_\_\_\_ LOG # 1027  
 URGENT NOT PROOFED: (initials) SYSTEM (PRS) NSC INT  
 BYPASSED WW DESK: \_\_\_\_\_ DOCLOG (initials) A/O \_\_\_\_\_

|                        | SEQUENCE TO | HAS SEEN                            | DISPOSITION       |
|------------------------|-------------|-------------------------------------|-------------------|
| <u>W</u><br>DepExecSec | <u>1</u>    | <u>Walt</u>                         |                   |
| ExecSec                |             |                                     |                   |
| Staff Director         | <u>2</u>    | <u>Walt</u>                         |                   |
| D/APNSA                | <u>3</u>    | <u>Walt</u>                         |                   |
| APNSA                  | <u>4</u>    | <b>Natl Sec Advisor</b><br>has seen |                   |
| Situation Room         |             |                                     |                   |
| West Wing Desk         | <u>5</u>    | <u>(initials) 2/11</u>              | <u>D TO POTUS</u> |
| NSC Secretariat        |             |                                     |                   |
|                        |             |                                     |                   |
|                        |             |                                     |                   |

A = Action I = Information D = Dispatch R = Retain N = No Further Action

cc: VP McLarty Other \_\_\_\_\_

Should be seen by: \_\_\_\_\_  
(Date/Time)

COMMENTS:

cc: WIT

DISPATCH INSTRUCTIONS:

Exec Sec's Office has deleted

THE WHITE HOUSE

WASHINGTON

February 11, 1994 <sup>94</sup> FEB 11 P3:19

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E.O. 13526, Sec. 3.5 (b)  
White House Guidelines, September 11, 2006  
By VL NARA, Date 10/8/2019

INFORMATION

MEMORANDUM FOR THE PRESIDENT

THE PRESIDENT HAS SEEN

FROM: ANTHONY LAKE ✓

2/11/94

SUBJECT: Status of Efforts to Foster a Political Settlement in Haiti

Our strategy of using sanctions to pressure the military and encourage formation of a political center has yielded an initiative by two influential Haitian parliamentarians to complete the remaining provisions of the Governor's Island process and set the stage for President Aristide's return. While their plan lacks important details, we and the other Friends of Haiti are urging Aristide to embrace it. So far, he has refused and countered by denouncing our migrant policy. If Aristide does not embrace this initiative, we will develop recommendations for possible policy and strategy adjustments for your consideration.

- - - - -

The sharpening pressure of the UN oil and arms embargo and the preparation by the Friends of Haiti (the U.S., Canada, France and Venezuela) of a UN resolution imposing additional sanctions (broader trade embargo, globalization of targeted sanctions, ban on non-scheduled air traffic), likely to be enacted late next week, have sparked frenetic political activity in Haiti. The private sector is pressing the military to reach an agreement which will end sanctions. A rift has opened between General Cedras and Police Chief Francois: operating in the political vacuum created by Prime Minister Malval's resignation in December, each strongman has been promoting his own unconstitutional proposal for resolving the political crisis.

Prominent leaders of two factions (one anti-, one pro-Aristide) which together command a parliamentary majority have now urged Aristide to appoint one of them as Prime Minister as the key to achieving a legitimate political solution to the crisis and foiling Cedras' and Francois' scheming. The new Prime Minister-designate would ask the UN to delay the new sanctions while he returned to Haiti and quickly won parliamentary action to complete the Governor's Island process (his own confirmation and that of a new broad-based cabinet, passage of police, amnesty and anti-thug laws and confirmation of a new army commander and police chief nominated by Aristide). With the ability to end sanctions in hand, the new Prime Minister-designate would at the same time bring broad pressure to bear on the military, including from disaffected military elements, to facilitate these steps and

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Declassify on: NOFORN

PHOTOCOPYING AND HANDWRITING  
Vice President  
Chief of Staff  
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to support deployment of a reconfigured UN military and police mission. Finally, there would be an understanding that the new government and Aristide would decide the timing of his return without military interference.

W While this plan is lacking in some important details, including the precise sequencing of events and mechanisms to ensure military compliance, the Principals Committee accepted on February 4 Ambassadors Pezzullo's and Swing's strong recommendations that we support it as a good, probably last chance to put in place a government under leadership of an Aristide appointee committed to his return.

N Sandy Berger and Pezzullo met with Aristide February 4 to urge him to respond positively to this initiative by appointing a new Prime Minister. They assured Aristide that if he embraced this effort and the military did not, new UN sanctions would be imposed. They also warned that failure to cooperate could strain our ability to sustain an activist policy given growing Congressional and public concerns about the humanitarian impact of sanctions. Aristide was unreceptive. He agreed to receive the parliamentary delegation but said he would not name a new Prime Minister, exposing that person and his political supporters to military assault, until Cedras and Francois were removed. UN/OAS envoy Caputo and the other Friends, who made separate approaches to Aristide, got the same response.

W Major  
The Haitian delegation is in Washington this week. It has spent hours meeting with Aristide and, separately, with U.S. and Friends' officials to refine its plan and presentation. The delegation has told us it cannot return to Port-au-Prince empty-handed. Further meetings with Aristide are planned. We and the Friends have continued to urge Aristide directly and via his aides to demonstrate flexibility. So far, Aristide has been adamant: Cedras and Francois must go first. To counter the initiative, he first sought to pre-empt the initiative by having supporters in Haiti form a "Presidential Commission," but they declined for security reasons. Aristide then denounced our direct return policy and stated that he may give notice of intent to abrogate the Migrant Interdiction Agreement. We have warned the Haitian Ambassador that we view that statement as hostile and have publicly reiterated the direct return policy. We will be alert for migrant outflows due to Aristide's statement but, given our reaffirmation of direct return, do not expect a significant upsurge in departures.

(\*) If Aristide seizes the opportunity offered by this initiative, he will take an important step toward his return. If he does not, we will need to review our relationship with him, including our sanctions-based strategy and insistence on his return as part of any settlement. An approach independent of Aristide would have major domestic and international ramifications and require fundamental policy decisions. We will in that case provide you with recommendations for adjustments to our policy and strategy.

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# Withdrawal/Redaction Marker

## Clinton Library

| DOCUMENT NO.<br>AND TYPE | SUBJECT/TITLE   | DATE       | RESTRICTION |
|--------------------------|---|------------|-------------|
| 001b. memo               | To: Anthony Lake; From: Lawrence Rossin; Re: Status of Efforts to Foster a Political Settlement in Haiti (1 page) | 02/09/1994 | P1/b(1)     |

### COLLECTION:

Clinton Presidential Records  
NSC Records Management  
[Haiti and Memcon ...]  
OA/Box Number: 469

### FOLDER TITLE:

9401027

2013-0122-M  
sb2513

### RESTRICTION CODES

#### Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
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- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

#### Freedom of Information Act - [5 U.S.C. 552(b)]

- b(1) National security classified information [(b)(1) of the FOIA]
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to support deployment of a reconfigured UN military and police mission. Finally, there would be an understanding that the new government and Aristide would decide the timing of his return without military interference.

While this plan is lacking in some important details, including the precise sequencing of events and mechanisms to ensure military compliance, the Principals Committee accepted on February 4 Ambassadors Pezzullo's and Swing's strong recommendations that we support it as a good, probably last chance to put in place a government under leadership of an Aristide appointee committed to his return.

Sandy Berger and Pezzullo met with Aristide February 4 to urge him to respond positively to this initiative by appointing a new Prime Minister. They assured Aristide that if he embraced this effort and the military did not, new UN sanctions would be imposed. They also warned that failure to cooperate would strain our ability to sustain an activist policy given growing Congressional and public ~~upset~~ <sup>concerns</sup> about the humanitarian impact of sanctions, and skepticism about Aristide's motivations. Aristide was unreceptive. He agreed to receive the parliamentary delegation but said he would not name a new Prime Minister, exposing that person and his political supporters to military assault, until Cedras and Francois were removed. UN/OAS envoy Caputo and the other Friends, who made separate approaches to Aristide, got the same response.

The Haitian delegation is in Washington this week. It has met with members of Congress and Administration officials and will see Aristide Wednesday afternoon. We and the Friends are continuing to urge Aristide directly and through his aides to reconsider his negative stance. So far, he has not changed his position. He first sought to pre-empt the initiative by having supporters in Haiti form a "Presidential Commission," but they declined for security reasons. Aristide then ~~wielded the migrant weapon~~ publicly denouncing our direct return policy and stating that he may give notice of intent to abrogate the Migrant Interdiction Agreement. We have warned the Haitian Ambassador that we view Aristide's statement as hostile and have publicly reiterated the direct return policy. We will be alert for migrant outflows due to Aristide's statement but, given our reaffirmation of direct return, do not expect a significant upsurge in departures. <sup>ed</sup>

If Aristide seizes the opportunity offered by this initiative, he will take an important step toward his return. If he does not, we ~~must~~ <sup>will need to</sup> review our relationship with him, including our sanctions-based strategy and insistence on his return as part of any settlement. ~~There was sentiment among the Principals on Friday for a new approach independent of Aristide if he rejected this initiative. That~~ would have major domestic and international ramifications and require fundamental policy decisions. We will in that case provide you with recommendations for adjustments to our policy and strategy. <sup>that</sup>

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E.O. 13526

White House Guidelines, May 16, 2017  
By WZ NARA, Date 10/8/2019

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SECRET

to support deployment of a reconfigured UN military and police mission. Finally, there would be an understanding that the new government and Aristide would decide the timing of his return without military interference.

While this plan is lacking in some important details, including the precise sequencing of events and mechanisms to ensure military compliance, the Principals Committee accepted on February 4 Ambassadors Pezzullo's and Swing's strong recommendations that we support it as a good, probably last chance to put in place a government under leadership of an Aristide appointee committed to his return.

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If Aristide seizes the opportunity offered by this initiative, he will take an important step toward his return. If he does not, we will need to review our relationship with him, including our sanctions-based strategy and insistence on his return as part of any settlement. An approach independent of Aristide would have major domestic and international ramifications and require fundamental policy decisions. We will in that case provide you with recommendations for adjustments to our policy and strategy.

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White House Guidelines, May 16, 2017  
By DA NARA, Date 10/8/2016

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|                               |               |             |                |             |
| Original OA/ID Number:<br>469 |               |             |                |             |
|                               |               |             |                |             |
| Document ID:<br>9401246       |               |             |                |             |
| Row:<br>44                    | Section:<br>4 | Shelf:<br>2 | Position:<br>3 | Stack:<br>v |

# Withdrawal/Redaction Sheet

## Clinton Library

| DOCUMENT NO. AND TYPE | SUBJECT/TITLE   | DATE       | RESTRICTION |
|-----------------------|---|------------|-------------|
| 001. memo             | To: Samuel Berger; From: Lawrence Rossin; Re: Haiti: Next Steps (3 pages) | 02/17/1994 | P1/b(1)     |

### COLLECTION:

Clinton Presidential Records  
NSC Records Management  
[Haiti and Memcon ...]  
OA/Box Number: 469

### FOLDER TITLE:

9401246

2013-0122-M  
sb2514

### RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

Freedom of Information Act - [5 U.S.C. 552(b)]

- P1 National Security Classified Information [(a)(1) of the PRA]
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C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

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TO: BERGER

FROM: ROSSIN  
FEINBERG

DOC DATE: 17 FEB 94  
SOURCE REF:

KEYWORDS: HAITI

PERSONS:

SUBJECT: HAITI NEXT STEPS

ACTION: NOTED BY BERGER

DUE DATE: 21 FEB 94 STATUS: C

STAFF OFFICER: ROSSIN

LOGREF:

FILES: PA

NSCP:

CODES:

DOCUMENT DISTRIBUTION

FOR ACTION

FOR CONCURRENCE

FOR INFO  
NSC CHRON

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E.O. 13526  
White House Guidelines, May 16, 2017  
By ADJ NARA, Date 9/20/2019  
2013-0122-M

COMMENTS: \_\_\_\_\_  
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\_\_\_\_\_

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OPENED BY: NSJEB

CLOSED BY: NSJEB

DOC 1 OF 1

ACTION DATA SUMMARY REPORT

DOC ACTION OFFICER

CAO ASSIGNED ACTION REQUIRED

001 BERGER  
001

Z 94100709 FOR INFORMATION  
X 94100709 NOTED BY BERGER

Rec'd 2/17 2:10 p  
 National Security Council  
 The White House

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 URGENT NOT PROOFED:                      SYSTEM    PRS    NSC    INT  
 BYPASSED WW DESK:                      DOCLOG                      A/O                     

|                 | SEQUENCE TO                 | HAS SEEN                    | DISPOSITION                 |
|-----------------|-----------------------------|-----------------------------|-----------------------------|
| Reed            | <u>                    </u> | <u>                    </u> | <u>                    </u> |
| Kenney          | <u>1</u>                    | <u>                    </u> | <u>A</u>                    |
| Itoh            | <u>                    </u> | <u>                    </u> | <u>                    </u> |
| Soderberg       | <u>                    </u> | <u>                    </u> | <u>                    </u> |
| Berger          | <u>2</u>                    | <u>                    </u> | <u>                    </u> |
| Lake            | <u>                    </u> | <u>                    </u> | <u>                    </u> |
| Situation Room  | <u>                    </u> | <u>                    </u> | <u>                    </u> |
| West Wing Desk  | <u>3</u>                    | <u>                    </u> | <u>N</u>                    |
| NSC Secretariat | <u>4</u>                    | <u>                    </u> | <u>N</u>                    |

A = Action    I = Information    D = Dispatch    R = Retain    N = No Further Action

cc:                      VP    McLarty    Other                     

Should be seen by:                       
 (Date/Time)

COMMENTS:

CC: NS

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# Withdrawal/Redaction Marker

## Clinton Library

| DOCUMENT NO.<br>AND TYPE | SUBJECT/TITLE   | DATE       | RESTRICTION |
|--------------------------|---|------------|-------------|
| 001. memo                | To: Samuel Berger; From: Lawrence Rossin; Re: Haiti: Next Steps (3 pages) | 02/17/1994 | P1/b(1)     |

### COLLECTION:

Clinton Presidential Records  
NSC Records Management  
[Haiti and Memcon ...]  
OA/Box Number: 469

### FOLDER TITLE:

9401246

2013-0122-M

sb2514

### RESTRICTION CODES

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Freedom of Information Act - [5 U.S.C. 552(b)]

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PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

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| Original OA/ID Number:<br>469 |               |             |                |             |
|                               |               |             |                |             |
| Document ID:<br>9401317       |               |             |                |             |
| Row:<br>44                    | Section:<br>4 | Shelf:<br>2 | Position:<br>3 | Stack:<br>V |

# Withdrawal/Redaction Sheet

## Clinton Library

| DOCUMENT NO. AND TYPE | SUBJECT/TITLE   | DATE                  | RESTRICTION                    |
|-----------------------|---|-----------------------|--------------------------------|
| <del>001a. memo</del> | <del>To: POTUS; From: Anthony Lake; Re: Haiti Policy: Next Steps (5 pages)</del>                      | <del>02/23/1994</del> | <del>P1/b(1) v2</del> 3/3/2020 |
| <del>001b. memo</del> | <del>To: Anthony Lake; From: Richard Feinberg; Re: Haiti Policy: Next Steps (1 page)</del>            | <del>02/22/1994</del> | <del>P1/b(1) v2</del>          |
| <del>001c. memo</del> | <del>Duplicate of 001b [with handwritten edit / annotation] (1 page)</del>                            | <del>02/22/1994</del> | <del>P1/b(1) v2</del>          |
| <del>001d. memo</del> | <del>[partial duplicate of 001a, page 4 only, with handwritten annotation / edit] (1 page)</del>      | <del>00/00/0000</del> | <del>P1/b(1) v2</del>          |
| <del>001e. memo</del> | <del>[draft version of 001b] (1 page)</del>   | <del>02/21/1994</del> | <del>P1/b(1) v2</del>          |
| <del>001f. memo</del> | <del>[draft version of 001a, with handwritten annotations / edits] (4 pages)</del>                    | <del>00/00/0000</del> | <del>P1/b(1) v2</del>          |
| <del>001g. memo</del> | <del>[partial duplicate of 001a, page 3-5 only, with handwritten annotations / edits] (5 pages)</del> | <del>00/00/0000</del> | <del>P1/b(1) v2</del>          |

**COLLECTION:**

Clinton Presidential Records  
 NSC Records Management  
 [Haiti and Memcon ...]  
 OA/Box Number: 469

**FOLDER TITLE:**

9401317

2013-0122-M  
 sb2515

**RESTRICTION CODES**

Presidential Records Act - [44 U.S.C. 2204(a)]

Freedom of Information Act - [5 U.S.C. 552(b)]

- P1 National Security Classified Information [(a)(1) of the PRA]
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- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

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TO: PRESIDENT

FROM: LAKE

DOC DATE: 23 FEB 94  
SOURCE REF:

KEYWORDS: HAITI

UN

PERSONS:

SUBJECT: HAITI POLICY - NEXT STEPS

ACTION: NOTED BY PRESIDENT

DUE DATE: 25 FEB 94 STATUS: C

STAFF OFFICER: FEINBERG

LOGREF:

FILES: PA

NSCP:

CODES:

DOCUMENT DISTRIBUTION

FOR ACTION

FOR CONCURRENCE

FOR INFO

FEINBERG  
NSC CHRON  
WOLIN

DECLASSIFIED

E.O. 13526

White House Guidelines, May 16, 2017

By NS NARA, Date 8/20/2019

2013-0122-M

COMMENTS: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

DISPATCHED BY \_\_\_\_\_ DATE \_\_\_\_\_ BY HAND W/ATTCH

OPENED BY: NSJEB

CLOSED BY: NSJDA

DOC 3 OF 3

ACTION DATA SUMMARY REPORT

DOC ACTION OFFICER

CAO ASSIGNED ACTION REQUIRED

001 LAKE  
001 FEINBERG  
002 LAKE  
003 PRESIDENT  
003

Z 94022207 FWD TO PRESIDENT FOR INFORMATION  
Z 94022210 FOR REDO  
Z 94022220 FWD TO PRESIDENT FOR DECISION  
Z 94022409 FOR INFORMATION  
X 94022409 NOTED BY PRESIDENT

DISPATCH DATA SUMMARY REPORT

DOC DATE DISPATCH FOR ACTION

DISPATCH FOR INFO

003 940223  
003 940223

VICE PRESIDENT  
WH CHIEF OF STAFF

National Security Council  
The White House

PROOFED BY: \_\_\_\_\_

LOG # 1317

URGENT NOT PROOFED: \_\_\_\_\_

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| Itoh            | <u>copy</u> | _____      | _____                       |
| Soderberg       | <u>copy</u> | _____      | _____                       |
| Berger          | <u>1</u>    | <u>BRW</u> | _____                       |
| Lake            | <u>2</u>    | _____      | _____                       |
| Situation Room  | _____       | _____      | _____                       |
| West Wing Desk  | <u>4</u>    | <u>BRW</u> | <u>N</u>                    |
| NSC Secretariat | <u>5</u>    | _____      | <u>N</u>                    |
| <u>Leinborg</u> | <u>3</u>    | _____      | <u>A - Per Berger Edits</u> |

A = Action    I = Information    D = Dispatch    R = Retain    N = No Further Action

cc:            VP                            McLarty                            Other Wolter

Should be seen by: \_\_\_\_\_  
(Date/Time)

COMMENTS:

DISPATCH INSTRUCTIONS:

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*Spec Sec has dishette*

National Security Council  
The White House

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A = Action    I = Information    D = Dispatch    R = Retain    N = No Further Action

cc:            VP                            McLarty                            Other \_\_\_\_\_

Should be seen by: \_\_\_\_\_  
(Date/Time)

COMMENTS:

DISPATCH INSTRUCTIONS:

**National Security Council  
The White House**

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| <u>Leinborg</u> | <u>3</u>    | _____        | <u>A - Per Berger Edits</u> |

A = Action    I = Information    D = Dispatch    R = Retain    N = No Further Action

cc:            VP                            McLarty                            Other Walsh

Should be seen by: \_\_\_\_\_  
(Date/Time)

COMMENTS:

DISPATCH INSTRUCTIONS:

*Spec Sec has disshut*

THE WHITE HOUSE  
WASHINGTON  
February 23, 1994

THE PRESIDENT HAS SEEN  
2-23-94

ACTION

MEMORANDUM FOR THE PRESIDENT

FROM: ANTHONY LAKE  
SUBJECT: Haiti Policy: Next Steps

Purpose

To seek your approval of our support for the parliamentarians' plan to end the Haitian crisis or of an alternative plan designed to place more of the onus for forward movement on the Haitian military. To decide how to use the next (and perhaps last) major diplomatic lever, i.e., increased sanctions, to bring Aristide and the military behind a common solution.

Background

The oil embargo is hitting the Haitian economy hard, sharply reducing commerce, creating widespread unemployment and making daily life increasingly difficult. We have assured fuel shipments adequate to maintain our humanitarian assistance programs, although malnutrition but not starvation is on the increase. Tensions are rising but there are as yet no signs of mass insurrection or spontaneous social explosion. The military maintains tight control of the security situation while the ultra-rightist FRAPH is reconstructing the old macoute networks. The tightening economic noose is creating tensions among the military and Francois and Cedras are visibly jockeying for power. The military continues to believe, however, that we will eventually lift sanctions for fear of an acute humanitarian crisis, or at least offer them a better deal.

Rising concern among the business and political elites led to the formation of an ad hoc delegation of Haitian parliamentarians that over the last two weeks engaged in intensive conversations in Washington with Ambassador Pezzullo and UN envoy Dante Caputo. The delegation consists of prominent parliamentarians, pro-Aristide and pro-military, that together command a majority in both chambers. Over the weekend the parliamentarians reached agreement on a plan of action whose first step calls for Aristide to name a Prime Minister. The delegation has put forth two potential candidates -- pro-Aristide education minister Victor Benoit and rightist Senator Julio Larosiliere -- who have formed an alliance they believe can command a parliamentary majority.

DECLASSIFIED

E.O. 13526, Sec. 3.5 (b)

White House Guidelines, September 11, 2006

SECRET

Declassify on:

OADR

By: [Signature] NARA, Date: 10/8/2015

cc: Vice President  
Chief of Staff

CLINTON LIBRARY PHOTOCOPY

Aristide already has rejected this plan and now refuses to meet with the parliamentarians. He sent you a letter on February 20 affirming that the coup leaders will continue to sabotage any political process and that Cedras and Francois should resign before he names a Prime Minister. He reiterates his belief that it is up to the U.S. and the U.N. to apply unrelenting pressure through sanctions to force the coup leaders out of Haiti. Aristide's letter also outlines his own plan: he asks for a highly visible meeting with you to announce a specific date for his return and our commitment to increase sanctions; his return should come within ten days of the designation of a Prime Minister and before the ratification of the Prime Minister and the lifting of sanctions. He also insists that the first step in the process be the departure from Haiti of Cedras and Francois. These conditions are clearly unacceptable to the Haitian military and are tougher than Governors Island; for example, by placing his return prior to the installation of the new government, he does not allow for the process of political reconciliation prior to his return that lies at the center of Governors Island and our own thinking.

Option A: The Parliamentarians' Plan

On Saturday the parliamentarians sent a letter to Boutros-Ghali outlining their plan and seeking his endorsement. At Caputo's urging, Boutros-Ghali has sent a letter to the President of the Security Council commending the plan. It is likely to be received positively by the UNSC on Wednesday.

The parliamentarians' plan consists of these steps:

- Aristide names a new Prime Minister (implicitly either Benoit or Larosiliere) and forms a broad-based cabinet;
- The Parliament passes an amnesty law;
- General Cedras resigns;
- The new Prime Minister is ratified by Parliament and the new cabinet is installed;
- The sanctions are suspended.

These steps are drawn verbatim from the resolution approved at Aristide's own January conference in Miami except that the plan makes no explicit mention of Aristide's return, instead saying it is based on two documents that do: the Miami resolution and the Governors Island accord. The parliamentarians also refer only indirectly to Francois' transfer by agreeing to pass a law creating a police force. They also promise to pass laws relating to international technical and military cooperation.

Additional pressures would be placed on Aristide and the military via a UNSC resolution universalizing the comprehensive OAS trade sanctions and the targeted sanctions on visas and financial

assets and banning non-commercial air traffic. The new sanctions would accelerate economic decline but will not by themselves qualitatively alter the political environment. The resolution would include a 15-day waiting period at which time the sanctions would go into effect only if the Secretary General certifies that: a) the military leadership has not yet taken the steps within its capacity to comply with its obligations consistent with Governors Island, and b) that President Aristide has nominated a new Prime Minister capable of obtaining confirmation and otherwise is actively pursuing a political resolution consistent with Governors Island.

### Pros/Cons

The advantage of this plan is that it pressures Aristide to form a government which enjoys a working parliamentary majority capable of passing the key laws (amnesty, police, new military and police leadership, international cooperation) envisioned at Governors Island. It contemplates Aristide choosing one of two men capable of commanding a parliamentary majority as his Prime Minister although he could select anyone capable of forming a working coalition. If the parliament and the military cooperate, or if Aristide fails to participate, no new sanctions need be invoked and we could then reconsider the existing sanctions in order to forestall a humanitarian crisis.

The principal disadvantage of this plan is that Aristide is likely to continue to reject it. He understandably fears that by naming a Prime Minister he would give up perhaps his last major bargaining card; and that a strong Prime Minister might decide to govern without him. Aristide will argue that the U.S. and international community are backing away from their prior threats to impose new sanctions, that it is the illegitimate military that is impeding the return to democracy and that the US/UN improperly sought to impose upon him a plan designed by friends of the military and that failed to provide for his return. We would be subject to attack from Aristide and his supporters, including the Congressional Black Caucus, for abandoning Aristide and of papering over what amounts to capitulation to the military.

Under this option, if Aristide complies but the military does not we would tighten sanctions. If both the military and Aristide fail to comply we could seek to negotiate a new deal. This could involve an effort to work with the Parliamentarians for the establishment of a new government without Aristide. The new government would name replacements for Cedras and Francois and receive international military and economic assistance. Sanctions would be lifted.

Option B: Placing the Onus More on the Military

We could seek to place more of the onus for action onto the parliamentarians and the military with this sequence of events:

- The Friends announce that they are asking the Security Council to approve a resolution for additional sanctions without any language linking implementation to Aristide's behavior.
- Before the sanctions go into effect, the parliamentarians and the military have 15 days to pass the police and amnesty laws and for Cedras to retire. The new CINC transfers Francois.
- After Cedras and Francois depart their posts, Aristide appoints his new Prime Minister and cabinet which are confirmed by the Parliament.
- A broadly-based commission is established to determine the conditions and timing for Aristide's return. (One option which we could explore is for Aristide's return to be delayed until this Fall, one year prior to the November, 1995 elections. His belated return as a lameduck might be palatable to the military. He could then return as part of a transition process leading to the next government. The UN and others could send in a large election team that could help ease tensions. Aristide's security could benefit from the large-scale presence of international observers preparing for the elections.)
- The new Prime Minister, CINC and new police chief take the steps needed to enable deployment of the UN Mission. Rapid deployment of UNMIH advance elements.
- Existing UN oil sanctions are suspended but targeted sanctions remain in effect.
- UN Mission deploys without interference.
- Aristide returns, targeted sanctions terminated.

Pros/Cons

The parliamentarians have told us they have a working majority to pass the key laws and can deliver the removals of Cedras and Francois. This plan tests those claims. The parliamentarians consider that the naming of a Prime Minister and cabinet would facilitate their formation of a working majority. Perhaps we could ask Aristide to propose promptly -- but not to formally nominate -- a name or names of individuals with broad-based acceptability in order to facilitate the formation of parliamentarian majorities. By withholding formal nomination, Aristide would preserve his options and avoid losing control of the process.

While this plan does not meet the conditions laid out in Aristide's new letter, it does meet some of his key demands (Cedras/Francois depart their posts although not the country, explicit commitment to his return, maintenance of some sanctions until that time). If the parliamentarians and military deliver and if Aristide demurs, we will have the high ground and will be well positioned morally and politically to proceed to work for a constitutional solution without him.

The disadvantage to this option is that it may well be rejected by all parties: by the military leaders because it contains no new incentives and requires their immediate departure; by Aristide because it still requires him to appoint a Prime Minister without a date certain for his return; and by the parliamentarians because it differs from their own plan and may require more than they can deliver from the military. It also is out of step with the UN's current view that new sanctions should be conditioned on Aristide's movement.

Attachment

Tab A      Participants List

PARTICIPANTS LIST  
Meeting on Haiti  
4:00 - 4:30 pm February 23, 1994

The President  
The Vice President  
Secretary Christopher  
Secretary Perry  
General Shalikashvili  
Anthony Lake  
Samuel Berger  
Leon Fuerth  
Peter Tarnoff  
Richard Feinberg

SECRET

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NATIONAL SECURITY COUNCIL  
WASHINGTON, D.C. 20506

February 22, 1994

ACTION

MEMORANDUM FOR ANTHONY LAKE

FROM: RICHARD FEINBERG

SUBJECT: Haiti Policy: Next Steps

The Memorandum to the President at Tab I informs him of the parliamentarians' plan to restore constitutional rule to Haiti and provides him with an alternative option which would seek to move some of the onus for initial action from President Aristide to the parliamentarians and the Haitian military. The second course of action stands a somewhat better chance of gaining Aristide's acceptance and if he rejects it we would be better positioned to pursue a constitutional solution without him.

Note that under Option B we have included a suggestion by Nancy that we consider postponing Aristide's return to this Fall when he could return as part of a year long international effort to ensure fair elections in November 1995.

RECOMMENDATION

That you sign the Memorandum to the President at Tab I.

Attachment

Tab I Memorandum to the President

SECRET

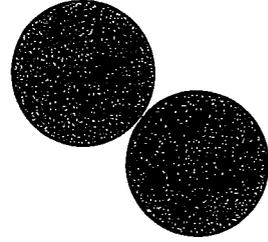
Declassify on: OADR

DECLASSIFIED  
E.O. 13526, Sec. 3.5 (b)  
White House Guidelines, September 11, 2006  
By VZ NARA, Date 10/8/2019  
2013-0122-M (1.64)

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NATIONAL SECURITY COUNCIL  
WASHINGTON, D.C. 20506

February 22, 1994



ACTION

MEMORANDUM FOR ANTHONY LAKE

FROM: RICHARD FEINBERG *RF*

SUBJECT: Haiti Policy: Next Steps

The Memorandum to the President at Tab I informs him of the parliamentarians' plan to restore constitutional rule to Haiti and provides him with an alternative option which would seek to move some of the onus for initial action from President Aristide to the parliamentarians and the Haitian military. The second course of action stands a somewhat better chance of gaining Aristide's acceptance and if he rejects it we would be better positioned to pursue a constitutional solution without him.

Note that under Option B we have included a suggestion by Nancy that we consider postponing Aristide's return to this Fall.

RECOMMENDATION

That you sign the Memorandum to the President at Tab I.

*when he could return*

*as part of a year long int'l effort to ensure fair election in Nov 1995.*

Attachment  
Tab I Memorandum to the President

Option B: Placing the Onus More on the Military

We could seek to place more of the onus for action onto the parliamentarians and the military with this sequence of events:

- The Friends announce that they are asking the Security Council to approve a resolution for additional sanctions without any language linking implementation to Aristide's behavior.
- Before the sanctions go into effect, the parliamentarians and the military have 15 days to pass the police and amnesty laws and for Cedras to retire. The new CINC transfers Francois.
- After Cedras and Francois depart their posts, Aristide appoints his new Prime Minister and cabinet which are confirmed by the Parliament.
- A broadly-based commission is established to determine the conditions and timing for Aristide's return. (One option which we are exploring is for Aristide's return to be delayed until this Fall, one year prior to the November, 1995 elections. Aristide's security could benefit from the large-scale presence of international observers preparing for the elections. His belated return as a lameduck might be palatable to the military.)
- The new Prime Minister, CINC and new police chief take the steps needed to enable deployment of the UN Mission. Rapid deployment of UNMIH advance elements.
- Existing UN oil sanctions are suspended but targeted sanctions remain in effect.
- UN Mission deploys without interference.
- Aristide returns, targeted sanctions terminated.

*② He could then return as part of a transition process leading to the next Govt. Such a strategy might help reduce tensions surrounding Aristide & shift the focus to the future.*

Pros/Cons

The parliamentarians have told us they have a working majority to pass the key laws and can deliver the removals of Cedras and Francois. This plan tests those claims. The parliamentarians consider that the naming of a Prime Minister and cabinet would facilitate their formation of a working majority. Perhaps we could ask Aristide to propose promptly -- but not to formally nominate -- a name or names of individuals with broad-based acceptability in order to facilitate the formation of parliamentarian majorities. By withholding formal nomination, Aristide would preserve his options and avoid losing control of the process.

*The UN + others could send in a large*

While this plan does not meet the conditions laid out in Aristide's new letter, it does meet some of his key demands

*election team that could help ease tensions.*

~~SECRET~~

~~SECRET~~

1317

NATIONAL SECURITY COUNCIL  
WASHINGTON, D.C. 20506

February 21, 1994

ACTION

MEMORANDUM FOR ANTHONY LAKE

FROM: RICHARD FEINBERG *RF*  
SUBJECT: Haiti Policy: Next Steps

The Memorandum to the President at Tab I informs him of the parliamentarians' plan to restore constitutional rule to Haiti and provides him with an alternative option which would seek to move some of the onus for initial action from President Aristide to the parliamentarians and the Haitian military. The second course of action stands a somewhat better chance of gaining Aristide's acceptance and if he rejects it we would be better positioned to pursue a constitutional solution without him.

The Memorandum also seeks the President's approval for us to pursue a UNSC resolution which explicitly mentions Aristide's return and which is consistent with the President's broader policy choice.

RECOMMENDATION

That you sign the Memorandum to the President at Tab I.

Attachment

Tab I Memorandum to the President

~~SECRET~~

Declassify on: OADR

~~SECRET~~

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E.O. 13526

White House Guidelines, May 16, 2017

By *KJ* NARA, Date *10/2/2014*

2013-0122-m

THE WHITE HOUSE  
WASHINGTON

ACTION

MEMORANDUM FOR THE PRESIDENT

FROM: ANTHONY LAKE

SUBJECT: Haiti Policy: Next Steps

DECLASSIFIED

E.O. 13526, Sec. 3.5 (b)

White House Guidelines, September 11, 2006

By VZ NARA, Date 10/9/2019

2013-0122-m (1.65)

*To decide how to use  
next (and perhaps last)  
diplomatic lever,  
i.e.  
increased  
sanctions*

Purpose

To seek your approval of our support for the Haitian parliamentarians' plan or of an alternative plan designed to place more of the onus for forward movement on the Haitian military. ~~To seek your approval for an approach to a UNSC resolution which explicitly mentions Aristide's return and is consistent with your preferred course of action.~~

Background

During the past two weeks <sup>an ad hoc delegation of</sup> a visiting delegation of Haitian parliamentarians that include pro-Aristide members as well as rightists close to the military have been engaged in intensive conversations in Washington with Ambassador Pezzullo and UN envoy Dante Caputo. Over the weekend the parliamentarians reached agreement on a plan of action. Aristide has already rejected this plan in draft and now refuses to meet with the parliamentarians. He has ~~now~~ appointed an interlocutor, Father Adrian, to continue conversations with them.

*← situation in  
Haiti: economic/  
political*

Aristide sent you a letter on February 20 outlining his own plan which represents a significant hardening of his position. He asks for a highly visible meeting with you to announce a specific date for his return and our commitment to increase sanctions; his return should come within ten days of the designation of a Prime Minister and before the ratification of the Prime Minister and the lifting of sanctions. He also insists that Cedras and Francois must leave the country. These conditions are clearly unacceptable to the Haitian military as well as to ~~us~~ the Four Friends *and are tougher than Governors Island.*

*how much  
of Larry  
described  
of A  
manip  
can we  
below*

*Aristide's  
promises  
C/F must  
leave  
first; date  
certain  
for return*

Option A: The Parliamentarians' Plan

On Saturday the parliamentarians sent a letter to Boutros-Ghali outlining their plan and seeking his endorsement. At Caputo's urging, Boutros-Ghali has sent a letter to the President of the Security Council commending the plan. It is likely to be discussed by the UNSC on Tuesday.

~~SECRET~~

Declassify on: OADR

cc: Vice President  
Chief of Staff

CLINTON L ~~SECRET~~ PHOTOCOPY

*Who are  
these  
guys?  
  
little  
more  
explanation  
of (a) A's  
perspective  
i.e.  
e/F & key  
problem,  
not community  
has burden,  
lose his  
average*

The parliamentarians' plan consists of these steps:

- Aristide names a new Prime Minister and forms a broad-based cabinet [implicity either Benoit or Lar ?]
- The Parliament passes an amnesty law;
- General Cedras resigns;
- The new Prime Minister is ratified by Parliament and the new cabinet is installed;
- The sanctions are suspended.

[can we say, as Larry P. does, that this is plan transition A accepts in Miami  
 (say it is based upon

The plan makes no explicit mention of Aristide's return but does refer to two documents that do: the Governors Island accord and the resolution that came out of Aristide's January Miami conference. The parliamentarians also refer indirectly to Francois' transfer by agreeing to pass a law creating a police force. They also promise to pass laws relating to international technical and military cooperation.

Additional pressures would be placed on Aristide and the military via a UNSC resolution universalizing the comprehensive OAS trade sanctions and the targeted sanctions on visas and financial assets. The resolution would include a 15-day waiting period at which time the sanctions would go into effect only if the Secretary General certifies that: a) the military leadership has not yet taken the steps within its capacity to comply with its obligations consistent with Governors Island, and b) that President Aristide is actively pursuing a political resolution of the crisis and names a Prime Minister.

potential impact of new sanctions

Pros/Cons

The advantage of this plan is that it pressures Aristide to form a government which enjoys a working parliamentary majority capable of passing the key laws (amnesty, police, new military and police leadership, international cooperation) envisioned at Governors Island. It contemplates Aristide choosing one of two men capable of commanding a parliamentary majority -- pro-Aristide education minister Victor Benoit or rightist Senator Julio Larosiliere -- as his Prime Minister, although he could select anyone capable of forming a working coalition.

no new sanctions, not as if by law, unless + cooperates

The principal disadvantage of this plan is that Aristide is likely to continue to reject it. He understandably fears that by naming a Prime Minister he would give up perhaps his last major bargaining card; and that a strong Prime Minister might decide to govern without him. Aristide will argue that the international community is backing away from its prior threats to impose sanctions, that it is the illegitimate military that is impeding the return to democracy and that the US/UN improperly sought to impose upon him a plan designed by friends of the military and that failed to mention his return. We will be subject to attack

for... to pick someone

provide for would U.S. and new

from Aristide and

for abandoning Aristide and ~~the~~ papering over what amounts to capitulation to the military.

spell out a bit

Under this option, if Aristide fails to comply, we could attempt to continue to work with the parliamentarians for the establishment of a constitutional government without Aristide.

think this out a bit more; what happens in 15 days if neither condition met? Send P's back w/ aide ~~money~~ approach

Option B: Placing the Onus More on the Military

We could seek to place more of the onus for action onto the parliamentarians and the military with this sequence of events:

- The Friends announce that they are asking the Security Council to approve a resolution for additional sanctions without any language linking implementation to Aristide's behavior.
- Before the sanctions go into effect, the parliamentarians and the military have 15 days to pass the police and amnesty laws and for Cedras to retire. The new CINC transfers Francois.
- After Cedras and Francois leave, Aristide appoints his new Prime Minister and cabinet which are confirmed by the Parliament.
- A commission is established to determine the conditions and timing for Aristide's return.
- The new Prime Minister, CINC and new police chief take the steps needed to enable deployment of the UN Mission. Rapid deployment of UNMIH advance elements.
- Existing UN oil sanctions are suspended but targeted sanctions remain in effect.
- UN Mission deploys without interference.
- Aristide returns, targeted sanctions terminated.

Pros/Cons

~~Anticipation~~ although not <sup>their</sup> departure from the country,

The parliamentarians claim they have a working majority to pass the key laws and can deliver the removals of Cedras and Francois. This plan tests those claims. While this plan does not meet the conditions laid out in Aristide's new letter, it does meet some of his key demands (re <sup>hardships of</sup> Cedras/Francois) explicit commitment to his return, maintainance of some sanctions until that time). If the parliamentarians and military deliver and if Aristide demurs, we will have the high ground and will be well positioned morally and politically to proceed to work for a constitutional solution without him.

[in absence of P's? who have they said this to?]

The disadvantage to this option is that it may well be rejected by all parties: by the military because it contains no new positive incentives; by Aristide because it still requires him to appoint a Prime Minister without a date certain for his return;

and requires his immediate departure;

Nancy S's idea there?

?

and by the parliamentarians because it differs from their own plan. We could consider measures to increase our leverage over the military, e.g., send a senior U.S. military official to discuss sanctions/incentives and/or decide to make a credible threat of the use of force.

UNSC Resolution

The Security Council will consider ~~on Tuesday or Wednesday~~ <sup>today</sup> a resolution endorsing the parliamentarians' plan. We propose that in the statement of Ambassador Albright and in the UNSC resolution we insert explicit language reiterating the commitment to Aristide's return. If you select option B, we propose that you authorize us to seek ~~a resolution consistent~~ with that course of action.

*and they may be afraid to put this pressure on the military.*

*language not inconsistent*

RECOMMENDATIONS

1. That you approve the pursuit of the parliamentarians' plan -- Option A.

Approve \_\_\_\_\_ Disapprove \_\_\_\_\_

2. Alternatively, that you approve a reconfigured approach which seeks to place more of the onus on the parliamentarians and military -- Option B.

Approve \_\_\_\_\_ Disapprove \_\_\_\_\_

3. That you approve our pursuit of a UNSC resolution which explicitly mentions Aristide's return and which is consistent with your choice of Option A or B.

Approve \_\_\_\_\_ Disapprove \_\_\_\_\_

pls. file  
w/ pkg 1317

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assets and banning non-commercial air traffic. The new sanctions would accelerate economic decline but will not by themselves qualitatively alter the political environment. The resolution would include a 15-day waiting period at which time the sanctions would go into effect only if the Secretary General certifies that: a) the military leadership has not yet taken the steps within its capacity to comply with its obligations consistent with Governors Island, and b) that President Aristide has nominated a new Prime Minister capable of obtaining confirmation and otherwise is actively pursuing a political resolution consistent with Governors Island.

Pros/Cons

The advantage of this plan is that it pressures Aristide to form a government which enjoys a working parliamentary majority capable of passing the key laws (amnesty, police, new military and police leadership, international cooperation) envisioned at Governors Island. It contemplates Aristide choosing one of two men capable of commanding a parliamentary majority as his Prime Minister although he could select anyone capable of forming a working coalition. If the parliament and the military cooperate, or if Aristide fails to participate, no new sanctions need be invoked and we could then reconsider the existing sanctions in order to forestall a humanitarian crisis.

The principal disadvantage of this plan is that Aristide is likely to continue to reject it. He understandably fears that by naming a Prime Minister he would give up perhaps his last major bargaining card; and that a strong Prime Minister might decide to govern without him. Aristide will argue that the U.S. and international community are backing away from their prior threats to impose new sanctions, that it is the illegitimate military that is impeding the return to democracy and that the US/UN improperly sought to impose upon him a plan designed by friends of the military and that failed to provide for his return. We would be subject to attack from Aristide and his supporters, including the Congressional Black Caucus, for abandoning Aristide and of papering over what amounts to capitulation to the military.

Under this option, if Aristide complies but the military does not we would tighten sanctions. If both the military and Aristide fail to comply we could seek to negotiate a new deal. ~~If the military complies but Aristide does not, we could attempt to continue to work with the parliamentarians for the establishment of a constitutional government without Aristide. We could press the parliament to pass the basic laws envisioned in Governors Island, allow for the formation of a new government under article 148 (Presidential incapacity) or for new elections under article 149 (Presidential vacancy). The new government would name replacements for Cedras and Francois and receive international military and economic assistance. Sanctions would be lifted.~~

*This could involve an effort to push with the Parliamentarians for the establishment of a new government without Aristide.*

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E.O. 13526  
White House Guidelines, May 16, 2017  
By PT NARA, Date 10/8/2019  
2013-6122-M

Option B: Placing the Onus More on the Military

We could seek to place more of the onus for action onto the parliamentarians and the military with this sequence of events:

- The Friends announce that they are asking the Security Council to approve a resolution for additional sanctions without any language linking implementation to Aristide's behavior.
- Before the sanctions go into effect, the parliamentarians and the military have 15 days to pass the police and amnesty laws and for Cedras to retire. The new CINC transfers Francois.
- After Cedras and Francois depart their posts, Aristide appoints his new Prime Minister and cabinet which are confirmed by the Parliament.
- A broadly-based commission is established to determine the conditions and timing for Aristide's return. (One option which we are exploring is for Aristide's return to be delayed until this Fall, one year prior to the November, 1995 elections. His belated return as a lameduck might be palatable to the military. He could then return as part of a transition process leading to the next government. ~~Such a strategy might help reduce tensions surrounding Aristide and shift the focus to the future.~~ The UN and others could send in a large election team that could help ease tensions. Aristide's security could benefit from the large-scale presence of international observers preparing for the elections.)
- The new Prime Minister, CINC and new police chief take the steps needed to enable deployment of the UN Mission. Rapid deployment of UNMIH advance elements.
- Existing UN oil sanctions are suspended but targeted sanctions remain in effect.
- UN Mission deploys without interference.
- Aristide returns, targeted sanctions terminated.

could explore

Pros/Cons

The parliamentarians have told us they have a working majority to pass the key laws and can deliver the removals of Cedras and Francois. This plan tests those claims. The parliamentarians consider that the naming of a Prime Minister and cabinet would facilitate their formation of a working majority. Perhaps we could ask Aristide to propose promptly -- but not to formally nominate -- a name or names of individuals with broad-based acceptability in order to facilitate the formation of parliamentarian majorities. By withholding formal nomination,

Aristide would preserve his options and avoid losing control of the process.

While this plan does not meet the conditions laid out in Aristide's new letter, it does meet some of his key demands (Cedras/Francois depart their posts although not the country, explicit commitment to his return, maintenance of some sanctions until that time). If the parliamentarians and military deliver and if Aristide demurs, we will have the high ground and will be well positioned morally and politically to proceed to work for a constitutional solution without him.

The disadvantage to this option is that it may well be rejected by all parties: by the military leaders because it contains no new incentives and requires their immediate departure; by Aristide because it still requires him to appoint a Prime Minister without a date certain for his return; and by the parliamentarians because it differs from their own plan and may require more than they can deliver from the military. ~~We could consider measures to increase our leverage over the military, e.g., send a senior U.S. military official to discuss sanctions/incentives and/or decide to make a credible threat of the use of force.~~

RECOMMENDATIONS

1. That you approve the pursuit of the parliamentarians' plan -- Option A.

Approve \_\_\_\_\_ Disapprove \_\_\_\_\_

2. Alternatively, that you approve a reconfigured approach which seeks to place more of the onus on the parliamentarians and military -- Option B.

Approve \_\_\_\_\_ Disapprove \_\_\_\_\_

*It also is out of step with the UN's current view that new sanctions should be ~~used~~ conditioned on Aristide's movement.*

# MIR MARKER

This is not a textual record. This is used as an administrative marker by the Clinton Presidential Library Staff.

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|                               |               |             |                |             |
| Original OA/ID Number:<br>470 |               |             |                |             |
|                               |               |             |                |             |
| Document ID:<br>9401743       |               |             |                |             |
| Row:<br>44                    | Section:<br>4 | Shelf:<br>3 | Position:<br>1 | Stack:<br>V |

# Withdrawal/Redaction Sheet

## Clinton Library

| DOCUMENT NO.<br>AND TYPE | SUBJECT/TITLE  | DATE                  | RESTRICTION                    |
|--------------------------|--|-----------------------|--------------------------------|
| <del>001a. note</del>    | <del>To: Sandy Berger; From: Larry Rossin; Re: [the Haitian Plan] (1 page)</del>   | <del>03/08/1994</del> | <del>P1/b(1) VL 3/3/2020</del> |
| <del>001b. memo</del>    | <del>To: Anthony Lake; From: Lawrence Rossin; Re: Status of Efforts to Foster a Political Settlement in Haiti (1 page)</del> | <del>03/08/1994</del> | <del>P1/b(1) VL 3/3/2020</del> |
| <del>001c. memo</del>    | <del>To: POTUS; From: Anthony Lake; Re: Status of Efforts to Foster a Political Settlement in Haiti (2 pages)</del>          | <del>00/00/0000</del> | <del>P1/b(1) VL 3/3/2020</del> |

**COLLECTION:**

Clinton Presidential Records  
 NSC Records Management  
 [Haiti and Memcon ...]  
 OA/Box Number: 470

**FOLDER TITLE:**

9401743

2013-0122-M  
sb2516

**RESTRICTION CODES**

Presidential Records Act - [44 U.S.C. 2204(a)]

Freedom of Information Act - [5 U.S.C. 552(b)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

CLINTON LIBRARY PHOTOCOPY

TO: LAKE

FROM: ROSSIN  
FEINBERG

DOC DATE: 07 MAR 94  
SOURCE REF:

KEYWORDS: HAITI

PERSONS:

SUBJECT: STATUS OF EFFORTS TO FOSTER POLITICAL SETTLEMENT IN HAITI

ACTION: ORIGINAL RETURNED TO FILE

DUE DATE: 10 MAR 94 STATUS: C

STAFF OFFICER: ROSSIN

LOGREF:

FILES: PA

NSCP:

CODES:

DOCUMENT DISTRIBUTION

FOR ACTION

FOR CONCURRENCE

FOR INFO

COMMENTS: \_\_\_\_\_  
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DISPATCHED BY \_\_\_\_\_ DATE \_\_\_\_\_ BY HAND W/ATTCH

OPENED BY: NSJDA

CLOSED BY: NSJDA

DOC 1 OF 1

DECLASSIFIED  
E.O. 13526  
White House Guidelines, May 16, 2017  
By ADNARA, Date 8/20/2019  
2013-0122-M

ACTION DATA SUMMARY REPORT

DOC ACTION OFFICER

CAO ASSIGNED ACTION REQUIRED

001 LAKE  
001 ROSSIN  
001  
001

Z 94030814 FWD TO PRESIDENT FOR INFORMATION  
Z 94031620 FOR REDO  
X 94101511 OBE / STATUS OF ORIGINAL UNKNOWN  
X 94103115 ORIGINAL RETURNED TO FILE

National Security Council  
The White House

Reed 318  
9:10 PM

PROOFED BY: \_\_\_\_\_ LOG # 1743 REED  
 URGENT NOT PROOFED: \_\_\_\_\_ SYSTEM PRS NSC INT  
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| Itoh               | _____       | _____                | _____       |
| <i>P</i> Soderberg | <u>7</u>    | <u>copy</u>          | _____       |
| <i>WJW</i> Berger  | <u>8</u>    | <u>update please</u> | _____       |
| Lake               | _____       | _____                | _____       |
| Situation Room     | _____       | _____                | _____       |
| West Wing Desk     | <u>9</u>    | <u>MA 3/16</u>       | <u>FFA</u>  |
| NSC Secretariat    | _____       | _____                | _____       |
| <u>ROSSIN</u>      | <u>10</u>   | _____                | <u>REDO</u> |

A = Action I = Information D = Dispatch R = Retain N = No Further Action

cc: VP McLarty Other \_\_\_\_\_

Should be seen by: \_\_\_\_\_  
(Date/Time)

COMMENTS:

DISPATCH INSTRUCTIONS:

*Ext Sec's Office has deleted*

3/7 7:45 pm  
National Security Council  
The White House

PROOFED BY: \_\_\_\_\_ LOG # 1743  
 URGENT NOT PROOFED: MM SYSTEM PRS NSC INT  
 BYPASSED WW DESK: \_\_\_\_\_ DOCLOG MM A/O \_\_\_\_\_

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|---------------------|-------------|-------------|-------------|
| <i>W</i> Reed       | <u>1</u>    | <u>JWR</u>  | _____       |
| Kenney              | _____       | _____       | _____       |
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| Berger              | <u>3</u>    | _____       | _____       |
| Lake                | <u>4</u>    | _____       | _____       |
| Situation Room      | _____       | _____       | _____       |
| West Wing Desk      | _____       | _____       | _____       |
| NSC Secretariat     | _____       | _____       | _____       |
| <u>ROSSIN</u>       | <u>5</u>    | _____       | <u>FFA</u>  |

A = Action I = Information D = Dispatch R = Retain N = No Further Action

cc: VP McLarty Other \_\_\_\_\_

Should be seen by: \_\_\_\_\_  
(Date/Time)

COMMENTS:

cc: KK

DISPATCH INSTRUCTIONS:

*Exp Sec's Office has deleted*

THE WHITE HOUSE  
WASHINGTON

3/7

Larry R -  
please to update  
memo for Pres on HAITI,  
inc DR actions, UNSC,  
Friends, Haitian parliament,  
etc.

④

~~SECRET~~

NATIONAL SECURITY COUNCIL

March 8, 1994

DECLASSIFIED  
E.O. 13526, Sec. 3.5 (b)  
White House Guidelines, September 11, 2006  
By 12 NARA, Date 10/8/2019  
2013-0122-m (1,67)

NOTE FOR <sup>mh</sup>SANDY BERGER

FROM: LARRY ROSSIN <sup>MMR</sup>

SUBJECT: Francois and the Haitian Plan

Kozak's initial read is that it is too early to conclude that Francois has definitively backed away from the plan -- he believes after his talks in Port-au-Prince that the Embassy's cable was a little stark.

Apparently Cedras and Biamby fed Francois disinformation about "agreements" reached in New York which would contradict his fundamental interests and belie provisions of the plan which allow him a proper transfer. Kozak believes that it may well prove possible to give the lie to this disinformation and walk Francois back to support. All this of course would be done via intermediaries like Mondé and without compromising what Francois must do -- accept a proper transfer and otherwise facilitate this plan.

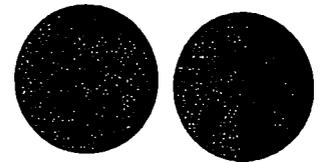
I've therefore referred briefly and in an "if borne out" way to the Francois issue in this rewrite.

FYI, I didn't include this but Vicki said the other Friends embassies could be doing more to foster the plan.

~~SECRET~~

NATIONAL SECURITY COUNCIL  
WASHINGTON, D.C. 20506

March 8, 1994



ACTION

MEMORANDUM FOR ANTHONY LAKE

THROUGH: RICHARD E. FEINBERG *RR*

FROM: LAWRENCE G. ROSSIN *LR*

SUBJECT: Status of Efforts to Foster a Political Settlement  
in Haiti

The memorandum at Tab I updates the President on the status of our efforts to foster a political settlement in Haiti by supporting the parliamentary plan and winning passage of a UNSC resolution linking sanctions to the political process. The proposed memorandum also briefly discusses our response to evidence of increased fuel smuggling from the Dominican Republic to Haiti.

RECOMMENDATION

That you sign the Memorandum to the President at Tab I.

Attachment  
Tab I Memorandum to the President

THE WHITE HOUSE  
WASHINGTON

INFORMATION

MEMORANDUM FOR THE PRESIDENT

FROM: ANTHONY LAKE

SUBJECT: Status of Efforts to Foster a Political Settlement  
in Haiti

DECLASSIFIED  
E.O. 13526, Sec. 3.5 (b)  
White House Guidelines, September 11, 2006  
By VL NARA, Date 10/8/2014  
2013-0122-m (1.69)

The Haitian authors of the eleven point plan to complete the Governor's Island process are pressing hard -- with our strong support -- to build a parliamentary majority and press General Cedras to leave. Haiti's fractured Senate poses a major hurdle and the plan's overall prospects may dim if late reports that Police Chief François is withdrawing his support are borne out. President Aristide continues to reject the plan and has sharpened his public criticism of our policy. The Friends and Boutros Ghali support conditioning new trade sanctions on both the military's and Aristide's performance. The Security Council will probably approve a new sanctions resolution this week imposing worldwide targeted sanctions immediately and tougher trade sanctions if the political preconditions are fulfilled.

\* \* \* \* \*

Some momentum is building in Haiti behind the eleven point plan that the Haitian parliamentarians developed during their three week stay in Washington. Since returning home they have won the endorsement of the package by a strong pro- and anti-Aristide centrist majority in the Chamber of Deputies (the lower house of Haiti's parliament). Many leading politicians, business groups and other organizations have expressed backing. Our embassy is encouraging support for the plan among its contacts.

The parliamentarians hope to win Senate support early this week but face a greater challenge there due to the presence of hardline Aristide and Cedras supporters -- both of whom will try to deny a quorum to prevent a vote on the package -- and of a competing faction of Senators illegally elected in January 1993. Prospects for the plan itself will be further complicated if late reports that Police Chief François is withdrawing his backing are borne out. Should the plan win Senate approval, its proponents intend to follow up by getting both houses to enact the amnesty law. (That will increase the pressure on Cedras to resign. His isolation has been deepening but so far he has stood firm.) With a demonstrable parliamentary majority and an amnesty law, they would return here to ask Aristide again to name a Prime Minister.

~~SECRET~~

Declassify on: OADR

~~SECRET~~

cc: Vice President  
Chief of Staff

CLINTON LIBRARY PHOTOCOPY

Aristide continues to reject the plan. He has just returned from Paris (where he met President Mitterand) and Geneva (to address the UN Commission on Human Rights). Throughout that trip he publicly criticized our support for the plan with unprecedented directness and insinuated that we were operating in isolation from the French and the other Friends. On Saturday, Boutros Ghali pressed Aristide to cooperate with the plan, which the Secretary General had earlier endorsed to the UN Security Council. Aristide reacted angrily in and after the meeting. To the press he renewed his rejection of the plan and his criticisms of our "politics of ambiguity" and international "lack of will." Aristide's public criticisms have been complemented by intensive lobbying on the Hill and at the UN by his supporters. They are accusing us of abandoning Aristide and are advocating military action to restore him to power. That appears to have little appeal beyond the Black Caucus and a few other members and staff -- who are however intensely criticizing our strategy.

Boutros Ghali's lobbying of Aristide came in the context of continued movement toward a UN Security Council resolution tying augmented trade sanctions to active efforts by each party to the Governor's Island Accord -- implicitly including Aristide -- to help achieve a political resolution of the current *impasse*. To better balance the pressure on the military and Aristide, the resolution will enact worldwide targeted sanctions against the military and their backers without delay. The resolution was tabled by the Four Friends on Friday after language was crafted to assuage their sensitivity about citing Aristide by name. The Friends affirmed their commitment to using the new sanctions to pressure Aristide as well as the military. The resolution's strategy was supported by the five permanent UNSC members. Our UN mission is consulting intensively with other UNSC members, especially the Latins who are sensitive to the Aristide linkage and who may yet raise objections. A vote is expected this week.

As we support the parliamentarians' initiative we are focussing new attention on sanctions enforcement. More smuggled fuel appears to be reaching Haiti from the Dominican Republic, enough to blunt the sanctions' impact on the Haitian military. We have previously raised the need to enforce sanctions in the remote and often corrupt border area with the Dominican government. Our Ambassador has now delivered a more pointed message to President Balaguer, who reacted defensively but offered to coordinate on compliance observation. If quick improvements do not occur we will explore other ways to ensure enforcement, perhaps under UN or OAS auspices. We are also redirecting Navy and Coast Guard ships to monitor coastal shipping.

Passage of the UN resolution will begin a fifteen day period within which the military must fulfill its obligations to avert additional sanctions and Aristide must start cooperating with the political initiative to obtain them. The ability of the Haitian parliamentarians to win Senate backing for their effort will be crucial in demonstrating its credibility and building pressure on both sides to cooperate. We will be continuing our intensive activities in support of their efforts.

THE WHITE HOUSE

WASHINGTON

Dear Mr. Chairman:

As you and your colleagues debate the House Budget Resolution this week, I want to emphasize my continued strong support for the defense budget I requested.

The FY 1995 budget was prepared following a careful, bottom-up review of our defense requirements. It funds the forces required to meet our national defense strategy, increases funding to ensure full military readiness, and supports the key modernization and development programs our forces will need. I remain fully committed to the principle that our military must be the best equipped, the best trained and the best prepared in the world.

As I pointed out in my State of the Union Address, we simply must not cut defense further. I stand by that statement and continue to support the full amount I requested for defense. I recognize the difficulties you have faced in achieving the defense mark the committee has provided and I look forward to working with you and your colleagues to draw the line against further defense cuts.

Sincerely,

The Honorable Martin Sabo  
Chairman  
Budget Committee  
House of Representatives  
Washington, D.C. 20515

# MIR MARKER

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| Original OA/ID Number:<br>471 |               |             |                |             |
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| Document ID:<br>9402477       |               |             |                |             |
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# Withdrawal/Redaction Sheet

## Clinton Library

| DOCUMENT NO. AND TYPE | SUBJECT/TITLE  | DATE                  | RESTRICTION                   |
|-----------------------|--|-----------------------|-------------------------------|
| <del>001a. memo</del> | <del>To: POTUS; From: Anthony Lake; Re: Haiti: Bolstering Sanctions Enforcement (2 pages)</del>          | <del>04/04/1994</del> | <del>P1/b(1) v 3/3/2020</del> |
| <del>001b. memo</del> | <del>To: Anthony Lake; From: Lawrence Rossin; Re: Haiti: Bolstering Sanctions Enforcement (1 page)</del> | <del>03/31/1994</del> | <del>P1/b(1) v 3/3/2020</del> |
| <del>001c. memo</del> | <del>[Draft Version of 001a, with Handwritten annotations / edits] (2 pages)</del>                       | <del>00/00/0000</del> | <del>P1/b(1) v 3/3/2020</del> |
| 001d. memo            | [partial duplicate of 001a, page 2 only, with handwritten annotations / edits] (1 page)                  | 00/00/0000            | P1/b(1) v 3/3/2020            |

**COLLECTION:**

Clinton Presidential Records  
 NSC Records Management  
 [Haiti and memcon ...]  
 OA/Box Number: 471

**FOLDER TITLE:**

9402477

2013-0122-M

sb2517

**RESTRICTION CODES**

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

Freedom of Information Act - [5 U.S.C. 552(b)]

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
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- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

CLINTON LIBRARY PHOTOCOPY

TO: PRESIDENT

FROM: LAKE

DOC DATE: 04 APR 94  
SOURCE REF:

KEYWORDS: HAITI

SANCTIONS

PERSONS:

SUBJECT: HAITI - BOLSTERING SANCTIONS ENFORCEMENT

ACTION: NFAR PER KENNEY

DUE DATE: 04 APR 94 STATUS: C

STAFF OFFICER: ROSSIN

LOGREF:

FILES: PA

NSCP:

CODES:

DOCUMENT DISTRIBUTION

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FOR CONCURRENCE

FOR INFO

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OPENED BY: NSASK CLOSED BY: NSGP DOC 2 OF 2

DECLASSIFIED  
E.O. 13526  
White House Guidelines, May 15, 2011  
By: NSNARA, Dec 8/20/2019  
2013-0122-M

ACTION DATA SUMMARY REPORT

DOC ACTION OFFICER

CAO ASSIGNED ACTION REQUIRED

|               |   |
|---------------|---|
| 001 LAKE      | Z 94033118 FOR SIGNATURE                    |
| 001 ROSSIN    | Z 94040217 FOR REDO                         |
| 001 LAKE      | Z 94040413 FWD TO PRESIDENT FOR INFORMATION |
| 002 PRESIDENT | Z 94040421 FOR INFORMATION                  |
| 002           | X 94041920 NFOR PER KENNEY                  |

DISPATCH DATA SUMMARY REPORT

DOC DATE DISPATCH FOR ACTION

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| 002 940404 | VICE PRESIDENT    |
| 002 940404 | WH CHIEF OF STAFF |

National Security Council  
The White House

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| Berger          |             |                 |                        |
| Lake            |             |                 |                        |
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| West Wing Desk  | <u>2</u>    | <u>Jan 4/22</u> | <u>N</u><br><u>M/D</u> |
| NSC Secretariat |             |                 |                        |

A = Action    I = Information    D = Dispatch    R = Retain    N = No Further Action

cc:            VP                    McLarty                    Other \_\_\_\_\_

Should be seen by: \_\_\_\_\_  
(Date/Time)

COMMENTS:

DISPATCH INSTRUCTIONS:

rec'd 4/4 12:59pm

National Security Council  
The White House

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BYPASSED WW DESK: \_\_\_\_\_ DOCLOG [Signature] A/O \_\_\_\_\_

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| Reed            | <u>6</u>    | <u>[Signature]</u>     | <u>A</u>                          |
| Kenney          |             |                        |                                   |
| Itoh            |             |                        |                                   |
| Soderberg       |             |                        |                                   |
| Berger          | <u>7</u>    | <u>[Signature]</u>     |                                   |
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A = Action    I = Information    D = Dispatch    R = Retain    N = No Further Action

cc:            VP                            McLarty                            Other \_\_\_\_\_

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The White House

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Changes at  
Tab I

DISPATCH INSTRUCTIONS:

E-4 Sec's Office has destroyed

PLEASE RETURN  
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National Security Council  
The White House

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Changes at  
Tab I

THE WHITE HOUSE

WASHINGTON

April 4, 1994

94 APR 14 P9:02

INFORMATION

MEMORANDUM FOR THE PRESIDENT

DECLASSIFIED  
E.O. 13526, Sec. 3.5 (b)  
White House Guidelines, September 11, 2006  
By VL NARA, Date 10/8/2015  
2013-0122-M (1.70)

FROM: ANTHONY LAKE

SUBJECT: Haiti: Bolstering Sanctions Enforcement

While we are working on future strategy issues, I wanted to bring you up to date on recent efforts to strengthen enforcement of the existing sanctions. In recent weeks the impact of UN sanctions has been diminished by the growing smuggling of fuel into Haiti. The major route has been across the porous and poorly-developed Dominican Republic land border with Haiti, where a thriving commerce in illicit fuel developed after the price of petroleum products in Haiti skyrocketed following the exhaustion of commercial stocks in mid-January. Other smuggling takes place via small boats traversing Haitian-Dominican coastal waters and through sales of fuel from the tanks of legitimate merchant ships which have been allowed through our naval enforcement cordon.

The effect of the smuggling became steadily more apparent in recent weeks in Haiti as prices of fuel dropped significantly and street sellers multiplied. Our Embassy reported that fuel availability had reached 35% of normal levels, enough to keep key sectors of the economy functioning even as the general sanctions-induced economic contraction worsened.

Since the leakage became apparent we have taken steps to clamp down and to encourage better Dominican compliance:

- A State/DoD delegation called on Dominican President Balaguer in mid-March with a letter from you urging stronger enforcement. Balaguer, who is in the midst of a tough re-election campaign, had hitherto rejected suggestions for international monitors on nationalistic grounds. However, he reversed himself with our envoys and the Dominicans have now publicly announced that they want a UN/Dominican mixed commission for sanctions monitoring. We are working to link the Dominicans and UN to facilitate rapid implementation.
- To cut down coastal smuggling, we are enhancing cooperation with the Dominican Navy and will soon begin providing technical and intelligence support to Dominican ships patrolling the border waters. The Dominican Navy appears capable of and eager for beefed-up enforcement efforts.
- Finally, new procedures are being implemented to control fuel sales by ships allowed into Haiti. Our naval patrols

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are comparing inbound and outbound fuel tank levels to detect evidence of illicit sales. Mariners have been warned that ships found to have sold fuel will be barred from future trips to Haiti and will be reported to the UN. This disincentive should cut down such leakage.

Vice President Gore told President Aristide in their March 25 meeting that we were taking steps ourselves and with the Dominicans to tighten enforcement in order to heighten pressure on the military. We have also informed members of Congress active on Haiti that we are taking such measures; they still believe that we should press for tougher sanctions as well.

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NATIONAL SECURITY COUNCIL  
WASHINGTON, D.C. 20506

March 31, 1994

ACTION

MEMORANDUM FOR ANTHONY LAKE

FROM: LAWRENCE G. ROSSIN *LR*

SUBJECT: Haiti: Bolstering Sanctions Enforcement

The proposed Memorandum at Tab I informs the President of measures being taken to curb fuel smuggling which has undercut the effectiveness of the UN sanctions against Haiti.

RECOMMENDATION

That you sign the Memorandum to the President at Tab I.

Attachment  
Tab I Memorandum to the President

DECLASSIFIED  
E.O. 13526, Sec. 3.5 (b)  
White House Guidelines, September 11, 2006  
By VZ NARA, Date 10/8/2019  
2013-0122-m (1.71)



THE WHITE HOUSE  
WASHINGTON

INFORMATION

MEMORANDUM FOR THE PRESIDENT

FROM: ANTHONY LAKE

SUBJECT: Haiti: Bolstering Sanctions Enforcement *to strengthen enforcement of existing sanctions*

*While we are working on future strategy issues, I wanted to bring you up to date on recent efforts*

In recent weeks the impact of UN sanctions has been diminished by the growing smuggling of fuel into Haiti. The major route has been across the porous and poorly-developed Dominican Republic land border with Haiti, where a thriving commerce in illicit fuel developed after the price of petroleum products in Haiti skyrocketed following the exhaustion of commercial stocks in mid-January. Other smuggling takes place via small boats traversing Haitian-Dominican coastal waters and through sales of fuel from the tanks of legitimate merchant ships which have been allowed through our naval enforcement cordon.

The effect of the smuggling became steadily more apparent in recent weeks in Haiti as prices of fuel dropped significantly and street sellers multiplied. Our Embassy reported that fuel availability had reached 35% of normal levels, enough to keep key sectors of the economy functioning even as the general sanctions-induced economic contraction worsened. ~~The obvious leakage led to demands from the Aristide's Congressional backers that an international force be placed on the Dominican Haitian border.~~

Since the leakage became apparent we have taken steps to clamp down ~~ourselves~~ and to encourage better Dominican compliance:

- A State/DoD delegation called on Dominican President Balaguer in mid-March with a letter from you urging stronger enforcement. Balaguer, who is in the midst of a tough re-election campaign, had hitherto rejected suggestions for international monitors on nationalistic grounds. However, he reversed himself with our envoys and the Dominicans have now publicly announced that they want a UN/Dominican mixed commission for sanctions monitoring. We are working to link up the Dominicans and UN to facilitate rapid implementation.
- To cut down coastal smuggling, we are enhancing cooperation with the Dominican Navy and will soon begin providing technical and intelligence support to Dominican ships patrolling the border waters. The Dominican Navy appears capable of and eager for beefed-up enforcement efforts.
- Finally, new procedures are being implemented to control fuel sales by ships allowed into Haiti. Our naval patrols

DECLASSIFIED  
E.O. 13526, Sec. 3.5 (b)  
White House Guidelines, September 11, 2006  
By YL NARA, Date 10/1/2014  
7.512-0172-004

are comparing inbound and outbound fuel tank levels to detect evidence of illicit sales. Mariners have been warned that ships found to have sold fuel will be barred from future trips to Haiti and will be reported to the UN. This disincentive should cut down such leakage.

Vice President Gore ~~informed~~<sup>told</sup> President Aristide in their March 25 meeting that we were taking steps ourselves and with the Dominicans to tighten enforcement in order to heighten pressure on the military. We also informed members of Congress that we were taking such measures;

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They still believe we should press for tougher sanctions as well.

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are comparing inbound and outbound fuel tank levels to detect evidence of illicit sales. Mariners have been warned that ships found to have sold fuel will be barred from future trips to Haiti and will be reported to the UN. This disincentive should cut down such leakage.

Vice President Gore told President Aristide in their March 25 meeting that we were taking steps ourselves and with the Dominicans to tighten enforcement in order to heighten pressure on the military. We have also informed members of Congress active on Haiti that we are taking such measures; they still believe that we should press for tougher ~~added~~ sanctions as well. ✓

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E.O. 13526  
White House Guidelines, May 16, 2017  
By 17 NARA, Date 10/8/2015

2013-0122-01

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# Withdrawal/Redaction Sheet

## Clinton Library

| DOCUMENT NO.<br>AND TYPE | SUBJECT/TITLE  | DATE       | RESTRICTION               |
|--------------------------|--|------------|---------------------------|
| 001. memcon              | Vice President Gore and Haitian President Aristide (9 pages) | 03/25/1994 | P1/b(1) <i>✓ 3/3/2020</i> |

**COLLECTION:**

Clinton Presidential Records  
 NSC Records Management  
 [Haiti and Memcon ...]  
 OA/Box Number: 191

**FOLDER TITLE:**

9402555

2013-0122-M  
sb2519

**RESTRICTION CODES**

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

Freedom of Information Act - [5 U.S.C. 552(b)]

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

CLINTON LIBRARY PHOTOCOPY

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FROM: FUERTH, L

DOC DATE: 25 MAR 94  
SOURCE REF:

KEYWORDS: HAITI

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PERSONS:

SUBJECT: MEMCON W/ HAITIAN PRES ARISTIDE & VP

ACTION: FOR RECORD PURPOSES

DUE DATE: 07 APR 94 STATUS: C

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E.O. 13526  
White House Guidelines, May 16, 2017  
By ADNARA, Date 8/20/2019  
2013-0122-17

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ACTION DATA SUMMARY REPORT

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OFFICE OF THE VICE PRESIDENT  
WASHINGTON

March 25, 1994

MEMORANDUM OF CONVERSATION WITH  
HAITIAN PRESIDENT ARISTIDE

Participants:

United States

Haiti

The Vice President  
Leon Fuerth  
Samuel R. Berger  
Lawrence G. Rossin (NSC)

President Jean-Bertrand Aristide  
Foreign Minister Claudette Werleigh  
Amb. Jean Casimir

-- Vice President: I am pleased to be able to welcome you back to the White House, Mr. President. Today I want to discuss some ideas we have for achieving our common goals in Haiti. I want to talk about a new initiative which with your help we believe can achieve those objectives.

President Clinton and all of us have been very conscious of the concerns you have expressed about our strategy. Nobody should question the President's and this Administration's commitment to the restoration of democracy and your return to Haiti. That policy is firm. I know we share the same objectives. Our disagreements have been over strategy, not basic goals. We want to work with you to carry out an agreed strategy to achieve our common goals, and I hope we can discuss any conflict or miscommunication between us over our strategy.

Sanctions are an essential component of any effort to achieve our objectives in Haiti. We have felt this from the beginning. That is why we have implemented the OAS trade embargo since 1991, led the UN in imposing oil and arms sanctions, sent the Navy and Coast Guard to enforce the sanctions and hit the military with targeted sanctions.

But sanctions alone will never end Haiti's crisis. No matter how comprehensive or strictly enforced, sanctions take a lot of time. Given Haiti's extreme poverty we are convinced that sanctions on their own would create a humanitarian crisis and lead to overwhelming pressure in the world community to lift the sanctions before they had achieved our basic goals. Without a working political process in a country bereft of functioning institutions, you never will be able to carry out your programs of reconciliation and reconstruction. We cannot support sanctions without an active political initiative. So that is why we believe these two aspects are so closely related.

We want to end this crisis by peaceful means soon, and we want you to have every practical possibility of launching Haiti's recovery once you return. That is why we support the parliamentary plan which flowed from discussions at your Miami conference, is based on the principles you approved there and has won wide backing within Haiti. The plan is consistent with the Governor's Island Accord -- but not a substitute for it -- and can lead to completion of that process and your return to Haiti. We are not asking for any compromise on principles.

In the final analysis, we need a political agreement and all sides to compromise on mechanisms -- mechanisms, not principles -- to achieve it. We cannot and will not permit President Clinton to be pressed to make unacceptable choices -- whether the use of military force or the *de facto* abandonment of his strong commitments to restore Haitian democracy -- because the Haitian military, the parliament or any other party has let slip opportunities for a peaceful end to the crisis. I urge you to work together with other legitimate, democratic sectors in Haiti to take the steps only you can to complete the Governor's Island process.

The President and I understand and sympathize with your legitimate concern that a process lacking proper safeguards might be manipulated to prevent your return to Haiti. We want to seek to address those concerns without losing the real progress the broad support for the parliamentary plan in Haiti represents. The President has approved adjustments to our political strategy

designed to balance those objectives. The safeguards contained in this adjusted strategy should demonstrate that the political process we are engaged in has as its goal your return home.

I invite you to reflect upon the adjusted strategy I will describe. We would like to receive your considered views on it soon. And we will give you a paper summarizing it since it is complex. With your public endorsement of this approach we will remove language linking additional sanctions to your performance from the pending UN resolution. And you have my assurance: if the military does not then accept the package within 15 days or if it reneges on any step, we will lead the UN in the immediate imposition of tough new sanctions.

I hope we can count on your active participation in the adjusted political initiative I will describe. That will permit the close collaboration which should characterize our relationship.

First, to address your concern that you should not have to act to name a Prime Minister while Cédras and François remain in place, we will press for simultaneity in the first steps of the plan.

We ask that you inform us of the name of your intended Prime Minister nominee -- someone who can cooperate effectively with the Parliament to take the steps needed to complete the Governor's Island process. And we ask that you commit to nominate that person to be Prime Minister simultaneously with Cédras' retirement.

We will require satisfactory commitments from within Haiti that Cédras' retirement will be effected with your naming of the Prime Minister.

We will also insist on prior agreement that the new Commander-in-Chief of the Haitian Armed Forces (whom you will name) will transfer Police Chief François to a lower-profile position.

With these elements in place, your nomination of the new Prime Minister, Cédras' retirement and the enactment and signature of the

amnesty legislation should occur on the same day.

The remaining procedural steps of the parliamentary plan can then be completed in short order: ratification of the new Prime Minister and government, your nomination and Senate ratification of the new Commander-in-Chief, François' transfer under his orders and the appointment of a new general staff.

Second, to address your concern that a new Prime Minister might usurp your powers, let me assure you that any illegal measures to strip you of your constitutional powers will result in delegitimization of the new government and reimposition of those sanctions already suspended.

Third, to address your concern that the package does not have a date certain for your return, we will do two things:

- o We believe that the timing and mechanism for your return should be worked out between you and your candidate for Prime Minister and be witnessed by the international community. You will have our commitment to delegitimize the new government and reimpose sanctions already suspended if that arrangement is breached. If the time for your return comes and is not met, sanctions will be reimposed.
- o We will lift sanctions in phases as elements of this political scenario unfold and your return nears. The UN fuel embargo and the OAS embargo will be suspended once the new Prime Minister has been ratified by the Parliament. All other UN sanctions and all our targeted sanctions will remain in full force until after you return.

These are significant safeguards going beyond the parliamentary plan. I hope you recognize that they effectively address your core concerns in this process. We cannot fix a date certain ourselves and we believe it unwise. All that would do would be to create a focal point for anxieties which would undermine the larger process needed to make your return possible.

Fourth, we will publicly reaffirm our commitment to international economic aid described in Article 5 of the Governor's Island Agreement.

Fifth, after Congressional consultation, we will publicly reaffirm our commitment to have U.S. military personnel participate in UN Mission security assistance programs, under proper conditions and with possible revised composition of our military element.

We will also seek a UN announcement that advance elements of the UN police and military Mission will return to Haiti to begin working toward full deployment with your new Commander-in-Chief promptly upon his ratification in office and upon passage of a resolution by the parliament welcoming the Mission.

Sixth, our Embassy will continue to encourage Haitian Senate endorsement of the plan and will encourage broad sectors of Haitian society to back the plan publicly. We would expect you to urge your supporters in Haiti to back the plan actively.

And finally, we will increase pressure on the military through measures to tighten enforcement of existing sanctions and by, at the appropriate moment, sending a senior U.S. military officer to underscore our resolve to the Haitian military.

We have been in contact with the Dominican government at the highest levels and are exploring creation of a UN/Dominican commission on sanctions implementation with border patrols. We are enhancing collaboration with the Dominican Navy to curb coastal fuel smuggling. And we and our naval partners are preparing procedures to crack down on ships which sell fuel in Haiti.

Mr. President, the package I have described represents a significant effort by President Clinton and this Administration to address your legitimate concerns in concrete ways. I ask that you consider it and the underlying analysis thoughtfully and prayerfully. Please follow up after your consideration with Tony Lake or Sandy Berger to inform us of your reactions which we would like to receive soon if possible. We would hope to receive soon your commitment to participate

in this adjusted political initiative, if after reviewing it you agree it is a proper approach, including your candidate for Prime Minister. And we would welcome your public endorsement which will transfer the onus for needed action onto the Haitian military leaders where it belongs, and position us to support new sanctions if they fail to act speedily. For our part, I can assure you that we will spare no effort to deploy this adjusted strategy to enable your safe return home without further inordinate delays.

This is a moment of opportunity to change the perception of where this situation will lead. Our prospects depend first on your judgment and your willingness to work with us to make this work. I would appreciate your reaction to these ideas soon, when you have had time to study them.

-- Pres. Aristide: Thank you. You will receive my answer. Let me discuss a bit of Haitian reality. You say we have the same goal but not the same strategy. This is true. At Governor's Island I tried to explain my concerns that the strategy being adopted there was a strategy of death. And I was right -- my Justice Minister Guy Malary was killed. We need a strategy for life, not death.

The parliamentarians plan is not consistent with what was agreed at Miami. At Miami it was agreed that the removal of the coup leaders would come first, not naming a Prime Minister. So we were surprised to see the Prime Minister first in the parliamentary plan -- they changed things around and then claimed it comes from our conference.

In Miami, it was clear we could not choose a strategy leading to death. To build reconciliation, we have to see that the problem is the coup leaders. To respect Governor's Island we need to remove the coup leaders, then the rest can be accomplished. They do not want democracy.

I agree that a political process is needed alongside sanctions, which is why I am always open to dialogue. But it is clear: to solve the problem we must remove the coup leaders.

I have the image of a house on fire and people trying to flee. Rather than being rescued they are thrown back in. This is the

same situation I see with people trying to flee Haiti today. If we want to restore democracy so they will remain in Haiti, then we must remove the coup leaders.

-- Vice President: How?

-- Pres. Aristide: Just do what we've said we will do in the past which has not been done.

-- Vice President: Do you think stricter sanctions will solve the problem?

-- Pres. Aristide: I think they are crucial. For example, I strongly support the position of the Congressional Black Caucus. At the same time we must remain open to dialogue. The parliamentarians' plan needs improvement.

-- Vice President: Our proposal goes beyond the parliamentarians' plan. The problem about naming a Prime Minister first is resolved by the concept of simultaneity. We think this will work and we hope you will consider it. But again -- if sanctions are not enough, then what more do you see as needed?

-- Pres. Aristide: You must do what you said you would do -- deploying the UN military presence, imposing the sanctions you promised for January 15 -- as it is the coup leaders do not think the international community will do what it says it will do.

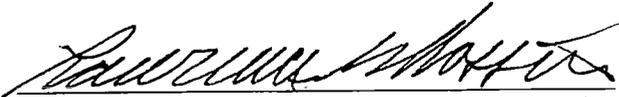
-- Vice President: You agreed, new sanctions without new political steps are not enough.

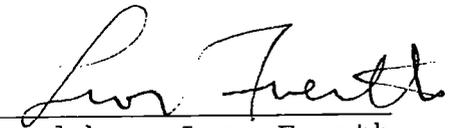
-- Pres. Aristide: Yes.

-- Vice President: And that a new political initiative is needed. We discussed military contingencies before and there was no support from you for a military option. So if the added factor is a political initiative, we think this one is it -- it is designed to meet your concerns. We and you and indeed the entire world community will be strengthened in pushing for our goals if we can join in a common strategy.

This approach has clear safeguards to protect you and the Haitian people against manipulation. I hope you will consider it carefully and prayerfully. This is an important choice -- it can give us the opportunity to work together as we should.

- Pres. Aristide: I appreciate that but it is a waste of breath until we remove the coup leaders. We need to impose the January 15 sanctions as was promised.
- Vice President: I don't want to argue, I want to create agreement. You agreed tougher sanctions are not enough and that we need more.
- Pres. Aristide: I agree. The private sector is sending a group to meet with me and I am always open to dialogue with politicians. And if the coup leaders are out, I will name my Prime Minister without one minute of delay. It is clear, the coup leaders must go first or we will stay in the same place.
- Vice President: Expressing my personal view, and I do not speak for my government here: if you had taken the final steps on amnesty last Fall and emphasized reconciliation in your UN General Assembly speech, you would have tested the propositions that you assert. Again, I hope you will look at the plan I have described with an open mind and heart.
- Pres. Aristide: The United States does not follow through with pressure ...
- Vice President: We must move ahead from where we are now. I am very concerned; a negative response could lead to continued deadlock. I hope not. I hope you will consider endorsing this plan and make it possible for us to agree on strategy as well as goals.
- Mr. Berger: You said you were willing to name a Prime Minister on the same day as Cédras departs. That is what we propose here. In this approach you actually get more than in the Governor's Island Agreement and it is closer to your position. Please look forward, not back. I think we are close and should be able to work together.
- Vice President: I know this is all complicated. We will follow up with a written paper summarizing what I have described.
- Pres. Aristide: To whom shall I convey my response? Shall I write to the Vice President?
- Mr. Berger: You can give your response to the Vice President or to Tony Lake or me. And if you have any further questions or ideas before then, please call Tony Lake or me.

  
Reviewed by: Lawrence G. Rossin

  
Approved by: Leon Fuerth

CLASSIFIED BY: OVP/NSA  
DECLASSIFY ON: OADR  
OVP/NSA Control No. 94X-0058

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# Withdrawal/Redaction Sheet

## Clinton Library

| DOCUMENT NO. AND TYPE   | SUBJECT/TITLE   | DATE                  | RESTRICTION                   |
|-------------------------|---|-----------------------|-------------------------------|
| <del>001a. letter</del> | <del>To: William J. Clinton; From: Joaquin Balaguer President of the Dominican Republic [Courtesy Translation] (1 page)</del>                             | <del>03/28/1994</del> | <del>P1/b(1) v 3/3/2020</del> |
| <del>001b. letter</del> | <del>To: Your Excellency William J. Clinton; From: Joaquin Balaguer President of the Dominican Republic [Spanish Language] (2 pages)</del>                | <del>03/28/1994</del> | <del>P1/b(1) v 3/3/2020</del> |
| <del>001c. letter</del> | <del>To: Distinguished Mr. President William J. Clinton; From: Joaquin Balaguer President of the Dominican Republic [Courtesy Translation] (1 page)</del> | <del>03/28/1994</del> | <del>P1/b(1) v 3/3/2020</del> |
| 001d. letter            | To: Distinguished Mr. President William J. Clinton; From: Joaquin Balaguer President of the Dominican Republic [Spanish Language] (2 pages)               | 03/28/1994            | P1/b(1) v 3/3/2020            |

**COLLECTION:**

Clinton Presidential Records  
 NSC Records Management  
 [Haiti and Memcon ...]  
 OA/Box Number: 472

**FOLDER TITLE:**

9402971

2013-0122-M

sb2523

**RESTRICTION CODES**

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

Freedom of Information Act - [5 U.S.C. 552(b)]

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

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DOC ACTION OFFICER

CAO ASSIGNED ACTION REQUIRED

001 ROSSIN  
001

Z 94041813 PREPARE MEMO FOR LAKE  
X 94043018 SEE 9402906 FOR FINAL ACTION

2971

*The Ambassador of  
The Dominican Republic*

*The Hon*  
*058291*  
*NSE*

*Washington*

March 29, 1994

His Excellency  
William J. Clinton  
President of the United  
States of America  
The White House  
Washington, D. C.

Your Excellency:

The undersigned has been entrusted by His Excellency  
Joaquin Balaguer, President of the Dominican Republic,  
to forward on to you the two letters attached which  
have been courtesy translated into English for  
practical considerations.

We avail ourselves of this opportunity to present Your  
Excellency the assurances of our highest  
considerations.

Respectfully yours,



José del Carmen Ariza  
AMBASSADOR

JCA  
Enclosure

COURTESY TRANSLATION

JOAQUIN BALAGUER

President of the Dominican Republic

Santo Domingo, N.D.  
March 28, 1994

His Excellency  
William J. Clinton  
President of the United  
States of America

Your Excellency Mr. President:

It is of my great satisfaction to express Your Excellency that I have received and read with the attention it deserves your communication dated March 16, 1994 referring to the Haitian case.

I share Your Excellency's view in relation to the ineffectiveness of the embargo, decreed by the Organization of the United Nations and the Organization of American States regarding the Haitian crisis, against the de facto government existing since September 30, 1991.

I am also aware that more could be done to make that measure more efficient, particularly on the aspect referring to the introduction of oil and fuel to Haitian territory.

In conversation entertained in recent days with the delegation headed by Ambassador Richard C. Brown, in charge of the Special Office for Haitian Affairs of the State Department, I made some practical suggestions, but I tried to put greater emphasis in our government's determination to support unconditionally any measure leading to make really effective the oil and fuel embargo obviously decreed to press for the return of democracy to Haiti.

It is not fruitless that I reassure Your Excellency my resolve to decisively support without considerations the efforts that the Government of the United States, as well as others from our area, are exerting to obtain the reestablishment of the Human Rights to that neighbor nation.

Please receive Your Excellency the expressions of my highest and distinguished consideration.

Joaquin Balaguer

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E.O. 13526

White House Guidelines, May 16, 2017

By [redacted] NARA, Date 10/18/2019

2013-0122-11

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*Joaquín Balaguer*

PRESIDENTE DE LA REPUBLICA DOMINICANA

Santo Domingo, D.N.,  
28 de marzo de 1994.

Excelentísimo Señor  
William J. Clinton,  
Presidente de los Estados  
Unidos de América.

Excelentísimo Señor Presidente:

Me es de sumo agrado manifestar a Vuestra Excelencia que he recibido y leído con la atención que merece su comunicación de fecha 16 de marzo de 1994, referente al caso Haitiano.

Comparto el criterio de Vuestra Excelencia respecto a la ineficacia del embargo decretado por la Organización de las Naciones Unidas y la Organización de Estados Americanos, en torno a la crisis de Haití contra el Gobierno De facto, vigente desde el 30 de septiembre de 1991.

También estoy consciente que se puede hacer más eficaz esa medida, sobretodo en el aspecto que concierne a la introducción de petróleo y demás hidrocarburos a territorio haitiano.

En conversación sostenida en días recientes con la Comisión encabezada por el Embajador Richard C. Brown, Encargado de la Oficina Especial para Asuntos Haitianos del Departamento de Estado, hice algunas sugerencias de orden práctico, pero en lo que me empeñé sobretodo fué, en hacer énfasis en la disposición de nuestro Gobierno de apoyar sin reservas cualquier providencia encaminada, hacer realmente efectivo el embargo de petróleo y otros hidrocarburos, decretado obviamente para forzar el retorno de Haití a la Democracia representativa.

No es ocioso que reitero finalmente a Vuestra Excelencia mi disposición de apoyar decididamente y sin contemplaciones los esfuerzos que tanto el Gobierno de los

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E.O. 13526, Sec. 3.5 (b)  
White House Guidelines, September 11, 2006  
By VZ NARA, Date 10/8/2015

2013-0122-M (1.72)

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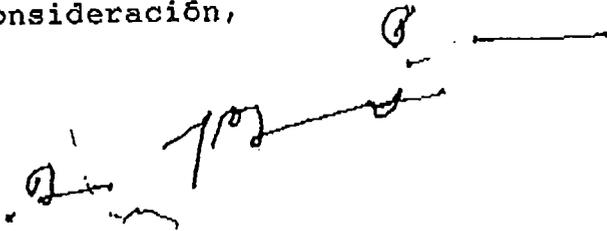
*Joaquín Balaguer*

PRESIDENTE DE LA REPUBLICA DOMINICANA

-2-

Estados Unidos de América como otros de nuestra área, realizan para lograr el establecimiento de los Derechos Humanos en la nación vecina.

Reciba Vuestra Excelencia los sentimientos de mi más alta y distinguida consideración,

  
Joaquín Balaguer

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COURTESY TRANSLATION

JOAQUIN BALAGUER

President of the Dominican Republic

Santo Domingo, N.D.  
March 28, 1994

Your Excellency  
William J. Clinton  
President of the United  
States of America

Distinguished Mr. President:

While acknowledging receipt to the important communication by which Your Excellency announces me the purpose to call up a hemispheric summit to be held in the city of Miami, next December, I wish to express my satisfaction for that praiseworthy initiative, received in Latin America as a recognition from the people of the United States and the Government presided by Your Excellency, of the indissoluble community interests and aspirations that identify all nations actually integrating the american continent.

I praise, for considering it fortunate, the idea submitted by Your Excellency in this communication regarding the importance to reach out for new formulas and to implement new programs to accelerate, as soon as possible, our countries' integration with the formulation of a more liberal economic policy, that while not affecting the legitimate interests of each country, strengthens the establishing of a common market which will eventually extend gradually all over the hemisphere to the benefit, not only of free trade but of the consolidation of the democratic process in all american nations.

The selection of the city of Miami to host the summit has also been welcomed by all countries of Central, South America and the Caribbean. The environment enjoyed in that metropolis provides the most successful example of the democratic and global spirit that has always prevailed in the way of life of the American people and its Government.

The Dominican Republic, whatever the result of the electoral race that is actually taking place, will honor the invitation received from Your Excellency and will join in this continental forum to all decisions that will secure our countries' future to make more attainable Lincoln and Jefferson's conceptions about the irrevocable unity of the American family.

With deference I greet Your Excellency.

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PHOTOCOPY PRESERVATION



*Joaquín Balaguer*

PRESIDENTE DE LA REPUBLICA DOMINICANA

Santo Domingo, D.N.,  
28 de marzo de 1994.

Excelentísimo Señor  
William J. Clinton,  
Presidente de los Estados  
Unidos de América.

Distinguido Señor Presidente:

Al avisar recibo de la importante comunicación en la cual Vuestra Excelencia se digna anunciarme el propósito de convocar una Cumbre Hemisférica, que se realizará en la ciudad de Miami, en el mes de Diciembre próximo, me adelanto expresar mi satisfacción por esa laudable iniciativa, recibida en toda América Latina como un reconocimiento por parte del pueblo de los Estados Unidos y del gobierno que preside Vuestra Excelencia, de la indisoluble comunidad de intereses y de aspiraciones que identifican a todas las naciones que integran hoy el Continente Americano.

Aplaudo, como sumamente feliz, la idea expuesta por Vuestra Excelencia en esa comunicación acerca de la conveniencia de que se busquen nuevas fórmulas y se pongan en práctica nuevos planes para acelerar, en la mayor medida posible, la integración de nuestros pueblos con el establecimiento de una política económica más liberal, que sin atentar contra los legítimos intereses de cada país, fortalezca el establecimiento de un mercado común que se extienda gradualmente a todo el hemisferio, en beneficio, no solo de la libertad de comercio, sino también del afianzamiento de los procesos democráticos en todos los países americanos.

La elección de la ciudad de Miami como sede de la Cumbre de que se trata, ha sido del agrado de todos los países de Centro y Suramérica y del Caribe. El ambiente que en aquella metrópoli se respira, constituye la prueba más fehaciente del sentimiento democrático y universalista, que rige y ha regido siempre la vida del pueblo y del gobierno norteamericanos.

.../

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*Joaquín Balaguer*

PRESIDENTE DE LA REPUBLICA DOMINICANA

-2-

La República Dominicana, sea cual sea el resultado del debate electoral en que se encuentra actualmente inmersa, honrará complacida la invitación que ha recibido de Vuestra Excelencia y se asociará en ese Foro Continental, a todas las decisiones que tiendan a asegurar el destino de nuestros países, y hacer cada vez más viable el pensamiento de Lincoln y Jefferson, sobre la unidad inquebrantable de toda la familia Americana.

Muy deferentemente saluda a Vuestra Excelencia,

*Joaquín Balaguer*

Joaquín Balaguer

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THE WHITE HOUSE  
CORRESPONDENCE TRACKING WORKSHEET

INCOMING

DATE RECEIVED: MARCH 31, 1994

NAME OF CORRESPONDENT: THE HONORABLE JOSE' DEL CARMEN ARIZA

SUBJECT: ENCLOSURES TWO LETTERS FROM HIS EXCELLENCY  
JOAQUIN BALAQUER, PRESIDENT OF THE DOMINICAN  
REPUBLIC, WHICH HAVE BEEN COURTESY TRANSLATED  
INTO ENGLISH FOR PRACTICAL CONSIDERATIONS

ACTION DISPOSITION

ROUTE TO: OFFICE/AGENCY (STAFF NAME) ACT CODE DATE YY/MM/DD TYPE RESP C COMPLETED D YY/MM/DD

|                |     |          |  |  |  |
|----------------|-----|----------|--|--|--|
| WILLIAM ITOH   | ORG | 94/03/31 |  |  |  |
| REFERRAL NOTE: |     |          |  |  |  |
| REFERRAL NOTE: |     |          |  |  |  |
| REFERRAL NOTE: |     |          |  |  |  |
| REFERRAL NOTE: |     |          |  |  |  |
| REFERRAL NOTE: |     |          |  |  |  |

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COMMENTS: ENCLOSURES

ADDITIONAL CORRESPONDENTS: MEDIA:L INDIVIDUAL CODES: \_\_\_\_\_

MI MAIL USER CODES: (A) \_\_\_\_\_ (B) \_\_\_\_\_ (C) \_\_\_\_\_

- \*ACTION CODES: \*DISPOSITION \*OUTGOING \*
- \* \* \*CORRESPONDENCE: \*
- \*A-APPROPRIATE ACTION \*A-ANSWERED \*TYPE RESP=INITIALS \*
- \*C-COMMENT/RECOM \*B-NON-SPEC-REFERRAL \* OF SIGNER \*
- \*D-DRAFT RESPONSE \*C-COMPLETED \* CODE = A \*
- \*F-FURNISH FACT SHEET \*S-SUSPENDED \*COMPLETED = DATE OF \*
- \*I-INFO COPY/NO ACT NEC\* \* \* OUTGOING \*
- \*R-DIRECT REPLY W/COPY \* \* \*
- \*S-FOR-SIGNATURE \* \* \*
- \*X-INTERIM REPLY \* \* \*

REFER QUESTIONS AND ROUTING UPDATES TO CENTRAL REFERENCE  
(ROOM 75, OEOB) EXT-2590  
KEEP THIS WORKSHEET ATTACHED TO THE ORIGINAL INCOMING  
LETTER AT ALL TIMES AND SEND COMPLETED RECORD TO RECORDS  
MANAGEMENT.

THE WHITE HOUSE  
WASHINGTON  
ORM OPTICAL DISK NETWORK

ID# 058291

PHOTOCOPY PRESERVATION

Hardcopy pages are in poor condition (too light or too dark).

Remainder of case not scanned.

Oversize attachment not scanned.

Report not scanned.

Enclosure(s) not scanned.

Proclamation not scanned.

Incoming letter(s) not scanned.

Proposal not scanned.

Statement not scanned.

Duplicate letters attached - not scanned.

Only table of contents scanned.

No incoming letter attached.

Only tracking sheet scanned.

Photo(s) not scanned.

Bill not scanned.

Resolution not scanned.

Comments:

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TO: PRESIDENT

FROM: BALAGUER, JOAQUIN

DOC DATE: 28 MAR 94  
SOURCE REF: 058291

KEYWORDS: DOMINICAN REP  
HAITI

HS

PERSONS:

SUBJECT: LTR TO PRES FM PRES BALAGUER RE HAITI

ACTION: PREPARE MEMO FOR LAKE

DUE DATE: 21 APR 94 STATUS: S

STAFF OFFICER: ROSSIN

LOGREF:

FILES: PA

NSCP:

CODES:

DOCUMENT DISTRIBUTION

FOR ACTION  
ROSSIN

FOR CONCURRENCE  
CLARKE  
HALPERIN  
SCHWARTZ

FOR INFO  
BAKER JANE  
FEINBERG  
GRAY  
ITOH  
KENNEY  
SODERBERG  
STATE



*to NSC/S -*

*1st letter (on Haiti sanctions) being answered  
under log #2906*

*Second requires no reply,*

*L Rossin 4/30*

COMMENTS: PLEASE NOTE PACKAGE HAS TWO LTRS

DISPATCHED BY \_\_\_\_\_ DATE \_\_\_\_\_ BY HAND W/ATTCH

OPENED BY: NSGP CLOSED BY: DOC 1 OF 1

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E.O. 13526

White House Guidelines, May 16, 2017

By NSNARA, Date 8/31/2019

2013-0122-M

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# MR MARKER

This is not a textual record. This is used as an administrative marker by the Clinton Presidential Library Staff.

|                                |               |             |                |             |
|--------------------------------|---------------|-------------|----------------|-------------|
|                                |               |             |                |             |
| Original OA/ID Number:<br>2287 |               |             |                |             |
|                                |               |             |                |             |
| Document ID:<br>9403185        |               |             |                |             |
| Row:<br>46                     | Section:<br>1 | Shelf:<br>7 | Position:<br>2 | Stack:<br>V |

# Withdrawal/Redaction Sheet

## Clinton Library

| DOCUMENT NO.<br>AND TYPE | SUBJECT/TITLE   | DATE                  | RESTRICTION                             |
|--------------------------|---|-----------------------|---|
| <del>001a. memo</del>    | To: Samuel Berger; From: Lawrence Rossin; Re: Papers for Meeting on Haiti [with handwritten notes] (1 page) | <del>04/26/1994</del> | <del>P1/b(1)</del> <i>VL 3/3/2020</i>   |
| <del>001b. paper</del>   | United Nations Mission to Haiti: Training or Occupation? (6 pages)  | <del>00/00/0000</del> | <del>P1/b(1)</del> <i>KSM 8/17/2015</i> |
| <del>001c. paper</del>   | Discussion Paper for April 27, 1994 Deputies Committee Meeting on Haiti (5 pages)                           | <del>04/27/1994</del> | <del>P1/b(1)</del> <i>VL 3/3/2020</i>   |

**COLLECTION:**

Clinton Presidential Records  
 NSC Records Management  
 [Haiti and Memcon ...]  
 OA/Box Number: 2287

**FOLDER TITLE:**

9403185

2013-0122-M  
sb2527

**RESTRICTION CODES**

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

Freedom of Information Act - [5 U.S.C. 552(b)]

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
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- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

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**CHRON FILE**

TO: BERGER

FROM: ROSSIN  
FEINBERG

DOC DATE: 26 APR 94  
SOURCE REF:

KEYWORDS: HAITI

PERSONS:

SUBJECT: MTG ON HAITI APR 27

ACTION: NOTED BY BERGER

DUE DATE: 29 APR 94 STATUS: C

STAFF OFFICER: ROSSIN

LOGREF:

FILES: PA

NSCP:

CODES:

DOCUMENT DISTRIBUTION

FOR ACTION

FOR CONCURRENCE

FOR INFO  
NSC CHRON

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E.O. 13526  
White House Guidelines, May 16, 2017  
By AS NARA, Date 8/21/2019  
2013-0122-M

COMMENTS: PER LARRY ROSSIN, THIS IS \*NOT\* A DC OR PC MEETING!

DISPATCHED BY \_\_\_\_\_ DATE \_\_\_\_\_ BY HAND W/ATTCH

OPENED BY: NSKDB CLOSED BY: NSDRS DOC 1 OF 1

ACTION DATA SUMMARY REPORT

DOC ACTION OFFICER

CAO ASSIGNED ACTION REQUIRED

001 BERGER  
001

Z 94042719 FOR SIGNATURE  
X 94042818 NOTED BY BERGER

National Security Council  
The White House

rec'd 4/27  
7:20 PM

PROOFED BY: \_\_\_\_\_ LOG # 3185  
 URGENT NOT PROOFED: \_\_\_\_\_ SYSTEM PRS NSC INT  
 BYPASSED WW DESK: \_\_\_\_\_ DOCLOG aw A/O \_\_\_\_\_

| <i>W</i>        | SEQUENCE TO | HAS SEEN    | DISPOSITION |
|-----------------|-------------|-------------|-------------|
| Reed            | _____       | _____       | _____       |
| Kenney          | <u>1</u>    | <u>will</u> | _____       |
| Itoh            | _____       | _____       | _____       |
| Soderberg       | _____       | _____       | _____       |
| Berger          | <u>2</u>    | <u>ok</u>   | _____       |
| Lake            | _____       | _____       | _____       |
| Situation Room  | _____       | _____       | _____       |
| West Wing Desk  | <u>3</u>    | _____       | <u>D</u>    |
| NSC Secretariat | _____       | _____       | _____       |
| _____           | _____       | _____       | _____       |

A = Action    I = Information    D = Dispatch    R = Retain    N = No Further Action

cc:            VP                            McLarty                            Other \_\_\_\_\_

Should be seen by: \_\_\_\_\_  
(Date/Time)

COMMENTS:

*Discussion Paper  
for Agencies -*

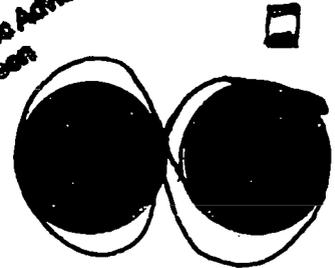
DISPATCH INSTRUCTIONS:

*Ex Sec's Office has desked*

NATIONAL SECURITY COUNCIL  
WASHINGTON, D.C. 20506

April 26, 1994

*Deputy Nat Sec Advisor  
has seen*



ACTION

MEMORANDUM FOR SAMUEL R. BERGER

THROUGH: RICHARD E. FEINBERG *RF*

FROM: LAWRENCE G. ROSSIN *LR*

SUBJECT: Papers for Meeting on Haiti, Wednesday, April 27,  
10:00 a.m.

The memorandum at Tab I conveys the agenda and discussion papers for Wednesday's meeting on Haiti.

RECOMMENDATION

That you sign the Memorandum to meeting participants at Tab I.

Attachments

- Tab I Memo to Meeting Participants
- Tab A Agenda
- Tab B State Paper on New Policy Implementation and  
Options for Sanctions-Lifting Criteria
- Tab C DOD Paper on UN Mission Reconfiguration Options

*→ 30-35% consumption levels*

*→ Dom Rep. elections early May*

*→ feeding 800-900,000 Haitians*

THE WHITE HOUSE  
WASHINGTON

MEMORANDUM FOR MR. STROBE TALBOTT  
Deputy Secretary of State

MR. JOHN DEUTCH  
Deputy Secretary of Defense

MR. LEON FUERTH  
Assistant to the Vice President  
for National Security Affairs

ADM WILLIAM STUDEMAN  
Deputy Director of Central Intelligence

AMB. RICK INDERFURTH  
U.S. Mission to the United Nations

LTG JOHN SHEEHAN  
Joint Chiefs of Staff

SUBJECT: Meeting on Haiti, Wednesday, April 27, 10:00 -  
11:00 a.m. ~~(S)~~

Attached are the agenda and discussion papers for our meeting on  
Haiti on Wednesday, April 27 at 10:00 a.m. ~~(S)~~

Samuel R. Berger  
Deputy Assistant to the President  
for National Security Affairs

Attachments

- Tab A Agenda
- Tab B State Paper on New Policy Implementation and  
Options for Sanctions-Lifting Criteria
- Tab C DOD Paper on UN Mission Options

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E.O. 13526  
White House Guidelines, May 16, 2017  
By ~~NSA~~ NARA, Date 8/21/2019  
2013-0122-M

MEETING ON HAITI

DATE: April 27, 1994  
LOCATION: White House Situation Room  
TIME: 10:00 - 11:00 a.m.

AGENDA

- I. Introduction.....Sandy Berger
- II. Sanctions Resolution.....Rick Inderfurth
- III. Conditions for Lifting of Sanctions.....All
- IV. Conveying our Determination in Haiti and Domestically.....All
  - a. Appointment of New Special Envoy
  - b. International Diplomacy
  - c. Domestic Outreach
  - d. Our Messages in Haiti
- V. UN Mission Reconfiguration.....All

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E.O. 13526  
White House Guidelines, May 16, 2017  
By ADN NARA, Date 8/21/2019  
2013-0122-N

~~SECRET~~

## UNITED NATIONS MISSION TO HAITI: TRAINING OR OCCUPATION?

**Issue For Decision:** As a part of the recent policy review, we have pledged to reconfirm our willingness to participate in a UN military mission in Haiti, and noted that it might be necessary to have a "reconfigured" mission, and consequently a restated UNSC mandate. When he was asked to confirm that he would agree to a new UN military mission, President Aristide asked what its "reconfigured" mission would be.

To answer President Aristide's question, and to have clarity in our policy, a decision is needed to determine whether the mission we have in mind is similar to that provided for in the Governors Island Agreement, namely to train and professionalize the Haitian military, and perform limited "civic action" construction, or whether the UN military mission should also have an internal security role and other peace enforcement tasks.

### Considerations Common To Both Options:

Under both approaches, an important issue is whether the UN military force would be sent in before President Aristide had returned to power in Haiti, or only after his successful return. Sending the force only after he had resumed the powers of the presidency would reduce the impression that the force was intended to assure his return, either by deterring non-cooperation by the Haitian military or by direct military action. Whether that is an advantage or a disadvantage depends on one's view of what the mission of the force should be. Sending the force before Aristide's return could help calm the situation and regime cooperation with it would be a manifestation of a real intent to cooperate in implementing GIA fully. If, however, the force is intended to have a limited mission, sending it before the most difficult part of GIA -- President Aristide's actual return to power in Haiti -- is accomplished, could imply a willingness to use US military force that we did not intend.

Deployment of either mission would follow only after the UN provided approval via a UN Security Council resolution. Consistent with the principle of making our action regarding Haiti multilateral, we would not unilaterally intervene. Whether the UNSC would authorize a mission of the second kind, which could reasonably be characterized as an intervention, is problematic. There is no possibility that the OAS would authorize such a mission.

Either approach would entail significant costs. For either the US would have to provide the overwhelming majority, if not all, the troops. For the training mission, the USG would seek to have the mission conducted as the basis of UN reimbursement by assessments under Chapter VI. For the internal security mission, we would seek reimbursement as a Chapter VII operation. Whether we would succeed in getting significant cost-sharing under any approach is dubious.

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PER E.O. 13526

2013-0122-M

8/19/15 KBH (1.85)

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The Options

*Option 1: Military training for professionalization--The October 93 model updated, with no internal security functions.*

Under this approach the military mission's main task would be to retrain the Haitian military into a non-political, professional force capable of carrying out the normal functions of military establishments in small, underdeveloped states with constitutional governments. Its premise is that the phase out of police functions from the army, along with concurrent redefinition of military roles, would gradually help Haiti develop a responsible military with a legitimate purpose in a democratic society. This would be a long-term effort, requiring substantial commitment of personnel and resources (from foreign aid, not DoD O& M, budgets) for a period of several years.

For this mission, revision of the present UN mandate would be required to permit shifting the focus of the mission from civic action construction projects to training, and to assure that the mission could be the size and composition needed to carry out the mission while providing for its own security. That option is temporarily provided by UNSCR 905, which will expire June 30.

Under this UNMIH configuration, internal security would remain the responsibility solely of Haitian security forces, throughout the time the unit was in Haiti.<sup>1</sup> Initially those forces would be responsive to the Haitian authorities awaiting Aristide's return; afterward they would be those on whom President Aristide chose to place the responsibility. The UNMIH forces would provide training, serve as role models and, in respect to police functions, monitor performance of the Haitian forces. The UN military mission would have neither the authority nor responsibility to monitor compliance with the key political terms of the GIA nor to intervene in local security matters or to insure compliance with the GIA. In the event of violence or non-compliance, UNMIH would take steps to assure its own safety, but would not engage in peace enforcement, or, indeed, in traditional peacekeeping.

The US element of the UN military training mission would not be deployed to Haiti until it would go as part of a viable political agreement having the support of all parties, and steps had been taken to begin putting the other elements of the settlement in place. In particular, it would be a precondition of deployment of the military mission that the police monitoring units were in place. In addition, the US would require that all parties formally confirm their agreement to the deployment and give strong assurances, backed by demonstrated changes in behavior, that the mission was coming as part of an accepted overall settlement and would receive the support and cooperation of the Haitian authorities, both military and civilian. In this connection, we would insist on their active help in carrying out its mission, as well as in being properly received and protected while in country. We would also insist on appropriate host nation support

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<sup>1</sup> There would also be an international police assistance mission. However, its role would be monitoring the activities of the (reconstituted) Haitian police and certain forms of technical assistance, not itself policing the country.

arrangements, including a Status of Mission Agreement (SOMA), assured access to ports and airfields, and agreements on how the training mission would be conducted.

However, in configuring the force, we would not count on a permissive environment. The detailed force requirements for the force would be set by the relevant command. Illustratively, the US training team could consist of approximately 100 trainers and 200 support personnel.<sup>2</sup> It would carry such weapons, have such security personnel, and be governed by such ROE as the US deems appropriate to enable the force to provide for its own protection and to ensure that it could land and move safely to its facilities in the event Haitian authorities do not cooperate or they fail to provide security. We would not negotiate with either President Aristide or the Haitian military on these points, though we would inform them of our intentions.

The force would not be configured to keep order in Haiti, provide protection for Aristide and his government, or (if sent in before he returns) deal with military refusal to accept his return. In briefing Congress and the press, we would need to make clear the limited character of the mission, so it would be public knowledge that we did not intend to use force to install or protect Aristide or deal with violence in the country. Should the situation deteriorate to the point where it was unsafe or infeasible for the mission's training activity to continue, it would remain in a protective posture until the situation improved or it was withdrawn.

*Option II: Internal security tasks included in mission*

This approach would give the UNMIH the authority and responsibility to perform internal security functions, as well as training. Its tasks would include preventing and if necessary suppressing violence among Haitians, providing personal security to Aristide and his key government associates after his return, and disarming/disbanding armed civilian groups, such as the FRAPH. Its mission could also include using military force to protect him physically in the course of his return.

Adopting this approach would be based on the premise that the return of Aristide could precipitate violence on a massive scale between Aristide partisans seeking revenge on the army and army enlisted seeking to preempt such attacks through terror and intimidation of their own, and that Haitian security forces either could not or would not deal with the problems themselves. It assumes that, without a foreign (and in practice US) military force, Aristide cannot count on returning to power in Haiti and keeping control of the country and the security forces. It does not assume that reconciliation and fundamental political and social reform is impossible, only that it will take a long time to reform and rebuild institutions based on democratic principles and that, in the meantime, it is both necessary and in the US interest to provide the muscle to sustain President Aristide in office.

A force assigned this internal security mission would be configured quite differently from one assigned only a training and self-protection mission. The force would be significantly larger, and would operate essentially as an occupying army,

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<sup>2</sup> To the extent it was part of the force's mission to conduct civic action construction projects, additional personnel would be needed.

pending the establishment of Aristide's full and effective authority in the country, including winning loyalty of the security forces, or inauguration of a new president in February 1996. Over time US casualties would be certain, as would be Haitian casualties caused by US actions. Under the War Powers Act, its introduction would appear to begin the timetable for congressional authorization, unless the Act is considered not to apply to operations of this character.

It would be necessary to resolve in advance the relationships between the US commander of the force and the Haitian government, as to the circumstances in which the force would intervene in internal conflicts in Haiti, and its ROE for doing so. Because such a force could be involved in conflict situations, it would require complete freedom of action, under U.S. command, in determining which measures were necessary for its own protection, and in determining how to carry out its broad mission. For obvious reasons, there would be a tension between the requirement of clear US command and control -- which is necessary for legal and practical political reasons -- and its function as the de facto internal security force of a foreign government.

It is not clear that President Aristide could give permission for a US force to operate in this way, given the traditional Haitian view of US military intervention. It is certain that the OAS would not mandate such a mission. Whether the UN would do so is problematic, though Russian support could almost certainly be achieved because of the desirable precedent it would set for Russian action in its own "near abroad."

### Pros and Cons of the Two Options

#### Option I: Training Mission. No internal security functions

##### Pros:

- Keeps the onus on Haitian parties for maintaining security, and for avoiding provocative acts towards each other. A limited US role is consistent with the basic proposition that the future of Haiti is a Haitian issue, in which the US has only a very limited interest (however strong our sympathies and preferences) and requires that Haitians take responsibility for solution.
- Avoids drawing US and other foreign forces into internal conflicts, thus reducing security risks to our personnel and scale of US commitment
- Avoids placing US and other foreign personnel in the position of taking law enforcement measures against Haitian citizens and all the potential for legal and other difficulties such a mission would entail.
- Keeps the mission focus on professionalization, a task for which US military is experienced.
- Has been accepted by President Aristide, the Haitian military (at least formally), elements of the Parliament and by the UN and other troop contributors.

- Has a reasonable chance of winning UN and hemisphere approval. International support is essential for legitimacy and credibility (at home as well as abroad).
- Would not involve defacto US occupation. Avoids giving the US military a police function.
- Requires a modest investment of US forces and funds.

Cons:

- Does not provide deterrent or counter against Haitian military moving against President Aristide or his supporters, and vice versa.
- Presence of any US military capability in Haiti will lead to calls for it to become involved if violence erupts.
- Should significant levels of violence occur, the UN and member states will almost certainly be criticized for failing to intervene.
- The Administration could be compelled to withdraw forces if conditions made its training mission unsafe or impractical.
- Without the active cooperation of the Haitian military, this mission will not succeed.
- Does not guarantee professionalization of the Haitian armed forces. This is a long-term process for which no funding, beyond the FY92 set-aside within the FAA, currently exists. Nor is any outyear funding planned which would allow the robust degree of FMF/IMET funded training necessary to accomplish a realistic professionalization mission.

*Option II: Mandate to intervene militarily in Haiti if the internal security situation warrants.*

- Would diminish probability of major hostilities between pro and anti- Aristide groups
- Would provide greater security for Aristide and his government.
- Assumes a military defeat or internal collapse of the Haitian security forces. (It is not conceivable that any Haitian military leadership would agree to the introduction of foreign forces to perform sovereign internal security functions.)
- Maximizes chances of President Aristide's successful return to power in Haiti by providing US military guarantee

Cons:

- Difficult to secure support from Congress, where enthusiasm for direct US military role in administration of Haiti is limited even among strong supporters of democratic reform.

- Ignores Haiti's sovereignty. Neither Aristide nor any other Haitian political figure has been willing to take responsibility for inviting foreign forces to intervene, citing both historical and constitutional reasons.
- Requires a major effort to obtain approval of such a mandate at the UN. Other countries are very unlikely to make meaningful troop contributions.
- Requires a substantial commitment of U.S. resources, including a significant combat military presence for an extended period.
- Places US and other foreign soldiers in the position of carrying out police functions (the UN has been unable to recruit sufficient police personnel for even a limited monitoring mission) in an unfamiliar environment in which they do not speak the language.
- Likely to result in guerrilla/terrorist activities by nationalist groups against the US mission.
- Potential for conflict with President Aristide and other authorities if we refuse to comply with their directives, and, conversely, places responsibility on the US for controversial reform and security policies if we do.

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E.O. 13526, Sec. 3.5 (b)  
White House Guidelines, September 11, 2006  
By 17 NARA, Date 10/8/2019  
2013-0122-14 (1,86)

Discussion Paper for  
April 27, 1994 Deputies Committee Meeting  
on Haiti

As a result of the April 20 Principles' meeting we have made the following decisions regarding our policy on Haiti:

- We will move forward on comprehensive sanctions resolution at the UN. We will push for:
  - o a full trade embargo with exemptions for food, medicine and limited other humanitarian exemptions;
  - o adopting targeted sanctions immediately, the other sanctions would have a 15 day delay mechanism.
  - o prohibiting non scheduled air flights, but permitting commercial regularly scheduled flights;
  - o dropping language that links sanctions with Aristide's participation in a political negotiation.
- We will not push for an exemption for the assembly sector.
- We will seek to have a reconfigured UN military and police Mission in Haiti. (The IWG on Haiti decided that we should not hold up the sanctions resolution by attaching language about a reconfigured UNMIH to it. This will be done by separate resolution if necessary.)
- We will redouble our efforts to reduce embargo violations across the Dominican-Haitian border.
- We will increase humanitarian assistance and seek to increase the number of human rights observers.
- We will be considering other ways to increase pressure on the military.
- We will launch a major effort to multilateralize the process as much as possible.

The IWG has started the effort to multilateralize the process. On April 24 the Secretary wrote to Foreign Minister Juppe of France outlining the results of our policy review and requesting French support. (The French are in the midst of their own policy review.) USUN has already begun briefing the Four Friends. On April 25, State sent out a cable to the field with guidance and talking points about our policy and has requested embassies to brief host governments. We continue to engage the Dominican government on the question of sanctions enforcement. On April 26 Dominican President Balaguer requested UN assistance in forming a joint UN-Dominican border commission to help enforce the UN oil

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embargo. AID has begun laying the groundwork to augment our current feeding programs. The OAS has sent in additional human rights observers and will continue to increase the number. The Inter-American Human Rights Commission is traveling to Haiti to conduct a site visit May 16-20.

In order to proceed to implement the other decisions, it is necessary to resolve two additional issues: the conditions under which international sanctions against Haiti will be lifted; the mission goals and composition of a redeployed police and military contingent known as the UN Mission in Haiti (UNMIH). Once these issues are resolved, the IWG will then be able to address the question of additional pressures on the military, including the substance and delivery of messages to the Haitian military leaders and others.

In order to fully explore the issues before the Deputies Committee meeting, the IWG has formulated the following discussion paper on the two issues: conditions for lifting sanctions and the mandate of a reconfigured UNMIH.

#### CRITERIA FOR SUSPENDING SANCTIONS

Background: To resolve the crisis in Haiti and bring about the restoration of democracy and the return of President Aristide, the Principals decided last week to seek UNSC action to broaden and tighten sanctions. The Principals also decided that imposition of sanctions would not be dependent on any prior action by Aristide. It is essential that the USG, and then the international community, establish firm objectives and criteria for suspension of sanctions. Without certainty on this point it would be hard to focus pressure on the removal of Cedras and appropriate others. It will also be hard to win international support for imposition and, more, important, enforcement of new sanctions, or for agreement to take additional steps we may require if sanctions do not succeed.

The Inter-Agency Working Group has identified two options regarding the position the US might adopt in this respect. As a general note, under both options oil and trade sanctions likely would be suspended after the military leaders have been removed but before the naming of a new prime minister and CINC, before passage of the police and amnesty legislation, before the introduction of UNMIH, as well as before Aristide returns. In both options targeted sanctions (i.e., those aimed specifically at individuals in the military and the Haitian elite who support them) would remain in effect until Aristide returns to power as President.

OPTION 1

Suspension of Oil and Trade Sanctions for the Departure of Cedras, Biamby and Francois and military commitment to the Governor's Island Accord: This option goes beyond Governors Island in requiring not only the retirement of Cedras, but also, the resignation (or departure from Haiti) of Biamby and Francois ab initio. (Governors Island provided for the replacement of Cedras only, with the new commander chosen by Aristide to make transfers of other officers thereafter. The new CINC, at least ad interim, would likely be General Duperval, generally seen as a malleable sort.) It would involve offering the rest of the military and their allies in the business community a suspension of sanctions in return for the retirement of Cedras and the resignation or transfer out of Haiti of the other two and commitment by the Army commanders to support the Governor's Island Accord.

Pros

- Removal from power of these three would dramatically alter the political situation in Haiti.
- Objective is limited and easier to achieve than other options. This sharply focussed threat thus is more credible.
- Puts greater pressure on a few identifiable individuals who can be held accountable by the Haitian people.
- Would preserve the essential structure of the security forces, increasing chances of maintaining discipline and avoiding broader chaos.
- Would offer greater opportunities to attempt to split the military.
- If progress toward restoration of democracy and return of Aristide were thwarted following removal of the three, sanctions could be reimposed.

Cons

- Limited chance of success, although greater than the other. Relies on some group to force Cedras, Biamby and Francois to cooperate.
- Does not achieve all USG objectives; falls short of conditions set for suspension of sanctions in the December aide memoire. (Creating the proper environment for

parliament to function, for Aristide to return and for UNMIH to be deployed.)

- New military leadership may be no more willing to accept Aristide's return than current leaders.
- Will be opposed by Aristide's supporters (a) because it does not meet his demand for a wholesale removal of the high command, and (b) because it does not maintain sanctions until he returns.
- It does not guarantee that all others involved in coup will be removed from positions of authority.
- Lifting and restoring sanctions makes us appear inconsistent and does not convey a long-term strategy to achieve our objective.

## OPTION 2

Suspension of Oil and Trade Sanctions For Departure of General Staff and Francois: This goes beyond the first option in demanding, in addition to the departure of the three strongmen, the departure from Haiti or from the Army of the remainder of the General Staff (i.e. a total of 11 officers), and the fulfillment of the conditions set forth in the December aide memoire to the military, as a precondition for lifting sanctions:

### Pros:

- Moves closer to Aristide's position on who must leave (although he will still oppose lifting the sanctions until he returns).
- Will reduce charges that we favor a change in personalities without a real change in the character of the leadership.
- Moves closer to our objective of restoring democracy and increases the likelihood that conditions to permit Aristide's return will be established.
- More consistent with previous conditions set for lifting sanctions in aide memoire and UNSCR 873.

### Cons:

- Does not fully satisfy Aristide's demands. (Sanctions would be lifted before he returns and the entire High Command, which includes nine departmental commanders,

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would not be removed.)

- Much less likely to work. Pressure against all of the military leaders is likely to cause them to coalesce.
- Since this option is likely to lead to a longer period of maintaining sanctions to achieve their objective, it will lead to increased suffering in Haiti making direct repatriation less justifiable and increasing the pressure for military intervention.
- If successful, would more likely destabilize the command structure of the military and break down the discipline necessary to maintain public order, again provoking calls for intervention.
- Responsibility for the sanctions is spread among a larger number of individuals.

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| Row:<br>44                    | Section:<br>3 | Shelf:<br>2 | Position:<br>1 | Stack:<br>v |

TO: PRESIDENT

FROM: LAKE

DOC DATE: 02 MAY 94  
SOURCE REF:

KEYWORDS: HAITI

IMMIGRATION

PERSONS:

SUBJECT: HAITIAN MIGRANTS

ACTION: NOTED BY PRESIDENT

DUE DATE: 04 MAY 94 STATUS: C

STAFF OFFICER: CLARKE

LOGREF:

FILES: WH

NSCP:

CODES:

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DOC 2 OF 2

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ACTION DATA SUMMARY REPORT

RECORD ID: 9403352

DOC ACTION OFFICER

001 LAKE  
002 PRESIDENT  
002

CAO ASSIGNED ACTION REQUIRED

Z 94050314 FWD TO PRESIDENT FOR DECISION  
Z 94050212 FOR DECISION  
X 94050212 NOTED BY PRESIDENT

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WWD—

SRB has signed this out  
to the president and will  
bring it directly to him  
this am. Please log  
accordingly

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rec'd 4/30 1:35 pm

National Security Council  
The White House

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| West Wing Desk  | <u>3</u>    | <u>W 5/2</u> | <u>N</u>    |
| NSC Secretariat | <u>4</u>    | _____        | <u>N</u>    |

A = Action    I = Information    D = Dispatch    R = Retain    N = No Further Action

cc:    VP    McLarty    Other \_\_\_\_\_

Should be seen by: \_\_\_\_\_  
(Date/Time)

COMMENTS:

DISPATCH INSTRUCTIONS:

cc: NS

Exec Sec has dishette

APR 30 1998

THE WHITE HOUSE  
WASHINGTON

ACTION

MEMORANDUM FOR THE PRESIDENT

FROM: ANTHONY LAKE

SUBJECT: Haitian Migrants

*detain those involved in the smuggling activity (11 crew) and passengers involved in intimidating others and*

Purpose

To determine the disposition of the Haitian migrants brought ashore on April 21, 1994.

Background

Four hundred and eleven Haitian migrants, who had sailed from Haiti by way of the Bahamas, were brought ashore by the Coast Guard on April 21st. They were detained at the INS Detention Facility in Florida.

INS recommends that we should release ~~the entire Haitian population~~ to families in the area or ~~private organizations~~ identified by the Community Relations Service. The INS facilities are crowded and ~~current~~ INS detention costs are over budget. If the migrants are detained litigation is almost a certainty. Few Haitian migrants who reach the U.S. are ever returned to Haiti, whether or not they are accorded refugee status.

INS believes that there is adequate funding from federal funds to care for these migrants for approximately 8 months. Although funds are available, the state of Florida believes that it will be ultimately be responsible for public services and support for this population.

o HIV Cases: With respect to the medical status of the Haitian migrants, the Public Health Service, examined the migrants. Only 10 migrants tested HIV positive out of 156 ~~test results so far~~. Those who are HIV would only be placed with NGOs or families who are prepared to support their health care requirements.

o Those Being Released Already: INS policy requires the release of unaccompanied minors to recognized juvenile facilities or families in the area and they have already been released or are being released. In addition, we, Justice and INS have already authorized the release of two groups: a.) Ten pregnant women; b.) five individuals who have provided evidence regarding the crews' engagement in alien smuggling. (The crew will be detained.)

*the others*

*would be costly and controversial*

*to responsible sponsors*

*working with private voluntary organizations in Miami*

*13*

RECOMMENDATION:

Based on the INS and Justice recommendations we urge the release of these Haitians in an orderly manner as soon as possible. Those migrants with families would be released to their relatives, who would agree to be responsible for them. Those without families (approximately one-fourth) would be placed with private voluntary organizations (PVO). The PVO placements would be outside the state of Florida to the maximum extent possible.

Approve \_\_\_\_\_ Disapprove \_\_\_\_\_

## Attachment

Tab A Incoming Memo from Jamie Gorlick

## THE WHITE HOUSE

WASHINGTON

May 2, 1994

ACTION

MEMORANDUM FOR THE PRESIDENT

FROM: ANTHONY LAKE *lake*

SUBJECT: Haitian Migrants

Purpose

To determine the disposition of the Haitian migrants brought ashore on April 21, 1994.

Background

Four hundred and eleven Haitian migrants, who had sailed from Haiti by way of the Bahamas, were brought ashore by the Coast Guard on April 21st. They are detained at the INS Detention Facility in Florida.

INS recommends that we detain those involved in the smuggling activity (11 crew) and passengers involved in intimidating others and should release the others to families in the area or to responsible sponsors identified by the Community Relations Service working with private voluntary organizations in Miami. The INS facilities are crowded and INS detention would be costly and controversial. If the migrants are detained litigation is almost a certainty. Few Haitian migrants who reach the U.S. are ever returned to Haiti, whether or not they are accorded refugee status.

INS believes that there is adequate funding from federal funds to care for these migrants for approximately 8 months. Although funds are available, the state of Florida believes that it will be ultimately be responsible for public services and support for this population.

o HIV Cases: With respect to the medical status of the Haitian migrants, the Public Health Service, examined the migrants. Only 13 migrants tested HIV positive. Those who are HIV would only be placed with NGOs or families who are prepared to support their health care requirements.

o Those Being Released Already: INS policy requires the release of unaccompanied minors to recognized juvenile facilities or families in the area and they have already been released or are being released. In addition, we, Justice and INS have already authorized the release of two groups: a.) Ten pregnant women; b.) five individuals who have provided evidence regarding the crews' engagement in alien smuggling. (The crew will be detained.)

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RECOMMENDATION:

Based on the INS and Justice recommendations we urge the release of these Haitians in an orderly and controlled manner as soon as possible. Those migrants with families would be released to their relatives, who would agree to be responsible for them. Those without families (approximately one-fourth) would be placed with private voluntary organizations (PVO). The PVO placements would be outside the state of Florida to the maximum extent possible.

Approve \_\_\_\_\_ Disapprove \_\_\_\_\_

## Attachment

Tab A Incoming Memo from Jamie Gorlick



## Office of the Deputy Attorney General

Washington, D.C. 20530

MEMORANDUM TO: SAMUEL R. BERGER  
DEPUTY ASSISTANT TO THE PRESIDENT  
FOR NATIONAL SECURITY AFFAIRS

FROM: JAMIE GORELICK <sup>ES9</sup>  
DEPUTY ATTORNEY GENERAL

SUBJECT: Detention and Parole Alternatives for  
Haitian Migrants Aboard Interdicted  
Freighter

DATE: April 26, 1994

Attached is a memorandum prepared by the Immigration and Naturalization Service (INS) which outlines options and recommendations concerning the disposition of the 411 Haitian migrants removed from the 65-foot freighter interdicted off the coast of Florida on April 21.

Currently these individuals are being detained at the INS Krome Detention Facility. The Public Health Service has conducted TB and AIDS screening. Initial indications are that the incidence of AIDS is very low. Of the 150 completed test results, only two are positive for HIV virus.

The INS plans to detain those involved in the suspected smuggling venture, including suspected smugglers, enforcers, known or suspected persecutors, and other criminals at the MCC in Miami -- approximately 5% of the total -- pending further investigation and prosecution by the U.S. Attorneys Office.

INS's recommendation, which we endorse, is to establish a strict regimen of parole, coordinated by the Community Relations Service, for all migrants who are not criminals and who can be placed with family members or community organizations. As indicated in the memorandum, these migrants are eligible for resettlement benefits and services.

There are three other more restrictive alternatives: in addition to detaining criminals, INS could (1) detain all the migrants pending their immigration judge hearings, most probably in INS detention facilities in Louisiana; (2) detain all migrants lacking family ties in the United States

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(approximately 20% of the total); or, (3) detain all migrants except for those who are determined via a pre-screening interview to have a credible fear of political persecution as a basis for an asylum claim (this number has not been determined).

On balance, the Department believes that the INS's recommendation for establishing an orderly parole procedure for all migrants who can be placed either with family members or organizations identified by the Community Relations Service and who are not criminals, is preferable to other alternatives, which are very costly and will provoke litigation.

Please advise us at your earliest opportunity whether we may begin to implement this proposed course of action.



U.S. Department of Justice  
Immigration and Naturalization Service

Office of the Commissioner

425 I Street NW,  
Washington, DC 20536

MEMORANDUM FOR THE ATTORNEY GENERAL

FROM: Doris Meissner  
Commissioner  
Immigration and Naturalization Service

SUBJECT: Detention and Parole Alternatives for  
Haitian Migrants Aboard Interdicted Coastal  
Freighter

On Thursday, April 21, the U.S. Coast Guard interdicted a 65-foot coastal freighter with 411 persons on board off the coast of Florida. The vessel was towed into Lake Worth, Florida on Friday and the occupants were turned over to the Immigration and Naturalization Service (INS) for processing at the Krome Avenue Detention Center. That processing includes: HIV and TB testing by the Public Health Service (PHS);<sup>1</sup> an INS inspection for admissibility; interviews with, and the segregation of, crewmembers and others suspected of being involved in attempted smuggling of aliens; and the issuance of charging documents to place the aliens in exclusion proceedings before an immigration judge.

Once the initial processing is completed, the INS District Director normally determines which migrants should be detained, who should be released pending resolution of exclusion proceedings, and any conditions that may be imposed on the release. Release is accomplished by way of "parole." The INS plans to detain those involved in the suspected smuggling venture and criminals at the MCC in Miami pending further investigation and prosecution by the U.S. Attorney's Office. Non-criminal detainees may be moved to other detention space outside of the state of Florida. The following is a discussion of the options for dealing with the detention and parole of the migrants.

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<sup>1</sup> While the INS does not ordinarily conduct HIV testing of excludable aliens for the purpose of assessing parole or detention, PHS has initiated HIV testing for this population as part of the medical screening. Initial indications are that the incidence of AIDS is very low. Of the 150 completed test results, only two are positive for the HIV virus. Currently, three migrants who tested positive for TB are in quarantine.

## I. Authority

Section 235(b) of the Immigration and Nationality Act, ("INA"), provides that an alien who is not clearly and beyond a doubt entitled to land shall be detained for further inquiry before a special inquiry officer [immigration judge]. However, INA §212(d)(5) authorizes the Attorney General (or her designee, typically the District Director) to permit physical access (parole) to the United States of an inadmissible alien and to establish conditions on that parole.

The Attorney General has broad authority to grant conditions of release pending completion of exclusion proceedings. Such conditions have included (1) the posting of an appearance bond, (2) demonstration of the existence of family or community ties, (3) arrangements with voluntary agencies to provide support for the alien and ensure his or her appearance at future proceedings, and/or (4) the periodic reporting of whereabouts to the local INS office. Parole is typically granted for periods of six months or a year. An intensive reporting program poses resource problems; accordingly, assistance from voluntary organizations could be sought, and, as noted below, INS has instituted such programs in the past.

A determination not to grant parole is not subject to administrative review; however, it may be challenged on abuse of discretion grounds in a federal district court.

## II. Policy

The general policy of the INS since 1981 has been to detain inadmissible aliens who arrive without documentation or with false documentation. See 8 C.F.R. § 235.3. However, compliance with that policy often depends on the availability of detention space and the length of time for a determination by the INS on admissibility and any applications for relief. In the instant case, as with most exclusion proceedings, admissibility will not be a contested issue. The immigration proceedings in these cases will focus on eligibility for asylum and withholding of deportation. Based on the information that we have developed so far, this operation does not appear to involve the type of organized criminal smuggling syndicate which would implicate the Administration's policy of strict detention of smuggled aliens.

## III. Categories

A. The continued detention of aliens in the following categories is plainly warranted:

1. Criminals. This would include those persons known or suspected of having been involved in criminal activity in Haiti as well as those persons who may have been involved in criminal activity in the United States;
2. Suspected Smugglers. There are eleven Haitian crewmembers all of whom are currently under suspicion for having participated in alien smuggling;
3. Enforcers. It is suspected that several passengers were used by the master of the vessel and the crew to keep order on board the vessel through physical beating and other intimidation;
4. Known or suspected persecutors. There is at least one person who was on board the vessel who has a connection to the Haitian military and one "attache." It is not clear at this point what, if any, role they may have had either as enforcers on board the vessel or in persecuting people in Haiti.

B. The release, under appropriate conditions, of persons in the following categories seems appropriate:

1. Those persons with family ties in the United States - based on the interviews that we have conducted, as many as eighty percent of the migrants are believed to have family ties in the United States;
2. Families with children - Of the twenty-seven minors, fourteen are accompanied by a parent;
3. Pregnant women - we have identified eleven pregnant women among the population;
4. Those migrants who have agreed to cooperate with the United States Attorney in the investigation and prosecution of suspected alien smuggling.

C. In addition to migrants in the foregoing categories, the population will include Haitian migrants with no community ties or family members either in the United States or among the occupants of the vessel. My plan is to direct INS that such persons be released to responsible sponsors identified by the Community Relations Service (CRS) working with voluntary agencies in Miami and elsewhere. While release with respect to this group may be criticized as creating a magnet for further boat departures, on balance, it is preferable to continued detention. Continuing detention of this population will be costly; it would invite further lawsuits; and it would be viewed as affording disparate treatment. While we must be sensitive to Florida's concerns with respect to impact, the

State of Florida receives funding specifically earmarked for resettlement and other expenses related to Haitian and Cuban migrants. Finally, we can closely supervise the parole by applying strict conditions.

In addition to the normal conditions established for parole, the INS has found it necessary in the past to impose conditions on groups of excludable aliens. For example, in 1982, Haitians released pursuant to the order of the district court in Louis v. Nelson, 544 Fed. Supp. 1004, (S.D. Fla 1982), were required to report their whereabouts on a weekly basis. Mariel Cubans are required to undergo careful scrutiny under narrowly drawn criteria, and provisional release to a "halfway house," before being re-paroled from INS custody. Parole in these instances has been successful in large part because of the involvement of voluntary agencies in Florida and elsewhere that participate in the parole and temporary resettlement of these migrants. Examples of conditions imposed by the INS include: 1) an approved sponsor; 2) an agreement to meet any special reporting conditions imposed by the INS; 3) representation of the migrant; 4) geographic limitations on travel; 5) permission from the INS prior to a change in sponsorship; 6) revocation of parole in the case of an arrest or conviction for a serious criminal offense; 7) participation in special programs as required; and 8) participation in follow-up medical programs determined by PHS. Any or all of these conditions may be applied with respect to migrants released pursuant to parole.

The categories of migrants identified in B. and C. above would be released without inquiry into the nature or strength of any possible claims to asylum that they might make. However, if a determination is made to further distinguish among the categories of migrants to be released, I would instruct the INS to conduct such an assessment. Since April, 1992, the INS has interviewed asylum applicants who are detained pending exclusion proceedings to determine whether they possess a "credible fear" of persecution. The interviews are conducted by specially trained INS trial attorneys (known as asylum pre-screening officers (APSOs)). If the applicant is found to have a credible fear of persecution on the basis of one of the five asylum grounds, the APSO will make a favorable recommendation to the District Director that the alien be paroled from detention. The "credible fear" standard is lower than the "well-founded fear" required to qualify for asylum. It has been our experience that approximately thirty percent of applicants for asylum will meet this standard.

#### IV. Other Considerations

An important consideration with respect to the parole of these individuals is the impact of such release on the State of Florida and any other States that may be involved in the resettlement process.<sup>2</sup> With that in mind, we have carefully examined the availability of federal funds for medical care and resettlement assistance for those Haitians who are paroled from detention by INS.

Pursuant to section 501(c) of the Refugee Education Assistance Act of 1980, Pub. L. 96-422, October 10, 1980, as amended, ("Act"), funding is made available through CRS to grantees, such as United States Catholic Conference and Church World Services, for the resettlement of Cubans and Haitians who are paroled into the United States. For purposes of eligibility for benefits under section 501 of the Act, Haitian entrants released on parole (prior to their claims being adjudicated) are treated as refugees. Refugees who are members of families with children may qualify for benefits under Aid to Families with Dependent Children (AFDC). The costs for AFDC are shared by the Federal and State government. Aged, blind, and disabled refugees may be eligible for Supplemental Security Income (SSI) benefits to the same extent as non-refugees. The full cost of this program is provided from Federal funds; however, some States provide a state-funded supplement. Refugees who are eligible for AFDC or SSI may also qualify for Medical services under the Medicaid program to the same extent as non-refugees. Medicaid costs are shared by the Federal and State governments. Accordingly, the State of Florida will incur AFDC and Medicaid costs for those migrants who are eligible.

Needy Haitian entrants who are not eligible for the categorical programs may receive Refugee Cash Assistance (RCA) and Refugee Medical Assistance (RMA) for eight months. RCA and RMA are administered by the Department of Health and Human

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<sup>2</sup> Governor Chiles, the State of Florida, and various State agencies have filed a suit seeking a declaratory judgment that the Federal government has failed to comply with constitutional and statutory obligations owed to Florida in relation to the enforcement of the immigration laws pertaining to undocumented aliens and in respect to Medicaid and AFDC expenditures on behalf of aliens. Florida further seeks injunctive relief directing the Federal government either to cease the policies causing the alleged breach of a duty to protect Florida from illegal immigration or to provide various measures of restitution for the current and future financial costs to Florida.

Services Office of Refugee Resettlement (ORR) under subsections 501(a) and (b) of the Act. Unlike categorical entitlement programs, the eligibility period for RCA and RMA is subject to appropriations and the federal government pays 100% of the costs. ORR currently provides benefits for eight months. The benefit level for the RCA is tied to the local AFDC payment level. The benefit level for RMA is the same as the state Medicaid system. After eight months, a Haitian entrant's eligibility for federal aid programs is the same as for other legal residents.

Targeted Assistance Funds are also available to communities with large numbers of refugees and entrants. The proposed FY' 94 allocation for Targeted Assistance to Florida is \$22.134 million. This includes \$10.6 for Jackson Memorial Hospital and \$8.4 for Dade County Schools. The proposed allocation has been published in the Federal Register. Comments were due on April 18th and a final notice of award is expected shortly.

In addition, the State of Florida receives additional social services funding to provide employment and adjustment programs to Haitian and Cuban refugees and entrants. In FY '94 the proposed social service allocation for Florida is \$5.2 million. There is no time period limiting availability for services under these programs.<sup>3</sup> Presently, such targeted funding is available only to states where Haitian and Cuban populations reside.

## V. Conclusion

It is, therefore, my recommendation that detained Haitian migrants be released consistent with the foregoing plan. In 1992, the CRS, working through grantee agencies, resettled 10,747 Haitians approved for parole by the INS after processing in Guantanamo Bay Naval Base. That number included 233 who were HIV positive. Of those resettled, approximately 75% were resettled in Florida. For those Haitians who did not have family members in the United States, CRS grantees administered resettlement programs in New Jersey, New York, Massachusetts, Connecticut, California, Nevada, Oregon, and New Mexico. The INS is working with CRS and the voluntary agencies to implement a fair and responsible release program that is humane, minimizes the impact on State and local resources, and is consistent with the responsibility of the Attorney General to administer the immigration laws.

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<sup>3</sup> For those migrants released from detention, the exclusion process (including a determination on any asylum claim) could take one year to eighteen months to complete.

NATIONAL SECURITY COUNCIL  
WASHINGTON, D.C. 20506

April 30, 1994

ACTION

MEMORANDUM FOR ANTHONY LAKE  
SAMUEL R. BERGER

FROM: RICHARD A. CLARKE *RA*

SUBJECT: Haitian Migrants

Attached is the memorandum for the President you requested regarding the disposition of the Haitian migrants presently being detained in Florida.

RECOMMENDATION

That you sign the memo to the President at Tab I.

Attachments

Tab I Memo to the President  
Tab A Memo from Jamie Gorlick

# MIR MARKER

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# Withdrawal/Redaction Sheet

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| DOCUMENT NO.<br>AND TYPE | SUBJECT/TITLE  | DATE                  | RESTRICTION                    |
|--------------------------|--|-----------------------|--------------------------------|
| <del>001a. note</del>    | <del>To: POTUS; From: Todd Stern; Re: [Attached memo from Tony Lake] (1 page)</del>                                    | 05/06/1994            | P1/b(1) v2 3/3/2020            |
| 001b. memo               | To: POTUS; From: Anthony Lake; Re: Haitian Migration: Modifying Policy While Maintaining Interdiction at Sea (7 pages) | 05/06/1994            | P1/b(1) v2 3/3/2020            |
| <del>002. note</del>     | <del>Photocopy of 001a (1 page)</del>  | <del>05/06/1994</del> | <del>P1/b(1) v2 3/3/2020</del> |

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- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
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- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

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RR. Document will be reviewed upon request.

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- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

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TO: PRESIDENT

FROM: LAKE

DOC DATE: 06 MAY 94  
SOURCE REF:

KEYWORDS: HAITI

IMMIGRATION

PERSONS:

SUBJECT: HAITI MIGRTAION - MODIFYING POLICY WHILE MAINTAINING INTERDICTION AT SEA

ACTION: NOTED BY PRESIDENT

DUE DATE: 10 MAY 94 STATUS: C

STAFF OFFICER: LAKE

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FOR ACTION

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FOR INFO  
NSC CHRON

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E.O. 13526  
White House Guidelines, May 16, 2017  
By: SA SNARA, Date 8/21/2019  
2013-0122-M

COMMENTS: \_\_\_\_\_  
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VICE PRESIDENT  
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| Soderberg         | _____       | _____    | _____         |
| Berger            | _____       | _____    | _____         |
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A = Action    I = Information    D = Dispatch    R = Retain    N = No Further Action

cc:            VP                            McLarty                            Other \_\_\_\_\_

Should be seen by: \_\_\_\_\_  
(Date/Time)

COMMENTS:

DISPATCH INSTRUCTIONS:

10-17-04 7:23

THE PRESIDENT HAS SEEN

5-7-94

THE WHITE HOUSE

WASHINGTON

May 6, 1994

MR. PRESIDENT:

The attached is a memo from Tony Lake recommending that our policy of direct return of Haitian boat migrants be modified to provide screening outside of Haiti -- either in a third country, if one can be found, or on ships.

The Justice Department endorses exploring changes in current policy, but is concerned about the possible magnet effect of changes and would favor trying to find a third country safe haven before considering any other option. The State Department opposes any change in current policy. DOD and the Joint Chiefs are evidently uncomfortable about screening outside Haiti and would prefer that a way be found to process migrants being returned to Haiti in protected U.S. custody in Port-au-Prince.

NSC has asked that this memo be closely held. I have circulated it to the Vice President, Mack, George, Gergen and Bruce.

  
Todd Stern

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THE WHITE HOUSE

WASHINGTON

May 6, 1994

THE PRESIDENT HAS SEEN

5.7.94

ACTION

MEMORANDUM FOR THE PRESIDENT

FROM:

ANTHONY LAKE

SUBJECT:

Haitian Migration: Modifying Policy While  
Maintaining Interdiction at Sea

DECLASSIFIED  
E.O. 13526, Sec. 3.5 (b)  
White House Guidelines, September 11, 2006  
By VL NARA, Date 10/8/2019  
2013-0122-M (1.73)

Purpose

To obtain your approval for an adjustment in our migration policy toward Haiti.

Background

I. CURRENT POLICY AND ASSESSMENT

**Current Policy:** Direct return is the Coast Guard interdiction and summary repatriation of Haitian boat migrants without interviews to determine whether they have valid claims to political refugee status.

Although we have maintained this controversial practice begun in May 1992 by the Bush Administration, we have also sought to expand opportunities for Haitians in Haiti to apply for refugee status through our "in-country" refugee processing program. We have argued that our direct return policy is appropriate to avert a humanitarian tragedy that would result from massive boat departures.

Eric Schwartz of the NSC staff has just returned from Haiti, where he undertook a review of the refugee situation. His observations are reflected in the analysis below.

**Major Issue for Decision:** The major issue for decision in this memorandum is whether, *while maintaining interdiction*, we should modify policy by 1) providing interviews to boat migrants at sea or in a safe haven outside of Haiti and 2) providing temporary asylum or resettlement in third countries or the U.S. to genuine political refugees, while 3) continuing to return those without valid refugee claims.

-- Arguments for Maintaining the Current Policy

- The in-country processing system we have established in Haiti does a reasonable job in identifying Haitians in need of protection, nearly 3000 of whom have been

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cc: Vice President  
Chief of Staff

accepted for refugee status since February 1992.

- According to Embassy officials, 95 percent or more of those now leaving by boat are economic migrants, those who are returned do not appear to be targetted for reprisals as a result of departure, and the returnees are given access to the in-country processing system upon return.
- If we provide refugee interviews for boat migrants, we could raise expectations in Haiti that departure by boat will result in U.S. resettlement and thus spur an unmanageable exodus of many thousands of Haitians.
- A system of refugee interviews would impose major additional costs upon INS for interviewing officers, interpreters and support staff.
- **Arguments for Changing Policy So That We Interview Migrants While Maintaining Interdiction (Why In-Country Processing Cannot Be Fixed Completely)**
  - No matter what improvements we make in the in-country program, Haitian boat migrants will continue to be returned to the jurisdiction of the Haitian authorities (and, indeed, turned over to them at the pier). Thus we cannot escape the fact that we are returning some Haitians who have well-founded fears of persecution and are therefore at risk.
  - Moreover, some Haitians may not even attempt boat migration or use of the in-country system for fear that in either case they will be vulnerable to Haitian authorities.
  - Some may not know about in-country processing or may have difficulty travelling to one of the centers, and Haitians may be targeted while they are undergoing the in-country process or may be persecuted after being denied refugee status in Haiti.
  - Based on reports from the Embassy and non-governmental organizations, we know of about 20-30 cases that seem to fall into one of these problem categories. In view of the severe difficulties in gathering information on these issues, we are unable to quantify how many more such cases there are.
  - The current non-interview policy may be the only post-World War II instance of our sanctioning or effecting a policy of forced return of persons who may be refugees, and this policy has been harshly criticized by the United Nations and non-governmental organizations.

II. MODIFYING MIGRATION POLICY BY PROVIDING INTERVIEWS PRIOR TO RETURN: MANAGING THE RISK OF LARGE OUTFLOWS

A modification of policy would not necessarily require that we stop returning all Haitian boat migrants to Haiti. Rather, it would require that we provide interviews to boat migrants either on ships or in a safe haven and that we protect from return only those with good claims to refugee status (currently estimated to be 5%). Those without valid claims would continue to be returned to Haiti.

**The Problem:** Even if we continue to return non-refugees, a decision to provide interviews of boat migrants will risk encouraging expectations in Haiti and spurring an increase in departures. There are no reliable figures of the numbers of Haitians who could and would leave if given the chance. The largest monthly total ever (May 1992) was about 13,000, and resulted from post-coup repression, adverse court decisions blocking returns of all Haitians and a relatively generous "pre-screening" procedure on Guantanamo that afforded a high percentage of Haitians entry into the U.S.

The Coast Guard estimates that there are currently several hundred boats in Haiti capable of carrying tens of thousands.

**How We Might Manage the "Magnet Effect" Problem:** Any plan to begin interviewing migrants before return should seek to diminish expectations in Haiti that departure by boat will result in resettlement in the United States. Thus any plan we implement should --

- ensure that screening through the in-country program is at least as generous as screening for refugee status outside of Haiti -- that is, ensure that those screened outside of Haiti do not get a better deal than those interviewed inside;
- conduct expeditious screening outside of Haiti (within 72 hours if possible) and quickly return the large majority who are not likely to qualify for refugee status, so as to deliver the message that non-refugees are returned quickly;
- include a large-scale public information campaign in Haiti stating that in-country processing still is the safer alternative to boat departures and that economic migrants (i.e., non-refugees) who leave Haiti by boat will be promptly returned;
- ensure adequate deployment of Coast Guard cutters to handle any surge in outflow.

III. PROPOSAL TO MODIFY OUR MIGRATION POLICY BY PROVIDING INTERVIEWS BEFORE RETURN

ISSUE #1: WHERE TO SCREEN BOAT MIGRANTS

**The Ultimate Goal: Third Country Sites for Screening:** We should seek one or more countries in the region to serve as processing sites to screen Haitians for refugee status and seek UNHCR cooperation and support in managing the facilities. A successful effort to seek third country cooperation, which might require your intervention with foreign leaders, would help to multilateralize the issue and diminish U.S. resource requirements.

**Screening on ships as an interim solution:** Prior to obtaining a third country site for processing claimants -- or in the event that we cannot obtain such a site -- we recommend screening of boat migrants on very large ships (floating reprocessing centers) that could be deployed near Haiti. (We would have to decide whether these would be naval ships or whether we would choose to charter privately owned ships.)

It would probably take several weeks to implement this option, as we would have to arrange deployment of the large ships, as well as hire and deploy INS agents, State Department contractors to assist in screening and interpreters.

While we would make Guantanamo available to house migrants in the event of a contingency, we would try to avoid use of Guantanamo as a processing site. Use of Guantanamo entails greater litigation risk than screening on ships, evokes the image of a prior failed policy, might create a magnet for Haitians and is opposed by the military.

**ISSUE #2: WHAT TO DO WITH SCREENED-IN BOAT MIGRANTS**

**Ultimate Goal: Third Country Resettlement for Boat Migrants:** We should make an urgent attempt to find third countries (e.g., France, Canada, countries in the region) that would be willing to resettle those boat migrants deemed to be refugees. (It is difficult to estimate the numbers but it could be about 3000 over six months) [section VI]. We would continue to provide U.S. resettlement to those Haitians who are deemed to be refugees through our in-country program, but would seek to avoid U.S. resettlement for Haitians who leave by boat. **Third country resettlement would be the least risky in terms of magnet effect** because it would reaffirm to Haitians that the only way to gain resettlement in the United States is through the in-country processing program.

In order to obtain third country cooperation, we would ask you to contact foreign heads of state and also seek the help of Sadako Ogata, UN High Commissioner for Refugees. Some may expect U.S. assistance.

**U.S. Resettlement as an Interim Measure:** If we were unable to find adequate third country cooperation after a few weeks of intensive effort, we probably would be compelled to provide U.S. resettlement to those Haitian boat migrants deemed to be refugees. We would seek to limit the magnet effect by vigorously implementing the procedures described in the section above on

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"Managing the Risk of Large Outflows" (Section III).

Having to resettle screened-in boat migrants in the United States would entail greater risk of encouraging a large outflow regardless of the preventive measures we take. We would seek to provide for such a contingency by having additional ships on stand-by, equipping Guantanamo for migrants, and, ultimately, maintaining the option of resuming direct return in an emergency.

#### IV. AGENCY VIEWS

**Justice/INS:** DOJ endorses exploring changes in repatriation policy because of its concerns with the current system. They are worried about proceeding too quickly, especially in view of the potential magnet effect of a processing center outside of Haiti and our need to plan carefully for a possible outflow. Their preference is to seek a third country refugee processing center or even safe havens for all Haitian boat migrants (as they believe conditions in Haiti might justify non-return of all who flee by boat). They would prefer to wait until we can be sure that no such third country is available before considering any other option. They do not rule out large ship reprocessing as long as the Haitian government continues to permit the U.S. to return to Haiti those screened out and the numbers do not become overwhelming.

**State:** Sec. Christopher would not change our current policy. He questions the feasibility of processing on ships and fears the magnet effect of a change in policy, with resulting lives lost at sea. He believes that a change could be interpreted as implying that processing at sea or Guantanamo is preferable to in-country processing. He also believes that changing policy on direct return after repeatedly reaffirming it raises questions about the firmness of our determination to obtain the departure of Cedras et al.

**DOD and JCS:** The Pentagon recognizes that direct return without processing is subject to legitimate criticism, but they fear that keeping refugees outside of Haiti while processing them would create a significant magnet effect. They believe that both processing on ships or at Guantanamo are logistically feasible, but they especially dislike the idea of reopening Guantanamo because of the difficulties DOD experienced there in 1991-2. They would prefer that we find a way to process returnees in protected U.S. custody in Port-au-Prince (currently, the Haitian authorities take control of the returnees as soon as they step off the US ships). Gen. Shalikhvili thinks the idea of a civilian U.S. ship as a processing center might have less of a magnet effect if the ship were visible from the Haitian coast.

**NSC Staff Comment:** Any change of Haitian migrant policy undoubtedly increases the risk of greater outflow. However, we question whether the current policy of returning political as well as economic refugees without a hearing is sustainable. With tougher sanctions, conditions will deteriorate in Haiti and repression is likely to increase. The greatest vulnerability of

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the current policy is that legitimate political refugees do not have a safe opportunity to assert their claims before being returned to the Haitian authorities. Screening outside Haiti would remove that fundamental problem with the existing system. The magnet effect of outside-Haiti screening (third country or ship) is diminished if those screened in are resettled elsewhere besides the U.S. The greater risk arises if we are unable to achieve third country resettlement but nonetheless are committed to out-of-country processing.

#### VI. DOMESTIC IMPACT, FLORIDA IN PARTICULAR

**The Problem:** Assuming increased outflow from Haiti to 10,000 per month -- the average monthly outflow during the two peak months of April and May 1992 -- and a screened-in rate of 5%, we might have to resettle as many as 3000 refugees in a six month period if we cannot obtain assistance from other resettlement countries.

Florida officials already are nervous about a potential exodus to the U.S. We can expect that they will be concerned about a shift that involves more U.S. resettlement and, at the least, will urge that any change in policy be accompanied by Federal efforts to assist Florida in managing entry any of this population.

**How We Might Manage The Domestic Impact:** If we were not successful in finding third countries for all the bonafide refugees, entry of up to 3000 refugees over a six month period is not inordinate given that we already resettle some 60,000 refugees throughout the United States every six months. By resettling the Haitian boat migrants as refugees (as opposed to "asylees" as has been the case in the past), the Haitians would be able to access federal aid for eight months after arrival and be eligible for other adjustment assistance, thus diminishing the state impact. Finally, we could attempt to ensure geographical dispersment of the population by linking refugee benefits to particular locations outside the states of Florida, New York and New Jersey (where most Haitians resettle).

Up to 10% of resettled refugees may be HIV-positive, as are some of the refugees we currently resettle in the U.S. through the in-country program. (On the other hand, only 2.5% of the 411 boat migrants who recently entered Florida were tested positive for HIV.) The Justice Department's Community Relations Service would work with local voluntary organizations in organizing appropriate supervisory services for this population.

Finally, we could consider accessing the Justice Department's Immigration Emergency Fund to reimburse affected states if there are substantial and unanticipated impacts.

#### VI. ANNOUNCING AND IMPLEMENTING A POLICY CHANGE

As mentioned, we would need several weeks lead time to make preparations for a change in policy. Because these preparations would inevitably leak, we would want to announce in advance, in a way that does not spark an exodus, our intention to modify policy. The announcement would indicate that due to the

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deteriorating human rights situation in Haiti, the Administration conducted an on-scene review of the situation and determined that some modifications are in order.

In addition, we would indicate that the policy modification would be subject to periodic review to determine whether our approach was the most appropriate and humane under the circumstances.

VII. COST ESTIMATES

Monies for screening operations could be obtained from the State Department Refugee Program, foreign aid, or the Justice Department's Immigration Emergency Fund. (Use of the Fund to defray costs of screening would require that you certify to the Congress that an emergency exists and such certification might not be welcomed by states such as Florida that have made claims on the Fund.)

**Ship-board screening:** Excluding Coast Guard and Navy operation and maintenance costs, we estimate that operating costs for screening of migrants for a six month period would be no more than \$5 million (and probably less). If we were to rent ships, this might add up to \$10 million to the total.

**Third country facilities:** Depending on size and location, a UNHCR camp could probably be operated at between \$2.5 million and \$10 million per year. UNHCR would seek financial assistance for such a center from the international community. As noted, third countries might seek U.S. aid in connection with resettlement undertakings.

RECOMMENDATION

We propose that you modify the current Haiti migrant policy to provide for outside-of-Haiti screening. We would make strenuous efforts to find third country location for processing and resettlement of those who are political refugees. Were that to fail, however, we would undertake large ship screening and U.S. resettlement, taking all of the measures outlined above to avoid a migration surge.

Approve \_\_\_\_\_ Disapprove \_\_\_\_\_

THE PRESIDENT HAS SEEN

5-7-94

THE WHITE HOUSE

WASHINGTON

May 6, 1994

MR. PRESIDENT:

The attached is a memo from Tony Lake recommending that our policy of direct return of Haitian boat migrants be modified to provide screening outside of Haiti -- either in a third country, if one can be found, or on ships.

The Justice Department endorses exploring changes in current policy, but is concerned about the possible magnet effect of changes and would favor trying to find a third country safe haven before considering any other option. The State Department opposes any change in current policy. DOD and the Joint Chiefs are evidently uncomfortable about screening outside Haiti and would prefer that a way be found to process migrants being returned to Haiti in protected U.S. custody in Port-au-Prince.

NSC has asked that this memo be closely held. I have circulated it to the Vice President, Mack, George, Gergen and Bruce.

  
Todd Stern

CLINTON LIBRARY PHOTOCOPY

# MIR MARKER

This is not a textual record. This is used as an administrative marker by the Clinton Presidential Library Staff.

|                               |               |             |                |             |
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|                               |               |             |                |             |
| Original OA/ID Number:<br>474 |               |             |                |             |
|                               |               |             |                |             |
| Document ID:<br>9403798       |               |             |                |             |
| Row:<br>44                    | Section:<br>4 | Shelf:<br>4 | Position:<br>2 | Stack:<br>v |

# Withdrawal/Redaction Sheet

## Clinton Library

| DOCUMENT NO.<br>AND TYPE | SUBJECT/TITLE                                      | DATE                  | RESTRICTION                   |
|--------------------------|--|-----------------------|-------------------------------|
| <del>001. paper</del>    | <del>Haiti - Political Action Plan (5 pages)</del> | <del>00/00/0000</del> | <del>P1/b(1)</del> ✓ 3/3/2020 |

**COLLECTION:**

Clinton Presidential Records  
 NSC Records Management  
 [Haiti and Memcon ...]  
 OA/Box Number: 474

**FOLDER TITLE:**

9403798

2013-0122-M  
sb2530

**RESTRICTION CODES**

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

Freedom of Information Act - [5 U.S.C. 552(b)]

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

CLINTON LIBRARY PHOTOCOPY

TO: BERGER

FROM: ROSSIN  
FEINBERG

DOC DATE: 12 MAY 94  
SOURCE REF:

KEYWORDS: HAITI  
IMMIGRATION

REFUGEES  
HUMAN RIGHTS

PERSONS:

SUBJECT: HAITI - PROPOSED POLITICAL ACTION PLAN

ACTION: OBE / STATUS OF ORIGINAL UNKNOWN DUE DATE: 16 MAY 94 STATUS: C

STAFF OFFICER: ROSSIN

LOGREF:

FILES: PA

NSCP:

CODES:

D O C U M E N T D I S T R I B U T I O N

FOR ACTION

FOR CONCURRENCE

FOR INFO  
NSC CHRON

DECLASSIFIED  
E.O. 13526  
White House Guidelines, May 16, 2017  
By AD SNARA, Date 8/21/2019  
2013-0122-M

COMMENTS: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

DISPATCHED BY \_\_\_\_\_ DATE \_\_\_\_\_ BY HAND W/ATTCH

OPENED BY: NSKDB CLOSED BY: NSJDA DOC 1 OF 1

ACTION DATA SUMMARY REPORT

DOC ACTION OFFICER

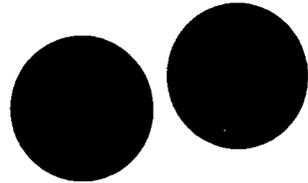
CAO ASSIGNED ACTION REQUIRED

001 BERGER  
001

Z 94051218 FOR INFORMATION  
X 94110410 OBE / STATUS OF ORIGINAL UNKNOWN

NATIONAL SECURITY COUNCIL  
WASHINGTON, D.C. 20506

May 12, 1994



INFORMATION

MEMORANDUM FOR SAMUEL R. BERGER

THROUGH: RICHARD E. FEINBERG *RE*

FROM: LAWRENCE G. ROSSIN *LR*

SUBJECT: Haiti: Proposed Political Action Plan

A proposed political action plan for Haiti is at Tab I.

Concurrence by: Morton Halperin *MH*

Attachment  
Tab I Proposed Political Action Plan

DECLASSIFIED  
E.O. 13526  
White House Guidelines, May 16, 2017  
By *SP3* NARA, Date *8/21/2019*  
2013-0122-M

HAITI - POLITICAL ACTION PLAN

BACKGROUND

As a result of our policy review we are acting to increase pressure on the military and ease the humanitarian situation.

- o E.O. 12914 and Proclamation 6685 implementing UNSCR 917 targeted sanctions and non-scheduled flight ban issued.
- o A second E.O. to implement the comprehensive sanctions being prepared for promulgation NLT May 21.
- o William Gray appointed Special Adviser on Haiti.
- o Adjustments to migrant procedures announced to institute refugee screening. IWG arranging earliest possible implementation.
- o New inter-agency sanctions process in place to enforce sanctions vigorously with focus on getting active Dominican Republic cooperation.
- o AID to increase humanitarian aid.
- o We working with UN and OAS to arrange return of full complement of ICM human rights observers.

Ambassador Albright is consulting with other UN members in New York on reconfiguration of the UN Mission in Haiti (UNMIH) for effective and safe functioning after the military leadership relinquishes power and in the post-sanctions environment. As her contacts give us a sense of UN members' receptivity, we will move to consultations and recruitment in capitals. These consultations will be intensified once we decide our own position on the mandate and composition of the reshaped UNMIH.

This paper lays out the elements of a political action plan. In each category the steps are in roughly sequential order. At all stages aggressive press and Congressional backgrounding and high-level statements are critical to achieving our objectives. This plan would be implemented over the next 8-10 weeks and aimed at furthering the following objectives:

- Regaining credibility. The President's May 8 announcements began this process. It will continue to the extent that our public posture is matched by substantive action and commitment. Our determination to prevail must be conveyed domestically, internationally and within Haiti. Haitians must understand that they can play a role in ousting the military leadership and restoring democracy.

~~SECRET~~

Declassify on: OADR

~~SECRET~~

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DECLASSIFIED

E.O. 13526, Sec. 3.5 (b)

White House Guidelines, September 11, 2006

By VL NARA, Date 10/8/2019

22/3-0122-M (1.87)

SECRET

- Increasing Haitian military unease. The military leadership must perceive that it will be more painful to stay than to leave. It must realize that it cannot outwait Aristide's term; our determination has no horizon and we will not let them drag it out. Pressure will be steadily increased to achieve our goals.
  
- Building international engagement. We must mobilize the hemisphere and international community to enforce sanctions, assist with migrants and refugees and contribute to post-crisis Haitian stabilization and reconstruction (including the UNMIH and international economic aid).

ACTION PLAN

Sanctions (under management of Haiti Sanctions Task Force):

- o Full implementation of UN sanctions. Ensure that all countries adopt laws or regulations needed to implement the four new UNSC sanctions: targeted entry ban; assets freeze; non-scheduled air ban; and comprehensive trade sanctions. Instruct Embassies to report on steps taken, generate *demarches* and other pressures for laggards. Encourage public announcements of implementation measures by countries. Publicize withdrawal of assembly sector companies and equipment from Haiti, pin blame for loss of jobs in Haiti on military leadership, point out our intent to facilitate return of companies once Aristide is restored. Generate publicity on naval enforcement by facilitating press visits to ships. Consider adding new ships to flotilla at least for a while.

- o Dominican Republic Enforcement. A high level State Department official should visit Santo Domingo next week (after the election) to underscore to Balaguer that the President expects the border to be sealed. Express willingness to underwrite UN sanctions monitors in necessary numbers. Envoy would carry a package of inducements and sanctions, such as enhanced or reduced aid and trade concessions (GSP, sugar quota increase).

- o Ensure that UN assessment team visit leads to recommendation for appropriate, visible UN monitoring/assistance program in cooperation with Dominicans, and that this group (preferably mostly of Latins) is quickly mobilized if necessary with U.S. funds.
  
- o Review and as necessary augment U.S.-Dominican naval cooperation for coastal waters control. If necessary, reconsider feasibility of using U.S. naval assets in Haitian coastal waters.

If DR proves incapable for any reason of controlling its border, raise with UN possibility of establishing UN-controlled buffer zone on Haitian side of border.

SECRET

CLINTON L ~~SECRET~~ PHOTOCOPY

SECRET

o Commercial passenger flights: Include scheduled air service ban (cutoff of passenger flights) in Executive Order implementing the UN trade sanctions. Leave grace period for American citizen departures. Work for such ban globally. Consider seeking UNSC resolution. Utilize exemption procedures to service international presence in Haiti.

o Private financial transactions. Review extent to which private financial transactions can be further restricted without undesirable impact. E.g., ban credit card transactions, commercial wire transfers. Consider freezing assets of Haitians domiciled in Haiti utilizing Presidential IEEPA authority. Consider pros and cons of banning remittances. Impose unilaterally or seek UNSC resolution for global application.

o Non-Immigrant Visas. Close the NIV section of the Embassy. As with Cuba, grant visas on a case-by-case basis where it serves our humanitarian or policy goals. The President can do this by amending the current proclamation relating to granting of visas to Haitians. Family separation issues (which already arise in considering a passenger flight ban) must be weighed.

o Periodic UNSC Sanctions Reviews. Utilize periodic reviews as directed by UNSCR 917 to focus UN members', Congressional and public attention on the impact and effectiveness in achieving our policy objectives. Public line: Innocent Haitians are suffering, our patience is finite.

Diplomatic

o Courtesy call by Mr. Gray on Aristide. Introduced by Tony Lake and Strobe Talbott. This should be Mr. Gray's first meeting.

o Hill calls by Mr. Gray.

o Mr. Gray to New York next week to meet with Amb. Albright, Friends, key UN Secretariat officials. USUN suggests meeting with UNSYG be deferred until our policy and requests are fully formulated. Consider press availability.

o Similar meeting between Mr. Gray and OAS SYG Baena Soares. Trip to Colombia to meet with Gaviria.

o State Department to prepare for public dissemination an in depth White Paper on exhaustive U.S. and international efforts to resolve crisis since 1990 coup.

o Raise Haiti on margins of Summit of the Americas consultations.

o Gray visit to Haiti for consultations with Swing and Haitian figures. Public and private statements keyed to UNSC resolution conditions and Presidential statements.

SECRET

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CLINTON LIBRARY PHOTOCOPY

- o Gray visits to Friends' capitals, hemisphere and likely African/Maghreb participants in UNMIH.
- o Enlist President Carter and Council of Democratically-Elected Heads of Government to build international support.
- o Send Mr. Gray to OASGA in Belem to lead U.S. participation in June 6 MFM on Haiti.
- o Complementary travel by senior officials including Vice President, Secretary Christopher, Deputy Secretary Talbott, Undersecretary Tarnoff, ARA A/S Watson, DOD officials, CINCSOUTH GEN McCaffrey, Amb. Albright, Amb. Babbitt.

Sowing Unease in the Haitian Military

- o Intensify senior-level statements noting that force option, robust UNMIH are on table.
- o Begin radio broadcasting (VOA, COMMANDO SOLO, shipborne) with messages highlighting military leadership responsibility for sanctions and contrasting their profiteering with public including *ti soldat* hardship. (Also include migrant messages, Aristide and other statements).
- o Exercise Embassy evacuation plan.
- o Increase visibility of reconnaissance by U.S. military personnel at Embassy and overflights.
- o Consider pros and cons of training of Haitian police force-in-waiting.

UN Mission in Haiti Advance Preparation

- o Continue (and continue discussing on background to press) Amb. Albright's consultations with UN members in New York on UNMIH reconfiguration.
- o Draft and float new UNMIH resolution based on approved USG model. Rationale: preparedness for deployment into security vacuum after military leadership departs under pressure of sanctions, need to be prepared to deal with post-sanctions environment.
- o Mr. Gray to brief Aristide on UNMIH reconfiguration plans based on same rationale. Tell him it is an essential part of our determination to return him and assist the restored constitutional government through humanitarian and economic assistance. Ask him to endorse it.
- o Congressional consultations on U.S. participation in reconfigured UNMIH.
- o Hemispheric consultations on UNMIH support and participation. Explore possibility of OAS endorsement of UNMIH.

SECRET

International Assistance

- o Expand assistance for Haitian human rights NGOs.
- o Once the diplomatic strategy begins visibly to bear fruit, renew discussions with donors on arrears clearance and meet with IFIs to develop plan for rapid implementation of economic assistance once constitutional government restored. Special attention to quick-disbursing job creation and to influx of technical assistance personnel.

SECRET

# MIR MARKER

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| Original OA/ID Number:<br>196 |               |             |                |             |
|                               |               |             |                |             |
| Document ID:<br>9403880       |               |             |                |             |
| Row:<br>44                    | Section:<br>3 | Shelf:<br>2 | Position:<br>3 | Stack:<br>v |

# Withdrawal/Redaction Sheet

## Clinton Library

| DOCUMENT NO. AND TYPE | SUBJECT/TITLE   | DATE       | RESTRICTION        |
|-----------------------|---|------------|--------------------|
| 001a. memo            | <del>To: Anthony Lake; From: Leon Fuert; Re: Executive Order to Implement United Nations Comprehensive Trade Embargo Against Haiti (2 pages)</del>    | 05/19/1994 | P1/b(1) ✓ 3/3/2020 |
| 001b. memo            | <del>To: POTUS; From: Anthony Lake; Re: Executive Order to Implement United Nations Comprehensive Trade Embargo Against Haiti (1 page)</del>          | 05/20/1994 | P1/b(1) ✓          |
| <del>001c. memo</del> | <del>To: Anthony Lake; From: Marc Grossman; Re: Executive Order to Implement United Nations Comprehensive Trade Embargo against Haiti (3 pages)</del> | 05/16/1994 | P1/b(1) ✓          |
| <del>002a. memo</del> | <del>Duplicate of 001a (2 pages)</del>  | 05/19/1994 | P1/b(1) ✓          |
| 002b. memo            | Duplicate of 001b [undated] (1 page)  | 00/00/0000 | P1/b(1) ✓          |
| 002c. memo            | Duplicate of 001c (3 pages)   | 05/16/1994 | P1/b(1) ✓          |

**COLLECTION:**

Clinton Presidential Records  
 NSC Records Management  
 [Haiti and Memcon ...]  
 OA/Box Number: 196

**FOLDER TITLE:**

9403880

2013-0122-M  
 sb2531

**RESTRICTION CODES**

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
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- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

Freedom of Information Act - [5 U.S.C. 552(b)]

- b(1) National security classified information [(b)(1) of the FOIA]
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- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

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NSC/RMO PROFILE

RECORD ID: 9403880  
RECEIVED: 16 MAY 94 18

TO: LAKE

FROM: FUERTH, L

DOC DATE: 19 MAY 94  
SOURCE REF:

KEYWORDS: HAITI

SANCTIONS

PERSONS:

SUBJECT: EO TO IMPLEMENT UN COMPREHENSIVE TRADE EMBARGO AGAINST HAITI

ACTION: ORIGINALS RETURNED TO NSC/S

DUE DATE: 19 MAY 94 STATUS: C

STAFF OFFICER: FUERTH, L

LOGREF:

FILES: WH

NSCP:

CODES:

D O C U M E N T   D I S T R I B U T I O N

FOR ACTION

FOR CONCURRENCE

FOR INFO

DECLASSIFIED  
E.O. 13526  
White House Guidelines, May 16, 2017  
By NSNARA, Date 8/21/2019  
2013-0122-M

COMMENTS: \_\_\_\_\_  
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DISPATCHED BY \_\_\_\_\_ DATE \_\_\_\_\_ BY HAND W/ATTCH

OPENED BY: NSASK

CLOSED BY: NSJEB

DOC 2 OF 3

~~CONFIDENTIAL~~

CLINTON LIBRARY PHOTOCOPY

DOC ACTION OFFICER

CAO ASSIGNED ACTION REQUIRED

|               |  |
|---------------|--|
| 001 ROSSIN    | Z 94051618 PREPARE MEMO FOR LAKE           |
| 001           | Z 94051709 ACTION TRANSFERRED              |
| 001 FUERTH, L | Z 94051709 APPROPRIATE ACTION              |
| 001           | Z 94052021 REOPEN / FOR FURTHER ACTION     |
| 002 LAKE      | Z 94051919 FWD TO PRESIDENT FOR SIG        |
| 002           | X 94110410 ORIGINALS RETURNED TO NSC/S     |
| 003 PRESIDENT | Z 94052021 FOR SIGNATURE                   |
| 003           | X 94052113 PRESIDENT SGD PER WH EXEC CLERK |

DISPATCH DATA SUMMARY REPORT

| <u>DOC</u> | <u>DATE</u> | <u>DISPATCH FOR ACTION</u> | <u>DISPATCH FOR INFO</u> |
|------------|-------------|----------------------------|--------------------------|
| 001        | 940516      | FUERTH, L                  |                          |
| 003        | 940520      |                            | VICE PRESIDENT           |
| 003        | 940520      |                            | WH CHIEF OF STAFF        |

TO: LAKE

FROM: GROSSMAN, M

DOC DATE: 16 MAY 94  
SOURCE REF:

KEYWORDS: HAITI

SANCTIONS

PERSONS:

SUBJECT: EO TO IMPLEMENT UN COMPREHENSIVE TRADE EMBARGO AGAINST HAITI

ACTION: PREPARE MEMO FOR LAKE

DUE DATE: 19 MAY 94 STATUS: S

STAFF OFFICER: ROSSIN

LOGREF:

FILES: PA

NSCP:

CODES:

DOCUMENT DISTRIBUTION

FOR ACTION  
ROSSIN

FOR CONCURRENCE  
AOKI  
CLARKE  
FUERTH  
KRECKZO

FOR INFO  
HALPERIN  
SCHWARTZ

*NSC/S - pls transfer action  
to Leon Fuertth in OVP  
L Rossin 5/17*

**URGENT**

DECLASSIFIED  
E.O. 13526  
White House Guidelines, May 16, 2017  
By NSA NARA, Date 8/21/2019  
2013-0122-M

COMMENTS: \_\_\_\_\_  
\_\_\_\_\_  
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DISPATCHED BY \_\_\_\_\_ DATE \_\_\_\_\_ BY HAND W/ATTCH

OPENED BY: NSASK CLOSED BY: DOC 1 OF 1

rec'd 5/20 10:47am

National Security Council  
The White House

PROOFED BY: JB LOG # 3880  
URGENT NOT PROOFED: \_\_\_\_\_ SYSTEM PRS NSC INT  
BYPASSED WW DESK: \_\_\_\_\_ DOCLOG JB A/O \_\_\_\_\_

|                  | SEQUENCE TO | HAS SEEN                | DISPOSITION            |
|------------------|-------------|-------------------------|------------------------|
| Reed             | <u>1</u>    | <u>JWR</u>              | _____                  |
| Kenney           | _____       | _____                   | _____                  |
| Itoh             | _____       | _____                   | _____                  |
| Soderberg        | <u>2</u>    | <u>NS</u>               | _____                  |
| <u>NA</u> Berger | <u>3</u>    | <u>Natl Sec Advisor</u> | <u>Srs should sign</u> |
| Lake             | _____       | <u>has seen</u>         | <u>- out</u>           |
| Situation Room   | _____       | _____                   | <u>fu</u>              |
| West Wing Desk   | <u>4</u>    | <u>HA 5/20</u>          | <u>IR</u>              |
| NSC Secretariat  | _____       | _____                   | <u>PODESTA</u>         |

A = Action    I = Information    D = Dispatch    R = Retain    N = No Further Action

cc:            VP                    McLarty                    Other \_\_\_\_\_

Should be seen by: \_\_\_\_\_  
(Date/Time)

COMMENTS: CLINTON LIBRARY PHOTOCOPY needed to

OFFICE OF THE VICE PRESIDENT  
WASHINGTON, DC

May 19, 1994

TO: NSC Executive Secretariat  
SUBJECT: Log 3880

I have put two red tags on this action because the attached Executive Order must be signed by the President before midnight, Saturday, May 21. It could not be forwarded before tonight because of an outstanding issue resolved in today's Haiti meeting.

OMB General Counsel advises me that they will forward the final version of the Executive Order to Mr. Podesta's office (via the Executive Clerk) tomorrow morning.

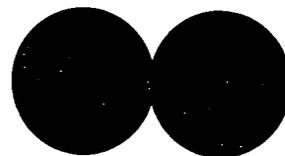
Thanks.

RS  
Rick Saunders



OFFICE OF THE VICE PRESIDENT

WASHINGTON  
May 19, 1994



ACTION

MEMORANDUM FOR ANTHONY LAKE

FROM: ~~FOR~~ LEON FUERTH *RMS*

SUBJECT: Executive Order to Implement United Nations  
Comprehensive Trade Embargo Against Haiti

State and Treasury have drafted an Executive Order to implement provisions of Security Council Resolution 917, which require a comprehensive trade embargo on Haiti, with certain humanitarian exceptions, to take effect not later than May 21, 1994 (Tab 2). The United States has already imposed substantial trade and financial sanctions on Haiti and the de facto authorities and others under the authority of the International Economic Powers Act and the United Nations Participation Act, reflected in several Executive Orders, the latest of which was signed by the President on May 7, 1994.

A new Executive Order is necessary to give effect to certain requirements of the Security Council resolution and to revoke certain exceptions contained in earlier Executive Orders which are inconsistent with that resolution. It would take effect at 11:59 pm on May 21, as required by UNSCR 917.

A meeting of the High-Level Working Group on Haiti on May 19 resolved the one outstanding issue cited in the transmittal memorandum. The Executive Order does not contain Treasury-supported language restricting money transfers in and out of Haiti. This issue will be addressed on a priority basis by the Haiti Sanctions Task Force, which will present recommendations to the HLWG next week.

Note that OMB is preparing the Executive Order itself and will send it directly to John Podesta's office.

Concurrences by: Dick Clarke, Mort Halperin, Alan Kreczko, Larry Rossin

*Janic Baker* *RMS*

RECOMMENDATION

That you sign the memorandum for the President at Tab 1 and forward it to John Podesta, who will attach the final copy of the Order for the President's signature.

CONFIDENTIAL  
Declassify on: OADR

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DECLASSIFIED  
E.O. 13526, Sec. 3.5 (b)  
White House Guidelines, September 11, 2006  
By: *VD* NARA, Date: *10/8/2019*

Attachments

Tab 1      Memorandum for the President  
Tab 2      State Department Memorandum

THE WHITE HOUSE  
WASHINGTON

May 20, 1994

ACTION

MEMORANDUM FOR THE PRESIDENT

FROM: ANTHONY LAKE ✓

SUBJECT: Executive Order to Implement United Nations  
Comprehensive Trade Embargo Against Haiti

Purpose

To sign an Executive Order imposing a comprehensive trade embargo on Haiti.

Background

The attached Executive Order implements provisions of Security Council Resolution 917, which require a comprehensive trade embargo on Haiti, with certain humanitarian exceptions, to take effect not later than May 21, 1994 (Tab 2). The United States has already imposed substantial trade and financial sanctions on Haiti and the de facto authorities and others under the authority of the International Economic Powers Act and the United Nations Participation Act, reflected in several Executive Orders, the latest of which you signed on May 7, 1994.

A new Executive Order is necessary to give effect to certain requirements of the Security Council resolution and to revoke certain exceptions contained in earlier Executive Orders which are inconsistent with that resolution. It would take effect at 11:59 pm on May 21, as required by UNSCR 917.

We will continue to look for ways to enforce sanctions to the fullest extent of existing authorities and to seek new authorities when appropriate.

RECOMMENDATION

That you sign the attached Executive Order.

Attachments

Tab A Executive Order (being provided by OMB General Counsel)

CONFIDENTIAL

Declassify on: OADR

CLINTON LIBRARY PHOTOCOPY

DECLASSIFIED

E.O. 13526, Sec. 3.5 (b)

White House Guidelines, September 11, 2006: Vice President

By VA LARA, Date 10/17/01

2013-0122-m (1.4)

Chief of Staff

CLINTON LIBRARY PHOTOCOPY

THE FINAL VERSION OF THE EXECUTIVE ORDER  
WILL BE FORWARDED TO JOHN PODESTA'S OFFICE  
BY OMB.

CLINTON LIBRARY PHOTOCOPY

CLINTON LIBRARY PHOTOCOPY

United States Department of State

Washington, D.C. 20520

~~CONFIDENTIAL~~

DECL: OADR

May 16, 1994

MEMORANDUM FOR ANTHONY LAKE  
THE WHITE HOUSE

Subject: Executive Order to Implement United Nations  
Comprehensive Trade Embargo against Haiti

Attached for the signature of the President is an Executive order to implement provisions of Security Council Resolution 917, adopted May 6, 1994, which require a comprehensive trade embargo on Haiti, with certain humanitarian exceptions, to take effect no later than May 21, 1994. The Department of State opposes the inclusion in this order of a provision (bracketed section 1(e) in the Executive order attached) which has been proposed by the Department of the Treasury to prohibit unilaterally financial transfers in and out of Haiti.

The United States has already imposed substantial sanctions on trade with Haiti and financial dealings with the de facto authorities and others under the authority of the International Emergency Economic Powers Act, 50 U.S.C. 1701 et seq. ("IEEPA"), the National Emergencies Act (50 U.S.C. 1601 et seq. ("NEA")), and the United Nations Participation Act, as amended, 22 U.S.C. 287c ("UNPA"). These measures are reflected in EO 12775 of October 4, 1991, EO 12779 of October 28, 1991, EO 12853 of June 30, 1993 and EO 12872 of October 18, 1993, and EO 12914 of May 7, 1994.

A new Executive order is necessary to give effect to certain requirements of the Security Council resolution, inter alia, under the UNPA, and to revoke certain exceptions contained in earlier Executive orders which are inconsistent with that resolution. It would also be required to restrict money transfers in and out of Haiti. The proposed Executive order has been prepared jointly with Treasury to serve this purpose. It would take effect at 11:59 p.m. on May 21, as required by UNSCR 917.

This Executive order imposes a comprehensive trade embargo which prohibits trade in services as well as goods. The prohibition on services is not required by the UNSC resolution, but is consistent with the United States embargo currently in effect. It exempts from the prohibition on goods and services going into Haiti specified food commodities already exempted from the United States embargo under current Executive orders

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E.O. 13526, Sec. 3.5 (b)

White House Guidelines, September 11, 2006

NARA, Date 10/8/2014

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- 2 -

and general licenses promulgated by the Department of the Treasury. The Security Council resolution exempts all supplies to Haiti "strictly for medical purposes and foodstuffs." The inclusion of this broader exception in the Executive order could be viewed as a relaxation in controls already imposed by the United States. The narrower exemption is maintained in this Executive order so that other food and medical items will continue to be licensed by Treasury to ensure strict compliance with the embargo. USAID is pursuing with Treasury a blanket license to ship the full range of items exempted from, or otherwise authorized by, the United Nations.

The Executive order also exempts informational materials, as interpreted under section 203(b)(3) of IEEPA. This is consistent with UNSC resolution 917 and a United States initiative in this regard.

The Department of the Treasury has also proposed a unilateral prohibition (bracketed section 1(e) in the Executive order text attached) on all transfers between the United States and Haiti of funds or financial assets, with the exception of transfers for activities of the United States Government, the United Nations, OAS or foreign diplomatic missions in Haiti. Also exempt are reasonable amounts needed for travel-related purposes, as required by a recent amendment to section 203(b)(4) of IEEPA. Under such a prohibition, we understand that Treasury would register humanitarian non-governmental organizations to authorize their continued receipt of funds. The extent to which Treasury would be prepared to authorize other transfers of a humanitarian nature, such as family remittances, remains unclear. Treasury has prepared a position paper on the proposal (attached) which indicates that it is intended to regulate illicit and thus far undetected transfers by Haitian military supporters and elite to circumvent the targeted sanctions and fund other sanctions-violating activities.

The Department does not believe that we should impose a ban on financial transfers unilaterally now. We have just achieved consensus in the UN Security Council to tighten sanctions on Haiti, and we need to maintain this multilateral consensus. Unilateral action on sanctions could heighten international concern about possible U.S. unilateral action in Haiti. Moreover, the proposed ban on financial transfers would not be effective unless pursued multilaterally. An ineffective measure could be counter-productive to our political goals.

The measures contained in this Executive order are authorized under IEEPA and the NEA, as well as under the UNPA to the extent that they are mandated by UNSC Resolution 917.

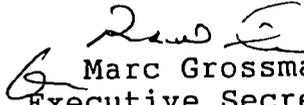
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- 3 -

Upon signing the Executive Order, the President is required to notify the Congress of his action. The Department of State is coordinating with the Department of the Treasury the text of a letter for this purpose for the signature of the President. The Executive order should also be published in the Federal Register.

  
Marc Grossman  
Executive Secretary

cc. Mr. Leon Fuerth  
Office of the Vice President  
The White House

Attachments:

Draft Executive Order  
Treasury Position Paper

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EXECUTIVE ORDER

DRAFT - Final Version  
to be provided  
to John Podesta  
by OMB.

-----  
PROHIBITING CERTAIN TRANSACTIONS WITH RESPECT TO HAITI

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), the National Emergencies Act (50 U.S.C. 1601 et seq.), section 5 of the United Nations Participation Act of 1945, as amended (22 U.S.C. 287c), and section 301 of title 3, United States Code, in view of United Nations Security Council Resolution No. 917 of May 6, 1994, and in order to take additional steps with respect to the actions and policies of the *de facto* regime in Haiti and the national emergency described and declared in Executive Order No. 12775, it is hereby ordered as follows:

**Section 1.** The following are prohibited, except to the extent provided in regulations, orders, directives, or licenses which may hereafter be issued pursuant to this order, and notwithstanding the existence of any rights or obligations conferred or imposed by any international agreement or any contract entered into or any license or permit granted before the effective date of this order:

(a) The importation into the United States of any goods (other than informational materials, including books and other publications, needed for the free flow of information)

DRAFT - 5/13/94

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originating in, or services performed in, Haiti, exported from Haiti after May 21, 1994, or any activity that promotes or is intended to promote such importation;

(b) Any activity by United States persons or in the United States that promotes the exportation or transshipment of any goods (other than informational materials, such as books and other publications, needed for the free flow of information) originating in Haiti, exported from Haiti after May 21, 1994;

(c) Any dealing by United States persons or in the United States, or using U.S.-registered vessels or aircraft, in any goods (other than informational materials, such as books and other publications, needed for the free flow of information) originating in Haiti, exported from Haiti after May 21, 1994;

(d) The exportation by United States persons or from the United States, or using U.S.-registered vessels or aircraft, of any goods, regardless of origin, to Haiti, or for the purpose of any business carried on in, or operated from, Haiti, or any activity by United States persons or in the United States that promotes such exportation, other than the exportation of:

(i) informational materials, such as books and other publications, needed for the free flow of information, and

(ii) rice, beans, sugar, wheat flour, cooking oil, corn, corn flour, milk, and edible tallow, provided that neither the de facto regime in Haiti nor any person designated by the Secretary of the Treasury as a blocked

individual or entity of Haiti is a direct or indirect party to the transaction;

(X) [(e) Any payment or transfer of funds or other financial or investment assets or credits to Haiti from or through the United States, or to or through the United States from Haiti, except for:

(i) reasonable amounts of funds carried by travelers to or from Haiti to cover their travel-related expenses, and

(ii) payments and transfers between the United States and Haiti for the conduct of the activities in Haiti of the United States Government, the United Nations, the Organization of American States, or foreign diplomatic missions;] or

(f) Any transaction by United States persons that evades or avoids, or has the purpose of evading or avoiding, or attempts to violate, any of the prohibitions set forth in this order.

Sec. 2. For the purposes of this order the definitions contained in section 3 of Executive Order No. 12779 apply to the terms used in this order.

Sec. 3. The Secretary of the Treasury, in consultation with the Secretary of State, is hereby authorized to take such actions, including the promulgation of rules and regulations, and to employ all powers granted to me by the International Emergency Economic Powers Act and the United Nations Participation Act, as may be necessary to carry out the purpose of this order. The

Secretary of the Treasury may redelegate any of these functions to other officers and agencies of the United States Government. All agencies of the United States Government are hereby directed to take all appropriate measures within their authority to carry out the provisions of this order, including suspension or termination of licenses or other authorizations in effect as of the date of this order.

Sec. 4. Section 2(c) of Executive Order No. 12779 and section 4 of Executive Order No. 12853 are hereby revoked to the extent inconsistent with this order. The revocation of any provision of Executive Order No. 12779 or Executive Order No. 12853 pursuant to this section shall not affect any violation of any rules, regulations, orders, licenses, or other forms of administrative action pursuant to that order during the period that such provision of that order was in effect.

Sec. 5. Nothing contained in this order shall create any right or benefit, substantive or procedural, enforceable by any party against the United States, its agencies or instrumentalities, its officers or employees, or any other person.

Sec. 6.

(a) This order shall take effect at 11:59 p.m. eastern daylight time on May 21, 1994.

(b) This order shall be transmitted to the Congress and published in the Federal Register.

THE WHITE HOUSE,  
May \_\_\_\_, 1994.



OFFICE OF THE VICE PRESIDENT

WASHINGTON  
May 19, 1994

ACTION

MEMORANDUM FOR ANTHONY LAKE

FROM: LEON FUERTH

SUBJECT: Executive Order to Implement United Nations  
Comprehensive Trade Embargo Against Haiti

State and Treasury have drafted an Executive Order to implement provisions of Security Council Resolution 917, which require a comprehensive trade embargo on Haiti, with certain humanitarian exceptions, to take effect not later than May 21, 1994 (Tab 2). The United States has already imposed substantial trade and financial sanctions on Haiti and the de facto authorities and others under the authority of the International Economic Powers Act and the United Nations Participation Act, reflected in several Executive Orders, the latest of which was signed by the President on May 7, 1994.

A new Executive Order is necessary to give effect to certain requirements of the Security Council resolution and to revoke certain exceptions contained in earlier Executive Orders which are inconsistent with that resolution. It would take effect at 11:59 pm on May 21, as required by UNSCR 917.

A meeting of the High-Level Working Group on Haiti on May 19 resolved the one outstanding issue cited in the transmittal memorandum. The Executive Order does not contain Treasury-supported language restricting money transfers in and out of Haiti. This issue will be addressed on a priority basis by the Haiti Sanctions Task Force, which will present recommendations to the HLWG next week.

Note that OMB is preparing the Executive Order itself and will send it directly to John Podesta's office.

Concurrences by: Dick Clarke, Mort Halperin, Alan Kreczko, Larry Rossin.

RECOMMENDATION

That you sign the memorandum for the President at Tab 1 and forward it to John Podesta, who will attach the final copy of the Order for the President's signature.

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E.O. 13526, Sec. 3.5 (b)

White House Guidelines, September 11, 2006  
By NARA, Date 10/8/05

Attachments

Tab 1      Memorandum for the President  
Tab 2      State Department Memorandum

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THE WHITE HOUSE  
WASHINGTON

ACTION

MEMORANDUM FOR THE PRESIDENT

FROM: ANTHONY LAKE

SUBJECT: Executive Order to Implement United Nations  
Comprehensive Trade Embargo Against Haiti

Purpose

To sign an Executive Order imposing a comprehensive trade embargo on Haiti.

Background

The attached Executive Order implements provisions of Security Council Resolution 917, which require a comprehensive trade embargo on Haiti, with certain humanitarian exceptions, to take effect not later than May 21, 1994 (Tab 2). The United States has already imposed substantial trade and financial sanctions on Haiti and the de facto authorities and others under the authority of the International Economic Powers Act and the United Nations Participation Act, reflected in several Executive Orders, the latest of which you signed on May 7, 1994.

A new Executive Order is necessary to give effect to certain requirements of the Security Council resolution and to revoke certain exceptions contained in earlier Executive Orders which are inconsistent with that resolution. It would take effect at 11:59 pm on May 21, as required by UNSCR 917.

We will continue to look for ways to enforce sanctions to the fullest extent of existing authorities and to seek new authorities when appropriate.

RECOMMENDATION

That you sign the attached Executive Order.

Attachments

Tab A Executive Order (being provided by OMB General Counsel)

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E.O. 13526, Sec. 3.5 (b)

White House Guidelines, September 11, 2006

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Declassify on: OADR

By: NARA Date: 10/4/2011

cc: Vice President  
Chief of Staff

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THE FINAL VERSION OF THE EXECUTIVE ORDER  
WILL BE FORWARDED TO JOHN PODESTA'S OFFICE  
BY OMB.

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United States Department of State

Washington, D.C. 20520

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DECL: OADR

May 16, 1994

MEMORANDUM FOR ANTHONY LAKE  
THE WHITE HOUSE

Subject: Executive Order to Implement United Nations  
Comprehensive Trade Embargo against Haiti

Attached for the signature of the President is an Executive order to implement provisions of Security Council Resolution 917, adopted May 6, 1994, which require a comprehensive trade embargo on Haiti, with certain humanitarian exceptions, to take effect no later than May 21, 1994. The Department of State opposes the inclusion in this order of a provision (bracketed section 1(e) in the Executive order attached) which has been proposed by the Department of the Treasury to prohibit unilaterally financial transfers in and out of Haiti.

The United States has already imposed substantial sanctions on trade with Haiti and financial dealings with the de facto authorities and others under the authority of the International Emergency Economic Powers Act, 50 U.S.C. 1701 et seq. ("IEEPA"), the National Emergencies Act (50 U.S.C. 1601 et seq. ("NEA"), and the United Nations Participation Act, as amended, 22 U.S.C. 287c ("UNPA"). These measures are reflected in EO 12775 of October 4, 1991, EO 12779 of October 28, 1991, EO 12853 of June 30, 1993 and EO 12872 of October 18, 1993, and EO 12914 of May 7, 1994.

A new Executive order is necessary to give effect to certain requirements of the Security Council resolution, inter alia, under the UNPA, and to revoke certain exceptions contained in earlier Executive orders which are inconsistent with that resolution. It would also be required to restrict money transfers in and out of Haiti. The proposed Executive order has been prepared jointly with Treasury to serve this purpose. It would take effect at 11:59 p.m. on May 21, as required by UNSCR 917.

This Executive order imposes a comprehensive trade embargo which prohibits trade in services as well as goods. The prohibition on services is not required by the UNSC resolution, but is consistent with the United States embargo currently in effect. It exempts from the prohibition on goods and services going into Haiti specified food commodities already exempted from the United States embargo under current Executive orders

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E.O. 13526, Sec. 3.5 (b)

White House Guidelines, September 11, 2006

By JK NARA, Date 10/8/2011

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- 2 -

and general licenses promulgated by the Department of the Treasury. The Security Council resolution exempts all supplies to Haiti "strictly for medical purposes and foodstuffs." The inclusion of this broader exception in the Executive order could be viewed as a relaxation in controls already imposed by the United States. The narrower exemption is maintained in this Executive order so that other food and medical items will continue to be licensed by Treasury to ensure strict compliance with the embargo. USAID is pursuing with Treasury a blanket license to ship the full range of items exempted from, or otherwise authorized by, the United Nations.

The Executive order also exempts informational materials, as interpreted under section 203(b)(3) of IEEPA. This is consistent with UNSC resolution 917 and a United States initiative in this regard.

The Department of the Treasury has also proposed a unilateral prohibition (bracketed section 1(e) in the Executive order text attached) on all transfers between the United States and Haiti of funds or financial assets, with the exception of transfers for activities of the United States Government, the United Nations, OAS or foreign diplomatic missions in Haiti. Also exempt are reasonable amounts needed for travel-related purposes, as required by a recent amendment to section 203(b)(4) of IEEPA. Under such a prohibition, we understand that Treasury would register humanitarian non-governmental organizations to authorize their continued receipt of funds. The extent to which Treasury would be prepared to authorize other transfers of a humanitarian nature, such as family remittances, remains unclear. Treasury has prepared a position paper on the proposal (attached) which indicates that it is intended to regulate illicit and thus far undetected transfers by Haitian military supporters and elite to circumvent the targeted sanctions and fund other sanctions-violating activities.

The Department does not believe that we should impose a ban on financial transfers unilaterally now. We have just achieved consensus in the UN Security Council to tighten sanctions on Haiti, and we need to maintain this multilateral consensus. Unilateral action on sanctions could heighten international concern about possible U.S. unilateral action in Haiti. Moreover, the proposed ban on financial transfers would not be effective unless pursued multilaterally. An ineffective measure could be counter-productive to our political goals.

The measures contained in this Executive order are authorized under IEEPA and the NEA, as well as under the UNPA to the extent that they are mandated by UNSC Resolution 917.

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- 3 -

Upon signing the Executive Order, the President is required to notify the Congress of his action. The Department of State is coordinating with the Department of the Treasury the text of a letter for this purpose for the signature of the President. The Executive order should also be published in the Federal Register.

  
Marc Grossman  
Executive Secretary

cc. Mr. Leon Fuerth  
Office of the Vice President  
The White House

Attachments:

Draft Executive Order  
Treasury Position Paper

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EXECUTIVE ORDER

DRAFT - Final Version  
to be provided  
to John Podesta  
by OMB.

-----  
PROHIBITING CERTAIN TRANSACTIONS WITH RESPECT TO HAITI

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), the National Emergencies Act (50 U.S.C. 1601 et seq.), section 5 of the United Nations Participation Act of 1945, as amended (22 U.S.C. 287c), and section 301 of title 3, United States Code, in view of United Nations Security Council Resolution No. 917 of May 6, 1994, and in order to take additional steps with respect to the actions and policies of the *de facto* regime in Haiti and the national emergency described and declared in Executive Order No. 12775, it is hereby ordered as follows:

**Section 1.** The following are prohibited, except to the extent provided in regulations, orders, directives, or licenses which may hereafter be issued pursuant to this order, and notwithstanding the existence of any rights or obligations conferred or imposed by any international agreement or any contract entered into or any license or permit granted before the effective date of this order:

(a) The importation into the United States of any goods (other than informational materials, including books and other publications, needed for the free flow of information)

DRAFT - 5/13/94

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originating in, or services performed in, Haiti, exported from Haiti after May 21, 1994, or any activity that promotes or is intended to promote such importation;

(b) Any activity by United States persons or in the United States that promotes the exportation or transshipment of any goods (other than informational materials, such as books and other publications, needed for the free flow of information) originating in Haiti, exported from Haiti after May 21, 1994;

(c) Any dealing by United States persons or in the United States, or using U.S.-registered vessels or aircraft, in any goods (other than informational materials, such as books and other publications, needed for the free flow of information) originating in Haiti, exported from Haiti after May 21, 1994;

(d) The exportation by United States persons or from the United States, or using U.S.-registered vessels or aircraft, of any goods, regardless of origin, to Haiti, or for the purpose of any business carried on in, or operated from, Haiti, or any activity by United States persons or in the United States that promotes such exportation, other than the exportation of:

(i) informational materials, such as books and other publications, needed for the free flow of information, and

(ii) rice, beans, sugar, wheat flour, cooking oil, corn, corn flour, milk, and edible tallow, provided that neither the de facto regime in Haiti nor any person designated by the Secretary of the Treasury as a blocked

individual or entity of Haiti is a direct or indirect party to the transaction;

(X) [(e) Any payment or transfer of funds or other financial or investment assets or credits to Haiti from or through the United States, or to or through the United States from Haiti, except for:

(i) reasonable amounts of funds carried by travelers to or from Haiti to cover their travel-related expenses, and

(ii) payments and transfers between the United States and Haiti for the conduct of the activities in Haiti of the United States Government, the United Nations, the Organization of American States, or foreign diplomatic missions;] or

(f) Any transaction by United States persons that evades or avoids, or has the purpose of evading or avoiding, or attempts to violate, any of the prohibitions set forth in this order.

Sec. 2. For the purposes of this order the definitions contained in section 3 of Executive Order No. 12779 apply to the terms used in this order.

Sec. 3. The Secretary of the Treasury, in consultation with the Secretary of State, is hereby authorized to take such actions, including the promulgation of rules and regulations, and to employ all powers granted to me by the International Emergency Economic Powers Act and the United Nations Participation Act, as may be necessary to carry out the purpose of this order. The

Secretary of the Treasury may redelegate any of these functions to other officers and agencies of the United States Government. All agencies of the United States Government are hereby directed to take all appropriate measures within their authority to carry out the provisions of this order, including suspension or termination of licenses or other authorizations in effect as of the date of this order.

**Sec. 4.** Section 2(c) of Executive Order No. 12779 and section 4 of Executive Order No. 12853 are hereby revoked to the extent inconsistent with this order. The revocation of any provision of Executive Order No. 12779 or Executive Order No. 12853 pursuant to this section shall not affect any violation of any rules, regulations, orders, licenses, or other forms of administrative action pursuant to that order during the period that such provision of that order was in effect.

**Sec. 5.** Nothing contained in this order shall create any right or benefit, substantive or procedural, enforceable by any party against the United States, its agencies or instrumentalities, its officers or employees, or any other person.

**Sec. 6.**

(a) This order shall take effect at 11:59 p.m. eastern daylight time on May 21, 1994.

(b) This order shall be transmitted to the Congress and published in the **Federal Register**.

THE WHITE HOUSE,

May \_\_\_\_, 1994.

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TO: PRESIDENT

FROM: LAKE

DOC DATE: 07 MAY 94  
SOURCE REF:

KEYWORDS: HAITI

PERSONS:

SUBJECT: BACKGROUND INFO FOR ANNOUNCEMENT ON HAITI

ACTION: NOTED BY PRESIDENT

DUE DATE: 12 MAY 94 STATUS: C

STAFF OFFICER: LAKE

LOGREF:

FILES: WH

NSCP:

CODES:

D O C U M E N T   D I S T R I B U T I O N

FOR ACTION

FOR CONCURRENCE

FOR INFO  
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COMMENTS: \_\_\_\_\_  
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RECORD ID: 9404000

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National Security Council  
The White House

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| Lake            | _____       | _____                  | _____              |
| Situation Room  | _____       | _____                  | _____              |
| West Wing Desk  | <u>1</u>    | <u>[Signature] 5/4</u> | <u>[Signature]</u> |
| NSC Secretariat | <u>2</u>    | _____                  | <u>[Signature]</u> |
| _____           | _____       | _____                  | _____              |

A = Action    I = Information    D = Dispatch    R = Retain    N = No Further Action

cc:            VP                            McLarty                            Other \_\_\_\_\_

Should be seen by: \_\_\_\_\_  
(Date/Time)

COMMENTS:

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THE WHITE HOUSE

WASHINGTON

May 7, 1994

THE PRESIDENT HAS SE  
5/8/94

INFORMATION

MEMORANDUM FOR THE PRESIDENT

FROM: ANTHONY LAKE

SUBJECT: Background Information for Announcement on Haiti

Attached are several items for your announcement on Haiti. We will meet with you on it at 9:30 a.m. tomorrow.

The materials include a draft statement, the background paper on the migrant policy you requested and suggested Q's and A's. I've also included for your reference the statement of policy you made January 14, 1993 announcing the continuation of the policy of direct return which stated, "I will end the practice of direct return when I am fully confident I can do so in a way that doesn't contribute to a humanitarian tragedy."

Attachments

- Tab A Draft Statement
- Tab B Migrant Policy Background Paper
- Tab C Suggested Q's and A's
- Tab D January 14, 1993 Policy Statement

PHOTOCOPY WJC HANDWRITING

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Second, we are intensifying our diplomatic efforts at the UN, OAS and in Haiti. To bring new vigor to our diplomacy, I am pleased to announce today that Bill Gray, the President of the United Negro College Fund, former representative from Pennsylvania and one of our ablest leaders, has accepted my invitation to serve as my new [Special Envoy for Haiti]. I will ask Bill to speak in a few moments; let me just say that he brings new vision and determination to our effort, and I appreciate his willingness to accept this difficult but very important assignment. Bill will be the point man in our diplomatic efforts and a central figure in our policy deliberations.

As part of our diplomatic efforts, we will work with others at the United Nations to examine changes in the proposed UN mission in Haiti to ensure that the UN can help effectively after Haiti's military leaders have left.

Third, I am announcing today certain changes in our migration policy toward Haiti. Currently, those Haitians seeking refugee status, including those interdicted at sea, are interviewed only in Haiti and not beyond its shores. Our processing centers within Haiti are doing a good job under bad circumstances. Nearly 3000 Haitians have been approved for refugee status since 1992. Indeed, we are processing about ten times the number of refugees per month as during the previous administration.

In recent months, however, I have been increasingly concerned that Haiti's deteriorating human rights situation may endanger the safety of Haitians with valid fears of political persecution who flee by boat and who are then returned to Haiti where processing is available. I have therefore decided to modify our procedures for handling Haitian boat migrants. We will continue to interdict all Haitian migrants at sea, but we will determine - - aboard ship or in other countries -- which ones are bona fide political refugees. Those who are not will be returned to Haiti. Those accorded refugee status will be allowed into the United States, as is currently the case with Haitian and other political refugees. We will approach other countries that might be prepared to take Haitian refugees as well.

The new procedures will begin once we have necessary processing arrangements in place. That will take some weeks. Until then, the people of Haiti must understand that we will continue to return all boat migrants to Haiti. And under the new procedures, only legitimate political refugees will be allowed in; all others will be taken back. There will be absolutely no advantage for any Haitian to take to the boats when they can more safely go to a processing center in Haiti to assert the same claims.

The ultimate solution to this crisis, however, is for Haiti's military leaders to leave -- so that Haiti's people can build a peaceful and prosperous future in their own country. I am committed to making the new international sanctions work. At the same time, I cannot and will not rule out other options.

The steps I have announced today are designed to relieve suffering, redouble pressure and restore democracy. Working together -- alongside the Haitian people and the world community -- we can protect our interests and give Haiti an opportunity to build a future of freedom and hope. Bill?

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REMARKS BY PRESIDENT WILLIAM J. CLINTON  
On U.S. Policy Toward Haiti  
May 8, 1994

Good afternoon. I want to speak today about the crisis in Haiti, the challenge it poses to our national interests and new steps I am ordering to help restore democracy and freedom to that nation.

Three and a half years ago, in free and fair elections, the people of Haiti overwhelmingly elected Jean-Bertrand Aristide as their President. Just nine months later, their hopes were dashed when Haiti's military leaders overthrew democracy by force. Since then, the military leaders have murdered innocent civilians, crushed political freedom and plundered Haiti's economy.

The United States has clear interests at stake in this crisis. We have an interest in bolstering the cause of democracy in the Americas. We have an interest in ensuring the security of American citizens who are living and working in Haiti. We have an interest in stopping the gross human rights abuses of Haiti's military and their thugs. And we have a humanitarian interest in preventing a massive and dangerous exodus of Haitians by sea.

From the start of my Administration, my goal in Haiti has been the restoration of democracy and the return of President Aristide. Over recent months, the Haitian military has broken agreements and rejected every effort to achieve a political settlement of the crisis. At the same time, the repression and bloodshed in Haiti have reached alarming new proportions.

That is why, six weeks ago, I ordered a review of our policy toward Haiti. As a result of this review, today let me describe several steps that will increase the pressure on Haiti's military while addressing the humanitarian suffering caused by their brutal misrule.

First, we are leading the international community in a drive to impose tougher sanctions against Haiti. On Friday, the UN Security Council unanimously adopted a resolution we had proposed that will tighten sanctions on everything but humanitarian supplies, prevent Haiti's military leaders and their civilian allies from leaving the country, promote a freeze of their assets worldwide and ban non-scheduled flights in and out of Haiti.

To enforce these sanctions, U.S. naval vessels will continue boarding ships going to and from Haiti and will turn back any ships carrying prohibited cargo. We are also working with President Balaguer of the Dominican Republic to improve sanctions enforcement along the border that his nation shares with Haiti.

While these sanctions are bound to cause additional hardship for innocent Haitian citizens, we must be clear: Haiti's military leaders bear responsibility for this action. They can stop the suffering of their people by relinquishing power and allowing the restoration of democracy and return of President Aristide. In the meantime, to shield innocent and vulnerable Haitians from the worst effects of the sanctions, we will increase significantly our humanitarian assistance. We also will work to increase the number of UN and OAS human rights monitors in Haiti.

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**REMARKS BY PRESIDENT WILLIAM J. CLINTON**  
**On U.S. Policy Toward Haiti**  
**May 8, 1994**

CLINTON LIBRARY PHOTOCOPY

**Good afternoon. I want to speak today  
about the crisis in Haiti, the challenge it  
poses to our national interests and new steps  
I am ordering to help restore democracy  
and freedom to that nation.**

**Three and a half years ago, in free and fair elections, the people of Haiti overwhelmingly elected Jean-Bertrand Aristide as their President. Just nine months later, their hopes were dashed when Haiti's military leaders overthrew democracy by force.**

**Since then, the military leaders have  
murdered innocent civilians, crushed  
political freedom and plundered Haiti's  
economy.**

**The United States has clear interests at stake in this crisis.**

**We have an interest in bolstering the cause of democracy in the Americas. We have an interest in ensuring the security of American citizens who are living and working in Haiti. We have an interest in stopping the gross human rights abuses of Haiti's military and their thugs.**

**And we have a humanitarian interest in  
preventing a massive and dangerous exodus  
of Haitians by sea.**

**From the start of my Administration, my goal in Haiti has been the restoration of democracy and the return of President Aristide. Over recent months, the Haitian military has broken agreements and rejected every effort to achieve a political settlement of the crisis. At the same time, the repression and bloodshed in Haiti have reached alarming new proportions.**

**That is why, six weeks ago, I ordered a review of our policy toward Haiti. As a result of this review, today let me describe several steps that will increase the pressure on Haiti's military while addressing the humanitarian suffering caused by their brutal misrule.**

**First, we are leading the international  
community in a drive to impose tougher  
sanctions against Haiti.**

**On Friday, the UN Security Council**

**unanimously adopted a resolution we had**

**proposed that will tighten sanctions on**

**everything but humanitarian supplies,**

**prevent Haiti's military leaders and their**

**civilian allies from leaving the country,**

**promote a freeze of their assets worldwide**

**and ban non-scheduled flights in and out of**

**Haiti.**

**To enforce these sanctions, U.S. naval vessels will continue boarding ships going to and from Haiti and will turn back any ships carrying prohibited cargo. We are also working with President Balaguer of the Dominican Republic to improve sanctions enforcement along the border that his nation shares with Haiti.**

**While these sanctions are bound to cause additional hardship for innocent Haitian citizens, we must be clear: Haiti's military leaders bear responsibility for this action. They can stop the suffering of their people by relinquishing power and allowing the restoration of democracy and return of President Aristide.**

**In the meantime, to shield innocent and vulnerable Haitians from the worst effects of the sanctions, we will increase significantly our humanitarian assistance.**

**We also will work to increase the number of UN and OAS human rights monitors in Haiti.**

**Second, we are intensifying our diplomatic efforts at the UN, OAS and in Haiti. To bring new vigor to our diplomacy, I am pleased to announce today that Bill Gray, the President of the United Negro College Fund, former representative from Pennsylvania and one of our ablest leaders, has accepted my invitation to serve as my new [Special Envoy for Haiti].**

**I will ask Bill to speak in a few moments;**

**let me just say that he brings new vision**

**and determination to our effort, and I**

**appreciate his willingness to accept this**

**difficult but very important assignment.**

**Bill will be the point man in our diplomatic**

**efforts and a central figure in our policy**

**deliberations.**

**As part of our diplomatic efforts, we will work with others at the United Nations to examine changes in the proposed UN mission in Haiti to ensure that the UN can help effectively after Haiti's military leaders have left.**

**Third, I am announcing today certain changes in our migration policy toward Haiti. Currently, those Haitians seeking refugee status, including those interdicted at sea, are interviewed only in Haiti and not beyond its shores.**

**Our processing centers within Haiti are doing a good job under bad circumstances.**

**Nearly 3000 Haitians have been approved for refugee status since 1992. Indeed, we are processing about ten times the number of refugees per month as during the previous administration.**

**In recent months, however, I have been increasingly concerned that Haiti's deteriorating human rights situation may endanger the safety of Haitians with valid fears of political persecution who flee by boat and who are then returned to Haiti where processing is available.**

**I have therefore decided to modify our procedures for handling Haitian boat migrants. We will continue to interdict all Haitian migrants at sea, but we will determine -- aboard ship or in other countries -- which ones are bona fide political refugees. Those who are not will be returned to Haiti.**

**Those accorded refugee status will be allowed into the United States, as is currently the case with Haitian and other political refugees. We will approach other countries that might be prepared to take Haitian refugees as well.**

**The new procedures will begin once we have necessary processing arrangements in place.**

**That will take some weeks. Until then, the**

**people of Haiti must understand that we**

**will continue to return all boat migrants to**

**Haiti. And under the new procedures, only**

**legitimate political refugees will be allowed**

**in; all others will be taken back.**

**There will be absolutely no advantage for any Haitian to take to the boats when they can more safely go to a processing center in Haiti to assert the same claims.**

**The ultimate solution to this crisis, however, is for Haiti's military leaders to leave -- so that Haiti's people can build a peaceful and prosperous future in their own country. I am committed to making the new international sanctions work. At the same time, I cannot and will not rule out other options.**

**The steps I have announced today are designed to relieve suffering, redouble pressure and restore democracy. Working together -- alongside the Haitian people and the world community -- we can protect our interests and give Haiti an opportunity to build a future of freedom and hope. Bill?**

CLINTON LIBRARY PHOTOCOPY

## FACT SHEET

### MODIFYING REPATRIATION POLICY

#### I. BEFORE WE SECURE A THIRD COUNTRY PROCESSING SITE, HOW EXACTLY WILL OUR FLOATING PROCESSING CENTERS WORK?

**Deploying the ships:** We will put one or more large ships in the Windward Passage between (Haiti and Cuba). These will either be large naval vessels (some of which can hold up to 2000) or commercial vessels.

**Interdiction and transfer to ships:** After interdicting boat migrants, the Coast Guard cutters will transfer the migrants to the large ships.

The migrants will board the ships, be given identity tags, and a quick medical screening.

**Processing:** If current in-country procedures are used (and they might be modified), there will be a three-stage procedure. At any point in the procedure, the applicant could be "vetted out" and returned to Haiti.

The procedure:

- 1) private voluntary organization (PVO) representatives, contracted by the State Department, would interview the migrants and fill out basic biographical information;
- 2) PVOs would interview them at length and prepare a case file for an INS adjudicator;
- 3) INS would interview them.

These interviews would be conducted with the assistance of Creole-speaking contract interpreters.

**Post-processing procedures:** Those deemed not to be refugees will be put aboard Coast Guard cutters and returned to Haiti as is currently the case with all interdicted boat migrants.

Those deemed to be refugees will receive a more thorough medical screening on the ship, and special U.S. resettlement care and maintenance procedures will be readied for those testing positive for the HIV virus. Approved refugees could then be flown to the United States or another resettlement country.

#### II. THIRD COUNTRY RESETTLEMENT

If any third countries agreed to resettle Haitians, we will have to meet third country legal requirements for entry of refugees. Some might simply accept our adjudications as valid under their laws; others might wish to have UNHCR get involved (to certify cases); still others might require their own interviews, which might be conducted by their officials on the ships.

### III. THIRD COUNTRY PROCESSING, EITHER ON LAND OR IN PORTS

If we secure agreement for third country processing, we might have UNHCR play a more active role in the processing and the procedures. Sadako Ogata, UN High Commissioner for Refugees, will be in Washington next week and you might wish to speak to her on this.



## Haiti Policy Review

Q: Why did you change your policy of direct return of Haitian Migrants?

A: -- In recent months the human rights and humanitarian situation in Haiti has deteriorated markedly.

-- As we have worked to restore democracy and return President Aristide to Haiti, violence against the Haitian people by the military has increased.

-- Under these circumstances, I decided we should adjust our migrant processing procedures to insure that every person with a claim to refugee status could be safely screened in the greatest possible safety.

-- In-country processing will continue. In light of the situation in Haiti, I believe that processing interdicted boat migrants prior to returning them is the right thing to do.

Q: Is this change a result of Randall Robinson's hunger fast?

A: -- This change is a result of what is happening in Haiti. I admire Randall Robinson's commitment to solving the problems of Haiti and we share the goal of restoring democracy to Haiti.

-- My concern about this has been increasing over several weeks. I sent staff down to Haiti to look at the situation first hand. Their conclusion, as well as that of the INS, is that changes needed to be made.

Q: Aren't you admitting that your policy of direct return was wrong?

A: -- The circumstances in Haiti have changed over the past 14 months. As I've said, the violence has increased and the military has failed to live up to its obligations.

Q: Aren't you inviting a new wave of Haitian boats migrants?

A: -- No. We will continue to return all migrants not found to be legitimate political refugees. The only difference is that migrants interdicted at sea will be screened and bona fide political asylum-seekers will not be returned to Haiti. All others will be returned. There will be no advantage for any Haitian to take to the sea.

Q: How are you going to force the Haitian military to resign? Nobody believes that sanctions alone will solve the Haitian crisis.

A: -- I am determined that the Haitian military leadership must go. I am committed to making the new sanctions and complementary measures work.

Q: What do the UN sanctions involve?

A: -- The UN has voted tough, comprehensive economic and trade sanctions against Haiti.

-- The resolution calls for an immediate freeze on the assets of the military, the police, those who participated in the coup and their associates.

-- It also imposes an immediate ban on non-scheduled flights to and from Haiti.

-- Within two weeks the world community will bring into force comprehensive sanctions against Haiti, excluding only the most essential humanitarian supplies.

Q: Why are you waiting two weeks before putting the rest of the sanctions in place?

A: -- The UN provided up to two weeks for nations to implement those sanctions in their national laws and regulations.

-- IF RAISED: This is not a political provision or a "trigger" mechanism.

-- I signed yesterday an Executive Order regarding the asset freeze and flight ban and a Proclamation to bring the UN's visa ban into effect. Within the next several days I will sign another order on the comprehensive trade sanctions.

Q: Doesn't this represent a reversal rather than a modification?

A: -- The goal of our refugee policy has always been to provide adequate opportunities for Haitians who fear persecution to leave Haiti.

-- However, I have been increasingly concerned by the deteriorating human rights situation in Haiti and, for this reason, believe we ought to make efforts to provide asylum-seekers the chance to make claims to refugee status prior to return.

-- When I first announced our migration policy in January 1993, I indicated that it would be under continual review to ensure that our policy was fair, responsible and humane.

-- This modification is consistent with these goals.

Q: If it was not appropriate to change policy last year, then why is it appropriate now?

A: -- The modification we are announcing is necessary in view of the deteriorating human rights situation.

-- Our goals have always been to discourage unsafe boat departures while providing access to in-country procedures. These changes advance those objectives under these worsening conditions.

Q: Then how do you propose to deter departure in unseaworthy vessels?

A: -- First, the policy of interdiction of all boat migrants will continue. All those without valid refugee claims will be returned. We will work hard to publicize that message in Haiti through all available media avenues.

-- Second, no Haitians will be permitted U.S. entry prior to a determination that they are bona fide refugees. We will seek to do processing either in third countries or on ships adequate to the task.

-- Third, the Coast Guard and Navy will deploy adequate resources to deal effectively with boat departures.

-- Fourth, we will not implement this modification of policy until all the arrangements are in place.

Q: Will you continue your in-country processing program?

A: -- Yes, as this has proven to be an extremely valuable vehicle for Haitians who need to flee.

-- As I mentioned, we have greatly enhanced the in-country processing system. It now is providing processing to 10 times the number of people than when I took office.

- o In addition to our processing center in Port-au-Prince, we've opened two additional processing centers in provincial cities in Haiti to expand access to the program.
- o We have also substantially increased staffing at the processing centers, as well as efforts to work with non-governmental organizations in identifying applicants who should be considered.
- o Moreover, we can and do expedite processing high priority cases to ensure they are brought quickly to the United States.
- o These efforts have paid off.

CLINTON LIBRARY PHOTOCOPY

- o In the first year of my Administration, we admitted about 1700 refugees through our in-country program.
- o This represents a ten-fold increase from the last year of the previous Administration.

Q: What about the impact of entry of Haitians on Florida?

A: -- I am instructing the Departments of State, Justice and Health and Human Services to work with affected localities and to make efforts to ensure geographical distribution of the resettled population.

Q: Have you lined up third countries which will host processing or accept qualified refugees?

A: -- We will be consulting with governments throughout the region to seek their cooperation in offering refuge to qualified Haitians and for processing.

-- However, our new policy is not dependent upon third country participation.

CLINTON LIBRARY PHOTOCOPY

Office of the President-Elect  
and Vice President-Elect

For Immediate Release:  
January 14, 1993

Contact: DeeDee Myers  
(501) 399-7175

STATEMENT OF PRESIDENT-ELECT BILL CLINTON ON THE CRISIS IN HAITI

Today, even before my inauguration, I want to address a matter of considerable concern to me: the situation in Haiti.

My major goals are the restoration of democracy in Haiti, the saving of human lives and the establishment of a system for fair treatment of refugees.

I first want to express my support for a political settlement that provides for the reinstatement of the legitimate and democratically elected government of President Aristide and protects the human rights of all Haitians. I spoke last night with President Aristide and reiterated my support for this outcome.

The United Nations and the Organization of American States are now engaged in intensive negotiations with President Aristide and all major parties in Haiti designed to begin a process leading to a political settlement. Even during this transition, we have worked together closely with the Bush Administration to promote this important negotiation effort. I have spoken with the UN/OAS negotiator, Dante Caputo, to let him know personally of my support.

I hope and expect that progress can be made. A democratic political settlement has the potential to change dramatically human rights conditions in Haiti. These conditions have led many Haitians to depart Haiti by boat and seek refuge in other countries, and many hundreds have died at sea.

While precise figures of those who have perished are not available, what is beyond question is that most of the vessels that leave Haiti are overloaded, unseaworthy, and lack even rudimentary navigational and lifesaving equipment. Just this week, nearly 400 Haitians packed into one vessel are believed to have died at sea.

When I spoke with President Aristide, he told me he shares my concerns about the terrible dangers of boat departures. We each have issued statements to the Haitian people expressing our hope for the re-emergence of democratic government and urging Haitians

not to risk their lives by taking to the sea.

To provide fair and safe alternatives to boat departures, I will take action soon after January 20 that changes U.S. policy to make it easier and safer for Haitians to apply for refugee status inside Haiti.

\* I will instruct the U.S. Embassy in Haiti to immediately institute a more rapid refugee determination process, so that Haitians who fear persecution are not subjected to long waiting periods during which they might be at risk.

\* I will instruct the State Department to establish procedures in Haiti to make it easier for Haitians outside of Port-au-Prince to apply for refugee status and U.S. resettlement.

\* I will direct the Immigration and Naturalization Service and the State Department to deploy additional asylum officers to expedite refugee processing that is conducted inside of Haiti.

\* Finally, I will take actions to encourage the United Nations, the OAS, and non-governmental organizations to expand substantially the effort to monitor human rights conditions in Haiti.

I am pleased that, in a collaborative effort between the Bush Administration and my transition team, the State Department will this week send a technical mission to Haiti to develop detailed proposals for implementation of these measures. I have requested that these proposals be ready for my consideration as quickly as possible.

With these planned changes, I believe we can provide a fairer process for refugees in Haiti, as we pursue the restoration of democracy and actively explore measures to further enhance protections for Haitian refugees.

While we are pursuing these actions, the practice of direct return of those who depart Haiti by boat will be continued. I will end the practice of direct return when I am fully confident I can do so in a way that does not contribute to a humanitarian tragedy. 

This is a highly complex issue that requires first and foremost a change in the human rights situation in Haiti, and a political settlement that restores the democratically elected government of President Aristide. The U.S. response on the migration issue must maintain our commitment to fairness but at the same time avoiding a mass exodus by boat and the human suffering that it would create. We will maintain our humanitarian obligations to refugees while taking all practical steps necessary to protect against tragic loss of life.

# MIR MARKER

This is not a textual record. This is used as an administrative marker by the Clinton Presidential Library Staff.

|                               |               |             |                |             |
|-------------------------------|---------------|-------------|----------------|-------------|
|                               |               |             |                |             |
| Original OA/ID Number:<br>197 |               |             |                |             |
|                               |               |             |                |             |
| Document ID:<br>9404111       |               |             |                |             |
| Row:<br>44                    | Section:<br>3 | Shelf:<br>3 | Position:<br>1 | Stack:<br>V |

# Withdrawal/Redaction Sheet

## Clinton Library

| DOCUMENT NO.<br>AND TYPE | SUBJECT/TITLE  | DATE       | RESTRICTION               |
|--------------------------|--|------------|---------------------------|
| 001. memo                | To: POTUS; From: Anthony Lake; Re: Comments on Jessica Mathews' Column on Haiti [photocopy] (1 page) | 06/02/1994 | P1/b(1) <i>✓ 3/3/2020</i> |
| 002. memo                | To: POTUS; From: Anthony Lake; Re: Comments on Jessica Mathew's Column on Haiti [original] (1 page)  | 06/02/1994 | P1/b(1) <i>✓ 3/3/2020</i> |

**COLLECTION:**

Clinton Presidential Records  
 NSC Records Management  
 [Haiti and Memcon ...]  
 OA/Box Number: 197

**FOLDER TITLE:**

9404111

2013-0122-M  
sb2534

**RESTRICTION CODES**

Presidential Records Act - [44 U.S.C. 2204(a)]

Freedom of Information Act - [5 U.S.C. 552(b)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]
  
- C. Closed in accordance with restrictions contained in donor's deed of gift.
- PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).
- RR. Document will be reviewed upon request.

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

CLINTON LIBRARY PHOTOCOPY

TO: PRESIDENT

FROM: LAKE

DOC DATE: 02 JUN 94  
SOURCE REF:

KEYWORDS: HAITI

MEDIA

PERSONS:

SUBJECT: COMMENT ON JESSICA MATHEWS COLUMN ON HAITI

ACTION: OBE / STATUS OF ORIGINAL UNKNOWN DUE DATE: 28 MAY 94 STATUS: C

STAFF OFFICER: ROSSIN

LOGREF:

FILES: WH

NSCP:

CODES:

D O C U M E N T   D I S T R I B U T I O N

FOR ACTION

- FOR CONCURRENCE

FOR INFO  
NSC CHRON

DECLASSIFIED

E.O. 13526

White House Guidelines, May 16, 2017

By ADENARA, Date 8/21/2019

2013-0122-M

COMMENTS: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

DISPATCHED BY \_\_\_\_\_ DATE \_\_\_\_\_ BY HAND W/ATTCH

OPENED BY: NSJEB

CLOSED BY: NSJDA

DOC 3 OF 3

ACTION DATA SUMMARY REPORT

DOC ACTION OFFICER

CAO ASSIGNED ACTION REQUIRED

001 ROSSIN  
002 LAKE  
003 PRESIDENT  
003

Z 94052508 PREPARE MEMO FOR LAKE  
Z 94060218 FOR SIGNATURE  
Z 94060219 FOR INFORMATION  
X 94110410 OBE / STATUS OF ORIGINAL UNKNOWN

TO: LAKE

FROM: PRESIDENT

DOC DATE: 24 MAY 94  
SOURCE REF:

KEYWORDS: HAITI

MEDIA

PERSONS:

SUBJECT: WASHINGTON POST ARTICLE RE HAITI

ACTION: PREPARE MEMO FOR LAKE

DUE DATE: 28 MAY 94 STATUS: S

STAFF OFFICER: ROSSIN

LOGREF:

FILES: WH

NSCP:

CODES:

D O C U M E N T   D I S T R I B U T I O N

FOR ACTION

ROSSIN

FOR CONCURRENCE

CLARKE  
HALPERIN  
ROSS  
SCHWARTZ

FOR INFO

FEINBERG

URGENT

COMMENTS: URGENT ACTION REQUIRED / PREPARE 1 PG MEMO FOR POTUS

DISPATCHED BY \_\_\_\_\_ DATE \_\_\_\_\_ BY HAND W/ATTCH

OPENED BY: NSJEB

CLOSED BY:

DOC 1 OF 1

UNCLASSIFIED

CLINTON LIBRARY PHOTOCOPY

National Security Council *Rec'd 6/2*  
 The White House *5:15 PM*

PROOFED BY: *[Signature]* LOG # *4111*  
 URGENT NOT PROOFED: \_\_\_\_\_ SYSTEM *PRS* NSC INT  
 BYPASSED WW DESK: \_\_\_\_\_ DOCLOG *[Signature]* A/O \_\_\_\_\_

|                 | SEQUENCE TO     | HAS SEEN                       | DISPOSITION               |
|-----------------|-----------------|--------------------------------|---------------------------|
| Reed            | <u><i>1</i></u> | <u><i>Jul</i></u>              | _____                     |
| Kenney          | _____           | _____                          | _____                     |
| Itoh            | _____           | _____                          | _____                     |
| Soderberg       | <u><i>2</i></u> | <u><i>copy</i></u>             | _____                     |
| Berger          | <u><i>3</i></u> | <u><i>sw</i></u>               | _____                     |
| Lake            | _____           | <b>Deputy Natl Sec Advisor</b> | _____                     |
| Situation Room  | _____           | <b>has seen</b>                | _____                     |
| West Wing Desk  | <u><i>4</i></u> | <u><i>[Signature]</i></u>      | <u><i>[Signature]</i></u> |
| NSC Secretariat | _____           | _____                          | _____                     |

A = Action    I = Information    D = Dispatch    R = Retain    N = No Further Action

cc:            VP                            McLarty                            Other \_\_\_\_\_

Should be seen by: \_\_\_\_\_  
 (Date/Time)

COMMENTS:  
*cc: KK ✓*

DISPATCH INSTRUCTIONS:

*Ex Sec's Office has deleted.*

TIME OF TRANSMISSION

TIME OF RECEIPT

UNCLASSIFIED UPON REMOVAL  
OF CLASSIFIED ATTACHMENTS

Initials: ADB Date: 8/21/2019  
2013-0122-M

**WHITE HOUSE  
SITUATION ROOM 91**

*TODD has seen  
JUN 7, P7:45  
send for 2nd time*

PRECEDENCE: IMMEDIATE  
PRIORITY  
ROUTINE

RELEASER: \_\_\_\_\_

DTG: \_\_\_\_\_

MESSAGE NO. \_\_\_\_\_ CLASSIFICATION ~~SECRET~~ PAGES 10

FROM Sharon Wagner/ The White House 6 2702  
(NAME) (PHONE NUMBER) (ROOM NO.)

MESSAGE DESCRIPTION \_\_\_\_\_

| TO (AGENCY) | DELIVER TO   | DEPT/ROOM NO. | PHONE NUMBER |
|-------------|--------------|---------------|--------------|
| Paris       | John Podesta |               |              |
|             |              |               |              |
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**REMARKS:** The 2 memos attached had been previously sent to you.  
1. copy of Quinn memo stating the VP's position on Asylum memo.  
2. Lake memo re Comments on Jessica Mathews' Column on Haiti.  
Please deliver to Mr. Podesta by 7:00 a.m. on Wednesday. thanks.

CLINTON LIBRARY PHOTOCOPY

6.2  
Todd has ~~not~~<sup>6/6</sup> seen

T.S.  
NSC wants this sent to the  
President. -- not to be held  
until his return.

S.

TIME OF TRANSMISSION

TIME OF RECEIPT

94 JUN 6 P1: 40

**WHITE HOUSE  
SITUATION ROOM**

UNCLASSIFIED UPON REMOVAL  
OF CLASSIFIED ATTACHMENTS

Initials: ADG Date: 8/21/2019  
2013-0122-M

PRECEDENCE: IMMEDIATE  
PRIORITY  
ROUTINE

RELEASER: \_\_\_\_\_

DTG: \_\_\_\_\_

MESSAGE NO. \_\_\_\_\_ CLASSIFICATION ~~SECRET~~ PAGES 15

FROM FRAN WESSEL (FOR TODD STERN)/THE WHITE HOUSE  
(NAME) (PHONE NUMBER) (ROOM NO.)

MESSAGE DESCRIPTION (1) COMMENTS ON JESSICA MATHEWS' COLUMN ON HAITI  
(2) QUINN MEMO RE ASYLUM MEMO (3) USTR MONITORING PROGRAM FOR

CHINESE HONEY IMPORTS (4) COMMISSION'S 1994-95 FELLOWSHIP NOMINATIONS

| TO (AGENCY) | DELIVER TO   | DEPT/ROOM NO. | PHONE NUMBER |
|-------------|--------------|---------------|--------------|
| NORMANDY    | JOHN PODESTA |               |              |
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**REMARKS:**

4 SEPARATE ITEMS ATTACHED

Item #4: Per Rod von Lipsey w/COS, announcement will be made today.

CLINTON LIBRARY PHOTOCOPY

THE WHITE HOUSE  
WASHINGTON

June 2, 1994

94 JUN 2 P7:38

INFORMATION

MEMORANDUM FOR THE PRESIDENT

FROM: ANTHONY LAKE *AL*

SUBJECT: Comments on Jessica Mathews' Column on Haiti

Jessica Mathews, in her column raising questions about the use of force in Haiti, points out correctly that leaving a functioning democracy in Haiti would require fundamental changes in that society which would take a very long time and be very expensive.

Some of the problems Ms. Mathews highlights have either already been addressed or will be dealt with as planning for the UN Mission proceeds. For example, civilian police training and economic assistance are established elements of the international strategy. Similarly, we believe that a properly-defined UN Mission (UNMIH) can win multilateral support. There is no reason to forecast a need to veto the UNMIH. Ms. Mathews misreads our new peace operations policy. We would work to give the UNMIH specific taskings and a firm pullout date, and in any case under our new policy we weigh all elements of an operation in deciding whether to support it.

At the same time, she correctly highlights areas which an international presence need not or cannot resolve. We have concluded that completely disarming the military, which has relatively untainted elements who we may be able to assist in keeping civic order, may not be necessary or desirable. Nor should an international presence seek to forge a moderate political consensus or "uproot anti-democratic elements." These are tasks for the Haitians.

That is why we have concentrated on a two-stage process for restoring Aristide to power and giving democratic forces in Haiti an opportunity to succeed as we have considered the possible use of force. We have the same approach to deploying a UN Mission to Haiti in the aftermath of the military leadership's departure peacefully. That is, the objective of our effort is to undo the military coup and restore the constitutional government. Only Haitians can build a functioning democracy in their country. The role of the international community is to help create conditions within which that can be possible.

Attachment  
Tab A Jessica Mathews Column

DECLASSIFIED  
E.O. 13526, Sec. 3.5 (b)  
White House Guidelines, September 11, 2006  
By VZ NARA, Date 10/8/2019  
2013-0122-m

4111

THE PRESIDENT HAS SEEN  
5.24.94

Jessica Mathews

# Haiti's Problem —Or Ours?

THE WASHINGTON POST TUESDAY, MAY 24, 1994

In what may be a new record, the most recent U.S. policy on Haiti, whose centerpiece is tougher sanctions, was declared futile even before it came into effect on May 21. Among widely opposing views on every other aspect of Haitian policy, all sides agreed on just one point: that the still untested sanctions would not suffice to drive Haiti's military regime from power.

Administration officials, who had just derided the policy, freely but anonymously admitted as much to reporters. Supporters of Jean-Bertrand Aristide, who only a few weeks before were fiercely urging tighter sanctions, agreed. Their earlier conviction that "sanctions had never been given a chance" because the old set was too weak shifted almost overnight to the view that unmistakable readiness to use force was necessary. The president, listing reasons why an invasion would be in the U.S. interest, was described by aides as trying to build public support for military action.

If, as seems nearly certain, the sanctions don't do the job, the administration will have far fewer options than it had a few weeks ago. A policy designed to buy time and options already seems to have achieved the reverse.

Now, abandoning sanctions on the grounds that the necessary conditions for democracy don't exist today in Haiti, would seem too stark a retreat. Indefinite negotiations would seem obviously fruitless. Tightening the sanctions still further risks destabilizing the Dominican Republic and would bring unacceptable suffering for Haitians. The remaining option—unless President Aristide were to voluntarily step aside—is an invasion.

Five arguments have been advanced in favor of such a step: that U.S. values and post-Cold War global strategy demand that we "restore democracy" to Haiti; that U.S. credibility is unacceptably harmed by thugs who "thumb their noses" at us; that restoring President Aristide is the only way to reduce the number of refugees heading our way; that removing the current military leaders will reduce drug trafficking to the United States; that only such an all-out effort can dispel charges of a racist policy.

Close inspection reveals glaring weaknesses in most of these arguments. Haitian drug trafficking, for example, is not a large source of what's on America's streets. If that were motive for an invasion, a dozen other countries should come first. Other reasons offered by President Clinton—Haiti's proximity, the fact that many Haitians live here and Americans live in Haiti, and the fact that Haiti and Cuba are the only remaining non-democracies in the hemisphere—are accurate descriptions but hardly reasons for military action.

What is noteworthy about this list is that only the first argument addresses Haiti's problems; the rest address our own. Making foreign policy with an eye to domestic opinion is one thing. Making foreign policy to resolve domestic concerns with only an occasional eye to the actual problems abroad is quite another, and unlikely to end successfully.

"Restoring democracy," therefore, is the crux of the matter. But is it also a delusion? We can reinstate a freely elected president who is the choice of most Haitians. But a single election does not create a democracy. The election that brought President Aristide to power was an aberration in Haitian politics, made possible only by the presence of large teams of foreign observers. The political norm is rampant corruption, stolen or canceled elections, coups d'etat and violence.

Democracy can only be homegrown. An established democracy that has been usurped can be restored through outside force. A fledgling democracy, receptive to the rule of law and to the right of peaceful political dissent, can be helped along. But it is questionable—and worthy of a serious debate that has not occurred—whether Haiti can be lastingly helped at this point in its political evolution through armed intervention.

To leave behind a functioning democracy in Haiti, an invasion would have to disarm the military; reinstate Aristide; prevent the traditional violent retribution against those leaving power; create Haiti's first well-trained, civilian controlled police, distinct from the military; keep order for months to years; uproot and remove anti-democratic elements of the military and economic elite; provide massive development assistance, get along with Aristide through thick and thin; help forge a moderate political consensus, and be prepared to re-intervene if it collapses.

These tasks get harder and more dangerous as the liberators become occupiers and the large initial force shrinks to a smaller number of peace enforcers. Lives will be lost to paid and random violence. At what point would the United States declare its job done?

Invasion advocates argue that it could be very early, with the longer, harder job turned over to an ad hoc international coalition or U.N. peace-keeping force. Other countries can be expected to hold a different view. Moreover, a U.N. force would have to be vetoed by the United States, since its open-ended mandate could not meet the conditions of the president's new peace-keeping policy.

If democracy cannot be restored because it hasn't previously existed in Haiti, Americans will have to decide how they feel about military action for the purpose of keeping out refugees or as a means of demonstrating the president's toughness. The threat to American credibility, however, does not come from Port-au-Prince. It lies in the possibility that we will start something we cannot finish out of little more than frustration, or become hopelessly tangled in a policy riddled with internal contradictions because it is principally designed to meet domestic imperatives.

The writer is a senior fellow at the Council on Foreign Relations.

→ These are the questions that we should ask

THESE ARE QUESTIONS GOOD ONE

⊙

62

THE WHITE HOUSE  
WASHINGTON

June 2, 1994

94 JUN 2 P7:38

INFORMATION

MEMORANDUM FOR THE PRESIDENT

FROM: ANTHONY LAKE *AL*

SUBJECT: Comments on Jessica Mathews' Column on Haiti

Jessica Mathews, in her column raising questions about the use of force in Haiti, points out correctly that leaving a functioning democracy in Haiti would require fundamental changes in that society which would take a very long time and be very expensive.

Some of the problems Ms. Mathews highlights have either already been addressed or will be dealt with as planning for the UN Mission proceeds. For example, civilian police training and economic assistance are established elements of the international strategy. Similarly, we believe that a properly-defined UN Mission (UNMIH) can win multilateral support. There is no reason to forecast a need to veto the UNMIH. Ms. Mathews misreads our new peace operations policy. We would work to give the UNMIH specific taskings and a firm pullout date, and in any case under our new policy we weigh all elements of an operation in deciding whether to support it.

At the same time, she correctly highlights areas which an international presence need not or cannot resolve. We have concluded that completely disarming the military, which has relatively untainted elements who we may be able to assist in keeping civic order, may not be necessary or desirable. Nor should an international presence seek to forge a moderate political consensus or "uproot anti-democratic elements." These are tasks for the Haitians.

That is why we have concentrated on a two-stage process for restoring Aristide to power and giving democratic forces in Haiti an opportunity to succeed as we have considered the possible use of force. We have the same approach to deploying a UN Mission to Haiti in the aftermath of the military leadership's departure peacefully. That is, the objective of our effort is to undo the military coup and restore the constitutional government. Only Haitians can build a functioning democracy in their country. The role of the international community is to help create conditions within which that can be possible.

Attachment  
Tab A Jessica Mathews Column

DECLASSIFIED  
E.O. 13526, Sec. 3.5 (b)  
White House Guidelines, September 11, 2006  
By *VR* NARA, Date *10/8/2015*  
*2013-0122-m (1.51)*

Jessica Mathews

# Haiti's Problem —Or Ours?

In what may be a new record, the most recent U.S. policy on Haiti, whose centerpiece is tougher sanctions, was declared futile even before it came into effect on May 21. Among widely opposing views on every other aspect of Haitian policy, all sides agreed on just one point: that the still untested sanctions would not suffice to drive Haiti's military regime from power.

Administration officials, who had just devised the policy, freely but anonymously admitted as much to reporters. Supporters of Jean-Bertrand Aristide, who only a few weeks before were fiercely urging tighter sanctions, agreed. Their earlier conviction that "sanctions had never been given a chance" because the old set was too weak shifted almost overnight to the view that unmistakable readiness to use force was necessary. The president, listing reasons why an invasion would be in the U.S. interest, was described by aides as trying to build public support for military action.

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The writer is a senior fellow at the Council on Foreign Relations.

CLINTON LIBRARY PHOTOCOPY

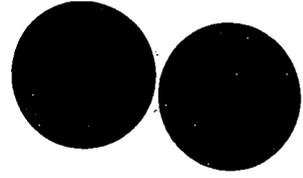
Handwritten notes: "These are the questions and good ones." with arrows pointing to the boxed text.

THESE ARE THE QUESTIONS AND GOOD ONES.

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NATIONAL SECURITY COUNCIL  
WASHINGTON, D.C. 20506

May 26, 1994



ACTION

MEMORANDUM FOR ANTHONY LAKE

THROUGH: RICHARD E. FEINBERG *MEF*

FROM: LAWRENCE G. ROSSIN *LR*

SUBJECT: Issues Raised Regarding Use of Force in Haiti in  
Jessica Mathews Column

The Memorandum to the President at Tab I discusses issues raised  
by Jessica Mathews in a recent column in the Washington Post.

Concurrences by: Richard *Clarke* and Morton Halperin *MH*

RECOMMENDATION

That you sign the Memorandum to the President at Tab I.

Attachments

- Tab I Memorandum to the President
- Tab A Mathews Column with President's Queries

DECLASSIFIED  
E.O. 13526  
White House Guidelines, May 16, 2017  
By *AS* NARA, Date *8/21/2019*  
2013-0122-M

# MIR MARKER

This is not a textual record. This is used as an administrative marker by the Clinton Presidential Library Staff.

|                               |               |             |                |             |
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| Original OA/ID Number:<br>475 |               |             |                |             |
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| Row:<br>44                    | Section:<br>4 | Shelf:<br>4 | Position:<br>3 | Stack:<br>V |

# Withdrawal/Redaction Sheet

## Clinton Library

| DOCUMENT NO.<br>AND TYPE | SUBJECT/TITLE   | DATE                  | RESTRICTION                    |
|--------------------------|---|-----------------------|--------------------------------|
| <del>001a. note</del>    | <del>To: POTUS; From: John Podesta, Todd Stern; Re: [Attached memo from Tony Lake] (1 page)</del> | <del>06/10/1994</del> | <del>P1/b(1) v2 3/3/2020</del> |
| <del>001b. memo</del>    | <del>To: POTUS; From: Anthony Lake; Re: Haiti - Surrogate Broadcasting (2 pages)</del>            | <del>06/09/1994</del> | <del>P1/b(1) v2 3/3/2020</del> |
| <del>002. note</del>     | <del>Duplicate of 001a (1 page)</del>   | <del>06/10/1994</del> | <del>P1/b(1) v2 3/3/2020</del> |
| <del>003. note</del>     | <del>Duplicate of 001a (1 page)</del>   | <del>01/01/1994</del> | <del>P1/b(1) v2 3/3/2020</del> |

**COLLECTION:**

Clinton Presidential Records  
 NSC Records Management  
 [Haiti and Memcon ...]  
 OA/Box Number: 475

**FOLDER TITLE:**

9404543

2013-0122-M  
 sb2535

**RESTRICTION CODES**

**Presidential Records Act - [44 U.S.C. 2204(a)]**

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

**Freedom of Information Act - [5 U.S.C. 552(b)]**

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

CLINTON LIBRARY PHOTOCOPY

TO: PRESIDENT

FROM: LAKE

DOC DATE: 09 JUN 94  
SOURCE REF:

KEYWORDS: HAITI

BROADCASTING

PERSONS:

SUBJECT: HAITI - SURROGATE BROADCASTING

ACTION: PRESIDENT APPROVED RECOM

DUE DATE: 11 JUN 94 STATUS: C

STAFF OFFICER: CLARKE

LOGREF:

FILES: PA

NSCP:

CODES:

DOCUMENT DISTRIBUTION

FOR ACTION

FOR CONCURRENCE

FOR INFO  
NSC CHRON

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E.O. 13526  
White House Guidelines, May 16, 2017  
By DCNARA, Date 8/21/2019  
2013-0122-M

COMMENTS: \_\_\_\_\_  
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OPENED BY: NSASK CLOSED BY: NSJWF DOC 2 OF 2

ACTION DATA SUMMARY REPORT

DOC ACTION OFFICER

CAO ASSIGNED ACTION REQUIRED

001 LAKE  
002 PRESIDENT  
002

Z 94060914 FWD TO PRESIDENT FOR INFORMATION  
Z 94060922 FOR DECISION  
X 94061012 PRESIDENT APPROVED RECOM

DISPATCH DATA SUMMARY REPORT

DOC DATE DISPATCH FOR ACTION

DISPATCH FOR INFO

002 940609  
002 940609

VICE PRESIDENT  
WH CHIEF OF STAFF

Reed 6/14 8:22am  
 National Security Council  
 The White House

PROOFED BY: \_\_\_\_\_ LOG # 4543  
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| Kenney          | <u>1</u>    | <u>PKK</u>                     | _____                      |
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| Berger          | <u>2</u>    | <u>Deputy Natl Sec Advisor</u> | _____                      |
| <u>NW</u> Lake  | <u>3</u>    | <u>Has seen</u>                | _____                      |
| Situation Room  | _____       | <u>Natl Sec Advisor</u>        | _____                      |
| West Wing Desk  | <u>4</u>    | <u>has seen</u>                | <u>TO</u>                  |
| NSC Secretariat | <u>5</u>    | _____                          | <u>PODESTA</u><br><u>N</u> |

A = Action I = Information D = Dispatch R = Retain N = No Further Action

cc: VP \_\_\_\_\_ McLarty \_\_\_\_\_ Other \_\_\_\_\_

Should be seen by: \_\_\_\_\_  
 (Date/Time)

COMMENTS:

8 JUN 94 11:36 AM

DISPATCH INSTRUCTIONS:

Exp Sec's Office has desked

THE PRESIDENT HAS SEEN 6/10

~~SECRET~~

THE WHITE HOUSE  
WASHINGTON

June 10, 1994

MR. PRESIDENT:

Attached is a decision memo from Tony Lake recommending that you direct DOD to initiate surrogate broadcasting into Haiti. President Aristide has requested U.S. assistance in providing such broadcasting and Bill Gray believes we should comply.

The proposal is to use C-130 aircraft flying in Haitian airspace to provide four hours of AM/FM broadcasting daily. (DOD has 14 C-130s equipped as radio/TV broadcasting stations.) Programming would be developed by the Special Operations Command of DOD, under the editorial direction of the Haitian Interagency Working Group and would include (screened) messages from President Aristide.

The reason for not using Voice of America -- which does broadcast to Haiti in Creole -- is that USIA does not want to jeopardize VOA's integrity by having it appear as a propaganda vehicle for one side.

DOD has apparently been reluctant to go forward on grounds of legality, which have been resolved, cost (incremental cost is \$5-7 million from DOD operations account for 60 days) and redundancy. State fully endorses Gray's proposal.

We have circulated this memo to the Vice President, Mack, George and Gergen.

John Podesta *JP*  
Todd Stern *TS*

DECLASSIFIED  
E.O. 13526, Sec. 3.5 (b)  
White House Guidelines, September 11, 2006  
By *14* NARA, Date *10/8/2019*  
*213-0122-m (1.76)*

PHOTOCOPY WJC HANDWRITING

CLINTON LIBRARY PHOTOCOPY

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THE PRESIDENT HAS SEEN 6/10  
4543

THE WHITE HOUSE  
WASHINGTON

June 9, 1994

ACTION

94 JUN 9 P7:35

MEMORANDUM FOR THE PRESIDENT

FROM: ANTHONY LAKE ✓  
SUBJECT: Haiti - Surrogate Broadcasting

DECLASSIFIED  
E.O. 13526, Sec. 3.5 (b)  
White House Guidelines, September 11, 2006  
By VL NARA, Date 10/8/2015  
2013-0122-uu (1,78)

Purpose

To decide whether to direct DOD to initiate surrogate broadcasting into Haiti.

Background

President Aristide has requested US assistance in broadcasting to the Haitian people. Bill Gray believes that we should comply with his request, in part to begin a dialogue with him on practical and sensitive political issues. Messages of reconciliation by Aristide will also diminish apprehension about his return. We also have an interest in getting radio messages to Haiti, supplementing our plea not to emigrate on small boats and instead use our in-country processing system.

The Voice of America does broadcast to Haiti in creole and its programs are picked up and repeated by local Haitian radio stations. VOA is not meant, however, to be a surrogate for domestic radio. For that purpose we have used Radio Marti (Cuba), Radio Liberty (former Soviet Union) and Radio Free Europe (Eastern Europe) and are planning a Radio Free Asia in the eastern hemisphere.

Consistent with its charter, USIA strongly prefers not to have the integrity of VOA impugned by having it appear as a propaganda vehicle for one political side. In fact, Joe Duffey even opposes having a separate and distinct surrogate-type broadcast appended to the end of regular VOA broadcasts. On the other hand, USIA also believes that its Haitian programming, including audio highlights of Aristide speeches, is preferable to another US government sponsored radio.

DOD has a surrogate broadcasting capability. The Special Operations Command has 14 National Guard C-130 aircraft equipped as radio/TV broadcasting stations. It also has a Psychological Warfare Group of trained media specialists who can prepare programs.

~~SECRET~~

Declassify on: OADR

~~SECRET~~

cc: Vice President  
Chief of Staff

CLINTON LIBRARY PHOTOCOPY

Concept of Operations

Under a plan developed by the interagency Haitian Working Group, Bill Gray would negotiate with President Aristide certain guidelines for broadcasts (e.g. nothing inflammatory of violence, etc.). His taped messages would be screened and then inserted in programs developed by the Special Operations Command, under the general editorial direction of an interagency policy group.

The programs would then be broadcast from C-130s flying in Haitian airspace. The aircraft would fly from Puerto Rico or Guantanamo, providing four hours of AM/FM broadcasting daily.

With President Aristide's permission, the aircraft may legally fly and broadcast in Haiti. There is no Haitian air defense threat capability against the aircraft.

While DOD has been reluctant to use this capability, their reasons have been based on concerns about legality (which have now been met), cost, and redundancy. The incremental cost for sixty days of operations would be \$5-7 million from the DOD operations account. While the aircraft would repeat messages to defer boat migrants, the Aristide broadcasts and the efforts to divide the military would be unique.

The State Department fully endorses Bill Gray's proposal that we use this DOD capability to do surrogate broadcasting into Haiti.

I believe we should go ahead. It would be another concrete manifestation of our seriousness of intent. Aristide asked for this type of capability and USIA is not available to provide it. Responding positively will help Bill Gray establish a stronger relationship with Aristide, something we will clearly need in the future. It will reinforce our message to migrants. Moreover, such a capability, with an established audience would be extremely useful later both to ratchet up political pressure on the military and should we decide to use force.

RECOMMENDATION

That you direct DOD to initiate aircraft based broadcasting into Haiti, making some of the air time available to President Aristide under agreed guidelines.

Approve  Disapprove

PHOTOCOPY WJC HANDWRITING

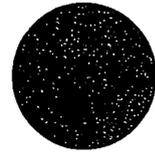
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NATIONAL SECURITY COUNCIL  
WASHINGTON, D.C. 20506

June 8, 1994



ACTION

MEMORANDUM FOR ANTHONY LAKE  
SAMUEL BERGER

FROM: RICHARD CLARKE *RC*  
SUBJECT: Haiti - Surrogate Broadcasting

Attached at Tab I is a memorandum to the President on surrogate broadcasting to Haiti.

Concurrences by: *RC* Mort Halperin, Larry Rossin

*Dick Clarke says  
that Kroozko  
has seen this  
memo.*

RECOMMENDATION

That you sign the memorandum to the President at Tab I.

Attachment  
Tab I Memorandum to the President

DECLASSIFIED  
E.O. 13526  
White House Guidelines, May 16, 2017  
By *AB* NARA, Date *8/21/2019*  
2013-0122-M

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Declassify on: *OADR* CLINTON LIBRARY ~~SECRET~~ PHOTOCOPY

THE PRESIDENT HAS SEEN 6/10

~~SECRET~~

THE WHITE HOUSE  
WASHINGTON

June 10, 1994

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The reason for not using Voice of America -- which does broadcast to Haiti in Creole -- is that USIA does not want to jeopardize VOA's integrity by having it appear as a propaganda vehicle for one side.

DOD has apparently been reluctant to go forward on grounds of legality, which have been resolved, cost (incremental cost is \$5-7 million from DOD operations account for 60 days) and redundancy. State fully endorses Gray's proposal.

We have circulated this memo to the Vice President, Mack, George and Gergen.

John Podesta *JD*  
Todd Stern *TS*

DECLASSIFIED  
E.O. 13526

White House Guidelines, May 16, 2017  
By *VL* NARA, Date *10/8/2019*

*2013-0122-m*

CLINTON LIBRARY PHOTOCOPY

Rec'd 6/4 8:22am  
National Security Council  
The White House

PROOFED BY: \_\_\_\_\_ LOG # 4543  
 URGENT NOT PROOFED: \_\_\_\_\_ SYSTEM PRS NSC INT  
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| Soderberg       | _____       | _____                          | _____             |
| Berger          | <u>2</u>    | <u>Deputy Natl Sec Advisor</u> | <u>REDACTED</u>   |
| <u>NW</u> Lake  | <u>3</u>    | <u>has seen</u>                | _____             |
| Situation Room  | _____       | <u>Natl Sec Advisor</u>        | _____             |
| West Wing Desk  | <u>4</u>    | <u>has seen</u>                | <u>TO PODESTA</u> |
| NSC Secretariat | <u>5</u>    | _____                          | <u>N</u>          |

A = Action I = Information D = Dispatch R = Retain N = No Further Action

cc: VP McLarty Other \_\_\_\_\_

Should be seen by: \_\_\_\_\_  
(Date/Time)

COMMENTS:

DISPATCH INSTRUCTIONS:

*Exp Sec's Office has desked*

THE PRESIDENT HAS SEEN *4/10*  
~~SECRET~~

THE WHITE HOUSE  
WASHINGTON

June 10, 1994

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DECLASSIFIED  
E.O. 13526  
White House Guidelines, May 16, 2017  
By VL NARA, Date 10/8/2019  
7013-072-00

John Podesta *JP*  
Todd Stern *TS*

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| Original OA/ID Number:<br>199 |               |             |                |             |
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# Withdrawal/Redaction Sheet

## Clinton Library

| DOCUMENT NO.<br>AND TYPE | SUBJECT/TITLE  | DATE                  | RESTRICTION                   |
|--------------------------|--|-----------------------|-------------------------------|
| <del>001a. paper</del>   | <del>Haitian Migrant Processing: The Message (2 pages)</del>     | <del>00/00/0000</del> | <del>P1/b(1)</del> v 3/3/2020 |
| <del>001b. paper</del>   | <del>New Sanctions Against Haiti (2 pages)</del>                 | <del>00/00/0000</del> | <del>P1/b(1)</del> v 3/3/2020 |
| <del>001c. paper</del>   | <del>Haitian Migrant Processing: How it Will Work (1 page)</del> | <del>00/00/0000</del> | <del>P1/b(1)</del> v 3/3/2020 |
| <del>001d. paper</del>   | <del>The UN Mission in Haiti (1 page)</del>                      | <del>00/00/0000</del> | <del>P1/b(1)</del> v 3/3/2020 |

**COLLECTION:**

Clinton Presidential Records  
 NSC Records Management  
 [Haiti and Memcon ...]  
 OA/Box Number: 199

**FOLDER TITLE:**

9404597

2013-0122-M  
 sb2536

**RESTRICTION CODES**

**Presidential Records Act - [44 U.S.C. 2204(a)]**

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

**Freedom of Information Act - [5 U.S.C. 552(b)]**

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

CLINTON LIBRARY PHOTOCOPY

TO: PRESIDENT

FROM: LAKE

DOC DATE: 09 JUN 94  
SOURCE REF:

KEYWORDS: HAITI  
MEDIA  
Q+A

PUBLIC STATEMENTS  
PRESS

PERSONS:

SUBJECT: MTG FOR PRES ANNOUNCEMENT OF ADDL SANCTIONS AGAINST HAITI ON 10 JUN

ACTION: NOTED BY PRESIDENT

DUE DATE: 13 JUN 94 STATUS: C

STAFF OFFICER: ROSSIN

LOGREF:

FILES: WH

NSCP:

CODES:

D O C U M E N T   D I S T R I B U T I O N

FOR ACTION

FOR CONCURRENCE

FOR INFO  
NSC CHRON

DECLASSIFIED  
E.O. 13526  
White House Guidelines, May 16, 2017  
By ASNARA, Date 2/21/2019  
2013-0122-M

COMMENTS: \_\_\_\_\_  
\_\_\_\_\_  
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OPENED BY: NSJDA      CLOSED BY: NSJWF      DOC 2 OF 2

ACTION DATA SUMMARY REPORT

DOC ACTION OFFICER

CAO ASSIGNED ACTION REQUIRED

001 LAKE  
002 PRESIDENT  
002

Z 94060919 FWD TO PRESIDENT FOR INFORMATION  
Z 94060920 FOR INFORMATION  
X 94061015 NOTED BY PRESIDENT

DISPATCH DATA SUMMARY REPORT

DOC   DATE   DISPATCH FOR ACTION

DISPATCH FOR INFO

002 940609  
002 940609  
002 940609

VICE PRESIDENT  
WH CHIEF OF STAFF  
STEPHANOPOULOS, G

TO: LAKE

FROM: ROSSIN  
FEINBERG

DOC DATE: 09 JUN 94  
SOURCE REF:

KEYWORDS: HAITI  
MEDIA  
Q+A

PUBLIC STATEMENTS  
PRESS

PERSONS:

SUBJECT: PRES ANNOUNCEMENT OF ADDL SACTIONS AGAINST HAITI ON 10 JUN

ACTION: FWD TO PRESIDENT FOR INFORMATION DUE DATE: 13 JUN 94 STATUS: X

STAFF OFFICER: ROSSIN

LOGREF:

FILES: WH

NSCP:

CODES:

DOCUMENT DISTRIBUTION

FOR ACTION  
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FOR INFO

DECLASSIFIED  
E.O. 13526  
White House Guidelines, May 16, 2017  
By UCS NARA, Date 8/21/2019  
2013-0122-M

COMMENTS: \_\_\_\_\_  
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DISPATCHED BY \_\_\_\_\_ DATE \_\_\_\_\_ BY HAND W/ATTCH

OPENED BY: NSJDA CLOSED BY: DOC 1 OF 1

National Security Council  
The White House

*Rec'd 6/10 7:30am*

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| Kenney          | <u>1</u>    | <i>NA</i>             | _____           |
| Itoh            | _____       | _____                 | _____           |
| Soderberg       | _____       | _____                 | _____           |
| Berger          | <u>2</u>    | <i>NA</i>             | <u>OBED</u>     |
| Lake            | _____       | _____                 | _____           |
| Situation Room  | _____       | _____                 | _____           |
| West Wing Desk  | <u>3</u>    | <u>NA</u> <u>6/10</u> | <u>N</u>        |
| NSC Secretariat | <u>4</u>    | _____                 | <u><u>N</u></u> |

A = Action    I = Information    D = Dispatch    R = Retain    N = No Further Action

cc:            VP                            McLarty                            Other \_\_\_\_\_

Should be seen by: \_\_\_\_\_  
(Date/Time)

COMMENTS:

9 JUN 54 10 17

CC: NS

DISPATCH INSTRUCTIONS:

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THE PRESIDENT HAS SEEN <sup>6/10</sup>  
4597

THE WHITE HOUSE

WASHINGTON

June 9, 1994

MR. PRESIDENT:

This Press Briefing is tentative right now; depending on if you chose to do or not.

UNCLASSIFIED UPON REMOVAL  
OF CLASSIFIED ATTACHMENTS  
Initials: ADB Date: 8/21/2019  
2013-0122-M

MEETING WITH  
ADDITIONAL SANCTIONS AGAINST HAITI

DATE: June 10, 1994

LOCATION: White House Press Briefing Room

TIME: 11:30 a.m.

FROM: ANTHONY LAKE

I. PURPOSE

To announce the imposition of additional economic sanctions against Haiti and to describe the progress made since you announced our new Haiti policy a month ago.

II. BACKGROUND

We have completed consultations with groups which are affected by the additional sanctions you approved last week (bans on private financial transfers and scheduled commercial air service between the U.S. and Haiti) and have made arrangements to reduce our Embassy staff and increase security. Having today signed the Executive Order to implement the financial transfers ban and the letter to Secretary Peña directing him to ban scheduled commercial flights, you can now announce the new sanctions.

Your announcement provides an ideal vehicle for you to highlight progress one month after you set out the broad lines of our policy and selected Bill Gray as your new Special Adviser. (Bill will join you for this announcement.) In all main areas of the new policy we have positive developments:

- The imminent startup of our new migrant processing facility in Jamaica which will give claimants to refugee status the opportunity to apply and have a full and fair hearing;
- Dominican President Balaguer's agreement to seal the border, welcome a 60-man multilateral observer force working alongside his military to monitor sanctions enforcement (which we will help equip) and authorize naval cooperation against coastal smuggling.
- Our Navy's enhanced enforcement capability underpinned by the deployment of fast patrol boats to the coastal areas and detention of vessels violating the sanctions.

PHOTOCOPY WJC HANDWRITING

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cc: Vice President  
Chief of Staff

~~CONFIDENTIAL~~

- Growing support for the reconfiguration of the UN Mission in Haiti (UNMIH) to give it the mandate and capability to facilitate the transition back to democracy once the military leaders have relinquished power. President Aristide, the Organization of American States and the Friends of Haiti have all endorsed the type of UNMIH we seek.

The statement at Tab A points to these positive developments as concrete evidence that the new policy you announced last month is making headway toward the restoration of democracy and President Aristide's return to Haiti.

### III. PARTICIPANTS

William Gray, Special Adviser on Haiti

### IV. PRESS PLAN

Open press.

### V. SEQUENCE

The event begins at 11:30 a.m. and ends at 11:40 a.m. You will step onto the Press Room podium from stage left, accompanied by Special Adviser Gray. After reading the statement at Tab A you will take brief questions from the press. At the conclusion of the question period you will leave the podium and return to the Oval Office. Bill Gray will be joined by other senior officials to background the press on the new sanctions and the status of our policy.

#### Attachments

|       |   |
|-------|---|
| Tab A | Statement                                       |
| Tab B | Questions and Answers                           |
| Tab C | Background Paper on New Sanctions               |
| Tab D | Background Paper on Haitian Migrants            |
| Tab E | Background Paper on UN Mission in Haiti (UNMIH) |
| Tab F | Bill Gray's Congressional Testimony of June 8   |

THE WHITE HOUSE

Office of the Press Secretary

For Immediate Release

June 10, 1994

STATEMENT BY THE PRESIDENT

Good morning. Today I am announcing two steps that will intensify the pressure on the military leaders who control Haiti in order to restore democracy and return President Aristide to that nation.

My message to the Haitian military leaders is simple: the United States will not rest until you relinquish your grip. Your coup will not endure. Democracy will be restored.

First, I have today signed an Executive Order banning private financial transactions between Haiti and the United States and through the United States between Haiti and other countries. Let me note that this ban does not apply to humanitarian activities, including the expanding programs to feed over a million Haitians daily. It also exempts remittances of up to \$50 per month to individual Haitians who depend on such funds.

Second, I have directed Secretary of Transportation Peña to instruct all United States and Haitian air carriers to cease scheduled services between our two nations. In order to allow those Americans and others who wish to leave Haiti to do so in an orderly fashion, this measure will take effect as of June 25.

Our interests in removing the military leaders from power and restoring democracy to Haiti could not be clearer.

Our national interests demand that we consolidate democracy in our hemisphere, a trend which only Haiti and Cuba defy. Our interests demand that we take action when an entire people is abused and repressed. Our interests demand that we protect the thousands of American citizens living and working in Haiti.

And the interests of humanity demand that we prevent a dangerous mass exodus of Haitians by sea while offering refuge to those migrants who are at genuine risk of political persecution.

One month ago, we concluded a review of our policy and took immediate steps to advance the interests of the Haitian people and the United States. Under the direction of Special Adviser Bill Gray, these steps are already bearing fruit.

We have brought comprehensive United Nations trade sanctions into force. We have won a commitment from the Dominican Republic to welcome a multilateral sanctions monitoring team to help the Dominicans seal their border with Haiti. We have deployed U.S. Navy fast patrol boats to the area to control coastal smuggling

CLINTON LIBRARY PHOTOCOPY

as we build cooperation with the Dominican Navy. And we have begun detaining ships suspected of violating the sanctions.

We have also made great progress in building the complicated arrangements needed to afford Haitians interdicted at sea the chance to apply for refugee status. Thanks to the cooperation of the Jamaican government and the UN High Commissioner for Refugees, a facility to interview Haitians will soon open in Jamaica. One month from now, with the help of the government of the Turks and Caicos [KAY-Kose] Islands, we will open a second facility on those islands.

Let me be very clear: I continue to urge all Haitians to avoid risking their lives in treacherous boat voyages. Those who fear persecution should apply for refugee status at our three processing offices in Haiti. They have already arranged resettlement for some 3,000 Haitian political refugees since the beginning of my Administration.

The new measures I have announced today have been endorsed by the Organization of American States, the Friends of Haiti and President Aristide. Through these actions we are sending a strong message to Haiti's military leaders that they cannot continue repressing their people and defying world opinion with impunity. Working with our international and Haitian partners, I will act to protect our national interests and hasten the day when Haitian democracy is restored and President Aristide can return to the people who freely elected him as their leader.

\* \* \*

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## HAITIAN MIGRANT PROCESSING

### The Message

The word that we are spreading in Haiti is that in-country processing at the three centers we have in Haiti is still the best way to get to the US if you are a refugee. Those who travel by boat will NOT be given better treatment and will risk death in rickety boats during this current hurricane season.

**Q:** On May 8th, you announced that we would "in some weeks" implement a change in our policy of direct return of Haitian boat migrants. When will it start?

**A:** -- It will start in the next week.

**Q:** How it will work?

**A:** -- The Coast Guard will continue to interdict boats appearing to be Haitian migrants. Instead of taking them back to Haiti, they will take them to a Migrant Processing Center (MPC). There will be two MPCs:

- o One aboard ships anchored at Kingston, Jamaica;
- o A second MPC will open in July on an island in the British colony of Turks and Caicos (KAY-Kose).

-- At the MPC, State and INS personnel will screen the migrants for potential refugees (i.e. those with credible fear of persecution). Those screened in will be flown to a Post-Adjudication Facility at Guantanamo where they will be provided with resettlement counseling and medical screening prior to their onward movement to the U.S. or a third country. Three other countries have agreed to take Haitians so far. (**NOTE:** We do not want to announce them until we can coordinate the press line with their governments.)

-- Those screened out will be returned to Haiti by the Coast Guard. As in the past, the embassy will monitor their treatment upon their return.

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Declassify on: OADR

DECLASSIFIED

E.O. 13526, Sec. 3.5 (b)

White House Guidelines, September 11, 2006

By V2 NARA, Date 10/8/2019

CLINTON LIBRARY PHOTOCOPY 2019-0122-M (1.52)

**Q:** Is UNHCR on board with this?

**A:** -- Yes. I have talked with Mrs. Ogata, the UN High Commissioner for Refugees. UNHCR will be involved as advisers at the MPCs. We are working out the ways we will address their concerns about fair hearings, so that they can see that our procedures are fully just.

### **THE UN MISSION IN HAITI**

**Q:** There has been press reporting that we are working to recruit nations for a larger UN force for Haiti with a more robust mandate. How is it bigger/better?

**A:** -- The OAS General Assembly endorsed a larger and more robust UN Mission in Haiti (UNMIH) as did President Aristide at that meeting. The Friends of Haiti also endorsed such a reconfiguration of the UNMIH.

-- The UN will review the issue of extending and modifying the mandate of UNMIH in two weeks.

**Q:** Have we recruited anyone?

**A:** -- In association with the UN (whose job it is to do the recruiting) we have held discussions with a number of countries in this hemisphere and elsewhere. We have had very positive indications from a number of countries.

**Q:** Will the UNMIH invade Haiti?

**A:** -- The UNMIH mandate is a traditional peacekeeping (UN Charter Chapter 6) operation that would deploy permissively with the agreement of the parties, as envisioned in the Governor's Island Accord.

Q/As ON NEW SANCTIONS  
TO BE PROVIDED

NEW SANCTIONS AGAINST HAITI

You have taken actions today to bring into force two new, unilateral sanctions against Haiti: a ban on scheduled commercial air service and a ban on financial transactions. These sanctions are expected to significantly increase the pain inflicted on the Haitian military and their wealthy backers. These measures have been endorsed by President Aristide, Prime Minister Malval, the OAS and the "Friends of Haiti." We are also tightening our maritime sanctions enforcement procedures.

Commercial Air Ban

You have signed a letter to Secretary of Transportation Peña directing him to issue the appropriate directives that will terminate scheduled air service between the United States and Haiti. This augments the global ban on non-scheduled air traffic contained in the recent UN Security Council sanctions resolution. The directives, which will cover only U.S. and Haitian carriers, will come into force at 11:59 p.m. on June 24. We are urging other countries with commercial air links to Haiti to take parallel action.

The two week grace period is designed to permit the orderly departure of American citizens and others in Haiti who wish to leave. We believe that some 3,000 of the estimated 8,000 Americans in Haiti will avail themselves of this opportunity. American Airlines, the major U.S. carrier serving Haiti, has been briefed on your decision by Secretary Peña and is cooperating in this effort. One small American carrier -- Lynx Air International -- and one Haitian Carrier -- Haiti TransAir -- are also impacted.

Financial Transactions Ban

You have signed an Executive Order which bans, effective immediately, payments or transfers of funds between Haiti and the United States and through the U.S. between Haiti and other countries. The Executive Order contains exceptions for diplomatic and international organization transactions, for payments related to certain humanitarian activities, limited remittances to individual Haitians (with a \$50 per month ceiling), travel-related expenses and payments connected with exempt shipments of food, medicine and medical supplies.

Embassy Drawdown and Security

These measures will make it more difficult for our Embassy and other international operations to continue. We will draw down our Embassy staff during the two week period before sanctions come into effect. We will also augment security for our Embassy

in the event that the new sanctions spark retaliation by the military or its supporters.

Modified Maritime Inspection Procedures

Under the UN Security Council's resolutions we have the authority to inspect and verify ship's cargo and ensure strict compliance with the sanctions. We are therefore now escorting suspect vessels to a suitable port outside Haiti if the on-scene commander determines that suspect ship's cargo cannot be adequately inspected at sea. To date, one such detention has occurred, of a Bahamian vessel carrying sanctioned items which repeatedly refused to turn back when ordered.

**HAITIAN MIGRANT PROCESSING**

On May 8th, you announced that we would "in some weeks" implement a change in our policy of direct return of Haitian boat migrants. Although we do **not** want to announce a date on which we will begin implementing the new policy, the planned start up date is June 14th.

How it will Work

The Coast Guard will continue to interdict boats appearing to be carrying Haitian migrants. Instead of taking them back to Haiti, they will take them to a Migrant Processing Center (MPC). There will be two MPCs:

- One aboard ships anchored at Kingston, Jamaica;
- A second, to open in July, on an island in the British colony of Turks and Caicos.

(Host country agreement to both of these MPCs was obtained by your personal intervention with the Prime Ministers.)

At the MPC, State and INS personnel will screen the migrants for potential refugees (i.e., those with a credible fear of persecution). Those screened in will be flown to a Post-Adjudication Facility at Guantanamo where they will be provided with resettlement counseling and medical screening prior to their onward movement to the U.S. or a third country. Only three countries have agreed to take Haitians. (We do not want to announce them until we can coordinate the press line with their governments.)

Those screened out will be returned to Haiti by the Coast Guard. As in the past, the embassy will monitor their treatment upon their return.

UNHCR will be involved as advisers at the MPCs. We are working out the details of how we will address their concerns about fair hearings so that we are both just and prompt.

**The UN Mission in Haiti**

There has been press reporting that we are working to recruit nations for a larger UN force for Haiti, with a more robust mandate. (U)

The OAS Ministerial endorsed a larger and more robust UN Mission in Haiti (UNMIH) as did President Aristide at that meeting. The "Friends of Haiti" have also endorsed the reconfigured UNMIH. (U)

How is it bigger/better?

The UNMIH envisioned in the Governor's Island Accord was designed to train a new civilian police and help professionalize the military. The UNMIH that we are now discussing would in addition provide protection to the international presence and Haitian authorities and assist the latter in providing basic civil order. The military/police component of UNMIH will therefore be significantly larger, perhaps as many as 6,000-7,000 plus 3,000-4,000 civilians. You should not use any figure, but indicate that the size will be considerably larger than the 1,200 contemplated in the earlier version. (S)

Have we recruited anyone?

In association with the UN (whose job it is to do the recruiting) we have held discussions with a number of countries in this hemisphere and elsewhere. We have had very positive indications from a large number of countries. (U)

Argentina, Canada, Jamaica, the East Caribbean states, some Central American states, Chile, Venezuela, and France have all indicated that they will contribute personnel (police, civilian, or military). They are not ready to say so publicly. Some may not participate, however, if the UNMIH deployment is preceded by a US invasion. (S)

The UN will review the issue of extending and modifying the mandate of UNMIH in two weeks. (U)

Will the UN Invade?

The UNMIH mandate is a traditional peacekeeping (UN Charter Chapter 6) operation that would deploy permissively, after the coup leaders depart. (U)

*Short version  
of Wm Gray's  
testimony before  
the HFAC 6/8/94*

MR. CHAIRMAN, MEMBERS OF THE COMMITTEE:

IT IS GOOD TO BE HERE. AS YOU WILL RECALL, MR. CHAIRMAN, I BEGAN MY CAREER IN CONGRESS ON THIS COMMITTEE. THEN, AS TODAY, I WAS FOLLOWING MY MOTHER'S ADMONITION TO KEEP GOOD COMPANY. THUS, I WELCOME THE OPPORTUNITY TO TESTIFY BEFORE YOU TODAY TO WORK WITH OLD COLLEAGUES AND NEW PARTNERS AS WE CONFRONT THE DIFFICULT ISSUES FACING US IN HAITI.

MR. CHAIRMAN, ON MAY 8TH, PRESIDENT CLINTON ANNOUNCED A CHANGE IN OUR POLICY ON HAITI. LIKE MANY OF YOU, HE FELT THE CONTINUED INTRANSIGENCE OF THE MILITARY JUNTA IN HAITI LEFT US NO CHOICE BUT TO STEP UP OUR EFFORTS TO BRING DOWN HAITI'S DICTATORS AND TO EXTEND EVERY CONSIDERATION TO THOSE FLEEING THEIR OPPRESSIVE RULE.

-2-

SINCE THE PRESIDENT'S ANNOUNCEMENT, WE HAVE ACHIEVED SIGNIFICANT PROGRESS. OUR EFFORTS HAVE BEEN DISTINGUISHED BY THREE CHARACTERISTICS. THEY HAVE MULTILATERAL PARTICIPATION. THEY ARE TOUGH ON THE DE FACTO REGIME AND ITS SUPPORTERS, AND THEY ARE COMPASSIONATE TOWARDS THE REGIME'S VICTIMS. TO APPRECIATE THESE CHARACTERISTICS ONE NEED ONLY REVIEW WHAT'S BEEN ACCOMPLISHED SINCE MAY 8.

PROGRESS IN IMPLEMENTING THE PRESIDENT'S NEW POLICY ON SANCTIONS

--ON MAY 21, AS A CONSEQUENCE OF UNITED STATES LEADERSHIP, UNITED NATIONS SECURITY COUNCIL RESOLUTION 917, IMPOSING STRINGENT NEW SANCTIONS ON HAITI, WENT INTO EFFECT.

--ON MAY 26, THE SPECIAL REPRESENTATIVE OF THE SECRETARIES GENERAL OF THE UNITED NATIONS AND OF THE ORGANIZATION OF AMERICAN STATES, MR. DANTE CAPUTO, AND I MET WITH PRESIDENT BAIAGUER AND REACHED AGREEMENT ON A PLAN TO SEAL THE BORDER BETWEEN THE DOMINICAN REPUBLIC AND HAITI, AND TO SEND 60 INTERNATIONAL TECHNICAL ADVISERS TO THE DOMINICAN REPUBLIC TO HELP IN THAT EFFORT.

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- 3 -

--ON JUNE 3, THE REPRESENTATIVES OF THE FRIENDS OF THE SECRETARY GENERAL OF THE UNITED NATIONS ON HAITI, WHICH INCLUDE ARGENTINA, CANADA FRANCE, THE UNITED STATES, AND VENEZUELA, DECIDED AMONG OTHER THINGS TO CONSIDER ON A NATIONAL BASIS EXPANDED SANCTIONS THAT WOULD CUT OFF COMMERCIAL AIR FLIGHTS TO AND FROM HAITI AND BAN INTERNATIONAL FINANCIAL TRANSACTIONS WITH THAT COUNTRY. THE FRIENDS ALSO EXPRESSED THEIR DETERMINATION TO PROMOTE THE FULL REDEPLOYMENT OF A STRENGTHENED AND RECONFIGURED UNITED NATIONS MISSION IN HAITI.

AND ON REFUGEES

--ON MAY 19, THE UNITED NATIONS HIGH COMMISSIONER ON REFUGEES, MRS. OGATA, AND I WERE PLEASED TO ANNOUNCE AGREEMENT ON A PLAN FOR COOPERATION BETWEEN THE UNITED NATIONS AND THE UNITED STATES IN THE PROCESSING OF HAITIAN APPLICANTS FOR REFUGEE STATUS, AND IN LOCATING COUNTRIES OF RESETTLEMENT FOR HAITIAN REFUGEES.

--ON JUNE 1, THE GOVERNMENTS OF JAMAICA AND OF THE UNITED STATES ANNOUNCED JOINTLY A PLAN FOR SHIPBOARD PROCESSING OF HAITIAN MIGRANTS IN JAMAICAN PORTS.

CLINTON LIBRARY PHOTOCOPY

-4-

--ON JUNE 3, THE GOVERNMENT OF THE TURKS AND CAICOS ISLANDS AGREED TO THE UNITED STATES PROPOSALS FOR A LAND BASED PROCESSING CENTER ON GRAND TURK ISLAND.

AND ON MULTILATERAL SUPPORT

--ON JUNE 6, DEPUTY SECRETARY TALBOTT AND I ATTENDED THE MEETING OF FOREIGN MINISTERS OF THE ORGANIZATION OF AMERICAN STATES ON HAITI IN BELEM, BRAZIL. A STRONG RESOLUTION WAS ENACTED WHICH INCLUDES A CALL UPON ALL MEMBER STATES TO ASSIST IN THE RESETTLEMENT OF HAITIAN REFUGEES, TO SUPPORT MEASURES BY THE UNITED NATIONS TO STRENGTHEN THE UNITED NATIONS POLICE AND MILITARY MISSION IN HAITI, AND TO SUPPORT AND REINFORCE EXISTING AND ADDITIONAL SANCTIONS AGAINST THE MILITARY REGIME.

WHILE MUCH REMAINS TO BE DONE, I BELIEVE WE HAVE ESTABLISHED THE BASIS FOR A SUCCESSFUL CONCLUSION TO THE HAITIAN CRISIS. ALLOW ME TO EXPLAIN WHY THESE STEPS ARE IMPORTANT AND HOW THEY FIT INTO THE PRESIDENT'S OVERALL STRATEGY.

CLINTON LIBRARY PHOTOCOPY

- 5 -

UNITED STATES INTERESTS ARE AT STAKE IN HAITI

PRESIDENT CLINTON IS COMMITTED TO THE PROMPT RETURN OF DEMOCRACY AND OF PRESIDENT ARISTIDE TO HAITI.

WHY ARE WE SO COMMITTED TO THIS TASK? WHY DOES HAITI MATTER THIS MUCH TO THE UNITED STATES? HOW DOES HAITI DIFFER FROM OTHER TROUBLED COUNTRIES AROUND THE GLOBE? PRESIDENT CLINTON HAS RECENTLY EXPLAINED OUR INTERESTS QUITE CLEARLY:

--FIRST, HAITI IS A CLOSE NEIGHBOR.

--SECOND, THERE ARE APPROXIMATELY ONE MILLION PERSONS OF HAITIAN DESCENT RESIDENT IN THE UNITED STATES.

--THIRD, SEVERAL THOUSAND AMERICAN CITIZENS LIVE IN HAITI.

CLINTON LIBRARY PHOTOCOPY

- 6 -

--FOURTH, WE BELIEVE DRUGS ARE COMING TO THE UNITED STATES FROM HAITI.

--FIFTH, WE FACE THE CONTINUOUS POSSIBILITY OF A MASSIVE OUTFLOW OF HAITIAN MIGRANTS TO THE UNITED STATES BECAUSE OF CONDITIONS IN HAITI.

--FINALLY, HAITI AND CUBA ARE THE ONLY TWO NON-DEMOCRACIES LEFT IN OUR HEMISPHERE, AND IN HAITI THE RESULTS OF A DEMOCRATIC ELECTION WERE OVERTURNED BY UNCONSTITUTIONAL AND ANTI-DEMOCRATIC MEANS.

#### CONCLUSION

MR. CHAIRMAN, LET ME BE AS CLEAR AS I CAN BE. PRESIDENT CLINTON HAS DETERMINED THAT OUR INTERESTS REQUIRE THE RESTORATION OF THE DEMOCRATIC PROCESS IN HAITI, AND THE RETURN OF PRESIDENT ARISTIDE. WE ARE EMBARKED ON A NEW PATH TOWARD THIS GOAL. MUCH HAS BEEN ACHIEVED SINCE PRESIDENT CLINTON'S ANNOUNCEMENT ON MAY 8. FURTHER STEPS WILL BE TAKEN IN THE COMING DAYS AND WEEKS. NO OPTION IS EXCLUDED. DEMOCRACY IN HAITI WILL PREVAIL. NEITHER WE, NOR THE HAITIAN PEOPLE CAN LONG WAIT FOR THIS EVENT.

CLINTON LIBRARY PHOTOCOPY

NATIONAL SECURITY COUNCIL

WASHINGTON, D.C. 20506

June 9, 1994

ACTION

MEMORANDUM FOR ANTHONY LAKE

FROM: LAWRENCE G. ROSSIN *LR*

SUBJECT: Additional Qs and As for Announcement of New Haiti Sanctions

The Memorandum to the President at Tab I provides additional questions and answers for Friday's announcement of additional Haiti sanctions.

Concurrences by: *LF* Leon Fuerth

RECOMMENDATION

That you sign the Memorandum to the President at Tab I.

Attachments

Tab I Memorandum to the President  
Tab A Additional Questions and Answers

THE WHITE HOUSE  
WASHINGTON

INFORMATION

MEMORANDUM FOR THE PRESIDENT

FROM: ANTHONY LAKE

SUBJECT: Additional Questions and Answers for Your  
Announcement of New Haiti Sanctions

You will announce new sanctions against Haiti in the press room at 11:30 a.m. We have sent you an event memorandum including your statement, some questions and answers and background material.

The questions and answers at Tab A cover the new sanctions as well as hard questions you might get about their credibility and humanitarian cost, the possible use of force and our continued return of migrants to Haiti pending establishment of new processing facilities.

Attachment

Tab A Additional Questions and Answers

## STRENGTHENED SANCTIONS

### Additional Sanctions

Q: Why are you imposing these additional sanctions?

A: -- THE NEW SANCTIONS WILL HAVE A POWERFUL PSYCHOLOGICAL IMPACT BY FURTHER ISOLATING THE COUP LEADERS AND SUPPORTERS, AND DEMONSTRATING THE INTERNATIONAL COMMUNITY'S RESOLVE TO TIGHTEN THE SANCTIONS REGIME WHEN FACED WITH FURTHER INTRANSIGENCE.

### Ban on Financial Transactions

Q: What are the specific measures that will be adopted?

A: THE BAN ON FINANCIAL TRANSACTIONS WILL PROHIBIT ALL PAYMENTS OR TRANSFERS OF FUNDS -- FINANCIAL OR INVESTMENT ASSETS AND CREDITS -- BETWEEN HAITI AND THE UNITED STATES. WE WILL ALSO STOP ALL HAITI-RELATED TRANSFERS BY THIRD-COUNTRY FINANCIAL INSTITUTIONS THROUGH THE UNITED STATES.

Q: Are there going to be exemptions to this ban on financial transactions? What are these exemptions?

A: EXCEPTIONS HAVE BEEN ESTABLISHED FOR:

- PAYMENTS AND TRANSFERS BETWEEN THE UNITED STATES AND HAITI FOR THE CONDUCT OF ACTIVITIES IN HAITI OF THE UNITED STATES GOVERNMENT, THE UNITED NATIONS, THE ORGANIZATION OF AMERICAN STATES, AND FOREIGN DIPLOMATIC MISSIONS;
- CERTAIN PAYMENTS RELATED TO HUMANITARIAN ASSISTANCE BY NON-GOVERNMENTAL ORGANIZATIONS OPERATING IN HAITI;
- LIMITED REMITTANCES TO FRIENDS AND FAMILY MEMBERS; NOT TO EXCEED \$50 PER MONTH PER SENDER TO ANY ONE IN HAITI;
- REASONABLE AMOUNTS OF FUNDS CARRIED BY TRAVELERS TO OR FROM HAITI TO COVER THEIR TRAVEL-RELATED EXPENSES; AND
- PAYMENTS AND TRANSFERS INCIDENTAL TO SHIPMENTS TO HAITI OF FOOD, MEDICINE, MEDICAL SUPPLIES, AND INFORMATIONAL MATERIALS EXEMPT FROM EXPORT PROHIBITIONS.

Q: Why do you believe this additional sanction will work?

A: -- WE HAVE SEEN INDICATIONS OF SIGNIFICANT TRANSFERS OF MONEY FROM HAITI. PREVENTING THE HAITIAN MILITARY AND THEIR SUPPORTERS FROM PLACING THEIR ILL-GOTTEN GAINS IN OFFSHORE BANK ACCOUNTS WILL IMPACT ON THEIR DETERMINATION TO CLING TO POWER.

Q: Are you acting alone? Have we asked our allies to join us?

A: -- WE HAVE URGED ALL COUNTRIES THAT HAVE FINANCIAL TIES AND CORRESPONDENT BANKING RELATIONSHIPS WITH HAITI TO JOIN US IN A FULL BAN ON PAYMENTS AND TRANSFERS. JOINT ACTION TAKEN NOW WOULD INCREASE THE PRESSURE ON A REGIME THAT HAS SHOWN ITSELF INTENT ON EVADING FURTHER SANCTIONS.

-- IN THIS REGARD, WE WELCOME THE INDICATIONS OF SUPPORT WE HAVE RECEIVED FROM THE FRIENDS OF HAITI (ARGENTINA, CANADA, FRANCE AND VENEZUELA) AND THE ORGANIZATION OF AMERICAN STATES.

#### Ban on Scheduled Commercial Flights

Q: What does this ban mean in practical terms?

A: -- THIS MEANS THE CESSATION OF ALL REGULARLY SCHEDULED FLIGHTS BETWEEN THE UNITED STATES AND HAITI BY TWO U.S. AIR CARRIERS (AMERICAN AIRLINES AND LYNX AIR INTERNATIONAL) AND ONE HAITIAN AIR CARRIER (HAITI TRANS AIR).

Q: Are there going to be exceptions?

A: -- THERE WILL BE EXCEPTIONS FOR SPECIALLY LICENSED DIPLOMATIC AND HUMANITARIAN FLIGHTS, CONSISTENT WITH STANDARDS ESTABLISHED BY THE U.N. SANCTIONS ENFORCEMENT COMMITTEE.

Q: Have you asked other countries that provide scheduled commercial air service to Haiti to join you in imposing this ban?

A: -- OTHER COUNTRIES WITH AIR LINKS TO HAITI ARE FRANCE, CANADA, THE DOMINICAN REPUBLIC, PANAMA, AND THE NETHERLANDS. WE HAVE URGED THEM TO JOIN US IN SUSPENDING ALL THEIR COMMERCIAL FLIGHTS TO HAITI.

-- WE WELCOME THE RECENT STATEMENTS OF SUPPORT FOR THIS ADDITIONAL SANCTION MADE BY THE FOUR FRIENDS OF HAITI AND BY THE ORGANIZATION OF AMERICAN STATES.

Q: Why do you think this additional sanction would work?

A: -- I BELIEVE THAT THIS ADDITIONAL SANCTION WILL SEVERELY RESTRICT THE ABILITY OF THE HAITIAN ELITE TO TRAVEL INTERNATIONALLY, RESTRICT THEIR USE OF PASSENGER SERVICE AS A MEANS TO IMPORT GOODS AND TRANSPORT CASH, AND WILL HAVE A POWERFUL PSYCHOLOGICAL IMPACT ON THE ELITE BY DEMONSTRATING OUR WILLINGNESS TO FURTHER ISOLATE THE DE FACTO GOVERNMENT.

#### Modifications to Maritime Inspection Operations

Q: Under what authority are you detaining ships suspected of violating the sanctions.

A: -- UNDER UN SECURITY COUNCIL RESOLUTIONS 875 AND 917, WE HAVE THE AUTHORITY TO INSPECT AND VERIFY SHIP'S CARGO AND ENSURE STRICT IMPLEMENTATION OF THE PROVISIONS OF THE RELEVANT RESOLUTIONS.

-- ACCORDINGLY, WE ARE NOW ESCORTING SUSPECT VESSELS TO A SUITABLE PORT IF THE ON SCENE COMMANDER DETERMINES THAT THE SUSPECT SHIP'S CARGO CANNOT BE ADEQUATELY VERIFIED DURING AN AT SEA INSPECTION.

Q: Is the consent of the suspect vessel's flag state required?

A: -- THE CONSENT OF THE VESSEL'S FLAG STATE IS NOT REQUIRED.

-- WE INTEND TO DETAIN THE SHIP AND CREW FOR SUFFICIENT TIME TO PERMIT A THOROUGH INSPECTION AND INVESTIGATION OF SUSPECT CARGO.

HaitiSANCTIONS

Q: What makes you think these new sanctions will remove the military leaders?

- A: -- Over the last month the international community has tightened the screws on the military and its backers. No country will admit them, their assets are subject to freezing worldwide and commerce with Haiti in all except humanitarian goods has stopped.
- Today's sanctions further their isolation. Moving assets and traveling will pose enormous challenges.
- We believe the Haitian people understand that the sanctions are exclusively the fault of the military leadership because of its refusal to allow the restoration of democracy and Aristide's return.
- The sanctions can, I believe, make the military leaders realize that they have no future in their intransigence. They must and will yield.

Q: How long will you give the sanctions to work? Have you set any deadline or timetable?

- A: -- I am determined to make the new sanctions effective in achieving our objectives.
- I cannot predict how long that will take. Artificial deadlines distract from our main purpose and I am not setting any.
- We are constantly monitoring the effectiveness of the sanctions as well as their humanitarian impact. If required we will consider further steps to achieve our goals.

Q: Why are you reducing our Embassy staff? Do you fear retaliation? Is this the precursor to military action?

- A: -- The new sanctions I have announced will complicate our ability to operate in Haiti. Our Embassy staff is being reduced to a level consistent with that new situation.
- No other message should be read into this normal measure.

Q: How can you justify inflicting such suffering on innocent Haitians in pursuit of your political objectives?

- A: -- Haitians have suffered brutal repression at the hands of the Haitian military leadership since the 1991 coup. The military leaders have enriched themselves by massive corruption.

- Sanctions are a peaceful if harsh way to press the military leaders to permit the restoration of democracy and return of the democratically-elected President.
- We and others are providing humanitarian food and medical aid to over a million Haitians daily. We have increased this aid as we have tightened the sanctions.
- Once the military leaders leave and our policy goals are achieved, we and the international community will provide extensive aid to Haiti to rebuild its economy and create new hope for the Haitian people.

Q: What makes you believe that the Dominicans will really seal their border -- or that they can?

- A: -- We have made clear our strong interest in full Dominican enforcement of sanctions. President Balaguer has committed to do so and welcomed multilateral sanctions observers to assist his country's efforts.
- The UN has concluded that the Dominicans can enforce the sanctions effectively. We are working with them and the UN to ensure they have what they need to do so.

#### USE OF FORCE

Q: Repeatedly, you have refused to rule out the use of force. Are you planning to invade Haiti to end this crisis?

- A: -- My focus is on making the sanctions -- including the new measures announced today -- effective in achieving our policy goals. With broad domestic and international support and effective enforcement I believe we can succeed in that endeavor.
- At the same time, I have not ruled out any option which may be required to advance our interests and objectives regarding Haiti, including the use of force.
- Neither have I made any decisions on options beyond the measures I announced today and previously.

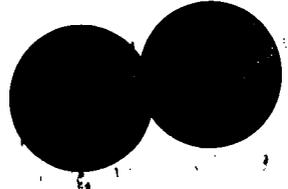
#### MIGRANTS

Q: Why have you continued the direct return of migrants to Haiti? You said on May 8 that that practice was ending.

- A: -- We have been working hard on the arrangements needed to launch the new procedures I announced. We expect to start next week in Jamaica.
- As I announced May 8, it was imperative to continue returning migrants to Haiti in the meantime to discourage a dangerous mass departure.
- I urge all Haitians with claims to refugee status to apply at our in-country processing centers. They will receive no better treatment if they are interdicted and should not risk the dangerous sea voyage.

NATIONAL SECURITY COUNCIL  
WASHINGTON, D.C. 20506

June 9, 1994



ACTION

MEMORANDUM FOR ANTHONY LAKE

THROUGH: RICHARD E. FEINBERG *RF*

FROM: LAWRENCE G. ROSSIN *LR*

SUBJECT: Presidential Announcement of Additional Sanctions  
against Haiti, Friday, June 10, 1994, 11:30 a.m.

Provided at Tab I is a proposed event memorandum to the President  
for the announcement of the new sanctions against Haiti.

Concurrences by: *RC* Richard Clarke, *LF* Leon Fuerst and Tom Ross

RECOMMENDATION

That you sign the Memorandum to the President at Tab I.

Attachment

- Tab I Event Memorandum to the President
- Tab A Statement
- Tab B Questions and Answers
- Tab C Background Paper on New Sanctions
- Tab D Background Paper on Haitian Migrants
- Tab E Background Paper on UN Mission in Haiti (UNMIH)
- Tab F Bill Gray's Congressional Testimony of June 8

*3 copies  
for upstairs*

UNCLASSIFIED UPON REMOVAL  
OF CLASSIFIED ATTACHMENTS  
Initials: ASB Date: 8/21/2019  
2013-0122-M

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# Withdrawal/Redaction Sheet

## Clinton Library

| DOCUMENT NO.<br>AND TYPE | SUBJECT/TITLE  | DATE       | RESTRICTION               |
|--------------------------|--|------------|---------------------------|
| <del>001a. memo</del>    | <del>To: POTUS; From: Anthony Lake; Re: Executive Order to Implement U.S. Financial Ban on Haiti (1 page)</del>        | 06/09/1994 | P1/b(1) <i>✓ 3/3/2020</i> |
| <del>001b. memo</del>    | <del>To: Anthony Lake; From: Leon Fuerth; Re: Executive Order to Implement U.S. Financial Ban on Haiti (2 pages)</del> | 06/09/1994 | P1/b(1) <i>✓ 3/2/2020</i> |

**COLLECTION:**

Clinton Presidential Records  
 NSC Records Management  
 [Haiti and Memcon ...]  
 OA/Box Number: 200

**FOLDER TITLE:**

9404617

2013-0122-M  
sb2537

**RESTRICTION CODES**

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

Freedom of Information Act - [5 U.S.C. 552(b)]

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
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- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
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- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
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- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

CLINTON LIBRARY PHOTOCOPY

TO: PRESIDENT

FROM: LAKE  
WH EXECUTIVE CLERK

DOC DATE: 09 JUN 94  
SOURCE REF:

KEYWORDS: HAITI  
AVIATION

SANCTIONS  
EO

PERSONS:

SUBJECT: EO FOR PRES TO IMPLEMENT US FINANCIAL BAN ON HAITI

ACTION: PRESIDENT SGD PER WH EXEC CLERK DUE DATE: 13 JUN 94 STATUS: C

STAFF OFFICER: FEURTH

LOGREF:

FILES: WH

NSCP:

CODES:

DOCUMENT DISTRIBUTION

FOR ACTION

FOR CONCURRENCE

FOR INFO  
NSC CHRON

DECLASSIFIED  
E.O. 13526  
White House Guidelines, May 16, 2017  
By ANS NARA, Date 8/21/2019  
2013-0122-M

COMMENTS: \_\_\_\_\_  
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OPENED BY: NSGP CLOSED BY: NSJWF DOC 2 OF 2

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ACTION DATA SUMMARY REPORT

RECORD ID: 9404617

DOC ACTION OFFICER

CAO ASSIGNED ACTION REQUIRED

001 LAKE  
002 PRESIDENT  
002

Z 94060921 FWD TO PRESIDENT FOR SIG  
Z 94060922 FOR SIGNATURE  
X 94061012 PRESIDENT SGD PER WH EXEC CLERK

DISPATCH DATA SUMMARY REPORT

DOC DATE DISPATCH FOR ACTION

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002 940609  
002 940609

VICE PRESIDENT  
WH CHIEF OF STAFF

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National Security Council  
The White House

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| West Wing Desk  | <u>1</u>    | <u>WA 6/9</u> | <u>TO POTUS</u> |
| NSC Secretariat | <u>2</u>    | _____         | <u>BN</u>       |

A = Action    I = Information    D = Dispatch    R = Retain    N = No Further Action

cc:            VP                            McLarty                            Other \_\_\_\_\_

Should be seen by: \_\_\_\_\_  
(Date/Time)

COMMENTS:

9 JUN 94 11 59

DISPATCH INSTRUCTIONS:

THE WHITE HOUSE

WASHINGTON

June 9, 1994

President sign per WH  
Executive Clerk JUN 10, 1994

ACTION

MEMORANDUM FOR THE PRESIDENT

THROUGH: THE EXECUTIVE CLERK

FROM: ANTHONY LAKE *AL*

SUBJECT: Executive Order to Implement U.S. Financial Ban on Haiti

Purpose

To sign an Executive Order imposing a financial ban on Haiti.

Background

The attached Executive Order further tightens the embargo against Haiti by banning private financial transactions between Haiti and the United States and between Haiti and other countries via American financial institutions. We have exempted transactions related to humanitarian activities including our expanding humanitarian feeding programs. We also will permit up to \$50 per month per sender in remittances to individuals in Haiti.

The United States has already imposed substantial trade and financial sanctions on Haiti and the *de facto* regime and others, under the authority of the International Emergency Economic Powers Act and the United Nations Participation Act. These are reflected in several Executive Orders, the most recent of which you signed on May 20, 1994.

We will continue to look for ways to enforce sanctions to the fullest extent and seek new authorities when appropriate.

RECOMMENDATION

That you sign the attached Executive Order.

Attachment

Tab A Executive Order (being provided by OMB General Counsel)



OFFICE OF THE VICE PRESIDENT  
WASHINGTON

June 9, 1994

ACTION

MEMORANDUM FOR ANTHONY LAKE

FROM:

*Leon Fuertth*  
LEON FUERTH

SUBJECT:

Executive Order to Implement U.S. Financial Ban on Haiti

State and Treasury have drafted an Executive Order to tighten the embargo against Haiti with the goal of the restoration of democracy in that nation and the prompt return of the legitimately elected President, Jean-Bertrand Aristide, under the framework of the Governors Island Agreement.

The new Executive Order will:

-- prohibit payments or transfers of funds or other assets to Haiti from or through the United States or to or through the United States from Haiti, with exceptions for activities of the United States Government, the United Nations, the Organization of the American States, or foreign diplomatic missions, certain payments related to humanitarian assistance in Haiti, limited family remittances, funds for travel-related expenses, and payments incidental to exempt shipments of food, medicine and medical supplies;

-- prohibit the sale, supply, or exportation by U.S. persons or from the United States, or using U.S. registered vessels or aircraft, of any goods, technology, or services to Haiti or in conjunction with Haitian businesses, or activities by U.S. persons or in the United States that promote such sale, supply, or exportation, except for informational materials, certain foodstuffs, medicines and medical supplies;

-- prohibits any transaction that evades or avoids or has the purpose of evading or avoiding, or attempts to violate, any of the prohibitions of the order; and

-- authorizes the Secretary of the Treasury, in consultation with the Secretary of State, to issue regulations implementing the provisions of the Executive order.

These new measures have been endorsed by the Organization of American States, the Friends of Haiti and President Aristide.

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Declassify on: OADR

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DECLASSIFIED  
E.O. 13526, Sec. 3.5 (b)  
White House Guidelines, September 11, 2006  
By: VZ/ANA, Date: 10/8/2015  
2013-0122-m (1.54)

CONFIDENTIAL

Note that OMB is preparing the Executive Order itself and will send it directly to John Podesta's office.

Concurrences by:  Richard Clarke,  Mort Halperin,  Alan Kreczko,  Richard Feinberg

RECOMMENDATION

That you sign the memorandum for the President at Tab 1 and forward it to John Podesta, who will attach the final copy of the Order for the President's signature.

Attachments

- Tab 1 Memorandum for the President
- Tab 2 State Department Memorandum

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# Withdrawal/Redaction Sheet

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| DOCUMENT NO.<br>AND TYPE | SUBJECT/TITLE   | DATE       | RESTRICTION       |
|--------------------------|---|------------|-------------------|
| 001a. memo               | To: Anthony Lake; From: Leon Fuerth; Re: New Sanctions on Haiti (2 pages)   | 06/21/1994 | P1/b(1) v2 3/3/20 |
| 001b. memo               | To: Anthony Lake; From: Marc Grossman; Re: Executive Order Blocking the Property of Certain Haitian Nationals (3 pages) | 06/21/1994 | P1/b(1) v2 3/3/20 |

**COLLECTION:**

Clinton Presidential Records  
 NSC Records Management  
 [Haiti and Memcon ...]  
 OA/Box Number: 200

**FOLDER TITLE:**

9404795

2013-0122-M  
sb2538

**RESTRICTION CODES**

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
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CLINTON LIBRARY PHOTOCOPY

TO: LAKE

FROM: FUERTH, L

DOC DATE: 15 JUN 94  
SOURCE REF:

KEYWORDS: HAITI EO  
IMMIGRATION

PERSONS:

SUBJECT: EXECUTIVE ORDER TO IMPLEMENT HAITIAN ASSET FREEZE

ACTION: ORIGINALS RETURNED TO NSC/S DUE DATE: 18 JUN 94 STATUS: C

STAFF OFFICER: FUERTH, L LOGREF:

FILES: WH NSCP: CODES:

DOCUMENT DISTRIBUTION

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FOR CONCURRENCE

FOR INFO

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E.O. 13526  
White House Guidelines, May 16, 2017  
By ANSNARA, Date 8/21/2019  
2013-0122-M

COMMENTS: \_\_\_\_\_  
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ACTION DATA SUMMARY REPORT

RECORD ID: 9404795

DOC ACTION OFFICER

CAO ASSIGNED ACTION REQUIRED

001 LAKE  
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002 PRESIDENT  
002

Z 94062119 FWD TO PRESIDENT FOR DECISION  
X 94111519 ORIGINALS RETURNED TO NSC/S  
Z 94062113 FOR SIGNATURE  
X 94062120 PRESIDENT SGD PER WH EXEC CLERK

DISPATCH DATA SUMMARY REPORT

DOC    DATE    DISPATCH FOR ACTION

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002 940621  
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VICE PRESIDENT  
WH CHIEF OF STAFF

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National Security Council  
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cc:            VP                            McLarty                            Other \_\_\_\_\_

Should be seen by: \_\_\_\_\_  
(Date/Time)

COMMENTS:

21 JUN 94 4:55

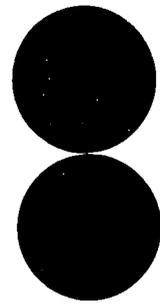
DISPATCH INSTRUCTIONS:

*Ex Secs Office has details*



OFFICE OF THE VICE PRESIDENT  
WASHINGTON

June 21, 1994



ACTION

MEMORANDUM FOR ANTHONY LAKE

FROM: LEON FUERTH

SUBJECT: New Sanctions on Haiti

E.O. to Block Haitian Assets. State and Treasury have drafted an Executive Order that will block certain assets of Haitian nationals residing in Haiti or any other person subject to blocking provisions of previous Executive Orders. Blocked assets include assets in the U.S. or subject to U.S. jurisdiction, such as deposits in foreign branches of U.S. banks. The proposed E.O. exempts properties of the United States Government, the United Nations, the Organization of American States, foreign diplomatic missions in Haiti, and nongovernmental organizations engaged in the provision of essential humanitarian assistance or the conduct of refugee and migration operations in Haiti as identified by the Secretary of Treasury.

This E.O. targets wealthy Haitians who have supported the de facto regime. Many of these persons own firms that provide services in support of international feeding operations in Haiti. While we will immediately grant licenses to facilitate the delivery of humanitarian relief, there will be some temporary problems for humanitarian organizations operating in Haiti. Treasury officials and the U.S. Ambassador in Haiti are confident, however, that these unpredictable and inadvertent disruptions can be quickly resolved. Mort Halperin is working closely with NGOs operating in Haiti to deal with their concerns.

This additional sanction is a major step against the de facto regime and will be so interpreted by the regime and its supporters. It represents a significant increase in our incremental pressure to force a change in Haiti's political leadership. We have discussed the risk of unpredictable behavior by the de factos that might cause additional difficulties. Noting that possibility, we nevertheless feel these risks are acceptable. Moreover, because the press is hearing rumors regarding this additional sanction, we must expeditiously seize this opportunity or lose this option as wealthy Haitians transfer assets outside of our reach.

It may be necessary for Secretary Bentsen to call -- on behalf of the President -- the CEOs of U.S. banks operating in Haiti to urge them to continue their operations. Should they elect to close, humanitarian relief operations would be temporarily disrupted while alternative payment

arrangements were coordinated. Humanitarian relief organizations have a 30 day supply of grain and a 60 day supply of shelf foods on hand in Haiti, so any disruptions should be minimal.

Payments and transfers previously authorized by E.O. No. 12920 of June 10 may continue to be made in the manner directed by the Secretary of the Treasury. This E.O. will be effective immediately.

Revocation of Nonimmigrant Visas for Haitians. Embassy Port-au-Prince proposed that the U.S. cancel all nonimmigrant visas (NIVs) issued to Haitian nationals prior to May 11, 1994. The U.S. and the UN Security Council have already imposed "targeted sanctions" under which we have suspended the entry of persons falling within broad categories most directly responsible for the crisis in Haiti. Broad visa revocation would extend entry restrictions to Haiti's wealthy and business community.

We have determined that the best method to achieve the desired effect and minimize complications would be to revoke on June 27, the date requested by Embassy Port-au-Prince, all NIVs issued to Haitians by Embassy Port-au-Prince and Consulate General Curacao prior to May 11, 1994. Our information indicates that this sanction would directly affect the intended group, while leaving out expatriate Haitians who have removed themselves from the situation on the island. The required large-scale revocation would not require a new Presidential Proclamation, as it is within the existing statutory authority of the State Department (Section 221(I) of the Immigration and Naturalization Act).

These measures were discussed and supported by the <sup>interagency</sup> Haiti Senior Steering Group including Special Adviser Bill Gray as an effective means to increase pressure on the Haitian military and its supporters.

Concurrences by: Richard A. Clarke, Larry Rossin, Alan Kreczko and Morton Harperin

RECOMMENDATION

That you sign the Memorandum to the President at Tab I.

Attachments

Tab I Memorandum to the President

Tab A Proposed Executive Order and Accompanying Letter to Congress

Tab II Grossman-Lake Memorandum



~~SECRET~~  
DECL: OADR

June 21, 1994

MEMORANDUM FOR ANTHONY LAKE  
THE WHITE HOUSE

Subject: Executive Order Blocking the Property of Certain  
Haitian Nationals

Attached for the signature of the President is an Executive order to block the property of all Haitians residing in Haiti, as well as of Haitians wherever located who are immediate family members of persons targeted under earlier Executive orders.

The attached Executive order would block all property and interests in property subject to United States jurisdiction of any Haitian national residing in Haiti. This would include Haitian citizens and entities organized under the laws of Haiti, but would not include United States or foreign persons, unless they are also Haitian citizens. The Executive order exempts Haitian nongovernmental organizations which are authorized by the Department of the Treasury to transfer funds in furtherance of humanitarian assistance or refugee and migration operations.

This Executive order would also block all property subject to United States jurisdiction of persons (regardless of nationality or residency) targeted under prior Executive orders, as well as property of Haitian nationals (wherever located) who are immediate family members of those targeted individuals. This broadens the scope of blocked property of targeted individuals beyond that of "funds and financial resources," required under Executive Order 12914 of May 7, 1994 to implement United Nations Security Council ("UNSC") resolution 917, to include all property and interests in property of all types (real, personal, tangible or intangible, present, future, or contingent).

The Executive order is intended to focus on Haitian nationals residing in Haiti and others believed to be in a position to influence the de facto regime. It excludes Haitian communities in the United States and abroad, as well as foreign persons, including United States citizens, who are living in Haiti (primarily for humanitarian and other legitimate purposes). It will nevertheless inevitably catch Haitians who are suffering from the policies of the de facto regime and who may have no association with, or ability to influence, it.

~~SECRET~~

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E.O. 13526, Sec. 3.5 (b)

White House Guidelines, September 11, 2006

By 12 NARA, Date 10/8/2014

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2015-0122-m (1.57)

There is no way to identify such persons or predict the extent to which they may have property subject to United States jurisdiction. Given the situation in Haiti, any property at the disposal of Haitians residing there is potentially subject to the control of the de facto authorities.

The Executive order would also block any property subject to United States jurisdiction belonging to Haitian nationals employed by the United States, the United Nations, the Organization of American States, diplomatic missions and nongovernmental organizations authorized by Treasury. Treasury is prepared to license the unblocking of such property immediately upon confirmation of the names and identifying information on such persons.

In many instances, banks and financial institutions will be unable to identify the persons that meet the nationality and residency criteria under this order. The presentation of a United States or third country passport or the proof of an address outside Haiti would not be determinative, since such individuals may also hold Haitian citizenship and maintain residence in Haiti. In cases in which we are unable to confirm Haitian nationality or residence, Treasury will have to unblock the property.

To assist the banks and to assure that the persons associated with the de facto authorities whom we want blocked are in fact immediately blocked, the Department of the Treasury, with our assistance and that of our Embassy in Haiti, intends to publish a list at the time the Executive order takes effect, including the Haitian addresses and nationality of these individuals. These would include the elite families, politicians, and parliamentarians believed to be supporting or benefitting from the de facto regime.

We anticipate that banks, unable to distinguish nationality and residency, will inevitably block a number of foreigners residing in Haiti. The confusion generated by the blocking action is likely to increase the difficulty of delivering humanitarian assistance in Haiti. More aid workers are likely to decide to leave, and those that remain may be distracted by the need to deal with unblocking their U.S. assets. Treasury and State are committed to resolving these problems as a priority matter.

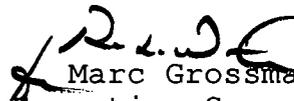
The measures contained in this Executive order are authorized by the International Emergency Economic Powers Act, ("IEEPA"), 50 U.S.C. 1701 et seq., the National Emergencies Act ("NEA"), 50 U.S.C. 1601 et seq., and, to the extent that they incorporate by reference measures that are mandated by United Nations Security Council resolutions, the United Nations Participation Act, as amended, 22 U.S.C. 287c. They supplement measures already taken to address the national emergency with

~~SECRET~~

- 3 -

respect to Haiti contained in EO 12775 of October 4, 1991, EO 12779 of October 28, 1991, EO 12853 of June 30, 1993, EO 12872 of October 18, 1993, EO 12914 of May 7, 1994, EO 12917 of May 21, 1994, and EO 12920 of June 10, 1994.

Upon signing the Executive order, the President is required to notify the Congress of his action. A draft letter to be sent to the President of the Senate and the Speaker of the House has been prepared for this purpose. The Executive order should also be published in the Federal Register.

  
Marc Grossman  
Executive Secretary

Attachments: 1. Draft Executive Order  
2. Draft Notification to Congress

~~SECRET~~

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**EXECUTIVE ORDER**

-----

**BLOCKING PROPERTY OF CERTAIN HAITIAN NATIONALS**

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the International Emergency Economic Powers Act (50 U.S.C. 1701 *et seq.*), the National Emergencies Act (50 U.S.C. 1601 *et seq.*), section 5 of the United Nations Participation Act of 1945, as amended (22 U.S.C. 287c), and section 301 of title 3, United States Code, and in order to take additional steps with respect to the actions and policies of the *de facto* regime in Haiti and the national emergency described and declared in Executive Order No. 12775, it is hereby ordered as follows:

**Section 1.** Except to the extent provided in regulations, orders, directives, or licenses which may hereafter be issued pursuant to this order, all property and interests in property of:

- (a) any Haitian national resident in Haiti; or
- (b) any other person subject to the blocking provisions of Executive Order No. 12775, 12779, 12853, 12872 or 12914 and Haitian citizen members of their immediate families, as identified by the Secretary of the Treasury;

that are in the United States, that hereafter come within the United States, or that are or hereafter come within the possession or control of United States persons, including their overseas branches, are blocked. This section shall not apply to

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- 2 -

property of nongovernmental organizations engaged in the provision of essential humanitarian assistance or in the conduct of refugee and migration operations in Haiti, as identified by the Secretary of the Treasury. Payments and transfers previously authorized by Executive Order No. 12920 of June 10, 1994 may continue to be made in a manner directed by the Secretary of the Treasury.

**Sec. 2.** Any transaction by a United States person that evades or avoids, or has the purpose of evading or avoiding, or attempts to violate, any of the prohibitions set forth in this order is prohibited.

**Sec. 3.** For the purposes of this order:

(a) The term "Haitian national" means a citizen of Haiti or an entity organized under the laws of Haiti.

(b) The definitions contained in section 3 of Executive Order No. 12779 apply to the terms used in this order.

**Sec. 4.** The Secretary of the Treasury, in consultation with the Secretary of State, is hereby authorized to take such actions, including the promulgation of rules and regulations, and to employ all powers granted to me by the International Emergency Economic Powers Act and the United Nations Participation Act, as may be necessary to carry out the purposes of this order. The Secretary of the Treasury may redelegate any of these functions to other officers and agencies of the United States Government. All agencies of the United States Government are hereby directed to take all appropriate measures within their authority to carry

CLINTON LIBRARY PHOTOCOPY

- 3 -

out the provisions of this order, including suspension or termination of licenses or other authorizations in effect as of the date of this order.

**Sec. 5.** Nothing contained in this order shall create any right or benefit, substantive or procedural, enforceable by any party against the United States, its agencies or instrumentalities, its officers or employees, or any other person.

**Sec. 6.**

(a) This order shall take effect immediately.

(b) This order shall be transmitted to the Congress and published in the **Federal Register**.

THE WHITE HOUSE,

June \_\_\_\_, 1994.

## TO THE CONGRESS OF THE UNITED STATES:

On October 4, 1991, pursuant to the International Emergency Economic Powers Act ("IEEPA") (50 U.S.C. 1701 et seq.) and section 301 of the National Emergencies Act ("NEA") (50 U.S.C. 1601 et seq.), President Bush exercised his statutory authority to issue Executive Order No. 12775, declaring a national emergency and blocking Haitian Government property.

On October 28, 1991, pursuant to the above authorities, President Bush exercised his statutory authority to issue Executive Order No. 12779, blocking certain property of and prohibiting certain transactions with Haiti.

On June 30, 1993, pursuant to the above authorities, as well as the United Nations Participation Act of 1945, as amended ("UNPA") (22 U.S.C. 287c), I exercised my statutory authority to issue Executive Order No. 12853, to impose additional economic measures with respect to Haiti. This latter action was taken, in part, to ensure that the economic measures taken by the United States with respect to Haiti would fulfill its obligations under United Nations Security Council Resolution 841 of June 16, 1993.

On October 18, 1993, pursuant to the IEEPA and the NEA, I again exercised my statutory authority to issue Executive Order No. 12872, blocking property of various persons with respect to Haiti.

On May 6, 1994, the United Nations Security Council adopted Resolution 917, calling on States to take additional measures to tighten the embargo against Haiti. On May 7, 1994, pursuant to the above authorities, I exercised my statutory authority to issue Executive Order No. 12914, to impose additional economic measures with respect to Haiti. On May 21, 1994, pursuant to the above authorities, I exercised my statutory authority to issue Executive Order No. 12917, to impose those economic measures required by Resolution 917 which became effective May 21, 1994. These latter actions were taken, in part, to ensure that the economic measures taken by the United States with respect to Haiti would fulfill its obligations under the provisions of United Nations Security Council Resolution 917.

On June 10, 1994, pursuant to the above authorities, I exercised my statutory authority to issue Executive Order No. 12920, prohibiting additional transactions with Haiti.

On June \_\_, 1994, pursuant to the above authorities, I exercised my statutory authority to issue Executive Order No. 129\_\_.

This new Executive order:

--blocks all property in the United States or within the possession or control of United States persons, of any

Haitian national resident in Haiti, or any other person subject to the blocking provisions of Executive Order 12775, 12779, 12853, 12872 or 12914 or a Haitian citizen member of the immediate family of such a person, as identified by the Secretary of the Treasury; and makes limited exceptions for certain payments and transfers, and for the property of nongovernmental organizations engaged in the provision of essential humanitarian assistance or the conduct of refugee and migration operations in Haiti which are identified by the Secretary of the Treasury;

-- prohibits any transaction that evades or avoids or has the purpose of evading or avoiding, or attempts to violate, any of the prohibitions of the order; and

-- authorizes the Secretary of the Treasury, in consultation with the Secretary of State, to issue regulations implementing the provisions of the order.

The new Executive order is necessary to tighten the embargo against Haiti with the goal of the restoration of democracy in that nation and the prompt return of the legitimately elected President, Jean-Bertrand Aristide, under the framework of the Governors Island Agreement.

I am providing this notice to the Congress pursuant to section 204(b) of the IEEPA (50 U.S.C. 1703(b)) and section 301 of the NEA (50 U.S.C. 1631). I am enclosing a copy of the Executive order that I have issued.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
June \_\_, 1994.

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| Original OA/ID Number:<br>201 |               |             |                |             |
|                               |               |             |                |             |
| Document ID:<br>9404907       |               |             |                |             |
| Row:<br>44                    | Section:<br>3 | Shelf:<br>4 | Position:<br>2 | Stack:<br>v |

TO: PRESIDENT

FROM: MCCANDLESS, AL

DOC DATE: 18 MAY 94  
SOURCE REF:

KEYWORDS: HAITI

CO

PERSONS:

SUBJECT: LTR TO PRES FM REP MCCANDLESS RE HAITI

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ACTION: SEE 9404290 FOR FINAL ACTION

DUE DATE: 23 JUN 94 STATUS: C

STAFF OFFICER: ROSSIN

LOGREF: 9404290

FILES: WH

NSCP:

CODES:

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FOR CONCURRENCE

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DOC 1 OF 1

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X 94062713 SEE 9404290 FOR FINAL ACTION

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DOC DATE: 18 MAY 94  
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KEYWORDS: HAITI

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PERSONS:

SUBJECT: LTR TO PRES FM REP MCCANDLESS RE HAITI

ACTION: PREPARE MEMO FOR LAKE

DUE DATE: 23 JUN 94 STATUS: S

STAFF OFFICER: ROSSIN

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*TO NSC/S - Duplicate of #4290 & will be answered under that number. I kept the blue correspondence tracking sheet & will include in 4290 package - L Rossin 6/25*

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4907

ID# 067471

THE WHITE HOUSE  
CORRESPONDENCE TRACKING WORKSHEET

INCOMING

DATE RECEIVED: JUNE 15, 1994

NAME OF CORRESPONDENT: THE HONORABLE AL MCCANDLESS

SUBJECT: EXPRESSES CONCERN REGARDING THE MILITARY  
OPTION IN RESOLVING THE SITUATION IN HAITI

| ROUTE TO:<br>OFFICE/AGENCY | (STAFF NAME)   | ACTION      |                  | DISPOSITION  |            |
|----------------------------|----------------|-------------|------------------|--------------|------------|
|                            |                | ACT<br>CODE | DATE<br>YY/MM/DD | TYPE<br>RESP | C<br>D     |
| PATRICK GRIFFIN            |                | ORG         | 94/06/15         |              | C 94/06/15 |
| WILLIAM ITOH               |                | RSA         | 94/06/15         |              |            |
|                            | REFERRAL NOTE: |             |                  |              |            |
|                            | REFERRAL NOTE: |             |                  |              |            |
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COMMENTS:

ADDITIONAL CORRESPONDENTS: MEDIA:L INDIVIDUAL CODES: 1240  
MAIL USER CODES: (A)R CA (B) (C)

- \*\*\*\*\*
- |                          |                      |                      |   |
|--------------------------|----------------------|----------------------|---|
| *ACTION CODES:           | *DISPOSITION         | *OUTGOING            | * |
| *                        | *                    | *CORRESPONDENCE:     | * |
| *A-APPROPRIATE ACTION    | *A-ANSWERED          | *TYPE RESP=INITIALS  | * |
| *C-COMMENT/RECOM         | *B-NON-SPEC-REFERRAL | * OF SIGNER          | * |
| *D-DRAFT RESPONSE        | *C-COMPLETED         | * CODE = A           | * |
| *F-FURNISH FACT SHEET    | *S-SUSPENDED         | *COMPLETED = DATE OF | * |
| *I-INFO COPY/NO ACT NEC* |                      | * OUTGOING           | * |
| *R-DIRECT REPLY W/COPY * |                      |                      | * |
| *S-FOR-SIGNATURE         |                      |                      | * |
| *X-INTERIM REPLY         |                      |                      | * |
- \*\*\*\*\*

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AND  
URBAN AFFAIRS

Congress of the United States  
House of Representatives  
Washington, DC 20515-0544

GOVERNMENT OPERATIONS

May 18, 1994

President Bill Clinton  
The White House  
1600 Pennsylvania Avenue, NW  
Washington, D.C. 20500

Dear Mr. President:

In anticipation of additional measures being undertaken to resolve the situation in Haiti, I wanted to bring my personal concerns to you about the military option.

The situation in Haiti today is not unlike the situation that has existed there for much of the last century. Political strife, killings, and the calls for U.S. intervention are mere echoes of events in previous years.

In 1915, 200 U.S. Marines put ashore in Haiti were directed to protect foreign lives and property. After securing their objective, these Marines (their numbers eventually raised to 3,000) spent over 19 years trying to implement some form of democratic tradition and assist the humanitarian needs of the Haitian people. According to the Marine Corps Historical Center, 10 Marines were killed by enemy fire, 26 were wounded in action and more than 140 were casualties of disease, accidents and other causes of death. In 1934, the last of the Marines were removed from Haiti, eventually returning that nation to a string of dictators.

Simply put, we have tried the military option to install democracy. It didn't take. And the reason it didn't is that the roots of democracy in Haiti do not run deep. In fact, they may not exist at all. Due to this lack of experience with democratic institutions beyond that of a few elections that have not produced much in the way of participation, it is questionable whether the Haitian people would accept democracy imposed by an outside military power. As we saw in our last attempts to bring order to the island nation, anti-American backlash is quick to develop, and is long remembered.

We have no national interest in Haiti. It occupies no "choke-hold" in the strategic shipping lanes, nor is it a "forward deployed" area for future U.S. operations. American economic interests in Haiti are minimal and the island is a hotbed of cocaine trafficking from Latin America. My constituents reflect the overwhelming majority of American sentiments about Haiti - that of total indifference.

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Haitians should be left to determine their own destiny. Whether they continue to live under a military dictator or, peacefully transition to democratic ideals, or rebel via an armed insurrection, their future should be decided by themselves in the absence of U.S. influence. They have not been invaded or threatened by another nation, but simply find themselves in a predicament that is the result of their own domestic political actions. U.S. sanctions should be repealed, and the U.S. military should be used only to keep economic refugees from invading our shores.

The embargo is failing to address the central problem of a lack of democratic traditions in Haiti. Those who could move that country in a positive direction are held down by the fact that the embargo limits their resources for change. The Haitian people are being forced to pay huge prices to black marketeers just to obtain the basic necessities to survive. Lifting the sanctions will bring about the stability that Haiti has yet to experience; a stability necessary to enable an internal democratic revolution to proceed.

I do not accept the argument that it is our "moral obligation" to intervene. There are far worse examples of human rights abuse in this world, and Americans have never been comfortable with the role of a "Moral Big Brother." Military intervention in Haiti is simply not justified and would quickly denigrate into a quagmire. An open-ended military operation without a clearly defined mission is the very thing you protested against twenty years ago.

Military operations in Haiti would be a disaster, both for the United States and for your Presidency. I can foresee your receiving a look of undisguised horror should you have to tell a grieving mother, clutching the folded triangle of the American flag that draped her son's casket, that her "child died to bring democracy to the Haitian people."

Simply put, Haiti is not worth one single American life.

Best regards,



AL McCANDLESS  
Member of Congress

AAM/apl

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# Withdrawal/Redaction Sheet

## Clinton Library

| DOCUMENT NO. AND TYPE   | SUBJECT/TITLE  | DATE                  | RESTRICTION                    |
|-------------------------|--|-----------------------|--------------------------------|
| <del>001</del> . letter | <del>To: Secretary General Boutros Boutros Ghali; From: Bill Clinton; Re: [Haiti] (1 page)</del> | <del>07/01/1994</del> | <del>P1/b(1)</del> VL 3/3/2020 |
| <del>002</del> . memo   | <del>To: POTUS; From: Anthony Lake; Re: Haiti and the UN (4 pages)</del>                         | <del>07/01/1994</del> | <del>P1/b(1)</del> VL          |
| <del>003</del> . memo   | <del>Duplicate of 002 [Redo 2] (4 pages)</del>   | <del>00/00/0000</del> | <del>P1/b(1)</del> VL          |
| <del>004</del> . memo   | <del>Duplicate of 002 [Redo 2, with handwritten annotations and edits] (4 pages)</del>           | <del>00/00/0000</del> | <del>P1/b(1)</del> VL          |
| <del>005</del> . letter | <del>Duplicate of 001 [with handwritten edit] (1 page)</del>                                     | <del>00/00/0000</del> | <del>P1/b(1)</del> VL          |
| <del>006</del> . memo   | <del>[Partial duplicate of 002, page 1 only] (1 page)</del>                                      | <del>00/00/0000</del> | <del>P1/b(1)</del> VL          |

**COLLECTION:**

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**RESTRICTION CODES**

Presidential Records Act - [44 U.S.C. 2204(a)]

Freedom of Information Act - [5 U.S.C. 552(b)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

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FROM: PRESIDENT

DOC DATE: 01 JUL 94  
SOURCE REF:

KEYWORDS: HAITI UN  
PEACEKEEPING

PERSONS:

SUBJECT: PRES LTR TO UN SEC GEN BOUTROS-GHALI

ACTION: FOR DISPATCH DUE DATE: 27 JUN 94 STATUS: C

STAFF OFFICER: CLARKE LOGREF:

FILES: PA NSCP: CODES:

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FOR CONCURRENCE

FOR INFO

CLARKE  
NSC CHRON  
ROSSIN

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E.O. 13526  
White House Guidelines, May 16, 2017  
By ADENARA, Date 8/21/2019  
2013-0122-M

COMMENTS: \_\_\_\_\_  
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\_\_\_\_\_

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ACTION DATA SUMMARY REPORT

DOC ACTION OFFICER

CAO ASSIGNED ACTION REQUIRED

001 LAKE  
002 PRESIDENT  
003  
003 STATE

Z 94062717 FWD TO PRESIDENT FOR DECISION  
Z 94070116 FOR SIGNATURE  
X 94070213 PRESIDENT SGD LTR  
X 94070510 FOR DISPATCH

DISPATCH DATA SUMMARY REPORT

DOC DATE DISPATCH FOR ACTION

DISPATCH FOR INFO

002 940701  
002 940701  
003 940701 BOUTROS-GHALI, BOUTROS  
003 940701 STATE

VICE PRESIDENT  
WH CHIEF OF STAFF

National Security Council  
The White House

REC'd 6/24  
7:50 PM

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|-----------------|-------------|--------------------------------------|------------------|
| Reed            | <u>1</u>    | <u>JWR</u>                           |                  |
| Kenney          |             |                                      |                  |
| Itoh            |             |                                      |                  |
| Soderberg       | <u>2</u>    | <u>copy</u>                          | <u>accrpts</u>   |
| Berger          | <u>3</u>    | <u>sil</u>                           |                  |
| Lake            | <u>4</u>    | <b>Natl Sec Advisor<br/>has seen</b> |                  |
| Situation Room  |             |                                      |                  |
| West Wing Desk  | <u>5</u>    | <u>[Signature]</u>                   | <u>D to preg</u> |
| NSC Secretariat |             |                                      |                  |

see note

A = Action I = Information D = Dispatch R = Retain N = No Further Action

cc: VP McLarty Other \_\_\_\_\_

Should be seen by: \_\_\_\_\_  
(Date/Time)

COMMENTS:

24 JUN 94 3:27

6/25 SRB -  
Premature? (haven't seen  
OK? 5 CS recs)

DISPATCH INSTRUCTIONS:

Epec Sec has diskette

This one  
is URGENT  
per TL -  
tell Podesta's  
office it needs  
to get to  
PDS asap

National Security Council  
The White House

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| NSC Secretariat | <u>3</u>    | _____        | <u>D</u>    |

A = Action    I = Information    D = Dispatch    R = Retain    N = No Further Action

cc:            VP                            McLarty                            Other \_\_\_\_\_

Should be seen by: \_\_\_\_\_  
(Date/Time)

COMMENTS: Date: July 1, 1994

DISPATCH INSTRUCTIONS:

FROM  
**THE WHITE HOUSE**  
WASHINGTON, D.C.

WWD - This  
is a file  
Copy for  
your records.

His Excellency  
Dr. Boutros Boutros-Ghali  
Secretary General of the United Nations  
New York

ADDITIONAL COMMENTS

1] SB TO R Date:

*This has been redone to focus on two immediate issues. Would be good to get BBG letter to Madeline today as UNHCR resolution under consideration.*

2] \_\_\_\_\_ TO \_\_\_\_\_ Date:

3] \_\_\_\_\_ TO \_\_\_\_\_ Date:

4] \_\_\_\_\_ TO \_\_\_\_\_ Date:

5] \_\_\_\_\_ TO \_\_\_\_\_ Date:

THE WHITE HOUSE

WASHINGTON

July 1, 1994

Dear Mr. Secretary General:

We continue together to seek the restoration of democracy and President Aristide in Haiti. The recent expansion of sanctions should bring that date closer.

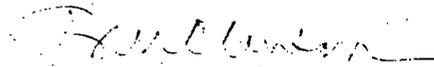
When the day comes that the illegitimate regime departs, the UN must be in position to move quickly to deploy UNMIH. Recently, the OAS Foreign Ministers described an expanded role for UNMIH. The United States will work closely with you, other OAS members, and other members of the Security Council to conform the UNMIH mandate with the proposal of the OAS Ministers as quickly as possible.

For that expanded UNMIH to be able to move into Haiti quickly and to operate effectively once there, the United States will have to bear the major burden among the nations participating. We are prepared to do so.

Specifically, the United States will work with you vigorously to recruit nations to participate in UNMIH. We will transport, equip, and provide logistical support to those nations that require it, on a reimbursable basis. The United States will contribute a significant number of personnel to the military, police, and civilian components of UNMIH during the entire duration of its operation. We will coordinate a humanitarian relief and development assistance program, and contribute significantly to it.

We have already begun much of this effort, working with your staff, with OAS members, and other members of the Security Council. I know that we can count on your assistance in insuring that UNMIH is readied for its mission as soon as possible. With the UN facing so many difficult challenges around the world, let us together make Haiti an example of a great success for the international community.

Sincerely,



His Excellency  
Dr. Boutros Boutros-Ghali  
Secretary General of the United Nations  
New York

NATIONAL SECURITY COUNCIL

ID 9405087

REFERRAL

DATE: 02 JUL 94

MEMORANDUM FOR: GROSSMAN, M

STATE SECRETARIAT

DOCUMENT DESCRIPTION: TO: BOUTROS-GHALI, BOU TR

SOURCE: PRESIDENT

DATE: 01 JUL 94

SUBJ: PRES LTR TO UN SEC GEN BOUTROS-GHALI

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REQUIRED ACTION: FOR DISPATCH

DUE DATE: 01 JUL 94

COMMENT: \*\* URGENT DISPATCH NECESSARY \*\*

  
FOR JOHN W. FICKLIN

NSC RECORDS MANAGEMENT OFFICE

CLINTON LIBRARY PHOTOCOPY

NATIONAL SECURITY COUNCIL  
DISTRIBUTION RECEIPT

LOG 9405087  
DATE 01 JUL 94

SUBJECT: PRES LTR TO UN SEC GEN BOUTROS-GHALI  
DOCUMENT CLASSIFICATION: UNCLASSIFIED

| EXTERNAL DISTRIBUTION:   | DATE  | TIME             | SIGNATURE             |
|--|-------|------------------|-----------------------|
| MR. MARC GROSSMAN<br>DEPARTMENT OF STATE<br>ROOM 7224, MAIN STATE<br>2201 C STREET, NW<br>WASHINGTON, DC 20520 | _____ | _____            | _____                 |
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DATE, TIME, SIGN THE RECEIPT AND RETURN TO: NSC SECRETARIAT, ROOM 379 OEOB  
PAGE 01 OF 01 PAGES

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~~SECRET~~

THE PRESIDENT HAS SEEN

7-1-94

THE WHITE HOUSE

WASHINGTON

July 1, 1994 94 JUL 11 P4: 30

ACTION

MEMORANDUM FOR THE PRESIDENT

FROM: ANTHONY LAKE 

SUBJECT: Haiti and the UN

Purpose

To decide on two issues regarding our Haiti strategy.

Background

There are two issues regarding our Haiti strategy that require decisions about US policy:

- what will be the role of the US in the new UNMIH?
- what will be the role of the US in sanctions enforcement?

Issue 1: What should the US Role be in UNMIH?

The UN Security Council is now considering the expansion of the UN Mission in Haiti (UNMIH), an essential element in our Haiti strategy. In connection with the Governors Island Agreement, the UN created the UN Mission in Haiti (UNMIH). UNMIH was to involve human rights monitors, police training, Army professionalization, and some Seabee construction units. The 600 forces were to be lightly armed and had no mandate to prevent violence. The forces were to be largely American and be commanded by a US officer.

Earlier this month, the OAS Ministerial called for an expanded UNMIH that would, in addition to its earlier mission:

- protect the international humanitarian and human rights presence and;
- assist the Haitian authorities in the preservation of basic civic order.

President Aristide endorsed that expansion in mandate, although there is reason to believe that he still has problems with a large UN peacekeeping force for Haiti. Bill Gray is engaged in discussion on this issue with President Aristide.

DECLASSIFIED

E.O. 13526, Sec. 3.5 (b)

White House Guidelines, September 11, 2006

By: [Signature] NARA, Date: 07/28/09

2013-0172-01 (1.81)

~~SECRET~~

Declassify on: OADR

CLINTON LIBRARY PHOTO COPY

cc: Vice President  
Chief of Staff

PHOTOCOPY WJC HANDWRITING

DOD has designed a new UNMIH that would involve about 12,000 personnel, including civilian contractors, police, and military peacekeepers. Several nations have said they would participate in some manner in the new UNMIH, although the size of their proffered contributions remains small.

We have begun consultations in the UN to have the existing mandate extended and enlarged. There are, however, some institutional problems in the UN. The UN Secretariat fears "a repeat of Somalia" where, in their view, the US did not hand the mission off to the UN very well in May 93, and then pulled out altogether later on. The consultations with the UN may go on beyond the expiration of the current UNMIH mandate at the end of the month. If so, we will seek a technical extension, while we create the support needed for passage of the expanded UNMIH.

Part of the UN's institutional bias against the expanded UNMIH we seek might be mitigated by an explicit pledge concerning the US role. Such a pledge would seek to assure them that the UN would not be "left holding the bag" with a large and difficult mission.

The elements of the US pledge would be:

- the US will provide the commander of UNMIH 2 and the largest component unit of the military peacekeepers;
- the US believes it is vital that the force be large enough to deter instability. We will, therefore, vigorously recruit forces from other members and will make up with our own forces any shortfall in the UN's ability to recruit other nations;
- the US will, on a reimbursable basis, transport, equip, and logistically support other nations' contributions to UNMIH 2;
- the US presence described above will be part of UNMIH throughout its planned 18 month mandate, barring two major wars elsewhere in the world;
- the US will contribute a robust non-military role in UNMIH, including civilian staff and funding for assistance to the police development program and the humanitarian relief/development assistance effort.

If the UNMIH force is 12,000 personnel and the civilian component is about 3,000, we will be looking for a military peacekeeping force of about 9,000. We should be able to recruit a minimum of 2,000 non-US military and perhaps as many as 4,000. While you do not promise Boutros-Ghali that we will make up the short fall with US troops, if we did provide all that is needed, that could be 5-7,000 US troops for up to 18 months. Congressional consultations would be necessary before making such a commitment to the UN.

The UNMIH deployment would end in the first quarter of 1996, by our plan. It could come at the same time as a US peacekeeping deployment to Bosnia and perhaps another to the Golan Heights. Reinforced deployments in Korea might also be necessary during this time.

RECOMMENDATION

That you provide the UN with the assurances outlined above by signing the letter to Secretary General Boutros-Ghali at Tab A. We will begin informal consultations with key Congressional leaders. We would seek to minimize the US military deployment by vigorous recruiting of other nations.

Approve \_\_\_\_\_ Disapprove \_\_\_\_\_

Issue 2: The Role of the US in Enforcing Sanctions

During a meeting in Santo Domingo late last month, Dante Caputo (UN and OAS Special Representative for Haiti) and Leon Fuerth secured President Balaguer's agreement to accept deployment of a multinational observer group to assist the Dominican Republic in controlling smuggling along the land border. At this meeting, President Balaguer also reaffirmed his intention to implement a bilateral maritime cooperation agreement that was crafted between Dominican Republic and the US.

The Pentagon dispatched a technical survey team to the Dominican Republic in early June to make recommendations on the size, composition, mission, and operational employment of the multinational observer group agreed to by President Balaguer. These recommendations are being refined so that we can begin a multinational recruitment effort with potential participants in the Western Hemisphere and Western Europe.

The observer group will be composed of multinational units and be led by a senior US military officer who will serve under US command authority. Although we anticipate the US will supply an all military component, some of our multinational partners in this operation may assign civilians to serve in the observer group. The team will observe, report, and provide technical assistance to Dominican personnel in order to limit smuggling along the border and reduce the flow of gasoline to the border. The technical assistance team will deploy under a multinational -- rather than a UN -- mandate, which Leon Fuerth and Dante Caputo will coordinate at the diplomatic level with President Balaguer. Periodic reports on the effectiveness of sanctions enforcement will be submitted to the UNSC Sanctions Committee.

Several decisions and appropriate Congressional consultations are required before we proceed with our multinational recruitment effort. The elements of the US pledge to this observer group would be:

- To provide approximately 20 percent of an 88 person multinational observer group (plus additional logistics support personnel as necessary);
- To provide the force commander for the observer group; and

PHOTOCOPY WJC HANDWRITING

- To provide approximately \$15 million in DoD inventory drawdown and non-inventory equipment to enable the Dominicans to adequately enforce UNSC economic sanctions against Haiti. (This request will be formally submitted to you for approval when equipment requirements are finalized.)

The Dominican Republic would be responsible for ensuring the safety and security of the multinational observer group and for all enforcement actions.

RECOMMENDATIONS

That you authorize the US to contribute approximately 20 percent of the personnel, plus sufficient logistics support personnel and the commander for the multinational observer group. Exact numbers of US participants would be approved by the Deputies Senior Steering Group on Haiti.

Approve  \_\_\_\_\_ Disapprove  \_\_\_\_\_

That you authorize multinational recruitment for the observer group and the necessary Congressional consultations to begin, with the goal of deploying the observer group as soon as possible.

Approve  \_\_\_\_\_ Disapprove  \_\_\_\_\_

Attachment

Tab A Letter to Secretary General Boutros-Ghali

PHOTOCOPY WJC HANDWRITING

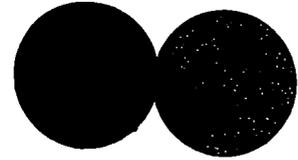
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NATIONAL SECURITY COUNCIL  
WASHINGTON, D.C. 20506

5087

June 24, 1994



ACTION

MEMORANDUM FOR ANTHONY LAKE

FROM: RICHARD A. CLARKE *WAC*

SUBJECT: Haiti and the UN

Attached at Tab I is a memorandum to the President regarding the role of the UN in our Haiti strategy.

Concurrences by: Leon Fuerth, Larry Rossin *LR*

RECOMMENDATION

That you sign the memorandum to the President at Tab I.

Attachments

- Tab I Memorandum to the President
- Tab A Letter to Secretary General Boutros Ghali

DECLASSIFIED  
E.O. 13526  
White House Guidelines, May 16, 2017  
By *AS* NARA, Date *8/21/2019*  
2013-0122.M

~~SECRET~~

Declassify on: OADR

CLINTON

~~SECRET~~

PHOTOCOPY



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Situation Room

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NSC Secretariat

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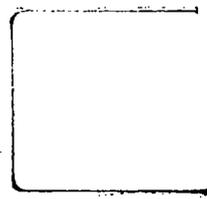
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A = Action I = Information D = Dispatch R = Retain N = No Further Action

cc: VP McLarty Other \_\_\_\_\_

Should be seen by: \_\_\_\_\_  
(Date/Time)

COMMENTS:

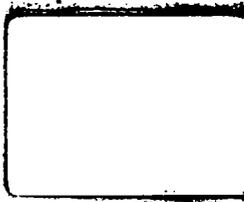


This one  
is URGENT  
per TL -  
tell Podesta's  
office it needs  
to get to  
POTUS asap

6/25 SRB -  
Premature? (Haven't seen  
5 CS memo).  
OK?

2 as deskette

National Security Council  
The White House



PROOFED BY: \_\_\_\_\_ LOG # 5087  
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A = Action    I = Information    D = Dispatch    R = Retain    N = No Further Action

cc:            VP                    McLarty                    Other \_\_\_\_\_

Should be seen by: \_\_\_\_\_  
(Date/Time)

COMMENTS:

Date: July 1 1994

DISPATCH INSTRUCTIONS:



THE WHITE HOUSE  
WASHINGTON

ACTION

MEMORANDUM FOR THE PRESIDENT

FROM: ANTHONY LAKE

SUBJECT: Haiti and the UN

Purpose

To decide on ~~several~~ <sup>two</sup> issues regarding ~~the role of the UN in~~ <sup>T</sup> our Haiti strategy.

Background

There are two issues regarding our Haiti strategy that require decisions about US policy:

- what will be the role of the US in the new UNMIH?
- what will be the role of the US in sanctions enforcement?

Issue 1: What should the US Role be in UNMIH?

The UN Security Council is now considering the expansion of the UN Mission in Haiti (UNMIH), an essential element in our Haiti strategy. In connection with the Governors Island Agreement, the UN created the UN Mission in Haiti (UNMIH). UNMIH was to involve human rights monitors, police training, Army professionalization, and some Seabee construction units. The 600 forces were to be lightly armed and had no mandate to prevent violence. The forces were to be largely American and be commanded by a US officer. The UN authority for this UNMIH expires in two weeks.

Earlier this month, the OAS Ministerial called for an expanded UNMIH that would, in addition to its earlier mission:

- protect the international humanitarian and human rights presence and;
- assist the Haitian authorities in the preservation of basic civic order.

President Aristide endorsed that expansion in mandate, although there is reason to believe that he still has problems with a large UN peacekeeping force for Haiti. Bill Gray is engage in discussion on this issue with President Aristide.

DECLASSIFIED  
E.O. 13526, Sec. 3.5 (b)  
White House Guidelines, September 11, 2006  
By VC NARA, Date 10/8/2019

~~SECRET~~

DOD has designed a new UNMIH that would involve about 12,000 personnel, including civilian contractors, police, and military peacekeepers. Several nations have said they would participate in some manner in the new UNMIH, although the size of their proffered contributions remains small.

We have begun consultations in the UN to have the existing mandate extended and enlarged. There are, however, some institutional problems in the UN. The UN Secretariat fears "a repeat of Somalia" where, in their view, the US did not hand the mission off to the UN very well in May 93, and then pulled out altogether later on. The consultations with the UN may go on beyond the expiration of the current UNMIH mandate at the end of the month. If so, we will seek a technical extension, while we create the support needed for passage of the expanded UNMIH.

Part of the UN's institutional bias against the expanded UNMIH we seek might be mitigated by an explicit pledge concerning the US role. Such a pledge would seek to assure them that the UN would not be "left holding the bag" with a large and difficult mission.

The elements of the US pledge would be:

- the US will provide the commander of UNMIH 2 and the largest component unit of the military peacekeepers;
- the US believes it is vital that the force be large enough to deter instability. We will, therefore, vigorously recruit forces from other members and will make up with our own forces any shortfall in the UN's ability to recruit other nations;
- the US will, on a reimbursable basis, transport, equip, and logistically support other nations' contributions to UNMIH 2;
- the US presence described above will be part of UNMIH throughout its planned 18 month mandate, barring two major wars elsewhere in the world;
- the US will contribute a robust non-military role in UNMIH, including civilian staff and funding for assistance to the police development program and the humanitarian relief/development assistance effort.

If the UNMIH force is 12,000 personnel and the civilian component is about 3,000, we will be looking for a military peacekeeping force of about 9,000. We should be able to recruit a minimum of 2,000 non-US military and perhaps as many as 4,000. While you do not promise Boutros-Ghali that we will make up the short fall with US troops, if we did provide all that is needed, that could be 5-7,000 US troops for up to 18 months. Congressional consultations would be necessary before making such a commitment to the UN.

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~~SECRET~~

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~~SECRET~~

RECOMMENDATION

That you provide the UN with the assurances outlined above by signing the letter to Secretary General Boutros-Ghali at Tab A. We will begin informal consultations with key Congressional leaders. We would seek to minimize the US military deployment by vigorous recruiting of other nations.

Approve \_\_\_\_\_ Disapprove \_\_\_\_\_

Issue 2: The Role of the US in Enforcing Sanctions

During a meeting in Santo Domingo late last month, Dante Caputo (UN and OAS Special Representative for Haiti) and Leon Fuerth secured President Balaguer's agreement to accept deployment of a multinational observer group to assist the Dominican Republic in controlling smuggling along the land border. At this meeting, President Balaguer also reaffirmed his intention to implement a bilateral maritime cooperation agreement that was crafted between Dominican Republic and the US.

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Several decisions and appropriate Congressional consultations are required before we proceed with our multinational recruitment effort. The elements of the US pledge to this observer group would be:

- To provide approximately 20 percent of an 88 person multinational observer group (plus additional logistics support personnel as necessary);
- To provide the force commander for the observer group; and

- To provide approximately \$15 million in DoD inventory drawdown and non-inventory equipment to enable the Dominicans to adequately enforce UNSC economic sanctions against Haiti. (This request will be formally submitted to you for approval when equipment requirements are finalized.)

The Dominican Republic would be responsible for ensuring the safety and security of the multinational observer group and for all enforcement actions.

RECOMMENDATIONS

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Approve \_\_\_\_\_ Disapprove \_\_\_\_\_

That you authorize multinational recruitment for the observer group and the necessary Congressional consultations to begin, with the goal of deploying the observer group as soon as possible.

Approve \_\_\_\_\_ Disapprove \_\_\_\_\_

Attachment

Tab A Letter to Secretary General Boutros-Ghali

THE WHITE HOUSE  
WASHINGTON

DECLASSIFIED  
E.O. 13526, Sec. 3.5 (b)  
White House Guidelines, September 11, 2006  
By VZ NARA, Date 10/8/2019  
2013-0122-01

ACTION

MEMORANDUM FOR THE PRESIDENT

FROM: ANTHONY LAKE

SUBJECT: Haiti and the UN

The UN Security Council is now considering the expansion of the UN mission in Haiti (UNMIH), an essential element in our Haiti strategy.

Purpose

To decide on several issues regarding the role of the UN in our Haiti strategy.

Background

There are two issues regarding ~~the role of the UN~~<sup>US</sup> in our Haiti strategy that require decisions about US policy:

- what will be the role of the US in the new UNMIH?
- what will be the role of the US in sanctions enforcement?

ISSUE 1: What should the US Role be in UNMIH

In connection with the Governors Island Agreement, the UN created the UN Mission in Haiti (UNMIH). UNMIH was to involve human rights monitors, police training, Army professionalization, and some Seabee construction units. The 600 forces were to be lightly armed and had no mandate to prevent violence. The forces were to be largely American and be commanded by a US officer. The UN authority for this UNMIH expires in two weeks.

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- assist the Haitian authorities in the preservation of basic civic order.

President Aristide endorsed that expansion in mandate, although there is reason to believe that he still has problems with a large UN peacekeeping force for Haiti.

Bill Gray is engage in discussion on this issue with President Aristide.

GRAY is working on this

DOD has designed a new UNMIH that would involve about 12,000 personnel, including civilian contractors, police, and military peacekeepers. Several nations have said they would participate in some manner in the new UNMIH, although the size of their proffered contributions remains small.

We have begun consultations in the UN to have the existing mandate extended and enlarged. There are, however, some institutional problems in the UN. The UN Secretariat fears "a repeat of Somalia" where, in their view, the US did not hand the mission off to the UN very well in May 93, and then pulled out altogether later on. The consultations with the UN may go on beyond the expiration of the current UNMIIH mandate at the end of the month. If so, we will seek a technical extension, while we create the support needed for passage of the expanded UNMIIH.

Issue 1: What is the US Role in UNMIIH 2?

Part of the UN's institutional bias against the expanded UNMIIH we seek might be mitigated by an explicit pledge concerning the US role. Such a pledge would seek to assure them that the UN would not be "left holding the bag" with a large and difficult mission.

The elements of the US pledge would be:

the US will provide the commander of UNMIIH 2 and the largest component unit of the military peacekeepers;

the US believes it is vital that the force be large enough to deter instability. We will, therefore, vigorously recruit forces from other members and will make up with our own forces any shortfall in the UN's ability to recruit other nations;

the US will, on a reimbursable basis, transport, equip, and logistically support other nations' contributions to UNMIIH 2;

the US presence described above will be part of UNMIIH throughout its planned 18 month mandate, barring two major wars elsewhere in the world;

the US will contribute a robust non-military role in UNMIIH, including civilian staff and funding for assistance to the police development program and the humanitarian relief/development assistance effort.

If the UNMIIH force is 12,000 personnel and the civilian component is about 3,000, we will be looking for a military peacekeeping force of about 9,000. We should be able to recruit a minimum of 2,000 non-US military and perhaps as many as 4,000. ~~Thus, by promising that we would make up for any shortfall, we would be offering to provide 5-7,000 US forces for 18 months.~~ Congressional consultations would be necessary before making such a commitment to the UN.

The UNMIIH deployment would end in the first quarter of 1996, by our plan. It could come at the same time as a US peacekeeping deployment to Bosnia and perhaps another to the Golan Heights. Reinforced deployments in Korea might also be necessary during this time.

*With the goal of NOT promise Boutros-Ghali that we will make up the short fall with US troops, if we did provide all that is needed, we could be that could be 5-7,000 US troops for up to 18 months.*

*The letter to CSB about it say we will do we did make*

RECOMMENDATION

That you provide the UN with the assurances outlined above by signing the letter to Secretary General Boutros Ghali at Tab A. We will begin informal consultations with key Congressional leaders. We would seek to minimize the US military deployment by vigorous recruiting of other nations.

Approve \_\_\_\_\_ Disapprove \_\_\_\_\_

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During a meeting in Santo Domingo late last month, Dante Caputo (UN and OAS Special Representative for Haiti) and Leon Fuerth secured President Balaguer's agreement to accept deployment of a multinational observer group to assist the Dominican Republic in controlling smuggling along the land border. At this meeting, President Balaguer also reaffirmed his intention to implement a bilateral maritime cooperation agreement that was crafted between Dominican Republic and the US.

The Pentagon dispatched a technical survey team to the Dominican Republic in early June to make recommendations on the size, composition, mission, and operational employment of the multinational observer group agreed to by President Balaguer. These recommendations are being refined so that we can begin a multinational recruitment effort with potential participants in the Western Hemisphere and Western Europe.

The observer group will be composed of multinational units and be led by a senior US military officer who will serve under US command authority. Although we anticipate the US will supply an all military component, some of our multinational partners in this operation may assign civilians to serve in the observer group. The team will observe, report, and provide technical assistance to Dominican personnel in order to limit smuggling along the border and reduce the flow of gasoline to the border. The technical assistance team will deploy under a multinational -- rather than a UN -- mandate, which Leon Fuerth and Dante Caputo will coordinate at the diplomatic level with President Balaguer. Periodic reports on the effectiveness of sanctions enforcement will be submitted to the UNSC Sanctions Committee.

Several decisions and appropriate Congressional consultations are required before we proceed with our multinational recruitment effort. The elements of the US pledge to this observer group would be:

- To provide approximately 20 percent of an 88 person multinational observer group (plus additional logistics support personnel as necessary);
- To provide the force commander for the observer group; and

SECRET

- To provide approximately \$15 million in DoD inventory drawdown and non-inventory equipment to enable the Dominicans to adequately enforce UNSC economic sanctions against Haiti. (This request will be formally submitted to you for approval when equipment requirements are finalized.)

The Dominican Republic would be responsible for ensuring the safety and security of the multinational observer group and for all enforcement actions.

RECOMMENDATIONS

That you authorize the US to contribute approximately 20 percent of the personnel, plus sufficient logistics support personnel and the commander for the multinational observer group. Exact numbers of US participants would be approved by the Deputies Senior Steering Group on Haiti.

Approve \_\_\_\_\_ Disapprove \_\_\_\_\_

That you authorize multinational recruitment for the observer group and the necessary Congressional consultations to begin, with the goal of deploying the observer group as soon as possible.

Approve \_\_\_\_\_ Disapprove \_\_\_\_\_

Attachment

Tab A Letter to Secretary General Boutros Ghali

THE WHITE HOUSE  
WASHINGTON

Dear Mr. Secretary General:

We continue together to seek the restoration of democracy and President Aristide in Haiti. The recent expansion of sanctions should bring that date closer.

When the day comes that the illegitimate regime departs, the UN must be in position to move quickly to deploy UNMIH. Recently, the OAS Foreign Ministers described an expanded role for UNMIH. The United States will work closely with you, other OAS members, and other members of the Security Council to conform the UNMIH mandate with the proposal of the OAS Ministers as quickly as possible.

For that expanded UNMIH to be able to move into Haiti quickly and to operate effectively once there, the United States will have to bear the major burden among the nations participating. We are prepared to do so.

Specifically, the United States will work with you vigorously to recruit nations to participate in UNMIH. We will transport, equip, and provide logistical support to those nations that require it, on a reimbursable basis. The United States will contribute a significant number of personnel to the military, police, and civilian components of UNMIH during the entire duration of its operation. We will coordinate a humanitarian relief and development assistance program, and contribute significantly to it.

In short, Mr. Secretary General, the United States is prepared to do what is necessary to insure that UNMIH is a success.

We have already begun much of this effort, working with your staff, with OAS members, and other members of the Security Council. I know that we can count on your assistance in insuring that UNMIH is readied for its mission as soon as possible. With the UN facing so many difficult challenges around the world, let us together make Haiti an example of a great success for the international community.

Sincerely,

His Excellency  
Dr. Boutros Boutros-Ghali  
Secretary General of the United Nations  
New York

CLINTON LIBRARY PHOTOCOPY

THE WHITE HOUSE  
WASHINGTON

ACTION

MEMORANDUM FOR THE PRESIDENT

FROM: ANTHONY LAKE

SUBJECT: Haiti and the UN

Purpose

To decide on two issues regarding our Haiti strategy.

Background

There are two issues regarding our Haiti strategy that require decisions about US policy:

- what will be the role of the US in the new UNMIH?
- what will be the role of the US in sanctions enforcement?

Issue 1: What should the US Role be in UNMIH?

The UN Security Council is now considering the expansion of the UN Mission in Haiti (UNMIH), an essential element in our Haiti strategy. In connection with the Governors Island Agreement, the UN created the UN Mission in Haiti (UNMIH). UNMIH was to involve human rights monitors, police training, Army professionalization, and some Seabee construction units. The 600 forces were to be lightly armed and had no mandate to prevent violence. The forces were to be largely American and be commanded by a US officer. ~~The UN authority for this UNMIH expires in two weeks.~~

Earlier this month, the OAS Ministerial called for an expanded UNMIH that would, in addition to its earlier mission:

- protect the international humanitarian and human rights presence and;
- assist the Haitian authorities in the preservation of basic civic order.

President Aristide endorsed that expansion in mandate, although there is reason to believe that he still has problems with a large UN peacekeeping force for Haiti. Bill Gray is engaged in discussion on this issue with President Aristide.

SECRET

Declassify on: OADR

CLINTON LIBRARY PHOTOCOPY

DECLASSIFIED  
E.O. 13526, Sec. 3.5 (b)  
White House Guidelines, September 11, 2006  
By VL NARA Date 10/8/2019 cc: 203F022-6

Vice President  
Chief of Staff

# MIR MARKER

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| Original OA/ID Number:<br>477 |               |             |                |             |
|                               |               |             |                |             |
| Document ID:<br>9405215       |               |             |                |             |
| Row:<br>44                    | Section:<br>4 | Shelf:<br>5 | Position:<br>2 | Stack:<br>V |

# Withdrawal/Redaction Sheet

## Clinton Library

| DOCUMENT NO.<br>AND TYPE | SUBJECT/TITLE   | DATE       | RESTRICTION               |
|--------------------------|---|------------|---------------------------|
| 001. memo                | To: POTUS; From: Anthony Lake; Re: Crisis in Haitian Migration (1 page) | 06/28/1994 | P1/b(1) <i>W 3/3/2020</i> |

**COLLECTION:**

Clinton Presidential Records  
 NSC Records Management  
 [Haiti and Memcon]  
 OA/Box Number: 477

**FOLDER TITLE:**

9405215

2013-0122-M  
sb2540

**RESTRICTION CODES**

Presidential Records Act - [44 U.S.C. 2204(a)]

Freedom of Information Act - [5 U.S.C. 552(b)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
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- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

- C. Closed in accordance with restrictions contained in donor's deed of gift.
- PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).
- RR. Document will be reviewed upon request.

CLINTON LIBRARY PHOTOCOPY

TO: PRESIDENT

FROM: LAKE

DOC DATE: 28 JUN 94  
SOURCE REF:

KEYWORDS: HAITI

IMMIGRATION

PERSONS:

SUBJECT: CRISIS IN HAITIAN MIGRATION

ACTION: NOTED BY PRESIDENT

DUE DATE: 30 JUN 94 STATUS: C

STAFF OFFICER: CLARKE

LOGREF:

FILES: PA

NSCP:

CODES:

DOCUMENT DISTRIBUTION

FOR ACTION

FOR CONCURRENCE

FOR INFO  
NSC CHRON

DECLASSIFIED  
E.O. 13526  
White House Guidelines, May 16, 2017  
By ADNARA, Date 8/21/2019  
2013-0122-M

COMMENTS: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

DISPATCHED BY \_\_\_\_\_ DATE \_\_\_\_\_ BY HAND W/ATTCH

OPENED BY: NSDRS

CLOSED BY: NSASK

DOC 2 OF 2

ACTION DATA SUMMARY REPORT

DOC ACTION OFFICER

CAO ASSIGNED ACTION REQUIRED

001 LAKE  
002 PRESIDENT  
002

Z 94062721 FWD TO PRESIDENT FOR INFORMATION  
Z 94062810 FOR INFORMATION  
X 94062813 NOTED BY PRESIDENT

DISPATCH DATA SUMMARY REPORT

DOC DATE DISPATCH FOR ACTION

DISPATCH FOR INFO

002 940628  
002 940628

VICE PRESIDENT  
WH CHIEF OF STAFF

REC'd 6/28 7:30am

National Security Council  
The White House

PROOFED BY: \_\_\_\_\_ LOG # 5215  
URGENT NOT PROOFED: \_\_\_\_\_ SYSTEM PRS NSC INT  
BYPASSED WW DESK: \_\_\_\_\_ DOCLOG W62 A/O

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| Itoh              | _____       | _____                            | _____               |
| Soderberg         | _____       | _____                            | _____               |
| <u>mlw</u> Berger | <u>1</u>    | <u>BW</u>                        |                     |
| Lake              | <u>2</u>    | <u>Natl Sec Advisor has seen</u> |                     |
| Situation Room    | _____       | _____                            | _____               |
| West Wing Desk    | <u>3</u>    | <u>CA 6/28</u>                   | <u>D TO PODESTA</u> |
| NSC Secretariat   | <u>4</u>    | _____                            | <u>N</u>            |
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A = Action    I = Information    D = Dispatch    R = Retain    N = No Further Action

cc:            VP                            McLarty                            Other \_\_\_\_\_

Should be seen by: \_\_\_\_\_  
(Date/Time)

COMMENTS:

DISPATCH INSTRUCTIONS:

E4Sec's Office has desked

TO: LAKE

FROM: CLARKE

DOC DATE: 27 JUN 94  
SOURCE REF:

KEYWORDS: HAITI

IMMIGRATION

PERSONS:

SUBJECT: CRISIS IN HAITIAN MIGRATION

ACTION: FWD TO PRESIDENT FOR INFORMATION DUE DATE: 30 JUN 94 STATUS: X

STAFF OFFICER: CLARKE

LOGREF:

FILES: PA

NSCP:

CODES:

D O C U M E N T D I S T R I B U T I O N

FOR ACTION  
LAKE

FOR CONCURRENCE

FOR INFO

DECLASSIFIED  
E.O. 13526  
White House Guidelines, May 16, 2017  
By AGNARA, Date 8/21/2019  
2013-0122-M

COMMENTS: \_\_\_\_\_  
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DISPATCHED BY \_\_\_\_\_ DATE \_\_\_\_\_ BY HAND W/ATTCH

OPENED BY: NSDRS CLOSED BY: DOC 1 OF 1

~~CONFIDENTIAL~~

~~CONFIDENTIAL~~

5215

THE WHITE HOUSE  
WASHINGTON  
June 28, 1994

THE PRESIDENT HAS SEEN  
6-28-94

94 JUN 28 A 9:59

INFORMATION

MEMORANDUM FOR THE PRESIDENT

FROM: ANTHONY LAKE *AL*  
SUBJECT: Crisis in Haitian Migration

After several days of small numbers (20-90 a day) of Haitian boat migrants being interdicted by the Coast Guard, over 1100 were picked up by US ships on Monday. The highest single daily total is 1635, achieved during the peak of the 1992 migration. The outflow Monday saturated the capability of the Coast Guard armada on scene, which called in Navy destroyers for help.

The capacity of our Migrant Processing Center in Jamaica to screen refugees is about 200 people a day, increasing this week to about 300. Our capacity to hold migrants in Jamaica is less than 2000. A second Migrant Processing Center on Grand Turk island will open in two weeks, with a capacity for another 2000.

If, however, the outflow is sustained at the rate of 1000 or more a day, our ability to house migrants at these sites will be saturated quickly. Indeed, we could saturate the existing capacity Tuesday if we have a repeat of Monday's levels. The Immigration Service has been declaring about 28% of the boat migrants interviewed in Jamaica to be bona fide refugees. Because word of that rate has spread in Haiti, we anticipate a high number of migrants again Tuesday. We can not yet, however, rule out the unlikely possibility that today's rate was an abnormal one time spike.

Our contingency plan calls for opening a holding facility at Guantanamo when Jamaica is saturated. We may have to recommend doing so on Tuesday. That site can hold about 4000 today, building to 6500 by 1 July.

The Principals Committee will meet on this issue at 10:00 Tuesday. The Deputies Committee has ordered a) a number of short term fixes to increase our ability to deal with the problem at Jamaica, and b) options for longer term policy if the outflow is sustained.

PHOTOCOPY WJC HANDWRITING

DECLASSIFIED 1-24-99

DECLASSIFIED  
E.O. 13526, Sec. 3.5 (b)  
White House Guidelines, September 11, 2006  
By *VL* NARA, Date *8/8/2019*  
*2013-0172-1A (1,180)*

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Declassify on: OADR

CLINTON ~~CONFIDENTIAL~~ PHOTOCOPY

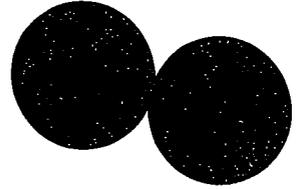
cc: Vice President  
Chief of Staff

~~CONFIDENTIAL~~

~~CONFIDENTIAL~~

5215

NATIONAL SECURITY COUNCIL  
WASHINGTON, D.C. 20506



June 27, 1994

ACTION

MEMORANDUM FOR ANTHONY LAKE

FROM: RICHARD A. CLARKE *[Signature]*

SUBJECT: Crisis in Haitian Migration

Attached at Tab I is a memorandum to the President on the crisis in Haiti.

RECOMMENDATION

That you sign the memorandum to the President at Tab I.

Approve \_\_\_\_\_ Disapprove \_\_\_\_\_

Attachment

Tab I Memorandum to the President

DECLASSIFIED  
E.O. 13526  
White House Guidelines, May 16, 2017  
By *[Signature]* NARA, Date 8/21/2019  
2013-0122-M

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| Original OA/ID Number:<br>480 |               |             |                |             |
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| Document ID:<br>9407442       |               |             |                |             |
| Row:<br>44                    | Section:<br>4 | Shelf:<br>6 | Position:<br>2 | Stack:<br>v |

# Withdrawal/Redaction Sheet

## Clinton Library

| DOCUMENT NO.<br>AND TYPE | SUBJECT/TITLE  | DATE       | RESTRICTION |
|--------------------------|--|------------|-------------|
| 001. memo                | To: Samuel Berger; From: Richard Clarke; Re: Haiti: Foreign Policy Team Meeting, 16 September 1994 (2 pages) | 09/15/1994 | P1/b(1)     |

**COLLECTION:**

Clinton Presidential Records  
 NSC Records Management  
 [Haiti and Memcon ...]  
 OA/Box Number: 480

**FOLDER TITLE:**

9407442

2013-0122-M  
sb2542

**RESTRICTION CODES**

**Presidential Records Act - [44 U.S.C. 2204(a)]**

**Freedom of Information Act - [5 U.S.C. 552(b)]**

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
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- PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).
- RR. Document will be reviewed upon request.

CLINTON LIBRARY PHOTOCOPY

TO: BERGER

FROM: CLARKE

DOC DATE: 15 SEP 94  
SOURCE REF:

KEYWORDS: HAITI

PERSONS:

SUBJECT: FORN POLICY TEAM MTG 16 SEP ON HAITI

ACTION: OBE / STATUS OF ORIGINAL UNKNOWN DUE DATE: 19 SEP 94 STATUS: C

STAFF OFFICER: CLARKE

LOGREF:

FILES: PA

NSCP:

CODES:

DOCUMENT DISTRIBUTION

FOR ACTION

FOR CONCURRENCE

FOR INFO  
NSC CHRON

DECLASSIFIED  
E.O. 13526  
White House Guidelines, May 16, 2017  
By NSNARA, Date 8/22/2019  
2013-0122-M

COMMENTS: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

DISPATCHED BY \_\_\_\_\_ DATE \_\_\_\_\_ BY HAND W/ATTCH

OPENED BY: NSGP

CLOSED BY: NSJDA

DOC 1 OF 1

~~SECRET~~

RECORD ID: 9407442

ACTION DATA SUMMARY REPORT

DOC ACTION OFFICER

CAO ASSIGNED ACTION REQUIRED

001 BERGER  
001

Z 94091509 FOR INFORMATION  
X 95042711 OBE / STATUS OF ORIGINAL UNKNOWN

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National Security Council  
The White House

Exec Sec Office has diskette \_\_\_\_\_ LOG # 7442 A/O \_\_\_\_\_  
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| Berger         | _____       | _____              | _____              |
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A = Action    I = Information    D = Dispatch    R = Retain    N = No Further Action

cc:

COMMENTS:

Special Dispatch Instructions:

# Withdrawal/Redaction Marker

## Clinton Library

| DOCUMENT NO.<br>AND TYPE | SUBJECT/TITLE  | DATE       | RESTRICTION |
|--------------------------|--|------------|-------------|
| 001. memo                | To: Samuel Berger; From: Richard Clarke; Re: Haiti: Foreign Policy Team Meeting, 16 September 1994 (2 pages) | 09/15/1994 | P1/b(1)     |

**COLLECTION:**

Clinton Presidential Records  
 NSC Records Management  
 [Haiti and Memcon ...]  
 OA/Box Number: 480

**FOLDER TITLE:**

9407442

2013-0122-M  
sb2542

**RESTRICTION CODES**

**Presidential Records Act - [44 U.S.C. 2204(a)]**

- P1 National Security Classified Information [(a)(1) of the PRA]
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PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

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| Row:<br>44                    | Section:<br>3 | Shelf:<br>9 | Position:<br>1 | Stack:<br>v |

TO: CARTER, JIMMY

FROM: PRESIDENT

DOC DATE: 28 SEP 94  
SOURCE REF:

KEYWORDS: HAITI

PERSONS:

SUBJECT: LTR FM PRES CARTER ON HAITI

ACTION: FOR DISPATCH

- DUE DATE: 29 SEP 94 STATUS: C

STAFF OFFICER: ROSSIN

LOGREF:

FILES: WH

NSCP:

CODES:

DOCUMENT DISTRIBUTION

FOR ACTION

FOR CONCURRENCE

FOR INFO  
NSC CHRON  
ROSSIN

COMMENTS: \_\_\_\_\_  
\_\_\_\_\_  
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DISPATCHED BY SP

DATE 9/29

BY HAND

W/ATTCH

OPENED BY: NSJDA

CLOSED BY: NSGP

DOC 3 OF 3

UNCLASSIFIED

CLINTON LIBRARY PHOTOCOPY

UNCLASSIFIED  
ACTION DATA SUMMARY REPORT

RECORD ID: 9407761

DOC ACTION OFFICER

CAO ASSIGNED ACTION REQUIRED

001 ROSSIN  
002 PRESIDENT  
003  
003 WH STRIPPING DESK

Z 94092712 FWD TO PRESIDENT FOR SIG  
Z 94092915 FOR SIGNATURE  
X 94092915 PRESIDENT SGD LTR  
X 94092915 FOR DISPATCH

DISPATCH DATA SUMMARY REPORT

DOC DATE DISPATCH FOR ACTION

DISPATCH FOR INFO

003 940928 CARTER, JIMMY  
003 940928 WH STRIPPING DESK

UNCLASSIFIED

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National Security Council  
The White House

PROOFED BY: \_\_\_\_\_ LOG # 7761  
 URGENT NOT PROOFED: \_\_\_\_\_ SYSTEM PRS NSC INT  
 BYPASSED WW DESK: \_\_\_\_\_ DOCLOG JB A/O \_\_\_\_\_

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| Reed            | <u>1</u>    | <u>JUR</u>     | <u>Review</u> |
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| Itoh            | _____       | _____          | _____         |
| Soderberg       | _____       | _____          | _____         |
| Berger          | _____       | _____          | _____         |
| Lake            | _____       | _____          | _____         |
| Situation Room  | _____       | _____          | _____         |
| West Wing Desk  | <u>2</u>    | <u>JB 9/29</u> | _____         |
| NSC Secretariat | <u>3</u>    | _____          | <u>D</u>      |
| _____           | _____       | _____          | _____         |
| _____           | _____       | _____          | _____         |

A = Action    I = Information    D = Dispatch    R = Retain    N = No Further Action

cc: \_\_\_\_\_

COMMENTS: Date? 9-28-94

Exec Sec Office has diskette \_\_\_\_\_

National Security Council  
The White House

PROOFED BY: OB LOG # 7761  
 URGENT NOT PROOFED: \_\_\_\_\_ SYSTEM PRS NSC INT  
 BYPASSED WW DESK: \_\_\_\_\_ DOCLOG OB A/O \_\_\_\_\_

|                   | SEQUENCE TO | HAS SEEN                         | DISPOSITION |
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| <i>cl</i><br>Reed | _____       | _____                            | _____       |
| Sens              | <u>1</u>    | <u>ADS</u>                       | _____       |
| Itoh              | _____       | _____                            | _____       |
| Soderberg         | _____       | _____                            | _____       |
| Berger            | <u>2</u>    | <u>com</u>                       | _____       |
| <i>n</i><br>Lake  | <u>3</u>    | <u>Natl Sec Advisor has seen</u> | _____       |
| Situation Room    | _____       | _____                            | _____       |
| West Wing Desk    | <u>4</u>    | <u>OB 9/28</u>                   | <u>pres</u> |
| NSC Secretariat   | _____       | _____                            | _____       |
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A = Action    I = Information    D = Dispatch    R = Retain    N = No Further Action

cc: \_\_\_\_\_

COMMENTS: cc: NOT

Exec Sec Office has diskette yes

SEP 24 9:14

**National Security Council  
The White House**

PROOFED BY: \_\_\_\_\_ LOG # 7761  
 URGENT NOT PROOFED: \_\_\_\_\_ SYSTEM PRS NSC INT  
 BYPASSED WW DESK: \_\_\_\_\_ DOCLOG JB A/O \_\_\_\_\_

|                 | SEQUENCE TO | HAS SEEN       | DISPOSITION   |
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| Reed            | <u>1</u>    | <u>JR</u>      | <u>Review</u> |
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| Berger          | _____       | _____          | _____         |
| Lake            | _____       | _____          | _____         |
| Situation Room  | _____       | _____          | _____         |
| West Wing Desk  | <u>2</u>    | <u>JB 9/29</u> | _____         |
| NSC Secretariat | <u>3</u>    | _____          | <u>D</u>      |
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| _____           | _____       | _____          | _____         |

A = Action    I = Information    D = Dispatch    R = Retain    N = No Further Action

cc: \_\_\_\_\_

COMMENTS: Date? 9-28-94

Exec Sec Office has diskette \_\_\_\_\_

— rec'd 9/27 11:14am  
 National Security Council  
 The White House

PROOFED BY: OB LOG # 7761  
 URGENT NOT PROOFED: \_\_\_\_\_ SYSTEM PRS NSC INT  
 BYPASSED WW DESK: \_\_\_\_\_ DOCLOG OB AVO \_\_\_\_\_

|                 | SEQUENCE TO | HAS SEEN                           | DISPOSITION |
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| Reed            |             |                                    |             |
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| Berger          | 2           |                                    |             |
| Lake            | 3           | com<br>Nat Sec Advisor<br>has seen |             |
| Situation Room  |             |                                    |             |
| West Wing Desk  | 4           | OB 9/28                            | pres.       |
| NSC Secretariat |             |                                    |             |
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A = Action    I = Information    D = Dispatch    R = Retain    N = No Further Action

cc: \_\_\_\_\_

COMMENTS: cc: NOT

Exec Sec Office has diskette yes

27 SEP 94 9 5 14

THE WHITE HOUSE

WASHINGTON

September 28, 1994

Dear Jimmy:

Thank you for your recent note expressing concern about information you had received concerning President Aristide's attitude toward amnesty legislation.

As you know, President Aristide has convened Haiti's parliament in special session to consider all legislation and appointments required to complete the Governor's Island process and ensure free and fair legislative elections later this year. He has placed amnesty at the top of the agenda and he has informed the visiting head of Haiti's Senate that he wants the parliament to consider such legislation fully.

I share your view that amnesty can play an important role in facilitating reconciliation among Haitians. We will continue to convey this to President Aristide and to leaders of Haiti's parliament and political parties.

Sincerely,



The Honorable Jimmy Carter  
The Carter Center  
One Copenhill  
Atlanta, Georgia 30307

CLINTON LIBRARY PHOTOCOPY

9.28.94

THE WHITE HOUSE

WASHINGTON

September 28, 1994

94 SEP 28 08:24

ACTION

MEMORANDUM FOR THE PRESIDENT

FROM: ANTHONY LAKE ✓

SUBJECT: Letter from President Carter on Haiti

Purpose

To respond to President Carter's concerns about President Aristide's attitude on amnesty.

Background

President Carter wrote to convey concerns that President Aristide would block parliamentary consideration of amnesty, engendering long-term instability in Haiti. This letter was written before President Aristide's conversation with Haitian Senate President Firmin Jean-Louis and subsequent convocation of Haiti's parliament to consider amnesty and other Governor's Island-related legislation. Our proposed reply responds to President Carter's concerns by informing him of the latest developments and of our preference to see an amnesty law enacted.

RECOMMENDATION

That you sign the letter to President Carter at Tab A.

Attachment

- Tab A Letter to President Carter
- Tab B Incoming Correspondence

cc: Vice President  
Chief of Staff

PHOTOCOPY UNCLE HANDWRITING PHOTOCOPY

→ LARRY -  
please prepare  
response.  
A

7761

9/21/94

To President Bill Clinton

I have been informed by reliable sources that Aristide will block any amnesty for the deposed officers even if he has to stay out of Haiti for a full month.

This will (or may) precipitate an extremely serious confrontation that will not only perpetuate the societal divisions in Haiti, but escalate greatly the difficulty and danger that our own troops will confront.

I hope that you will assess my opinion with Gen. Powell & other knowledgeable people & use your influence accordingly. Best wishes,  
Jimmy Carter

THE OFFICE OF JIMMY CARTER

THE CARTER CENTER, INC.  
ATLANTA, GEORGIA 30307

404/331-3900 (phone)  
404/331-0283 (fax)

DATE: 9/21/94

Please deliver the following document to:

NAME: Resident Bill Clinton

CONTACT: Mr. Tony Lake - attn. Wilma Hall

PHONE: 202/456-9491

FAX: 202/456-9490

---

SENDER NAME: Jimmy Carter

CONTACT NAME:

PHONE:

FAX:

Number of pages transmitted including cover sheet: 2

If all pages are not received, please call contact number.

COMMENTS:

CLINTON LIBRARY PHOTOCOPY

NATIONAL SECURITY COUNCIL  
WASHINGTON, D.C. 20506

September 27, 1994

ACTION

MEMORANDUM FOR ANTHONY LAKE

FROM: LAWRENCE G. ROSSIN *LR*

SUBJECT: Letter from President Carter on Haiti

President Carter wrote to warn that Aristide planned to block amnesty legislation. His letter came before Aristide's decision to convene the parliament to consider that and other laws. Our proposed reply responds to President Carter's concerns and states our interest in this issue.

RECOMMENDATION

That you sign the Memorandum to the President at Tab I.

Attachment

Tab I Memorandum to the President  
Tab A Letter to President Carter  
Tab B Incoming Correspondence

REFERRAL

DATE: 29 SEP 94

MEMORANDUM FOR: WH STRIPPING DESK

DOCUMENT DESCRIPTION: TO: CARTER, JIMMY

SOURCE: PRESIDENT

DATE: 28 SEP 94

SUBJ: LTR FM PRES CARTER ON HAITI

---

REQUIRED ACTION: FOR DISPATCH

DUE DATE: 30 SEP 94

COMMENT:

  
 FOR

JOHN W. FICKLIN

NSC RECORDS MANAGEMENT OFFICE

# MIR MARKER

This is not a textual record. This is used as an administrative marker by the Clinton Presidential Library Staff.

|                               |               |             |                |             |
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|                               |               |             |                |             |
| Original OA/ID Number:<br>481 |               |             |                |             |
|                               |               |             |                |             |
| Document ID:<br>9407963       |               |             |                |             |
| Row:<br>44                    | Section:<br>4 | Shelf:<br>6 | Position:<br>3 | Stack:<br>V |

# Withdrawal/Redaction Sheet

## Clinton Library

| DOCUMENT NO.<br>AND TYPE | SUBJECT/TITLE  | DATE                  | RESTRICTION                          |
|--------------------------|--|-----------------------|--------------------------------------|
| <del>001. memo</del>     | <del>Duplicate of 002 (2 pages)</del>  | <del>09/30/1994</del> | <del>P1/b(1)</del> <i>✓ 3/3/2020</i> |
| <del>002. memo</del>     | <del>To: POTUS; From: Anthony Lake; Re: Haiti Addressing the Security and Political Issues (2 pages)</del> | <del>09/30/1994</del> | <del>P1/b(1)</del> <i>✓ 3/3/2020</i> |

**COLLECTION:**

Clinton Presidential Records  
 NSC Records Management  
 [Haiti and Memcon ...]  
 OA/Box Number: 481

**FOLDER TITLE:**

9407963

2013-0122-M  
sb2543

**RESTRICTION CODES**

**Presidential Records Act - [44 U.S.C. 2204(a)]**

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

**Freedom of Information Act - [5 U.S.C. 552(b)]**

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

CLINTON LIBRARY PHOTOCOPY

TO: PRESIDENT

FROM: LAKE

DOC DATE: 30 SEP 94  
SOURCE REF:

KEYWORDS: HAITI

PERSONS:

SUBJECT: HAITI - ADDRESSING SECURITY & POLITICAL ISSUES

ACTION: OBE / STATUS OF ORIGINAL UNKNOWN DUE DATE: 03 OCT 94 STATUS: C

STAFF OFFICER: CLARKE

LOGREF:

FILES: PA

NSCP:

CODES:

D O C U M E N T   D I S T R I B U T I O N

FOR ACTION

FOR CONCURRENCE

FOR INFO  
NSC CHRON

DECLASSIFIED  
E.O. 13526  
White House Guidelines, May 16, 2017  
By ADSS/NARA, Date 8/22/2019  
2013-0122-M

COMMENTS: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

DISPATCHED BY \_\_\_\_\_ DATE \_\_\_\_\_ BY HAND W/ATTCH

OPENED BY: NSDRS

CLOSED BY:

DOC 2 OF 2

~~CONFIDENTIAL~~  
ACTION DATA SUMMARY REPORT

RECORD ID: 9407963

DOC ACTION OFFICER

CAO ASSIGNED ACTION REQUIRED

001 LAKE  
001  
002 PRESIDENT  
002

Z 94093009 FOR INFORMATION  
Z 94093010 FWD TO PRESIDENT FOR INFORMATION  
Z 95120715 FOR INFORMATION  
X 95120715 OBE / STATUS OF ORIGINAL UNKNOWN

~~CONFIDENTIAL~~

CLINTON LIBRARY PHOTOCOPY

THE WHITE HOUSE  
WASHINGTON  
September 30, 1994

INFORMATION

DECLASSIFIED  
E.O. 13526, Sec. 3.5 (b)  
White House Guidelines, September 11, 2006  
By W. MARRA, Date 10/2/2019  
2013-0122-M

MEMORANDUM FOR THE PRESIDENT

FROM: ANTHONY LAKE

SUBJECT: Haiti - Addressing the Security and Political Issues

This memorandum summarizes actions being taken to address the major security related and political issues in Haiti.

The Security Issues

Following the shooting last Saturday at Cap-Haitien, the Haitian military/police have abandoned their posts at a number of towns throughout the north. If more disappear around the country, the U.S. military will have to do more police work than we had intended. Therefore, we are engaged in a number of steps to counter this dissolution:

- a psywar or propaganda effort to explain to the military that they will not be made unemployed by President Aristide; instead, if they cooperate, they will be retained in a new police force or military or given new opportunities elsewhere;
- authority to General Shelton, in coordination with Ambassador Swing, to offer a "bonus" program of cash payments for units, particularly those in difficult regions, combined with an initial vetting out of well known military "bad actors";
- the deployment, at the U.S. commander's discretion, of police trainees recruited at Guantanamo to assist U.S. forces;
- spreading out the U.S. force presence more rapidly to small towns where the military may be afraid of violent retaliation from the civilian population;
- pressing Cedras to order the movement of Haitian military/police units from elsewhere in the country to those areas now abandoned by the local military/police;
- acceleration of the deployment of the International Police Monitors to Haiti;

CONFIDENTIAL

-- attempt to arrange a meeting between President Aristide and senior officers of the Haitian military, to send a signal of reconciliation;

-- the disarmament of the paramilitaries by cooperating units of the Haitian military/police.

The U.S. commander and the ambassador have cooperated in the development of plans for the protection of the Parliament, including the establishment of safehaven hotels for those politicians who believe they may be at risk. The general and ambassador also have worked together to design a system to try to minimize the potential for widespread violence in connection with the large pro-Aristide demonstration today; we cannot, however, prevent all violence, such as the hand grenade attack on a pro-Aristide crowd in a Port au Prince slum today.

### The Political Issues

The Parliament has successfully opened and is debating amnesty. We have discussed with President Aristide what his public and private position should be to encourage consensus on amnesty.

The Deputies and Excomm are developing options for handling the transition period between now and the 15th of October, including what we do depending upon the actions of the three military leaders (e.g. if they do not formally resign, but do physically vacate their offices, etc.). They are also developing options for getting the three to leave Haiti, handling the return of President Aristide, and the eviction of Jonassaint and the illegitimate cabinet members.

Ambassador Swing will be structuring a framework for a political reconciliation involving the Parliament and various factional leaders, with the support of US non-governmental organizations where appropriate.

The Embassy in Port au Prince and State/AID here will also be working with President Aristide, the UN, the OAS, and others on the arrangements for the parliamentary elections which legally must be held by January 7th.

CONFIDENTIAL

CLINTON LIBRARY PHOTOCOPY

~~CONFIDENTIAL~~

~~CONFIDENTIAL~~

NATIONAL SECURITY COUNCIL  
WASHINGTON, D.C. 20506

7963

September 29, 1994

Natl Sec Advisor  
has seen

ACTION

MEMORANDUM FOR ANTHONY LAKE

FROM: RICHARD A. CLARKE *RC*

SUBJECT: Haiti - Addressing the Security and Political  
Issues

Attached at Tab I is a memorandum to the President on Haiti.

RECOMMENDATION

That you sign the memorandum to the President at Tab I.

Attachment  
Tab I Memorandum to the President

WWD-  
This was  
handcarried  
to the President  
at 11:28 a.m.  
Kay

DECLASSIFIED  
E.O. 13526  
White House Guidelines, May 16, 2017  
By ADN NARA, Date 8/22/2019  
2013-0122-M

~~CONFIDENTIAL~~

Declassify on: OADR

CLINTON LIBRARY PHOTOCOPY  
~~CONFIDENTIAL~~

TO: LAKE

FROM: CLARKE

DOC DATE: 29 SEP 94  
SOURCE REF:

KEYWORDS: HAITI

PERSONS:

SUBJECT: HAITI ADDRESSING SECURITY & POLITICAL ISSUES

ACTION: NOTED BY LAKE

DUE DATE: 03 OCT 94 STATUS: C

STAFF OFFICER: CLARKE

LOGREF:

FILES: PA

NSCP:

CODES:

DOCUMENT DISTRIBUTION

FOR ACTION

FOR CONCURRENCE

FOR INFO  
NSC CHRON

COMMENTS: \_\_\_\_\_  
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DISPATCHED BY \_\_\_\_\_ DATE \_\_\_\_\_ BY HAND W/ATTCH

OPENED BY: NSDRS CLOSED BY: DOC 1 OF 1

DECLASSIFIED  
E.O. 13526  
White House Guidelines, May 16, 2017  
By JSNARA, Date 8/22/2019  
2013-0122-M

~~CONFIDENTIAL~~  
ACTION DATA SUMMARY REPORT

RECORD ID: 9407963

DOC ACTION OFFICER

001 LAKE  
001

CAO ASSIGNED ACTION REQUIRED

Z 94093009 FOR INFORMATION  
X 94093010 NOTED BY LAKE

~~CONFIDENTIAL~~

CLINTON LIBRARY PHOTOCOPY

National Security Council  
The White House

PROOFED BY: \_\_\_\_\_ LOG # 7965  
 URGENT NOT PROOFED: \_\_\_\_\_ SYSTEM PRS NSC INT  
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| Berger          | <u>SP</u>   | _____          | _____                  |
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| Situation Room  | _____       | _____          | _____                  |
| West Wing Desk  | <u>3</u>    | <u>SP 10/3</u> | <u>To Rick Seidman</u> |
| NSC Secretariat | _____       | _____          | <u>W</u>               |
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A = Action    I = Information    D = Dispatch    R = Retain    N = No Further Action

cc: \_\_\_\_\_ Hillary

COMMENTS: SP - FOMin Saud of Saudi Arabia

Exec Sec Office has diskette yes

**National Security Council  
The White House**

PROOFED BY: \_\_\_\_\_ LOG # 7963  
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| Berger          | _____       | _____       | _____       |
| Lake            | _____       | _____       | _____       |
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| West Wing Desk  | <u>MBN</u>  | <u>9/30</u> | <u>N</u>    |
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A = Action    I = Information    D = Dispatch    R = Retain    N = No Further Action

cc: \_\_\_\_\_

COMMENTS:

30 SEP 94 11:25 AM

Exec Sec Office has diskette \_\_\_\_\_

National Security Council  
The White House

PROOFED BY: \_\_\_\_\_

LOG # 7963

URGENT NOT PROOFED: \_\_\_\_\_

SYSTEM PRS NSC INT

BYPASSED WW DESK: \_\_\_\_\_

DOCLOG MBN A/O \_\_\_\_\_

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| Soderberg       | _____       | _____       | _____       |
| Berger          | _____       | _____       | _____       |
| Lake            | _____       | _____       | _____       |
| Situation Room  | _____       | _____       | _____       |
| West Wing Desk  | <u>MBN</u>  | <u>9/30</u> | <u>N</u>    |
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A = Action    I = Information    D = Dispatch    R = Retain    N = No Further Action

cc: \_\_\_\_\_

COMMENTS:

SEP 24 2 13 PM '93

Exec Sec Office has diskette \_\_\_\_\_

THE WHITE HOUSE

WASHINGTON

September 30, 1994

INFORMATION

MEMORANDUM FOR THE PRESIDENT

FROM: ANTHONY LAKE

SUBJECT: Haiti - Addressing the Security and Political Issues

DECLASSIFIED  
E.O. 13526, Sec. 3.3 (b)  
White House Guidelines, September 11, 2006  
By [initials] NARA, Date 10/8/2019  
2013-0122-M (1.84)

This memorandum summarizes actions being taken to address the major security related and political issues in Haiti.

The Security Issues

Following the shooting last Saturday at Cap-Haitien, the Haitian military/police have abandoned their posts at a number of towns throughout the north. If more disappear around the country, the U.S. military will have to do more police work than we had intended. Therefore, we are engaged in a number of steps to counter this dissolution:

-- a psywar or propaganda effort to explain to the military that they will not be made unemployed by President Aristide; instead, if they cooperate, they will be retained in a new police force or military or given new opportunities elsewhere;

-- authority to General Shelton, in coordination with Ambassador Swing, to offer a "bonus" program of cash payments for units, particularly those in difficult regions, combined with an initial vetting out of well known military "bad actors";

-- the deployment, at the U.S. commander's discretion, of police trainees recruited at Guantanamo to assist U.S. forces;

-- spreading out the U.S. force presence more rapidly to small towns where the military may be afraid of violent retaliation from the civilian population;

-- pressing Cedras to order the movement of Haitian military/police units from elsewhere in the country to those areas now abandoned by the local military/police;

-- acceleration of the deployment of the International Police Monitors to Haiti;

PHOTOCOPY WJC HANDWRITING

-- attempt to arrange a meeting between President Aristide and senior officers of the Haitian military, to send a signal of reconciliation;

-- the disarmament of the paramilitaries by cooperating units of the Haitian military/police.

The U.S. commander and the ambassador have cooperated in the development of plans for the protection of the Parliament, including the establishment of safehaven hotels for those politicians who believe they may be at risk. The general and ambassador also have worked together to design a system to try to minimize the potential for widespread violence in connection with the large pro-Aristide demonstration today; we cannot, however, prevent all violence, such as the hand grenade attack on a pro-Aristide crowd in a Port au Prince slum today.

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Ambassador Swing will be structuring a framework for a political reconciliation involving the Parliament and various factional leaders, with the support of US non-governmental organizations where appropriate.

The Embassy in Port au Prince and State/AID here will also be working with President Aristide, the UN, the OAS, and others on the arrangements for the parliamentary elections which legally must be held by January 7th.

PHOTOCOPY WJC HANDWRITING

# MIR MARKER

This is not a textual record. This is used as an administrative marker by the Clinton Presidential Library Staff.

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|                               |               |             |                |             |
| Original OA/ID Number:<br>217 |               |             |                |             |
|                               |               |             |                |             |
| Document ID:<br>9408338       |               |             |                |             |
| Row:<br>44                    | Section:<br>3 | Shelf:<br>9 | Position:<br>3 | Stack:<br>v |

TO: PRESIDENT

FROM: LAKE

DOC DATE: 13 OCT 94  
SOURCE REF:

KEYWORDS: HAITI  
SANCTIONS  
UN

EO  
CONGRESSIONAL

PERSONS:

SUBJECT: EO TERMINATING NATL EMERGENCY & SANCTIONS RE HAITI

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ACTION: PRESIDENT SGD PER WH EXEC CLERK      DUE DATE: 15 OCT 94      STATUS: C

STAFF OFFICER: ROSSIN

LOGREF:

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FILES: WH

NSCP:

CODES:

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D O C U M E N T   D I S T R I B U T I O N

FOR ACTION

FOR CONCURRENCE

FOR INFO  
NSC CHRON

COMMENTS: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

DISPATCHED BY \_\_\_\_\_ DATE \_\_\_\_\_ BY HAND W/ATTCH

OPENED BY: NSKDB

CLOSED BY: NSDRS

DOC 3 OF 3

UNCLASSIFIED

CLINTON LIBRARY PHOTOCOPY

UNCLASSIFIED  
ACTION DATA SUMMARY REPORT

RECORD ID: 9408338

DOC ACTION OFFICER

CAO ASSIGNED ACTION REQUIRED

001 ROSSIN  
002 LAKE  
003 PRESIDENT  
003

Z 94101315 PREPARE MEMO FOR LAKE  
Z 94101712 FWD TO PRESIDENT FOR SIG  
Z 94101318 FOR SIGNATURE  
X 94101418 PRESIDENT SGD PER WH EXEC CLERK

DISPATCH DATA SUMMARY REPORT

DOC DATE DISPATCH FOR ACTION

DISPATCH FOR INFO

003 941013  
003 941013

VICE PRESIDENT  
WH CHIEF OF STAFF

UNCLASSIFIED

CLINTON LIBRARY PHOTOCOPY

TO: LAKE

FROM: BRILL, K

DOC DATE: 13 OCT 94  
SOURCE REF: 9423465

KEYWORDS: HAITI  
SANCTIONS  
UN

EO  
CONGRESSIONAL

PERSONS:

SUBJECT: STATE PROPOSED EO TERMINATING NATL EMERGENCY & HAITI EMBARGO

ACTION: PREPARE MEMO FOR LAKE

DUE DATE: 15 OCT 94 STATUS: S

STAFF OFFICER: ROSSIN

LOGREF:

FILES: WH

NSCP:

CODES:

D O C U M E N T D I S T R I B U T I O N

FOR ACTION  
ROSSIN

FOR CONCURRENCE  
BEERS  
CLARKE  
DANVERS  
KRECZKO

FOR INFO  
FEINBERG  
HALPERIN  
ITOH  
LEARY  
SCHWARTZ

COMMENTS: \*\* URGENT - EO NEEDS TO BE SIGNED ON OR BEFORE 12:01AM, 16 OCTOBER \*\*

DISPATCHED BY \_\_\_\_\_ DATE \_\_\_\_\_ BY HAND W/ATTCH

OPENED BY: NSKDB CLOSED BY: DOC 1 OF 1

UNCLASSIFIED

CLINTON LIBRARY PHOTOCOPY

National Security Council  
The White House

PROOFED BY: \_\_\_\_\_ LOG # 8338  
 URGENT NOT PROOFED: \_\_\_\_\_ SYSTEM PRS NSC INT  
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| Seris           | <u>1</u>    | <u>copy</u>     | _____              |
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| Soderberg       | _____       | _____           | _____              |
| Berger          | _____       | _____           | _____              |
| Lake            | <u>3</u>    | _____           | _____              |
| Situation Room  | _____       | _____           | _____              |
| West Wing Desk  | <u>4</u>    | <u>WR 10/13</u> | <u>To Products</u> |
| NSC Secretariat | <u>5</u>    | _____           | <u>N</u>           |
| _____           | _____       | _____           | _____              |
| _____           | _____       | _____           | _____              |

A = Action    I = Information    D = Dispatch    R = Retain    N = No Further Action

CC: \_\_\_\_\_

COMMENTS: WWP - copies prepared for TL, SRR, WF

13 OCT 94 7:21

Exec Sec Office has diskette yes

THE WHITE HOUSE  
WASHINGTON

President sgd per WH  
Executive Clerk 10-14-94 DPB

ACTION

October 13, 1994

MEMORANDUM FOR THE PRESIDENT

FROM:

ANTHONY LAKE

SUBJECT:

Executive Order Terminating National Emergency and  
Sanctions Regarding Haiti

Purpose

To terminate the national emergency regarding Haiti and lift the sanctions imposed on Haiti.

Background

This Executive Order, prepared by the Department of the Treasury and reviewed and approved by all appropriate U.S. Government agencies, will terminate the national emergency regarding Haiti which President Bush declared on October 4, 1991, following the coup against President Aristide. It will also lift all remaining sanctions against Haiti -- both our unilateral sanctions and our implementation of United Nations sanctions -- as of 12:01 a.m. Sunday, October 16. That is the first day after Aristide's expected return to Haiti, consistent with UNSC Resolution 944 on the matter. With the stepping down of the coup leaders, return of Aristide to Haiti and restoration of democracy, the purpose of the emergency and sanctions has been fulfilled and they can be terminated.

We recommend that you sign this Executive Order and the accompanying letters to the President of the Senate and Speaker of the House of Representatives during the public event at which you will be joined by and bid farewell to President Aristide. That event is scheduled for 10:15 a.m. Friday, October 14.

RECOMMENDATION

That you sign the attached Executive Order.

Attachment

Tab A Executive Order

cc: Vice President  
Chief of Staff

CLINTON LIBRARY PHOTOCOPY

CLINTON LIBRARY PHOTOCOPY

CLINTON LIBRARY PHOTOCOPY



Washington, D.C. 20520

October 13, 1994

MEMORANDUM FOR ANTHONY LAKE  
THE WHITE HOUSE

Subject: Executive Order Terminating the National  
Emergency and Haiti Embargo

Attached for the signature of the President is an Executive order to terminate the national emergency and revoke the Executive orders imposing economic sanctions against Haiti and a letter to Congress notifying it of this action.

ESSENTIAL FACTORS

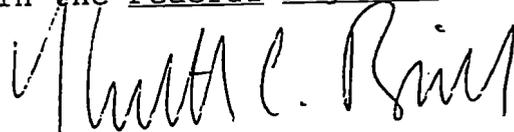
Pursuant to United Nations Security Council ("UNSC") resolution 944 of September 29, 1994, all multilateral sanctions against Haiti are terminated effective at 12:01 a.m. on the date following the return of President Aristide. With Aristide's return on October 15 a virtual certainty, the UN embargo would be lifted automatically early Sunday morning, October 16.

The Department of the Treasury has prepared a draft Executive order, transmitted herewith, which would terminate the national emergency and revoke all Executive orders imposing sanctions on Haiti effective at 12:01 a.m. on October 16, 1994. The President may sign the Executive order at any time on or before October 16. In the unlikely event that President Aristide does not return on October 15 as expected and the United Nations embargo is thus not terminated, the President would need to revoke the Executive order, if already signed, before it took effect.

The United States embargo was imposed on Haiti following the declaration of a national emergency and the imposition of sanctions under the authority of the International Emergency Economic Powers Act, ("IEEPA"), 50 U.S.C. 1701 et seq., the National Emergencies Act ("NEA"), 50 U.S.C. 1601 et seq., and, to the extent that they incorporate by reference measures that are mandated by United Nations Security Council resolutions, the United Nations Participation Act, as amended, 22 U.S.C. 287c. These authorities have been exercised by EO 12775 of October 4, 1991, EO 12779 of October 28, 1991, EO 12853 of June 30, 1993, EO 12872 of October 18, 1993, EO 12914 of May 7, 1994, EO 12917 of May 21, 1994, and EO 12920 of June 10, 1994, and EO 12922 of June 21, 1994.

The proposed Executive order would revoke all previous Executive orders, and thereby all transaction controls, including controls on property of the Government of Haiti and its agencies and instrumentalities, as well as of the individuals targeted and associated with the de facto regime.

Also attached for the signature of the President is a letter to Congress notifying it of his action. The Executive order should also be published in the Federal Register.



Kenneth C. Brill  
Executive Secretary

- Attachments: 1. Draft Executive Order  
2. Draft Notification to Congress

CLINTON LIBRARY PHOTOCOPY

Executive Order 129\_\_ of October \_\_, 1994

Termination of Emergency With Respect to Haiti

By the authority vested in me as President by the Constitution and laws of the United States of America, including the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), the National Emergencies Act (50 U.S.C. 1601 et seq.), section 5 of the United Nations Participation Act of 1945, as amended (22 U.S.C. 287c), and section 301 of title 3, United States Code, and taking into consideration United Nations Security Council Resolution 944 of September 28, 1994,

I, WILLIAM J. CLINTON, President of the United States of America, find that the restoration of a democratically elected government in Haiti has ended the unusual and extraordinary threat to the national security, foreign policy, and economy of the United States previously posed by the policies and actions of the de facto regime in Haiti and the need to continue the national emergency declared in Executive Order No. 12775 of October 4, 1991, to deal with that threat.

I hereby revoke Executive Order Nos. 12775, 12779, 12853, 12872, 12914, 12917, 12920, and 12922 and terminate the national emergency declared in Executive Order No. 12775 with respect to Haiti.

Pursuant to section 202 of the NEA (50 U.S.C. 1622), termination of the national emergency with respect to Haiti shall not affect any action taken or proceeding pending not finally concluded or determined as of the effective date of this order, or any action or proceeding based on any act committed prior to the effective date of this order, or any rights or duties that matured or penalties that were incurred prior to the effective date of this order.

*Eastern Daylight Time*

This order shall take effect 12:01 a.m. ~~est~~, October 16, 1994.

THE WHITE HOUSE,  
October \_\_, 1994.

CLINTON LIBRARY PHOTOCOPY

To the President of the Senate/Speaker of the House:

On October 4, 1991, pursuant to the International Emergency Economic Powers Act ("IEEPA") (50 U.S.C. 1701 et seq.) and the National Emergencies Act ("NEA") (50 U.S.C. 1601 et seq.), President Bush exercised his statutory authority to issue Executive Order No. 12775, declaring a national emergency and blocking Haitian government property. To further tighten the sanctions against Haiti, President Bush exercised his statutory authority to issue Executive Order No. 12779, and I acted pursuant to the same authorities as well as the United Nations Participation of 1945, as amended ("UNPA") (22 U.S.C. 287c), to issue Executive Order Nos. 12853, 12872, 12914, 12917, 12920 and 12922.

In view of the restoration of a democratically elected government in Haiti, and taking into consideration United Nations Security Council Resolution 944 of September 28, 1994, I have determined that the unusual and extraordinary threat to the national security, foreign policy, and economy of the United States previously posed by the policies and actions of the de facto regime in Haiti has terminated. On October \_\_, 1994, pursuant to the above authorities, I exercised my statutory authority to issue Executive Order \_\_\_\_\_ of October \_\_, 1994, to terminate the national emergency declared in Executive Order No. 12775 and revoke the Executive Orders referenced above imposing additional sanctions with respect to Haiti.

I have determined to issue the new Executive order terminating all remaining sanctions against Haiti in view of the return of Haiti's legitimately elected President, Jean-Bertrand Aristide, and the adoption of United Nations Security Council Resolution 944, which rescinds mandatory sanctions against Haiti previously adopted by the Security Council with our support.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
October \_\_, 1994.

NATIONAL SECURITY COUNCIL  
WASHINGTON, D.C. 20506

October 12, 1994

ACTION

MEMORANDUM FOR ANTHONY LAKE

FROM:

LAWRENCE G. ROSSIN *LR*

SUBJECT:

Proposed Executive Order Terminating National  
Emergency and Sanctions Regarding Haiti

The Memorandum at Tab I recommends that the President sign, at tomorrow's public event with President Aristide, the Executive Order terminating the national emergency regarding Haiti and lifting all remaining sanctions as of 12:01 Sunday morning, October 16, consistent with UNSC Resolution 944.

Concurrence by:

Alan Kreczko *AK*

RECOMMENDATION

That you sign the Memorandum to the President at Tab I.

Attachments

Tab I Memorandum to the President

Tab A Executive Order (to be inserted by John Podesta's  
office)

Tab II State Incoming Materials