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1:00 p.m. EST

MR. BOUCHER: Good afternoon, ladies and gentlemen. I don't have any statements or announcements, so I'd be glad to take your questions.

QUESTION: The Middle East again, please. It's been several days since the Secretary asked for several things from Arafat. What's the assessment here, please?

MR. BOUCHER: I think the assessment is pretty much where it was before. We think that Chairman Arafat's focus, and indeed that of the entire Palestinian Authority, needs to remain on restoring calm and bringing an end to the violence. We have seen his words over the weekend. Words matter; actions matter more. We need to see both positive statements and decisive action from Chairman Arafat and the Palestinian Authority to help contribute to this critical goal. And I see some of the phrases quoted over the weekend probably don't do that.

As the President made clear over the past week, we're disappointed that he has not moved yet decisively to bring an end to terror and violence. There is no question that he has a responsibility for strong, resolute and irreversible action to halt violence, to give answers to what happened with the Karine A affair, and to bring under control those organizations under his authority that are conducting terrorist acts.

QUESTION: Yesterday on TV, the Vice President said that you guys had seen evidence that directly implicated Arafat. When did this evidence show up, or is he talking about the evidence that you had before?

MR. BOUCHER: I don't -- I saw him quoted as saying something different than that, frankly. I would have to look back at this. I saw him quoted as saying that the involvement of people at senior levels could lead to the conclusion.

QUESTION: He said --

MR. BOUCHER: Well, I'd suggest we check the Vice President's transcript. I know the Secretary, I think, addressed it again on Friday, and I'll double-check and see if there's any new evidence on this.

QUESTION: What he said, if I may, was that -- the question was about the letter that Arafat had written to the President denying his involvement. Cheney said, "We don't believe him." So the implication in that is --

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QUESTION: That's not what I was talking about.

MR. BOUCHER: Well, let's all double-check the transcripts, and in the meantime I will double-check and see if there's any new information or evidence for you on that.

QUESTION: There were reports also over the weekend that Arab states were going to communicate jointly to the United States their concerns about marginalizing Arafat. Have we received a message of that kind yet?

MR. BOUCHER: I'm not aware that we have. I'd have to double-check on that, but I haven't heard about anything like that.

QUESTION: What about President Bush's conversation -- well, you might not be able to speak to that -- with President Mubarak, where he promised to do everything he can? Is that intrinsic in that statement; is it that he would continue to talk with the Palestinians, continue to engage with them?

MR. BOUCHER: I think Ari Fleischer has already done a rundown of the President's conversation with Mubarak. It is important to remember in all this that we remain committed, we remain engaged, we remain involved in trying to help the parties achieve an end to the violence and a prospect of peace in the Middle East. There's no question that the requirement is on Arafat right now to take strong and irreversible action. We are continuing reviewing what our policy, what the next steps ought to be. How we act depends, in our judgment, on how we can be effective. The seriousness of Chairman Arafat and the Palestinian Authority in taking action against terror and violence is obviously a big factor in that judgment.

So we're watching what does he do on these things. We're, I think, in the meantime giving a very strong message to Chairman Arafat that he has to act now, he has to act in his own self-interest, as well as to offer the prospect of carrying out the vision that the President and the Secretary enunciated, and which we remain committed to.

QUESTION: I'm sorry if you already went over this, but did the Secretary make any calls to the leaders in the region about this?

MR. BOUCHER: Don't be sorry; we haven't gone over it, and no, I don't think so.

QUESTION: Can I just go back to my earlier question for two seconds? I just want to get this straight. Pending you're going back and rechecking the transcripts and all that, you're not prepared right now to say that you have evidence directly linking Arafat to --

MR. BOUCHER: I'm not prepared right now to make any new statements on the subject. I offered to check and see if we did have any new information or evidence.

QUESTION: So -- but right now, the line from the State Department is still that you've seen evidence of senior Palestinian Authority officials involved in this, but not necessarily Arafat?

MR. BOUCHER: Right now, I personally am not aware of anything new, and I'll double-check to make sure that others are not either.

QUESTION: There has been talk, as I'm sure you're aware, in cutting relations with Arafat. What is the thinking behind this? Would you, in that case, seek other Palestinians to talk to, or would you just not talk to Palestinians?

MR. BOUCHER: Well, that would be purely speculative, because I just finished telling you that we remain engaged, we remain committed to the vision, and we remain -- we'll keep watching what he does to see if he does -- takes steps that serve to end the violence and offers us an opportunity to become -- to take further steps that can be effective.

QUESTION: And can I just go over something else? You mentioned -- you said the phrases quoted over the weekend don't help, or something like that, don't help end violence.

MR. BOUCHER: Yes.

QUESTION: I'm just wondering what you're referring to, and could you elaborate further than what --

MR. BOUCHER: I don't think I read the whole speech, but there were some fairly -- one might say ambiguous references to jihad, and what he meant by that was not clear, and certainly left open the possibility of escalating violence. We don't think that that kind of speech and that kind of statement is necessarily helpful in these circumstances. We want to see strong words and resolute action.

QUESTION: Yesterday, Steve Croft of CBS on *60 Minutes* interviewed I believe it was Mr. Masud of Hamas, and of course there are other groups being shielded by Syria. What are the steps being taken by our State Department with the Syrians to at least counter or prevent any further activities by those groups?

MR. BOUCHER: We have been quite clear with all those concerned, whether it's with Chairman Arafat in the Palestinian areas or whether it's neighbors like Syria, that we think that the activities of these groups that are terrorist groups that are on our list of terrorist groups need to be curbed, and that has been an element of our diplomacy throughout our dealings on this issue.

QUESTION: When the Israeli Government has said in the past that it considers Arafat irrelevant, the United States has, although not directly criticizing that decision, said that it doesn't believe not communicating is helpful, and these kind of things. Wouldn't it be a little bit hypocritical if the United States were to take the same kind of measure now and declare Arafat irrelevant?

MR. BOUCHER: Who said we were?

QUESTION: I didn't say you were. I said if you did. A consideration of it.

MR. BOUCHER: That is what known as a speculative question. I am not going to start explaining a policy that hasn't been adopted.

QUESTION: I hate to ask this question, but do you feel like being drawn into the Arab contention that the word "jihad" is given to various meanings and doesn't always mean a bloody uprising? In fact, I have heard it described as, I don't know what, sort of getting energetic about your rights.

MR. BOUCHER: We have explained -- I think the Secretary, in reference to President Musharraf's speech, himself has said that jihad explained the way President Musharraf did, as a pursuit of social --

QUESTION: Musharraf?

MR. BOUCHER: Musharraf, yes, in his speech of the 12th of January talked about jihad in terms of pursuit of social development and achievement for his society. And that is certainly something we agree with, we support. We are trying to support President Musharraf doing it. But the remarks that were attributed to Chairman Arafat over the weekend, I think, leave the ambiguity there as to what he was talking about, and we think actually it is time for, as I said, clear words and resolute action.

QUESTION: Even if Arafat did make some of these arrests today, are you going to judge him on the totality of everything he did, which would be 100 percent effort, or are you going to, every time he takes a step, see that as him moving towards -- I mean, obviously there are lists of things he needs to do.

MR. BOUCHER: I am not sure there is quite a difference. Yes, we judge him on the totality of his actions and his words. Is he making a 100 percent effort to stop the violence? Is he taking actions to carry that out? Is he curbing the organizations? Is he giving an account of the Karine A affair and making sure that arms smuggling doesn't take place any more?

We noted that they have arrested and charged Fuad al-Shibaki as a suspect in the Karine A affair, after two weeks of questioning. Formal charges are a step in the right direction, but we would say that more needs to be done. We are still dealing with the fundamental issues of curbing the activities of violent elements, curbing the activities of organizations that carry out violence, and accounting for what happened with the Karine A affair and making sure that none of that arms smuggling is going to reoccur.

QUESTION: With regard to your reference to President Musharraf's speech, is a military ruler now being held up as an example of what a Muslim leader should be doing or saying?

MR. BOUCHER: We have been quite clear what we thought of the speech and the direction that President Musharraf has taken, and I'm not going to apologize for that.

QUESTION: Very briefly, where is General Zinni? And are there any plans for him to meet with the Secretary to talk about the situation with the Secretary, or is it pretty much now the situation that there is not really much for him to report back to the Secretary on?

MR. BOUCHER: I'll have to check on, "Where is General Zinni." As you know, he is not working for us. He has his own life, and I'll have to check where he is.

QUESTION: Well, presumably he wasn't in Washington giving a speech to a group of Italian-Americans.

MR. BOUCHER: About which there might have been inaccurate reports of what he said? I'll check and see. There's nothing scheduled at this point, I think, for him and the Secretary. But as I said before, we keep the situation under review as far as what we do next, and we're willing to take whatever action we think is necessary if we can be effective in the situation. But what Chairman Arafat does will be a big factor in that.

QUESTION: And this is the last thing. The most recent suicide bombing. Does the United States make anything of the fact that it was apparently a woman who was the bomber in this case?

MR. BOUCHER: I don't have anything particular to say about that. The fact that so many people were hurt -- there were four Americans who suffered injuries -- it doesn't matter who does it; it's wrong, it's bad, it's awful.

QUESTION: Do you think Mr. Zinni has been compromised by these reports?

MR. BOUCHER: By these reports?

QUESTION: Whether accurate or not, does it do something to his --

MR. BOUCHER: I seem to spend a lot of my time up here explaining inaccurate reports and trying to clarify them. So I don't think I want to say that any particular individual is compromised by the quality of the press reporting. But my understanding is that that report was not an accurate version of his remarks.

QUESTION: (Inaudible) the same thing, but I'm just wondering if that has made things difficult for him?

MR. BOUCHER: No.

QUESTION: Arab governments, as you said before, are calling on the US to stay engaged. What is the US saying to the Arab allies in terms of what they can do? Do you think they're doing enough? Are they putting enough pressure on Arafat?

MR. BOUCHER: What we have said to others is what we're saying ourselves, and what we're saying to you, that the issue at this moment is whether Chairman Arafat takes strong and

irreversible action. We think that others need to understand that, need to convey that to Chairman Arafat and offer him support if he does.

So that's the issue for us, and in terms of US involvement, we have reassured them that this remains important to us. We remain committed to the vision that the President and the Secretary enunciated, to the vision of implementation of steps in the Mitchell process that can get us back to negotiations, based on Resolutions 242 and 338. And our commitment to that means that we're looking to Chairman Arafat to take the steps to end the violence that can lead us down that road. And we would hope that others would support us in that as well in their conversations.

QUESTION: If I could follow up, every day from this podium, from the White House podium, you hear on interviews, Cabinet officials calling on Yasser Arafat to take more steps. Do you think there should be a more public cry in the Arab world for him to take these steps?

MR. BOUCHER: I'm not going to prescribe how each individual government needs to carry this out. But we do think that we have seen some voices, I think, that have said the same thing, and we understand that others are saying it to him privately. So we think there is a fairly consistent view in the international community that the steps to end the violence and end the violent groups that have been carrying it out are a necessary element in getting down that path.

QUESTION: Has there been any direct evidence of any kind that Arafat himself was personally involved in any of the violence?

And secondly, many of the Arab countries and many of the commentators from here are saying that he doesn't have the power with the siege that is going on. What is your onward vision of where it goes if the violence ends? You say the Mitchell Report, but the Mitchell Report doesn't really deal with the withdrawal of even the Israeli tanks from around the cities and the end of the siege. It has gone way beyond that. Do you have a second Mitchell Report?

MR. BOUCHER: There is no second Mitchell Report. You remember the steps that George Tenet worked out to remove some of the military confrontation, to have each side do things on the security side that would start to constitute an easing of the tension and a pullback. The Mitchell Committee recommendations themselves have a whole series of steps that would be taken by both sides that would serve to ease the confrontation and ease the restrictions on normal everyday life for Palestinians, which has been a major concern of ours. So we want to go down that road. We want Israelis and Palestinians to be able to live safer, more secure and easier lives by going through this. That is part of the vision as well. But ultimately, the goal of that is to get back to negotiations.

Now, as far as whether Chairman Arafat has the ability or the authority, as leader of the Palestinian Authority, we have said he needs to exercise leadership and exercise the authority that he has.

QUESTION: This may have already been asked, and I apologize if it has been. Can you say whether Arab governments are telling this government that they would be very unhappy with any plan to not deal with Arafat as a consequence of this --

MR. BOUCHER: I leave it to what other governments want to say publicly for themselves. I am not going to try to speak for the other governments here.

QUESTION: Daniel Pearl, the *Wall Street Journal* reporter missing, what is the State Department doing to assist that? And a follow-up after that.

MR. BOUCHER: Mr. Pearl disappeared last Wednesday. Since that time, we have been working closely with Pakistani authorities to resolve this case. We want to reiterate our view that he should be released immediately and unconditionally. He is a respected journalist and he has no connection with the United States Government.

We do appreciate the strong cooperation that we have received from Pakistani officials, both in Karachi and in Islamabad, in pursuing this investigation. We are working closely with them. The Secretary spoke with President Musharraf this morning about the situation and noted our strong interest in seeing it resolved, and President Musharraf assured him the Pakistani Government is making every effort to locate him and to secure his freedom.

QUESTION: Do you know anything about the two groups involved here, as far as the Harakat ul-Mujahidin that supposedly he was going to see, or the email from The National Movement for Restoration of the Pakistan Sovereignty?

MR. BOUCHER: I would have to double-check on the group that he was going to see. I think they are a known group and may even be mentioned in some of our reporting. I will double-check and see what we can get you on them.

As far as the email that came from somebody calling themselves The Movement for the Restoration of Pakistani Sovereignty, we have not heard of such a group, so we don't really have any independent confirmation of these statements in the email or the attachments, the pictures. But I do want to say we take all this very seriously. We remain very concerned about Mr. Pearl's safety.

QUESTION: (Inaudible) -- close ties with the al-Qaida organization?

MR. BOUCHER: Don't know.

QUESTION: When you say the US -- you're pleased with the cooperation of the Pakistanis in the case, the US -- your involvement in the case is what? To assist the Pakistanis? I understand there's a bunch of FBI agents arrived in Karachi earlier. Is it your understanding that they are going to be doing their own investigation, or are they just working with the Pakistanis?

MR. BOUCHER: I think they are going to be working with our people from our consulate and with the Pakistani authorities. It is a Pakistani investigation. They have put a lot of resources and a lot of different assets to the task of trying to identify what happened to Mr. Pearl and trying to get him back safely, and any assistance and support we can offer in that context we will.

QUESTION: Have they asked for any specific help?

MR. BOUCHER: I am not aware of any particular assistance or support they have asked for. As I said, they have put a lot of their own assets into it. But we do have an American citizen here who is missing and we want to make sure we have anybody on hand that might be able to help out.

QUESTION: The Saudis are saying that 100 of their nationals are among those who are in Guantanamo. Do you have anything on that?

MR. BOUCHER: I don't. We have not gotten into specifying the numbers or the nationalities of the individuals at Guantanamo.

QUESTION: On Guantanamo --

QUESTION: Wait, can I just ask specifically on that, the issue of -- but you have said that delegations from certain countries are going to Guantanamo to have access to their citizens, so I don't understand the reason why you aren't able to say the countries when you announce that you have given permission to, you know, to countries to go and see their people.

MR. BOUCHER: If somebody goes down there to visit them, we will probably talk about the visit. We don't necessarily talk in advance about who these individuals are and where they might be from.

QUESTION: Have any others besides the British gone down there?

MR. BOUCHER: I am not aware of any, but I will have to check. There were some countries who were interested and we were talking to them, so let me double-check and see if there have been any additional visits.

QUESTION: Can you give to us the Secretary's views on the application of the Geneva Convention to the detainees at Guantanamo?

MR. BOUCHER: Let me just, I think, review some of the basics. As you know, this has been a subject that has continued to be discussed within the Administration, but I think we have to be quite clear on what is and what is not still subject to discussion. Our view, and that of everybody in the Administration, is that the detainees in Guantanamo are not prisoners of war. The issues, the legal issues that are being discussed within the Administration relate to the exact legal interpretation of why they are not prisoners of war, and there are different views of that. And so that's what's being discussed.

I do want to make clear that whatever the final legal resolution of those particular issues, the detainees are being treated humanely, they are being treated consistent with the principles of the Geneva Conventions, and that whichever way this legal discussion turns out, the treatment will not change.

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QUESTION: I just want to clarify that. When you say that you don't consider them prisoners of war, obviously, but do you accept that the Geneva Conventions apply to them, which is a completely different question?

MR. BOUCHER: It is a different question, and that's the kind of legal issue that is still being discussed. So I can't give you the full explanation at this point.

QUESTION: Can you explain what the difference is between being labeled an illegal combatant generally, and then being labeled an illegal combatant under the Geneva Conventions?

MR. BOUCHER: There is no difference in terms of the practical treatment. These people receive humane treatment that is consistent with the principles of the Convention, because that's the way we treat people, basically.

QUESTION: Well, I'm asking you, what's the difference between treating them consistent with the Geneva Convention, and actually treating them under the provisions of the Geneva Convention?

MR. BOUCHER: Well, that's the issue that the lawyers are still trying to discuss and work out.

QUESTION: Well, can you explain -- what would be different if they were suddenly --

MR. BOUCHER: Yes, in practical terms, nothing. The treatment would be humane. It would be consistent with the principles, and it would not change.

QUESTION: But then -- well, then there is no reason for this debate to be going on, is there?

MR. BOUCHER: There is a legal issue here about how it's explained.

QUESTION: Well, what is it?

MR. BOUCHER: Whether -- the one that Jonathan raised; the one that you raised.

QUESTION: Yes, but what is it?

MR. BOUCHER: The legal issue is whether they fall under the convention but don't qualify as prisoners of war, or whether they don't fall under the convention at all

QUESTION: Right, okay, so --

MR. BOUCHER: The issue really has to do with the very unusual circumstances of Afghanistan, the fact that you have detainees who are from a terrorist group whose goal was not to follow any kind of international standards, law of war, but rather just go out and kill as many civilians as they could, and then another group of Taliban who have called themselves a government, but operated as much as a supporting agency for a terrorist organization.

So there are ambiguities in this situation, and how exactly this convention and the law apply is what is being discussed.

QUESTION: But still, I mean, that doesn't explain what the difference is. And if there is no difference, why the big deal?

MR. BOUCHER: I think -- well, we haven't called it a big deal. Others have, as I know, from the phone calls throughout the weekend. But we haven't called this a big deal. We have said this is a legal issue that we do feel needs to be resolved. It basically gets down to explaining exactly in legal terms why these people are not prisoners of war. Everybody agrees they are not; different people in the Administration have come to that conclusion in different ways, through different legal analyses. And we're trying to harmonize that. We're trying to work that out so that we all understand, reach a single definition of why they don't qualify for that status. But nobody is arguing that they do.

QUESTION: Richard, does this require -- under the Secretary's vision of how this should progress, would it require a tribunal for each detainee? Because there were some discrepancies in how that was reported over the weekend, too; that each person would have to go before a tribunal, and even though the presumption is that he is not a POW, it would have to be formally determined?

MR. BOUCHER: That's not an issue that I can give you a final legal judgment on either, that there are some questions about how exactly that process would have to be constituted in different cases, if at all.

QUESTION: But the presumption being that they are not POWs, and then who knows what, if a tribunal is needed, right?

MR. BOUCHER: Yes.

QUESTION: Can you verify, was that the position that the Secretary took, that he believes that while they're not POWs, they need to be formally adjudicated in front of a tribunal to declare that they are not POWs?

MR. BOUCHER: No, I am not going to try to explain either the legal aspects of this, because I am probably not qualified to, nor am I going to try to get into the internal positions that people have taken in various discussions.

QUESTION: But is the difference in how these cases are adjudicated, is that the difference that is being argued?

MR. BOUCHER: Not really. That is one of the questions that arises. If Determination A is made, then Determination B has to be made. If Determination A is made that the conventions apply, Determination B has to be made as to whether they need these tribunals or not. But at this point, we are still under Determination A, you might say.

QUESTION: Well, is there a -- (laughter)

QUESTION: You're not a lawyer?

MR. BOUCHER: I'm not a lawyer.

QUESTION: I'm still trying to figure that out. I don't understand this at all, so you better go to someone else, because I don't even know how to ask the question.

MR. BOUCHER: All right. Well, we want everybody -- I mean, I am sure there's abundant experts available in this town that you might want to consult rather than me.

QUESTION: How do they come to this conclusion that -- how do some people in the Administration, because it's clearly not the whole, come to the conclusion that these detainees are not subject to the -- or need to be treated in accordance with the Geneva Convention? Because the text is fairly clear that it pretty well covers every kind of combatant picked up on any kind of battlefield.

MR. BOUCHER: Jonathan, I don't want to try to explain individual views of others any more than I have tried to explain individual views of Secretary Powell. There are legal issues that arise, as I said before, because of the inherent ambiguity of the situation, and those are being analyzed and will be decided.

QUESTION: Are some of the concerns -- do they have to do with access to these people by their governments?

MR. BOUCHER: No, not that I have heard discussed.

QUESTION: Okay. How about interrogation and in terms of who might have access to the detainees from their government?

MR. BOUCHER: Not that I have heard discussed, but again, those are the kind of subsidiary legal issues that I think lawyers are better qualified to explain, rather than a spokesman.

QUESTION: Okay. Well, then how about this. Is there concern that if the conventions are not applied, that they might raise problems for Americans in foreign custody in the future?

MR. BOUCHER: I don't think I can try to explain what the future might hold. I would think that --

QUESTION: Well, I would think that might be a concern, yes?

MR. BOUCHER: Well, I would say that the circumstances of the al-Qaida and Taliban fighters and the goals that they had to blow up civilians are circumstances that will never apply to American forces; that, at least in our minds, would be quite clear.

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QUESTION: Was there a decision --

QUESTION: But I don't think the suggestion is of American forces at all. I mean just Americans in general.

MR. BOUCHER: I don't know. That sounds like a very hypothetical sort of situation. I don't think I can --

QUESTION: Well, it's about as hypothetical as a Saudi being picked up fighting for the al-Qaida, right?

MR. BOUCHER: No, it's not.

QUESTION: Well, there has already been one American picked up fighting for al-Qaida. I don't see why -- and if someone is fighting, say in the Middle East, or in Africa someplace --

MR. BOUCHER: The legal status of the American that was picked up with al-Qaida is different than the people at Guantanamo because of difference of nationality and US law.

QUESTION: So there is no concern that that whichever way you go here in this decision, that that could affect or potentially affect Americans in the future?

MR. BOUCHER: I think it is quite speculative to try to sit here trying to imagine circumstances where the decision that we make in this situation might have an effect on some future activity that we are asked to imagine at the podium. I am just not in a position to do that.

QUESTION: Was there a decision reached, even if you won't tell us what it is, at the meeting today on this topic? And if not, do you have a sense of the timeline?

MR. BOUCHER: That would be for the White House to answer, and I think Ari said no.

QUESTION: Could you please not have a briefing on this subject, a special briefing?

MR. BOUCHER: I am not planning on it.

QUESTION: All right. On a somewhat less lofty plane, Cuban officials have been talking about a new climate of reconciliation between the United States and Cuba, and I wonder if you have a response to --

MR. BOUCHER: I don't know why they might be talking like that, and since you give me the opportunity, let me try to disabuse them of this notion. Cuba has not taken any of the steps necessary to make improvement of relations possible. These steps include free elections, the release of political prisoners, the removal of draconian laws that, for example, send Cuban citizens to prison if they criticize their government.

The Cuban Government portrays the fundamental issue as being one between Cuba and the United States, but that is not really it. It's not a question of our relationship; it's a question of the Cuban Government's continued denial of basic human rights.

QUESTION: Wow, that sounds an awful lot like a description of another country, which just had an election over the weekend, and you didn't think it was going to be free and fair enough to even send observers. What do you make of your new ally Mr. Karimov's referendum in Uzbekistan?

MR. BOUCHER: The first thing I make of it is I don't make any comparisons and I don't make facile ones after a few words are uttered. But let me try to clarify our position on the Uzbekistan referendum, which I thought I did adequately on Friday.

QUESTION: Well, it hadn't happened.

MR. BOUCHER: Yes, and as you know, because of our concerns that this referendum would not be held in a manner consistent with international standards, we chose not to send election observers. We do believe that free and fair elections with peaceful transfers of power are a hallmark of democracy and good governance. We expect Uzbekistan to adhere to this international principle. Unfortunately, past Uzbek elections were neither free nor fair and did not offer Uzbekistan's voters a true choice.

Our position in this matter is consistent with that of the Organization for Security and Cooperation in Europe, which also did not send any observers to monitor the referendum. I would note that our Assistant Secretary for European and Eurasian Affairs Beth Jones is in the region. She will meet tomorrow with President Karimov, and we do expect that she will raise human rights and democracy issues, as we always do.

QUESTION: I have a question. I know you didn't send any observers, but did embassy personnel, as they sometimes do in these cases, just wander around and have a look and report back on what they saw?

MR. BOUCHER: I imagine they might have, but I don't think anything has come in that would change our opinion about the possibilities of having a free and fair poll in those circumstances.

QUESTION: You haven't seen anything that they have reported?

MR. BOUCHER: I haven't seen any particular reporting, but nobody has found anything surprising about the way this happened.

QUESTION: Is the timing of the Assistant Secretary's visit unfortunate in that it could give the appearance that somehow the US is ratifying this?

MR. BOUCHER: I would think quite the contrary. It would give the appearance that we do care about our relationships with Uzbekistan and other countries in the region and we also care

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about human rights and democracy, even on the heels of a referendum that we didn't think was very good.

QUESTION: What do you make of Iraq's supposed overture to the United Nations now? I believe they appealed directly to the Spanish presidency about reopening dialogue on sanctions and also having made some indication to Kuwait that they are willing to talk about the prisoners.

MR. BOUCHER: I wasn't aware of any overture to the Spanish presidency of the European Union about a dialogue -- with the EU or with the Security Council?

QUESTION: To reopen the sanctions. No, the UN, the Security Council.

MR. BOUCHER: Well, first let me make quite clear --

QUESTION: No, the EU president.

MR. BOUCHER: The EU president of the EU presidency.

QUESTION: Right.

MR. BOUCHER: Our view, and I think that of most members -- all members of the international community -- is that Iraq needs to meet the requirements of the UN resolutions. Those requirements, whether the original ones from Resolution 687 which applies to the prisoners -- and I'll talk a little bit about that -- or the requirements of 1284 with regards to the Oil-for-Food program, are requirements that Iraq must meet. And we have had a number of discussions with other governments, all of whom tell us that they have repeatedly made clear to Iraq the need to comply with UN resolutions and comply with Resolution 1284.

On the issue of the Kuwaiti prisoners of war, we have repeatedly underscored the critical importance of Saddam complying with this humanitarian obligation. There are over 600 Kuwaitis that are missing and unaccounted for as a result of Iraq's invasion and occupation of Kuwait 11 years ago. UN Security Council Resolution 687 lays out Iraqi obligations clearly and Iraq's obligation is not fulfilled merely by offering inspections. The issue here is whether Iraq will step up to real accountability for the Kuwaiti and other nationals that were taken prisoner during the invasion after more than a decade of shirking the issue.

Given Saddam Hussein's record of flouting his international obligations, threatening his neighbors and his own people, and his pursuit of weapons of mass destruction, we think we are somewhat justified in our skepticism regarding these recent remarks.

QUESTION: Isn't that speculative?

MR. BOUCHER: No, it is unfortunately based on fact and experience, the fact that this gentleman has never lived up to this obligations, and saying that he wants to have inspections that don't meet the UN requirements doesn't offer much prospect that he will.

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QUESTION: And it's non-serious.

MR. BOUCHER: Well, I answer non-serious questions all the time, George. (Laughter.)

QUESTION: If he goes through with allowing a human rights inspector into the country, would that be a good first step towards showing that he may really want to talk about some of these things?

MR. BOUCHER: What we expect Iraq to do is to account for the prisoners, is to stop violating human rights, is to stop trying to develop weapons of mass destruction, stop threatening neighbors, stop threatening its own people. And repeatedly, when UN inspectors or others have gone in, they have found that Iraq has not stopped these behaviors. So we watch very, very closely, and what we are looking for is an end to the kind of activities and the kind of actions against their own people or against their neighbors or otherwise threatening the international community that Iraq has carried out consistently, whatever it has been saying.

QUESTION: Have you made any representations to the Chinese Government on the conviction of the Hong Kong bible smuggler?

MR. BOUCHER: I am not sure we have had a chance to get in touch since the news that Mr. Li was sentenced to two years in prison and fined, apparently on charges of illegal trading. There were two mainland colleagues who received three-year sentences as well, according to these reports.

At this point, we are trying to confirm the reports. We have registered concerns and would continue to register our concerns with Chinese authorities in both Washington and Beijing throughout this period since the initial reports. We are troubled that people have been arrested for making religious materials available to Christians in China, and we would expect China to live up to international standards on freedom of religious expression and freedom of conscience that are embodied in the international human rights instruments.

QUESTION: Richard, I brought this up last week, but it is now in its 13th day in northern Australia with detainees from Afghanistan, and earlier there was a go-round with what has gone on with the detainees in Guantanamo. Do you think the Australian Government has held the way that they have handled this entire prison -- rather detainees, I guess you would say, issue correctly? There have been suicides and apparently some of the women and children have sewn their lips together, drunk detergent and so forth. As I asked earlier last week is a time that we send that back, and what does representative Karzai think about this from Afghanistan?

MR. BOUCHER: I think as far as any position that Chairman Karzai might have taken, you would have to check with the Afghans. But first of all, I wouldn't make comparisons between detainees in one circumstance and detainees in another, and I don't really have anything new to say on the subject, frankly. I'm sorry.

QUESTION: Thank you.

QUESTION: We are getting very close for head of state meeting for the Foreign Minister of Morocco. Do you have anything on that?

MR. BOUCHER: No, that one is news to me.

QUESTION: Can you take a question on the JDL as to whether they are going to be listed on the terrorist organization list as a result of the indictment down in Orange County last week?

MR. BOUCHER: I don't know if there is anything particular to say at this point. I'll check.

(The briefing was concluded at 1:40 p.m. EST.)

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