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1997, as Human Rights Day; December 15, 1997, as Bill of Rights Day; and the week beginning December 10, 1997, as Human Rights Week. I call upon the people of the United States to celebrate these observances with appropriate programs, ceremonies, and activities that demonstrate our national commitment to the Bill of Rights, the Universal Declaration of Human Rights, and the promotion of human rights for all people.

In Witness Whereof, I have hereunto set my hand this ninth day of December, in the year of our Lord nineteen hundred and ninety-seven, and of the Independence of the United States of America the two hundred and twenty-second.

William J. Clinton

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NOTE: This proclamation was published in the *Federal Register* on December 12.

Letter to Congressional Leaders Reporting on Burma

December 9, 1997

Dear Mr. Speaker: (Dear Mr. President:)

I hereby report to the Congress on developments concerning the national emergency with respect to Burma that I declared in Executive Order 13047 of May 20, 1997, pursuant to section 570 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act (the "Act") and the International Emergency Economic Powers Act (IEEPA). This report is submitted pursuant to section 204(c) of IEEPA, 50 U.S.C. 1703(c) and section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c). This report discusses only matters concerning the national emergency with respect to Burma that was declared in Executive Order 13047.

On May 20, 1997, I issued Executive Order 13047 (62 FR 28301, May 22, 1997), effective on May 21, 1997, to declare a national emergency with respect to Burma and to prohibit new investment in Burma by United States persons, except to the extent provided in regulations, orders, directives, or licenses that may be issued in conformity with section 570 of the Act. The order also prohibits any approval or other facilitation by a United States person, wherever located, of a transaction by a foreign person where the transaction would constitute new investment in Burma prohibited by the order if engaged in by a United States person or within the United States. This action was taken in response to the large-scale repression of the democratic opposition by the Government of Burma since September 30, 1996. A copy of the order was provided to the Congress on May 20, 1997.

By its terms, nothing in Executive Order 13047 is to be construed to prohibit the entry into, performance of, or financing of a contract to sell or purchase goods, services, or technology, except: (1) where the entry into such contract on or after May 21, 1997, is for the general supervision and guarantee of another person's performance of a contract for the economic development of resources located in Burma; or (2) where such contract provides for payment, in whole or in part, in (i) shares of ownership, including an equity interest, in the economic development of resources located in Burma; or (ii) participation in royalties, earnings, or profits in the economic development of resources located in Burma.

The prohibitions of Executive Order 13047 apply to United States persons, defined to include U.S. citizens and permanent resident aliens wherever they are located, entities organized under U.S. law (including their foreign branches), and entities and individuals actually located in the United States. The sanctions do not apply directly to foreign subsidiaries of U.S. firms, although foreign firms' activities may be affected by the restriction on United States persons' facilitation of a foreign person's investment transactions in Burma.

The term "new investment" means any of the following activities, if such an activity is undertaken pursuant to an agreement, or pursuant to the exercise of rights under such an agreement, that is entered into with the Government of Burma, or a nongovernmental entity in Burma, on or after May 21, 1997: (a) The entry into a contract that includes the economic development of resources located in Burma; (b) the entry into

a contract providing for the general supervision and guarantee of another person's performance of a contract that includes the economic development of resources located in Burma; (c) the purchase of a share of ownership, including an equity interest, in the economic development of resources located in Burma; or (d) the entry into a contract providing for the participation in royalties, earnings, or profits in the economic development of resources located in Burma, without regard to the form of participation.

Since the issuance of Executive Order 13047 on May 20, 1997, the Department of the Treasury's Office of Foreign Assets Control (OFAC), acting under authority delegated by the Secretary of the Treasury, has implemented sanctions against Burma imposed by the order. During the current 6-month period, OFAC issued several determinations with respect to transactions provided for by agreements and/or rights pursuant to contracts entered into by United States persons prior to May 21, 1997. One license was granted authorizing a United States person's disinvestment in Burma, since this transaction necessarily facilitated a foreign person's investment in Burma.

On May 21, 1997, OFAC disseminated details of this program to the financial, securities, and international trade communities by both electronic and conventional media. This included posting notices on the Internet and on 10 computer bulletin boards and 2 fax-on-demand services, and providing the material to the U.S. Embassy in Rangoon for distribution to U.S. companies operating in Burma. In addition, in early July, OFAC sent notification letters to approximately 50 U.S. firms with operations in or ties to Burma informing them of the restrictions on new investment. The letters included copies of Executive Order 13047, provided clarification of several technical issues, and urged firms to contact OFAC if they had specific questions on the application of the Executive order to their particular circumstances.

The expenses incurred by the Federal Government in the 6-month period from May 20 through November 19, 1997, that are directly attributable to the exercise of powers and authorities conferred by the declaration of a national emergency with respect to Burma are estimated at approximately $300,000, most of which represent wage and salary costs for Federal personnel. Personnel costs were largely centered in the Department of the Treasury (particularly in the Office of Foreign Assets Control, the Office of the Under Secretary for Enforcement, and the Office of the General Counsel), and the Department of State (particularly the Bureau of Economic and Business Affairs, the Bureau of East Asian and Pacific Affairs, the Bureau of Intelligence and Research, and the Office of the Legal Adviser).

The situation reviewed above continues to represent an extraordinary and unusual threat to the national security, foreign policy, and economy of the United States. The declaration of the national emergency with respect to Burma contained in Executive Order 13047 in response to the large-scale repression of the democratic opposition by the Government of Burma since September 30, 1996, reflected the belief that it is in the national security and foreign policy interests of the United States to seek an end to abuses of human rights in Burma, to support efforts to achieve democratic reform that would promote regional peace and stability and to urge effective counternarcotics policies.

In the past 6 months, the State Law and Order Restoration Council (SLORC) has shown no sign of willingness to cede its hold on absolute power. Since refusing to recognize the results of the free and fair 1990 elections in which the National League for Democracy won a vast majority of both the popular vote and the parliamentary seats, the ruling junta has continued to refuse to negotiate with pro-democracy forces and ethnic groups for a genuine political settlement to allow a return to the rule of law and respect for basic human rights. Burma has taken limited but insufficient steps to counter narcotics production and trafficking.

The net effect of U.S. and international measures to pressure the SLORC to end its repression and move toward democratic government has been a further decline in investor confidence in Burma and deeper stagnation of the Burmese economy. Observers agree that the Burmese economy appears to

be further weakening and that the government has a serious shortage of foreign exchange reserves with which to pay for imports. While Burma's economic crisis is largely a result of the SLORC's own heavy-handed mismanagement, the SLORC is unlikely to find a way out of the crisis unless political developments permit an easing of international pressure. I shall continue to exercise the powers at my disposal to deal with these problems and will report periodically to the Congress on significant developments.

Sincerely,

William J. Clinton

NOTE: Identical letters were sent to Newt Gingrich, Speaker of the House of Representatives, and Albert Gore, Jr., President of the Senate.

Remarks Celebrating the 50th Anniversary of the Universal Declaration of Human Rights in New York City

December 9, 1997

Thank you very much, Gay, for your introduction and for your superlative work. Thank you, Ambassador Richardson, for your distinguished representation of our country and for the campaign speech you gave for Gay—[*laughter*]—proving that diplomacy and politics can never be fully separated and shouldn't be. Thank you, Mr. Morgenthau, for all you have done for the people of New York and for the contributions that you and your family have made, which are memorialized in this wonderful place. And I thank you and David Altshuler for the tour I had before we started tonight.

I'd like to thank the others who are here in our administration who have worked on areas of human rights: OAS Ambassador Victor Marrero; ECOSOC Ambassador Betty King; Ambassador Nancy Rubin, our representative to the U.N. Human Rights Commission. And I'd like to say a special word of thanks to John Shattuck, the Assistant Secretary of State for Democracy, Human Rights, and Labor, who has really worked hard for a very long time under enormously adverse circumstances—sometimes when his President couldn't do everything he wanted him to do. Thank you, and God bless you.

I thank Congresswoman Nita Lowey for being here and for her alert leadership on so many issues. And we thank the President of the General Assembly and all the members of the diplomatic corps who are here as we launch the 50th anniversary of the Universal Declaration of Human Rights.

As human rights advocates, defenders, and educators, more than anyone else, the people in this room and those whom you represent give life to the words of the Universal Declaration. You shine the light of freedom on oppression, speak on behalf of the voiceless, spark the conscience of the world. Again I want to thank Gay for her tireless commitment to justice and equality. But I thank all of you for the work you do every day to make human rights a human reality.

The idea of a global declaration of rights emerged from the trauma of global war in which human rights were the first casualty. Here at the Museum of Jewish Heritage, we remember the evil of the Holocaust. But thanks to the marvelous conception of this unique place, we can also celebrate the strength of the human spirit, the will to endure and to preserve human dignity.

Under the wise, compassionate leadership of Eleanor Roosevelt, half a century ago 18 delegates from China to Lebanon, Chile to Ukraine forged the first international agreement on the rights of humankind. On December 10th, 1948, the United Nations General Assembly adopted the Universal Declaration without a single dissenting vote. I am very proud that the First Lady, who has traveled the world to advance human rights, especially for women and young girls, will take part in tomorrow's United Nations commemoration.

Over the past half-century, the declaration's 30 articles have formed a constellation of principles to which all people can aspire. They have entered the consciousness of people all around the world. They're now invoked routinely in constitutions and courts. They set a yardstick of humanity's best practices against which we must all now measure ourselves.