

### **Title 3—The President**

This notice shall be published in the **Federal Register** and transmitted to the Congress.

WILLIAM J. CLINTON

THE WHITE HOUSE,

*February 24, 1999.*

#### **Presidential Determination No. 99–15 of February 26, 1999**

### **Certification for Major Illicit Drug Producing and Drug Transit Countries**

#### *Memorandum for the Secretary of State*

By virtue of the authority vested in me by section 490(b)(1)(A) of the Foreign Assistance Act of 1961, as amended (“the Act”), I hereby determine and certify that the following major illicit drug producing and/or major illicit drug transit countries/dependent territories have cooperated fully with the United States, or have taken adequate steps on their own, to achieve full compliance with the goals and objectives of the 1988 United Nations Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances:

Aruba, The Bahamas, Belize, Bolivia, Brazil, China, Colombia, Dominican Republic, Ecuador, Guatemala, Hong Kong, India, Jamaica, Laos, Mexico, Pakistan, Panama, Peru, Taiwan, Thailand, Venezuela, and Vietnam.

By virtue of the authority vested in me by section 490(b)(1)(B) of the Act, I hereby determine that it is in the vital national interests of the United States to certify the following major illicit drug producing and/or major illicit drug transit countries:

Cambodia, Haiti, Nigeria, and Paraguay.

Analysis of the relevant U.S. vital national interests, as required under section 490(b)(3) of the Act, is attached.

I have determined that the following major illicit drug producing and/or major illicit drug transit countries do not meet the standards set forth in section 490(b) for certification:

Afghanistan, Burma.

In making these determinations, I have considered the factors set forth in section 490 of the Act. Given that the performance of each of these countries/dependent territories has differed, I have attached an explanatory statement for each of the countries/dependent territories subject to this determination.

### Other Presidential Documents

You are hereby authorized and directed to report this determination to the Congress immediately and to publish it in the **Federal Register**.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
*Washington, February 26, 1999.*

### STATEMENTS OF EXPLANATION

#### **Afghanistan**

According to U.S. Government (USG) estimates, Afghanistan continued to be the world's second largest producer of opium poppy in 1998. Poppy cultivation and opium gum production increased by seven percent in 1998, despite poor weather, resulting in an estimated 1,350 metric tons (mts) of opium gum production. Afghanistan is a party to the 1988 UN Drug Convention, but neither of the warring political factions (Taliban nor Northern Alliance) took steps to demonstrate that they take Afghanistan's obligations under the Convention seriously. Aside from Taliban authorities burning a reported one ton of opiates in Jalalabad in June, there is no evidence to indicate that any action was taken by any faction to discourage poppy cultivation, destroy morphine or heroin laboratories, or arrest and prosecute narcotics traffickers. Numerous reports indicated that members of all factions at all levels continued to profit from the drug trade. UN Drug Control Program (UNDCP) initiatives made very slow progress, while a USG-funded non-governmental organization (NGO) program achieved many of its alternative development goals.

By the end of the year, the Taliban faction controlled over 80 percent of Afghan territory and 96 percent of Afghanistan's opium-growing areas. The Taliban's inaction and lack of political will, as well as substantial drug trade involvement on the part of some local Taliban authorities, also impede meaningful counter-narcotics progress.

The Taliban condemned illicit drug cultivation, production, trafficking and use in 1997. However, there is no evidence that Taliban authorities took action in 1998 to decrease poppy cultivation, to arrest and prosecute major narcotics traffickers, to interdict large shipments of illicit drugs or precursor chemicals, or to eliminate opiate processing laboratories anywhere in Afghanistan. Opium is Afghanistan's largest cash crop and, by many estimates, narcotics remain a significant and perhaps the largest source of income. Some Taliban authorities reportedly benefit financially from the trade and provide protection to heroin laboratories. There are numerous reports of drug traffickers operating in Taliban territory with the consent or involvement of some Taliban officials.

In 1998, poppy cultivation increased and spread to new areas. In an unverified policy statement published by the Taliban's High Commission for Drug Control on September 10, 1998, which appears to contradict the Taliban's November 1997 commitment to UNDCP, the Taliban indicated that they would not support a strategy of forced eradication if farmers who benefitted from alternative development failed to comply with the requirement to abandon poppy cultivation.