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SUBJECT: DISCUSSIONS ON USAMA BIN LADEN WITH TALEBAN
DEPUTY FOREIGN MINISTER JALIL

REF: (A) ISLAMABAD 5779, (B) ISLAMABAD 5749,
(C) ISLAMABAD 5717

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1. (S/NF) SUMMARY: TALEBAN DEPUTY FOREIGN MINISTER JALIL MET WITH SENIOR US OFFICIALS ALAN EASTHAM AND EDMUND HULL IN FRANKFURT, GERMANY NOV 2-3 TO DISCUSS THE USAMA BIN LADEN (UBL) ISSUE. JALIL OFFERED NO NEW IDEAS TO SETTLE THIS ISSUE. HE SAID THAT THE TALEBAN BELIEVED SOLVING THE UBL ISSUE WOULD NOT IMPROVE TALEBAN RELATIONS WITH THE US. HE ASKED FOR A "GESTURE" WHICH HE COULD TAKE BACK TO THE TALEBAN TO SHOW THAT THE US DESIRED TO SOLVE THE ISSUE. HE OFFERED EXAMPLES OF SEVERAL POSSIBLE GESTURES, INCLUDING HUMANITARIAN ASSISTANCE, A LESSENING OF UN SANCTIONS AND DELAY IN NEW SANCTIONS, PERMISSION FOR ARIANA FLIGHTS, AND

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UNITED STATES DEPARTMENT OF STATE
REVIEW AUTHORITY: FRANK E SCHMELZER
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US RESTRAINT IN RETALIATION FOR THE USS COLE BOMBING. HE WAS UNINTERESTED IN DISCUSSING UBL'S GUILT OR INNOCENCE, STATING THAT UBL WAS A PROBLEM WHICH NEEDED TO BE SOLVED. HE THOUGHT THIS COULD BE DONE BY US APPLICATION TO AN AFGHAN COURT. EASTHAM TOLD HIM WE COULD NOT DELAY SANCTIONS OR PREDICT THE OUTCOME OF THE COLE INVESTIGATION OR WHAT STEPS WE MIGHT TAKE IN RESPONSE. HE SAID WE MIGHT BE ABLE TO TAKE A HUMANITARIAN STEP. HE EMPHASIZED WE COULD NOT BECOME INVOLVED IN THE AFGHAN COURTS. EASTHAM ASKED SEVERAL TIMES WHAT RESPONSE WE COULD EXPECT, BUT JALIL PROMISED ONLY THAT WE WOULD SEE RESULTS QUICKLY. JALIL MAY MEET AMBASSADOR MILAM IN ISLAMABAD ON HIS RETURN TRIP TO AFGHANISTAN. JALIL EMPHASIZED THAT THE FACT AND SUBSTANCE OF THE MEETING HAD TO BE KEPT SECRET. END SUMMARY

2. (S/NF) AN INTERAGENCY GROUP LED BY SA PDAS ALAN EASTHAM AND S/CT DEPUTY COORDINATOR EDMUND HULL MET WITH TALEBAN
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DEPUTY FOREIGN MINISTER JALIL IN FRANKFURT ON NOV 2-3.
ALSO PRESENT FOR THE US WERE SA/PAB DIRECTOR LUNSTEAD AND

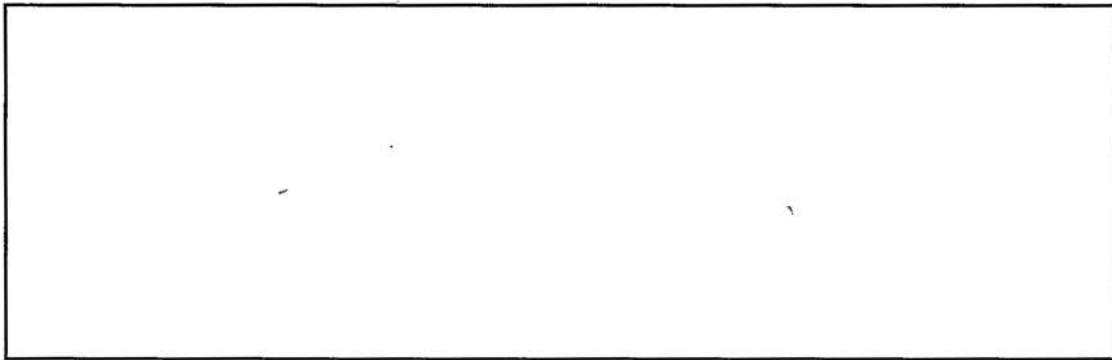
[REDACTED] JALIL WAS
ACCOMPANIED BY [REDACTED]

[REDACTED] JALIL WAS OSTENSIBLY IN FRANKFURT ON A TRADE MISSION WITH OTHER TALEBAN MINISTERS; THEY WERE UNAWARE OF HIS MEETINGS WITH US OFFICIALS. JALIL HAD ASKED (THROUGH [REDACTED] FOR THE MEETING FOLLOWING HIS MEETING IN SEPTEMBER WITH AMB MILAM IN ISLAMABAD. [REDACTED] JALIL WOULD HAVE NEW IDEAS ON HOW TO DEAL WITH THE USAMA BIN LADEN (UBL) ISSUE AT THIS MEETING.

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4. (S/NF) JALIL BEGAN ON NOV 2 BY SAYING THAT THE TALEBAN "WANT TO FINISH THE ISSUE" OF UBL. HE NOTED THAT AFGHANS WERE LOOKING BACK TO THE 1998 RETALIATORY CRUISE MISSILE ATTACKS AGAINST UBL FOLLOWING THE EAST AFRICA EMBASSY

BOMBINGS, AND WERE AFRAID ATTACKS WOULD HAPPEN AGAIN. "BOMBING WILL CREATE MORE PROBLEMS," JALIL SAID. THE TALEBAN WERE CONFUSED AFTER JALIL'S OWN MEETING WITH UNDER
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 SECRETARY PICKERING IN MAY, AND COULD NOT UNDERSTAND WHAT THE US WANTED THE TALEBAN TO DO. FOUR ISSUES WERE RAISED AT THAT TIME (UBL-TERRORISM; NARCOTICS; HUMAN RIGHTS, ESPECIALLY WOMEN AND GIRLS; AND PEACE PROCESS), BUT THE TALEBAN COULD NOT HANDLE SO MANY ISSUES AT ONCE. THERE IS NO SIGNAL, HE SAID, THAT THINGS WILL IMPROVE IF THE TALEBAN DEAL WITH THESE ISSUES. "LET'S WORK ON ONE PRIORITY," HE SAID. WE KNOW IT IS ONE ISSUE (UBL) YOU WANT; WE CAN WORK ON THAT.

5. (S/NF) YOU WILL MAKE MY WORK EASY, JALIL SAID, IF YOU MAKE A GESTURE TO SHOW THAT THE US IS NOT OUT TO DESTROY THE TALEBAN. SEND SOME KIND OF SIGNAL, PERHAPS MEDICINE TO THE AFGHAN RED CRESCENT. OR, HE SAID, UNFREEZE OUR MONEY IN THE US AND ALLOW US TO BUY FOOD WITH IT. OR ALLOW AN ARIANA FLIGHT TO BRING OUR AFGHAN WAR WOUNDED FOR TREATMENT. OR, HE SAID, ALLOW ARIANA TO CONDUCT FLIGHTS FOR THE PURPOSE OF "UMRA" (MINOR PILGRIMAGE) IN THE MONTH BEFORE HAJ (MAJOR PILGRIMAGE). GIVE US "ANY SMALL THING." IF WE CANNOT WORK THROUGH THE RED CRESCENT, THEN MAKE A NEW DONATION TO THE UN. THIS WILL ALLOW ME TO SHOW "MY CLOSE PEOPLE" THAT THE US IS NOT UNFRIENDLY TOWARDS AFGHANISTAN. THE IMPORTANT THING, JALIL SAID, WAS TO TELL HIM IN ADVANCE WHAT GESTURE WAS COMING, SO THAT HE COULD USE THIS WITH MULLAH OMAR AND OTHERS IN ADVANCE TO CONVINCED THEM THAT DEALING WITH THE UBL ISSUE WOULD BE PRODUCTIVE. IF THE US PUT MORE SANCTIONS ON AFGHANISTAN, THAT WOULD SEND THE WRONG SIGNAL.

6. (S/NF) EASTHAM RESPONDED THAT HE UNDERSTOOD THE CONCERNS ABOUT THE US ATTITUDE TOWARDS AFGHANISTAN. WE DID HAVE A
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 LONG LIST OF ISSUES WITH THE TALEBAN, BUT UBL WAS A "BOULDER IN THE ROAD." UNTIL THAT BOULDER WAS PUSHED

ASIDE, WE COULD NOT MAKE ANY HEADWAY ON THE OTHERS. UNTIL AUGUST 1998 (EMBASSY BOMBINGS) WE HAD DISCUSSED SINCERELY WITH THE TALEBAN HOW TO RESOLVE THESE ISSUES. THE AUGUST 1998 BOMBINGS MADE UBL MUCH MORE IMPORTANT. "WE WANT TO SET UP A ROAD CLEARING TEAM," AND WE CAN TAKE A POSITIVE ATTITUDE TOWARD RESOLVING THE OTHER ISSUES IF THE UBL

ISSUE IS OUT OF THE WAY. IT WOULD BE PRESUMPTUOUS OF US TO TELL THE TALEBAN HOW TO SOLVE IT, HOWEVER. THE SECURITY COUNCIL RESOLUTION WAS ALREADY ON THE BOOKS, AND SC SANCTIONS WERE EXCLUSIVE TO UBL. HOWEVER, OUR OPPONENT HERE IS ALSO TIME. IF WE DON'T SOLVE THIS ISSUE SOON, THERE WILL BE INCREASING CONFRONTATION. IT WAS OVER ONE YEAR SINCE THE LAST SCR; HE BELIEVED THERE WAS MOMENTUM IN THE COUNCIL FOR ADDITIONAL MEASURES. THIS WOULD BE HARD TO STOP IN ABSENCE OF SOME ACTION ON UBL. EASTHAM SAID HE UNDERSTOOD WHAT JALIL WAS ASKING, BUT WAS NOT SURE WE WOULD BE ABLE TO DO ANYTHING. WHAT HE DID NOT UNDERSTAND WAS WHAT THE TALEBAN WOULD DO IN RESPONSE TO A US GESTURE.

7. (S/NF) HULL NOTED THAT THE US HAD PROVIDED THE US INDICTMENT OF UBL TO JALIL IN MAY. HE THEN MENTIONED THE RECENT GUILTY PLEA IN NEW YORK BY ONE OF THE ACCUSED IN THE EMBASSY BOMBING CASE. HE ATTEMPTED TO READ A PORTION OF THE PLEA RELATING TO DIRECT INSTRUCTIONS TO THE ACCUSED BY UBL ON THE 1998 EMBASSY BOMBINGS. JALIL SAID HE DID NOT WANT TO HEAR THIS. FIRST, HE SAID, ALL AFGHANS DISCOUNTED THIS TESTIMONY BECAUSE IT HAD BEEN GIVEN BY A PRISONER, WHO WOULD BE SEEKING FAVORS. SECOND, JALIL SAID, IT DID
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NOT MATTER WHETHER UBL WAS GUILTY OR NOT; THE TALEBAN SIMPLY WANTED TO GET RID OF HIM. JALIL RESISTED RECEIVING A COPY OF THE GUILTY PLEA, ALTHOUGH HE EVENTUALLY RELENTED AND TOOK IT.

8. (S/NF) JALIL ADDED THAT THE US SHOULD PRESENT DOCUMENTS IN AN AFGHAN COURT. IT IS HARD FOR A JUDGE TO MAKE DECISIONS, HE SAID, IF BOTH SIDES ARE NOT PRESENT. IF YOU GO TO COURT, HE SAID, WE WILL SUPPORT YOU. UBL IS OUR ENEMY--WE DON'T WANT HIM AND YOU DON'T WANT HIM. HOW ARE WE TO HANDLE HIM?

9. (S/NF) EASTHAM NOTED THAT JALIL HAD REFERRED EARLIER TO THE EVENTS OF 1998, AND THAT HE SURMISED JALIL WAS ALSO REFERRING TO A POSSIBLE UBL ROLE IN THE BOMBING OF THE USS COLE. HE WANTED TO BE CLEAR, ESPECIALLY WITH SO MUCH SPECULATION IN THE PRESS. THE US HAD NOT MADE ANY CONCLUSION ON A UBL ROLE IN THE COLE BOMBING. HOWEVER, WE ALWAYS RESERVED THE RIGHT OF SELF-DEFENSE. THERE HAD BEEN NO DECISIONS SO FAR, BUT HE HAD TO REMIND JALIL OF WHAT WE HAD SAID BEFORE--WE WILL HOLD THE TALEBAN RESPONSIBLE IF WE DETERMINED THAT UBL HAD ATTACKED US INTERESTS. THIS WAS A FACTOR, HE SAID, WHICH MADE POSITIVE STEPS (I.E., THE "GESTURE" JALIL HAD REQUESTED) MORE DIFFICULT. STILL, HE

SAID, THERE WAS NO ANSWER TO OUR QUESTION: WHAT WOULD HAPPEN IF WE WERE TO MAKE SUCH A GESTURE?

10. (S/NF) JALIL REPLIED THAT HE COULD ANSWER AFTER HIS RETURN TO AFGHANISTAN. BUT, HE SAID, ONE PERSON CANNOT PUSH THE BOULDER OFF THE ROAD. IF WE DELIVERED A MESSAGE OF FRIENDSHIP, HE WOULD BE ABLE TO LET US KNOW AFTER THREE
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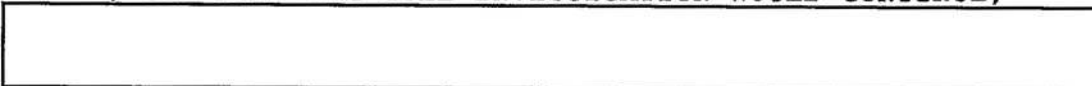
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 OR FOUR MONTHS. (COMMENT: CONTRA EASTHAM REPLIED THAT HE WOULD BE A LIAR IF HE TOLD JALIL THE US WOULD HOLD OFF ON ANY FURTHER ACTION FOR 3-4 MONTHS. FIRST, THE COLE INVESTIGATION WAS PROCEEDING, AND NO ONE KNEW WHERE IT WOULD LEAD. HULL ADDED THAT THERE WERE OTHER TERRORIST GROUPS ACTIVE IN AFGHANISTAN BESIDES UBL AND AL QAIDA. THESE GROUPS WERE ALSO THREATS TO THE US, AND THE TALEBAN NEEDED TO DEAL WITH THEM ALSO. SECOND, ON SCR 1267, THE INTERNATIONAL POLITICS OF AFGHANISTAN NOW MEANT THAT THERE WAS VERY LITTLE TIME TO RESOLVE THE UBL ISSUE BEFORE THE COUNCIL BEGAN TO MOVE TOWARDS ADDITIONAL SANCTIONS. THIS WAS EVIDENT IN U/S PICKERING'S DISCUSSIONS IN MOSCOW. WHERE THE RUSSIANS EXPRESSED THEIR STRONG CONCERNS. OTHER FACTORS ALSO CONTRIBUTED TO THIS ATMOSPHERE. NEW NARCOTICS STATISTICS, FOR INSTANCE, SHOWED THAT THE OPIUM CROP HAD INCREASED SUBSTANTIALLY. JALIL REPLIED THAT NEXT YEAR WOULD SEE A BIG DIFFERENCE IN THE OPIUM CROP SINCE MULLAH OMAR HAD ORDERED A BAN ON PRODUCTION. EASTHAM REPLIED HE BELIEVED THAT JALIL SAID; IF IT WERE BORNE OUT, THAT WOULD MAKE A BIG DIFFERENCE. EASTHAM ALSO NOTED THAT RECENT EVENTS ON THE BATTLEFIELD HAD CONVINCED MANY THE TALEBAN

WERE STILL SEEKING A MILITARY VICTORY. THIS ALSO HEIGHTENED THE CHANCES FOR SC ACTION.

11. (S/NF) EASTHAM ALSO NOTED A LEGAL POINT. THE UBL CASE WAS NOW IN OUR LEGAL SYSTEM BECAUSE HE HAD BEEN INDICTED. OUR SYSTEM IS ENGAGED IN BRINGING HIM TO JUSTICE. THEREFORE IT WAS DIFFICULT FOR US TO FILE A CASE IN ANOTHER COURT (AS JALIL HAD SUGGESTED), SINCE UBL FACES CHARGES IN THE US.

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 12. (S/NF) THESE THEMES WERE REPEATED IN THE DISCUSSION ON NOV 3. WHEN EASTHAM MENTIONED THAT THE SC WOULD MOVE AHEAD, AND THAT THE COLE INVESTIGATION WOULD CONTINUE,



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[REDACTED]

EASTHAM REPLIED THAT THE COLE INVESTIGATION WAS NOT FINISHED, BUT HE DID NOT WANT TO LEAVE A WRONG IMPRESSION. WHEN WE LOOKED AT THE OPTIONS FOR RETALIATION, WE WERE NOT TARGETING AN INDIVIDUAL, HE SAID, BUT WERE AIMED AT A GROUP AND AN INFRASTRUCTURE WHICH POSED A CONTINUING THREAT TO US LIVES AND PROPERTY. "WE DO NOT GO OUT TO KILL AN INDIVIDUAL." EASTHAM CONCLUDED THAT THE PREFERRED PATH FORWARD WAS NOT THROUGH VIOLENCE AND THROUGH SANCTIONS, BUT THROUGH LAW. OUR PREVIOUS DISCUSSIONS WITH THE TALEBAN HAVE NOT BEEN ABOUT MISSILES AND SANCTIONS, BUT ABOUT MEANS USING THE LAW AND ORDER PROCESS TO SOLVE THE PROBLEM. THERE IS A VIEW THAT THE TALEBAN IS ASSOCIATED WITH TERRORIST GROUPS BECAUSE IT PROTECTS THEM. THIS PUTS US IN A DIFFICULT POSITION. THE TALEBAN AND UBL MERGE IN POPULAR PERCEPTION. THIS MAKE IT DIFFICULT FOR US TO MAKE A GESTURE, AS JALIL SUGGESTED, UNLESS WE CAN TELL PEOPLE IN ADVANCE WHAT WILL RESULT. JALIL DID NOT RESPOND.

13. (S/NF) REVIEWING THE PROPOSED "GESTURES," EASTHAM TOLD JALIL THAT AS A MAJOR PROVIDER OF HUMANITARIAN ASSISTANCE, WE COULD CONSIDER GIVING ADVANCE NOTICE OF A CONTRIBUTION. SANCTIONS RELIEF WAS NOT WITHIN THE POWER OF THE US ALONE;

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ON ISSUES SUCH AS ARIANA MERCY FLIGHTS AND UMRA FLIGHTS,

THE TALEBAN SHOULD APPLY TO THE UN SANCTIONS COMMITTEE AND SEE WHAT HAPPENED. MOMENTUM WAS STRONG FOR NEW SANCTIONS, AND EASTHAM OFFERED HIS PERSONAL ASSESSMENT THAT A NEW RESOLUTION WOULD BE INTRODUCED SHORTLY AND THAT THERE WOULD BE NEW STRONGER SANCTIONS BY YEAR'S END. AND IT WAS NOT POSSIBLE TO OFFER ANY ASSURANCE WITH RESPECT TO WHETHER THE COLE INVESTIGATION MIGHT POINT TO AFGHANISTAN AND WHETHER THE PRESIDENT MIGHT DECIDE TO TAKE ACTION. HE UNDERTOOK TO REPORT TO WASHINGTON, LOOKING TOWARD ANOTHER MEETING WITH JALIL (BY AMBASSADOR MILAM IN ISLAMABAD) ONCE JALIL HAD RETURNED TO THE REGION.

14. (S/NF) JALIL SAID THAT HE WOULD BE IN ISLAMABAD EN ROUTE TO AFGHANISTAN IN A WEEK TO 10 DAYS. HE AGREED TO BE IN CONTACT WITH AMB. MILAM WHEN HE PASSED THROUGH.
ALBRIGHT

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