

U.S. intelligence files on Princess Diana. A Federal court judge in Washington, D.C. has ordered the CIA and the DIA to release files to al-Fayed's lawyers.

And, in another bizarre twist on the affair, on Oct. 28 a Los Angeles County judge issued a summary judgment, removing entertainment industry attorney Keith Fler from a multimillion-dollar fraud and emotional distress civil suit filed by al-Fayed. This suit was an outgrowth of a \$20 million extortion and forgery scheme, targetting al-Fayed, with the promise of secret CIA documents that would allegedly prove that the British intelligence services, the Mossad, and the CIA had plotted to murder Princess Diana and Dodi Fayed, at the behest of the British royals.

A man later identified as a con artist, Oswald LeWinter, had contacted al-Fayed, via Fler, in March 1998, offering to sell the secret CIA documents. Fler's credentials as a well-known, wealthy Hollywood attorney, who had had prior contact with one of al-Fayed's American lawyers, had been vital to the scheme. Ultimately, al-Fayed became suspicious, and sent his security director, John MacNamara, to meet with the FBI, the CIA, and the U.S. Attorney in Washington, D.C. A sting was arranged, and, on April 22, 1998, LeWinter was arrested in Vienna, Austria, as he met with MacNamara to arrange the exchange of documents for cash. The documents were, indeed, forgeries, but to this day, LeWinter claims that they were derived from genuine CIA secret files.

U.S. Department of Justice officials had assured al-Fayed that all of the parties to the criminal scheme would be arrested; but, 15 months later, with no further action by the U.S. Attorney, al-Fayed filed the civil suit, naming Fler, LeWinter, two other individuals, George Williamson and Pat McMillan, and 15 John Does.

On Oct. 28, 1999, Los Angeles Superior Court Judge Brett C. Klein held a hearing, at which Fler argued that his name should be removed from the suit. David Kendall, the attorney for al-Fayed, argued that Fler was essential to the conspiracy, and that there were no grounds for his removal. In an incredible breach of the law, it emerged that the U.S. Attorney's office for the District of Columbia had provided Fler with confidential documents about the LeWinter sting, even though there is supposed to be an ongoing criminal probe into the co-conspirators.

At the end of the hearing, Judge Klein granted the defense motion, claiming, incredibly, that "no reported court decision that I have been able to find in any state of the United States or in any federal jurisdiction of the United States has ever recognized a cause of action for damages on facts similar to those alleged in the complaint . . . so I need to make up my own mind. . . . That question is not a difficult one for me. It is an easy one. There is no such cause of action known to judicial taxonomy. I will sign the order . . . of dismissal."

Al-Fayed's lawyers are appealing Judge Klein's ruling.

President Clinton's North Korea initiative could prevent war

by William Jones

Speaking at the Woodrow Wilson Center on Nov. 29, Dr. William Perry, President Clinton's Special Assistant for U.S. Policy toward the Democratic People's Republic of Korea (D.P.R.K., North Korea), expressed guarded optimism regarding the possibility of preventing a nuclear missile buildup on the Korean Peninsula, and for the gradual normalization of relations with that highly secretive and extremely volatile nation.

In 1994, North Korea began unloading spent fuel from its five-megawatt graphite-moderated nuclear reactor, which would have provided plutonium for several nuclear devices. The Clinton administration, concerned about such a development, began a series of talks with North Korean officials in Geneva, seeking to come up with some solution that would prevent North Korea from becoming a nuclear power.

In August 1994, the two parties signed an agreement in which the North Koreans would put a freeze on their graphite-moderated reactors in return for the United States providing new light-water reactors, which would help meet North Korea's energy needs. The light-water reactors produce no weapons-grade fissile material. A consortium, the Korean Peninsula Energy Development Organization (KEDO), consisting of the United States, Japan, and South Korea, was formed, and given the prime responsibility of financing and building the reactors. During the interim while the new reactors were being built, the United States would provide heavy oil for heating and electricity production in North Korea.

North Korea, which had reached the point economically by the 1990s where agricultural production had virtually collapsed, was faced with the threat of massive starvation. Concomitant with the nuclear agreement, the Western countries provided grain supplies to the international aid organizations, which began a major program of feeding the starving masses in North Korea.

The Taepo Dong missile launch

New tensions arose in August 1998, however, when the North Koreans launched a space delivery vehicle, of the new

Taepo Dong type, over Japan, in what appears to have been a failed attempt to launch a satellite. This launch triggered a great hue-and-cry in Japan, with many in the Japanese Diet (parliament) calling for a revocation of the earlier 1994 Framework Agreement with the North Koreans. The missile launch also led to repeated calls by several Republicans in the U.S. Congress, for the United States to pull out of the KEDO consortium, and for the development of a Tactical Missile Defense system for Northern Asia.

This latter demand, as was clearly foreseen by its proponents, caused severe strains in U.S. relations with China, one of the key nations with any real influence over North Korea.

There was also another construction site detected by U.S. intelligence in North Korea, at Kumchangni, of such a dimension that fears were raised that perhaps the North Koreans were starting up nuclear processing at another site. Given the increased tension in the area, President Clinton therefore called for an extensive review of U.S. policy toward the D.P.R.K. The President named former Defense Secretary William Perry to head that review.

Perry was eminently qualified for the task. Even before his service as Secretary of Defense in the first Clinton administration, Perry had served in a variety of positions in the Defense Department, and had built up a sizable network of contacts among the Chinese People's Liberation Army hierarchy. If there were to be any success in influencing the opaque decision-making of the North Korean leadership, China would have to play a major role.

In May 1999, Perry and his team visited Pyongyang, the North Korean capital, for direct discussions with the North Korean leadership. In the course of their meetings, the team obtained from the North Koreans a continued commitment to nuclear restraint. Perry also requested permission to visit the suspect site at Kumchangni, in order to verify that this was not being used to process nuclear fuel. The permission was granted, and Perry was able to confirm that this site was not being used for such a purpose.

When Perry left Pyongyang, the North Koreans had made no commitment with regard to their testing of long-range missiles, but they had agreed to further discuss the issue with the United States. There followed a number of meetings in Beijing and in Geneva, all of which were inconclusive.

Moratorium on long-range-missile tests

Then, in October, the two sides met in Berlin to discuss what would be required in order to normalize relations between the two countries. They concluded that a precondition for such talks would be, on the U.S. side, a lifting of some of the sanctions which had been in place since the Korean War, and, on the North Korean side, a moratorium on further missile launches. At the meetings in Berlin, the North Koreans indicated to their U.S. counterparts that they would commit to a moratorium on any further missile launches while talks

with the United States were in progress. President Clinton, after discussions with Perry, then lifted some of the sanctions on North Korea. Shortly thereafter, on Sept. 25, the North Koreans officially announced the moratorium on long-range-missile tests.

Perry indicated that on the issue of a long-range-missile test moratorium, China had also brought its influence to bear on the North Koreans. The North Koreans have made a commitment to send a delegation to the United States for further discussion, although no firm date has been set.

The House Republicans' agenda

As the Perry group was issuing its report in mid-October, House Republicans were mobilizing to counter the recommendations of Perry's review. Benjamin Gilman (R-N.Y.), chairman of the House Committee on International Relations, had set up his own North Korea Advisory Group, which came out with its recommendations on Oct. 29. To the surprise of no one, its conclusions were diametrically opposed to those of Perry and his colleagues. The Gilman group included Rep. Chris Cox (R-Calif.), who chaired the Cox committee which issued a scientifically incompetent report that ran China through the ringer on a diverse array of allegations, aimed at creating a new "Rosenberg spy case" out of false allegations against a Chinese-American physicist at Los Alamos National Laboratory.

Dredging up the well-worn list of alleged North Korean violations, including its alleged sales of Nodong missiles to Pakistan and Iran, its massive buildup of its conventional war capability, as well as its attempts to develop nuclear weapons, the Gilman Advisory Group argued that only U.S. assistance is sustaining the North Korean government, drawing the conclusion that such U.S. assistance should cease.

All this is occurring simultaneously with the British-inspired Republican campaign to undermine the U.S. relationship with China. Speaking at the Woodrow Wilson Center, Perry gravely warned against ill-founded illusions about any imminent demise of the North Korean regime. "North Korea is undergoing terrible economic problems, including widespread starvation," Perry said. "But—but—this regime is not about to collapse. We concluded that the United States and its allies must deal with the North regime as it is, not as we wish it to be."

More significantly, as Perry himself noted, the North Korean initiative has been a joint effort with two of the U.S.'s chief allies in the area, Japan and South Korea. It has also served to bring China into a strategic relationship with this tripartite grouping in an attempt to deal with a potentially very threatening regional problem. If the "berserkers" in the Republican Party succeed in sabotaging this initiative, thereby provoking North Korea into a more belligerent stance and alienating China from this important diplomatic interplay, they could well provoke the very strategic crisis, about which they have so vociferously declaimed.