



2. (C) After introducing the eight Pakistani religious leaders to Mullah Omar, Mahmud left them alone to talk while he met separately with Taliban cabinet members led by Deputy Foreign Minister Jalil. Jalil contradicted previous assurances by Taliban Ambassador to Pakistan Zaeef that the SNI detainees would be released shortly. Jalil said the trial would continue and it was therefore important the detainees obtain legal representation. (Their lawyer, Altif Ali Khan, arrived in Kabul Friday evening, September 28.)

3. (C) Jalil said the Taliban would not deport the detainees before the conclusion of the trial. They feared that if released prior to that, the detainees would exploit the situation to embarrass the Taliban. The Taliban would therefore proceed with the trial. Mahmud noted the inconsistency in this position and urged they release the eight now as a better strategy for avoiding negative international reaction. Jalil held to his point, asserting it was necessary to complete the trial as a demonstration of the Taliban's adherence to legal procedure. Mahmud expected the trial to begin Saturday. He was told it would last two or three days, but noted the Taliban's sense of time was unreliable.

 RELIGIOUS LEADERS' MEETING

4. (C) Before their meeting with Mullah Omar, Mahmud asked the religious leaders to seek a resolution in which Usama bin Laden would leave the country in a way acceptable to the United States. Mahmud debriefed them on the airplane returning to Pakistan. They reported they had proposed that Mullah Omar accept a delegation of religious leaders selected from three or four prominent Islamic states. This delegation would examine the evidence and decide UBL's fate. Omar rejected the proposal because he believed they would be biased and reflect the politics of their governments. The Pakistanis then offered to vet the international delegates to assure impartiality. To this, Omar said, "he would think about it". The Pakistani religious leaders were not encouraged but will undertake to compile a list of potential candidates.

 MAHMUD REALISTIC

5. (C) Before the Ambassador could intervene to restate U.S. opposition to negotiations with the Taliban on UBL at this stage, Mahmud asserted he understood that this initiative would go nowhere without U.S. consent. He said President Bush had been

CONFIDENTIAL

SECTION 02 OF 02 Islamabad 5452

quite clear in asserting there would be no negotiations. Mahmud repeated what the Ambassador had told him before his trip to Kandahar: that his initiative was not conducted at our request and was in parallel to international counter terrorism efforts. He also acknowledged the Ambassador's earlier warning that "we were on a fast track". "I guess that is where the matter rests," Mahmud concluded, indicating he did not believe it would result in an acceptable

S - D O N S - D O N S - D O N S



*solution.

*COMMENT

6. (C) We have encouraged General Mahmud to seek the release of the SNI detainees because the possibility, even distant chance, of success was worth pursuing. His effort to involve religious leaders was a sound idea. We believe Mahmud is sincere in his motives and efforts on their behalf. Taliban concern that the detainees would make statements to the media upon release that would cause them embarrassment is bizarre for a government completely isolated and facing grim consequences for harboring terrorists. Mahmud is fully aware his interlocutors are primitive in their thinking. They have now said the trial will resume September 29 and last several days with the indication that their punishment would be immediate deportation. Let us hope that this is the case.

7. (C) Comment con't: Mahmud understands the appeal by religious leaders to their former students represented a last ditch effort to avoid military operations. He has been explicit about his concern that U.S. military operations with Pakistani support will prompt negative "fall out" among radical elements in Pakistan. He wants to avoid this. He also knows his gambit is not working but is taking care to keep us apprised of his efforts.

Chamberlin

CONFIDENTIAL

20010929 06:27:02

NON-CONFIDENTIAL