

STATUS OF UNITED STATES EFFORTS REGARDING
IRAQ'S COMPLIANCE WITH UNSC RESOLUTIONS

COMMUNICATION

FROM

THE PRESIDENT OF THE UNITED STATES

TRANSMITTING

A REPORT ON THE STATUS OF EFFORTS TO OBTAIN IRAQ'S COMPLIANCE WITH THE RESOLUTIONS ADOPTED BY THE U.N. SECURITY COUNCIL, PURSUANT TO 50 U.S.C. 1541



OCTOBER 24, 2000.—Referred to the Committee on International Relations
and ordered to be printed

U.S. GOVERNMENT PRINTING OFFICE

THE WHITE HOUSE,
Washington, October 18, 2000.

Hon. J. DENNIS HASTERT,
Speaker of the House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Consistent with the Authorization for Use of Military Force Against Iraq Resolution (Public Law 102-1 as amended by Public Law 106-113) and as part of my effort to keep the Congress fully informed, I am reporting on the status of efforts to obtain Iraq's compliance with the resolutions adopted by the United Nations Security Council. My last report, consistent with Public Law 102-1, was dated July 17, 2000. I shall continue to keep the Congress informed about this important issue.

Sincerely,

WILLIAM J. CLINTON.

STATUS OF U.S. EFFORTS REGARDING IRAQ'S COMPLIANCE WITH UNSC RESOLUTIONS

OVERVIEW

As long as Saddam Hussein remains in power, he will continue to threaten the well-being of the Iraqi people, the peace of the region, and vital U.S. interests. We will continue to contain these threats, but over the long term the best way to end them is through a new government in Baghdad. To this end, we support the Iraqi Opposition as part of our program to support a transition to democracy in Iraq. The Opposition has made good strides in the past year in reestablishing its presence, developing its plans, beginning administrative and some program operations using United States Government funding, and beginning training under the Iraq Liberation Act (ILA).

Another aspect of our efforts to bring about a new government in Baghdad is our support for the creation of an international tribunal to address the crimes against humanity committed by the current Iraqi leadership. Saddam Hussein and his most senior henchmen should be held accountable for their three decades of misrule. Their glaring abuse of human rights in Iraq, and in those countries subjected to Iraqi aggression, underscore the fact that the current Iraqi regime will never live at peace with its people or its neighbors.

Iraq continues to reject United Nation Security Council Resolution 1284, a binding Resolution adopted under Chapter VII of the U.N. Charter, including its requirement that Iraq provide the U.N. Monitoring, Verification and Inspection Commission (UNMOVIC) and the International Atomic Energy Agency (IAEA) with immediate, unconditional, and unrestricted access. Nonetheless, the U.N. continues to implement those parts of the Resolution that do not require Iraqi cooperation. In its quarterly report to the Council on August 28, UNMOVIC signaled it is ready to begin preparatory work in Iraq. We consult with Dr. Blix and his staff regularly to provide the best support possible.

Ambassador Yuli Vorontsov, the Secretary General's high-level coordinator for Kuwait Issues, presented his first report to the council on Kuwaiti and third-country national prisoners on April 23; and on June 14, he submitted his first report on stolen Kuwaiti property. Both of these reports demonstrate Iraq's continuing failure to cooperate fully with its obligations to the international community. The Iraqi Government continues to deny Ambassador Vorontsov entry to the country.

The oil-for-food program, which is designed to provide for the humanitarian needs of the Iraqi people as long as U.N. sanctions remain in place, continues to expand. During the seventh six-month phase of the program, which ended on June 8, Iraq exported more

than \$8.4 billion worth of oil. On June 8, the Council extended the program for an additional six months.

U.S. and Coalition Force Levels in the Gulf Region

Saddam Hussein's record of aggressive behavior necessitates the deployment of a highly capable force in the region in order to deter Iraq and respond to any threat it might pose to its neighbors, the reconstitution of its WMD program, or movement against the Kurds in northern Iraq. We will continue to maintain a strong posture and have established a rapid reinforcement capability to supplement our forces in the Gulf, if needed.

Operation Northern Watch and Operation Southern Watch

Aircraft of the United States and coalition partners patrolling the No-fly Zones over Iraq under Operations Northern Watch and Southern Watch are still routinely tracked by Iraqi radar, are regularly engaged by anti-aircraft artillery, and on occasion, are attacked by surface-to-air missiles. Our aircrews continue to respond in self-defense to threats against and attacks on our aircraft patrolling the No-Fly Zones.

The Maritime Interception Force

The maritime Multinational Interception Force (MIF) continues to enforce U.N. sanctions in the Gulf. The United States continues to approach potential participants in the MIF to augment current partners, and expects Poland to join later this year.

Member states of the Gulf Cooperation Council (GCC) continue to support the MIF and accept vessels diverted for violating U.N. sanctions against Iraq. After a near record level in June and a still high level in July, the smuggling of petroleum products through the Gulf has been significantly reduced in August and September, principally because Iran is now generally denying smugglers access to their territorial waters. There is no indication that this state of affairs will be permanent.

The MIF, and our ability to rapidly augment it, will continue to serve as a critical deterrent to both the smuggling of petroleum products out of Iraq and the smuggling of prohibited items into Iraq.

UNMOVIC/IAEA: Weapons of Mass Destruction

There have been no inspections in Iraq since December 15, 1998. Iraq's defiance of the international consensus as expressed by Resolution 1284 has meant that no progress has been made in addressing Iraq's outstanding disarmament obligations. Iraq remains in violation of its obligations to end its programs to develop weapons of mass destruction and long-range missiles.

UNMOVIC has now nearly completed the hiring of its core staff in New York and is continuing to hire people in an on-call or "roster" category, including Americans. UNMOVIC completed its first training course on August 10. The United States supported this training by providing UNMOVIC with course instructors and facilities for hands-on training. We consult with Dr. Blix and his staff regularly to provide the best support possible. On August 28,

UNMOVIC stated it is ready to begin preparatory work in Iraq in its quarterly report to the Council.

Dual-Use Imports

Although the “oil-for-food” program revenues are designated for humanitarian purposes only, we remain concerned that Iraq is using this program in an attempt to acquire goods and materials for its weapons programs. The United States, as a member of the U.N. Iraq Sanctions Committee, reviews all contracts under the “oil-for-food” program to ensure that items that are explicitly prohibited or pose significant dual-use concerns are not allowed to be imported.

Resolution 1051 established a joint UNSCOM/IAEA unit to monitor Iraq’s imports of allowed dual-use WMD items (known as “1051”—listed goods). Under U.N. Security Council Resolution 1284, UNMOVIC has assumed this responsibility from UNSCOM. Since weapons inspectors left Iraq in December 1998, the U.N. Office of the Iraq Programme is the only organization allowed to observe goods going into Iraq under the “oil-for-food” program. In the absence of weapons inspectors and other experts on the ground in Iraq, the United States has placed holds on a number of 1051 and dual-use contracts that otherwise might have been approved with UNMOVIC/IAEA monitoring.

The UN’s “Oil-for-Food” Program

We continue to support the international community’s efforts to provide for the humanitarian needs of the Iraqi people through the “oil-for-food” program. In Resolution 1284, the U.N. Security Council authorized Iraq to export as much oil as required to meet humanitarian needs of the Iraqi population. Under U.N. control, the proceeds are used to purchase humanitarian goods, fund awards against Iraq arising out of its invasion and occupation of Kuwait, and to meet U.N. administrative costs. According to U.N. data, since the start of the “oil-for-food” program, 10,863 contracts for humanitarian goods worth nearly \$13 billion have been approved through July 31. Recently, we cleared a large number of holds on these contracts in order to better help the Iraqi people. We view Resolution 1284 as a vehicle for significant improvement of the humanitarian situation in Iraq and are eager to see all aspects of it implemented as rapidly as possible.

The “oil-for-food” program maintains a separate program for northern Iraq, administered directly by the U.N. in consultation with the local authorities. This program, which the United States strongly supports, ensures that when Iraq contracts for the purchase of humanitarian goods, 13 percent of the funds generated under the “oil-for-food” program are spent on items for northern Iraq.

International humanitarian programs including, most importantly, the “oil-for-food” program, have steadily improved the life of the average Iraqi and led to improvements in health care, water, sanitation, agriculture, education, and other areas, while denying Saddam Hussein control over Iraq’s oil revenues.

We will continue to work with the U.N. Secretariat, other members of the Security Council, and others in the international com-

munity to ensure that the implementation of Resolution 1284 better enables the humanitarian needs of the Iraqi people to be met while denying political or economic benefits to the Baghdad regime.

Norther Iraq: Kurdish Reconciliation

The Kurdistan Democratic Party (KDP) and the Patriotic Union of Kurdistan (PUK) continue their efforts to implement the September 17, 1998 reconciliation agreement.

Vice President Gore met with leaders of both Kurdish parties in the Iraqi National Congress delegation on June 26, 2000. Immediately thereafter, the Department of the State hosted negotiations with those leaders. The parties successfully narrowed their differences on a number of key issues, though a small number remained unresolved. The parties remain engaged with one another and have reiterated their commitment to address their issues peacefully through continued negotiation. They work together effectively in a number of areas, including joint efforts to bring the needs of their region to the attention of the U.N. and the international community, and within the larger Iraqi national democratic opposition movement. The situation in northern Iraq remains tense, however, and we continue to look for ways to encourage the parties to make greater progress toward resolving their differences.

The Human Rights Situation in Iraq

As reflected in the Department of State's International Religious Freedom Report for Iraq, released September 9, the human rights situation in Iraq generally, and the tolerance for free religious expression specifically, continue to fall far short of international norms. UNSCR 688 expressly notes that the consequences of the regime's repression of its own people constitute a threat to international peace and security in the humanitarian aid organizations to all Iraqis in need in all parts of Iraq. Yet, for over nine years, the Iraqi Government has refused to allow the U.N. Human Rights Commission's Special Rapporteur for Iraq to visit the country. U.N. human rights monitors have never been allowed in. Newly appointed Special Rapporteur Andreas Mavrommatis asked the Government of Iraq for access so that he might make a personal inspection; the Iraqi Government has refused his request.

Human rights NGOs and other interested voices continue to call for creation of an international tribunal to address the war crimes and crimes against humanity of the Iraqi leadership. United States Government policy supports this view: the leadership of the Iraqi regime should be indicted and prosecuted by an international criminal tribunal or by a national court that can properly exercise jurisdiction over them.

The Iraqi leadership's abuse of resources for personal enrichment and attempts to manipulate the oil-for-food program continued unabated. Due to higher world oil prices, Iraq has more revenue available to it to address the humanitarian needs of its people via the "oil-for-food" program. The Iraqi leadership's command of illicit revenue has also risen sharply for the same reason. Nonetheless, the government fails to use such resources for the most benefit to the people of Iraq.

In the north, outside the Kurdish-controlled areas, we continue to receive reports of the regime forcibly expelling ethnic Kurds and Turkomans from Kirkuk and other cities, and transferring Arabs into their places. There have also been reports of Shia in certain sections of Baghdad being relocated.

The Iraqi Opposition

We are continuing our support for the Iraqi Opposition, helping Iraqis inside and outside Iraq to become a more effective voice for the aspirations of the people, and working to build support for the forces of change inside the country. They are working toward the day when Iraq has a government worthy of its people—a government prepared to live in peace with its people and its neighbors.

We signed our first grant agreement with the Iraqi National Congress (INC) in late March and deposited the first direct funding into their account in April. This grant provided them the resources necessary to open and run their headquarters, hold a Central Committee meeting, undertake outreach programs to further develop their organization, deploy teams to advocate the interests of the Iraqi people at international fora, and manage assistance provided under the Iraq Liberation Act (ILA). We are currently negotiating a follow-on agreement for up to \$4 million to expand their capacities and allow them to run a public information campaign, administer ILA training, and deliver humanitarian assistance to Iraqis, among other programs.

The United Nations Compensation Commission

The United Nations Compensation Commission (UNCC), was established and operates pursuant to UNSCRs 687 (1991) and 692 (1991). It continues to process claims and pay compensation for losses and damages suffered by individuals, corporations, governments, and international organizations, as a direct result of Iraq's unlawful invasion and occupation of Kuwait. To date, the UNCC has issued approximately 1.5 million awards worth about \$15.5 billion. Of these, the United States Government has received approximately \$66.1 million from the UNCC for payment to U.S. claimants. Awards and the costs of the UNCC's operation are paid for from the Compensation Fund which is funded through the allocation to it of thirty percent of the proceeds from authorized oil sales under Security Council Resolutions 986 (1995) and subsequent extensions.

In its September 26–28 session, the UNCC approved an award of \$16 billion to the Kuwait Petroleum Corporation for damages suffered during Iraq's invasion of Kuwait, along with a number of other awards. (These rewards are not reflected in the \$15.5 billion figure above.) In these sessions, the UNCC also decided to temporarily reduce the percentage of Iraqi oil exports set aside to UNCC claims from 30 percent to 25 percent for the next six-month phase of the oil-for-food program. The additional revenues freed up by this move will go to fund specific programs intended to meet pressing humanitarian needs.

CONCLUSION

Iraq remains a serious threat to international peace and security. I remain determined to see Iraq comply fully with all of its obligations under UNSC resolutions while at the same time endeavoring to see that the humanitarian needs of the Iraqi population are addressed. The United States will continue to encourage and support those Iraqis working for the day when Iraq rejoins the family of nations as a responsible and law-abiding member under a new government that serves its people rather than represses them.

