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William J. Clinton

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Letter to Congressional Leaders on Iraq

October 27, 1994

Dear Mr. Speaker: (Dear Mr. President:)

Consistent with the Authorization for Use of Military Force Against Iraq Resolution (Public Law 102–1), 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 U.N. Security Council.

In light of the crisis on the Iraqi-Kuwaiti border that began in early October, this report begins with a brief account of the Iraqi provocation and U.S. responses through the U.N. Security Council vote of October 15. Subsequent developments in this crisis will be covered in the next report.

Iraq's recent behavior with respect to Kuwait has shown the world that it has not changed its threatening ways and cannot be trusted. In early October 1994, elements of the Hammurabi Division of the elite Iraqi Republican Guard were detected relocating to positions at Shaihah airfield in southern Iraq. This was the southern most deployment of Republican Guard forces since the 1990–1991 Gulf War. By October 8, the 15th Mechanized Brigade of the Hammurabi Division had deployed to approximately 20 kilometers from the Kuwait border. Its artillery assets were oriented south toward Kuwait. At the same time, the Al Nida Division of the Republican Guard began moving from the Mosul rail yard and the Baghdad area to positions in southern Iraq. All these units were fully equipped with ammunition, food, and fuel, leading us to conclude that this was no mere exercise.

By October 8, these troop movements, combined with forces already in southern Iraq, brought Iraqi troop strength in southern Iraq to 64,000, organized into 8 divisions. By October 9, indications were present that logistic sites were being established in the vicinity of these deployments. Iraqi movements to the south continued, and by October 11, it was assessed that Iraq would be capable of launching an attack by October 13.

This provocation required a strong response. Accordingly, on October 8, 1994, I ordered the immediate deployment of additional U.S. military forces to the Persian Gulf. These deployments included the USS *George Washington* Carrier Battle Group and its accompanying cruise missile ships, a U.S. Marine Corps Expeditionary Unit, a U.S. Army Mechanized Task Force, and personnel to operate two additional Patriot missile batteries. On October 10, I further ordered the deployment of over 500 U.S. Air Force and Marine Corps combat and supporting aircraft to the region.

In response to these measures, the Iraqi government began ordering its forces to move to positions in the rear, around Nasariyah and Qalat Salih, north of Basra, but still within several hours of the Kuwaiti border. Had these forces remained deployed around Nasariyah, it would have constituted a significant enhancement of Iraq's capabilities in southern Iraq. By October 15, there were clear indications that most Iraqi forces that had been moved south since late September were being redeployed to their original locations. On October 15, 1994, the international community also demonstrated its strong resolve regarding this latest provocation when it passed unanimously U.N. Security Council Resolution (UNSCR) 949, which condemned Iraq's provocative behavior and demanded that Iraq immediately withdraw the units deployed in the south to their original positions, not utilize its forces to threaten its neighbors or U.N. operations, not redeploy or enhance its military capacity in southern Iraq, and cooperate fully with U.N. Special Commission (UNSCOM).

As this recent episode shows, we continue to witness an Iraq that has failed to demonstrate its readiness to comply with the will of the international community. We will continue to insist that Iraq not threaten its neigh-

bors or intimidate the United Nations as it takes steps to ensure that Iraq never again possesses weapons of mass destruction. The sanctions will be maintained until Iraq complies with all relevant provisions of U.N. Security Council resolutions. Indeed, these recent provocative Iraqi actions underscore the wisdom of the Security Council's September 14 decision not to modify the existing sanctions regime.

Cooperation by Iraq with the United Nations since 1991 has been meager, sporadic, selective, and opportunistic. Taken as a whole, Iraq's record represents a stunning failure to meet the standard set by the Council when it set the terms for ending the Gulf War in UNSCR 687: to assure the world community of its ''peaceful intentions.'' The purpose of the drafters of Resolution 687—to ensure that Iraq could never again pose a threat to its neighbors or to regional peace and security—remains unfulfilled.

Nonetheless, UNSCOM and the International Atomic Energy Agency (IAEA) are working hard, with the help of the United States and other supporting nations, to put in place a comprehensive and effective monitoring regime for Iraq. During the month of August alone, UNSCOM and IAEA had seven different teams in Iraq building and testing monitoring capabilities. This effort must be carefully designed if it is to be so thorough that Iraq cannot rebuild a covert nuclear program, as it did before the Gulf War, when it claimed to be in compliance with the nuclear Nonproliferation Treaty. Continued vigilance is necessary because we believe that Saddam Hussein is committed to rebuilding his weapons of mass destruction (WMD) capability.

Indeed, significant gaps in accounting for Iraq's past programs for WMD continue. There are unresolved issues in each of the four weapons categories (nuclear, long-range missile, chemical, and biological). This has been particularly true in the chemical and biological weapons areas, where Iraq claims to have destroyed large amounts of documentation. It is, therefore, extremely important that the monitoring regime be effective, comprehensive, and sustainable. A program of this magnitude is unprecedented and will require continued, substantial assistance for UNSCOM from supporting nations. Rigorous and extensive trial and field testing will be required before UNSCOM can judge the program's effectiveness.

Rolf Ekeus, the Chairman of UNSCOM, has told Iraq that it must establish a clear track record of compliance before he can report favorably to the Security Council. We strongly endorse Chairman Ekeus' approach and reject any attempt to limit UNSCOM's flexibility by the establishment of a timetable for determining whether Iraq has complied with UNSCR 715.

The U.N. Sanctions Committee continues to consider and, when appropriate, approve requests to send to Iraq materials and supplies for essential civilian needs. The Iraqi government, in contrast, has continued to maintain a full embargo against its northern provinces and has acted to distribute humanitarian supplies throughout the country only to its supporters and to the military.

The Iraqi government has refused to sell $1.6 million in oil as previously authorized by the Security Council in UNSCRs 706 and 712. Talks between Iraq and the United Nations on implementing these resolutions ended unsuccessfully in October 1993. Iraq could use proceeds from such sales to purchase foodstuffs, medicines, and materials and supplies for essential civilian needs of its population, subject to U.N. monitoring of sales and the equitable distribution of humanitarian supplies (including to its northern provinces). Iraq's refusal to implement UNSCRs 706 and 712 continues to cause needless suffering.

Proceeds from oil sales also would be used to compensate persons injured by Iraq's unlawful invasion and occupation of Kuwait. Of note regarding oil sales, discussions are underway with Turkish officials concerning the possible flushing of Iraqi oil now in the Turkish pipeline that extends from Iraq through Turkey. The objective is to prevent physical deterioration of the Turkish pipeline as a unique asset. Discussions continue as to how to conduct the flushing in a manner consistent with the U.N. sanctions regime.

The ''no-fly zones'' over northern and southern Iraq permit the monitoring of Iraq's compliance with UNSCRs 687 and 688. Over the last 3 years, the northern no-fly zone has

deterred Iraq from a major military offensive in the region. In southern Iraq, the no-fly zone has stopped Iraq's use of aircraft against its population.

However, the Iraqi government continues its harsh campaign against its perceived enemies, both in the north and south. Baghdad's campaign of economic warfare against the people of northern Iraq continues. Last month the Iraqi regime cut electrical power to the Aqrah/Shirwan districts of Dohuk Governorate. Three hundred fifty thousand people now confront a lack of water, sanitation, and hospital services. Also in northern Iraq, in the vicinity of Mosul, we are watching Iraqi troop movements carefully; Iraq's intentions are still unclear. In the south, Iraq's repression of the Marsh Arabs and the implementation of a policy of environmental devastation represent a clear intent to target a specific area for reprisals without regard to the impact on innocent civilians. Further, Iraqi forces still wage a land-based artillery campaign in the marshes, and the shelling of marsh villages continues. In the last few years, the population of the region, whose marsh culture has remained essentially unchanged since 3500 B.C., has been reduced by an estimated three-quarters.

Iraq still refuses to recognize Kuwait's sovereignty and the inviolability of the U.N. demarcated border, which was reaffirmed by the Security Council in UNSCRs 773 and 833. Indeed, Iraq continues to view the issue of Kuwaiti sovereignty as an object of tactical moves rather than an opportunity to demonstrate peaceful intentions. Further, it has not complied with Security Council demands to resolve the issue of Kuwaiti MIAs, return Kuwaiti property stolen during the occupation, and renounce terrorism. Iraq also has not met its obligations concerning Kuwaiti and third-country nationals it detained during the war and has taken no substantive steps to cooperate fully with the International Committee of the Red Cross (ICRC), as required by UNSCR 687, beyond agreement to participate in a technical committee being organized by the ICRC.

The Special Rapporteur of the U.N. Commission on Human Rights (UNHRC), Max van der Stoel, continues to report on the human rights situation in Iraq, particularly the Iraqi military's repression against its civilian populations in the marshes. The Special Rapporteur asserted in his February 1994 report that the Government of Iraq has engaged in war crimes and crimes against humanity, and may have committed violations of the 1948 Genocide Convention. Regarding the Kurds, the Special Rapporteur has judged that the extent and gravity of reported violations place the survival of the Kurds in jeopardy. The Special Rapporteur has noted that there are essentially no freedoms of opinion, expression, or association in Iraq. Torture is widespread in Iraq and results from a system of state-terror successfully directed at subduing the population. The Special Rapporteur repeated his recommendation for the establishment of human rights monitors strategically located to improve the flow of information and to provide independent verification of reports. We are pressing for the deployment of human rights monitors.

Special Rapporteur van der Stoel will file additional reports to the U.N. General Assembly in the fall and to the UNHRC in early 1995. We are also considering efforts to investigate and publicize Iraqi crimes against humanity, war crimes, and other violations of international humanitarian law.

Examples of Iraqi noncooperation and noncompliance continue in other areas. Dozens of Shi'a clerics are still imprisoned in Iraq without charge. Reliable reports have indicated that the Government of Iraq is offering reward money for terrorist acts against U.N. and humanitarian relief workers in Iraq. For 3 years there has been a clear pattern of criminal acts linking the Government of Iraq to a series of assassinations and attacks in northern Iraq on relief workers, U.N. guards, and foreign journalists, including a German journalist murdered in northern Iraq last spring. Ten persons have been injured and two have been killed in such attacks this year. These acts are indicative of Iraq's continuing disdain for the United Nations and, in our view, also constitute violations of UNSCRs 687 and 688.

The U.N. Compensation Commission (UNCC) has received about 2.4 million claims so far, with another 100,000 expected. The United States Government has now filed

a total of 3,100 individual claims with a total asserted value of over $215 million. Earlier this year, one panel of UNCC Commissioners submitted its report on the first installment of individual claims for serious personal injury or death. The UNCC Commissioners' report recommended awards for a group of about 670 claimants, of which 11 were U.S. claimants. The Governing Council of the UNCC approved the panel's recommendations at its session in late May. This summer the first U.S. claimants received compensation for their losses. The UNCC Commissioners are expected to finish reviewing by the end of the year all claims filed involving death and serious personal injury.

In October the Governing Council will consider reports from the UNCC Commissioners on two other groups of claims. The first group involves approximately 50,000 persons, including approximately 200 U.S. claimants, who were forced to depart suddenly from Kuwait or Iraq during the invasion and occupation. The second group will involve claimants who sustained itemized individual losses, e.g., lost salary or personal property.

The United States Government also has submitted a total of approximately $1.5 billion in corporate claims against the Government of Iraq, representing about 140 business entities. Those claims represented a multitude of enterprises ranging from small family-owned businesses to large multinational corporations. In addition, in late July, the United States Government filed five Government claims with the UNCC. The five claims were for nonmilitary losses, such as damage to Government property (e.g., the U.S. Embassy compound in Kuwait) and the costs of evacuating U.S. nationals and their families from Kuwait and Iraq. These Government claims have an asserted value of about $17 million. In the future, the United States Government also expects to file one or more additional Government claim(s) involving the costs of monitoring health risks associated with oil well fires and other environmental damage in the Persian Gulf region. The UNCC expects to begin processing corporate claims and government claims later this year or early 1995.

It is clear that Iraq can rejoin the community of civilized nations only through democratic processes, respect for human rights, equal treatment of its people, and adherence to basic norms of international behavior. Iraq's Government should represent all of Iraq's people and be committed to the territorial integrity and unity of Iraq. The Iraqi National Congress (INC) espouses these goals, the fulfillment of which would make Iraq a stabilizing force in the Gulf region.

Neither in its words nor its deeds has Iraq convinced us it is no longer a threat to regional peace and security. Any discussion of lifting the oil embargo and other sanctions cannot be limited to future Iraqi cooperation in the area of WMD, but must take into account all the issues that comprise the true test of Iraq's peaceful intentions. Full Iraqi compliance with all relevant U.N. Security Council resolutions remains the objective of U.S. policy.

The Congress' continued support of our efforts is especially gratifying.

Sincerely,

William J. Clinton

NOTE: Identical letters were sent to Thomas S. Foley, Speaker of the House of Representatives, and Albert Gore, Jr., President of the Senate.

Remarks to the Knesset in Jerusalem, Israel

October 27, 1994

Mr. President, Mr. Prime Minister, Mr. Speaker, Mr. Netanyahu, ladies and gentlemen of the Knesset: Let me begin by thanking the Prime Minister and the people of Israel for welcoming me to your wonderful country, and thanking all of you for giving me the opportunity to address this great democratic body where, clearly, people of all different views are welcome to express their convictions. I feel right at home. [*Laughter*]

Yesterday Israel took a great stride toward fulfilling the ancient dream of the Jewish people, the patriarchs' dream of a strong and plentiful people living freely in their own land, enjoying the fruits of peace with their neighbors. Nearly 17 years after President Sadat came to this Chamber to seek peace and Prime Minister Begin reached out in rec-