

STATUS ON IRAQ



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 PUB. L. 102-1, SEC. 3 (105 STAT. 4)



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THE WHITE HOUSE,  
Washington, May 4, 1996.

Hon. NEWT GINGRICH,  
*Speaker of House of Representatives,*  
*Washington, DC.*

DEAR MR. SPEAKER: 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.

The Government of Iraq remains far from compliance with its obligations under applicable Security Council resolutions. The U.N. Special Commission (UNSCOM) Chairman Ekeus remarked recently in Washington that Iraq may be hiding up to 16 SCUD missiles, possibly armed with biological warheads. Iraqi officials blatantly violated Security Council resolutions in March when they repeatedly obstructed UNSCOM officials attempting to search buildings in Baghdad for weapons of mass destruction material. Iraqi officials may have removed or destroyed incriminating material during the delay. In a report released on April 11, UNSCOM expressed its concern that Iraq may still be engaged in weapons activities prohibited under Security Council Resolution 687. Iraq continues to evade its duty to return looted Kuwaiti property and help account for hundreds of civilians who disappeared in Kuwait during the occupation. Iraq still provides refuge for known terrorists. The Security Council took all these factors into account in maintaining sanctions without change at its March 8 review.

Saddam Hussein's unwillingness to comply with the norms of international behavior extends to his regime's continuing threat to Iraqi citizens throughout the country. We and our coalition partners continue to enforce the no-fly zones over northern and southern Iraq as part of our efforts to deter Iraq's use of aircraft against its population. Iraq's repression of its southern Shi'a population continues, with policies aimed at destroying the Marsh Arabs' way of life as well as the ecology of the southern marshes.

The human rights situation throughout Iraq remains unchanged. Saddam Hussein shows no signs of complying with U.N. Security Council Resolution 683, which demands that Iraq cease the repression of its own people. The U.N. Human Rights Commission (UNHRC) recently adopted a strongly-worded resolution condemning "massive and extremely grave violations of human rights" carried out by the Government of Iraq. The resolution draws heavily from the report of the Special Rapporteur of the UNHRC. The resolution also continues the mandate of the Special Rapporteur. Parliamentary elections held in late March were as much a farce as last November's "Referendum" on Saddam Hussein's rule. Candidates were required to pledge their loyalty to Saddam Hussein

and his Ba'ath Party in order to be eligible. All legitimate international observers and Iraqi opposition groups rejected the legitimacy of both the process and the outcome of the elections.

The United States, together with international and humanitarian relief organizations, continues to provide humanitarian assistance to the people of northern Iraq. Security conditions in northern Iraq remain tenuous at best, with Iranian and PKK activity adding to the ever-present threat from Baghdad. We continue to facilitate talks between the two major Kurdish groups in an effort to help them resolve their differences and increase stability in northern Iraq.

Pursuant to Security Council Resolution 986, Iraq is authorized to sell a prescribed amount of oil for the purchase of humanitarian supplies. Discussions between U.N. and Iraqi officials on implementation of the Resolution continued in April. It remains unclear whether Iraq is serious about implementing the Resolution as drafted. We would like to see the provisions of Resolution 986 implemented, but only with the safeguards envisioned in the Resolution to ensure that Saddam Hussein cannot abuse the Resolution's humanitarian purposes.

In October 1994, the U.N. Security Council adopted Resolution 949, which demanded that Iraq not utilize its forces to threaten its neighbors or U.N. operations in Iraq and that it not redeploy or enhance its military capacity in southern Iraq. In view of Saddam Hussein's proven record of unreliability, we have felt it prudent to maintain a significant U.N. force presence in the region in order to maintain the capability to respond rapidly to possible Iraqi aggression or threats against its neighbors. We recently deployed an air expeditionary force to Jordan as part of that presence.

Since my last report, the Multinational Interception Force (MIF), conducting the maritime enforcement of sanctions against Iraq, has encountered renewed attempts to smuggle commodities from Iraq. During March and April, MIF vessels intercepted vessels carrying Iraqi petroleum products worth an estimated \$1.1 million and Iraqi dates worth an estimated \$1.4 million. The expeditious acceptance of these diverted vessels by Kuwait, Bahrain, Qatar, Oman and the United Arab Emirates has greatly contributed to the deterrent effect of MIF sanctions enforcement operations. It has also enhanced enforcement efforts by allowing MIF vessels escorting the diverted vessels to return to patrol operations.

We continue to achieve a significant foreign policy objective in maintaining multinational participation in the MIF. Ships from the United States, the United Kingdom, and The Netherlands participated in MIF operations from February through April of this year. Additionally, we have received firm commitments or serious proposals from Australia, New Zealand, Belgium and Canada to send frigates to participate in the MIF in late 1996 and early 1997.

Other countries have made different but important contributions toward enforcing the U.N. sanctions against Iraq. For example, Honduras recently deflagged four vessels and Belize deflagged three vessels. India has initiated "registry deletion" proceedings against vessels operating under its flag, and the United Arab Emirates is currently considering the deflagging of a vessel diverted twice for violating the sanctions.

We continue to provide briefings to the U.N. Iraq Sanctions Committee as part of our close coordination and consultation with the U.N. and with Security Council members on the issue of maritime Iraq sanctions enforcement. Evidence was provided concerning continued Iranian complicity in the export of Iraqi petroleum products through the provision to vessels violating the sanctions of false paperwork, the use of Iranian territorial waters, and warnings regarding the location of MIF vessels. Evidence was also provided concerning the acceptance of protection fees by Iranian officials in return for this assistance.

Security Council Resolution 687 affirmed that Iraq is liable under international law for compensating the victims of its unlawful invasion and occupation of Kuwait. Although the U.N. Compensation Commission (UNCC) has approved some 790,000 individual awards worth about \$3.0 billion against Iraq, it has been able to authorize the payment of only the fixed awards for serious personal injury or death (aggregating approximately \$3.5 million). The remainder of the awards cannot be paid because the U.N. Compensation Fund lacks sufficient funding. The awards are supposed to be financed by a deduction from the proceeds of future Iraqi oil sales, once such sales are permitted to resume. However, Iraq's refusal to meet the Security Council's terms for a limited resumption of oil sales has left the UNCC without adequate financial resources to pay the awards. Iraq's intransigence means that the victims of its aggression remain uncompensated for their losses 5 years after the end of the Gulf War.

To conclude, Iraq remains a serious threat to regional peace and stability. I remain determined that Iraq comply fully with all its obligations under the U.N. Security Council Resolutions. My Administration will continue to oppose any relaxation of sanctions until Iraq demonstrates peaceful intentions through its overall compliance with all of the U.N. Security Council Resolutions.

I appreciate the support of the Congress for our efforts and shall continue to keep the Congress informed about this important issue.

Sincerely,

WILLIAM J. CLINTON.

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