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Letter to Congressional Leaders Reporting on Iraq's Compliance With United Nations Security Council Resolutions

January 19, 1993

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 continuing effort to keep Congress fully informed, I am again reporting on the status of efforts to obtain Iraq's compliance with the resolutions adopted by the U.N. Security Council.

Since my last report on November 16, 1992, Iraq has repeatedly ignored and violated its international obligations under U.N. Security Council Resolutions. Iraq's actions include the harassment of humanitarian relief operations in northern Iraq contrary to U.N. Security Council Resolution 688, violations of the Iraq-Kuwait demilitarized zone, interference with U.N. operations in violation of Security Council Resolution 687, repeated violations by Iraqi aircraft of the southern and northern no-fly zones, and threats by Iraq's air defense forces against Coalition aircraft enforcing the no-fly zones.

The southern no-fly zone and Operation Southern Watch were established in August 1992 to assist the monitoring of Iraq's compliance with Security Council Resolution 688. Since that time, Iraq has stopped aerial bombardments of its citizens in and around the southern marsh areas and ceased large-scale military operations south of the 32nd parallel. Operation Southern Watch cannot detect lower-level acts of oppression, however.

In December 1992, Iraqi aircraft on several occasions entered the southern no-fly zone and demonstrated hostile intent, including by firing a missile at a U.S. aircraft. On December 27, 1992, a U.S. aircraft shot down an Iraqi aircraft that entered the no-fly zone. Beginning in late December, Iraq moved surface-to-air missiles into the zone, threatening Coalition aircraft operating south of the 32nd parallel. On January 6, 1993, the United States and its Coalition partners issued an ultimatum to Iraq to disperse and render non-threatening its surface-to-air missiles deployed in the zone and to cease aircraft activities in the area. Iraq initially acceded to this demarche. The United States then announced that it would scrutinize Iraqi activity and that "[n]o further warning will be issued if Iraq violates the requirements of the January 6 demarche."

By January 11, 1993, it had become clear that Iraq had stopped complying with the requirements of the January 6 demarche and that missiles once again threaten Coalition aircraft. Accordingly, U.S. and Coalition aircraft attacked and destroyed surface-to-air missile sites and related facilities in southern Iraq on January 13. There were no losses to the aircraft taking part in the mission. In this connection, I note the statement of U.N. Secretary General Boutros-Ghali on January 14, 1993, that "the raid and the forces that carried out the raid, have received a mandate from the Security Council, according to Resolution 687, and the cause of the raid was the violation by Iraq of Resolution 687 concerning the cease-fire. So, as Secretary General of the United Nations, I can say this action was taken and conforms to the resolutions of the Security Council and conformed to the Charter of the United Nations." On January 18, 1993, Coalition aircraft again struck air defense sites and related infrastructure to ensure the safety of Coalition flight operations in the area. There were no losses to Coalition aircraft.

On January 7, 1993, the Iraqi Government refused permission for certain U.N. aircraft to land in Baghdad, thereby interfering with the missions of the U.N. Special Commission on Iraq (UNSCOM) and the U.N. Iraq-Kuwait Observer Mission (UNIKOM). On January 8, and again on January 11, 1993, the U.N. Security Council formally found this Iraqi action to "constitute an unacceptable and material breach of the relevant provisions of Resolution 687 (1991), which established the cease-fire and provided the conditions essential to the restoration of peace and security in the region." The Council also warned Iraq of the "serious consequences which would ensue from failure to comply with its obligations."

On January 13, 1993, we underscored our full support for the Council's statements. On January 15, 1993, UNSCOM found Iraq's re-

fusal to guarantee the safety of flights constituted an abdication of Iraq's responsibilities to ensure the safety of UNSCOM personnel. On January 16, 1993, UNSCOM found that Iraq's decision to condition ensuring the safety of flights on entry of Iraqi airspace from Jordan to be an unacceptable attempt to restrict UNSCOM's freedom of movement. If accepted, such a condition would prevent the Special Commission from effectively carrying out its mission.

On January 17, 1993, at my direction, U.S. Tomahawk missiles destroyed the Zaafaraniyah nuclear fabrication facility near Baghdad. This facility was selected because of its role in Iraq's electromagnetic isotope separation (EMIS) program. The Coalition attack was designed to help achieve the goals of U.N. Security Council Resolutions 687, 707, and 715 requiring Iraq to accept the inspection and elimination of its weapons of mass destruction and ballistic missiles. Zaafariniyah had been inspected a number of times, and some equipment used for the production of EMIS components for Iraq's nuclear weapons program was removed. The facility nonetheless contained precision machine tools used to fabricate items for military and civilian customers and could again be used to support Iraq's nuclear weapons program.

In early January 1993, Iraq sent personnel into Kuwait and the demilitarized zone (DMZ) to seize military equipment and other valuable goods. These actions violated the DMZ, the recently demarcated Iraqi-Kuwait boundary, and agreements with the United Nations. On January 8, the U.N. Security Council declared that, "the presence of Iraqi military personnel in the demilitarized zone was a serious violation of Resolution 687." It also said that "the removal of the Iraqi property and assets from Kuwaiti territory should be undertaken only after prior clearance by UNIKOM and by the Kuwaiti authorities through UNIKOM."

On January 10, 1993, Coalition representatives notified the Iraqi Government that additional Iraqi intrusions into Kuwait and the DMZ would not be tolerated. On January 11, the Security Council condemned the Iraqi actions as "further material breaches of Resolution 687" and warned Iraq again of serious consequences that would flow from continued defiance. Nevertheless, each day from January 10 to 13, Iraq continued to send personnel to retrieve material in violation of the DMZ, the boundary, and its agreements with the United Nations. In these circumstances, I ordered the deployment of a task force to Kuwait to reemphasize our commitment to Kuwaiti independence and security.

Meanwhile, Operation Provide Comfort, the Coalition's effort to monitor compliance with U.N. Security Council Resolution 688 and to provide humanitarian relief in northern Iraq, discourages significant Iraqi military operations against the inhabitants there. On the other hand, the Iraqi Government has maintained an embargo of food, fuel, and medicine on northern Iraq. It has made every effort to frustrate U.N. humanitarian relief efforts by planting bombs on relief convoys, using violence against relief workers, and creating bureaucratic delays. We are determined to assist the humanitarian effort and have repeatedly warned Iraq to cease its harassment.

As in southern Iraq, Saddam Hussein has sought to interfere with the operations of Coalition aircraft in the north since early January. On January 17, 18, and 19, 1993, Coalition aircraft encountered hostile Iraqi activity and took limited defensive actions to suppress Iraqi air defenses. On January 17, 1993, Coalition aircraft shot down an Iraqi aircraft after it entered the no-fly zone.

We continue to support the efforts of the Iraq National Congress to develop a broad-based alternative to the Saddam regime. We encourage other governments to do the same. The Congress espouses a future Iraq based on the principles of political pluralism, territorial unity, and full compliance with all the U.N. Security Council resolutions.

Until Iraq's recent violations of its obligations, UNSCOM and the International Atomic Energy Agency (IAEA) continued to investigate Iraq's weapons of mass destruction programs and to verify the destruction of relevant facilities, equipment, and weapons. UNSCOM 45, the fourteenth ballistic missile team (October 16 to 29, 1992), with significant Russian cooperation, did not find evidence of a clandestine Iraqi SCUD force.

Fuel and oxidizer samples were analyzed and tested negative for substances of interest.

Two nuclear inspections were carried out. UNSCOM 46/IAEA #15 (November 8 to 18, 1992) completed water sampling at 37 additional sites throughout Iraq. Analysis of more than 550 water and sediment samples is underway, although evidence of any major facility in Iraq that is producing fissionable fuel has not yet been found. The team also destroyed 100 tons of steel which Iraq declared had been procured for its centrifuge program. IAEA #16 was part of UNSCOM 47 (December 5 to 8, 1992). The team reinspected the former headquarters of the PC–3 project (where important documents had been seized) and carried out inspections at Tuwaitha and al Atheer.

The third combined chemical and biological weapons inspection, UNSCOM 47 (December 5 to 14, 1992), focused on question-and-answer sessions with Iraqi scientists to close gaps in Iraqi disclosures about its CBW programs and short-notice inspections to pressure Iraq to reveal more details about those programs.

Since my last report, the Chemical Destruction Group in residence at the Muthanna State Establishment destroyed the following items: 300 122mm rocket warheads; propellant for 750 122mm rockets; 82 122mm rocket motors; and 2830 liters nerve agent (GB/GF).

The Iraq-Kuwait Boundary Demarcation Commission continues its work, without Iraqi participation. The land boundary has been demarcated through the placement of boundary pillars in the ground. At its last meeting, the Boundary Commission agreed to begin the demarcation of the offshore boundary section.

Since my last report, the U.N. Compensation Commission has continued to prepare for the processing of claims from individuals, corporations, other entities, governments, and international organizations that suffered direct loss or damage as a result of Iraq's unlawful invasion and occupation of Kuwait. The next session of the Governing Council of the Commission is scheduled to be held in Geneva from March 29 to April 2, 1993, with another meeting in July 1993.

At its most recent session, December 14 to 18, 1992, the Governing Council took decisions on trade embargo losses, interest, and a committee on administrative matters. The Council discussed the issues of priority of payments, costs, and attorney fees. The Executive Secretary reported that the Commission has now received about 380,000 claims and expects many times that number. He noted that the Commission hopes to be able to present to panels of Commissioners the first claims for fixed amounts for departure and personal injury by the middle of 1993 and the first claims for individuals' actual losses up to $100,000 later in the year.

The U.S. Government is prepared to file its third set of 170 consolidated individual claims with the Commission, bringing the total of U.S. claims filed to 550. The Department of State is reviewing about 1,000 additional claims received from individuals and corporations. The next filing is scheduled for March.

In accordance with U.N. Security Council Resolution 687, the Sanctions Committee received notices of 13.5 million tons of foodstuffs to be shipped to Iraq through November 22, 1992. The Sanctions Committee also continues to consider and, when appropriate, approve requests to send to Iraq materials and supplies for essential civilian needs. Iraq has also refused to use the opportunity under U.N. Security Council Resolutions 706 and 712 to sell up to $1.6 billion in oil, proceeds from which could be used to purchase foodstuffs, medicines, materials, and supplies for essential civilian needs, as well as to fund essential U.N. activities concerning Iraq. The Iraqi authorities bear full responsibility for any suffering in Iraq that results from their refusal to implement Resolutions 706 and 712.

Since my last report, important progress has been made in addressing U.N. financial difficulties in conducting a number of activities in Iraq as a result of Iraq's refusal to implement Resolutions 706 and 712. In December, Kuwait and Saudi Arabia made total voluntary contributions of $50 million to the U.N. escrow account established under Resolution 778. Pursuant to Executive Order No. 12817, the United States has transferred a matching amount from certain frozen Iraqi

oil proceeds, making a total of $100 million transferred to the escrow account.

Of this total, $21 million has been transferred to the U.N. Compensation Fund under the terms of Resolution 778; this should be sufficient to allow it to proceed with the acquisition of the computer system and staff needed to begin full-scale adjudication of claims against Iraq. In addition, $30 million has been earmarked for UNSCOM, and most of the remainder will provide humanitarian relief in Iraq.

As I noted in my last report, we are prepared to transfer up to $200 million in frozen Iraqi oil proceeds to the escrow account to match transfers by others, and we are actively encouraging others to do so. These funds will be repaid, with interest, from Iraqi oil revenues as soon as Iraqi oil exports resume.

Through the International Commission of the Red Cross (ICRC), the United States, Kuwait, and our allies continue to press the Government of Iraq to comply with its obligations to repatriate or account for some 800 detained Kuwaiti and third-country nationals. An emissary of the Arab League has also undertaken to elicit Iraqi cooperation on the issue of detainees. The United States and its allies continue to press the Government of Iraq to return to Kuwait all property and equipment removed from Kuwait by Iraq. Iraq continues to withhold necessary cooperation on these issues and to resist unqualified ICRC access to detention facilities in Iraq.

In this my last report under the joint resolution, let me again note how grateful I am for the support and cooperation Congress provided during my Administration toward achieving our mutual objectives in the Persian Gulf region.

Sincerely,

George Bush

NOTE: This letter was released by the Office of the Press Secretary on January 20. Identical letters were sent to Thomas S. Foley, Speaker of the House of Representatives, and Dan Quayle, President of the Senate.

Letter to Congressional Leaders Transmitting Reports on Occupational Safety and Health

January 19, 1993

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

In accordance with section 26 of the Occupational Safety and Health Act of 1970 (Public Law 91–596; 29 U.S.C. 675), I transmit herewith the 1990 annual reports on activities of the Department of Labor, the Department of Health and Human Services, and the Occupational Safety and Health Review Commission.

Sincerely,

George Bush

NOTE: This letter was released by the Office of the Press Secretary on January 20. Identical letters were sent to Thomas S. Foley, Speaker of the House of Representatives, and Dan Quayle, President of the Senate.

Letter to Congressional Leaders Transmitting the Report of the National Critical Technologies Panel

January 19, 1993

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

In accordance with Title VI of the National Science and Technology Policy, Organization, and Priorities Act of 1976 (Public Law 94–282), as amended by section 841 of the National Defense Authorization Act for Fiscal Years 1990 and 1991 (Public Law 101–189; 42 U.S.C. 6683(d)), I transmit herewith the second biennial report of the National Critical Technologies Panel.

Sincerely,

George Bush

NOTE: This letter was released by the Office of the Press Secretary on January 20. Identical letters were sent to Thomas S. Foley, Speaker of the House of Representatives, and Dan Quayle, President of the Senate.