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Week Ending Friday, August 12, 1994

Letter to Congressional Leaders on Iraq

August 5, 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.

The International Atomic Energy Agency (IAEA) has effectively disbanded the Iraqi nuclear weapons program at least for the near term. The United Nations has destroyed Iraqi missile launchers, support facilities, and a good deal of Iraq's indigenous capability to manufacture prohibited missiles. U.N. Special Commission on Iraq (UNSCOM) teams have reduced Iraq's ability to produce chemical weapons.

Notably, UNSCOM's Chemical Destruction Group (CDG) concluded its activities on June 14 after establishing an excellent record of destroying Iraq's stocks of chemical munitions, agents, precursor chemicals, and equipment procured for chemical weapons production. With as many as 12 nations participating at any one time, the CDG destroyed over 480,000 liters of chemical warfare agents, over 28,000 chemical munitions, and over 1,040,000 kilograms and 648 barrels of some 45 different precursor chemicals for the production of chemical warfare agents.

Significant gaps in accounting for Iraq's weapons of mass destruction (WMD) programs remain, however. This is particularly true in the biological weapons area. Due to Iraq's insistence that the relevant documentation on its past programs has been destroyed, UNSCOM has had to resort to other, more time-consuming procedures to fill in the gaps.

The United Nations is now preparing a long-term monitoring regime for Iraq as required by U.N. Security Council Resolution (UNSCR) 715. This program must be carefully designed if it is to be so thorough that Iraq cannot rebuild a covert program, as it did before the Gulf War, when it claimed to be in compliance with the Nonproliferation Treaty. Continued vigilance is necessary because we believe that Saddam Hussein is committed to rebuilding his WMD capability once sanctions are lifted.

It is, therefore, extremely important that this 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. The Secretary General's report of June 24 has detailed those areas where work remains to be done.

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. Chairman Ekeus has said he expects to be able to report by September on the start-up of the long-term monitoring program. 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. We insist on a sustained period of complete and unquestionable compliance with the monitoring and verification plans.

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. Tragically, on April 14, 1994, two American helicopters in the no-fly zone were shot down by U.S. fighter aircraft causing 26 casualties. The Department of Defense has completed and made public the un-

classified portions of the investigation into the circumstances surrounding this incident.

In southern Iraq, the no-fly zone has stopped Iraq's use of aircraft against its population. However, Iraqi forces still wage a land-based campaign in the marshes, and the shelling of marsh villages continues.

In the spring of 1994, the Iraqi military intensified its campaign to destroy the southern marshes, launching a large search-and-destroy operation. The operation has included the razing of villages concentrated in the triangle bounded by An Nasiriya, Al Qurnah, and Basrah. Iraqi government engineers are draining the marshes of the region while the Iraqi Army is systematically burning thousands of dwellings to ensure that the marsh inhabitants are unable to return to their ancestral homes. The population of the region, whose marsh culture has remained essentially unchanged since 3500 B.C., has in the last few years been reduced by an estimated three-quarters.

As a result of the ''browning'' of the marshes, civilian inhabitants continue to flee toward Iran, as well as deeper into the remaining marshes. This campaign is a clear violation of UNSCR 688. In northern Iraq, in the vicinity of Mosul, we continue to watch Iraqi troop movements carefully. Iraq's intentions remain unclear.

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. Iraq has not met its obligations concerning Kuwaitis 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. Indeed, Iraq refused even to attend the ICRC meetings held in July and November 1993 to discuss these issues. While Iraq did attend such a meeting in July 1994, it provided no substantive information on missing individuals. Iraq also has not responded to more than 600 files on missing individuals. We continue to press for Iraqi compliance and regard Iraq's actions on these issues as essential to the resolution of conflict in the region.

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 this 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 and we strongly support their placement. We are gratified that the United Nations recently hired a part-time staffer for the Special Rapporteur. This is an important step, though not the full program of monitors we seek. Van der Stoel's mandate has been extended through February 1995. We will file additional reports to the U.N. General Assembly in the fall and to the UNHRC in early 1995. We are also pursuing 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. For instance, 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. And 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. Ten persons have been injured and two have been killed in such attacks this year. The offering of bounty for such acts, as well as the commission of such

acts, in our view constitute violations of UNSCRs 687 and 688.

The Security Council maintained sanctions at its July 18th regular 60-day review of Iraq's compliance with its obligations under relevant resolutions. Despite ongoing efforts by the Iraqi government to convince Security Council members to lift sanctions, member countries were in agreement that Iraq is not in compliance with resolutions of the Council, and that existing sanctions should remain in force unchanged.

The sanctions regime exempts medicine and, in the case of foodstuffs, requires only that the U.N. Sanctions Committee be notified of food shipments. The Sanctions Committee also 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 billion in oil, as previously authorized by the Security Council in UNSCRs 706 and 712, to pay for humanitarian goods. 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 flushing is necessary to preserve the pipeline that would then be resealed. The proceeds would be deposited in a U.N. escrow account and used by Turkey to purchase humanitarian goods for Iraq.

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 8 sets of individual claims with the Commission, bringing U.S. claims filed to about 3,200 with a total asserted value of over $205 million. One panel of UNCC Commissioners recently 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 later May. This summer the first U.S. claimants are expected to receive 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 the fall, the UNCC Commissioners are also expected to issue reports on two other groups of claims. The first group involves persons who were forced to depart suddenly from Kuwait or Iraq during the invasion and occupation. The second group involves claimants who sustained itemized individual losses; e.g., lost salary or personal property. Panels of Commissioners have been meeting this summer to prepare their recommendations on those claims.

With respect to corporate claims, the United States filed two more groups of claims with the UNCC in June. Along with our initial filing in early May, the United States Government has filed a total of approximately $1.4 billion in corporate claims against the Government of Iraq, representing almost 140 business entities. Those claims represented a multitude of enterprises ranging from small family-owned businesses to large multinational corporations.

The United States Government also expects to file five Government claims with the UNCC this August. The five claims are for non-military 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 intends 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.

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. The Government of Iraq 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.

We will continue to press to achieve Iraq's full compliance with all relevant U.N. Security Council resolutions. Until that time, the United States will maintain all the sanctions and other measures designed to achieve full compliance.

The continuing support by the Congress 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 Robert C. Byrd, President pro tempore of the Senate. This item was not received in time for publication in the appropriate issue.

The President's Radio Address

August 6, 1994

Good morning. This week we celebrated the creation of 4 million new jobs in America since I became President on a platform to renew the American dream by restoring our economy, empowering individual Americans to compete and win in it, making Government work for ordinary citizens, and rebuilding our communities. Since we started our national economic strategy, our private sector is creating jobs nearly 8 times faster than it was 4 years ago.

It hasn't been easy to make these changes. We had to make some tough decisions to put our economic house in order. We had to break the bad habits that led to mismanagement of our economy and the explosion of our deficit for more than a decade. And we had to break through all of the partisan barriers and political rhetoric that too often keeps us from doing the right thing for the American people here in Washington, DC.

Today I want to talk with you about two other historic decisions that call on us to break through partisan barriers and political rhetoric again. For very soon, Congress will vote on both health care reform and the crime bill, two issues crucial to our mission of renewing the American dream.

I want to talk to you about two young Americans whose stories are the best arguments I've heard for why we have to fix what's wrong with our health care system and make our country safer again for all Americans.

One of those young people is Amanda Stewart from Keyes, Oklahoma. This week, I gave awards to four young people who have done heroic deeds or performed remarkable public service. Amanda was one of them. She was injured in a car wreck in 1990 and paralyzed from the chest down. This wonderful young lady could have given up on life. Instead of becoming bitter or defeated, she's devoted herself to educating other young people not to drink and drive, not to ride with people who do, and to always use seat belts. She's helping others to avoid what happened to her.

I met Amanda's family. Her father is a hard-working farmer in western Oklahoma. She has a lovely mother and a wonderful younger sister. She hasn't had any significant medical costs since just after her accident 4 years ago. The Stewarts have been paying $3,400 a year for a limited health insurance policy with a high deductible. But recently they were told that this month their insurance premiums were going to be raised to $9,600 a year.

Now, Amanda's father happens to be not only a farmer but a Republican. He's in a different party from me, and he made it clear to me that he doesn't want the National Government to give him anything. But he's got a family to raise, and he has no idea how he's going to keep paying for their health insurance. He said to me that if he couldn't take care of his family, as hard as he was