

105TH CONGRESS
1ST SESSION

H. CON. RES. 137

Expressing the sense of the House of Representatives concerning the urgent need for an international criminal tribunal to try members of the Iraqi regime for crimes against humanity.

IN THE HOUSE OF REPRESENTATIVES

JULY 31, 1997

Mr. GILMAN (for himself and Mr. PORTER) submitted the following concurrent resolution; which was referred to the Committee on International Relations

CONCURRENT RESOLUTION

Expressing the sense of the House of Representatives concerning the urgent need for an international criminal tribunal to try members of the Iraqi regime for crimes against humanity.

Whereas the regime of Saddam Hussein has perpetrated a litany of human rights abuses against the citizens of Iraq and other peoples of the region, including summary and arbitrary executions, torture, cruel and inhumane treatment, arbitrary arrest and imprisonment, disappearances and the repression of freedom of speech, thought, expression, assembly and association;

Whereas Saddam Hussein and his associates have systematically attempted to destroy the Kurdish population in Iraq through the use of chemical weapons against civilian

Kurds, the Anfal campaigns of 1987–1988 that resulted in the disappearance of more than 182,000 persons and the destruction of more than 4,000 villages, the placement of more than ten million landmines in Iraqi Kurdistan, and the continued ethnic cleansing of the city of Kirkuk;

Whereas the Iraqi Government, under Saddam Hussein's leadership, has repressed the Sunni tribes in western Iraq, destroyed Assyro-Chaldean churches and villages, deported and executed Turkomen, massacred Shi-ites, and destroyed the ancient Marsh Arab civilization through a massive act of ecocide;

Whereas the status of more than six hundred Kuwaitis who were taken prisoner during the Gulf War remain unknown and the whereabouts of these persons are unaccounted for by the Iraqi Government, Kuwait continues to be plagued by unexploded landmines six years after the end of the Gulf War, and the destruction of Kuwait by departing Iraqi troops has yet to be redressed by the Iraqi Government;

Whereas the Republic of Iraq is a signatory to the Universal Declaration on Human Rights, the International Covenant on Civil and Political Rights, the Convention on the Prevention and Punishment of the Crime of Genocide and other human rights instruments, and the Geneva Convention on the Treatment of Prisoners of War of August 12, 1949, and is obligated to comply with these international agreements;

Whereas Saddam Hussein and his regime have created an environment of terror and fear within Iraq and throughout the region through a concerted policy of violations of international customary and conventional law; and

Whereas the Congress is deeply disturbed by the continuing gross violations of human rights by the Iraqi Government under the direction and control of Saddam Hussein: Now, therefore, be it

1 *Resolved by the House of Representatives (the Senate*
2 *concurring)*, That it is the sense of the House of Rep-
3 resentatives that—

4 (1) the Congress—

5 (A) deplores the Iraqi Government's pat-
6 tern of gross violation of human rights which
7 has resulted in a pervasive system of repression,
8 sustained by the widespread use of terror and
9 intimidation;

10 (B) condemns the Iraqi Government's re-
11 peated use of force and weapons of mass de-
12 struction against its own citizens, as well as
13 neighboring states;

14 (C) denounces the refusal of the Iraqi Gov-
15 ernment to comply with international human
16 rights instruments to which it is a party and
17 cooperate with international monitoring bodies
18 and compliance mechanisms, including account-
19 ing of missing Kuwaiti prisoners; and

20 (2) the President and the Secretary of State
21 should—

1 (A) endorse the formation of an inter-
2 national criminal tribunal for the purpose of
3 prosecuting Saddam Hussein and all other Iraqi
4 officials who are responsible for crimes against
5 humanity, including unlawful use of force,
6 crimes against the peace, crimes committed in
7 contravention of the Geneva Convention on
8 POW's and the crime of genocide; and

9 (B) work actively and urgently within the
10 international community for the adoption of a
11 United Nations Security Council resolution es-
12 tablishing an International Criminal Court for
13 Iraq.

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