

STATUS ON IRAQ

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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—RECEIVED IN THE UNITED STATES HOUSE OF REPRESENTATIVES NOVEMBER 6, 1996, PURSUANT TO PUBLIC LAW 102-1, SEC. 3 (105 STAT. 4)



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THE WHITE HOUSE,  
Washington, November 4, 1996.

Hon. NEWT GINGRICH,  
*Speaker of the 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 Iraqi compliance with the resolutions adopted by the UN Security Council. This report covers the period from September 5 to the present.

Saddam Hussein's attack on Irbil in late August and his continuing efforts to manipulate local rivalries in northern Iraq to his advantage, provide new evidence that he remains a threat to his own people, to his neighbors, and to the peace of the region. As I detailed in my last report, the United States responded to Saddam's military action in the north by expanding the Southern no-fly zone from 32 degrees to 33 degrees north latitude. The U.S. response included strikes against surface-to-air missile sites, command and control centers, and air defense control facilities south of the 33rd parallel in order to help ensure the safety of our forces enforcing the expanded no-fly zone.

Since my last report, we have further strengthened the U.S. presence in the region in order to deter Saddam. In September, we deployed two heavy battalions of the Third Brigade of the First Cavalry, one Patriot battery and eight F-117 stealth fighter aircraft to Kuwait. We also deployed 23 advanced F-16 aircraft to Bahrain and one Patriot battery to Saudi Arabia. These forces were sent to the area, in addition to the forces that were already deployed to the region, as a tangible deterrent to any Iraqi aggression. In early September, the USS Enterprise Carrier Battle Group was deployed to the Gulf, joining the USS Carl Vinson Carrier Battle Group already there; the USS Carl Vinson Battle Group redeployed from the Gulf on October 8.

The no-fly zones over northern Iraq (Operation Provide Comfort) and southern Iraq (Southern Watch) continue to be enforced by U.S. and coalition forces. The Turkish parliament must consider renewal of Operation Provide Comfort before the end of December.

We issued strong warnings to Iraq on September 6 and 16, via our UN mission in New York, not to challenge our aircraft enforcing the extended no-fly zone or to restore damaged Iraqi earlier violent rhetoric. We will continue to monitor Iraqi action carefully and are well-positioned to respond to any future challenges.

United Nations Security Council Resolution (UNSCR) 949, adopted in October 1994, demands that Iraq not threaten its neighbors or UN operations in Iraq and that it not redeploy or enhance its military capacity in southern Iraq. In view of Saddam's reinforced

record of unreliability, it is prudent to retain a significant U.S. force presence in the region in order to maintain the capability to respond rapidly to possible Iraqi aggression or threats against its neighbors.

The situation in northern Iraq remains volatile. This Administration has continued efforts to bring about and maintain a cease-fire and reconciliation between the two major Kurdish groups involved in that fighting, including maintaining an active dialogue with both. Assistant Secretary of State for Near Eastern Affairs Robert Pelletreau met with Massoud Barzani, the leader of the Kurdistan Democratic Party (KDP), in Turkey on September 18 and October 21. Assistant Secretary Pelletreau also met with Patriotic Union of Kurdistan (PUK) leader Jalal Talabani on October 22, and follow-on meetings with representatives of the KDP and the PUK took place on October 30 and 31 in Ankara. In these and other high-level meetings, this Administration has consistently warned both groups that internecine warfare in the north can only work to the advantage of Saddam Hussein.

In response to the increased uncertainty in northern Iraq, we temporarily withdrew the United States Government presence (the office of Foreign Disaster Assistance and the Military Coordination Center). In September and October, with the assistance of Turkey, we conducted a humanitarian evacuation of approximately 2,700 residents of northern Iraq whose lives were directly threatened by the Iraqi regime because of close ties to the United States Government or the Iraqi opposition. The first 2,100 of these individuals, evacuated in mid-September under Operation Quick Transit, were employees of United States Government agencies with offices in northern Iraq and their families. A second group of approximately 600 Iraqi opposition members was evacuated October 19–21. All of the evacuees are being processed on Guam under the U.S. refugee resettlement program.

We remain concerned about the safety of local employees of U.S.-funded and U.S.-based nongovernmental organizations that remain in northern Iraq. We have sought and received assurances from the KDP and PUK about their safety. We are keeping their security situation under active review and are continuing to consider all options to ensure the safety of these employees and their families.

The United States, working through the United Nations 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 (Kurdistan Workers Party) activity adding to the ever-present threat from Baghdad. We see no role for Iran in the area and continue to advise all concerned not to involve themselves with Tehran.

We also continue to support the United Nations Secretary General's decision, in light of the changed circumstances on the ground, to review carefully the procedures for implementing United Nations Security Council Resolution (UNSCR) 986, which provides that Iraq may sell a certain amount of oil in order that they may use part of the proceeds to purchase food, medicine and other materials and supplies for essential civilian needs and that allocates proceeds to be used to fund vital UN activities regarding Iraq. We want to

see the resolution implemented, as written and intended, in a way that ensures that humanitarian supplies to be purchased under the auspices of UNSCR 986 will actually be received by the people who need them.

On October 9, United Nations Undersecretary Gharekhan reported to the United Nations Security Council (UNSC) that the Government of Iraq is now seeking to negotiate aspects of the plan to implement UNSCR 986 related to the number of monitors and restrictions on the movement of UN personnel within Iraq. This action to renegotiate the plan—a plan that was agreed to by the Iraqis and that was memorialized in a Memorandum of Understanding between the Iraqis and the United Nations on May 20—is likely to delay implementation of UNSCR 986 even further.

The Government of Iraq has, since my last report, continued to flout its obligations under a number of Security Council resolutions in other ways. Under the terms of the Gulf War cease-fire with Iraq—outlined in UNSCR 687—Iraq must grant the United Nations Special Commission on Iraq (UNSCOM) inspectors immediate, unconditional, and unrestricted access to any location in Iraq they wish to examine and access to any Iraqi official whom they wish to interview, so that UNSCOM may fully discharge its mandate. Iraq continues, as it has for the past 5 years, to fail to live up either to the letter or the spirit of this commitment.

UNSCOM Executive Chairman Rolf Ekeus briefed the UNSC on his most recent, semiannual report on October 17. The Chairman's report outlined in comprehensive detail Iraq's past and ongoing efforts to conceal evidence of its Weapons of Mass Destruction (WMD) programs and otherwise obstruct the work of the Commission. As long as Saddam refuses to cooperate fully with UN weapons inspectors, UNSCOM will be impeded in its efforts to fulfill its mandate to ensure that Iraq's WMD program has been eliminated. We will continue to fully support the mandate and the efforts of the Special Commission to obtain Iraqi compliance with all relevant UN resolutions. We will not consider any modification of UNSC resolutions.

On October 1, implementation of the export/import monitoring mechanism approved by the Security Council in Resolution 1051 started. Resolution 1051 approved a mechanism to monitor Iraq's undertaking to reacquire proscribed weapons capabilities; it requires that countries provide timely notification of the export to Iraq of dual-use items.

Iraq also continues to stall and obfuscate rather than work in good faith toward accounting for the hundreds of Kuwaitis and third-country nationals who disappeared at the hands of Iraqi authorities during the occupation or toward the return of all of the Kuwaiti military equipment stolen during the occupation, as well as priceless Kuwaiti cultural and historical artifacts looted on instructions from Baghdad. Additionally, Iraq continues to provide refuge for known terrorists.

Iraq's repression of its Shi'a population continues with policies aimed at destroying the Marsh Arabs' way of life in southern Iraq 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 UNSCR 688, which demands that Iraq cease the repression of its own people.

The Multinational Interception Force (MIF) continues to enforce the sanctions regime against Iraq. In September and the first half of October, four north-bound and five south-bound vessels were diverted to various ports in the Gulf for sanctions violations. Several of these vessels contained illegal cargo hidden beneath humanitarian shipments and over 3 million gallons of illegally exported Iraqi petroleum products were intercepted.

The expeditious acceptance of these recent sanctions-violating vessels by Kuwait and the United Arab Emirates greatly contributed to our strong deterrent posture and provides further evidence that the MIF is a valuable resource in sanctions enforcement.

We continue to meet one of our key foreign policy objectives by maintaining the multinational composition of the MIF. New Zealand recently sent a ship back to operate with the MIF; the United Kingdom maintains a nearly continuous presence with our forces in the northern Gulf; and we are hopeful that in early 1997, Canada, Belgium, and The Netherlands will all send ships to rejoin the MIF. We are continuing our efforts to engage the international community in maritime sanctions.

Most of the ships engaged in sanctions violations during this period were flagged in the United Arab Emirates. At our urging, the Government of the United Arab Emirates recently announced stricter penalties for sanctions violators. We remain hopeful that these actions will discourage operations from the United Arab Emirates that violate UN sanctions against Iraq.

Iran continues to contribute to sanctions violations by allowing vessels leaving Iraq to transit territorial waters in order to avoid the MIF in the northern Gulf. We have presented evidence of Iranian complicity in sanctions violations to the UN Sanctions Committee and have urged the Committee to formally denounce these actions.

Our policy with respect to sanctions enforcement remains firm; sanctions continue to send a clear message to the Government of Iraq and those who would defy UN resolutions for profit that there will be no modification or relaxation of sanctions until Iraq has fully established its peaceful intentions by complying with all UNSC resolutions.

The United Nations Compensation Commission (UNCC), established pursuant to UNSCR 687, continues to resolve claims against Iraq arising from Iraq's unlawful invasion and occupation of Kuwait. The UNCC has issued over 980,000 awards worth approximately \$4.0 billion. The UNCC has authorized only limited payments for fixed awards for serious personal injury or death because Iraq refuses to comply with all relevant UN Security Council resolutions, and UN economic sanctions remain in force.

Currently, the UNCC faces a serious financial crisis in funding awards and daily operations. If Iraq eventually sells the full amount of oil authorized under the provisions of UNSCR 986, the proceeds of the sale will be transferred to the UN escrow account opened for that purpose, with 30 percent allocated to the Compensation Fund to finance awards and operations of the UNCC.

To conclude, Iraq remains a serious threat to regional peace and stability. I remain determined to see Iraq comply fully with all of its obligations under UN Security Council resolutions.

My Administration will continue to oppose any relaxation of sanctions until Iraq demonstrates its peaceful intentions through such compliance.

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

Sincerely,

WILLIAM J. CLINTON.

