

STATUS OF UNITED STATES EFFORTS REGARDING
IRAQ'S COMPLIANCE WITH UNITED NATIONS SECURITY COUNCIL RESOLUTIONS

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 50 U.S.C. 1541



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THE WHITE HOUSE,
Washington, July 17, 2000.

Hon. J. DENNIS HASTERT,
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 as amended by Public Law 106-113) 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 United Nations Security Council. I shall continue to keep the Congress informed about this important issue.

Sincerely,

WILLIAM J. CLINTON.

STATUS OF U.S. EFFORTS REGARDING IRAQ'S COMPLIANCE WITH UNSC RESOLUTIONS

OVERVIEW

We are convinced that as long as Saddam Hussein remains in power, he will continue to threaten the well-being of the Iraqi people, the peace of the region, and vital U.S. interests. The only long-term solution to this problem is a new government in Baghdad, one that is able to live at peace with its people and its neighbors. We support a broad range of activities designed to help bring about such a new government in Baghdad. Until we have achieved this goal, we will continue to contain the threat posed by Saddam Hussein.

Iraq continues to reject United Nations Security Council resolution 1284, a binding resolution adopted on December 17, 1999 under Chapter VII of the UN Charter, including its requirement that Iraq provide the UN Monitoring, Verification and Inspection Commission (UNMOVIC) with immediate, unconditional and unrestricted access. Nonetheless, the UN continues to implement those parts of the resolution which do not require Iraqi cooperation. On April 13, 2000, the UN Security Council approved the organizational plan for UNMOVIC presented by Dr. Hans Blix. Ambassador Yuli Vorontsov, the Secretary General's high-level coordinator for Kuwait Issues, presented his first report to the Council on Kuwaiti and third-country national prisoners on April 23; and on June 14, he submitted his first report on stolen Kuwaiti property. Both of these reports demonstrate Iraq's continuing failure to cooperate fully with its obligations to the Security Council.

The "oil-for-food" program, which is intended to provide for the humanitarian needs of the Iraqi people as long as UN sanctions remain in place, continues to expand. During the seventh six-month phase of the program, which ended on June 8, Iraq exported more than \$8.4 billion worth of oil. On June 8, the Council extended the program for an additional six months.

U.S. AND COALITION FORCE LEVELS IN THE GULF REGION

Saddam Hussein's continuing threat to U.S. allies in the region and his record of aggressive behavior necessitates the deployment of a highly capable force in the region to deter Iraq and respond to the reconstitution of its WMD program, a move against the Kurds in northern Iraq, or any threat to U.S. forces or neighboring states. We will continue to maintain a strong posture and have established a rapid reinforcement capability to supplement our forces in the Gulf, if needed.

Our forces are a balanced mix of land and carrier-based aircraft, surface warships, a Patriot missile battalion, a mechanized battalion task force and special operation units. To enhance force pro-

tection throughout the region, additional military security personnel are also deployed.

OPERATION NORTHERN WATCH AND OPERATION SOUTHERN WATCH

Aircraft of the United States and coalition partners patrolling the No-Fly Zones over Iraq under Operations Northern Watch and Southern Watch are still routinely tracked by Iraqi radar, are regularly engaged by anti-aircraft artillery, and on occasion, are attacked by surface-to-air missiles.

Our aircrews continue to respond in self-defense to Iraq's No-Fly Zone violations and threats against and attacks on our aircraft patrolling the No-Fly Zones.

THE MULTINATIONAL INTERCEPTION FORCE

The maritime Multinational Interception Force (MIF) continues to enforce UN sanctions in the Gulf. The United States continues to approach potential participants in the MIF to augment current partners.

Member states of the Gulf Cooperation Council (GCC) continue to provide logistical support and shipriders to the MIF and accept vessels diverted for violating UN sanctions against Iraq. The efforts to the members of the MIF help ensure that nearly 90 percent of Iraqi revenues are captured by the "oil-for-food" program. However, aggressive Iraqi smuggling efforts increasingly allow Saddam Hussein's regime access to hard currency outside of that program—approximately 100,000 barrels per day, representing over \$40 million per month in uncontrolled revenue. In response, the MIF has increased its activities to try to detain or deter would-be smugglers.

In addition, the United States has engaged in a wide-ranging diplomatic effort both in the Iraq Sanctions Committee at the UN and in our bilateral relations to build international pressure to shut down the smuggling activity. In part because of these efforts, Iran stopped allowing smugglers use of its territorial waters to avoid MIF interdiction for a period of about six weeks beginning in mid-April. Iran has, however, renewed its cooperation with Iraq, and the smuggling of petroleum products through the Gulf has returned to the record levels we saw in the first three months of this year. The single most important factor contributing to the high level of smuggling remains the elevated price of oil and the resulting incentive for the smuggler.

The MIF, and our ability to rapidly augment it, will continue to serve as a critical deterrent to both the smuggling of petroleum products out of Iraq, and the smuggling of prohibited items into Iraq.

UNMOVIC/IAEA: WEAPONS OF MASS DESTRUCTION

There have been no UN Security Council-mandated inspections in Iraq since December 15, 1998. Iraq's defiance of the international consensus as expressed by resolution 1284 has meant that no progress has been made in addressing Iraq's outstanding disarmament obligations. Iraq remains in violation of its disarmament obligations to end its programs to develop weapons of mass destruction and long-range missiles.

Dr. Blix has indicated that UNMOVIC likely will be prepared to conduct inspections in Iraq in August 2000. It remains our intent to support UNMOVIC and the IAEA as they work to carry out the Security Council's mandate.

DUAL-USE IMPORTS

While we recognize the real humanitarian function that the oil-for-food program serves, we remain concerned that Iraq is using this program to acquire goods and materials for its weapons programs. The United States, as a member of the UN Iraq Sanctions Committee, reviews all contracts under the oil-for-food program to ensure that items that are prohibited or pose significant dual-use concerns are not approved.

Resolution 1051 established a joint UNSCOM/IAEA unit to monitor Iraq's imports of allowed dual-use WMD items (known as "1051"—listed goods). Under UN Security Council Resolution 1284, UNMOVIC has assumed this responsibility from UNSCOM. Since weapons inspectors left Iraq in December 1998, the UN Office of the Iraq Programme is the only organization allowed to have observers monitor goods going into Iraq under the "oil-for-food" program. Lacking weapons inspectors and other experts on the ground in Iraq, the United States has placed holds on a number of dual-use contracts that otherwise might have been approved with UNMOVIC/IAEA monitoring.

THE UN'S "OIL-FOR-FOOD" PROGRAM

We continue to support the international community's efforts to provide for the humanitarian needs of the Iraqi people through the "oil-for-food" program. In Resolution 1284, the UN Security Council authorized Iraq to export as much oil as required to meet humanitarian needs of the Iraqi population. Under UN control, the proceeds are used to purchase humanitarian goods, fund claims against Iraq arising out of its invasion and occupation of Kuwait, and to meet UN administrative costs. As of June 20, UN reporting indicates that since the start of the "oil-for-food" program 7,684 contracts for humanitarian goods worth over \$12 billion have been approved. We view Resolution 1284 as a vehicle for robust improvement of the humanitarian situation in Iraq and are eager to see all aspects of it implemented as rapidly as possible.

The "oil-for-food" program maintains a separate program for northern Iraq, administered directly by the UN in consultation with the local authorities. This program, which the United States strongly supports, ensures that when Iraq contracts for the purchase of humanitarian goods, 13 percent of the funds generated under the "oil-for-food" program are spent on items for northern Iraq.

International humanitarian programs including, most importantly, the "oil-for-food" program, have steadily improved the life of the average Iraqi—the ration basket provides 2,150 calories per day—and has led to improvements in health care, water, sanitation, agriculture, education, and other areas, while denying Saddam Hussein control over Iraq's oil revenues.

We will continue to work with the UN Secretariat, the Security Council, and others in the international community to ensure that

the implementation of Resolution 11284 better enables the humanitarian needs of the Iraqi people to be met while denying political or economic benefits to the Baghdad regime.

NORTHERN IRAQ: KURDISH RECONCILIATION

The Kurdistan Democratic Party (KDP) and the Patriotic Union of Kurdistan (PUK) continue their efforts to implement the September 17, 1998 reconciliation agreement. U.S. diplomats visited northern Iraq in June to assess the state of KDP-PUK relations and to encourage more rapid implementation of the 1998 agreement. In addition, Kurdish leaders met with Administration officials in Washington in late June and early July. The parties remain engaged with one another and have reiterated their commitment to address their issues peacefully through continued negotiation. They work together effectively in a number of areas, including joint efforts to bring the needs of their region to the attention of the UN and the international community.

THE HUMAN RIGHTS SITUATION IN IRAQ

As reflected in the Department of State's Human Rights Report for Iraq, released February 25, the human rights situation in Iraq remains severely below international norms. UNSCR 688 expressly notes that the consequences of the regime's repression of its own people constitute a threat to international peace and security in the region. It also demands immediate access by international humanitarian aid organizations to all Iraqis in need in all parts of Iraq. Yet, for over nine years, the Iraqi government has refused to allow the UN Human Rights Commission's Special Rapporteur for Iraq to visit the country. UN human rights monitors have never been allowed in. Newly appointed Special Rapporteur Andreas Mavrommatis asked the Government of Iraq for access so that he might make a personal inspection; the Iraqi government has denied his request.

In the north, outside the Kurdish-controlled areas, we continue to receive reports of the regime forcibly expelling ethnic Kurds and Turkomans from Kirkuk and other cities, and transferring other populations into their places. There have also been reports of Shia in certain sections of Baghdad being relocated.

Human rights NGOs and other interested voices continue to call for creation of an international tribunal to address the crimes against humanity of the Iraqi leadership. United States Government policy supports this view: Saddam Hussein and the leadership of the Iraqi regime should be indicted and prosecuted for crimes against humanity and war crimes by an international criminal tribunal or by a national court that can properly exercise jurisdiction over them.

The Iraqi leadership's abuse of resources for personal enrichment and attempts to manipulate the oil-for-food program continued unabated. Due to higher world oil prices, Iraq has more revenue available to it to address the humanitarian needs of its people via the "oil-for-food" program. The Iraqi leadership's command of illicit revenue has also risen sharply for the same reason. Nonetheless, the government fails to use these resources in a manner that would most benefit the people of Iraq.

THE IRAQI OPPOSITION

As part of a broader program of regime change, we continue to support the Iraqi opposition, helping Iraqis inside and outside Iraq to become a more effective voice for the aspirations of their people, and working to build support for the forces of change inside the country. We will work toward the day when Iraq has a government worthy of its people—a government prepared to live in peace with its neighbors, a government that respects the rights of its citizens rather than represses them.

We signed our first grant agreement with the Iraqi National Congress (INC) in late March 2000. This provided them with the resources necessary to run their headquarters, hold a Central Committee meeting, undertake outreach programs to energize free Iraqis, and manage assistance provided under the Iraq Liberation Act (ILA).

THE UNITED NATIONS COMPENSATION COMMISSION

The United Nations Compensation Commission (UNCC), was established and operates pursuant to UNSCRs 687 (1991) and 692 (1991). It continues to process claims and pay compensation for losses and damages suffered by individuals, corporations, governments, and international organizations, as a direct result of Iraq's unlawful invasion and occupation of Kuwait. To date, the UNCC has issued approximately 1.5 million awards worth about \$15.5 billion. Of these, the United States government has received funds from the UNCC for an initial payment on approximately 2,879 claims of U.S. claimants and a follow-up payment for approximately 2,226 claimants. Awards and the costs of the UNCC's operation are paid for from the Compensation Fund which is funded through the allocation to it of thirty percent of the proceeds from authorized oil sales under Security Council Resolutions 986 (1995) and subsequent extensions.

CONCLUSION

Iraq remains a serious threat to international peace and security. We remain determined to see Iraq comply fully with all of its obligations under UNSC resolutions while at the same time endeavoring to see that the humanitarian needs of the Iraqi population are addressed. The United States looks forward to the day when Iraq rejoins the family of nations as a responsible and law-abiding member under a new government that serves its people rather than represses them.

