Whether to instruct USINT Baghdad to raise issue of Iraqi CW use and urge cessation.

ESSENTIAL FACTORS

We have recently received additional information confirming Iraqi use of chemical weapons (CW). We also know that Iraq has acquired a CW production capability, primarily from Western firms, including possibly a U.S. foreign subsidiary. (A chart detailing U.S. CW policy and available information on Iraqi use of CW is at Tab 2.) In keeping with our policy of seeking a halt to CW use wherever it occurs, we have been considering the most effective means to halt further Iraqi CW use including, as a first step, a direct approach to Iraq.

In October Iran accused Iraq of using CW and on November 8 it requested the UNSYG to investigate. Iran also stated it would soon submit a report providing information and evidence on Iraqi CW use, but has not yet done so. We do not know whether or when this issue will develop further at the UN. It is important to make our approach to the Iraqis on this issue as early as possible, in order to deter further Iraqi use of CW, as well as to avoid unpleasantly surprising Iraq through public positions we may have to take on this issue.

If you approve the demarche to Iraq, we will submit further recommendations for your consideration on how to handle the issue in the UN if it arises there, as well as on whether we should raise, with selected European governments, the fact that national firms are selling to Iraq CW production related technology.
RECOMMENDATION

That you approve the instruction to USINT Baghdad at Tab 1 and the cable providing additional background on Iraqi CW use at Tab 2.

Approve [Signature] 11/22/83 Disapprove 

Attachments:

Tab 1 - Instruction cable to US Interests Section Baghdad.
Tab 2 - Information cable on US CW Policy and Iraqi CW use.


Clearances: PM - ARaphael
PM/TMP - OGrobelny
PM/P - RRees
PM/RS - PTheros
NEA/ARN - DLMack
NEA - JAPlacke
L - MMatheson
IO/UNP - CEHillery
P - Akanter
RELEASED IN PART B1
P910074-0239

NEA/ARN/FRICCIARDONE
11/10/83 EXT. 20L75,
P/LEAGLEBURGER
PM/TPM/PMARTINEZ
PM/ ARAPHEL
PIAKANTOR
S/S: JCovey

NEA: RUMURPHY
NEA: JPLACKE/IO/UN/P: EIDILLERY
INR/PH: DXYESUGI
S/S-0: RPPEARSON

IMMEDIATE BAGHDAD

NODIS

E-0. 1235L DECL: OADR

TAGS: HOPS, PARM, PREL, US, IX

SUBJECT: DETERRING IRAQI USE OF CHEMICAL WEAPONS

1. 

2. SEPTEL PROVIDES BACKGROUND ON U.S. POLICY ON
NON-POLITIZATION OF PROHIBITED CHEMICAL WEAPONS (CW) AND
INFORMATION ON IRAQI USE OF PROHIBITED CW IN CONTRAVENTION OF TREATY

3. OUR PRIMARY POLICY HAS BEEN TO PREVENT USE OF
PROHIBITED CW. IN THE CASE OF IRAQ, OUR PURPOSE IS TO
DETER FURTHER USE. THE SENSITIVITY OF REPORTING ON THIS
SUBJECT HAS PREVIOUSLY DISCUSSED IT WITH FOREIGN
GOVERNMENTS. IRAN'S OCTOBER 22 ANNOUNCEMENT THAT IRAQ
HAS USED PROHIBITED CW, AND ITS NOVEMBER 8 REQUEST TO THE

Department of Defense

5577C:

5335239

B1
UNSG TO INVESTIGATE, PROVIDE BOTH AN OPENING AND THE
NECESSITY TO RAISE THIS ISSUE IN BAGHDAD, AND PERHAPS
LATER WITH FRIENDS WHO ARE IN A POSITION TO INFLUENCE THE
IRAQI DECISION TO USE PROHIBITED CW.

4. IN KEEPING WITH THE GRAVITY OF OUR LONG-STANDING CON-
CERN OVER CW PROLIFERATION AND PAST PRACTICE IN EXPRESSING
THIS CONCERN, WE ARE CONSIDERING HOW TO RESPOND TO DEVELOP-
MENT OF THE ISSUE IN THE UN. WE DO NOT WISH TO PLAY INTO
IRAN'S HANDS BY FUELING ITS PROPAGANDA AGAINST IRAQ.

5. PLEASE PRESENT THE FOLLOWING POINTS IN APPROPRIATE
MANNER TO FOREIGN MINISTER TARIQ AZIZ:

-- AS YOU ARE AWARE, THE USPS IS VERY CONCERNED WITH THE
PRESENT OVERALL SITUATION IN SOUTHWEST ASIA. WE STRONGLY
SUPPORT A NEGOTIATED SETTLEMENT.

-- IT IS THEREFORE A CONSTRUCTIVE SPIRIT THAT WE NOW RAISE
WITH YOU ON AN ISSUE OF GREAT SENSITIVITY AND IMPORTANCE TO
THE USPS, NAMELY, PROHIBITED USE OF LETHAL CHEMICAL WEAPONS.

-- WE RAISE THE ISSUE NOW NEITHER TO ENTER INTO A CONFRON-
TATIONAL EXCHANGE WITH YOU, NOR TO LEND SUPPORT TO THE
VIEWS OF OTHERS, BUT, RATHER, BECAUSE IT IS A LONG-STANDING
POLICY OF THE U.S. TO OPPOSE USE OF LETHAL CW.

-- WE ALSO RAISE THE MATTER NOW BECAUSE WE BELIEVE CONTI-
NUED IRAQI USE OF CW WILL PLAY INTO THE HANDS OF THOSE
WHO WOULD WISH TO ESCALATE TENSIONS IN THE REGION, AS WELL
AS CONSTRAIN THE ABILITY OF THE USPS TO PLAY A HELPFUL
ROLE IN THE REGION.

-- WE NOTE THAT IRAQ LONG AGO ACCEDED TO THE 1925 GENEVA
PROTOCOL BANNING THE USE OF CW. WE BELIEVE IRAQ'S
SCRUPULOUS ADHERENCE TO THAT PROTOCOL IS IMPORTANT TO
AVOID DANGEROUS ESCALATION OF THE WAR, TO MAINTAIN THE
HOPE OF BRINGING IRAN TO THE NEGOTIATING TABLE, AND TO
AVOID PROVIDING IRAN WITH A POTENT PROPAGANDA WEAPON
AGAINST IRAQ.

-- WE HOPE YOU WILL RECEIVE OUR REPRESENTATION IN THE
SPIRIT IT IS INTENDED.
BACKGROUND ON IRAQI USE OF CHEMICAL WEAPONS

2. SUMMARY: IRAN HAS ANNOUNCED THAT IRAQ HAD USED PROHIBITED CHEMICAL WEAPONS (CW) AND HAS REQUESTED THE UN TO INVESTIGATE. EARLIER IRAQI STATEMENTS CORROBORATE THIS CHARGE.

PRESENT MESSAGE PROVIDED FOR YOUR BACKGROUND ONLY. SEFFEL MAY REQUEST FOLLOW-UP ACTION. END SUMMARY.

3. REFERENCES IN IRAQI PUBLIC STATEMENTS OVER THE PAST YEAR CORROBORATE IRAN'S OCTOBER 22 CHARGE THAT IRAQ HAS USED PROHIBITED CW IN CONTRAVENTION OF ITS TREATY
OBLIGATIONS. ON NOVEMBER 8, IRAN REQUESTED THE UN SYG TO INVESTIGATE. IRAN HAD MADE SIMILAR CHARGES DURING THE IRAP UNGA WHICH IRAQ HAD DENIED.)


5. IRAQI MEDIA HAVE QUOTED IRAQI PRESIDENT SADDAM HUSSEIN AS SAYING, "THERE IS A WEAPON FOR EVERY BATTLE AND WE HAVE THE WEAPON THAT WILL CONFRONT GRET NUMBERS." MILITARY COMMUNIQUES OVER THE PAST YEAR HAVE REFERRED TO "ALL KINDS OF WEAPONS" BEING USED TO REPEL THE IRANIANS. ON DECEMBER 18, 1982, IRAQ CLAIMED IT WOULD RETALIATE FOR AN IRANIAN-CLAIMED TERRORIST BOMBING IN BAGHDAD "WITH MORE THAN ONE MEANS... HE WHO FOREWARNS IS EXCUSED." A MILITARY COMMUNIQUE WARNED THE IRANIANS AGAINST VIOLATING INTERNATIONAL NORMS AND CHARTERS, PERHAPS TRYING TO ESTABLISH A PRETEXT FOR USING CW IN VIOLATION OF INTERNATIONAL PROTOCOLS. IN AN INTERVIEW PUBLISHED FEBRUARY 13, 1983, IN ARABIC IN AL-HAWADITH, DEFENSE MINISTER KHAYRALLAH EVASID A QUESTION ON IRAQ'S POSSESSION OF A POISON GAS WEAPON. THE AL-HAWADITH INTERVIEW DID NOT CONFIRM IRAQ'S DEVELOPMENT OF CW, BUT IT PUT THE QUESTION INTO THE PUBLIC DOMAIN. ON APRIL 12, 1983, IRAQ AGAIN WARNED OF "NEW WEAPONS... TO BE USED FOR THE FIRST TIME IN WAR... NOT USED IN PREVIOUS ATTACKS BECAUSE OF HUMANITARIAN AND ETHICAL REASONS... THAT WILL DESTROY ANY MOVING CREATURE."
8. OVER MANY DECADES THE U.S. HAS SOUGHT TO DETER THE USE OF LETHAL AND INCAPACITATING CW WHEN THEIR USE APPEARED TO LOOK AS A POSSIBILITY. IRAQ'S USE OF LETHAL OR INCAPACITATING CW COULD FURTHER UNDERCUT AN IMPORTANT AGREEMENT OBSERVED BY NEARLY ALL NATIONS AGAINST CHEMICAL WARFARE. INTRODUCTION OF CW TO THE GULF WAR REPRESENTS AN ESCALATION OF HOSTILITIES THAT COULD RENDER STILL MORE REMOTE THE POSSIBILITY OF A CEASEFIRE AND NEGOTIATIONS. FURTHERMORE, IRAQ'S USE OF CW GIVES THE IRANIANS A POWERFUL PROPAGANDA TOOL AGAINST THE IRAQI REGIME, SETTING WORLD OPINION AGAINST IRAQ AT A TIME WHEN IRAN ENJOYS LITTLE INTERNATIONAL SYMPATHY BEYOND THE HUMANITARIAN AND SECURITY/PROLIFERATION CONCERNS, THESE FACTS SHOULD OFFSET THE ATTRACTIVENESS TO IRAQ OF USING PROHIBITED CW.

9. BOTH IRAN (IN 1929) AND IRAQ (IN 1933) HAVE RATIFIED THE GENEVA PROTOCOL OF 1925 PROHIBITING THE USE OF CHEMICAL WEAPONS. IRAQ ATTACHED CONDITIONS TO ITS ACCESSION, HAVING THE EFFECT OF A "NO FIRST USE" CLAUSE, BUT ITS COMMITMENT NOT TO USE UNLESS ATTACKED WITH SUCH WEAPONS IS UNEQUIVOCAL. IRAN ATTACHED NO CONDITIONS TO ITS RATIFICATION OF THE PROTOCOLS. THERE IS SOME QUESTION WHETHER IRAN MAY HAVE USED CHEMICAL AGENTS AT ONE POINT EARLY IN THE WAR.

10. THE EXISTING CONVENTION PROHIBITS ONLY THE USE RPT USE OF LETHAL AND INCAPACITATING CW. NO INTERNATIONAL TREATY YET FORBIDS DEVELOPMENT, PRODUCTION, OR DEPLOYMENT OF LETHAL AND INCAPACITATING CW. THE U.S. AND OTHERS HAVE BEEN NEGOTIATING FOR SUCH A TREATY FOR A NUMBER OF YEARS. ALSO, WE DO NOT INTERPRET THE GENEVA PROTOCOL AS APPLYING TO RIOT CONTROL AGENTS AS OPPOSED TO LETHAL AND INCAPACITATING CHEMICALS. WE LIMIT THEIR USE TO DEFENSIVE MILITARY HOSES TO SAVE LIVES, E.G., CONTROLLING RIOTING. PER W.S., DISPERSING CIVILIAN "SCREENS" OF ATTACKS, RESCUE OPERATIONS IN ISOLATED AREAS, AND PROTECTING CONVOYS OUTSIDE THE COMBAT ZONE.
II. HERETOFORE WE HAVE LIMITED OUR EFFORTS AGAINST THE IRAQI CW PROGRAM TO CLOSE MONITORING BECAUSE OF OUR STRICT NEUTRALITY IN THE GULF WAR, THE SENSITIVITY OF SOURCES, AND THE LOW PROBABILITY OF ACHIEVING DESIRED RESULTS. NOW, HOWEVER, WITH THE ESSENTIAL ASSISTANCE OF FOREIGN FIRMS, IRAQ HAS BECOME ABLE TO DEPLOY AND USE CW AND PROBABLY HAS BUILT UP LARGE RESERVES OF CW FOR FURTHER USE. GIVEN ITS DESPERATION TO END THE WAR, IRAQ MAY AGAIN USE LETHAL OR INCAPACITATING CW, PARTICULARLY IF IRAN THREATENS TO BREAK THROUGH IRAQI LINES IN A LARGE-SCALE ATTACK.

Nonetheless, on the basis of open-source reporting and other available sources, steps we and others could take to deter further Iraqi use of prohibited CW.

III. ADDRESS SHOULD TAKE NO/ACTION ON THIS ISSUE UNTIL INSTRUCTED SEPARATELY.