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October 31, 1998

STATEMENT BY THE PRESIDENT

THE WHITE HOUSE

Office of the Press Secretary For Immediate Release October 31, 1998

STATEMENT BY THE PRESIDENT

Today I am signing into law H.R. 4655, the "Iraq Liberation Act of 1998." This Act makes clear that it is the sense of the Congress that the United States should support those elements of the Iraqi opposition that advocate a very different future for Iraq than the bitter reality of internal repression and external aggression that the current regime in Baghdad now offers.

Let me be clear on what the U.S. objectives are:

The United States wants Iraq to rejoin the family of nations as a freedom-loving and law-abiding member. This is in our interest and that of our allies within the region.

The United States favors an Iraq that offers its people freedom at home. I categorically reject arguments that this is unattainable due to Iraq's history or its ethnic or sectarian make-up. Iraqis deserve and desire freedom like everyone else.

The United States looks forward to a democratically supported regime that would permit us to enter into a dialogue leading to the reintegration of Iraq into normal international life.

My Administration has pursued, and will continue to pursue, these objectives through active application of all relevant United Nations Security Council resolutions. The evidence is overwhelming that such changes will not happen under the current Iraq leadership.

In the meantime, while the United States continues to look to the Security Council's efforts to keep the current regime's behavior in check, we look forward to new leadership in Iraq that has the support of the Iraqi people. The United States is providing support to opposition groups from all sectors of the Iraqi community that could lead to a popularly supported government.

On October 21, 1998, I signed into law the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999, which made \$8 million available for assistance to the Iraqi democratic opposition. This assistance is intended to help the democratic opposition unify, work together more effectively, and articulate the aspirations of the Iraqi people for a pluralistic, participatory political system that will include all of Iraq's diverse ethnic and religious groups. As required by the Emergency Supplemental Appropriations Act for FY 1998

http://www.inc.org.uk/311098_Statement%20By%20President%20Clinton.htm

12/28/98

UNITED STATES DEPARTMENT OF STATE
REVIEW AUTHORITY: ARCHIE M BOLSTER
DATE/CASE ID: 19 JAN 2005 200401527

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(Public Law 105-174), the Department of State submitted a report to the Congress on plans to establish a program to support the democratic opposition. My Administration, as required by that statute, has also begun to implement a program to compile information regarding allegations of genocide, crimes against humanity, and war crimes by Iraq's current leaders as a step towards bringing to justice those directly responsible for such acts.

The Iraq Liberation Act of 1998 provides additional, discretionary authorities under which my Administration can act to further the objectives I outlined above. There are, of course, other important elements of U.S. policy. These include the maintenance of UN Security Council support efforts to eliminate Iraq's prohibited weapons and missile programs and economic sanctions that continue to deny the regime the means to reconstitute those threats to international peace and security. United States support for the Iraqi opposition will be carried out consistent with those policy objectives as well. Similarly, U.S. support must be attuned to what the opposition can effectively make use of as it develops over time. With those observations, I sign H.R. 4655 into law.

WILLIAM J. CLINTON

THE WHITE HOUSE, October 31, 1998

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Iraq Liberation Act

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H. R. 4655

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One Hundred Fifth Congress
of the
United States of America

AT THE SECOND SESSION

Begin and held at the City of Washington on Tuesday,
the twenty-seventh day of January, one thousand nine hundred and ninety-eight

An Act

To establish a program to support a transition to democracy in Iraq.

Be it enacted by the Senate and House of Representatives of
the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Iraq Liberation Act of 1998".

SEC. 2. FINDINGS.

The Congress makes the following findings:

- (1) On September 22, 1980, Iraq invaded Iran, starting an 8 year war in which Iraq employed chemical weapons against Iranian troops and ballistic missiles against Iranian cities.
- (2) In February 1988, Iraq forcibly relocated Kurdish civilians from their home villages in the Anfal campaign, killing an estimated 60,000 to 180,000 Kurds.
- (3) On March 16, 1988, Iraq used chemical weapons against Iraqi Kurdish civilian opponents in the town of Halabja, killing an estimated 5,000 Kurds and causing numerous birth defects that affect the town today.
- (4) On August 2, 1990, Iraq invaded and began a 7 month occupation of Kuwait, killing and committing numerous abuses against Kuwaiti civilians, and setting Kuwait's oil wells ablaze upon retreat.
- (5) Hostilities in Operation Desert Storm ended on February 28, 1991, and Iraq subsequently accepted the ceasefire conditions specified in United Nations Security Council Resolution 687 (April 3, 1991) requiring Iraq, among other things, to disclose fully and permit the dismantlement of its weapons of mass destruction programs and submit to long-term monitoring and verification of such dismantlement.
- (6) In April 1993, Iraq orchestrated a failed plot to assassinate former President George Bush during his April 14-16, 1993, visit to Kuwait.
- (7) In October 1994, Iraq moved 80,000 troops to areas near the border with Kuwait, posing an imminent threat of a renewed invasion of or attack against Kuwait.
- (8) On August 31, 1996, Iraq suppressed many of its opponents by helping one Kurdish faction capture Irbil, the seat of the Kurdish regional government.
- (9) Since March 1996, Iraq has systematically sought to deny weapons inspectors from the United Nations Special Commission on Iraq (UNSCOM) access to key facilities and documents, has on several occasions endangered the safe operation of UNSCOM helicopters transporting UNSCOM personnel

in Iraq, and has persisted in a pattern of deception and concealment regarding the history of its weapons of mass destruction programs.

(10) On August 5, 1998, Iraq ceased all cooperation with UNSCOM, and subsequently threatened to end long-term monitoring activities by the International Atomic Energy Agency and UNSCOM.

(11) On August 14, 1998, President Clinton signed Public Law 105-235, which declared that "the Government of Iraq is in material and unacceptable breach of its international obligations" and urged the President "to take appropriate action, in accordance with the Constitution and relevant laws of the United States, to bring Iraq into compliance with its international obligations."

(12) On May 1, 1998, President Clinton signed Public Law 105-174, which made \$5,000,000 available for assistance to the Iraqi democratic opposition for such activities as organization, training, communication and dissemination of information, developing and implementing agreements among opposition groups, compiling information to support the indictment of Iraqi officials for war crimes, and for related purposes.

SEC. 3. SENSE OF THE CONGRESS REGARDING UNITED STATES POLICY TOWARD IRAQ.

It should be the policy of the United States to support efforts to remove the regime headed by Saddam Hussein from power in Iraq and to promote the emergence of a democratic government to replace that regime.

SEC. 4. ASSISTANCE TO SUPPORT A TRANSITION TO DEMOCRACY IN IRAQ.

(a) **AUTHORITY TO PROVIDE ASSISTANCE.**—The President may provide to the Iraqi democratic opposition organizations designated in accordance with section 5 the following assistance:

(1) **BROADCASTING ASSISTANCE.**—(A) Grant assistance to such organizations for radio and television broadcasting by such organizations to Iraq.

(B) There is authorized to be appropriated to the United States Information Agency \$2,000,000 for fiscal year 1999 to carry out this paragraph.

(2) **MILITARY ASSISTANCE.**—(A) The President is authorized to direct the drawdown of defense articles from the stocks of the Department of Defense, defense services of the Department of Defense, and military education and training for such organizations.

(B) The aggregate value (as defined in section 644(m) of the Foreign Assistance Act of 1961) of assistance provided under this paragraph may not exceed \$97,000,000.

(b) **HUMANITARIAN ASSISTANCE.**—The Congress urges the President to use existing authorities under the Foreign Assistance Act of 1961 to provide humanitarian assistance to individuals living in areas of Iraq controlled by organizations designated in accordance with section 5, with emphasis on addressing the needs of individuals who have fled to such areas from areas under the control of the Saddam Hussein regime.

(c) **RESTRICTION ON ASSISTANCE.**—No assistance under this section shall be provided to any group within an organization designated in accordance with section 5 which group is, at the time

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the assistance is to be provided, engaged in military cooperation with the Saddam Hussein regime.

(d) **NOTIFICATION REQUIREMENT.**—The President shall notify the congressional committees specified in section 634A of the Foreign Assistance Act of 1961 at least 15 days in advance of each obligation of assistance under this section in accordance with the procedures applicable to reprogramming notifications under section 634A.

(e) **REIMBURSEMENT RELATING TO MILITARY ASSISTANCE.**

(1) **IN GENERAL.**—Defense articles, defense services, and military education and training provided under subsection (a)(2) shall be made available without reimbursement to the Department of Defense except to the extent that funds are appropriated pursuant to paragraph (2).

(2) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to the President for each of the fiscal years 1998 and 1999 such sums as may be necessary to reimburse the applicable appropriation, fund, or account for the value (as defined in section 644(m) of the Foreign Assistance Act of 1961) of defense articles, defense services, or military education and training provided under subsection (a)(2).

(f) **AVAILABILITY OF FUNDS.**—(1) Amounts authorized to be appropriated under this section are authorized to remain available until expended.

(2) Amounts authorized to be appropriated under this section are in addition to amounts otherwise available for the purposes described in this section.

(g) **AUTHORITY TO PROVIDE ASSISTANCE.**—Activities under this section (including activities of the nature described in subsection (b)) may be undertaken notwithstanding any other provision of law.

SEC. 5. DESIGNATION OF IRAQI DEMOCRATIC OPPOSITION ORGANIZATION.

(a) **INITIAL DESIGNATION.**—Not later than 90 days after the date of the enactment of this Act, the President shall designate one or more Iraqi democratic opposition organizations that the President determines satisfy the criteria set forth in subsection (c) as eligible to receive assistance under section 4.

(b) **DESIGNATION OF ADDITIONAL ORGANIZATIONS.**—At any time subsequent to the initial designation pursuant to subsection (a), the President may designate one or more additional Iraqi democratic opposition organizations that the President determines satisfy the criteria set forth in subsection (c) as eligible to receive assistance under section 4.

(c) **CRITERIA FOR DESIGNATION.**—In designating an organization pursuant to this section, the President shall consider only organizations that—

(1) include a broad spectrum of Iraqi individuals, groups, or both, opposed to the Saddam Hussein regime; and

(2) are committed to democratic values, to respect for human rights, to peaceful relations with Iraq's neighbors, to maintaining Iraq's territorial integrity, and to fostering cooperation among democratic opponents of the Saddam Hussein regime.

(d) **NOTIFICATION REQUIREMENT.**—At least 15 days in advance of designating an Iraqi democratic opposition organization pursuant

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to this section, the President shall notify the congressional committees specified in section 634A of the Foreign Assistance Act of 1961 of his proposed designation in accordance with the procedures applicable to reprogramming notifications under section 634A.

SEC. 6. WAR CRIMES TRIBUNAL FOR IRAQ.

Consistent with section 301 of the Foreign Relations Authorization Act, Fiscal Years 1992 and 1993 (Public Law 102-138), House Concurrent Resolution 137, 105th Congress (approved by the House of Representatives on November 13, 1997), and Senate Concurrent Resolution 78, 105th Congress (approved by the Senate on March 13, 1998), the Congress urges the President to call upon the United Nations to establish an international criminal tribunal for the purpose of indicting, prosecuting, and imprisoning Saddam Hussein and other Iraqi officials who are responsible for crimes against humanity, genocide, and other criminal violations of international law.

SEC. 7. ASSISTANCE FOR IRAQ UPON REPLACEMENT OF SADDAM HUSSEIN REGIME.

It is the sense of the Congress that once the Saddam Hussein regime is removed from power in Iraq, the United States should support Iraq's transition to democracy by providing immediate and substantial humanitarian assistance to the Iraqi people, by providing democracy transition assistance to Iraqi parties and movements with democratic goals, and by convening Iraq's foreign creditors to develop a multilateral response to Iraq's foreign debt incurred by Saddam Hussein's regime.

SEC. 8. RULE OF CONSTRUCTION.

Nothing in this Act shall be construed to authorize or otherwise speak to the use of United States Armed Forces (except as provided in section 4(a)(2)) in carrying out this Act.

Speaker of the House of Representatives.

*Vice President of the United States and
President of the Senate.*

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