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Secretary Baker

Current
Policy
No. 1302

US Support for Additional UN Action Against Iraq

United States Department of State
Bureau of Public Affairs
Washington, DC

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Our purpose must be clear and clearly understood by all, including the government and people of Iraq. Security Council Resolutions 660 and 662 establish the way to settle the crisis: complete, immediate, and unconditional Iraqi withdrawal from Kuwait, the restoration of Kuwait's legitimate government, and the release of all hostages. Until that time, the international community through Resolution 661 and its successor resolutions has set a high and rising penalty upon Iraq for each passing day that it fails to abandon its aggression.

These penalties are beginning to take effect, and bellicose language from Baghdad cannot compensate for the perils of isolation. Threats only prolong the needless suffering of the Iraqi people. Iraq has been quarantined because its brutal actions have separated it from the community of nations. There can be no business as usual. In fact, there can be no economic exchanges with Iraq at all.

Additional Measures

Today, the United States, together with other members of this council, supports a new resolution and additional measures:

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Third, we remind the government of Iraq that it is not free to disregard its international obligations, especially the humanitarian provisions of the Fourth Geneva Convention. Each day that Iraqi officials flout norms of elementary decency makes it that much more difficult for Iraq to resume its place in the international community and to repair the damage it has done. On this point, I would note the call of the Arab League for reparations.

Many thousands of innocent people have been dislocated as well. That is why the United States supports a coordinated and unitary approach to refugee assistance and relief efforts. The appointment of Saddrudin Aga Khan is a major step in this direction.

Fourth, the council puts the government of Iraq on notice that its continued failure to comply could lead to further action, including action under Chapter Seven. The international community has made clear its desire to exhaust every peaceful possibility for resolving this matter in accordance with the principles of the United Nations Charter. But we are all well aware that the Charter envisages the possibility of further individual and collective measures to defend against aggression and flagrant violations of international humanitarian law.

Eduard Shevardnadze (Foreign Minister, USSR) spoke for all of us when he said earlier today:

> This is a major affront to mankind. In the context of recent events, we should remind those who regard aggression as an acceptable form of behavior that the United Nations has the power to suppress acts of aggression. There is ample evidence that this right can be exercised. It will be, if the illegal occupation of Kuwait continues.

It is important to emphasize that the sanctions we have adopted are aimed at reversing the aggressive policies of the Iraqi government. They are not aimed at the people of Iraq, who are being forced to live with the consequences of a misguided policy.

The council has acknowledged that its sanctions, as with any disruption, can be costly to many of our member states. We have a duty to make sure that no nation is crippled because it stood for the principles of international order. The United States has worked with other nations to coordinate an international effort to provide assistance to those desperately in need.

The passing of the Cold War has meant many things—above all, a rebirth of hope. The horizons of democracy, of human rights, of national dignity, and of economic progress have all been extended. The result has been a rebirth of the United Nations as well. Suddenly, the vision of the Charter and the promise of international cooperation seem within reach. In Central America, in Namibia, and perhaps soon in Cambodia and Afghanistan, this organization makes signal contributions as a peacemaker. We are beginning to control at last the proliferation of conflicts, major and minor, that have exacted so high a price from humanity.

Now, together we all confront a supreme challenge to the United Nations and all that it represents. If the United Nations is to fulfill its mission, if peace is to prevail, then Iraq's leader must not be allowed to gain from his assault on decency and basic human values. We must do what justice, honor, and international peace demand that we do: reverse Saddam Hussein's brutal aggression. ■

United Nations Security Council Resolution 670

The Security Council

Reaffirming its resolutions 660 (1990), 661 (1990), 662 (1990), 664 (1990), 665 (1990), 666 (1990), and 667 (1990);

Condemning Iraq's continued occupation of Kuwait, its failure to rescind its actions and end its purported annexation and its holding of third State nationals against their will, in flagrant violation of resolutions 660 (1990), 662 (1990), 664 (1990) and 667 (1990) and of international humanitarian law;

Condemning further the treatment by Iraqi forces of Kuwaiti nationals, including measures to force them to leave their own country and mistreatment of persons and property in Kuwait in violation of international law;

Noting with grave concern the persistent attempts to evade the measures laid down in resolution 661 (1990);

Further noting that a number of States have limited the number of Iraqi diplomatic and consular officials in their countries and that others are planning to do so;

Determined to ensure by all necessary means the strict and complete application of the measures laid down in resolution 661 (1990);

Determined to ensure respect for its decisions and the provisions of Articles 25 and 48 of the Charter of the United Nations;

Affirming that any acts of the Government of Iraq which are contrary to the above-mentioned resolutions or to Articles 25 or 48 of the Charter of the United Nations, such as Decree No. 377 of the Revolution Command Council of Iraq of 16 September 1990, are null and void;

Reaffirming its determination to ensure compliance with Security Council resolutions by maximum use of political and diplomatic means;

Welcoming the Secretary-General's use of his good offices to advance a peaceful solution based on the relevant Security Council resolutions and noting with appreciation his continuing efforts to this end;

Underlining to the Government of Iraq that its continued failure to comply with the terms of resolutions 660 (1990), 661 (1990), 662 (1990), 664 (1990), 666 (1990) and 667 (1990) could lead to further serious action by the Council under the Charter of the United Nations, including under Chapter VII;

Recalling the provisions of Article 103 of the Charter of the United Nations;

Acting under Chapter VII of the Charter of the United Nations:

1. *Calls upon* all States to carry out their obligations to ensure strict and complete compliance with resolution 661 (1990) and in particular paragraphs 3, 4 and 5 thereof;

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2. *Confirms* that resolution 661 (1990) applies to all means of transport, including aircraft;

3. *Decides* that all States, notwithstanding the existence of any rights or obligations conferred or imposed by any international agreement or any contract entered into or any licence or permit granted before the date of the present resolution, shall deny permission to any aircraft to take off from their territory if the aircraft would carry any cargo to or from Iraq or Kuwait other than food in humanitarian circumstances, subject to authorization by the Council or the Committee established by resolution 661 (1990) and in accordance with resolution 666 (1990), or supplies intended strictly for medical purposes or solely for UNIIMOG;

4. *Decides further* that all States shall deny permission to any aircraft destined to land in Iraq or Kuwait, whatever its State of registration, to overfly its territory unless:

(a) The aircraft lands at an airfield designated by that State outside Iraq or Kuwait in order to permit its inspection to ensure that there is no cargo on board in violation of resolution 661 (1990) or the present resolution, and for this purpose the aircraft may be detained for as long as necessary; or

(b) The particular flight has been approved by the Committee established by resolution 661 (1990); or

(c) The flight is certified by the United Nations as solely for the purposes of UNIIMOG;

5. *Decides* that each State shall take all necessary measures to ensure that any aircraft registered in its territory or operated by an operator who has his principal place of business or permanent residence in its territory complies with the provisions of resolution 661 (1990) and the present resolution;

6. *Decides further* that all States shall notify in a timely fashion the Committee established by resolution 661 (1990) of any flight between its territory and Iraq or Kuwait to which the requirement to land in paragraph 4 above does not apply, and the purpose for such a flight;

7. *Calls upon* all States to cooperate in taking such measures as may be necessary, consistent with international law, including the Chicago Convention, to ensure the effective implementation of the provisions of resolution 661 (1990) or the present resolution;

8. *Calls upon* all States to detain any ships of Iraqi registry which enter their ports and which are being or have been used in violation of resolution 661 (1990), or to deny such ships entrance to their ports except in circumstances recognized under international law as necessary to safeguard human life;

9. *Reminds* all States of their obligations under resolution 661 (1990) with regard to the freezing of Iraqi assets, and the protection of the assets of the legitimate Government of Kuwait and its agencies, located within their territory and to report to the Committee established under resolution 661 (1990) regarding those assets;

10. *Calls upon* all States to provide to the Committee established by resolution 661 (1990) information regarding the action taken by them to implement the provisions laid down in the present resolution;

11. *Affirms* that the United Nations Organization, the specialized agencies and other international organizations in the United Nations system are required to take such measures as may be necessary to give effect to the terms of resolution 661 (1990) and this resolution;

12. *Decides* to consider, in the event of evasion of the provisions of resolution 661 (1990) or of the present resolution by a State or its nationals or through its territory, measures directed at the State in question to prevent such evasion;

13. *Reaffirms* that the Fourth Geneva Convention applies to Kuwait and that as a High Contracting Party to the Convention Iraq is bound to comply fully with all its terms and in particular is liable under the Convention in respect of the grave breaches committed by it, as are individuals who commit or order the commission of grave breaches.

VOTE: 14 for-1 against (Cuba) ■

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