

107TH CONGRESS
1ST SESSION

H. J. RES. 75

IN THE SENATE OF THE UNITED STATES

DECEMBER 20 (legislative day, DECEMBER 18), 2001

Received; read twice and referred to the Committee on Foreign Relations

JOINT RESOLUTION

Regarding inspection and monitoring to prevent the development of weapons of mass destruction in Iraq.

Whereas the Iraqi regime of Saddam Hussein engaged the Islamic Republic of Iran, a nation of more than 55,000,000 Muslims, in a 10-year war, during which Saddam Hussein used chemical weapons against Iran and his own people;

Whereas Saddam Hussein has pursued a policy of ethnic cleansing against the Kurdish people, killing 5,000 Kurdish civilians with a chemical attack on March 16, 1988, and an estimated 50,000 to 182,000 in the forced relocation of Kurdish civilians in 1988;

Whereas on August 2, 1990, Iraq without provocation invaded the State of Kuwait, a nation of more than 1,500,000 Muslims;

Whereas on November 29, 1990, the United Nations Security Council adopted United Nations Security Council Resolution 678, which authorized nations cooperating with the State of Kuwait to use all necessary means to force Iraq to withdraw from Kuwait and to restore international peace and security to the area;

Whereas on January 17, 1991, the regime of Saddam Hussein without provocation fired 7 Scud missiles into the State of Israel, a nation of approximately 1,000,000 Muslims and 5,000,000 Jews;

Whereas on January 17, 1991, Iraq fired Scud missiles into the Kingdom of Saudi Arabia, a nation of more than 20,000,000 Muslims;

Whereas on January 29, 1991, Iraq attacked the city of Khafji in the Kingdom of Saudi Arabia;

Whereas the regime of Saddam Hussein is a threat to its neighbors and has demonstrated its willingness to use weapons of mass destruction;

Whereas on February 24, 1991, a broad international coalition of 38 Muslim and non-Muslim nations, including the United States, the United Kingdom of Great Britain and Northern Ireland, the State of Kuwait, the Arab Republic of Egypt, the Kingdom of Saudi Arabia, and the Syrian

Arab Republic, began a coalition ground operation to liberate Kuwait;

Whereas on April 6, 1991, Iraq accepted the provisions of United Nations Security Council Resolution 687 (April 3, 1991) bringing a formal cease-fire into effect;

Whereas, in accordance with Security Council Resolution 687, Iraq unconditionally accepted the destruction, removal, or rendering harmless of “all chemical and biological weapons and all stocks of agents and all related subsystems and components and all research, development, support and manufacturing facilities related thereto”, and “all ballistic missiles with a range greater than one hundred and fifty kilometers, and related major parts and repair and production facilities”;

Whereas, in accordance with Security Council Resolution 687, Iraq unconditionally agreed not to acquire or develop any nuclear weapons, nuclear-weapons-usable material, nuclear-related subsystems or components, or nuclear-related research, development, support, or manufacturing facilities;

Whereas Security Council Resolution 687 calls for the creation of a United Nations special commission to “carry out immediate on-site inspection of Iraq’s biological, chemical, and missile capabilities” and to assist and cooperate with the International Atomic Energy Agency in carrying out the “destruction, removal or rendering harmless” of all nuclear-related items and in developing a plan for the ongoing monitoring and verification of Iraq’s compliance;

Whereas, in accordance with Security Council Resolution 687, the process of destruction, removal, or rendering

harmless of Iraq's weapons of mass destruction was to have been completed within 45 days of approval by the United Nations Security Council of the weapons inspectors' plan for doing so;

Whereas Iraq has now been in breach of this requirement for more than a decade;

Whereas the regime of Saddam Hussein consistently impeded the work of United Nations weapons inspectors in Iraq between 1991 and 1998 by denying them access to crucial sites and documents and by obstructing their work in numerous other ways;

Whereas on October 31, 1998, Iraq banned the United Nations weapons inspectors despite its agreement and obligation to comply with Security Council Resolution 687;

Whereas on December 15, 1998, the chief United Nations weapons inspector reported that Iraq was withholding cooperation;

Whereas Congress declared in Public Law 105–235 (112 Stat. 1538) that “the Government of Iraq is in material and unacceptable breach of its international obligations, and therefore the President is urged 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”;

Whereas Security Council Resolution 687 was adopted under chapter VII of the United Nations Charter and violations of such resolution that threaten international peace and security may be dealt with through military action pursuant to Security Council Resolution 678;

Whereas the United States has reported that a high risk exists that Iraq has continued to develop weapons of mass

destruction since the expulsion of United Nations weapons inspectors, in violation of Security Council Resolution 687 and subsequent resolutions;

Whereas such development is a threat to the United States and its friends and allies in the Middle East;

Whereas Congress declared in Public Law 105–338 (112 Stat. 3178) that 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”;

Whereas the attacks of September 11, 2001, illustrate the global reach of terrorists;

Whereas numerous terrorist groups are seeking to acquire weapons of mass destruction;

Whereas Iraq is a sponsor of terrorism and has trained members of several terrorist organizations;

Whereas the regime of Saddam Hussein plotted to assassinate former President George Bush during his visit to the State of Kuwait in 1993;

Whereas the President has stated that “any nation that continues to harbor or support terrorism will be regarded by the United States as a hostile regime” and has committed to “pursue nations that provide aid or safe haven to terrorism”; and

Whereas on November 26, 2001, President Bush warned that any nation that develops weapons of mass destruction in order to “terrorize” others “will be held accountable”: Now, therefore, be it

1 *Resolved by the Senate and House of Representatives*
2 *of the United States of America in Congress assembled,*
3 That—

4 (1) the United States and the United Nations
5 Security Council should insist on a complete pro-
6 gram of inspection and monitoring to prevent the
7 development of weapons of mass destruction in Iraq;

8 (2) Iraq should allow United Nations weapons
9 inspectors “immediate, unconditional and unre-
10 stricted access to any and all areas, facilities, equip-
11 ment, records and means of transportation which
12 they wish to inspect”, as required by United Nations
13 Security Council Resolutions 707 (August 15, 1991)
14 and 1284 (December 17, 1999);

15 (3) the United States should ensure that the
16 United Nations does not accept any inspection and
17 monitoring regime that fails to guarantee weapons
18 inspectors immediate, unconditional, and unre-
19 stricted access to any and all areas, facilities, equip-
20 ment, records, and means of transportation which
21 they wish to inspect;

22 (4) Iraq, as a result of its refusal to comply
23 with the terms of United Nations Security Council
24 Resolution 687 (April 3, 1991) and subsequent rel-

1 evant resolutions, remains in material and unaccept-
2 able breach of its international obligations; and

3 (5) Iraq's refusal to allow United Nations weap-
4 ons inspectors immediate, unconditional, and unre-
5 stricted access to facilities and documents covered by
6 United Nations Security Council Resolution 687 and
7 other relevant resolutions presents a mounting
8 threat to the United States, its friends and allies,
9 and international peace and security.

 Passed the House of Representatives December 20,
2001.

Attest:

JEFF TRANDAHL,

Clerk.