

THE WHITE HOUSE
CORRESPONDENCE TRACKING WORKSHEET

CO072

INCOMING

DATE RECEIVED: FEBRUARY 13, 1991

NAME OF CORRESPONDENT: THE HONORABLE RAMSEY CLARK

SUBJECT: FORWARDS COPY OF LETTER SENT TO SECRETARY
GENERAL JAVIER PEREZ DE CUELLAR REPORTING ON
HIS TRIP TO IRAQ. INDICATES HE IS AVAILABLE
TO DISCUSS TRIP WITH DESIGNATED PERSONNEL

ROUTE TO: OFFICE/AGENCY	(STAFF NAME)	ACTION		DISPOSITION	
		ACT CODE	DATE YY/MM/DD	TYPE RESP	C COMPLETED D YY/MM/DD
WILLIAM SITTMANN		ORG	91/02/13		C 9/12/12s TC
REFERRAL NOTE:		R	91/02/22		A 9/1/03 TC
REFERRAL NOTE:			/ /		/ /
REFERRAL NOTE:			/ /		/ /
REFERRAL NOTE:			/ /		/ /
REFERRAL NOTE:			/ /		/ /

COMMENTS: EXP MAIL 5774561424

ADDITIONAL CORRESPONDENTS: MEDIA:L INDIVIDUAL CODES: _____

MI MAIL USER CODES: (A) _____ (B) _____ (C) _____

```

*****
*ACTION CODES:          *DISPOSITION          *OUTGOING          *
*                      *                      *CORRESPONDENCE:  *
*A-APPROPRIATE ACTION  *A-ANSWERED          *TYPE RESP=INITIALS *
*C-COMMENT/RECOM       *B-NON-SPEC-REFERRAL *          OF SIGNER    *
*D-DRAFT RESPONSE      *C-COMPLETED        *          CODE = A    *
*F-FURNISH FACT SHEET  *S-SUSPENDED         *COMPLETED = DATE OF *
*I-INFO COPY/NO ACT NEC*                      *          OUTGOING  *
*R-DIRECT REPLY W/COPY *                      *                      *
*S-FOR-SIGNATURE       *                      *                      *
*X-INTERIM REPLY       *                      *                      *
*****

```

REFER QUESTIONS AND ROUTING UPDATES TO CENTRAL REFERENCE
(ROOM 75,OE0B) EXT-2590
KEEP THIS WORKSHEET ATTACHED TO THE ORIGINAL INCOMING
LETTER AT ALL TIMES AND SEND COMPLETED RECORD TO RECORDS
MANAGEMENT.

111111
C

91 FEB 14 AIO: 16

RECEIVED

DEPARTMENT OF STATE
EXECUTIVE SECRETARIAT

TRANSMITTAL FORM

S/S 9103102

Date March 18, 1991

FOR: Mr. William F. Sittmann
Executive Secretary
National Security Council Staff
The White House

REFERENCE:

To: PRESIDENT BUSH

From: RAMSEY CLARK

Date: February 12, 1991

Subject: Forwards copy of letter sent to Secretary General
Javier Perez De Cuellar reporting on this trip to Iraq.
Indicates he is available to discuss trip with designated
Personnel.

WH Referral Dated: February 22, 1991

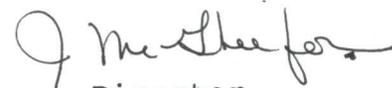
NSCS ID# (if any): 212846

The attached item was sent directly to the
Department of State.

ACTION TAKEN:

- A draft reply is attached.
- A draft reply will be forwarded.
- A translation is attached.
- An information copy of a direct reply is attached.
- We believe no response is necessary for the reason
cited below.
- The Department of State has no objection to the
proposed travel.
- Other (see remarks).

REMARKS:


Director
Secretariat Staff

UNCLASSIFIED

ASSISTANT SECRETARY OF STATE

WASHINGTON

March 15, 1991

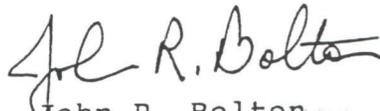
Dear Mr. Clark:

The President has asked me to respond to your letter conveying your report to the UN Secretary General on your recent trip to Iraq.

I was perplexed in reading your report that you mentioned nothing about the cause of the crisis: Iraq's brutal, illegal invasion of a fellow Arab and non-aligned state on August 2. It was also noteworthy that your report mentioned nothing of the suffering of Kuwaiti civilians and that of third country nationals forced to flee from Kuwait in the wake of Iraqi brutality.

Now that Kuwait has been liberated, our task now is to look toward immediate post-crisis and longer term regional security arrangements to assure that Iraq does not resume its aggression against Kuwait or any other state in the region. I hope we can look to your support in these critical times.

Sincerely,



John R. Bolton
International
Organizations Affairs

Mr. Ramsey Clark, Esq.
Law Offices,
36 East 12th Street,
New York.

* 9103102

T H E W H I T E H O U S E O F F I C E

REFERRAL

FEBRUARY 22, 1991

TO: DEPARTMENT OF STATE

ACTION REQUESTED:
DIRECT REPLY, FURNISH INFO COPY

DESCRIPTION OF INCOMING:

ID: 212846

MEDIA: LETTER, DATED FEBRUARY 12, 1991

TO: PRESIDENT BUSH

FROM: THE HONORABLE RAMSEY CLARK
CLARK AND SCHILLING
36 EAST 12TH STREET
NEW YORK NY 10003

SUBJECT: FORWARDS COPY OF LETTER SENT TO SECRETARY
GENERAL JAVIER PEREZ DE CUELLAR REPORTING ON
HIS TRIP TO IRAQ. INDICATES HE IS AVAILABLE
TO DISCUSS TRIP WITH DESIGNATED PERSONNEL

PROMPT ACTION IS ESSENTIAL -- IF REQUIRED ACTION HAS NOT BEEN
TAKEN WITHIN 9 WORKING DAYS OF RECEIPT, PLEASE TELEPHONE THE
UNDERSIGNED AT 456-7486.

RETURN CORRESPONDENCE, WORKSHEET AND COPY OF RESPONSE
(OR DRAFT) TO:
AGENCY LIAISON, ROOM 91, THE WHITE HOUSE, 20500

SALLY KELLEY
DIRECTOR OF AGENCY LIAISON
PRESIDENTIAL CORRESPONDENCE

RAMSEY CLARK
LAWRENCE W. SCHILLING

212846
LAW OFFICES
36 EAST 12TH STREET
NEW YORK, N.Y. 10003
(212) 475-3232

February 12, 1991

9103102

NSC
A.H.:
W. Sitman
President George Bush
The White House
1600 Pennsylvania Avenue, N.W.
Washington, D.C. 20500

Dear Mr. President:

I am transmitting a copy of a letter I sent to Secretary-General Javier Perez de Cuellar this afternoon reporting on my recent trip to Iraq.

If you wish to designate someone to discuss any aspect of the trip I am available to do so.

Sincerely,



Ramsey Clark

cc: UN Ambassador Thomas R. Pickering

RAMSEY CLARK

LAWRENCE W. SCHILLING

LAW OFFICES
36 EAST 12TH STREET
NEW YORK, N.Y. 10003

February 12, 1991

(212) 475-3232

Secretary-General Javier Perez de Cuellar
The Secretariat
United Nations Plaza
New York, NY 10017

9103102

Dear Mr. Secretary General:

During the period February 2 to February 8, 1991 I traveled in Iraq to assess the damage to civilian life there resulting from the bombing and the embargo, including civilian deaths, injuries, illness and destruction and damage to civilian property. I was accompanied by an experienced camera team that has filmed war and its destructiveness in many countries including Afghanistan, Angola, Cambodia, El Salvador, Nicaragua, the Philippines and Vietnam. Their film documents most of the damage I mention in this letter and some I do not. In our party was an Iraqi-American guide and translator who has family in Baghdad and Basra and is personally familiar with those cities and many other areas of Iraq. He had last visited Baghdad, Basra and Kuwait City in December 1990.

We traveled over 2000 miles in seven days to view damage, learn of casualties, discuss the effects of the bombing with government officials, public health and safety agency staffs and private families and individuals. We had cooperation from the government of Iraq including Ministers, Governors, health and medical officials and civil defense personnel. The bombing in all parts of Iraq made travel difficult, requiring caution for bomb craters and damage to highways and roads and making night driving especially hazardous.

The damage to residential areas and civilian structures, facilities and utilities was extensive everywhere we went. Every city and town we visited or that was reported to us had no municipal water, electricity or telephone service. Parts of Baghdad had limited delivery of impure water for an hour a day.

The effect of damage to municipal water systems on health and safety is tremendous. The Minister of Health considered potable water for human consumption the single greatest health need in the country. Tens of thousands are known to suffer diarrhea and stomach disorders. There are believed to be hundreds of thousands of unreported cases. Several thousands are believed to have died.

Secretary-General de Cuellar

Feb. 12, 1991

There is no electric lighting in the cities, towns and countryside in daytime or the long winter nights except for a few interior spaces like hospital emergency rooms where gasoline generators are available. The meaning of this is brought home most painfully in the hospitals at night.

In the hospitals, there is no heat, no clean water except limited quantities for drinking supplied in bottles, no electric light in wards and hospital rooms, and inadequate medicine, even for pain alleviation, in the face of a great increase in critically and severely injured persons. Doctors we talked with in four hospitals are deeply concerned over the absence or shortage of needed medicine and sanitary supplies. Surgeons and medics treating wounds cannot keep their hands clean, or gloved and work in the cold, in poor light with greatly increased numbers of patients in unrelieved pain. Seven hospitals are reported closed by bomb damage. Many if not most have had windows shattered.

Schools are closed. Homes are cold. Candles are the principal lighting. Telephone communication does not exist. Transportation is extremely limited. Gasoline is scarce. Roads and bridges are bombing targets. There is no television. Radio reception is limited to battery powered radios which can receive short wave signals, a few transmissions from Iraq stations or nearby foreign stations. According to the Ministry of Health, hospital officials and the Red Crescent, there is a substantial increase in falls, home accidents, stress, nervous disorders, shock, heart attack, miscarriage and premature births and infant mortality. Nightly air raids, the sounds of sirens, anti-aircraft fire and the explosion of bombs have placed a great strain on the society as a whole, but particularly on children and individuals with nervous system or heart disorders.

Dr. Ibrahim Al Noore has been head of the Red Crescent and Red Cross of Iraq for ten years. He is a pediatrician by training who interned at Childrens Hospital in London, later headed Children Hospital in Baghdad and served in the Ministry of Health for some years rising to Deputy Minister. Dr. Noore estimates that there have been 3000 infant deaths since November 1, 1990 in excess of the normal rate attributable solely to the shortage of infant milk formula and medicines. Only 14 tons of baby formula have been received during that period. Prior monthly national consumption was approximately 2500 tons.

Secretary-General de Cuellar

Feb. 12, 1991

One of the early targets of U.S. bombing was the infant and baby milk processing facility in Baghdad. No Iraqi with whom we talked assumed this was a coincidence. The U.S. claim that the plant manufactured chemical warfare material is false. A French company built it. The twenty, or more people who we interviewed, who operated it, who visited it before its destruction and who have examined it since without ill effect all say it was a plant processing infant and baby milk formula. In a lengthy and unrestricted examination of the plant, we saw no evidence to the contrary.

In all areas we visited and all other areas reported to us, municipal water processing plants, pumping stations and even reservoirs have been bombed. Electric generators have been destroyed. Refineries and oil and gasoline storage facilities and filling stations have been attacked. Telephone exchange buildings, TV and radio stations, and some radio telephone relay stations and towers, damaged or destroyed. Many highways, roads, bridges, bus stations, schools, mosques and churches, cultural sites, and hospitals have been damaged. Government buildings including Executive Offices of the President, the Foreign Ministry, Defense Ministry, Ministry for Industry and Justice Ministry have been destroyed or damaged.

Ambassadors of Member States should ask themselves if their capitals, major cities and towns were similarly destroyed and damaged by such bombing, they would consider the targets to be permissible under the International Laws of Armed Conflict. Imagine the reaction if water, electricity, telephones, gasoline, heating and air conditioning, TV and radio were denied to Lima and Arequipa, Lagos and Ibadan, Washington and Chicago, Paris and Marseilles, New Delhi and Calcutta, to Canberra and Sydney while civilians were bombed in their homes, business, shops, markets, schools, churches, hospitals, public places, and roadways.

How can destruction of municipal electricity for Mosul, the telephone system for the people of Baghdad, the municipal water supplies for Basra, or shooting defenseless public buses and private cars on the road to Jordan and elsewhere possibly be justified as necessary to drive Iraq from Kuwait? If it can be so justified, then the United Nations has authorized the destruction of all civilian life of a whole nation.

Secretary-General de Cuellar

Feb. 12, 1991

The effect of the bombing, if continued, will be the destruction of much of the physical and economic basis for life in Iraq. The purpose of the bombing can only be explained rationally as the destruction of Iraq as a viable state for a generation or more. Will the United Nations be a party to this lawless violence?

I will briefly describe destruction to residential areas in some of the cities and towns we visited. In Basra Governor Abdullah Adjram described the bombing as of February 6 as worse than during the Iran-Iraq war. We carefully probed five residential areas that had been bombed.

1. A middle class residential area was heavily damaged at 9:30 p.m. on January 31. 28 persons were reported killed, 56 were injured, 20 homes and 6 shops were destroyed.
2. On January 22, an upper middle class residential neighborhood was shattered by three bombs destroying or extensively damaging more than 15 homes reportedly injuring 40 persons, but without any deaths.
3. On January 24, an upper middle class neighborhood was bombed, killing 8, injuring 26 and destroying 3 homes and damaging many others.
4. On February 4, described by officials as the heaviest bombing of Basra to February 6, at 2:35 a.m. 14 persons were killed, 46 injured and 128 apartments and homes destroyed or damaged together with an adjacent Pepsi Cola bottling plant and offices across a wide avenue. The area devastated was 3 blocks deep on both sides of streets. At least fifteen cars were visible, crushed in garages. Small anti personnel bombs were alleged to have fallen here and we saw what appeared to be one that did not explode imbedded in rubble. We were shown the shell of a "mother" bomb which carries the small fragmentation bombs.
5. On January 28, about eighteen units in a very large low cost public housing project were destroyed or severely damaged, killing 46 and injuring 70. The nearby high school was damaged by a direct hit on a corner. The elementary school across the street was damaged.

Secretary-General de Cuellar

Feb. 12, 1991

On the evening of February 5 at 8:30 p.m. while our small group was dining alone by candlelight in the Sheraton Basrah, three large bomb blasts broke glass in the room. We went upstairs to the roof. From there I saw one bomb fall into the Shaat-Al-Arab beyond the Teaching Hospital to the South throwing a column of water high into the air; another bomb hit near the Shaat. As agreed upon earlier, civil defense officials came to take us to the blast sites. They were 1.2 km down the street near the Shatt Al Arab. I had walked by the area about 6:30 p.m.

We found two buildings destroyed. It is an apartment and residential home area. One was a family club, the other a night club. If either had been open scores of people would have been killed. Palm trees were sheared off and shrapnel, rocks, dirt and glass covered the street for several hundred feet. We were unable to enter the buildings that night.

We returned the next morning and were told both buildings were empty at the time by the owners who were looking at the damage. The teaching hospital, about 150 yards distant, which had been closed for a week following earlier bombing was without windows. It apparently received no new damage. As with all the other civilian damage we saw we could find no evidence of any military presence in the area. Here, there was no utility, or facility that are frequent, if illegal, targets either. There were only homes, apartments and a few shops, grocery stores and other businesses found in residential areas, plus too small bridges connecting the hospital to the mainland.

We were informed by a variety of sources including visual observation during extensive driving in Basra, that many other residential properties had been hit and that the five areas we filmed were a minor fraction of the civilian damage that had occurred.

At the central market where more than 1000 shops and vendors sell fruits, vegetables, fish, meat, foodstuffs and other items, a bomb leaving a huge crater, had demolished a building with a grocery store and other shops and damaged an entry area to the market at about 4:00 p.m. It reportedly killed 8 persons and injured 40.

We examined the rubble of a Sunni Moslem Mosque, Al Makal, where a family of 12 had taken sanctuary. The minaret remained standing. Ten bodies were found under the rubble and identified by a family member who had returned from his military post when informed of the tragedy. The dead included his wife and four young children.

Secretary-General de Cuellar

Feb. 12, 1991

In Diwaniya, a smaller town, we examined the same types of civilian damage we witnessed elsewhere and that was reported everywhere. In the town center, apparently seeking to destroy the radio telephone relay equipment in the post office, bombing had damaged the tower and the office. We saw many similar, or identical relay towers in the region that had not been attacked. Adjacent to the Post Office on the central circle of the city, 3 small hotels of 30 to 50 rooms were destroyed together with a host of shops, cafes, and offices including those of doctors and lawyers. We were told 12 people were killed and 35 injured. More damage could be seen across the circle among business and apartment buildings from one or more bombs that fell there.

Near the outskirts of town 4 more or less, contiguous residential areas had been bombed. 23 persons were reported killed and 75 injured. Two schools were badly damaged. There was no water, electricity or telephone service. A water irrigation station was destroyed. Other damage was witnessed while driving around the town. On the outskirts an oil tank was on fire, one of more than a dozen we saw burning during our travels.

Baghdad has been more accessible to foreign observation than Basra and other places in Iraq. It will only be highlighted. We examined extensive damage on a main street in the blocks next to and across the street from the Ministry of Justice which had all its windows on one side blasted out. I know that area as a busy poor commercial residential area from walking through it on the way to the National Museum and visiting the Justice Ministry. A large supermarket, eight other stores and six or eight houses were destroyed or badly damaged. Across the street, one bomb hit on the sidewalk and another was a direct hit on housing behind the street front properties. Six shops, a restaurant and several other stores plus 9 or 10 homes were destroyed, or badly damaged. We could not get an agreed account of casualties from the forty or fifty people standing around the damage. Some said as many as thirty died and many more were injured.

We visited a residential area where several homes were destroyed on February 7th. Six persons in one family were killed in an expensive home and several others in adjacent properties. One 500 lb. bomb had failed to explode and the tail was seen above the thick concrete roof when a member of our team first drove by. When we returned, the bomb had been removed. Our camera team visited the hospital where the injured were taken later that afternoon. The critically injured father from the home where the bomb failed to explode was there. This was one of four hospitals treating persons injured in bombings that we visited.

Secretary-General de Cuellar

Feb. 12, 1991

A bus station was hit by a bomb and the stained glass in a nearby mosque shattered. We were unable to learn if any one was killed though 40-50 people were at the station near midnight when we drove by on our arrival.

We saw five different damaged telephone exchanges while driving around Baghdad and many destroyed and damaged government and private buildings. Bridges in Baghdad were a frequent target though damage to them was minimal when we left. The bridges are not a legitimate military target. Even Defense Ministry buildings are occupied by non-combatants. The telephone exchanges run by civilians are overwhelmingly processing non military calls. The military has the most extensive independent communications capacity in the country. These are not legitimate targets and the effort to bomb them necessarily takes civilian lives.

Damage in Basra appeared to be considerably more extensive than in Baghdad and the actual bombing there was much more intensive than at any time we were in Baghdad. There were civilian deaths every night we were in Baghdad.

Visits to the towns of Hilla, Najaf and Nasseriya by press corps representatives and our crew found civilian casualties in residential areas of each, damages to a medical clinic, 12 deaths in one family, and 46 deaths in one night of bombing in one town. A small town was bombed a few minutes before we passed through on our drive back from Basra. We saw no military presence there. Smoke could be seen from three fires.

Over the 2000 miles of highways, roads and streets we traveled, we saw scores, probably several hundred, destroyed vehicles. There were oil tank trucks, tractor trailers, lorries, pickup trucks, a public bus, a mini-bus, a taxicab and many private cars destroyed by aerial bombardment and strafing. Some were damaged when they ran into bomb craters in the highways, or road damage caused by bombs and strafing. We found no evidence of military equipment or supplies in the vehicles. Along the roads we saw several oil refinery fires and numerous gasoline stations destroyed. One road repair camp had been bombed on the road to Amman.

Secretary-General de Cuellar

Feb. 12, 1991

As with the city streets in residential, industrial and commercial areas where we witnessed damage, we did not see a single damaged or destroyed military vehicle, tank, armored car, personnel carrier or other military equipment, or evidence of any having been removed. We saw scores of oil tank cars driving between Iraq and Jordan and parked in Jordan, as well as 5 or 6 that were destroyed by planes on the highway. We saw no evidence of any arms or military materiel on or around the destroyed and burned out tank trucks, or those not hit.

No one in the press corps or among the civilians we encountered reported to us that they had seen any evidence of the presence of military vehicles having been hit on the highways or having been in the vicinity of civilian property or private vehicles hit before, during or after an aerial strike. We saw no evidence of any military presence in the areas of damage described in this letter.

It is preposterous to claim military equipment is being placed in residential areas to escape attack. Residential areas are regularly attacked. The claim reveals a policy of striking residential areas, because it purports to establish a justification for doing so. If there had been military vehicles in the civilian areas we examined, or on the roads and highways we traveled when bombing occurred it is inconceivable that among all that debris we would not find some fragments of military vehicles, material, equipment or clothing. Not only did pinpoint precision fail to hit military targets in civilian areas, they were not collaterally damaged in the attacks on civilian life. Had they been present they would have been hit.

The government of Iraq has vastly understated civilian casualties in Iraq. This is not an uncommon phenomenon for governments in wartime.

The inescapable and tragic fact is thousands of civilians have been killed in the bombings. The bombings are conducted with this knowledge.

Dr. Noore with more than four decades in medical service and ten years as head of Red Crescent estimates 6000 to 7000 civilians deaths, and many thousands of injuries from bombings. Red Crescent vehicles transport medicine and medical supplies into Iraq from Jordan and Iran. They make deliveries as often as 2 to 3 times a week to some cities and hospitals but regularly to hospitals throughout the country. These contacts and hospital requests for medicines and supplies along with the relationships established over the years provide a solid base for his opinion.

Secretary-General de Cuellar

Feb. 12, 1991

He adds to the toll thousands of deaths from failure to obtain adequate supplies of infant formula and medicine, contaminated water and from increased death rates from stress, heart attacks and similar causes.

While I applaud your recent initiative in designating a U.N. mission to Baghdad to carry medical supplies and ascertain the health needs of the Iraqi people, I urge you to seek major funding now or release of Iraqi funds for supplying 2500 tons of infant and baby milk formula, greatly needed medicines and sanitation supplies, municipal water system restoration and water purification.

The bombing constitutes the most grievous violation of international law. It is intended to destroy the civilian life and economy of Iraq. It is not necessary, meaningful or permissible as a means of driving Iraq from Kuwait.

No UN resolution authorizes any military assault on Iraq, except as is necessary to drive Iraqi forces from Kuwait. The bombing that has occurred throughout Iraq is the clearest violation of international law and norms for armed conflict, including the Hague and Geneva Conventions and the Nuremberg Charter. It is uncivilized, brutal and racist by any moral standard. With few if any exceptions we witnessed, the destruction is not conceivably within the language or contemplation of Security Council Resolution 678/44.

I urge you to immediately notify the Member States of the General Assembly and the Security Council of the information herein provided. I urge you to ask for the creation of an investigative body to examine the effect of U.S. bombing of Iraq on the civilian life of the country. Most urgent, I ask you to do everything within your power to stop the bombing of cities, civilian population, public utilities, public highways, bridges and all other civilian areas and facilities in Iraq, and elsewhere. If there is no cease fire, bombing must be limited to military targets in Kuwait, concentrations of military forces in Iraq near the border of Kuwait, operational military air fields or identified Scud launching sites or mobile missile launchers in Iraq. If a cease fire is not achieved, the immediate cessation of this lawless bombing of civilian and non combatants is essential.

Secretary-General de Cuellar

Feb. 12, 1991

The use of highly sophisticated military technology with mass destructive capacity by rich nations against an essentially defenseless civilian population of a poor nation is one of the great tragedies of our time. United States annual military expenditures alone are four times the gross national product of Iraq. The scourge of war will never end if the United Nations tolerates this assault on life. The United Nations must not be an accessory to war crimes.

We have 6-7 hours of video tape of much of the damage to civilian life and property described above. It includes painful hospital interviews with children, women and men injured in these assaults. The tape was not reviewed or in any way examined by anyone in Iraq before we left, and the actual filming was largely unobserved by any Iraqi official. This footage is being edited. I will send you a copy as soon as it is ready within the next few days. If you wish to have the entire tapes reviewed, let me know and I will arrange a screening.

Copies of this letter are being sent to President Bush and President Hussein and the United Nations Ambassadors for the United States and Iraq.

Sincerely,



Ramsey Clark