

**Original FOIA Number:** 1998-0099-F

**2nd FOIA Number:**

**3rd FOIA Number:**

**4th FOIA Number:**

**5th FOIA Number:**

# FOIA MARKER

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**Record Group:** Bush Presidential Records  
**Office:** Records Management, White House Office of (WHORM)  
**Series:** Subject File - General  
**Scanned/Unscanned:** Scanned

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**WHORM Category Code:** TA003  
**WHORM Category Name:** Export Registration

**Document Number:** 300920SS  
**Alpha File Name:**

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PY

THE PRESIDENT HAS SEEN

1/23/92 9409

30092055

TA003

THE WHITE HOUSE  
WASHINGTON

92 JAN 22 P8:40

January 22, 1992

ACTION

MEMORANDUM FOR THE PRESIDENT

THROUGH: THE EXECUTIVE CLERK *ls/roc*

FROM: BRENT SCOWCROFT *BS*

SUBJECT: Semiannual Report to Congress on Iraq

Purpose

To transmit to four congressional committees the semiannual report on weapons technology proliferation to Iraq.

Background

You are required by section 586J(c) of the Foreign Operations Appropriations Act of 1991 to report to four committees of Congress every six months on the steps taken by other nations to curtail weapons technology proliferation to Iraq. You submitted the first such report on September 10, 1991. State has prepared the second report (Tab B) which has inter-agency clearance.

RECOMMENDATION

That you sign the letters at Tab A transmitting the report to four committees of Congress.

Attachments

- Tab A Transmittal Letters
- Tab B Report to Congress
- Tab C Incoming from State

cc: Vice President  
Chief of Staff

*Noted:  
J. M. G.*

066003

92 JAN 23 P4: 04

THE WHITE HOUSE  
WASHINGTON

January 24, 1992

Dear Mr. Chairman:

Enclosed is the second semiannual report on the steps taken by other nations to curtail the export of goods, services, and technologies to Iraq which might contribute to, or enhance, Iraq's nuclear, biological, chemical, and ballistic missile capability. This report is submitted pursuant to section 586J(c) of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1991 (Public Law 101-513).

Sincerely,



The Honorable Robert C. Byrd  
Chairman  
Committee on Appropriations  
United States Senate  
Washington, D.C. 20510

*To the Chairman, Senate Appropriations Cmte.: 1-24-92 (4:05p)*

*Noted:  
Wm. M. G.*

THE WHITE HOUSE  
WASHINGTON

January 24, 1992

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Sincerely,



The Honorable Jamie L. Whitten  
Chairman  
Committee on Appropriations  
House of Representatives  
Washington, D.C. 20515

*To the Chairman, House Appropriations Comte.: 1-24-92 (4:08p)*

THE WHITE HOUSE  
WASHINGTON

January 24, 1992

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Sincerely,



The Honorable Claiborne Pell  
Chairman  
Committee on Foreign Relations  
United States Senate  
Washington, D.C. 20510

*To the Chairman, Senate Foreign Relations Cmte. : 1-24-92 (4:17p)*

THE WHITE HOUSE  
WASHINGTON

January 24, 1992

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Sincerely,



The Honorable Dante B. Fascell  
Chairman  
Committee on Foreign Affairs  
House of Representatives  
Washington, D.C. 20515

*To the Chairman, House Foreign Affairs Cmte. : 1-24-92 (4:28p)*

REPORT TO THE CONGRESS  
IN ACCORDANCE WITH SECTION 586J(c) OF P.L. 101-513  
ON STEPS TAKEN BY OTHER NATIONS TO CURTAIL EXPORTS  
TO IRAQ WHICH MIGHT CONTRIBUTE TO IRAQ'S NUCLEAR,  
BIOLOGICAL, CHEMICAL, AND BALLISTIC MISSILE CAPABILITY

Under the terms of United Nations Security Council Resolution 687 of April 3, 1991, Iraq remains under a strict embargo, with the exception of food and medicine. The U.N. Sanctions Committee may, in addition, approve the export to Iraq of essential civilian items. The Committee has not authorized any exports to Iraq deemed to contribute to or enhance Iraq's nuclear, biological or chemical weapons or ballistic missile capability.

On August 15, 1991, the U.N. Security Council unanimously adopted Resolution 707, reaffirming Iraq's requirement to disclose fully all aspects of its programs for weapons of mass destruction and ballistic missiles as required by U.N. Security Council Resolution 687. It also demanded Iraqi permission for the United Nations Special Commission on Iraq (UNSCOM) and International Atomic Energy Agency (IAEA) to conduct both fixed-wing and helicopter flights throughout Iraq.

As of December 18, 1991, the UNSCOM and IAEA have conducted twenty-four inspections in Iraq -- eight nuclear, seven ballistic missile, six chemical, two biological, and one combined chemical and biological weapons. UNSCOM and IAEA inspections during the first six months have illuminated the breadth and depth of Iraq's covert weapons of mass destruction and ballistic missile programs. Most significantly, UNSCOM/IAEA inspectors have found clear evidence of an advanced nuclear weapons development program and clear evidence of Iraq's violation of the Nuclear Non-Proliferation Treaty. The Iraqis have admitted to pursuing an indigenous Scud capability.

UNSCOM is focusing on the requirements of UNSCR 687 to destroy, remove, or render harmless Iraqi weapons of mass destruction and related equipment. In November, 1991, an UNSCOM team of CW experts went to Iraq on a fact-finding mission regarding Iraqi CW destruction. No decision has been

made on whether the Iraqis will be allowed to be significantly involved in the destruction process. If financing is available, the destruction process will begin in 1992. Already, several multinational inspection teams have ordered the destruction or have themselves destroyed, removed, or rendered harmless elements of Iraqi CBW, nuclear, and ballistic missile programs.

Even as UNSCOM continues inspections and destruction, it will begin long-term monitoring. On October 11, 1991, the U.N. Security Council passed Resolution 715 adopting two detailed plans for long-term monitoring and verification of Iraq's compliance with U.N. Security Council Resolutions 687 and 707. These two plans, drafted respectively by UNSCOM and the IAEA, emphasize that Iraq is unconditionally obliged not to use, retain, possess, develop, construct, or otherwise acquire any weapons or related items prohibited in Resolution 687 and 707.

Monitoring and verification cover not only military but civilian sites, facilities, material and other items that could be used or activities that could be involved in contravention of Iraq's obligations under Resolutions 687 and 715. Beginning long-term monitoring does not preclude inspections; rather, on-site inspections will continue to occur.

#### Strengthening Export Control Regimes

Aside from Iraq-specific measures, many countries have recently taken steps to strengthen their export control systems in order to curb exports of proliferation-related items to countries of concern, including Iraq.

#### Chemical Weapons

The Australia Group (AG), an informal association of countries which cooperate to stem chemical and biological weapons proliferation, is expanding its scope and membership. Sweden and Finland joined the Australia Group as its newest members in December 1991, bringing total Australia Group membership to twenty-two nations. The Australia Group members continue to engage other chemical-producing nations to encourage them to adopt export controls comparable to those of the AG.

Following up on decisions taken at the May 1991 semi-annual Australia Group meeting, Australia Group members have implemented export controls on all fifty identified chemical weapons precursors or are in the final stages of doing so. At the December 1991 Australia Group meeting, a large majority of

member countries agreed to control the export of specified dual-use chemical equipment. At the same meeting, the Australia Group countries agreed for the first time on the appropriateness of controls of dual-use items that can be used for biological weapons purposes. A list of microorganisms, biological toxins, and equipment for possible export controls was prepared for governments to consider. The meeting also agreed that efforts should continue to enlist the cooperation of key non-member states in Latin America, Asia, Africa, and the Middle East on chemical and biological weapons proliferation. France hosted an informal proliferation export control seminar for the Eastern European countries and the Soviet Union in December 1991, attended as well by the Australia Group countries. From the reports given at the seminar, it appears that most Eastern European countries have adopted or are in the process of adopting chemical and biological weapons export controls approximating those of the Australia Group members.

#### Chemical Weapons Convention

Progress continues in the Geneva Chemical Weapons Convention negotiations. Most states participating in the Conference on Disarmament welcomed the President's May 13, 1991 chemical weapons initiative. The Conference has endorsed an acceleration of the pace of the talks, with the objective of completing work on the treaty in 1992. On July 15, 1991, the United States, Japan, the United Kingdom, and Australia tabled in the Conference on Disarmament a major new proposal on challenge inspection of undeclared sites. Nonetheless, several difficult issues, including an effective verification regime, remain to be resolved before the Convention can be completed. The United States government is devoting intensified effort to bringing the treaty to a rapid and successful conclusion.

#### Biological Weapons Convention

The Third Review Conference of the Biological Weapons Convention was held in Geneva September 9-27, 1991. At the Conference, various countries cited Iraq and the Soviet Union as not being in compliance with the Convention. The United States presented the Conference with a comprehensive package of proposals to strengthen the implementation of the Convention. The Conference agreed on eight new or revised confidence-building measures as well as other steps to strengthen the implementation of the BWC's ban on biological weapons. Many of the measures adopted were based on U.S. proposals.

The confidence-building measures adopted included an expanded data exchange on national biological defense research and development programs, declarations of past offensive and defensive biological research programs, exchange of information on national legislation implementing the convention, declarations of human vaccine production facilities, and encouraging visits by mutual agreement for the purpose of joint research.

Several compliance and enforcement measures were also agreed upon. Among these was a call for all states party to take appropriate measures (e.g. export controls) to prevent transfer of dual-use biological materials that could contribute to activities prohibited by the Convention. The Final Declaration of the Review Conference also specifies that transfers of dual-use biological items should only be authorized when the end-use is not for biological warfare purposes. It urges further multilateral consideration of how to implement the Convention's prohibition on transfer of BW capabilities. In order to encourage compliance, the Final Declaration called on states to impose criminal legislation for contributing to activities prohibited by the Convention, set procedures to call consultative meetings to examine non-compliance allegations, and endorsed "appropriate measures" -- i.e., U.N. Security Council consideration of sanctions -- in the case of BW use.

The Review Conference agreed to undertake a verification study, but under clearly defined terms. The mandate for the study specifies that the focus will be on the scientific and technical feasibility of possible verification measures. There will be no drafting of verification measures and the Group's report will be adopted by consensus. The political question of whether a verification regime should be developed on the basis of the report will be addressed in a separate conference.

#### Mendoza Declaration

On September 5, 1991, the governments of Brazil, Argentina, and Chile issued the Mendoza Declaration banning chemical and biological weapons in their countries. In the declaration, they expressed their commitment not to develop, produce, otherwise acquire, store, retain, transfer, or use chemical or biological weapons. They also expressed their intention to establish appropriate inspection mechanisms for chemical weapons precursors.

### Missile Technology

Sweden and Finland are the latest states to join the Missile Technology Control Regime (MTCR), bringing total membership to eighteen countries. At the plenary session at Washington in November 1991, the MTCR completed its revision of the Equipment and Technology Annex and adopted the revised version. Partners expect to have the revised annex in effect by March 31, 1992.

The National Defense Authorization Act for Fiscal Year 1991 requires that sanctions be placed on those foreign entities that have contributed to the development of MTCR-range missiles in non-MTCR countries. The United States has imposed sanctions on four entities to date: two in China, and one each in Pakistan and South Africa. In addition, the U.S. adopted sanctions restricting export licenses for the sale of high performance computers and satellites to China. During Secretary Baker's November visit to Beijing, the Chinese government agreed to adopt the MTCR guidelines and parameters and to abstain from sales of M-9 and M-11 missiles to Syria, Iran, and Pakistan. Fulfillment of these commitments will enable the Administration to lift the sanctions imposed in June.

### Nuclear

The nuclear-related dual-use working group of the twenty-six countries that adhere to the Nuclear Suppliers Guidelines (IAEA INFCIRC 254) has met three times (May, June, and October 1991) since its establishment at the meeting of suppliers in the Hague in March 1991. Considerable progress has been achieved in the development of a multilateral arrangement to control dual-use equipment, material and related technology. A fourth meeting of the working group is tentatively planned for early 1992 to finalize the work of the group prior to the next meeting of the Nuclear Suppliers in the spring of 1992.

During this reporting period significant events have occurred to strengthen the international nuclear non-proliferation regime. South Africa, Zimbabwe, and Lithuania acceded to the Non-Proliferation Treaty (NPT). France and China have announced that they intend to join the Treaty.

Also of importance were the announcements by the United Kingdom, France, Belgium, and Switzerland that they would require that recipient countries have IAEA safeguards on all of their nuclear activities (so-called full-scope safeguards) as a condition for any new and major supply arrangement (thereby joining the U.S., Japan, Germany, and others in this policy).

The September 1991 IAEA General Conference was very successful, particularly when measured against past annual conferences that suffered from varying degrees of politicization. On the negative side, North Korea, while finally agreeing to the text of its NPT safeguards agreement with the IAEA, persisted in its refusal to sign and implement it, citing an alleged threat from U.S. activities on the Korean Peninsula. On November 8, the Republic of Korea announced a policy disavowing nuclear, chemical, and biological weapons. The Brazil, Argentina, and IAEA full-scope safeguards agreement, which included provisions requiring IAEA safeguards on nuclear exports by Brazil and Argentina, was approved by the IAEA Board at its December 1991 meeting. The agreement was subsequently signed by all parties on December 13, 1991, in Vienna.

#### Arms Control in the Middle East

The President's initiative on Arms Control in the Middle East, aimed at enhancing security and stability in the Middle East, has continued to advance. At their inaugural meeting in July 1991, the principal conventional arms suppliers to the region (the United States, France, the United Kingdom, China, and the Soviet Union) agreed to support a comprehensive and realistic arms control program for the Middle East, including agreement to encourage regional states to freeze and ultimately eliminate ground-to-ground missiles; submission by all nations in the region of all of their nuclear activities to IAEA safeguards; a ban on the importation and production of nuclear weapons-usable materials; and agreement by all states to undertake to become parties to the Chemical Weapons Convention as soon as it is concluded in 1992.

In their London meeting of October 17-18, 1991, the five countries further developed their cooperation on the Middle East arms control initiative. They agreed on common guidelines for the export of conventional weapons. They will inform each other about transfers to the Middle East region of specified weapons and related equipment. Regarding proliferation of unconventional weapons, the five undertook to seek effective non-proliferation and arms control measures and reaffirmed the importance of stringent harmonized export guidelines for non-conventional weapons. They began a comparison of national export controls on items related to weapons of mass destruction and agreed to examine the scope for further harmonization of these controls.

#### Individual Countries' Efforts

In addition to efforts mentioned above, individual countries have also recently taken measures to strengthen their own national export controls. Among notable additional developments are the following:

Brazil convened an interministerial commission which drafted export control legislation to be considered by the Brazilian Congress in early 1992. The so-called "Piva law" now before the Brazilian Congress would give the Government of Brazil the legal basis to restrict active or former government officials from providing technical assistance and know-how to foreign projects of proliferation concern.

Bulgaria in June 1991 established a governmental commission to deal with exports of armaments-related items, including those of proliferation concern.

China has reported the establishment of export controls over chemical weapons precursors based on the lists or schedules of chemicals contained in the draft Chemical Weapons Convention. China now controls some 14 chemical weapons precursors as listed in Schedule III of the draft Chemical Weapons Convention. These are dual-use chemicals with wide industrial applications. China has stated that it does not export chemicals on the Chemical Weapons Convention's Schedule I or II, which list chemical weapons agents and certain immediate precursors of chemical weapons, usually with few commercial applications. Also, as noted above, China has recently announced its decisions to adopt the MTCR guidelines and parameters and to accede to the Nuclear Non-Proliferation treaty by the end of March 1992.

Czechoslovakia has established chemical and biological export controls including most of the 50 Australia Group chemical weapons precursors as well as some equipment.

Finland has strengthened its proliferation export controls and joined both the Australia Group and the MTCR. By a decision of the Council of State dated March 7, 1991, Finland has established controls over items on the Missile Technology Control Regime Annex. Pursuant to a Defense Ministry decision of August 15, 1990, controls over thirty-six chemical weapons precursors were imposed; this was raised to fifty in 1991.

Hungary has established export controls for all fifty chemical weapons precursors, and for dual-use chemical equipment and missile technology.

India has added one chemical to the list of three chemical weapons precursors subject to export controls.

Poland is preparing a draft proliferation law which will include chemical weapons precursors and dual-use CBW equipment as well as missile equipment and technology.

The Soviet Union in April 1991 issued a decree giving the republics responsibilities for export licensing. In November 1991, the Russian Republic issued an export control decree.

Sweden has enhanced its export controls and joined the Australia Group and Missile Technology Control Regime.

The United States on August 15, 1991 published regulations implementing the Enhanced Proliferation Controls Initiative, a major effort to strengthen U.S. proliferation export controls related to chemical and biological weapons and missiles. These regulations put in effect controls published earlier in proposed form. They establish a requirement for individual validated licenses for exports where an exporter knows or is informed by the U.S. government that the export will be used for chemical or biological weapons or missile programs. The same regulations impose an individual validated license requirement for knowing assistance by U.S. persons to foreign chemical or biological weapons or missile projects and for assistance in the design, construction, or export of whole chemical plants making chemical weapons precursors.

The United States government also is revising its export controls on microorganisms and toxins which could be used for biological weapons purposes, in concert with other Australia Group members. It is also conducting bilateral approaches to non-Australia members to urge controls comparable to those applied in the Australia Group, and encouraging AG outreach to non-members.

On December 4, 1991, the President signed into law the Chemical and Biological Weapons Control and Warfare Elimination Act of 1991, which contains provisions for sanctions against illicit chemical and biological weapons-related activities. The law subjects foreign countries that use chemical or biological weapons in violation of international law to a cutoff of U.S. assistance and other sanctions. Foreign persons (including companies) that knowingly and materially contribute to the efforts of designated foreign countries to attain chemical and biological weapons capabilities are also subject to sanctions under the new law. The new law complements the authority to impose sanctions contained in Executive Order 12735 of November 16, 1990.



UNCLASSIFIED

S/S-9123107  
United States Department of State

9409

*Washington, D.C. 20520*

December 24, 1991

MEMORANDUM FOR BRENT SCOWCROFT  
THE WHITE HOUSE

Subject: Presidential Report on Iraq and Proliferation

Attached for White House approval is a draft Presidential report on the steps taken by other nations to curtail the export of goods, services, and technologies to Iraq which might contribute to or enhance Iraq's nuclear, biological, chemical, and ballistic missile capability. This report is required by Section 586J(c)(1) of the Foreign Operations Appropriations Act of 1990 and is due every six months. The report has been circulated and cleared inter-agency.

W. Robert Pearson  
Executive Secretary

Attachment:  
As stated.

UNCLASSIFIED

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24 DEC 91 2.3 06

THE WHITE HOUSE  
Office of the Press Secretary

For Immediate Release

January 24, 1992

TEXT OF A LETTER FROM  
THE PRESIDENT TO THE CHAIRMEN  
OF THE SENATE COMMITTEES ON  
APPROPRIATIONS AND FOREIGN RELATIONS  
AND THE HOUSE COMMITTEES ON  
APPROPRIATIONS AND FOREIGN AFFAIRS

January 24, 1992

Dear Mr. Chairman:

Enclosed is the second semiannual report on the steps taken by other nations to curtail the export of goods, services, and technologies to Iraq which might contribute to, or enhance, Iraq's nuclear, biological, chemical, and ballistic missile capability. This report is submitted pursuant to section 586J(c) of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1991 (Public Law 101-513).

Sincerely,

GEORGE BUSH

# # #

OFFICE OF THE EXECUTIVE CLERK  
TRACKING SHEET FOR PRESIDENTIAL DOCUMENTS

TITLE: REPORT ON SANCTIONS TAKEN BY OTHER NATIONS AGAINST IRAQ (RE CURTAILMENT OF IRAQ'S NCBBM PROGRAM)

TYPE DOCUMENT:

PROCLAMATION

4 LETTER(S)

EXECUTIVE ORDER

MESSAGE TO THE CONGRESS/SENATE

MEMORANDUM

STATEMENT BY THE PRESIDENT

DECISION MEMORANDUM

SIGNING STATEMENT

DETERMINATION (numbered)

TREATY/CONVENTION/AGREEMENT, etc.

OTHER: \_\_\_\_\_

RECEIVED: (Advance: 1/21/92 Time: 10:15 a.m./p.m.)  
In final: 1/23/92 Time: 7:45 a.m./p.m.

SENT TO CORRESPONDENCE FOR TYPING IN FINAL:

(Advance: 1/21/92 Time: 11:10 a.m./p.m.) HOLD  
In final: 1/23/92 Time: 8:15 a.m./p.m.

TO PHILLIP D. BRADY'S OFFICE:

(For staffing: 1/19/92 Time: \_\_\_\_\_ a.m./p.m.)  
In final: 1/23/92 Time: 9:15 a.m./p.m.

INFO, INCLUDING STENCIL, TO PRESS OFFICE:

Date: 1/24/92 Time: 8:30 a.m./p.m.  
POSTED: 1/24/92 Time: 2:25 a.m./p.m.

NOTIFICATIONS:

1-24-92

Jina Renne / 3:34p  
(Person/time)

Cathy M. / 3:35p  
(Person/time)

Each time a message, report, etc., is xmitted to the Congress, call OLA -- x2230.

#9409

NSC, when appropriate -- Desk Officer;  
W.H. Situation Room -- x2585.

\_\_\_\_\_  
(Person/time)

\_\_\_\_\_  
(Other)

\_\_\_\_\_  
(Person/time)

\_\_\_\_\_  
(Other)

OTHER INFORMATION:

THE WHITE HOUSE  
WASHINGTON

ORM OPTICAL DISK NETWORK

ID# 30092055

Hardcopy pages are in poor condition (too light or too dark)

✓  
Remainder of case not scanned.

Oversize attachment not scanned.

Report not scanned.

Enclosure(s) not scanned.

Proclamation not scanned.

Incoming letter(s) not scanned.

Proposal not scanned.

Statement not scanned.

Duplicate letters attached - not scanned.

Only table of contents scanned.

No incoming letter attached.

Only tracking sheet scanned.

Photo(s) not scanned.

Bill not scanned.

Comments:  
\_\_\_\_\_  
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THE WHITE HOUSE

WASHINGTON

Dear Mr. Chairman:

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Washington, D.C. 20515

THE WHITE HOUSE  
WASHINGTON

ADVANCE FROM NSC  
ON 1/21/92 (10:15AM) - TO COLL  
ON 1/21/92 (11:10AM) TO  
DO AND HOLD.

STET ("WHICH" IS USED  
IN THE LAW)

Dear Mr. Chairman:

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House of Representatives  
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THE WHITE HOUSE  
WASHINGTON

January 22, 1992

ACTION

MEMORANDUM FOR THE PRESIDENT

THROUGH: THE EXECUTIVE CLERK  
FROM: BRENT SCOWCROFT  
SUBJECT: Semiannual Report to Congress on Iraq

Purpose

To transmit to four congressional committees the semiannual report on weapons technology proliferation to Iraq.

Background

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RECOMMENDATION

That you sign the letters at Tab A transmitting the report to four committees of Congress.

Attachments

Tab A Transmittal Letters  
Tab B Report to Congress  
Tab C Incoming from State

cc: Vice President  
Chief of Staff



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United States Senate  
Washington, D.C. 20510

REPORT TO THE CONGRESS  
IN ACCORDANCE WITH SECTION 586J(c) OF P.L. 101-513  
ON STEPS TAKEN BY OTHER NATIONS TO CURTAIL EXPORTS  
TO IRAQ WHICH MIGHT CONTRIBUTE TO IRAQ'S NUCLEAR,  
BIOLOGICAL, CHEMICAL, AND BALLISTIC MISSILE CAPABILITY

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### Nuclear

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During this reporting period significant events have occurred to strengthen the international nuclear non-proliferation regime. South Africa, Zimbabwe, and Lithuania acceded to the Non-Proliferation Treaty (NPT). France and China have announced that they intend to join the Treaty.

Also of importance were the announcements by the United Kingdom, France, Belgium, and Switzerland that they would require that recipient countries have IAEA safeguards on all of their nuclear activities (so-called full-scope safeguards) as a condition for any new and major supply arrangement (thereby joining the U.S., Japan, Germany, and others in this policy).

The September 1991 IAEA General Conference was very successful, particularly when measured against past annual conferences that suffered from varying degrees of politicization. On the negative side, North Korea, while finally agreeing to the text of its NPT safeguards agreement with the IAEA, persisted in its refusal to sign and implement it, citing an alleged threat from U.S. activities on the Korean Peninsula. On November 8, the Republic of Korea announced a policy disavowing nuclear, chemical, and biological weapons. The Brazil, Argentina, and IAEA full-scope safeguards agreement, which included provisions requiring IAEA safeguards on nuclear exports by Brazil and Argentina, was approved by the IAEA Board at its December 1991 meeting. The agreement was subsequently signed by all parties on December 13, 1991, in Vienna.

#### Arms Control in the Middle East

The President's initiative on Arms Control in the Middle East, aimed at enhancing security and stability in the Middle East, has continued to advance. At their inaugural meeting in July 1991, the principal conventional arms suppliers to the region (the United States, France, the United Kingdom, China, and the Soviet Union) agreed to support a comprehensive and realistic arms control program for the Middle East, including agreement to encourage regional states to freeze and ultimately eliminate ground-to-ground missiles; submission by all nations in the region of all of their nuclear activities to IAEA safeguards; a ban on the importation and production of nuclear weapons-usable materials; and agreement by all states to undertake to become parties to the Chemical Weapons Convention as soon as it is concluded in 1992.

In their London meeting of October 17-18, 1991, the five countries further developed their cooperation on the Middle East arms control initiative. They agreed on common guidelines for the export of conventional weapons. They will inform each other about transfers to the Middle East region of specified weapons and related equipment. Regarding proliferation of unconventional weapons, the five undertook to seek effective non-proliferation and arms control measures and reaffirmed the importance of stringent harmonized export guidelines for non-conventional weapons. They began a comparison of national export controls on items related to weapons of mass destruction and agreed to examine the scope for further harmonization of these controls.

#### Individual Countries' Efforts

In addition to efforts mentioned above, individual countries have also recently taken measures to strengthen their own national export controls. Among notable additional developments are the following:

Brazil convened an interministerial commission which drafted export control legislation to be considered by the Brazilian Congress in early 1992. The so-called "Piva law" now before the Brazilian Congress would give the Government of Brazil the legal basis to restrict active or former government officials from providing technical assistance and know-how to foreign projects of proliferation concern.

Bulgaria in June 1991 established a governmental commission to deal with exports of armaments-related items, including those of proliferation concern.

China has reported the establishment of export controls over chemical weapons precursors based on the lists or schedules of chemicals contained in the draft Chemical Weapons Convention. China now controls some 14 chemical weapons precursors as listed in Schedule III of the draft Chemical Weapons Convention. These are dual-use chemicals with wide industrial applications. China has stated that it does not export chemicals on the Chemical Weapons Convention's Schedule I or II, which list chemical weapons agents and certain immediate precursors of chemical weapons, usually with few commercial applications. Also, as noted above, China has recently announced its decisions to adopt the MTCR guidelines and parameters and to accede to the Nuclear Non-Proliferation treaty by the end of March 1992.

Czechoslovakia has established chemical and biological export controls including most of the 50 Australia Group chemical weapons precursors as well as some equipment.

Finland has strengthened its proliferation export controls and joined both the Australia Group and the MTCR. By a decision of the Council of State dated March 7, 1991, Finland has established controls over items on the Missile Technology Control Regime Annex. Pursuant to a Defense Ministry decision of August 15, 1990, controls over thirty-six chemical weapons precursors were imposed; this was raised to fifty in 1991.

Hungary has established export controls for all fifty chemical weapons precursors, and for dual-use chemical equipment and missile technology.

India has added one chemical to the list of three chemical weapons precursors subject to export controls.

Poland is preparing a draft proliferation law which will include chemical weapons precursors and dual-use CBW equipment as well as missile equipment and technology.

The Soviet Union in April 1991 issued a decree giving the republics responsibilities for export licensing. In November 1991, the Russian Republic issued an export control decree.

Sweden has enhanced its export controls and joined the Australia Group and Missile Technology Control Regime.

The United States on August 15, 1991 published regulations implementing the Enhanced Proliferation Controls Initiative, a major effort to strengthen U.S. proliferation export controls related to chemical and biological weapons and missiles. These regulations put in effect controls published earlier in proposed form. They establish a requirement for individual validated licenses for exports where an exporter knows or is informed by the U.S. government that the export will be used for chemical or biological weapons or missile programs. The same regulations impose an individual validated license requirement for knowing assistance by U.S. persons to foreign chemical or biological weapons or missile projects and for assistance in the design, construction, or export of whole chemical plants making chemical weapons precursors.

The United States government also is revising its export controls on microorganisms and toxins which could be used for biological weapons purposes, in concert with other Australia Group members. It is also conducting bilateral approaches to non-Australia members to urge controls comparable to those applied in the Australia Group, and encouraging AG outreach to non-members.

On December 4, 1991, the President signed into law the Chemical and Biological Weapons Control and Warfare Elimination Act of 1991, which contains provisions for sanctions against illicit chemical and biological weapons-related activities. The law subjects foreign countries that use chemical or biological weapons in violation of international law to a cutoff of U.S. assistance and other sanctions. Foreign persons (including companies) that knowingly and materially contribute to the efforts of designated foreign countries to attain chemical and biological weapons capabilities are also subject to sanctions under the new law. The new law complements the authority to impose sanctions contained in Executive Order 12735 of November 16, 1990.

S/S-9123107  
United States Department of State

Washington, D.C. 20520



UNCLASSIFIED

December 24, 1991

MEMORANDUM FOR BRENT SCOWCROFT  
THE WHITE HOUSE

Subject: Presidential Report on Iraq and Proliferation

Attached for White House approval is a draft Presidential report on the steps taken by other nations to curtail the export of goods, services, and technologies to Iraq which might contribute to or enhance Iraq's nuclear, biological, chemical, and ballistic missile capability. This report is required by Section 586J(c)(1) of the Foreign Operations Appropriations Act of 1990 and is due every six months. The report has been circulated and cleared inter-agency.

A handwritten signature in dark ink, appearing to read "W. Robert Pearson".

W. Robert Pearson  
Executive Secretary

Attachment:  
As stated.

UNCLASSIFIED

EF

UNCLASSIFIED  
NSC/S PROFILE

RECORD ID: 9109409  
RECEIVED: 26 DEC 91 08

30092055  
TA003

TO: PRESIDENT

FROM: SCOWCROFT  
WH EXECUTIVE CLERK

DOC DATE: 22 JAN 92  
SOURCE REF:

KEYWORDS: IRAQ  
CBW

NUCLEAR WEAPONS  
UN

PERSONS:

SUBJECT: SEMIANNUAL RPT TO CONGRESS ON IRAQ

ACTION: PRES SGD PER WH EXEC CLERK      DUE DATE: 30 DEC 91      STATUS: C

STAFF OFFICER: HAASS      LOGREF:

FILES: WH      NSCP:      CODES:

D O C U M E N T   D I S T R I B U T I O N

FOR ACTION

FOR CONCURRENCE

FOR INFO  
HAASS  
NSC CHRON  
RIEDEL

*File only*

COMMENTS: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

DISPATCHED BY \_\_\_\_\_ DATE \_\_\_\_\_ BY HAND W/ATTCH

OPENED BY: NSALW      CLOSED BY: NSGLM      DOC 3 OF 3

UNCLASSIFIED

DOC ACTION OFFICER

CAO ASSIGNED ACTION REQUIRED

001 HAASS  
002 SCOWCROFT  
003 PRESIDENT  
003

Z 91122608 PREPARE MEMO FOR SCOWCROFT  
Z 92012117 FWD TO PRES FOR SIG  
Z 92012220 FOR SIGNATURE  
X 92012417 PRES SCD DEP INT AFFAIRS CLERK

*Semiannual Report  
to Congress on Proliferation  
to Iraq*

**National Security Council  
The White House**

PROOFED BY: WJA LOG # 9409  
 URGENT NOT PROOFED: \_\_\_\_\_ SYSTEM PRS NSC INT  
 BYPASSED WW DESK: \_\_\_\_\_ DOCLOG 1070

	SEQUENCE TO	HAS SEEN	DISPOSITION
<i>WJA</i> Ken Hill	<u>1</u>	<u>[Signature]</u>	<u>A</u>
Bill Sittmann	<u>2</u>	_____	_____
Jon Howe	<u>3</u>	<u>[Signature]</u>	<u>D</u>
Brent Scowcroft	<u>4</u>	_____	_____
Bill Sittmann	_____	_____	_____
Situation Room	_____	_____	_____
West Wing Desk	<u>4</u>	<u>WJA 1/22</u>	<u>[Signature]</u>
NSC Secretariat	<u>5</u>	<u>[Signature]</u>	<u>N/R</u>
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_____	_____	_____	_____

**A = Action** **I = Information** **D = Dispatch** **R = Retain** **N = No further Action**

cc: \_\_\_\_\_ VP \_\_\_\_\_ Skinner \_\_\_\_\_ Other \_\_\_\_\_  
 Should be seen by: \_\_\_\_\_ (Date/Time)

COMMENTS

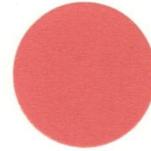
DISPATCH INSTRUCTIONS:

AR 12 30 15

NATIONAL SECURITY COUNCIL  
WASHINGTON, D.C. 20506

9409

January 21, 1992



ACTION

MEMORANDUM FOR BRENT SCOWCROFT

THROUGH: RICHARD N. HAASS *RL*

FROM: BRUCE O. RIEDEL *BR*

SUBJECT: Semiannual Report to Congress on Proliferation to Iraq

The President is required by law to submit a report to four congressional committees every six months on steps taken by other nations to curtail weapons technology proliferation to Iraq. The first such report was submitted by the President on September 10, 1991.

The second report (Tab B) was prepared by State and cleared inter-agency.

Concurrences by: Dan Poneman, <sup>*in draft*</sup> Ginny Lampley and Nick Rostow *BR*

RECOMMENDATION

That you sign the memorandum to the President at Tab I.

Approve \_\_\_\_\_ Disapprove \_\_\_\_\_

Attachments

- Tab I Memorandum to the President
- Tab A Transmittal Letters
- Tab B Report to Congress
- Tab C Incoming from State

MEMORANDUM  
OF CALL

Previous editions usable

TO:

*Neil*

YOU WERE CALLED BY--  YOU WERE VISITED BY--

*Bill*

OF (Organization)

*Clerk's Office*

PLEASE PHONE ►  FTS  AUTOVON

WILL CALL AGAIN  IS WAITING TO SEE YOU  
 RETURNED YOUR CALL  WISHES AN APPOINTMENT

MESSAGE

*The President  
Signed our #9409  
-- Report on Iraq*

RECEIVED BY	DATE	TIME
<i>clm</i>	<i>1/24</i>	<i>3:36</i>

63-110 NSN 7540-00-634-4018

STANDARD FORM 63 (Rev. 8-81)  
Prescribed by GSA  
FPMR (41 CFR) 101-11.6

☆ U.S. G.P.O. 1991 281-781/40011

THE WHITE HOUSE  
WASHINGTON

January 22, 1992

ACTION

MEMORANDUM FOR THE PRESIDENT

THROUGH: THE EXECUTIVE CLERK  
FROM: BRENT SCOWCROFT  
SUBJECT: Semiannual Report to Congress on Iraq

Purpose

To transmit to four congressional committees the semiannual report on weapons technology proliferation to Iraq.

Background

You are required by section 586J(c) of the Foreign Operations Appropriations Act of 1991 to report to four committees of Congress every six months on the steps taken by other nations to curtail weapons technology proliferation to Iraq. You submitted the first such report on September 10, 1991. State has prepared the second report (Tab B) which has inter-agency clearance.

RECOMMENDATION

That you sign the letters at Tab A transmitting the report to four committees of Congress.

Attachments

Tab A Transmittal Letters  
Tab B Report to Congress  
Tab C Incoming from State

cc: Vice President  
Chief of Staff

THE WHITE HOUSE  
WASHINGTON

President sgd per WH Y24/92  
Executive Clerk

Dear Mr. Chairman:

Enclosed is the second semiannual report on the steps taken by other nations to curtail the export of goods, services, and technologies to Iraq which might contribute to, or enhance, Iraq's nuclear, biological, chemical, and ballistic missile capability. This report is submitted pursuant to section 586J(c) of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1991 (Public Law 101-513).

Sincerely,

The Honorable Dante B. Fascell  
Chairman  
Committee on Foreign Affairs  
House of Representatives  
Washington, D.C. 20515

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Chairman  
Committee on Appropriations  
United States Senate  
Washington, D.C. 20510

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Washington, D.C. 20515

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The Honorable Claiborne Pell  
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1/24/92

REPORT TO THE CONGRESS  
IN ACCORDANCE WITH SECTION 586J(c) OF P.L. 101-513  
ON STEPS TAKEN BY OTHER NATIONS TO CURTAIL EXPORTS  
TO IRAQ WHICH MIGHT CONTRIBUTE TO IRAQ'S NUCLEAR,  
BIOLOGICAL, CHEMICAL, AND BALLISTIC MISSILE CAPABILITY

Under the terms of United Nations Security Council Resolution 687 of April 3, 1991, Iraq remains under a strict embargo, with the exception of food and medicine. The U.N. Sanctions Committee may, in addition, approve the export to Iraq of essential civilian items. The Committee has not authorized any exports to Iraq deemed to contribute to or enhance Iraq's nuclear, biological or chemical weapons or ballistic missile capability.

On August 15, 1991, the U.N. Security Council unanimously adopted Resolution 707, reaffirming Iraq's requirement to disclose fully all aspects of its programs for weapons of mass destruction and ballistic missiles as required by U.N. Security Council Resolution 687. It also demanded Iraqi permission for the United Nations Special Commission on Iraq (UNSCOM) and International Atomic Energy Agency (IAEA) to conduct both fixed-wing and helicopter flights throughout Iraq.

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### Nuclear

The nuclear-related dual-use working group of the twenty-six countries that adhere to the Nuclear Suppliers Guidelines (IAEA INFCIRC 254) has met three times (May, June, and October 1991) since its establishment at the meeting of suppliers in the Hague in March 1991. Considerable progress has been achieved in the development of a multilateral arrangement to control dual-use equipment, material and related technology. A fourth meeting of the working group is tentatively planned for early 1992 to finalize the work of the group prior to the next meeting of the Nuclear Suppliers in the spring of 1992.

During this reporting period significant events have occurred to strengthen the international nuclear non-proliferation regime. South Africa, Zimbabwe, and Lithuania acceded to the Non-Proliferation Treaty (NPT). France and China have announced that they intend to join the Treaty.

Also of importance were the announcements by the United Kingdom, France, Belgium, and Switzerland that they would require that recipient countries have IAEA safeguards on all of their nuclear activities (so-called full-scope safeguards) as a condition for any new and major supply arrangement (thereby joining the U.S., Japan, Germany, and others in this policy).

The September 1991 IAEA General Conference was very successful, particularly when measured against past annual conferences that suffered from varying degrees of politicization. On the negative side, North Korea, while finally agreeing to the text of its NPT safeguards agreement with the IAEA, persisted in its refusal to sign and implement it, citing an alleged threat from U.S. activities on the Korean Peninsula. On November 8, the Republic of Korea announced a policy disavowing nuclear, chemical, and biological weapons. The Brazil, Argentina, and IAEA full-scope safeguards agreement, which included provisions requiring IAEA safeguards on nuclear exports by Brazil and Argentina, was approved by the IAEA Board at its December 1991 meeting. The agreement was subsequently signed by all parties on December 13, 1991, in Vienna.

### Arms Control in the Middle East

The President's initiative on Arms Control in the Middle East, aimed at enhancing security and stability in the Middle East, has continued to advance. At their inaugural meeting in July 1991, the principal conventional arms suppliers to the region (the United States, France, the United Kingdom, China, and the Soviet Union) agreed to support a comprehensive and realistic arms control program for the Middle East, including agreement to encourage regional states to freeze and ultimately eliminate ground-to-ground missiles; submission by all nations in the region of all of their nuclear activities to IAEA safeguards; a ban on the importation and production of nuclear weapons-usable materials; and agreement by all states to undertake to become parties to the Chemical Weapons Convention as soon as it is concluded in 1992.

In their London meeting of October 17-18, 1991, the five countries further developed their cooperation on the Middle East arms control initiative. They agreed on common guidelines for the export of conventional weapons. They will inform each other about transfers to the Middle East region of specified weapons and related equipment. Regarding proliferation of unconventional weapons, the five undertook to seek effective non-proliferation and arms control measures and reaffirmed the importance of stringent harmonized export guidelines for non-conventional weapons. They began a comparison of national export controls on items related to weapons of mass destruction and agreed to examine the scope for further harmonization of these controls.

### Individual Countries' Efforts

In addition to efforts mentioned above, individual countries have also recently taken measures to strengthen their own national export controls. Among notable additional developments are the following:

Brazil convened an interministerial commission which drafted export control legislation to be considered by the Brazilian Congress in early 1992. The so-called "Piva law" now before the Brazilian Congress would give the Government of Brazil the legal basis to restrict active or former government officials from providing technical assistance and know-how to foreign projects of proliferation concern.

Bulgaria in June 1991 established a governmental commission to deal with exports of armaments-related items, including those of proliferation concern.

China has reported the establishment of export controls over chemical weapons precursors based on the lists or schedules of chemicals contained in the draft Chemical Weapons Convention. China now controls some 14 chemical weapons precursors as listed in Schedule III of the draft Chemical Weapons Convention. These are dual-use chemicals with wide industrial applications. China has stated that it does not export chemicals on the Chemical Weapons Convention's Schedule I or II, which list chemical weapons agents and certain immediate precursors of chemical weapons, usually with few commercial applications. Also, as noted above, China has recently announced its decisions to adopt the MTCR guidelines and parameters and to accede to the Nuclear Non-Proliferation treaty by the end of March 1992.

Czechoslovakia has established chemical and biological export controls including most of the 50 Australia Group chemical weapons precursors as well as some equipment.

Finland has strengthened its proliferation export controls and joined both the Australia Group and the MTCR. By a decision of the Council of State dated March 7, 1991, Finland has established controls over items on the Missile Technology Control Regime Annex. Pursuant to a Defense Ministry decision of August 15, 1990, controls over thirty-six chemical weapons precursors were imposed; this was raised to fifty in 1991.

Hungary has established export controls for all fifty chemical weapons precursors, and for dual-use chemical equipment and missile technology.

India has added one chemical to the list of three chemical weapons precursors subject to export controls.

Poland is preparing a draft proliferation law which will include chemical weapons precursors and dual-use CBW equipment as well as missile equipment and technology.

The Soviet Union in April 1991 issued a decree giving the republics responsibilities for export licensing. In November 1991, the Russian Republic issued an export control decree.

Sweden has enhanced its export controls and joined the Australia Group and Missile Technology Control Regime.

The United States on August 15, 1991 published regulations implementing the Enhanced Proliferation Controls Initiative, a major effort to strengthen U.S. proliferation export controls related to chemical and biological weapons and missiles. These regulations put in effect controls published earlier in proposed form. They establish a requirement for individual validated licenses for exports where an exporter knows or is informed by the U.S. government that the export will be used for chemical or biological weapons or missile programs. The same regulations impose an individual validated license requirement for knowing assistance by U.S. persons to foreign chemical or biological weapons or missile projects and for assistance in the design, construction, or export of whole chemical plants making chemical weapons precursors.

The United States government also is revising its export controls on microorganisms and toxins which could be used for biological weapons purposes, in concert with other Australia Group members. It is also conducting bilateral approaches to non-Australia members to urge controls comparable to those applied in the Australia Group, and encouraging AG outreach to non-members.

On December 4, 1991, the President signed into law the Chemical and Biological Weapons Control and Warfare Elimination Act of 1991, which contains provisions for sanctions against illicit chemical and biological weapons-related activities. The law subjects foreign countries that use chemical or biological weapons in violation of international law to a cutoff of U.S. assistance and other sanctions. Foreign persons (including companies) that knowingly and materially contribute to the efforts of designated foreign countries to attain chemical and biological weapons capabilities are also subject to sanctions under the new law. The new law complements the authority to impose sanctions contained in Executive Order 12735 of November 16, 1990.



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United States Department of State

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Washington, D.C. 20520

December 24, 1991

MEMORANDUM FOR BRENT SCOWCROFT  
THE WHITE HOUSE

Subject: Presidential Report on Iraq and Proliferation

Attached for White House approval is a draft Presidential report on the steps taken by other nations to curtail the export of goods, services, and technologies to Iraq which might contribute to or enhance Iraq's nuclear, biological, chemical, and ballistic missile capability. This report is required by Section 586J(c)(1) of the Foreign Operations Appropriations Act of 1990 and is due every six months. The report has been circulated and cleared inter-agency.

W. Robert Pearson  
Executive Secretary

Attachment:  
As stated.

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