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LETTER DATED 23 JUNE 1992 FROM THE CHARGE D'AFFAIRES A.I.
OF THE PERMANENT MISSION OF IRAQ TO THE UNITED NATIONS
ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

On instructions from my Government, I have the honour to transmit to you herewith a letter dated 23 June 1992 from Mr. Ahmad Hussein, Minister for Foreign Affairs of the Republic of Iraq.

I should be grateful if you would have this letter and its annex circulated as a document of the Security Council.

(Signed) Semir K. K. AL-NIMA
Chargé d'affaires a.i.

Annex

Letter dated 23 June 1992 from the Minister for Foreign
Affairs of Iraq addressed to the President of the
Security Council

I have the honour to notify you that American and British aircraft have overflown, at very low altitudes, fields under wheat and barley in the Ninawa Governorate and dropped on the fields thermal flares of the American-manufactured RR-170 type. Furthermore, in other cases, they deliberately opened their engine afterburners over such fields and over heaps of grain that had been harvested, thereby causing fires that brought the destruction of thousands of tons of grain. The American aircraft were F-16s, and the British aircraft were Jaguars.

Incidents in which fires were set took place as follows:

Hamdaniyah area

At 1620 hours on 27 May 1992 in the area of Tariq al-Sina'ah.

At 1650 hours on 30 May 1992 at Qarah Qush.

At 1200 hours on 30 May 1992 at the village of Kharabat Sultan.

At 0845 hours on 5 June 1992 at the village of Judaydah.

At 1110 hours on 5 June 1992 at Qarah Qush.

At 1105 hours on 6 June 1992 at the village of Tawajinah.

At 1220 hours on 6 June 1992 at the village of Ali Rashah.

Mosul district

On the afternoon of 6 June 1992 at the village of Al-Shuhada'.

On the afternoon of 6 June 1992 at the village of Mawali.

On the afternoon of 6 June 1992 at the village of Tall Khazaf.

Hamdaniyah area

At 1630 hours on 7 June 1992 in the Hamrud subdistrict.

At 0930 hours on 9 June 1992 in the area of the old Mosul road.

At 1215 hours on 9 June 1992 in the area of the old Mosul road.

At 1630 hours on 9 June 1992 in the area of the old Mosul road.

At 1300 hours on 10 June 1992 at Qarah Qush.

At 1900 hours on 10 June 1992 at the village of Tarjalah.

At 1500 hours on 11 June 1992 at the Salamiyah road.

Hamzan al-Alil subdistrict

On 11 June 1992 at the village of Bakhirah.

At 1100 hours on 12 June 1992 at the village of Abu Ara'is.

At 1100 hours on 12 June 1992 at the village of Abu Jaradhi.

On 12 June 1992 at the village of Amrini.

Hamdaniyah area

At 1645 hours on 12 June 1992 at Qarah Qush.

At 1305 hours on 12 June 1992 at the village of Karbali.

At 1620 hours on 12 June 1992 at the village of Wardak.

These incidents took place at the time of the grain harvest in the areas described above, a season that has become well known to the coalition forces by virtue of their constant overflights of the northern area of Iraq over a period of more than one full year during which they came to learn the features of the Iraqi agricultural cycle. These incidents caused the outbreak of huge fires which inflicted great damage on crops such as wheat and barley over a cultivated area of more than 11,000 dunams. The setting of the fires also led to the destruction of agricultural machinery used in the harvest season, and this is machinery that cannot at present be replaced because of the situation presented by the economic embargo against Iraq. This means that Iraq will be deprived of the services of the machinery in question in the next growing season, to say nothing of the human losses among the farmers who engaged in extinguishing the fires kindled by the aircraft. For their families, this adds an irreparable loss over and above the loss of the product of their efforts for an entire agricultural season.

On 20 June 1992, the United States Department of Defense announced that American aircraft had dropped some igneous flares over Iraqi territory owing to faulty pilot performance and others because one pilot believed that Iraqi radar installations were tracking him. This admission came after an official of the United States Department of State had peremptorily denied on 19 June 1992 that the American and British aircraft had done anything. The radar surveillance alleged by the United States Department of Defense is an assertion that is totally devoid of truth. It is clear from the foregoing

that the sorties flown by American and British aircraft did not amount to one or two isolated incidents but were an ongoing operation in which aircraft flew at very low altitudes for the purpose of setting fire to wheat and barley fields with thermal flares and afterburners which, at such very low altitudes, emit a flame that sets fire to heaps of grain and ears of barley and wheat ready for harvest. It is also to be noted that American and British aircraft did not drop thermal flares in their previous overflights, before the present harvest season. All of these facts confirm the deliberate and premeditated character of the actions carried out by the aircraft and that there is a precise directive to pilots to ignite fires in fields of wheat and barley ready for harvest.

It is important in this connection to recall the justifications advanced by the United States of America for open armed military intervention in northern Iraq by its armed forces and those belonging to its allies. This intervention took place despite the provision of the necessary protection to the Kurds of Iraq, the relief provided to them after their return from the neighbouring countries to which they had been displaced, the guarantee of return to their original places of residence and the provision to them there of continuing protection. It is to be noted that the acts committed by the American and British aircraft took place in areas in which there are no Iraqi armed forces. They were also targeted against private property belonging to citizens who do not live in the Kurdish areas which the United States of America and its allies have taken upon themselves the responsibility to protect. It is therefore abundantly clear that American and British policy has the goal, by means of such actions, of reinforcing the economic embargo against Iraq not only by measures taken outside Iraq's borders but also by the destruction of what food the Iraqis are able to produce inside Iraqi territory in order to cope with the embargo imposed. Hence, what we have always said is confirmed, namely that the continued maintenance of the embargo has no real connection with the degree of progress made in the implementation of Security Council resolutions by Iraq but is only an American and British political procedure aimed at unilateral objectives peculiar to those two countries alone.

It has become accepted that the United States of America and its allies have persisted for more than one full year in committing acts of armed intervention in northern Iraq and that those acts have no legal basis in the Charter of the United Nations or in international law. They are no more than acts of brute force that have the aim of securing unilateral political interests at the expense of the legitimate rights of a State Member of the United Nations to sovereignty, independence and territorial integrity. These actions are decidedly to be regarded as internationally prohibited acts, under any circumstances, such as to entail the full application of the provisions relating to international liability in international law.

The Government of the Republic of Iraq charges the Government of the United States of America and the Government of the United Kingdom with full international responsibility for engaging in the internationally prohibited acts mentioned above. On this basis, the Government of the Republic of Iraq requests the two Governments in question to desist from committing their

internationally prohibited acts and to provide compensation for the material damages caused in terms of lives, property and equipment, including compensation for loss of beneficial use owing to the damage.

The Government of the Republic of Iraq requests you to convene an urgent meeting of the Security Council to consider this matter, constituting as it does a violation of the principles and provisions of the United Nations Charter. It requests the Council to condemn the acts committed by American and British aircraft in northern Iraq, to call upon the American and British Governments to desist therefrom and to compensate Iraq in accordance with the foregoing, and to urge a halt to overflights by American, British and French warplanes in the airspace of northern Iraq.

(Signed) Ahmad HUSSEIN
Minister for Foreign Affairs of
the Republic of Iraq
