



Consejo de Seguridad

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CARTA DE FECHA 17 DE FEBRERO DE 1999 DIRIGIDA AL PRESIDENTE
DEL CONSEJO DE SEGURIDAD POR EL REPRESENTANTE PERMANENTE
DEL SUDÁN ANTE LAS NACIONES UNIDAS

Tengo el honor de adjuntar a la presente un artículo publicado en el New York Times el 9 de febrero de 1999, titulado "Los expertos no encuentran armas químicas en la fábrica bombardeada en el Sudán" (véase el anexo).

En el artículo se indica que los químicos estadounidenses contratados por el dueño de la fábrica examinaron muestras de suelo, lodo y residuos que se tomaron de la fábrica de productos farmacéuticos de Al Shifa destruida en agosto por misiles cruceros estadounidenses y no encontraron ningún indicio de componentes de armas químicas.

Según el periódico, las conclusiones plantean nuevas interrogantes acerca de las denuncias de funcionarios estadounidenses de que las muestras extraídas de la fábrica contenían indicios de Empta.

También se indica que las nuevas pruebas están basadas en 13 muestras clasificadas cuidadosamente que se tomaron de la fábrica destruida y su predio a fines de octubre de 1998. El proyecto relativo a las muestras fue elaborado y supervisado por el Profesor Thomas D. Tullius, jefe del departamento de química de la Universidad de Boston. El Profesor Tullius dijo en una entrevista que "lo que se hizo fue extraer en forma cuidadosa y científica muestras de diversos lugares y hacerlas analizar por uno de los mejores laboratorios del mundo en esa clase de trabajo. Se comprobó que en las muestras, dentro de los límites prácticos de la investigación científica, no había Empta ni Empa, su producto por descomposición".

Se indica, además, que el laboratorio no halló en el análisis ninguna muestra que contuviera niveles detectables de Empta ni de Empa, el compuesto subsidiario en que se descompone el Empta rápidamente. El Profesor Tullius dijo que el Empta se descompone en pocos días, pero el Empa permanece en el suelo e incluso en pequeñas cantidades se podría detectar durante semanas o meses después de entrar en contacto con éste. Además de la evaluación de las nuevas muestras del suelo, los abogados del Sr. Idris contrataron a una empresa internacional de seguridad, Kroll Associates, para que realizara un análisis



detallado de la controversia de Al Shifa. En el informe de Kroll Associates, que se facilitó al New York Times, no se encontró prueba alguna de que hubiese un vínculo directo entre el Sr. Idris, dueño de la fábrica, y Osama bin Laden.

En entrevistas con consultores occidentales de la fábrica, empleados y otras personas, los investigadores estadounidenses Kroll Associates dijeron que no habían encontrado pruebas de que la fábrica hubiese estado muy vigilada o de que hubiese lugares secretos, fuera del alcance de los extraños, donde se pudieran haber elaborado o almacenado armas químicas. En el informe se concluyó que la fábrica producía únicamente medicamentos veterinarios y productos farmacéuticos para el consumo humano. Si bien de Al Shifa se exportaba al Iraq, Kroll no comprobó ningún vínculo con Bagdad en relación con armas químicas.

El artículo adjunto, en el que se hacen comentarios acerca de las conclusiones de los científicos estadounidenses que examinaron la fábrica en cuestión en octubre pasado, es otra prueba concluyente para refutar las denuncias del Gobierno estadounidense contra una simple y pequeña fábrica de productos farmacéuticos destinada a producir medicamentos para salvar vidas, tan necesarios para la población de un país del tercer mundo.

Le agradecería que tuviese a bien hacer distribuir la presente carta y su anexo como documento del Consejo de Seguridad.

(Firmado) Elfatih ERWA
Representante Permanente

ANEXO

Artículo publicado en el New York Times el 9 de febrero de 1999

Experts Find No Arms Chemicals at Bombed Sudan Plant

By JAMES REISEN
and DAVID JOHNSON

WASHINGTON, Feb. 8 — Chemists who examined soil, sludge and debris samples from a Sudanese pharmaceutical plant destroyed in August by American cruise missiles found no traces of chemical weapons compounds, according to a scientist hired by the owner of the plant.

The findings, although prepared privately for lawyers for the owner, who is now seeking redress from the United States, raise new questions about the Government's reliance on tests of soil samples from the site obtained clandestinely by the Central Intelligence Agency. The American officials had said the samples contained traces of Empira, a precursor used in the production of deadly VX nerve gas.

The United States attacked Al Shifa pharmaceutical plant in Khartoum and suspected terrorist training camps near Khartoum, Afghanistan, on Aug. 26 in an effort to curb the activities of the Saudi exile Osama bin Laden after the bombings of two American embassies in East Africa. American officials have said that the bin Laden terrorist network was behind the bombings of the diplomatic missions in Kenya and Tanzania. Mr. bin Laden has denied any role in the bombings.

At the heart of the new evidence are 13 carefully catalogued samples taken from the wrecked plant and its grounds late in October. The sampling project was designed and supervised by Prof. Thomas D. Tullius, chairman of the chemistry department at Boston University.

"The point of what we did was to carefully and scientifically collect samples from a variety of locations and have them analyzed by one of the top laboratories in the world for this kind of work," Professor Tullius said in an interview. "What they found was that in those samples, to the

practical limits of scientific detection, there was no Empira or Empira's breakdown product."

In response to the new findings, Clinton Administration officials said they stood by their decision to strike the plant. The officials dismissed the findings of chemists working on behalf of the plant's owner, Salih Idris, noting that their soil samples were taken long after the United States obtained its soil from the site and long after the bombing and rains could have dispersed incriminating evidence.

Moreover, while they acknowledged that they did not know that Mr.

Scientists hired by the factory's owner issue their report.

Idris owned the plant at the time of the attack, other American officials say they now have strong evidence linking him to Mr. bin Laden.

"We stand by our evidence implicating the presence of a chemical weapons precursor at this plant," said P. J. Crowley, a spokesman for the National Security Council at the White House. "We stand by our evidence linking this plant to Osama bin Laden's network. We continue to believe that this was an appropriate action to pre-empt Osama bin Laden from further attacks against the United States."

Several ground locations at the plant were surveyed, along with interior sites in the plant that were covered by debris and partly protected from rain. One location, a septic tank, was found intact and provided what Professor Tullius said was a historical record of the chemicals

flushed through the plant drains.

The lab analysis found that none of the samples contained detectable levels of Empira, nor did they find which Empira rapidly breaks down, Empira, Professor Tullius said, breaks down within days, but Empira remains in the soil, and even in small quantities would be detectable for weeks or months after contact with the ground.

In addition to the evaluation of the new soil samples, an international security company, Kroil Associates, was hired by Mr. Idris's lawyers to conduct a detailed review of the Shifa controversy. In their report, made available to The New York Times, Kroil Associates found no evidence of a direct link between Mr. Idris and Mr. bin Laden.

The scientists and investigators were hired by the law firms of Akim, Gurny, Strauss, Hauer & Feld, which represents Mr. Idris, a Sudanese-born Saudi businessman. The law firm has a long-held reputation of influence in Democratic circles with partners like Robert Strauss, the former Democratic Party chairman, and Vernon E. Jordan Jr., a close friend of President Clinton.

But his credentials have not benefited Mr. Idris. The firm's lawyers have been flatly rebuffed in their efforts to present their findings to the White House, National Security Council or the Justice, Treasury and Defense Departments.

"We've been confronted with the problem of proving a series of negatives that there was no Empira at the plant and that Idris was not a terrorist," said Mark J. MacDougall, a partner at the law firm. "We think we've done that with evidence that can be admitted in court. But to date responsible officials, including at the White House, have flatly refused to look at the facts. We're sorry about that."

The lawyers have not yet decided

whether they will sue the Government, in what would probably be complex litigation with an uncertain outcome. But nevertheless, Mr. MacDougall said Mr. Idris wanted to clear his name and unfreeze millions of dollars in bank accounts at the Bank of America that the Treasury Department's office of foreign assets control that were blocked after the Shifa attack. In addition, Mr. Idris is seeking millions of dollars to replace the plant.

In interviews with Western consultants to the factory, employees and others, the Kroil investigators said they had found no evidence that the plant had been heavily guarded or that there had been secret areas in the factory off-limits to outsiders, where chemical weapons might have been produced or stored. The report concluded that the plant produced only veterinary medicines and pharmaceuticals for human consumption. While Al Shifa did export to Iraq, Kroil found no evidence of a chemical weapons link to Baghdad.

But the Kroil investigation did provide new details about Mr. Idris and confirmed his commercial links to Sudan's Military Industrial Corporation, the Government entity that produces weapons for the Sudanese Army. The United States charged that the corporation was also responsible for chemical weapons production in the country, and that Mr. bin Laden had provided financing for the agency.

The Kroil report determined that Mr. Idris did have links to the corporation, through his other business interests in Sudan, but not through Al Shifa. Kroil investigators said the corporation was a powerful military-based organization that reaches into many parts of the Sudanese economy, including Mr. Idris's business empire.