

CONCURRENT RESOLUTION

Whereas the Government of Iraq has not provided the fullest possible accounting for United States Navy Commander Michael Scott Speicher, who was shot down over Iraq on January 16, 1991, during Operation Desert Storm;

Whereas in 1990 and 1991, thousands of Kuwaitis were randomly arrested on the streets of Kuwait during the Iraqi occupation;

Whereas in February 1993, the Government of Kuwait compiled evidence documenting the existence of 605 prisoners of war and submitted its files to the International Committee of the Red Cross (ICRC), which passed those files on to Iraq, the United Nations, and the Arab League;

Whereas numerous testimonials exist from family members who witnessed the arrest and forcible removal of their relatives by Iraqi armed forces during the occupation;

Whereas eyewitness reports from released prisoners of war indicate that many of those who are still missing were seen and contacted in Iraqi prisons;

Whereas official Iraqi documents left behind in Kuwait chronicle in detail the arrest, imprisonment, and transfer of significant numbers of Kuwaitis, including those who are still missing;

Whereas in 1991, the United Nations Security Council overwhelmingly passed Security Council Resolutions 686 and 687 that were part of the broad cease-fire agreement accepted by the Iraqi regime;

Whereas United Nations Security Council Resolution 686 calls upon Iraq to arrange for immediate access to and release of all prisoners of war under the auspices of the ICRC and to return the remains of the deceased personnel of the forces of Kuwait and the Member States cooperating with Kuwait;

Whereas United Nations Security Resolution 687 calls upon Iraq to cooperate with the ICRC in the repatriation of all Kuwaiti and third-country nationals, to provide the ICRC with access to the prisoners wherever they are located or detained, and to facilitate the ICRC search for those unaccounted for;

Whereas the Government of Kuwait, in accordance with United Nations Security Council Resolution 686, immediately released all Iraqi prisoners of war as required by the terms of the Geneva Convention;

Whereas immediately following the cease-fire in March 1991, Iraq repatriated 5,722 Kuwaiti prisoners of war under the aegis of the ICRC and freed 500 Kuwaitis held by rebels in southern Iraq;

Whereas Iraq has hindered and blocked efforts of the Tripartite Commission, the eight-country commission chaired by the ICRC and responsible for locating and securing the release of the remaining prisoners of war;

Whereas Iraq has denied the ICRC access to Iraqi prisons in violation of Article 126 of the Third Geneva Convention, to which Iraq is a signatory; and

Whereas Iraq—under the direction and control of Saddam Hussein—has failed to locate and secure the return of all prisoners of war being held in Iraq, including prisoners from Kuwait and nine other nations: Now, therefore, be it

1 *Resolved by the Senate (the House of Representatives*
2 *concurring), That—*

3 (1) the Congress—

4 (A) demands that the Government of Iraq
5 immediately provide the fullest possible ac-
6 counting for United States Navy Commander
7 Michael Scott Speicher in compliance with
8 United Nations Security Council Resolution
9 686 and other applicable international law;

10 (B) acknowledges that there remain 605
11 prisoners of war unaccounted for in Iraq, al-
12 though Kuwait was liberated from Iraq's brutal
13 invasion and occupation on February 26, 1991;

14 (C) condemns and denounces the Iraqi
15 Government's refusal to comply with inter-
16 national human rights instruments to which it
17 is a party;

18 (D) urges Iraq immediately to disclose the
19 names and whereabouts of those who are still
20 alive among the Kuwaiti prisoners of war and

1 other nations to bring relief to their families;
2 and

3 (E) insists that Iraq immediately allow hu-
4 manitarian organizations such as the Inter-
5 national Committee of the Red Cross to visit
6 the living prisoners and to recover the remains
7 of those who have died while in captivity; and
8 (2) it is the sense of the Congress that the
9 United States Government should—

10 (A) actively seek the fullest possible ac-
11 counting for United States Navy Commander
12 Michael Scott Speicher;

13 (B) actively and urgently work with the
14 international community and the Government of
15 Kuwait, in accordance with United Nations Se-
16 curity Council Resolutions 686 and 687, to se-
17 cure the release of Kuwaiti prisoners of war
18 and other prisoners of war who are still missing
19 nine years after the end of the Gulf War; and

20 (C) exert pressure, as a permanent mem-
21 ber of the United Nations Security Council, on
22 Iraq to bring this issue to a close, to release all
23 remaining prisoners of the Iraqi occupation of
24 Kuwait, and to rejoin the community of nations

- 1 with a humane gesture of good will and de-
- 2 cency.

Passed the Senate July 19, 2000.

Attest:

Secretary.

106TH CONGRESS
2D SESSION

S. CON. RES. 124

CONCURRENT RESOLUTION

Expressing the sense of Congress with regard to Iraq's failure to provide the fullest possible accounting of United States Navy Commander Michael Scott Speicher and prisoners of war from Kuwait and nine other nations in violation of international agreements.