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2009-0275-S

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2009-0275-S

FOIA MARKER

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Record Group/Collection: George H.W. Bush Presidential Records
Collection/Office of Origin: Scowcroft, Brent, Collection
Series: Desert Shield/Desert Storm Files
Subseries: Chronological Files

OA/ID Number: 91144
Folder ID Number: 91144-004

Folder Title:
Desert Shield/Desert Storm (September 1990) Part II [2]

Stack:	Row:	Section:	Shelf:	Position:
G	34	3	6	2

Withdrawal/Redaction Sheet

(George Bush Library)

Doc. No. / Type	Subject/Title	Date	Restriction	Classification
01a. Memo	Timothy E. Deal to Robert M. Gates Re: Gulf Crisis: Responsibility Sharing (1 pp.)	9/27/90	(b)(1)	C
01b. Table	Re: Desert Shield Costs Responsibility-Sharing for 1990 (1 pp.)	n.d.	(b)(1)	C
01c. Report	Re: Turkey (2 pp.)	n.d.	(b)(1)	
01d. Report	Re: Egypt (2 pp.)	n.d.	(b)(1)	
01e. Report	Re: Jordan (1 pp.)	n.d.	(b)(1)	
02a. Memo	Eric Melby to Brent Scowcroft Re: SPR [Strategic Petroleum Reserve] -- Proposed Next Steps (2 pp.)	9/27/90	(b)(1)	S
02b. Memo	Brent Scowcroft to POTUS Re: SPR [Strategic Petroleum Reserve] -- Proposed Next Steps (2 pp.)	n.d.	(b)(1)	C
02c. Letter	Richard T. McCormack to Brent Scowcroft Re: Oil Price Situation (3 pp.)	9/25/90	(b)(1)	S
02d. Cable	For the Secretary from U/S McCormack Re: A Coordinated, Limited Release from the Strategic Petroleum Reserve [SPR] (4 pp.)	9/7/90	(b)(1)	C

Page 1 of 3

Collection:

Record Group: Bush Presidential Records
Office: Scowcroft, Brent, Files
Series: Desert Shield/Desert Storm Files
Subseries: Chronological Files
WHORM Cat.:
File Location: Desert Shield/Desert Storm (September 1990) Part II [2]

Pinksheet Number: cap1201
OA/ID Number: 91144-004
Date Closed: 6/12/2009
FOIA/Sys Case #: 2009-0275-S
Re-review Case #:
P-2/P-5 Review Case #:

Withdrawal/Redaction Sheet

(George Bush Library)

Doc. No. / Type	Subject/Title	Date	Restriction	Classification
03a. Summary	Re: Heads of State Correspondence Summary (1 pp.)	n.d.	(b)(1)	S
03b. Letter	Prime Minister Yitzhak Shamir to President Bush Re: Helsinki Summit (3 pp.)	9/24/90	(b)(1)	S
03c. Letter	President Turgut Ozal to President Bush Re: list enumerating the priority areas (1 pp.)	9/23/90	(b)(1)	
03d. Outline	Re: Joint Production Projects (2 pp.)	n.d.	(b)(1)	
03e. Letter	President Ghulam Ishaq Khan to President Bush Re: The Iraq-Kuwait Crisis (2 pp.)	9/15/90	(b)(1)	
03f. Memo	George Van Eron to Brent Scowcroft Re: Heads of State Correspondence Summary as of September 28 (1 pp.)	9/28/90	(b)(1)	S
04a. Memo	Sandra Charles to Robert M. Gates Re: War Crimes Package (1 pp.)	9/28/90	(b)(1)	S
04b. Memo	Robert M. Kimmitt to Distribution List Re: Iraqi War Crimes (1 pp.)	9/24/90	(b)(1)	S
04c. Report	Re: Iraqi War Crimes: Proposed Course of Action (3 pp.)	n.d.	(b)(1)	S
04d. Demarche	Re: Demarche to Baghdad (1 pp.)	n.d.	(b)(1)	S

Collection:

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Withdrawal/Redaction Sheet

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Doc. No. / Type	Subject/Title	Date	Restriction	Classification
04e. Cable	Re: ICRC Activity on Iraq (2 pp.)	8/30/90	(b)(1)	C
04f. Cable	Re: Iraqi Violations of Humanitarian Law (1 pp.)	8/28/90	(b)(1)	S
04g. Cable	Re: Summary -- (2 pp.)	8/30/90	(b)(1)	C
04h. Cable	American Embassy Kuwait to Secretary of State Washington D.C. Re: Tightening the Noose on Iraq (1 pp.)	8/25/90	(b)(1)	S
04i. Report	Re: Iraqi War Crimes (4 pp.)	n.d.	(b)(1)	S
05. Letter	Re: Transcript of a letter dated September 18, 1990 from Prime Minister Poul Schluter to President Bush (1 pp.)	9/18/90	(b)(1)	

Collection:

Record Group: Bush Presidential Records
Office: Scowcroft, Brent, Files
Series: Desert Shield/Desert Storm Files
Subseries: Chronological Files
WHORM Cat.:
File Location: Desert Shield/Desert Storm (September 1990) Part II [2]

Pinksheet Number: cap1201
OA/ID Number: 91144-004
Date Closed: 6/12/2009
FOIA/Sys Case #: 2009-0275-S
Re-review Case #:
P-2/P-5 Review Case #:

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NSC/S PROFILE

RECORD ID: 9007699
RECEIVED: 27 SEP 90 10

TO: GATES

FROM: DEAL

DOC DATE: 27 SEP 90
SOURCE REF:



KEYWORDS: BUDGET
EGYPT
PERSIAN GULF

TURKEY
JORDAN

~~CONFIDENTIAL~~

PERSONS:

SUBJECT: GULF CRISIS / RESPONSIBILITY SHARING FOR COSTS OF DESERT SHIELD

ACTION: NOTED BY GATES

DUE DATE: 01 OCT 90

STATUS: C

STAFF OFFICER: DEAL

LOGREF:

FILES: WH

NSCP:

CODES:

DOCUMENT DISTRIBUTION

FOR ACTION

FOR CONCURRENCE

FOR INFO
DEAL
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White House Guidelines

E.O. 12958, SEC 3.4 (B) September 11, 2006

By Cop NARA, Date 6/12/09

COMMENTS: _____

DISPATCHED BY _____ DATE _____ BY HAND W/ATTCH

OPENED BY: NSMJT

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DOC 1 OF 1

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7699

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

September 27, 1990

INFORMATION

MEMORANDUM FOR ROBERT M. GATES

Deputy Natl Sec Advisor
has seen

FROM: TIMOTHY E. DEAL

SUBJECT: Gulf Crisis: Responsibility Sharing

I chaired a small working group meeting on September 25 (Treasury, State, DOD and OMB) to review a number of technical issues relating to the responsibility sharing exercise. We reached agreement on the following:

1. Data: Treasury and DOD will provide on a regular basis their latest compilation of data on commitments for both financial assistance to the Front Line states and Desert Shield. The most recent tables are attached for your information (Tab I).
2. Fact Sheets: From the classified tables, the agencies will prepare an unclassified fact sheet, which can be used by senior officials in discussions with the press and on the Hill. The unclassified tables will be necessarily vague in certain areas because, for example, Saudi commitments for support of Desert Shield are not firm.
3. Collective Efforts: State is sending out to the appropriate diplomatic posts a detailed set of instructions on exactly how foreign governments should send their money to us for Desert Shield.
4. GAO: GAO is carrying out a study of the pass-the-hat exercise for Desert Shield. GAO wanted information on: (a) what we asked for; (b) what the foreign governments agreed to provide; and (c) what actually has been received. We agreed that any agency that receives such a request should cooperate in providing information relating to points (b) and (c) above, but that we would treat our requests [point (a)] as privileged diplomatic communication to avoid giving the Congress a weapon to use on the Administration about why we didn't get everything we sought.

Attachment

Tab I Tables on Cost Sharing for Desert Shield Financial Assistance to Front Line States

cc: Arnold Kantor
Karl Jackson
Condi Rice
Richard Haass

DECLASSIFIED
PER E.O. 13526

2010-0823-MR
MM 3/23/2016

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Declassify on: OADR

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DESERT SHIELD COSTS RESPONSIBILITY-SHARING FOR 1990 (\$ BILLIONS - as of 9/24/90)

DONOR	DEFENSE COSTS	FRONT-LINE STATES	TOTAL	REMARKS ON DEFENSE COST CONTRIBUTION
SAUDI ARABIA	2.5	2.5	5.0	Includes in-kind host nation support. Continued misunderstanding on total commitment and extent of HNS. DepSecDef 9/19 meeting with Bandar. Paper provided on US request including offer of team to work out HNS details.
KUWAIT	2.5	2.5	5.0	All cash. Ten weekly disbursements of \$250M each will begin end of wk 9/24.
UAE	1.0	1.0	2.0	Includes host nation support. Determining estimated value for HNS
JAPAN	2.0	2.0	4.0	Contribution thru March 1991. About 60% in-kind support. \$350M as cash for lift will soon be transferred.
FRG	1.050	.88	1.930	60 Fuchs vehicles (\$130M), \$660M in-kind support, \$260M cash for lift (using 1.55DM/\$).
KOREA REQUEST	.095	.075	.170	Current offer: \$50M cash, \$30M lift, \$15M in-kind.
ITALY	--	.150	.150	
TOTAL BILATERAL	9.145	9.105	18.25	
EUROPEAN COMM.	--	2.0	2.0	
GRAND TOTAL	9.145	11.105	20.25	

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INCREMENTAL FINANCIAL NEEDS OF THE FRONT LINE STATES
(\\$ Millions)

	1990			1991			1990-1991		
	<u>Turkey</u>	<u>Egypt</u>	<u>Jordan</u>	<u>Turkey</u>	<u>Egypt</u>	<u>Jordan</u>	<u>Turkey</u>	<u>Egypt</u>	<u>Jordan</u>
<u>Merchandise Costs</u>									
Export Losses	400	20	140	600	30	230	1000	50	370
Higher Oil Bill	700	(275)	160	2100	(825)	320	2800	(1100)	480
Additional Imports (due to:)									
Refugee Subsistence	50	200	100	-	50	20	50	250	120
Job Creation	-	125	100	-	620	575	-	745	675
<u>Services Costs</u>									
Transportation	210	80	100	380	170	250	590	250	350
Contractor Fees	350	100	-	500	300	-	850	400	-
Worker Remittances	50	585	250	100	1450	500	150	2035	750
Refugee Repatriation	-	75	20	-	-	-	-	75	20
Tourism	110	165	275	500	500	475	610	665	750
Other Services	50	110	55	100	260	170	150	370	225
<u>Capital Account Costs</u>									
Lost Debt Repayments	240	-	110	460	-	145	700	-	255
<u>TOTAL COSTS</u>	2160	1185	1310	4740	2555	2685	6900	3740	3995
<u>COMBINED FRONT LINE COSTS</u>	4655			9980			14635		

INCREMENTAL FINANCIAL NEEDS OF FRONT-LINE STATES

Summary of Analytical Approach and Notes to Table

- o These estimates of the incremental crisis-related financial costs to the front-line states are limited to first round effects, or very proximate indirect effects. No change in the present military situation and its economic effects is assumed during the period under review (through the end of 1991), and no discrete policy measures are assumed to have been taken nor to have any effects through 1991.
- o Estimates are based on: (1) published sources; (2) official estimates and data from the affected countries; (3) US Embassy analyses; (4) informal consultations with IMF, IBRD and EC Commission staff; and, (5) inter-agency analysis within the U.S. government. However, given the data limitations, these estimates are necessarily rough and in a number of cases involve judgmental adjustments.
- o Specifically identified financial losses include: (1) lost merchandise exports to Iraq and Kuwait; (2) higher oil bills from a higher oil price (assumed to have risen \$12/bbl); (3) additional foreign exchange expenditures for the purchase of imports related to refugee assistance and job creation for returned expatriate workers; (4) losses on transit and transportation earnings (e.g., pipeline, Suez Canal and trucking fees); (5) lost income from contractor fees for projects in Iraq and Kuwait; (6) lost worker remittances; (7) lost tourism earnings; (8) lost revenues from some miscellaneous services; and, (9) interruption of scheduled Iraqi debt service payments.
- o Other potential costs can be identified, but have not been incorporated due in part to analytical problems. These would include, for example, export earnings shortfalls due to: a) generally slower demand growth in third countries; b) reduced competitiveness due to higher freight and related delivery costs; and, c) production bottlenecks arising in part from sanctions-related import constraints. General import costs could also be higher, reflecting higher insurance and freight costs. In addition, borrowing costs and capital outflows could potentially be higher due in part to risk concerns, and foreign direct investment inflows could be lower. Interrupted aid flows from Iraq and Kuwait have also not been included. Finally, no attempt has been made to gauge potential second-order macroeconomic and budgetary effects arising from lower demand and output.

TURKEY

MERCHANDISE:

Exports: Turkish exports to Iraq and Kuwait in 1987-89 were in the range of \$1.1 billion annually. However, there was a substantial fall-off in early 1990 because of Iraq's loss of creditworthiness. The estimate for 1990 includes a component of lost exports previously shipped through Iraq to third countries, mainly Saudi Arabia; no such loss is assumed for 1991. The figure for 1991 assumes that (interrupted) trade would have been at about 1/2 the level cited above, with formerly Iraq-bound goods partially switched to Iran and formerly Kuwait-bound goods lost entirely.

Oil Import Costs: Estimates are based on IMF/IBRD calculations which assume a price increase of roughly \$12/bbl relative to the pre-crisis base price which would otherwise have prevailed (e.g., \$29/bbl vs. \$17/bbl). No import volume increase is assumed for 1991.

Additional Imports: Foreign exchange costs of additional imports to meet refugee assistance needs. Assumes that 50% of the approximately 100,000 displaced Pakistan and Bangladesh expatriate workers transit through Turkey at a per capita cost of approximately \$100 per month. No costs are estimated for 1991.

SERVICES:

Transportation Fees: Total is based on an official Turkish estimate of lost pipeline and trucking fees and is in roughly the same range as other estimates. Trucking fees are derived from: land transportation of third country goods, especially the EC countries, through Turkey to Iraq and Kuwait; shipment of third country exports through Turkish ports to Iraq and Kuwait; and, transporting Iraqi oil to Turkish pipelines. These estimates are consistent with historical data.

Contractor Fees: Lost revenue from existing contracts of Turkish companies in Iraq; no new contracts are anticipated in 1991. (Contractor fee receipts from Iraq in 1988 and 1989 were reportedly \$330 and \$495 million, respectively.) The loss figure itself is based on an official survey of actual payment schedules.

Worker Remittances: IBRD informal staff estimate.

Tourism: Tourist income in 1988 and 1989 amounted to \$2.4 and \$2.6 billion, respectively. The figure for 1990 was expected to be about \$3 billion and the actual figure for the first six months of the year was \$1.4 billion. Recent information available to the government suggests that large cancellations are underway for hotel rooms and airline seats. The figure for 1990 assumes a 10-12% drop in tourist income during the last four months of the year. The 1991 estimate assumes about a 15% loss on a projected base of \$3-3.5 billion.

Other Services: An official Turkish estimate of miscellaneous service income lost, including emigrant remittances (which we have excluded from this line and shown separately above) and lost income of Turkish banks on credit insurance on trade with Iraq and Kuwait.

CAPITAL:

Lost Debt Repayments: Scheduled payments on Iraqi debt to Turkey during 1990 and 1991, to have been received in oil, which is fungible. The aggregate loss estimated for the full 1990-91 period is broadly consistent with IMF/IBRD informal staff estimates.

MEMO: Although not shown in the table, the Turkish government expects to incur about \$1 billion in relocation expenditures for troops and materiel in 1990. It also estimates losses in foreign direct investment receipts of \$1150 million, not included in the table.

EGYPT

MERCHANDISE:

Exports: Expected losses of merchandise exports to Iraq and Kuwait, which have averaged \$34 million per year over the past three years.

Oil Export Earnings: Expected increase in oil export income from assumed \$12/bbl rise in oil price through 1991 relative to pre-crisis base price.

Additional Imports: Foreign exchange costs of additional imports associated with refugee subsistence and job creation for displaced workers. Estimated cost of job creation assumes a cost of \$4800/capita for the 515,000 repatriated workers, of which 25 percent is used for imports (roughly the import/GNP ratio). Most of the jobs are assumed to be created in 1991. Refugee costs assume 515,000 returning Egyptian workers, with subsistence expenses totalling \$500 per person, the bulk of which occurs in 1990 and 100 percent of which is imported.

SERVICES:

Transportation Fees: Estimated losses of Suez Canal fees.

Contractor Fees: Derived from officially estimated losses of \$820 million in 1990-91 in contractor fees, lost air fares (about \$50 million), cancelled financing of projects by the Kuwaiti Fund and the Arab Fund in Kuwait (excluded), and social security and telephone fee receipts (included under "other services").

Worker Remittances: Lost earnings from approximately 1 million expatriates presently employed in Iraq, Kuwait and Jordan. These estimates are broadly consistent with official government estimates, as well as IMF and IBRD informal staff estimates.

Refugee Repatriation: The estimated cost of repatriating approximately 515,000 emigrants, or half of the total number of expatriates in the affected region. Expenses occur only during 1990.

Tourism: Estimate of lost income based on preliminary evidence from hospitality industry of cancellations and extremely low bookings entering the high season (November-February), as well as previous evidence of a particular sensitivity of Egyptian tourism to regional instability.

Other Services: This includes two elements: (1) estimated losses of social security receipts from abroad paid in foreign exchange; and, (2) estimated loss of telephone revenues paid in foreign exchange under a sharing agreement between Egypt and Iraq. Amounts have been roughly allocated between 1990 and 1991.

MEMO:

Not included in the table are estimated expenses for Egypt's participation in the multinational force: \$105 million and \$210 million in 1990 and 1991, respectively.

JORDAN

MERCHANDISE:

Exports: Assumes total loss of exports to Iraq and Kuwait, annually in the range of \$170-235 million over the past three years. (Informal IMF staff analysis shows a significantly higher export loss on the basis of third country effects on mineral-based exports and potential physical constraints on shipping.)

Oil Import Costs: Assumes a price increase of \$12/bbl through 1991. No import volume increase is assumed for 1991. Informal IMF staff estimates are slightly lower for 1990, but identical for 1991.

Additional Imports: Refugee subsistence figure assumes foreign exchange expenditures of approximately \$500 per person on each of 235,000 returning Jordanians (workers and family members), with the bulk occurring in 1990. Job creation is the foreign exchange cost of creating jobs for 110,000 returning Jordanian workers at a cost per head of roughly \$7000, of which 75 percent is spent on imports (roughly the import/GNP ratio). Most of the jobs are assumed to be created in 1991.

SERVICES:

Transportation Fees: Official estimate of lost fees from transit trade between the port of Aqaba and Iraq.

Worker Remittances: Informal estimates by Fund staff.

Refugee Repatriation: Rough estimate of the cost of transporting refugees, which would be limited to 1990.

Tourism: Informal estimates by Fund staff.

Other services: Includes estimated losses from shipping and insurance income of about \$140 million and \$85 million for the entire period 1990-91, allocated between the two years.

CAPITAL:

Lost Debt Repayments: Informal Fund staff estimate for 1990. A somewhat larger figure for 1991 is estimated by the US Embassy in Amman.

MEMO:

No loss has been included in the table for the \$600 million in grants from other Arab countries which were to have been received in 1990, of which only \$285 million had been received through the first seven months of the year.

COMMITMENTS FOR FINANCIAL ASSISTANCE FOR THE GULF CRISIS:
(Millions of Dollars)

	1990			1991		
	Military	Economic	Total	Military	Economic	Total
<u>GULF</u>	<u>6000</u>	<u>6200</u>	<u>12200</u>	<u>300/mo</u>	<u>—</u>	<u>300/mo</u>
Saudi Arabia	2500	2700	5200	300/mo	—	300/mo
Kuwait	2500	2500	5000	—	—	—
UAE	1000	1000	2000	—	—	—
<u>EUROPE</u>	<u>1085</u>	<u>1380</u>	<u>2465</u>	<u>—</u>	<u>1500</u>	<u>1500</u>
EC	—	500	500	—	1500	1500
FRG Bilateral	1085	880	1965	—	—	—
Other Bilateral	—	—	—	—	—	—
<u>CANADA</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>
<u>JAPAN</u>	<u>2000</u>	<u>750</u>	<u>2750</u>	<u>—</u>	<u>1250</u>	<u>1250</u>
<u>OTHER</u>						
Korea	95	75	170	—	50	50
Taiwan	—	100	100	—	—	—
<u>TOTAL</u>	<u>9180</u>	<u>8505</u>	<u>17685</u>	<u>300/mo</u>	<u>2800</u>	<u>2800+</u>

9/22/90

ALLOCATION OF ECONOMIC ASSISTANCE TO FRONTLINE STATES
(Millions of Dollars)

	<u>TURKEY</u>	<u>EGYPT</u>	<u>JORDAN</u>	<u>UNALLOC.</u>	<u>TOTAL</u>
<u>1990:</u>					
<u>GULF</u>	1800	2000	--	2400	6200
Saudi Arabia	1200	1500	--	--	2700
Kuwait	300	500	--	1700	2500
UAE	300	--	--	700	1000
Other	--	--	--	--	--
<u>EUROPE</u>	80	650	150	500	1380
EC	--	--	--	500	500
FRG Bilateral	80	650	150	--	880
Other Bilateral	--	--	--	--	--
<u>JAPAN 1/</u>	200	300	250	--	750
<u>OTHER</u>	--	--	--	100	100
Canada	--	--	--	--	--
Korea	--	--	--	75	75
Taiwan	--	--	--	100	100
<u>TOTAL COMMITMENTS</u>	2080	2950	400	3075	8505
<u>TOTAL NEEDS 1990</u>	2160	1185	1310	--	4655
Shortfall(-) or Excess(+)	-80	1765	-910	3075	3850
<u>1991</u>					
Needs:	4740	2555	2685	--	9980
<u>Commitments:</u>	<u>100</u>	<u>100</u>	<u>--</u>	<u>2600</u>	<u>2800</u>
EC	--	--	--	1500	1500
Japan	100	100	--	1050	1250
Other	--	--	--	50	50
<u>TOTAL 1990-91:</u>					
Needs	6900	3740	3995	--	14635
Commitments	2180	3050	400	5675	11305
Shortfall(-) or Excess(+)	-4720	-690	-3595	5675	-3330
<u>MEMO:</u>					
East Europe Needs					3270
Asia/No. Africa Needs ^{2/}					5035

1/ Possible allocation.

2/ Includes: Bangladesh, Morocco, Pakistan, Philippines.

9/22/90

Only Crisis - Responsibility Sharing

National Security Council
The White House

PROOFED BY: MEN

LOG # 7699

URGENT NOT PROOFED: _____

SYSTEM PRS NSC INT

BYPASSED WW DESK: _____

DOCLOG PR A/O _____

	SEQUENCE TO	HAS SEEN	DISPOSITION
<i>PH</i> Ken Hill	<u>1</u>	<u>KA</u>	<u>I</u>
Bill Sittmann	<u>2</u>	<u>W</u>	
Bob Gates	<u>3</u>	<u>8</u>	
Brent Scowcroft			
Bill Sittmann			
Situation Room			
West Wing Desk	<u>4</u>	<u>21.9/29</u>	<u>N</u>
NSC Secretariat	<u>5</u>		<u>N/R</u>

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

cc: VP Sununu Other _____

Should be seen by: _____
(Date/Time)

COMMENTS

DISPATCH INSTRUCTIONS:

~~SECRET~~
NSC/S PROFILE

RECORD ID: 9007649
RECEIVED: 25 SEP 90 20

TO: SCOWCROFT

FROM: MELBY
DEAL

CHRON FILE
DOC DATE: 27 SEP 90
SOURCE REF:



KEYWORDS: ECONOMICS
KUWAIT

OIL

PERSONS: EAGLEBURGER, L

SUBJECT: SPR / PROPOSED NEXT STEPS

ACTION: NFAR PER DEAL DUE DATE: 04 OCT 90 STATUS: C
STAFF OFFICER: MELBY LOGREF:
FILES: PA 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

DEAL
MELBY
NSC CHRON

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E.O. 12958, SEC 3.4 (B) September 11, 2006

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COMMENTS: _____

DISPATCHED BY _____ DATE _____ BY HAND W/ATTCH

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~~SECRET~~

CHRON FILE

SPR-Proposed
Next Steps

National Security Council The White House

PROOFED BY: WEA

LOG # 7649

URGENT NOT PROOFED: _____

SYSTEM PRS NSC INT

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DOCLOG WEA A/O _____

	SEQUENCE TO	HAS SEEN	DISPOSITION
Ken Hill	_____	_____	_____
Bill Sittmann	_____	<u>HAD COPY</u>	_____
Bob Gates	_____	_____	_____
Brent Scowcroft	_____	_____	_____
Bill Sittmann	_____	_____	_____
Situation Room	_____	_____	_____
West Wing Desk	_____	_____	_____
NSC Secretariat	_____	_____	_____
<u>Deal</u>	_____	_____	_____

90 SEP 27 P 4. 20

NSA Has Seen

A = Action

cc: VP

No further Action

COMMENTS

DISPATCH IN:

10/10
NSC/S,
No further
action necessary
per Melby
pb

(time)

~~SECRET~~

COMMON FILE

7649

~~CONFIDENTIAL~~

with SECRET ATTACHMENT NATIONAL SECURITY COUNCIL

WASHINGTON, D.C. 20506

September 27, 1990

ACTION

MEMORANDUM FOR BRENT SCOWCROFT

THROUGH: TIMOTHY E. DEAL *D*

FROM: ERIC MELBY *U*

SUBJECT: SPR -- Proposed Next Steps

*Brady will never agree - at least before we have started the test. *B**

The President's decision yesterday to authorize a test of the SPR has provoked much interest among our IEA partners. We have explained that this is an operational test and that any further SPR draw would be taken in conjunction with the IEA. We expect the IEA Governing Board communicate tomorrow to support our test by urging all IEA countries to ensure their emergency response mechanisms are ready. The communicate will also highlight the very tight market and the increasing risk for supply shortfall in the fourth quarter.

Now that we have taken the first step with an SPR test, we believe it important to move forward on coordinated action within the IEA. The Japanese have told us they are now willing to consider coordinated action, as long as it is done under IEA aegis. There are indications the Germans are leaning in the same direction. *not Kaifu*

Michael Boskin favors coordinated use of the SPR, and we understand Dick Darman does, too. You may wish to discuss with them and Nick Brady the proposal outlined below. In addition, the President's meeting on Saturday with Prime Minister Kaifu would be an excellent occasion to get Kaifu's commitment to coordinated action, should it become necessary.

Japanese and German concerns about using strategic stocks could be addressed by reducing company stock-holding requirements and urging companies to release these stocks. Under such a scenario, the U.S. would release SPR oil (we have no mandatory company stock levels) and the other IEA countries would either release strategic stocks, ensure companies reduce their stock levels or take quantifiable demand restraint measures. By reducing company stock holding levels from 88 days to 82 days, Japan could release 250,000 b/d for 120 days (i.e., November-February). A similar move by the EC (e.g., from 90 days to 85 days) could release 500,000 b/d for 120 days. Coordinated action could place at least 1.25 million b/d on the market in the November-February period.

~~CONFIDENTIAL~~

with SECRET ATTACHMENT

Declassify on: OADR

~~SECRET~~

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PER E.O. 13526

2010-0823-MR

MM 3/23/2016

The benefits from coordinated action are several:

- Provides some flexibility to a very tight oil market;
- Will probably cause prices to fall, bringing relief to consumers, particularly in developing countries.
- Demonstrates willingness of IEA countries to act together to counter the economic impact of the Gulf crisis.
- Should military conflict erupt, it would be preferable to have the IEA's coordinated emergency response mechanism (CERM) up and running.

The extreme tightness of the oil market as we head into the season of biggest demand leaves no cushion for any surprise (oil industry accident, strike, abnormal weather, oil spill), let alone military action. We would not let our military operate with no spare capacity; there is no reason to do so with a key ingredient of economic growth.

Dick McCormack has sent you, with Larry Eagleburger's blessing, a memo reiterating the State Department's view that the U.S. should orchestrate now a coordinated drawdown of IEA oil stocks (Tab II).

At Tab III is an editorial from today's Financial Times entitled "Unnecessary Oil Shock," which succinctly argues the case for collective IEA action.

RECOMMENDATIONS

That you consult with key advisers on the advisability of moving forward on coordinated action within the IEA to bring additional oil to the market in the November-February period.

Approve _____ Disapprove _____

That, depending on their reaction, you sign the memo to the President at Tab I.

That the President attempt to get a political commitment from Kaifu to take coordinated action if it becomes necessary.

Approve _____ Disapprove _____

Attachments

Tab I Memo to the President
Tab II Memo from McCormack
Tab III Financial Times Editorial

~~CONFIDENTIAL~~

~~CONFIDENTIAL~~

7649

THE WHITE HOUSE

WASHINGTON

DECLASSIFIED
PER E.O. 13526

2010-0823-MR

MM 3/23/2016

ACTION

MEMORANDUM FOR THE PRESIDENT

FROM: BRENT SCOWCROFT

SUBJECT: SPR -- Proposed Next Steps

Your decision on September 26 to authorize a test of the SPR has provoked much interest among our IEA partners. We have explained that this is an operational test and that you are committed to working with the IEA should coordinated action be necessary. The IEA Governing Board has endorsed our test by urging all IEA countries to ensure their emergency response mechanisms are fully tuned. It has also highlighted the very tight market and the increasing risk of a supply shortfall in the fourth quarter.

Now that we have taken the first step with an SPR test, it is important to move forward on coordinated action within the IEA. The Japanese have told us they are now willing to consider coordinated action, as long as it is done under IEA aegis. There are indications the Germans are leaning in the same direction.

Rather than placing the entire focus on use of strategic stocks, which concerns both the Japanese and German governments, we should consider using the IEA to bring additional oil to the market, be it strategic stocks or company stocks. Under such a scenario, the U.S. would release SPR oil (we have no mandatory company stock levels), and the other IEA countries would either release strategic stocks, ensure companies reduce their stock levels or take quantifiable demand restraint measures. By reducing company stock holding levels from 88 days to 82 days, Japan could, for example, release 250,000 b/d for 120 days (i.e., November-February). A similar move by the EC (e.g., from 90 days to 85 days) could release 500,000 b/d for 120 days. Coordinated action could place at least 1.25 million b/d on the market in the November-February period.

The benefits from coordinated action are several:

- Provides some flexibility to a very tight oil market;
- Will probably cause prices to fall, bringing relief to consumers, particularly in developing countries.
- Demonstrates willingness of IEA countries to act together to counter the economic impact of the Gulf crisis.

~~CONFIDENTIAL~~

Declassify on: OADR

cc: The Vice President
Chief of Staff

~~CONFIDENTIAL~~

- Should military conflict erupt, it would be preferable to have the IEA's coordinated emergency response mechanism (CERM) up and running.

The extreme tightness of the oil market as we head into the season of biggest demand leaves no cushion for any surprise (oil industry accident, strike, abnormal weather, oil spill), let alone military action. We would not let our military operate with no spare capacity; there is no reason to do so with a key ingredient of economic growth.

It will take several weeks before we have sufficient information to determine whether the SPR test is working smoothly. But the test draw by itself will not calm volatile markets or prevent further price rises in the spot market; the amount of oil released is just too small. Additional, coordinated action may be necessary -- even before we have the results of the test -- in order to calm markets and prevent increased economic damage.

I recommend that we continue to monitor the situation closely and that, if prices remain at current levels of around \$40/barrel, you direct that the U.S., working with our IEA partners, participate in coordinated action to place government-owned or controlled stocks on the market.

RECOMMENDATION

That you approve the above approach.

Approve _____ Disapprove _____

~~SECRET~~

*State
by back up*

United States Department of State

7649

Under Secretary of State
for Economic Affairs

Washington, D.C. 20520-7310

~~SECRET~~ WITH CONFIDENTIAL ATTACHMENT

September 25, 1990

Dear Brent:

Larry Eagleburger agreed that I should contact you on the oil price situation. As you know, our representatives leave for the International Energy Agency meeting in Paris this afternoon.

You noted yesterday's 40 dollar plus oil price level. This morning I discussed the whole issue with Bill Simon, the former Secretary of Energy and Treasury. He strongly concurs with the view that we need to get cracking on a coordinated stockpile release. Simon reports that there is no question whatsoever but that the release of stockpiled oil at the level we are talking about will have a favorable impact on price. It cannot prevent panic spikes in prices. It can and will moderate those spikes and result in lower oil prices than would otherwise prevail in the presence of an actual shortfall in supply that is now projected for November and December.

My concerns on this issue were outlined in the cable I sent you two weeks ago. (See attached)

But there are a few other elements that need to be cranked into this equation.

1. We obviously need to maintain broad international political support for our medium term sanctions policy against Iraq. The Germans and Japanese, of course, can afford the higher price for oil. Many of our poor and middle income coalition partners at the United Nations cannot afford this higher oil price. And if we sit by and let the daily market pressures edge prices up and up, you will start to see the international solidarity for the President's policy begin to fray at the edges.

You may find yourself asked to fish or cut bait with Iraq, adding to pressures from others who are urging a quick military solution or King Hussein's alternative.

The Honorable Brent Scowcroft,
Assistant to the President for
National Security Affairs,
The White House.

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PER E.O. 13526

2010-0823-MR
MM 1/19/2016

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-2-

2. Nick Brady keeps pressing the Fed to cut interest rates -- in the face of some who think this is inappropriate in the current inflationary climate. Apart from the Budget Summit, the most useful thing that could be done to taper off the new inflationary pressures and help Nick with his interest rate problem would be a dampening of oil prices.

Oil price increases help certain debtor countries, particularly Mexico, whose prospects had been dubious prior to the recent surge in oil prices. But our broader interests in this matter must transcend Treasury's interest in the Mexican and Venezuelan situation.

3. If and when the President decides to support an oil stockpile release, he will have to press the Germans and the Japanese. Both are rich, both can afford higher prices, both may want to keep their oil stockpile as an insurance policy for more dire contingencies. There are two counter arguments:

1. Maintaining the long term economic sanctions policy against Iraq requires international solidarity. And even though we are rich and can afford higher oil prices, the others are not in this position and we must consider their interests. Otherwise we may see the support for the sanctions policy weaken, and pressures for an early military solution may intensify.

That will get their attention.

2. It is unlikely that the extreme scenario of a further massive loss of Persian Gulf oil will occur, even in the event of an all out clash between our forces and Saddam Hussein's. The moment when he could have pushed into Saudi Arabia and created vast destruction, is over. He will now be on the defensive in the event of war. Kuwait's wells may suffer medium term damage. Iraqi installations may take some damage in the conflict and some rockets may drop on Saudi Arabia for a very brief period. But both Kuwait and Iraqi oil is already out of the loop because of the sanctions. The bottom line is that the danger we face now is not that there will be another 5 million barrel per day loss of oil, but rather far more modest disruptions, i.e., another million or two barrel a day shortfall, that without an active stockpile release, can translate into bidding wars that drive up the price rapidly.

That's what we need to prevent.

~~SECRET~~

~~SECRET~~

-3-

Finally, there will be U.S. political consequences if the Administration, having spent 20 billion dollars to create an oil stockpile, fails to use it in the very contingency that it was designed to deal with.



Richard T. McCormack

Attachment
As Stated

~~SECRET~~

APPR: RTM RTM
DRAFT: RTM RTM
OTHER: S/S _____
OTHER: S/S-0 _____
OTHER: _____
OTHER: _____
OTHER: _____

~~CONFIDENTIAL~~

E:RTMCCORMACK:KWZ
09/07/90 77575
E:RTMCCORMACK

S/S:

S/S-0

DECLASSIFIED
PER E.O. 13526

2010-0823-MR
mm 1/19/2016

S/S ONLY

IMMEDIATE

SECRETARY

FOR THE SECRETARY FROM U/S MCCORMACK

E.O. 12356: DECL: OADR

TAGS: OVIP {BAKER, JAMES A.}

SUBJECT: A COORDINATED, LIMITED RELEASE FROM THE
STRATEGIC PETROLEUM RESERVE {SPR}

SEPTEMBER 7, 1990

MEMORANDUM FOR THE SECRETARY

SUBJECT: A COORDINATED, LIMITED RELEASE FROM THE
STRATEGIC PETROLEUM RESERVE {SPR}

1. AS I MENTIONED IN AN EARLIER MEMO, I FEEL STRONGLY
THAT THE EARLIER VALID ARGUMENTS OPPOSING AN
IEA-COORDINATED RELEASE OF STOCKPILED OIL HAVE BEEN
SUPERCEDED BY NEW DEVELOPMENTS. IN MY VIEW, IT IS
IMPORTANT TO THE PRESIDENT AND TO THE ECONOMY THAT WE
SERIOUSLY CONSIDER SUCH A COORDINATED USE OF STOCKS.

2. IN SPITE OF ACTION BY COUNTRIES WITH SURPLUS
CAPACITY TO EXPAND OUTPUT TO REPLACE IRAQI AND KUWAITI
OIL, AND IN SPITE OF ACTIONS BY CONSUMING COUNTRIES,
THERE IS LIKELY TO BE A WORLDWIDE SHORTFALL BETWEEN .5
AND 1.5 MILLION BARRELS PER DAY {MMBD} IN THE FOURTH

~~CONFIDENTIAL~~

QUARTER.

3. A COMPLICATING FACTOR IS THE WORLDWIDE MISMATCH BETWEEN AVAILABLE REFINING CAPACITY AND THE GRADES OF REPLACEMENT CRUDES AVAILABLE FROM PRODUCERS WITH SURPLUS CAPACITY. THIS MEANS THAT THERE ARE LIKELY TO BE SHORTAGES OF MID LEVEL DISTILLATES UNLESS WE CAN FIND MORE SWEET CRUDE SOMEWHERE IN THE SYSTEM. IN SHORT, WE WILL FACE TWO PROBLEMS IN THE FOURTH QUARTER -- AN OVERALL INADEQUACY OF CRUDES, COMBINED WITH A MISMATCH BETWEEN THE GRADES OF CRUDE SUPPLIES AND REFINING CAPACITY.

4. THE ONLY PLACES THAT MORE LIGHT/SWEET CRUDE CAN BE OBTAINED ARE THE RESPECTIVE NATIONAL RESERVES, ONLY A PART OF WHICH ARE SWEET, BUT WHICH ARE MORE THAN ENOUGH TO OFFSET THE MISMATCH BETWEEN THE CRUDES AND REFINERIES WITHOUT A MAJOR DEGRADING OF THE STRATEGIC RESERVES.

5. THE PRICE RISES TO DATE HAVE OCCURRED WITHOUT ANY ACTUAL SHORTAGE. THEY ARE BASED ON EXPECTATIONS OF FUTURE SHORTAGES. THE SPECULATIVE ACTIVITY HAS RESULTED IN OIL PRICES MOVING TWO STEPS UP AND ONE STEP BACK. BUT THE GENERAL DIRECTION HAS BEEN UPWARD, WITH PRICES NOW ABOVE 30 DOLLARS A BARREL.

6. BUT BY LATE IN THE YEAR, THE SHORTFALL OF SUPPLY WILL BE REAL -- BETWEEN 0.5 AND 1.5 MMBD. IF THE EVENT OF SABOTAGE OR MILITARY CONFLICT IN THE GULF, THE SHORTFALL COULD BECOME MUCH LARGER.

7. THERE HAVE BEEN RECENT NEWSPAPER ACCOUNTS (INCLUDING A FRONT PAGE WALL STREET JOURNAL ARTICLE) DISPARAGING THE ABILITY OF THE GOVERNMENT TO USE THE SPR IN AN EMERGENCY. UNANSWERED BY AN ACTUAL DEMONSTRATION OF OUR WILLINGNESS AND ABILITY TO USE THE RESERVE, SPECULATIVE PRICE PRESSURES WILL BE EVEN GREATER IN AN EMERGENCY.

8. UNSUSTAINABLE SPIKES IN PRICE WILL EVENTUALLY COME BACK DOWN TO EARTH, AS WE SAW IN THE EARLY 1980S. BUT I WORRY ABOUT THE DAMAGE TO THE ECONOMY OF A TEMPORARY SIGNIFICANT FURTHER RISE IN OIL PRICES THIS FALL. EVEN WITHOUT PAST OIL PRICE RISES FACTORED IN, THE INFLATION RATE IS ALREADY IN THE 5 PERCENT-PLUS RANGE. EVEN THE PAST OIL PRICE RISES WILL COMPLICATE THE ABILITY OF THE FED TO TEMPER A SOFTENING U.S. ECONOMY WITH MONETARY EXPANSION.

9. THE STAFF OF THE CEA ALREADY CONSIDERS 0.4 PERCENT GROWTH AN OPTIMISTIC PROJECTION FOR THE U.S. ECONOMY BY THE 4TH QUARTER OF THIS YEAR. NEXT YEAR LOOKS EQUALLY PROBLEMATIC. IF WE GET ADDITIONAL RISES IN OIL AND ENERGY PRICES, THE FED

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3

WILL BE EVEN MORE CONSTRAINED.

10. FOR ALL THESE REASONS, I AM ANXIOUS TO FACILITATE AN EARLY RELEASE FROM THE STRATEGIC STOCKPILE, IN COORDINATION WITH SIMILAR RELEASES FROM JAPANESE, GERMAN, AND OTHER IEA MEMBERS' SUPPLIES, EVEN IF THESE RELEASES ARE ONLY DESCRIBED AS A LARGE-SCALE IEA "TEST" OF THE SYSTEM. IT IS PARTICULARLY IMPORTANT FOR US TO MOVE QUICKLY, SO THAT THE RIGHT DECISION NOT ONLY GETS MADE, BUT THE PRESIDENT GETS CREDIT FOR IT. IF WE DO NOT MOVE QUICKLY, OUR HAND MAY BE FORCED BY CONGRESS. DINGELL IS SPEAKING OF MANDATING A TEST USE OF THE SPR AS A CONDITION FOR EXTENSION OF THE SRP LEGISLATION, WHICH IS REQUIRED BY SEPT. 15.

11. ON WEDNESDAY WHEN I RAISED THIS ISSUE AT THE EPC, ONE SENIOR OFFICIAL WAS OPPOSED. HE WOULD ONLY FAVOR A RELEASE FROM THE STRATEGIC STOCKPILE WHEN OIL HIT 70-80 DOLLARS A BARREL. IF ADOPTED, THIS POLICY COULD LEAD TO STAGFLATION AND A REPEAT OF JIMMY CARTER'S ECONOMIC AND POLITICAL FATE.

12. IF WE DO NOT ACT AND BIG JUMPS IN GASOLINE AND OIL PRICES OCCUR, THIS WILL TEND TO UNDERMINE THE SUPPORT AT HOME AND ABROAD THAT NOW EXISTS FOR OUR CONFRONTATIONAL POLICIES WITH IRAQ, PARTICULARLY AS TIME PASSES. PRESSURES WILL INCREASE FOR US TO FISH OR CUT BAIT IN THE GULF, AND THE PRESIDENT'S CURRENT POLICY, AS I PERCEIVE IT, COULD BE UNDERMINED.

14. I HAVE EMPHASIZED THAT WE SHOULD NOT ATTEMPT TO STABILIZE OIL PRICES AT ANY GIVEN PRICE LEVEL. THAT WOULD BE FUTILE, PARTICULARLY IN VIEW OF THE EXPLOSIVE SITUATION IN THE GULF. WHEN WE START TO USE THE SPR, WE NEED NOT COMMIT OURSELVES TO A LONG-TERM PROGRAM OF SALES; WE MAY WISH TO REASSESS MARKET CONDITIONS EVERY TWO WEEKS AND DECIDE WHETHER TO OFFER MORE OIL FOR SALE. BUT THE MERE FACT THAT WE HAVE A POTENTIALLY OPEN ENDED STOCKPILE PROGRAM IN TRAIN WILL PROVIDE A NEW DOWN SIDE RISK ELEMENT IN THE CALCULATIONS OF THOSE WHOSE SPECULATIONS HAVE BEEN DRIVING THE PAST OIL PRICE INCREASES. THIS SHOULD HAVE A CALMING AND STABILIZING IMPACT ON OIL PRICES, ALSO SINCE WE WILL HAVE COVERED THE NOW PROGRAMMED FOURTH QUARTER SHORTFALL.

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~~CONFIDENTIAL~~

4

15. IF WE MOVE WITH A PROGRAM OF THIS NATURE IT WOULD ONLY INVOLVE A SMALL FRACTION OF EXISTING STOCKPILE CAPACITY. THE VAST BULK OF THE STORED OIL WOULD REMAIN AVAILABLE SHOULD MILITARY ACTIVITY DISRUPT SAUDI OIL SUPPLIES AND A MAJOR SHORTFALL THUS OCCUR. IN THIS SCENARIO, OF COURSE, PRICES WOULD RISE MASSIVELY AND WE WOULD BE IN AN ENTIRELY BALLGAME.

17. WE SHOULD NOT WAIT TO ACT UNTIL WE HAVE ANOTHER PANIC-DRIVEN PRICE EXPLOSION.

RICHARD T. MCCORMACK

YY

~~CONFIDENTIAL~~

Unnecessary oil shock

THE LEADERS of the international community have deservedly been praised for their firm and united military response to the Gulf crisis. Unfortunately, the same cannot be said of the less glamorous, but arguably more important part of the policy challenge which the world faced on August 2: the need to protect the international economy from the potentially destructive consequences of Saddam Hussein's folly. In the economic and financial confrontation, Iraq is winning. Either through sheer incompetence or, more likely, because of inattention at the top, the western world's economic response to the Gulf crisis has been a total failure.

As a result of these policy failures, oil prices have risen by 90 per cent in response to a supply drop now running at less than 2.5 per cent of world output.

The pain caused by this price explosion, especially in the most vulnerable countries of the Third World and eastern Europe, will not be lessened one iota by spurious comparisons between the severity of the present oil shock and the two that went before. The fact that the world has already experienced two oil-related disasters is no argument for plunging headlong into a third – especially when the nature of the present oil shock makes it far more amenable to intelligent economic policymaking. There are at least two reasons why policymakers can and must act to control the economic impact of the confrontation with Iraq.

Heavy replacement

In this oil crisis, unlike the previous two, the world's most important producers have shown themselves to be every bit as keen to avoid disrupting the world economy as the consumers. Opec has already replaced 60 per cent of the 4.3 mbd of exports lost from Iraq and Kuwait and by the end of the year there should be 95 per cent replacement, according to the International Energy Agency's latest figures. However, the richest oil producing countries in the Gulf should now be called upon by the international community to do even more. They must use the

immense windfall profits they have been earning as a result of higher oil prices to support the worst-afflicted victims of the oil shock. With oil prices at \$35 a barrel, Saudi Arabia and the UAE alone are earning \$4bn to \$5bn more in oil revenues each month than they would have been at \$20 a barrel. They should now formally undertake to recycle the bulk of this surplus to non-oil producing countries in the Third World and eastern Europe – and to do so as straight grants, not loans.

Enormous reserves

Secondly, the world should have learnt from its experiences in 1974 and 1979 – we now know that the worldwide balance between oil supply and demand is unlikely to sustain prices above \$20 to \$25 a barrel in the medium term, and large consuming countries have taken the precaution of building up enormous reserves to insure themselves against short-term supply disruptions.

The failure to use strategic reserves to stabilise oil prices has been an extraordinary and unforgivable omission. Of course, if a shooting war breaks out in the Gulf, use of the reserves will be even more essential. But using the reserves now would not in any way impede further releases in the event of additional disruption. The size of the reserves held by the US, Japanese and German governments, is so immense that compensating for the entire estimated shortfall in supplies between the start of the Gulf crisis and the end of the year would have used up only 25 per cent of the amount available.

Because the real constraint on the use of reserves is not their absolute size but the rate at which they can be pumped out of storage, this reserves reduction would have no significant impact on their strategic value should a war break out. The US reserve, for instance, can probably be used at no more than 2.5m barrels daily. Even if 25 per cent of its present 600m barrel capacity were used up by the end of the year, this reserve could still release oil at its maximum rate for more than six further months.

UNCLASSIFIED
NSC/S PROFILE

RECORD ID: 9007980
RECEIVED: 09 OCT 90 08

TO: SCOWCROFT

FROM: HAASS

DOC DATE: 27 SEP 90
SOURCE REF:



KEYWORDS: PERSIAN GULF

CHRON FILE

PERSONS:

SUBJECT: TALKING POINTS FOR MTG W/ JEWISH LEADERS / SEP 27

ACTION: NOTED BY SCOWCROFT

DUE DATE: 12 OCT 90

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

COMMENTS: _____

DISPATCHED BY _____ DATE _____ BY HAND W/ATTCH

OPENED BY: NSMEN

CLOSED BY: NSMEN

DOC 1 OF 1

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UNCLASSIFIED
ACTION DATA SUMMARY REPORT

RECORD ID: 9007980

DOC ACTION OFFICER

001 SCOWCROFT
001

CAO ASSIGNED ACTION REQUIRED

Z 90100911 FOR DECISION
X 90100911 NOTED BY SCOWCROFT

UNCLASSIFIED

UNCLASSIFIED

7980

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

September 27, 1990

APNSA Has Seen

ACTION

MEMORANDUM FOR BRENT SCOWCROFT

FROM: Richard N. Haass 

SUBJECT: Talking Points for Your Meeting with Jewish Leaders
Thursday, September 27

Attached are the talking points for your meeting with Jewish Leaders today at 1:15.

Attachment:
Talking Points

UNCLASSIFIED

POINTS TO BE MADE FOR MEETING WITH
PRESIDENT FOR JEWISH AMERICAN LEADERS, 9/27

- Glad to have this opportunity to meet with you, both to give you a sense of what we are up to and to hear from you.
- Right now we are naturally focused on the Gulf. We have the key pieces of our policy in place: 8 UNSC resolutions, sanctions, growing multinational forces, burden-sharing. The intent is to give sanctions time to persuade Iraq to withdraw from Kuwait without condition.
- If we succeed, I fully believe that we, together with our friends in the region, the UN, and possibly the Soviets, can work out satisfactory arrangements that would contain Iraq.
- If it becomes clear that sanctions are not working, or if Iraq escalates one way or another, we will reassess our approach...but not our objectives. Too much is at stake to falter here.
- To succeed, we in the administration are looking to help from the Congress: to fund the Desert Shield supplemental, to forgive Egypt's FMS debt, to support arms for Saudi Arabia.
- On Egypt, let me simply say that it constitutes half the Arab world, and that without Mubarak we cannot succeed, and that without debt forgiveness *Egypt and Mubarak will be weakened.*
- On Saudi arms, I can appreciate your concern. But let me point out that we cannot support the Saudis and not provide them with the means to deter Iraq and help defend themselves. Also, they have a record of acting responsibly with what we have sold them.
- As for Israel, let me say that we are sensitive to its very real security needs and are already meeting them where we can.
- Let me also say that 150,000 American soldiers add to the region's stability. No one should doubt our commitment here.
- As for our larger relationship with Israel, we are pleased with the support and understanding we have received. We are open to considering ways of easing their economic burden. I also hope that we can reach agreement on terms that would allow us to provide the \$400 million in housing guarantees.
- Last, I would only add that amidst all these clouds in the current crisis there may also be some silver linings...in improved US-Soviet relations, in a stronger UN, and even in the peace process if we can sustain this coalition of Arab states and work to help promote peace in the aftermath of the crisis.

UNCLASSIFIED

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20508

September 27, 1990

ACTION

MEMORANDUM FOR BRENT SCOWCROFT

FROM: Richard N. Haass 
SUBJECT: Talking Points for Your Meetings with Congress,
Thursday, September 27

Attached are the talking points for your meetings with Congress today.

Attachment:
Talking Points

UNCLASSIFIED

POINTS TO BE MADE FOR MEETING WITH
CONGRESS

- Glad to have this opportunity to meet with you, both to give you a sense of what we are up to and to hear from you.
- Right now we are naturally focused on the Gulf. We have the key pieces of our policy in place: 8 UNSC resolutions, sanctions, growing multinational forces, burden-sharing. The intent is to give sanctions time to persuade Iraq to withdraw from Kuwait without condition.
- If we succeed, I fully believe that we, together with our friends in the region, the UN, and possibly the Soviets, can work out satisfactory arrangements that would contain Iraq.
- If it becomes clear that sanctions are not working, or if Iraq escalates one way or another, we will reassess our approach...but not our objectives. Too much is at stake to falter here.
- To succeed, we in the administration are looking to help from the Congress: to fund the Desert Shield supplemental, to forgive Egypt's FMS debt, to support arms for Saudi Arabia.
- Our need for the supplemental funding is obvious. Despite the considerable help we have received from our allies in Europe and the Asia and from our friends in the Middle East, the total cost of Desert Shield will require additional resources of our own. This is not only necessary but proper: it is important that we be seen to be making sacrifices as we ask others to as well.
- On Egypt, let me simply say that it constitutes half the Arab world, and that without Mubarak we cannot succeed, and that without FMS debt forgiveness Egypt and Mubarak will be in danger. The President is on record saying just how critical this request is to our overall undertaking. Egypt's case is unique, both economically and politically.
- On Saudi arms, I can appreciate your concern. But let me point out that we cannot support the Saudis and not provide them with the means to deter Iraq and help defend themselves. Also, they have a record of acting responsibly with what we have sold them.
- We have taken congressional concerns into account in reshaping our request, and now I ask for your support.
- As for Israel, let me say that we are sensitive to its very real security needs and are already meeting them where we can.
- Last, I would only add that amidst all these clouds in the current crisis there may also be some silver linings...in improved US-Soviet relations, in a stronger UN, and even in the peace process. But all this requires that we succeed, and your continued support is a pre-requisite.

~~SECRET~~
NSC/S PROFILE

RECORD ID: 9007706
RECEIVED: 27 SEP 90 13

TO: SCOWCROFT

CHRON FILE

FROM: SITTMANN
VAN ERON

DOC DATE: 28 SEP 90
SOURCE REF:

KEYWORDS: HS
TURKEY

ISRAEL
PAKISTAN

PERSONS: MOCK, ALOIS
KHAN, GHULAM I

OZAL, TURGUT

SUBJECT: HEAD OF STATE CORRESPONDENCE SUMMARY FOR 28 SEP

ACTION: NOTED BY PRES

DUE DATE: 01 OCT 90

STATUS: C

STAFF OFFICER: VAN ERON

LOGREF: 9007223 9007686

FILES: PA

NSCP:

CODES:

DOCUMENT DISTRIBUTION

FOR ACTION

FOR CONCURRENCE

FOR INFO
NSC CHRON
VAN ERON

DECLASSIFIED

White House Guidelines

E.O. 12958, SEC 3.4 (B) September 11, 2006

By Coop NARA, Date 6/12/09

COMMENTS: _____

DISPATCHED BY _____ DATE _____ BY HAND W/ATTCH

OPENED BY: NSLMS

CLOSED BY: NSMJT

DOC 1 OF 1

~~SECRET~~

Heads of State Correspondence Summary**Prime Minister Shamir of Israel - September 24, 1990**
(Received September 26)

PM Shamir acknowledges your September 13 letter and agrees with your assessment of the Helsinki summit. Two top Israel ministers recently met with President Gorbachev to discuss economic and scientific cooperation between Israel and the Soviet Union.

On the Gulf situation, PM Shamir "believes that Saddam Hussein considers an attack on Israel a vital element in his overall design". Even with limited results, Iraq would provoke the Arab world to unite against Israel and thereby "undermine the anti-Iraqi coalition which you have established." He recognizes the need for close contact between Israel and the U.S. He also advises against the proposed sale of arms to Saudi Arabia.

He concludes by asking for financial and military assistance in the wake of the crisis and as Israel tries to absorb thousands of immigrants.

President Ozal of Turkey - September 23, 1990
(Received September 27)

President Ozal sends a list of modernization projects for the Turkish Armed Forces. He hopes that with your support, cooperation between our countries for this program will soon be accomplished.

President Ghulam Ishaq of Pakistan - September 15, 1990
(Received September 27)

President Ghulam Ishaq asks for \$500 million in emergency assistance to help cover Pakistani economic problems as a result of the Gulf crisis. He notes that he supported UN sanctions and sent troops to Saudi Arabia.

DECLASSIFIED
PER E.O. 13526

2010-0823-MR

MM 1/19/2016

Withdrawal/Redaction Sheet

(George Bush Library)

Document No. and Type	Subject/Title of Document	Date	Restriction	Class.
03b. Letter	Prime Minister Yitzhak Shamir to President Bush Re: Helsinki Summit (3 pp.)	9/24/90	(b)(1)	S

Collection:

Record Group: Bush Presidential Records
Office: Scowcroft, Brent, Collection
Series: Desert Shield/Desert Storm Files
Subseries: Chronological Files
WHORM Cat.:
File Location: Desert Shiled/Desert Storm (September 1990) Part II [2]

Date Closed: 6/12/2009	OA/ID Number: 91144-004
FOIA/SYS Case #: 2009-0275-S	Appeal Case #:
Re-review Case #:	Appeal Disposition:
P-2/P-5 Review Case #:	Disposition Date:
AR Case #:	MR Case #:
AR Disposition:	MR Disposition:
AR Disposition Date:	MR Disposition Date:

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

P-1 National Security Classified Information [(a)(1) of the PRA]
 P-2 Relating to the appointment to Federal office [(a)(2) of the PRA]
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C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Removed as a personal record misfile.

Freedom of Information Act - [5 U.S.C. 552(b)]

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 (b)(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
 (b)(9) Release would disclose geological or geophysical information

Withdrawal/Redaction Sheet

(George Bush Library)

Document No. and Type	Subject/Title of Document	Date	Restriction	Class.
03c. Letter	President Turgut Ozal to President Bush Re: list enumerating the priority areas (1 pp.)	9/23/90	(b)(1)	

Collection:

Record Group: Bush Presidential Records
Office: Scowcroft, Brent, Collection
Series: Desert Shield/Desert Storm Files
Subseries: Chronological Files
WHORM Cat.:
File Location: Desert Shield/Desert Storm (September 1990) Part II [2]

Date Closed:	6/12/2009	OA/ID Number:	91144-004
FOIA/SYS Case #:	2009-0275-S	Appeal Case #:	
Re-review Case #:		Appeal Disposition:	
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Withdrawal/Redaction Sheet

(George Bush Library)

Document No. and Type	Subject/Title of Document	Date	Restriction	Class.
03d. Outline	Re: Joint Production Projects (2 pp.)	n.d.	(b)(1)	

Collection:

Record Group: Bush Presidential Records
Office: Scowcroft, Brent, Collection
Series: Desert Shield/Desert Storm Files
Subseries: Chronological Files
WHORM Cat.:
File Location: Desert Shield/Desert Storm (September 1990) Part II [2]

Date Closed: 6/12/2009	OA/ID Number: 91144-004
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Withdrawal/Redaction Sheet

(George Bush Library)

Document No. and Type	Subject/Title of Document	Date	Restriction	Class.
03e. Letter	President Ghulam Ishaq Khan to President Bush Re: The Iraq-Kuwait Crisis (2 pp.)	9/15/90	(b)(1)	

Collection:

Record Group: Bush Presidential Records
Office: Scowcroft, Brent, Collection
Series: Desert Shield/Desert Storm Files
Subseries: Chronological Files
WHORM Cat.:
File Location: Desert Shield/Desert Storm (September 1990) Part II [2]

Date Closed: 6/12/2009	OA/ID Number: 91144-004
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NATIONAL SECURITY COUNCIL

WASHINGTON, D.C. 20506

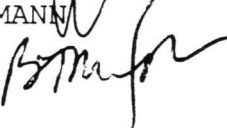
~~CONFIDENTIAL~~ W/
SECRET ATTACHEMENT

7706

September 28, 1990

ACTION

MEMORANDUM FOR BRENT SCOWCROFT

THROUGH: WILLIAM F. SITTMANN 
FROM: GEORGE VAN ERON 
SUBJECT: Heads of State Correspondence Summary
as of September 28

Attached at Tab I is a summary of the Heads of State correspondence received by the Secretariat since Wednesday, September 26.

RECOMMENDATION

That you forward the attached summary to the President.

Approve _____ Disapprove _____

Attachments

Tab I Summary for the President
Tab A PM Shamir - Israel
Tab B President Ozal - Turkey
Tab C President Ghulam Ishaq - Pakistan

~~CONFIDENTIAL~~ W/
SECRET ATTACHMENT

~~CONFIDENTIAL~~

DECLASSIFIED
White House Guidelines
E.O. 13526, SEC 3.4 (b), September 11, 2006
By MM NARA, Date 9/30/2013

~~SECRET~~
NSC/S PROFILE

RECORD ID: 9007769
RECEIVED: 28 SEP 90 18

TO: GATES

CHRON FILE

FROM: CHARLES

DOC DATE: 28 SEP 90
SOURCE REF:

KEYWORDS: KUWAIT
PERSIAN GULF

IRAQ



PERSONS:

SUBJECT: WAR CRIMES PACKAGE

ACTION: GATES APPROVED RECOM

DUE DATE: 02 OCT 90

STATUS: C

STAFF OFFICER: CHARLES

LOGREF:

FILES: PA

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

CHARLES

HAASS

NSC CHRON

ROSTOW

DECLASSIFIED

White House Guidelines

E.O. 12958, SEC 3.4 (B) September 11, 2006

By Cop NARA, Date 6/2/09

COMMENTS: _____

DISPATCHED BY _____ DATE _____ BY HAND W/ATTCH

OPENED BY: NSGLM

CLOSED BY: NSGLM

DOC 1 OF 1

~~SECRET~~

War Games

National Security Council
The White House

PROOFED BY: WEA LOG # 7769
URGENT NOT PROOFED: _____ SYSTEM RS NSC INT
BYPASSED WW DESK: _____ DOCLOG M A/O _____

	SEQUENCE TO	HAS SEEN	DISPOSITION
Ken Hill	<u>3</u>		<u>A</u>
<u>Bill</u> Sittmann	<u>1</u>	<u>W</u>	<u>A</u>
Bob Gates	<u>2</u>	<u>f</u>	
Brent Scowcroft			
Bill Sittmann			
Situation Room			
West Wing Desk	<u>3</u>		<u>N</u>
NSC Secretariat		<u>ARM 10/2</u>	

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

cc: VP Sununu Other _____

Should be seen by: _____
(Date/Time)

COMMENTS

DISPATCH INSTRUCTIONS:

SECRET

~~SECRET~~

7769

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

DECLASSIFIED
PER E.O. 13526

2010-0824-~~ER~~ME
28 4/2/15

September 28, 1990

ACTION

MEMORANDUM FOR ROBERT M. GATES

Deputy Natl Sec Advisor
11/15/2007

THROUGH: ~~RICHARD~~ N. HAASS
NICHOLAS ROSTOW

FROM: ~~SANDRA~~ CHARLES

SUBJECT: War Crimes Package

Attached at Tab I is State's proposed plan of action for dealing with the issue of war crimes perpetrated by Iraq. It includes: a demarche to the Iraqi government, a public statement that would be issued after the demarche is made, a message to the ICRC asking it to play an active role under the Geneva convention, and cables advising our allies and our Embassy in Kuwait of our actions.

There is one disconnect: Kimmitt's memo implies that the September 21 DC approved this course of action; however, no one at the meeting had seen the package at the point. In addition, the NSC has not participated in any earlier interagency meetings on this subject.

We have reviewed the package and in principle have no objection to it. The language changes on various portions of it have been conveyed to Kimmitt's office. Prior to the Monday's DC, the interagency lawyers will try to look at it once more so that the DC can give it a final blessing. Kimmitt's staff has agreed that the program should not go forward until it has final DC blessing.

RECOMMENDATION

If you agree, we will so inform Bob Kimmitt's staff and proceed as outlined above.

Agree 8

Disagree _____

Attachment
Tab I

Proposed Plan of Action

SECRET

~~SECRET~~

All but ICRC cable. We want to consider whether this might negatively affect the monitoring role we want them to play on (Pres's distribution.)

~~SECRET~~

NATIONAL SECURITY COUNCIL

EXECUTIVE SECRETARIAT STAFFING DOCUMENT

TIME STAMP

RECEIVED

URGENT

SYSTEM LOG NUMBER: [REDACTED]

ACTION OFFICER: [REDACTED]

DUE: [REDACTED]

- ☐ Prepare Memo For Scowcroft/Gates
☐ Prepare Memo For Cicconi
☐ Prepare Memo _____

- ☒ Appropriate Action
☐ Prepare Memo for Sittmann
to _____

CONCURRENCES/COMMENTS*

PHONE* to action officer at ext. 6900

FYI

- ☐ Barth
☐ Basora
☐ Beers
☐ Blackwill
☐ Broome
☐ Burns
☐ Chamberlin
☒ Charles
☐ Coulson
☐ Davis
☐ Deal
☐ Dorminey
☐ Dyke
☐ Fry
☐ Gaughan
☐ Gordon
☐ Haass
☐ Hayden
☐ Hutchings
☐ Jackson

FYI

- ☐ Johnson
☐ Kaeuper
☐ Kanter
☐ Kitchen
☐ LaMagna
☐ Lampley
☐ Levin
☐ Lundsager
☐ Mandel
☐ Melby
☐ Menan
☐ Merchant
☐ Miller
☐ Needels
☐ O'Leary
☐ Ordway
☐ Paal
☐ Pacelli
☐ Pilling
☐ Popadiuk

FYI

- ☐ Pryce
☐ Rademaker
☐ Rice
☐ Rodman
☒ Rostow
☐ Salvetti
☐ Tilley
☐ Tobey
☐ Van Eron
☐ Watson
☐ Welch
☐ Whitley
☐ Wilson
☐ Working
☐ Zelikow
☐ _____
☐ _____
☐ _____
☐ _____
☐ _____

INFORMATION

- ☒ Sittmann
☒ Scowcroft (advance)

☒ Deputy Exec. Sec.

☒ Gates (advance)

☐ Exec. Sec. Desk

☒ Secretariat

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COMMENTS

White House Guidelines
E.O. 12958, SEC 3.4 (B) September 11, 2006
By Cop NARA, Date 10/10/09

CRW#:

Logged By S4

~~SECRET~~

Return to Secretariat

United States Department of State

*Under Secretary of State
for Political Affairs*

Washington, D.C. 20520

September 24, 1990

~~SECRET~~

TO: NSC - Mr. Gates
DOD - Mr. Wolfowitz
Justice - Mr. Barr
Treasury - Mr. Robson
JCS - Admiral Jeremiah
CIA - Mr. Helgeson

FROM: Robert M. Kimmitt R.M.K.

SUBJECT: Iraqi War Crimes

At the Deputies Committee meeting on September 21, we discussed several proposed measures related to Iraqi war crimes. It was agreed in principle that we should move forward on these measures. Paul Wolfowitz suggested that we add references to war reparations in our demarche, which has been done.

I indicated that I would circulate the paper describing the measures prior to taking action in order to provide agencies with another opportunity for comments. The Security Council Resolution to be adopted tomorrow will refer to Iraq's responsibility for compliance with the Geneva Conventions and for grave breaches. We would like to make our demarche and pursue the other measures shortly thereafter. Please inform my office whether you have any additional comments by COB Thursday if possible.

Enclosures: As stated

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PER E.O. 13526

2010-0824-MR
MM 2/18/2016

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DECL:OADR

~~SECRET~~

IRAQI WAR CRIMES: PROPOSED COURSE OF ACTION

Legal Background

Iraq Iraq's ^{aggression} ~~aggression~~ ^{on} against Kuwait violated ⁵ international law. Moreover, in its conduct of the conflict and occupation, ~~it~~ has committed numerous war crimes against Kuwait and third country nationals, such as by using them as a shield against military operations. Some of these war crimes, such as the taking of hostages, are grave breaches of the 1949 Geneva Convention on the Protection of Civilian Persons in Time of War. The Security Council Resolution that is scheduled to be voted on September 25 contains a paragraph stating that the Government of Iraq is liable for the grave breaches committed by it. ~~as~~ ^{as} other individuals who commit or order such acts] (See legal memo at Tab J.)

All States party to the Geneva Convention have a duty to search for and prosecute those responsible for grave breaches. Under existing treaties and the Nuremberg Principles, those responsible for these acts could be held personally responsible in the domestic criminal courts of any nation or could be tried by an ad hoc international tribunal established for this purpose (such as the International Military Tribunal at Nuremberg). Moreover, under Hague Convention No. IV of 1907 and customary international law, Iraq can be held accountable for reparations for its breaches of the law of war and other violations of international law.

In fact, however, there have been few major prosecutions for war crimes since the World War II period, in part because of evidentiary problems but primarily because of conflicting policy considerations (see below).

Actions to date

Consistent with standard DOD practice in any conflict where Americans are affected, the Office of the Judge Advocate General of the U.S. Army has opened a war crimes file on Iraq and is gathering relevant information. This action is required under unclassified DOD directives, and was confirmed to the press. JCS has also issued instructions to CENTCOM to monitor war crimes and to collect appropriate information, in consultation with appropriate Kuwaiti officials.

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DECL:OADR

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PER E.O. 13526

2010-0824-MR
MM 2/18/2016

~~SECRET~~

- 2 -

Editorials have already addressed the war crimes issue in leading papers (Tab H), and press guidance was used in response to an article reporting on possible U.S. Government action (Tab F). Moreover, members of Congress have raised this issue in hearings, and we expect that written inquiries will also be made.

The European Community has issued a statement which charges Iraq with grave actions in violation of humanitarian principles and states that individual Iraqis will be held responsible in accordance with international law (Tab I). However, the statement avoids certain buzz words, like "war crimes" and "Nuremberg". The U.K. has also issued a unilateral statement.

Analysis

Our approach to this issue needs to take into account the conflicting impact that our statements and actions can have on the Iraqis and others. A firm line might deter Iraq from further breaches and save Americans from mistreatment; would demonstrate U.S. support for and promote international law; might help deter future aggressors; and may create divisions within the Iraqi military establishment about future action.

On the other hand, highlighting this issue excessively could limit our diplomatic options by making it more difficult to justify an ultimate settlement which leaves Hussein in power; could actually undercut international law if no prosecutions follow; could harden Hussein's unwillingness to settle if he concludes that the United States will insist on his prosecution; and could lead (as it did in Vietnam) the Iraqis to accuse Americans of war crimes and to take retaliatory actions. The effect of our actions on our efforts to get additional Americans out of Iraq, and on Perez de Cuellar's efforts, must also be considered. A unilateral U.S. stance could make it easier for Iraq to portray the issue as a U.S.-Iraq matter, or even as a mere propaganda ploy.

RECOMMENDATIONS

Consultations have taken place between State, DOD, Justice, NSC Staff, and JCS, regarding the war crimes issue. Based on these discussions, the following specific steps have been recommended and approved in principle by the Deputies Committee. (The cables will be updated prior to being sent.)

1. A public statement that would be used after we had made a demarche to the GOI. A draft modeled on the EC statement is attached at Tab A.

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~~SECRET~~

- 3 -

2. A diplomatic note to Iraq, putting it on notice that the Iraqi Government and its officials will be held accountable for the mistreatment of Americans (Tab B).

3. A cable to the ICRC, requesting it to take an active role under the Geneva Conventions (Tab C).

4. A cable to our Embassy in Kuwait replying to Ambassador Howell's request that we take appropriate action on Iraqi war crimes (Tab D).

5. A cable informing the U.K., France, Egypt, Saudi Arabia, and Kuwait of our actions, and consulting with them about possible additional steps (Tab E).

The following additional options have been identified, which are not recommended at this particular time but. They may become desirable based on events in the upcoming weeks: establish a formal interagency Iraqi War Crimes Committee; issue a joint statement with other countries on the issue of war crimes; begin consultations on the establishment of an international war crimes tribunal; encourage discussion of Iraqi actions in the UNGA annual consideration of the Report of the International Law Commission on Crimes Against Peace.

Attachments:

Tab A -- Public Statement
Tab B -- Demarche
Tab C -- Cable to ICRC
Tab D -- Instructions to Kuwait
Tab E -- Cable on Consultations
Tab F -- Press State 9/31/90
Tab G -- Cable from Kuwait
Tab H -- Press Articles
Tab I -- EC Statement
Tab J -- Legal Memorandum

Wang #596

~~SECRET~~

Press Guidance

Personal Responsibility of Iraqi
Officials for Actions Against
American Citizens

Q: Iraq has taken American citizens hostage and is using them as a shield against military operations. Are those actions war crimes? Are you going to take legal action against the Iraqi officials responsible for these acts?

A: -- Iraq's invasion and occupation of Kuwait is in blatant violation of international law. The Security Council of the United Nations and the ~~World~~ Community recognize that this is the case, and are taking strong measures to deal with Iraq's unlawful actions. ✓

-- Iraq has also shown little respect for fundamental principles of humanitarian law. Iraq is bound by international law to protect foreign nationals on its territory and in occupied Kuwait.

-- The United States has reminded the Government of Iraq of ~~regarding~~ its legal obligations toward the United States and American citizens. In particular, we have reminded the Government of Iraq that it is unlawful under international law to take hostages and to use the civilian population as a shield against military operations.

-- We have also reminded the Government of Iraq that we will hold any Iraqi citizens who harm Americans personally responsible for their actions in accordance with international law. This includes any government officials and military personnel. We will also hold the Government of Iraq responsible for reparations for the damage it has caused and for violations of international law.

-- The Security Council of the United Nations has also reminded the Government of Iraq that Iraq and its officials are responsible for the grave breaches of the Geneva Conventions that have been committed.

-- We again urge the Iraqi government to comply with international law and the directives of the Security Council.

Q: [If asked] Does this mean that the United States will insist on prosecution of Saddam Hussein for war crimes?

A: -- We're keeping all options open.

Demarche to Baghdad

Complimentary Opening

The United States of America reminds the Government of Iraq that both nations are party to ~~numerous~~ international agreements regarding the protection of the victims of war, including the Geneva Conventions of 1949, and that the Hague Conventions of 1907 have been declared to be part of customary international law by the International Military Tribunal at Nuremberg. In blatant violation of these Conventions and customary international law, American citizens and other nationals are being held hostage in Iraq and Kuwait and are being used as a potential shield against military operations.

The United States of America reminds the Government of Iraq that the Government of Iraq remains responsible for the ~~of~~ implementation of treaties to which it is a party and customary international law. In particular, the United States reminds the Government of Iraq that under international law, any individual guilty of violations of the Geneva Conventions and related international law may be held personally liable at any time, without any statute of limitations. This includes members of the Iraqi Armed Forces and civilian government officials, ^{respective of rank}. The United States also reminds the Government of Iraq that under international law, Iraq has a responsibility to make reparations for the damage it has ~~not~~ caused to Kuwait and other countries and their nationals, and to provide compensation for violations of the law of armed conflict.

The United States of America calls upon the Government of Iraq to respect its legal obligations and to prevent further violations of the Geneva Convention and other humanitarian treaties and to comply with the directives of the United Nations Security Council. Compassion and an attempt at redress for the grave violations of humanitarian law that have recently occurred (including the immediate release of all hostages) will be taken into account by the United States in determining future action with respect to those responsible for current events in Iraq and occupied Kuwait.

OUTGOING TELEGRAM

INITIAL HERE + + + +

DEPARTMENT OF STATE

AUTH	_____	DRAFT	_____
CLEAR	1 _____	2 _____	
3 _____	4 _____	5 _____	
6 _____	7 _____	8 _____	

~~CONFIDENTIAL~~

L/PM:ERCUMMINGS:TWM
08/30/90 77838 WPPPM 523

IMMEDIATE GENEVA

E.O. 12356: DECL: OADR

TAGS:

REF A: GENEVA 5993 REF B: GENEVA 6228

SUBJECT: ICRC ACTIVITY ON IRAQ

1. ~~CONFIDENTIAL~~ - ENTIRE TEXT.

2. IT IS THE VIEW OF THE U.S. GOVERNMENT THAT U.S. CITIZENS IN IRAQ AND OCCUPIED KUWAIT ARE PROTECTED PERSONS WITHIN THE MEANING OF ARTICLE 4 OF THE GENEVA CONVENTION ON THE PROTECTION OF CIVILIANS IN TIME OF WAR. IRAQ HAS VIOLATED THE CONVENTION IN NUMEROUS WAYS, IN PARTICULAR BY TAKING HOSTAGES, USING THE CIVILIAN POPULATION AS A SHIELD TO MILITARY OPERATIONS, AND REMOVING AMERICANS FROM KUWAIT TO IRAQ. [ARTICLES 33, AND 28 AND 49 OF THE CONVENTION.] IN RESOLUTION 668, THE SECURITY COUNCIL REAFFIRMED THAT THE GOVERNMENT OF IRAQ AND ITS OFFICIALS ARE RESPONSIBLE FOR THE GRAVE BREACHES OF THE CONVENTIONS THAT HAVE OCCURRED.

3. THE ICRC HAS HISTORICALLY PLAYED A MAJOR ROLE IN THE IMPLEMENTATION OF THE GENEVA CONVENTIONS, AND NORMALLY MAKES

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PER E.O. 13526
2010-0824-MR
28 8/31/15

~~CONFIDENTIAL~~

~~CONFIDENTIAL~~

2

AN ANNOUNCEMENT REMINDING STATES OF THEIR LEGAL OBLIGATIONS UNDER THE GENEVA CONVENTION ONCE HOSTILITIES BEGIN BETWEEN NATIONS. REF A STATES THAT THE ICRC HAS DONE SO WITH RESPECT TO THE SITUATION IN THE GULF.

4. WE ARE MINDFUL OF PRIME MINISTER THATCHER'S UNUSUAL PUBLIC CRITICISM OF THE ICRC FOR ITS LACK OF ACTIVITY IN THE CURRENT CONFLICT. WHILE WE APPRECIATE THAT IRAQ MAY BE UNWILLING TO COOPERATE, WE BELIEVE THAT THE ICRC NEEDS TO PLAY AS ACTIVE A ROLE AS POSSIBLE. WE ARE PREPARED TO PROVIDE WHATEVER SUPPORT WE CAN IN DOING SO. PLEASE CONVEY TO THE ICRC OUR VIEWS ON THE APPLICABILITY OF THE CONVENTIONS TO AMERICANS IN IRAQ AND OCCUPIED KUWAIT. THE ICRC SHOULD ALSO BE INFORMED THAT WE ARE CLOSELY MONITORING REPORTS ON IRAQI VIOLATIONS OF THE LAW OF WAR, AND THAT WE HAVE NOT RULED OUT ANY ACTIONS ON IRAQI WAR CRIMES.

~~CONFIDENTIAL~~

Withdrawal/Redaction Sheet

(George Bush Library)

Document No. and Type	Subject/Title of Document	Date	Restriction	Class.
04f. Cable	Re: Iraqi Violations of Humanitarian Law (1 pp.)	8/28/90	(b)(1)	S

Collection:

Record Group: Bush Presidential Records
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Subseries: Chronological Files
WHORM Cat.:
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RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

P-1 National Security Classified Information [(a)(1) of the PRA]
 P-2 Relating to the appointment to Federal office [(a)(2) of the PRA]
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(b)(1) National security classified information [(b)(1) of the FOIA]
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 (b)(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
 (b)(9) Release would disclose geological or geophysical information

Withdrawal/Redaction Sheet

(George Bush Library)

Document No. and Type	Subject/Title of Document	Date	Restriction	Class.
04g. Cable	Re: Summary -- (2 pp.)	8/30/90	(b)(1)	C

Collection:

Record Group: Bush Presidential Records
Office: Scowcroft, Brent, Collection
Series: Desert Shield/Desert Storm Files
Subseries: Chronological Files
WHORM Cat.:
File Location: Desert Shield/Desert Storm (September 1990) Part II [2]

Date Closed: 6/12/2009	OA/ID Number: 91144-004
FOIA/SYS Case #: 2009-0275-S	Appeal Case #:
Re-review Case #:	Appeal Disposition:
P-2/P-5 Review Case #:	Disposition Date:
AR Case #:	MR Case #:
AR Disposition:	MR Disposition:
AR Disposition Date:	MR Disposition Date:

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War Crimes

If Asked

Q: The Los Angeles Times reported today that the U.S. Government is maintaining files on Iraqi war crimes for use in a Nuremberg-style war crimes trial. Can you comment on this report?

A: -- We are of course very concerned about Iraq's violations of international law, including the taking of hostages and the use of civilians as a shield against military operations.

-- It is the normal policy of the U.S. Government to maintain files on possible violations of the law of war involving American citizens. The Department of Defense maintains such files pursuant to long-standing directives.

-- We hold the Government of Iraq and its officials and military personnel responsible for all actions involving Americans.

-- We have not ruled out any actions in response to Iraqi violations of international law.

Drafted: L/PM:ERCummings²
WPPPM 529 8/31/90: ext:77838

Cleared: NEA: Mr. Goode
PM: Ms. Verville
L: Mr. Kreczko
DOD: Mr. Dyson
P: Mr. McDonald
NSCS: Mr. Rostow
JCS: Col. Green

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22

Withdrawal/Redaction Sheet

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Document No. and Type	Subject/Title of Document	Date	Restriction	Class.
04h. Cable	American Embassy Kuwait to Secretary of State Washington D.C. Re: Tightening the Noose on Iraq (1 pp.)	8/25/90	(b)(1)	S

Collection:

Record Group: Bush Presidential Records
Office: Scowcroft, Brent, Collection
Series: Desert Shield/Desert Storm Files
Subseries: Chronological Files
WHORM Cat.:
File Location: Desert Shiled/Desert Storm (September 1990) Part II [2]

Date Closed:	6/12/2009	OA/ID Number:	91144-004
FOIA/SYS Case #:	2009-0275-S	Appeal Case #:	
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Notice to Iraq: Hostage-Taking Is a War Crime

By MARK HELPRIN

Even if all lawyers should not be killed, most should probably be isolated from the conduct of foreign relations. Trained in a system that requires consensus and civil order, they tend to confront barbarian outrages with impotent legalities, applying the softest tools to the hardest stone.

But the call to international law is not always an attempt to dignify capitulation by the construction of illusion. In concert with a great array of forces such as the U.S. and its allies are now assembling in the Gulf, even the pathetic legalisms that give meaning to the word toothless can spring to the life for which they were originally intended. And, just as finely crafted resolutions and declarations are of little value unaccompanied by real power, real power is improperly realized absent finely crafted declarations and resolutions.

The number of Saddam Hussein's hostages and hostages-in-waiting ranges from a hundred or so to almost a million, depending upon whether or not you are Egyptian. As Saddam's assets dwindle he turns to local traditions such as the refusal to distinguish between combatants and non-combatants. Though most Westerners find this as incomprehensible and difficult as the urge to martyrdom, we have our own traditions that, for our enemies, can be similarly threatening. To punish the transgressions we most abhor, we have created institutions of long memory, noted determination, and infinite patience.

The president has wisely avoided precipitate action while military and political activity increase the range of his options. Reinforcing Saudi Arabia and China was the best initial strategy, and until more opportunities arise it remains so. Nonetheless, it accentuates the role of the hostages. Mr. Bush has said that he will hold Iraqis responsible for the Americans among them, but he would do well to be more specific. An uncertain threat can mean nuclear retaliation or absolutely nothing. Iraq should be told that the U.S. and its allies will pursue and try war criminals. Every soldier under Saddam, from generals to privates, should know what we have done before and will do again, that when it was done it was not easy, that we persevered through 50 million deaths, that half a century later we are hunting down the criminals, that if men lived 1,000 years we would be hunting these criminals still. If the implication they draw from such a declaration is that Baghdad will be overrun as was Berlin, then that implication should stand.

Early in the Second World War, Roosevelt and Churchill insistently made the punishment of war crimes one of the aims of victory, and many of the guiding declarations issued in the war years were emphatic: The St. James, Moscow, and Potsdam declarations, the last of which stated with compelling simplicity that "Stern justice shall be meted out to all war criminals including those who have visited cruelties upon our prisoners."

In October 1943, the Allies established The United Nations War Crimes Commission as an institution for the practical application of the near universal sentiment against war crimes. The effectiveness of such steps is hard to judge, but it is impossible to ignore the difference in treatment experienced by Allied prisoners of the Reich, whose governments made clear what they would do after the war they had the potential of winning, and others, notably the Jews, who had no such shield. No guarantee exists that similar steps will deter across the exquisitely delineated cultural lines that separate Iraq and the West, especially in light of Japanese treatment of Allied prisoners. Still, Japan's Chinese prisoners fared far worse, and American and British exhortations were directed mainly at Germany. Perhaps had a similar tactic been used in regard to Japan, history would have been slightly different.

One of the problems of the Nuremberg tribunal, the Subsequent Proceedings, which followed, and the International Military Tribunal for the Far East was that though little they affirmed in law was new, they had to break new ground in its application. Now, however, precedent and procedure are clearly established. Though Iraq has already violated the Fourth 1949 Geneva Conventions—in deporting prisoners, taking hostages, discriminating among captives according to nationality, and using civilians to shield military targets—we are concerned above all with the hostages' survival and the length of their captivity. The more specific the demands and threats in this regard, the better.

Were the nations whose citizens are prisoners in Iraq to offer in the United Nations a resolution, backed by the declarations of their parliaments, to the effect that they will hold each and every Saddamite account for the fate of the hostages, the Iraqi security and military apparatus that blindly follows Saddam's orders might falter. Saddam might discover a certain vulnerability in his chain of command. The duty to overthrow him might become suddenly more fervent and more logical. Lives might be saved.

In isolation, a U.N. resolution is worth little more than the collected speeches of Cyrus Vance, but in combination with the armies and fleets now gathering in the desert and upon nearby seas, an unambiguous statement of intent would be far more than a misplaced legality. Not only might it be of interest to the Iraqis, but it would elucidate our aims, principles and values, make clearer our purpose, and solidify our resolve. In addition, it would be yet another of the many active responses to the crisis. When Iran held our hostages we were debilitated not so much by the arduous passage of time as by the days and weeks that passed during which absolutely nothing was done. Americans are impatient. We need action each day, even if that means that our political leadership must actively guide us through the great difficulty of waiting. Action each day. And why not? Saddam Hussein began with the initiative. We have wrested it from him, and we must keep it from him.

Mr. Helprin, novelist and political commentator, is a graduate of Harvard's Center for Middle Eastern Studies and served in the Israeli infantry and air force.

The New York Times

Founded in 1851

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The World v. Saddam Hussein

Cornered and desperate, Saddam Hussein now lashes out against diplomacy itself. His troops lawlessly threaten foreign embassies in Kuwait while his regime detains U.S. diplomats and dependents who were promised a safe exit from Baghdad. The most telling condemnation comes from Moscow, Iraq's longtime ally. An outraged Mikhail Gorbachev warns that an Iraqi failure to heed United Nations resolutions would "inevitably prompt the Security Council to take corresponding additional measures."

Those measures need no spelling out. The Soviet Union is now weighing a Security Council resolution that would authorize use of force to secure compliance with economic sanctions. Americans who have been struggling to win Soviet approval have gained unexpected support from Saddam Hussein.

Each fresh breach of law solidifies the global consensus against him. Cumulatively, he and his associates are becoming war criminals in the classic Nuremberg sense.

In a decade, Iraq has managed to violate most of the Nuremberg Principles as formulated in 1948 by the allies in World War II and reaffirmed unanimously by the U.N. in 1998. In law if not yet in fact, the Baghdad leadership could be held criminally accountable for Iraq's offenses. The Nuremberg Principles assert that a crime against world law is liable to punishment, that heads of state can be held re-

sponsible and that obeying orders does not exempt subordinates when a moral choice is possible. These are punishable crimes:

Crimes against peace, like initiating a war of aggression in violation of international treaties. Iraq initiated war against Iran in 1980, and against Kuwait 23 days ago.

War crimes, like the ill treatment of civilian populations in occupied territories, killing of hostages, plunder of private property or wanton destruction of cities. Iraq plundered Kuwait, stripped its people of their citizenship, abused innocent civilians and now makes hostages even of diplomats whose special status is protected by the Vienna Convention.

Crimes against humanity, like murder, deportation and inhuman acts or persecutions on political, racial or religious grounds. It is a capital offense in Iraq to insult the President, espouse Zionism, leave the ruling Baath Party or persuade someone else to do so. Using these laws, Iraq has executed thousands. It has waged genocidal war against its own Kurdish minority, using poison gas in contravention of a Geneva protocol to which it is a party. There is hardly a human rights convention that Iraq has not violated.

The chief defense of war criminals tried at Nuremberg in 1945-1946 was that no precedent existed for their punishment. It does now.

<NEWS TICKER>

Analyst: Date: 08/31/90 Time: 06:12:23

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r a AP-Gulf-WarCrime 08-31 0312

^AP-Gulf-War Crime

^RETRANSMITTING a0473 to restore dropped keyword.<

^Newspaper: Officials Listing Alleged Saddam Hussein War Crimes<

^With PM-Gulf Rdp, Bjt<

LOS ANGELES (AP) - U.S. officials are compiling a list of alleged violations of international law to use against Iraqi President Saddam Hussein in a Nuremberg-style war crimes trial, a newspaper reported today.

The Bush administration could cite the alleged violations to justify any military action against Iraq, according to administration sources quoted by the Los Angeles Times.

The administration also might make the capture of Saddam and his key advisers for trial one of the objectives of the U.S. buildup in the Persian Gulf, officials told the Times.

"Some (legal) action has to be taken, both because we have a right to bring him to justice and to deter him from further violations," said an administration official, who spoke on condition of anonymity.

In the short term, administration officials said the preparation of charges was intended to deter Saddam from taking further action against thousands of civilian hostages in Iraq and Kuwait.

The report did not state whether plans were being made for Saddam's capture or in what venue the administration would want to try the Iraqi leader.

Among the alleged violations cited by officials is that Saddam has waged a war of aggression by invading Kuwait on Aug. 2. That charge formed the basis of the war crimes trials of Nazi leaders in Nuremberg after World War II.

Other possible allegations include using chemical weapons, taking hostages, kidnapping diplomats, violating embassies and holding captives at military installations, officials said.

Those actions constitute violations of the 1949 Geneva Convention and the 1973 New York Convention protecting embassies, diplomats and their families, the officials said.

"Saddam has really put himself in a situation of dire jeopardy by using civilians," said Abraham D. Sofaer, a former State Department legal adviser. "It's a clear violation of the laws of war. To intentionally expose civilians for military purposes is a clear

violation of the Geneva Convention.''

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Herald INTERNATIONAL Tribune

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ESTABLISHED 1887

Apply the Rules of Law

By John Norton Moore and Robert F. Turner

CHARLOTTESVILLE, Virginia — Surely no one wishes to see the current crisis resolved by a war in the Gulf region. Fortunately, international law provides a range of options for the United Nations Security Council to use in putting additional pressure on Saddam Hussein and his colleagues to cease their aggression immediately and provide verifiable and adequate assurances that it will not be repeated.

States that breach their international duties are obligated to make adequate reparation to the parties they have injured, and the Security Council has a wide range of legal options through which it can punish Iraq and its leaders if peace is not promptly restored.

One important possibility in that

the Security Council has authority under Articles 39 and 41 of the UN Charter to establish an ad hoc international tribunal to hear "war crime" charges against Mr. Hussein and his chief lieutenants. If he does not cease his aggression and release all hostages immediately, this would seem to be a reasonable additional sanction to signal future potential aggressors of the high costs of such misconduct.

Any such trials must be scrupulously fair and all defendants must be given the opportunity to be present, give evidence, be represented by counsel, challenge evidence and the like; the refusal of a defendant to appear, however, should not preclude a trial.

The Security Council has the authority under Articles 48 and 49 of the Charter to require all nations to recognize the judgment of such a tribunal, so that even if a trial had to be held in absentia a convicted defendant would be vulnerable to arrest and punishment if he entered the jurisdiction of another state.

The world economy has already suffered billions of dollars in losses as a result of Mr. Hussein's illegal conduct. The Security Council might also consider whether some Iraqi oil resources ought to be used to indemnify not only the states that sent military forces to defend Saudi Arabia and to enforce the Security Council's embargo, but also countries that have suffered because of this wrongful conduct.

The Security Council also has authority under Article 41 of the Charter to expand the existing economic embargo of Iraq to include, for example, a prohibition against air, postal, telegraphic and radio communications with Iraq and to require all UN members to sever diplomatic relations with the aggressor.

Finally, the Security Council might insist that, as a part of any "settlement," adequate steps are taken to ensure that Iraq will not be able to develop nuclear weapons and that its massive supplies of poison gas and explosives will not be available for use against other innocent countries or people in the future.

If world peace and the rule of law are to have a chance, it is these types of issues that should form the agenda for any "negotiations."

Mr. Moore is director of the Center for National Security Law at the University of Virginia School of Law. Mr. Turner is chairman of the American Bar Association's Standing Committee on Law and National Security. They contributed this comment to the International Herald Tribune.

*in absentia
W.C. Irish*

apartheid

*sever comms.
sever dip relations*

denuclearize

pg 4

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UNCLAS ROME 15730

P.O. 12756: M/A

1111. 0301. EPC, KU, IT

SUBJECT: TFKU01: EPC DECLARATION ON THE SITUATION OF THE
FOREIGNERS IN IRAQ AND KUWAIT

THE PRIME MINISTER'S OFFICE HAS PROVIDED US WITH THE
FOLLOWING EPC STATEMENT, ISSUED IN PARIS AUGUST 21:

BEGIN TEXT:

THE COMMUNITY AND ITS MEMBER STATES, DEEPLY CONCERNED AT
THE SITUATION OF FOREIGNERS IN IRAQ AND KUWAIT, REINFORCE
THEIR CONDEMNATION OF THE IRAQI DECISION TO DETAIN THEM
AGAINST THEIR WILL AS CONTRARY TO INTERNATIONAL LAW AND
FULLY SUPPORT THE SECURITY COUNCIL RESOLUTION 664 WHICH
REQUIRES IRAQ TO PERMIT AND FACILITATE THEIR IMMEDIATE
DEPARTURE FROM IRAQ AND KUWAIT. THEY DENOUNCE THAT THE
IRAQI GOVERNMENT HAS UP TO NOW REACTED NEGATIVELY TO THE
MANY REPRESENTATIONS OF THE COMMUNITY AND ITS MEMBER
STATES.

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PAGE 02

ROME 15730 211822Z

AS MEMBERS OF THE INTERNATIONAL COMMUNITY, WHICH IS
FOUNDED NOT ONLY ON LAW BUT ALSO ON CLEAR ETHICAL
STANDARDS, THE EUROPEAN COMMUNITY AND ITS MEMBER STATES
EXPRESS THEIR INDIGNATION AT IRAQ'S PUBLICIZED INTENTION

TO GROUP SUCH FOREIGNERS IN THE VICINITY OF MILITARY
BASES AND OBJECTIVES, A MEASURE THEY CONSIDER
PARTICULARLY HEINOUS AS WELL AS TAKEN IN CONTEMPT OF THE
LAW OF BASIC HUMANITARIAN PRINCIPLES. IN THIS CONTEXT
THE FACT THAT SOME FOREIGNERS HAVE BEEN PREVENTED FROM
CONTACTING THEIR CONSULAR OR DIPLOMATIC MISSIONS OR HAVE
BEEN FORCIBLY MOVED TO UNKNOWN DESTINATION IS A SOURCE OF
FURTHER DEEP CONCERN AND INDIGNATION. IN THIS CONNECTION,
THEY ATTACH THE GREATEST IMPORTANCE TO THE MISSION OF TWO
ENVOYS OF THE SECRETARY GENERAL OF THE UNITED NATIONS
WHICH IS NOW TAKING PLACE. THEY WARN THE IRAQI

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GOVERNMENT THAT ANY ATTEMPT TO HARM OR JEOPARDIZE THE
SAFETY OF ANY EC CITIZEN WILL BE CONSIDERED AS A MOST
GRAVE OFFENSE DIRECTED AGAINST THE COMMUNITY AND ALL ITS
MEMBER STATES AND WILL PROVOKE A UNITED RESPONSE FROM THE
ENTIRE COMMUNITY. THEY ALSO WARN IRAQI CITIZENS THAT
THEY WILL BE HELD PERSONALLY RESPONSIBLE IN ACCORDANCE
WITH INTERNATIONAL LAW FOR THEIR INVOLVEMENT IN ILLEGAL
ACTS WHICH COMPROMISE THE SECURITY AND LIFE OF FOREIGN
CITIZENS.

THEY CALL ON ALL EC GOVERNMENTS TO REAFFIRM THE
DECISIONS OF THE SECURITY COUNCIL IN RESOLUTION 660
AND SUPPORT THE ACTION OF THE SECURITY COUNCIL
AND THE SECRETARY-GENERAL OF THE UNITED NATIONS IN THIS
MATTER. THEY CONFIRM THEIR GOAL TO GO ON IN
THEIR EFFORT TO ASSURE THE PROTECTION OF THE FOREIGNERS IN
IRAQ AND KUWAIT AND PRITERATE THAT THEY HOLD IRAQI
GOVERNMENT FULLY RESPONSIBLE FOR THE SAFETY OF THEIR

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PAGE 21 DOME 157201 111-201

NATIONALS.

THE COMMUNITY AND ITS MEMBER STATES, IN THE LIGHT OF
THEIR CONDEMNATION OF THE IRAQI AGGRESSION AGAINST KUWAIT
AS WELL AS OF THEIR REFUSAL TO RECOGNISE THE ANNEXATION
OF THE STATE TO IRAQ, FIRMLY REJECT THE UNLAWFUL IRAQI
DEMAND TO CLOSE THE DIPLOMATIC MISSIONS IN KUWAIT AND
PRITERATE THEIR RESOLVE TO KEEP THOSE MISSIONS OPEN IN
VIEW ALSO OF THE TASK OF PROTECTING THEIR NATIONALS.
THE COMMUNITY AND ITS MEMBER STATES NOTE WITH
SATISFACTION THAT THIS POSITION IS SHARED BY A GREAT
NUMBER OF COUNTRIES AND IS CONFIRMED BY SECURITY COUNCIL
RESOLUTION 664, WHICH REQUIRES THE REVERSAL OF THE
ILLEGAL DEMAND TO CLOSE THE DIPLOMATIC MISSIONS. END

TEXT.

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Withdrawal/Redaction Sheet

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FROM: ROY, J

DOC DATE: 28 SEP 90
SOURCE REF: 9020449

KEYWORDS: DENMARK
UN

HS

PERSONS: SCHLUTER, POUL

GORBACHEV, MIKHAIL S

SUBJECT: LTR TO PRES FM PM SCHLUTER RE MTG IN HELSINKI

ACTION: NO REPLY REQUIRED PER STATE DUE DATE: 25 SEP 90 STATUS: C

STAFF OFFICER: STATE LOGREF: 9007259 9007552

FILES: WH NSCP: CODES:

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E.O. 12958, SEC 3.4 (B) September 11, 2006

By Cep NARA, Date 6/12/09

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'90 SEP 28 P 10

S/S 9020449
Date September 28, 1990

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

REFERENCE:

To: William F. Sittmann

From: Prime Minister Poul Schluter

Date: Sept. 20, 1990

Subject: A letter to President Bush from Danish Prime
Minister Poul Schluter.WH Referral Dated: _____
NSCS ID# (if any): __________ 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.

XX 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: The incoming letter is a response to a Presidential
message.

Barbara Kuhn
Director
Secretariat Staff

Withdrawal/Redaction Sheet

(George Bush Library)

Document No. and Type	Subject/Title of Document	Date	Restriction	Class.
05. Letter	Re: Transcript of a letter dated September 18, 1990 from Prime Minister Poul Schluter to President Bush (1 pp.)	9/18/90	(b)(1)	

Collection:

Record Group: Bush Presidential Records
Office: Scowcroft, Brent, Collection
Series: Desert Shield/Desert Storm Files
Subseries: Chronological Files
WHORM Cat.:
File Location: Desert Shield/Desert Storm (September 1990) Part II [2]

Date Closed: 6/12/2009	OA/ID Number: 91144-004
FOIA/SYS Case #: 2009-0275-S	Appeal Case #:
Re-review Case #:	Appeal Disposition:
P-2/P-5 Review Case #:	Disposition Date:
AR Case #:	MR Case #:
AR Disposition:	MR Disposition:
AR Disposition Date:	MR Disposition Date:

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

P-1 National Security Classified Information [(a)(1) of the PRA]
 P-2 Relating to the appointment to Federal office [(a)(2) of the PRA]
 P-3 Release would violate a Federal statute [(a)(3) of the PRA]
 P-4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
 P-5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
 P-6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Removed as a personal record misfile.

Freedom of Information Act - [5 U.S.C. 552(b)]

(b)(1) National security classified information [(b)(1) of the FOIA]
 (b)(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
 (b)(3) Release would violate a Federal statute [(b)(3) of the FOIA]
 (b)(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
 (b)(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
 (b)(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
 (b)(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
 (b)(9) Release would disclose geological or geophysical information

United States Department of State

Washington, D.C. 20520

September 20, 1990

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

SUBJECT: Alerting NSCS on Presidential
Correspondence

Enclosed is the original of a letter to President Bush
from Danish Prime Minister Poul Schluter
which is transmitted for your information.

This correspondence was received in the Information Resources
Management Section of the Executive Secretariat on September 20, 1990
A copy has been assigned to the appropriate bureau for action.



Director, S/S-IRM
Information Resources Management Section
Executive Secretariat
647-2991