Mr. President, first, I

compliment Senator SPECTER from

Pennsylvania, since he is the original

author of this resolution on an international

criminal tribunal for Iraq. I

very much appreciate his leadership,

and I know the Senate appreciates that

leadership as well.

This is the right subject. It is something

the Senate needs to be discussing.

I hope very much that tomorrow,

when we vote on this resolution, the

Senate will overwhelmingly approve it.

Recently, in the country of Iraq, a

state-controlled newspaper proposed

that Saddam Hussein be given the

Nobel Peace Prize. I doubt whether

many Americans would believe that

Saddam Hussein would qualify for the

Nobel Peace Prize. The only ceremony

I believe Saddam Hussein ought to attend

in the near future is a war crimes

trial. And I expect, in the future, if

there were a war crimes trial to be

held—and I hope this legislation will be

the catalyst to make that happen—I

expect in the future no one will again

suggest a Nobel Peace Prize for a convicted

war criminal.

Why do we say there should be an

international tribunal to try Saddam

Hussein and other leaders of Iraq for

war crimes?

First of all, there is precedent for it,

as Senator SPECTER indicated. In Nuremberg,

at the end of World War II,

over 200 Nazi leaders were tried between

1945 and 1949. Thirty-seven of

them were sentenced to death, 23 to life

in prison, and 101 to shorter prison

terms.

There is an international tribunal for

Rwanda at work right now. Three

trials are underway. Thirty-one suspects

have been indicted, and nearly all

of them are in custody.

The international tribunal for the

former Yugoslavia has indicted 79 suspects,

of whom 24 are now in custody.

I believe that an international tribunal

to try Saddam Hussein and other

Iraqi leaders for war crimes should follow

on these models. A tribunal for

Iraq should be constituted by the

United Nations, and war crimes trials

should begin.

Iraq’s crimes against peace include

two wars of aggression: the Iran-Iraq

war in which Iraq invaded Iran, and the

Persian Gulf war, in which Iraq invaded

its southern neighbor, Kuwait.

War crimes committed by Iraqi

forces against civilians in Kuwait include

extrajudicial and political

killings, acts of torture, rapes of civilian

women, pillage and looting—all

crimes under the Fourth Geneva Convention,

which requires wartime protections

for civilians.

Iraqi troops committed crimes

against third country nationals. They

prevented Western and Arab refugees

from leaving Iraq and Kuwait. They

carried out arbitrary arrests and detentions.

Iraq even resorted to hostage

taking and use of hostages as human

shields.

The Iraqi government committed

crimes against prisoners of war. It used

physical and mental torture to coerce

POWs to reveal information. It used

prisoners of war as human shields, and

it displayed injured prisoners of war on

Iraqi TV.

Iraq committed crimes against diplomats

and embassies: it abducted people

with diplomatic immunity, and it

seized and blockaded embassies in Kuwait.

So Mr. President, the list of war

crimes during the Persian Gulf War is

a lengthy one. However, Iraq’s criminal

record goes back further than that.

Human Rights Watch has written extensively

about the Anfal campaign

against the Kurds living in northern

Iraq. This campaign was a policy of

systematic and deliberate murder.

Human Rights Watch concluded that

the Iraqi government killed at least

50,000 and perhaps as many as 100,000

Kurds.

The Anfal campaign involved the destruction

of thousands of Kurdish villages

and the murder, disappearance,

and extermination by chemical weapons

or the forcible resettlement of hundreds

of thousands of Kurds. This was

ethnic cleansing before the term was

invented.

Even worse, the Anfal campaign included

chemical weapons. A U.S. Government

white paper says there were

‘‘numerous Iraqi chemical attacks

against civilian villages in 1987 and

1988.’’ The white paper lists 10 instances

of Iraqi chemical attacks and

says that Iraq ‘‘delivered. . .Mustard 5

agent and the nerve gases Sarin and

Tabun in aerial bombs, spray dispensers,

120-mm rockets and several types

of artillery.’’

Iraq possesses a chemical weapons

program and a biological weapons program.

Its chemical stockpile contained

40,000 chemical weapons munitions;

480,000 liters of chemical weapons

agents; and 8 delivery systems.

Iraq’s biological weapons arsenal included

8,500 liters of anthrax; 19,000 liters

of botulinum toxin; and 2,200 liters

of alfatoxin. This program was in violation

of the Biological Weapons Convention,

to which Iraq is a party.

And the list of Iraqi crimes and treaty

violations goes on at some length. I

ask unanimous consent to have the list

printed in the RECORD at the conclusion

of my remarks.

Mr. President, let us

look at the behavior and the actions of

Saddam Hussein and the regime in Iraq

through the horror of what happened to

a young boy, now dead, named Dejwar,

5 years of age. In reading Dejwar’s

story, I am relying on the wonderful

reporting work done by Middle East

Watch and the Physicians for Human

Rights. Human Rights Watch has published

this work in a book called, ‘‘The

Anfal Campaign in Iraqi Kurdistan.’’

This book tells a terrible story about

happened to Dejwar.

On August 25, 1988, at dawn, this 5-

year-old boy, with his father, a farmer,

was awake inside their house in

Birjinni. Hassan, the boy’s father, lived

there with his father and mother, his

four brothers, his wife and four children,

of whom Dejwar was one.

Hassan, Dejwar’s father, was preparing

to go to the orchards that morning.

Then the bombs began to drop. The father

said that the explosions that

morning were not as strong as other

bombs that had been dropped on their

village by the Government of Iraq.

The surviving villagers described the

smoke that morning rising from the

bombs as ‘‘white, black and then yellow’’

smoke. Those columns of smoke

from the bombs rose 50 to 60 meters in

the air.

The smell of gas was ‘‘pleasant, at

first’’ that morning. ‘‘It smelled of apples,’’

they said, smelled of ‘‘something

sweet.’’ Several men said it smelled

like ‘‘pesticides in the fields.’’ Shortly

after that, they said ‘‘it became bitter.

It affected our eyes, and our mouths,

and our skin. All of a sudden,’’ they

said, ‘‘it was hard to breathe. Your

breath wouldn’t come. You couldn’t

breathe’’ at all.

The people of that village—and this

is one study of one village, one attack

on one morning by the Iraqi Government—

did not know what to do when

those bombs fell. They began to understand

these were not usual bombs,

these were chemical bombs.

As the smoke from the chemical

bombs settled into the lower land, they

said ‘‘it drifted down the valley toward

the fields and the orchards.’’ The father

said, ‘‘I took my family, three of

my children and my wife, and we ran to

higher ground. We went the other direction

from the smoke.’’ There was

complete panic; people ran in all directions.

Families were separated, children

lost from their parents. Everyone

‘‘was trying to save themselves, each

one himself, even the mothers of children,

because they couldn’t breathe.’’

But Hassan’s father and other family

members at first stayed in the house

because ‘‘they didn’t know what the

smoke could do.’’ When they realized

they were under gas attack, many of

them ran down from the village to an

orchard in a ravine. The smoke followed

them into the ravine.

Hassan and his wife realized that one

of their four children was also separated

from them, and that was the 5-

year-old boy I mentioned, Dejwar. He

was missing. He had gone with his

grandfather to the orchard in the ravine

and stayed there.

When some of the smoke lifted, after

about a half an hour, Hassan and other

survivors thought it was safe to come

to the village. He found his mother and

sister ‘‘lying on the ground, overcome

by the gas.’’ Symptoms: Hands, legs

paralyzed, trembling, shaking. They

tried to swallow water and couldn’t.

Their throats were burning. They were

vomiting. Hassan later said, ‘‘My

mother whispered, ’I think there’s a

hole in my head.’’’ Within several

hours after exposure to the smoke,

both mother and sister went blind, according

to family members.

Hassan went down from the village

and found his father and his son Dejwar

lying dead outside the orchard. There

were no marks on them. ‘‘It was like

they were sleeping,’’ he said, ‘‘except

their faces were blue.’’ Then he found

his two brothers dead in a small cave

where they had taken refuge.

Mr. President, these are just a few

paragraphs in a book describing the experience

of one village under attack

with chemical weapons by the country

of Iraq.

Name another leader on the face of

this Earth who has decided, not once

but on numerous occasions, to use

weapons of mass destruction against

his own people and his neighbors. Name

one other country. Only Iraq, only Saddam

Hussein.

The Senator from Pennsylvania and I

and others say it is time, long past the

time, when there should be constituted

an international tribunal to try these

people, who have committed such

atrocities, for war crimes. That tribunal

will give a much longer presentation

of evidence than the Senator

from Pennsylvania or I will give today.

Maybe then, maybe all of the world

will see the systematic presentation of

evidence, and hear of the unspeakable

horrors that have been visited upon innocent

men, women and children. Not

just tens of thousands, but hundreds of

thousands of people, who have disappeared

and been killed and murdered.

Some of them were killed by

poison gas.

Maybe then the rest of the people in

the world will understand this is not

just a foreign leader, this is not just

the leader of Iraq, this is a convicted

war criminal.

A war crimes trial should have happened

after the Gulf War. Whether Saddam

Hussein is tried in absentia or not

is irrelevant to me. The fact that he is

tried is very important. We must, as a

world, come together and judge actions

of this type.

The unspeakable horrors that have

been visited upon so many innocent

people by this government must not go

unnoticed and must not remain

unprosecuted. We can, we should, and

we will convene an international tribunal.

We have done that in the past, and

there are two such tribunals ongoing

right now.

With the leadership of the Senator

from Pennsylvania, we can and will

and should convene that international

tribunal for Iraq and do the right

thing.

This resolution may be controversial

for some, who say that the foggy world

of diplomacy does not accommodate

this kind of decisive and important action.

I think the foggy world of diplomacy

demands this kind of action.

When diplomatic initiatives occur in

the Persian Gulf in the future, it ought

not occur between respectable diplomats

on one side and Saddam Hussein

as a national leader on the other

side. It ought to be Saddam Hussein, a

convicted war criminal, on the other

side, a war criminal convicted by evidence

all the world will have seen. That is the purpose of this resolution.

Mr. President, I yield the floor.