

## Double Standards in Assessing War Crimes

When used by Saddam, White Phosphorous Bombs are considered as Chemical Weapons

By [Global Research](#)

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Region: [Middle East & North Africa](#)

Theme: [Crimes against Humanity](#)

In-depth Report: [IRAQ REPORT](#)

When Saddam Hussein allegedly used white phosphorous bombs against the Kurds [see Department of Defense document below], he was accused of using illegal chemical weapons.

When the US uses white phosphorous bombs in Fallujah, they were not identified as an illegal weapon.

[http://www.gulflink.osd.mil/declassdocs/dia/19950901/950901\\_22431050\\_91r.html](http://www.gulflink.osd.mil/declassdocs/dia/19950901/950901_22431050_91r.html)

"The use of White phosphorus ("WP") may also be a war crime under other international treaties and domestic U.S. laws. For example, the Battle Book, published by the U.S. Command and General Staff College at Fort Leavenworth, Kansas, contains the following sentence: ["It is against the law of land warfare to employ WP against personnel targets."](#) Indeed, it is interesting to note that the U.S. previously called white phosphorous a [chemical weapon when Saddam used it against the Kurds.](#)"

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IIR 2 243 1050 91/POSSIBLE USE OF PHOSPHOROUS CHEMICAL

Filename:22431050.91r

PATHFINDER RECORD NUMBER: 16134

GENDATE: 950504

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TEXT:

ENVELOPE CDSN = LGX854 MCN = 91107/02896 TOR = 911070142

RTTCZYUW RUEKJCS0771 1070142-CCCC-RUEALGX.

ZNY CCCCC

HEADER R 170142Z APR 91

FM JOINT STAFF WASHINGTON DC

INFO RUENAAA/CNO WASHINGTON DC

RUEAHQA/CSAF WASHINGTON DC

RUEACMC/CMC WASHINGTON DC

RUEKCCG/USDP-CCC WASHINGTON DC

RUEAIIA/CIA WASHINGTON DC

RUEALGX/SAFE

R 160504Z APR 91  
FM CDR500THMIBDE CP ZAMA JA//IAGPD-OP-CM//  
TO AIG 9149  
RUCJACC/USCINCCENT MACDILL AFB FL//J2//  
RUSNNOA/USCINCEUR VAIHINGEN GE  
RUEDBIA/CDR513THMIBDE FT MONMOUTH NJ  
RUAGAAA/CDR501STMIBDE SEOUL KOR//IABDK-PH//  
RUAGAAA/CDR524THMIBN SEOUL KOR//IABDK-CX-PC//  
RUAJMAB/FOSIF WESTPAC KAMI SEYA JA//CSG//  
RUEOADA/9TIS SHAW AFB SC//INO//  
RUEHAK/USDAO ANKARA TU

BT

CONTROLS

SECTION 001 OF 002

SERIAL: (U) IIR 2 243 1050 91

/\*\*\*\*\* THIS IS A COMBINED MESSAGE \*\*\*\*\*/

BODY PASS: (U) DIA FOR ITF/JIC/OICC; DA FOR DAMI-FII-E

COUNTRY: (U) IRAQ (IZ); TURKEY (TU); IRAN (IR).

SUBJ: IIR 2 243 1050 91/POSSIBLE USE OF PHOSPHOROUS CHEMICAL  
WEAPONS BY IRAQ IN KURDISH AREAS ALONG THE IRAQI-TURKISH-IRANIAN  
BORDERS; AND CURRENT SITUATION OF KURDISH RESISTANCE AND REFUGEES  
(U)

WARNING: (U) THIS IS AN INFORMATION REPORT, NOT FINALLY EVALUATED  
INTELLIGENCE. REPORT CLASSIFIED

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DEPARTMENT OF DEFENSE  
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DOI: (U) 910300.

REQS: (U) T-8C2-2650-01-90.

SOURCE: [ (b)(1) sec 1.3(a)(4) ][ (b)(7)(D) ]

SUMMARY: IRAQ HAS POSSIBLY EMPLOYED PHOSPHOROUS CHEMICAL  
WEAPONS AGAINST THE KURDISH POPULATION IN AREAS ALONG THE  
IRAQI-TURKISH-IRANIAN BORDERS. KURDISH RESISTANCE IS LOSING ITS  
STRUGGLE AGAINST SADDAM HUSSEIN'S FORCES. KURDISH REBELS AND  
REFUGEES' PERSONAL OBSERVATIONS AND PERCEPTIONS ARE PROVIDED.

TEXT: 1. DURING APRIL 1991, THE SOURCE TELEPHONED  
BROTHER (SUBSOURCE) [ (b)(1) sec 1.3(a)(4) ][ (b)(7)(D) ]

. DURING THIS PHONE CONVERSATION,  
THE SOURCE WAS ABLE TO OBTAIN THE FOLLOWING INFORMATION ON THE  
PRESENT SITUATION IN KURDISH AREAS ALONG THE IRAQI-TURKISH-IRANIAN  
BORDERS —

A. IRAQ'S POSSIBLE EMPLOYMENT OF PHOSPHOROUS CHEMICAL  
WEAPONS — IN LATE FEBRUARY 1991, FOLLOWING THE COALITION FORCES'  
OVERWHELMING VICTORY OVER IRAQ, KURDISH REBELS STEPPED UP THEIR  
STRUGGLE AGAINST IRAQI FORCES IN NORTHERN IRAQ. DURING THE BRUTAL  
CRACKDOWN THAT FOLLOWED THE KURDISH UPRISING, IRAQI FORCES LOYAL  
TO  
PRESIDENT SADDAM ((HUSSEIN)) MAY HAVE POSSIBLY USED WHITE

PHOSPHOROUS (WP) CHEMICAL WEAPONS AGAINST KURDISH REBELS AND THE POPULACE IN ERBIL (GEOCOORD:3412N/04401E) (VICINITY OF IRANIAN BORDER) AND DOHUK (GEOCOORD:3652N/04301E) (VICINITY OF IRAQI BORDER) PROVINCES, IRAQ. THE WP CHEMICAL WAS DELIVERED BY ARTILLERY ROUNDS AND HELICOPTER GUNSHIPS (NO FURTHER INFORMATION AT

THIS TIME). APPARENTLY, THIS TIME IRAQ DID NOT USE NERVE GAS AS THEY DID IN 1988, IN HALABJA (GEOCOORD:3511N/04559E), IRAQ, BECAUSE

THEY WERE AFRAID OF POSSIBLE RETALIATION FROM THE UNITED STATES (U.S.) LED COALITION. THESE REPORTS OF POSSIBLE WP CHEMICAL WEAPON ATTACKS SPREAD QUICKLY AMONG THE KURDISH POPULACE IN ERBIL AND DOHUK. AS A RESULT, HUNDREDS OF THOUSANDS OF KURDS FLED FROM THESE TWO AREAS AND CROSSED THE IRAQI BORDER INTO TURKEY. IN RESPONSE TO THIS, TURKISH AUTHORITIES ESTABLISHED SEVERAL REFUGEE CENTERS ALONG

THE TURKISH-IRAQI BORDER. THE SITUATION OF KURDISH REFUGEES IN THESE CENTERS IS DESPERATE — THEY HAVE NO SHELTERS, FOOD, WATER, AND MEDICAL FACILITIES (NO FURTHER INFORMATION AT THIS TIME).

B. IRAQI GOVERNMENT ULTIMATUM TO KURDS REBELS AND REFUGEES — ON OR AROUND 2 APRIL 1991, RADIO BAGHDAD ISSUED AN ULTIMATUM TO THE KURDISH REBELS AND REFUGEES WHO FLED IRAQ AND SETTLED IN REFUGEE CENTERS IN TURKEY. IN THE BROADCAST, IRAQI AUTHORITIES WARNED THE KURDS THEY HAD 10 DAYS TO RETURN TO THEIR TOWNS AND VILLAGES, OR ELSE FACE COMPLETE ANNIHILATION. THE IRAQI BROADCAST ALSO PROMISED THE KURDS THAT NO RETALIATORY ACTION WOULD BE TAKEN AGAINST THEM IF THEY WOULD COMPLY WITH THIS ORDER (NO FURTHER INFORMATION AT THIS TIME).

C. KURDISH REBELS ARE LOSING IN THEIR STRUGGLE AGAINST SADDAM HUSSEIN'S FORCES — KURDISH REBELS WHO WERE FIGHTING IN NORTHERN IRAQ WERE FORCED TO WITHDRAW INTO TURKEY BY TROOPS LOYAL TO SADDAM HUSSEIN. POOR ORGANIZATIONAL LEADERSHIP AND LACK OF HEAVY WEAPONS, AMMUNITION, AND SUPPLIES ARE THE PRIMARY CAUSES OF KURDISH LATEST DOWNFALL. THE ONLY GROUP CURRENTLY FIGHTING SADDAM HUSSEIN'S FORCES IN NORTHERN IRAQ IS THE "PESHMERGEH" (FRONT WARRIORS). HOWEVER, THIS GROUP IS ARMED ONLY WITH SMALL ARMS SUCH AS M-60 MACHINE-GUNS, AK-47 RIFLES AND UNKNOWN TYPES OF PISTOLS AND REVOLVERS.

D. KURDISH REBELS' EXPECTATION OF RECEIVING HELP FROM U.S. LED COALITION FORCE — THE KURDISH RESISTANCE'S DECISION TO RISE UP AND FIGHT HUSSEIN'S FORCES WAS TRIGGERED BY THE OVERWHELMING MILITARY POWER DISPLAYED BY THE COALITION DURING "DESERT STORM" AND THE PROPAGANDA BROADCASTS OF VOICE OF AMERICA. KURDISH REBELS AND REFUGEES REALLY BELIEVED THAT EVENTUALLY THE COALITION FORCE WOULD COME TO HELP THEM IN THEIR FIGHTING AGAINST IRAQI FORCES. AFTER LEARNING OF U.S. PRESIDENT BUSH'S "STAY OUT OF IRAQ INTERNAL AFFAIRS" POLICY, KURDISH REBELS AND REFUGEES FELT AS THEY WERE SET UP AND LET DOWN BY THE COALITION FORCE (NO FURTHER INFORMATION AT THIS TIME).

E. SADDAM HUSSEIN'S REASON NOT TO USE CHEMICAL WEAPONS AGAINST THE U.S. LED COALITION FORCE DURING "DESERT STORM" — THE GENERAL PERCEPTION AMONG THE KURDS IS THAT PRESIDENT HUSSEIN DID NOT USE CHEMICAL WEAPONS AGAINST THE COALITION BECAUSE HE WAS AFRAID THAT ALLIES WOULD RETALIATE BY USING BATTLEFIELD NUCLEAR WEAPONS (NO FURTHER INFORMATION AT THIS TIME).

COMMENTS: 1. (SOURCE COMMENT) – IRAQ USED WP IN ERBIL AND DOHUK BECAUSE THEY WANTED THE KURDS TO PANIC AND FLEE FROM THE AREA.

2. [ (b)(1) sec 1.3(a)(4) ][ (b)(7)(D) ]

3. (SOURCE COMMENT) – MOST OF THE SMUGGLING OF REFUGEES ALONG THE IRAQI-TURKISH-IRANIAN BORDERS OCCURRED AT NIGHT.

4. (FIELD COMMENT) – ACCORDING TO THE TIMES' WORLD ATLAS, THE TWO IRAQI PROVINCES ERBIL AND DOHUK ARE ALSO CALLED ARBIL AND DIHOK RESPECTIVELY.

//IPSP: (U) PGW 2650//.

//COMSOBJ: (U) 211//.

ADMIN PROJ: (U) 252132.

INSTR: (U) US NO.

PREP: (U) 500TH MI BDE.

ACQ: (U) TOKYO, JAPAN (910409).

DISSEM: (U) FIELD: NONE.

WARNING: (U) REPORT CLASSIFIED

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