

Sultan  
International Protection of Human Rights  
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President Bush's political advisors inform him that his response to the Kurdish exodus from Iraq has seriously eroded the very large "political capital" that resulted from the uniquely successful military operation known as "Operation Desert Storm." They suggest that he act in a positive way to respond to this erosion, namely, that he expeditiously use existing institutions to enhance his ability to respond to expected Democratic attacks regarding the Kurds in the upcoming 1992 presidential election. Specifically, they suggest that he direct the United States Government (his Administration) to bring criminal and civil charges against individual members of the Revolutionary Council (that formulates and executes the policy of the Iraqi government under its chairman, Saddam Hussein) as well as against the state of Iraq, for violations of war crimes and of the Genocide Convention to which Iraq is a signatory without reservation. They also suggest that he have his Administration bring complaints against the individual members of the Revolutionary Council and the state of Iraq in the United Nations for violations of the human rights of the Kurds and of the Shiites. It is the belief of the President's political advisors that these actions, if taken, would assist his standing regarding the Kurdish refugee problem during the forthcoming election. President Bush responds that he will "have his legal people at State, look over these possibilities." What issues of human rights law do these suggestions raise? What substantive law is applicable to these issues? How will they probably be resolved, and why will they probably be resolved in that manner?

END OF EXAMINATION