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239613 CABLE	BONN 08806	3	4/3/1984	B1
239615 CABLE	BAGHDAD 0749	2	4/3/1984	B1
239618 CABLE	BONN 774	2	4/4/1984	B1
239619 CABLE	BONN 08510	1	3/30/1984	B1
239622 REPORT	[PG. 3 ONLY]	1	ND	B1
239624 CABLE	BONN 05125	2	2/20/1985	B1

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U.S. Aides Say Iraqis Made Use Of a Nerve Gas

Assert Lab Gear Came From West Germans

By SEYMOUR M. HERSH

Special to The New York Times

WASHINGTON, March 29 — United States intelligence officials say they have obtained what they believe to be incontrovertible evidence that Iraq has used nerve gas in its war with Iran and is nearing completion of extensive sites for the mass production of the lethal chemical warfare agent.

Pentagon, State Department and intelligence officials said in interviews this week that the evidence included documentation that Iraq has been buying laboratory equipment from a West German company, purchases that are believed to be linked to Iraq's nerve gas production plans.

The intelligence also shows, the officials said, that Iraq has as many as five dispersed sites for the storage, production and assembly of nerve gas weapons. Without intervention, these officials said, Iraq is estimated to be weeks or months away from the ability to mount major chemical attacks against Iran's far more numerous troops.

Deep Underground Bunkers

Each of the sites, the officials said, has been built in deep underground bunkers, heavily fortified by concrete, that are reported to be six stories below the surface. Officials said the Iraqi concern appeared to be protection from an air attack.

Neither the White House nor the State Department would formally comment today on the intelligence information.

If full-scale chemical war develops, one senior American official said, "the genie is out of the bottle." He added: "Arms control is down the drain. And we've got our forces completely at risk." The official warned that because of the nature of chemical weapons, huge doses of which can be transported

Continued on Page A6, Column 1

U.S. Says It Can Prove Iraq Used Gas

Continued From Page A1

In small canisters, it would be virtually impossible to effectively monitor the spread of such weapons to other countries.

In 1969 the United States reaffirmed its renunciation of the first use of chemical warfare, and it later reduced its preparations to defend against a chemical war. The United States has accused Iraq of using chemical weapons in the war with Iran, but Baghdad has denied the charge.

A senior official said this week that the Joint Chiefs of Staff had been asked to provide what he termed a "preliminary look" at the feasibility of an American air strike on the fortified sites, but concluded there were not enough American aircraft in appropriate locations.

This official went on to say that there were many in the Government who, recalling the successful Israeli air attack in 1981 on what was determined to be an Iraqi nuclear plant, would like to see the Israeli Air Force attack again. Some sensitive high-level conversations on the issue between the United States and Israel have already taken place, the official added.

This information could not be confirmed, although many American officials, in interviews, volunteered their personal judgment that such an attack would be one welcome solution to the problem.

A senior State Department official described his frustration over the issue. "It's not as simple as it is high levels," he said. "It's been in all the high-rollers' briefing books. The Iraqis appear to be ready to do anything. The question is what do we do? Should we cast a major air strike? That's a big move." The official acknowledged hearing "speculation" that the Israelis might be "ready to move," but added that such talk was in his view only talk.

The intelligence, which was provided from sources depicted as being "better than on-site," has been repeatedly and forcefully presented to President Reagan in the last week, the officials said, with the White House not yet providing any policy guidance.

Officials said that on three occasions within the week the Central Intelligence Agency, to dramatize its concern over the intelligence, had emphasized, or "red lined," the relevant information on Iraq's chemical war abilities in the President's daily intelligence brief, one of the most highly classified documents in the Government. This information is prepared overnight by the C.I.A. and presented early each morning to the President.

Praise for C.I.A. Director

One official, reflecting the frustration of many in the intelligence field, praised William J. Casey, the Director of Central Intelligence, for having "the guts to stand up and fight," adding, "He's given the correct information to the White House and it's up to them."

The State Department said on March 5 that the United States had concluded that the available evidence indicated that lethal chemical weapons were being used by Iraq against Iran, in violation of the Geneva Protocol of 1925, which Iraq agreed to adhere to in 1981. At the time of the statement an Administration official said the chemical weapon being used by the Iraqis seemed to be mustard gas, a blistering agent. At that time Iran accused the Iraqis of using nerve gas and nitrogen mustard, but the Administration said there was no evidence Iraq had used nerve gas.

One reason for hesitation over the issue, a White House official acknowledged, is the traditional concern of intelligence officials for the protection of "sources and methods." The specific information about the extent of Iraqi nerve gas development is said to have been derived from unusually sensitive sources.

A major diplomatic complication confronts the Administration, officials say. American intelligence agencies have identified Karl Kolb, a scientific and technical supply company in Dreieich, West Germany, as being responsible for the sale and shipping of sophisticated laboratory equipment that, intelligence officials say, has been used — apparently without the company's knowledge — to aid the Iraqi Government in its clandestine ability to develop a nerve gas. Sales of equipment considered by American officials to be essential to the Iraqi effort were said to have taken place over a period of at least two years, with the chemical company obtaining all of the required export licenses from the West German Government before shipment.

Evidence Presented to Bonn

Sometime within the last month, officials said, intelligence officials obtained evidence directly linking the company's shipments to Iraqi development of nerve gas.

The C.I.A. relayed some of its information and its reports directly to the United States Embassy in Bonn, an official said, which in turn made a diplomatic representation to the West German Government. The official American

representation was said to have been at a relatively low level, not involving Arthur F. Burns, the American Ambassador.

"We don't want to be screaming and shouting at them," one State Department official said, in explaining the low-key American approach, "because we don't have the answers ourselves to the problem" — that of determining whether a seemingly ordinary shipment of chemical and laboratory equipment is secretly intended to produce chemical warfare agents.

"Of course they're sensitive," the official said of the West German Government. "They're perfectly aware of their own history. They have a problem and they have to scramble to figure out how to deal with it. Meanwhile, we're friends of theirs and we have to help them figure it out."

"It's a tough question, with no good answers," one State Department official said. "It's fair to say that the German Government has not been sitting back for the last two years, although it's perfectly true that none of these people knew what is going on. Now we come up with new information and we tell them and they go 'Yecch — what a mess.'"

"What can we do?" the official added, noting that the private company in West Germany had obtained appropriate export licensing. "How can we put a stop to it? This isn't the sort of thing you can solve overnight. That may sound sort of callous, but the official added, "but to get up on a high moral ground to solve anything. In practical terms, we want to put the genie back in the bottle. What is troubling is the potential."

Serves as a Broker

The Karl Kolb company, which does serve as a broker or agent for various manufacturers, is reported to have been under observation for an extended period by American intelligence officials. Intelligence officials said that the Reagan Administration now had evidence that the company had made large-scale sales of laboratory equipment, all appropriately licensed, to many third-world nations.

Peter Hermes, the West German Ambassador in Washington, said in an interview that the Kolb company had been delivering what he termed "certain facilities" to Iraq. "They have agreed to deliver a regular plant for the production of pesticides," the Ambassador said, adding that such equipment was not subject to special export licensing in West Germany.

"Equipment for the plant," the Ambassador said, "is not yet delivered and assembly is not completed. The whole plant is not ready for production. This is all I know."

In Bonn today, a spokesman for the Economics Ministry said an investigation had determined that a pesticide plant, scheduled to go into operation in September, had been sold to Iraq by the Kolb company. But a senior executive of the company denied such a sale had taken place.

Note of Caution From Aide

One Administration official did caution that the intelligence he had seen had yet to be formally confirmed, saying: "If anything, the Iraqis might have a testing lab, but I'm not convinced by the evidence. The intelligence might be proven right; it might be proven wrong. I don't think anybody knows." This official acknowledged that he had perhaps not seen the most recent intelligence reports provided in the last week to the White House.

One as yet unresolved issue revolves around the amount of time Iraq would need actually to begin the large-scale production of nerve gas. The agent under development, the officials said, is Tabun, developed as the first lethal gas of its kind in late 1936 by German scientists, and made in large quantities by the Germans in World War II. Experts depict Tabun as the agent closest in chemical makeup to certain powerful insecticides and describe its production as being relatively simple, given the proper raw chemicals and equipment.

The most critical stage in production, experts said, is the assembling and loading of artillery shells, bombs and other munitions. A senior State Department official cautioned that there was still time to deal with the issue. "It may be the case that Iraq is not as advanced today as being able to manufacture" gas weapons, he said. Intelligence officials agreed that Iraq might not be able immediately to mass-produce Tabun, but depicted that stage as being only "months away."

In a report made public Monday, a United Nations team said it had found samples of Tabun as well as mustard gas during an on-site inspection two weeks ago in the war zone. The report did not specifically charge Iraq with

using the weapons, but did conclude that chemical weapons had been used recently in areas being contested by Iran and Iraq.

Astonishing Success Reported

These officials said the C.I.A. had concluded Tabun was used this month against an Iranian mass ground assault, causing heavy casualties. The Tabun used in that attack, one official said, apparently came from Iraq's research and development stockpile, which had previously been used only on animals in tests.

The success of the nerve agent was astonishing, the official said. "Military analysts, looking at how the Iraqis retreated after what seemed to be an insignificant attack, could not understand it," the official added. "They pulled away back. As far as our military people are concerned, it's only a question of production capacity before they attack further."

One White House official, after cautioning that he was speaking without official sanction, described the issue of how to respond as far more complicated. "What would you do?" he asked. "How do we handle our own technical transfer" of goods — such as the few chemicals used in nerve gas production — which also have legitimate commercial uses?

"It's a very frustrating experience for a government," the official added.

Defense Department officials said that in recent months there had been a tightening of the licensing procedures for certain chemicals that could have alternate uses in warfare. At least one fully licensed shipment of chemicals for Iraq, scheduled to be shipped by an American company, was stopped after it was concluded the chemicals could be used in the production of mustard gas. "It was the urgency of the shipment that troubled us," the official



An Iranian soldier, believed to be a victim of mustard gas, being treated at a hospital in Vienna.

said, explaining that the chemicals were to be air-freighted to Iraq.

Another official, noting that there was an urgent need for expanded authority to monitor overseas shipments of chemical and laboratory goods, said the Government had no legal authority to intercept the shipment of chemicals, but did so only because the air freight company agreed not to forward the goods. "We got the shipment stopped because he was a nice guy," the official said.

German Company Denies It Sold A Pesticide Factory to the Iraqis

Special to The New York Times

BONN, March 29 — A spokesman for the Economics Ministry said today that an investigation had determined that the Karl Kolb company, a supplier of industrial laboratories, had sold a pesticide plant to Iraq that would go into operation in September. But a senior executive of the company denied that such a transaction had taken place.

The ministry spokesman, Dieter Vogel, said there was no restriction on the sale of such plants, which American intelligence officials believe can be easily converted to produce the kind of poison gases that Iraq is accused of having used against Iranian troops.

But Dieter Backfisch, the managing director of the company, which is outside Frankfurt, firmly denied that Kolb had made such a sale. "The last time we sold something like that was to Pakistan 15 years ago," said Mr. Backfisch in a telephone interview. "The people there wanted to analyze and make trial runs with pesticides, because they wanted to produce these things based on local raw materials."

About two weeks ago the United States Government asked Bonn to look into Kolb's dealings with Iraq and, according to one source involved in the exchange, "the Government was obviously concerned." Another diplomatic source said: "There was no protest made. There was much more a question of trying to find out whether it's an old reputable firm with a long history of doing business in the Middle East."

It was impossible to square the contradictory accounts of the reported sale to Iraq. Mr. Vogel speculated that the Kolb executive did not want to acknowledge the deal. "He doesn't have to," conceded the spokesman.

Mr. Backfisch said that the Kolb company had been doing business with Iraq for 28 years and had sold laboratory equipment — such as analytical balancers, water-distilling apparatus and electromicroscopes — to the Ministries of Defense, Health, Agriculture and Education.

The company executive denied that any equipment sold to Iraq could be used to produce poison gas. "Our equipment has nothing to do with such things," he said.

The executive said his company's annual sales to Iraq had totaled about \$3 million before the outbreak of the war with Iran in 1980, but had dipped to about \$900,000 recently. He said his company faced stiff competition in Iraq from British and Japanese companies, which he said had the biggest share of a \$19 million laboratory business there.

Mr. Backfisch said the Kolb company had a sales engineer and an electronic engineer in Baghdad to service the equipment it had sold to Iraq.

A senior chemical industry official, speaking privately, said Kolb was West Germany's leading exporter of analytical laboratories with an established worldwide reputation. A family-owned company, it registered sales of \$81 million in 1981, the official said.

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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 concerning wells [(b)(9) of the FOIA]

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