



✚ CARITAS EUROPA

A People Sacrificed

Sanctions against Iraq

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5 February 2001

TABLE OF CONTENTS

Executive Summary	
English	1
Version Française	5
Foreword	9
Preface	10
Thanks and Acknowledgements	11
Introduction	12
Brief Background on Iraq	16
Background To and Evolution of Sanctions	19
The Oil-For-Food Programme	29
The Impact of Sanctions	32
Conclusions	39
ANNEXES	
List of Delegation Meetings	41
UNSC Resolution 661	42
UNSC Resolution 986	44
UNSC Resolution 1284	47

EXECUTIVE SUMMARY

The current comprehensive sanctions regime imposed on Iraq by the United Nations Security Council should be immediately suspended and a new relationship initiated and developed between the international community and Iraq. Such a new relationship should lead to a situation where the current miserable chapter of immeasurable suffering in Iraq is brought to a close.

This is the overwhelming conclusion of a Delegation from Caritas Europa to Iraq in January 2001, accompanied by the President of Caritas Middle East and North Africa, and hosted by its Iraqi partner organisation, Confrérie de la Charité. The Delegation's specific objective was to assess the impact of sanctions on the Iraqi people.

The Delegation arrived at its recommendation having concluded that comprehensive sanctions imposed on Iraq, now in their eleventh year, have resulted in untold suffering for millions of people - physical, mental and cultural. No one knows how many have died as a result of sanctions but it is believed to include thousands of children a month. The effects of sanctions - even were they to be lifted today - will certainly be felt for many years to come. It is indelibly imprinted on the Iraqi psyche. A once prosperous nation - home to the world's second largest oil reserves - is being systematically de-developed, de-skilled and reduced to penury. As the 1999 UNICEF report points out:

"In marked contrast to the prevailing situation prior to the events of 1990-1991, the infant mortality rates in Iraq today are among the highest in the world, low infant birth weight affects at least 23 per cent of all births, chronic malnutrition affects every fourth child under five years of age, only 41% of the population have regular access to clean water, 83 per cent of all schools need substantial repairs. The ICRC states that the Iraqi health-care system is today in a decrepit state. UNDP calculates that it would take 7 billion dollars to rehabilitate the power sector country-wide to its 1990 capacity."

The damage which has been inflicted on every sector of society has resulted in a complex of problems which are mutually reinforcing. Inadequate diet and dietary deficiencies, particularly of protein and vitamins, makes people more vulnerable to opportunistic diseases. Damaged water and sewage plants have led to huge increases in water-borne diseases. Hyperinflation means that people routinely have two jobs. At the same time, the unemployment rate is estimated at 50%. Yet people still cannot afford to go to hospitals/clinics and medicines, when available, are beyond their reach. Young people are taken out of school to look after their siblings. Crime rates have soared. Prostitution has emerged as young women try to help their families. All this has led to a breakdown in normal family life, has undermined moral values and is steadily eating away - like a biblical plague of locusts - at the very fabric of society.

The Confrérie de la Charité

This indigenous organisation was established in 1992 under the auspices of His Beatitude Raphael 1st Bidawid, the Chaldean Catholic Patriarch of Babylon, in response to the suffering of the Iraqi people as a result of the imposition of sanctions.

This organisation is operational in all areas of Iraq. Its activities cover a broad spectrum of food distribution, emergency programmes for severely malnourished children, well-baby clinics, assistance for the elderly and handicapped, medical assistance, rental subsidies, the building and provision of housing/shelter, the rehabilitation of water and sanitation programmes.

It has been supported since its inception by many members of Caritas Europa.

Caritas Europa

Caritas Europa is one of the seven regions in Caritas Internationalis, which has its headquarters in the Vatican. Caritas Internationalis is a network of 154 national Catholic relief, development and social work agencies present in 198 countries and territories throughout the world. Caritas Europa, with its Secretariat in Brussels, has 48 members in 44 European countries.

The partnership and solidarity between Caritas Europa and the Confrérie de la Charité has resulted in a close and regular exchange of information and frequent field visits by representatives of Caritas Europa Member Agencies to Iraq.

Mounting concern about the humanitarian crisis in Iraq prompted an in-depth discussion at the Caritas Internationalis General Assembly in 1999 and at its Executive Committee meeting last year. It was subsequently agreed to include the question of the impact of sanctions on the Iraqi people as an important and urgent issue in the Caritas Europa Jubilee Year Work Plan.

The Delegation's Visit

The Delegation went to Iraq following a period of research, study and reflection, including existing documentation by proponents and opponents to the sanctions against Iraq.

The Delegation visited Baghdad, Mosul in the North and Najaf in the South of the country. Visits included hospitals, notably Iraq's national cancer hospital, the Institute and Hospital for Radiology and Nuclear Medicine, clinics, well-baby programmes, water treatment plants.

Meetings were held with Church dignitaries, including His Beatitude Raphael 1st Bidawid, the Chaldean Patriarch of Babylon; Most Rev. Poulos Dahdah, Latin Archbishop of Baghdad; Most Rev. Matthew Matoka, Syrian Catholic Archbishop of Baghdad; Rt. Rev. Paul Coussa, Armenian Catholic Bishop of Baghdad.

The Delegation also had substantive meetings with high level Government officials: Mr. Tariq Aziz, Deputy Prime Minister; Dr. Sadoon Hamadi, President and Speaker of Parliament; Dr. Umaid Mubarak, Minister of Health; Dr. Abd Al Monem Mohamed Saleh, Minister of Religious Affairs; Dr. Hammam Abd Alkhalek, Minister of Information and Culture; Dr. Abdul Razak Al-Hashimi, President of the Organisation of Friendship, Peace and Solidarity; Mr. Sami Hanna, Ministry of Foreign Affairs.

The Delegation also met with Mr. Ahmed Gubartella, Chief of Mission UNHCR; Mr. Sadouk Houniali, UN World Food Programme; and with the President, staff and volunteers of the Confrérie de la Charité.

Background and Evolution of Sanctions

Sanctions are examined against a backdrop of a brief introduction to Iraq, and in particular the Gulf War and the massive damage and destruction wrought by the aerial bombardment by the UN joint forces. The bombs and missiles which rained down on Iraq were the equivalent to seven and a half atomic bombs of the size that incinerated Hiroshima. For the first time, depleted uranium was used in warfare - with, according to former US Attorney General Ramsey Clarke, some 900 tons of radioactive waste spread over the whole of Iraq.

The Delegation notes that the original aim of sanctions - to force Iraq out of Kuwait and to recognise its national integrity and borders - was accomplished by the Gulf War. Yet there was no easing of sanctions. Rather, attention focused on destroying weapons of mass destruction and preventing

any rebuilding of Iraq's nuclear and chemical weapons capability. A decade of weapons inspections, under UNSCOM, ensued and which involved, according to the President of the Parliament:

"UNSCOM conducted 264 inspection missions involving 3,558 people who inspected 2,558 sites all over Iraq. They established permanent ongoing observation of 386 sites to which 6,938 visits were paid. They had 129 sophisticated cameras and 27 inspection units to verify them."

Yet doubts about Iraq's weapons capabilities and potential were still expressed by UNSCOM to the United Nations. UNSCOM left Iraq in late 1998 and shortly thereafter the United States and Britain launched a 70-hour aerial bombardment of Iraq, codenamed Operation Desert Fox. At the same time, statements by US President Clinton and Vice-President Al Gore clearly indicate that the intention of the US is to topple Saddam Hussein, a goal that is at odds with the United Nations Charter, particularly its respect for the sovereignty of nations.

In his discussions with the Delegation on January 8 2001, Deputy Prime Minister Tariq Aziz was very clear on this point:

"But if the main objective of policy over the last ten years has been to change the leadership, this is not going to happen. If the objective was to break the will of the people, this is not going to happen. Therefore, if a policy does not work, it would be quite intelligent for politicians to change it. The current policy is a failure which is quickly becoming a tragic farce."

The Oil for Food Programme

The Delegation examines some of the myths surrounding the oil-for-food component of the sanctions regime. Introduced in 1995, it became operational at the end of 1996, with the first shipments of food and medicines arriving in March 1997. It is wrongly seen by some as the largest humanitarian programme of the United Nations.

Yet all the costs of the programme are met from the sale of Iraq's major export, oil. All contracts have to be approved by the UN Office of Iraq programme and, mostly, by the Sanctions Committee created by the UN 661 Resolution.

All proceeds are paid into an escrow account controlled by the UN at the Banque Nationale de Paris-Paribas in New York.

Whilst a cash component was introduced for the first time in December 1999, under Security Council Resolution 1284, to date, no money has to date gone to Iraq.

Moreover, from the oil revenues 25% goes to the Compensation Fund for external war reparations, 15% is set aside for UN programmes in the three northern governorates of Dihouk, Arbil and Suleimaniyeh. 3% is deducted for the costs of the programme (including staff in New York and Geneva as well as in Iraq and including the operations of UNSCOM). Thus 43% (prior to 1999, the figure was 48%) of oil revenue is deducted at source.

Particular concern is expressed over the number of projects 'on hold' in the UN 661 Sanctions Committee. The latest information from the UN Office of the Iraq Programme, January 19 2001, puts the current figure at US\$ 2.9 billion. Often the reason given is 'dual use' i.e. that, despite UN monitoring of the programme on the ground, certain products can be used for military as well as civilian use. These includes chlorine for water treatment, pipes and spare parts for the oil industry

and for water and sewage system rehabilitation, a small quantity of cobalt for radiotherapy, low wattage laser equipment used in eye surgery, even garbage trucks.

According to the UN Office of the Iraq programme, in the period between the first shipments of food under the programme in March 1997 and December 31 2000, it had received almost US\$ 23 billion in contracts, US\$18.7 billion of which had been approved. So far almost US\$10.3 billion in humanitarian supplies and oil industry equipment have arrived in Iraq. This includes food stuffs worth more than US\$ 6 billion and health supplies to the value of US\$1.1 billion. If one takes these last two figures, one ends up with about US\$ 3 per person per month - a figure which is patently insufficient.

The report draws from UN sources - the UN Secretary General, UNICEF, the FAO/WFP, the UN Economic and Social Council, the discussions in the Security Council. The Delegation identifies in particular with the statement made by the representative of Malaysia on the Security Council at its meeting of 24 March 200, when he said:

"Clearly sanctions did more than hurt. Sanctions killed, especially the most vulnerable. How ironic it was that the same policy that was supposed to disarm Iraq of its weapons of mass destruction had, itself, become a weapon of mass destruction, through the deaths of innocent children. In the name of the international community, United Nations sanctions were incapacitating an entire society."

On August 2nd 2000, on the 10th anniversary of Iraq's invasion of Kuwait, French Foreign Minister, Hubert Vedrine, called for an end to what he called "cruel, ineffective and dangerous" sanctions against Baghdad.

"They are cruel because they punish exclusively the Iraqi people and the weakest among them. They are ineffective because they do not touch the regime, which is not encouraged to cooperate, and they are dangerous because they ...accentuate the disintegration of society."

The Delegation's experiences bear out this grim warning.

RÉSUMÉ

Les sanctions étendues imposées à l'Irak par le Conseil de sécurité des Nations Unies doivent être immédiatement suspendues et de nouvelles relations s'amorcer et se développer entre la communauté internationale et ce pays. Ces nouvelles relations devront clôturer le sinistre chapitre des souffrances irakiennes.

C'est la conclusion sans équivoque à laquelle parvient une délégation de Caritas Europa en Irak en janvier 2001. Elle était accompagnée par le Président de Caritas Moyen-Orient et Afrique du Nord et a été accueillie par son organisation partenaire irakienne, la Confrérie de la Charité. L'objectif spécifique de la délégation était d'évaluer l'impact des sanctions sur le peuple irakien.

La délégation est arrivée à sa recommandation après avoir conclu que les sanctions complètes imposées à l'Irak depuis plus de 10 ans, ont causé la souffrance indescriptible de millions de personnes, sur le plan physique, mental et culturel. Personne ne connaît le nombre exact de décès résultant des sanctions, mais il est estimé à plusieurs milliers d'enfants par mois. Les sanctions, fussent-elles être levées aujourd'hui, auront des répercussions qui dureront pendant de nombreuses années. Elles ont laissé une marque indélébile dans l'esprit des Irakiens. Ce pays qui fut prospère – il a la deuxième plus grande réserve de pétrole du monde – est systématiquement sous-développé, déqualifié et est conduit à la pénurie. Le rapport 1999 de l'UNICEF souligne :

“ Contrairement à la situation qui a précédé les événements de 1990-1991, le taux de mortalité infantile en Irak est aujourd'hui parmi le plus élevé au monde ; un faible poids à la naissance touche au moins 23 % des cas. La malnutrition chronique affecte 1 enfant de moins de cinq ans sur quatre ; seuls 41 % de la population ont régulièrement accès à de l'eau propre ; 83 % des écoles nécessitent des réfections importantes. D'après le CICR, le système irakien des soins de santé connaît actuellement une situation critique. Le PNUD estime qu'il faudrait 7 milliards de dollars pour ramener dans le pays tout entier le secteur électrique à sa capacité de 1990. “

Les dommages infligés à chaque secteur de la société ont provoqué des problèmes complexes qui se renforcent mutuellement. Une mauvaise alimentation et les carences nutritionnelles, en particulier de protéines et de vitamines, rendent la population plus vulnérable. La pollution de l'eau et les dégâts aux usines de traitement de l'eau potable ont provoqué d'importantes augmentations des maladies causées par l'eau. L'hyper-inflation pousse les gens à avoir deux emplois. Le taux de chômage s'élève à 50 %. Les gens ne peuvent pas toujours se permettre d'aller dans les hôpitaux ou cliniques et ils n'ont pas les moyens d'acheter les médicaments, lorsqu'ils sont disponibles. Les jeunes ne vont pas à l'école pour pouvoir s'occuper de leurs frères et sœurs. Les taux de criminalité ont augmenté de façon significative. La prostitution est apparue parce que les jeunes femmes tentent d'aider leurs familles. Tout cela a ébranlé la vie des familles, a miné les valeurs morales et grignote, comme un fléau biblique de sauterelles, le tissu de la société.

La Confrérie de la Charité

Cette organisation locale a été créée en janvier 1992, sous les auspices de Sa Béatitudo Raphaël 1 Bidawid, le patriarche chaldéen catholique de Babylone, en réponse à la souffrance infligée par les sanctions au peuple irakien.

Cette organisation est active dans toutes les régions de l'Irak. Ses activités couvrent la distribution de nourriture, des programmes d'urgence pour les enfants souffrant de grave malnutrition, des

centres de consultation pour nourrissons, l'aide aux personnes âgées et handicapées, l'aide médicale, des prêtres, la construction et mise à disposition de logements/centres d'accueil, des programmes de réhabilitation des usines de traitement de l'eau potable et des installations sanitaires.

Elle est soutenue depuis sa création par de nombreux membres de Caritas Europa.

Caritas Europa

Caritas Europa est l'une des sept régions de Caritas Internationalis, dont le siège se trouve au Vatican. Caritas Internationalis est un réseau composé de 154 organisations nationales catholiques, de développement et de travail social situées dans 198 pays et territoires à travers le monde. Caritas Europa, dont le secrétariat est à Bruxelles, compte 48 membres répartis dans 44 pays européens.

Le partenariat et la solidarité entre Caritas Europa et la Confrérie de la Charité a été à la source d'un échange étroit et régulier d'informations et de fréquentes visites sur le terrain par des représentants d'organisations membres de Caritas Europa en Irak.

L'inquiétude grandissante concernant la crise humanitaire en Irak a suscité une discussion approfondie à l'Assemblée générale de Caritas Internationalis en 1999 et à la réunion de son Comité exécutif l'année dernière. Il a par conséquent été décidé de faire figurer la question de l'impact des sanctions sur le peuple irakien parmi les priorités du plan de travail de Caritas Europa pour l'année du Jubilé.

La visite de la délégation

La délégation s'est rendue en Irak après une période de recherche, de réflexion et d'étude, notamment sur base de la documentation existante fournie par des partisans et opposants aux sanctions contre l'Irak.

La délégation a visité Bagdad, Mosul dans le Nord et Najaf dans le Sud du pays et plus particulièrement les hôpitaux, notamment l'hôpital national irakien du cancer, l'institut et l'hôpital de radiologie et de médecine nucléaire, des cliniques, des programmes de consultation pour nourrissons et des installations de traitement de l'eau.

Des réunions ont eu lieu avec des dignitaires de l'Eglise, particulièrement Sa Béatitude Raphaël 1^{er} Bidawid, Patriarche chaldéen catholique de Babylone, Monseigneur MGR Poulos Dahdah, Archevêque latin de Bagdad, Monseigneur MGR Matthew Matoka, Evêque catholique syrien de Bagdad, Monseigneur MGR Paul Coussa, Evêque catholique arménien de Bagdad.

La délégation a également eu des réunions importantes avec des représentants de haut niveau du régime : M. Tarik Aziz, Vice Premier ministre, le Docteur Sadoon Hamadi, Président du Parlement, le docteur Umaid Mubarak, Ministre de la santé, le Docteur Abd Al Monem Mohmed Saleh, Ministre du culte, Dr Hammam Abd Alkhalek, ministre de l'information et de la culture, le Docteur. Abdul Razak Al-Hashimi, Président de l'Organisation of Friendship, Peace and Solidarity, M. Sami Hanna, du ministère des affaires étrangères.

La délégation a également rencontré M. Ahmed Gubartella, chef de mission du HCR, M. Sadouk Houniali, du Programme alimentaire mondial de l'ONU et le Président, le personnel et les bénévoles de la Confrérie de la Charité.

Contexte et évolution des sanctions

Les sanctions doivent être examinées avec pour toile de fond une brève introduction sur l'Irak et en particulier sur la guerre du Golfe et les dégâts massifs provoqués par les bombardements aériens des forces alliées. Les bombes et missiles qui ont assailli l'Irak avaient une puissance équivalente à 7,5 fois la bombe atomique qui a réduit en cendres Hiroshima. Pour la première fois, l'uranium appauvri a été utilisé avec, selon l'ancien Ministre de la justice américain Ramsey Clarke, quelques 900 tonnes de déchets radioactifs déversés sur l'Irak tout entier.

La délégation note que l'objectif initial des sanctions, à savoir faire sortir l'Irak du Koweït et reconnaître l'intégrité nationale et les frontières de ce dernier, a été atteint par la guerre du Golfe. Pourtant, il n'y a pas eu ensuite d'assouplissement des sanctions. Au contraire, l'attention s'est portée sur l'élimination des armes de destruction massive et la prévention du rétablissement de la capacité en armes nucléaires et chimiques de l'Irak. Une décennie d'inspections des armes par la Commission spéciale de l'ONU sur l'Irak s'en est suivie. Selon le Président du Parlement :

“ La commission spéciale de l'ONU sur l'Irak a mené 264 missions d'inspection impliquant 3.558 personnes, qui ont inspecté 2.558 sites irakiens. Ils ont mis en place une surveillance constante de 386 sites auxquels 6.938 visites ont été rendues. Ils disposaient de 129 caméras sophistiquées et de 27 unités d'inspection pour les vérifier. “

Pourtant, l'UNSCOM continue à exprimer des doutes et a quitté l'Irak fin 1998. Peu après, les Etats-Unis et la Grande-Bretagne ont lancé un bombardement aérien de 70 heures sur l'Irak, intitulé Opération Renard du Désert. Parallèlement, les déclarations du Président américain Monsieur Clinton et du Vice-président Monsieur Al Gore indiquent clairement que l'intention des USA est de renverser Saddam Hussein, un objectif qui est en contradiction avec la Charte des Nations Unies, notamment en ce qui concerne le respect de la souveraineté des nations.

Dans ses discussions avec la délégation le 8 janvier 2001, le Vice-Premier Ministre Monsieur Tarik Aziz a été très clair à ce sujet :

“ Si l'objectif politique principal de ces dix dernières années était de renverser le régime, cela ne s'est pas produit. Si l'objectif était de briser la volonté du peuple, cela ne s'est pas produit. Dès lors qu'une politique ne fonctionne pas, un changement s'impose. La politique actuelle est un échec qui est sur le point de tourner en farce tragique. “

Le Programme Pétrole contre nourriture

La délégation examine certains mythes concernant la composante pétrole contre nourriture du régime des sanctions. Introduit en 1995, elle est devenue opérationnelle à la fin 1996. Les premières arrivées de nourriture et de médicaments datent de mars 1997. On considère à tort qu'il s'agit du plus important programme humanitaire des Nations Unies

Tous ces frais sont couverts par la vente du principal produit d'exportation de l'Irak : le pétrole. Tous les contrats doivent être approuvés par le Bureau de l'ONU pour le programme relatif à l'Irak et principalement par le comité des sanctions créé par la résolution du Conseil de sécurité.

Toutes les recettes sont versées sur un compte bloqué contrôlé par l'ONU à la Banque Nationale de Paris-Paribas à New York.

Quoiqu'un accord sur des versements d'espèces soit intervenu en décembre 1999, en vertu de la résolution du Conseil de sécurité 1284, aucune somme n'a jusqu'à présent été reçue par l'Irak.

En outre, 25 % des revenus du pétrole sont attribués au Fond de compensation pour les réparations de guerre externes, 15 % sont retenus pour les programmes de l'ONU dans les trois régions du Nord, Dihouk, Arbil et Suleimaniyeh. 3 % sont déduits pour les frais de fonctionnement du programme (y compris le personnel à New York et à Genève, de même qu'en Irak et dont les opérations de l'UNSCOM). Ainsi 43 % (avant 1999, le chiffre était de 48 %) du revenu du pétrole sont déduits à la source.

Le nombre de projets placés en attente par le comité des sanctions de l'ONU suscite des inquiétudes. D'après les dernières informations obtenues auprès du Bureau de l'ONU sur le programme relatif à l'Irak, il s'agirait de 2.9 milliards de dollars. La raison souvent invoquée est la double utilisation possible d'un produit: malgré le contrôle du programme par l'ONU sur le terrain, certains produits pourraient être utilisés à des fins militaires ou civiles. Parmi ces produits, citons le chlore pour le traitement de l'eau, les tuyaux et pièces de rechange pour l'industrie pétrolière et la remise en service du système de l'eau et de vidange, une petite quantité de cobalt pour la radiothérapie, un équipement laser à faible consommation utilisé pour la chirurgie des yeux et même des camions de ramassage des ordures.

Selon le Bureau de l'ONU sur le programme relatif à l'Irak, entre les premières arrivées de nourriture en mars 1997 et le 31 décembre 2000, le pays avait signé pour 23 milliards de dollars de contrats, dont 18,7 milliards ont été approuvés. Jusqu'alors, presque 10,3 milliards de dollars sous forme d'aide humanitaire et d'équipement pour l'industrie pétrolière sont arrivés en Irak. Cette somme couvrait des produits alimentaires pour plus de 6 milliards et des fournitures médicales d'une valeur de 1,1 milliard. En additionnant ces deux derniers chiffres, on arrive à une somme d'environ 3 dollars par personne par mois.

Le rapport s'appuie sur des sources de l'ONU : déclarations du Secrétaire Général, UNICEF, FAO, PAM, Conseil économique et social, débats du Conseil de sécurité. La délégation s'identifie particulièrement à la déclaration du représentant de la Malaisie auprès du Conseil de sécurité, lors de sa réunion du 24 mars 2000 lorsqu'il dit :

“ Les sanctions visaient de toute évidence plus qu'à blesser. Les sanctions tuaient, en particulier les plus vulnérables. Il était paradoxal que la politique qui était précisément supposée débarrasser l'Irak de ses armes de destruction massive était elle-même devenue une arme de destruction massive, par la mort d'enfants innocents. Au nom de la communauté internationale, les sanctions des Nations unies ont handicapé une société tout entière.”

Le 2 août 2000, à l'occasion du 10^e anniversaire de l'invasion du Koweït, le Ministre français des Affaires étrangères, Hubert Védrine, a demandé la fin de ce qu'il appelle « des sanctions cruelles, inefficaces et dangereuses » contre Bagdad.

“ Elles sont cruelles parce qu'elles punissent exclusivement le peuple irakien et les plus faibles d'entre eux. Elles sont inefficaces parce qu'elles n'affectent pas le régime, qui n'est pas encouragé à coopérer et elles sont dangereuses parce qu'elles (...) renforcent la désintégration de la société “.

Les constats de la délégation confirment cette déclaration pessimiste.

FOREWORD

**MESSAGE TO THE CARITAS EUROPA DELEGATION FROM
HIS BEATITUDE RAPHAEL 1ST BIDAVID
CHALDEAN CATHOLIC PATRIARCH OF BABYLON**

"Killing a man in a forest is an unpardonable crime by law. Killing a nation, it would seem, is a matter of debate and perspective".

The standards applied to the issue of Human Rights have become a travesty of justice in view of the impact of sanctions - and such is the case with the Iraqi people.

Using Depleted Uranium on innocent, unarmed people is considered by the UN as a necessity of War. But a minor declaration by an Iraqi official is considered as an act of war.

The killing of over 5,000 infants and children every month, the malformation of new-born infants, causing various kinds of cancer diseases, especially leukaemia, is not, it seems, subject to International Human Rights Law. You have witnessed with your own eyes the effect of such deadly weapons on the children of Iraq.

I pray to God that you convey the message of truth as witnessed by your Delegation - as we consider you the Messengers of Peace.

MAY GOD BLESS YOUR EFFORTS AND YOUR WORK."

**Raphael 1st Bidawid
Chaldean Patriarch of Babylon
Baghdad**

January 9th 2001

PREFACE

Endless are the sufferings of the Iraqi people!
Endless seem to be the sanctions, the embargo!

Why?

Is Iraq simply a raft adrift and tossed by the tidal waves of a sea of petrol?

All are acutely conscious of the serious criticisms levelled at the Iraqi regime. However, as Denis Halliday, former Assistant Secretary General of the United Nations and former United Nations Humanitarian Co-ordinator for Iraq, said in a talk given at the University of Washington, in Seattle, on February 15, 1999:

“Both the fact that we can not communicate with him (President Saddam Hussein), the fact that we can not make any progress in our dialogue with him, does not allow us, does not empower us to kill the children of Iraq. It is as simple as that. And like you, you and I together, we don't want to be held responsible for, for lack of a better word, what is genocide in Iraq today.”

Together with many organisations, institutions, high-ranking UN representatives, governments and Episcopal Conferences, Caritas Europa cannot accept the long-standing and continuing suffering of the Iraqi people.

Caritas Europa gathers together 48 Catholic Member Organisations in 44 European countries, active in the social and humanitarian fields both in their own countries and abroad. Caritas Europa is the European region of Caritas Internationalis.

Many European Caritas organisations have for some years been supporting and continue to support humanitarian programmes in Iraq - in the South, the Centre and the North of the country. Many European Caritas representatives and experts have visited the country since its invasion of Kuwait and the ensuing recurrent crises.

In January 2001 a Caritas Europa delegation, accompanied by the President of Caritas Middle East and North Africa, visited Iraq, as the guest of its Iraqi partner, the Confrérie de la Charité, specifically to look at the impact of sanctions on the Iraqi people.

The Delegation's resulting recommendation is simple, clear and can be quickly implemented: sanctions against Iraq must be immediately suspended - with a view to their ultimate lifting - and international discussions initiated leading to a new - but more humane - relationship.

It is in this spirit and to this end that the 48 Member Organisations of Caritas Europa plead, on behalf of the Iraqi people, with the European Union, with their governments, parliaments, media and society as a whole.

The Iraqi people cannot wait!

Denis Viénot
President of Caritas Europa

THANKS AND ACKNOWLEDGEMENTS

We should like to thank the Confrérie de la Charité, its President, Mr. Sami Toma, its Secretary General, Mr. Yousif Bahoshy, its Liaison Officer, Mr. Faiq Bourachi, and all its staff and volunteers for their unflagging hospitality, their enthusiasm and dedication. We fully appreciate all the time and effort which went into our visit, over and above their daily work at the service of the people of Iraq.

We should like to thank all those whom we met who gave unstintingly of their time, in particular His Beatitude, the Chaldean Patriarch of Babylon; the Deputy Prime Minister, Tariq Aziz; Government Ministers and Officials; doctors and health workers; engineers; representatives of UN bodies.

We should especially like to thank the many ordinary people of Iraq whom we had the opportunity to meet. This report is for them as we try to fulfil our promise to be the voice of the voiceless.

INTRODUCTION

“The embargo by its perverse and uncontrollable effects is destroying the soul of the Iraqi people who desperately see their cultural and moral patrimony being squandered and their social fabric unraveling.”

Cardinal Roger Etchegaray, following his visit to Iraq in 1998 as Special Envoy of His Holiness, Pope John Paul II.

Iraq has recently been much in the news - with 16th January 2001 marking a decade after the Gulf War; with the new United States administration, under President George W. Bush, already committing itself to "re-energize" sanctions against Iraq; with newly sparked controversy over Depleted Uranium as military personnel return from the Balkans with symptoms akin to Gulf War Syndrome.

At the same time, high level meetings between the Iraqi government and the UN Secretary General, Kofi Annan, are scheduled for February 26 2001 and which, it is hoped, will lead to a new diplomatic initiative and a break in the current impasse. The talks will take place in the context of an increasing groundswell of opinion against the existing comprehensive sanctions because of their devastating impact on the people of Iraq and the social fabric of Iraqi society. This growing movement is spearheaded by UN bodies and officials involved in Iraq, including those who have resigned their posts because of sanctions, and is given greater impetus by current debates within the UN General Assembly and indeed within the UN Security Council itself.

The Delegation

The visit of a Caritas Europa Delegation to Iraq (January 5 - 9 2001), we hope, will contribute to this debate. The Delegation comprised the following people:

M. Denis Viénot	President of Caritas Europa;
Ms. Claudette Habesch	President of Caritas Middle East and North Africa; General Secretary of Caritas Jerusalem.
Mr. Julian Filochowski	Director, CAFOD, England and Wales
Rev. Erny Gillen	President of Caritas Luxembourg
Mr. Justin Kilcullen	Director, Trocaire, Ireland
Mr. Odilo Noti	Head of Communications, Caritas Switzerland.
Rev. Frank Turner SJ	Assistant General Secretary, the Catholic Bishops' Conference of England and Wales.
Ms. Eileen Sudworth	Consultant.

The Delegation was the guest of an Iraqi Organisation, Confrérie de la Charité, which has been supported for some years by many Caritas Europa Member Organisations. Financial support to its humanitarian activities and solidarity with the Confrérie de la Charité has prompted many field visits to Iraq over the years.

Objectives of the Delegation

This visit, however, had very specific objectives:

- ✂ To demonstrate Caritas Europa's solidarity with the Iraqi people and with the Confrérie de la Charité, working in Iraq in an extremely difficult humanitarian crisis;

- ✂✂ To witness first-hand the impact of sanctions on the Iraqi people, particularly the most vulnerable, poorest and most marginalised among them;
- ✂✂ To report the Delegation's findings and bear witness to the suffering of the Iraqi people - to Caritas Europa and its parent body Caritas Internationalis; to Catholic Bishops' Conferences in Europe; to governments (in particular those represented in the UN Security Council) and parliaments; to the European Union institutions; to the media and to the general public in the different countries of Europe.

The Process

It is important to stress that this visit did not occur in a vacuum. In addition to the strong partnership enjoyed with the Confrérie de la Charité and the consequent exchange of information and personnel from different Caritas Europa Member Agencies, the Delegation's visit marked the culmination of a process.

This process began on the occasion of the Caritas Internationalis General Assembly in 1999 and of the Caritas Internationalis Executive Committee in 2000 with extensive discussions on the impact of continued sanctions against Iraq and against other countries subject to similar measures. At the forefront of Caritas Europa's thinking was the conclusion reached by Cardinal Etchegaray, cited above.

Caritas Europa incorporated the question of sanctions against Iraq as an important issue in its Jubilee Year work plan. Research was undertaken and a substantial preparatory dossier was compiled. This preparation focused on official documents, particularly from UN bodies - General Assembly resolutions and debates, Security Council Resolutions, speeches of the Secretary General, UNSCOM/UNMOVIC, UNICEF, FAO, OCHA, WFP, UNHCR, Office of the Oil for Food Programme - as well as other available literature, both governmental and non-governmental, both from proponents and opponents to sanctions against Iraq.

About Caritas Internationalis and Caritas Europa

Caritas Europa is one of the seven regions in Caritas Internationalis, which has its headquarters in the Vatican. Caritas Internationalis is a network of 154 national Catholic relief, development and social work agencies present in 198 countries and territories throughout the world. Caritas Europa, with its Secretariat in Brussels, has 48 members in 44 European countries. It has identified and is committed to work on four major and urgent topics:

- ✂✂ The great social differences among the individual European nations and the process of European unification;
- ✂✂ The growing poverty and social inequality within the individual countries and the future shaping of social policies;
- ✂✂ Migration and asylum issues;
- ✂✂ The growing gap between rich industrialised nations and the poor countries of the 'Third World', the accelerated process of impoverishment in many of these countries, and a development policy which combats the causes of impoverishment.

In addressing these issues, Caritas Europa is motivated by the Gospel and by Catholic social teaching. In particular:

"We are led by fundamental Gospel convictions that it is the duty of all Christians to give food and drink to the hungry and thirsty, to give

shelter to strangers and the homeless, to clothe the naked and to visit the sick and prisoners (cf. Matthew 25, 31-46). We also believe, as the Gospel impresses on us, that we encounter God in every one of these "least of my brothers and sisters". This means that the truthfulness and credibility of our Christian existence will be seen and measured by our practice and mercy. It is especially for this reason that the insights of the 1971 Bishops' Synod on "Justice in the World" provide us with decisive guidance: "for us the commitment to justice and participation in reshaping the world are constitutive elements of proclaiming the Gospel, the Church's mission to redeem humankind and to liberate it from all forms of oppression."¹

Caritas Europa's supreme principle is the inviolable dignity of every human being. As taught by the social teaching of the Church, people are the "bearers, the creators, and the goal of all societal institutions".

Confrérie de la Charité

The Confrérie de la Charité, an indigenous humanitarian Church organisation, founded in January 1992 in response to the post-sanctions situation in Iraq under the auspices of His Beatitude Patriarch Raphael 1 Bidawid. It is guided by both an advisory board and by the Council of Bishops in Iraq. Following a restructuring in 1995, the Confrérie de la Charité now has four major departments: development, humanitarian assistance, the North area and public relations. It is involved in a wide spectrum of activities - food distribution, emergency programmes for severely malnourished children, well-baby clinics, assistance for the elderly and handicapped, medical assistance, rental subsidies, the building and provision of housing/shelter, the rehabilitation of water and sanitation programmes.

Between 1995 and 2000, for example:

- ≈ some 250,000 people were assisted under the food distribution programme;
- ≈ the well-baby programme assisted almost 18,000 babies, children under five, pregnant and lactating mothers;
- ≈ 4,000 people have been assisted with medical costs for hospitalisation;
- ≈ 320 houses have been built, 3 schools, 3 churches in Kurdistan;
- ≈ 2 major water plants - one in Mosul in the North and one in Najaf in the South - have been rehabilitated.

The water plant in Najaf is particularly interesting. Najaf is a city of some 400,000 - 500,000 people. It is the site of the holiest shrine for Shiite Muslims after Mecca, since it contains the mosque of Imam Ali, regarded by the Shiites as the true heir of the prophet Mohammed. Each year, Najaf receives over 1.5 million pilgrims.

The Delegation's Programme

The Delegation arrived in Baghdad by air from Amman and was met at the airport by representatives of the Government, by Church dignitaries, by the Executive Board and staff of the Confrérie de la Charité, and members of the media. A press conference and some discussions

¹ Shaping Europe's Future: The Caritas Europa Strategy, January 1999, Caritas Europa, 4 rue de Pascale, 1040 Brussels.

were held in the VIP lounge at the airport. For a list of the principal people present at that meeting, please see Appendix 1.

Except for some key meetings in Baghdad, including substantive briefings by the staff of the Confrérie de la Charité, the Delegation split into three to enable the greatest possible coverage. One group stayed in Baghdad and its environs, one group travelled to Najaf in the South and the third group travelled to Mosul in the North. Both Najaf and Mosul are within the US/UK imposed 'no-fly' zones which, it is important to note, cover 65% of the area of Iraq.

Meetings included those with:

- ✂✂ His Beatitude Raphael 1st Bidawid;
- ✂✂ Most Rev. Poulos Dahdah, Latin Archbishop of Baghdad;
- ✂✂ Most Rev. Matthew Matoka, Syrian Catholic Archbishop of Baghdad;
- ✂✂ Rt. Rev. Paul Coussa, Armenian Catholic Bishop of Baghdad;
- ✂✂ The Dominican Fathers
- ✂✂ Mr. Tariq Aziz, Deputy Prime Minister;
- ✂✂ Dr. Sadoon Hamadi, President and Speaker of Parliament;
- ✂✂ Dr. Umaid Mubarak, Minister of Health;
- ✂✂ Dr. Abd Al Monem Mohamed Saleh, Minister of Religious Affairs;
- ✂✂ Dr. Hammam Abd Alkhalek, Minister of Information and Culture;
- ✂✂ Dr. Abdul Razak Al-Hashimi, President of the Organisation of Friendship, Peace and Solidarity;
- ✂✂ Mr. Sami Hanna, Ministry of Foreign Affairs;
- ✂✂ Mr. Ahmed Gubartella, Chief of Mission UNHCR;
- ✂✂ Mr. Sadouk Houniali, UN World Food Programme.

A list of those with whom the Delegation had meetings, each lasting well over one hour, is included in Appendix 1.

Visits in Baghdad included the Saddam Teaching Hospital for Children; the Institute and Hospital of Radiology and Nuclear Medicine; well-baby centres and clinics; and to some ordinary families/persons who are being assisted by the Confrérie de la Charité.

In Mosul, visits included the Water Treatment Plant, the well-baby clinic of the Confrérie de la Charité, the Iben El Ather Hospital; and the Confrérie centre in Qarakosh.

In Najaf, the group visited the Water Treatment Plant for the city; the central hospital; the children's hospital; the mosque.

The Delegation returned to Amman by road - approximately a 12 hour drive across the Arabian desert.

BRIEF BACKGROUND ON IRAQ

Iraq is a country of some 23 million people², almost half of them under 15 years old, and with a total land mass of 437,072 square kilometers and bordered by Turkey to the North, Syria to the North West, Jordan to the North, Saudi Arabia to the South West and Kuwait to the South East. It is larger in size than most European countries except the former Soviet Union, France and Spain. In USA terms, it is roughly the size of Idaho. It has only 58 kilometers of coastline - a small outlet to the Shatt-al-Arab waterway in the Gulf. Its primary natural resources are petroleum, natural gas, phosphates and sulphur. Only 12% of its land is arable land. Iraq's economy is dominated by the oil sector which has traditionally provided approximately 95% of foreign exchange earnings.³ According to the Organisation of the Petroleum Exporting Countries (OPEC), over 75% of the world's proven oil reserves (1,047,200 million barrels) are in OPEC countries. Iraq, a founder member of OPEC in 1960, has, according to 1996 figures the second largest reserve of crude oil after Saudi Arabia.⁴

In terms of the current political dispensation, Iraq has been governed, since the revolution of 17-30 July 1968, by the Ba'ath Socialist Party in which President Saddam Hussein has played a pivotal role since the 1950s. He is regarded as the principal architect of the revolution and the ensuing Revolutionary Council.⁵ He has been President of Iraq since 16 July 1979 and Prime Minister since 29 May 1994.

In terms of religion, 97% is Muslim (Shi'a 60-65%, Sunni 32-37%), Christian and other 3%.⁶ Iraq enjoys a higher degree of religious tolerance between Muslims and between Muslim and Christian than other countries.

Iraq is not a poor country. On the contrary, it is rich both economically and culturally, being traditionally and justifiably referred to as the 'cradle of civilisation'. Until the Iran-Iraq war, the invasion of Kuwait and the resulting sanctions, now in their eleventh year, Iraqi citizens enjoyed good standards of living, health, education, and literacy. Today, however, Iraq has a Human Development Index (HDI) ranking - at 126 - lower than any of its neighbours; lower than that of a number of Least Development Countries (Burma, Cape Verde, Maldives, Nicaragua, Solomon Islands, Vanuatu, Vietnam) and well below a number of developing countries e.g. the Philippines, Thailand, Sri Lanka, Colombia, El Salvador, Guatemala, Indonesia etc.). It has an external debt of US\$115.5 billion in 1998 - largely due to debts incurred in the war with Iran.⁷

In a report of this kind, it is impossible to go into a serious analysis of the reasons for the Iran-Iraq war (1980 -1988) or the underlying tensions leading to Iraq's invasion of Kuwait on August 2nd 1990. Nor is it possible in a report such as this to place these events in their broader context of the search for peace and stability in the whole of the Middle East region. Similarly, it would need considerably more space than is possible here to trace the complex pattern of shifting allegiances by the world's

² Estimates of Iraq's population vary - due to war, famine and mass emigration - from between 22 million and 24 million. We use here the figure most often quoted to the Delegation.

³ The above information is taken from the CIA World Fact Book 2000.

⁴ According to OPEC, the top five countries in terms of crude oil reserves in 1996 were: Saudi Arabia (261,444 million barrels); Iraq (112,000 million barrels); United Arab Emirates (97,800 million barrels); Kuwait (96,500 million barrels) and Iran 92,600 million barrels. Total world consumption of crude oil in the same year was 71.7 million barrels a day. The United States in 1996 consumed almost 17 million barrels of petroleum products a day, importing 46% of its requirements, 42% from OPEC countries

⁵ Iraq 30 Years of Progress, Published on the 30th Anniversary of the 1968 Revolution by the Department of Information, Ministry of Information and Culture, Baghdad.

⁶ CIA World Fact Book 2000.

⁷ Human Development Report 2000, UNDP, 1 UN Plaza, New York 10016. ISBN: 0-19-521678-4.

remaining superpower, the United States, towards the countries in the region.⁸ Suffice it to say that yesterday's friend can quickly become today's enemy. However, as former US Attorney General Ramsey Clark points out:⁹

"The one constant in U.S. policy through all the years was the determination to dominate the vast oil resources of this region, not only for their wealth, but for the economic and military advantage this gave over both rich and poor oil-importing countries. Among scores of statements reflecting this policy is a warning in 1977 from Senator Henry Jackson's Energy and Natural Resources Committee of the U.S. Senate: 'A U.S. commitment to the defense of oil resources of the Gulf and to political stability in the region constitutes one of the most vital and enduring interests of the United States'."

Following the fall from power of the Shah of Iran and the installation of the Ayatollah Khomeini, Iraq was perceived - if not as a friend - at least as a useful counterweight to Iran. This perception changed following the cease-fire in August 1988. Four days after Iraq invaded Kuwait on August 2 1992, the UN Security Council imposed total economic sanctions against Iraq. Six months later, on 16 January 1991, the Gulf War began with aerial bombardment by UN coalition forces (540,000 US troops and 150,000 from other countries). For the first time, people round the world could watch on TV a 'high tech war' as missiles flew across the night skies, a view of warfare which obscured the horror on the ground. As Ramsey Clark put it:¹⁰

"Without setting foot on Iraqi soil, or engaging Iraqi troops, U.S. aircraft and missiles systematically destroyed life and life-support systems in Iraq over a period of six weeks. There were two thousand air strikes in the first twenty-four hours. More than 90 per cent of Iraq's electrical capacity was bombed out of service in the first few hours. Within several days, "not an electron was flowing." Multimillion-dollar missiles targeted power plants up to the last days of the war, to leave the country without power as economic sanctions sapped life from the survivors. In less than three weeks the U.S. press reported military calculations that the tonnage of high-explosive bombs already released had exceeded the combined allied air offensive of World War II. By the end of the assault, 110,000 aircraft sorties had dropped 88,500 tons of bombs on Iraq, the equivalent of seven and a half atomic bombs of the size that incinerated Hiroshima."

Ramsey Clark goes on to catalogue the damage: no running water, no communications links, the destruction of transportation links (including 139 bridges over Iraq's two great rivers, the Tigris and the Euphrates), the heavy damage to Iraq's eight multi-purpose dams (with the concomitant wreckage of flood control, municipal and industrial water supplies, irrigation and hydro-electric power). Targeting water and sewage facilities led to sewage spilling into the Tigris and out into the streets of Baghdad. Grain silos, factories, hospitals (28), community health centres (52), schools (676) and government office buildings were all targeted and severely damaged or destroyed.

Iraq's oil industry was a priority target. US planes hit 11 oil refineries, 5 oil pipeline and production facilities, export pipeline facilities, and many oil storage tanks. Three oil tankers were sunk and

⁸ For a fascinating and detailed account of US Strategy in the Gulf and on the devastation of Iraq by war and sanctions, see "Fire and Ice" by former US Attorney General, Ramsey Clark in [Challenge to Genocide: Let Iraq Live](#) published in 1998 by the International Action Centre. ISBN 0-9656916-40. Available also on the following website: www.iacenter.org/fireice.htm.

⁹ *ibid*

¹⁰ *ibid*

three others set on fire. This fact becomes particularly pertinent when we come to discuss the 'oil for food' programme.

Baghdad was bombed every day as missiles were launched against "hard targets". Included in such 'hard targets' were the al-Rashid hotel where the Delegation stayed during its visit and, more importantly, the Amariyah bomb shelter, situated in a residential area of Baghdad. Two missiles hit this shelter and some 400 people, mostly women, children and the elderly, were killed, most by the intense heat. Charred and twisted bodies were unrecognisable. On one wall the image of a woman holding her child is fused into the cement, like the imprint of bodies after the atomic bomb was dropped on Hiroshima.

By the time the bombardment ended, sanctions had already been in place for several months. It is in this context that the effect of sanctions must be assessed.

BACKGROUND TO AND EVOLUTION OF SANCTIONS

"The hard fact is that so long as Saddam remains in power, he threatens the well-being of his people, the peace of his region, the security of the world. The best way to end that threat once and for all is with the new Iraqi government (sic), a government ready to live in peace with its neighbours, a government that respects the rights of the people."

President Bill Clinton, in a Statement from the Oval Office of December 16 1998.¹¹

The Vice President reaffirmed the Administration's strong commitment to the objective of removing Saddam Hussein from power, and to bringing him and his inner circle to justice for their war crimes and crimes against humanity. Saddam's removal is the key to the positive transformation of Iraq's relationship with the international community and with the United States, in particular.

Vice President Al Gore, June 26 2000.¹²

"The President-elect has made it clear that we will work with our allies to re-energize the sanctions regime. Critics will say that tightened sanctions mean more harm to the people of Iraq, especially the children. No one cares for children more than I do. And I understand that a nuclear, biological, or chemical weapon in the hands of Saddam Hussein threatens the children of not only Iraq but the entire region far more than tightened sanctions whose ultimate goal it is to prevent such a weapon.

The problem in Iraq is not with tightened sanctions. From its inception, the sanctions regime has included means by which Iraq could import whatever food and humanitarian assistance it required. The problem, Mr. Chairman, lies with a leader that continues to deny his people the basic necessities of life in a cynical attempt to manipulate public opinion both inside Iraq and in the wider world.

We need to be vigilant, ready to respond to provocations, and utterly steadfast in our policy toward Saddam Hussein and we need to be supportive of opposition efforts.

The burden should be on Iraq to prove to the region, to the UN, and to its neighbors, and to its neighbors' children that they are no longer threatened, that Iraq is ready to live in

¹¹ President Clinton was announcing the launching of Operation Desert Fox, six weeks after the departure from Iraq of UNSCOM. He considered Iraq a "clear and present danger" and ordered "America's Armed Forces to strike military and security targets in Iraq. They are joined by British forces. Their mission is to attack Iraq's nuclear, chemical, and biological programs, and its military capacity to threaten its neighbours. Their purpose is to protect the national interest of the United States and, indeed, the interest of people throughout the Middle East and around the world."

¹² In a Joint Statement by the Vice President and Leaders of the Iraqi National Congress. White House Office of the Vice President. www.state.gov/www/regions/nea

the world and not apart from it. Until Iraq makes that decision and lives by it, we will remain resolute.

America has no quarrel with the people of Iraq. We look forward to the day when that country rejoins the family of nations and resumes normal diplomatic and commercial relations with us and with the rest of the world."

Statement of Secretary of State Designate, Colin L. Powell, prepared for the Confirmation Hearing of the US Senate Committee on Foreign Relations, January 17th 2001.

Chapter VII of the Charter of the United Nations delegates considerable power for the maintenance of international peace and security to the UN Security Council. Particularly relevant here are Articles 41 and 42:

"The Security Council may decide what measures not involving the use of armed force are to be employed to give effect to its decision, and it may call upon the Members of the United Nations to apply such measures. They may include complete or partial interruption of economic relations and of rail, sea, air, postal, telegraphic, radio, and other means of communication, and the severance of diplomatic relations."

and

"Should the Security Council consider that measures provided for in Article 41 would be inadequate or have proved to be inadequate, it may take such action by air, sea, or land forces as may be necessary to maintain or restore international peace and security. Such action may include demonstrations, blockade, and other operations by air, sea, or land forces of Members of the United Nations."

The Security Council has 15 members - five permanent members (China, France, Russian Federation, the United Kingdom, the United States) and ten elected by the General Assembly for a two-year term.¹³ It is important to recall that decisions on substantive matters require nine votes, including the concurring votes of **all five Permanent Members**. This is the rule of "great power unity", more commonly known as the power of veto.

The power to impose sanctions was rarely exercised until the 1990's (in fact, only on two occasions: against post-UDI Southern Rhodesia and against South Africa). Since 1990 sanctions have been imposed against a dozen countries¹⁴. The Security Council currently has 9 sanctions committees: Iraq, Libya, Somalia, Angola, Rwanda, Liberia, Sierra Leone, Yugoslavia (including Kosovo), and Afghanistan.

The sanctions against Iraq are widely accepted as being the most comprehensive and stringent sanctions ever imposed by the United Nations and this has prompted a current debate about both

¹³ For the year 2001, the Members of the Security Council are as follows (in order of the Presidency of the Council which changes each month): Singapore (January), Tunisia (February), Ukraine (March), United Kingdom (April), United States (May), Bangladesh (June), China (July), Colombia (August), France (September), Ireland (October), Jamaica (November), Mali (December), Mauritius, Norway, Russian Federation. Security Council website: www.un.org/documents/scinfo.htm

¹⁴ Church of England Report, [Iraq: A Decade of Sanctions](#), July 2000. The countries in question being Iraq, Yugoslavia, Libya, Liberia, Somalia, Cambodia, Haiti, Angola, Rwanda, Sierra Leone, Afghanistan and Ethiopia.

the principle of sanctions (their effectiveness, their morality, whether or not they are counterproductive, and the humanitarian cost) and their implementation (in particular delays in processing contracts for provisions and equipment permitted under the sanctions in question, issues of transparency, the use of the veto). Indeed there is debate about the very structure of the Security Council and, in particular, its permanent members, in a world which has metamorphosed since World War II when the UN Charter was drawn up. It has also led to questioning whether sanctions are in keeping with the letter and spirit of the Charter as set out in its principles and objectives, with international human rights conventions and with humanitarian law.

The picture of sanctions against Iraq is a complex one. The original Security Council Resolution 661 (attached as an Appendix to this report) has, as its stated aim, the withdrawal of Iraqi forces from Kuwait and the restoration of the sovereignty, independence and territorial integrity of Kuwait. Following the Gulf war, Iraq complied with this resolution. In subsequent resolutions, the goalposts were shifted, with an emphasis on weapons of mass destruction and weapons inspection through UNSCOM. UNSCOM has reported that the disarmament phase of the Security Council's requirements is possibly near its end in the missile and chemical weapons areas¹⁵. Nevertheless, there remained "doubts" about the complete dismantling of Iraq's weapons capability. And this includes the possibility of future construction of weapons of mass destruction. Richard Butler, Head of UNSCOM, the UN weapons inspection team, was the person who expressed these doubts to the UN. This resulted ultimately in UNSCOM leaving Iraq, Operation Desert Fox and the current impasse at international level. Despite his well-known antagonism towards the Iraqi government as far as weapons of mass destruction are concerned, Richard Butler has come out publicly against sanctions. Speaking on BBC World Service programme, "Talking Point" on June 4 2000, he said the following:

"Let's get to the point of substance, and I'll say it now on air. I deeply believe that sanctions as now applied to Iraq and this has been the case for a number of years, have been utterly counter-productive to the disarmament purpose; and I think that the damage to the Iraqi people must stop. Now ironically I also think that they have probably helped keep Saddam Hussein in power. So in that senseI think that the sanctions issue is something that the United Nations must address with utmost urgency.

The subtitle of my book is called 'The Crisis of Global Security'; and I think we have got a truly serious crisis on our hands here, when a recalcitrant state can face down the law-maker and when the law-maker's only answer to that is to maintain a sanctions regime which does no harm whatsoever to the vicious leaders of that regime, and it all gets transferred to ordinary innocent people; and it doesn't do its job but just actually helps keep that regime in power. Now I think that's a nonsense, and I think this requires urgent review by the United Nations."

This point is underscored by the UN Office for the Co-ordination of Humanitarian Affairs (OCHA) in its report on the humanitarian impact of sanctions:¹⁶

"The efficiency of sanctions management resides in the ability of sanctions authorities to develop a coherent and concerted approach to the objectives of the sanctions, taking into account both political and humanitarian contingencies. Efficient sanctions management will

¹⁵ Between Iraq and a Hard Place: a Critique of the British Government's Narrative on UN Economic Sanctions, Dr. Eric Herring, Department of Politics, University of Bristol, September 1999.

¹⁶ Coping with the Humanitarian Impact of Sanctions: An OCHA Perspective by Claude Bruderlein, Special Advisor, OCHA, New York, December 2 1998.

result in better designed and more sustainable sanctions, i.e. more effective in stigmatizing the country's leadership and pressing targeted governments to review their unlawful policies.

Although the actual impact of sanctions on the decision-making process of targeted governments remains obscure, recent UN experience shows that more targeted sanctions may exert increased pressure on the country's leadership. More importantly, it appears that some damage resulting from sanctions regimes, such as increased humanitarian needs, may even run counter to the objectives of the sanctions, strengthening the targeted government at a domestic level, triggering international support for the targeted state and improving its international image from one of a transgressor to one of a victim. If unchecked, the humanitarian impact of sanctions may in fact relieve the targeted governments from some of the political pressure of the sanctions. Therefore, the humanitarian impact of sanctions hardly can be seen as "collateral damage", unavoidable under the circumstances and not relevant to the effectiveness of sanctions regimes. On the contrary, the proper management of the humanitarian impact of sanctions appears central to an efficient management of sanctions and, therefore, to their success."

Yet, it seems abundantly clear, from the speeches of President Clinton and Vice-President Al Gore, cited at the beginning of this chapter, that the ultimate aim of the United States is nothing less than the removal of Saddam Hussein. And, alarmingly, as is clear from the quote from US Secretary of State Colin Powell, the new US administration, under President George W. Bush intends to "re-energize" sanctions against Iraq.

In his discussions with the Delegation on January 8 2001, Deputy Prime Minister Tariq Aziz was very clear on this point:

"But if the main objective of policy over the last ten years has been to change the leadership, this is not going to happen. If the objective was to break the will of the people, this is not going to happen. Therefore, if a policy does not work, it would be quite intelligent for politicians to change it. The current policy is a failure which is quickly becoming a tragic farce."

Certainly, the Delegation's experiences in Iraq bear this out. Whilst the Delegation's questioning focused entirely on sanctions, the Delegation met no-one who blamed Saddam Hussein for their current hardship. Indeed, most recalled the good standard of living they had previously enjoyed. The culprit, as far as the Iraqi people is concerned, is the United States and what is perceived to be its junior partner, Great Britain. Recognising the limitations of a) being foreigners and b) being accompanied often by a Ministry of Foreign Affairs official, the Delegation believes that this is a genuine perception by Iraqi people of their current appalling situation.

Yet it is difficult to see what other objective than the removal of Saddam Hussein continuing sanctions could possibly have. Scott Ritter, Chief Weapons Inspector with UNSCOM, (as a self-confessed conservative, Marine-Corp trained, Republican¹⁷) testified in May 3 2000 before a US Congressional Hearing quite unequivocally about Iraq's weapons of mass destruction:¹⁸

¹⁷ Scott Ritter's book *Endgame: Solving the Iraq Problem - Once and For All*, published in 1999 by Simon and Schuster, New York ISBN 0-684-86485-1 leaves little doubt as to his views on Iraq.

¹⁸ Transcript provided by Voices in the Wilderness at website: www.nonviolence.org/vitw

"The problem facing us today is what threat does Iraq present and what threat will Iraq present should sanctions be lifted. Original resolutions against Iraq are quantitative in terms of determining Iraq's disarmament obligation - that is one hundred percent. But the reality is that, from a qualitative standpoint, when you judge Iraq's current weapons of mass destruction capabilities today, they have none. In terms of long-range ballistic missiles, missiles with a range greater than 150 kilometers, Iraq no longer has these missiles. They have been disarmed. In terms of missile production facilities, which were associated with the production of long range missiles, these facilities have either been destroyed, dismantled, or, prior to the American military action in 1998, under strict monitoring by the weapons inspectors. The same holds true with chemical weapons. In 1991 Iraq had one of the largest chemical weapons manufacturing establishments outside of the United States and Russia - that is the Mufana State establishment. That establishment no longer exists today and all establishments that were capable of dual purpose activities, that is activities that could be modified for use in the production of chemical weapons, were subject to strict monitoring by weapons inspectors prior to December 1998. The same holds true for biology. The same holds true for nuclear. So when we talk about Iraq's current weapons of mass destruction threat, the answer is there is no weapons of mass destruction threat."

And particular emphasis is now being placed by the United States on the 600 'missing' Kuwaitis. On the 10th Anniversary of the invasion of Kuwait, August 2 2000, Assistant Secretary for International Organization Affairs in the US State Department, C. David Welch, in an on-the-record briefing¹⁹, stated:

"But this story which began ten years ago is far from over. It's not over because Iraq has not given up its weapons of mass destruction. It's not over for some 600 Kuwaiti missing persons and POWs seized by Iraqi forces in Kuwait. Nor is it over for the people of Iraq who continue to suffer the brutal misrule of the Saddam Hussein regime."

The United Kingdom position is a more nuanced one - whilst it firmly supports sanctions against Iraq as a means of leverage and pressure on the Iraqi regime, it does not see the removal of Saddam Hussein as a legitimate objective of sanctions. But, whilst the government stresses the consistency of its "ethical foreign policy", this is not always clear. Peter Hain, the then Minister of State at the Foreign and Commonwealth Office stated in a BBC 4 interview on January 5th 2001 that ***"Britain's reputation is very high in standing up for foreign policy objectives which promote human rights at the top of the agenda"***. When challenged by the interviewer as to whether Britain is sending out confused signals by adopting different approaches to, say, Iraq and Russia with regard to Chechnya, he replied

"Do you want to influence the situation or don't you? That should be our yardstick. We don't take tough action against Saddam Hussein just for the hell of it. We don't send troops to Sierra Leone just because we feel they should get some exercise in action, we do it because those are the only levers available to us. In Russia that's not the case, we have a new President who wants to do business with Britain and the world in general and we can seek to influence through that. The question is also: what are the alternatives? I keep putting this point to critics of the"

¹⁹ Text issues by the Office of the Spokesman, US Department of State, 2 August 2000.

sanctions on Iraq - what is their alternative? To walk away from these situations?"

The Delegation would adopt a different perspective. In this regard, the following extract from The Adverse Consequences of Economic Sanctions on the Enjoyment of Human Rights, a working paper prepared by Belgian jurist, Marc Bossuyt and issued by the UN Economic and Social Council (21 June 2000) is pertinent:

"The 'theory' behind economic sanctions is that economic pressure on civilians will translate into pressure on the Government for change. This 'theory' is bankrupt both legally and practically, as more and more evidence testifies to the inefficacy of comprehensive economic sanctions as a coercive tool. The traditional calculation of balancing civilian suffering against the desired political effects is giving way to the realisation that the efficacy of a sanctions regime is in inverse proportion to its impact on civilians. (paragraph 48)

Under sanctions, the middle class is eliminated, the poor get poorer, and the rich get richer as they take control of smuggling and the black market. The Government and elite can actually benefit economically from sanctions, owing to this monopoly on illegal trade. As many commentators have pointed out, in the long run, as democratic participation, independent institutions and the middle class are weakened, and as social disruption leaves the population less able to resist the Government, the possibility of democracy shrinks. In sum, the civilian suffering that is believed to be the effective factor in comprehensive economic sanctions renders those sanctions ineffectual, even reinforcing the Government and its policies."(paragraph 50)

Increasingly within the Security Council are loud voices who take a radically different position to that maintained by the United States and the UK. On 24 March 2000, there was a meeting of the Security Council to consider the humanitarian situation in Iraq. Secretary General Kofi Annan told the Security Council²⁰:

"The humanitarian situation in Iraq poses a serious moral dilemma for this organisation (UN). The United Nations has always been on the side of the vulnerable and the weak and has always sought to relieve suffering, yet here we are accused of causing suffering to an entire population. . . .I am particularly concerned about the situation of Iraqi children whose suffering and, in too many cases, untimely death has been documented in the report prepared by UNICEF and the Iraqi Health Ministry last year."

He also complained that the number of contracts placed on hold was "intolerably high" and that a more sustained effort to reduce that amount was urgently required. His concerns were echoed by a number of Security Council members, including some permanent members and they are worth recalling:

"The representative of the Russian Federation said that the Secretary General's report had shown that the deteriorating humanitarian situation was leading to the desecration of the fabric of civil society. The population was totally impoverished, with conditions far short of

²⁰ Security Council Press Release of 20 pages, SC/6833, March 24 2000

generally recognised standards of health. The population was also suffering from problems related to employment and education. An entire generation of Iraqis had been maimed physically and morally and become outcasts of the world community. The industrial infrastructure had been damaged, as well as the water supply, the provision of energy, communications and transportation. There had been no sustainable distribution of food and medicines and mortality rates had reached threatening proportions...

The solution to the impasse, he said, should be through suspension of sanctions, in conjunction with a resumption of disarmament monitoring."

The French representative said that:

"Iraq had experienced a shift from relative affluence to massive poverty. According to UNICEF, the infant mortality rate was among the highest in the world. The situation was hardly better in the educational sector and had deteriorated in the area of social services. The almost daily bombardments had had negative humanitarian effects on the civilian population. 'An entire society is living without structure and being destroyed', he said. The Iraqi Government bore a heavy share of the initial blame for that, but the Security Council must recognise its own liability in the matter, which was 'indisputable and increasingly condemned by international public opinion'."

Elsewhere, the press release gives China's position:

Sanctions would not help solve the Iraq problem, nor were they serving the Council's intention in establishing them, the representative of China asserted. At the same time, the oil-for-food programme would never successfully address the humanitarian crisis in that country. The solution lay in the timely removal of the sanctions. Political differences among Council members should never make victims of innocent civilians. Ten years after the imposition of sanctions, their humanitarian consequences had been broad and profound. He urged a thorough review of the situation that focused on the impact of sanctions.

The Ukraine Member fully shared the Secretary General's grave concern about the humanitarian situation which, he said, was lamentable and no longer sustainable. He felt that the Council had failed to implement the recommendations of its own resolutions and recommendations made by the Secretary General. He shared the concern over the number of holds on contracts and concluded:

"Regrettably, the powerful tool introduced by the sanctions regime to stop aggression had become a tool to punish ordinary citizens."

The Malaysian Member was particularly eloquent: and his speech in particular reflects the feelings of the Delegation after their visit:

"For nearly a decade the most comprehensive and punitive sanctions ever imposed on a people had destroyed Iraq as a modern State, decimated its people, ruined its agriculture, educational and health-care systems, as well as its infrastructure. The devastating effects of the sanctions had testified to the failure of comprehensive sanctions as a

policy tool that violated basic human rights, indeed, the right to life itself. The sanctions regime had brought about a humanitarian crisis of enormous proportions. That was beyond dispute. The tragedy lay in the fact that, although much of the damage could be prevented, it had been allowed to continue....

Clearly sanctions did more than hurt. Sanctions killed, especially the most vulnerable. How ironic it was that the same policy that was supposed to disarm Iraq of its weapons of mass destruction had, itself, become a weapon of mass destruction, through the deaths of innocent children. In the name of the international community, United Nations sanctions were incapacitating an entire society."

It is hardly surprising that 'United Nations' is almost a forbidden term in Iraq and is seen as little more than a fig leaf to advance the interests of the United States. Indeed, in the Delegation's meeting with him, Dr. Sadoon Hamadi, the President and Speaker of Parliament said:

"I give special importance to your mission because you are representatives of the Church. You are the conscience of the people. The Church has a moral responsibility and I believe that the Church can do something important. We have had sanctions for ten years, bombardments and violations of our air space. Civil aviation is banned. And all without justification. The Security Council is doing nothing. The UN Charter is being violated daily. But the Security Council does not meet to look at how one of its Members, a superpower, is violating international law. I think that every person of conscience has some moral responsibility."

The question of **contracts on hold** is a persistent and serious one and a number of Iraqi government officials stressed that the issue of dual use i.e. equipment or spare parts which could be used for both civilian and military use, is often the reason that contracts - or parts of contracts - are put on hold²¹. At the March 2000 Security Council meeting cited above, the Secretary General informed the Council that applications placed on hold at 31st January 2000 was over \$1.5 billion. A number of members echoed this concern - the most vociferous being the Russian delegate and the Chinese delegate. The former accused the sanctions committee of delaying contracts on completely 'trumped up', artificial pretexts. The latter drew attention to the fact that holds on contracts exacerbated the miserable humanitarian situation in Iraq. In October 1999, he said, such holds related to 570 projects valued at US\$700 million. However, by 6th March 2000, according to the UN Office for Iraq Programme, the value of such contracts had risen to \$1.7 billion. The representative of China went on to emphasise the fact that related contracts were alternately approved or placed on hold - so that, for example, approval is given to import power generators, but not to the electricity cables they required. In general, he added, despite the fact that the Secretary General and other agencies agreed that telecommunications in Iraq should be immediately improved, almost all such types of contracts were on hold.

The former UN Humanitarian Co-ordinator for Iraq, Hans von Sponeck, in an open letter to the then British Minister, Peter Hain, published in the Guardian newspaper on January 4 2001, asserted that the present volume of blocked items amounts to US\$ 2.3 billion - the highest figure ever. By 19 January 2001, according to the UN Office for the Iraq Programme, the amount of contracts on hold is currently US\$ 2.9 billion²². Contracts approved by the government of Iraq go first to the UN

²¹ Strictly speaking, almost anything could be dual use e.g. chlorine for water purification, 1 watt lasers for eye surgery, chemicals for chemotherapy, garbage trucks, pipes for the rehabilitation of water and sewerage, electricity generators. The list is endless.

²² Oil for Food -The Basic Facts 1996-2000, UN Office for the Iraq Programme, January 19 2001. www.un.org/depts/oip/latest/basfact_000610.html

Office for the Iraq Programme and from there, except for some agreed products which can be dealt with under a "fast track procedure, they are sent to the 661 Sanctions Committee.

Whether such delaying of urgently needed equipment and provisions is a question of perversity or over-zealous bureaucracy, it does highlight a systemic fault. This is stressed in the UN Office for the Co-ordination of Humanitarian Affairs (OCHA) in its report cited earlier:

"According to Article 41 of the UN Charter, the Security Council may call upon Member States to apply sanctions measures to maintain or restore international peace and security. However, the Charter remains silent on the requirements for the elaboration and implementation of such complex measures. Compared to the requirements involved in the deployment of peacekeeping forces under Chapter VI for which the UN Secretariat created a whole department, or the use of force under Chapter VII, for which States requested the creation of a Military Staff Committee, only minimal administrative and technical institutional arrangements have been involved in the planning or enforcement of sanctions regimes.

Consequently, the adoption and enforcement of sanctions regimes remain largely submitted to the political contingencies of Security Council work. Most of the sanctions regimes have been elaborated in crisis situations where the timing of the Security Council's response and the search for consensus among its Members appear to matter as much as the technical character of the measure. Complex modalities of sanctions regimes elaborated by the proponents of each regime at the Council have been adopted under no specific technical review mechanisms in terms of the potential humanitarian impact of the sanctions. Although sanctions have become over recent years the primary UN response to threats to international peace and security, the UN Secretariat and technical agencies have been given only few opportunities to contribute to the deliberations of the Security Council on the modalities of sanctions regimes."

The need for careful monitoring - if not a complete overhaul - of the sanctions system is the focus of a report prepared by Belgian jurist, Marc Bossuyt, for the UN Economic and Social Council.²³ He proposes **six basic criteria** for evaluating sanctions which the Delegation would very much recommend to decision-makers:

1. Are the sanctions imposed for valid reasons i.e. when there is a threat of or actual breach of international peace and security?
2. Do the sanctions target the proper parties i.e. sanctions may not target civilians who are uninvolved with the threat to peace or international security?
3. Do the sanctions target the proper goods or objects i.e. sanctions may not interfere with the free flow of humanitarian goods under the Geneva Conventions and other basic provisions of humanitarian law?
4. Are the sanctions reasonably time-limited i.e. legal sanctions may become illegal when they have been applied too long without meaningful results?

²³ The Adverse Consequences of Economic Sanctions on the Enjoyment of Human Rights, working paper prepared by Mr. Marc Bossuyt for the UN Economic and Social Council, 21 June 2000. Document: E/CN.4/Sub.2/2000/33

5. Are the sanctions effective i.e. sanctions must be reasonably capable of achieving a desired result in terms of threat or actual breach of international peace and security?
6. Are the sanctions free from protest arising from violations of the "principles of humanity and the dictates of the public conscience"?

With regard to this last criterion, Marc Bossuyt goes on to stress that the reaction of governments, intergovernmental bodies, non-governmental organisations, scholars and, of course, the public must be taken into account in evaluating the sanctions regimes.²⁴

The Delegation believes that, if evaluated against these six criteria, the case for maintaining Iraqi sanctions cannot be justified.

Finally, a word should be said about the current impasse over **Security Council Resolution 1284** of December 17th 1999 (which is attached to this report as an Appendix). This resolution provides for significant and urgently needed improvements in the humanitarian aspects of the sanctions regime and it is largely for that reason that the Security Council adopted it. However, there is a sting in the tail - namely the replacement of UNSCOM with a similar body, UNMOVIC. UNMOVIC is headed by Dr. Hans Blix, former Director-General of the International Atomic Energy Agency (IAEA). The IAEA worked alongside UNSCOM and Dr. Blix shares some of Richard Butler's "doubts" about the existence of/potential for weapons of mass destruction. In particular, he is concerned about future weapons procurement. He does, however, recognise that in trying to clarify all uncertainties, there is a "point of diminishing returns" and, in his report to the Board of Governors of August 18 1999, states that these uncertainties would not prevent the full implementation of the Agency's Ongoing Monitoring and Verification Activities²⁵.

The Iraqi government has completely rejected Resolution 1284 because of the UNMOVIC part of the Resolution. Ministers we met expressed their opposition to this resolution. It was best put by Mr. Sadoon Hammadi, a former Foreign Minister and now the President and Speaker of the Iraqi Parliament. He put it this way:

"UNSCOM conducted 264 inspection missions involving 3,558 people who inspected 2,558 sites all over Iraq. They established permanent ongoing observation of 386 sites to which 6,938 visits were paid. They had 129 sophisticated cameras and 27 inspection units to verify them. No weapons of mass destruction were left. Nevertheless, Richard Butler presented his report expressing doubts. The UN Security Council debated this and came up with SCR1284. Reading this resolution, we see UNMOVIC has the same mandate and the same terms of reference as the previous Special Commission. So we go back to the starting point. No government with the experience of 10 years unfruitful work could accept such a resolution."

He added that, because of concern for the well being of the Iraqi people, the government had agreed to begin negotiations, without preconditions, which were expected to start soon. These discussions, originally scheduled for January, are now expected to take place on February 26 1001.

The Delegation hopes that these discussions will provide a window of opportunity to establish an entirely new and more humane relationship between the international community and Iraq.

²⁴ *ibid.* Pages 11 and 12.

²⁵ The Implementation of United Nations Security Council Resolutions Relating to Iraq, report by the Director General to the Board of Governors General Conference, 18 August 1999. GOV/1999/50-GC(43)16. Website: www.iaea.org.

THE OIL-FOR-FOOD PROGRAMME

"The oil for food programme is the largest humanitarian programme in the United Nations history."

United States Representative, James B. Cunningham, Security Council Meeting, 24 March 2000.

Statements such as this and the assertion by new US Secretary of State, Colin Powell, cited earlier in this report, that: "***From its inception, the sanctions regime has included means by which Iraq could import whatever food and humanitarian assistance it required***", are, at best, misleading. They lead to misperceptions about the sanctions regime and the oil-for-food component and to subsequent assertions that Iraq is earning plenty of money from oil sales but that Saddam Hussein is cynically manipulating this and deliberately withholding humanitarian assistance from the Iraqi people in order to maintain his hold on power and win international sympathy.

It is, therefore, critical to be very clear about what the oil-for-food programme is and what it is not. In this regard, the following facts should be noted:

- ✂✂ All the financing for the programme comes from Iraq's sales of its own natural resources. To call the purchase of food, medicines and other essential products, financed by Iraq's own national income, 'a UN humanitarian programme' is frankly disingenuous.
- ✂✂ To date no money from oil sales under the sanctions regime is or has ever been in the hands of the Iraqi government, the Iraqi treasury or the Central Bank of Iraq.
- ✂✂ All the revenue from oil sales is paid into an escrow account, controlled by the United Nations, at the Banque Nationale de Paris-Paribas in New York²⁶.
- ✂✂ The revenue accruing from oil sales is allocated as follows: 30% (recently reduced to 25%²⁷) goes directly to a Compensation Commission in Geneva (established after the Gulf War for reparations); between 13-15% is channelled to the Inter-Agency Humanitarian Programme for humanitarian programmes in the 3 northern governates of Dihouk, Arbil and Suleimaniyeh; 3% is deducted to pay for all the UN costs (in New York and Geneva as well as in Iraq) incurred by the sanctions regime (i.e. not only the oil for food programme but also for weapons inspections and other costs related to UNSCOM). Thus 43% (prior to 1999, the figure was 48%) of oil revenue is deducted from oil sales at the outset.
- ✂✂ The oil-for-food programme was initiated by Security Council Resolution 986 of 14 April 1995 (appended to this report). The first oil was exported on 15 December 1996 and the first contracts financed by the sale of oil approved in January 1997²⁸ i.e. some years after comprehensive sanctions were imposed on Iraq. (Earlier proposals in 1991 for such a programme had been declined by the government of Iraq, reportedly because of their very limited coverage and the conditions attached to the programme).
- ✂✂ In the beginning of the programme, the supplies allowed under the programme were extremely limited. So too was the amount of oil which Iraq was allowed to sell - US\$ 1 billion every 90

²⁶ Under the terms of Security Council Resolution 986 of 14 April 1995.

²⁷ By Security Council Resolution 1330 (5 December 2000)

²⁸ Oil-for-Food - The Basic Facts 1996 to 2000, UN Office for Iraq Programme, 19 January 2001. Website: www.un.org/depts/oip/latest/basfact_000610.html.

days. At the beginning of the programme, when the amount of sales was limited, the price of oil on the international market was quite high. By mid 1998, when the ceiling for oil sales was raised, the price of oil was collapsing and it is only from mid-1999 onwards that Iraq has been able to take advantage of better prices. However, its current production capacity is limited. And, over the last six months, oil prices have again been declining.

⚡⚡ **No credible evidence has been presented that there is unnecessary stockpiling of foods or medicines. On the contrary, the UN bodies, which control the distribution, use the Iraqi government's distribution network and this is considered by UN bodies as extremely efficient.**

As far as the contract approval process is concerned, all contracts signed by the Iraqi Government are sent to the UN Office of the Iraq Programme in New York for processing and, in most cases, circulation to the UN 661 Sanctions Committee for its consideration. The UN 661 Sanctions Committee is chaired by His Excellency Mr. Ole Peter Kolby of Norway, with the representatives of Ukraine and Mauritius as Vice-Chairs. Some contracts can now be approved by the Secretariat of the United Nations on the basis of lists approved by the UN 661 Sanctions Committee under the "fast track procedure"²⁹.

Just as sanctions have evolved, so too has the oil-for-food programme, with gradual extensions of the coverage of product purchases and significant increases in the amount of oil which Iraq is allowed to sell until, more recently, the complete removal on the ceiling for oil sales from Iraq³⁰.

That said, the following are important points to consider:

⚡⚡ The oil-for-food programme was established as a **temporary measure** to help alleviate the humanitarian situation of the Iraqi people. It was not, as has been stressed by the UN Secretary General, designed to meet all humanitarian needs and must be assessed in that context. Moreover, it must not be confused with a development programme and the requirements of such a programme. And whilst the programme had undoubtedly brought some relief, a substantial amount of the essential needs of the population remained unsatisfied.³¹

⚡⚡ Underfunding and the number of **contracts on hold**, as discussed earlier, have seriously exacerbated problems³².

⚡⚡ Iraq has a desperate need for **rehabilitation programmes**. We drew attention earlier to the effects of the Gulf War on the country's infrastructure. Added to that are the effects of the 70-hour aerial bombardment of December 1998, following the withdrawal of UNSCOM, Code named 'Desert Fox'. During the course of this operation, American and British war planes flew more than 650 strike and strike support sorties. Ships launched more than 325 Tomahawk cruise missiles and US Air Force B-52s launched more than 90 cruise missiles at some 100 targets inside Iraq.³³

⚡⚡ The **oil industry** is in a particularly parlous state. Lifting the ceiling can do little or nothing to help unless and until adequate spare parts are provided. Again, this is a recognised concern by the UN Secretary General and the UN Security Council. Indeed at the March 24 2000 meeting of the UN Security Council, the Malaysian representative "*drew attention to the potential environmental crisis 'waiting to happen', as a result of the deteriorating facilities in the*

²⁹ Office of the Iraq Programme, Oil-for food: the basic facts 1996-2000, January 19 2001.

³⁰ Under the terms of Security Council Resolution 1284 of 17th December 1999.

³¹ Meeting of the UN Security Council, March 24 2000. Press Release SC/6833

³² *ibid.*

³³ Secretary of Defense, William S. Cohen, at a news briefing on December 19 1998. News briefing issued on the conclusion of operation Desert Fox by the US Department of Defense. Website: www.defenselink.mil/news/Dec1998/t1201998_t1219coh.html.

Mina-al-Bakr offshore loading terminal" - a potential environmental catastrophe which would affect the whole of the Gulf.

⚡ In a similar state are the **water, sanitation and electricity** facilities - all of which have a serious impact on public health.

⚡ In Security Council Resolution 1284 of 17 December 1999, provision has been made - for the first time - for **a cash component** to the programme. This would enable, *inter alia*, local purchases of goods and the payment of wages and salaries. The importance of this cash component cannot be overstated. The Government in Iraq effectively has no export revenue yet has a large outstanding debt. It suffers from galloping inflation since the government is unable to support the Iraqi dinar. At the time sanctions were imposed, US \$1 equalled approximately 0.3 Iraqi dinars, currently there are approximately 1,800 dinars to the dollar. The cost of this in human penury and misery is enormous, with families having sold virtually all their possessions for a pittance in order to buy food or medicines. Yet, although humanitarian component of Resolution 1284 is being implemented, at the time of writing (January 26 2001) **not a single dollar** has yet gone to Iraq. This was confirmed in a telephone conversation between the authors of this report and the UN Office for Iraq in New York on January 25th 2001.³⁴

Tariq Aziz stressed the importance of having a 'normal' import/export trade regime. Whilst the country might take many years to rehabilitate, the Deputy Prime Minister assured us:

"The situation would be transformed in the very first week of the lifting of sanctions since the value of the Dinar could immediately be stabilised and would increase by a factor of 100. This would mean that salaries would be sufficient to meet basic human needs."

According to the UN Office of the Iraq programme, since the first shipments of food under the programme in March 1997 and December 31 2000, it had received almost US\$ 23 billion in contracts, US\$18.7 billion of which had been approved. So far almost US\$10.3 billion in humanitarian supplies and oil industry equipment have arrived in Iraq. This includes food stuffs worth more than US\$ 6 billion and health supplies to the value of US\$1.1 billion.³⁵ If one takes these last two figures, one ends up with about US\$ 3 per person per month - a figure which is patently insufficient.

³⁴ The reason is reportedly the lack of agreement between Iraq and the UN on how this cash component is to be handled. The Iraqi government would like this component in the Iraqi Central Bank. The UN would prefer a special UN account.

³⁵ Oil for Food - The Basic Facts 1996 to 2000, UN Office of the Iraq Programme, 19 January 2001.

THE IMPACT OF SANCTIONS

"Not far from Bethlehem and Nazareth, an entire people is the victim of a constraint which puts it in hazardous conditions of survival. I refer to our brothers and sisters in Iraq, living under a pitiless embargo. In response to the appeals for help which unceasingly come to the Holy See, I must call upon the consciences of those who, in Iraq and elsewhere, put political, economic or strategic considerations before the fundamental good of the people, and I ask them to show compassion. The weak and the innocent cannot pay for mistakes for which they are not responsible. I therefore pray that this country will regain its dignity, experience normal development, and thus be in a position to re-establish fruitful relations with other peoples, within the framework of international law and world solidarity."

**Pope John Paul II
Address to the Diplomatic Corps, 1998³⁶**

"In 1996, CBS News' 60 Minutes broadcast a chilling exchange. Correspondent Lesley Stahl interviewed Madeleine Albright, then U.S. ambassador to the United Nations. Albright maintained that the sanctions had proved their worth because Saddam had made more admissions about his weapons programs and because he had recognized the independence of Kuwait (which he did in 1991, right after the war)."

"We have heard that half a million children have died. I mean, that's more children than died in Hiroshima", said Stahl "And, you know, is the price worth it?"

"I think this is a very hard choice," replied Albright, "but the price - we think the price is worth it."³⁷

The Delegation strongly believes that the price cannot possibly be justified. To witness first-hand the impact of sanctions on the Iraqi people is heart breaking. The faces of children dying of leukaemia and their distraught mothers and fathers continue to haunt the delegation. They are destined to die because of the lack of all the component drugs for a particular chemotherapy protocol or because the dilapidated radiotherapy equipment, having been patched up again and again, has finally given up the ghost.

Equally vivid are the faces of the ever courteous but fraught, demoralised medical personnel trying to cope with children with severe respiratory diseases and few or no drugs. Nor can we forget the mother with the seriously ill child at Iben El Ather Hospital in Mosul, who berated the delegation for imposing sanctions, crying "how long, how long?" She had no money for medicines - without them her child was going to die. Some 500 children a day are seen by the Paediatric Department of this hospital mostly with illnesses related to malnutrition. Several tiny babies were crammed together in

³⁶ Reproduced from the Australian Catholic Social Justice Council [Position Paper on Sanctions against Iraq](http://www.acsjc.org.au/position_papers_1.html), August 2000. Website: www.acsjc.org.au/position_papers_1.html.

³⁷ This often cited remark is taken from [Out of the Ashes - the Resurrection of Saddam Hussein](#), by Andrew Cockburn and Patrick Cockburn, page 139. Published by Verso in 2000. ISBN 1-85984-799-4

a single incubator. Conditions on the wards were cramped, unhygienic and malodorous. Indeed noticeable in hospitals in Iraq is the absence of that distinct 'hospital smell' of disinfectant and bleach. Such products did not seem to be available. Similar situations were reported in Najaf where the city hospital and the children's hospital were visited. There too babies, often full term but seriously underweight, were sharing old and unsanitary incubators. Damaged plastic/perspex parts had been replaced with old plastic bags of the type found in the markets as part of the general culture of 'make do and mend'. Whilst conditions in the hospitals in Baghdad were dismal, the situation was much worse elsewhere.

Nor can the Delegation forget either the family of six visited in their home - a single dilapidated room about 5 metres by 4 metres. The father had been a street cleaner but was now out of work. The eldest of the children, a girl around 13 years old, has a hole in the heart. The other three children, all under ten, are mentally handicapped. It was a cold evening and we arrived in the middle of the electricity black-out (two hours twice a day). Without sufficient warm clothing, the family was huddled near a tiny paraffin stove which had been supplied by the Confrérie de la Charité.

The Delegation saw the human face behind the grim statistical data. In this regard, the oft quoted UNICEF report states:³⁸

"In marked contrast to the prevailing situation prior to the events of 1990-1991, the infant mortality rates in Iraq today are among the highest in the world, low infant birth weight affects at least 23 per cent of all births, chronic malnutrition affects every fourth child under five years of age, only 41% of the population have regular access to clean water, 83 per cent of all schools need substantial repairs. The ICRC states that the Iraqi health-care system is today in a decrepit state. UNDP calculates that it would take 7 billion dollars to rehabilitate the power sector country-wide to its 1990 capacity."

The damage which has been inflicted on every sector of society has resulted in a complex of problems which are mutually reinforcing. Inadequate diet and dietary deficiencies, particularly of protein and vitamins, makes people more vulnerable to opportunistic diseases. Damaged water and sewage plants have led to huge increases in water-borne diseases. Hyperinflation means that men routinely have two jobs. At the same time, the unemployment rate is estimated at 50%³⁹. Yet people still cannot afford to go to hospitals/clinics and medicines, when available, are beyond their reach. Young people are taken out of school to look after their siblings. Crime rates have soared. Prostitution has emerged as young women try to help their families. All this has led to a breakdown in normal family life, has undermined moral values and is steadily eating away - like a biblical plague of locusts - at the very fabric of society.

The Health Sector

According to UNICEF's Donor Update of 31 August 2000⁴⁰ a UN report of 1991 described Iraq in the early-mid 1980s as a state rapidly approaching the standards of developed countries, including an elaborate health care system. In August 1999 UNICEF and the Government of Iraq released the first survey of child mortality in Iraq since 1991. The survey showed that infant mortality rates had more than doubled. Under-five mortality has risen from 56 per 1,000 live births in 1984-89 to 131 deaths per thousand live births in the period 1994-99. Infant mortality figures, for the same periods, have risen from 47 to 108 per 1,000 live births.

³⁸ Situation Analysis of Children and Women in Iraq, UNICEF, Baghdad, 30 April 1998

³⁹ This figure was cited by the representative of China in the Security Council meeting of March 24 2000.

⁴⁰ UNICEF Emergency Programmes, Iraq - Donor Update, 31 August 2000. Website: www.unicef.org/emerg.

Minister of Health, Dr. Mubarak, informed the delegation that government health spending had been reduced from an annual US\$ 500 million to US\$26 million which Iraq receives under the Jordan-Iraq protocol. Confirming the above information, he added that the number of premature babies had increased from a fairly normal 4.5% to, according to UNICEF 23.8%. This, however, he feared could be an underestimate and closer to 32%. At the same time, the Minister puts the maternal mortality rate at 294 per 1,000 live births.

According to information compiled by the Ministry's Statistical Department, the primary causes for under five mortality are: respiratory infections, diarrhoea and gastro-enteritis, and malnutrition. The primary causes of infant death in the over five age group are: cardiac diseases, hypertension, diabetes mellitus, renal diseases, liver diseases, malignant neoplasms.

Particularly noteworthy is the high incidence of water-borne contagious diseases such as cholera and typhoid. According to the Ministry, there were no cases of cholera in 1989. By 1999 there were 2,398 cases. Polio, which was on the verge of being eradicated in Iraq, has now re-emerged.

Malnutrition was virtually unheard of in the Iraq of the 1980s. But malnutrition has steadily increased and is now endemic. Illnesses such kwashiorkor and marasmus, previously only studied in textbooks, began to make their appearance at the beginning of the decade and have risen, in the case of kwashiorkor, from 485 cases in 1990 to 31,091 in 1999. There were 5,193 cases of marasmus in 1990, the figure in 1999 was 279,821.

Yet, Dr. Mubarak informed us, Iraq has been unable to build a single hospital over the last 11 years. And hospital beds have remained static although the population has increased over the period by 6 million people.

Major surgical operations have declined from a monthly average of just over 15,000 in 1989 to less than 4, 500 - a fall of just over 70%. Similarly laboratory investigations over the same time period have declined by 65.4%.

The poor supply of electricity had seriously affected hospital care. Back up generators are very old and new ones are not allowed under the 'dual use' regulation. Surgery, heart-lung machinery, x-rays, incubators, sterilisation of instruments had all been adversely affected. Ambulances are similarly not allowed under the 'dual use' rule. And, indeed, the group which visited the children's hospital in Mosul saw people pushing the hospital's only available vehicle - a Toyota pick-up truck - up and down a slope trying to get it started.

There has been a six-fold increase in cancer which Dr. Mubarak and other doctors we met all attributed to the use during the Gulf War of depleted uranium. According to former US Attorney General, some 900 tons of radioactive waste was spread over Iraq during the Gulf War.⁴¹ In a press release of August 4 1998, the US Department of Defense "stated:

"The Gulf War was the arena for the first battlefield use of armor-piercing munitions and reinforced tank armor incorporating depleted uranium. Depleted uranium played a key role in the overwhelming success of U.S. forces during the Gulf War. While DU showed the metal's clear superiority for both armor penetration and armor protection, its chemical and radiological properties gave rise to concerns about possible combat and non-combat health risks associated with DU use."

⁴¹ *Fire and Ice*, by Ramsey Clark in the book *Challenge to Genocide: Let Iraq Live*, published in 1998 by the International Action Center, New York. ISBN 0-9656916-40. Website: www.iacenter.org/fireice.htm

According to the World Health Organisation⁴², the health risks of depleted uranium include: damage to kidney functions (chemical toxicity), possible higher risk of lung cancer and bone cancer (radiological toxicity), and the need for more information regarding the incidence of leukaemia. The fact sheet warns:

"Young children rather than adults could be more at risk of DU exposure when returning to normal activities within a war zone through contaminated food and water, since typical hand-to-mouth activity of inquisitive play could lead to high DU ingestion from contaminated soil."

The delegation visited the Institute and Hospital of Radiology and Nuclear Medicine in Baghdad. It was shown around the hospital by the Director, Dr. Hamid Al-Askari, a specialist in oncology and in nuclear medicine. This hospital is the major national treatment centre for cancer, dealing with 95% of all those in Iraq needing radiotherapy and chemotherapy. He spoke of the alarming increase in leukaemia, kidney tumours, lung cancer and breast cancer. As far as chemotherapy is concerned, there are insufficient drugs available (even if people could afford them) or the hospital receives only partial components of a chemotherapy protocol, which renders it useless.

The Delegation was shown the radiotherapy equipment, some of it cannibalised to keep other machines working. Currently they have 1 x-ray accelerator which is old and outdated but still functioning; 2 old cobalt machines (for deep seated tumours) which are just about functioning, 1 cobalt machine is not working at all since they are forbidden to import the small quantity of cobalt necessary to source the machine (under the 'dual usage' rule); 4 linear accelerators - only one of which is functioning. The machines are kept working from 8 in the morning until 11 at night. Even so, there is a waiting time of 2 months for radiotherapy - a long time for someone with cancer. In addition to the drugs and equipment/spare parts which the hospital keeps asking for, there are also basic items lacking, such as surgical gloves.

This was the case in every hospital visited - lack of detergent, surgical gloves, basic antibiotics. The degree of frustration of these highly committed doctors was best expressed by one who said: *"Unfortunately, working here is just like working in a hotel. We are doctors, we want to serve our people. It hurts to be standing around watching them suffer."* The medical profession feels particularly isolated. Scholarships to study abroad are refused. Even medical journals are not available. A top surgeon is earning 25,000 Iraqi Dinars a month (about US\$ 15 a month). A doctor would probably earn around a third of that.

Yet both UNICEF and the World Food Programme report gross underfunding of their operations in Iraq. Launching a FAO and World Food Programme report on malnutrition in Iraq on 13 September 2000, the press release points out⁴³:

"There are external assistance programmes outside the Oil-for-Food Programme targeting the malnourished and vulnerable segments of Iraqi society. But the report notes that international donor response has been extremely weak. Donations have reached barely a quarter of the resources appealed for by agencies such as the WFP for operations targeted at the most malnourished children."

UNICEF, in August 2000⁴⁴, said this about the impact of under-funding:

⁴² Depleted Uranium, World Health Organisation Fact Sheet No 257, January 2001. Website: www.who.int/inf-fs/en/fact257.html

⁴³ Press Release IK/296 WFP/1055, Child Malnutrition in Iraq 'unacceptably high' as drought, lack of investment aggravate food and nutrition situation, 13 September 2000. Website: www.un.org/News/Press/docs/2000

⁴⁴ UNICEF EMERGENCY PROGRAMMES Iraq - Donor Update, 31 August 2000. Website: www.unicef.org/emerg.

"The country programme is facing a serious resource crunch and has received less than 50% of the resources required. This is not only hindering UNICEF's ability to implement its own Programme of Cooperation with the Government, but is also seriously impacting on UNICEF's ability to assist with the implementation of the Oil for Food Programme by supplying cash for the transportation and installation of supplies, and training. As the Oil-for-Food Programme has no cash component in the center-south region - the impact of under-funding of the UNICEF programme takes on far larger implications in these areas."

In a world committed to the International Development Targets, including halving the number living in absolute poverty and reducing by two thirds infant and child mortality rates, this is a situation which is patently intolerable, clearly avoidable and inherently immoral.

Water and Sanitation

Closely linked to the health situation is the question of potable water and adequate sewage facilities which were heavily damaged in the Gulf War and are still largely in a state of disrepair. UNICEF reports that, if, in urban areas, access to safe water has fallen from 100% to 94% (which included Baghdad, a city of 5.5 million people live) in the rural areas there has been a dramatic fall from 71% to 41%. Causes of the deterioration include lack of spare parts and maintenance, and the lack of new projects to meet the needs of a growing population over the last ten years. Quality of water has also deteriorated, according to reports from the World Health Organisation and the Ministry of Health. In the southern governates of Basra and Thinner 40% of water samples were found to be contaminated.⁴⁵

Members of the Delegation who went to Mosul visited the water plant in Al-Hamdaniyah. In 1999, in collaboration with the water authorities in Mosul and UNHCR, the Confrérie de la Charité started a pilot project in the town of Qarakosh and 22 neighbouring villages for the rehabilitation of the water plant. The project was completed by the end of October 1999 and, for the first time in six years, over 5,000 families receive drinking water in their homes. To ensure the sustainability of the project, cash contributions have been made by the people to maintain the plant over the next two years.

The Members of the Delegation which travelled south to Najaf visited a water rehabilitation project in which the Confrérie de la Charité was actively involved. This city of some 400,000 - 500,000 people, is some two hours drive south of Baghdad. It is the site of the holiest shrine for Shiite Muslims after Mecca, since it contains the mosque of Imam Ali, regarded by the Shiites as the true heir of the prophet Mohammed. Each year, Najaf receives over 6 million pilgrims and, for special feasts, as many as 1.5 million pilgrims may be gathered in Najaf in a single day. The sheer numbers, together with a temperature in the summer which can reach 50 degrees, make this a critical facility.

The Confrérie de la Charité had been requested to rehabilitate the water-treatment plant for the city. This consisted of 40 filter beds and 8 large septic tanks. This is a huge project - water is pumped from the river Euphrates at the rate of 40 million gallons a day. It is pumped into the septic tanks where it is allowed to settle. From there it is pumped into the filter beds where it is cleansed by the filtration system.

When the Confrérie de la Charité took on the project approximately half of the filters were functioning. It undertook to repair 13 non-functioning filters. This consisted of contracting out the

⁴⁵ Ibid.

supply of special kinds of sand and gravel for the filtration system, and carrying out repairs to various items of machinery in the plant.

The project was successfully completed, combining the engineering skills of the local water authority, the skills of the Confrérie de la Charité engineering office and the contractors. The result was to increase capacity by 33% and thus is a much-improved source of water for the town. The municipal authority was appreciative of the Confrérie's efforts. This was borne out by the display of the Confrérie logo - which features a cross - at the gate of the site, and on the filter beds that had been repaired. This is unprecedented in such a holy Muslim city.

In discussions with the technical staff of the plant, some of the continuing problems of the water supply and the city generally were explained. Although the water now leaving the plant is relatively clean, it is still going into an outdated and badly damaged network of pipes feeding the city so that the quality of water to the end user is far inferior to that which is being produced at the plant. Due to electricity cutbacks the provision of water to the city has to be rationed. When the pipes are dry in different sectors of the city, sewage is seeping in from the ground through the badly cracked pipes. This problem is exacerbated by the fact that the sewage treatment works is non-functioning. Raw sewage is, therefore, being pumped into the river and into septic tanks around the city.

Generally speaking our hosts informed us that one of the biggest problems facing the population of the city is that of environmental pollution due to the problem with sewage, and the lack of garbage collection facilities. There is a marked increase in cholera, typhoid and gastro-enteritis amongst the population as a result. Children can now be seen scavenging on garbage heaps looking for items to sell. The situation can be particularly bad in the summer when the number of pilgrims increases and the temperatures are very high.

Both in terms of the functioning of the water plant and the repair of the sewage treatment works, the imposition of sanctions has made these tasks well nigh impossible. The Delegation was informed by the Ministry of Health that they have requests for parts for both functions outstanding with the United Nations, but their delivery is forbidden under the 'dual purpose' rule. So indeed is chlorine which is normally used in water purification. The Delegation saw local engineers doing their best to try to keep a water system functioning by continually improvising and cannibalising spare parts from other machines. The site of the water treatment plant was a veritable "machine graveyard" with bulldozers, mechanical diggers, trucks and buses lying around the site rusting away.

The Lost Generation

Education in Iraq has suffered terribly under the sanctions regime. Many families cannot afford to send their children to school, to buy books, pencils and so on. Hans von Sponeck, formerly the UN Humanitarian Co-ordinator in Iraq, has estimated that due to lack of investment in education coupled with a school drop out rate for economic reasons has meant that literacy in Iraq, once 90% for men and women, has fallen to 66%⁴⁶. Children are on the streets begging or selling newspapers. And he wonders what kind of intellectual leadership and integrity will emerge from such a situation. Added to that are the adverse effects of malnutrition on mental ability.

At the same time, many of the highly educated middle class are involved in a reluctant mass emigration from Iraq - quite simply because either work is not available or remuneration is so pitiful that a wage-earner cannot make ends meet. As is the case with surgeons, mentioned above, some of the best-trained talent is leaving Iraq. The pressure to migrate is exacerbated by the fact that people in Iraq can see no light at the end of the tunnel. Sanctions have been applied for so

⁴⁶ Transcript of Hans Von Sponeck's Testimony at the US Congressional Hearing of May 3 2000, available from Voices in the Wilderness. Website: www.nonviolence.org.

long and there is a general feeling that, no matter what Iraq does, sanctions will not be lifted or eased. It is estimated that there are over one million Iraqis in the United States alone.

According to UNHCR, Iraq is second only to the former Yugoslavia in its asylum applications to Europe and North America. For the period January to September 2000, 24,060 such applications were lodged. Of this figure, 16,908 applied for asylum in Europe. The top five destinations in Europe are Germany (8,286 applications), Great Britain (4,090), Sweden (2,466), Netherlands (2,005) and Denmark (1,870).

All sectors of society feel the impact of this exodus. Young people, who need horizons, feel most acutely the sense of having no future. Talking to staff of the Confrérie, including very many who are volunteers, one gets an acute sense of both extraordinary dedication and overwhelming helplessness. One young woman in Qarakosh summed up the situation thus: ***"There is no joy in people's faces. There is everything to do and no one to help. You sense it everywhere."***

Thus the impact of sanctions is not confined simply to material shortages but is impacting on the values and mores - the psyche of an entire society. And it is difficult to see at this juncture what the long-term effects will be, particularly on the young people, Iraq's lost generation.

Hans von Sponeck's predecessor, Denis Halliday, cited growing malnutrition and incidences of infant mortality but also noted that prostitution was rising, school drop-out rates were skyrocketing and the entire country was under attack. ***"We are in the process of destroying and entire country. It is as simple and as terrifying as that."*** He went on to compare the isolation in which Iraqi children currently live to post-World War I Germany when punitive measures imposed by the allies prompted the emergence of the Third Reich.⁴⁷ In his evidence to the May 2000 Congressional hearing, he warned of the dangers of the current festering anger - directed not at the Iraqi government but at the US and the UK. ***"Nothing can be more dangerous and volatile for the Middle East region than the present uncertainty, human deprivation combined with the economic and social despair within Iraq. To think of peace in the Middle East without Iraqi participation is naïve."***

More recently, on the 10th anniversary of Iraq's invasion of Kuwait, French Foreign Minister, Hubert Vedrine, called for an end to what he called "cruel, ineffective and dangerous" sanctions against Baghdad⁴⁸.

"They are cruel because they punish exclusively the Iraqi people and the weakest among them. They are ineffective because they do not touch the regime, which is not encouraged to cooperate, and they are dangerous because they ...accentuate the disintegration of society."

The Delegation itself found ample evidence to support this grim warning.

⁴⁷ Speaking out against the US/UN economic sanctions against Iraq, produced by Voices in the Wilderness op.cit.

⁴⁸ Reuters. August 2 2000.

CONCLUSIONS

Comprehensive sanctions imposed on Iraq, now in their eleventh year and with no sign of any easing in return for Iraqi compliance with the demands of the Security Council, have resulted in untold suffering for millions of people - physical, mental and cultural. No one knows how many have died as a result of sanctions but it is believed to include at least half a million children. The effects of sanctions - even were they to be lifted today - will certainly be felt for many years to come. It is indelibly imprinted on the Iraqi psyche. A once prosperous nation is systematically being de-developed, de-skilled and reduced to penury. The very social fabric of Iraqi society is being rent asunder.

The reports of various UN bodies cannot be dismissed or ignored. Nor can the resignations of two UN Humanitarian Co-ordinators in Iraq, since the inception of the oil-for-food programme, in protest against sanctions. Nor the resignation, immediately after that of Hans von Sponeck, of Jutta Burghardt, head of the UN World Food Programme in Iraq, and for exactly the same reasons.

Nor can the suffering of the Iraqi people be regarded as unfortunate but collateral damage in what is otherwise an honourable course of action. The fact that sanctions are patently ineffective only adds insult to moral injury.

There is an increasing body of evidence, for example the previously cited Marc Bossuyt report, that the comprehensive sanctions regime against Iraq is in itself a violation of human rights. Certainly the goal of toppling Saddam Hussein is not a legitimate aim and runs counter to the principle of sovereignty enshrined in the UN Charter. Human rights are inviolable and inalienable - the right to life, the rights of the child, the right to food and shelter, the rights of civilians in war situations, the right to development. The current sanctions regime clearly flouts these rights. It also runs counter to widely accepted principles of humanitarian aid - that assistance should be given to all those in need, regardless of any political considerations.

The Delegation has read the literature on the human rights situation in Iraq - from Amnesty International, Human Rights Watch and others. And Caritas Europa is unequivocally against violations of human rights wherever and whenever they may occur.

But we do not believe that sanctions can be wielded with impunity as a blunt instrument to bludgeon an entire people.

Tinkering at the margins of the sanctions regime is not an answer. Any future policy must be based on respect for the rights and dignity of every human person.

We therefore urge the international community to immediately suspend the sanctions in order that a new relationship with Iraq can be initiated and a way found to end the current stalemate. Such a course of action, is, the Delegation believes, the only way to close this miserable chapter of immeasurable human suffering in Iraq.

Annexes

CARITAS EUROPA DELEGATION TO IRAQ

The following is a list of most of the people the Delegation had the opportunity to meet with during its visit to Iraq. It is not an exhaustive list but it does give an indication of the Delegation's visit:

Meetings

His Beatitude Raphael 1 st Bidawid	Chaldean Catholic Patriarch of Babylon
Most Rev. Poulos Dahdah	Latin Archbishop of Baghdad
Most Rev. Matthew Matoka	Syrian Catholic Archbishop of Baghdad
Rt. Rev. Paul Coussa	Armenian Catholic Bishop of Baghdad
Mr. Tariq Aziz	Deputy Prime Minister
Dr. Sadoon Hamadi	President and Speaker of Parliament
Dr. Umaid Mubarak	Minister of Health
Dr. Abd Al Monem Mohamed Saleh	Minister of Religious Affairs
Dr. Hammam Abd Alkhalek	Minister of Information and Culture
Dr. Abdul Razak Al-Hashimi	President of the Organisation of Friendship, Peace and Solidarity
Mr. Sami Hanna	Ministry of Foreign Affairs
Mr. Ahmed Gubartella	Chief of Mission, UNHCR
Mr. Sadouk Houniali	UN World Food Programme
Mr. Kahtan Abd Al Monem Ali	Director of Water Authority, Najaf
Mr. Jawad Abd Al Rassoul	Director of Sewage Authority, Najaf
Mr. Tewfic Amouri Suleh	Director of the Water Project, Najaf
Dr. Hamid Al Askari	Director of the Institute and Hospital of Radiology and Nuclear Medicine, Baghdad.
Board Members, Doctors, Architects, Engineers, Social Workers, and other Staff and volunteers	Confrérie de la Charité

Reception and Meeting at Baghdad Airport

Rt. Rev. Poulos Coussa	Armenian Catholic Bishop of Baghdad
Mgr. Khadadhihi	Armenian Catholic Church
Rt. Rev. Raphael Koutaimi	Syrian Catholic Bishop of Baghdad
Rev. Saidi Mar-Zeina	Syrian Catholic Church
Rev. Schlemmon Wardoni	Representative of His Beatitude Raphael 1 st Bidawid, Chaldean Catholic Patriarch of Babylon
Rev. Sami	Deputy President of the Seminary
Rev. Moshtaq Sambaka	Chaldean Catholic Church
Dr. Abdul Razak Al-Hashimi	Minister representing the Presidential Office, President of the Organisation of Friendship, Peace and Solidarity
Mr. Sami Hanna	Ministry of Foreign Affairs
Mr. Sami Elia	Ministry of Religious Affairs
Executive Board and Staff	Confrérie de la Charité

RESOLUTION 661 (1990)

of 6 August 1990

The Security Council,
Reaffirming its resolution 660 (1990) of 2 August 1990,

Deeply concerned that that resolution has not been implemented and that the invasion by Iraq Of Kuwait continues, with further loss of human life and material destruction,

Determined to bring the invasion and occupation of Kuwait by Iraq to an end and to restore the sovereignty, independence and territorial integrity of Kuwait,

Noting that the legitimate Government of Kuwait has expressed its readiness to comply with resolution 660 (1990),

Mindful of its responsibilities under the Charter of the United Nations for the maintenance of international peace and security,

Affirming the inherent right of individual or collective self-defence, in response to the armed attack by Iraq against Kuwait, in accordance with Article 5 1 of the Charter,

Acting under Chapter VII of the Charter,

1. *Determines* that Iraq so far has failed to comply with paragraph 2 of resolution 660 (1990) and has usurped the authority of the legitimate Government of Kuwait;
2. *Decides*, as a consequence, to take the following measures to secure compliance of Iraq with paragraph 2 of resolution 660 (1990) and to restore the authority of the legitimate Government of Kuwait;
3. *Decides* that all States shall prevent:
 - (a) The import into their territories of all commodities and products originating in Iraq ' or Kuwait exported there from after the date of the present resolution;
 - (b) Any activities by their nationals or in their territories which would promote or are calculated to promote the export or trans shipment of any commodities or products from Iraq or Kuwait; and any dealings by their nationals or their flag vessels or in their territories in any commodities or products originating in Iraq or Kuwait and exported therefrom after the date of the present resolution, including in particular any transfer of funds to Iraq or Kuwait for the purposes of such activities or dealings;
 - (c) The sale or supply by their nationals or from their territories or using their flag vessels of any commodities or products, including weapons or any other military equipment, whether or not originating in their territories but not including supplies intended strictly for medical purposes, and, in humanitarian circumstances, foodstuffs, to any person or body in Iraq or Kuwait or to any person or body for the purposes of any business carried on in or operated from Iraq or Kuwait, and any activities by their nationals or in their territories which promote or are calculated to promote such sale or supply of such commodities or products;
4. *Decides* that all States shall not make available to the Government of Iraq, or to any commercial, industrial or public utility undertaking in Iraq or Kuwait, any funds or any other financial or economic resources and shall prevent their nationals and any persons within their territories from removing from their territories or otherwise making available to that Government or to any such undertaking any such funds or resources and from remitting any other funds to persons or bodies within Iraq or Kuwait, except payments exclusively for strictly medical or humanitarian purposes and, in humanitarian circumstances, foodstuffs;

5. *Calls upon* all States, including States non-members of the United Nations, to act strictly in accordance with the provisions of the present resolution notwithstanding any contract entered into or licence granted before the date of the present resolution;
6. *Decides* to establish, in accordance with rule 28 of the provisional rules of procedure, a Committee of the Security Council consisting of all the members of the Council, to undertake the following tasks and to report on its work to the Council with its observations and recommendations:
 - (a) To examine the reports on the progress of the implementation of the present resolution which will be submitted by the Secretary-General;
 - (b) To seek from all States further information regarding the action taken by them concerning the effective implementation of the provisions laid down in the present resolution;
7. *Calls upon* all States to co-operate fully with the Committee in the fulfilment of its tasks, including supplying such information as may be sought by the Committee in pursuance of the present resolution;
8. *Requests* the Secretary-General to provide all necessary assistance to the Committee and to make the necessary arrangements in the Secretariat for that purpose;
9. *Decides* that, notwithstanding paragraphs 4 to 8 above, nothing in the present resolution shall prohibit assistance to the legitimate Government of Kuwait, and calls upon all States:
 - (a) To take appropriate measures to protect assets of the legitimate Government of Kuwait and its agencies;
 - (b) Not to recognize any régime set up by the occupying Power;
10. *Requests* the Secretary-General to report to the Security Council on the progress made in the implementation of the present resolution, the first report to be submitted within thirty days;
11. *Decides* to keep this item on its agenda and to continue its efforts to put an early end to the invasion by Iraq.

Adopted at the 2933rd meeting by 13 votes to none, with 2 abstentions (Cuba and Yemen).

Decision

At its 2934th meeting, on 9 August 1990, the Council decided to invite the representative of Oman to participate, without vote, in the discussion of the item entitled:

"The situation between Iraq and Kuwait:

"Letter dated 2 August 1990 from the Permanent Representative of Kuwait to the United Nations addressed to the President of the Security Council (S/21423)."

"Letter dated 2 August 1990 from the Permanent Representative of the United States of America to the United Nations addressed to the President of the Security Council (S/21424)."

"Letter dated 8 August 1990 from the Permanent Representatives of Bahrain, Kuwait, Oman, Qatar, Saudi Arabia and the United Arab Emirates to the United Nations addressed to the President of the Security Council (S/21470)".

RESOLUTION 986 (1995)

Adopted by the Security Council at its 3519th meeting, on 14 April 1995

The Security Council,

Recalling its previous relevant resolutions,

Concerned by the serious nutritional and health situation of the Iraqi population, and by the risk of a further deterioration in this situation,

Convinced of the need as a temporary measure to provide for the humanitarian needs of the Iraqi people until the fulfilment by Iraq of the relevant Security Council resolutions, including notably resolution 687 (1991) of 3 April 1991, allows the Council to take further action with regard to the prohibitions referred to in resolution 661 (1990) of 6 August 1990, in accordance with the provisions of those resolutions,

Convinced also of the need for equitable distribution of humanitarian relief to all segments of the Iraqi population throughout the country,

Reaffirming the commitment of all Member States to the sovereignty and territorial integrity of Iraq,
Acting under Chapter VII of the Charter of the United Nations,

1. *Authorizes* States, notwithstanding the provisions of paragraphs 3 (a), 3 (b) and 4 of resolution 661 (1990) and subsequent relevant resolutions, to permit the import of petroleum and petroleum products originating in Iraq, including financial and other essential transactions directly relating thereto, sufficient to produce a sum not exceeding a total of one billion United States dollars every 90 days for the purposes set out in this resolution and subject to the following conditions:
 - (a) Approval by the Committee established by resolution 661 (1990), in order to ensure the transparency of each transaction and its conformity with the other provisions of this resolution, after submission of an application by the State concerned, endorsed by the Government of Iraq, for each proposed purchase of Iraqi petroleum and petroleum products, including details of the purchase price at fair market value, the export route, the opening of a letter of credit payable to the escrow account to be established by the Secretary-General for the purposes of this resolution, and of any other directly related financial or other essential transaction;
 - (b) Payment of the full amount of each purchase of Iraqi petroleum and petroleum products directly by the purchaser in the State concerned into the escrow account to be established by the Secretary-General for the purposes of this resolution;
2. *Authorizes* Turkey, notwithstanding the provisions of paragraphs 3 (a), 3 (b) and 4 of resolution 661 (1990) and the provisions of paragraph 1 above, to permit the import of petroleum and petroleum products originating in Iraq sufficient, after the deduction of the percentage referred to in paragraph 8 (c) below for the Compensation Fund, to meet the pipeline tariff charges, verified as reasonable by the independent inspection agents referred to in paragraph 6 below, for the transport of Iraqi petroleum and petroleum products through the Kirkuk- Yumurtalik pipeline in Turkey authorized by paragraph 1 above;
3. *Decides* that paragraphs 1 and 2 of this resolution shall come into force at 00.01 Eastern Standard Time on the day after the President of the Council has informed the members of the Council that he has received the report from the Secretary-General requested in paragraph 13 below, and shall remain in force for an initial period of 180 days unless the Council takes other relevant action with regard to the provisions of resolution 661 (1990);
4. *Further decides* to conduct a thorough review of all aspects of the implementation of this resolution 90 days after the entry into force of paragraph 1 above and again prior to the end of the initial 180 day period, on receipt of the reports referred to in paragraphs 11 and 12 below, and *expresses its intention*, prior to the end of the 180 day period, to consider favourably renewal of the provisions of this resolution, provided that the reports referred to in paragraphs 11 and 12 below indicate that those provisions are being satisfactorily implemented;

5. *Further decides* that the remaining paragraphs of this resolution shall come into force forthwith;
6. *Directs* the Committee established by resolution 661 (1990) to monitor the sale of petroleum and petroleum products to be exported by Iraq via the Kirkuk-Yumurtalik pipeline from Iraq to Turkey and from the Mina al-Bakr oil terminal, with the assistance of independent inspection agents appointed by the Secretary-General, who will keep the Committee informed of the amount of petroleum and petroleum products exported from Iraq after the date of entry into force of paragraph 1 of this resolution, and will verify that the purchase price of the petroleum and petroleum products is reasonable in the light of prevailing market conditions, and that, for the purposes of the arrangements set out in this resolution, the larger share of the petroleum and petroleum products is shipped via the Kirkuk-Yumurtalik pipeline and the remainder is exported from the Mina al-Bakr oil terminal;
7. *Requests* the Secretary-General to establish an escrow account for the purposes of this resolution, to appoint independent and certified public accountants to audit it, and to keep the Government of Iraq fully informed;
8. *Decides* that the funds in the escrow account shall be used to meet the humanitarian needs of the Iraqi population and for the following other purposes, and *requests* the Secretary-General to use the funds deposited in the escrow account:
 - (a) To finance the export to Iraq, in accordance with the procedures of the Committee established by resolution 661 (1990), of medicine, health supplies, foodstuffs, and materials and supplies for essential civilian needs, as referred to in paragraph 20 of resolution 687 (1991) provided that:
 - (i) Each export of goods is at the request of the Government of Iraq;
 - (ii) Iraq effectively guarantees their equitable distribution, on the basis of a plan submitted to and approved by the Secretary-General, including a description of the goods to be purchased;
 - (iii) The Secretary-General receives authenticated confirmation that the exported goods concerned have arrived in Iraq;
 - (b) To complement, in view of the exceptional circumstances prevailing in the three Governorates mentioned below, the distribution by the Government of Iraq of goods imported under this resolution, in order to ensure an equitable distribution of humanitarian relief to all segments of the Iraqi population throughout the country, by providing between 130 million and 150 million United States dollars every 90 days to the United Nations Inter-Agency Humanitarian Programme operating within the sovereign territory of Iraq in the three northern Governorates of Dihouk, Arbil and Suleimaniyeh, except that if less than one billion United States dollars worth of petroleum or petroleum products is sold during any 90 day period, the Secretary-General may provide a proportionately smaller amount for this purpose;
 - (c) To transfer to the Compensation Fund the same percentage of the funds deposited in the escrow account as that decided by the Council in paragraph 2 of resolution 705 (1991) of 15 August 1991;
 - (d) To meet the costs to the United Nations of the independent inspection agents and the certified public accountants and the activities associated with implementation of this resolution;
 - (e) To meet the current operating costs of the Special Commission, pending subsequent payment in full of the costs of carrying out the tasks authorized by section C of resolution 687 (1991);
 - (f) To meet any reasonable expenses, other than expenses payable in Iraq, which are determined by the Committee established by resolution 661 (1990) to be directly related to the export by Iraq of petroleum and petroleum products permitted under paragraph 1 above or to the export to Iraq, and activities directly necessary therefore, of the parts and equipment permitted under paragraph 9 below;

- (g) To make available up to 10 million United States dollars every 90 days from the funds deposited in the escrow account for the payments envisaged under paragraph 6 of resolution 778 (1992) of 2 October 1992;
9. *Authorizes* States to permit, notwithstanding the provisions of paragraph 3 (c) of resolution 661 (1990):
- (a) The export to Iraq of the parts and equipment which are essential for the safe operation of the Kirkuk-Yumurtalik pipeline system in Iraq, subject to the prior approval by the Committee established by resolution 661 (1990) of each export contract;
 - (b) Activities directly necessary for the exports authorized under subparagraph (a) above, including financial transactions related thereto;
10. *Decides* that, since the costs of the exports and activities authorized under paragraph 9 above are precluded by paragraph 4 of resolution 661 (1990) and by paragraph 11 of resolution 778 (1991) from being met from funds frozen in accordance with those provisions, the cost of such exports and activities may, until funds begin to be paid into the escrow account established for the purposes of this resolution, and following approval in each case by the Committee established by resolution 661 (1990), exceptionally be financed by letters of credit, drawn against future oil sales the proceeds of which are to be deposited in the escrow account;
11. *Requests* the Secretary-General to report to the Council 90 days after the date of entry into force of paragraph 1 above, and again prior to the end of the initial 180 day period, on the basis of observation by United Nations personnel in Iraq, and on the basis of consultations with the Government of Iraq, on whether Iraq has ensured the equitable distribution of medicine, health supplies, foodstuffs, and materials and supplies for essential civilian needs, financed in accordance with paragraph 8 (a) above, including in his reports any observations he may have on the adequacy of the revenues to meet Iraq's humanitarian needs, and on Iraq's capacity to export sufficient quantities of petroleum and petroleum products to produce the sum referred to in paragraph 1 above;
12. *Requests* the Committee established by resolution 661 (1990), in close coordination with the Secretary-General, to develop expedited procedures as necessary to implement the arrangements in paragraphs 1, 2, 6, 8, 9 and 10 of this resolution and to report to the Council 90 days after the date of entry into force of paragraph 1 above and again prior to the end of the initial 180 day period on the implementation of those arrangements;
13. *Requests* the Secretary-General to take the actions necessary to ensure the effective implementation of this resolution, authorizes him to enter into any necessary arrangements or agreements, and *requests* him to report to the Council when he has done so;
14. *Decides* that petroleum and petroleum products subject to this resolution shall while under Iraqi title be immune from legal proceedings and not be subject to any form of attachment, garnishment or execution, and that all States shall take any steps that may be necessary under their respective domestic legal systems to assure this protection, and to ensure that the proceeds of the sale are not diverted from the purposes laid down in this resolution;
15. *Affirms* that the escrow account established for the purposes of this resolution enjoys the privileges and immunities of the United Nations;
16. *Affirms* that all persons appointed by the Secretary-General for the purpose of implementing this resolution enjoy privileges and immunities as experts on mission for the United Nations in accordance with the Convention on the Privileges and Immunities of the United Nations, and *requires* the Government of Iraq to allow them full freedom of movement and all necessary facilities for the discharge of their duties in the implementation of this resolution;
17. *Affirms* that nothing in this resolution affects Iraq's duty scrupulously to adhere to all of its obligations concerning servicing and repayment of its foreign debt, in accordance with the appropriate international mechanisms;
18. *Also affirms* that nothing in this resolution should be construed as infringing the sovereignty or territorial integrity of Iraq;
19. *Decides* to remain seized of the matter.

RESOLUTION 1284 (1999)

Adopted by the Security Council at its 4084th meeting, on 17 December 1999

The Security Council,

Recalling its previous relevant resolutions, including its resolutions 661 (1990) of 6 August 1990, 687 (1991) of 3 April 1991, 699 (1991) of 17 June 1991, 707 (1991) of 15 August 1991, 715 (1991) of 11 October 1991, 986 (1995) of 14 April 1995, 1051 (1996) of 27 March 1996, 1153 (1998) of 20 February 1998, 1175 (1998) of 19 June 1998, 1242 (1999) of 21 May 1999 and 1266 (1999) of 4 October 1999,

Recalling the approval by the Council in its resolution 715 (1991) of the plans for future ongoing monitoring and verification submitted by the Secretary-General and the Director General of the International Atomic Energy Agency (IAEA) in pursuance of paragraphs 10 and 13 of resolution 687 (1991),

Welcoming the reports of the three panels on Iraq (S/1999/356), and having held a comprehensive consideration of them and the recommendations contained in them,

Stressing the importance of a comprehensive approach to the full implementation of all relevant Security Council resolutions regarding Iraq and the need for Iraqi compliance with these resolutions,

Recalling the goal of establishing in the Middle East a zone free from weapons of mass destruction and all missiles for their delivery and the objective of a global ban on chemical weapons as referred to in paragraph 14 of resolution 687 (1991),

Concerned at the humanitarian situation in Iraq, and determined to improve that situation,

Recalling with concern that the repatriation and return of all Kuwaiti and third country nationals or their remains, present in Iraq on or after 2 August 1990, pursuant to paragraph 2 (c) of resolution 686 (1991) of 2 March 1991 and paragraph 30 of resolution 687 (1991), have not yet been fully carried out by Iraq,

Recalling that in its resolutions 686 (1991) and 687 (1991) the Council demanded that Iraq return in the shortest possible time all Kuwaiti property it had seized, and noting with regret that Iraq has still not complied fully with this demand,

Acknowledging the progress made by Iraq towards compliance with the provisions of resolution 687 (1991), but noting that, as a result of its failure to implement the relevant Council resolutions fully, the conditions do not exist which would enable the Council to take a decision pursuant to resolution 687 (1991) to lift the prohibitions referred to in that resolution,

Reiterating the commitment of all Member States to the sovereignty, territorial integrity and political independence of Kuwait, Iraq and the neighbouring States,

Acting under Chapter VII of the Charter of the United Nations, and taking into account that operative provisions of this resolution relate to previous resolutions adopted under Chapter VII of the Charter,

A.

1. *Decides* to establish, as a subsidiary body of the Council, the United Nations Monitoring, Verification and Inspection Commission (UNMOVIC) which replaces the Special Commission established pursuant to paragraph 9 (b) of resolution 687 (1991);
2. *Decides* also that UNMOVIC will undertake the responsibilities mandated to the Special Commission by the Council with regard to the verification of compliance by Iraq with its obligations under paragraphs 8, 9 and 10 of resolution 687 (1991) and other related resolutions, that UNMOVIC will establish and operate, as was recommended by the panel on disarmament and current and future ongoing monitoring and verification issues, a reinforced system of ongoing monitoring and verification, which will implement the plan approved by the Council in resolution 715 (1991) and address unresolved disarmament issues, and that UNMOVIC will identify, as necessary in accordance with its mandate, additional sites in Iraq to be covered by the reinforced system of ongoing monitoring and verification;

3. *Reaffirms* the provisions of the relevant resolutions with regard to the role of the IAEA in addressing compliance by Iraq with paragraphs 12 and 13 of resolution 687 (1991) and other related resolutions, and requests the Director General of the IAEA to maintain this role with the assistance and cooperation of UNMOVIC;
4. *Reaffirms* its resolutions 687 (1991), 699 (1991), 707 (1991), 715 (1991), 1051 (1996), 1154 (1998) and all other relevant resolutions and statements of its President, which establish the criteria for Iraqi compliance, affirms that the obligations of Iraq referred to in those resolutions and statements with regard to cooperation with the Special Commission, unrestricted access and provision of information will apply in respect of UNMOVIC, and decides in particular that Iraq shall allow UNMOVIC teams immediate, unconditional and unrestricted access to any and all areas, facilities, equipment, records and means of transport which they wish to inspect in accordance with the mandate of UNMOVIC, as well as to all officials and other persons under the authority of the Iraqi Government whom UNMOVIC wishes to interview so that UNMOVIC may fully discharge its mandate;
5. *Requests* the Secretary-General, within 30 days of the adoption of this resolution, to appoint, after consultation with and subject to the approval of the Council, an Executive Chairman of UNMOVIC who will take up his mandated tasks as soon as possible, and, in consultation with the Executive Chairman and the Council members, to appoint suitably qualified experts as a College of Commissioners for UNMOVIC which will meet regularly to review the implementation of this and other relevant resolutions and provide professional advice and guidance to the Executive Chairman, including on significant policy decisions and on written reports to be submitted to the Council through the Secretary-General;
6. *Requests* the Executive Chairman of UNMOVIC, within 45 days of his appointment, to submit to the Council, in consultation with and through the Secretary-General, for its approval an organizational plan for UNMOVIC, including its structure, staffing requirements, management guidelines, recruitment and training procedures, incorporating as appropriate the recommendations of the panel on disarmament and current and future ongoing monitoring and verification issues, and recognizing in particular the need for an effective, cooperative management structure for the new organization, for staffing with suitably qualified and experienced personnel, who would be regarded as international civil servants subject to Article 100 of the Charter of the United Nations, drawn from the broadest possible geographical base, including as he deems necessary from international arms control organizations, and for the provision of high quality technical and cultural training;
7. *Decides* that UNMOVIC and the IAEA, not later than 60 days after they have both started work in Iraq, will each draw up, for approval by the Council, a work programme for the discharge of their mandates, which will include both the implementation of the reinforced system of ongoing monitoring and verification, and the key remaining disarmament tasks to be completed by Iraq pursuant to its obligations to comply with the disarmament requirements of resolution 687 (1991) and other related resolutions, which constitute the governing standard of Iraqi compliance, and further decides that what is required of Iraq for the implementation of each task shall be clearly defined and precise;
8. *Requests* the Executive Chairman of UNMOVIC and the Director General of the IAEA, drawing on the expertise of other international organizations as appropriate, to establish a unit which will have the responsibilities of the joint unit constituted by the Special Commission and the Director General of the IAEA under paragraph 16 of the export/import mechanism approved by resolution 1051 (1996), and also requests the Executive Chairman of UNMOVIC, in consultation with the Director General of the IAEA, to resume the revision and updating of the lists of items and technology to which the mechanism applies;
9. *Decides* that the Government of Iraq shall be liable for the full costs of UNMOVIC and the IAEA in relation to their work under this and other related resolutions on Iraq;
10. *Requests* Member States to give full cooperation to UNMOVIC and the IAEA in the discharge of their mandates;
11. *Decides* that UNMOVIC shall take over all assets, liabilities and archives of the Special Commission, and that it shall assume the Special Commission's part in agreements existing between the Special Commission and Iraq and between the United Nations and Iraq, and affirms that the Executive

Chairman, the Commissioners and the personnel serving with UNMOVIC shall have the rights, privileges, facilities and immunities of the Special Commission;

12. *Requests* the Executive Chairman of UNMOVIC to report, through the Secretary-General, to the Council, following consultation with the Commissioners, every three months on the work of UNMOVIC, pending submission of the first reports referred to in paragraph 33 below, and to report immediately when the reinforced system of ongoing monitoring and verification is fully operational in Iraq;

B.

13. *Reiterates* the obligation of Iraq, in furtherance of its commitment to facilitate the repatriation of all Kuwaiti and third country nationals referred to in paragraph 30 of resolution 687 (1991), to extend all necessary cooperation to the International Committee of the Red Cross, and calls upon the Government of Iraq to resume cooperation with the Tripartite Commission and Technical Subcommittee established to facilitate work on this issue;

14. *Requests* the Secretary-General to report to the Council every four months on compliance by Iraq with its obligations regarding the repatriation or return of all Kuwaiti and third country nationals or their remains, to report every six months on the return of all Kuwaiti property, including archives, seized by Iraq, and to appoint a high-level coordinator for these issues;

C.

15. *Authorizes* States, notwithstanding the provisions of paragraphs 3 (a), 3 (b) and 4 of resolution 661 (1990) and subsequent relevant resolutions, to permit the import of any volume of petroleum and petroleum products originating in Iraq, including financial and other essential transactions directly relating thereto, as required for the purposes and on the conditions set out in paragraph 1 (a) and (b) and subsequent provisions of resolution 986 (1995) and related resolutions;

16. *Underlines*, in this context, its intention to take further action, including permitting the use of additional export routes for petroleum and petroleum products, under appropriate conditions otherwise consistent with the purpose and provisions of resolution 986 (1995) and related resolutions;

17. *Directs* the Committee established by resolution 661 (1990) to approve, on the basis of proposals from the Secretary-General, lists of humanitarian items, including foodstuffs, pharmaceutical and medical supplies, as well as basic or standard medical and agricultural equipment and basic or standard educational items, decides, notwithstanding paragraph 3 of resolution 661 (1990) and paragraph 20 of resolution 687 (1991), that supplies of these items will not be submitted for approval of that Committee, except for items subject to the provisions of resolution 1051 (1996), and will be notified to the Secretary-General and financed in accordance with the provisions of paragraph 8 (a) and 8 (b) of resolution 986 (1995), and requests the Secretary-General to inform the Committee in a timely manner of all such notifications received and actions taken;

18. *Requests* the Committee established by resolution 661 (1990) to appoint, in accordance with resolutions 1175 (1998) and 1210 (1998), a group of experts, including independent inspection agents appointed by the Secretary-General in accordance with paragraph 6 of resolution 986 (1995), decides that this group will be mandated to approve speedily contracts for the parts and the equipments necessary to enable Iraq to increase its exports of petroleum and petroleum products, according to lists of parts and equipments approved by that Committee for each individual project, and requests the Secretary-General to continue to provide for the monitoring of these parts and equipments inside Iraq;

19. *Encourages* Member States and international organizations to provide supplementary humanitarian assistance to Iraq and published material of an educational character to Iraq;

20. *Decides* to suspend, for an initial period of six months from the date of the adoption of this resolution and subject to review, the implementation of paragraph 8 (g) of resolution 986 (1995);

21. *Requests* the Secretary-General to take steps to maximize, drawing as necessary on the advice of specialists, including representatives of international humanitarian organizations, the effectiveness of the arrangements set out in resolution 986 (1995) and related resolutions including the humanitarian

benefit to the Iraqi population in all areas of the country, and further requests the Secretary-General to continue to enhance as necessary the United Nations observation process in Iraq, ensuring that all supplies under the humanitarian programme are utilized as authorized, to bring to the attention of the Council any circumstances preventing or impeding effective and equitable distribution and to keep the Council informed of the steps taken towards the implementation of this paragraph;

22. *Requests* also the Secretary-General to minimize the cost of the United Nations activities associated with the implementation of resolution 986 (1995) as well as the cost of the independent inspection agents and the certified public accountants appointed by him, in accordance with paragraphs 6 and 7 of resolution 986 (1995);
23. *Requests* further the Secretary-General to provide Iraq and the Committee established by resolution 661 (1990) with a daily statement of the status of the escrow account established by paragraph 7 of resolution 986 (1995);
24. *Requests* the Secretary-General to make the necessary arrangements, subject to Security Council approval, to allow funds deposited in the escrow account established by resolution 986 (1995) to be used for the purchase of locally produced goods and to meet the local cost for essential civilian needs which have been funded in accordance with the provisions of resolution 986 (1995) and related resolutions, including, where appropriate, the cost of installation and training services;
25. *Directs* the Committee established by resolution 661 (1990) to take a decision on all applications in respect of humanitarian and essential civilian needs within a target of two working days of receipt of these applications from the Secretary-General, and to ensure that all approval and notification letters issued by the Committee stipulate delivery within a specified time, according to the nature of the items to be supplied, and requests the Secretary-General to notify the Committee of all applications for humanitarian items which are included in the list to which the export/import mechanism approved by resolution 1051 (1996) applies;
26. *Decides* that Hajj pilgrimage flights which do not transport cargo into or out of Iraq are exempt from the provisions of paragraph 3 of resolution 661 (1990) and resolution 670 (1990), provided timely notification of each flight is made to the Committee established by resolution 661 (1990), and requests the Secretary-General to make the necessary arrangements, for approval by the Security Council, to provide for reasonable expenses related to the Hajj pilgrimage to be met by funds in the escrow account established by resolution 986 (1995);
27. *Calls upon* the Government of Iraq:
 - (i) to take all steps to ensure the timely and equitable distribution of all humanitarian goods, in particular medical supplies, and to remove and avoid delays at its warehouses;
 - (ii) to address effectively the needs of vulnerable groups, including children, pregnant women, the disabled, the elderly and the mentally ill among others, and to allow freer access, without any discrimination, including on the basis of religion or nationality, by United Nations agencies and humanitarian organizations to all areas and sections of the population for evaluation of their nutritional and humanitarian condition;
 - (iii) to prioritize applications for humanitarian goods under the arrangements set out in resolution 986 (1995) and related resolutions;
 - (iv) to ensure that those involuntarily displaced receive humanitarian assistance without the need to demonstrate that they have resided for six months in their places of temporary residence;
 - (v) to extend full cooperation to the United Nations Office for Project Services mine-clearance programme in the three northern Governorates of Iraq and to consider the initiation of the demining efforts in other Governorates;
28. *Requests* the Secretary-General to report on the progress made in meeting the humanitarian needs of the Iraqi people and on the revenues necessary to meet those needs, including recommendations on necessary additions to the current allocation for oil spare parts and equipment, on the basis of a comprehensive survey of the condition of the Iraqi oil production sector, not later than 60 days from the date of the adoption of this resolution and updated thereafter as necessary;

29. *Expresses* its readiness to authorize additions to the current allocation for oil spare parts and equipment, on the basis of the report and recommendations requested in paragraph 28 above, in order to meet the humanitarian purposes set out in resolution 986 (1995) and related resolutions;
30. *Requests* the Secretary-General to establish a group of experts, including oil industry experts, to report within 100 days of the date of adoption of this resolution on Iraq's existing petroleum production and export capacity and to make recommendations, to be updated as necessary, on alternatives for increasing Iraq's petroleum production and export capacity in a manner consistent with the purposes of relevant resolutions, and on the options for involving foreign oil companies in Iraq's oil sector, including investments, subject to appropriate monitoring and controls;
31. *Notes* that in the event of the Council acting as provided for in paragraph 33 of this resolution to suspend the prohibitions referred to in that paragraph, appropriate arrangements and procedures will need, subject to paragraph 35 below, to be agreed by the Council in good time beforehand, including suspension of provisions of resolution 986 (1995) and related resolutions;
32. *Requests* the Secretary-General to report to the Council on the implementation of paragraphs 15 to 30 of this resolution within 30 days of the adoption of this resolution;
- D.
33. *Expresses* its intention, upon receipt of reports from the Executive Chairman of UNMOVIC and from the Director General of the IAEA that Iraq has cooperated in all respects with UNMOVIC and the IAEA in particular in fulfilling the work programmes in all the aspects referred to in paragraph 7 above, for a period of 120 days after the date on which the Council is in receipt of reports from both UNMOVIC and the IAEA that the reinforced system of ongoing monitoring and verification is fully operational, to suspend with the fundamental objective of improving the humanitarian situation in Iraq and securing the implementation of the Council's resolutions, for a period of 120 days renewable by the Council, and subject to the elaboration of effective financial and other operational measures to ensure that Iraq does not acquire prohibited items, prohibitions against the import of commodities and products originating in Iraq, and prohibitions against the sale, supply and delivery to Iraq of civilian commodities and products other than those referred to in paragraph 24 of resolution 687 (1991) or those to which the mechanism established by resolution 1051 (1996) applies;
34. *Decides* that in reporting to the Council for the purposes of paragraph 33 above, the Executive Chairman of UNMOVIC will include as a basis for his assessment the progress made in completing the tasks referred to in paragraph 7 above;
35. *Decides* that if at any time the Executive Chairman of UNMOVIC or the Director General of the IAEA reports that Iraq is not cooperating in all respects with UNMOVIC or the IAEA or if Iraq is in the process of acquiring any prohibited items, the suspension of the prohibitions referred to in paragraph 33 above shall terminate on the fifth working day following the report, unless the Council decides to the contrary;
36. *Expresses* its intention to approve arrangements for effective financial and other operational measures, including on the delivery of and payment for authorized civilian commodities and products to be sold or supplied to Iraq, in order to ensure that Iraq does not acquire prohibited items in the event of suspension of the prohibitions referred to in paragraph 33 above, to begin the elaboration of such measures not later than the date of the receipt of the initial reports referred to in paragraph 33 above, and to approve such arrangements before the Council decision in accordance with that paragraph;
37. *Further expresses* its intention to take steps, based on the report and recommendations requested in paragraph 30 above, and consistent with the purpose of resolution 986 (1995) and related resolutions, to enable Iraq to increase its petroleum production and export capacity, upon receipt of the reports relating to the cooperation in all respects with UNMOVIC and the IAEA referred to in paragraph 33 above;

38. *Reaffirms* its intention to act in accordance with the relevant provisions of resolution 687 (1991) on the termination of prohibitions referred to in that resolution;
39. *Decides* to remain actively seized of the matter and expresses its intention to consider action in accordance with paragraph 33 above no later than 12 months from the date of the adoption of this resolution provided the conditions set out in paragraph 33 above have been satisfied by Iraq.