

Between Iraq and a hard place: a critique of the British government's case for UN economic sanctions

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Abstract. In this article I outline the case made by the British government for UN economic sanctions on Iraq, and indicate many of the silences in, and counters to, it. When these silences and counters are taken into consideration, the British government's denial of any share of the responsibility for the devastation of Iraqi society becomes unsustainable. Iraqis have had their human rights violated on a vast scale not only by the regime but also by UN economic sanctions which have exacerbated the effects of the UN coalition's bombing of Iraq in 1991.

UN economic sanctions, bombing by a US-led UN coalition in 1991 and the policies of the Iraqi leader Saddam Hussein have combined to produce a dramatic increase in the Iraqi death rate, including 500,000 deaths above the anticipated rate among Iraqi children under five years of age between 1991 and 1998.¹ The deaths have hit children disproportionately because they are less able to cope with chronic malnutrition, polluted water and lack of proper medical care. Iraqis of all ages continue to die at abnormally high rates, and many times more who survive will have their lives blighted and shortened. The British government has been the key player along with the United States in keeping the sanctions in place. How valid is the case made by the British government under Prime Minister Tony Blair to justify that policy? This is the central question I address. The question is particularly relevant for three reasons. First, Blair's New Labour government claimed for a time to have introduced an ethical dimension to British foreign policy. Although it has backed away from that position, it still claims to emphasize human rights. Second, those who attribute to Britain the role of 'humanitarian intervention' need to consider whether that assertion can be reconciled with how Britain has acted with regard to Iraq. Third, New Labour asserts the value of 'smart' sanctions which, according to Tony Lloyd,

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¹ The UN Children's Fund (UNICEF) and the Government of Iraq, *Child and Maternal Mortality Survey 1999: Preliminary Report* <<http://www.unicef.org/reseval>>. For overviews of the sanctions see Sarah Graham-Brown, *Sanctioning Saddam. The Politics of Intervention in Iraq* (London: I.B. Tauris, 1999); Anthony Arnove (ed.) *Iraq Under Siege: The Deadly Impact of Sanctions and War* (London: Pluto 2000); Paul Conlon, *United Nations Sanctions Management: A Case Study of the Sanctions Committee, 1990–1994* (Ardsey, New York: Transnational Publishers, 2000); Andrew Cockburn and Patrick Cockburn, *Out of the Ashes: The Resurrection of Saddam Hussein* (London: HarperCollins, 1999); and Geoff Simons, *The Scourging of Iraq: Sanctions, Law and Natural Justice* (London: Macmillan, 1998).

Minister of State at the Foreign Office, ‘sharpen the focus and effectiveness of sanctions whilst trying to minimize their impact on ordinary people, including children, and on our own commercial and economic interests’.² I outline the case which the British government makes for the sanctions on Iraq and I explore some of the silences in, and counters to, that case. My argument is that, when these silences and counters are taken into consideration, the British government’s denial of any share in the responsibility for the devastation of Iraqi society becomes unsustainable.

The British government and UN sanctions on Iraq: justifications, silences and counters

Iraq invaded and occupied Kuwait on 2 August 1990. The UN Security Council declared this action to be illegal and imposed comprehensive sanctions under UN Security Council Resolution (SCR) 661³ on 6 August 1990. All exports from Iraq or Kuwait were banned, as was the sale or supply to Iraq and Kuwait of all ‘commodities or products, including weapons or any other military equipment’. Similarly, all funds were to be denied to Iraq. Hence its assets abroad were frozen. SCR 661 set up a committee of the Security Council (generally known as the Sanctions Committee, composed of the Security Council members, including permanent representatives of the United States, Britain, France, Russia and China) to run the sanctions regime. In the terms of the resolution, ‘supplies intended strictly for medical purposes, and, in humanitarian circumstances, foodstuffs’ and ‘payments exclusively for strictly medical or humanitarian purposes and, in humanitarian circumstances, foodstuffs’ were to be permitted. However, as Iraq imported most of its food and medicines, and as the UN refused until August 1991 to offer Iraq any means of raising funds to buy them beyond the exhaustion of its cash reserves, the sanctions effectively applied to these items too. The sanctions were described in SCR 661 as measures intended ‘to secure compliance of Iraq with paragraph 2 of resolution 660 (1990)’ which demanded the immediate and unconditional withdrawal of Iraqi forces from Kuwait and ‘to restore the authority of the legitimate Government of Kuwait’.

Iraq did not withdraw from Kuwait. UN forces began an air bombardment of Iraq and Kuwait on 16 January 1991, and between 24 and 27 February 1991 a land offensive drove Iraqi forces out of Kuwait. The dire nature of the situation was immediately apparent. A report by UN Under Secretary General Martti Ahtisaari stated that, due to the ‘near apocalyptic’ bombing of the country’s infrastructure, ‘Iraq has for some time to come been relegated to a pre-industrial age, but with all the disabilities of post-industrial dependency on an intensive use of energy and technology.’ A Harvard University study team concluded, and the administration of President George Bush senior concurred, that Iraq was heading for a ‘public health catastrophe’ involving tens of thousands of deaths by the end of 1991 alone. In spite of these assessments, comprehensive economic sanctions remained in place.⁴ Those

² House of Commons, *Hansard*, 15 March 1999, Written Answers, column 515.

³ <<http://www.un.org/Depts/oip/scrs/scr661onu.htm>>.

⁴ Quotes from Patrick E. Tyler, ‘US Officials Believe Iraq Will Take Years to Rebuild’, *New York Times*, 3 June 1991 <<http://linux.clare.cam.ac.uk/casi>>.

policymakers who backed the sanctions cannot say that they did not know what was going to happen. Whatever the political purpose, it was a conscious and callous choice to deny an entire society the means necessary to survive. New Labour has defended, not distanced itself, from this choice.

The Security Council set out the conditions for lifting the sanctions on 3 April 1991 in SCR 687.⁵ Under its terms, Iraq had to unconditionally and indefinitely renounce nuclear weapons, biological and chemical (BC) weapons and ballistic missiles with a range of over 150 km and related capabilities; co-operate with the UN Special Commission on Iraq (UNSCOM) regarding BC weapon and ballistic missile issues and the International Atomic Energy Agency (IAEA) regarding nuclear weapon issues; provide full information about those banned capabilities; and accept ongoing monitoring and verification of its compliance. SCR 687 could be interpreted as saying that, once the Security Council was satisfied with the programme of compensation and the completion of all actions by Iraq called for above, all restrictions on Iraq exports were to be lifted. However, SCR 687 also required Iraq to accept responsibility for its external debt, pay compensation to those who incurred losses due to its invasion of Kuwait, respect its border with Kuwait, account for all non-Iraqis missing since the invasion of Kuwait, return property it had looted from Kuwait, and renounce terrorism. SCR 687 states that the sanctions could be lifted or 'reduced' on the recommendation of the Security Council 'in the light of the policies and practices' of Iraq. There has always been uncertainty as to whether full compliance on these issues as well as disarmament and monitoring was necessary for the lifting or reduction of the sanctions not only on Iraqi exports but also on its imports and frozen assets.

At one level, things became clearer in that SCR 1284,⁶ passed in December 1999, decided that, within 60 days of the resumption of disarmament and verification work in Iraq, the IAEA and a new UN Monitoring, Verification and Inspection Commission (UNMOVIC) to supersede UNSCOM are to come up with a list of the 'key remaining disarmament tasks' for Iraq and 'clearly defined and precise' requirements for Iraqi compliance with those tasks. Once they report full Iraqi co-operation with those tasks for 120 days and once effective 'financial and other operational measures' are in place to ensure that Iraq does not acquire prohibited items, the sanctions are to be suspended for periods of 120 days. In other words, suspension is linked solely to prohibited weapons, and to co-operation with specified tasks rather than to SCR 687's more demanding requirement of completion of all tasks. Although the introduction of the concept of suspension has been interpreted by many as a retrograde step making the sanctions permanent, SCR 1284 states that the Security Council will act in accordance with SCR 687 in terms of lifting the sanctions. In May 2000, Jon Davies, then Head of the Iraq Desk at the Foreign Office, accepted that 'there is still some lack of clarity in exactly what the provisions of suspension will be'.⁷ Which imports and exports will be allowed and which assets if any will be unfrozen has not been specified. Davies notes that SCR 1284 only requires the Security Council to begin the process of thinking about this upon receipt of UNMOVIC and IAEA reports that Iraq has been co-operating fully for

⁵ <<http://www.un.org/Depts/oip/scrs/scr687.htm>>.

⁶ <<http://www.un.org/Docs/scres/1999/99sc1284.htm>>.

⁷ Letter, Davies to the author, 22 May 2000.

120 days. So Iraq has to co-operate with weapons inspectors for up to five months before the nature and extent of suspension even gets discussed (and even that assumes that the 'financial and other operational measures' are deemed satisfactory). Iraq must be suspicious that Britain and the United States will work to ensure that Iraqi compliance will be neither acknowledged nor rewarded. If they are sincere about wanting compliance so that the sanctions can be lifted, this is no way to go about it.

To what extent has Iraq complied with the relevant UN resolutions?

The sanctions are still being enforced, according to the Foreign Office, because 'Iraq has not yet fulfilled the obligations imposed upon it by the UN' and because 'each review has concluded that Iraq has not yet met the conditions that would allow sanctions to be lifted or even relaxed'.⁸ In October 1998, UNSCOM identified the remaining issues as being disarmament work regarding biological weapons; further information disclosure by Iraq in all areas but especially VX chemical warfare agent production and weaponization; agreement of a system of long-term monitoring; and unilateral destruction of materials by Iraq which made verification of what has been destroyed difficult. On the other hand, it stated that, despite Iraqi obstruction, 'the disarmament phase of the Security Council's requirements is possibly near its end in the missile and chemical weapons areas'.⁹ Furthermore, while UNSCOM reported this mixed picture, the IAEA reported on 15 December 1998 that it had eliminated Iraq's nuclear weapon programmes 'efficiently and effectively'.¹⁰ Rolf Ekeus, UNSCOM Executive Chairman from 1991 to 1997, stated that 'in all areas we have eliminated Iraq's capabilities fundamentally. There are some question marks left'.¹¹

According to former UNSCOM weapon inspector Scott Ritter, although the UN had not brought about the quantitative disarmament of Iraq (involving 'the accounting of every last weapon or component, or related material'), it had achieved the more important goal of its qualitative disarmament ('the elimination of a meaningful, viable capability to produce or employ' nuclear or BC weapons).¹² This

⁸ Foreign and Commonwealth Office (FCO), *Iraq: Sanctions and the 'Oil for Food' Agreement*, February 1999 <<http://files.fco.gov.uk/info/briefs/1597.pdf>>.

⁹ UN, *Report of the Executive Chairman on the Activities of the Special Commission Established by the Secretary-General Pursuant to Paragraph 9(b) of Resolution 687 (1991)*, S/1998/920, 6 October 1998, para. 67. <<http://www.un.org/Depts/unscom/s98-920.htm>>. This view was confirmed by the Security Council's Disarmament Panel: UN, *Reports of the Panels Established Pursuant to the Note by the President of the Security Council of 30 January 1999 (S/1999/100)*, S/1999/356, 30 March 1999. See also Scott Ritter, *Endgame: Solving the Iraq Problem—Once and For All* (New York: Simon & Schuster, 1999); Avigdor Haselkorn, *The Continuing Storm: Iraq, Poisonous Weapons, and Deterrence* (London: Yale University Press, 1999), pp. 206–17; Tim Trevan, *Saddam's Secrets: The Hunt for Iraq's Hidden Weapons* (London: HarperCollins, 1999), p. 374; Richard Butler, *Saddam Defiant. The Threat of Weapons of Mass Destruction and the Crisis of Global Security* (London: Weidenfeld and Nicholson, 2000).

¹⁰ UN, *Letter Dated 15 December 1998 from the Secretary-General Addressed to the President of the Security Council*, S/1998/1172, 15 December 1998 <<http://www.un.org/Depts/unscom/s98-1172.htm>>.

¹¹ Comments made on 23 May 2000 at the Harvard University conference 'Sanctions in Iraq: Is the Policy Defensible?'. Transcription by the Boston Research Group <<http://linux.clare.cam.ac.uk/casi>>.

¹² Scott Ritter 'Redefining Iraq's Obligation: The Case for Qualitative Disarmament of Iraq', *Arms Control Today*, 30:5 (2000) <<http://www.armscontrol.org/ACT/june000/iraqjun.htm>>.

was true for nuclear weapons, but without full information disclosure by Iraq harder to judge for the others, and the longer the weapons inspectors are absent, the greater the uncertainty. Despite spending nineteen years (1972–91) and perhaps \$18,000 m in a context of lax international monitoring, Iraq was unable to build a nuclear bomb.¹³ Unless some new short-cut appears, nuclear weapons will be beyond Iraq's grasp for decades to come. At present, only nuclear weapons are weapons of mass destruction if the criterion is that only one is needed to cause destruction on a vast scale very quickly. The British government hypes the BC threat with statements such as 'Prior to the Gulf War, Iraq produced enough chemical and biological weapons material to kill the world's population several times over'.¹⁴ This is true only in the ludicrous scenario of everyone standing still while a tiny drop is administered to them individually. The potential to produce BC agents is inherent in even the most basic of industrialized economies. However, it is much more difficult to weaponize such agents, and extremely difficult to deliver such weapons to targets in a way that will inflict significant casualties or do so with any reliability.¹⁵ Their destructive potential can be minimized by counter-measures and their political value minimized by education about their limited killing power. Iraq's chemical weapons (CW) attack on Halabja underlines this point: it involved the use of multiple chemical weapons in ideal conditions. As John and Karl Mueller point out, 'economic sanctions have probably already taken the lives of more people in Iraq than have been killed by all weapons of mass destruction in history'.¹⁶

Overall, the pattern is not one of simple non-compliance by Iraq, but one of Iraqi compliance, however grudging, with most of what has been demanded of it, and effective nuclear disarmament—the category that matters most. Yet this partial compliance was not rewarded with the partial lifting of the sanctions and clear criteria for the lifting of sanctions have never existed.¹⁷ This has fed into the debate about what is the main objective of the sanctions.

The main objective: not compliance, containment or overthrow but 'stability'

The British government argues that the sanctions are aimed primarily at disarming and thus containing the dire threat Iraq poses to its own population, its neighbours, and the rest of the world. However, considerable scepticism is appropriate here. Before Iraq invaded Kuwait, the regime engaged in horrific domestic repression, war against Iran, CW use and ill-concealed weapon programmes. Far from perceiving a threat, successive British governments ignored all this or made understanding noises

¹³ Shyam Bhatia and Daniel McGrory, *Brighter Than the Baghdad Sun: Saddam Hussein's Nuclear Threat to the United States* (Washington, DC: Regnery, 2000), pp. 8, 307.

¹⁴ FCO and Ministry of Defence, *Britain, UNSCOM and Iraq* <<http://special.fco.gov.uk>>.

¹⁵ John Mueller and Karl Mueller, 'The Methodology of Mass Destruction: Assessing Threats in the New World Order', *The Journal of Strategic Studies*, 23:1 (2000), pp. 163–87; Trevan, *Saddam's Secrets*, pp. 42–43, 280–81.

¹⁶ Mueller and Mueller, 'Methodology of Mass Destruction', p. 164.

¹⁷ The humanitarian programme should not be considered as a reward for partial compliance because humanitarian programmes were always meant to be exempt from the sanctions.

while promoting, subsidizing and underwriting arms sales to Iraq.¹⁸ The argument that the invasion of Kuwait changed everything and decision-makers woke up to the threat also does not wash. When an uprising did take place in 1991, Britain showed its clear preference for Saddam Hussein. British Prime Minister John Major said petulantly 'I don't recall asking the Kurds to mount this particular insurrection'¹⁹ while General Sir Peter de la Billiere, who commanded the British element of the coalition's Gulf War forces, said after the uprising was crushed 'The Iraqis were responsible for establishing law and order.'²⁰ This is not what you would expect of a government desperate to deal with a cosmic threat to which it had just woken up. Their priority was averting the possibility of Kurdish secession in the north and the establishment of a Shi'ite religious state in the rest of Iraq, and have always indicated their preference for a military coup. It is often thought that the primary US and British objective of the sanctions is the overthrow of Saddam Hussein and his regime. The United States is committed officially to this goal. Although the Foreign Office insists that 'it is not the Government's objective to overthrow Saddam Hussein',²¹ Blair said in November 1998 that 'We are looking with the Americans at ways in which we can bolster the opposition and improve the possibility of removing Saddam Hussein altogether. I entirely share the sentiments that President Clinton expressed on that point.'²² US officials argue that Saddam Hussein will never comply with the UN's demands and hence it is unlikely that sanctions will be lifted as long as he is in office. As it happens, the regime overthrow policy violates the very UN resolutions with which Iraq is being expected to comply because SCRs 687 and 1284 affirm explicitly the 'sovereignty, territorial integrity and political independence' of Iraq. Anyway, the sanctions are in some ways reinforcing Saddam Hussein's position, encouraging even more corruption, possibly making him seem less vile than the West to some Iraqis and requiring a rationing system which allows the Iraqi state to monitor even more closely most Iraqis.²³ Despite the talk of overthrow, the fall of Saddam Hussein's regime would not be welcomed by British and US policy-makers if they could not control the process of regime change, and there is little reason to believe that they could.

British policy under New Labour shows basic continuity with that of previous governments in being aimed primarily at 'stability', that is, at having an Iraqi regime weak enough to be influenced by them and yet strong enough to control its population by any means necessary and guarantee their access to cheap oil.²⁴ Only this

¹⁸ John Sweeney, *Trading With the Enemy: Britain's Arming of Iraq* (London: Pan, 1993); Aburish, *Saddam Hussein*, chs. 6, 8–10; Mark Phythian and Nikos Passas, *Arming Iraq: How the US and Britain Secretly Built Saddam's War Machine* (Boston, MA: Northeastern University Press, 1996); Kanan Makiya, *Republic of Fear: The Politics of Modern Iraq* (Berkeley, CA: University of California Press, 1998), updated edition.

¹⁹ Quoted in Martin Shaw, 'The Kurds Five Years On: TV News' Finest Hour', *New Statesman*, 5 April 1996.

²⁰ Quoted in Graham-Brown, *Sanctioning Saddam*, p. 47.

²¹ Letter, Davies to the author, 10 November 1999.

²² House of Commons, *Hansard*, 16 November 1998, Col. 611.

²³ Volker Perthes, *Iraq Under Sanctions: A Regime Defiant*, Middle East Programme, Briefing no. 40 February 1998, The Royal Institute of International Affairs

<<http://www.riia.org/briefingpapers/bp40.html>>; Richard Downes, 'Saddam's Men Use Sanctions to Secure Their Grip', *The Independent*, 12 December 1998; Cockburn and Cockburn, *Out of the Ashes*.

²⁴ Saïd K. Aburish, *Saddam Hussein: The Politics of Revenge* (London: Bloomsbury, 2000); Noam Chomsky, 'US Iraq Policy: Motives and Consequences', in Arno, *Iraq Under Siege*, pp. 47–56.

explanation is consistent with their treatment of Iraq's domestic repression and war with Iran as being in their interests; their economic and military support for the regime; the enormous force of their response to the invasion of Kuwait; their desire for the 1991 uprising to fail; their determination to cut Iraq down to size ever since; and the fact that former weapons inspectors have criticized the failure to prioritize the disarmament of Iraq. Richard Butler, Executive Chairman of UNSCOM between 1997 and 1999 portrayed the policy as ineffective; Ritter described the sanctions as 'morally bankrupt'; and Tim Trevan, another former UNSCOM weapon inspector, criticized the sanctions in the following way: 'pointless sanctions—sanctions that have no chance of achieving a desirable effect—are immoral in that they punish the weak, not those responsible for the situation'.²⁵ Without waiting for the Security Council meeting which was due to discuss the UNSCOM and IAEA reports, the United States and Britain launched on 16 December 1998 the air attacks on Iraq they called Operation Desert Fox which they said were designed to punish Iraqi non-compliance and 'degrade' what remained of its banned capabilities. These air attacks were illegal in that they were not, and in all probability would not have been, authorized by the Security Council. UNSCOM and IAEA inspectors were withdrawn on 15 December 1998 to avoid being present during the bombing. Only advance-notice IAEA inspectors connected to the Non-Proliferation Treaty as opposed to SCR 986 have been allowed to return to Iraq: they have declared themselves to have been satisfied with Iraqi co-operation.²⁶ Aside from this, disarmament within Iraq has been suspended since the bombing, including the no-notice inspections which are vital to credible arms control. In the wake of Desert Fox, Iraq said that it would never allow the return of weapons inspectors related to SCR 986. No-one appears to believe that they ever will in the context of current policy. Instead, the focus of British policy continues to be on shoring up the sanctions, and offering Iraq some oil sales to purchase humanitarian supplies has been part of the politics of doing so.

Why did Iraq initially refuse to participate in the UN oil sales programme?

The United Nations offered to allow Iraq to sell some oil in August and September 1991 under SCR 706²⁷ and SCR 712,²⁸ but Iraq refused to accept the conditions attached. Britain and the United States have always used this as proof of their humanitarianism. However, this claim does not survive scrutiny. First, SCR 706 gave no indication of how the \$1,600 m to be raised through the oil sales would be divided between humanitarian relief, the full costs of the activities of UNSCOM and the IAEA, half the costs of the Iraq-Kuwait Boundary Commission, and payments to the UN Compensation Fund. Second, Iraq was required to accept UN control of the funds raised plus extremely intrusive monitoring by UN observers

²⁵ Butler, *Saddam Defiant*, pp. 1–21, 214–58; Ritter, 'Redefining Iraq's Obligation'; Trevan, *Saddam's Secrets*, p. 386.

²⁶ Reuters, 'UN Nuclear Inspectors Satisfied With Iraq Mission', 25 January 2000 <<http://linux.clare.cam.ac.uk/casi>>.

²⁷ <<http://www.un.org/Depts/oip/scrs/scr706.htm>>.

²⁸ <<http://www.un.org/Depts/oip/scrs/scr712.htm>>.

throughout the country. Third, an indeterminate share of a one-off sum of \$1,600 m—about \$73 per person—was hardly going to provide for the needs of the Iraqi people. Fourth, there was always the possibility that, even when the money was raised, governments would start legal action to claim it. SCR 712 indicated that the funds would be insulated from legal action, but otherwise did little else than restate the same offer. Finally, Saddam Hussein may have believed that the sanctions regime would soon collapse and so the economy would begin to recover without him having to accept a deal with so many strings attached. The credibility of the British and US claim to humanitarianism is undermined by the paltry sum allowed at a time of desperate need and by the incorporation of punitive compensation and disarmament elements which made Iraqi rejection very likely.²⁹ A policy of making access to means to acquire vital humanitarian supplies conditional on extraneous demands is simply monstrous. There was little reason to believe that Iraq would acquiesce and when Iraq did not, Britain had what it wanted—a propaganda tool for trying to avoid its share of the blame for the suffering in Iraq. Actually averting it was not a priority.

The UN proposed another oil sales deal on 14 April 1995 under SCR 986³⁰ which was finally accepted by an increasingly economically destitute Iraq in May 1996.³¹ Under SCR 986, which was conceived only as a temporary measure, the revenue was divided as follows: 53 per cent for humanitarian programmes in the centre and south of the country run by the Iraqi government with UN monitoring; 13 per cent for humanitarian programmes in the north run by the UN; 30 per cent for the UN Compensation Fund, 2.2 per cent for administering the programme; 0.8 per cent for the administrative costs of UNSCOM; and 1 per cent for the escrow account. Hence, although the UN refers to it as ‘Oil For Food’ (OFF), only two-thirds of it was intended for humanitarian purposes in Iraq. SCR 1330 of 5 December 2000 reduced the Compensation Fund proportion by 5 per cent and allocated it to the centre and south. The Security Council initially set an oil sales ceiling of \$2,000 m for each 180 day phase co-ordinated through the UN’s Office of the Iraq Programme (OIP) set up in October 1997. After the first three phases, this figure was increased to \$5,265 m per phase. SCR 1284 removed the oil export ceiling. However, low oil prices in some of the phases and the state of Iraq’s oil industry due to the sanctions meant that over the first seven phases between December 1996 and 31 March 2001, Iraq sold oil worth a total of \$38,602 m.³² OFF goods began to arrive in the rest of the country only in 1997, and in large quantities only from the spring of 1998. In addition to OFF goods, Iraqis have survived on what remains of the dinar economy, government rations, selling their belongings, smuggling and the import of goods approved under SCR 661 by the Sanctions Committee and paid for by aid or by the Iraqi government’s other resources. SCR 661 goods to the value of \$432.7 m between 1 January and 8 June 2001 (about \$20 per person) were approved by the Sanctions Committee or approved and notified to it by the UN Secretariat. By 31 March 2001,

²⁹ For similar analyses see Simons, *Scourging of Iraq*, pp. 100–104 and Graham-Brown, *Sanctioning Saddam*, pp. 74–7.

³⁰ <<http://www.un.org/Depts/oip/scrs/scr986.htm>>.

³¹ *Memorandum of Understanding Between the Secretariat of the United Nations and the Government of Iraq on the Implementation of Security Council Resolution 986 (1995)*, 20 May 1996 <<http://www.un.org/Depts/oip/undocs/s1996356.htm>>.

³² UN OIP, *Basic Figures as 31 March 2001* <<http://www.un.org/Depts/oip/latest/basic/figures.html>>.

a total of \$12,083 m—\$549 per person—of OFF goods had arrived to pay not only for immediate needs such as food and medicine but also to rebuild the society's shattered infrastructure. This averages a puny \$52 per person per year of the sanctions, or \$118 per person per year of the OFF programme. The fact that the figure is so low is indicative of problems with the British government's claim that Iraq is allowed to purchase humanitarian goods freely.

Is Iraq allowed to purchase humanitarian supplies freely?

The Sanctions Committee can veto exports to Iraq (the UN's term for this is 'blocked') or withhold approval pending a final decision (put on 'hold'). A key point is that a hold can only be lifted by the Sanctions Committee member which imposed it. The Foreign Office notes that 'Food, medicine and other supplies for essential civilian needs are not covered by the import ban'. It points out that only 4 per cent of items requested are blocked³³ and stated that 'The UK puts only a tiny percentage of "oil for food" contracts on hold (about 1 per cent overall)'.³⁴ These bland and positive points are clearly intended to communicate the impression that contracts for humanitarian supplies are handled smoothly by the Sanctions Committee, and that holds and blocks, especially those imposed by Britain, are of trivial importance. Such an impression is false. The United States imposes about ten holds for each one by Britain, whereas other countries rarely impose holds. In August 1999, UN Secretary General Kofi Annan pointed out that the number of holds was increasing and reiterated his appeal to the Sanctions Committee—in other words Britain and especially the United States—to speed up its review of items it had placed on hold.³⁵ All to no avail: as of 12 October 1999, 23.7 per cent of contracts for that particular OFF phase were on hold, including 100 per cent for telecommunications, 65.5 per cent for electricity, 53.4 per cent for water and sanitation and 43 per cent for oil spare parts and equipment.³⁶ Almost half of the holds involved requests for more information, while the next largest category involved concerns about what the items will be used for and by whom (end-use and end-user concerns). Benon Sevan, Executive Director of the UN OIP, complained to the Security Council in July 1999 that 'The improvement of the nutritional and health status of the Iraqi people through [a] multi-sectoral approach ... is being seriously affected as a result of [the] excessive number of holds placed on supplies

³³ FCO, *Iraq*.

³⁴ Standard letter signed by Jamie Cooper, Middle East Department, FCO, 27 March 2000. It was sent to those who wrote to the Government after seeing John Pilger's documentary *Paying the Price: Killing the Children of Iraq* for which I was principal academic consultant and which was broadcast on ITV on 6 March 2000. For Martin Shaw's critique of the documentary, see <<http://www.martinshaw.org/iraq.htm>> and for my response, see <<http://pilger.carlton.com/iraq/articles/55395>>.

³⁵ UN, *Report of the Secretary-General Pursuant to Paragraph Six of Security Council Resolution 1242 (1999)*, S/1999/896, 19 August 1999 <<http://www.un.org/Depts/oip/phase6-90day.html>>.

³⁶ UN, *Note Dated 22 October 1999 Addressed to the Secretary-General by the Executive Director of the Iraq Programme*, Annex of S/1999/1086, 23 October 1999.

and equipment for water, sanitation and electricity'.³⁷ Giving examples, Sevan showed that the absence of even one small item can be enough to stall an entire project.

To reduce the number of holds, the Security Council's Humanitarian Panel proposed in March 1999 that 'green' lists of foodstuffs, pharmaceuticals, and medical, agricultural and educational equipment and supplies should be drawn up. All contracts for such items were merely to be notified to the Sanctions Committee rather than being circulated to it for approval.³⁸ It took the Security Council until December 1999 to agree to these proposals as part of SCR 1284 regardless of whether or not Iraq accepts the disarmament and monitoring elements of the resolution. The green list system plus efforts by the UN regarding information flows improved matters only marginally. Between the adoption of the first green lists in March 2000 and 25 May 2001, the OIP processed 2,314 contracts for over \$4,760 m of such pre-approved supplies.³⁹ In June 2000, Annan reported that holds were still 'seriously impairing the effective implementation of the programme'. He urged the approval of water, sanitation and electricity contracts 'without delay' because of their 'paramount importance to the welfare of the Iraqi people', and stated that the number of contracts for oil spare parts and equipment put on hold 'remains excessive'.⁴⁰ Iraq and its suppliers could speed up the lifting of some of the holds by providing more information or by removing specific items, but that does not absolve the United States and Britain of all blame. The United States has obstructed the setting up of the green lists and once again Britain has failed to act. For example, in February 2001, the OIP circulated the draft green list of items for the housing sector aimed at prioritizing the most vulnerable in Iraq.⁴¹ Even though the entire list had been approved by UNMOVIC, the United States without explanation vetoed the inclusion of 27 out of 53 of the items, including switches, sockets, window frames, ceramic tiles and paint.⁴² Despite the (heavily truncated) green lists, the use of holds has continued to be extensive and damaging. On 25 May 2001, there were 1,696 OFF holds with a value of \$3,670 m, amounting to 17.4 per cent of the total value of all contracts circulated to the Sanctions Committee, 52.2 per cent for more technical or end use/user information; 33.4 per cent as '1051 list' items; 8.3 per cent supposedly 'dual use'; 1.15 per cent for oil industry spares and equipment seen as inappropriate; and 0.25 per cent for other reasons.⁴³ From the foregoing analysis, it can be seen that the Foreign Office figure of 1 per cent serves to distract attention away from the overall figure for holds, whoever imposes them.

³⁷ UN OIP, *Briefing by Benon Sevan, Executive Director of the Iraq Programme, at the Informal Consultations Held by the Security Council on Thursday, 22 July 1999* <<http://www.un.org/Depts/oip/latest/sevan227.html>>.

³⁸ UN, *Report of the Second Panel*, para. 55.

³⁹ UN OIP, *OFF Weekly Update (19–25 May 2001)*, 30 May 2001 <<http://www.un.org/Depts/oip/latest/wu30May01.html>>.

⁴⁰ UN, *Report of the Secretary-General Pursuant to Paragraph 5 of Security Council Resolution 1281 (1999)*, 1 June 2000, S/2000/520, paras 98, 100, 103 <<http://www.un.org/Depts/oip/reports/phase7180.html>>. On 8 June 2000 in SCR 1203 the Security Council added basic water and sanitation supplies to the green lists.

⁴¹ UN OIP, *List of Pre-Approved Items in Housing Sector in Accordance to SCR 1330 (2000) (Proposal as of 8 February 2001)*.

⁴² US Permanent Mission to the UN, *US Amendments to List of Housing Sector Items*, 26 February 2001.

⁴³ UN OIP, *OFF Weekly Update (19–25 May 2001)*.

The argument that these holds were necessary to prevent Iraq from acquiring potentially dangerous dual use items (that is, items which may be diverted to prohibited weapons activities) rarely stands up. First, according to George Somerwill, UN OIP spokesperson, 'Not one of ... [the UN's] observation mechanisms has reported any major problem in humanitarian supplies being diverted, switched, or in any way misused'.⁴⁴ Second, the items objected to are often available in Iraq due to the black market. This was the case in 1999 with 16 heart and lung machines which were put on hold because of the computers used to run them.⁴⁵ This was also the case with a contract for \$5.7 m worth of ambulances, put on hold because they contained vacuum flasks (used for keeping medical supplies cool).⁴⁶ Third, the '1051 list' is a list of dual use items in support of SCR 1051. Nearly all of the items simply require that the UN be notified that they are being exported, but the US tends to treat them as prohibited. Fourth, the US uses the vague phrase 'dual use' because it found itself being challenged by UNMOVIC on whether items are indeed on the 1051 list.

The measures being developed in line with SCR 1352 of 1 June 2001 and being presented by Britain as 'smart' sanctions would drop the system of holds completely. Instead, there would be a red list of banned items, and contracts with other items would be approved, blocked completely, have items within them blocked or have specific additional monitoring. They are developing these measures because they have felt themselves to be losing the propaganda war over the costs being imposed on the Iraqi people to the point where the sanctions regime might collapse completely and because Iraq was circumventing the sanctions through the sale of smuggled oil and under-the-table charges for OFF oil sales. The impact of these measures on OFF remains to be seen: it will depend both on their precise contents and how they are interpreted. Thus far, the signs are that, although important infrastructural supplies would still be blocked, they would assist OFF in that they are likely to result in a substantially greater flow of goods. An indication of this is that the United States accompanied SCR 1352 with the lifting of its holds on 410 contracts worth \$703.5 m. However, as I now discuss below, the British government claims that Iraq is deliberately not distributing many of the supplies that are delivered.

Why have some medical supplies not been distributed?

The stockpiling of medical supplies is given by the British government as conclusive proof of the irrelevance of sanctions to the suffering of ordinary Iraqis. In January 1999, George Robertson, then British Defence Secretary, stated that Saddam Hussein 'has in warehouses \$275 million-worth of medicines and medical supplies which he refuses to distribute' and asked rhetorically 'what kind of leader watches

⁴⁴ Quoted in Sandro Contenta, 'Babies Pay the Price as Iraq Sanctions Go Into 11th Year', *Toronto Star*, 24 June 2000 <http://www.thestar.com/back_issues/ED20000624/news/20000624NEW01d_FO-IRAQ24>.

⁴⁵ Agence France Presse, 'UN Sanctions Panel Blocks Iraqi Contract for Heart-Lung Machines', 3 November 1999 <<http://linux.clare.cam.ac.uk/casi>>.

⁴⁶ UN OIP, *Status of OFF Contracts spreadsheet*, 27 February 2001.

his children die and his hospitals operate without drugs, but keeps \$275 million-worth of medicines and medical supplies locked up in a warehouse?’⁴⁷ However, Robertson failed to note that the UN reports from which those figures are taken offer very different reasons for the stockpiling. In the period before such allegations began to be made, not only did the UN favour stockpiling, but the World Health Organisation (WHO) argued for more of it. In November 1997, Annan reported that Iraq was maintaining a buffer stock for emergencies and that it ‘releases supplies from the buffer stock as newly arrived stock becomes available as replacement’.⁴⁸ Annan commented approvingly in June 1998:

The current stock, consisting of a 5 to 10 per cent reserve has been designed to cope with emergencies and has assisted in ensuring the availability of needed items. ... WHO has indicated that a more substantial reserve is the only practical solution to the procurement cycle with a delay of some four to five months before the start of arrivals [of replacements for depleted items].⁴⁹

Nevertheless, he expressed concerns about distribution bottlenecks caused by ‘poor logistics, the absence of proper warehousing, inadequate management tools and a lack of staff support and training’.⁵⁰

The problems were exacerbated, according to Annan, by ‘a surge in arrivals of commodities from April 1998 onwards’, lack of transport, bulky equipment, and failure of some suppliers to indicate how to test supplies.⁵¹ In February 1999, Annan described the stockpiles as ‘alarmingly high’, but again the reasons given were not those stated by Britain.⁵² The first was ‘slow contracting by Kimadia, the Iraqi state company for drug imports’ due to problems in Kimadia’s attempt to computerize the ordering process and its use of inexperienced people to do it. No suggestion was made of sabotage by Kimadia. The second, and as far as the report was concerned, ‘more serious’ factor was ‘the slow pace of distribution from Kimadia central warehouses to the governorate warehouses, and further to health centres’. The reasons given by Annan for this were ‘lack of modern managerial tools’, ‘poor working conditions within the warehouses’, ‘lack of transport for moving the supplies’, ‘the rigid hierarchy in the Ministry of Health administration which makes it difficult for functionaries to approve deliveries without approval of superiors’, and ‘superiors may have deliberately withheld supplies in anticipation of emergency needs’ after tensions increased as of September 1998. This last point refers to bombing by the US and British air forces. The third factor given was over-prescribing by physicians and the Iraqi Ministry of Health’s desire to prevent waste of medicines by controlling supplies more tightly.

In an atmosphere of increasing political controversy over the warehousing issue, Annan argued in May 1999 that the reasons for the slowness of distribution were

⁴⁷ House of Commons, *Hansard*, 25 January 1999, cols 1217, 1219, 1222.

⁴⁸ UN, *Report of the Secretary-General Pursuant to Paragraph Three of Resolution 1111 (1997)*, S/1997/935, 28 November 1997, para. 25 <<http://www.un.org/Depts/oip/reports/sgr-2-180.html>>.

⁴⁹ UN, *Report of the Secretary-General Pursuant to Paragraph Four of Resolution 1143 (1997)*, S/1998/477, 5 June 1998, para. 67 <<http://www.un.org/Depts/oip/reports/sgr-3-180.html>>.

⁵⁰ UN, *Report of the Secretary-General*, S/1998/477, para. 62.

⁵¹ UN, *Report of the Secretary-General Pursuant to Paragraph Ten of Resolution 1153 (1998)*, S/1998/1100, 19 November 1998, para. 25 <<http://www.un.org/Depts/oip/reports/180day4.html>>.

⁵² UN, *Report of the Secretary-General Pursuant to Paragraph Six of Security Council Resolution 1210 (1998)*, S/1998/187, 22 February 1999, paras 28–32 <<http://www.un.org/Depts/oip/reports/90day5.htm>>.

'multiple and complex', but he identified 'the decline in professional competence and motivation' as a 'key reason'.⁵³ It could be that they have been demotivated by years of poverty and ill health. Aside from this, Annan identified contributory factors external to Iraq: 'erratic arrivals', confusion caused by the fact that various brand-names refer to the same generic product, space problems caused by the delivery of bulky equipment, increased total volume of deliveries, and delays in the arrival of complementary parts and technical staff. In July 1999, Sevan indicated that 'lengthy delays' caused by the Sanctions Committee approval process meant that previously reliable suppliers had withdrawn, and so Iraq had been 'obliged to procure through less reliable brokers'. Sevan indicated that he wanted 'to demystify' the issue of warehoused humanitarian supplies through a comprehensive inventory.⁵⁴ Results from the inventory showed the situation to be improving. By 31 July 1999, of drugs delivered to Iraq, 68.8 per cent had been distributed with 26.7 per cent set aside as buffer and working stock. Of medical supplies delivered to Iraq, 65 per cent had been distributed, and 15 per cent was being quality tested, had failed quality testing or was awaiting complementary accessories.⁵⁵ Again, the British government's story is sustained by ignoring the contents of the reports on which it purports to be based and by making other accusations, including ones related to differences in the conditions prevailing in different parts of Iraq.

Why are conditions worse in the centre and south of Iraq?

The British government has made much of the contrasts between the north of Iraq which is UN-controlled, and the centre and south of the country where the programme is administered directly by the Iraqi government and monitored by the UN. UNICEF calculated that the mortality rate among children under five in the north fell between 1979 and 1989, rose until 1994, and then fell again until 1999 (to below the rate for 1979 to 1989).⁵⁶ In contrast, in the centre and south of Iraq it fell during the 1980s but rose catastrophically during the 1990s.⁵⁷ According to Peter Hain, then Minister of State at the Foreign Office, 'exactly the same sanctions regime applies [in the north] ... The difference is that Saddam's writ does not run there. Why do sanctions critics prefer to ignore that inconvenient but crucial fact?'⁵⁸ Actually, as sanctions critics point out, Hain prefers to ignore the fact that the very body which announced this contrast also explicitly rejected from the outset the interpretation on which Hain relies. According to UNICEF:

⁵³ UN, *Report of the Secretary-General Pursuant to Paragraph Six of Security Council Resolution 1210 (1998)*, S/1999/573, 18 May 1999, paras 32–35 <<http://www.un.org/Depts/oip/reports/s573.html>>.

⁵⁴ UN OIP, *Briefing by Benon Sevan*.

⁵⁵ UN, *Report of the Secretary-General Pursuant to Paragraph Six of Security Council Resolution 1242 (1999)*, S/1999/896, 19 August 1999, para. 38 <<http://www.un.org/Depts/oip/reports/phase6-90day.html>>.

⁵⁶ UNICEF, *Child and Maternal Mortality Survey in Dohouk, Erbil and Al-Suleimaniyah Governorates 1999 Preliminary Report*, August 1999 <<http://www.unicef.org/reseval>>.

⁵⁷ UNICEF and Ministry of Health of Iraq, *Child and Maternal Mortality Survey 1999 Preliminary Report*, July 1999 <<http://www.unicef.org/reseval>>.

⁵⁸ House of Commons, *Hansard*, 24 March 2000, column 1291.

the difference in the current rate [of child mortality] cannot be attributed to the differing ways the Oil-for-Food Program is implemented in the two parts of Iraq. The Oil-for-Food Program is two and a half years old. Therefore it is too soon to measure any significant impact of the Oil-for-Food Program on child mortality over the five year period of 1994–1999 as reported in these surveys.⁵⁹

Caroline Bellamy, Executive Director of UNICEF, listed a number of reasons for the difference—sanctions have been more easy to evade in the north, agriculture is easier there, and it has been receiving aid for a much longer period.⁶⁰ *The Economist* is right to argue that ‘the main reason for the relative prosperity of Iraq’s autonomous Kurdish region is that it has an economic life beyond oil-for-food’.⁶¹ In addition, the north has received 22 per cent more per person from the oil sales programme (though this was reduced slightly by SCR 1330) and gets 10 per cent of the funds raised in cash (unlike the centre and south which gets only goods).⁶² This disproves the Foreign Office claims that the sanctions regimes in the two parts of Iraq are identical and that the only difference is that the north is controlled by the UN. Nevertheless, the Foreign Office continues to claim that Saddam Hussein is solely responsible for the suffering in Iraq.

Is the suffering of the Iraqi people due solely to the policies of Saddam Hussein?

Hain has asserted bluntly that ‘There is no reason why anyone outside the Iraqi regime should be blamed for the condition of the Iraqi people’.⁶³ If Iraq had not invaded Kuwait, the sanctions would not have been imposed. Under sanctions, Saddam Hussein has prioritized his own survival and ambitions by ensuring that his military and terror apparatus is well resourced and loyal. He could have acted to ensure that the Iraqi state performed significantly better in protecting those most vulnerable to the sanctions (the poor and the young) such as through the targeted nutrition programmes urged upon him by the UN. He has sought to draw attention to their suffering as a means of getting sanctions lifted without having to give up his pursuit of prohibited weapons. The Iraqi regime, despite UN pressure, orders less food and medicine than it could. This is all part of the British government’s case, and is accepted by opponents of the sanctions concerned with the fate of ordinary Iraqis.

However, although the Iraqi regime could do much more, it does not follow that the sanctions are not causing great suffering. In spite of the repression and the costs of the war with Iran, before the sanctions and the bombing, the people were mostly well fed with over 3,000 calories per day, adult literacy was around 95 per cent, 92

⁵⁹ UNICEF, *Questions and Answers*, 16 August 1999 <<http://www.reliefweb.int>>.

⁶⁰ Associated Press, ‘UNICEF Explains the Numbers’ <<http://www.msnbc.com/news/3000149.asp>>.

⁶¹ ‘Squabbling Over Iraqi Sanctions’, *The Economist*, 10 June 2000.

⁶² Drew Hamre, ‘North vs. South: Professor Garfield’s comments on the UNICEF survey and the State Department’, 16 August 1999 <<http://linux.clare.cam.ac.uk/casi>>. Recent negotiations over a cash component for the centre and south are deadlocked.

⁶³ Peter Hain, ‘It is as Important as Ever to Keep Saddam Hussein in His Cage’, *The Independent*, 7 August 2000 <<http://www.independent.co.uk/argument/Commentators/hain070800.shtml>>.

per cent had safe water, and 93 per cent had free access to modern health facilities.⁶⁴ UNICEF concluded that 'Iraq had converted oil wealth into enhanced social well-being with considerable success'⁶⁵ and *The Economist's* Economic Intelligence Unit observed that 'the Iraqi welfare state was, until recently, among the most comprehensive and generous in the Arab world'.⁶⁶ Saddam Hussein wanted to be as powerful as possible, and he saw an educated, well-fed, healthy population as well as military capabilities as a means to that end. According to Blair in February 1999 'The Iraqi authorities can import as much food as they need. If there are nutritional problems, they are not the result of sanctions'.⁶⁷ The UN is indeed highly critical of Iraq's slowness to secure contracts for targeted nutrition, but Sevan also wrote:

We should not ... be simplistic on this very serious issue. Targeted nutritional feeding programmes on their own will *not* reverse the trends ... The Security Council has a crucial role to play in expediting the approval of applications which have a direct impact on the health and well being of children. What is required is an all out effort to approve most expeditiously applications submitted under the water and sanitation, health and electricity sectors.⁶⁸

The UN has stated repeatedly and consistently that the OFF programme would be totally inadequate even if the Iraqi government did optimize the effectiveness of its humanitarian programmes. According to its Humanitarian Panel:

Regardless of the improvements that might be brought about in the implementation of the current humanitarian programme ... the magnitude of the humanitarian needs is such that they cannot be met within the context of the parameters set forth in resolution 986 (1995) and succeeding resolutions ... Nor was the programme intended to meet all the needs of the Iraqi people ... the humanitarian situation in Iraq will continue to be a dire one in the absence of a sustained revival of the Iraqi economy, which in turn cannot be achieved solely through remedial humanitarian efforts.⁶⁹

Pentagon spokesman Ken Bacon said triumphantly that: 'Iraq is contained ... It has a broken economy. It is an isolated state.'⁷⁰ This broken economy, seen by the United States as an achievement, is central to the problems facing ordinary Iraqis and led Denis Halliday and his successor as UN Humanitarian Coordinator in Iraq, Hans von Sponeck, to resign in protest at the sanctions. The fact that the line taken so far has not led to any prospect of the return of weapons inspectors or the end of sanctions has contributed to the continuing debate over whether other policy options are available.

⁶⁴ CASI, *Starving Iraq: One Humanitarian Disaster We Can Stop* (Cambridge: CASI, February 1999), pp. 5-6 <<http://linux.clare.cam.ac.uk/casi>>.

⁶⁵ Quoted in CASI, *Starving Iraq*, p. 2.

⁶⁶ *Ibid.*, p. 6.

⁶⁷ Quoted in Marcus Gee, 'Pressure Mounts for Quick Removal of Iraq Sanctions', *The Globe and Mail* (Canada), 11 March 1999 <<http://linux.clare.cam.ac.uk/casi>>.

⁶⁸ UN OIP *Introductory Remarks by Benon V. Sevan, Executive Director of the Iraq Programme, at the Informal Consultations Held by the Security Council on Thursday, 26 August 1999* <<http://www.un.org/Depts/oip/latest/benonaug99.html>>.

⁶⁹ UN, *Report of the Second Panel Established Pursuant to the Note by the President of the Security Council of 30 January 1999 (S/1999/100), Concerning the Current Humanitarian Situation in Iraq*, Annex II of S/1999/356, 30 March 1999, para. 46 and 58 <<http://www.un.org/Depts/oip/panelrep.htm>>.

⁷⁰ Quoted in Editorial, 'Lift Sanctions Against Iraq', *Milwaukee Journal Sentinel*, 13 August 2000 <<http://linux.clare.cam.ac.uk/casi>>.

Have opponents of the sanctions failed to offer an alternative policy?

The basic elements of Britain's 'smart' sanctions proposal are much freer movement of civilian goods into Iraq (within the system of handling contracts indicated above) and much tighter control of Iraq's oil sales and borders so that as much of its revenue as possible goes into the UN's escrow account rather than to the regime.⁷¹ It would also involve payments to Turkey, Syria and Jordan, but probably not Iran, to compensate them for the profits they would no longer receive through smuggling Iraqi oil. The crucial element is the escrow account: the humanitarian gains of increased goods flows are likely to be much less than the humanitarian costs of continuing the sanctions and stemming the flow of cash into the economy from smuggling. A hand-out economy is no substitute for a cash economy, including foreign investment. Hence these sanctions would not be smart—they would only be a shift from dumber to dumb at best. Worryingly, Britain is increasingly signing up to the US line that lifting the sanctions would make ordinary Iraqis worse off because oil for food would become oil for weapons. This claim requires one to assume that the lifting of the economic sanctions automatically entails a lifting of the arms embargo, to ignore all the UN studies indicating that Iraqis need a revival of the country's economy, impossible under sanctions, and to ignore the fact that Saddam Hussein has always believed that a powerful Iraq requires a prosperous Iraqi people. With the Iraqi regime adamant that the weapons inspectors will never return and Britain making propaganda headway with its proposal, the Iraqi people could be faced with the nightmare of indefinite sanctions.

It was claimed frequently by Hain that 'The truth is that the critics have no alternative except one which would leave Saddam free to do as he likes'.⁷² However, if he cared to look, he would find many different ideas being circulated.⁷³ The essential components of such an alternative involve a return to a cash economy and foreign investment in Iraq's infrastructure while still retaining an arms sales embargo, an embargo on narrowly defined dual use technology, and UN-authorized military deterrence. Furthermore, there is a need to act on paragraph 14 of SCR 687 which treats Iraqi disarmament as a step 'towards 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'. It is unrealistic to expect Iraq to accept without response indefinitely such weapon programmes in Israel and elsewhere, and the deployment of advanced conventional weaponry in the region. Finally, the International Criminal Court should investigate not only the regime but also the UN bombing and sanctions which have violated the human rights of Iraqi civilians on a vast scale by denying them many of the means necessary for survival. In a report written for the UN, Belgian law professor Marc Bossuyt stated that 'The sanctions regime against Iraq is unequivocally illegal under existing international law and human rights law' and 'could raise questions under

⁷¹ UK Permanent Mission to the UN, *Iraq: UK Draft Resolution*, 22 May and 8 June 2001. Many of the ideas in it were trailed in David Cortright, George A. Lopez and Alistair Millar, *Smart Sanctions: Restructuring UN Policy in Iraq* (Washington DC, Fourth Freedom Forum, March 2001) <www.fourthfreedom.org>.

⁷² Hain, 'Saddam Plays Politics With Suffering', *The Guardian*, 7 March 2000.

⁷³ See, for example, Ritter, 'Redefining Iraq's Obligation'; and Denis Halliday, 'Congressional Briefing', 3 May 2000 <<http://linux.clare.cam.ac.uk/casi>>.

the genocide Convention.’ Bossuyt argues that the victims of the sanctions should be entitled to all legal remedies, including compensation, and that, as the sanctions are illegal, they ‘need not be respected’.⁷⁴

Conclusion: a callous policy defended dishonestly

The British government asserts that:

- Iraq poses a potentially apocalyptic threat;
- Britain’s policy is driven primarily by the need to deal with that threat;
- Iraq has not complied with the relevant UN resolutions;
- Iraqi non-compliance is the reason why sanctions are still in place;
- Iraq refused for years to accept an offer to allow it to sell oil to buy humanitarian supplies, thus demonstrating the British government’s freedom from any responsibility for the plight of Iraqis;
- Iraq is allowed to buy humanitarian supplies freely and can buy all it needs;
- Problems with the distribution of medical supplies are solely the result of deliberate Iraqi government policy;
- Conditions are much worse in the centre and south than in the north solely due to the policies of Saddam Hussein;
- The sanctions are not causing suffering;
- Critics of the sanctions offer no alternative policy other than lifting the sanctions and letting Iraq do whatever it wants.

However, examination of the UN documentation on which the British government claims to rely, and other sources, indicates that:

- Iraq’s nuclear weapon programme has been effectively eliminated while what remains of its BC weapons programmes is not capable of mass destruction;
- Extensive, if incomplete and unwilling, Iraqi compliance has not been rewarded with partial relaxation of sanctions;
- Iraqi incentives to comply are undermined further by the unclarity of the criteria for the suspension or lifting of sanctions;
- The oil sales programme for humanitarian supplies offered was held hostage to Iraqi compliance with demands for compensation, disarmament and monitoring;
- The humanitarian programme has been seriously and unnecessarily damaged by US and British actions on the Sanctions Committee;

⁷⁴ Marc Bossuyt, *The Adverse Consequences of Economic Sanctions on the Enjoyment of Human Rights*, Working Paper, UN Economic and Social Council Sub-Commission on the Promotion and Protection of Human Rights, 21 June 2000, paras 71, 72, 106, 109 <<http://www.cam.ac.uk/societies/casi/info/undocs/ecn4sub2-2000-33.pdf>>. For other assessments, see House of Commons Select Committee on International Development, *The Future of Sanctions*, 10 February 2000 <<http://www.publications.parliament.uk/pa/cm199900/cmintdev/67/6710.htm>>; Thomas G. Weiss, David Cortright, George A. Lopez and Larry Minear, *Political Gain and Civilian Pain* (Oxford: Rowman & Littlefield, 1997); and David Cortright and George A. Lopez, *The Sanctions Decade: Assessing UN Strategies in the 1990s* (London: Lynne Rienner, 2000).

- Many of the problems in the distribution of medical supplies, and many of the factors explaining why conditions are worse in the centre and south, are a product of UN decisions and factors outside the control of the Iraqi government;
- There would be large scale suffering in Iraq even with optimum Iraqi co-operation with the OFF programme;
- Alternative policy ideas have been proposed which abandon the economic sanctions but still address disarmament and related issues.

Despite having all of this pointed out to it many times, the Foreign Office repeats its misrepresentations of UN reports and invents new ones. Hain's successor for a time, Brian Wilson, made the incredible statement that 'There is no evidence that sanctions are hurting the Iraqi people'.⁷⁵ If he really thinks this nonsense, it demonstrates the extent to which self-deception is possible. One official I interviewed agreed that the misrepresentations are deliberate but said that I dealt in 'micro-truths', meaning that my individual points are accurate, but the 'macro-truth' is that the policy is the right one, and that even if the policy is the wrong one, the more important priority is maintaining good relations with the United States.

New Labour's talk of an ethical dimension to foreign policy, humanitarian intervention and 'smart' sanctions is all unpersuasive in the case of the sanctions on Iraq. In all the elements of the British government's case examined in this article, one can see the construction and reiteration of portrayals of the British state as an unblemished moral actor, the Iraqi state as evil, and opponents of sanctions as dupes of that evil state.⁷⁶ There is a frightening sense in which Iraq is merely a screen onto which to project those images, and the terrible consequences for ordinary Iraqis an irrelevance. In an interview with Madeleine Albright, then US Ambassador to the United Nations, Leslie Stahl said 'We have heard that half a million children have died ... is the price worth it?' Albright replied: 'I think this is a very hard choice, but the price—we think the price is worth it.'⁷⁷ If Saddam Hussein had made such a statement, the British government would have unhesitatingly, and rightly, called him a monster. For his part, Saddam Hussein has learned how to live with the sanctions. Meanwhile, the Iraqi people are being ground to pieces, caught between the two sides.

⁷⁵ BBC interview, 26 February 2001 <<http://www.fco.gov.uk/news/newstext.asp?4730>>.

⁷⁶ See David Campbell, *Writing Security: United States Foreign Policy and the Politics of Identity*, 2nd edn. (Manchester: Manchester University Press, 1998).

⁷⁷ 'Punishing Saddam', *60 Minutes*, CBS television, 12 May 1996.