ROLE OF THE UNITED NATIONS IN IRAQ-KUWAIT CONFLICT SINCE 1990

ABSTRACT

THESIS
SUBMITTED FOR THE AWARD OF THE DEGREE OF
Doctor of Philosophy
IN
POLITICAL SCIENCE

By
NAZMA

Under the Supervision of
Prof. B. Rahamathulla

DEPARTMENT OF POLITICAL SCIENCE
ALIGARH MUSLIM UNIVERSITY
ALIGARH
2001
ABSTRACT

Iraq's invasion of Kuwait and the resultant war in the Persian Gulf is considered to be a high watermark in the contemporary history of international relations in general and that of the United Nations in particular. The challenge posed to international order by the Iraqi invasion prompted unprecedented, quick and clear response. Surprisingly, the United Nations, generally known as a dormant body to respond timely to armed conflicts quickly rose up to appraise the development. Within no time a diplomatic and military coalition comprised of 33 nations was created - a phenomenon of unity, organization and military - political cohesiveness had no parallel in post second world war international affairs. The United Nations response to Iraq-Kuwait conflict was novel and unprecedented because no other conflict in the world arena since the inception of the United Nations caused such an active and vigorous resort to the charter framework for the collective enforcement of international peace and security. It was a unique kind of UN's collective security action in which the United States of America and not United Nations, played the central role.

The Cold War antagonisms between the two super powers severely damaged the ideal of collective security. The United Nations' accomplishments, during the Cold War, were modest and only occasionally - when the Soviet Union was absent from the Security Council. Apart from Korean crisis, the only enforcement actions under chapter-VIII of the UN charter adopted by the Security Council were a mandatory embargo of the white breakaway regime of Rhodesia (passed in 1969 and extended in 1968 and 1976) and a mandatory arms embargo declared against South Africa in 1977.

But with the end of the Cold War and subsequent demise of the Soviet Union, the potentialities of the Security Council was rediscovered. The Iraqi
invasion of Kuwait was not only the most blatant case to come before the Security Council, but also the first serious test case after the change in the Soviet policy. Without the protection of the Soviet Veto, Iraq was exposed to an international consensus of unusual strength. The result was the most extensive use ever of the Council's powers. Mandatory sanctions of unprecedented scope were adopted with near universal support and were implemented with the most effective enforcement ever put in place. Following this, a large and diverse coalition of countries contributed a multilateral fighting force that was able to bring in overwhelming superiority over Iraq.

It is against this backdrop the Gulf War and the United Nations response become important to analyse. Various other aspects of the United Nations and its role in the Gulf War and its aftermath need to be examined. Was the UN Charter invoked for its genuine objectives or it was manipulated by the United States? Were the sanctions given enough time before resorting to use of force? Were the provisions under chapter VII of the Charter distorted and used selectively? Can the UN be used as an instrument of any member-state's policy? What were the actual aims of the US? Was it just the liberation of Kuwait or the destruction of Iraq as the war finally showed? What is the rationale of continuation of sanctions against Iraq after liberation of Kuwait? Whether sanctions have achieved their desired goals or have missed the target? What is the justification of frequent bombing of the Iraqi targets by the US? Did the handling of the crisis indicate that the two cardinal principles of the UN Charter - "to save the succeeding generations from the scourge of war" and "to maintain international peace and security" are contradictory? And finally, has the UN lost credibility or vindicated its status as the organ of the international community with primary responsibility for international peace and security?
This work is an endeavour to make a detail study of the above raised questions and to find the answers. This study has been divided into six chapters. The first chapter provides a historical overview of Iraq's claim over Kuwait and prelude to August 2, invasion. Chapter II deals with the Iraqi invasion of Kuwait and the Gulf War. Chapter III deals with the UN role in the Gulf crisis and examines the controversy over legality of the UN actions. Chapter IV provides an overview of global response to the Gulf crisis. Chapter V and VI deal with economic sanctions and arms inspection imbroglio. A summary of all discussions and some suggestions to improve collective security system of the UN have been presented in the conclusion. And also a new Iraq policy has been suggested.

A great deal has been written about the causes leading to the Iraqi attack and annexing of Kuwait in August 1990. Some of them undoubtedly lie in the historical claims and counter-claims, boundary disputes, controversy over the quantum of oil production in the Rumailah oil fields, Kuwait’s attempt to subvert OPEC’s oil prices by over production resulting in the loss of oil revenue to Iraq etc. Iraqi President Saddam Hussein claimed that Arab states of the Gulf had robbed Iraq of $14 billion by depressing oil prices in the international market and Kuwait had exploited its southern Rumailah oil field stealing oil worth $2-4 billion. But unfortunately the world community including Arab countries either failed to understand the validity of Iraq’s grievances or they did not want to get involved in finding an acceptable solution to the Iraqi claims. Many dubbed Iraqi action motivated by its financial difficulties in the aftermath of the Iran-Iraq war and pursuit of regional hegemony.

Whatever be the causes Iraq fell into the trap by marching its troops into Kuwait on August 2, 1990 violating all rules of international legitimacy, lofty Islamic and Arab values and the principles of good neighbourhood which constitute a pillar in international relations. Paradoxically all this happened at a time
when the world was witnessing a most impressive scene of international rapprochement. This mistake of Iraqi leadership led to the beginning of grief and miseries of the innocent Iraqi people - who had hardly any control over decisions taken by their leadership.

The international response to Iraq’s invasion was swift and harsh. Within hours Iraq’s assets were frozen worldwide and the Security Council showing unprecedented unanimity called for an immediate and unconditional Iraqi withdrawal and within days economic sanctions were imposed. But defiant Iraqi leadership instead linked its withdrawal from Kuwait to Israeli withdrawal from the occupied Arab territories, which paid little dividends even among many Arab-Islamic states. In a strategic move Iraq, hoping to forestall an imminent American attack, took all foreign nationals in Iraq and Kuwait into custody and confined them in strategic places to be used as human shields and their release conditional upon withdrawal of the US forces from Saudi Arabia and end of its economic boycott. All these last minute tactical moves by Iraq could not prevent or deter multinational forces from taking military action against it.

Once Iraq failed to implement the Security Council Resolution 660 of August 2, 1990, UN instruments of peaceful dispute settlement were quickly turned into instruments of coercion. Non-negotiable resolutions that succeeded each other swiftly became tools of waging war. Most notorious of all resolutions passed by the Security Council to dislodge Iraq from Kuwait was Resolution 678 authorizing the use of force as an ultimate action to achieve effective and desired end. There is a great deal of controversy and confusion about the legitimacy of authorization of use of force under Resolution 678. The resolution ignored the provision mentioned in chapter VII of the charter which specially empower the Security Council (not any member state) to involve in use of force and to conduct the operation under the Military Staff Committee and under the UN flag. It was
also in contravention of Article 27(3), which requires that an important resolution of the Security Council must have the concurrence of the five permanent members. Since China abstained it implied that it did not concur. Moreover it was evidently clear from the war that the Security Council had very little control over the war authorized by it. No other than the then UN Secretary General Perez De Cuellar himself admitted that “the council which has authorized all this, is informed only after the military actions have taken place”. The disproportionate authority exercised by the United States over decision making and implementation has subverted the authority and credibility of the United Nations. It was also feared that the United Nations was acquiescing too readily in US use of force. For many this authorization was illegitimate, unwise, or merely constituting a multilateral veneer for unilateral action.

The Iraqi invasion of Kuwait undoubtedly represented a blatant challenge to the body of rules governing inter-state behaviour, as laid down in the UN charter. But what the U.S. and its allies did in the name of upholding it and maintaining international peace and security in the region was not less blatant challenge. The way the war was fought by the US and allies not only demonstrated the utter helplessness of the Security Council but also exposed them. It would be a grave mistake to believe that the primary purpose of the US initiated war on Iraq was the eviction of Iraq from Kuwait. The eviction was no more than a means to various ends. It is plain enough that the United States has no principle (as opposed to tactical) objection to aggression by sovereign states against others, and so the reasons for the onslaught on Iraq must be sought elsewhere. The Iraqi misadventure was not the first or only occasion when a UN member had committed a grave violation of its charter principles. The US did not work to activate the UN in military opposition to the Israeli invasion of Lebanon and other Arab lands, to the Indonesian invasion of East Timor; or various South African invasion of Namibia,
Angola and Mozambique. Indeed, there is ample evidence that it conspired, to various degrees, in such invasions; and, of course, the US itself has invaded many sovereign states (notable Grenada and Panama in recent years).

The war on Iraq realistically viewed was intended to serve a number of purposes. It was useful to demonstrate to the world that any grave threat to American interests would not be tolerated, particularly where these required the unimpeded supply of fuel to the world's most energy profligate nation. It was useful also to signal the new global power structure, the 'new world other' in which a post-cold war United States could operate without the bothersome constraint of another global super power. It was to educate the world about post-Soviet political realities.

The UN response to the Iraqi invasion confirmed the international ascendancy of the United States. The US seemed to have exploited the Council and the UN Charter as a tool of foreign policy goals and the UN was an instrument in American hands. Entire operation was controlled by the United States. With the break up of the Soviet Union as an effective deterrent power to the US the latter emerged as supreme international actor in new international order. During the whole Gulf crisis Security Council functioned under the US's will. Not even a single veto was exercised by any permanent member to avoid incurring US ill will. The whole world was clamouring against the shameful role of the UN in the Gulf Crisis. The UN was deaf and dumb, limp, and life-less - a rubber stamp in the hands of the major powers of the world. It was for the first time an individual had been authorized to take military action against another member under the umbrella of the UN. The US was a singular importance in the Gulf war as the sole surviving super power with the military superiority to conduct such a military operation even with little or no support of its allies. The UN was made a scape goat and had to take the blame for unlawful acts, omissions and commissions of
its member states. The UN role was ineffective and inadequate.

The cease-fire agreement (Resolution 687 of April 3, 1991) signed between the United Nations and the Iraqi government, which ended the Gulf War failed to bring any relief to innocent Iraqi people who were forced to pay the price of madness of their leadership. The resolution 687 put yet another ‘unjust and hard’ conditions on the Iraqi people. The unconditional acceptance of various provision contained in it was made a precondition to formal cease-fire. The main provisions of the resolution included payment of reparation by Iraq, continuation of the sanctions, UN guarantee of the boundaries and Iraq’s co-operation in the destruction of it nuclear, biological weapons or weapons based technology and facility. These conditions were never freely negotiated but rather formulated unilaterally and imposed on Iraq under chapter vii. of the UN charter.

The UN cease-fire resolution 687 made it obligatory upon Iraq to destroy all its weapons of mass destruction under international supervision and monitoring. Despite almost a decade of hard work of inspecting every nook and corner of Iraq in search of weapons of mass destruction the UN team has failed to give a certificate, so that sanctions could be lifted. The process has now reached a worrisome impasse, setting Iraq, the US and Britain and for that matter, the UN on a prolonged course of military confrontation, at the cost of making the region more unpredictable and volatile than has been the case historically and imperilling the chances of creating a stable Post-Cold War World Order.

The UN weapons inspection resolutions are so punitive and humiliating that any slight attempt to erode them by Saddam Hussein has led air attacks and bombings by the US and its allies. Air strikes; through misinterpreting the UN resolutions, on Iraq has become almost a routine feature. Taken as whole, there is ample evidence to suggest that the US and a few of its European allies have arrogated to themselves the exclusive right to interpret and implement the UN
resolutions without recourse to the Security Council. This constitute a clear usurpation of the functioning and authority of the United Nations.

The UN as an international organization working for international peace and security, should not surrender itself to the will of a superpower or allow itself to be used as an instrument for achieving certain self interests of that power. The UN has to play its role reflecting the wishes of the international community. It should bring an end to the dilapidation that Iraq is affected with. The Iraqi people should not be punished for the madness of Saddam. They are the victim of Saddam's insanity and US' vindictive attitude. The situation that the Iraqi people are passing through now is more than what human being can bear. Thus the UN must do something to ameliorate their condition. The UN will and not the desire of the US should prevail. The UN must be accorded full scope to act as it was intended to act, with any ultimate decision to employ force being made by the Security Council in accordance with the Charter.
CERTIFICATE

This is to certify that Ms. Nazma has pursued research for Ph.D. Degree on the topic entitled, “Role of the United Nations in Iraq – Kuwait Conflict Since 1990” under my supervision and guidance.

Her research work is original and in my opinion suitable for the submission for the award of the Ph.D. Degree of Aligarh Muslim University, Aligarh.

(B. Rahamathulla)
ACKNOWLEDGEMENTS

In the process of completion of this study, I have had the occasion of receiving support and assistance from a number of scholars and academic institutions, of all words are insufficient to bear the debt of gratitude that I owe to my supervisor Prof. B. Rahamathulla for his intelligent guidance and invaluable suggestions offered despite his busy academic schedules. Indeed this has helped me in understanding and analysing the complicated issues and problem.

I express my deep sense of gratitude to Prof. M.A. Kishore, Chairman, Department of Political Science, Aligarh Muslim University, Aligarh, for his support and encouragement during the course of research. I am also grateful to my teachers Prof. T.A. Nizam, Prof. M. Subrahmanyam, Prof. Murtuza Khan, Prof. (Miss) Iqbal Khanam, Dr. Arif Hameed, Dr. M. Abid, Dr. S. Waseem Ahmad, and Dr. Asmer Beg for their encouragement and cooperation.

Very sincerely, I also owe heartfelt thanks to all my friends for their valuable assistance, encouragement and pleasant association.

I gratefully acknowledge the assistance and help rendered by the library staff of Jawahar Lal Nehru University, Institute for Defence Studies and Analysis-New Delhi. Maulana Azad Library of Aligarh
Muslim University, Seminar Library Department of Political Science, Strategic Studies and Centre of West Asian Studies of Aligarh Muslim University. Without their assistance in locating the source materials the thesis indeed would not have been complete. My special thanks are due to Mr. M. Qasim, Professional Assistant of our Seminar Library for taking keen personal interest in providing me relevant materials.

Eventually, I am indebted to my husband Dr. Afiab Alam, Lecturer, Department of Political Science, A.M.U., Aligarh, for his forebearance and endurance during my pre-occupation with research study. His assistance, encouragement and cooperation strengthened my spirit and ability to complete my thesis in a record period of time.

Mr. Abul Kalam Azad deserves my personal thanks for excellent computer typing.

\[Nazma\]

Aligarh

Dated: 7/12/20
CONTENTS

ACKNOWLEDGEMENTS
PREFACE
CHAPTER-I 1-30
 Iraq-Kuwait Conflict: Historical Overview
  Emergence of Kuwait
  Saddam Hussein and Modern Iraq
  Iraqi Claims Over Kuwait
CHAPTER-II 31-70
 Iraqi Invasion and the Gulf War
  Iraqi Invasion
  International Response
  The Gulf War
CHAPTER-III 71-99
 United Nations' Role in Iraq-Kuwait Conflict
  The UN Response
  Resolution 678 and Use of Force Against Iraq
  The Cease-fire
CHAPTER-IV 100-141
 Gulf Crisis and World's Response
  Role of the United States
  Response of the Former Soviet Union
  Role of the West Asian Countries
  India's Response
CHAPTER-V 142-186
 Iraq and Economic Sanctions
  Economic Sanctions
  Impact of UN Sanctions on the Iraqis
  A New Iraq Policy
CHAPTER-VI 187-225
 Iraq and Weapons Inspection Imbroglio
  Disarming Iraq
  Kofi Annan's Mission to Baghdad - Feb 1998
  Operation Desert Fox
CONCLUSION 226-239
BIBLIOGRAPHY 240-249
PREFACE

Iraq's invasion of Kuwait and the resultant war in the Persian Gulf is considered to be a high watermark in the contemporary history of international relations in general and that of the United Nations in particular. The challenge posed to international order by the Iraqi invasion prompted unprecedented, quick and clear response. Surprisingly, the United Nations, generally known as a dormant body to respond timely to armed conflicts quickly rose up to appraise the development. Within no time a diplomatic and military coalition comprised of 33 nations was created - a phenomenon of unity, organization and military - political cohesiveness had no parallel in post second world war international affairs. The United Nations response to Iraq-Kuwait conflict was novel and unprecedented because no other conflict in the world arena since the inception of the United Nations caused such an active and vigorous resort to the charter framework for the collective enforcement of international peace and security. It was a unique kind of UN's collective security action in which the United States of America and not United Nations, played the central role.

The review of the role of the United Nations during Gulf crisis by various scholars has indicated that it has not acted impartially. And its role was manipulated by the powerful members to serve their own interests. It is also misleading to describe Operation Desert Storm
as the quintessential example of traditional collective security intervention. It, in fact, inaugurated a new model for the use of military force in the post-Cold War era. The allied resistance against Iraqi aggression represented a unique and novel form of unilateralism which was pretended to be a collective security action. The precedents set by the United Nations' involvement in the Gulf War and its aftermath have had wide implications for the future use of force, the UN's credibility and a multilateral world order.

The Cold War antagonisms between the two super powers severely damaged the ideal of collective security. The United Nations' accomplishments, during the Cold War, were modest and only occasionally - when the Soviet Union was absent from the Security Council. Apart from Korean crisis, the only enforcement actions under chapter-VIII of the UN charter adopted by the Security Council were a mandatory embargo of the white breakaway regime of Rhodesia (passed in 1969 and extended in 1968 and 1976) and a mandatory arms embargo declared against South Africa in 1977.

But with the end of the Cold War and subsequent demise of the Soviet Union, the potentialities of the Security Council was rediscovered. The Iraqi invasion of Kuwait was not only the most blatant case to come before the Security Council, but also the first serious test case after the change in the Soviet policy. Without the protection of the Soviet Veto, Iraq was exposed to an international
consensus of unusual strength. The result was the most extensive use ever of the Council’s powers. Mandatory sanctions of unprecedented scope were adopted with near universal support and were implemented with the most effective enforcement ever put in place. Following this, a large and diverse coalition of countries contributed a multilateral fighting force that was able to bring in overwhelming superiority over Iraq.

It is against this backdrop the Gulf War and the United Nations response become important to analyse. Various other aspects of the United Nations and its role in the Gulf War and its aftermath need to be examined. Was the UN Charter invoked for its genuine objectives or it was manipulated by the United States? Were the sanctions given enough time before resorting to use of force? Were the provisions under chapter VII of the Charter distorted and used selectively? Can the UN be used as an instrument of any member-state’s policy? What were the actual aims of the US? Was it just the liberation of Kuwait or the destruction of Iraq as the war finally showed? What is the rationale of continuation of sanctions against Iraq after liberation of Kuwait? Whether sanctions have achieved their desired goals or have missed the target? What is the justification of frequent bombing of the Iraqi targets by the US? Did the handling of the crisis indicate that the two cardinal principles of the UN Charter - “to save the succeeding generations from the scourge of war” and “to maintain international peace and security” are contradictory? And finally, has
the UN lost credibility or vindicated its status as the organ of the international community with primary responsibility for international peace and security?

This work is an endeavour to make a detail study of the above raised questions and to find the answers. This study has been divided into six chapters. The first chapter provides a historical overview of Iraq's claim over Kuwait and prelude to August 2, invasion. Chapter II deals with the Iraqi invasion of Kuwait and the Gulf War. Chapter III deals with the UN role in the Gulf crisis and examines the controversy over legality of the UN actions. Chapter IV provides an overview of global response to the Gulf crisis. Chapter V and VI deal with economic sanctions and arms inspection imbroglio. A summary of all discussions and some suggestions to improve collective security system of the UN have been presented in the conclusion. And also a new Iraq policy has been suggested.
CHAPTER - I

Iraq Kuwait Conflict: A Historical Overview

The traditional regimes in the Middle East can be subdivided into kingdoms and emirates (Principalities) since Saudi Arabia, Oman and Jordan are ruled by Kings, while Kuwait, Bahrain, Qatar and the United Arab Emirates by Emirs. All these states came into being between 1921 and 1971 and always with the active help of Britain, then the leading imperialist power in the region.¹

All the kingdoms and emirates are in the Arabian Peninsula, the least populated part of the Arab-East, which until the late 1960s was also the least economically developed.² The discovery of oil in the beginning of the century has entirely changed the economy of the Middle East countries. Russia, Britain, Germany and USA established their presence in this region in one way or the other for their oil interest and thus a network of refineries came into being with the collaboration of local entrepreneurs in a form of joint ventures. Oil is produced by nationalized companies or corporations. State owned corporations or multinationals oil producing companies were engaged

---

2. Ibid., p.9.
by the Governments and the profit was divided between the companies and the producing countries as per mutually agreed terms.³

The United States being an important player in world politics has always tried to make its presence felt in the region. The primary objective of American policy in the region has been the establishment of American dominance, to control a politically volatile region which is of great economic and strategic interest to the policy makers in the State Department. The Gulf region is one of the major producers of oil and they control the oil wealth and be in a position to defer the mine price of oil in the world markets. At the same time exercise considerable influence in the economic policies of its competitors.⁴

Oil is perhaps the most volatile commodity in the world whereby governments have been overthrown and wars fought to secure possession of oil fields in the region. An American presence in the Gulf poses a threat to Central Asia, the strategic underbelly of the former Soviet Union. The continuing turmoil in the former Soviet Union and the growing restiveness of the Muslim people of Central Asia could provide the United States an opportunity for overt and covert intervention and it is not surprising that elements in the former Soviet Union view with extreme suspicion the possibility that the US military presence would continue despite the opposition from the local people.⁵

5. Ibid., p vii.
Emergence of Kuwait:

Among the territories that the Saudis failed to overrun and add to Saudi Arabia in the 1920's was Kuwait. Along the entire South-Western shore of the Persian Gulf lived half-wild Arab tribes, led by Semi-independent Sheiks (Chiefs). The Ottoman Turks had never really made good their control here, though eastern Arabia was nominally a part of their empire. In the late nineteenth century, increasing attention was focused on this area, there were proposals to build a railroad all the way from Central Europe to Baghdad and the Persian Gulf and to concentrate the trade between Europe, India, and the Far East on this eastern railhead. Under such a plan, the shores of the Persian Gulf would assume very great strategic importance.  

The sheikdom of Kuwait, lying directly to the Southwest of the delta of the Shatt-al-Arab, had been ruled by the descendants of Sabahabu Abdullah since the middle of the eighteenth century. In 1897, Sheikh Mubarak thought his semi-independence was being threatened by the Turks and asked the British government to give him protection. If the route through the Persian Gulf* was going to


* The Persian Gulf is an arm of the Arabian sea separating Iran from the Arabian Peninsula. Connected to the Gulf of Oman by the strait of Harmuz, the Gulf is about 990 km (650mili) long and 56-338 km (35-210mi) wide; it has an area of approximately 240,000 km² (92, 500mi²). The gulf is bordered by Iran, Iraq, Kuwait, Qatar, Saudi Arabia and the United Arab Emirates. The island Sheikdom of Bahrain is the largest of the many islands in the gulf. See for details, S.Shashi (ed.), *Encyclopaedia of Humanities and Social Sciences*, (New Delhi: Anmol Publications, 1979) Vol., 35, p.457.
become important, Great Britain was resolved to have some share in its control. So Britain accepted the Sheikh's invitation and established a protectorate over Kuwait in 1899. At the outbreak of World War-I, in which Great Britain was aligned against Turkey, the wholly theoretical Turkish sovereignty over this area was renounced, and Kuwait became a sovereign state under British protection. At this time, Kuwait was an ill-defined area, its boundaries had never been agreed upon on paper or marked on the ground. In 1922, with the rise to power of the Saudis, it became necessary to clarify this matter. It proved difficult, however, to secure agreement, and in one geographical area no agreement was ever reached. To the south of Kuwait is a so-called Neutral Territory, in which Kuwait and Saudi Arabia in default of a boundary settlement, agreed to share equal rights. They continue to do so, even now that oil has been found there. West of Kuwait, a second Neutral Territory is shared by Saudi Arabia and Iraq.\(^7\)

Kuwait might today be as obscure as several other Sheikdoms in eastern Arabia if oil had not been discovered there. Oil production began in 1946 and increased quickly. Kuwait was found to have one of the richest reserves of oil in the world. An oil port and refinery were built at Mina al Ahmadi; oil royalties began to pour into the treasury of Sheikh Sir Abdullah Al-Salim Al-Sabah, and the eyes of Kuwait's neighbours were turned on this small, weak but rich state. The British protectorate ended in 1961. At once, Kassim of Iraq put

\(^7\) Ibid.
forward a claim to the territory, based on flimsy historical grounds, and his threat to annex it brought back the British forces that had only recently been withdrawn. This show of force deterred Kassim. The independence and sovereignty of Kuwait received general recognition when the territory was admitted to the United Nations, but Iraq, Saudi Arabia, and even Egypt were quietly awaiting their chance to move in.  

The Kuwait affair was the first major crisis of the post-Cold-War period in the Gulf region. In August 1990, when Iraqi President Saddam Hussein annexed Kuwait claiming it as a part of Basra region of Iraq. Kuwait owes its origin to the British imperial decision at the beginning of the century and it remained a source of dispute between

9. K.M. Pannikar, n.4., p.viii

*Basra (Busra, Bussora, or Bassorah) is an oil-shipping port of South-eastern Iraq and the capital of Basra province. It is situated on the Shatt-al-Arab about 115 km (71 mi) from the Persian Gulf. The population is 720,000 (1981 est.). Industries include oil refining and the manufacture of petrochemicals and fertilizer. Petroleum products, wheat, wool, barley, and dates are exported. The city was founded in 636 by Caliph Umar I. An important centre of letters, science, poetry, finance, and commerce under the early Abbasids, it declined in later centuries but revived with the completion of the railroad to Baghdad in the early 20th century. Occupied by the British in World War I and II, it was an important staging post in the Allied supply route to the USSR after 1941. Basra's rapid commercial development after world war II was due to its advantageous location as a port and to the major oil fields nearby. Since the long Iran-Iraq war broke out in 1980, however, the port has been virtually closed. See for details, S.S. Shashi (ed.), *Encyclopaedia of Humanities and Social Sciences* (New Delhi: Anmol Publications, Vol. 4, 1979) p.247.
the two states since the beginning of 16th Century. The Iraqi* claims over Kuwait was based on two issues, namely the historical connection of Kuwait with the Ottoman Empire and the succession of the new State of Iraq to the territorial Sovereignty of that Empire over Kuwait. Until the turn of the twentieth century Kuwait had been officially part of the Ottoman Empire since the eighteenth century, however, the Empire’s rule over the principality had been nominal. The al-Sabah family descendants of the Bedouin Utub Clan, had settled around the Gull’s finest natural harbor, and in 1756 they established an autonomous sheikdom in Kuwait. It was a patriarchal desert society where authority was based on traditional tribal rule without elaborate administrative hierarchy.

Toward the end of the nineteenth century, Kuwait and Britain discovered each other due to common interest. Kuwait feared the


* Iraq has not only been the cradle of the earliest world civilization of Mesopotamia, but it is also one of the “new states”. The present state of Iraq came into existence after the World War- I with the disintegration of the Ottoman Empire. The modern history of Iraq as a politically organized community begins with the Revolt of 1920 against the British occupation. The country came under the British Mandate which, for its own convenience, created a throne in Iraq for a person brought in from Hijaz in 1921. The monarchy lasted for 37 years as it was abolished by a break through Coup d’etat in July 1958. See for details, M.A. Saleem Khan, *The Monarchic Iraq: A political Study* (Aligarh: Centre of West Asian Studies. Aligarh Muslim University, 1977) p.v.


reassertion of Constantinople’s authority while Britain resented Germany’s growing ambitions in the Gulf. On January 23, 1899, the two parties signed a bilateral agreement which gave Britain responsibility for Kuwait’s defense and foreign affairs. When the news of agreement reached Constantinople, the Sultan hurried to declare Kuwait a district of the Velayet (Province) of Basra and nominated the Sheikh of Kuwait as Qaimaqam (district Officer), implying that Kuwait was subordinate to the Governor of Basra. This move, however, was purely symbolic and in October 1913 Britain and Kuwait renewed the 1899 agreement with its exclusivity clause to cover oil as an important source of promoting and strengthening bilateral relations. Britain was the sole country to grant concession in dealing into oil and its wealth.13

Earlier that year, on July 29, 1913, Britain and the Ottoman Empire concluded a significant agreement, “The Draft Convention on the Persian Gulf Area”, which restricted Ottoman sovereignty over the Sheikdom, recognized the autonomy of the Sheikh of Kuwait and acknowledged Britain’s status in Kuwait. According to this agreement, the territory of Kuwait proper was to be delineated by a semi-circle to indicate the area within which the tribes were to be subordinated to Kuwait and the Ottomans were not allowed to establish garrisons or undertake any military action in the Sheikdom without London’s approval or to exercise administrative measures independently of the Sheikh of Kuwait. The agreement also stipulated the inclusion of the

13. Ibid., pp. 63-64.
Warba and Bubiyan islands, strategically located at the northern tip of the Gulf, within Kuwait’s boundaries. However, as a result of the outbreak of the First World War the agreement was not ratified.\textsuperscript{14}

The collapse of the Ottoman Empire in the wake of the First World War created a pressing need for delineating the borders of the new entities established on the ruins of the regional empire. This problem was especially acute in the Arabian peninsula not only due to the lack of a historical legacy of precise permanent territorial boundaries, but also because there were no outstanding topographical landmarks or clear-cut ethnic divisions. At an international conference in the early 1920s, the boundary of Kuwait were established, both on its northern side with Iraq and in the South with Saudi Arabia. Since some difference remained unresolved, the so called Kuwait Neutral Zone was as declared that both Kuwait and Saudi Arabia to share jurisdiction and oil resources, should these be discovered.\textsuperscript{15}

On June 19, 1961 Kuwait was proclaimed an independent state, and a month later was admitted to the Arab League. Britain guaranteed the newly established state military support if the latter so requested. That same year the monarchy elected a Constituent Assembly, which adopted a constitution for the independent state in November, 1962.\textsuperscript{16}

\textsuperscript{14} Ibid., p. 64.
\textsuperscript{15} Ibid.
\textsuperscript{16} Ibid.
Kuwait anxiety to promptly assert its newly gained independence was not motivated by domestic considerations alone, but rather by the desire to affirm its determination to cling to its independence. A tiny state in possession of mammoth wealth, with a large natural harbor and some 120 miles of Gulf coastline, Kuwait was painfully aware that it would have to constantly vigilant with the neighbours because of their evil designs on its wealths. Although immediately premier Nuri Sa'id recognized the boundaries set in the 1913 treaty*, Baghdad never shed away from trying to subvert the Al-Sabah regime. Moreover, in the late 1930s King Ghazi began openly demanding the incorporation of the whole of Kuwait into Iraq.17

During the mid - 1950s, when Kuwait raised the question of demarcation of its borders with Iraq, it seemed as though the countries might agree to solve the border dispute in a favour of Iraq. Under this proposal, Kuwait would have granted Iraq a 99 year lease over the most northerly parts of its territory, together with the island of Warba. Iraq was to guarantee supplies of fresh water to Kuwait in exchange. This was the first occasion when an Iraqi government linked

* Kuwait registered the agreed minutes as a Treaty with the U.N. more significantly Kuwait showed its readiness to review the 1961 agreement with Britain and made a grant of 30 million dinars to Iraq. Iraq in return agreed to provide Sweet water to Kuwait from Shatt-al-Arab. But this understanding did not lead to the resolution of their border demarcation problem. See for details, A.K. Pasha (ed.), _The Gulf in Turmoil: A Global Response_ (New Delhi: Lancers Books, 1992) pp. 23-24.

17. _Ibid._, pp. 64-65.
the question of its border with Kuwait with certain territorial adjustment and demanded transfer of certain island by its southern Sheikhdom. The Amir, however, rejected the idea or any change in the border as he worried that Iraq could blackmail Kuwait often and its claim for Kuwait might be perpetuated.¹⁸

In 1954 the pro-western Iraqi Nuri Sa'id had tried unsuccessfully to persuade Nasser to bring Egypt into a western - sponsored alliance designed to secure the Middle East against Soviet expansionism. The first element of the alliance was already in place by February that year when Pakistan and Turkey signed a mutual defence pact. Nuri Sa'id had been an officer in the Turkish army captured by the British in the Basra campaign in the First World War. But he had since come to regard the relationship with Britain as the key to Iraqi foreign policy. He saw the Soviet Union as Iraq's natural enemy. Premier Gamal Abdel Nasser too was an anti-communist but he believed that the real Soviet threat was of internal subversion which could only be combated by improving the lot of the Arab masses. He had, in any case, defied the Western powers by purchasing arms from the Soviet block.¹⁹

Nasser declined to join the new alliance and in February the following year Iraq went its own way by signing a defence treaty

with Turkey, the foundation stone of what became known as the Baghdad pact including Iran, Pakistan, the United States and Britain. Iraq's membership of the pact created an irrevocable rift with Egypt and was viewed by nationalists at home as yet another surrender to western interests. Nuri Sa'id's reputation was further damaged when it was revealed that he had conspired with the British before the Suez crisis to plot the overthrow of Nasser. These factors helped to sow the seeds of the revolution of 1958, as did Nuri Sa'id's creation of the so-called Arab Federation between Jordan and Iraq, presided over by the Hashemite monarchs, Faisal II and Hussein, a conservative reaction to the setting up of the United Arab Republic.20

In 1958, Nuri Al-Sa'id suggested the accession of Kuwait during a meeting of the Baghdad Pact. But the ruler of Kuwait Abdullah al Saleem rejected this because Kuwait had no desire to join the Pact. He also rejected Nuri Al-Sa'id call to Kuwait to join a Hashemite Federation of Iraq and Jordan to counter the Egypt - Syria federation.21

Syria and Gamal-Abdel Nasser's Egypt at that time formed a unified country, the United Arab Republic which had been formed in 1958, and in February 1960 Saddam moved from Damascus to Cairo. Ostensibly a student, his main activity for the next three years was to increase his stature in the Baath. He became a full member of the inner party, having up to then been only a probationer. The Egyptian

 tolerated the exiled Baathists, who formed a large community in Cairo, but it seems the intelligence services had reason to distrust Saddam, and they denied him the funding often disbursed to exiles. He nevertheless succeeded in getting a small retainer paid from the petty cash of the presidential palace. Saddam is said to have regarded life in Cairo as the equivalent of a prison sentence.22

Saddam Hussein and Modern Iraq:

The three and a half years of exile until the Baathist-led coup which overthrew Qaseem in 1963 were the most obscure of Saddam’s often shadowy and contradictory history. The failed assassination attempt in 1958 in which Saddam played his part had created a rift in Baathist ranks, because a small group of the party’s regional (Iraqi) leadership had gone ahead with the attempt without the direct approval of the national (pan-Arab) leadership, then based in Damascus. After the failure of the plot some Baath leaders abandoned the party believing that it should not resort to criminal acts. However, the organizer of the plot, Fuad-al-Rikabi justified the assassination attempt on the grounds that Qassem was a traitor to Pan-Arabism and that the attack had the approval of the masses. As a result of the split, the Iraqi party in exile was dissolved and reformed under a new leadership. Ali Saleh Saadi, who was to become deputy premier after the 1963 coup, was appointed secretary of the new Iraqi party in 1962 and made clear his opposition to those responsible for the botched murder.

attempt. It was Saadi’s party that finally took control of Iraq with a bloody coup on 8 February 1963 that overturned the Qassem regime. This so-called Ramadan Revolution was mounted by a group of Baathist army officers, although the Baath disguised its role, preferring to hide behind the anonymity of a National Council for the Revolutionary Command.23

At the behest of Ali Saleh Saadi, the Secretary of the Baath, Abdel Salem Aref was installed as provisional president. Aref was one of the leaders with Qassem of the 1958 revolution but had subsequently been purged by the dictator, tried and sentenced to death. In line with his usual practice, Qassem had left the sentence unsigscruples and had Qassem executed the day after the coup. Perhaps it was from this that the young Saddam learned the lession that, once in power, it was safer to liquidate one’s opponents rather than leave them to fight another day. Saddam had returned to Iraq after the coup, to find the party still riven by ideological struggle. Between the right and the left factions (the latter led by Saadi) a centrist faction held sway, led by Saddam relative, the former army officer from Takrit. Hassan al-Bakr. Saddam was soon seen gun in hand, acting as bodyguard for Bakr. The leftists wanted to give priority to the introduction of socialism, and warned against relying on the military elements who had organized the Ramadan Revolution. But Saadi, the deputy primer in the new regime, was criticized as trying to impose

single party rule, rather than co-operating with other nationalist groups. In an effort to reconcile the factions, Michel Aflaq, the Syrian founder of Baath was brought to Baghdad. But he effectively supported the rightist group.  

Iraqi Claims Over Kuwait:

It was clear that the Sheikh of Kuwait wanted to keep his state away from any political alliance with Iraq. He rejected the Iraqi demands of unity or federation. He did so in order to avoid giving any kind of opportunity to Iraq to establish its leadership which may eventually lead to Iraqi influence or domination over Kuwait or even of giving Iraq another excuse which might be used by Iraqi leaders to justify their claims over the State of Kuwait.

On June 1961 just six days after Kuwait gained independence, Premier Qasim of Iraq stated that "Kuwait is an integral part of Iraq. The expected Iraqi congratulations turned into a confrontation when the Iraqi premier laid irredentist claims on the whole territory of Kuwait". In a press conference on 25 June 1961, Qasim announced that he did not recognize a "forged treaty" imposed on Kuwait by the Britain. He also claimed that Sheikh Mubarak was bribed to sign the treaty of 1899 and said that a decree would be issued appointing Kuwait’s ruler as Qaimmqam (Governor) of the Kuwait district of Iraq. He

24. Ibid., p. 38.
stated that Iraq's border extended from north of 'Zago' (Zaiko to South of Kuwait).

Qasim's claims were based on shaky historical grounds: (1) Kuwait had been part of the Basra Wilayet in the Ottoman Empire, and (2) that Britain and other powers had recognized Ottoman's sovereignty over Kuwait both before and after the signature of the 1899 agreement under which Kuwait became a British protectorate. So Iraq, as the successor of that Empire was legitimately and rightfully the proprietor of territories. The above historical ground, even if it is fully valid, did not justify Qasim's claim over Kuwait because Kuwait is not the only new state which was created by foreign powers. Applying the rule of historical rights as criterion for international relations paves the way for Turkey and Iran to demand the annexation of Iraq. The agreement that Qasim pointed at and tried to use as evidence to justify his claim, was signed between two states in various stages, either between the ruler of Kuwait and the Ottoman Empire or between Britain and the Ottoman Sultan. The two were the colonialist powers of the area and Iraq was not a signatory to this agreement. If the Kuwait had submitted at a time to the terms of an Ottoman rule of Basra it was because the entire Arab region was under the Ottoman domination. It is true that the Sheikh of Kuwait once accepted the title of Qaimmaqam in order to protect this state from external threats. Thus, the claim on territory which is based on the concept of "historical right", if

agreed to, would lead to chaos not only in the Arab world but in the whole world.\textsuperscript{27}

Despite the fall of Qasim's regime, the consequence of the crisis lingered in the sentiment of Kuwait and other Gulf States. That manifested itself in the continued complaints of Kuwait from the probable renewal of Iraqi ambitions. Hence came the attempt of the new regime leaders in Iraq reasserting their will of rectifying what Qasim's regime had spoilt through the good neighbourhood and the bolstering of bilateral economic and cultural relations. The two governments soon moved to purify their relations by meeting in Baghdad in October 1963. The Kuwait side was led by Sheikh Sabah Al Sabha the Prime Minister and the Iraqi side was led by General Ahmad Hasan al Bakr, the Iraqi Prime Minister. Discussions ended by signing a mutually agreed upon minute containing the consolidation of the bilateral relations to their mutual interest and desire to erase the damage inflicted on these relations by Qasim's regime and to open a new chapter of bilateral relations between the two sister states in conformity with their bonds and relation free from all shades of estrangement fabricated by the former regime. Therefore, the two sides agreed on the following terms:

1. The recognition by the Republic of Iraq of the independence and total sovereignty of the state of Kuwait within its borders as defined in the letter of the Prime Minister of Iraq dated

\textsuperscript{27} \textit{Ibid.}, pp. 23-24.
July 21, 1932 and approved by the Ruler of Kuwait in his letter dated August 10, 1932.

2. The two governments will bolster their fraternal relations between their two brotherly countries inspired by their national obligation, common interests and aspiration to a comprehensive Arab unity.

3. The two government will undertake to establish bilateral, cultural, commercial and economic co-operation and to exchange technical information.

4. To accomplish the above goals, the two countries have decided to promptly exchange diplomatic representation at ambassadorial level. (An agreed upon Minute between the Iraq Republic and the state of Kuwait, Baghdad 4/10/1963).  

It is worth mentioning that the Kuwaiti Government has registered that agreement with United Nations and the Arab League thus becoming recognized at the Arab and international levels. And though Iraq has not objected to these registration procedures its ill-intention towards Kuwait was evident in its deliberate refrain from submitting it to the concerned Iraqi council for its ratification so as to evade its responsibility in the event of an available opportunity.

Nevertheless, the following years witnessed the growth and strength of bilateral economic, political and cultural relations.

28. The Iraqi Aggression on Kuwait, The truth and the Tragedy (Kuwait: Centre for Research and Studies on Kuwait, 1994) p.50.

29. Ibid., p. 50.
in particular benefited from the loans and the generous financial grants offered by Kuwait. After the signing of the aforesaid agreement, an Iraqi delegation visited Kuwait, detailed agreement were reached by which Kuwait offered Iraq a free loan of thirty million dinars. The Kuwaiti Government emphasized that loan was within the scope and goals of the Kuwaiti Fund which was created to serve developmental projects in the Arab countries in December 1961 shortly after independence.\(^{30}\)

Though the Iraqi - Kuwaiti relations moved within their natural course, tension between the two states re-emerged due to the continued Iraqi ambition in the wealth of Kuwait, asking for more loans and grants using the border problems with small neighbour as a means of pressure or blackmail. That, naturally, led to a halt in coordinating the Joint economic and developmental projects. And though Kuwait did not object to signing an agreement approved by the National Assembly to convey without conditions, about 120 million gallons of water from Shatt-Al-Arab, yet the political sensitivity and other obstacles associated with the project have suspended it preventing its realization. Another agreement has been reached after the quiescence in the border problems in the late seventies when the two sides agreed in the early part of 1978 to adopt the necessary steps for implementation. However, Iraq’s domestic problems and its problems with neighbour Iran prevented the adoption of practical measures to implement the

project which no longer remained vital for Kuwait.\textsuperscript{31}

Following the end of the Kuwait - Iraqi crisis by the collapse of Qasim’s regime and the signing of October 1963 Agreement between the Kuwait and Iraqi Governments under which Iraq recognized the independence of Kuwait, its existing borders and exchanged the diplomatic representation, talks regarding the demarcation of those borders were held directly between the Kuwaiti and Iraqi Governments under which Iraq recognized the independence of Kuwait, its existing borders and exchanged the diplomatic representation, talk regarding the demarcation of those borders were held directly between the representatives of the two governments.\textsuperscript{32}

Despite the financial commitments of Kuwait in the Arab summit conference held in Khartoum to offset the impacts of the Israeli aggression on the Arab territories in 1967, it did not hesitate to offer a twenty five million Kuwaiti dinars to Iraq in October of the same year to finance the power project of Samerra Dam and other development projects. It has been proved that the Kuwaiti loans helped to alleviate the crises fabricated by the Iraqi Regime against Kuwait. That transpired in Al-Sameta event of March 1973 when some Iraqi troops attacked two Kuwaiti border posts in the north east of Kuwait and penetrated three Kilo-meters inside Kuwait.\textsuperscript{33}

\textsuperscript{31} \textit{Ibid.}, p.51.
\textsuperscript{32} \textit{Ibid}.
\textsuperscript{33} \textit{Ibid}.
Those forces did not withdraw till Kuwait offered Iraq a loan with easy terms. Though Iraq showed response to Arab mediation after the crisis to go ahead with the demarcation of the borders as per the 1963 Agreement, Iraq used to justify the delay by its domestic problems. Soon after, the Iraqi Regime got engaged with Iran after the advent of its Islamic Revolution. It announced the revocation of Algiers Agreement of 1975, then it got invaded in a war that lasted for eight year (1980-1988).  

It is true that Saddam Hussein is an ambitious man. Merely eight months before invading Iran, he had boasted that “Iraq is as great as China, as great as the Soviet Union and as great as the United States”. It is equally true that the Algiers Agreement, which established Iran’s sovereignty over half of the Shatt-al-Arab and recognized its superiority to Iraq, was anathema to him. And yet, despite the humiliation attending the conclusion of the 1975 Agreement, the outbreak of war in September 1980 could not have been more ill-timed for the young and dynamic President. Due to the world oil boom in 1979 and 1980 the Iraqi economy enjoyed unprecedented prosperity. Oil export revenues rose from $1 billion 1972 to $21 billion in 1979 and $26 billion in 1980. During the months preceding the war, these revenues were running at an annual rate of $33 billion, enabling Saddam to carry out ambitious development programmes. Numerous construction projects mushroomed throughout the country. Baghdad was grooming itself

Ibid.
to host the summit of the non-aligned movement in 1982. Living conditions of many groups within Iraqi society were on the rise. War could only risk achievements and, in consequence, render Saddam's domestic standing more tenuous.  

But even if these weighty disincentives to war had not existed, explanations that concentrate on Hussein's ambitions present only one aspect of the determination that drove him to invade Iran. The other aspect was most certainly his insecurity, a growing fearfulness bred by the precariousness he perceived in his own regime and by Iraq's glaring vulnerability vis a vis Iran. To the contemporary state of Iraq, Iran represented the major geo-political challenge. A much larger country in territory and population, with its major strategic centers located deep inside the country and with a long Gulf Coastline, Iran easily towered over its smaller neighbour to the West. Recognizing Iran's fundamental superiority, Iraq had no aspirations of competing with its larger neighbour for gulf supremacy. Instead, it directed its energies toward the Arab world (as evident by Saddam's Eight - Point National Charter of February 1980), a less risky and potentially more rewarding arena. In concluding the 1975 Algiers Agreement Saddam virtually acquiesced in a new regional order based on Iranian hegemony in the Gulf in order to stave off any threat to Iraq's lands and his political position. There were no indications what so ever during

35. Efraim Karsh and Inari Rautsi, n.12, p.136.
the latter part of the 1970s that he was seeking to upset this peace with Iran, let alone go to war for this purpose.  

Against this backdrop Hussein followed with much concern the growing revolutionary turmoil in Iran in the late 1970s, which threatened to undermine the status quo set up by the 1975 Algiers Agreement. It is true that a weakened and fragmented Iran could turbulence is channeled outside a state's boundaries to engulf its neighbours.

Saddam's positive attitude toward the revolutionary regime continued well throughout Spring and Summer 1979. When Iran decided to pull out of the Central Treaty Organization (CENTO) - an organization for military and economic cooperation formed in 1959 by Britain, Iran, Pakistan and Turkey as a successor to the Baghdad Pact* - Iraq offered its good services in case Iran should decide to join the non-aligned-movement. When in June 1979 Iraqi aircraft mistakenly bombed the Iranian side of the border in the course of operations against the kurds. Baghdad quickly filed an official apology. By that time President Baker, was referring to Iran as a brotherly nation, linked to the Arab people of Iraq by "strong ties of Islam, history and noble tradition", and praising the revolutionary regime in Tehran for pursuing a policy that underlined these "deep historical relations". In July 1979, the

36. Ibid., pp. 136-137.
37. Ibid., p. 137.

* In 1955 Iraq joined Britain, Turkey, Iran and Pakistan in forming a regional defence organization known as the Baghdad Pact. See for details, Efraim Karsh and Inari Rautsi, n. 12, p. 10.
newly installed President Saddam Hussein of Iraq reiterated his interest in establishing close relations with Iran “based on mutual respect and non-interference in internal affairs”. The dismissive Iranian response to his appeal did not dissuade Saddam Hussein. As late as in August 1979 he extended an invitation to Bazargan to visit Baghdad.\textsuperscript{38} Tehran did not, however, reciprocate Hussein’s goodwill. On the contrary, from its early days in power the revolutionary regime sought to overthrow the Iraqi regime.\textsuperscript{39}

In June 1979, the revolutionary regime began publicly urging the Iraqi population to rise up and overthrow “the Saddamite regime”. A few months later Tehran escalated its campaign by resuming support for the Iraqi Kurds (which had been suspended in 1975), providing aid to underground Shia’ite movements in Iraq and initiating terrorist attacks against prominent Iraqi officials. These reached their peak on April 1, 1980, with a failed attempt on the life of the Iraqi Deputy premier, Tariq Aziz, while he was making a speech at Mustansirriya University in Baghdad. Two weeks later, the Iraqi Minister of Information and culture, Latif Nusseif al-Jasim, narrowly escaped a similar attempt. In April alone, it was estimated that at least 20 Iraqi officials were killed in bomb attacks by militant Shi’ite underground organisations.\textsuperscript{40}

\textsuperscript{38} Ibid., pp 137-138
\textsuperscript{39} Ibid., p. 138
\textsuperscript{40} Ibid., pp. 138-139.
With the isolation of Egypt over the Camp David Agreement Iraq after the Baghdad Arab Summits (1978-79) emerged as the dominant Arab state. The Iranian revolution further pushed Iraq to primacy in Arab affairs. In fact the Gulf region appeared ripe to respond positively to Iraqi goals. It had become well known that Saddam Hussein wished to spread Baath ideology in the Arab world especially Gulf, under the Iraqi leadership. This Iraqi boldness emerged partly because of the perceived decline of Iranian power.41

The revolution in Iran in 1978-79 was a watershed in the postwar politics not only in the Gulf but in entire area of South-West Asia. It changed the politics and role of Iran in the region. The area was overturned. At the same time it brought about a profound change in the relationship between regional states including Iran and the west. The revolution approximately coincide with cataclysmic events taking place by about the same period, Camp David accord in 1978, disbanding of CENTO. Kaaba seizure and Soviet invasion of Afghanistan an 1979, Gulf war starting in 1980 and the seizure of US diplomats in Tehran - all contributed towards a qualitative transformation of Middle East politics. 42

The Iranian revolution practically marked the end of the west's “informal reliance on Iran - Saudi cooperation in the Gulf (envisaged


on the local substitute for Britain’s paramountcy after 1971)”. For the first time, the US political and military dominance of the Gulf was directly challenged. The period also witnessed a general decline in US influence in the region. The CENTO was disbanded by about this time and the US connection had started to be looked upon as an anathema in the Gulf. The seizure of US diplomats as hostage in Tehran exacerbated the situation further lowering US prestige in the region. The Gulf’s oil supply on which west’s both economy and security were critically dependent had been seriously threatened. The Soviet efforts were a foot in gaining foothold in areas close either to the Gulf or Red sea. As the US position in the region seemed to be touching an all time low in postwar period, Soviet invasion in Afghanistan added a new dimension to the prevailing scenario. The US concern was distinctly voiced by President Jimmy Carter of United States. in his State of the Union Message to the Congress in 1980: “An attempt by any outside force to gain control of the Persian Gulf region will be regarded as an assault on the vital interests of the United States of America. And as such an assault will be repelled by any means necessary including military”.  

A rather desperate situation prompted the US to make some adjustments in its security arrangements in the Gulf. The US first few steps in the direction was to “increase its naval power in the Indian Ocean, create Rapid Deployment Force and work towards a...
structure of base facilities in or near the region that would be available for use by the US forces. Initially few came forward to provide base to the US because of apparent US inability to protect her allies in crisis and a US backed Camp David accord universally condemned by the Arabs. Even Saudi Arabia, one of the twin pillar of US security “started demanding that the United States presence should be ‘over the horizon’ and not on its soil”.

Just as the Iranian revolution alarmed the Gulf Cooperation Council (GCC) States they were also concerned with the export of the Iraqi revolution. They suspected Iraqi intentions as outlined in Saddam Hussein’s “Arab National Charter”, of February 8, 1980. Undoubtedly, this charter at least in part at Saudi dominance of the lower Gulf States. Riyadh clearly resented Iraqi intrusions and attempts to spread its influence. Thus GCC states came to suspect both Iran and Iraq. Although the Iraqi threat (despite Saddam recent moderation) in the long run was considerable the Iranian threat was seen as more serious and immediate. It is against this backdrop the Iran - Iraq war broke in September, 1980. Although Iraq went out of its way to exploit GCC states’ fears, the Arab pledge of support for Iraq before the war was not easily forthcoming. Initially the GCC States, although concerned at Iranian threat to export revolution, gave only verbal support to Iraq. Even after the outbreak of the war Arab suspicion of Iraqi ideology and its export persisted, (besides not wanting to antagonize Iran). The full measure of Iraqi irritation found expression in a passage
of Saddam Hussein's speech on July 17, 1981 in which he complained not only of those Arab States “blatantly avowing total bias” in favour of Iran, but also those who had failed to conform with the “minimum level of the Pan-Arab bond” and had “outdone themselves in expressing neutrality”. In order to pre-empt any support from Gulf Arabs to Iraq, Tehran threatened to launch air strikes against any Gulf states that helped the Iraqi war efforts. Basically due to the revolution (and fears of the spread of the Gulf war) the GCC was formed in May 1981. The GCC leaders went out of their way to reassure Iran when they said: “We do not want the GCC to be misinterpreted as an alliance against Iran”.44

With the outbreak of the Iran-Iraq war, Iraq again raked up the question of control over the Warbah and Buhiyan islands and justified its demand on national security and strategic grounds. The summer of 1981, President Saddam Hussein, in a statement, expressed his desire to control two islands for five years. The Kuwaiti official discreetly refused to accept the proposal. However, immense financial aid by Kuwait and political and logistic considerations put effective constraints on Iraqi pressure for some time.45

But in 1984, in the face of Iranian military pushes, Iraq redoubled its pressure for securing the Kuwaiti islands. Kuwait eventually relented and when Prime Minister Sheikh Sabah visited Baghdad in mid

44. A.K. Pasha n. 41, pp. 26-27.
November, it was reported that the two countries had agreed that three islands of Kuwait-Warbah, Bubiyan and Faylaka would be put under Iraqi control for security reasons. In a sense this was the first de-facto step towards Iraq's complete control over Kuwait.46

The response of the GCC to the Kuwaiti bombing was in essence a reiteration of its previous policy: Some tough language towards the Iranian threat, followed by the return to a more moderate position. The GCC foreign ministers in June 1984 reiterated their calls for a peaceful end to the fighting. Concurrently, in order to "provide teeth" to their diplomacy, their military chiefs of staff met to plan responses in the event of further escalations. In the face of growing external threats and internal discontent the Kuwaiti ruler dissolved the National Assembly in mid-1986 at the very time when Iran recaptured Mehran. The Iranian Majlis Speaker Rafsanjani linked the Kuwaiti move to Iraq's defeat. "To our belief, Kuwait's political crisis has nothing to do with the (Gulf) war and the (Kuwaiti) people's growing opposite views on oil prices and oil production". Iranian hostility was also directed at Kuwait because of its policies which hurt Iran more than any other OPEC country. Iraq's intensified campaign of air strikes against economic and oil targets led to further Iranian reprisals against shipping on the Arab side of the Gulf. Iran stepped up attacks on vessels to and from Kuwait identifying it as one of Iraq's key supporters. Kuwait went public and invited former Soviet Union, China and US

to reflag its oil tankers. This brought about massive naval presence in the Gulf of the US and other states. Kuwait became the target of vitriolic Iranian propaganda, and the government faced persistent requests from the US naval forces for facilities in Kuwaiti territorial waters which were politely but firmly turned down. Kuwait's determination to see its policy through despite Iranian intimidation was widely praised. Kuwait's handling of the delicate issue showed considerable depth of experience in dealing with world powers.  

Soon after the Iran-Iraq cease-fire in August 1988 Kuwait confident of Iraqi friendship asked for the demarcation of its border. The Iraqis sent their interior Minister Samir Abdur Razzaq to Kuwait and both agreed to constitute a joint committee to complete the task of demarcation. Again Iraq raised the issue of Bubiyan island and was firm that unless this is transferred to Iraq there won't be demarcation. As before Kuwait turned down Iraqi demand and the situation reverted to the stalemate. It must be stressed that the Al-Sabah rulers were convinced that if they were to yield Iraq on this issue, it would be seen as a grave provocation by Iran. Later in October 1990 Iran told Kuwaiti exiled rulers not to grant the island of Bubiyan to Iraq and that it would take appropriate measures (meaning they themselves will occupy it) if they actually did so as part of any settlement.  

The Kuwaiti delegation to their shock discovered that Saddam Hussein intoxicated with the illusion of victory over Iran made disparaging
remarks on Kuwait’s support to Iraq against Iran. Moreover he said “we expected that after the termination of the war the Emir of Kuwait would pay a visit to Iraq”. Of course, the Kuwaitis quickly realized that there is no use expecting gratitude for the immense help given to Iraq, but the Iraqis by inviting other Arab countries “particularly Kuwait” to join the Arab cooperation council which had given the Iraqis a stronger line of defence against Kuwaiti demands were making it clear that Kuwaitis “still have dues to pay before they can expect a border agreement”. Al Azmina-al-Arabia concluded that Kuwait’s “hopes of drawing up a border agreement have been drowned in the waters of the Shatt-al-Arab” Fed up with the protracted border problem the Kuwaiti ruler in a rare gesture had gone to Baghdad in September 1989 to sort out the problem of demarcation, but was sent packing in a manner that was barely polite.

Saddam Hussein by borrowing heavily from Kuwait, Saudi Arabia and others had mortgaged Iraq’s extensive oil resources for into future to pay for a war that brought Iraq none of the territorial gains or battlefield glories that he promised. However, he was convinced that but for Iraq’s “Victory” over Iran, most of the Gulf Arab states would have fallen to Iran, the first being Kuwait. It is this assessment which propelled him to mount pressure on the Al-Sabhas to be more generous in financial aid and when not forthcoming he invaded Kuwait on August 2, 1990.  

49. Ibid., p. 32.  
50. Ibid., p. 33.
CHAPTER - II

Iraqi Invasion and the Gulf War

At about 2 a.m. (Baghdad time) on August 2, 1990; three Iraqi Republican Guard divisions invaded Kuwait. One proceeded down a coastal road to Kuwait city, a second seized the island oil fields, and the third proceeded to the Saudi Arabian border. Kuwaiti A-4 aircraft and Chieftain tanks fought for three days until their fuel and ammunition were exhausted. The small Kuwaiti Navy also made a valiant showing, with the last two fast attack craft escaping while firing at pursuing Iraqi tanks.¹

Iraqi forces quickly captured Kuwait city and the Emir's palace, while the Kuwaiti ruler, Sheik Jaber al-Ahmed al-Sabah, fled to Saudi Arabia and established government in exile. On August 3rd, the remainder of Kuwait was captured and by the 4th, Iraqi forces we amassed along the Kuwaiti-Saudi border for a possible invasion of Saudi Arabia, it would not only establish itself as the secular leader of the Arab world, but also would control 45% of world's oil.²

Iraqi Invasion:

The reasons for the invasion dated back to the creation of present-

² Ibid., p. 16
day Kuwait. In 1899, Great Britain and Kuwait signed a treaty in which Britain assumed control of Kuwait’s foreign affairs. This was done in order to thwart German imperialist designs in the region, and after World War I began, London established a protectorate over Kuwait. World War I also led to the collapse of the Ottoman Empire and the creation by the European power of Iraq and a number of other countries. These events and decisions were reflections of the European balance of power that did not consider the region’s culture or politics, still reverberate, and the finding of oil and later, in the 1970s, its greatly enhanced value, aggravated trouble at times tribal, situations. Kuwait was an artificial creation imposed by the West, and in both denied Iraq a considerable amount of oil and restricted its access to the seas. This arrangement was never accepted, and when Kuwait received its independence on June 19, 1961, Baghdad almost immediately claimed it, basing this on the facts that Kuwait had been a part of the Ottoman Empire, that it was an artificial British creation, and it threatened Iraq’s access to the sea. Threatened by invasion, Kuwait appealed to the British, whose military reaction in July 1961 was enough to thwart Iraq. Kuwait was admitted to the United Nations and the Arab league, but Iraq did not renounce its claim, would often resurrect it, and would cite it to justify the August invasion.³

Iraq perceived that Kuwait was drawing more than its share from the common north-south Rumaila oil field. In addition, Kuwait had

increased its oil production and reduced its prices, damaging the economies of several Arab countries, including Iraq and Libya. In recent years Kuwait has invested hundreds of billions of dollars in the U.S., Japan and Western Europe, and yet unemployment is extremely high in many Arab countries including Jordan, Yeman, Egypt, Algeria and Morocco. Interestingly enough the ruling family in Kuwait has not invested any substantial amounts of its wealth in its Arab neighbours.4

Other grievances articulated during the cease fire with Iran in August 1988 and the Jeddah conference before the invasion on August 2, 1990 include the following:

1. The overproduction of OPEC quotas.

2. The Iraqi debt to Kuwait ($ 20-30 billions).

3. The oil allegedly taken from the Rumaila field (worth $ 2.4 billion). Kuwait's "war" on Iraq, Kuwait alleged alliance with foreign powers, to effect the economic collapse of Iraq.

4. Lack of implementation of an Arab Marshall plan for Iraq. Iraq claimed it was entitled to expect the Gulf countries to launch a Marshall plan to support its recovery from the war, Just as the U.S. has done in Europe after world war II, and,

5. Kuwait's alleged reluctance to negotiate with Iraq.

These complaints were intensified two years prior to the invasion

in August, 1990. There is no doubt that the Muslim nations in general and the Arab countries in particular have either failed to understand the validity of Iraq’s grievances or they did not want to get involved in finding an acceptable solution to this problem. In both cases they failed to diffuse the rapidly deteriorating crisis.

In early 1990, the Kuwaiti oil minister, Sheikh Ali Khalifah al Sabah, called for the system of oil-production quotas to be scrapped as soon as possible. "From a practical standpoint, the quotas are already irrelevant so all that is needed is a recognition of that fact", he said. He had been closely associated with the policy of high levels of oil production to keep the world oil price low and stable. In May, he was shifted from the ministry of oil to that of finance mainly to assuage Iraqi suspicions of Kuwait over production. The oil production and pricing policy of Kuwait had, by then, become an additional irritant in the Iraqi-Kuwait relations which had already been soured on account of Iraqi demands of cancellation of its debts to Kuwait, Kuwaiti investments in the post-war reconstruction of Iraq and right of access to Bubian.

On 7th July, the Iraqi president Saddam Hussein claimed that the Arab states of the Gulf had 'robbed' Iraq of $14 billion by depressing oil prices on the international market. The next day, the Iraqi foreign


minister Tariq Aziz charged in a letter to the Arab League that Kuwait had erected military outposts on Iraqi soil and exploited its southern Rumaila oil field stealing oil worth $2.4 billion.⁷

Kuwait at the time had oil production quota of 1.5 mbd and was producing 1.9 mbd instead. Till the end of the Iran-Iraq war, it had also produced an additional amount of 1,25,000 bd and supplied the proceeds of its sale to Iraq under the "war relief" agreement. As the agreement was discontinued with the termination of the war, the Iraqi allegations in this regard were well-tied and the Kuwaiti response time-tested. It was widely believed that Kuwait had offered one billion dollars to settle the dispute.⁸

Prior to a meeting of the OPEC Ministerial Council in Geneva on 25 July. 1990. Iraq had implied that it might take military action against countries which continued to flour their oil production quotas. It had also accused Kuwait of violating the Iraqi border in order to steal Iraqi oil resources worth, $2.400 m., and suggested that Iraq's debt to Kuwait, accumulated largely during the Iran-Iraq war, should be waived. On the eve of the OPEC meeting in Geneva, Iraq stationed two armoured divisions (about 30,000 troops) on its border with Kuwait.⁹

The Iraqi threat and military mobilization led to a sharp increase

in regional tension. Before the OPEC meeting in Geneva on 25 July, 1990, President Mubarak of Egypt and Chedli Klibi, the Secretary-General of the Arab League, travelled to Baghdad in an attempt to calm the situation. The USA, meanwhile, placed on alert its naval forces stationed in Bahrain. At the conclusion of the OPEC meeting, however, the threat of Iraqi military action appeared to recede: both Kuwait and the UAE agreed to reduce their petroleum production, while OPEC agreed to raise its ‘benchmark’ price of crude petroleum from US$ 18 to $21 per barrel.¹⁰

Direct negotiations between Iraq and Kuwait commenced in Saudi Arabia at the end of July 1990, with the aim of resolving dispute over territory, oil pricing and Iraq’s debt to Kuwait. Kuwait was expected to accede to Iraqi demands for early negotiations to draft a border demarcation treaty and Iraq was expected to emphasize a claim to the strategic Islands of Bubiyan and Warbah, situated at the mouth of the Shattal-Arab (After Kuwait obtained independence in 1961—it had formerly been under the protection of the UK-Iraq claimed sovereignty over the country, Kuwait was placed under the protection of British troops, who were later withdrawn and replaced by Arab League forces. On 4 October 1963, the Iraqi government formally recognized Kuwait’s complete independence and sovereignty within its present borders). On 1 August, however, the talk collapsed, and on 2 August Iraq invaded

Kuwait taking control of the country and establishing a (short-lived) provisional free government.\textsuperscript{11}

There was no evidence at all to support Iraq’s claim that its forces had entered Kuwait at the invitation of insurgents who had overthrown the Kuwaiti Government. The invasion appeared more likely to have been motivated by Iraq’s financial difficulties in the aftermath of the Iran-Iraq war; by strategic interests. Iraq had long sought the direct access to the Persian Gulf which it gained by occupying Kuwait; and by Iraq’s pursuit of regional hegemony.\textsuperscript{12}

The second of August 1990 was a sad day witnessed by the world. On that day, humanity retracted to the barbaric age, in which the law of the jungle prevailed, as Iraq attacked the state of Kuwait. Ever since its independence, Kuwait has contributed-most enthusiastically to the consolidation of international peace and security, and to the enhancement of international cooperation in economic, cultural and social fields. This aggression was, surprisingly, waged by an Arab Islamic state against a fraternal neighbouring state, equally Arab and Islamic. Peculiarly enough, the attacked state pursues a foreign policy held as exemplary in good neighbourhood vis-a-vis the attacking neighbour. The Iraqi aggression against Kuwait, not only violates the rules of international legitimacy, but also runs contrary to the lofty Islamic and Arab values and the

\textsuperscript{11} Ibid.
\textsuperscript{12} Ibid.
principles of good neighbourhood, which constitute a pillar in international relations in general.\textsuperscript{13}

Paradoxically, this illegitimate aggression took place at a time in which the world was witnessing a most impressive scene of international rapprochement, as though the aggressor meant to wade against the current. Iraq's expansionist ambition in Kuwait had no legal basis and, indeed, contradicted the fundamental principles of international law, which underscore the principle of stable boundaries and the peoples' right to self-determination. The Iraqi treacherous aggression against the state of Kuwait was indeed a human catastrophe. Its negative effect on Arab interests and world economy were manifold, apart from the flagrant injustice to the right of the Kuwaiti people.\textsuperscript{14}

On 2 August, 1990, Iraq launched what was in pure military professional terms a brilliant operation. At 0200 hours, three Iraqi Republican Guard armoured divisions with nearly 300 tanks (mostly T-72s) rolled over the Kuwaiti frontier, in a move coordinated with heliborne air assault with nearly three commando battalions of the special forces. The main force of commandos were landed on Kuwait international airport to make it secure for troops flown in by transport aircraft immediately afterwards. The second element of the heliborne commandos quickly captured most of the key points in the city including

\textsuperscript{13} Abdulla Yusuf-al-Ghunaim, \textit{Kuwait: Statehood and Boundaries} (Kuwait: Kuwait Foundation for the Advancement of Science, 1992) p. 13.

\textsuperscript{14} \textit{Ibid}. 
the command and control centres of the Kuwaiti army. There was hardly any resistance except by the guards at the royal palace.15

In the few hours which were all it took for the Iraqis to reach the city, the duty officers at defence headquarters and managed to alert the government; the minister of defence, Sheikh Nawaf, hurried to the command post, was given an account of what was going on, and as he informed us later in Saudi Arabia, sensibly left the soldiers to cope while he hurried off to warn the other ministers and the Emir. By the time the Iraqis reached the Dasman Palace, the Emir was well on his way to the Saudi border, Sheikh Fahd was the one hero of the whole affair. He stood with a few guards at the top of the palace steps as the first Iraqi arrived, barring their way with drawn pistol. One of the Iraqis casually shot him dead.16

In Kuwait city there were many individual acts of bravery, and a few units put up spirited resistance before being mown down by the ruthless firepower of the Iraqis. But in seven hours it was all over, Kuwait was totally invested by the invaders, the government gone, armed resistance at an end, and the airport closed. An unfortunate British Airways plane enroute to India landed in Kuwait just as the invasion began: the crew and passengers were taken prisoner, and the men moved to Baghdad to form part of the human shield which Saddam so quickly

---


deployed to protect vital targets. It was the sort of quick and efficient victory he had tried for in vain against Iran.\(^\text{17}\)

Saddam initially claimed that Iraqi troops had entered Kuwait at the request of a revolutionary movement opposed to the Al-Sabah, but this claim was soon discredited by his inability to find Kuwaiti nationals willing to serve in a puppet government. This did not prevent the Iraqis installing a provisional cabinet on 4 August which three days later declared Kuwait a republic. The head of this short-lived regime was Alla Hussein Ali, said to be a colonel in the Kuwait army. Kuwaiti sources, however, identified Alaa as an Iraqi officer who had fought in the Gulf war and written a military history of the conflict and who, until the invasion, had been in charge of Iraq’s Fao-I anti-missile programme.\(^\text{18}\)

The US’s immediate concern was to prevent any Iraqi incursion into Saudi Arabia. President Bush stressed that the integrity of Saudi Arabia, its freedom, are very, very important to us; and he promised US support to repel any Iraqi attack.\(^\text{19}\)

The invasion was launched at 2300 GMT. Iraqi units entered Kuwait city’s centre within a few hours. Waving Iraqi flags, Jubilant soldiers in vehicles raced along the thoroughfares. Iraqi helicopters flew overhead. Some of the fiercest fighting was on the banks of the Gulf


at Dasman palace, residence of the Emir, which was attacked by Iraqi tanks and Jets. Smoke billowed from the area witnessed reported loud explosions and heavy machine gun fire.\textsuperscript{20}

The Iraqis also ran into resistance at Mutla, 35 km north of Kuwait city. A foreign resident saw a lone Kuwaiti Jet shoot down an Iraqi helicopter. The Jet swung back to attack another helicopter but was chased away by Iraqi guns. On the ground, hundreds of tanks, armoured personnel carriers, fuel and water tankers and trucks carrying troops headed toward Kuwait city in temperatures above 40 degrees centigrade.\textsuperscript{21}

The ‘Free government’ broadcast its first communique on a previously unused frequency; saying it had dismissed Kuwait’s National Assembly. Election would be held when stability was secured, it said.\textsuperscript{22}

Reports on the conduct of the Iraqi troops in Kuwait varied. Some highlighted the brutality of the Iraqis, focusing on allegations of mass rape of expatriate women.\textsuperscript{23}

The reprisals and tortures carried out by the Iraqis were terrible. Torture on a previously unimaginable scale became the norm, as did summary executions. No Kuwaiti was safe, even in his home. Young men were taken, tortured, returned home and shot in front of their families, who were then forbidden to collect the bodies from the street.

\begin{itemize}
\item \textsuperscript{20} *Asian Recorder*, New Delhi, September, 10-16, 1990, p. 21337.
\item \textsuperscript{21} *Ibid.*
\item \textsuperscript{22} *Ibid.*
\item \textsuperscript{23} *Keesing’s Record of World Events*, London, August 1990, p. 37633.
\end{itemize}
Women, girls, men, boys, and even young children were raped. Children were executed for singing the national anthem, or hanged for no good reason. The entire population was brutalised.24

The Iraqis set up a number of torture and detention centres. Those who survived were left physically, emotionally and mentally scarred. Those who did not, were often brought to the Kuwait morgue for burial.25

Other reports claimed that the Iraqi forces were generally wellbehaved, and that many soldiers had apologized to the civilian population for the invasion. According to some sources the situation had deteriorated when popular Army units entered Iraq soon after the invasion. Looting was certainly widespread, but a major part of it appeared to be organized by the Iraqi government. The New York Times of August 14, 1990, reported that Iraq had transferred between US $3,000 million and $ 5,000 million in gold, foreign currency ad goods from Kuwait and that this had significantly increased Iraq's financial reserves which had stood at an estimated US $ 6,500 million before the invasion. However, in a warning to looters Iraqi television broadcast on August 16 pictures of an executed Iraqi officer hanging above his looted booty in Kuwait city.26

25. Ibid., p. 56
International Response:

In fact, the international response to Iraq's invasion was remarkably swift. Within hours Iraq's assets were frozen world wide and the first of 11 critical United Nations Security Council-resolutions—Resolution 660, calling for an immediate Iraqi withdrawal—had been passed. The speed of the response was due, in no small part, to the fact that neither the former USSR nor China—both permanent members of the UN Security Council—attempted to oppose the resolutions. The following day, a majority in the Arab League condemned the Iraqi invasion at a vituperative meeting hastily convened in Cairo. Three days later, the United Nation imposed wide-ranging import and export sanctions against Iraq. The day after, Saudi Arabia accepted an offer by the USA of up to 50,000 troops to help defend its territory. Western air and naval power began to gather in Gulf, the Red Sea and the Mediterranean, while Saudi Arabia and Turkey shut down Iraqi oil exports by pipeline across their territories. Iraqi oil exports were thus virtually blocked, while exports by sea through the Gulf were blockaded by western naval power. Only Jordan continued to offer a limited point of access to the outer world for Iraq.²⁷

On August 3, 1990, West Germany, Japan and several other countries joined a US led move toward economic sanctions against Iraq.

saying they would effectively freeze Kuwaiti assets in their countries to keep them away from Baghdad.\textsuperscript{28}

The European Community and the North Atlantic Treaty Organization prepared to consider calls for broader trade embargoes and freezing of Iraqi assets.\textsuperscript{29}

Italy, Belgium and Luxembourg also announced plans to freeze Kuwaiti assets. Italy, Poland and Czechoslovakia joined the Soviet Union in suspending arms exports to Iraq. The shift from condemnation to diplomatic and economic moves reflected in part the difficulties that military retaliation against Iraq would pose. Switzerland, stopping short of a freeze, asked its banks to scrutinize carefully any withdrawals of Kuwaiti funds. The Dutch Government froze all Kuwaiti bank accounts and export credits to both Iraq and Kuwait. It said it was considering banning tankers carrying Iraqi crude oil from entering the port of Rotterdam.\textsuperscript{30}

France, the second-largest supplier of weapons to Iraq, issued a 'total and unreserved condemnation of the intervention of Iraqi troops in Kuwait', and demanded an immediate withdrawal. It also froze Kuwaiti and Iraqi assets.\textsuperscript{31}

\begin{flushleft}
\textsuperscript{28} Asian recorder, September 10-16, 1990, p. 21340.
\textsuperscript{29} Ibid.
\textsuperscript{30} Ibid.
\textsuperscript{31} Ibid., p. 21339.
\end{flushleft}
China described Iraq and Kuwait as ‘friends’, saying that there was ‘no conflict of fundamental interests among Third world countries and that no one should resort to force of arms’.  

Japan, which gets more than 10 percent of its oil from the two countries, called for withdrawal of Iraq’s forces (Japan imports 99 percent of its oil, and its economy has proved vulnerable to ‘oil shocks’, emanating from conflict in West Asia).

On August 5, 1990 the UN Security Council approved an economic embargo of Iraq and Kuwait. On August 6, 1990, the UN Security Council met once again in an emergency session and voted 14 to 0 to condemn the attack. It demanded the immediate and unconditional withdrawal of all Iraqi forces to the position in which they were located on August 1, 1990.

Iraq announced on August 8, 1990 that Kuwait was part of Iraq and called for “full unity between Kuwait and Iraq”. The statement stopped short of saying Iraq had annexed Kuwait, but strongly suggested that President Saddam Hussein of Iraq had no intention of giving up the Emirate, which his troops seized in a lightning attack. A statement by the ruling Iraqi Revolution Command Council red over Baghdad television declared “a comprehensive and eternal merger”. later, a

32. Ibid.  
33. Ibid.  
statement by the Armed Forces General Command said Israel was preparing to attack Iraq using aircraft painted with American colours and warned of massive retaliation. The statement was issued as the first US troops were arriving in Saudi Arabia. It said Israeli fliers were issued with false US identity papers. It vowed to defy a rapidly growing western military build-up in the Gulf, sent to bolster Saudi Arabia in case of invasion by Iraqi forces. Baghdad denied that it would attack.\(^{36}\)

The statement about a merger of the two countries confirmed that Saddam Hussein was determined to hold on to Kuwait and defy world pressure for an immediate withdrawal, including a UN-ordered blockade. There was about half-an-hour of wild shooting in the air to celebrate the merger announcement, but the shooting stopped on order of the authorities.\(^{37}\)

The Armed Forces General Command said Iraq had learned that USA had established ‘detailed coordination with the Zionist entity’ and had identified Iraqi targets which it planned to strike, ‘believing this will divert Iraq from its national and pan-Arabians’ The United States had failed to win the support of other countries, it said, and was disguising Israeli aircraft as its own in an attempt to divert Iraqi military retaliation.\(^{38}\)

---

On the same day (August 8, 1990) the UN Security Council convened and adopted a unanimous resolution (No. 662), which declared the annexation of Kuwait to be null and void, and urged all states and institutions not to recognize it.  

President Hafez al-Assad of Syria desired an Arab solution of the crisis. He emphasized that it should be limited to a regional solution and that foreign powers should keep out of the region. Another attempt to hammer out a solution was made by the Arabs on August 9, 1990 when the Arab leaders met in Cairo—Talks continued on August 11, 1990, when the Leagues voted to send an Arab-peace-keeping force to Saudi Arabia which felt threatened. Saudi Arabia had solicited immediate military succor from the United States. In fact, once the American troops were invited by Saudi Arabia and were deployed, all hopes of finding an Arab Solution to the crisis were dashed to the grounds.  

King Hussein of Jordan was under pressure from USA to close Jordan’s only port at Aqaba to Iraqi commerce. It was openly hinted by USA that if Jordan did so, USA would provide some financial compensation to Jordan for the loss of its revenue.  

King Hussein faced an agonizing situation. If he refuses to accede to President Bush’s wishes, USA might block exports from Aqaba, if


he closes the port, he may have a pro Saddam uprising in Jordan. On August 16, 1990, Bush ordered a total naval blockade of Iraq shortly after King Hussein’s mission failed to persuade him to desist from the move.42

On August 17, 1990, Iran and Iraq began exchanging the prisoners of their war of eight years and Iraqi troops simultaneously began vacating disputed Iranian territory. An estimated 70,000 prisoners of war were held by Iran and 30,000 held by Iraq. Peace with Iran released three divisions for Iraq to face USA in a conflict that appeared to be imminent with the imposition of a US naval blockade.43

Iraq, hoping to forestall an American attack, took all foreign nationals in Iraq and Kuwait into custody and confined them in strategic places to be used as human shields. This Iraqi action led to an unanimous Resolution 664 passed by the Security Council on 18 August, 1990. It demanded that Iraq should release all foreign nationals held in Iraq and Kuwait and that Iraq should permit and facilitate the departure of foreign nationals from Kuwait.44

While addressing the people of Iraq on 19 August, 1990 Saddam Hussein blamed the US and Britain for the plight of the trapped foreigners. He offered to release foreign detainees if President Bush offered written guarantees that the US forces will be withdrawn from

42. Ibid.
43. Ibid.
44. Gazi Ibdewi Abdul Ghafour, n. 40, pp. 34-35.
Saudi Arabia and the economic boycott against Iraq would end. Thus, Saddma left no doubt that the foreigners would be used as shields, "their presence, along with Iraqi families, as vital target, may prevent military aggression," he said. President Bush called Iraq's restriction on "innocent civilians from countries" unacceptable and an "offense against all norms of international behaviour". Bush referred to the detained foreigners as "hostages". Iraqi troops began rounding up western nationals from their homes at gun point. On 22 August, 1990 foreign ministers of the European Community rejected Iraq's 24 August, 1990, deadline for the closure of all foreign embassies in Kuwait. On 24 August, 1990, Mikhail Gorbachev sent an urgent message to Hussein warning him that the Gulf situation was "extremely dangerous". Gorbachev signal led that he was ready to back additional measures to toughen the UN embargo against Iraq.45

On 25 August, 1990, the UN Security Council, in a sweeping 13 to 0 vote with Cuba and Yemen abstaining, adopted Resolution 665 authorizing "measures as may be necessary" including military action to enforce the economic embargo against Iraq. Several members of the UN expressed their serious concern over the situation and some of them had reservations but on varying degrees and grounds. Yemen perceived the situation as alarming. It noted that it was for the first time in the whole United Nations' history, that unclear powers were being provided

45. Ibid., p. 35.
to undertake such action which were neither specified nor had any clear
definition of the Security Council’s role and powers of supervision over
those action.46

The Iraqi aggression on Kuwait started by the destruction of the
economic, social and political structure of Kuwait. First, it tried to create
a lackey government; failing to find collaborators, the Iraqi regime issued
a resolution annexing Kuwait to Iraq declaring it on August 28, 1990
as the 19th Governorate under the name of Kazima. The Iraqi media
constantly reiterated that the decision of annexation is eternal and
irrevocable. The Iraqi Regime issued several nominal resolutions to begin
carrying out some projects like the building of a railway from Basra
to Kuwait and the conveyance of Shatt al-Arab waters and others project
he claimed to have been executed. He also proceeded with his attempts
to change the demographic structure in Kuwait by forcing the Kuwaitis
to leave their country or to apply for the Iraqi nationality and to replace
Kuwaiti families with Iraqi ones. The International Community
denounced all these illegal acts.47

Following the Iraqi invasion, there were widespread reports that
Iraqi forces were plundering Kuwait city, looting goods from shops and
warehouses, and searching for Kuwaiti resistance fighters and westerners
in hiding. Iraqi troops, in an attempt to subjugate the population of

46. Ibid.
47. The Iraqi Aggression on Kuwait, The Truth and the Tragedy, (Kuwait:
Centre for Research and Studies on Kuwait, 1994) p. 77.
Kuwait, reportedly burned houses and torture and suspected of opposing the occupation forces. Many installation were dismantled and removed to Iraq. 

The Secretary-General of United Nations, Javier Peregr de Cuellar, acknowledged on September 2 that he had failed in an attempt to bring about a solution to the crisis in West Asia. He said that in two days of talks in Amman with the Iraqi Foreign Minister, Tariq Aziz, he had met with total inflexibility "Yes, I failed, of course I failed", Perez de Cuellar said in a television interview.

Although President George Bush had made it clear that he would like to see President Saddam Hussein of Iraq removed from power. The administration's diplomatic plan in the Gulf rested on the more modest goal of forcing him to withdraw his troops from Kuwait. Then, according to the thinking in Bush's inner circle, the United State and its allies could probably contain Saddam Hussein and neutralize him as a regional power without toppling him. Administration officials said this approach, which had come into focus in recent days, is based on the notion that the Gulf crisis had so rearranged west Asia and indeed much of the rest of the world-politically and militarily, that Saddam Hussein would be unable to pursue an expansionist policy.

50. The Times of India, New Delhi, September 2, 1990.
While the European Community fully intended to stand by the US in the Gulf crisis, what became increasingly apparent at the EC foreign ministers’ conference was the anxiety over what one delegate described as ‘the US appetite for war’.

The final communique issued after conference emphasized that a watertight, firmly applied embargo ‘is the essential condition for reaching a peaceful solution to the Gulf crisis’. This European foreign ministers felt that it was the best way of keeping the US penchant for a first strike, firmly reined. ‘Whatever the dangers, the embargo must be strictly respected. This is the only means of avoiding armed conflict’, said the Italian foreign minister, Gianni de Michelis. Italy was the EEC’s then president.

The US President, George Bush was likely to hear the same message from the Soviet President, Gorbachev in Helsinki. It reflected the determination of the European allies not to allow the anti-Saddam consensus to be in anyway vitiated by a unilateral strike by the US. Shielded as they were by UN approbation, the Europeans feared that they would wake up to a US inspired fait accompli which would undoubtedly lead them all into war.51

The Super Power Summit held in Helsinki on September 9, 1990 ended in a rare display of unity between the USA and USSR in regard to the Gulf crisis. The joint declaration demanded that ‘nothing short

51. The Times of India, New Delhi, September 9, 1990.
of complete implementation of the UN Security Council Resolutions is acceptable'. However, there was a slight difference in approach, namely that the Soviets still preferred a political solution to the problem, with Gorbachev urging President Saddam Hussein to 'display sobriety'. Whereas President Bush indicated clearly at the press conference following the meeting that the United States did not exclude, the use of force 'if the current steps fail'. While the Helsinki Summit was under way, the Iraqi Foreign Minister, Tariq Aziz was visiting Tehran in a desperate attempt to reach an understanding with Iran to break the UN embargo. According to reports emanating from Tehran at that time, Iran had been prepared to consider supplying food and medicine to Iraq and to provide an outlet for its blockaded oil. The difficulty was that in such an event the UN Security Council may be expected to extend the present embargo, which covers Iraq and Kuwait (under Iraqi occupation) to cover Iran as well adding a new dimension to the situation.

The Joint Declaration issued after the Helsinki Summit had, in fact, covered this aspect by stating that the economic embargo could be relaxed to allow for humanitarian aid only if it was ensured that the supplies of food and medicine were strictly confined to those for whom it was meant, 'with special priority being given to the needs of the children', through strict monitoring by appropriate international agencies.52

The United Nation Security Council had still not arrived at a decision about whether "humanitarian circumstances" in Iraq and Kuwait were such that they merit the supply of food. The issue seemed to be bogged down in a welter of UN bureaucracy, politics and questions about sovereignty of Kuwait.

At the heart of the debate was the unseemly haste demonstrated by an impulsive Security Council which in drafting Resolution 661 did not visualize the consequences of using food as a weapon. Essentially the Big Five were now trying to find a face-saving way to wriggle out of it in the face of an impressive Third World solidarity, excluding Gulf states, which would have seldom been emotionally a part of this grouping.

The continuing Gulf crisis was characterized during September 1990 by - (i) the progressive strengthening of the military position of the multinational anti-Iraq coalition, as forces arrived to take up positions in the region and further commitments were made, (ii) the tightening of the economic embargo, extended to include interdiction of air traffic from September 25, 1990 and (iii) the growing perception on the diplomatic front that a negotiated solution might only be achievable in the context of a wider consideration of conflict in the region.

The US Secretary of State James Baker and Treasury Secretary Nicholas Brady were highly successful in efforts in the first half of


September 1990 to reinforce the anti-Iraq coalition by securing large-scale financial commitments, notably from Japan and West Germany, while Saudi Arabia and other smaller Gulf Sheikdoms contributed massively towards the cost of the US mobilization of forces. Meanwhile the adverse economic repercussions, especially for Jordan, Egypt and Turkey were offset in part by promises of financial assistance, but the position for Jordan in particular was much aggravated by the refugee crisis caused by the displacement of hundreds of thousands of foreign workers from Kuwait and Iraq.55

Economic consequences were particularly severe for countries which were forced to bear the costs of accommodating large numbers of refugees, such as Jordan and Turkey or suffer the loss of workers' remittances, such as Egypt, Pakistan, India, Bangladesh and the Philippines. The drying up of remittance flows was compounded by the rising cost of oil imports, and the loss of earning stemming from the trade embargo on Iraq and Kuwait. Jordan, Egypt and Turkey had earned substantial revenues from workers' remittances and trade with, Iraq and Kuwait. Some middle income countries such as India relied heavily on oil imports from Iraq and also benefited from sizeable remittance flows, and for some low income countries, including Pakistan, Sri Lanka, Bangladesh and the Philippines, the loss of remittances and the rising cost of oil imports were expected to slow growth rates to an average

55. Ibid.
of around 1.5 percent by 1991 and add some $3,000 million to annual Third World debt interest payments.\textsuperscript{56}

A report in Le Monde of September 20, 1990, disclosed that India faced the loss of workers’ remittances from Iraq and Kuwait totalling $400 million, and would lose exports to Iraq and Kuwait worth around $185 million, while an oil price increase of $300 per barrel would add $1,700 million to its oil import bill.\textsuperscript{57}

The US President George Bush expressed ‘deep and growing concern’ for Iraqi treatment of Kuwait and said that President Saddam Hussein’s support for terrorism ‘would indeed have serious consequences’. He said he would hold the Iraqi leader responsible for connections he might have with any terrorist acts against US interest. At the same time President Bush said he still hope to see a peaceful resolution of the Gulf crisis and he said he was determined to wait for the international economic sanctions to force an Iraqi withdrawal from Kuwait.\textsuperscript{58}

On September 23, 1990, Saddam Hussein said he would strike Israel and oil-fields in West Asia if Iraq felt its people were being stifled. The ruling Revolutionary Command Council and Baath party also said in a statement that the annexation of Kuwait was “irreversible and eternal.” He repeated his demand that any discussion of a settlement in

\textsuperscript{56} Ibid., p. 37697.

\textsuperscript{57} Ibid.

\textsuperscript{58} Asian Recorder, New Delhi, November 5-11, 1990, p. 21426.
the Gulf region must be linked with negotiations on the Palestinian issue.\textsuperscript{59}

The Bangladesh President Hussein Mohammad Ershad, said that six Muslim countries of Asia were jointly working to resolve the Gulf crisis by trying to bring the concerned parties to a negotiating table. But this would be done only when Iraq withdrew completely from Kuwait and legitimacy returned in the oil-rich Gulf state, Ershad said after a meeting with the UAE President, Sheikh Zayed Bin Sultan-al-Nahyan, in Abu Dhabi. He said that Bangladesh, Pakistan, Malaysia, Indonesia, Maldives and Brunei were drafting a plan to find a peaceful solution to the problem.\textsuperscript{60}

The Emir of UAE made an emotional appeal on September 27, 1990, to United Nations to help free his country from Iraqi invaders and make it once again an ‘oasis of peace and safety’. He said, ‘we receive daily reports of massacres and continuing systematic armed looting and destruction of state assets and individual property’ He made no specific call for action. But in a sign of Kuwaits gratitude for world support, he said the country would write off interest on loans to developing nations. The Kuwaiti leader, who fled to Saudi Arabia when Iraqi troops invaded on August 2, 1990 said ‘rape, destruction, terror and torture are now the rule of the day in the once peaceful and tranquil

\textsuperscript{59} Ibid., p. 21427.
\textsuperscript{60} Ibid.
land of Kuwait'. He said an intense campaign of terror, torture and humiliation was continuing unabated.\textsuperscript{61}

The Security Council which can decide punitive measures has already rallied to Kuwait's side by ordering sweeping economic sanctions, including a sea and air blockade.\textsuperscript{62}

There were few dramatic new developments during October, 1990 in the Gulf crisis as such, the continuing build-up of the United States dominated military response taking place against a background of diplomatic activity, of which the most notable feature was an apparently unsuccessful Soviet attempt to find some basis for a peace initiative. Attention was shifted for much of the month to consideration of the repercussions of the heightened Israeli-Palestinian conflict following the killing of 17 Arabs in Jerusalem on October 8, 1990. The UN Security Council convened on October 8, 1990 to discuss the shooting and the next day the USA proposed a draft resolution condemning the Israeli action and welcoming a decision taken by Perez de Cuellar to send an investigative mission to Jerusalem. The US resolution was not supported by the PLO which had pressed for the dispatch of a mission reporting directly to the Security Council (i.e. not to the UN Secretary General).\textsuperscript{63}

Eventually, on October 12, 1990, the Security Council unanimously adopted resolution 672, which essentially followed the US

\begin{itemize}
\item \textsuperscript{61} Asian Recorder, New Delhi, November 19-25, 1990, p. 21448.
\item \textsuperscript{62} Ibid.
\item \textsuperscript{63} Keesing's Record of World Events, London, October 1990, pp.37758-37760.
\end{itemize}
draft, condemned the shootings and welcomed Perez de Cuellar’s decision to send a mission to the area to ‘recommend ways and means of ensuring the safety and protection of the Palestinian Civilians under Israeli occupation’.  

The Iraqi National Assembly on November 20, 1990, passed a bill introducing the death penalty for people convicted of hoarding cereals. With reports from western sources suggesting that UN sanctions against Iraq were working, the Belgian Foreign Minister Mark Eyskens claimed on November 18, 1990, that the effects were ‘visible in the factories’, where there was a ‘growing lack of spare parts’, although the shops in Baghdad are full of things brought from Kuwait’. Reports from Iraqi army deserters crossing into Turkey indicated that sanction had not yet affected military weapons and equipments, but that food supplies were often inadequate.

On November, 25 1990 and November, 27 a Beirut-based dissident Shia Moslem group, the Supreme Council of the Islamic Revolution of Iraq claimed that 4,500 opposition Moslem fundamentalists, mostly students, had been arrested for distributing leaflets and painting slogans criticizing the regime of Saddam Hussien. The reports added that the arrests had followed ‘bloody clashes with knives and daggers on November 7 and 15, 1990 in Baghad’.

64. Ibid., p. 37760.
66. Ibid.
The UN Security Council on November 29, 1990 approved resolution 678 authorizing member governments to use "all necessary means" to ensure Iraq's complete withdrawal from Kuwait, if by a deadline of January 15, 1991, the Iraqis had not already done so and there by complied with the UN's previous resolutions. It was the first resolution since that of June 27, 1950, on Korea to authorize the use of force. 67

On December 19, 1990 the UN General Assembly passed by 144 votes to one (Iraq) a resolution condemning Iraq for serious violations of human rights in Kuwait including torture, detention, summary execution and disappearances. The human rights organization Amnesty International claimed in a report published the same day that thousands of Kuwaitis had been tortured, raped and killed since the Iraqi invasion on August 2, 1990 and the ensuing occupation. Some 6,000-7,000 Kuwaiti troops had been transferred to Iraq, it said, and thousands of people were held in Iraqi and Kuwaiti prisons, including children as young as 13. 68

Amnesty claimed to have "compelling evidence" confirming that Iraqi soldiers had looted incubators from three of the main hospitals in Kuwait city, thereby causing the deaths of premature babies, the number of such deaths being given by the Kuwaiti Red Crescent society as 300.

The Times of December 11, 1990 however, had quoted an Icelandic doctor
67. Ibid., p. 37870.
who had headed the intensive care unit at the Mubarak al-Kabir hospital, who described as "not true" the reports that Iraqi looting had contributed to the deaths of premature babies, but said that some babies had died "because of lack of staff".69

Kuwaiti sources cited in the International Herald Tribune of December 17, 1990, suggested that at least 7,000 Kuwaitis had been killed and 25,000 arrested since the invasion.70

The Gulf War:

At midnight, on January 13, 1991, the deadline for Iraq to withdraw from Kuwait under the famous UN Resolution 678 expired. The biggest and most powerful air attack in history was launched on 17 January 1991, with wave upon wave of strikes on Iraq by the US-led coalition. After about 18 hours of operations, allied military commanders claimed control of the Iraqi and Kuwaiti skies, crediting the encouraging achievement to the possible destruction of the Iraqi command and communication capability.71

Statesman reported, "Baghadad is burning as war is Raging" 18,000 tonnes explosives dropped in Baghdad chemical, missile and nuclear-sites destroyed. Iraq claimed shooting down of 76 warplanes. Business and Political Observers reported with the Headline 'Iraq is a

69. Ibid.
70. Ibid.
71. Encyclopaedia of West Asia, n. 15, p. 171.
Thousand Hiroshimas'. Ironically, when the news of the attack came Non-Aligned Members of the UN Security Council were discussing the possibility of a raw peace initiative. Thick black headlines and round the clock broadcasts were telling the world of the US attack.

President George Bush said the destruction of the Iraqi nuclear potential and chemical weapons facilities was one of the prime objectives of the attack which came 19 hours after the expiry of the United Nations deadline for Iraq to pull out its forces from Kuwait. Iraqi ambassador to Britain Dr.Azim al-Salihi, had said that his country would fight its enemies “until the last children”.

To drag Israel into the crisis on January 18, 1991, Iraq launched eight Scud missiles over Israel’s Tel Aviv, Haifa and other cities. The probability of Israeli intervention, widening the conflict and having an adverse effect on the Arab members of the coalition was initially high. Israel wanted to launch a 100 plane counter strike against Iraq on January 19, 1991, followed by helicopter and commando raids through Saudi Arabian airspace. However, tremendous international political pressure was brought to bear on the Israel government to dissuade it from this action. In response the coalition sought to destroy Iraq’s Scud capability and provided improved defences for Israel and Saudi Arabia.


73. Encyclopaedia of WestAsia, n. 15, pp. 171-172.
The US-led multinational forces launched an attack on Iraqi ground forces entrenched in Kuwait on January 20, 1991. In what was widely seen as a prelude to a full-scale land war, while widespread bombing on Iraq’s military targets continued for the fourth day.

However, the US and Britain agreed to hold back ground attacks on Iraq “for some time”, and continued with air bombardments. The agreement came after the British Prime Minister John Major, and the US President, George Bush, reviewed the results of the first three day of fighting in the Gulf in a 20-minutes telephone conversation. Meanwhile, the supreme commander of the allied forces in the Gulf, General Norman Schwarzkopt, said that Iraq’s nuclear, chemical and biological weapons capability had been almost totally destroyed. In Baghdad, the Supreme Assembly of the Islamic Revolution of Iraq (SAIRI) strongly condemned the western air attacks on the holy sites of Karbala and Najaf and cautioned Turkey against involvement in war. Libyan leader Col. Gaddafi urged Arab countries to press Security Council to pass resolution to end Gulf war.

On January 23, 1991 Israel agreed not to retaliate against Iraq’s third Scud strike, while US-led multinational force Jets pounded the Iraqi port city of Basra. Iraq announced it would continue to attack Israel to liberate the Palestine and raided both Israel and Saudi Arabia.74

Iranian President Hashemi Rafsanjani on February 4, 1991 offered to hold talks with Baghdad and Washington for a solution to the Gulf War even as US led coalition warships began the naval shelling of key Iraqi positions in Kuwait. Iranian president had also talks with Pak President. Gulf War entered its 19th day and both Iraq and US led forces preferred for a ground offensive. Yet the first time since the 1979 Islamic revolution US and Iran talks started. Soviet Deputy Foreign Minister Belonoyo also felt for Teheran for talks with Iran's officials.75

Ground operations began about midday on February 23, 1991, when leading reconnaissance elements advanced into Iraq. The French Division attacked the following morning supported by a brigade of the US 82nd Airborne Division and an American artillery brigade. The attack was initially unopposed, but encountered an Iraqi brigade occupying fortifications on their initial objective.76

Meanwhile experts from the World Health Organization (WHO) and the UN Children's Fund (UNICEF) visited Baghdad at the invitation of the Iraqi government. They reported that all parts of the country were threatened with epidemic as a result of severe shortages of medicines and drinking water and lack of sanitation. The team found that the supply of fresh water for all purposes in Baghdad had fallen to between 5 and 20 liters per person per day compared with 500 liters before the war.

75. Ibid., p. 208.
76. Encyclopaedia of West Asia, n. 15, p. 172.
and that diarrhoeal diseases among children had quadrupled. Conditions were much worse in rural areas and especially in the town of Basra. The report also confirmed that the lack of electricity had drastically impaired the quality of medical services. A report in the *Guardian* of February 19, 1991, had claimed that in Baghdad alone the lack of electricity was causing the death of 50 babies a day.\textsuperscript{77}

Keeping in view deteriorating situation in Iraq, offers of assistance, especially of food and medical supplies, came from a number of countries and international institutions. On February 16, 1991, UNICEF confirmed that 50 tonnes of medical aid for the treatment of mothers and children had arrived in Baghdad. On February 19, 1990 the UN Security Council authorized the International Committee of the Red Cross (ICRC) to make emergency deliveries of water purification equipment to reduce the risk of epidemics. The first convoy of medical supplies from Iran arrived on January 31, 1991, followed by a second on February 9, 1991, On February 10, 1991, Iran sent a further 16 tonnes of medical supplies under the supervision of the ICRC. On February 21, 1991, India also announced that it was sending medicine worth Rs. 10,000,000 while Algeria donated some 8 tonnes of food and medicines. On February 25, 1991, medical teams left Jordan and Tunisia carrying consignments of medicines, medical supplies and baby food.\textsuperscript{78}

\textsuperscript{77} Keesing's Record of World Events, London, February 1991, p. 37986.
\textsuperscript{78} Ibid., p. 37987.
Kuwait was finally liberated on February 26, 1991, after 208 days of Iraqi occupation, had reportedly suffered severe shortages of essential supplies including food and medicines, and epidemics of cholera and dysentery. On 28 February, 1991, Iraq conveyed to the Security Council that it accepted and will comply fully with its resolutions. Iraq also announced the acceptance of 11 other Security Council Resolutions.

The UN Security Council on March 2, 1991 passed resolution 686 on a cease-fire in the Gulf War. A defacto cessation of hostilities had been observed by the US-led coalition force and Iraq from February 28, 1991. The terms laid out in resolution 686 were accepted by Iraq on March 3, 1991, as announced on Baghdad radio and conveyed in a letter to the UN from Tariq Aziz, then Iraqi foreign minister.

After the liberation of Kuwait eight Arab members of the anti Iraq coalition, meeting in Damascus on March 5-6, 1991, agreed to establish in Arab Peace Force as part of an ambitious regional security plan. The meeting was attended by the Foreign Ministers of Egypt, Syria and the six Gulf Co-operation Council (GCC) countries (Bahrain, Kuwait, Oman, Qatar, Saudi Arabia and the United Arab Emirates). The only Arab member of the anti-Iraq coalition not in attendance was Morocco. The participants signed the 'Damascus declaration' on March 6, 1991, which called, among other things, for the formation of an Arab peacekeeping force to maintain Security in the Gulf. The declaration

79. Ibid.
indicated that the force would consist mainly of Syrian and Egyptian forces and would "guarantee the security and peace of Arab countries in the Gulf region".81

And in Kuwait later in March the Government announced that elections would take place within 6 to 12 months, following the return of Kuwaiti exiles and the compilation of a new electoral roll. The Government also declared its intention to reduce the number of foreign workers in Kuwait. On 20 March, 1991 the Council of Ministers resigned, apparently in response to public discontent at the Government failure to restore supplies of electricity, water and food.82

On April 3, 1991, the UN Security Council adopted its comprehensive resolution 687 on the terms of a full cease-fires in the Gulf. The passing of the resolution based on a United States draft, followed a week of intensive lobbying by the Bush administration. A separate resolution 689 on April 9 created a demilitarized zone between Iraq and Kuwait, monitored by an observer mission for which all five permanent security council members were prepared to provide military personnel. Resolution 687 was accepted on April 5, 1991, by Iraq’s ruling revolutionary command council and on April 6, 1991, by the Iraqi National Assembly, after "extensive discussion", with 160 votes in favour and 31 against. Iraq’s permanent representatives at the UN, Abdul Amir al-Anbari, conveyed on April 6, 1991, his government's formal

81. Ibid., pp. 38116 - 38117.
acceptance. On April 11, 1991, the UN Security Council, having meanwhile approved resolution 689 on a demilitarized zone between Iraq and Kuwait, notified the government that a cease-fires in the Gulf was formally in effect.\(^{83}\)

In mid April 1991 the Amir of Kuwait announced that elections to restore the National Assembly, which had been dissolved in 1986, would be held in 1992 after the gradual return of the 400,000 Kuwaiti citizens who remained abroad. Illegal opposition groups, such as the Popular Islamic Congress, the Islamic Constitutional Movement, the National Islamic Coalition and Salafeen, responded to the Amir’s announcement by demanding the cessation of the nepotism towards members of the Al-Sabah family; the legalization of political parties; the separation of the government and the Al-Sabah family; the restoration of the freedom of the press; and an independent judiciary.\(^{84}\)

On April 20, 1991 the formation of a new Council of Ministers by the crown Prince was announced. Although several technocrats were appointed to important positions with the council, the major portfolios—foreign affairs, defence and the interior—were all retained by members of the Al-Sabah family. Members of opposition groups immediately denounced the new Council of Ministers as ‘unrepresentative.’\(^{85}\)


\(^{84}\). *The Middle East and North Africa- 1994*, p. 573.

Eight months of the Gulf crisis, in a way, acted as a catalyst for the emergence of a new regional and world order. Even before the Gulf crisis had erupted, the international environment was slowly changing. From being an essentially ideology based bipolar system with the USA and USSR acting as the leaders of the two blocks, we were now seem to be on the verge of a new detente. Unlike in the past, the basic of the new detente is not peaceful coexistence of opposing ideologies but the willingness of the socialist bloc to pursue a capitalist path of development and to seek the help of the erstwhile enemy in that process.\(^{86}\)

The Gulf crisis also had ramifications outside the Gulf. Though the coalition's strategy vis-a-vis the Gulf crisis was not formulated as a conscious part of its global strategy, the main thrust of its response did project the USA as the new leader of the North. That message was not only directed at the USSR, whose so-called peace initiatives were summarily dismissed by the US, but also at the dissent movements in Europe. While governments followed the US, the French Defence Minister and an Italian Admiral had to resign on the question of the extent of their country's support to the coalition's policy under US leadership. The Gulf crisis offered to the American administration an opportunity for projecting a high moral tone in justifying the use of the force in the Gulf. President Bush, in a press conference on 5 February 1991, said that the Gulf war would be America's last war. He said that

there would be no need to fight another war because of the new world
order.87

Earlier, in his State of the Union Message on January 29, 1991,President Bush had said that the US would bear a major share of leadership in the world's effort to bring about a new world order 'where brutality will go unrewarded and aggression will meet collective resistance.' He went on to add that among the nations of the world, only the USA had the moral standing and the means to back it. 'We're the only nation on this earth that could assemble the force of peace. This is the burden of leadership and the strength that has made America the beacon of freedom in a searching world'. The US economy could not have faced the heavy burden of the war on its own. It was promised a heavy subsidy amounting to $54.545 billion, the bulk of which came from Saudi Arabia ($54.545 billion, the bulk of which came from Saudi Arabia ($54.545 billion, Kuwait ($16.0 bn), Japan ($10.74 nb), Germany ($6.57 bn) and UAE ($3.0 bn). Of that amount, $25.642 bn had already been contributed by the middle of March. Thus the Gulf war might even prove to be a massive RDF/CENTCOM exercise, with live ammunition and targets, founded by the friends of the USA in and outside the region, for the control of Gulf oil.88 Thus, whatever the global response, the Gulf will, for some time to come, remain under the overall umbrella of the USA.89

87. Ibid., p. 34.
88. Ibid.
89. Ibid., p. 35.
CHAPTER - III

United Nations' Role in Iraq-Kuwait Conflict

Iraq's leader Saddam Hussein ordered the invasion and occupation of Kuwait with the apparent aim of acquiring that nation's large oil reserves. It is now clear that the 39-day relentless, round the clock aerial campaign of the US-led multinational force failed to subjugate Iraq. The focus thus shifted to their stated aim of evicting Iraq from Kuwait by a ground offensive. Hundred hours of a successful multipronged offensive resulted in a complete rout of the Iraqi army and its retreat from Kuwait. On August 3, 1990 the United Nations Security Council called for Iraq to withdraw from Kuwait, and on August 6, 1990 the council imposed a world wide ban on trade with Iraq. Iraq's invasion and the potential threat it now posed to Saudi Arabia prompted the United States and its Western European NATO allies to rush troops to Saudi Arabia to deter a possible attack, Egypt and several other Arab nations joined the anti-Iraq coalition and contributed forces to the military build up.¹


had reached a strength of 700,000 troops, including 540,000 US personnel and smaller numbers of British, French, Egyptians, Saudis, Syrians and several other national contingents. Saddam Hussein steadfastly refused to withdraw his force from Kuwait, however, which he mentioned would remain a province of Iraq (the latter had formally annexed Kuwait on August 8, 1990).  

The Persian Gulf war began on January 16-17, 1991, with a massive US-led air offensive against Iraq that continued throughout the war. Over the next few weeks, this sustained aerial bombardment destroyed much of Iraq’s command and communications infrastructure, power-generating capacity, air-fields and air defense network, and chemical weapons and nuclear-research facilities. By mid-February the allies had shifted their air attacks to Iraq’s forward ground forces in Kuwait and southern Iraq, destroying fortifications, bunkers, weapons stockpiles and tanks and other armoured vehicles. A massive allied ground offensive was launched northward from north eastern Saudi Arabia into Kuwait and southern Iraq on February 24, 1991. and within three days the allies had retaken Kuwait city in the face of crumbling Iraqi resistance. Meanwhile, the main allied armoured thrust was taking place west of Kuwait, and by February 27, 1990, these forces had destroyed most of Iraq’s elite Republican Guard units after the latter had tried to make a stand south of Basra in south-eastern Iraq. By that time the U.S. President George Bush had declared a cease-fire on February 28, 1991, Iraqi resistance

2. Ibid., p. 309.
had completely collapsed. In the aftermath of its defeat, Iraq was swept by popular uprisings against the government of Saddam Hussein, who managed to suppress them with some difficulty. Kuwait’s independence was restored, but the UN-sanctioned trade embargo on Iraq remained in force even after the end of the war.³

The end of the Cold War has revitalized the United Nations' Security Council and has allowed it to begin to act in the way the authors of the UN Charter intended. In 1990 the Iraq-Kuwait conflict, an unusually clear and unambiguous case of aggression, provided the Security Council with a major challenge which was also the first full-scale test of collective action against aggression by the United Nations through a United Security Council. On this occasion the Security Council demonstrated the decisiveness and sense of urgency which had been notably absent on many previous occasions. Both the post-Cold War political climate and the stark clarity of the aggression itself contributed to this reaction, which was in dramatic contrast to the Security Council’s pusillanimous response to Iraq’s 1980 aggression against Iran. Between August 2 and November 29, 1990, the UN Security Council adopted 12 resolutions on the Iraq-Kuwait conflict.⁴

The UN Response:

The UN response to the crisis through a multilateral action under  

3. Ibid., p. 309.
its centralized direction created a historical watershed as far as its responsibility of maintaining international peace and security is concerned. The UN charter provides different methods for settling international disputes namely, diplomatic, judicial and coercive. The charter explicitly mentions in Article 1 that the purposes of United Nations are, inter-alia to maintain peace and security and to that end take effective collective measures for the prevention and removal of threats to that peace, and the suppression of acts of aggression or other breaches of peace, and to bring about by peaceful means and in conformity with the principles of justice and international judgement or settlement of international disputes or situations which might lead to breach of the peace. The security council also empowered to determine the existence of any threat to peace, breach of peace, or an act of aggression and take such action by air, sea or land forces as may be necessary to maintain or restore international peace and security. The charter of UN also provides for all members of UN in order to contribute to the maintenance of peace and security, undertake to make available to the security council, on its call and in accordance with a special agreement or agreements, armed forces, assistance and facilities, including rights of passage, necessary for the purpose of maintaining international peace.

7. UN Charter, Article 39.
8. UN Charter, Article 42.
9. UN Charter, Article 43.
Thus UN charter provides for both peaceful settlement of a dispute when referred to the UN under chapter VI, as well as active intervention under chapter VII of United Nation’s charter.

The Iraqi invasion on August 2, 1990 and its occupation of Kuwait represented a most blatant challenge to the body of rules governing inter-state behaviour, as laid down in the United Nations. This is not to say that invasion of Kuwait by Iraq is the first and only country to have committed a gross violation of UN charter principles. Indeed, Korea (1950-53), Hungary (1956), Suez (1956), Czechoslovakia (1968), Afghanistan (1979-89), Panama (1989) and many others bear glaring testimony of such violations of UN charter.

Immediately after the Iraqi invasion of Kuwait, the United States called for an emergency meeting of the Security Council under Chapter VI, Article 35(1) which provided that any member of the UN may bring any dispute, or any situation of the nature referred to in the Article 34, to the attention of the Security Council or General Assembly. In the meeting it was decided that the invasion as an unwarranted invasion by a sisterly country (Iraq) against a peace living country (Kuwait). The representative to the UN stated that if the security council could not enforce Iraqi withdrawal, “no country will be safe and the security, sovereignty and territorial integrity of every state will be jeopardized”.\(^\text{10}\)

Whereas, Iraq attempted to justify the invasion on the invitation of the

---

\(^{10}\) *Security Council Official Records (Provisional), Verbatim, 2932 mgt., August 2, 1990, p. 6.*
provisional Free Government of Kuwait that was staging a coup d'etat in Kuwait. Iraq, then declared Kuwait as 19th province of Iraq claiming that the branch has returned to its origin. However, the invasion of Kuwait by Iraqi forces was considered as wrong, brutal and illegal move, as occupying and annexing a country by use of force is not an option open to any country in the community of nation.

There was an unprecedented response to this event within as well as outside the United Nations. The day August 2, 1990, the event took place, Security Council passed the Resolution 660 under the terms of Article 39 and 40 of Chapter VII of UN Charter, in which it condemned the Iraq's invasion and demanded the complete, immediate and unconditional withdrawal. It also called on Iraq and Kuwait to begin immediately intensive negotiations for the resolution if they have any differences over it. In the council, Yemen, the only Arab country on the Security Council as a non-permanent member, did not take any position. It is very interesting to note that it was for the first time, the United States and Soviet Union were in political consonance at the United Nations Security Council resolution despite Soviet-Iraqi Treaty of Friendship concluded in 1972.

This was not the first time that the provisions of chapter VII of the charter were cited as the basis of resolution. At least two occasions

---


in the past, in 1948 in order to resolve the conflict in Palestine, and in 1987 to call for an end the Iran-Iraq war, the Security Council has acted under these powers. In this connection, Article 25, Chapter V, provides that the resolutions are binding on member states and their violation will result in imposition of sanctions. Iraq promptly rejected the Resolution 660 and called it iniquitous and unjust, taken without allowing itself sufficient time to comprehend the situation and to acquaint itself with the facts from the parties concerned.\(^{13}\)

On the contrary, Kuwait, which welcomed the resolution, accused Iraq of plundering and looting its resources and called upon Security Council to ensure the wishes of international community by imposition of sanctions against Iraq for its refusal to withdraw from Kuwait.

Indeed, the United States, the European community, Japan, Canada and the Soviet Union had already announced measures like freezing assets, ban on oil supplies, stoppage of export of arms etc., to widen out the net and seek collective endorsement of those unilateral measures. As a result the Iraqi representative vainly warned the Security Council that any move for economic sanctions, instead of helping resolution of the crisis, would exacerbate it and might create a heavy, negative impact on the economies of the developing countries.\(^{14}\)

---


Therefore, on August 6, 1990 the Security Council adopted resolution 661. Acting under Chapter VII Article 51 of the Charter imposed mandatory sanctions against Iraqi and Kuwaiti trade, affecting all purchase or transshipment of oil and other commodities and products, banning new investment, and banning sale or supply of any products, including arms, but excepting medical supplies and foodstuffs "in humanitarian circumstances". A committee on compliance, set up with representatives of all 15 Security Council member countries, heard on August 28, that well over half of all UN member countries were committed to the embargo. Switzerland, although not a UN member, joined the embargo by banning oil imports and arms sales and freezing Iraqi and Kuwaiti assets - the first time it had associated itself with UN sanctions.¹⁵

Even in advance of the Security Council's August 6 resolution, the Soviet Union on August 2, 1990, and China on August 5, 1990 joined European countries in suspending arms sales to Iraq. Brazil, a significant trading partner of Iraq, joined the embargo but emphasised that this did not cover food for humanitarian use. Iran would also enforce the embargo, according to an announcement by President Rafsanjani on August 24, 1990, despite the unexpected announcement by Saddam Hussein on August 15, 1990 that Iraq would in effect accept Iran's terms for a peace settlement between two countries.¹⁶ On 17 August, 1990 the UN Secretary General Javier Perez Decuellar, described the American naval blockade

¹⁵. Keeseing's Record of World Events, August 1990, p. 37639.
¹⁶. Ibid., p. 37639.
of Iraq as "a breach of the UN Charter".\textsuperscript{17} This resolution had been passed by 13-0-2 with the abstention of Cuba and Yemen from Security Council.

Despite severely criticising the Security Council resolution, Iraq formally annexed Kuwait on August 8, 1990 and claimed that it was a part of Iraq in the past. The Resolution 662 was therefore unanimously adopted by Security Council on August 9, 1990. It declared Iraqi annexation of Kuwait "null and void" and demanded that Iraq rescind its declaration of merger. Called on all states and institutions not to recognize the annexation and to refrain from actions which might be interpreted as indirect recognition. Determined to bring the occupation of Kuwait by Iraq to an end and to restore the sovereignty, independence and territorial integrity of Kuwait. Determining also to restore the authority of the legitimate Government of Kuwait.\textsuperscript{18}

Iraq held that all the foreign nationals residing in Iraq and Kuwait into custody and confined them in strategic places thinking to be used as human shields. Again this action of Iraq unanimously led the Security Council to pass Resolution 664 on August 18, 1990. The resolution warned Iraq and demanded that Iraq must permit and facilitate the immediate departure from Kuwait and Iraq of the nationals of third countries and grant immediate and continuing access to consular officials of such

\textsuperscript{17} Brech of UN Charter. \textit{The Times of India}. New Delhi, August 20, 1990.

nationals and also demanded that Iraq take no action to jeopardize the safety, security or health of such nationals.

Re-affirming its decision in Resolution 662 (1990) that annexation of Kuwait by Iraq is null and void, and therefore, demanded that the Government of Iraq rescind its orders for the closure of diplomatic and consular missions in Kuwait and the withdrawal of the immunity of their personnel, and refrain from any such actions in the future. Iraq accepted the resolution on some conditions but US and its allies had not agreed to those conditions which were placed by Saddam Hussein, and then nothing came out of this resolution and situation was still dangerous for both of them.

Soon after Resolution 665 was passed by Security Council, on August 25, 1990, in 13-0 with Cuba and Yemen abstaining and authorised that the measures as may be necessary including use of force to enforce the trade embargo against Iraq by member nations. The resolution also invited states to cooperate with minimum use of political and diplomatic measures to ensure compliance with the sanctions set by the council and requested the States concerned to co-ordinate the actions required, using “as appropriate” mechanisms of the Council’s Military Staff Committee.

---

China did not agree to the use of force in the name of United Nations. US was favouring these sanctions which were imposed against Iraq. Iraq pointed out that any use of force against a country could only be under Article 42 and other subsequent Articles, under the authority of the Security Council in cooperation with the Military Staff Committee. For the first time in 50 years, Japan joined the Soviet Union in calling on Iraq to release all the foreign hostages and vacate Kuwait if Iraq did not agree to permit food shipment to go directly, providing food and medicines to foreign nationals trapped in Iraq and occupied Kuwait. This situation led the Security Council to adopt another Resolution 666, on September 13, 1990. The resolution drawn upon the parameters for the delivery of food stuffs to Iraq and occupied Kuwait for Asian workers resident in these two countries. On September 19, 1990, Prince Sadruddin Aga Khan, appointed by Perez de Cuellar to take charge of humanitarian aid, abandoned an attempt to assess the humanitarian needs of foreign refugees in Iraq and Kuwait, having been denied entry to Iraq. The resolution was passed with vote of 13-2-0, while Cuba and Yemen voted against it. The members of the United Nations agreed that it was unfortunate that civilian population was suffering and blamed Iraq for causing suffering to civilian by its refusal to withdraw from Kuwait.

When the Iraqi troops entered into the residence of Ambassador of France, the UN Security Council unanimously adopted Resolution 667 on September 17, 1990 and condemned Iraq for the violation of the diplomatic premises and personnel in Kuwait and resolve to discuss measures to tighten the embargo on Iraq. The resolution made a strong demand for immediate release of all foreign nationals. Iraqi National Assembly condemned Resolution and the Security Council has not, in the first place, tried to make sure the facts. On September 20, 1990, Saddam Hussein warned that it would launch an all-out war against coalition forces, if it is convinced that the UN trade embargo was about to struggle the Iraqi people. Then, the Security Council passed another Resolution 669 on September 24, 1990 in a meeting, defining the role of the sanction committee. The Resolution 669 calls that the sanctions committee is empowered to permit food, medicines or other humanitarian aid to be sent into Iraq or Kuwait.

Despite above all these endeavours, Saddam Hussein continually emphasised that Kuwait was a part of Iraq and said that “we will not give it up even if we have to fight for thousand years”. Thereafter, Security Council adopted Resolution 670, by vote of 14-1, which confirmed that sanctions would apply to all means of transport, including all air cargo

25. UN Security Council Resolution 667. September 17, 1990 and also see Keesing's Record of World Events, n. 23, p. 37695.
traffic, except UN authorised humanitarian aid against Iraq and occupied Kuwait. The UN member states were directed to detain Iraqi shipping that may attempt to break the embargo, for the effective implementation of the resolution.\textsuperscript{28} The resolution condemned the treatment by Iraqi forces of Kuwait nationals, including measures to force them to leave their own country and mistreatment of persons and property in Kuwait in violation of international law\textsuperscript{29} and also condemned Iraq's "grave breaches" of the fourth Geneva Convention on the rules of war, a reference to its holding of foreign nationals as a "human shield" at key installations.\textsuperscript{30} All the member states voted in favour of the resolution while Cuba voted against it.

The Resolution 674 which was passed on October 29, 1990 by Security Council held Iraq liable for the war damages, relating to invasion of Kuwait, including human rights violations. It also demanded that all western embassies be restocked with food, waters and protection of Kuwaitis and foreign nationals in Iraq and Kuwait, it further demanded an immediate release of all hostages.\textsuperscript{31} The voting in the Security Council was 13-0 with Cuba and Yemen abstaining.

The Security Council also urged that Iraq must implement all the other resolutions immediately after the cease-fire, agree to an exchange

\begin{itemize}
  \item \textit{UN Security Council Resolution 670}, September 25, 1990.
  \item \textit{SIPRI Year Book, 1991.} p. 631.
  \item \textit{Keesing Record of World Events}, September 1990, p. 37695.
\end{itemize}
of POWs of all nationalities, including Kuwaitis taken prisoner since August 2, 1990, arrange to locate the missing (Kuwait said it had a list of more than 8,000 Kuwaiti POWs and more than 20,000 missing), and pay full reparations to Kuwaitis and third-state nationals as specified by resolution 674 (1990). Iraq must abrogate all legislation concerning Kuwait’s annexation as the nineteenth province of Iraq. Kuwait called on the Council to demand that Iraq immediately cease its escalation of inhuman practices, including torture and murder, against the defenceless people of Kuwait, cease committing crimes against Kuwait’s economy and environment by setting fire to its oil wells and installations, and cease destroying what was left of its social and economic infrastructure.32

Iraq attributed the three-week delay in conveying the council after the meeting had first been requested to United States objections and claimed that resuming the meeting in private was aimed at denying some member States the opportunity to unmask the crimes being perpetrated in the name of the Council against the people of Iraq. It said that since the crisis began, the Council had become an American instrument representing American interests and that the United States would continue its aggression even if the Council were to adopt a resolution on a cease-fire or on halting the rain of bombs on Iraq’s defenceless civilians. It stated that in the first three weeks of the aggression against it, 45,000 sorties dropped 85,000 tons of explosives, destroying hospitals, schools,
mosques and Iraq’s cultural monuments and archaeological sites, nuclear and other industrial facilities for peaceful purposes, releasing radiation and other pollutants into the environment, killing many innocent civilians and perhaps causing deformities in future generations.\textsuperscript{33}

While ignoring all the resolutions by Iraq, the Security Council passed the Resolution 677, on November 28, 1990 which directed Secretary General to take possession of Kuwaiti census and citizenship record for safe keeping.\textsuperscript{34}

**Resolution 678 and Use of Force Against Iraq:**

Thus, all these resolutions passed by UN Security Council and sanctions imposed on Iraq by UN could not achieve any effective and desired end. Then, the most important and controversial Resolution 678 was passed by UN Security Council under the Chapter VII authorizing the use of force to dislodge Iraq from Kuwait as an ultimate action. This resolution was passed with the voting 12-2-1 in which China, a permanent member, abstained and Cuba and Yemen were voted against it. The resolution under Chapter VII of the Charter of UN paragraph 1 demanded for Iraqi withdrawal from Kuwait as stated earlier in Security Council resolutions. Paragraph 2 of the resolution, authorized member states to cooperate with the Government of Kuwait, unless Iraq on or before January 15, 1991, fully implements, as set forth in paragraph


\textsuperscript{34} *UN Security Council Resolution 677*, November 29, 1990.
1 above the foregoing resolution "to use all necessary means" to uphold and implement Security Council resolution 660 (1990) and all subsequent relevant resolutions and to restore international peace and security in the area. Paragraph 3, requested all states to provide appropriate support for the actions undertaken in pursuance of paragraph 2 of 678 (1990) resolution.\textsuperscript{35}

The words "use of force" did not obviously contain in the paragraph. The "use (of) all necessary means" in Resolution 678 (1990) was interpreted by US and its allies as an authorization to use armed force against Iraq in order to compel it to withdraw from Kuwait and liberate all foreign detainees. This interpretation is, however, against the established terms of interpretation. The Security Council could have used the term armed forces, if it intended so. Nevertheless, there can be any doubt that the words "all necessary means" denoted the use of force. The absence of these words in context of the charter of the UN and earlier resolutions of the Security Council means that it has in fact sanctioned use of all measures other than armed force.\textsuperscript{36} The wordings of the Resolution 678 were not so distinct that it was very difficult to determine whether the action against Iraq to be taken was to be under Chapter VII of the UN or not. The military action was to be directed by Security Council under


Article 46 and 47 by creating a military staff. In this connection the resolution just appeared as an excuse to give authority and legitimacy to any military action taken by members against Iraq on the pretext of assisting and giving help to Kuwait.\(^\text{37}\) So, the nature of the resolution was vague and unclear under the Chapter VII of UN charter.

Iraq immediately reacted to both the Resolution 678 (1990) and deadline of January 15, 1991 and said that "it is illegal and invalid". The Iraqi newspaper *Al-Thawarh* said the resolution was a blatant violation of all humanity, peace and legality and accused the Security Council members of having succumbed to pressures, threats and monetary aid to the tone of millions of dollars to comply with it.\(^\text{38}\)

The Security Council adopted the resolution under chapter VII of the UN charter which lays down the complete procedure in Article 42 to 49 for the use of armed forces to restore and maintain international peace and security. The charter of the UN permits the use of armed force by one member state against another. But the entire charter prohibits the use of force. It is only the Security Council which is authorised to use of armed force against a member of the UN. It is also mentioned in the Chapter VII that all forces of the UN must be operated under the UN flag.

However, conditions were not mentioned in resolution 678 (1990) nor these were carried out in the Gulf crisis. The coalition forces did

\(^{37}\) Gazil Ibdewi Abdul Ghafour, no. 5. p. 38.

\(^{38}\) Iraq Reject Ultimatum, *The Times of India*, New Delhi, November 30, 1990.
not fight under UN flag, thus it could not legitimately be called a UN war. In the Gulf war all UN sanctions were the blatant violation of human rights and humanitarian laws and it brought the world on the edge of an environmental disaster. It made a dangerous atmosphere for the survival of mankind and UN charter prohibits any threat to the survival of mankind. Hence, the legitimacy and legality of Resolution 678 has been questioned on certain grounds:

1. It was in contravention with the spirit of the UN charter which promises to eliminate the scourge of war.

2. The Resolution 678 made no mention on how long the application of “all necessary means” can continue and the type of amount of armed forces was to be used.

3. The resolution ignored the provisions mentioned in Chapter VII of the charter which specifically empower the Security Council (not any member state of the UN) to involve in use of force and to conduct the operations under the military staff committee and under the UN flag.

4. It was also in contravention of Article 27(3) which says that an important resolution of the Security Council must have the concurrence of the five permanent members. Though China had abstained from Security Council, it implied that it did not concur

40. Ibid., pp. 42-43.
and as such meant that the Resolution 678 was not perfect and its action was not legitimate.

5. It is pointed out that Resolution 678 was an imperfect legal form vis-a-vis the charter. The chapter VII of the charter includes, besides the provision of collective measures by the UN (Article 41 to 42) provision of self defence (Article 51).

But the use of armed forces against Iraq was called enforcement action and not collective self defence. For instance, the application of force will not be confined to defend or liberate Kuwait, but it would also include all measures to restore international peace and security in the region. Thus, the analysis of Resolution 678 vis-a-vis the UN charter revealed a vagueness in the framework of the charter which exposed it to conflicting interpretations.

The Iraqi refusal to comply with the Security Council resolution by January 15, 1991 led the coalition countries to promptly avail the authority of Security Council under Resolution 678 (1990) to attack on Iraq on January 16, 1991 to evict Iraq from Kuwait. Thereafter the biggest and most powerful air attack in history was launched on January 17, 1991 on Iraq by US-led coalition forces. The Gulf war was coded as Operation Desert Storm.  

But, Persian Gulf war was not the UN war against Iraq, as it was observed by the then Secretary General Perez De Cuellar. The Secretary

General had said that the war in Gulf was not UN war and the world body had no control over it. We were informed through Security Council about military operation but after it had taken place.\(^42\) The coalition force did not fight under UN flag and the directions of Security Council, in fact, the war fought against Iraq, was the actually US action. Moreover, it was obviously clear from the war that the Security Council had very little control over the war authorized by it.

During the war President Bush said that the objective of war was very clear. He further said that we want that Saddam’s troops will leave Kuwait and the legitimate government of Kuwait will be independent and free. He added that the US and its coalition forces had operated under the UN resolution.\(^43\)

Cuba on the other hand, reacting on Security Council resolution, demanded an immediate cease-fires in the Gulf war. The Cuban Ambassador thus commented that “the Council members are obliged to do something to put an end to the war”. He further added that “the role of UN was to promote peace and international security and not to authorize war”.\(^44\) But as the war progressed and continued it was clear that the UN had no control over it, nor over the military operation against Iraq. The US was very much determined to knock out Iraqi military capability.

\(^42\) Gazi Ibdewi Abdul Ghafour, n. 4, p. 31.
\(^43\) Ibid., p. 66.
\(^44\) Ibid., p. 67.
Thus, the US real and clear aim was the complete destruction of Iraq and to overthrow of Saddam’s regime.

While the Gulf war was started against Iraq, Kuwait informed Security Council that it was exercising its right to self defence and to restoration of its right and cooperating with the forces of fraternal and friendly states which were equally determined to end Iraqi illegal and illegitimate occupation over it.\textsuperscript{45}

As the war progressed and continued with ups and down up to March 2, 1991, the Security Council held several informal consultations among the member states. Therefore, throughout the period of war, the Security Council did not discuss formally the situation except in a few close door meetings.\textsuperscript{46}

\textbf{The Cease-fires:}

The Gulf war continued till March 2, 1991 when the Resolution 686 was passed by the Security Council. In the mid night of February 28, 1991, coalition forces were ordered to stop offensive operation by United States. Thus, military operations were suspended against Iraq and temporary cease-fires was declared and war was ended with destruction of Iraq and victory of coalition forces. After all Kuwait was liberated and was given to its previous government. Iraq declared that it would


\textsuperscript{46} \textit{UN DOC. S/22228}, February 15, 1991.
comply fully with all Security Council resolutions and announced that its all troops evacuated Kuwait.

On March 2, 1991, an emergent meeting was convened to consider the US drafted resolution at the forum of United Nations. Then the Security Council adopted Resolution 686, setting the terms for cease-fires. It was passed by 11-1-3 votes. Cuba voted against the resolution while China, Yemen and India were chosen abstention.\textsuperscript{47} The resolution did not talk about cease-fires, but laid down pre-conditions namely Iraq’s requirements to annul Kuwait annexation to accept liability for financial losses etc.\textsuperscript{48} It neither declared formal cease-fires nor did it order coalition forces out of Kuwait or lift sanctions against Iraq. It also could not provide even time-table for the withdrawal of external forces from Iraq. The resolution authorized the US-led coalition forces to use all necessary means to ensure Iraqi compliance with the UN resolutions and terms of the formal cease-fire. This was inadequate because it did not mention that the Security Council should play an important role in monitoring and arranging peace and cease-fires in the region. Instead, it authorized the use of force again to bring about formal cease-fire.\textsuperscript{49} On March 3, 1991, Iraq agreed to fulfill its obligations under the terms of Resolution 686, by sending letters to Security Council President and the Secretary

\textsuperscript{47} The Times of India. New Delhi, March 4, 1991.


\textsuperscript{49} Gazi Ibdewi Abdul Ghafour, n. 5, p. 73.
General. On March 22, sanction committee decided to lift the embargo on civilian and humanitarian imports, and on March 24, UN announced to lift the ban on supply of food and fuel to Iraq.

The Security Council adopted another Resolution 687 (1991), on April 3, 1991 by which the Gulf war would formally come to an end. The resolution was drafted very carefully in a document containing 36 paragraphs. It was sponsored by Belgium, France, Romania, UK, US and Zair. The vote was 12-1-2. Cuba voted against and Ecuador and Yemen were abstained in this resolution. The resolution has nine sections which set out specific conditions thereby international peace and security would be restored in the Persian Gulf region. These nine parts of the resolution are as follows:

A. asked Iraq and Kuwait to respect the inviolability of the 1963 international boundary and called upon the Secretary General to help demarcate that boundary.

B. requested a UN observer unit to monitor a demilitarized zone established under the resolution.

C. Resolution 687 (Paragraph 7-14) addresses Iraq's weapons of mass destruction and disposal, and the establishment of a monitoring system to ensure that they not be reintroduced to Iraq, either internally or from abroad.

Resolution 687 required Iraq to declare the location, amount and type of all items specified under paragraphs 8 and 12 within 15 days of adoption of the resolution. The item thus to be eliminated were all of Iraq’s Chemical Weapons (CW), Biological Weapons (BW), Stocks of agents, related subsystem and components and all research, development support and manufacturing facilities. Also included were all ballistic missiles with a range greater than 150 km and related major parts, as well as repair and production facilities. Disposal was to be carried out under international supervision through destruction, rendering harmless or removal of the prescribed items. As regards Iraq’s nuclear capability, the cease-fire resolution provided that nuclear weapons usable materials, any sub-systems or components and any research, development, support and manufacturing facilities related to nuclear weapons and ‘nuclear-weapons-usable material’ shall be subject to destruction, removal or rendering harmless.\footnote{SIPRI Year Book 1992 (Oxford: Oxford University Press, 1992) p. 509.} These provisions in Part C of the resolution were linked to the economic sanctions against Iraq which were outlined in paragraphs 21 and 22, and the Security Council will make its decision to lift its embargo ‘against the import of commodities and products originating in Iraq and the prohibitions against financial transactions related thereto contained in resolution 661’, dependent upon Iraq’s completion of the actions defined in Part C of Resolution 687. The resolution provided for future monitoring and verification that Iraq does not use, develop, construct or acquire anew, any items specified for
elimination.\textsuperscript{52}

D. asked the Secretary General the return of all Kuwait’s properties by Iraq.

E. reaffirming Iraq’s liability under international law for any direct loss, damage or injury for foreign government, nationals and corporations, as a result of its occupation of Kuwait. Mechanism to be adopted for this was specified.

F. stated that all prohibitions against sale or supply of food and other necessities for civilians were to be lifted and that other bans would be lifted methodically.

G. called upon Iraq to extend all necessary cooperation to the International Committee of the Red Cross to facilitate the repatriation of all Kuwaiti and third country nationals.

H. called upon Iraq to inform the Security Council that it would not commit / support any act of international terrorism.

I. declared that a formal cease-fires between Iraq-Kuwait and coalition countries would come into effect, when Iraq accepted Resolution 687.

Iraq sharply reacted to the resolution as it was expected. The Iraqi ambassador to the UN said these conditions imposed upon Iraq was very dangerous and would jeopardize its sovereignty and independence and

\textsuperscript{52} Ibid., p. 509.
also would paralyse its economy. Iraq, by identical letters of April 6, 1991 to the Secretary-General and the Council President, stated that it had no choice but to accept the resolution. In what it said were preliminary comments on the judicial and legal aspects of the resolution, Iraq variously characterized its provisions as biased, iniquitous and vengeful, an injustice, a severe assault on the Iraqi people's right to life and a flagrant denial of its inalienable rights to sovereignty and independence and to free choice. Iraq asserted that boundary issues were the subject of agreement between states, the only basis capable of guaranteeing the stability of frontiers. It reiterated that the Agreed Minutes between the state of Kuwait and the Republic of Iraq regarding the restoration of friendly relations, recognition and related matters, referred to in paragraph 2, had not been subjected to the constitutional procedures required for its ratification by the legislative branch and Iraq's President, thus leaving the boundary question unresolved. Obliging Iraq to destroy its weapons could not but seriously endanger the regional balance; depriving it of the right to acquire weapons for defence directly contributed to the threat to its internal and external security.53

Whereas the resolution provided mechanisms for obtaining redress from Iraq, it made no reference to Iraq's right to claim redress for the considerable losses it had sustained and the massive destruction inflicted on civilian installations and infrastructures as a result of the

abusive implementation of resolution 678 (1990). The progressive lifting of sanctions over an unspecified period left broad discretionary authority to certain council members. The lack of an explicit mention of the withdrawal of foreign troops from Iraq despite the resolution's declaration of a formal cease-fire was tantamount to authorizing occupation of Iraqi territory in violation of Iraq's sovereignty, independence and territorial integrity, unjustifiable by any provision of resolution 678 (1990). The stipulation for the deployment of United Nations observer force was inequitable, as were the numerous mechanisms for the resolutions, in which Iraq's participation was not at clear.54

The National Assembly of Iraq, at its session on April 6, 1991 adopted a decision by which it agreed to resolution 678 (1991). The Security Council President, by a letter of April 11, 1991, to the Permanent Representative of Iraq to the United Nations, acknowledged Iraq's communication of April 6, 1991 containing official notification of its acceptance irrevocable and without qualifying conditions, of resolution 687 (1991), in accordance with paragraph 33 of that resolution. The Council President pointed to the Permanent Representative's confirmation to him at their meeting on April 8, 1991, that the communication constituted Iraq's irrevocable and unqualified acceptance of the resolution: and to further confirmation, in the name of Iraqi government, that the Resolution Command Council had used its constitutional powers to make the National Assembly's acceptance of the resolution legally binding

54. Ibid., p. 176.
in Iraq. Accordingly, the Council President noted that the conditions established in paragraph 33 of resolution 687 (1991) had been met and that the formal cease-fire was therefore effective.

Kuwait, on April 6, 1991, informed the Secretary-General that it welcomed resolution 687 (1991). It would scrupulously comply with its provisions and cooperate to ensure its implementation.55

The UN cease-fire resolution on the subject of Iraq confirmed the international ascendancy of United States. The US seemed to have exploited the Council and UN Charter as a tool for its foreign policy goals and the UN was an instrument in American hands. It is very clear that UN had no control over the course of military operation in Gulf war. It was USA which actually had control over whole military operation during war. As President Bush said that "we are going to make such an example for Saddam Hussein that no one else will ever dare again". At the UN, the US was confident of its ability to influence all the states. With the break up of the Soviet Union as an effective deterrent power to the US the latter emerged as supreme international actor in new international order. During the Gulf crisis the Security Council functioned under the US's will. Not even a single veto was cast by any permanent member to avoid incurring US ill will. In other words the Security Council functioned as an effective instrument of US foreign policy during Gulf crisis.56

55 Ibid., pp. 176-177.
The whole world was clamouring against the shameful role of UN in the Gulf crisis. It was deaf and dumb, limp and lifeless - a rubber stamp in the hands of the major powers of the world.\textsuperscript{57} The military operation against Iraq was not UN war but a war by coalition of about 27 states. There was no difference between UN resolutions and US initiatives. It was for the first time an individual state had been authorized to take military action against other state under the umbrella of UN. The US was a singular importance in this war as the sole surviving super power with the military superiority to conduct such a military operation even with little or no support of its allies.\textsuperscript{58}

UN on its own is an inadequate and ineffective institution to handle and resolve the dispute among the states. It is also true that the UN was made a scapegoat in the Gulf crisis. UN had to take the blame for unlawful acts, omissions and commissions of its member states. Hence, UN did not work as peace maker in Gulf crisis.

In short, one can conclude that the role of United Nations during the Gulf crisis was ineffective and inadequate because it had not functioned according to its framework (UN Charter). The entire performance, in the Gulf crisis, the United Nations was the role of United States. Thus, the role of United Nations in the Gulf crisis was extremely formal but the actual and real role was played by the United States.


CHAPTER - IV

Gulf Crisis and World’s Response

There had been a few surprises in the early stages of the war between the American-led multi-national forces and the Iraqi armed forces. As expected, the awesome airpower assembled by the allies dominated the skies over Iraq and Kuwait. Iraq responded by delivering missile attacks on Israel in an attempt to draw it into the conflict. The war was set to move sooner than later towards a great battle between the armies of the allies and Iraq on the Saudi-Kuwait border.

Naturally, the United States brought to bear all its superiority in air power at the very beginning of the conflict. It had sought to pulverize the political will in Baghdad with almost continuous bombardment of Iraq. The prime targets of the American and allied bombing had been the military assets of Iraq such as air fields, command and communication centres, the fixed missile launching sites, the mobile missile launchers, nuclear and chemical weapon facilities and supply routes to Kuwait. After the first three days the allied bombing had also begun to focus on the troop concentrations of the Iraqi Army, particularly the elite division of the Republican Guards. The US had also targeted some high value economic targets such as refineries and power stations, and high
visible political targets like the Presidential Palace and the Ministry of Defence.

Saddam Hussein’s devastating defeat in the Gulf war has left in its wake a sense of America’s obligation to help resolve some of the Middle East’s long-standing problems. One problem high on president George Bush’s list of priorities was the Arab-Israeli conflict. As he told a joint session of Congress on March 6, 1991, “the time has come to put an end to (the) Arab-Israeli conflict”. Nonetheless, the Gulf war was fought to liberate Kuwait, not to solve the Palestinian problem. Although Iraq repeatedly attacked Israel with Scud missiles, Israel was not a belligerent in this war at American insistence. Moreover, Hussein’s threats to destroy Israel and his attacks on the Jewish state were fully supported by the Palestine Liberation Organisation (PLO) and Palestinians in the occupied territories. This however, undermined what little trust had remained between Israelis and Palestinians. Nor has the war produced a new leadership on either side of the conflict capable of transforming the constituency-led politics of the past decade into the heroic politics of Anwar el-Sadat and Menachem Begin. It is therefore not clear that this war has made the Arab-Israeli conflict any more amenable to solution. The opportunities for peace must be defined before new ideas for advancing the process can be developed.

The defeat of Saddam Hussein represents the defeat of his world view. He had promoted the vision of a Hussein-led, Pan-Arab Super power to counter American dominance of the post-Cold War world. He tried to give new credibility to the pre-Sadat method of settling the Arab-Israeli conflict by threatening to destroy Israel. The war had the important side-benefit of discrediting this approach. The war also shifted the balance of power in the Arab world decisively in favour of the Egyptian-Saudi coalition that fought along side the United States. Egypt and Saudi Arabia not only emerged from the crisis as winners, but also solidified their bilateral relations with a new bargain whereby Egyptian troops would help provide security for the Gulf Arabs in return for money to stabilize the Egyptian economy.\(^3\)

The end of the Cold War had cost Damascus its super power patron. The Soviet Union had only been prepared to supply weapons for “defensive sufficiency”, and President Mikhail Gorbachev had also lectured Syrian leader Hafez-al-Asad on the need to make peace with Israel, warning that Moscow would not support any Syrian military efforts to resolve the conflict. At the same time, the Gulf Crisis had solidified U.S. - Israeli strategic ties, enhancing Israel’s deterrent posture toward Syria. On the other hand, joining the coalition had already paid Syria dividends in the form of a free hand in Lebanon and Saudi financial aid. By enabling the coalition to engage in the peace process,

Damascus can ensure that it becomes the focus of American diplomacy. Indeed al-Asad’s assessment of the United States as the dominant power in the Middle East requires him to approach the Bush administration with new flexibility. But the United States also needs Syrian cooperation on post war security arrangements and for a meaningful peace process. Syrian opposition to American efforts in either arena could complicate policy, providing al-Asad with some leverage in building the relationship he now seeks with Washington. These trends suggest that inter-Arab politics is likely to be dominated for the foreseeable future by the new axis of Egypt, Saudi Arabic and Syria, the largest, the richest, and the most nationalistic Arab states, respectively. This is an unassailable coalition should it decide to settle with Israel.

American circumspection was most evident in the Arab-Israeli conflict, whose conceptual parameters remained unchanged even as the protagonists stumbled on through what is wistfully termed “the peace process”. Curiously, developments in that process were stimulated and sustained by the protagonists’ expectation of genuine American interest and involvement in moving the process forward.

The grounds for such expectations were not at all clear. It is true that Bush began with an important diplomatic inheritance - Reagan’s decision in December 1988 to enter into a “substantive dialogue” with

4. Ibid., pp. 31-32.
the Palestine Liberation Organization. That decision undoubtedly constituted a significant milepost in U.S. Policy, but it also appears to have been an isolated measure in response to statements by PLO Chairman Yasir Arafat that met long standing American terms for such contacts. While Bush was obviously involved in the decision and resisted subsequent pressures to break off the US-PLO dialogue, there was little to suggest that it formed an integral element of any coherent U.S. Strategy or vision for the future. Nor was there anything in his election campaign or in his early presidential declarations to indicate that the new President felt a pressing need to move aggressively on Middle-Eastern issues. On the contrary, the slow pace of U.S. appointments to the Middle East and the identity of those appointed reflected a view of the area that could be fairly summarized as "cautious continuity".

Secretary of State James Baker defended the merits of "a more reasoned and measured approach" and Bush, when asked about Soviet Foreign Minister Eduard Shevardnadze's February 1989 tour through the region, pronounced himself unconcerned with the prospect of the Soviet Union seizing the initiative. Finally, the comprehensive Foreign policy review undertaken by the new administration appears to have left the Middle East fairly low down on any list of priorities.  

Arab's and Israeli's, however, found it difficult to take seriously the possibility that the United States might not be consumed with interest

---

and intensely engaged in their problems. Captivated by the image of American power and ultimate willingness to use it, they felt compelled to undertake some actions themselves. Their actions were not necessarily intended to facilitate negotiations with adversaries; both sides believed that they could best promote their own objectives by persuading the American public and government of the rectitude of their respective causes. Even if Palestinians and Israelis were only responding preemptively to American activism that was not really planned, the effect was to create opportunities for progress that U.S. leaders could not easily resist. Thus, the United States was drawn into a magnetic field of diplomacy that often left local protagonists feeling distinctly uneasy about the implications of their own actions. In short, expectations about American policy became self-fulfilling prophecies that kept the engine of the peace process going the problem was getting out of first gear.  

/Role of The United States:

America had emerged from the Gulf war as the dominant power in the Middle East. All the powers in the region and all the interested parties outside the region were looking to Washington for leadership. The Arab Gulf states, in particular would likely to responsive to U.S. peace process requirements. Egypt wanted to play the role of strategic partner in the region. Syria was also keen to build relations with what it regarded as the only super power, and Israel sought coordination with

7. Ibid., p. 154
Washington to craft a process that meets its requirements. In these circumstances, the United States now had a stronger hand in influencing the peace process requirements than at any time since the disengagement agreements of the 1970s. And this influence was enhanced by Bush’s tremendous authority, following what was seen in the region as his personal victory over Saddam Hussein. But expectations of the United States were as high as its new reputation. In particular, the Arab states had come to believe that if the United States could liberate Kuwait in such short order, it was equally capable of liberating Arab lands occupied by Israel. And Israel’s restraint during the Gulf war was generally viewed by Arabs as the result of American pressure rather than as Israeli forbearance.

The Arab-Israeli dispute is so deeply rooted in both the historical and psychological senses that one should not expect it to be solved in a single short diplomatic move. With this realization in mind the participants in the Camp David accords agreed on a gradual approach. This in turn was translated to "partial agreement", in two different meanings. First Camp David accords signed on September 17, 1978, by the then President of the USA, Jimmy Carter, Anwar-al-Sadat of Egypt and Menachem Begin, the Prime Minister of Israel, revealed the “Framework for peace in the Middle East and framework for the conclusion of a Peace Treaty between Egypt and Israel”. The latter was

8. Martin Indyk, n.1, p. 34.
9. Ibid., p. 35.
simple and straightforward and a treaty of peace and Friendship was concluded between the two countries and the terms of the treaty, however, were to be implemented in two to three years. "The Framework for Peace" seemed to be a more complex document because of the inclusion of the principles of U.N. Resolutions 242 and 338 and a detailed plan for a final autonomous status of West Bank and Gaza.\textsuperscript{10}

It was an interim agreement, defining a transitional period of five years, which would enable the parties to examine carefully the developments in the Middle East, in particular, those west of the Jordan river. The agreement was partial also in terms of substance. The parties were asked to seek agreement on the "Softer" issues, on which they could hopefully agree, while addressing the harder issues would be deferred to a later phase. It is understood that the hardest-to-solve point of contention was the final status of Samaria, Judea and the Gaza district.\textsuperscript{11}

In short, the Arab states were tempted to sit back and wait while Washington orders Israel out of the territories. And there was a similar urge to return to business as usual in inter-Arab politics as each power sought to carve out new areas of influence in the Gulf an the PLO. Meanwhile, in the West Bank and Gaza, the cycle of Palestinian-Israeli violence could quickly sour the atmosphere between Israel and its Arab


neighbours. In the absence of clear leadership from Washington, the window of opportunity would probably close rapidly.

Conversely, if the United States takes the lead, it cannot hope to impose a solution unilaterally, but it may well be able to get the process of negotiations started. But they will need strong encouragement from Washington to take these steps.\(^\text{12}\)

The United States carries major political baggage in the Middle East that will compromise any regional security regime in which America is the primary actor. Any future security regime must allow the Middle Eastern states to hold the United States at a distance. The American role must be supportive, but largely over the horizon. If the regional organization requires special teeth, it can request them from the U.N., the United States, or any other external power. Unless the Soviet Union (former) regresses to its old ideological approach to world politics, it too should be able to play a useful role in the region, as would Europe. But a special Pax American would be very short-lived.\(^\text{13}\)

Yet, the war which began on January 16, 1991, did not lay the foundation for a new world order. It, on the other hand, killed probably 200,000 Iraqis-including civilians, victims of what has been described as “Collateral damage” and came close to wiping out Iraq as a viable state. The U.S-led Allied war had even caused a split in the European

\(^\text{12}\). Martin Indyk, n. 1, pp. 35-36.

Community and strained America's relations with Germany and Japan. Also, relations with Russia, in spite of a U.S-Secured $ 3 billion (according to another estimate, $ 4 billion) loan from Saudi Arabia, have been strained, witnessed the resignation of Eduard Shevardnadze in December 1990 in the face of Soviet military opposition to his concessions to the United States on the Gulf crisis and on disarmament. The current closeness between the two countries in the context of Russia's march to democracy is too uncertain to be of any long-term consideration.14

Reportedly the U.S. government had began talking of a Pax-Americana instead of a new world order. However, as Davis Healey has observed, "the Pax-Americana... Is an illusion", because the United States is unlikely to be able to "restore peace and security in the Gulf."15

The US role in the Gulf war suggests that despite the changing international environment, the present international system still remain unjust as it poses constant threat to the security of small nations. No doubt, it was due to the end of the Cold War that the UN acted in an unusually speedy way in this crisis, yet it was neither the prevention of the crisis, nor the resolution of the problem in a peaceful way, nor it was a collective security action. rather it was a selective security action. In the Gulf war the US acted under the cover of UN which cannot

---

15. Ibid., p. 46.
be justified on strategic, political or on moral grounds. The US action in the Gulf war illustrates how a modern western states uses the concept of just war to make its foreign policy acceptable to its public; the US action in the Gulf war was a clear indicator of its policy towards the Third World.  

The key US objective in the Gulf war was not to restore order in the region by achieving Iraqi withdrawal from Kuwait but “smash Saddam” or render him incapable for further aggression. Though the Allied action in the Gulf took place under the cover of UN, it appeared that President Bush was more involved in the entire UN decision making processes than the UN Secretary General, Perez de Cuellar.

Bush used his ability to set U.S. policies in the United Nations to pressure Congress for authorizing to go to war; once the UN Security Council had set an ultimatum for Iraqi withdrawal. Congress could not refuse to authorize force without badly undercutting U.S. credibility. Congress played almost no role in Persian Gulf deployments until Senate hearings in December 1990 engendered a public debate between proponents of continued economic sanctions and those who favoured using force soon after the January 15, 1991, UN deadline for Iraq’s withdrawal. Congress' major role came still later in its January 12, 1991 vote to

authorize the use of force shortly before the UN deadline and months after the deployment of hundreds of thousands of U.S. troops.  

In the last days of war that hegemony emerged in its crudest form, when the US took control of 20,000 square miles of central Iraq, the ancient Mesopotamia, now transmodified into the latest western colony of Mesopotamia, a mere 90 minutes drive from the Shia shrine city of Najaf. Such a colonialist action makes clear that the real US war aim was the destruction of Iraq because Saddam Hussein’s Iraq presented no threat. no danger to the US or to the UK or to Egypt or Saudi Arabia, if it had wanted to invade and capture part of Saudi Arabia it had the opportunity to do that on August 2 when that country lay wide open to the Iraqi forces in Kuwait. Even the Iraqi threat to its traditional enemy, Syria was more theoretical.

The only country that was under real Iraqi threat was Israel, and it was because the Jewish state was (and still is) the local strategic ally of the US, its regional policeman, and also because the Israelis and the pro-Israel Zionist lobby in the US control that country’s West Asian policy. And it is because Israel remains the enemy of the Palestinians and of the Arabs in general that there was so much more anger than before against the Americans. In the other parts of the world, especially

the Third World, the anger was directed at the American over kill, and also because the peace settlement that was envisaged almost demanded the removal of Saddam Hussein. A development that should have been left to the Iraqi people to decide on.20

Clearly the main gainer in this war has been Israel which by the clever tactic of first threatening to join the fighting and expanding the war and then claiming credit and material advantage for nor joining in. Israel was the only country in the world that was happy because of the war and which wanted it to continue.21

Clearly round one in the Gulf war went to the United States. America was using its air power to the hilt, had kept Israel out of the war, and the Arabs in. Iraq had surprised the world with its continuing defiance, had brought Israel and Saudi Arabia under missile attacks, but was yet to crack up the alliance. But American air power alone was not going to decide the outcome of the war. The American commander, Norman Schwarzkof's claim that the allies could perhaps win the war without the ground offensive may be a bit far-fetched. A ground war appeared inevitable, and its character and outcome were by no means predetermined. Bush pushed strong action from the start, consistently favouring the most ambitious military options under consideration in the National Security Council (NSC) in early August. He deployed two

hundred thousand U.S. troops without a strong or united recommendation from his NSC.

It is important to note that his approach and the subsequent decision to use force was not the only possible response. Judging by the speeches and writings of key figures in the Carter Administration, had the Democrats controlled the White House the response might have been quite different. There probably would not have been a massive military deployment in the Gulf or an international mobilization to defeat Saddam Hussein on the battlefield. Instead the approach would have been based on protecting Saudi Arabia and deterring further Iraqi expansion, not liberating Kuwait. Sanctions would have been given more time, with protests confined to the United Nations and overtures to seek concessions from Saddam Hussein linked to pressuring Israel to put the Palestinian issue on the bargaining table. In the final analysis force would have been avoided for domestic political reasons and for fear of triggering an anti-American backlash in the Muslim world. But Bush was determined to use force. With patience and tact he skillfully forged the international coalition, rallied support at home, cultivated the Soviet Union's cooperation (a development that owed a great deal to the special relationship between Secretary Baker and then Soviet Foreign Minister Eduard Shevardnadze) and obtained strong U.N. Security Council resolutions that ultimately included the right to use force to ensure Iraqi compliance.\textsuperscript{22}

\textsuperscript{22} Alvin Z. Rubinstein, “New World Order or Hollow Victory” \textit{Foreign Affairs}, Vol. 70, No. 4. 1991, p. 55.
Response of Former Soviet Union:

For three months, though deploiring the Iraqi aggression and agreeing to the imposition of sanctions, Soviet President Mikhail Gorbachev had refused to approve the use of force. His personal adviser, Yevgeny Primakov, an Arabist, had held lengthy discussions with Saddam Hussein on a number of occasions to find a face-saving, non-military way out of the crisis, one that would have maintained the Soviet-Iraqi relationship and Moscow's substantial stake in the country. Surprising, therefore, was Gorbachev's decision at the end of November 1990 to support U.N. Security Council resolution 678 authorizing the use of force, if necessary, to "restore international peace and security in the area". Gorbachev's support meant that the date for the final showdown could be fixed.23

Some Soviet commentators felt that the "USSR negative attitude towards Iraq's military campaign against Kuwait did not mean that we (i.e. USSR) were not prepared to undertake all measures to find a suitable way out from the crisis and to provide all possible assistance to the sides in the Iraq-Kuwait conflict". The tone of the commentary which appeared in Pravda suggested that there might have been some thinking in the Soviet official circles to play a mediatory role in the conflict.24

23. Ibid., p. 56.
The Soviets, in keeping with their publicly declared stand, fully supported the UNSC resolutions No. 660 (August 2, 1990) which condemned the “Iraqi invasion of Kuwait” and demanded Iraqi withdrawal “immediately and unconditionally” to the positions as on August 1, 1990; No. 661 (August 6) imposing comprehensive trade and economic sanctions against Iraq and Kuwait (barring medical supplies, food stuffs; and No. 662 (August 9) declaring the “annexation” of Kuwait by Iraq as null and void. Thus, the Soviets, by going along with the US sponsored resolutions in the Security Council were acting in accordance with the principles of tackling the regional conflicts laid down in the joint US-USSR statement of August 3. Most Soviet observers have explained the Soviet response to the Gulf crisis in the light of the rapid normalisation of the Soviet-US relationship.

Alexander Bovin, the veteran Izvestiya commentator, viewed that the “Kuwait test” would ultimately judge the soundness and stability of the US-USSR relations. He wrote, “Moscow and Washington have condemned Iraq’s aggression in identical terms, demanded the restoration of the status-quo ante and supported the relevant UN Security Council Resolutions. The Soviet Union has not objected to the transfer of US military units to Saudi Arabia or US naval ships to the Persian Gulf”. While there was general satisfaction that the USSR was on the same side as the US on the Gulf crisis, several commentators also felt

25. Ibid., p. 775.
apprehensive about the ultimate objectives of the US in the Gulf. There was also a feeling in some quarters that the Soviet Union, with its reduced influence on the Warsaw Pact, the Arab world, and as a country deep in domestic crisis, had found itself on the margins as far as the current crisis was concerned. Some Soviet observers had noted that despite the US-USSR convergence, the policies of the two countries in the Gulf could not be identical.\textsuperscript{26}

But Moscow's initial anti-Iraq position was not simply some sleight of hand by Shevardnadze, preempting broader consideration of Soviet interests in the crisis. A broad range of genuine Soviet interests were in fact at stake in adopting a common position with the United Nations and, indirectly, with the United States. Broad recognition by the Soviet Union of these factors would be of inestimable importance to the perpetuation of constructive Soviet (Russia) policies in international crisis in decades ahead. No serious Soviet policy specialist believes that the old days of Soviet isolation and economic autarchy are any longer in the country's best interests. If the Soviet Union was ever to prosper in a high-tech environment and globalized economy, it would have to deal as a full partner on the international scene. It was thus not in the Soviet interest to dissociate itself from a series of Security Council resolutions calling for the liberation of Kuwait that enjoyed broad international backing. The Security Council had both might and right on

\textsuperscript{26} \textit{Ibid.}, pp. 782-783.
its side. To oppose such general formulations would have isolated the USSR and cast doubt on its expression of interest in broad international cooperation.

Cooperation with the West involved more than mere principle, but economic interests as well. Continued credits from the West rest on the ongoing perception that the USSR was no longer fundamentally opposed to the Western political and economic order. Hence came President Bush's offer on September 6, before the U.S-Soviet Summit in Helsinki to provide international aid in return for Soviet cooperation in the Gulf.

The Soviets were not only in a position to derive economic benefit from the West; the riches of Arabia were also a prize that glitters at the end of new policies in the Middle East. Past Soviet policy presupposed fairly correctly - that Soviet ties would have to gravitate toward radical Arab states, eliminating the opportunity for truly lucrative ties with wealthy conservative states such as Saudi Arabia and the gulf Sheikhdoms. The dynamic of the Iraq invasion could change all that standing in condemnation of Saddam Hussein and voting with the Security Council, the Soviet Union was able to dramatize the character of its new international orientation. The payoff was not for behind.27

The Soviet response to the crisis in the Gulf had been carefully worked out so as not to upset the gains of the US-USSR detente. This

explains the mild Soviet reaction to the US military build up in the Gulf. While the USSR favoured activisation of the UN, the problem of US dominance still remains. For the time being, the Russia would not like to be a seen in opposition to the US and the West on the key issues. The Russia’s capacity to influence the developments in the Arab world seems to had declined. The former Soviet Union was also unlikely to gain significantly from the oil price hike as the Soviet oil industry was not in the best of health at that moment. It had become evident that the Soviet Union might also comprehensively review its ties with its allies in the Third World.28

Role of Britain:

Britain’s sole material contribution to the coalition was military; it made no purely economic contribution. In fact, Germany and Japan partially reimbursed Britain for the approximately $55 million a day British forces cost at the peak of the conflict. Those forces included forty-three thousand troops, seventy five warplanes, and fifteen ships, the largest European military contribution to the coalition and Britain’s largest foreign deployment since world war II. Britain's diplomatic contribution was considerable. The then Prime Minister Margaret Thatcher decided even before Bush that a strong response to the Iraqi invasion was needed. A week after the invasion occurred, British officials said that they chose to be the first country to join the United States in

pledging troops to demonstrate support for Washington's stand. In early September Thatcher and Foreign Minister Douglas Hurd took a bolder public line than the United States, arguing that Article 51 of the UN Charter, on states' inherent right of self-defense, justified the use of force against Iraq without further Security Council authorization. Thatcher's position on this point endangered the broad support she had enjoyed on the issue up to the time from the opposition Labour and Liberal Democratic leaders. In late August she strongly condemned the tepid assistance other NATO members had given to Washington, saying that the United States could not police the world without help. Finally, John Major continued to offer such support after he succeeded Thatcher as Prime Minister.29

The collective action hypothesis's expectation that Britain would try to ride free could not have been incorrect; in proportion to its size, Britain contributed roughly as much as the United States and just as early. Part of the reason was London's perception that Iraq threatened the Middle East and if able to keep Kuwait, would have encouraged international lawlessness. In August Thatcher warned Iraq that any threat to Turkey would in her mind invoke NATO's collective defence commitments against Baghdad. After the air war began, defense officials warned against ejecting Iraq from Kuwait without first destroying much of Iraq's forces. Prime Minister Thatcher even suggested that Iraq had returned to "the law of Jungle" in invading Kuwait.30

29. Andrew Bennett, n. 18, p. 54.
30. Ibid., p. 54.
On 24 August, Foreign Minister Douglas Hurd explained the British response in terms both of Britain's "place in the world" and the expectations Americans had of British support. Thatcher more than once "angrily" criticized those she felt had not sufficiently supported the coalition, especially Europeans who believed that "what happens in the rest of the world is someone else's business. In fact, some British pressure on other coalition members may have originated in the United States exert alliance leverage over France and other European countries.\(^{31}\)

**Role of West Asian Countries:**

The Second of August 1990 would be as important in Arab history as the November 2, 1917, the date of the proclamation of the Balfour Declaration providing for a Jewish homeland in Palestine. A large Arab country attacked, occupied and absorbed a smaller Arab country with which it had diplomatic relations. No Arab state endorsed the Iraqi invasion of Kuwait. All Arab governments and the PLO demanded Iraqi withdrawal. Jordan, Yemen, Libya, Algeria, the Sudan and the PLO insisted that the problem could and must be settled by the Arab themselves.\(^{32}\)

Others, led by Saudi Arabia and Egypt, thought outside help was required, and Riyadh invited American troops to Saudi Arabia to defend

---


the Kingdom, to liberate Kuwait and ultimately to destroy the army and the economic infrastructure of Iraq. This presented a problem; the United States had good relations with the GCC, but it was still the main supporter of Israel as well. American outrage at the Iraqi invasion of Kuwait was widely contrasted with its tranquil acceptance of Israel’s defiance of a series of UN Security Council resolutions on Jerusalem, the West Bank, the Golan Heights and Lebanon. But all this was dismissed in the panic that followed Secretary of Defence Dick Cheney’s convincing report to the Saudi’s of an imminent Iraqi invasion of Saudi Arabia and the rest of the Arabian Peninsula. Nonetheless, the Saudi invitation to the United States was extraordinary. Countries that had long opposed “imperialism” and Zionism turned to the primary western military power for protection against another Arab country. Jordan, Yemen and the PLO found this “solution” offensive and dangerous, and they condemned the subsequent American destruction of Iraq. Their principles have cost them dearly. Jordan’s market in Iraq disappeared in the early days of the crisis. All subsidies from the Gulf Arabs to Jordan, Yemen and the PLO stopped; Saudi Arabia ceased delivery of oil to Jordan and stopped buying its agricultural produce. Altogether Jordan lost half of its gross domestic product. 33

The damage to Yemen has been almost as severe. Some 800,000 Yemenis who had been long-term residents of Saudi Arabia were

dispossessed and expelled. They had peaceful, even docile, residents of the kingdom; they had taken no action against their Saudi Arabia hosts; there were no demonstrations, no sabotage. Yet, they were forced to leave their homes on short notice, sell their business for small fractions of their value and drive to the Yemeni border where their vehicles and remaining possessions were confiscated. Their expulsion was ordered presumably because the Saudis disapproved of the position held by the government in Yemen - that Iraq could be persuaded or forced to leave Kuwait without war - and possibly because the Saudis believed that the Yemeni government was part of the infamous “plot”.

The Secretary General of the GCC had said that the Gulf Arabs would “never forgive and never forget the betrayal” by the poor Arabs. It would also be a long time before the wounds inflicted on Jordanians, Yemenis and Palestinians are healed. The Koranic injunctions to forgive and show compassion have been temporarily suspended by all. Those who opposed the invitation to the Americans accused the GCC and its allies of treason to Arabism and to Islam, but in the GCC itself there was little opposition. In short, the invasion of Kuwait and the Arab reaction to it marked the end of the period when Arabs maintained the pretense that they were part of one great nation.

The invasion of Kuwait by Iraq on August 2, 1990, further added to the need of cooperation among the countries in the region. Besides


instability in the area, it was considered by Iran and Saudi Arabia to be a threat to the strategic importance of their territories. If Iraq had managed the annexation of Kuwaiti territory, it would have a larger coastline in the Persian Gulf. This process would have made Iraq yet another naval power in the Gulf besides Iran and Saudi Arabia. Iraq would have also enjoyed an added production and export of oil. This would have disturbed the balance of power in the OPEC. The success of Saddam Hussein's policies would have increased the possibility of Iraq becoming a leader of the Arab world which it had been trying for since long. No wonder both the states immediately condemned the Iraqi government for the occupation of Kuwait. In order to force Iraq to withdraw from Kuwait, the Kingdom shut off the vital Iraqi oil pipeline to the Red Sea outlet at Yanbu on August 7, 1990, and requested the US to despatch ground forces and warplanes to Saudi Arabia to deter any Iraqi aggression.

In order to beef up its troops near the Saudi border and to ensure Iran's neutrality, the Iraqi President Saddam Hussein, nine days later, announced that he would accept all the peace conditions with Iran. In addition, he requested Iran to side with Iraq against the US "imperialism".  

The deployment of foreign forces in the Gulf increased by the day, provoking a growing anti-Western sentiment in Iran. The Iranian hard-liners were opposed to the presence of the US forces in the region, and wanted the government to actually combat it. But the government

did not want to side with Iraq. Instead of blaming Saudi Arabia, which was responsible for the entry of the foreign forces to the Gulf, it blamed Iraq. The vast expansion of defence capabilities in Saudi Arabia and its back-up by the US military hardware and personnel were considered by the Iranian government as a clear change in balance of power in the region in favour of Saudi Arabia in the future. Iran not only tried to stop the entry of foreign powers into the Gulf but also to maintain the military balance in the region by checking the expansion of Saudi forces. Although the Iranian government had proclaimed a neutral stand in the Gulf crisis. It perceives a pre-eminent role for itself in the Persian Gulf and will not allow others to undermine it. The inter-state and intra-state politics of the Arab region of the Persian Gulf continue to make Iran still relevant to the region. And the Iranian's strategy and tactics to use Islam as a trump card to keep up their position have paid dividends so far. Already the Iranians were reported to have made a tactical move by agreeing to sell Iraqi crude (along with Turkey) to neutralise the effectiveness of extra regional powers' solutions to the region’s problems.

It tried through diplomatic channels, suggesting a coalition of forces made up of the Gulf states, to force Iraq to withdraw from Kuwait. Iran appealed to the GCC states to set up a joint security system in the region to contain Iraq and curb the entry of foreign powers. It did not

37. Ibid., pp. 773-774.
get any positive response from them. However, the confrontation of GCC states with Iraq was accompanied by a radical change in the climate of GCC relations with Iran. This change was evident in the 11th annual summit of the GCC which was held in Doha during 22-24 December, 1990. The summit welcomed trends in Iran to improve and develop its relations with the GCC member states. It also appreciated Iran's stand on the Gulf crisis. During a press conference in Doha, the Qatari Foreign Minister indicated that Iran should be included in security arrangements of the region by virtue of its geographical location. The Iranian Foreign Minister, two days after the GCC summit, stated that Iran "welcomes the positive points in the latest communique and is willing to discuss with the Gulf states the principle of cooperation to guarantee the security of the region from any influence of the foreign powers. Saudi Arabia was not enthusiastic about this proposal.\(^{39}\)

Response of France:

France was the first to come out with proposals on long-term peace and security in the Middle East. Britain followed with its own. They all suffered from internal contradictions. Then there were differences among the allies on the proposal for an international conference on Middle East of which France was an ardent supporter but which was not favoured by America and Britain. In fact, Mitterrand of France had no hesitation in suggesting a linkage with the Arab-Israeli conflict, which

\(^{39}\) Amir Sajedi, n. 36, p. 774.
Saddam Hussein had sought to establish.\textsuperscript{40}

The fate of these or other proposals would depend on the political will of those who have taken the responsibility of organising Middle East with or without fundamental reforms and at a time when turbulence of peace threatens to last longer than the ferocity of war. \textsuperscript{41}

France made it clear that it would not be a party to a war in the Gulf and would veto any United Nations Security Council resolution approving the use of force to end the Gulf Crisis.\textsuperscript{42}

French defence minister said that the decision was a direct result of UN resolution 678, which had set January 15 as the deadline for Iraq's withdrawal from Kuwait. French President Mitterrand announced on September 15 the dispatch of 4,000 ground troops to Saudi Arabia following an Iraqi raid on the French ambassador's residence in Kuwait. Naval units including an aircraft carrier joined two warships already in the gulf. He had also given orders to its 3,000 man naval force to use force if necessary to enforce the embargo. French army ground reconnaissance forces would be part of a troop contingent the government plans send to the Arabian Peninsula.\textsuperscript{43}

\textsuperscript{40} L.K. Sharma, "Crossing the other Gulf", \textit{The Times of India}, March 3, 1991.
\textsuperscript{41} \textit{Ibid.}
\textsuperscript{42} "France Against use of force to end Gulf Imbroglio", \textit{Indian Express}, New Delhi, October 9, 1990.
\textsuperscript{43} "World Acts Against Iraqi Invasion of Kuwait", \textit{Factsheet}, Economic and Political Action, pp. 3-4.
Rocard had been quoted as telling a group of French Parliamentarians that “the role of the French troops sent to join the international force is limited to enforcing the international sanctions against Iraq”, according to a source quoted in a report carried by the ‘Jourdan Times’. Earlier reports said that the speaker of the French National Assembly had demanded that the government clarify Paris’ position on the Gulf crisis. The 15 parliament members who met Rocard represent all parties in the Assembly according to the sources quoted by the “Times”. France, which had signalled an independent approach to the crisis in the initial days after Iraq invaded Kuwait on August 2, 1990, reacted dramatically to reports of a Iraqi intrusion into the French Embassy in Kuwait and sent 4,000 troops and armour to Saudi Arabia to join the multinational force.\(^4^4\)

Earlier the French involvement was limited to naval forces in the Gulf. Iraq subsequently expressed regret over the embassy intrusion. The French president, Francois Mitterand, again signalled a shift in position by becoming the first western leader to link the Gulf crisis to other conflicts in West Asia, including the Palestinian and Labnanee problems. In a speech to the United Nations General Assembly, he outlined a four-stages plan for comprehensive peace in the region. The plan was welcomed by Iraq, which said the proposal was positive and could be built upon.

\(^4^4\) “France Against Use of Force”, Indian Express, New Delhi, October 9, 1990.
Role of China:

Since the Gulf war, there has been considerable scholarly interest in examining the decisions and actions of major players in world politics during the Gulf crisis and trying to determine their broader ramifications. In the case of China, the inquiry centers on why China voted in favour of the first 11 United Nations resolutions that condemned the Iraqi invasion of Kuwait and abstained on the twelfth that is, resolution 678 of November 29, 1990, which from the U.S. point of view was “historic” as it set the deadline for Iraqi withdrawal and authorized U.N. member nations to adopt the measures necessary to restore peace in the region if Iraq failed to meet that deadline.45

Speaking at the general debate of the 45th UN General Assembly on September 29, 1990, Qian Qichen, China’s Foreign Minister, described the Iraqi invasion and annexation of Kuwait as ‘entirely impermissible” and called on Iraq to pull out its forces immediately. It should be noted that China was voted for most of the UN Security Council resolutions on the Gulf crisis while insisting that the dispute should be resolved through friendly consultations without resort to force. Although China voted for Security Council resolution 670 imposing an air embargo on Iraq, it abstained from voting on the subsequent resolution sanctioning the use of force if Iraq failed to withdraw from Kuwait by January 15. By doing so China underlined its preference for a peaceful negotiated

settlement reached mainly through talks between the Arabs themselves and for securing a quick withdrawal of Western armed forces from Saudi Arabia.\textsuperscript{46}

China was a partner of western allies in the early stages of the Gulf crisis. When it abstained on Resolution 678, Western observers suddenly realized that China's support for the anti-Iraq coalition was not unconditional and that its position included the principle of "peaceful settlement" of crisis. China, in other words, would not support a western war effort in the Gulf. Its position and consequently its decision to abstain on Resolution 678, according to some commentators, reflected the desire of the Chinese to maintain "relative neutrality". Their motives were multiple: if the war went badly for the U.N. coalition forces, Beijing would bear no responsibility; if all went well, Beijing would be in a good position to play a role in a post-war Middle East settlement; and Beijing wanted to provide just enough support to the allies to bring itself back into favour with the west. Thus, in order to get the most out of the Gulf crisis while not paying a price for taking an anti-U.S. position. China abstained on, rather vetoed Resolution 678.\textsuperscript{47}

During 1990, the Chinese apparently gave much thought to the general framework of the future world order. With regard to the current changes in international relations, they basically saw three existing or

\textsuperscript{46} Shri Prakash, "China and the Gulf Crisis". \textit{Indian Express}, New Delhi, Jan 10, 1991.

\textsuperscript{47} Hwei-ling Huo, n. 45. pp. 265-66.
developing conditions. First, the post-war bipolar system ceased to exist because of the profound changes in U.S.-Soviet relations. Second, world strategic patterns were following a path of multipolarization with new power centres emerging; however, the world was in a transitional period and a new order had not yet taken shape. Third, the post-Cold war world would be compressed by the hegemonic politics of the two super powers coming to the surface and even intensifying. On September 29, 1990, the Chinese foreign minister presented China's vision of the new world order to the U.N. General Assembly. He said that normal international relations could be ensured only when all countries observed the five principle of mutual respect for sovereignty and territorial integrity, mutual non-aggression, non-interference in each other's internal affairs, equality and mutual benefit, and peaceful coexistence. China proposed that, in the meantime, the United Nations should play a major role in working out solutions to various international issues and problems, fostering a trend toward multipolarity and eventually a more reasonable world order. Throughout the Gulf crisis and the war, China urged a major role for the U.N. and settlement within the framework of U.N. resolutions.\textsuperscript{48}

China appeared more sober in its assessment of the international situation after the Gulf war. Its policy makers began to worry that U.S. determination to settle the crisis by force would set an example for future foreign policy conduct among the western powers, and that

\textsuperscript{48} Ibid., pp. 268-269.
American victory in the war would make the United States "the unchallenged super power" supported by its allies in the post-cold war era. They now believe that in the long run the U.S. does not have the resources for world domination and that the concept of balance of power will be operative, but in the short-run, the world will have to experience a "unipolar moment". Also, the transitional period from bipolarity to multipolarity could take fairly long time, during which the U.S. and its allies would have the ability and the temptation to practice power politics by various means. However, a more sober outlook has not changed the orientation of post-cold war Chinese foreign policy, as by various leadership statements. For example, Qian Qichen asserted in March 1991 that "the use of force can in no way solve all problems and the Gulf war cannot be made a precedent for settling international issues.49

Role of Japan:

Japan's response to the Gulf war was seen as increasingly defining moment for Tokyo in the post-cold war world order. That response so far had been marked by anguished debates about what Japan's role should be, with its action until now limited to some financial aid and the promise of more. But perhaps the most striking aspect of Japan's behaviour was the growing perception that its citizens saw little at stake for themselves in the war's outcome, despite their dependence on West Asian Oil. On the surface, as usual, the arguments revolved around the

49. Ibid., p. 272.
constraints arising from Tokyo’s postwar pacifist tradition and its constitutional renunciation of the use of force. Constantly fearful of generating hostility among its Asian neighbours, Japan clings more tightly than ever to these pillars of its identity. Despite repeated U.S. requests for a direct role in the Gulf, Tokyo had shied away Prime Minister Kaifu’s initial proposal to send 1,000 military men in non-combat roles. He also ordered “preparations” for military planes to airlift refugees from the war zone, but some officials doubted the initiative would get anywhere. Many in the government were afraid that if it did, opposition parties whose votes are needed in parliament would withdraw their support of the money package. Others feared Japanese businessmen and diplomats abroad would be subjected to terrorism. It had become increasingly evident that Japan’s temporizing was serving its sense of self-interest. This, in turn, had dismayed many, including the US Ambassador, Michael H. Armacost, who reminded Japan that “impressions forged in a major international crisis like this one do tend to have a durable, lasting effect”. Before war erupted, for instance, Japanese officials said that one thing they wanted to avoid was the impression that Japan was capable of acting only under US pressure. Then they broke out, and Japan became paralyzed over what to do. Tokyo sent finance minister, Ryutaro Hashimoto, to ask the US what it wanted, and only then did Japan come up with a sum of aid to supply. No matter how hard they tried, the Japanese seemed to end up looking as if they were acting in response to pressure.
The idea that they did not see they had much at stake in the Gulf, other than preserving ties with the US, might seem to contradict the fact that Japan, more than any other country, depends on West Asian oil for 70 per cent of its supplies. But since the Iraqi invasion in August, Japanese had been hearing cautious but bullish reports from their economic mandarins about prospects for weathering the storm.50

The Gulf crisis presented as the first major test to Japan's foreign policy and diplomacy. While there were some in Japan who saw the Gulf Crisis as a clear case where the use of force was absolutely necessary in order to maintain peace and order. As regards Japanese response to the Gulf crisis three things seemed to be possible areas where Japanese response could be conceived: dispatch of Security Defence Force (SDF) personnel, sharing the cost of the multinational forces, and provide financial support for those countries which suffered by participating in the economic sanctions against Iraq. But what appeared to be most critical for Japan was the issue of dispatching SDF personnel to the Gulf and demonstrating the nation's willingness to share not only financial burdens but hardship and risk with other countries. It was in this perspective, the participation of the SDF, if not in a combat role, was seen essential.51


Japan imposed upon itself very strict constraints about the use of its military forces. It was definitely within the country’s discretion to give up its inherent right. However, to escape from its duty was not. It is the duty of a responsible modern state to contribute to the maintenance of peace and order of the world. When Prime Minister Kaifu announced the evening of August 29, 1990, his initial Persian Gulf package, which included no financial contribution to multinational forces there, he referred to it as the “maximum” effort his government could make. But less than 24 hours later, following a phone call from Kaifu to the US President George Bush which revealed that the US was unimpressed by Japan’s weeks of soul-searching. The aid package to the forces jumped from zero to $1 billion. Given Japan primarily US-oriented foreign policy, the government’s reaction to a lack of American enthusiasm, could be considered typical. But the government’s continuous failure to set its own international agenda, especially on the Gulf crisis seemed to have left both Japanese and foreign policy makers exceptionally discouraged about that possibility of Japan’s taking actions befitting its new found economic status.52

The Gulf crisis showed that unless Japan makes its own judgement on world issues and acts according to it, rather than to the American stance, the international community will not appreciate its efforts to

52. Ibid, pp. 7-8.
assume more responsibility. The fact that Japan was not consulted before the US sent troops to the Gulf was an example of how Japan's failure to set an international agenda and this is what puts strain on Japan-US bilateral relations. Opinions were advanced in Tokyo that if the US thought Japan was a country with its own opinion and could take its own stand on certain aspects of international developments like Germany, it would have consulted Tokyo before because it would have wanted to hear a good advice. But it did not feel it was necessary because it expected Japan just to follow the US position. If Japan sincerely wanted to make an international contribution suitable for an economic superpower, it must have realized that a global political role has become increasingly inescapable. Japan continues to be the lynchpin to stability in the pacific. Now the US emphasizes on developing its bilateral relationship with Japan into a global partnership. Japan is already a global power, not a regional power.\textsuperscript{53}

\textbf{India's Response:}

Between the Iraqi invasion of Kuwait and the allied powers' combined attack on Iraq to liberate Kuwait, there was a shift in power in India from the Janata Dal government headed by V.P. Singh to that of the Janata Dal (s) led by Chandra Sekhar. Chandra Sekhar's government was short lived because of its minority support. It remained in power quite precariously only for a little more than six months from November

\textsuperscript{53} Ibid., p. 10.
10, 1990 to May 1991. When the Sekhar government assumed power, there were serious dangers to India's unity and integrity, and its economy was in a shambles. The outbreak of the Gulf war further worsened India's economy, posing a serious challenge to the government. Moreover, the government was confronted with a dilemma with regard to its foreign policy. Whether to throw in its lot with the allied powers who appeared to be sure winners, or to stand by a good friend like Iraq which was sure to suffer defeat.54

The Chandra Sekhar regime came to power on November 10, 1990 and the coalition forces launched their air war against Iraq on January 17, 1991-only two days after the expiry of the U.N. ultimatum on January 15. The face-to-face dialogue between James Baker, U.S. Secretary of State, and Tariq Aziz, Iraq's Foreign Minister, and the talks between Perez de Cuellar, the U.N. Secretary-General and President Saddam Hussein at Baghdad failed. During these hectic days of diplomacy to resolve the Gulf crisis, New Delhi played a passive role. Although the Chandra Sekhar government claimed that it was in touch with other governments in this regard, the fact remained that it did not pursue active diplomacy to resolve the crisis. If anything, its pronouncements and other postures on the Gulf conflict generated an impression that it toed the U.S. line. While insisting on delinking the Iraqi occupation of Kuwait and the Palestine issue, Chandra Sekhar strongly hinted that it was President

Saddam Hussein who was primarily to blame for the Gulf crisis. He urged Iraq to vacate Kuwait in order to pave the way for peace. In response to the demand of the CPI (M) for the withdrawal of allied troops from the Gulf region, he asserted that the presence of these troops in the Gulf had U.N. sanctions. 55

Quickly reacting to the outbreak of the war, the Janata Dal demanded an immediate cease-fire, followed by a negotiated settlement of the dispute between Iraq and Kuwait under the U.N. auspices, withdrawal of Iraqi troops from Kuwait, and freedom of Arab territories from Israeli control. Both the Congress party and Janta Dal complained that economic sanctions were not given sufficient time to work and that there were differences between U.N. objectives and the U.S. They argued that while the U.N. sought to liberate Kuwait, the main objective of the U.S. was to obliterate Iraq. There was, however, one important difference between the two political parties. The Congress party became increasingly critical of the U.N. while the Janta Dal hesitated to criticize it openly. 56

Only a few days before the outbreak of the war, Foreign Minister Shukla had shown his reluctance to launch any peace initiative. He said, "such an initiative should be mooted only if it would be useful and possibly successful." However, within forty-eight hours of the outbreak of the war, India had embarked upon a peace move envisaging immediate

55. Ibid., p. 371.
56. Ibid., p. 372.
suspension of hostilities and withdrawal of Iraqi troops from Kuwait under a unit bound programme\textsuperscript{57}. The starting point of any peace plan has to be withdrawal of Iraqi forces from Kuwait— in principle and not unconditionally as was demanded by George Bush. The condition was that the Iraq-Kuwait border would be an open question but should be delineated by some international tribunal.

The next issue was to work out what sort of regime would replace that of the Al-Sahab family.\textsuperscript{58} Both the South Block and India’s U.N. mission became active for the purpose. Foreign Minister Shukla left for Belgrade while his deputy, Digvijay Singh visited Zimbabwe, Algeria and Jordan. But India’s diplomatic initiative to stop the war yielded no result; its peace was not taken seriously either by the U.S. or by Iraq.\textsuperscript{59}

**View from Pakistan:**

The apparent failure of the nearly seven hours of talks between the Foreign Minister of Iraq and the United States on January 9, 1991 had fuelled speculation regarding the inevitability of a military conflict between the two protagonists after the expiry of the January 15 deadline. Both sides seemed to be sticking to their respective positions. The Americans calling for an immediate and unconditional Iraqi withdrawal from Kuwait and the Iraqis seeking a linkage of the Gulf crisis with the

\textsuperscript{57} Ibid., p. 373.

\textsuperscript{58} G.H. Jansen, “India Remain Unmoved on Gulf Crisis”, *The Times of India*, New Delhi, Oct. 6, 1990.

\textsuperscript{59} J.K. Baral & J.N. Mohanty, n. 54, p. 373.
Palestinian issue. As the deadline approached, fears regarding a conflict being "Imminent" was widely circulated. Concurrent with the Iraqi-American talks in Geneva, there was the visit to Tehran of the highest ranking Iraqi official since the Islamic Revolution, namely the Vice-Chairman of the Revolutionary Command Council, Izzat Ibrahim. In the meantime, there was interesting Gulf-related developments in Pakistan as well which clearly indicated that Pakistan was certainly not a disinterested party to the crisis in its vicinity. There had, for instance, been two public rallies in support of Saddam Hussein in Peshawar and Quetta reflective of a growing public opinion in the country that saw the defiance of Saddam to the American military might in a positive light. These rallies followed the publication of the latest public opinion survey indicating that popular support for Iraq in Pakistan had doubled since August and there had been a corresponding increase in Pakistani opinion to opposition to the American forces in the Gulf. At the same time Prime Minister Nawaz Sharif had announced the dispatch of another Brigade of Pakistani troops to Saudi Arabia "to defend the Holy Places". This Brigade was to supplement the earlier 5000 Pakistani military presence in Saudi Arabia close to the Yemeni border since the Gulf crisis and it was now total more than 10,000 after the Brigade had been sent. This Armoured Brigade was likely to be stationed in Tabuk, the point in Saudi Arabia close to the Jordanian border. The United States embassy had also started preparing contingent plans for the voluntary evacuation of all
non-essential official Americans as well as dependents of diplomats stationed in Pakistan.

In another reflection of the strong public opinion in Pakistan against the US military presence in the Gulf, the Federal Minister of Local Government and Rural Development, Maulana Abul Sattar Khan Niazi, in a January 8, 1991 statement, publically criticised the United States for its refusal to link the Gulf crisis with the Palestine issue, a statement at variance with the official stand of the Pakistan government. While efforts of European, Arab and UN leaders were continuing to prevent a war, it was clear that both sides were basing their respective strategy on certain assumption.

The eight day of the war made it clear that this was patent dissimulation—a mere alibi to further step up the barbarous assault on a Third World nation. A brutal number of air sorties perhaps 3,000-were conducted on that day. And even the minnows of the Western alliance like Canada, eagerly joined the fray, while France shed its early inhibitions about attacking targets inside Iraq.60

The typical public reaction had been that western fury, though perhaps disproportionate to Iraq’s offence, had been justified; that in seeking to erase an autonomous nation-state off the maps of the world, Iraq transgressed grievously against all the norms of peaceful coexistence

that make the preservation of world order possible. This however was an over simplification, perhaps even a half truth. Hostilities against Iraq did not commence with that country’s invasion of Kuwait. G.H. Jansen, one of India’s most perceptive observers of Arab affairs, had pointed out that the military offensive against Iraq had been preceded by a propaganda war, dating from at least March 1990.61

The US war in the Gulf was in its deepest sense a means of changing the rules of global power, of subordinating economic competitors to military power. of transforming economic competitors into docile bankers of US military conquests, of converting economic resources from markets towards war subsidies; of disaggregating European alliances in favour of US centred coalitions; of trading Third World debt payments for military contingents under US command.62

61. Ibid.
CHAPTER V

Iraq and Economic Sanctions

Ever since its mistake of invading Kuwait on August 2, 1990 Iraq is not only facing the severest of economic sanctions ever imposed in its history but also ire of sole super power, the USA. Although is nearly a decade since the Persian Gulf War ended, the UN economic sanctions against Iraq continue to remain in force today, causing an unprecedented human toll and suffering. The UN sanctions, stringently pursued by the United States and European countries have proved to be extremely disastrous for all sections and layers of the society. Those who have suffered more from sanctions are vulnerable: women, children and those heavily dependent on the societal “safety net” provided by international relief agencies.

The negative humanitarian consequences of sanctions have outweighed their intended political benefits.1 These concerns have led many to question the very instrumentality of sanctions. In his January 1995 report, Supplement to an Agenda for Peace, former U.N. Secretary General Boutros Boutros Ghali asked "whether suffering inflicted on

vulnerable groups in the target country is a legitimate means of exerting pressure on political leaders?" Current UN Secretary General Kofi Annan has also expressed concern that "the hardship imposed on the civilian population is greatly disproportionate to the likely impact of sanctions on the behaviour of the protagonists."\(^2\)

Although the instrument of sanctions as a means to uphold and enforce the international norms, is not new. But it became a focus of world attention and of an academic debate after the UN Security Council imposed comprehensive sanctions against Iraq following the Gulf War of 1991. Since then it has become a controversial episode in international relations. There are some who justify the sanctions against Iraq. But there are others also who consider sanctions as unethical and detrimental to the population of Iraq.

Since the end of the Cold War, economic coercion has become a popular response to myriad threats to international peace and security. The Iraqi challenge was the first major threat to international law and order to take place after the mechanism of international peace keeping, long deadlocked by US-Soviet rivalry, had been unshackled. Actions against Iraq demonstrated that the end of the cold war had made possible an unprecedented degree of consensus and cooperation among the major


During the cold war the enforcement powers of the United Nations Security Council were hardly used. The main exception was the Korean war, when the Security Council was able to authorize assistance to South Korea because the Soviet Union was boycotting its meetings. Apart from this exception, the only enforcement actions under chapter VII of the UN charter adopted by the Security Council were a mandatory embargo of the white breakaway regime of Rhodesia in 1966 and a mandatory arms embargo declared against South Africa in 1977. But with the radical shift in Soviet Policy or rather with the demise of Soviet Union sanctions have become a frequent instrument of United Nations authority. Sanctions are no longer the virtual dead letter of the UN Charter. The UN Security Council has currently imposed partial or comprehensive multilateral sanctions against Iraq (1990), the former Yugoslavia (1991), Libya (1992), Liberia (1992), Somalia (1992), Haiti (1993), parts of Angola (1993), Rwanda (1994), Sudan (1996), Sierra Leone (1997) and most recently against Afghanistan. Sanctions have also become very popular in the United States' Policy tool of choice. A 1997 study by the National Associations of Manufacturers listed 35 countries targeted by new American sanctions


from 1993 to 1996. What is noteworthy, however, is not just the frequency with which sanctions are used but their centrality; economic sanctions are increasingly at the core of US foreign policy.\(^6\)

Sanctions have long been used in international politics not only as means to uphold international norms but also as instruments to secure political advantage and maintain indirect control. But all too frequent use of sanctions in the recent years and the same on the behest of one member of the Security Council has raised many doubts about their intention. The end of the cold war has transformed the Security Council as one of the department of the US government. In many cases the United States has hijacked the proceedings of the council to serve narrow national purposes, as has been the case with sanctions against Iraq.\(^7\) The role of sanctions as an instrument of the mighty is troubling. This is especially true when the United States labels certain countries "rogue states" and subjects them to unilateral punitive pressure. Such policies have little or nothing to do with global justice and the enforcement of international norms, which are often used as pretext by the United States while imposing sanctions on states which either refuses to toe the US line on particular international issue or challenges its hegemony in certain regions. The misuse of sanction instrument by Washington is troubling particularly


with the US, fiercely asserting its self-appointed role of omnipotent global cop bent on instant retribution to errant nation. All these foster resentment and skepticism.

Conceptualizing Economic Sanctions:

According to Oxford dictionary the literal meaning of sanction is an "action taken by a country to penalize and coerce a country or organisation that is considered to have violated a law or code of practice or basic human rights". Webster's dictionary defines the term as "coercive measures applied to a nation taking a course of action disapproved by others". Or "motive for obedience to any moral or religious law". Galtung offers a useful general definition of sanctions. They are "actions initiated by one or more international actors (the senders) against one or more others (the receivers) with either or both of two purposes: to punish the receivers by depriving them of some value and/or to make receivers comply with certain norms the senders deem important."

In 1938 the British Royal Institute of International Affairs defined sanctions as an "action taken by the members of international community, against an infringement. actual or threatened, of the law" These sanctions include the rupture of diplomatic relations, cultural and sports boycotts,


commercial sanctions both on exports and imports, and naval blockades. Of all these measures, the most widely used are economic sanctions.

Lloyd Brown John says that economic sanctions may be grouped into three types—embargoes, boycotts and blockades. Daoudi and Dajani have defined that embargo means a ban on export of goods to any sanctioned country by one or more countries. Boycotts on the other hand have been defined by them as sanction imposed by one or more countries to stop the importation of some or all goods from the sanctioned country. Finally, blockade means the closure of territorial waters of the target country to deprive it from imports and exports facilities.

Robert A Pape writes that states use economic pressure against other state for a variety of political purposes. There are two main categories of international economic weapons—trade restrictions and financial restrictions—each of which can be employed with varying intensity and scope. For example trade may be suspended completely or tariffs merely raised slightly; financial flows may be wholly or partially blocked or assets seized; the entire opposing economy may be targeted or just one critical sector. Although the same economic weapons can be employed in support of different political goals, different political purposes yield different strategies. There are three main strategies of international economic pressure: economic sanctions, trade wars, and economic warfare.

10. Ibid, p. 16.
Although Robert A. Pape makes distinction among these strategies, there are many who use the term "economic sanctions" to apply to all three strategies. Recently Baldwin has argued that concept of economic sanctions should be broadened to encompass all aspects of "economic statecraft" including not only economic coercion for political purposes (the traditional understanding of sanctions), but also coercion of economic goals (trade disputers) as well as goals other than changing the target state's behaviour, such as engaging in economic warfare, rallying domestic political support, demonstrating resolve to third party audiences, or simply inflicting punishment.

Economic sanctions seek to lower the aggregate economic welfare of a target state by reducing international trade in order to coerce the target government to change its political behaviour. Sanctions can coerce either directly, by persuading target government that the issues at stake are worth price, or indirectly, by inducing popular pressure to force the government to concede, or by inducing a popular revolt that overthrows the government, resulting in the establishment of a government that will make the concessions. Although coercers may suspend trade either comprehensively or partially, economic sanctions characteristically aim


to impose costs on the economy as a whole. Partial trade suspensions are generally adopted either as a part of a calculated strategy to signal the potential of still worse pain to come if the target fails to comply, or as a second best measure because more pressing domestic or international political constrains rule out comprehensive pressure.

In each cases in which sanctions have been applied there appear at first sight to be clear objectives relating to changes in the behaviour of the government against whom they are directed. It is these objectives which are emphasised by those imposing the sanctions. But the study of particular cases of sanctions makes clear that the objectives for which sanctions are imposed are far from simple or straightforward. The objectives pursued can broadly be divided into three categories. There are "primary objectives" which are concerned with the actions and behaviour of the state or regime against whom the sanctions are directed-the 'target state'. There are 'secondary objectives' relating to the status, behaviour and expectations of the governments imposing the sanctions-the 'imposing state'. And there are 'tertiary objectives' concerned with broader international considerations relating either to the structure and operation of the international system as whole or those part of it which are regarded as important by the imposing states.15

It is these primary objectives which have received the most attention in the studies of sanctions and tend to be given the most emphasis in

the imposing state. However, these primary objectives are themselves diverse. They may include attempts to induce internal political change within the target state-sometimes to topple the target regime, as the United States is currently seeking to do in Iraq. They may be directed to forcing an erring member of a regional alliance back into the fold, as Russians tried to achieve with Yugoslavia. They may be designed to deter the target state from some action beyond its borders. They may seek to weaken or punish the target state or they may be intended to force a target state to accept broadly agreed international norms.¹⁶

Thomas G. Weiss finds a change in the pattern of sanctions. He says that the new pattern distinguishes itself from the old not only by the frequency with which sanctions have been imposed, but also by the wide range of purposes they serve, the centerpiece of efforts to repel aggression, restore democracy, condemn human rights violations and punish regimes harboring terrorists and international war criminals.¹⁷ The United States for more than any country, uses sanctions to discourage the proliferation of weapons of mass destruction and ballistic missiles, promote human rights, end support for terrorism, thwart drug trafficking, discourage armed aggression, protect the environment and oust governments. To accomplish these ends, sanctions may take the form of arms embargoes, foreign assistance reduction and cutoffs, export and import limitations,


asset freezes, tariff increases, import quota decreases, revocation of most favoured nation (MFN) trade status, votes in international organisations, withdrawal of diplomatic relations, visa denials, cancellation of air links, and credit financing, and investment prohibitions.¹⁸

Although increasingly popular especially after the end of the cold war and the demise of the Soviet Union, efficacy of economic sanctions has always been doubtful. Study after study shows their questionable utility. For example Galtung in his study of sanctions against Rhodesia concludes that the probable effectiveness of economic sanctions is generally negative.¹⁹ Doxey summing of her analysis of the UN and southern Africa concedes that the deterrent and coercive force of sanctions is weak on almost every count.²⁰ Another scholar Adler-Karssom says that "it is hard to avoid the overall conclusion that the described embargo policy has been a failure."²¹ Another influential study concludes from analysis of more than 100 cases that economic sanctions have worked to some extent about a third of the time.²²

---

¹⁸. Richard N. Haass, n.6, p. 74.
¹⁹. Galtung, n.8, p. 409.
In many cases sanctions have even proved counter productive and resulted in unintended and undesirable consequences. Generally proponents of economic sanctions argue that negative humanitarian impact of sanctions would encourage the people to revolt against the incumbent regime. But in many cases things have been totally reverse. Assumptions of political collapse following economic disaster in the target state have proved to be unfounded. Contrary to belief economic sanctions generally have opposite effect of creating a sense of community and solidarity in the target state. Sanctions have also generated the feeling of staunch nationalism which often makes states willing to endure considerable punishment rather than abandon their national interests. States involved in coercive disputes often accept high costs, including civilian suffering to achieve their objectives. Even in the weakest and most fractured states, external pressure is more likely to enhance the nationalist legitimacy of rulers than undermine it. The best example is Iraq, which has been subjected to the most extreme sanctions in history but it has not buckled. Economic hardship and suffering of Iraqis continue without causing its population to rise up against Saddam Hussein.

But this is not that sanctions have not worked altogether. Haass writes that under the right circumstances, sanctions can achieve, or help achieve, various goals ranging from modest to the fairly significant. Although sanctions alone have seldom brought about major policy changes, they

may make a difference when blended with other international actions. It is mistake to expect economic sanctions alone to achieve the desired primary objectives. Sanctions in fact, should be implemented as a flexible component of a wider diplomatic strategy rather than as the main policy toward a target country, and that should seek to persuade rather than punish. To be effective sanctions must be combined with incentives, as a part of a carrot and stick diplomacy designed to resolve conflict and bring about a negotiated solution. This strategy requires that the imposing authority establish clear and consistent standards for the lifting of sanctions. This logic of instrument also demands that steps toward compliance by the target be rewarded with an easing of coercive pressure. The easing of sanctions will work as incentive for further compliance by the target state. But in case of Iraq the Security Council has adopted an unyielding posture and refused to reciprocate Baghdad's occasional concessions and cooperation.

Sanctions may also prove counter-productive when the imposing body does not provide or properly administers humanitarian exemption and other measures to protect the innocent. The severe economic and social hardships which are inevitable consequence of sanctions have been a point of intense controversy and debate. Considered as an alternative to the use of military force, sanctions may still cause economic and social hardships equivalent to those caused by war. For example in Iraq.

more and more people have died as a direct result of sanctions in comparison to the number of casualties caused by the Gulf War and subsequent US bombings. In some cases, the negative humanitarian consequences of sanctions arguably outweigh whatever political objective may have been accomplished. The UN Secretary General Kofi Annan has pointed out that economic sanctions are "too often a blunt instrument", and has called for measures to mitigate their adverse humanitarian impacts. He has also noted that sanctions pose a dilemma for the United Nations' dual mandate to preserve peace and protect human needs.

Despite the fact that sanctions have imposed hardship on vulnerable sections of the society, many argue that they may be ethically justified if carried out for a higher political and moral purposes such as halting aggression or preventing repression. However, in even that case, the degree of pain caused by sanctions must not exceed the point that drives living standards below subsistence levels. A US policy analyst has argued that while a certain level of civilian hardship is unavoidable, sanctions must not deprive people of the basic right to life and survival. Nations imposing sanctions have a responsibility to provide humanitarian assistance to vulnerable populations. The principle of civilian immunity applies no less in the imposition of sanctions than in the conduct of war. The sanctioning


authorities cannot be exonerated from the fundamental responsibility of mitigating humanitarian impacts within target countries. They must also ensure that the measures enacted to uphold international norms do not cause suffering disproportionate to the ends served.

**Impact of UN Sanctions on the Iraqis:**

The Iraqi invasion of Kuwait on August 2, 1990 stimulated an immediate international response. In the changed political scenario of the post-cold war world order Iraq was exposed to an international consensus of unusual strength. The result was the most extensive use ever of the Security Council's powers. The Security Council through its myriad of resolutions imposed the most comprehensive and severest economic sanctions on Iraq ever enacted in its history. With near total support sanctions were implemented with the most effective enforcement ever put in place. The Council linked their lifting to Iraq's unconditional compliance with all of its resolutions.

On August 6, 1990 the UN Security Council passed Resolution 661, the first of the sanctions resolutions. The resolution called upon a total ban on trade and trans-border financial transaction with Iraq and occupied Kuwait. Supplies intended strictly for medical purposes, and, in humanitarian circumstances, foodstuffs were exempted. The resolution also established a committee, consisting of all members of the Security Council, to monitor the implementation of these economic measures,
known informally as the "Sanction Committee". On 9 August President Bush issued further executive orders to strengthen US sanctions in response to UN Resolution 661. President Bush, with a stroke of pen, was in a position to affect the patterns of world trade. The European Economic Community through its regulation No. 2340/90, issued on August 8, reaffirmed the 661 embargo conditions.

Over 300 items were included on the 'red list' of banned goods compiled by the Sanctions Committee, ranging from light bulbs, socks, and wrist watches to oven, sewing machines, needles, nails and refrigerators. The banning of some of the items had a clear strategic rationale: for example, the bans on pesticides, seed, fertilizer, and spare parts for agricultural machinery were clearly designed to have an impact on agricultural production. But, as Eric Rouleau, a former French ambassador to Turkey, noted that, the logic of including some items was not always clear: apparently pencils were included because the graphite used in lead has military value.

As experts generally urge, sanctions were imposed quickly and comprehensively, with effective enforcement from early days. Given a well disposed international constellation at the time, international support was overwhelming; more than 150 nations had, as required, reported to

the UN Sanctions Committee on their compliance with sanctions. Secondary enforcement was more effective than in any previous case; compensation was paid to states for losses incurred by complying with embargo, and international financial institutions made available low-cost loans. Other oil producing states, Saudi Arabia in particular, increased oil production to compensate for lost Iraqi oil and to drive down oil prices after a temporary jumps. The impact of these measures was in fact unprecedented.

On August 25, 1990 the five permanent members of the Security Council agreed on a framework for the use of force to support the embargo in case of established and clear violations of sanctions. A key section of Resolution 665 declares that the Security Council "calls upon those member states cooperating with the government of Kuwait which are deploying maritime forces to the area to use such measures commensurate to the specific circumstances as may be necessary under the authority of the Security Council to halt all inward and outward maritime shipping in order to inspect and verify their cargoes and destinations and to ensure strict implementation or the provision related to such shipping laid down in Resolution 661" The wording of the resolution was highly significant. "Such measures ...as may be necessary" made it plain that force was not prohibited.


From the outset, the sanctions regime had to grapple with the problem of food. Iraq was net importer of food and the tight sanctions net maintained by naval forces provided by the coalition assembled by the US President George Bush proved to be very effective. Indeed, so effective was the blockade that by September 1990 the Security Council felt it necessary to instruct the Sanctions Committee to monitor the availability of food in Iraq and prepare for the possibility of supplying food in order to relieve 'human suffering'. Resolution 666, adopted on September 13, 1990, sought to ensure that food reached the civilian population. The resolution also made specific mention of groups likely to be more affected than others: "Particular attention will be paid to such categories of persons who might suffer specially, such as children under 15 years of age, expectant mothers, maternity cases, the sick and elderly".  

In March 1991, the Security Council Sanctions Committee determined that 'humanitarian circumstances apply with respect to the entire civilian population of Iraq, and that food and medical supplies should be allowed immediately'. Subsequently on April 3, 1991 the Security Council passed resolution 687 which formally exempted food stuffs and medical supplies from the sanctions regime. Further efforts were made by the Security Council to conclude an agreement with Iraq under which Iraqi oil could

be sold and revenue from these sales used for 'humanitarian' purchases of food, medicines, and other clearly civilian goods and services. However, it was not until May 20, 1996 that Iraq accepted the terms of Resolution 986 of April 14, 1995, which outlined the terms of the 'food-for-oil' arrangement, and not until December 1996 that the first oil flowed to Turkey.33

While measuring the impact of sanctions on Iraqis one has to grapple with many challenges. First, the evidence of the effects of sanctions in Iraq is primarily anecdotal, consisting mainly of impressions gathered by UN officials, journalists, public health workers, and peace activists. Reliable official government data is nonexistent. And whatever information the Iraqi government does provide about the effects of the international sanctions must be viewed with considerable scepticism, since the Saddam Hussain has a deep interest in portraying conditions in Iraq as grim terms as possible in order to generate sympathy abroad, and a rally round the flag effect at home. Thus it is difficult to assess the effects of sanctions on aggregate measures such as gross domestic product (GDP) or formal employment, leaving one to rely on estimates.

Second, assessing causality for condition of the Iraqi economy in the early and mid-1990s is complicated by the fact that a great deal of damage was caused by the eight year Iran-Iraq war, the two months of military attacks by the coalition during the Gulf-war, and the civil wars

33. Ibid, pp. 279-83.
within Iraq after 1991. However, according to a study team dispatched to Iraq in June 1991 by the Secretary General of the United Nations Boutrias Ghali, sanctions played an important part in causing economic damage. The team concluded that 'the impact of sanctions had been, and remains, very substantial on the economy and the living conditions of its civilian population.'

And finally there is problem of assessing the responsibility. Who should assume responsibility for the consequences of sanctions? Critics see the suffering occasioned by Security Council decisions as the responsibility of member states. They argue that if sanctions had not been imposed, and normal patterns of economic intercourse had been allowed to prevail, people would not have experienced such an extreme form of suffering and hardships. Proponents, in contrast, blame reprobate regime which did not change its objectionable policies and bring the sanctions to an end. They argue that Iraqi children are dying not because sanctions have curtailed financial and commercial transfers, but because Saddam Hussein has poured resources into opulent palaces, rebuild his military, and continued to develop weapons of mass-destruction. Baghdad publishes appalling statistics on child mortality but lets food and medicines rot in warehouses and postpones purchasing vital goods permitted through limited oil sales. However this study does not try to solve the vex question that who should be held responsible, but feels that both Iraq and the

34. Thomas G. Weiss, n. 17, p. 505.
Security Council should take their share of responsibility so far as suffering of Iraqis are concerned. There may be differences about assuming responsibility but all agree whether proponents or critics of sanctions that they have caused severe hardships in Iraq.

Although sanctions have severely affected and still continue to affect almost all sections of Iraqi society but those who have been hit more are the vulnerable: women and children. Similarly at institutional level four sections have been affected most seriously by the sanctions and have long term consequences are health, food supply, education and sanitation. Sanctions have devastating impact on entire Iraqi economy-an economy that in previous decades had advanced into the front ranks of the developing world is rapidly backtracking to a pre-industrial state. Never before has a country faced such prolonged economic strangulation, with the value of lost revenues from prohibited oil exports amounting to more than $130 billion, industrial output dropping by 50 percent, inflation rising by more than 5,000 per cent and per capita income plummeting to levels equivalent to those found in the poorest nation.35 The social cost of sanctions has been enormous. Children have been forced to work, to beg and engage in crime. Young women have been forced into prostitution by the destitution of their families.36

The impact of sanctions has been well documented over the years. All the reports from journalists, oil agencies, UN officials and others convey a consensual picture of a civilian population facing unprecedented catastrophe. A report from an UN agency confirms that continued sanctions since August 1990, against Iraq have virtually paralyzed the whole economy and generated persistent deprivation, chronic hunger, endemic undernutrition, massive unemployment and widespread human suffering. A vast majority of the Iraqi population is living under the most deplorable conditions and is simply engaged in a struggle for survivals but with increasing numbers losing out in the struggle, every day a grave humanitarian tragedy is unfolding.  

Sanctions have maximized human suffering in all manifestations. They have resulted in dramatic increase in child and maternal deaths, malnutrition, polluted water, shortage of basic human needs and medicines, deterioration in educational standard, unemployment, diseases and de-industrialization of Iraq. Sanctions have proved to be the most suicidal and destructive instrument to the human beings. 

Informations about plight of children in Iraq are more shocking. The United Nations Children's Fund (UNICEF) reported in 1996 that 45,000 children under the age of five dying every month in Iraq as a result of sanctions-induced starvation and disease. A more recent report, noting

pre-sanctions mortality for the under fives at 540 a month, stated that the figure for May 1997 was around 56000 a month and still rising. One of the most alarming reports appeared in a December 2, 1995 letter to Lancet, the journal of the British Medical Association, in which members of a 1995 Food and Agricultural Organization (FAO) team asserted that sanctions were responsible for the deaths of 567,000 Iraqi children. This figure, generally rounded to 600,000 has been the most frequently cited number. Critics claim that more Iraqi children have died as a result of sanctions than the combined total of two atomic bombs on Japan and the recent scourge of ethnic cleansing in the former Yugoslavia. The surviving Iraqi children-typically malnourished, sick and facing premature death-inevitably suffered in other ways as well.

To the catastrophic impact of war and sanctions on the physical health of Iraqi children was added the traumatic devastation of their psychological condition. A substantial research has revealed a highly disturbed child population characterised by intrusive thoughts about the war and various patterns of 'avoidance' behaviour. Around two-third of the children surveyed, were experiencing sleep problem and about a half were worried that they might not live to become adult. Moreover, there were suggestions that psychological problems were worsening. For a whole generation of Iraqi children, the world is not a safe place anymore, anything can happen, and it can literally happen out of the blue. A majority of

the children felt 'more alone inside': they had lost all sense of security and optimism.\textsuperscript{39}

Women have been hit more and they suffer in unique ways, due to sanctions and resultant economic strangulation. Only the desperately hungry pregnant women can experience the anguish of knowing that her foetus is already malnourished, that her baby will stand a greater chance of being born disabled or dead, and that if it survives it is destined to suck in vain on shrivelled breasts. Sanctions have a direct impact upon the roles that have been traditionally assigned to women in Iraqi society and culture. Bearing in mind the status of women in Iraq, as in many third world countries, one expects that women have borne and are still bearing the brunt of recent upheavals in family, economy and society. Iraqi women, having lost husbands, sons and brothers in war, have been forced to shoulder an immense burden. Many of the women who are the sole earners in their families have great difficulties feeding their children. Economic sanctions have produced greater unemployment, making it difficult for women to earn the money not being provided by war maimed or absent husbands. So many women in Iraq today are driven to take up humiliating ways of earning in order to assure the survival of their dependents. They have had to compromise with the traditional notions of honour and shame. Women can be seen begging at street corners, hidden completely in the anonymity of the \textit{abya} (the traditional black

\textsuperscript{39} Cited in Geoff Simon, n. 30, p. 124.
garment covering the entire body). Because of poverty many women now turn to prostitution in order to be able to make a living. Women typically go hungry to provide for their children and elderly relatives.40

According to one survey nearly two-thirds women in Iraq are suffering from such psychological problems as depression, anxiety, headache and insomnia. They are also suffering from severe malnutrition, increase susceptibility to disease, menstrual irregularity and breast feeding difficulties. The 1991, long before the full impact of sanctions was being felt, Sadruddin Agha Khan report estimated that about a third of all pregnant and lactating women were under-nourished and in need of nutritional support.41 Dr. Abed-al-Amir, head of the Babylon Paediatric and Maternity Hospital, has stated that the much increased incidence of miscarriages, premature labour and low-birth weight babies has been caused by the mounting physical and psychological pressures on women, the lack of medicines and pre-natal care, and the difficulty in reaching hospitals because of transportation problem.42

Dr. Al-Amir also commented that the lack of contraception facilities, a further consequence of war and sanctions, was having various adverse consequences. Now contraceptives were only being made available to women

---

40. Ibid, p. 132.


for medical reasons and in rare cases to older women with large families. The researchers for the International Study Team encountered one women, anaemic and weak, who had two caesarian operations in one year because of lack of contraception. Aid workers were soon to report caesarian operations taking place without anaesthetics—yet another consequence of sanction A teenage girl was cited who had bleeding problems that could only be countered by the birth control pill, which at that time had become unavailable. Another consequence, reported by a women gynaecologist from Hilla, was an increase in the incidence of illegal abortions and a related increase in the number of maternal deaths. A large number of women were now testifying that they or their daughters were now suffering from irregular menstruations, excessive bleeding and severe pains; with an increase in the incidence of hair loss, skin complaints, weight loss, insomnia and other problems.43

With the progressive collapse of the medical infrastructure, the Iraqi women are now forced to take on the burden of health caretakers. This in turn put mounting stress on women, already struggling to find food and water, and usually unable to feed their families properly. Many women take their sick children to health centres and hospitals, only to find that the sanctions have blocked the medical access to drugs and to the spare parts necessary to keep medical equipment working. The women then stay with their dying children in hospital wards denuded of effective medical care provisions.

43. Ibid, pp. 44-45.
Sanctions have drastically changed the women's domestic roles. Almost all Iraqi women claim that their lives have changed since the sanctions were imposed. Now they have extra-domestic responsibilities due to the destruction of infrastructure, such as water supply and electricity and because of fuel shortages. Water is major worry for most of the Iraqi women. While in some rural areas women are used to fetching water form wells or rivers, many Iraqi villagers are in fact equipped with water pipes, fetching water become an added responsibility for many women after supply of piped water were disrupted. Most of the women interviewed by the International Study Team indicated that their household duties had increased since the onset of crisis, even though their husbands had in many cases lost their jobs because of the collapse of the economy. Free men in Iraq do not assist women in household works because it is treated as degradation of manhood.

The sanctions imposed on Iraq has badly affected the marriage prospects of the Iraqi women. In particular it has become increasingly difficult to put together the mahar—the traditional bride-price or dowry of cash, gold and jewellery provided by the husband's family to the wife as a result of the collapse of the Dinar and the widespread practice of selling the family's gold for food. And women, particularly the mothers of marriage-age daughters, are reportedly unwilling to forgo the mahar.

44. Ibid, p. 46.
expressing concern about not only their daughter's good standing with their prospective in-laws, but also their daughter's security. The gold jewellery was traditionally the way in which married women ensured their financial stability or secured a voice in family decision making.\textsuperscript{46}

In short, the evidence presented in International Study Team, newspaper accounts, the work of many scholars and UN reports speak volumes about miserable conditions of the Iraqi women caused by prolonged UN economic sanctions. The vast majority of the Iraqi women contend with a variety of problems; more difficult roles, a greatly reduced ability to feed their families, an increased chance of unemployment, general impoverishment, lack of medical care and of an hygenic environment, anxiety and psychological trauma, marital collapse and family breakdown, increased problems in pregnancy and childbirth, an increased likelihood of sickness and disability.\textsuperscript{47}

The health sector in Iraq has totally collapsed. Nearly all medicines are in short supply, increase in the incidence of disease. no anesthetics to operate, no ambulance, power failure in the middle of emergency heart operation, a high infant mortality rate and high rates of morbidity and mortality in general, rising rates of preventable disease caused by malnutrition and unsanitary conditions, closure of hospitals and community health centres due to shortage of medicines, staff and equipments. These facts depict an appalling humanitarian tragedy.


\textsuperscript{47} Geoff Simons, n. 30, p. 135.
In late 1991 it was estimated that, following the imposition of sanctions and the destruction of medical facilities in the war, less than one thirtieth of Iraq's medicine requirements were being met. Iraq had been accustomed to importing medicines on a massive scale, a practice that was almost totally blocked by the embargo. This meant that soon all medicines—including medicated milk for infants, vaccines, drugs (for diabetes, asthma, angina, tuberculosis, etc), anaesthetics and antibiotics were in short and diminishing supply. In the same way all other medical supplies (such as syringes, intravenous fluids, surgical supplies, new medical equipment and spare parts for X-ray machines, incubators etc.) were rapidly becoming unavailable, either deliberately blocked by the Sanctions Committee or mischievously delayed by cumbersome and bureaucratic procedures. In addition the collapse of the infrastructure -power supplies, clean water, transportation. etc. meant that many of the formerly sophisticated health provisions could no longer operate, substantially reducing the access to health care.48

According to Agha Khan Mission 2.5 million Iraqis were without access to potable water in summer 1991, and access had been cut to a quarter of pre-war capacity for a further 14.6 million. By November 1992, the situation had not much improved, according to some reports a liter of drinkable water cost more than a liter of petrol.49 The unavailability

of clean water has led to gastroenteritis epidemics with thousands of deaths. With the water and sewage systems repeatedly attacked by allied bombers, the World Health Organisation estimated that the Baghdad water supply was down to 5 percent of its pre-war level, which meant that people were forced to take drinking water from heavily polluted rivers. As a result, diarrhoeal diseases have spread because of raw sewage in streets and in many rivers. In conjunction with the inability to provide adequate immunization, and the collapse of health services, these poor sanitary conditions have prompted outbreaks of poliomyelitis, measles and tetanus, all of which were previously uncommon. The breakdown in the clean water supplies has made the populace vulnerable to an epidemic of typhoid.

Throughout Iraq there is acute shortage of medicines even life-saving one are simply not available. Even if some medicines are supplied they do not come with the required combinations and frequency. According to a UN worker, "The medicine part is the most depressing. If a person has less food, he still survives but he cannot do without medicine". When the UN workers go around the smaller towns, people come up to them with prescription and empty vials and ask when is this medicine going to come? Before the war the Iraqi Ministry of Health was moving 1,500 tons of medical supplies around the country every month using large trucks and trailers with 35-ton capacity in the immediate post-war period about 90 per-cent the Ministry vehicle fleet had been immobilised.\(^{50}\)

drugs required by the Iraqi Ministry of Health are produced only by specialist companies in the United States and Britain and governments in these countries are effectively blocking all exports to Iraq. The London based charity Medical Aid for Iraq (MAI) reported that in Baghdad pharmacies a constant stream of people with prescriptions was arriving only to be turned away. Some pharmacists were turning away 90 per-cent of people, elsewhere only 1-2 per-cent of people were being served.

Eric Hoskin, a doctor who was the medical coordinator for the Gulf Peace Team has reported on the collapse of health care infrastructure, claiming that hospitals had been reduced to 'reservoirs of infection' as a result of the lack of medicines, the closure of laboratories and operating theatres. In Kirkuk Hospital a physician described how she had just performed an emergency cesarian section with flies swarming over the incision because operating room windows had been shattered during bomb blasts' and the sanctions regime would not allow their replacement.

The Revel report for the International Federation of Red Cross and Red Crescent Societies, has noted that Iraq which had formerly enjoyed a very well developed health care system with sophisticated health care facilities nearly free of charge, was now seeing massive deterioration


52. Ibid.
in its health provisions. In February 1993 the aid charity Medicine for Peace (MFP-New York) noted that it was quite clear that the functional embargo of medicines and biologicals (vaccines), hospital and laboratory equipments and most critically, spare parts for medical equipment had resulted in a complete collapse of the health delivery system. The government's warehouses for medicine have reportedly run out of such basics as bandages, and there is acute shortage of syringes. The equipment the hospitals lacks ranges from simple sutures to blood filters, from bags to incubators. Another alarming fact about Iraqi hospitals: most have gone back to the old system of glass boiled syringe. This is due to fact that Iraq's disposable syringe factory in Babel was destroyed by the Americans during the war. All over the world this method was discontinued because of the danger of hepatitis and other cross infections.

It is also significant to note that Iraq has relied mostly upon sophisticated medical technology imported from around the world; and that now Iraq is prohibited by the sanctions regime from importing such equipments and necessary spare parts for equipment already in Iraq. Iraq is no longer allowed to acquire X-ray plates, laboratory scanners, spare parts for incubators and intensive care units, inks, paper and much else.


for which there is a clear medical need. Due to lack of paper prescriptions are being written on scraps of cardboard. One doctor in Iraq reported: 'we have lost patients because we didn't have any instruments. Either we have run out of spare parts or laboratory kits. We have radiological equipment, but no X-ray paper. We can't monitor cardiac patients because the monitor don't work.  

The ongoing sanctions against Iraq have had a devastating effect on Iraqi people and society. Once a prosperous nation with western tastes and secular outlook, most of the country now live in a state of severe poverty. The people of Iraq are fighting a daily battle against the hardship imposed upon them by sanctions. The sanctions have completely ruined the economy of Iraq. Since the war earnings have not increased for most people, while the prices of basic commodities have increased drastically. As a result, the purchasing power of Iraqi households has dramatically declined. The average food basket purchased by a family of six used to cost about 66 dinars, soon after the war the same costs more than 100 dinars. Before the embargo, a cartoon of 30 eggs used to cost 400 Iraqi fils or less than half a dinar. Now the same cartoon costs 3000 dinars. The same goes for basic food stuffs such as sugar, rice, wheat, tea and cooking oil. One of the main causes of hardship is the rocketing prices of many food stuffs, an inevitable consequence


56. The Pioneer, New Delhi, March 5, 1999.
of the shortages caused by sanctions. The massive price escalation that occurred in the first year of sanctions continued in subsequent years.

In addition there has also been sharp decline in the value of the Iraqi dinar. In 1990 one Iraqi dinar was equal to 3.5 US dollar but now two dollar is equal to 4000 dinars. Both per capita income of Iraqis and salaries of personnel are in worst condition beyond our imagination. A university Professor in Iraq hardly gets even one hundred US dollar as monthly salary. Most households in Iraq today earn an income well below what is needed to satisfy elementary needs. Iraq's economy is facing one of the most serious resource crisis in the history with increasing debt burden. Iraqi government is finding it very difficult to built peace, to meet the rising expectations and to implement the rehabilitation and reconstruction programmes on which its political legitimacy is hinging upon.

There have been major changes in the lives of ordinary people of Iraq. Day to day existence has become a struggle for survival. The Iraqi people have been plunged into poverty, an affliction with many faces- hunger being one of them. Hasar, as the sanctions are known in Arabic is now a household term and are perceived by the Iraqis as to be the root causes of their plight. In the last few decades Iraq had made rapid progress in development and public services. This was reflected in the standards of living of the people and the fact that very few people were below the poverty line. Those who were in the 'destitute' category were
provided with a pension of 54 dinars. Presently very few people are above this destitution line. These same people, for whom acquiring bread did not pose any significant problem before the war, now regard it as a major preoccupation.

War and sanctions have led to a sharp deterioration in formal employment. During the war and the internal conflict that followed, most sources of employment came to standstill. In the aftermath of the war the destruction of industries, power and telecommunications system in the coalition bombings and shortages of spare parts due to the economic blockade have prevented a speedy recovery from taking place. A visit to a factory shows evidence of this—row upon row of idle machines. The condition of these machines gives an idea of the predicament that their operators must be in. A large percentage of the industrial workers have lost their jobs. Government employers fared better only to the extent that they had stable jobs. However, the worth of their salaries (unchanged in money terms) has been greatly reduced by price increase. The condition of casual labourers is no better. Even though their daily wages have increased a little in money terms, their work opportunities have been reduced by about 50 per cent. A large number of families in Iraq seem to be surviving on pensions. There are different categories of pensions for retired government employees, war widows, parents of soldiers killed or missing in war, and the destitute.
In the state of near total collapse of real income from wage employment and pension many people have started finding ways and means of being self employed. Many government employees can be seen selling cigarettes, sweets, newspaper or anything which would allow them to make some extra money. In Baghdad one can see series of stalls with young people (often educated and unemployed) selling various home cooked food items like vegetable and lentil stews. There were hardly any roadside stalls in the pre-sanctions days. While travelling from Baghdad to nearby down, one is struck by the number of small children who should have been in school but instead are selling cans of soft drinks and mineral water. What is more ironical that they sell mineral water to make a little money to help their families but they themselves drink unpurified water due to the scarcity of chlorine (essential for purification) which is embargoed as a chemical.

Sanctions have created serious financial crises for Iraqis. Many have incurred debts and sold gold and other household items such as refrigerators, televisions as a result of economic need. Indeed Iraqis have sold everything even the kitchen sink in some cases - to survive the international embargo. Many of those who did not sell any household items were among those who had nothing to sell. The ongoing sell of household items is a telling indication of the extent of poverty in the household. Besides meeting basic needs the distress sales are also made

in order to raise capital to assist the setting of petty trade or business of relatives demobilized from the army, prisoners of war who have returned, or those who are seeking to be self employed.

Perhaps the most pervasive and negative effects of the sanctions involved the availability of food. Though technically exempted from the sanctions imposed on Iraq, from the outset of the Iraq-Kuwait conflict, the availability of food to the population was affected because of the ripple effects of the sanctions, decline in export revenues, particularly from oil, led to a steep drop in purchasing power. Even before the outbreak of the war in January 1991 there were reports of sharp decline in the amount of food people were able to purchase, after the war, there were further drops of 5-7 per cent of the pre-war levels. However, food prices continued to spiral, jumping by over 650 per cent is 1994 alone; wages, particularly in the public sector, simply did not keep up.

The draconian economic sanctions have created deepening food crisis in Iraq. The position is deteriorating rapidly in virtually all parts of the country. Now food has become the main preoccupation of the most of the Iraqi families, for whom managing two times meal had never been a problem. With around 70 per cent of Iraq's food imported, the sanctions have resulted a massive decline in the amount of food available. The


59. Eric Rouleau estimates that for a mid-level official a month's salary would be required to purchase a kilo of meat, two months' for a pair of shoo. See Eric Rouleau, n. 28, p. 65.
systematic bombing of Iraq's infrastructure has also helped to erode the civilian access to food: food processing plant has been destroyed, refrigeration facilities has no electricity, and the normal mechanisms for food distribution (roads, bridges, transport) have been totally disrupted.

The food crisis, a direct result of the economic sanctions, was further exacerbated by denying Iraq the opportunity to reconstruct its own devastated agricultural sector: sanctions apply not only to foodstuffs but also to seed, pesticides, agricultural machinery and plant, and the spare parts that would have allowed the repair of existing equipment. The bombing of the power stations has dramatically affected the agricultural sector, as like others. The collapse of the power system has resulted in the long-term flooding of much agricultural land and increased salt concentrations in the soil. With spare parts for damaged pumps no longer available, large areas of agricultural land have been lost.\(^{60}\) There has also been sharp decline in the yield of grain crops (wheat, barley, grain, corn and rice). For example, the wheat yield was 900 Kg/donum (1 hectare = 4 donums) in 1989, but only 165 kg/donum in 1994, barley saw a similar decline, from 830 kg/donum to 195 Kg/donum over the same period. Thus sanctions have two way impact: food imports were blocked and domestic production was collapsing.

The deepening food crisis in Iraq has increased the people's dependence on the public distribution system (PDS) which has become

---

the life line of majority of the Iraqi families. Many families have become totally dependent on ration and charity for survival. The rationing system was established in September, 1990 a few weeks after the imposition of the sanctions regime. Ration cards were issued by the Iraqi government to each family without any kind of discrimination. Under this scheme each family member was entitled to identical monthly rations of basic food items including wheat flour, rice, sugar, tea and cooking oil. Besides, a few other items like lentils, dairy products, razor blades etc. were occasionally distributed. The main purpose of the rationing system was to ensure that every citizen received at least a certain secure food allocation, which if purchased on the open market, would cost 20 to 30 times as much.

Although the public distribution system was being administered very efficiently and effectively but it was felt to be insufficiently to meet out the needs of the Iraqis. The rations provided enough food to feed an average family for fifteen days each month; the rest of the month was the responsibility of the individual or family. The rationing system remained in place in subsequent years, though it became increasingly inadequate with time. The government rationing system according to one estimate, could provide only about one third of the typical family's food needs, resulting in a strikingly low level of dietary intake. The situation was particularly alarming with respect to the nutritional status of children.

pregnant and lactating mothers as well as households especially headed by widows, divorced and deserted women. In consequence, large numbers of Iraqis have now food intakes lower than those of the populations in the disaster stricken African countries. The situation was to further deteriorate with the passage of time: by early 1996, the World Health Organization was reporting that ‘the vast majority of Iraqis continue to survive on a semi starvation diet.’

The food consumption pattern of the Iraqi families has also been severely affected due to sanctions. Most families now subsist on bread and occasionally seasoned vegetables such as okra, tomatoes, potatoes and eggplants. Iraqis are known for favouring meat in most of their meals including breakfast. But due to the hike in meat prices it has become beyond their reach. The consumption of meat, for many formerly eaten once or twice weekly has ceased altogether.

Thus sanctions have caused ‘persistent deprivation’ severe hunger and malnutrition for a vast majority of the Iraqi population, particularly the vulnerable groups—children under five, expectant/nursing women, widows, orphans, the sick, the elderly and disabled. To continue the sanctions in their present form would only serve to aggravate the already grave food supply situation.

62. Ibid.
The effect of sanctions is much more than economic. Deprivation and a deep sense of isolation has triggered a host of social changes that are changing the faces of Iraqi society. Family values have been damaged, children have been forced to work, to become street kids, to beg and engage in crime. Young women have been forced into prostitution by the destitution of their families. Fathers have abandoned their families. Crimes are in rise. Thefts, burglaries and armed holdups are multiplying. So called Islamic measures taken by the government - the amputation of thieves' hands, the banning of alcohol in public place among others have not reduced crime or halted the decomposition of society.\textsuperscript{63}

Since the President Saddam Hussein's ruling Bath Party came to power following a coup in 1968, the secularism and socialism have been the ideological pillars of the regime. Now a religious revival is sweeping over country. Iraqis who plunged from a middle class life-style the depths of despair are embracing religion. One indication of the new religious observance is mosque attendance. Ten years ago only a trickle of people heeded the call of the \textit{Muezzin}, these days Friday prayers are making a comeback. At the same time an increasing number of Iraqi women are honouring the Muslim dress code, at least in Public. More Shiaite women have taken up the all in one \textit{abaya} like their counterparts in neighbouring Iran. Many Sunni women have adopted the simple head scarf, which was until recently, the trademark of Palestinian women in Iraq. It is not only

\textsuperscript{63} Eric Rouleau, n. 28, p. 65.
Muslims who are moving closer to religion. Iraq's one million Christians have also rediscovered the Church⁶⁴.

This new adherence to religion is not in itself cause of alarm. But there is no telling what kind of influence it will have on the political culture when Saddam Hussein either dies or is ousted from power. During 19 years of dictatorship, political challenges have been routinely crushed so there is little chance that a formidable fundamentalist movement will emerge just yet. However, a vibrant Islamic political force, backed by the country's majority Shiaite population and supported from the outside by the Islamic Republic of Iran, is entirely possible in the post-Saddam period.⁶⁵

The embargo has also badly hit the educational system which are considered to be backbone for the development of any country. Although sanctions have terribly affected entire educational system the worst affected have been the primary and secondary education. Thousands of schools have been destroyed or damaged by bombing and that now they are in bad need of repair. Basic items such as chalk, pencils, erasers, notebooks, textbooks, papers and blackboards are either absent or in short supply.⁶⁶ Many of the surviving schools are without electrical supply, water or sanitation facilities. There has been massive increase in drop out rates.

⁶⁵. Ibid.
⁶⁶. Ibid
According to the UN Children's Fund, two children out of five have dropped out of school. As a result the rate of illiteracy is on the rise.

Higher education is also suffering. Most universities are barely limping along and students themselves are hardly interested in earning an advanced degree, since these days a college graduate can expect to take home the equivalent of $2 a month. Many educated young people have left their academic studies to work in services, taking menial jobs such as taxi drivers and mechanics. Intellectuals, writers and professors in search of a better life have left Iraq for Libya, Yemen and other Arab states where they have found relatively high paying jobs in schools and universities. Naturally the education system has been hit hardest by this 'brain drain'.

A New Iraq Policy:

The impact of sanctions has been well documented over the years. The destructive potential of economic sanctions can be seen most clearly, albeit in an extreme form in Iraq. No one knows with any precision, how many Iraqi civilians have died as a result, but various agencies of the United Nations, which oversees the sanctions have estimated that they have contributed to hundreds of thousands of deaths. By 1998 Iraqi infant mortality had reportedly risen from the pre-Gulf war rate of 3.7 per cent to 12 percent. Inadequate food and medical supplies, as well as breakdown in sewage and sanitation system and in the electrical power system needed

67. *Ibid*
to run them, reportedly cause an increase of 40,000 deaths annually of children and of 50,000 deaths annually of older Iraqis. If the UN estimates of the human damage in Iraq are even roughly correct, therefore, it would appear that in a so far futile effort to remove Saddam Hussein from power-economic sanctions may well have been a necessary cause of the deaths of more people in Iraq than have been slain by all so-called weapons of mass destruction throughout history.

Study after study shows that sanctions almost always fail to achieve their stated objectives. They tend to miss a country's leadership and hit the innocent. They impact most on democratic societies, but fail to impress the dictatorial regimes whose leaders often remain untouched and whose civilian pay the price. They are in toto notoriously unsuccessful. World community should realize that the sanctions would only hurt the innocent Iraqi people not weaken Saddam Hussein whose removal has always been sought by the United States as main political goal of the sanctions. But unfortunately sanctions have missed the target. It is not a prudent policy to target helpless people for the sins of their leader. Continuation of sanctions are tantamount to shooting down a plane full of innocent people because there are hijackers aboard. One should not forget that sanctions are as much a violation of the rights of the Iraqi people as the brutal tactics used by Saddam.

The suffering of the Iraqi people has reached a point where it can no longer be overlooked or ignored because it now threatens to bring
upon the society as a whole a horrendous disaster that may lead to its collapse. Iraq's younger generation of professionals, the political leadership of the future—bitter angry, isolated and dangerously alienated from the world—is maturing in an environment not dissimilar to that found in Germany under the conditions set by the Versailles treaty. An entire people have been stripped of their pride and dignity; they are humiliated and angry, and may find it difficult to move forward, to collaborate with other nations in the gulf—indeed with the entire international community. We need to worry about the longer term social and political impact of sanctions together with today's death and despair.

With this distressing situations we need to find a compromise to address the plight of Iraq. The current sanctions policy toward Iraq is rigid and increasingly counterproductive. Members of the Security Council must sit together and evolve fresh initiative not only to defuse the rising tension but strive for a ultimate solution to end misery on Iraq. For more than ten years, injustice has been done to the Iraqi people for none of their faults and embargo has caused deaths of hundreds of thousands people. How long will they be denied justice? Any further extension of embargo in present form would further violate international laws and human rights in Iraq. Any further move to suppress Iraq would be mockery of the UN and international watchdogs.

Let us retain all possible control over arms manufacture and sales of arms to Iraq. Let us retain the capacity to monitor and observe. Remove
economic sanctions now and sustain the capacity to prohibit military renewal and the development of weapons of mass destruction. Let us give up the UN weapons of mass destruction: economic sanctions. Let us risk a new approach. In other words accept the early success of UNSCOM and reject the continuing and politically motivated search of needles in the military capacity haystacks of Iraq. Let us restrict ourselves to the wording and intent of the relevant resolutions of the Security Council. Avoid add-ons of toppling the Iraqi leadership, of assassinating Saddam Hussein, these calls will simply enhance the president not only in Iraq but throughout the Arab and Islamic world. Let us adopt a genuinely evenhanded approach to the pursuit of peace and disarmament throughout the entire middle east.

Furthermore, Security Council deliberations, and resulting outcomes that grossly neglect improper behaviour of some member states while authorizing retaliatory enforcement on others, are noted with great bitterness in the Arab-Islamic world and beyond. Not only are the reputation and glaringly undemocratic workings of the council severely threatened, but the credibility and the very integrity of the United Nations itself widely questioned. Finally, let us take the United Nations back to the legal and moral high ground on which it belongs.
CHAPTER-VI

Iraq And Weapons Inspection Imbroglio

The history of forced disarmament in general has been a sorry one. With the exception of Germany and Japan, who following World War II were subjected as defeated powers to successful military limitations, the efforts made by major powers since then in this respect have failed to achieve their desired objectives. Whether in the form of comprehensive or partial arms control or disarmament, conducted within or outside the framework of the United Nations, all members have inevitably been circumvented by the complexity of enforcing such measures and preventing states from finding ways of getting around the measures and manipulating them to their individual geo-political interests.

In recent times, no case has illustrated this so starkly as that of Iraq. The failure of the UN to enforce a coercive process of disarmament of Iraq following the Gulf War of 1991 has not only caused immeasurable suffering of the Iraqi people,¹ but also led to a long period of tension and conflict between Iraq and the UN, or more specifically, between two of its powerful members, the United States and Britain. It has also generated a major split between the five permanent members of the UN Security

Council. The process has now reached a worrisome impasse, setting Iraq, the US and Britain and for that matter, the UN, on a prolonged course of military confrontation, at the cost of making the region more unpredictable and volatile than has been the case historically, and imperilling the chances of creating a stable post-cold war world order.\(^2\)

**Disarming Iraq:**

The impasse over lifting of sanction and the weapons inspection\(^3\) still continues. Despite a decade of hard work of inspecting every nook and corner of Iraq in search of weapons of mass destruction (WMD), the UN team has failed to give a certificate, so that sanction could be lifted. The team has solely blamed Iraqi President Saddam Hussein for not cooperating with the team and creating obstacles in their task of inspection. The military strikes in December 1998 by the USA and the UK finally ended any hope of returning of UN’s inspection team and thus has put the task in limbo and prolonged the suffering of Iraqis.

It has now become evidently clear that the USA and its allies have taken refuge in the Security Council resolution 687 for legitimizing all their misdeeds, which they are perpetuating from very beginning of the Gulf War. As per the Security Council resolution 687, the lifting of sanctions if linked to Iraq’s destruction of all its weapons of mass destruction-

---


nuclear, chemical and biological under international supervision and monitoring; and furthermore to pay the UN for costs and expenditures incurred by it due to the invasion. According to another resolution (715), under the supervision of the United Nations Special Commission (UNSCOM) and the International Atomic Energy Agency (IAEA), Iraq is required to accept the installation of a UN Weapons Inspection Monitoring System in its territory to make sure that it would not cheat in the production of weapons in the future. Furthermore, Iraq is required to grant UN inspectors unconditional access to any place in the country for surprise inspection of its weapons facilities or weapons related documents. So lifting of sanctions is linked to a full compliance of all these conditions by Iraq. 4 Besides, the USA has added its own condition by linking the lifting of sanctions to Saddam Hussein's removal, which has nothing to do with any of the Security Council resolutions. By adding its own condition the USA has only contributed to complicating the already complex situation.

These resolutions are so punitive and humiliating that any slight attempt to evade them by Saddam Hussein had led air attacks and bombings by the US and its allies, several times. Now it has become almost a routine feature. The frequent air strikes have caused massive destruction to men and materials. For instance, on January 13, 1993 only a week before leaving his office, the US President Bush ordered more than a

---

hundred US and allied warplanes to attack Iraq in retaliation for its alleged intrusion into Kuwait and for refusal to cooperate with the UNSCOM headed by Rolf Ekeus who resigned in July 1997. And barely after 5 months, on June 20, 1993 President Clinton ordered a cruise missile attack against the Iraqi Intelligence Service headquarters in Baghdad for the alleged plot to assassinate Bush when he visited Kuwait. Citing "compelling evidence that there was in fact a plot to assassinate former President Bush", President Clinton said that the attack was aimed at crippling "Iraq's capacity to support violence against the United States and other nations". Clinton further said the cruise missile barrage was intended to "send a message to those who engaged in state-sponsored terrorism, to deter further violence against our people and to affirm the expectation of civilized behaviour among nations". However, Seymour Hersh, a reputed investigative Journalist is skeptical of the authenticity of the plot against Bush.

Iraq while condemning the US missile attack, in which scores of Iraqis were killed, said that story of plot to kill Bush was fabricated by Kuwait’s vile rulers - working with the agencies of the US Administration. It described the attack as "unjust and cowardly aggression against Iraq".

5. Bush in a statement had said that it did not matter that bombing came just one week before he leaves office. See, *The Hindustan Times*, New Delhi, January 15, 1993.
8. Seymour Hersh, "A Case not closed", *The New Yorker*, November 1, 1993, pp. 80-86.
Most interestingly the United States invoked the UN provision of self-defence to justify its attack, though there was no any direct threat to its security. It was nothing but misuse of Art. 51 of the UN charter which provides for individual or collective self-defence. The right to self-defence permitted to member states by Art. 51 of the UN Charter is only against actual armed attack. In 1986, President Reagan had similarly ordered an air strike against Libya for the terrorist bombing of a German discotheque in which a US serviceman had been killed.

These punitive measures by the US and the continued pressures of embargo consequently left before Saddam Hussein no other options but to agree to comply resolution 715. The decision taken in this regard on November 26, 1993 by the Iraqi government paved the way for the UN to start its weapons inspection and monitoring work as provided in the resolution 715. Subsequently, the UN inspection team entered Iraq and reportedly by 1994 they had established an elaborate monitoring system at 200 industrial and military installations throughout Iraq. It was hoped that the UN inspection team might submit a favourable report on the success of deployed monitoring system so as to enable to council to consider the lifting of sanctions. The two permanent Security Council members France and China also favoured early lifting of sanctions. But the USA and Britain were vehemently opposed to any such move until Iraq had renounced its claims to Kuwait and recognized the Iraq-Kuwait border in accordance with the Security Council resolution 833.

Frustrated with being unsuccessful on the front of getting sanctions lifted, the mercurial and unpredictable Saddam on October 5, 1994 shot himself in the foot again by moving 80,000 Republican Guard troops to positions close to the Kuwaiti border presumably to pressurize the Security Council to end sanctions. It was the biggest troops movement ever since end of Gulf War arousing fears of a repeat of the August 1990 invasion of Kuwait, which had led to Gulf War. But as one could have easily guessed, his gamble backfired. President Clinton immediately responded by assembling a 34,000 member force in the Gulf region to repel him from any potential attack on Kuwait. In the face of a US threat of a preemptive attack, the Iraqi leader blinked and turned his troops back from the Kuwaiti border. 

Realising that he had blundered, Saddam Hussein made efforts to regain the sympathy of the Council members. As a conciliatory move he renounced Iraq's claims over Kuwait and recognised the Iraqi-Kuwait border. But Saddam's efforts did not yield desired results. He could not convince council's members about desirability of lifting of sanctions against his country. The US categorically said that Iraq's recognition of Kuwaiti sovereignty and border was not enough to achieve a lifting of UN sanctions against Baghdad. A State Department spokesman reacted: "border recognition would meet only one of a number of requirements to which Iraqi has not complied and would not in itself establish Iraq's peaceful intentions which were called into question by

its provocation in October".\textsuperscript{12} Even Russia, France and China who were previously sympathetic to Saddam, joined the US and Britain in deciding to stick to the embargo.

However, moved by horrifying conditions in Iraq due to sanctions, Russia and France made the Security Council to pass Resolution 986 in April 1995, allowing Iraq to export $1 billion worth of oil (oil-for-food) to be renewed every three months. A quarter of those revenues, however, were to be used to compensate victims of the invasion and to finance the UN disarmament mission in Iraq.\textsuperscript{13} But this offer was too little to be accepted by Iraq which had already rejected the similar offer made by the Council in October 1991 as part of its resolution 715. The council once again made a similar offer in October 1995. But like in the past Saddam rejected the offer again. Saddam Hussein; however, could not stick to this position for long time. The impact of sanctions had now started showing its uglier face. The USA and Britain had also made it clear that they were not going to soften their position on sanctions. All these factors compelled Saddam to compromise with the situation and consequently on May 20, 1996 he decided to accept the UN offer of oil-for-food programme. Iraq agreed that it would sell oil worth $2 billion for a six-month period to be renewable by the Council. As noted above, under the formula, about 30 per cent of the money would go to

\textsuperscript{12} The Hindustan Times, November 10, 1994.

\textsuperscript{13} For text of the resolution and for the food-for-oil arrangement see, \textit{UN Chronicle}, Vol. 33 No. 4, 1996, p. 71.
Kuwait to compensate victims of the invasion; about five percent would be used to cover the costs of UN operations in Iraq, and 15 per cent would be used for the kurds, and reminder half of the amount would be used by Iraq to buy food and medicines under UN supervision.

Howsoever humiliating might have been the deal, it certainly provided Iraq an opportunity to manage foods for hungry/dying masses and to restructure its economy which had been totally crippled due to prolonged sanctions and frequent US attacks which had destroyed its infrastructure completely including public utility services like water and electricity system deliberately in violation of the Fourth Geneva Convention of 1949 and its additional protocols of 1977. But even this minimum offer fell through until December 10 1996, as the Security Council had delayed its immediate implementation at the insistence of the US and Britain, following Saddam Hussein’s intervention in early September 1996 in Northern Iraq. This time again the USA unilaterally without the approval of the Security Council launched 44 satellite guided Cruise and Tomahawk missiles at the Iraqi military command and control facilities in Southern Iraq in response to Hussein’s “Violence and aggression” against the kurd. It also, without the Security Council’s approval, extended the no fly zone in the South to the 32nd parallel which is close to the outskirts of Baghdad. This was a clear violation of Iraq’s sovereignty. These actions, however,

forced Iraq to withdraw from the kurdish North. The US and Britain subsequently permitted oil sales to go through in December only after they were satisfied with the monitoring mechanism put in place by the UN.

Although by April 1997, the IAEA reported that its Nuclear Monitoring Group had conducted 850 inspections in Iraq at more than 65 facilities, the UNSCOM had repeatedly complained of Iraq’s refusal to permit it to check any suspected weapons installations it had wanted to inspect unconditionally and therefore called for the continuation of sanctions. It became a never-ending hides and seek game between the UNSCOM and the Iraq. Surprisingly despite Iraq’s reported compliance of many of the Security Council’s resolutions, the Council insisted on continuing with the draconian sanctions. Infact Council should have reciprocated Iraq’s partial concessions in terms of easing sanctions.\^{16} Thus refusal to ease sanctions, UNSCOM’s failure to submit a favourable report on Iraq’s weapons of mass destruction, and the US-British obsession to get rid of Saddam Hussein in the face of horrendous suffering by the Iraqis have led to recurring stand-off between the Security Council and Iraq.

The crisis over the UN weapons inspection took a dangerous turn with Richard Butler, the head of the UNSCOM, pulling out all UN weapons inspectors in response to the expulsion of the US inspectors from Iraqi

---

territory. On October 29, 1997, Iraq accused three American inspectors as being spies and gave them a week to leave Baghdad. Iraq, however, had stressed that other inspectors were free to remain and Butler could have easily continued the inspection process until the problems over the US presence were resolved. But Butler adopted confrontationist approach and decided to pull out all members of the UNSCOM. Iraq had accused UNSCOM of being a tool of the US and having too many Americans in key position and deliberately delaying completion of its weapons work. Infact long and comprehensive sanctions had suffocated the Iraqi economy and had thrown its health, education, and sanitation services into acute crisis and now Baghdad wanted UN to set a short time-frame for lifting sanctions. Iraq having fed up with the prolonged inspection process asked the United Nations not to use the US reconnaissance planes to supervise Iraqi compliance in eliminating weapons of mass destruction, even it threatened to shoot down U-2 spy planes flying over Iraq. Iraq charged that the US was utilising the U-2 spy plane to map out areas it wanted to bomb.17

In response to Iraq's continued non-cooperation with the US weapons inspectors, the Security Council on 13th November 1997 slapped a travel ban on Iraqi officials. The unanimous decision by the 15 member Security Council to impose the travel ban came after the United States and Britain agreed to delete paragraphs from the draft resolution threatening Iraq with military action or serious consequences. The resolution, however,

warned Iraq of unspecified “further measures” if it failed to rescind its October 29 order excluding Americans from the inspection team. But Russia, France, Egypt and other nation stressed that any further measures would have to be discussed by the Council again and that the vote did not authorise the use of force. The Council, however, condemned the continued violations by Iraq of its obligation under the resolutions and asked it to cooperate “fully and unconditionally” with arms inspectors. Interestingly such new sanction (travel ban) failed to gather support in the Security Council three weeks ago, but the real possibility of an American military strike, which few other nations were willing to back, appeared to had brought the Security Council together to condemn Iraq unanimously.

The escalating stand-off between Baghdad and the UN eased somewhat on November 16, 1997 with Iraq offering a plan to allow expelled US weapons inspectors to return. And finally on 19th of November in Moscow, Russian Foreign Minister Yevgeny Primakov, following a meeting between President Boris Yeltsin and Iraqi Deputy Prime Minister Tariq Aziz, announced compromised formula to allow the UN inspectors to return along with their American colleagues. According to this plan the UN inspection teams' search for chemical, nuclear and biological weapons should not be open ended but should reach a speedy conclusion so that the ending of the debilitating sanctions imposed on Iraq after the Gulf

War could be considered. Primkov’s diplomatic foray had the backing of Washington which was hopeful that he could find a face-saving formula for Saddam Hussein to step back from the brink.

Although Primkov’s intervention had temporarily defused the crisis but Clinton Administration was still skeptical of Hussein’s willingness to abide by the Security Council resolution and felt that a strict inspection regime must continue. Russia called for an emergency meeting of UNSCOM in order to follow up on Primkov’s pledge to Baghdad to expedite the work of the inspection teams and the eventual lifting of at least some of the sanctions. But the meeting did not leave the Russians or Iraqis anything to cheer about. The Russian argument was that the inspection had demonstrated Iraqi compliance with the Security Council orders to end nuclear weapons and missile development, thus justifying a partial lifting of the sanctions. But President Clinton had a contrary view. He said that not enough has been done and more verification were needed especially with regard to biological and chemical weapons.

The new crisis was simmering with the UNSCOM insistence on inspection of some areas, which Baghdad had claimed were out of bounds on the ground of national security. These so-called sensitive sites included 78 reported places of Saddam Hussein which Iraq’s had described as “symbol of national sovereignty”. Immediately after Iraqi refusal, the US

Defence Secretary William Cohen warned that unless Iraq allow the weapons inspectors to inspect these sites which it has defined as Presidential palaces and has declared off-limits, it could face stricter sanctions or as a last resort, a military attack.\textsuperscript{21} Iraq on the other hand accused the US of pushing UN arms inspectors into a fresh crisis by insisting on access to Presidential sites. However, Iraq had showed some of these controversial sites to foreign reporters and arms experts to prove its point that there was nothing to hide and its refusal was a principle of national honour. Meanwhile the USA deployed some 30 fighters and bombers in Bahrain to keep up the military presence. And to demonstrate its solidarity with the USA, Britain dispatched an air craft carrier to the Persian Gulf.

The ongoing stand-off involving Iraq, the United States and the United Nations took a fresh twist with Baghdad demanding lifting of the UN sanctions within six months, failing which it would seriously reconsider continuation of the two billion dollar oil-for-food deal it had agreed in 1996. Saddam Hussein infact believed that no matter what he did, the US and the UK would keep attaching new conditions each one extraneous to the Security Council resolution 687 of April 1991. He said that two allies would try to shift the goal posts to deprive Baghdad of its right under clause 22 of Resolution 687 to have the sanctions lifted fully.\textsuperscript{22}

\textsuperscript{21} The Hindustan Times, November 27, 1997.

\textsuperscript{22} Dilip Hiro, "Saddam Stock raises again in Middle East", The Pioneer, November 6, 1997.
Meanwhile on December 5, 1997 the Security Council unanimously voted to extend a plan enabling Iraq to sell limited amount of oil to by food and medicine for its people suffering under sanctions. The plan began a year ago and needed to be renewed on December 5, 1997. But this time the plan provoked more controversy than in the past. UN officials, Iraq and most Security Council members said that this programme was mal-functioning, was inefficient and had too many delays. And to great relief to Iraq, the difference between permanent members of the Security Council over ongoing sanctions against Iraq came to the fore again. During consultation for extension of oil-for-food programme Russia and France demanded a stronger commitment by the Council to increase the amount of oil Iraq can sell once the Secretary General make a recommendation. France also floated a proposal that the Council should put an end to the embargo and institute a new weapons monitoring programme. The proposal circulated on January 14, 1998 said that the oil embargo could no longer be defended as it hurts the people of Iraq and keeps them hostages of their authorities. “The embargo has become the wrong tool to achieve the goals of the Security Council” it said. China and Russia had also been expressing the view that the UNSCOM in its present form had outlived its usefulness.

With ultimatum and counter-ultimatum flying between Iraq and the US, the situation was once again hotting up, with an imminent threat of

an unilateral military strike by American forces. The US Secretary of State Madeleine Albright on January 30, 1998 said that Saddam Hussein should realise that “we have all but exhausted the diplomatic options”. The Secretary flew to Europe to urge the French and the Russian Foreign Ministers of the need for unity in the UN Security Council on the issue of inspection of Iraqi sites. What Ms Albright was saying, in effect, was that if the threat of force did not induce Saddam Hussein to comply, the US and Britain were ready to use force, despite any hesitation on the part of Paris and Moscow. As tension intensified, the Iraqi government began register men of fighting age to train them as “volunteer army” to defend their country against the possible US attack. Men from their teens to their 70s were seen forming ragged lines, chanting anti-American slogans and learning how to stand at attention.

In the meanwhile, recognising the deprivation that international sanctions had inflicted on Iraqi people, on February 1, 1998 the UN Secretary General Kofi Annan recommended in a report to the Security Council that the present limits of $2 billion worth of Iraqi-oil sales every six months be raised to $5.2 billion for the next six month, in order to pay for more food and medicine and to repair Iraq's deteriorating infrastructure. "Under present conditions". Annan warned “the rate of deterioration will continue to increase and, with it, the threat of a complete breakdown of the network. The humanitarian consequences of such

development could potentially dwarf all other difficulties endured by the Iraqi people". The Council with reluctant support of the United States, subsequently approved Annan’s recommendation to which Iraq reluctantly agreed.

The efforts to resolve the crisis through diplomacy continued even as the US appeared to be inching closer to a sustained and devastating air attack on Iraq, which somewhat mellowed down Baghdad’s position and as a result Iraq offered on February 4, 1998 to open eight so-called controversial Presidential sites for inspection by the UNSCOM, suspected of concealing weapons of mass destruction. But to a major setback to diplomatic efforts the US administration rejected the offer. White House spokesman M. Mc Curry said that the offer fell short of the US demand for “unfettered access”. Dismissing Iraqi proposal, the US Under Secretary of State Thomas Pickering reacted that “to be effective, inspections and monitoring can be limited neither by dictating the composition of the teams nor by restricting access to certain sites, nor by limiting the number of visits, nor limiting the visits to a certain period of times”. As a military strike by the US appeared to be imminent the UN Secretary General, Kofi Annan cancelled his proposed West Asia trip to concentrate on ever more urgent negotiations at the UN headquarters. He urged all parties to be more flexible in finding a peaceful solution.

In order to strengthen its case and to muster support for military attack, the Clinton administration, meanwhile, began publicizing that Iraq was still hiding scud missiles with chemical and biological warheads. The missiles which Pentagon believed were hidden at sites that Iraq had declared off the limits to the UN weapons inspectors, could represent a major threat to US forces in the region and to neighbouring nations because of Iraq's covert chemical and biological weapons capabilities. Ignoring Russia's plea to wait for a diplomatic solution, Bill Clinton on February 14, 1998 issued a fresh warning to Iraq saying that the United States could not walk away from its obligation to stop Baghdad from developing weapons of mass destruction as the Pentagon made a detailed plan to strike Iraq with cruise missiles and bombs. He said that diplomacy had almost run its course and he would launch a strike against Iraq unless Saddam Hussein agrees unconditionally to allow the UN inspectors free and unfettered access to its weapons sites.29 However, annoyed with the US threat to use force against Iraq, the Russian President Yeltsin warned that any attack on Iraq would affect Russia's "vital interest" and could lead to a wider war. Moscow insisted that the crisis must be solved by peaceful methods but could not broker a negotiated settlement. France also insisted that all diplomatic avenues must be exhausted before force applied.

Kofi Annan’s Mission to Baghdad:

In the midst of sabre rattling, on February 20, 1998, persuaded by Third Word countries, the Arab League and the Security Council, invited by Iraqi leadership with initial US opposition, Annan went to Iraq as a last ditch effort to find a diplomatic solution. Annan’s trip was seen by many as the last real chance for preventing a flare-up. Annan was quite optimistic about his last moment peace mission to Iraq. His optimism was equally shared by the Iraqi Deputy Prime Minister Tariq Aziz. However, Annan’s arrival was paralleled by Clinton’s television message beamed to Arab nations. Clinton said “nobody wants to use force. But if Saddam refuses to keep his commitments to the international community, we must be prepared to deal directly with the threat these weapons pose to the Iraqi people, to Iraq’s neighbours, and to rest of the world. Either Saddam acts or we will have to”. Clinton also said that the US had no quarrel with the Iraqi people and said it would try to avoid harming innocent people in the event of military action. 30

After several rounds of intensive talks with Iraqi team led by Tariq Aziz and meeting with Saddam Hussein, Annan clinched a deal with Iraq paving way for the full implementation of the UN Security Council resolutions and most likely preventing possible US military strikes against the Baghdad, which had become imminent. The Memorandum of Understanding signed by Aziz and Annan, stipulated that: (1) Iraq will

cooperate with UNSCOM, (2) UN member states will respect the sovereignty and territorial integrity of Iraq, (3) Iraq will allow UNSCOM and IAEA immediate, unconditional and unrestricted access in conformity with the Security Council resolutions 687 and 715, and (4) UNSCOM will intensify its efforts in order to complete its mandate so as to enable the Security Council to lift the sanctions. 31

As far as was known, one of the face-saving concessions made to Saddam Hussein was the part of the agreement that stipulated that senior diplomats appointed by the Secretary General will accompany the UNSCOM experts as they inspect the restricted sites, including the eight so called controversial Presidential sites. The scheme provided for the selection of a pool of about a hundred ‘senior diplomats’ to be nominated by countries with mission in Baghdad or the surrounding region. No fewer than two such diplomats would be assigned to every arms inspection teams. The US officials however, expressed their concern that induction of diplomats into the inspection teams might adversely affect the professionalism of the monitoring process. But the UNSCOM chief Butler said that he had no objection since professional inspectors’ form UNSCOM and IAEA would lead the team.

While the deal was welcomed by Arab states, Russia, France and China, Clinton the US President was sceptical about it. Clinton made it clear that “what really matter is Iraq’s compliance, not its stated

commitments, not what Iraq says but what it does”. He said that if Baghdad did not keep its word this time, everyone would understand that the US and hopefully all of our allies would have the unilateral right to respond at a time, place and manner of our own choosing”. However, Iraqi Deputy Prime Minister Tariq Aziz pledged that Iraq would honour the arms inspection deal with the UN chief Kofi Annan. “It will keep its promises properly and seriously” Aziz said.

Although it would be naive to say that Annan’s brokered deal had syllogistically signalled a lasting peace in the region. But that should not detract any from Annan’s consummate diplomacy, he certainly deserved a cheer or two for nudging a bigoted Baghdad to the negotiating table, and staying what would have been a debilitating air strike on an enervated Iraqi populace. In other words, while the Secretary General’s successful mission appeared to had staved off an impending attack, the crisis in respect of Iraq was yet to be finally resolved. Annan’s diplomatic coup was all the more remarkable since the Iraqi leadership’s hospitality record for UN chiefs had always been anything but disarming. In 1991, just before the allied “Operation Desert Storm” was unleashed on Iraq, Javier Perez d Cuellar had flown to Baghdad to try and prevail upon President Saddam Hussein. But latter kept De Cuellar waiting for nail-biting six hours, offered him nothing, and sent him home a humiliated man. Contrary to his predecessor Annan’s diplomatic skill and style earned him the praise of

Iraqi leadership and cheers from the crowds in Baghdad.  

Remarkably there was considerable goodwill for Annan in Iraq. The Iraqi government appreciated the fact that although the Secretary General had talked tough on the weapons inspection issue, he had also repeatedly stressed that any solution must take into account the "dignity of Iraq". Baghdad has all along been insisting that its sovereignty is being undermined by the UNSCOM. Furthermore, by sending a team of experts from Vienna to prepare a map of the eight Presidential sites and placing them under the direction of Staffan de Mistura - a former UN humanitarian coordinator in Baghdad and a man seen as sympathetic to Iraqi concerns about the human impact of sanctions - Annan had already conceded the need for no-UNSCOM inspection machinery. Annan also appointed two internationally respected diplomats to keep watchful eyes on the weapons inspectors to make sure that they would conduct their inspection of Presidential sites according to the procedure agreed to between Annan and Iraq. The one was Jayantha Dhanapala, as commissioner of the special team to accompany UNSCOM, the other was well known Indian diplomat Prakash Shah former Indian permanent representative to the UN as his special political envoy to help him coordinate the large UN operations in Iraq and keep an open communication with the leadership there.

said in his letter appointing Shah that he would help prevent problems from developing into full fledged crisis threatening to international peace and security in the area. Thus successful Baghdad venture made Kofi Annan a diplomatic leader of substance - not a surrogate for the US but a substitute.

Even after successful Baghdad mission’s of Annan the Security Council remained divided on how to deal with the crisis and this very fact brought great comfort to Iraqi officials. Despite several days of carefully calibrated war mongering, Washington was no where closer to winning international support for the use of force against Iraq. The US Secretary of State Ms Madeleine Albright shuttled between Europe and Arab capitals with hysterical message about the threat to peace posed by Saddam Hussein but few had heeded her. Apart from Israel and Kuwait no country in the region had shown any enthusiasm for the US line. And elsewhere in the world only Britain had decided to stand by “Big Brother”. Russia, France and China, on the other hand, had stated their categorical opposition to the use of force. President Boris Yeltsin had even gone to the extant of warning that a US attack on Iraq might spark off a world war.

Whether they state or not “getting rid of Saddam Hussein” has always been one of the most important military objectives’ in Iraq, inspite of the fact that American law forbids assassination of foreign leaders.\footnote{36. The executive order first signed in 1976 by President Gerald Ford prohibits the US government employees or any one acting on their behalf, from engaging or conspiring to engage in an assassination.}
Those who steer America’s foreign policy doctrine believe that as long as Saddam Hussein remains in power in Iraq, long term peace could not be ensured in the region. To achieve this objective America has employed various options from targeting Saddam to supporting opposition parties.\textsuperscript{37} During the Gulf War and its immediate aftermath, Baghdad was full of stories about how the President would never sleep in the same site twice or even had to sleep with ordinary folk and adopted all manner of surreptitious moves and stealthy diversions to elude American Jets and missiles.\textsuperscript{38} Recently increased aid to a fractured Iraqi opposition, was in news. It is revealing to note that Ahmed Chalabi of the Iraqi National Congress finds himself being courted by senior officials in Washington. Then there is motley group of Iraqi National Accord (INA) comprising exiled Iraqi military and political figures who have received substantial funding from US intelligence sources.\textsuperscript{39} However, toppling Hussein is simply incompatible with international law and cannot be a valid military, strategic diplomatic-objective. One could imagine the howls of protest that would go up if Libya’s Gaddafi talks of setting a team to assassinate the US President.\textsuperscript{40}

What was more interesting that many senior US officials had proclaimed that they would prefer to deal with a successor regime in

\textsuperscript{37} For CIA plans to dislodge Iraqi President see “CIA Targets Saddam”, editorial, \textit{The Hindustan Times}, March 2, 1998.

\textsuperscript{38} Ramesh Chandran, “Targetting Saddam”, \textit{The Times of India}, February 22, 1998.

\textsuperscript{39} \textit{The Times of India}, March 13, 1998.

\textsuperscript{40} N.C. Menon, “View in a Cracked Mirror” \textit{The Hindustan Times}, March 9, 1998.
Iraq because Saddam Hussein was a dictator who oppressed his own people. Sen Bob Kerry, a Nebraska Democrat, also said that; “I think we have got to change the objective and say that our nation is going to be on the side of liberating the people of Iraq from their prisons or from the terror of his dictatorship”. But the question is that what is guarantee that a new Iraqi leader will respect human rights and will have the milk of human kindness flowing through his veins. There is also no guarantee that the new regime would respect the international norms imposed on it and would not acquire the weapons of mass destruction. And most importantly, in any case is Saddam Hussein all that different from many deadly third world dictators, past and present, to whom the US has supported?

As agreed upon between UN Secretary General Kofi Annan and Iraq, the UN team led by controversial American Scott Ritter whom Iraq called a ‘spy’ began its task of inspecting the sites, which Iraq had placed off-limits. This was first inspection, since the crisis that had brought the nation to the brink of war in February. The UN team started their task of inspection of 8 controversial Presidential palaces in Baghdad on March 23, 1998, supervised by the UN special envoy Prakash Shah and the UN Under Secretary General for disarmament Jayantha Dhanapala. Inspite of some initial deadlock the UN team successfully completed the first search on April 3. Dhanapala expressed that the successful implementation of the accord in the first round would certainly help improve

relations between Iraq and the United Nations. "The February 23 accord", Dhanapala said "has stood the test" of cooperating with the inspections of eight so called Presidential sites that were at the heart of the standoff with the UN. The work of the UNSCOM inspectors were completed ten days ahead of time and Dhanapala said, it was because things worked out better. The other diplomats who accompanied the inspection also praised Iraqi cooperation with the team. German diplomat Horst Holthoff described Iraqi cooperation as fantastic and absolutely positive. But the chief of the UNSCOM, Butler had a different view. He indicated that Iraq was still no closer to meeting to requirements for lifting of sanctions.

Meanwhile a new row cropped up between the United States and Iraq following a discovery on June 24, 1998 by US army laboratory that Iraqi missile warheads had carried traces of deadly nerve gas VX. The examination was done at the request of the United Nations' Commission charged with elimination of Iraqi weapons of mass destruction. Iraq, however, rejected the results contending that it had never filled any kind of munitions with VX gas. It also indicated that the US might have fabricated the results or the testing might have been defective and demanded its examination in a neutral country. It also said that the samples were taken individually without giving Baghdad equivalent samples as agreed upon for comparison and discussion. As a result of so called discovery of VX gas, the UN Security Council which was already due to meet on June 25 to consider

American demand for extension of sanctions against Iraq, decided to continue curbs against Iraq.  

Before final showdown of December 1998, another important irritant had developed on Baghdad’s refusal to accept the “Road map” for accelerated inspection offered by chief weapons inspector Richard Butler. Butler’s plan had spelled out specific measures including release of additional documents - that Iraq must take before the UNSCOM could certify that Iraq has destroyed all illegal weapons. Butler had presented his inspection plan, which he called, a “road map to disarmament” to the Security Council in a two day briefing which ended on June 24, 1998. This new plan had generated immense opposition in Iraq. Iraqi Deputy Prime Minister Tariq Aziz accused Butler of playing “tricks and games” at the bidding of the United States. Earlier Foreign Minister Saeed Sahhaf had noted that although Iraq had complied with UN resolutions, UNSCOM would not recommend lifting of sanctions. He said that the UN inspectors kept insisting on the same non-starter approach of casting doubts, building their understanding on assumptions, suspicions and not on facts and figures.

The ongoing friction between Iraq and UNSCOM flared up on August 5, 1998 when Iraq finally declared that it was ending its cooperation with UN inspectors and demanded the dismissal of Butler and restructuring of the commission on the ground that it was riddled with American and


 Israeli spies, and that Butler was working for American political objectives and therefore deliberately prolonging the work of UNSCOM and the UN sanctions against Iraq. In retaliation to Iraqi non-cooperation the Security Council on September 9, passed an unanimous resolution depriving Iraq of any hope of lifting sanctions until it resumes cooperation with UNSCOM. The council also decided not to review the sanctions issue periodically, which it used to do after every six months. It was also decided by UNSCOM that it would withdraw its weapons inspectors from Iraq. This move came amid reports that the US was preparing to launch a military strike against Iraq in a bid to force Baghdad to back down from its August five decision to freeze all cooperation with the UN inspectors. Meanwhile, Russia called for a diplomatic solution to the crisis, saying Washington should work with the UN rather than go it alone with military strikes. The UN Secretary General, in order to defuse the crisis urged Saddam Hussein to take a “wise decision” and resume cooperation with inspectors before it is too late. With the reported movement of powerful force of US bombers, warships and troops, the war had become almost near to break out. Clinton announced that inaction in the face of continuing provocation by Baghdad would permanently damage the credibility of the UN.46

However, acting in its old fashion Iraq once again blinked on November 14, and offered an unconditional cooperation with UNSCOM when the US strikes had become imminent. Consequently military action

was averted and the UN weapons inspectors had resumed their monitoring of suspected arms sites on November 18. But this was not all end of drama and within few days a new controversy was generated over some secret documents relating to Iraq’s prohibited weapons programme. These documents were demanded by Butler but was soon rejected by Iraqi government saying that many were already destroyed and that all other documents like personal diaries were either irrelevant or had already been reviewed by arms inspectors. Fresh clouds had started hovering over the Gulf region after UNSCOM charged with dismantling Iraq’s base of weapons of mass destruction withdrew from Iraq on December 16 alleging non-cooperation from Iraqis. Chief weapons inspector Butler in a special report to the Security Council accused about Iraqi non-cooperation over the inspection restored on November 14. He said that Iraq did not provide the full cooperation, which it had promised. Butler’s negative report days before a crucial review of UN sanctions on Iraq had drawn sharp reaction from Britain and US. They termed it as a very serious matter and threatened to launch sudden air strikes to quell Baghdad’s defiance. Butler’s report, which was eagerly awaited by Washington, marked a turning point in the whole UN process of disarming Iraq of its weapons of mass destruction. It’s damning condemnation of Iraq for its lack of cooperation and disclosure of information about its WMD provided the trigger for the US, supported strongly by UK, to launch a massive air campaign against Iraq little more than one month later.⁴⁷

Operation Desert Fox:

Military action was averted in November 1998, but only narrowly. American and British forces were just minutes away from air strikes against Iraq when Baghdad signalled its willingness to yield to UN Security Council demand and allowed the unconditional resumption of weapons inspection. However, Iraqi acquiescence proved short-lived. On December 15, 1998 a critical report by the UNSCOM said that its work continued to be blocked by Baghdad. In response, Washington and London launched military strikes against Iraqi targets. The intense campaign lasting 4 days began on December 17 and ended on December 20 on the first day of Ramadan. The US President Bill Clinton said that he ordered the strikes on the military and security targets for Iraq's defiance of the UNSCOM. He said "Saddam Hussein must not be allowed to threaten his neighbours with nuclear weapons, poison gas or biological weapons". The campaign was called ‘Operation Desert Fox” which reportedly caused a large scale physical destruction and death of scores of civilian.

Bill Clinton declared the strikes on Iraq a success and said, “I am confident we have achieved our mission. We have inflicted significant damage on Saddam’s weapons of mass destruction programmes, on the command structures that direct and protect that capability and on his military and security infrastructure....So long as Saddam remains in power,

49. The Times of India, December 18, 1998.
he will remain a threat to his people, his region and the world".\textsuperscript{50} He further warned that the US and Britain would strike Iraq again if Saddam Hussein made any move to rebuild its weapons programme or threatened his neighbours.

Throughout the four day campaign, there were wakes of strikes against targets selected after careful study - command centres, missile factories and airfields. Also hit was an oil refinery in the southern Iraqi city of Basra which was allegedly being used to make clandestine oil exports in order to avoid UN sanctions. A special target was the headquarters and bases of the Republican Guard - the elite force that helped Saddam Hussein to maintain his grip on power. The idea basically was to demolish that support so as to encourage dissidents to be bolder in their challenge to the Iraqi regime. The missiles also hit half a dozen of Saddam's Presidential palaces. The headquarters of the reigning Baath party was also attacked and badly damaged. The building was targeted because Baghdad had refused to allow UN weapons inspectors to inspect it. The Pentagon announced that 100 Iraqi targets were struck with about 450 sea and air launched cruise missiles as well as 650 air sorties. The damage assessment this time was more optimistic - out of 74 targets whose damage had been surveyed by spy plane or satellite photographs, 28 had been destroyed or severely damaged, and others had been partially destroyed. But that

\begin{itemize}
\item[51.] N.C. Menon, "Clinton calls a halt to air strikes on Iraq, \textit{The Hindustan Times}, December 21, 1998.
\end{itemize}
The massive military campaign had sparked widespread condemnations. Recalling his US Ambassador in protest, Russian President Boris Yeltsin charged that "the United States and Britain have crudely violated the UN character and generally accepted principle of international law". Yeltsin said that "the air strikes should be considered a blow to the whole system of international security. The central link of which is the United Nations and is Security Council." China had charged that the US did not receive permission from the Security Council for the military strike and had acted unilaterally, and presumably in violation of the UN charter. French President Jacques Chirac called for a "Fundamental review" of the UN approach to Baghdad to try to put an end to eight years of tensions between Iraq and the international community.

The UN Secretary General Kofi Anan, who was able to broker a last minute peace accord in February 1998 when similar war clouds had been looming, did not get a chance this time. Annan described it a "sad day" for the UN. It was reported in the Observer that the aerial blitz by the United States and Britain on Iraq was against the wishes of Annan who wanted to give Baghdad more time before any military action was initiated. When a major divergence occurred between Annan and Anglo-American coalition leaders on their approach to tackle the Iraqi crisis, an American Security Council delegate reportedly "tore" up Annan's letter suggesting Iraq be given more time before any military action. Annan

had also favoured a phased lifting of sanctions, probably through a comprehensive review of the Iraqi regime.\textsuperscript{53}

More interestingly in the USA the timing of the strike against Iraq had assumed more importance than the actual strike, with many Republican leaders accusing President Clinton of exploiting the crisis to divert attention from his impeachment imbroglio. Since Clinton had ordered the attack on Iraq just 24 hours before the full house was scheduled to debate his impeachment. Republican conservatives erupted a vociferous protest. They charged that the President was playing for time since he knew that Congress would not debate such wrenching issue when the nation was at war.\textsuperscript{54} However, in an opinion poll a two third majority of American people had supported the strike on Iraq and did not believed that Clinton had launched it to save his own skin.

To what extent the United States and Britain were successful in their mission to “degrade and diminish” Iraq’s military capabilities may be a matter of debate but the most unfortunate part of this campaign was that the UNSCOM itself became one of the victims of the four day bombing. The UNSCOM can no longer now hope to return and carry on its task normally. Iraq in unequivocal terms declared that UNSCOM under present leadership would not be welcomed and inspectors entry into her country would be conditional on lifting of sanctions. The air assault finally destroyed the prospects of the UNSCOM operations in

\textsuperscript{53} The Hindustan Times. December 24, 1998.

Iraq, which after all did eliminate more banned weapons in Iraq than were destroyed during the six weeks of Desert Storm and four days of Desert Fox. The inspection regime had kept Saddam Hussein contained and gradually whittling down his military power. At present since no party is ready to budge from their stand the region seems to have entered into another stand-off between Iraq on one hand and the US and UN on the other hand.

During Operation Desert Fox, the way the Security Council was misused to carry on the wishes of one of its members and the manner in which other members were ignored put a very serious question mark before the UN. The recent revelation that the US had used the UNSCOM to spy on the most secret communications of the Iraqi regime by using intelligence devices to undermine it has severely questioned the credibility of the organisation. The question is who gave deadbeat America, which has consistently failed to pay over 1.5 billion dollar in UN dues, the right to assume the role of global gendarme and go over the head of the world body to enforce its will by firing missiles worth an estimated 170 million dollars a day at a nation that has already been brought to its knees by some of the most stringent sanctions ever levied?  

The role of the UNSCOM chief Richard Butler also needs a careful scrutiny because his way of handling the situation is also responsible for crisis in Iraq. Some members of the Security Council had for long

been critical for Butler of being closer to Washington than the world body for which he was working. Baghdad had been passionate in accusing Butler of lacking integrity and impartiality and Secretary General Kofi Annan had occasion to deplore his confrontational approach. Throughout his tenure, he stumbled from one crisis to another with the Iraqis. He was never trusted by Baghdad, which accused him of doing Washington's bidding and turning UNSCOM into a nest of American and Israeli spies. By his own admission, Butler has functioned as little more than amanuensis to US officials. It has also now become amply clear that his decision to withdraw UN inspectors from Iraq - a move criticised by the Security Council - was taken solely on the advice of Peter Burleigh, the deputy US ambassador to the UN. Butler was also wrong in handing over an important report to the US and not to the Secretary General of the UN. Ritter has even claimed that what Butler did in the report was a 'set up' between him and Washington to justify the latter's bombing campaign.\textsuperscript{56}

Butler's report which triggered the US-British massive air campaign against Iraq, can also be contested on the ground that Iraq's attitude towards UNSCOM should have been judged against 300 successful inspection undertaken by the latter since it resumed operation on November 18 rather than 5 instances of non-cooperation listed by Butler in his report. It has become evidently clear that it was Butler who complicated the problem with a deliberately biased report and by assuming a political role for the UN Security Council itself, instead of abiding with the task assigned by the Security Council.

to him of certifying Iraq’s compliance with UN resolutions. Although Butler cannot be entirely blamed for the downfall of UNSCOM, but his confrontational approach and oversights almost certainly played a critical role in bringing about the commission’s early demise. 57

It is also pertinent to examine here whether Butler’s report was a suitable and sufficient ground to carry on a massive air strike without the recommendation of the UN Security Council? The United States has recently been arguing that it has the right to take military action against Iraq without further Security Council authorization on the ground that “existing resolutions” particularly Resolution 678 of November 1990 already provide such authorization, although only one of the other four permanent members of the Security Council the UK, has supported this point of view. However, it is important to note that any action in response to a violation of a provision of a Security Council resolution comes within the authority of the Security Council, not of Washington and London. But in this case other three members of the council were not consulted at all. 58 Even if we accept the authorization under resolution 678, it was only the Security Council which was authorised to take action against Iraq. Neither any single member of the Security Council or any group of members of the World organization acting outside the framework of the body was authorised to take such action. The fact that one member

57. Amin Saikal, Ibid., p. 292.

of the United Nations may be in violation of an agreement, a Security Council resolution or any other legally binding rules does not make it legal for other members to carry out an armed attack against it. The manner in which the Security Council was made to feel so sorry, shows nothing but the utter helplessness of the world body. If the things move in the same direction, in fact the world will doubt the role of UN as a peace keeping organization.

Although the US-UK December 1998 military campaign technically lasted for four days but the bombing missions by American planes have never really stopped. Almost on daily basis the US and British planes still continue to operate from their base in Kuwait or Turkey or from aircraft carriers to pound Iraqi missiles and anti-aircraft installations in which civilian casualties also take place. The ostensible reason for the raids is to protect American pilots operating in the “no fly zone” from any attack from Iraqi defence establishment, but the claim of acting in self-defence is “only part of the story”. In fact, the US is really engaged in is a “low grade war fashioned by the military and administration”. With the objective of destabilizing Saddam Hussein. The non-fly zone imposed by Washington above the 36th and below the 33rd parallel to the north and south of Iraq itself is one of the most blatant violations of national sovereignty anywhere in the world. It makes a mockery of the UN Charter. What is most surprising, however, is that the rest of the world has shown

little interest in these brazen acts of aggression. Neither the UN nor any other organisation has considered it necessary to focus attention on what is clearly a violation of a sovereign country’s territory. As the continued raids on Iraq confirm, the US, has become a law unto itself, arrogantly following the rule of “might is right”.

After almost one year of stand-off the USA and UK succeeded in the Security Council when it adopted Resolution 1284 at its 4084 meeting, against Iraq on December 17, 1999. This new resolution provides for establishment of UN Verification and Inspection Commission (UNMOVIC) and oversee the destruction of weapons of mass destruction, which will have unrestricted access to any and all areas, facilities, equipments, records and means of transport. The resolution also provides retaining of the International Atomic Energy Agency (IAEA) to monitor Iraq’s nuclear weapons programme. Hans Blix, a former Swedish Foreign Minister and former Director General of the IAEA, has been appointed to head the new UN weapons inspection team. The major task before Blix will be to create a work programme, and then draw up a list of key remaining questions about Iraq’s disarmament that Baghdad must answer before the council would consider suspending sanctions.  

Although the new UN weapons inspection team has not yet started its work, many express doubts over its success. Mere replacement of one team with another one with new name and more power will not help.

unless those questions are addressed which led to demise of UNSCOM. What is now required is a bold constructive approach that would take the regime of weapons inspection out of the hands of the Security Council's permanent members and disentangle its objectives and operations from US political goals. The new UN weapons inspection regime should be allowed to work independently under the direct supervision and control of the UN Secretary General. The inspection process should be conducted in such a way as not to enable any particular country to gain dominance. One of UNSCOM's biggest problems was its lack of a clearly defined end game. It is never easy to declare a completely satisfactory end to any process of weapons inspection, especially those dealing with biological weapons, which can be hidden away in small quantities from any regime of inspection. Ultimately, subjective judgement would have to be applied and an arbitrary line of some kind drawn as the only way of termination of the process. Without a clearly defined end game, the goalpost can easily be changed, as the US did in respect of Iraq.  

The US double standard and selective approach in the field of disarmament and arms control has always been a matter of intensive debate. If Washington is genuinely interested about eliminating Iraq's WMD capabilities, then it must not be discriminatory in its approach. It should work for the transformation of the entire Middle East region into a 'zone

61. Amin Saikal. n. 2, p. 293.
free of WMD. It is only in this way that a genuine regime of arms control could be established in the area and that Iraq could be persuaded to give up its programmes of WMD altogether. Otherwise, irrespective of whether Saddam Hussein or some one else is in power in Baghdad, there would always be many other Arab and Iranian nationalists who would share his conviction for as long as Israel remains armed with WMD.

Though the idea of establishment of UNSCOM to disarm Iraq of its WMD was novel and pioneering but from very beginning the US wanted to use it to promote its own political agenda rather than allow it to achieve the goals for which it was established. And this was at the heart of the whole arms inspection imbroglio in Iraq. Washington was more interested in destroying Saddam’s regime than eliminating Iraq’s WMD. And UNSCOM early fell into trap due to its vulnerable position on account of its financial dependence, composition and highly specialised method of operation. And most importantly the approach and style of functioning of UNSCOM’s Chief Butler proved to be more suicidal. A combination of these issues was in the end largely responsible for the discrediting and demise of UNSCOM. Yet the problem of Iraq continues to remain unresolved. It is yet to be seen whether newly established UNMOVIC will succeed or will go UNSCOM’s way.


CONCLUSION

The discovery of oil in the beginning of the last century in the Persian Gulf region not only entirely changed the economy but international political scenario of the region as well. In view of the increasing importance of the oil as a source of energy almost all the leading powers have been taking keen interest in the region. Oil is perhaps the most volatile commodity in the world, which has contributed the overthrow of many governments and wars have been fought to secure possession of oil fields in the Gulf. It was again the oil, which in fact became the main cause of the outbreak of Gulf crisis of 1991, which in a way acted as a catalyst for the emergence of a new regional and world order.

A great deal has been written about the causes leading to the Iraqi attack and annexing of Kuwait in August 1990. Some of them undoubtedly lie in the historical claims and counter-claims, boundary disputes, controversy over the quantum of oil production in the Rumailah oil fields, Kuwait's attempt to subvert OPEC's oil prices by over production resulting in the loss of oil revenue to Iraq etc. Iraqi President Saddam Hussein claimed that Arab states of the Gulf had robbed Iraq of $14 billion by depressing oil prices in the international market
and Kuwait had exploited its southern Rumailah oil field stealing oil worth $2-4 billion. But unfortunately the world community including Arab countries either failed to understand the validity of Iraq’s grievances or they did not want to get involved in finding an acceptable solution to the Iraqi claims. Many dubbed Iraqi action motivated by its financial difficulties in the aftermath of the Iran-Iraq war and pursuit of regional hegemony.

Whatever be the causes Iraq fell into the trap by marching its troops into Kuwait on August 2, 1990 violating all rules of international legitimacy, lofty Islamic and Arab values and the principles of good neighbourhood which constitute a pillar in international relations. Paradoxically all this happened at a time when the world was witnessing a most impressive scene of international rapprochement. This mistake of Iraqi leadership led to the beginning of grief and miseries of the innocent Iraqi people - who had hardly any control over decisions taken by their leadership.

The international response to Iraq’s invasion was swift and harsh. Within hours Iraq’s assets were frozen worldwide and the Security Council showing unprecedented unanimity called for an immediate and unconditional Iraqi withdrawal and within days economic sanctions were imposed. But defiant Iraqi leadership instead linked its withdrawal from Kuwait to Israeli withdrawal from the occupied Arab territories, which paid little dividends even among many Arab-Islamic states. In a strategic
move Iraq, hoping to forestall an imminent American attack, took all foreign nationals in Iraq and Kuwait into custody and confined them in strategic places to be used as human shields and their release conditional upon withdrawal of the US forces from Saudi Arabia and end of its economic boycott. All these last minute tactical moves by Iraq could not prevent or deter multinational forces from taking military action against it.

Once Iraq failed to implement the Security Council Resolution 660 of August 2, 1990, UN instruments of peaceful dispute settlement were quickly turned into instruments of coercion. Non-negotiable resolutions that succeeded each other swiftly became tools of waging war. Most notorious of all resolutions passed by the Security Council to dislodge Iraq from Kuwait was Resolution 678 authorizing the use of force as an ultimate action to achieve effective and desired end. There is a great deal of controversy and confusion about the legitimacy of authorization of use of force under Resolution 678. The resolution ignored the provision mentioned in chapter VII of the charter which specially empower the Security Council (not any member state) to involve in use of force and to conduct the operation under the Military Staff Committee and under the UN flag. It was also in contravention of Article 27(3), which requires that an important resolution of the Security Council must have the concurrence of the five permanent members. Since China abstained it implied that it did not concur.
Moreover it was evidently clear from the war that the Security Council had very little control over the war authorized by it. No other than the then UN Secretary General Perez De Cuellar himself admitted that “the council which has authorized all this, is informed only after the military actions have taken place”. The disproportionate authority exercised by the United States over decision making and implementation has subverted the authority and credibility of the United Nations. It was also feared that the United Nations was acquiescing too readily in US use of force. For many this authorization was illegitimate, unwise, or merely constituting a multilateral veneer for unilateral action.

The Resolution 678 also created some kind of disillusionment among the Arabs that the UN is not fair or evenhanded. Ordinary Arabs tens of millions of them from Morocco to Iraq, with little sympathy for oil rich oligarchies, feel that the US has never allowed UN action on behalf of the Palestinian Arabs and their territories are still under Israeli occupation. The US always blocked implementation of UN resolutions as it stood by Israel and did exactly opposite to Iraq. The US was determined to implement UN resolution by force on Iraq, yet it ignored other resolutions. In any case Resolution 678 even by its own terms could not be stretched to justify the kind of war the US unleashed on Iraq. The scope and intensity of the American air strikes, the choice of targets and the magnitude of collateral damage to civilian lives in Iraq, revealed a wider purpose than war ostensibly envisaged
by the Security Council. For more than forty days multinational forces, comprising mostly American air power, used their overwhelming superiority to destroy the economic infrastructure and the military power of Iraq. Even after Iraq accepted all the Security Council resolutions the US did not relent on its destructive course. The war proved that the US did not send the troops to the Gulf because Kuwait was being swallowed up, but its motives were different. The same thing had happened in Lebanon, but there was no reaction from Washington. The fact is that if Kuwait had been a poor Third World state without any oil, it is a foregone conclusion that not a single US soldiers would have been deployed to defend it.

The Iraqi invasion of Kuwait undoubtedly represented a blatant challenge to the body of rules governing inter-state behaviour, as laid down in the UN charter. But what the U.S. and its allies did in the name of upholding it and maintaining international peace and security in the region was not less blatant challenge. The way the war was fought by the US and allies not only demonstrated the utter helplessness of the Security Council but also exposed them. It would be a grave mistake to believe that the primary purpose of the US initiated war on Iraq was the eviction of Iraq from Kuwait. The eviction was no more than a means to various ends. It is plain enough that the United States has no principle (as opposed to tactical) objection to aggression by sovereign states against others. and so the reasons for the onslaught on Iraq must
be sought elsewhere. The Iraqi misadventure was not the first or only occasion when a UN member had committed a grave violation of its charter principles. The US did not work to activate the UN in military opposition to the Israeli invasion of Lebanon and other Arab lands, to the Indonesian invasion of East Timor; or various South African invasion of Namibia, Angola and Mozambique. Indeed, there is ample evidence that it conspired, to various degrees, in such invasions; and, of course, the US itself has invaded many sovereign states (notable Grenada and Panama in recent years).

The war on Iraq realistically viewed was intended to serve a number of purposes. It was useful to demonstrate to the world that any grave threat to American interests would not be tolerated, particularly where these required the unimpeded supply of fuel to the world's most energy profligate nation. It was useful also to signal the new global power structure, the 'new world order' in which a post-cold war United States could operate without the bothersome constraint of another global super power. It was to educate the world about post-Soviet political realities.

The war on Iraq also proved the dictum that there is no permanent friend in international relations but only permanent is national interests. The same Iraq which was subjected to wrath of the US once enjoyed the support of the West and particularly USA in all matters during the Iran-Iraq war because it acted as an useful buffer not only between the revolutionary and fundamentalist Iran and the oil rich areas in the
Arabian Peninsula but also between Iran and Israel. However after the end of the Iran-Iraq war and more so after the death of Imam Khomeini and coming into power of a moderate like President Rafsanjani (now Khatmi also a moderate) in Iran, a strong Iraq became a liability. By 1990, Iraq had become strong enough to independently threaten two main Western interests in West Asia. Its arsenal of long-range missiles and chemical warheads could for the first time in many years, credibly jeopardize Israeli security. Also, Iraq could threaten the GCC states and thereby the assured oil supply to the industrialized north. These two factors were seen as complementary and were linked to President Saddam Hussein's quest for ultimate Arab leadership. Iraqi occupation of Kuwait was therefore seen in the context of a domino effect. Hence, not only had Saddam Hussein to be destroyed and Iraqi Baathi regime replaced but also its military capability had also to be totally nullified. There were the targets that were set by most of the coalition partners.

The UN response to the Iraqi invasion confirmed the international ascendancy of the United States. The US seemed to have exploited the Council and the UN Charter as a tool of foreign policy goals and the UN was an instrument in American hands. Entire operation was controlled by the United States. With the break up of the Soviet Union as an effective deterrent power to the US the latter emerged as supreme international actor in new international order. During the whole Gulf crisis Security Council functioned under the US's will. Not even a
single veto was exercised by any permanent member to avoid incurring US ill will. The whole world was clamouring against the shameful role of the UN in the Gulf Crisis. The UN was deaf and dumb, limp, and life-less - a rubber stamp in the hands of the major powers of the world. It was for the first time an individual had been authorized to take military action against another member under the umbrella of the UN. The US was a singular importance in the Gulf war as the sole surviving super power with the military superiority to conduct such a military operation even with little or no support of its allies. The UN was made a scape goat and had to take the blame for unlawful acts, omissions and commissions of its member states. The UN role was ineffective and inadequate.

The US role in Gulf War suggests that despite the changing international environment, the present international system still remain unjust as it poses constant threat to the security of small states. Undoubtedly, it was the end of the cold war that the UN acted in an unusually speedy way in this crisis, yet it was neither the prevention of the crisis, nor the resolution of the problem in a peaceful way, nor it was a collective security action, rather it was a selective security action. In the Gulf War the US acted under the cover of the UN which could not be justified on strategic, political or on moral grounds. The US action in the Gulf War illustrates how a modern western state uses the concept of just war to make its foreign policy acceptable to its public and the world.
The issue that whether the war on Iraq could be considered a just war sparked a vigorous international debate. Politicians, academics and commentators were uncertain as to whether or not it was appropriate and just to go to war before the economic sanctions had been given ample time in which to succeed or fail. Elaborating upon the criteria set down by Aquinas, William O'Brien enumerates the conditions under which war may be deemed permissible. First, only 'competent authority' may wage a just war. Secondly, war must be waged for 'a just cause. O'Brien' further elaborates just cause (i) it must be 'serious and weighty' (ii) the war must be defensive (iii) proportionately must exist 'between the just ends and the means'. (iv) War should be waged only as a last resort, whether all peaceful options have been tried and have failed.

Was the coalition's attack on Iraqi positions permissible, a justifiable and proportional use of force on the victim's side by a competent authority as a last resort, and under serious and weighty circumstances? The answer to this question would probably go in negative keeping in view the entire scenario of the Gulf War in mind.

The Gulf War exposed several weaknesses in the UN system, but what came after the Gulf War posed even more serious challenges to the United Nations that the military campaign waged against Iraq. The dubious legacy of the Gulf War has left its imprint both on regional stability and on the subsequent uses of force against Iraq. The United Nations has lost whatever authority and leverage it retained over Iraq
during the Gulf War; its role has been reduced to that of a passive bystander.

The cease-fire agreement (Resolution 687 of April 3, 1991) signed between the United Nations and the Iraqi government, which ended the Gulf War failed to bring any relief to innocent Iraqi people who were forced to pay the price of madness of their leadership. The resolution 687 put yet another ‘unjust and hard’ conditions on the Iraqi people. The unconditional acceptance of various provision contained in it was made a precondition to formal cease-fire. The main provisions of the resolution included payment of reparation by Iraq, continuation of the sanctions, UN guarantee of the boundaries and Iraq's co-operation in the destruction of it nuclear, biological weapons or weapons based technology and facility. These conditions were never freely negotiated but rather formulated unilaterally and imposed on Iraq under chapter vii. of the UN charter.

The resolution 687 would go down in history as one of the most unfair cease-fire frameworks. Iraq had to accept terms, which meant it, would have to give up almost all its earning to fund war reparation. Thus, the future of the succeeding generations in Iraq has been mortgaged. Such draconian measures - and there are others - have no precedent in the post-World War II era, even though the Iraq is not the only country to have been guilty of grave crimes. Iraqi government has rightly characterized the provisions of Resolution 687 as biased, iniquitous.
vengeful, an injustice, a severe assault on the Iraqi people's right to life and flagrant denial of its inalienable rights to sovereignty and independence and to free choice. However, Iraq had no choice but to accept the resolution.

The impact of sanctions has been well documented over the years. All the reports from journalists, oil agencies, UN-officials and others convey a consensual picture of a civilian population facing unprecedented catastrophe. Sanctions have maximized human suffering in all manifestations. They have resulted in dramatic increase in child and maternal deaths; malnutrition; polluted water; shortage of basic human needs and medicines; collapse of educational system, increasing unemployment and diseases, and de-industrialization of Iraq. Sanctions have proved to be the most suicidal and destructive instrument to the human beings.

Theoretically, the Security Council has authorized the unlimited import of food and medical products, the so-called "humanitarian goods". But that has been nullified by the ban on all Iraqi export. It became clear that the 'exemption' of medical supplies and foodstuffs was in fact a matter of political packaging rather than humanitarian intent. In reality, only aid agencies and humanitarian NGOs could bring some supplies to Iraq, and the resolution ensured that Iraq would have neither the revenues nor the permission to buy medical supplies and food stuffs in other countries. Even the UN "food for oil" arrangement prescribed
in resolution 986 of April 95 has proved highly inadequate to meet out the humanitarian needs of the Iraqi people.

The Iraqi experience reestablishes the fact that sanctions generally tend to miss a country's leadership and hit the innocent. They impact most on democratic societies but fail to impress the dictatorial regimes whose leaders often remain untouched and whose civilian pay the price. They are in toto notoriously unsuccessful. World community should now realize that the continuation of sanctions in the present form would only hurt the innocent Iraqi people not weakens Saddam Hussein - whose removal has always been sought by the United States as main political goal of the sanctions. But unfortunately sanctions have missed the target. It is not a prudent policy to target the helpless people for the sins of their leaders. The tragedy with the hapless Iraqi people is that on the one side they are the victims of Saddam's insanity and on the other America's vindictive attitude.

The current sanction policy towards Iraq is rigid and increasingly counter productive. Members of the Security Council now must sit together and evolve a fresh initiative not only to defuse the rising tensions but also to strive for an ultimate solution to end misery on Iraq. For more than a decade, injustice has been done to the Iraqi people for none of their faults. Any further extension of embargo in present form would further violate international law and human rights in Iraq. Any further move to suppress Iraqis would be mockery of the UN and
international watchdogs. Let us retain the all possible control over arms manufacture and sales of arms to Iraq. Let us retain the capacity to monitor and observe but give up the UN weapons of mass destruction - economic sanctions.

The UN cease-fire resolution 687 made it obligatory upon Iraq to destroy all its weapons of mass destruction under international supervision and monitoring. Despite almost a decade of hard work of inspecting every nook and corner of Iraq in search of weapons of mass destruction the UN team has failed to give a certificate, so that sanctions could be lifted. The process has now reached a worrisome impasse, setting Iraq, the US and Britain and for that matter, the UN on a prolonged course of military confrontation, at the cost of making the region more unpredictable and volatile than has been the case historically and imperilling the chances of creating a stable Post-Cold War World Order.

The UN weapons inspection resolutions are so punitive and humiliating that any slight attempt to erode them by Saddam Hussein has led air attacks and bombings by the US and its allies. Air strikes; through misinterpreting the UN resolutions, on Iraq has become almost a routine feature. Taken as whole, there is ample evidence to suggest that the US and a few of its European allies have arrogated to themselves the exclusive right to interpret and implement the UN resolutions without recourse to the Security Council. This constitute a clear usurpation of the functioning and authority of the United Nations.
The UN as an international organization working for international peace and security, should not surrender itself to the will of a superpower or allow itself to be used as an instrument for achieving certain self interests of that power. The UN has to play its role reflecting the wishes of the international community. It should bring an end to the dilapidation that Iraq is affected with. The Iraqi people should not be punished for the madness of Saddam. They are the victim of Saddam's insanity and US' vindictive attitude. The situation that the Iraqi people are passing through now is more than what human being can bear. Thus the UN must do something to ameliorate their condition. The UN will and not the desire of the US should prevail. The UN must be accorded full scope to act as it was intended to act, with any ultimate decision to employ force being made by the Security Council in accordance with the Charter.
BIBLIOGRAPHY

Primary Sources:
- Text of the UN Charter.
- Text of all the UN Security Council Resolutions on the Iraq-Kuwait Crisis, from August 1990 onwards.
- *UN Newsletter* - various issues from August 1990.
- *UN Year Book*, various editions from 1990 onwards.

Secondary Sources

Books:
Alam, M. Sayeed; *Towards the Persian Gulf War* (New Delhi: Causeway Book Centre, 1993).
Al-Ghunaim; Abdullah Yusuf; *Kuwait: Statehood and Boundaries* (Kuwait: Kuwait Foundation for the Advancement of Science, 1992).


Hiro, Dilip; *Inside the Middle East* (London: Rotledge, 1982).


Karsh, Efraim and Rautsi, Inari; *Saddam Hussein: A Political Biography* (UK: Brassey’s, 1991).

Karsoom, Adler; *Western Economic Warfare* (Stockholm: Almquist and Wiksell, 1968).


Venter, D.J.; *South Africa Sanctions and the Multinationals* (Sussex: Cardin Publication, 1989)


**Articles:**


------------------


Cardozo, Gale; "A Slow But Steady Decline", The Middle East, August 1998.


Chittaranjan, Kalpana; "Iraq’s Nuclear Weapons Programme", Strategic Analysis, June 1999.


Gupta, Arvind; "Soviet Responses to the Gulf Crisis", *Strategic Analysis*, October 1990.


Hersh, Seymour; "A Case not Closed", *The New Yorker*, November 1, 1993.

Hiro, Dilip; "Saddam Stock Raises Aain in Middle East", *The Poineer*, November 6, 1997.


Jonsen, G.H.; "India Remain Unmoved on Gulf Crisis", *The Times of India*, October 6, 1990.


Shri Prakash; “China and the Gulf Crisis”, *The Times of India*, October 1, 1991.


Weisman, R. Steven; “Fire From the Gulf Moulds A New Japan”, *The Times of India*, Jan 31, 1991.


*Periodicals:*

1. Adelphi Papers
2. American Journal of International Law
3. Arab Studies Quarterly.
4. Arms Control Today.
5. Asian Affairs.
9. Current History
10. Economic and Political Weekly.
11. Foreign Affairs.
12. Foreign Policy.
15. International Affairs.
17. International Organization.
18. Journal of BIISS.
22. Middle East Journal
23. Middle East Economic Digest.
25. Seminar.
26. Strategic Analysis.
27. Strategic Digest
28. Survival
29. The Bulletin of Atomic Scientists
30. The Middle East
31. The Washington Quarterly
32. The World Today
33. WFP Journal
34. World Politics.

Newspapers:
1. New York Times (New York)
2. New Yorkers (New York)
3. The Hindu (New Delhi)
4. The Hindustan Times (New Delhi)
5. The Indian Express (New Delhi)
6. The International Herald Tribune (Paris)
7. The Pioneer (New Delhi)
8. The Times of India (New Delhi)