

CASI

Newsletter – July 2002

campaign against sanctions on Iraq

The Campaign Against Sanctions on Iraq (CASI) is a registered society at the University of Cambridge. Its committee members are all volunteers; it is co-ordinated by students. CASI is exclusively concerned with the humanitarian consequences of sanctions on Iraq. It does not support Saddam Hussein's regime and it is not opposed to military sanctions on Iraq.

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INTRODUCTION

Welcome to CASI's first newsletter of 2002. The period between this publication and its predecessor has seen a transformation in the debate over economic sanctions, and a change in the focus of discussions about Iraq. Whilst the US and UK have reclaimed the initiative at the Security Council with the adoption of their 'smart sanctions' proposals in May, the focus of the wider Iraq debate has shifted away from the suffering of the Iraqi people towards the threat constituted by the government of Iraq's suspected weapons of mass destruction. Where they have been mentioned, the sanctions have been presented by the US and UK governments as 'streamlined', targeting only Iraq's military capabilities, with the UN's contribution to the civilian burden of sanctions having been removed. Meanwhile, despite renewed UN efforts to secure the readmission of weapons inspectors, the prospect of US military action looks increasingly likely.

The humanitarian crisis in Iraq, however, remains. 'Smart sanctions', introduced in the form of a Goods Review List of potential 'dual use' items by Security Council Resolution (SCR) 1409, have allowed no innovations to the sanctions regime beyond reform of the 'oil for food' programme. The easing of procedures for importing goods into Iraq, whilst producing some minor improvements in the humanitarian situation, has failed to address the fundamental needs of the Iraqi people. Restrictions on foreign investment, foreign exchange and exports other than oil – all restrictions on income – continue to prevent the rehabilitation of Iraq's infrastructure and economy, and so continue to prevent a sustainable improvement of its humanitarian situation.

In addition, politicisation of the 'oil for food' programme has continued to hamper its ability to deliver humanitarian goods, and thus to meet the population's most basic needs. A revenue shortfall in recent months, brought about by the protracted clash over retroactive oil prices and the Iraqi government's month-long suspension of oil exports in April, has left more than \$2.2 billion of approved contracts unable to be processed further. 'Smart sanctions', by failing to de-link the humanitarian and political aspects of the sanctions, have ensured that both the Security Council and the government of Iraq will continue to be able to use the Iraqi people as bargaining tools in their ongoing political dispute.

The civil society opposition to this linkage between eco-

UK NATIONAL WEEK OF ACTION:

3-11 AUGUST 2002

The National Co-ordinating Meeting of anti-sanctions groups recently called a 'week of action' from 3-11 August to commemorate twelve years of sanctions on Iraq. CASI is preparing a Week of Action briefing, detailing twelve tasks you can do during the week, to be distributed to everyone on our mailing list. If you didn't get this newsletter through the post, and would like to receive a briefing, please get in touch using the contact details above, and we'll add you to our list.

conomic and military sanctions has not been dissipated by 'smart sanctions'. Statements by non-governmental organisations (NGOs) and religious bodies indicate that SCR 1409 has failed to address their concerns. CAFOD, the Catholic Agency for Overseas Development, called the changes "little more than a cosmetic exercise" which "will do little to help the plight of the ordinary people" [16 May 2002], while Save the Children UK called just before the resolution for the Security Council "to move away from the temporary nature of the "Oil-for-Food" Programme to a more sustainable humanitarian programme" [10 May 2002]. Recognising that 'smart sanctions' have by no means wrapped up the debate, an NGO Working Group on Iraq was set up in the UK in April to share information and prepare joint advocacy initiatives.

The sanctions discourse is now at a critical juncture. Designed either to defuse opposition to the humanitarian impact of economic sanctions, or, based on a flawed analysis, to address that impact, 'smart sanctions' have succeeded at neither. The central issue in the Iraq debate should remain the humanitarian impact of the sanctions, which has not substantially been de-linked from the prevailing political dispute. As the Bush administration looks for a coherent alternative to the policy of deterrent and containment, CASI's role continues to include the provision of detailed, accurate information about the sanctions on Iraq and their context.

I hope you find the following useful, and look forward to hearing your response.

Jonathan Stevenson
CASI Co-ordinator

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UN WATCH

IRAQ SANCTIONS REFORM

US Secretary of State Colin Powell's first major policy initiative involved Iraq. Identifying three 'baskets' of Iraq policy - the sanctions, the no-fly zones, and Iraqi opposition politics, he explained, "My immediate concern was basket one, the UN basket and how it was falling apart. And it seemed to me the first thing we had to do was to change the nature of the debate. We were being accused and we were taking on the burden of hurting Iraqi people, hurting Iraqi children, and we needed to turn that around" [Budget Hearing Before the Senate Foreign Relations Committee, 8 March 2001].

Round I: Initial discussion at the Security Council

The results of Powell's concern appeared in May 2001. With US support, the UK submitted a draft resolution to the Security Council to begin the tenth phase of the 'oil for food' programme. The timing left under a month for obviously difficult negotiations.

The draft proposed a number of changes to the sanctions, two of which were at its heart. First, it would have engaged Iraq's neighbours to stop Iraqi smuggling, thus tightening the sanctions. A form of this had been considered by the UK-Dutch draft resolution in 1999 that went on to form the basis of Security Council Resolution (SCR) 1284. That resolution sought to stop Iraqi smuggling with Turkey but did not mention any form of compensation for Turkey's loss of trade with Iraq. The Turkish government, preferring its trade with Iraq not to be managed by the UN, successfully sought the removal of these clauses. The 2001 proposal seemed to learn from this: it was suggested that Iraqi neighbours losing smuggling revenue would be compensated, probably from Iraqi oil revenues held in the UN escrow account.

The second main change was that the UN Sanctions Committee would play a reduced role in processing contracts for export to Iraq. A list of items with potential 'dual use' would be drawn up; this has since become known as the Goods Review List (GRL). All goods not on that list could be imported by Iraq without the approval of the Sanctions Committee, under procedures similar to the 'fast track' procedures in place since March 2000 for a variety of civilian goods: items on these lists only require that the Secretary-General be notified to import them; the Sanctions Committee need make no decision. As Evelyn Leopold of Reuters put it at the time, "Under the new plan, other supplies from bicycles to sewing machines can be imported without the committee's consent" [UN Envoys Query Quick Adoption of New Iraqi Plans', 17 May 2001]. Those goods on the GRL would continue to require Sanctions Committee approval.

The proposals immediately ran into trouble. First, Iraq's neighbours did not want the Security Council to enforce stricter border controls with Iraq. Indeed, an NGO had

unveiled sanctions proposals very similar to the US/UK proposal, but a month earlier. The main criticism that these faced was that the border controls were unworkable.

Second, the Iraqi government strongly opposed the reforms. The border controls, which would have reduced the income available to it outside ‘oil for food’, were seen as a threat. It is also likely that the government opposed any attempts by the Security Council to regain control of the sanctions. As it may feel that the US will maintain the sanctions as long as the current regime is in power, it may feel that its best chance for progress is to make the UN process irrelevant. Attempts to regain control over the sanctions are a direct threat to this agenda.

As it became clear that the draft would not be accepted before Phase IX of ‘oil for food’ ended, the US argued for a one month, rather than the usual six month, extension; this would keep the pressure on the negotiations. Russia originally opposed this, but acquiesced when the US released \$700 million worth of contracts that it had placed on hold, many of them Russian. Towards the end of the extra month, the US again released holds on a large number of contracts. This time, \$80 million worth of Chinese contracts were allowed to proceed. *The Washington Post* explained that the “package included a \$28 million Iraqi contract to buy mobile telephone equipment from Huawei Technologies Co., a Chinese firm previously accused by the Pentagon of violating the sanctions by providing fiber-optic cable for Iraq to upgrade its anti-aircraft missile batteries” [‘Trade Deal Won Chinese Support of U.S. Policy on Iraq’, 6 July 2001].

Even this, however, failed to gain Security Council approval for the reforms. All the reforms, including non-contentious ones, were therefore shelved and a simple rollover resolution was adopted. The problem would be dealt with again in November.

Round II: Phase XI rollover resolution

In November, in the wake of 11 September, the Security Council again found itself without enough time to properly discuss the sanctions. On 29 November, it therefore passed what appeared to be a straightforward rollover resolution, SCR 1382, extending ‘oil for food’, but with a small twist. Its second paragraph noted

the proposed Goods Review List [...] and the procedures for its application [...] and decide[d] that it will adopt the List and the procedures, subject to any refinements to them agreed by the Council in light of further consultations, for implementation beginning on 30 May 2002;

This paragraph was immediately interpreted in two very different ways. One UN statement reported that “the Council also *approved* a proposed Goods Review List [...] open for implementation on 30 May 2002” [SC/7229, 29 November 2001, italics added]. Another UN press release that same day reported that “the Council also took note of a proposed

Goods Review List, *which is under consideration* with a view to speeding up the delivery of humanitarian assistance to Iraq” [‘Iraq: Security Council approves 180-day extension of ‘oil-for-food’ programme’, UN News Centre, italics added].

Thus, it was unclear whether the Council had actually agreed to the proposed reforms, which would then take effect on 30 May, or whether it had merely agreed to agree on them by 30 May. This seemed to set a new standard in intentional ambiguity.

Round III: US-Russian negotiations

Negotiations in 2002 centred on a series of bilateral meetings between US and Russian officials. According to one diplomat, the official Russian explanation for the length of these negotiations is that the inter-agency process in

Moscow is a cumbersome one. Responding to this, the US went to Moscow to speak directly to the inter-agency officials. When the Russians reciprocated by visiting Washington, they

brought company officials with them to speak to US technical experts.

At the end of March, after the third such bilateral meeting, agreement seemed to have been reached on the contents of the GRL. Yuri Fedotov of the Russian Foreign Ministry explained to reporters that the agreement with the US “has the effect of freeing \$740 million in Russian contracts to supply goods to Iraq” [‘Deal Revises Iraq Penalties’, *New York Times*, 28 March 2002]. His US counterpart, John Wolf, stressed that “the freezing was apolitical and necessary to prevent any military exports” [‘U.S., Russia Discuss Iraq Sanctions’, Associated Press, 29 March 2002]. Diplomatic sources for the *Financial Times* were not convinced, with one claiming “the decision marked the boldest move yet by the US to use the holds to buy political agreement” [‘Block on Russia’s Iraq contracts lifted’, 3 April 2002].

With US-Russian agreement on the GRL, negotiations then centred on the procedures for their use.

Security Council Resolution 1409

On 14 May, two weeks ahead of the deadline, after some last minute stalling by Syria, the Security Council approved resolution 1409, implementing the revised GRL and cementing the policy of ‘smart sanctions’. There was no mention of border controls. The Bush administration called it “a step forward for the Iraqi people”, and the *New York Times* agreed. Its 18 May editorial said: “Washington is now in a better position to lead the international debate on the future of the Iraqi regime without the distraction of accusations over humanitarian concerns.” Powell’s desire to change the nature of the debate seemed to have succeeded.

Yet although the US and Britain’s interest in reform was motivated at least in part by a desire to escape blame for humanitarian suffering in Iraq, the modifications to sanc-

tions in the resolution did not emerge from an analysis of Iraq's humanitarian needs. In this respect, they stand in contrast to the UK-Dutch proposal that formed the basis of SCR 1284; this incorporated a number of suggestions made in a Security Council panel report in March 1999, including removal of the cap on Iraqi oil sales. The Security Council did form a team, in the summer of 2000, to investigate Iraq's humanitarian situation and report back by November 2000; this deadline has passed without any action from the team or the Council. The absence of an assessment here must reflect a lack of political interest in one.

The reforms may have some positive direct effects on the operation of sanctions, although these are likely to be largely in the form of increased efficiency in the processing of import contracts through the 'oil for food' programme. Individual items in a contract are now able to be put on hold without delaying the remaining items, and suppliers are now able to indicate on contract forms whether they have submitted applications for the same goods in the past.

The reduced involvement of the UN Sanctions Committee in the processing of import contracts is also likely to reduce the opportunity for politically motivated holds. Checking whether items are on the GRL will now be the responsibility of Unmovic (Unscm's replacement) and the International Atomic Energy Agency, with the Sanctions Committee only reviewing those applications the weapons experts find to contain items on the GRL. Previously, the Sanctions Committee had implemented the 'dual use' lists maintained by the weapons experts. Whether this shift in responsibility from members of the Security Council to UN weapons experts translates into humanitarian benefits, however, depends on the extent to which the weapons experts maintain their independence if and when Committee members disagree with their decisions. The most that can be said at this stage is that the change represents a potential depoliticisation of holds.

The GRL itself is lengthy – about twice as long at 480 pages as the previous 'dual use' lists, the '1051 lists'. While the only current version in circulation is an unofficial one, it is comprised of a combination of three lists: the Wassenaar Arrangement (the world's main 'dual use' control arrangement), the existing Unmovic 'dual use' list, and a shorter list of various items omitted from the other two. There is yet to be any expert commentary in the public domain on the stringency of its contents. Meanwhile, concerns have been raised that the increased number and sophistication of 'oil for food' contracts since the cap on oil exports was removed in December 1999, and the reduced reliability of end-use monitoring since the end of weapons inspections in December 1998, may mean that the Sanctions Committee will be more likely to reject contracts passed to it for review. If this proves to be the case, it would solidify one of the problems currently experienced with holds, whereby delaying a single item can scupper an entire project. Some UN diplomats have even referred to the GRL as the 'Goods Rejection List'.

Overall, then, the humanitarian consequences of the resolution are unlikely to be large. For a long time, civilian goods

have been freely smuggled across Iraq's borders with no interference from the sanctions. Thus, easing the UN's requirements eases only a marginal constraint on Iraq's economy. This said, large infrastructural items are harder to smuggle than are consumer goods (Leopold's "bicycles to sewing machines"), so the reforms may apply to things that haven't been able to enter by smuggling.

What is most notable about 1409 is how little it changes. Central to the sanctions' negative effects are the constraints that they impose on Iraqi income. Iraq's civilian infrastructure and public sector are run down, and require massive investment to restore them to proper functioning. As Iraq is oil wealthy, the natural solution would be to allow Iraq to borrow out of future income to fund these investments. The reforms do not allow this. A French proposal introduced last year would have allowed foreign investment; its fifth paragraph read:

Decides to allow civilian investments in Iraq by foreign companies, including into the Iraqi oil industry and production capabilities, subject to appropriate arrangements to be approved by the Council... [11 June 2001 draft]

The other major drain on Iraqi income is Gulf War reparations. By 9 April, \$14.8 billion had been paid, just \$5 billion less than the value of goods that have reached Iraq under 'oil for food'. This comparison is particularly disturbing when it is noted that the outstanding claimants are governments, firms and well-off individuals. A further indication of the interaction between Iraqi income and the US/UK reforms is that, if the GRL led to the removal of all holds on Iraqi import contracts, Iraq could not afford to purchase the items.

As the public discussion of the sanctions has concentrated on Iraq's ability to import food and medicines, it is poorly prepared to understand these issues of income. The US/UK reforms are therefore likely to have the negative effect of convincing their citizens that the sanctions are no longer harmful, reducing the pressure for reforms that will lead to real improvement. This certainly seems to be the hope of US and British politicians. After SCR 1382's passage, British Foreign Secretary Jack Straw continued the long tradition of announcing that the latest reforms meant that the sanctions no longer had negative humanitarian consequences:

The UN decision will soon mean no sanctions on ordinary imports into Iraq, only controls on military and weapons-related goods. Iraq will be free to meet all its civilian needs. The measures leave the Baghdad regime with no excuses for the suffering of the Iraqi people [30 November 2001].

Further reading:

Colin Rowat, 'Iraq Sanctions Saga Continues amid Policy Confusion', *Middle East Economic Survey*, vol.45:23 (10 June 2002): www.mees.com/news/a45n23d01.htm

Sarah Graham-Brown, 'Sanctions Renewed on Iraq', *MERIP Press Information Note 96* (14 May 2002): www.merip.org/pins/pin96.html

OIL FOR FOOD

Phase X 150 Day Report

On 19 November 2001 the UN Secretary-General submitted S/2001/1089, his report on Phase X of the 'oil for food' programme. Though noting improvements in many areas, the report concentrates on detailing the problems hampering the implementation of the programme.

The adverse effects of holds is highlighted and as in previous reports the Secretary General comments that, "The absence of an agreement on the implementation of a cash component as envisaged in resolution 1284 (1999) continues to hamper severely the implementation of the programme."

The Government of Iraq (GoI) is criticised over "slow contracting for essential supplies", for not making "proper and timely adjustments in the sectoral funding allocation" and for refusal to grant visas to some UN personnel, but the report also concludes that "food commodities have been distributed in an equitable manner throughout the centre and south of the country". The problems with implementation seem to stem not from a refusal by the GoI to cooperate with oil for food, but from the logistical difficulties inherent in the attempt to run an entire economy using a centralised purchasing and distribution plan. UN personnel in the three northern governorates were also criticised for "slow contracting of essential supplies".

Overall, the report indicates that the oil for food programme is too large to be run efficiently, particularly since it is controlled by mutually hostile parties neither of which is accountable to the Iraqi people.

Benon Sevan's Visit to Iraq

Benon Sevan, the Executive Director of the Office of the Iraq Programme, visited Iraq from 14 January to 10 February 2002. Briefing the Security Council on his return he stressed the benefits the programme had brought the Iraqi people:

[I]rrespective of all the complaints and/or criticisms leveled against it, the programme has indeed made, and continues to make, a considerable difference in the day-to-day life of the Iraqi people all over the country. [...] Notwithstanding certain constraints and difficulties experienced in the effective implementation of the programme, considerable achievements have been made in several sectors such as agriculture, food, health and nutrition, electricity as well as housing, among others, which have arrested the decline in the living conditions of the average Iraqi citizen, and have, in fact, improved the nutritional status of the population, particularly in the three northern governorates.

However, he continued, "With all the oil resources of Iraq as well as the resilience of the Iraqi people, they definitely deserve a far better standard of living."

Mr Sevan also called on the Sanctions Committee to allow the GoI to include commercial protection clauses in contracts placed under oil for food, which, in contrast to the

UN agencies running the programme in the three northern governorates, it is currently prohibited from doing. Suppliers are paid immediately upon goods' arrival in Iraq, before they can even be tested, with the result that "there are numerous defective items sitting idle in warehouses, useless for any purpose." The prohibition on including performance bonds in contracts leads some suppliers not to ship goods when the prices are not in their favour, further disrupting the implementation of the 'oil for food' programme.

In his conclusion Mr Sevan commented on how a programme initially viewed as a "temporary measure" was now entering its sixth year and despite an enormous change in the level of funding and scope of the programme was still continuing "to operate pursuant to procedures and regulations established initially for the delivery of supplies mostly of food and medicine." He described the Sanctions Committee as being "bogged down almost to a standstill" and urged it to "bring about the necessary adjustments commensurate with the challenges to be met in ensuring the effective implementation of the programme."

Holds

The past year has witnessed a steep rise in the value of contracts placed on hold by members of the Sanctions Committee, from \$3.71 billion on 14 May 2001 to \$5.17 billion on 17 May 2002. This represents 17.9% of the total value of applications. Of particular concern is the significantly higher percentage of contracts on hold in key sectors such as water and sanitation (30.5% on 7 January 2002) and electricity (29.7% on 7 January 2002). \$1.4 billion of the holds are on contracts for which the country placing the hold requested additional information and this information having been provided the holding party has failed to take further action. Benon Sevan told the Security Council on 26 February 2002:

I am afraid I will be stating the obvious and would be revealing no secrets when I say that many of the items such as computers placed on hold are readily available in the markets and shops of Baghdad, as well as elsewhere in Iraq. If Iraq wants to have any item, it can have it with no difficulty. In fact, the only reason why the trucks carrying supplies and equipment purchased under the humanitarian programme stop at the border gate where our independent inspection agents are stationed, is because if they do not stop for inspection, the suppliers will not get paid.

In other words, holds do not stop the Iraqi government smuggling in goods for its own uses, but they have impeded the use of the same goods for humanitarian purposes through the oil for food programme. Under the new procedures set out in Security Council resolution 1409 all contracts currently on hold will be reconsidered and their fates decided. It will be instructive to see how many of these contracts are now approved.

Phase XI statement

On 29 May 2002 Benon Sevan made a statement to the Security Council on Phase XI of the oil for food programme, accompanied by a "note". Significantly, and dis-

turbingly, for the first time this wasn't a formal Secretary-General's report, suggesting that the Office of the Iraq Programme's reporting standards may be slipping.

The note stated that as of 17 May 2002, \$22 billion of humanitarian supplies and equipment had been delivered to Iraq under the 'oil for food' programme. This is compared to the \$15.33 billion transferred to the Compensation Commission from Iraqi oil sales.

The note also included examples of infrastructural rebuilding financed by 'oil for food'. Installation of parts for water treatment "have led to increases in water availability at household levels" and "a general improvement in the quality of potable water", whilst the release from hold of items needed for power plants will hopefully reduce Iraq's power supply deficit by 45% in two to three years' time. The note also observed that "The increased availability of imported and locally manufactured drugs has resulted in a general improvement in the delivery of health care in the centre/south of Iraq", but more worrying was the observation that "sanitary facilities in the majority of schools fail to meet the most basic hygiene standards and expose children to serious health hazards".

The tone of the statement was upbeat and it concluded that "the Government of Iraq is indeed in a position to address the nutritional and health concerns of the Iraqi people, particularly the nutritional status of children". On a less positive note Mr Sevan yet again called for an agreement to be reached on the implementation of a 'cash component' and outlined the financial difficulties facing the 'oil for food' programme.

Funding Crisis

Falling Iraqi oil sales during the past six months have plunged the humanitarian programme in Iraq into a financial crisis which may soon have grave consequences for its ability to meet the needs of the Iraqi people.

Since September 2001, Iraq and the Sanctions Committee have been locked in a dispute over how the price of Iraqi oil should be set. Iraq had been charging below market price for oil bought under the 'oil for food' programme, but then demanding a surcharge of 25-30 cents a barrel from traders. This money was paid directly into Iraqi-controlled accounts, giving the government a source of revenue forbidden by sanctions. In an attempt to end this practice the Committee has sought to ensure the price of Iraqi oil is sufficiently high that traders cannot afford to make additional payments to the Government of Iraq. They have taken to setting the price 'retroactively' based on average market prices during the previous month.

In an attempt to protect its revenue source the Iraqi government has at times refused to sell oil under this pricing system, causing losses to the humanitarian programme. These have been compounded by the reluctance of traders to buy Iraqi oil when faced with reduced profit margins, uncertainties over prices, and the possibility of a US led attack on Iraq. The result by 1 March, according to a Reuters

report, was that \$40 million in kickbacks to the Iraqi government may have been stopped, at a cost of some \$750 million to the humanitarian programme ['Iraq oil program faces disarray as tensions mount', Reuters, 1 March 2002]. UN oil experts reported that in the current situation any measures taken by the Committee to reduce profit margins would result in lower exports and that "the more effective the measures taken by the Committee are, the more export levels will then be reduced" [Paper by the UN oil overseers, 14 March 2002]. Iraq also suspended all sales for four weeks in April in protest at the escalating violence between Israel and the Palestinians.

The combined effect of these difficulties was to cut sales under 'oil for food' from an average of 1.95 million barrels per day during Phase X of the programme which ended on 30 November 2001 to 1.28 million during Phase XI which ended on 29 May [Weekly oil export tables, Office of the Iraq Programme (OIP)]. Benon Sevan, Executive Director of the OIP, estimated that \$2.4 billion of revenue was lost during Phase XI, and as at 22 May, "the shortfall in available funds for the purchase of humanitarian supplies was approximately \$1.84 billion." He further commented that

Unless the question of the pricing mechanism for setting the price of Iraqi crude oil is resolved urgently, all other efforts and decisions taken to expedite the approval of humanitarian supplies for Iraq may unfortunately remain academic. Irrespective of improvements in procedures, including those recently adopted by the Council in resolution 1409 (2002), without the necessary funds available in the escrow account it will be impossible to implement the humanitarian programme effectively. [Statement to the Security Council, 29 May 2002]

In June, Iraq probably cut the surcharge it charges oil customers to 15 cents a barrel in a move believed to be "designed to boost its dwindling oil exports" [Financial Times, 7 June 2002]. A French proposal to set prices every two weeks and adopt stricter standards for traders reportedly failed to produce agreement, while a British proposal to create a 'green list' of selected oil companies to receive advance notice of prices is currently under discussion ['Britain Proposes New Iraq Oil Pricing', AP, 11 July 2002]. Iraq is also now reported to have cut back the surcharge to 10 cents a barrel and in some cases withdrawn it altogether ['Iraq cuts its illicit oil surcharge-trade', Reuters, 16 July 2002]. Whilst it is encouraging to see progress at last being made, it is incumbent upon all sides to reach an agreement in the near future before further revenue is lost.

New Humanitarian Coordinator

On 31 May it was announced that Ramiro Armando de Oliveira Lopes da Silva of Portugal, Director of the Transport and Logistics Division at the World Food Programme, would succeed Tun Myat as UN Humanitarian Coordinator in Iraq. This will make Tun Myat the only one of the last three UN Humanitarian Coordinators in Iraq to reach the end of his term without resigning in protest at the effects of sanctions. He has previously stated that "If by my resigning today sanctions would be lifted tomorrow I would be very happy do so" [statement to Voices in the Wilderness delegates, 18 May 2002].

INTERNATIONAL NEWS

United States

The United States' reassessment of threats in response to the terrorist attacks in New York and Washington last September has seen it adopt a more aggressive approach towards Iraq. In his State of the Union address in January, President Bush named Iraq as a regime that sponsors terror:

Iraq continues to flaunt its hostility toward America and to support terror. The Iraqi regime has plotted to develop anthrax, and nerve gas, and nuclear weapons for over a decade. [...] States like these, and their terrorist allies, constitute an axis of evil, arming to threaten the peace of the world. By seeking weapons of mass destruction, these regimes pose a grave and growing danger. [...] [T]he price of indifference would be catastrophic. [State of the Union address, 29 January 2002]

The speech sparked renewed speculation over US plans to take on Iraq as part of the second phase of its 'war on terrorism', and signalled the Bush administration's frustration with the policy of containment. In recent months, a prolonged public debate has revealed domestic political support for military action, amid significant international concern.

Leading Democrats have expressed their support in principle. "If Saddam Hussein's around five years from now, we've failed," Joseph Biden, Chairman of the Senate Foreign Relations Committee, said on CBS television [*Face the Nation*, 16 June 2002]. House Minority Leader Dick Gephardt was more explicit: "I share President Bush's resolve to confront this menace head-on," he said. "We should use diplomatic tools where we can, but military means where we must to eliminate the threat [Saddam] poses to the region and our own security" ["Gephardt backs offensive against Iraq", Associated Press, 4 June 2002].

Vice President Dick Cheney, on a tour of the Middle East in March, found Arab leaders far more concerned about Israel's response to Palestinian suicide bombings than the threat posed by Saddam Hussein. European leaders have also expressed concern over US plans (see 'Middle East' and 'Europe and Russia', below).

US policy, however, remains very much one of 'regime change'. Iraq's suspected weapons of mass destruction programmes are felt to have been slowed, but not eradicated, by twelve years of sanctions. As a result, the Bush administration favours a more pre-emptive method of dealing with the threat (see 'Non-conventional weapons, sanctions and the threat of war', page 9). In an interview on 5 April on ITV, Bush told Trevor McDonald: "I made up my mind that Saddam needs to go."

Middle East

Relations between Iraq and other Arab states have improved markedly in recent months, with Iraq formally pledging to

respect boundaries with Kuwait, and Arab leaders expressing public disapproval of US plans for military action.

The Arab League summit in Beirut at the end of March approved a landmark agreement between Iraq and Kuwait, achieved through the mediation of Oman and Qatar, seeking to end disputes between the two countries. The summit's final communiqué stated: "Arab leaders welcome Iraq's confirmation to respect the independence, sovereignty and security of the state of Kuwait and guarantee its safety and unity of its land to avoid anything that might cause a repetition of what happened in 1990" ["Iraq and Kuwait strike reconciliation deal", *The Guardian*, 29 March 2002]. Iraq has recognised the territorial integrity and political independence of the state of Kuwait since 1994, when it agreed to the boundaries laid out in UN Security Council Resolution 833. This, however, was the first direct Iraqi-Kuwaiti agreement without UN mediation, and the first to receive Saudi

support. Iraq's presidential envoy Izzat Ibrahim and the Kuwaiti Foreign Minister Sabah al Ahmad al Sabah sealed the deal with a handshake, whilst Ibrahim and Saudi Crown Prince Abdullah

hugged and kissed in front of television cameras and to applause from the assembled Arab delegates.

The statement by Arab leaders also voiced their "total rejection of any attack on Iraq" ["Iraq and Kuwait strike reconciliation deal", *The Guardian*, 29 March 2002], saying they considered it "a threat to the national security of all Arab states" ["Leaders embrace Iraqi attempt to return to the fold", *The Independent*, 29 March 2002]. It also for the first time called unconditionally for the UN sanctions to be lifted. Previous declarations could have been interpreted as conditional upon Iraq fulfilling its other obligations.

The summit marked the formalising of Arab opposition to US military action, after a series of comments from various leaders over the previous two months. The Saudi Arabian Interior Minister said in February that his country would not support an attack on Iraq "in any circumstance", whilst the United Arab Emirates Minister for Foreign Affairs said there was "no justification to strike Iraq" ["Saudi, UAE oppose action against Iraq", *Times of India*, 17 February 2002]. At the same time, Syria's President Assad warned that an attack against Iraq would result in "a popular fury" across the Arab world ["Assad warns US against attacking Iraq", *Voice of America*, 17 February 2002]. The Egyptian Foreign Minister suggested that instead it was "time to reassess the sanctions" ["Egypt urges rethink of sanctions against Iraq", Reuters, 18 February 2002].

In March, after Vice-President Dick Cheney had visited eleven Middle Eastern countries in ten days, *The Daily Telegraph* reported that Saudi Arabia had told Cheney: "American forces will not be allowed to use the kingdom's territory to launch military strikes against Iraq" ["Saudis 'refuse to let America use bases for attacks on Iraq'", 18 March 2002]. Other bordering countries have given equal

"The statement by Arab leaders for the first time called unconditionally for the UN sanctions to be lifted."

assurances. Turkish Prime Minister Bulent Ecevit told reporters at an EU summit in Barcelona: “We feel that Iraq should not be the subject of military attacks because it would upset the whole Middle East” [‘Turkey says Iraq no threat, should not be attacked’, Reuters, 15 March 2002]. In the *Los Angeles Times* a week after Cheney’s visit to Jordan, King Abdullah II warned: “A strike against Iraq, the potential fragmentation of Iraq, the potential nightmare of a civil war as a result of an American strike, is something that I don’t think the region can handle” [‘Jordan’s King sees pitfalls in a strike on Iraq’, 17 March 2002]. Even Kuwait refused to offer Cheney its support, with Sabah al Ahmad al Sabah saying after Cheney’s visit: “The Iraqi regime will not be harmed but the Iraqi people will” [‘Kuwait opposes strike against Iraq’, *Australian Herald Sun*, 18 March 2002]. Iran recently added its voice to the opposition. Foreign Ministry spokesman Hamid-Reza Asefi said: “Iran is firmly opposed to any attack against any country, particularly Iraq, aimed at changing governments or the regime in place”. Such an attack would be an “absolute violation of international conventions and does not contribute at all to calming crises”, he said [‘Iran “firmly opposed” to any military attack on Iraq: Asefi’, AFP, 1 July 2002].

Iraqi opposition groups have also expressed concern. Ayatollah Mohammed Baqir al-Hakim, the spiritual and political leader of Iraq’s exiled Shi’ite community said in March: “We don’t agree with an American attack on Iraq. It will cause great damage and suffering to ordinary people.” Any military action should be authorised by the UN, he said, “on the pattern of Bosnia”, to prevent Saddam using heavy weapons against Iraqi people [‘Saddam enemy warns against war’, *The Guardian*, 18 March 2002]. In June, the leader of the Kurdish Democratic party in northern Iraq, Massouf Barzani, also spoke against a military approach: “The Iraqi issue won’t be solved by military action or covert action”, he said [‘Kurdish leader shuns US move to oust Saddam’, *The Guardian*, 19 June 2002].

Payments to Palestinians

The Iraqi government has made extra efforts, during the recent period of increased Israeli-Palestinian violence, to show solidarity with the Palestinian cause. This has involved both statements of support from Saddam Hussein and an increase in the size of payments made to Palestinian families.

The Iraqi government claims to have paid \$10,000 to the families of all Palestinians killed since the start of the second intifada, including suicide bombers. It also claims to grant \$5,000 to those whose homes have been destroyed by Israeli forces, and lesser amounts to Palestinian fighters who have been injured. An article in *The Sydney Morning Herald* reported Rakad Salem, the secretary-general of the Arab Liberation Front, as confirming that “since late 2000, more than 800 families had received martyr payments of

\$US10,000 [...] and that \$US1000 had been given to Palestinian fighters with serious injuries and \$US500 to those with light injuries” [‘A sea of blood... a sip of coffee’, 26 March 2002]. *The Guardian* reported in April that Iraq was also “offering \$25,000 (£18,000) to the Palestinian families whose homes were destroyed in the Israeli assault on Jenin refugee camp” [‘Saddam’s £14m gesture’, 22 April 2002].

In March, Tareq Aziz announced that \$25,000 would now be paid “to each family of the martyrs of the Palestinian uprising” [‘Iraq raises aid to Palestinian uprising victims’, Reuters, 11 March 2002]. An Associated Press report at the start of April stated: “Saddam Hussein has increased money for the relatives of suicide bombers from \$10,000 to \$25,000, drawing sharp criticism from Washington. [...] The families of three suicide bombers said they have recently received payments of \$25,000” [‘Iraq Raises Suicide Bomber Payments’, 3 April 2002]. The increase seems to have been an incentive to recruit more suicide bombers.

Ironically, the payments have been publicised by both the Iraqi and US governments. They have probably increased the Iraqi government’s standing in parts of the Arab world, with Saddam being seen to be taking action while others talk. Meanwhile, US Defence Secretary Donald Rumsfeld said on 1 April: “Well, as I’m sure you’ve read, the Iraqis, Saddam Hussein, have announced that they’re offering stipends to families of people – of suicide bombers. They’ve decided that that’s a good thing to do, so they’re running around encouraging people to be suicide bombers and offering – I think I saw something like \$10,000 per family” [News Briefing, US Dept. of Defense]. The recent increase adds to the validity of this portrayal. Yet as the Associated Press article reported on 3 April: “Saddam is not the only one giving money. Charities from Saudi Arabia and Qatar – both U.S. allies – pay money to families of Palestinians killed in the fighting, including suicide bombers.”

Europe and Russia

European governments, given the lack of convincing evidence connecting Iraq to the al-Qaeda network, have expressed significant concern in recent months at the prospect of the extension of the US ‘war on terrorism’ to Iraq, preferring instead to highlight the importance of a multilateral approach through the UN.

Germany’s deputy foreign minister, Ludger Vollmer, said in February: “We Europeans warn against it. There is no indication, no proof that Iraq is involved in the terrorism we have been talking about for the last few months [...] this terror argument cannot be used to legitimise old enmities” [‘Bush warned over ‘axis of evil’’, *The Guardian*, 5 February 2002]. The EU’s external affairs chief, Chris Patten, suggested that the United States should curb its “unilateralist urge” [‘Patten assails ‘unilateralist’ U.S.’, Reuters, 16 February 2002]. The previous week he had told *The Guardian* he

NON-CONVENTIONAL WEAPONS, SANCTIONS AND THE THREAT OF WAR

The rise and fall of 'linkage'

thought the Bush administration took an “absolutist and simplistic” stance towards the rest of the world. “I find it hard to believe that’s a thought-through policy,” he said of Bush’s ‘axis of evil’ speech, adding that the phrase was “unhelpful” [‘Patten lays into Bush’s America’, 9 February 2002].

The then French Foreign Minister Hubert Vedrine agreed, describing Washington’s attitude as “a ‘simplistic’ approach to foreign affairs” [‘Allies should respect U.S. leadership – Powell’, Reuters, 12 February 2002]. Later that month Francois Bujon, the French Ambassador to the US said: “We would not pledge support. They (the United States) would be on their own” [‘France won’t back U.S. attack on Iraq’, *The Washington Times*, 22 February 2002]. German Foreign Minister Joschka Fischer had told a conference of the Green Party in Berlin in January: “There has been a lot of speculation but there would be no majority in the Bundestag for a military intervention in Iraq” [‘Saudis ‘refuse to let America use bases for attacks on Iraq’, *Daily Telegraph*, 18 March 2002]. A spokesperson for the Chancellor Gerhard Schröder said in March that Germany would only join in a broadening of the ‘war on terror’ to Iraq if the action had UN approval. “It’s a position of principle of which our American partners are also aware,” she said [‘Britain isolated over Iraq war threat’, *The Guardian*, 16 March 2002]. Of EU leaders, only Tony Blair expressed support for military action “if necessary” (see ‘Concerns over military action’, page 13).

The Russian leadership also expressed its concern. In January, Foreign Minister Igor Ivanov said: “The struggle against terrorism should be based on a firm legal basis and the U.N. should play a coordinating role in the joint international effort [...] That is why Russia sees as unacceptable a mechanical spread of the anti-terrorist operation to any other country, including Iraq” [‘Russia warns U.S. against military strike on Iraq’, Reuters, 24 January 2002]. Ivanov also reiterated Russia’s support for lifting sanctions against Iraq, which he called “counterproductive”. In February, *The Guardian* reported President Putin as saying: “We know which nations’ representatives and citizens were fighting alongside the Taliban and where their activities were financed from. [...] Iraq is not on this list” [‘US split with allies grows’, 15 February 2002].

Ivanov said in March that Russia was “against any attack on a country, be it Iraq or any other country, which bypasses the UN Security Council”, at which it has a veto [‘Russia says action on Iraq must not bypass UN’, *Financial Times*, 20 March 2002]. The Russian news agency Itar-Tass reported in June that Ivanov had commented: “We are doing everything so that the events develop in the framework of a political settlement” [‘Russia trying to prevent use of force to resolve Iraq issue – minister’, 11 June 2002].

Further Reading:

Links to translations of ‘The Beirut Declaration’ of the League of Arab States (28 March 2002), and previous statements: www.casi.org.uk/info/gov.html#las

The ceasefire that ended the Gulf War established a connection between Iraq’s destruction of its stocks of non-conventional weapons and the lifting of the export sanctions on Iraq. In particular, United Nations Security Council Resolution (SCR) 687 that laid out the ceasefire conditions in April 1991 stated that the sanctions on Iraqi exports and international financial transactions would “have no further force or effect” once the Council agreed that Iraq had complied with its disarmament obligation. This is a linkage that many in the anti-sanctions movement have long opposed, as it prolongs the suffering of a civilian population in an attempt to exert pressure on a government.

Almost twelve years after this resolution was passed, the linkage, though remaining formally in force, has been blurred and called into question by the actions of the US and UK governments. A new condition for the lifting of sanctions – the removal of the present ruling administration of Iraq – has been repeatedly, though usually tacitly, invoked. Indeed, at the very Security Council meeting that passed the resolution, David Hannay, the UK representative stated that “My Government believes that it will in fact prove impossible for Iraq to rejoin the community of civilized nations while Saddam Hussein remains in power” [S/PV.2981, 3 April 1991]. The Security Council itself contributed to the confusion of its earlier position when, in SCR 1284 (December 1999), it stated that full compliance with UN weapons inspectors would lead only to a suspension, and not a lifting, of economic sanctions, and that the sanctions could be re-imposed every 120 days on the wishes of one permanent member of the Security Council alone, or immediately on the recommendation of the weapons inspectors.

The official Iraqi position since 1998 has been that the disarmament obligations have been fulfilled and that the Security Council therefore has no excuse not to lift the sanctions. The weapons inspectors of the United Nations Special Commission (Unscm) and the International Atomic Energy Agency (IAEA), present in Iraq from 1991 until their withdrawal in December 1998, certified throughout their later reports that extensive disarmament had indeed taken place. However, the US and UK strongly dispute the extent of Iraq’s disarmament.

A review of the evidence for the contending claims

The IAEA reported to the Security Council on 13 April 1998 that Iraq had compiled a “full, final and complete” account of its previous nuclear projects, and there was no indication of any prohibited activity. The following December it restated that Iraq’s nuclear weapon programme had been eliminated, “efficiently and effectively”, with Iraqi cooperation. The Security Council Panel on Disarmament itself reported in March 1999 that “there is no indication that Iraq possesses nuclear weapons or any meaningful amounts of weapon-usable nuclear material or that Iraq has retained any practical capability (facilities or hardware) for

the production of such material”.

In contrast to the inspectors’ claims, some Iraqi defectors have continued to argue that Iraq is developing a nuclear programme. Khidhir Hamza, whose statement that he was a senior nuclear scientist in Iraq’s nuclear weapons team seems credible, is one of the most outspoken; in an article in *The Wall Street Journal*, he wrote that “Iraq has already designated a site for nuclear weapon testing and if intelligence estimates are correct the first tests could happen by 2005 [...] Each day we wait, we allow him to go further toward that goal” [‘Each day we wait, Saddam grows more powerful’, 10 December 2001]. However, doubt has been cast on the plausibility of some of Mr Hamza’s claims. The president of the Institute for Science and International Security, the watchdog group at which Hamza has been based since his defection, stated in November 1999 that he found Hamza’s report for the organisation “to be deficient in several ways” with “several inconsistencies”.

IAEA inspectors continue to check Iraq’s remaining stocks of low-enriched and natural uranium, which are kept under seal. The most recent inspection in January 2002 was carried out with full Iraqi compliance. Iraq has given no indication that it intends to weaponise this uranium, but – given the prospect of a UK/US invasion of Iraq – this may change. Ben Bradshaw, then the UK Foreign Office Minister with responsibility for the Middle East, spoke of how this material could be developed into weaponry “within five years” [‘Iraq: the myth and the reality’, *The Guardian*, 15 March 2002]. One option, originating from a proposal made by former IAEA inspector David Albright, is that Iraq’s nuclear stocks could be removed from the country, possibly in return for assurances from the US and UK not to attack Iraq. This has not been taken forward, even though this course may substantially reduce any potential threat that Iraq could pose to global security.

Iraq’s chemical weapons are perhaps the greatest source of controversy. Unscm reported in November 1997 that “significant progress” had been made since 1991 in destroying Iraq’s stocks of mustard and nerve agents, precursor chemicals, loaded munitions and rockets containing sarin nerve gas. Former Unscm inspector Scott Ritter has reported that both he and Unscm chairman Rolf Ekeus were convinced that the disarmament of Iraq’s chemical weapons was almost complete by early 1995. It remains unclear whether Iraq managed to weaponise VX agents, as tests conducted by independent scientists were inconclusive.

UK government ministers frequently cite the final substantive reports delivered by Unscm on 25 January 1999, which repeatedly state that Iraqi claims about the disposal of chemical produced prior to 1990 “cannot be verified”. These statements are taken as evidence by ministers that Iraq remains a threat. However, many – if not all – of these chemicals may have already been used by Iraq in its war against Iran (1980-88): Iraq refused to release details of this use, to avoid the political repercussions in its relations with Iran that would result. As a result, these weapons would remain unaccounted for, but no longer in anyone’s possession. Even if some of these items were retained by Iraq, Unscm internal papers from 1998 discuss how these mate-

rials could no longer be weaponised by Iraq as the chemical agents would have long deteriorated.

Iraq’s biological weapons (BW) capabilities remain unknown. Unscm destroyed Iraq’s main biological weapons facility, al-Hakam, in 1996. Scott Ritter, who headed Unscm’s unit charged with uncovering Iraq’s attempts at concealing its facilities, wrote in *Arms Control Today* (June 2000) that, “in all of their inspections, the monitors could find no meaningful evidence of Iraqi circumvention of its commitment not to reconstitute its BW program”. Furthermore, Ritter has maintained that Iraq has never been able to develop an effective dispensing mechanism for biological weapons, which would be necessary for their use in an offensive capacity. However, some analysts contend that Iraq mixed aflatoxin with chemical agents to use against the Kurdish population in 1988. Ritter’s analysis has also been strongly questioned by many other former Unscm inspectors, and he remains a minority voice among weapons experts.

Iraq was obliged to destroy its missiles with a range greater than 150km. Inspectors certified in October 1997 that they had proof that 817 missiles, out of Iraq’s known stock of 819 missiles, had been destroyed. There is reliable information that Iraq has converted lorries into missile launchers since 1999. However, these seem to be only short range rocket systems which Iraq is not prohibited by the Security Council from developing. The US, in a confidential briefing to the permanent members of the Security Council in May 2002, presented material to show that Iraq had converted short-range missiles to extend their range. The evidence for this claim is not publicly available.

Negotiations and threats

As the weapons inspectorate, now constituted as the United Nations Monitoring, Verification and Inspection Commission (Unmovic), has not been allowed to conduct inspections in Iraq since 1998, it remains impossible to assess the extent to which Iraq has been developing its prohibited weapons, if at all. Negotiations have been conducted between a team headed by United Nations Secretary-General and Iraqi representatives from 7 March 2002, after Iraqi leaders stated from February that they would consider the possibility of the return of inspectors. Iraq had offered to allow a British team to undertake inspections at sites of their choosing, but the British government rejected this possibility in favour of Unmovic inspections.

In negotiations, Iraqi Foreign Minister Naji Sabri asked in particular for time limitations on inspections, a condition that is likely to be deemed unacceptable not only by the UK and US but also by other Security Council members. Sabri also asked the Security Council for clarification on whether economic sanctions could be lifted as long as the current Iraqi government remains in place. Although Iraqi weapons experts and Unmovic’s chairman attended meetings in May and apparently engaged in detailed technical discussions, a third round of talks broke up in early July without agreement on the return of inspectors. Pointedly, the Security Council did not provide an answer to Sabri’s question about the conditions for the lifting of sanctions, contributing to

Iraq's lack of confidence in the weapons inspection process.

Unmovic's chairman, Hans Blix, has been keen to stress the new organisation's difference from Unscm. Unscm was tainted by its infiltration by US agents who passed confidential information to the US government, to assist with the destabilisation of the Iraqi government, and who coordinated dissident army officers in Iraq with a view to encouraging a coup attempt. Blix seems to be aware that the integrity of the weapons inspections system has been undermined, especially as it taught Iraq that the survival of the regime was put at risk through cooperation. In an interview, Blix insisted that Unmovic contains "a greater international mix" in its personnel, and that he has insisted that "We're not there to insult or provoke. [...] We have to remember that inspectors are not an occupying army. We are not international police" ['U.N. inspectors at arm's length', *The Baltimore Sun*, 13 January 2002].

However, the disincentives to cooperation that Blix and the UN Secretariat seem to have been intent on removing have received reinforcement from members of the US administration. Whatever the truth in the opposing claims about the retention and development of these weapons, the discussion of the linkage with economic sanctions has since September 11th been overtaken by the prospects of US and UK military action on Iraq with the aim of changing the Iraqi administration.

US Secretary of State Colin Powell, usually portrayed as standing at the less hawkish end of the Bush administration, was quite clear on this point in an interview with the *Financial Times* on 12 February 2002: "Sanctions and the pressure of sanctions are part of a strategy of regime change". In this respect, Powell was merely repeating the long-standing US position that only the ousting of the government will be sufficient for the termination of sanctions. The prospect for sanctions' removal that kept the Iraqi government cooperating – albeit only intermittently and never completely – with weapons inspectors over seven and a half years has thus been once again undermined.

The UK government has joined the US in muddying the carrot but has retained a stick: ministers have indicated that military strikes would not take place if Iraq cooperated fully with weapons inspectors. Members of the US administration have sought to remove this incentive as well. President George Bush, in his State of the Union address on 29 January, claimed that Iraq was part of an "axis of evil" and set off the present round of speculation over when, and how, the US would topple the Iraqi government irrespective of cooperation over weapons inspections.

US Defence Secretary Donald Rumsfeld has repeatedly stated that inspections are not sufficient to deflect US attempts to oust the government. The State Department, after initial hesitation in presenting the same perspective, joined in on 5 May. "U.S. policy is that, regardless of what the inspectors do, the people of Iraq and the people of the region would be better off with a different regime in Baghdad," Powell said on an interview with ABC Television, "the United States reserves its option to do whatever it believes might be appropriate to see if there can be a regime change."

Legitimation for this viewpoint has come from Charles Duelfer, Unscm's former deputy chairman and US State Department official, who has declared that renewed inspections should not detract from military strikes. Duelfer claimed that, if Washington were to accept a new inspections system – however intrusive – "we would have kicked the Iraq problem down the road without addressing the fundamental threats that the regime poses" ('Insepectors to Iraq? It's not that simple', *Miami Herald*, 11 January 2002). His views have been supported by former senior Unscm members David Kay and Richard Spertzel. However, Duelfer's credibility as a commentator has been undermined by the revelation (in the *Washington Post*, 2 March 1999) of his role in a covert US operation from 1996, unknown to Unscm chairman Ekeus or his successor Richard Butler, to eavesdrop on the Iraqi military in matters unrelated to Unscm's special weapons mandate, and presumably to assist in attempts to overthrow the Iraqi government.

Members of the US government also seem to have made attempts to discredit the inspections system more directly. According to a detailed report in the *Washington Post* on 16 April, Deputy Defence Secretary Paul Wolfowitz had earlier this year asked the CIA to investigate Blix's past performance in an apparent attempt to undermine the legitimacy of his judgements on Iraq.

The result of the new emphasis on leadership change in US policy is that the Iraqi regime is left with few incentives to cooperate with weapons inspectors: an invasion may be in the planning either way. The one remaining advantage that the Iraqi leadership may sense is that compliance with the inspectors may exacerbate international opposition to US plans. To circumvent the opposition, one course that the US administration may still take is to insist on a highly intrusive and open-ended inspections system that it is confident Iraq will reject or will obstruct when in place, and this can then be taken as a reason to launch a military attack on Iraq. This seems to be the option favoured Defence Secretary Rumsfeld, who told reporters on 15 April that any new inspections system would have to be "enormously intrusive" – indeed considerably more intrusive than the unprecedented process that Unscm pioneered.

Whether Unmovic or the other members of the Security Council will allow their role to be used in this manner, in which the lack of any incentive for Iraq to comply will result in continuing concern over the development of non-conventional weapons, is a further element of uncertainty.

Further reading:

David Albright and Kevin O'Neill, 'The Iraqi Maze: Searching for a Way Out', *The Nonproliferation Review*, Vol. 8:3 (Fall-Winter 2001):
cns.miis.edu/pubs/npr/vol08/83/alb83.htm

Scott Ritter, 'Redefining Iraq's Obligation: The Case for Qualitative Disarmament of Iraq', *Arms Control Today*, vol.30:5 (June 2000), pp.8-14:
www.armscontrol.org/act/2000_06/iraqjun.asp

VULNERABILITY IN THE FACE OF CONFLICT

With an American military planning document calling for “air, land and sea-based forces to attack Iraq from three directions” by early 2003, according to a report in the *New York Times* [‘U.S. plan for Iraq is said to include attack on 3 sides’, 4 July 2002], the prospects for civilian casualties of an invasion stretch beyond those who will be killed or injured as a direct consequence of military operations. Twelve years of economic sanctions have left the inhabitants of Iraq in a condition of high vulnerability to external shocks, such as international conflict or internal civil war.

Iraqi society is heavily dependent upon food imports. A centrally-controlled ration system has been operating as part of the ‘oil for food’ programme since 1997, distributed by the Iraqi government in the south and centre of the country under international monitoring, and by the World Food Programme in northern Iraq. Despite some efforts to begin purchasing Iraqi-produced items under the ‘oil for food’ programme – a plan which stalled due to lack of agreement between the United Nations and the Iraqi government – the ration consists almost entirely of items produced outside Iraq and imported into the country.

The majority of households obtain most of their food from this ration. A survey by Save the Children UK of the household economy through 2001 in the north of the country, *Understanding Kurdish Livelihoods in Northern Iraq* (January 2002), showed in detail the extent of the dependence on the ration. In northern Iraq, for the poorest households (which include some 20% of the total population), up to 90% of their food comes from this single source. For other households in the north, the ration provides over 60% of food intake.

Although Save the Children was able to survey only the population in the north, there is every reason to believe that their findings apply equally, if not more, to the south and centre of the country. As a spokesperson for the organisation said, “As bad as the situation is for the Kurds, all indications are that after nearly 11 years of sanctions, Iraqis living in south and central Iraq are even worse off [...] The fact is, sanctions – as they are currently being implemented – simply do not work. They have a disproportionate effect on those who are most vulnerable in Iraqi society – particularly children.”

As a result, if the distribution of the ration ceases, even for relatively short periods, Iraqi households may lose most of their access to food. An interruption to the ration could be caused if routes into the country – particularly via the port of Umm Qasr at which humanitarian supplies enter the country – become inaccessible due to war. Alternatively, oil exports may be terminated, preventing Iraq from earning revenue to purchase the foodstuffs necessary for the ration. A third possibility is that internal distribution will be hampered, especially if the civil infrastructure within Iraq, such as the bridges, major roads and electrical infrastructure, is targeted, as in the 1991 Gulf War.

The high levels of poverty in Iraq since 1990 have left many families without savings or resources. The financial controls

that have been part of sanctions mean that there is little money in the Iraqi economy and unemployment is at very high levels. Therefore, if there is an interruption to the ration system, and the price of foodstuffs increases in tandem with this, Iraqi households may not be able to purchase suitable amounts of food. As Save the Children states, “poor people could not afford to feed themselves if the SCR986 [i.e. the ‘oil for food’] ration was suddenly removed”. Since approximately 60% of the Iraqi population live in towns and cities, most of these individuals would not be able to produce food either.

The provision of the ration has also resulted in a decline in agriculture in Iraq over the past five years. The Food and Agriculture Organisation record that rice production declined by 56% in the immediate aftermath of the commencement of the ‘oil for food’ programme. Wheat production declined by 42% over the same period. Even in rural areas, therefore, it is unlikely that the population could produce adequate amounts of food for their own adequate nutrition.

Sanctions have also impacted upon the civilian population’s vulnerability through the long-term deterioration of the electricity sector. The condition of the infrastructure has been brought out in a report from the Electricity Working Group to the UN Sanctions Committee of 20 November 2001. It reports that the “power management system is completely obsolete and non operational” and that the “interruption of power supply affects humanitarian facilities such as hospitals, water treatment plants and educational institutes”. These problems are in part a consequence of the holds imposed by the UN Sanctions Committee over the length of the oil for food programme.

The Working Group reported that up to November 2001 the Committee had placed on hold for import into Iraq a greater value of goods in the electricity sector (\$1.06 billion) than those that have actually arrived in Iraq under the entire oil for food scheme (\$1.05 billion). Although the new procedures introduced by the Security Council in May 2002 will result in permission for many of these goods to enter Iraq, it will take a considerable amount of time to reverse the deterioration of this sector.

The water, sanitation and health system depends upon the maintenance of an effective electricity sector. In light of the acceptance by the US military that the electricity system is a legitimate target in war (as shown by their conduct in the 1991 Gulf War as well as subsequent conflicts), there is a severe threat to the well-being of ordinary Iraqis if the electricity grid is further damaged.

Further reading:

Report from the Electricity Working Group to the UN Sanctions Committee (20 Nov 2001):
www.casi.org.uk/info/unelecsecwg011120.pdf

Save the Children (UK) report, ‘Understanding Kurdish Livelihoods in Northern Iraq’ (February 2002), and accompanying press release (4 February 2002):
www.savethechildren.org.uk/pressrels/040202.htm

WESTMINSTER WATCH

'Smart sanctions'

With the debate at the UN largely limited to modifications to import restrictions, domestic political discussion of the sanctions on Iraq has followed suit. The UK government, in contrast to the UN Humanitarian Panel's own analysis of the situation in Iraq, has continued to present access to civilian goods as the only obstacle to the well-being of the Iraqi people, and its 'smart sanctions' proposals as removing the burden from them.

On 8 January, the Parliamentary Under-Secretary for Foreign Affairs, Denis MacShane, told the House of Commons that "Britain has taken the lead in ensuring that sanctions do not harm the Iraqi people directly." Jack Straw, the Foreign Secretary, described the government on 12 March as "playing a leading role in establishing a new control regime which better targets the importing of military-related goods to Iraq, while allowing normal civilian goods to be imported without restriction." On the same day, Straw passed an 8-page briefing paper to the Parliamentary Labour Party (PLP) which claimed:

It is not credible to blame the UN for the suffering of the Iraqi people. Since 1996 UN controls have been increasingly targeted on military items and items of potential use in Iraqi weapons programmes. It is a myth that the UN prevents the delivery of food and medicines.

The briefing attributed the continued suffering of the people of Iraq to their government's insufficient ordering of goods, and to the diversion of funds for "grandiose projects" to serve the regime. There was no acknowledgement of the Iraqis' more fundamental need for income.

On 16 April, Elfyn Llwyd (Plaid Cymru, Meirionnydd Nant Conwy) tried to expand the terms of the debate, asking the Foreign Secretary:

Is the right hon. Gentleman aware that in March 1999 a UN humanitarian panel of experts recommended a number of modifications to the sanctions on Iraq, which they thought might lead to incremental improvements in the internal humanitarian situation? One of those recommendations was to authorise foreign investment in Iraq's non-military export industries. Why is that recommendation absent from the Government's smart sanctions proposal, under which all exports from Iraq other than oil will be banned?

Straw's response didn't engage with the criticism. He stated that the recommendation had been followed up through the smart sanctions proposals, and blamed the Iraqi government for Russia's reluctance to agree to the Goods Review List.

In an article in *The Times* the previous month, Straw had again limited the discussion of the effects of sanctions to the delivery of goods:

It angers me when well-meaning people are taken in by these lies. The UN allows the regime access to more than enough money for all the humanitarian goods the Iraqis need. It is the

regime which refuses to use these funds to order food and medicine. It suits Saddam to make Iraqis suffer and starve, because this distracts attention from the threat he poses to global security. [Saddam Must Allow Weapons Inspectors into Iraq or Suffer The Consequences', 5 Mar 2002]

Statements since the passage of Security Council Resolution 1409 have closed off the sanctions debate completely. During a debate on the UN on 23 May, Denis MacShane described the new resolution:

It removes Saddam's spurious excuses for the suffering that he inflicts on the Iraqi people and puts more pressure on the regime. It will also bring a significant reduction in UN bureaucracy to allow swifter delivery of goods to Iraq under the Oil for Food programme, and it will underline, once again, that the Security Council has only ever had a problem with the Iraqi regime, not the Iraqi people.

Concerns over military action

At the same time as securing the adoption of 'smart sanctions' at the Security Council, the government has been engaged in the more high-profile task of dealing with parliamentary and media speculation over possible military action against Iraq. Since President Bush's State of the Union address on 29 January, when he described Iraq as forming part of an "axis of evil" seeking weapons of mass destruction to "threaten the peace of the world", the question of UK participation in a US-led war on Iraq has been high on the domestic political agenda.

In the House of Commons in March, the Prime Minister said only that "no decisions have yet been taken" and that there would be "an opportunity for the house to express its view" [6 March 2002]. At a joint press conference with US Vice-President Dick Cheney on 11 March, he stated: "The issue of weapons of mass destruction will have to be addressed but no decision has yet been taken on how we proceed." By 7 April he had told an audience in Texas, including former US President George Bush Snr.: "If necessary the action should be military, and again, if necessary and justified, it should involve regime change." In the same month in the Commons he described Kuwait's annexation by Iraq in the 1990s as leading to "the first Gulf War" [17 April 2002], suggesting that there may be a second.

Opposition to the prospect of military action among MPs and the general public has been widely reported. 161 MPs have signed an Early Day Motion (EDM 927, 4 March 2002) stating that "a further military attack on Iraq would be unwise at this time", while the BBC's *On the Record* polled 100 Labour MPs, of whom 86 expressed opposition to military action. A *Guardian*/ICM poll in March found that 51% of the public disapproved of Britain backing America with military action against Iraq, with 35% approving.

The possibility of splits in the government and the Labour party has received particular attention. In March, the *Financial Times* stated that, according to government insiders, "Tony Blair faces the threat of ministerial resignations – including at least one cabinet member – if he backs any US military action against Iraq" [Ministers could quit if Blair

backs attack on Iraq', 8 March 2002]. *The Daily Telegraph* reported that "At least two Labour MPs have said privately that they would resign the whip and sit as independents if Britain was drawn into war" ['100 MPs back protest over strikes on Iraq', 15 March 2002]. The latter also reported that David Blunkett had "warned Tony Blair that military action in Iraq could provoke serious civil disorder in Britain" ['Blunkett warns Blair of riots in Britain over Iraq', 17 March 2002], whilst Clare Short was quoted in *The Independent* describing military action as "unwise" [Short: Military action against Iraq is 'unwise', 18 March 2002].

The Liberal Democrat leader, Charles Kennedy, expressed his concerns in

December that an attack on Iraq "in the absence of clear proof of an Iraqi link with the events of 11 September [...] would

not only break apart the coalition but could also easily lead to retaliation by Saddam Hussein against Israel" ['Kennedy warns against Iraq attack', *BBC News Online*, 28 December 2001]. Menzies Campbell, the party's Shadow Foreign Secretary, argued in the Commons on 12 December that the strategy of containment and deterrence had been effective, and should not be abandoned. On 16 April, in a question to the Foreign Secretary, he stated that "neither the charter of the United Nations, nor indeed any other principle of international law, nor even the ceasefire resolutions which affect Iraq, authorise regime change".

In contrast, the Conservative Party has been at pains to present itself as firmly behind the US position of regime change. Iain Duncan Smith visited Washington in December to meet senior American officials, including Vice President Dick Cheney and National Security Adviser Condoleezza Rice, and stated that the UK should be prepared to support military action if there was evidence of Iraq supporting international terrorism. By March he was quoted in *The Guardian* calling for Europe's leaders to "stop gazing at their political navel" and give their support "until the US completes its unfinished business with the Iraqi leader" ['Voters say no to Iraq attack', 18 March 2002]. He also authored a pamphlet entitled 'A race against time' which stated that "America's determination to topple Saddam is fully justified. [...] Failure to act now would be a victory for Saddam". The pamphlet claimed that Iraq will produce a nuclear bomb within five years unless the Iraqi leader is ousted.

Meanwhile, 63 Tory MPs have signed Early Day Motion 922 (4 March 2002) which "welcomes the support for action against Iraq given to President Bush by the Prime Minister".

Weapons dossier

The argument for military action rests on Iraq's alleged development and possession of weapons of mass destruction (WMD), and its refusal to co-operate with UN weapons inspections. To show the seriousness of this refusal, the government was reported earlier this year to have prepared a dossier of evidence on Iraq's WMD capabilities to be pub-

lished before Easter. In an article in *The Express* in March, Tony Blair claimed: "Saddam is continuing his chemical and biological weapons programmes and is developing the long-range missiles to deliver them" ['Why Saddam is still a threat to Britain', 6 March 2002]. On 12 March in the Commons, Jack Straw described the Iraqi regime as representing "a severe threat to international and regional security as a result of its continued development of weapons of mass destruction." As yet, however, the dossier has not been published.

Asked on *Breakfast with Frost* if the dossier had been pulled because of a lack of evidence, the Prime Minister said: "It wasn't pulled. We will publish it at the appropriate time, and

when that's going to be I simply do not know. The evidence of Saddam Hussein on weapons of mass destruction is simply vast" [21 April 2002].

"Although we do not know what has happened, we suspect that the piles of chemical and biological weapons remain" – Tony Blair

Earlier that week in the Commons, Straw had said: "We do not have to wait for the publication of a dossier, which is held up only by difficulties in determining whether intelligence should be made public" [16 April 2002].

Yet as *The Times* reported, Jack Straw's separate briefing to the Parliamentary Labour Party in March "adds that there is no firm evidence that President Saddam Hussein has weapons of mass destruction at present" ['Iraq 'is on the brink of nuclear capability', 13 March 2002]. Speaking in the Commons on 10 April, the Prime Minister admitted: "although we do not know what has happened, we suspect that the piles of chemical and biological weapons remain."

On the BBC's *Newsnight* in May the Prime Minister stated: "Oh, there's masses of evidence about what Saddam's up to. I don't think anyone is any dispute about that" ['Transcript from the second night of Blair's interview', *Guardian Unlimited*, 16 May 2002]. Yet with no intrusive weapons inspections since 1998, however, whether Iraq possesses WMD seems unlikely to be known for certain (see 'Non-conventional weapons, sanctions and the threat of war', page 9). As Angus Robertson of the Scottish National Party said in the Commons on 16 April:

I dislike Saddam Hussein's regime as much as anyone else in the Chamber, but we still wait for the famed dossier on the weapons of mass destruction programme of Iraq. Dossiers and intelligence on al-Qaeda were shared and briefings were done on Privy Council terms in the run-up to the situation in Afghanistan. Why is the same not true of the Iraqi information that we have been promised?

Calls for explicit UN resolution and Commons vote

Two further Early Day Motions (EDMs) have emerged from the debate in the Commons, one seeking explicit approval of any military action from the UN Security Council, the other from a House of Commons vote.

In the Westminster Hall debate on Iraq on 6 March, Alistair Carmichael (Lib Dem, Orkney and Shetland) said: "Our bottom line must be that nothing can be done without the

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full authority and approval of the UN. There can be no departure from that as the baseline for future action.” He added: “I do not think that there is a United Nations resolution that gives the Americans the right unilaterally to take action.” EDM 955, submitted the following day (7 March 2002), has been signed by 32 MPs. It states that “any international offensive military action against Iraq can only be morally justified if it carries a new and specific mandate from the United National Security Council”.

The Defence Secretary, Geoff Hoon, however, has stated on ITV's *Jonathan Dimbleby* that “we would be perfectly entitled to use force without the support of a UN Security Council resolution” [24 March 2002]. Tony Blair refused to commit to a similar statement. Asked on the BBC's *Newsnight* whether military operations would have to be endorsed by the UN, he replied: “They have to be compliant with UN law, as we did the last time. Whether that needs another specific UN resolution is not an issue yet because we simply do not know what military action we might or might not take” [16 May 2002].

Calls for British participation to be mandated by a Commons vote have met with a similar response. EDM 1041 (20 March 2002), calling on the government “to ensure that there is a debate and substantive motion in the House before any further British forces are deployed in any military action beyond present commitments against Iraq”, has been signed by 60 MPs.

Asked in the Commons by Diane Abbot on 6 March if he accepted that “in the event that British troops are sent into action, there should be a debate and a vote on the Floor of the House”, the Prime Minister would only promise that “there should be an opportunity for the House to express its view”. Pressed by Tam Dalyell, he said: “of course we will come and consult the House properly as we should.” Jack Straw, in response to a request for a vote from Douglas Hogg (Con, Sleaford and North Hykeham) on 12 March, was slightly more explicit: “the right honourable and learned Gentleman is aware of the conventions of this House about the basis on which military action is decided. There is an argument for those conventions to be changed, but those are the conventions.”

Further reading:

Michael Williams and Rosemary Nuamah, ‘Iraq briefing for the Parliamentary Labour Party’, 5 March 2002: www.casi.org.uk/info/020305labbriefing.pdf

Background information and a review of the briefing: www.casi.org.uk/discuss/2002/msg00515.html

House of Commons debates: www.parliament.uk

Early Day Motions: edm.ais.co.uk

Humanitarian Panel report to the Security Council (1999): www.casi.org.uk/info/panelrep.html

‘11 days of action’ in November

In November of last year, anti-sanctions groups called ‘11 Days of Action’ against the economic sanctions on Iraq. Speaker meetings were held in London, Edinburgh and Oxford, with vigils taking place in London, Sheffield, Manchester, Birmingham and Cambridge.

On 20 November, to mark Universal Children’s Day, CASI and Voices in the Wilderness UK (Voices UK) co-ordinated a ‘phone wave’ targeting the Foreign and Commonwealth Office (FCO). Inspired by a similar action in Canada, the phone wave involved groups and individuals being allocated a time-slot during the day during which to call the FCO’s Iraq Desk and explain their concerns about sanctions on Iraq. The Iraq desk were quick to disconnect their phone line, as were the Middle East Section, but many people got through via the switchboard, and the message certainly came across that a large number of people were dissatisfied with the UK’s handling of the sanctions.

Sanctions-breaking dates

Shoppers seeking last-minute Christmas presents at the end of last year were offered an unusual option thanks to Voices UK, who imported and distributed half a tonne of Iraqi dates into the country.

The dates, sold by mail order and in shops across the UK, were accompanied by a leaflet explaining that the dates were illegally imported from Iraq and that buying a box theoretically risked imprisonment. Part of a larger consignment shipped to Italy by the anti-sanctions group Un Ponte Per, the dates were grown in the date belt near Basra in the south of Iraq, and exported in contravention of sanctions from a workers co-operative in al-Masoori.

The action, which was featured on the front page of *The Guardian*, highlighted the absurdity of preventing all exports from Iraq other than oil. A Foreign Office spokesman was quoted as saying: “We hope that these imports are not depriving the Iraqi people of food supplies” [‘Say no to Saddam this Christmas – turn down a date’, 20 December 2001].

Oxford doctor withholds tax over sanctions

Dr Mercy Heatley, from Oxford, is refusing to pay 7% of her tax bill in protest against the sanctions. Instead, she is donating the amount, which corresponds to that going to military defence, to the UK charity Medical Aid for Iraqi Children (MAIC).

In a letter to the Inland Revenue, she wrote, “The infrastructure of Iraq, devastated by the Gulf War, has never been repaired so that children already undernourished are also exposed to contaminated water supply. As a result they die from preventable gastro-intestinal diseases. There is also a virtual epidemic of unexplained child cancers.”

The letter concluded: "By redirecting a proportion of my tax to Medical Aid for Iraq Children I am disassociating myself from the UK Government's continuing support of sanctions against Iraq."

International Herald Tribune advertisement

Readers of the *International Herald Tribune* on 20 March 2002 will have seen the results of a high-profile project initiated by Hans von Sponeck. The newspaper featured a full-page advertisement containing a statement opposing economic sanctions on Iraq, signed by over 250 prominent individuals and organisations.

Entitled 'No more economic sanctions. The Iraqi people have suffered enough!', the statement demanded "the immediate lifting" of "one of the great injustices of our time", and objected to the policy of 'smart sanctions':

The 'smart sanctions' proposed by the governments of the United Kingdom and the United States, and the latest Security Council resolution on Iraq, are still economic sanctions. Although they are claimed to ease restrictions on humanitarian imports, they do not allow the economic revival so desperately needed. No foreign loans, no foreign investment, no access to foreign exchange, and no Iraqi exports other than oil are permitted under the resolution. [...] The proposed 'smart sanctions' are not the solution to the economic and social catastrophe facing ordinary Iraqi citizens, but a grim perpetuation of a failed policy.

Two Voices US delegates fined \$10,000

The US Treasury Department's Office of Foreign Assets Control (OFAC) has imposed \$10,000 fines on Bert Sacks

and Rev. Randall Mullins, both from Seattle, for breaking sanctions during a November 1997 trip to Iraq with Voices US. It is the first time penalties have been applied to sanctions-breakers in the US.

Sacks was given 30 days to pay his fine from 17 May 2002, but refused, writing "I believe that U.S. sanctions against Iraq are illegal under the U.S. Constitution and international law and that I have a moral and legal obligation to resist them." Instead, he and Voices US launched an appeal, 'Declaration 2002', for supporters in the US to donate \$10,000 to pay for medical supplies to be taken on the group's July delegation to Iraq. This target was met within ten days.

On 30 June, Voices US announced that Mullins had also received a \$10,000 penalty notice from OFAC. He too has refused to pay.

On 3 December 1998, Voices US were sent a 'prepenalty notice', "proposing" a penalty of \$120,000 against Voices US itself and \$10,000 against each of four named individuals for their "exportation of donated goods, including medical supplies and toys, to Iraq absent specific prior authorization by OFAC and transactions relating to travel to Iraq and activities in Iraq."

Further reading:

Full text of the *International Herald Tribune* ad:
www.notinournames.org/iht/statement.html

Latest information on Voices US delegates:
www.nonviolence.org/vitw/hearthevoices.htm

STILL GOT QUESTIONS?

CASI's website, at www.casi.org.uk, contains the latest information and links to a vast array of documentation from a range of sources. It also includes a Guide to Sanctions which provides a comprehensive introduction to the main issues of concern.

JOIN OUR EMAIL LISTS

For email versions of CASI's newsletters and occasional messages about events related to sanctions, join one of our two announcements lists (one main list and one specific to Cambridge).

For a weekly round-up of news items on Iraq, and a forum for campaigning and information-sharing about sanctions and their context, join our discussion list.

See www.casi.org.uk/lists.html or contact lists-manager@casi.org.uk.

CASI BOOK NOW £3!

Copies of the published proceedings of CASI's November 1999 conference 'Sanctions on Iraq: background, consequences and strategies' are now available for just £3 incl. p&p (£6/\$9 outside the UK).

The 220-page book (ISBN 1-903488-22-2) features edited transcripts of the papers presented by the 18 expert speakers at the conference.

To order a copy, send a cheque payable to CASI to the address below, or contact book@casi.org.uk.

MAKE A DONATION...

CASI's campaigning work is funded solely by donations from individuals. Ongoing projects such as newsletters and briefings incur significant printing and posting costs. Donations of any size are always welcome.

Lifetime membership of CASI costs £5.00 and entitles you to receive newsletters and other publications by post.

Cheques can be made out to CASI and sent to the address below. Alternatively, credit card donations can be made online using PayPal at www.casi.org.uk/donating.html.

Upon disbanding, CASI's remaining funds will be distributed to charities working in Iraq.

...OR LEND A HAND

Please get in touch if you could help us to track unfolding events in preparation for our next newsletter.

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