



Questions to consider for 29 June Westminster Hall debate on “The Future of Sanctions”

Campaign Against Sanctions on Iraq

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

ABSTRACT

This document is meant to assist Members interested in participating in Thursday's debate on the International Development Select Committee's report on “The Future of Sanctions” and the government's response to it. It first provides some context and then presents five basic questions about the sanctions on Iraq which, to CASI's knowledge, have not been answered by the government. It is hoped that Members might find these questions useful in their own preparations for the debate. The appendices then present a brief chronology of events since the publication of the Committee's report and some quotations from key figures in this debate and excerpts from some key sources.

CONTEXT

On 10 February the House of Commons Select Committee released its report on “The Future of Sanctions” [HC 67]. This recognised that the use of sanctions had grown substantially over the 1990s and was therefore concerned with exploring some of the general issues raised by their use. At the same time, as the sanctions on Iraq have been the test case and have imposed the greatest human cost on the target population, a considerable portion of the Committee's report was given over to discussion of these sanctions.

On 16 May the government response was published. The three month interval, longer than usual, is felt to reflect the complexity of the sanctions issue, cutting across a variety of ministries and departments. Again, much of the response addressed the situation in Iraq; these sections were quite familiar to anyone who has received the government's form letters on Iraq.

On 29 June the report and response will be debated in Westminster Hall. Because of the extraordinary nature of the sanctions on Iraq and their continuing human toll, CASI hopes that the debate will provide an opportunity to move beyond rhetorical flourishes and engage more seriously with the issues raised by these

sanctions. To this end, this document presents and explains five questions that CASI believes must be answered for a coherent Iraq policy to be formulated. To CASI's knowledge, the government has yet to answer these questions.

The broader context, the approaching tenth anniversary of the sanctions on Iraq on 6 August, should give us pause for thought. Since their imposition, there has been a stream of clear and consistent reports on their effects from various credible sources.

Within four months of sanctions' imposition, the CIA director William Webster testified to the US House Armed Services Committee that, “the embargo has increased the economic hardships facing the average Iraqi. ... services ranging from medical care to sanitation have been curtailed.” By spring, he predicted, “Iraqis will have made major changes in their diets” and that, even if the next harvest was good, “Iraqis will be able to produce less than half the grain they need.” [5 December 1990]

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The first UN humanitarian mission to Iraq after the Gulf War reported that the “recent conflict has wrought near-apocalyptic results upon the economic infrastructure” and concluded that

It is unmistakable that the Iraqi people may soon face a further imminent catastrophe, which could include epidemic and famine, if massive life-supporting needs are not rapidly met... Time is short. [Report on humanitarian needs in Iraq in the immediate post-crisis environment by a mission to the area led by the Under-Secretary-General for Administration and Management, 10- 17 March 1991, S/22366, § 37. 20 March 1991]

These early warnings were insufficient to mobilise the resources necessary to restore Iraq’s civilian infrastructure and to otherwise meet civilian needs. In 1999, Unicef published the extraordinary estimate that an additional half million Iraqi children under five died between 1991 and 1998. [Iraq surveys show ‘humanitarian emergency’. 12 August 1999] Over these eight years an average three hour period, the length of Thursday’s debate, would therefore see 21 additional under-five deaths in a country one third the UK’s size. Unicef’s most recent child malnutrition survey in South/Centre Iraq finds “little if any change” since 1997. [Report of the Secretary-General pursuant to paragraph 5 of Security Council resolution 1281 (1999), S/2000/520, § 53. 1 June 2000]

It is certainly true that the Iraqi government has not made the insulation of its population against the sanctions its paramount priority. It is also true that the UK has supported increased humanitarian exemptions to the sanctions (the “oil for food” programme). It is equally true, though, that sanctions are a coercive instrument that coerce by inflicting hardship. UN documents consistently report that the “oil for food” programme “was never intended as a substitute for the resumption of normal economic activity, and cannot be expected to address the whole range of needs of the Iraqi population.” [S/2000/520, § 115]

The motion that Britain successfully steered through the Security Council in December, SCR 1284, recognises this as well. It offers “to suspend [non-military sanctions] with the fundamental objective of improving the humanitarian situation in Iraq”. [S/RES/1284, § 33. 17 December 1999]

CASI hopes that Thursday’s debate will be sensitive to this context. We have, over the last decade, watched a

tragedy unfold in Iraq. Over the last decade, Parliament has debated these matters on numerous occasions. And yet, a decade on, the UK’s own resolution makes explicit its continued willingness to bargain with “the humanitarian situation in Iraq”.

Will Thursday’s debate recognise that a decade of debates have failed the people of Iraq and rightfully tarnished our name? Will it initiate a process of more sober engagement with the issues surrounding the difficult question of how to conduct a dispute with a dictator without punishing innocents?

QUESTIONS

This section sets out a number of questions, followed by the context behind them.

1.

The government often points to Security Council Resolution 1284 as an example of its “commitment to helping the Iraqi people”. 1284’s humanitarian measures fall into two categories: improvements under sanctions and the suspension of sanctions. The first set are a subset of the recommendations of the Security Council’s 1999 Humanitarian Panel report, which estimated that adoption of its recommendations “may lead to incremental improvements”. The second requires a lengthy period of co-operation on weapons inspections. Given the modest claims for the first set of measures, and the current deadlock over weapons inspections, can the government tell us what steps it has taken to assess the probable quantitative humanitarian impact of Security Council Resolution 1284? If it has taken such steps, what does its assessment find? If it has not, how can it explain its confidence in 1284?

2.

What are the government’s performance goals for SCR 1284? When will the government decide whether 1284 has achieved those goals and what contingency plans is it developing in the event that those goals are not achieved?

Additional context of questions 1 and 2

The first quotation above is from the government’s response to the Committee’s report. The second, from the Humanitarian Panel report, is taken from § 51. The full reference for this report is: Report of the second panel established pursuant to the note by the president of the Security Council of 30 January 1999 (S/

1999/100), concerning the current humanitarian situation in Iraq, S/1999/356 Annex II. 30 March 1999.

The potentially most generous recommendation of the Humanitarian Panel report, that Iraq's compensation payments be temporarily reduced, was not included in SCR 1284. This reduces further what can be expected of it.

3.

According to UN resolutions, one of sanctions' central aims is to place pressure on Iraq to encourage its government to abandon its non-conventional weapons. It is, of course, objectionable to harm a civilian population in order to place pressure on a government over which it has little influence. These objections might be overcome if the human costs imposed by the sanctions was outweighed by their benefits.

However, senior UN weapons inspectors not only believe that the benefits of the non-military sanctions are less than their costs, but believe them to actually impede disarmament. Former Unscm executive chairman and US ally, Richard Butler, has told the BBC that the "sanctions as now applied to Iraq have been utterly counterproductive for this disarmament purpose", calling them a "bankrupt and harmful instrument". Scott Ritter, formerly in charge of Unscm's concealment programme, now actively campaigns for the lifting of the non-military sanctions. He claims that the "sanctions regime being imposed on Iraq is a huge injustice... the purpose of sanctions is to create harm in Iraq ... [but] the pain is being felt by 22 million innocent Iraqi people, not by the leadership, not by Saddam Hussein, not by his cronies". Does the government think that Ritter and Butler, two of the individuals closest to the weapons inspection process over the past decade, are mistaken in their belief that disarmament goals are not currently furthered by the non-military sanctions? If so, why? If not, what steps will the government take to lift the non-military sanctions?

Additional context of question 3

Butler spoke to the BBC's Talking Point on 4 June 2000. Ritter was interviewed by New Zealand journalist Jeremy Rose at the State of the World Forum in San Francisco, 14 November 1998. The two dislike each other strongly: Ritter quit Unscm in 1998, charging that Butler allowed it to lose its independence and become a US satellite. His charges gained strength after revelations in early 1999 that the US had been using Unscm to spy on Iraq [Washington

Post, 6 January 1999].

4.

The conditions for lifting the non-military sanctions on Iraq are famously ambiguous. Attempts to interpret SCR 687, which extended the sanctions in 1991, divided the Security Council. US politicians from Bush to Clinton and Albright have publicly linked the sanctions to the persistence of the Iraqi regime above any avowed UN objectives. British diplomats during the SCR 1284 negotiations described their tactic as one of "creative ambiguity". The European Parliament has therefore called for the Security Council to clarify "the terms of Resolution 1284 by specifying precisely what is required of the Iraqi government". Does the government support the European Parliament's call? If so, what is it doing to implement it? If not, why not?

5.

Security Council Resolution 1284 raises the possibility of suspending non-military sanctions following 120 days of co-operation "in all respects" with new weapons inspectors; the resolution allows for the re-imposition of sanctions should non-compliance resume.

Can the government explain the role of the 120 day period? In particular, does it feel that a further 120 days of inspections will reduce the non-conventional threat posed by Iraq? If so, as it is presumably not the passage of time but the accomplishment of certain tasks that reduce that threat, will the government describe those tasks?

Or, on the other hand, does the government feel that the offer to suspend sanctions in 120 days provides Baghdad with a carrot to resume arms inspections? If so, will the government explain how it can both claim that the Iraqi government does not care for its population and simultaneously attempt to use that population's wellbeing as a carrot? Furthermore, given that the sanctions can be rapidly reimposed in the event of Iraqi non-cooperation, will the government explain why the carrot cannot be offered immediately, rather than in 120 days?

Additional context of questions 4 and 5

Paragraph 21 of SCR 687, which governs the restrictions on Iraq's imports, reads

Decides that the Security Council shall review the provisions of [the sanctions on im-

ports] every sixty days *in the light of the policies and practices* of the Government of Iraq, including the implementation of *all relevant resolutions* of the Security Council, for the purpose of determining whether to reduce or lift the prohibitions referred to therein;

Italics have been added to emphasise the clauses producing the most ambiguity. Braces are used to replace numerical references to other paragraphs with descriptions of those paragraphs. Paragraph 33 of SCR 1284, which considers the possible suspension of sanctions, reads

Expresses its intention, upon receipt of reports from the Executive Chairman of UNMOVIC and from the Director General of the IAEA that Iraq has *cooperated in all respects* with UNMOVIC and the IAEA in particular in fulfilling the work programmes in all the aspects referred to in paragraph 7 above, for a period of 120 days after the date on which the Council is in receipt of reports from both UNMOVIC and the IAEA that the reinforced system of ongoing monitoring and verification is *fully operational*, to suspend with the fundamental objective of improving the humanitarian situation in Iraq and securing the implementation of the Council's resolutions, for a period of 120 days renewable by the Council, and *subject to the elaboration of effective financial and other operational measures* to ensure that Iraq does not acquire prohibited items, prohibitions against the import of commodities and products originating in Iraq, and prohibitions against the sale, supply and delivery to Iraq of civilian commodities and products other than those referred to in paragraph 24 of resolution 687 (1991) or those to which the mechanism established by resolution 1051 (1996) applies;

Unmovic is the successor body to Unscm, the original inspectors for missiles, biological and chemical weapons. The International Atomic Energy Agency is responsible for nuclear weapons. While less ambiguous than 687, neither the "work programmes" nor the "financial and other operational measures" are defined. The government of Iraq is therefore being asked to co-operate with undefined measures in the hope of undefined results.

The European Parliament resolution is identified as B5-0342, 0349, 0365 and 0374/2000. It was passed on 13 April 2000.

APPENDIX 1: KEY QUOTATIONS

"I cannot any longer be associated with a programme that prolongs sufferings of the people and which has no chance to meet even basic needs of the civilian population." Hans von Sponeck [Reuters, "Top UN official leaves Iraq, says programme failed". 29 March 2000]. Von Sponeck was UN Humanitarian Coordinator in Iraq until his resignation this year.

"We are in the process of destroying an entire society. It is as simple and terrifying as that. It is illegal and immoral." Denis Halliday [The Independent. 15 October 1998]. Halliday was UN Humanitarian Coordinator in Iraq until his resignation in 1998.

"It is clear that children are bearing the brunt of the current economic hardship" Philippe Heffinck [Baghdad. 26 November 1997]. Heffinck was Unicef's Iraq representative.

"But after eight years, I think they [the UN sanctions] have become bankrupt and counterproductive. Within Iraq they show every sign of strengthening rather than weakening Saddam's position." Ivor Lucas [CASI Conference, Cambridge UK. 13 November 1999]. Lucas was head of the Foreign Office's Middle East Department in the early 1970s.

"It is the only instance of a sustained increase in mortality in a stable population of more than 2 million in the last 200 years." Richard Garfield [CASI Conference, Cambridge UK. 13 November 1999]. Prof. Garfield is a specialist in the effects of sanctions on civilian populations at Columbia University.

"Can you imagine yourself born as an Iraqi, who has grown up in Baghdad, with a good education and one day you wake up to find your country decimated by two unimaginably inhumane forces working in unison. On the one side the country is being squeezed by inhumane sanctions and on the other side there is a murderous regime, which is only interested in staying in power. Then you find these sanctions are weakening the people, are weakening the Iraqis, are killing the children and making it impossible for Iraqis to get rid of the regime." Naji Al-Saidi [Hamburg, Germany. Caller on BBC Talking Point, 4 June 2000].

APPENDIX 2: EXCERPTS FROM RECENT DOCUMENTS

"Now, after nine years of trade sanctions, imposed by

the UN after Iraq's invasion of Kuwait in August 1990, the situation of the civilian population is increasingly desperate. Deteriorating living conditions, inflation, and low salaries make people's everyday lives a continuing struggle, while food shortages and the lack of medicines and clean drinking water threaten their very survival.

"The ICRC recognizes that the humanitarian exemptions do indeed offer the civilian population some relief. Yet, it is convinced that exemptions, together with humanitarian action, although essential in order to address urgent and specific needs, can be considered only as partial, stopgap measures... aid can be no substitute for a country's entire economy. It can never meet all the basic needs of 22 million people nor ensure the maintenance of a whole country's collapsing infrastructure." [International Committee of the Red Cross. Iraq: A decade of sanctions. 14 December 1999]

"Foreign Office Minister Peter Hain's defence of the government's use of sanctions against Iraq ignores the devastating impact of sanctions on Iraqi children's rights, (Guardian, Feb 11th). For the Foreign Office it is no doubt a significant political and military achievement that 'Iraq's threat to the wider world has been contained for over 10 years'. Children in Iraq, however, are growing up isolated, angry, with inadequate educational opportunities, and new health problems like cholera, diphtheria and malnutrition which the country's doctors have not been trained to handle.

"Both Iraq and the UK have ratified the UN Convention on the Rights of the Child. Both targeted states and those imposing sanctions have a responsibility to ensure that children enjoy their rights to a safe and secure future. Sanctions have not reduced the Iraqi regime's human rights' abuses but have succeeded in constraining the Iraqi state's capacity to exercise its responsibilities for social welfare..." [Carolyn Miller, Director of Programmes, Save the Children Fund UK. Unpublished letter to the editor of The Guardian. 11 February 2000]

"The sanctions have crippled the country's economic infrastructure and have contributed to a deteriorating economic situation, increased unemployment, rising malnutrition and mortality levels and widespread corruption." [Amnesty International UK. Annual Report 2000. June 2000]

"The comprehensive nature of the embargo imposed on Iraq since August 1990, its intensification of the

Gulf War damage to the country's civilian infrastructure, and its unprecedented duration have produced a longstanding and serious humanitarian crisis in Iraq.

"The balance sheet of several years of sanctions against Iraq reveals a minimum of political dividends as against a high human price paid primarily by women and children.

"For this reason, we urge the Council to revise the present embargo in favor of a regime that targets specifically the ability of that government to import military and dual-use goods, and lifts restrictions on the import of civilian commodities and on financial transactions broadly, restrictions that have a disproportionately harmful impact on ordinary Iraqi people." [Human Rights Watch. Explanatory Memorandum Regarding the Comprehensive Embargo on Iraq Humanitarian Circumstances in Iraq. 5 January 2000]

APPENDIX 3: RECENT EVENTS

10 February. **Select Committee report** on "The Future of Sanctions".

13 February. UN Humanitarian Co-ordinator in Iraq, **Hans von Sponeck** resigns. His predecessor, Denis Halliday, had also resigned. Both now campaign against the non-military sanctions. Von Sponeck was appointed by the UN after Halliday's resignation in part because it was felt that a hard-nosed Prussian would be less likely than an Irish Quaker to become squeamish in Iraq.

15 February. World Food Programme's Iraq chief, **Jutta Burghardt**, resigns. She explained her position by noting that, "I fully support what Mr. von Sponeck is saying." The Washington Post claimed that the von Sponeck and Burghardt resignations followed their conclusion that SCR 1284 "provided false hope that the suffering of ordinary Iraqis would soon be eased". ["U.N. Aide Who Quit in Protest Plans Report on Airstrikes on Iraq", 17 February 2000].

17 February. The **Daily Telegraph** writes that "The sanctions policy has come under increasing fire from almost every country in the world, bar America and Britain."

29 February. **Parliamentarians briefed** by Save the Children / Council for the Advancement of Arab-British Understanding. Panel composed of Sarah Graham-Brown (author and Christian Aid), George Joffé (School of Oriental and African Studies) and Andrea Ledward (Save the Children).

2 March. Democrat **Congressman Conyers** introduces act to “take all necessary steps to end the suffering of innocent populations, primarily children and the elderly, by allowing the free flow of humanitarian aid to Iraq without threat of prosecution”.

6 March. **John Pilger’s** documentary on Iraq airs.

10 March. **UN Secretary-General’s** large report (S/2000/208) combines phase VII and SCR 1284 reporting requirements. It contains excerpts from the oil experts January 2000 mission to Iraq. UN officials in Iraq have allegedly written to New York to protest against the report’s blandness.

10-12 March. **Amnesty International USA** resolves that “some economic measures are a violation of International Humanitarian Law and fall within Amnesty International’s mandate” and calls upon the “International Executive Committee to write a letter to the UN Security Council and the UN Secretary General calling on the UN to de-link economic measures from military sanctions”.

18 March. **Pope John Paul II** restates his concern for “The sons and daughters of the Church in Iraq, and all the Iraqi people who are being so severely tried by the continuing international embargo”.

23 March. **Human Rights Watch, Save the Children Fund UK, Global Policy Forum, Mennonite Central Committee, Peace Action Education Fund and Quaker United Nations Office** send a letter to Security Council members asking them “to take decisive steps to address the humanitarian emergency in Iraq.” Hanny Megally, HRW’s Middle East and North Africa executive director, was quoted as saying that, “the U.S. should stop pretending that the sanctions have nothing to do with the dire public health crisis confronting millions of Iraqis.”

31 March. **Security Council Resolution 1293** raises the value of oil spare parts Iraq is allowed to import in Phase VII of “oil for food” from \$300 million to \$600 million.

8 April. **The Economist magazine** runs highly critical three page article on Iraq policy. The leader, entitled “All wrong in Iraq”, concluded “If, year in, year out, the UN were systematically killing Iraqi children by air strikes, western governments would declare it intolerable, no matter how noble the intention. They should find their existing policy just as unacceptable.” Five weeks later the first and only letter to the editor

in response, by Edward Walker of the US State Department, is published.

12 April. **Canadian House of Commons’ Standing Committee on Foreign Affairs and International Trade** report on the sanctions on Iraq. It expressed its deep concern about “evidence presented to the Committee that in the past year the humanitarian situation in Iraq has in fact seriously deteriorated” and quoted “certain witnesses” who believed that SCR 1284 “will not, even if implemented, enable Iraq to create the economic conditions necessary for ending the humanitarian crisis.” It therefore recommended that Canada restore diplomatic ties with Iraq and

Notwithstanding the adoption of Security Council Resolution 1284, urgently pursue the “de-linking” of economic from military sanctions with a view to rapidly lifting economic sanctions in order to significantly improve the humanitarian situation of the Iraqi people, while maintaining those aspects of the multi-lateral embargo necessary to satisfy security requirements and contribute to the overall goal of regional disarmament;

13 April. **European Parliament** resolution on Iraq. It noted that “the Iraqi people are in a tragic situation as a result of the imposition of sanctions” which, “in nine years, have not succeeded in weakening the Iraqi regime, which caused the conflict and bears most of the responsibility for it”. It called on the Security Council to clarify the terms in SCR 1284, and for “the lifting of sanctions [to be] announced as a matter of urgency” while still “exercis[ing] vigilance with regard to the Iraqi regime”. It also asked that “attention is drawn to the need to abide by the rules of the UN Charter and that, consequently, military action not authorised by the Security Council is discontinued.”

16 April. **Amnesty International UK** resolves to support AI USA’s motion and to “campaign urgently on the issue of human rights abuses arising from particular sanctions regimes where there is sufficient evidence from internationally recognised organisations”.

5 May. **Inter-Parliamentary Union**, referring to the sanctions on Iraq, passes motion in Amman calling for the “abolition of those types of sanctions that hit civilians, and especially children, the hardest”.

6 May. **Denis Halliday and Hans von Sponeck** address the Mariam Appeal’s “Day and Night for the People of Iraq” in London.

15 May. **Hans von Sponeck** and **Albert Reynolds**, former Irish Prime Minister, give panel discussion in the House of Commons.

16 May. **Government response** to Committee report.

June. Article by **Scott Ritter**, former chief of Unscorn's concealment unit, appears in *Arms Control Today*. It argues that:

it was possible as early as 1997 to determine that, from a qualitative standpoint, Iraq had been disarmed. Iraq no longer possessed any meaningful quantities of chemical or biological agent, if it possessed any at all, and the industrial means to produce these agents had either been eliminated or were subject to stringent monitoring. The same was true of Iraq's nuclear and ballistic missile capabilities. As long as monitoring inspections remained in place, Iraq presented a WMD-based threat to no one...

If the Security Council were to redefine Iraq's disarmament obligation along more meaningful and politically and technically viable-qualitative standards, UNMOVIC should be able to reconstitute UNSCOM's monitoring program and rapidly come to closure on all outstanding disarmament issues. If such a disarmament program is linked with the lifting of economic sanctions upon a finding of compliance, Iraq would almost certainly agree to cooperate.

1 June. **UN Secretary-General** "phase VII 180 day report" (S/2000/520) finds: "Now that increased revenues are available for the implementation of the programme, the Government of Iraq is in a position to reduce current malnutrition levels and to improve the health status of the Iraqi people". At the same time, "it should be borne in mind that it was never intended as a substitute for the resumption of normal economic activity, and cannot be expected to address the whole range of needs of the Iraqi population."

4 June. **Richard Butler**, Unscorn's former executive chairman, tells BBC's *Talking Point* that "I deeply believe that sanctions as now applied to Iraq have been utterly counterproductive for this disarmament purpose".

8 June. **Security Council Resolution 1302** starts Phase VIII of "oil for food", asks for imports of water and sanitation equipment to be streamlined, extends the

\$600 million oil spare parts cap and calls for the establishment of a team of "independent experts to prepare by 26 November 2000 a comprehensive report and analysis of the humanitarian situation".

12 June. **The Guardian's** "Road to the Manifesto" series recommends that the next Labour government should "Unilaterally withdraw from the sanctions regime against Iraq if no solution to the current impasse is found within six months of the election."

21 June. **Italy's lower house** votes 3:1 in favour of restoring diplomatic ties with Iraq and to work for sanctions' lifting.

TITLES IN THE CASI OCCASIONAL BRIEFING SERIES

1. Written answer to Mr David Winnick (5 May, 1999). 17 May 1999.
2. Analysis of Security Council Resolution 1284 (17 December, 1999). 24 December 1999.
3. Questions to consider for 29 June Westminster Hall debate on "The Future of Sanctions". 25 June 2000.

CASI has prepared Briefings for individual politicians and journalists at their request. It welcome requests for Briefings, suggestions for improvement and thoughts as to others who might appreciate receiving these reports. It is happy to accept donations to defray the costs of these briefings.

ABOUT CASI

CASI works primarily by distributing accurate information about the situation in Iraq. It maintains the largest electronic discussion list on the sanctions in the UK, and an informative website. Its newsletters have examined claims UK and US government claims, UN mortality data and other aspects of the sanctions.

In January 1999, CASI organised Denis Halliday's UK speaking tour. In November 1999, it held a weekend conference on the sanctions involving eighteen expert speakers and over 150 delegates. The conference proceedings are now available.

CASI plays an active role in fostering co-operation among the UK's many diverse groups concerned with Iraq.

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