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## INTRODUCTION

This is the final report of the delegation of experts in humanitarian need and assessment, public health, human rights, conflict resolution and international policy sent to Iraq by the World Council of Churches to study the impact of the UN sanctions regime on the civilian population.

When the WCC Central Committee decided to dispatch such a delegation, it could not foresee that the visit would take place in a time of extreme tension and massive preparations for new military actions against Iraq.

As it happened, the delegation was able to give sound and very timely advice to the WCC's General Secretary and Executive Committee. The report is introduced by two statements based on the delegation's findings. The first was issued in view of the imminent threat to peace, on 30 January 1998, and was provided to Secretary-General Kofi Annan for transmittal to the UN Security Council meeting that day in New York on the question of Iraq. The second was issued by the WCC Executive Committee on 19 February 1998 in response to the report, and intensified military rumours in the Gulf and abroad.

To assist churches and other readers in interpreting this report and translating its and the Executive Committee's recommendations into action, key documents are appended. These include the texts of the main UN Security Council resolutions related to sanctions against Iraq. The WCC Assembly's statement on the Gulf War, issued in Canberra in January 1991, and the "Memorandum and Recommendations on the Application of Sanctions" adopted by the Central Committee in 1995 are also included.

Geneva, 1998

Commission of the Churches on International Affairs  
World Council of Churches

**WCC PRESS STATEMENT ON IRAQ**  
**30 January 1998**

**WCC DELEGATION TO IRAQ WARNS AGAINST RENEWED MILITARY INTERVENTION.**

A seven-member World Council of Churches (WCC) delegation, recently returned from Iraq, has warned against renewed military intervention, and called for a thorough review of the present UN sanctions regime.

In a report on the week-long visit, submitted to WCC General Secretary, Rev. Dr. Konrad Raiser, the delegation strongly recommends that churches around the world make representations to their respective governments to oppose threats of military action to force Iraq to comply with UN Security Council demands.

Voicing the concerns of Iraqi Christians, the report says that to pursue such a course would only intensify the sufferings of the powerless Iraqi people caught up in the middle of this conflict. The delegation reports that the churches of Iraq are calling on Christians around the world to join them in prayers for a non-violent resolution of the present crisis.

The report goes on to say that the present sanctions seriously violate the human rights of large sectors of the Iraqi population by denying them the rights to adequate food, clothing, housing, medical care, social services and employment.

The delegation's full report will be presented to the WCC Executive Committee when it meets in Geneva, 17-20 February. Among its other conclusions are: Health and sanitation are in a critical state. There has been a dramatic increase in mortality, morbidity and malnutrition, especially among children and other vulnerable groups. The application of sanctions has prevented repairs of basic infrastructure destroyed during the 1991 Gulf War. It has also made it impossible for the state adequately to maintain water, sanitation, and electric power systems essential to public health. This, together with the degradation of schools, hospitals and other medical facilities, arable land, human resources and the general economy, combines to create a grim scenario.

The major cause of these problems is the seven-year-long application of UN sanctions, whose negative effects have not been substantially altered by the "Oil for Food" concession of the Security Council.

Lacking clarity of purpose, defined and agreed goals, and consistent application, the sanctions regime has accomplished little else but suffering for ordinary people. Rather than undermine popular support for the present regime, sanctions have galvanized the population against foreign intervention and forged stronger bonds among various ethnic and religious communities.

Sanctions have also had a negative impact on the small minority Christian community, whose witness and ministry have been substantially impaired. Their capacity to sustain themselves financially has suffered badly, and their numbers have been significantly reduced through accelerated emigration of Christians fleeing economic hardship. Churches have a sense of abandonment by, and isolation from the broader Christian fellowship due to the difficulty of maintaining contact because of restrictions on travel to and from Iraq and on other forms of communication.

The delegation was not surprised at the impact of sanctions on the people of Iraq, having been well informed ahead of the visit by ecumenical partners and through the reports of UN and other humanitarian agencies. The WCC team was nevertheless alarmed by the worsening of the situation in recent months and the widespread human suffering they encountered.

During their visit, delegation members travelled extensively within the country, interviewing church representatives, health and social service providers, and ordinary citizens, especially young people and children. The team's observations were tested and repeatedly confirmed in interviews with UN agency staff and representatives of private international humanitarian organizations working in the country. They were also consistent with views expressed by

Iraqi government officials, including Deputy Prime Minister Tariq Aziz, with whom the delegation held extensive meetings.

The group urged that the churches' attention be drawn once again to the "Guidelines and Criteria for the Application of Sanctions" adopted by the WCC Central Committee in 1995. That document pointed out that "sanctions are by definition coercive and ...often inflict additional suffering on affected populations, particularly the most innocent, for example, children." The guidelines indicate that "Churches may play a role not only as advocates for irenic government policies, but as direct actors in offering inquiry, mediation or conciliation. Where possible, positive incentives or inducements should be offered as a preferable means of avoiding the escalation of conflicts."

World Council of Churches  
EXECUTIVE COMMITTEE  
Geneva, Switzerland  
17-20 **February 1998**

## STATEMENT ON THE SITUATION IN IRAQ

Seven years ago Iraq's invasion of Kuwait resulted in the massive armed retaliation of the coalition forces led by the United States. The air strikes carried out during the Gulf War not only destroyed a major part of Iraq's military capacity, but also severely damaged its social and economic infrastructure. To force compliance with UN Security Council resolutions demanding the elimination of its biological, chemical and other weapons of mass destruction, Iraq was subjected to severe economic sanctions. The sanctions, however unclearly outlined in time and scope, nevertheless explicitly exempted humanitarian "materials and supplies for essential civilian needs."

The Seventh Assembly of the World Council of Churches, meeting in Canberra (February 1991), as the Gulf War broke out, expressed concern at the way this first major world crisis in the post-cold war period was handled by the international community. It called for the strengthening of the United Nations as a guarantor of international peace and order and cautioned: "No one government or group of governments should either take or be allowed to take primary responsibility for the resolution of major conflicts beyond their own borders."

In response to the Gulf crisis, the Middle East Council of Churches (MECC) established the Ecumenical Relief Service Programme (ERS) to provide relief and assistance to the victims of the war scattered throughout the region. This programme continues, now concentrating on Iraq, seeking to offset some of the effects of the sanctions. In coordination with the Iraqi Red Crescent Society (IRCS), government ministries -particularly those responsible for health and social welfare -and with UN agencies like UNHCR, WFP and UNICEF, ERS ministers to the needs of all Iraqi people irrespective of race, religion or ethnicity.

The seven-year long application of economic sanctions has resulted in a further severe deterioration of the social and economic conditions of the civilian population of Iraq. Well over a million persons, 60% of them children under five years of age, have died. Recent reports issued by private humanitarian, relief organizations, the World Health Organization (WHO) and UNICEF, have drawn attention to the plight of the Iraqi people. UN Security Council resolution 986, referred to as the "Oil for Food" agreement, was adopted in September 1995, but implemented only last year. Yet only half of the proceeds from the sale of oil (US\$ 1 billion every 90 days) is designated to meet the humanitarian needs of the Iraqi people. The balance is reserved for war reparations for UN administered relief work in the northern provinces, and to defray costs of UN monitors in Iraq. The fundamental needs of the civilian population of Iraq are not adequately met through this arrangement.

The WCC Central Committee, when it met in Geneva in September 1997, expressed concern about the situation in Iraq. Recalling that sanctions are by definition coercive and that they often inflict additional suffering on affected populations, particularly children, the Central Committee asked international affairs staff to undertake a visit to Iraq to study the impact of sanctions in light of the sanctions criteria contained in the "Memorandum and Recommendations on the Application of Sanctions" adopted by the Central Committee in 1995. The WCC delegation visit to Iraq took place from 16-28 January 1998. Its report has been submitted to the Executive Committee.

Since the September 1997 action by the Central Committee, the confrontation between the UN Security Council and the Government of Iraq over the issue of granting unrestricted access by UNSCOM (United Nations Special Commission) to sites where it suspects chemical and biological weapons are stored has once again taken a serious turn. The US and the UK have again moved additional forces into the Gulf region and are threatening Iraq with renewed military action to force compliance with Security Council resolutions.

The present explosive situation in the Gulf region poses a renewed serious threat to peace, and undermines the authority given to the United Nations Security Council by the Charter.

In its statement of February 1980, issued at Liebfrauenberg, France, the WCC Executive Committee said: "The churches must speak out against the tendency to resume the perilous tactics of brinkmanship. Claims by nations to become the strongest at any cost should be deplored. The churches should make clear in no uncertain terms that perspectives of foreign policy can no longer be seen in terms of 'liquidating the enemy' (be it politically, militarily or through economic and cultural pressure)." The Canberra Assembly said: "For the Security Council or the Secretary-General, in the exercise of his good offices, to be for some reason unable to act independently and in the true spirit of the UN Charter would be unacceptable. The community of nations cannot afford such a weakening of the UN system. For the sake of world peace, for the sake of the rule of law, for the sake

of the authority of the United Nations, its position as guarantor of a comprehensive international peace order must be strengthened."

The Executive Committee meeting in Geneva, 17-20 February 1998, therefore,

1. *Receives with appreciation* the report of the WCC delegation to Iraq;

2. With respect to the present *threats of military action*, the Executive Committee:

2.1 *expresses* its grave concern at the present massive military build-up in the Gulf region by the armed forces of the United States of America, supported by the UK and some other nations which participated in "Operation Desert Storm" in 1991;

2.2 *warns, yet again*, that renewed military action will result in large scale casualties and increased suffering by the Iraqi people;

2.3 *calls on* the churches to press their governments to oppose military action to force Iraq's further compliance with the UN Security Council demands;

2.4 *further calls* on the churches to respond the appeals of the churches in Iraq to join them in prayers for a non-violent resolution of the present crisis and to work for justice and lasting peace in the region;

2.5 *welcomes and supports* the present diplomatic *efforts* to resolve the stand-off between Iraq and the United States over the issue of unrestricted access for UNSCOM inspection teams.

2.6 *urges* that this matter be brought again to the Security Council, and that no further military steps be taken without its concurrence.

3. With respect to *the application of sanctions* against Iraq, the Executive Committee:

3.1 *recalls and reaffirms* the WCC's criteria for determining the Applicability and Effectiveness of Sanctions;

3.2 *considers* that the application of sanctions in Iraq fails to meet these criteria which state, *inter alia*, that "The good achieved by sanctions must not be exceeded by the harm that can reasonably be anticipated;"

3.3 *further considers* that these sanctions have resulted in serious violations of the human rights of Iraqi population by denying them the rights to adequate food, clothing, housing, medical care, education, social services and employment;

3.4 *deplores* the lack of openness and transparency in the decision-making procedures of the Sanctions Committee, particularly with respect to its role in approving contracts for the import of humanitarian goods into Iraq;

3.5 *convinced* that the present sanctions regime has a punitive character and reveals a tendency for political considerations to take precedence over objective evaluation of facts;

3.6 *appeals* to the UN Security Council to undertake a thorough review of the sanctions regime on Iraq, taking into account their impact on the civilian population, and with a view to defining clear and agreed goals with a specific time frame and benchmarks for the full lifting of sanctions;

3.7 *calls upon* the churches to continue their efforts to provide generous relief and humanitarian assistance to the people of Iraq.

## DELEGATION REPORT

### BACKGROUND

#### A brief historical overview of Iraq

The region now known as Iraq was referred to as Mesopotamia, prior to the Arab invasion in the 7th century (637): "the land between the rivers", the Tigris and the Euphrates. Iraq means "the well-rooted country", an allusion to its history and contributions to successive civilizations of the ancient world. The Arab invasion brought with it the Arabic language and Islam. From 750 to 1258, Baghdad was the capital of the Arab Empire. During the 13th century, the Mongols from Central Asia invaded Iraq, destroyed Baghdad and moved the seat of the Arab Empire. The Ottoman Turks seized Mesopotamia in 1534 and made it a part of the Ottoman empire. When that Empire collapsed at the end of World War I, Britain won the mandate for Iraq when agreements signed in Europe divided the Ottoman Empire among the victors. The British helped to set up a monarchy in Iraq during the early 1920's. The British mandate ended in 1932, when Iraq became independent, though Britain maintained its de facto military presence primarily to protect its oil resources and interests.

The monarchy, which was seen as too pro-Western because of unfavourable oil contracts with British oil companies, was overthrown in 1958 by a revolution led by Abd a-Karim Qasim. Iraq has ever since been a republic. Qasim was overthrown and killed in 1963 by supporters of the Ba'ath Party, an independent branch of the Syrian Ba'ath Arab Socialist Party. Iraq then became a one-party state, but the Ba'ath party did not control affairs until 1968 because of the personal power struggles between Abd as-Salam Arif and his brother on the one side, and Ahmad Hassan al-Bikr on the other, the charismatic leaders of the coup d'etat.

In 1970, the government signed an agreement with the Kurds in the north, establishing semi autonomy for them and permitting a Kurdish party to exist. In 1979, Al-Bikr resigned and Saddam Hussein, a Ba'athist party leader, succeeded him. All legislation and political decisions were subsequently made by the Revolutionary Command Council of which Saddam is the head. An eight-year war with Iran was fought during the 1980s over border demarcation, freedom of navigation and sovereignty over the Shatt Al-Arab waterway. The war was devastating to both countries, and wiped out nearly an entire generation of males.

In August 1990, Iraqi forces invaded Kuwait, claiming it and the oil-rich islands of Bubiyan and Warbah as Iraq's rightful province.

#### The Churches of Iraq

The Christian population of Iraq is mostly descendent from the original Christian population present in the land before the Arab invasions of the 7th century. Present estimates of the Christian presence in Iraq range from 2.5% to 5% of the total population, highly concentrated in the cities and immediate surrounding areas of Baghdad (52% of the Iraqi Christians), Mosul (30%), and Basrah (18%). The concentration in Baghdad is due to urban migration, especially from the north, where there was a large Christian population before 1947. In recent times, the number of Iraqi Christians has substantially decreased, many having emigrated to Lebanon and the West. Chaldean Catholics number more than 65% of the Christian population. They are organized in eight dioceses and their Pontifical Seminary in Mosul is the only major Chaldean theological institution in the Middle East. Catholics in Iraq as a whole represent nearly 89% of the Christians, including the Chaldeans, Armenians, Assyrian, Latin-rite, Melkite and Syrian Catholics. The Latin-rite Catholics in Iraq concentrate on scholarly research and administering schools for primary and intermediate-aged students. Armenian, Greek, Syrian and some Coptic Orthodox Christians comprise the second largest group (10% of Iraqi Christians). The Armenian Orthodox Church has five parishes in Baghdad. The Syrian Orthodox Church, which has existed in this land since the early centuries of Christianity also has most of its members concentrated in Baghdad, as a result of steady migration from Mosul in the north. Protestant churches, which comprise fewer than 1% of Iraqi Christians, include Reformed and Anglican churches. Arab Reformed congregations exist in Baghdad, Kirkuk, and Basrah. There are a few congregants of the Eastern Orthodox Patriarchate of Antioch,

#### The international response to Iraq's invasion of Kuwait

Iraq invaded and occupied Kuwait on 2 August 1990. In the aftermath of the invasion, the United Nations Security Council passed res. s/ 660 condemning the invasion and demanding the immediate and unconditional withdrawal of Iraqi troops from Kuwait. At the insistence of the United States of America, the Security Council also adopted res. s/ 661 which imposed a sweeping trade embargo on Iraq and occupied Kuwait. It froze the assets of the two countries and set up a Sanctions Committee, made up of the fifteen members of the Security Council. Following the restoration of Kuwait's sovereignty, all provisions of res. s/ 661 concerning its assets were lifted. The task of the Sanctions Committee is to examine progress in the implementation of res. s/660, and on actions taken by Member States to implement res. s/661. On 3 April 1991, the Security Council adopted res. s/687 that established guidelines for resolution of the conflict within the framework of earlier resolutions and listed the areas of compliance required of Iraq. These include:

- destruction under international supervision of Iraq's weapons of mass destruction and missiles with range greater than 150 kilometers;
- return of all Kuwaiti property; and
- Iraq's liability for reparations.

It called on the UN Secretary General to establish a compensation commission to pay private, corporate and national claims, and authorize a continued arms embargo on Iraq.

The Security Council subsequently adopted a number of other resolutions related to implement of the sanctions regime. (See Appendix I.)

### **The WCC's position on the Gulf War**

The World Council of Churches condemned Iraq's invasion of Kuwait when it occurred. It also sought to prevent the Gulf War. The statement issued by the Seventh Assembly in Canberra, in February 1991 spoke comprehensively to the situation,

- strongly opposing Iraq's invasion and annexation of Kuwait;
- welcoming the Security Council's demand that Iraq withdraw immediately and unconditionally from Kuwait and appealing to Iraq and Kuwait to initiate intensive negotiations for the resolution of their differences; and
- supporting the application of strict sanctions to ban all commercial dealings and trade with Iraq, except those related to medical supplies and foodstuffs required to meet basic humanitarian needs.

The Assembly's statement recalled the achievements of the United Nations in laying foundations for peaceful resolution of international conflicts and in promoting the settlement of regional conflicts. It insisted, however, that for the United Nations to "command respect and obedience of nations it must come to grips with international problems on their own merits and not primarily in light of national interests ...". The Assembly went on to observe: "The question of how major international decisions are made has become one of pressing urgency in the world today. The lessons learned from the way this first major world crisis in the post-Cold War era has been handled by the international community demands a critical examination of the emerging New World Order. No one government or group of governments should either take or be allowed to take primary responsibility for the resolution of major conflicts beyond their own border." (See Appendix II.)

### **WCC positions on Sanctions and the situation in Iraq**

After the end of the post-Cold War period the United Nations was for the first time enabled to play the role in conflict mediation foreseen by the Charter, including the application of sanctions as a tool for peaceful resolution of conflicts. But with the increased use of sanctions, serious questions have arisen: When are sanctions appropriate? How long should they last? What are their specific goals? What is their impact on the poor and the vulnerable? The "Memorandum and Recommendations on the Application of Sanctions" adopted by the WCC Central Committee in Geneva, Switzerland, September 1995, provided churches with clear guidelines and decision-making criteria in relation to the application of sanctions. Among the criteria indicated were the following:

*Clear and limited purpose.* Sanctions should have a clearly defined purpose, and explicit criteria should be given for determining the conditions under which that purpose will be seen to be achieved, and the sanctions lifted.



*Proportionality.* The good achieved by sanctions must not be exceeded by the harm that can reasonably be anticipated. Care should be taken to design measures which will limit suffering of persons affected by the sanctions within a country whose policies they may be powerless to change.  
(See Appendix III.)

### **The delegation visit**

Since the days of the "Gulf Crisis", churches and church-related agencies have carried on humanitarian relief assistance programmes for the people of Iraq through the Middle East Council of Churches' (MECC) Ecumenical Relief Services (ERS), UN agencies and other international humanitarian agencies, in close cooperation with the Iraqi Red Crescent Society (IRCS). The office of the ERS field coordinator, based in Baghdad since 1992, has regularly issued reports about the situation in Iraq as a result of the application of sanctions. Close contact has also been maintained with churches in Iraq, some of whose leaders have visited the offices of the World Council of Churches to apprise it of developments in their country.

In September 1997 the WCC Central Committee again reminded the churches of the sufferings of the civilian population of Iraq and of the deteriorating socio-economic conditions as a result of the seven years of application of the UN Security Council's economic sanctions. It noted that res. s/986 (September 1995) referred to as the "Oil for Food" agreement allowed Iraq to sell limited quantities of oil in order to provide humanitarian relief for its people, but that its provisions were not implemented until 1997, and that only about half of the revenue generated goes to relieve the plight of the Iraqi people. The balance is used to defray costs related to the Gulf War and the maintenance of UN Observers in the country since then. Only a fraction of the needs of the people are met. UN agencies and international NGOs operating in Iraq have warned of the consequences, especially for the children, of the deteriorating humanitarian situation in Iraq.

Taking note of the gravity of this situation, and in response to the plea of the churches in Iraq, the Central Committee requested International Affairs (CCIA) staff to undertake a study of the situation in Iraq in light of the "Memorandum and Recommendations on the Application of Sanctions", mentioned earlier. It called for a visit in this connection to meet the churches and others in Iraq affected by sanctions.

The WCC delegation visited Iraq 17 - 28 January 1998. Its aims and objectives were:

- to pay pastoral visits to the churches in Iraq;
- to study and learn about the life of the churches and their ministry in the present situation; and
- to listen and learn about the situation of the civilian population of Iraq as a result of the application of sanctions.

The delegation included experts in international policy questions, emergency relief and humanitarian assessment, public health, peace and conflict resolution, and human rights. The delegation was led by a church leader from the Middle East who is a member of the WCC Central Committee. It was accompanied by MECC staff, and especially facilitated by the ERS Coordinator in Baghdad. (Delegation members are listed in Appendix IV.)

In preparation for the visit, CCIA staff met with responsible UN officials in New York and with Iraq's Ambassador to the UN in Geneva.

Following an initial briefing in Amman, Jordan, the delegation met in Baghdad with church leaders and Iraqi Red Crescent officials. Members also visited the southern towns of Basrah, Amara and Nasiriyah, and the autonomous region of Erbil and the town of Mosul in the north. The delegation met with doctors at various hospitals, and visited camps for Internally Displaced Persons (IDPs) schools and orphanages, water and sanitation departments and the Ammariyah Shelter, where many women and children were killed by bombing during the Gulf War. The delegation also met in Baghdad with representatives of the UN Coordinating Office for Humanitarian Affairs, UNICEF, WHO, WFP, and FAO. Members met with the Deputy Prime Minister, HE. Tariq Aziz, and with the Ministers of Health and of Endowment and Religious Affairs. (See Appendix V.)

## **FINDINGS**

## Churches in the midst of crisis

Christians have suffered the effects of sanctions alongside all sectors of Iraqi society.

Before the Gulf War, Iraq was a relatively prosperous society where the basic needs of the people, in the areas of education, health care, communications, housing, food and employment, were adequately met. The UN sanctions have radically changed that, provoking anger, frustration and despair among the people. Christians the delegation met shared these sentiments. They also shared the popular feeling that the international community is not interested in what happens to the people of Iraq. Church leaders wondered why it had taken the World Council of Churches seven years to send this delegation. There had been no official church delegations visits either from the Middle East since the Gulf War. Repeated representations had been made to churches abroad, including to WCC headquarters in Geneva, to apprise them of the plight of the Iraqi people and the extent of their suffering. Some church delegations and dignitaries did visit Iraq during the last seven years, but the situation remained unchanged. Church leaders appreciated the relief and humanitarian assistance North American and European churches had provided to alleviate the suffering of the Iraqi people, but they wanted not just charity but also the support and solidarity of Christians around the world.

Iraq is rich in natural resources, they said. If the sanctions are lifted, the humanitarian assistance being channeled to Iraq could be utilized elsewhere. Iraq could take care of its own needs as it had done in the past. In the words of a church leader in Basrah: "Sanctions are like a cancer. Once they are removed the body will be cured".

Wherever the delegation went, the message was clear - it was not the United Nations that was held accountable for the continuance of sanctions, but the United States. "Please convince the US government that sanctions are destroying the people", the delegation was asked repeatedly. Some church leaders regarded sanctions which use human suffering and misery to attain political objectives to be immoral. Sanctions would not result in the overthrow of the Iraqi government as some people in the West seem to believe. Instead, sanctions had resulted in an unprecedented closing of ranks amongst the Iraqi people and contributed to a rise in nationalist feelings.

Before, Christians in Iraq were a flourishing community, including many professionals, doctors, engineers, teachers and businessmen. Now, as a result of economic sanctions, many young Christian men and women, like their Moslem and secular peers, could not find jobs. Many qualified Christians had emigrated - mostly to Lebanon and the West - in search of a decent living for themselves and their families. This "brain drain" was damaging the life and witness of the church. Church leaders had sought to dissuade members of the community from leaving, but they recognized that many had no option. Many families were forced to sell their household effects and even clothing in order to make ends meet. Road-side shops were full of second hand furniture and appliances. The delegation was told that fewer and fewer young people were getting married, since they could not afford families. Baptisms and confirmations were on the decline, especially during the last few years. Church leaders said that sanctions severely threatened the very survival of the Christian community, already a very small minority when the Gulf War broke out.

Church-State relations were positive, the delegation observed. Iraq, though an Islamic country, had a constitution based on secular principles. The Christian minority suffered no discrimination in civic life. Relations between majority and minority religious communities and ethnic groups seemed cordial. The delegation heard that Islamic fundamentalism seemed to be on the rise, but that any trend towards religious extremism was kept under close scrutiny by the government in order to protect religious tolerance and pluralism.

In response to the delegation's questions about interreligious dialogue, church leaders replied that there was general equality of treatment between Muslims and Christians and that there were no tensions or conflicts between the two communities. As one put it, "Dialogue is necessary only when there is conflict".

Churches in Iraq have generally been self-reliant in financial terms. Sanctions, however, had put this in jeopardy at the same time that the needs of the community had increased many times over. Previously, the churches also helped needy members of other communities. However, increased demands for relief and assistance now required priority to be given to members of their own communities.

*The Role of the Middle East Council of Churches (MECC).* The MECC's Ecumenical Relief Service Programme (ERS) was created to provide emergency assistance to the victims of the Gulf War throughout the region. The programme now concentrates on Iraq, seeking to offset some of the effects of the sanctions. As noted above, the

work of ERS is coordinated with the Iraqi Red Crescent Society (IRCS), government ministries - particularly those responsible for health and social welfare - UN related agencies like UNHCR, WFP, UNICEF, WHO and FAO, and other NGOs. ERS serves the needs of all Iraqi people, irrespective of race, religion or ethnicity. It gives priority to the urgent needs in the areas of infant mortality, maternal nutrition, health care and self-help and confidence-building programs with youth. It has assisted the Ministry of Health in upgrading its nurses training programme, and with the provision of medicines, medical journals and other supplies. This work is supported substantially through ACT (Action by Churches Together), and while the delegation was visiting Iraq, ACT issued a new appeal of approximately US\$ 1.7 million.

## Sanctions and their implementation

*Security Council Resolutions.* UN Security Council resolutions relating to the sanctions against Iraq all specifically exclude commodities necessary to meet humanitarian requirements. Res. s/661 exempts foodstuffs for humanitarian purposes and medical supplies from the sanctions, while res. s/ 687 extends this to include materials and supplies for essential civilian needs. However, this policy of excluding humanitarian supplies from the sanctions regime has not been effectively or consistently implemented. A number of officials the delegation met - both UN and Iraqi - said that Iraq had been unfairly singled out for punitive sanctions. Other states that have illegally occupied foreign territories or are engaged in the development and production of weapons of mass destruction have not had sanctions applied to them to force compliance with Security Council resolutions. Many felt that this double standard seriously eroded the authority of the UN as a whole.

*The monitoring of sanctions.* Views shared with the delegation on the current operational procedures for monitoring the humanitarian impact of sanctions were mixed. Since the Sanctions Committee meets in closed session and does not publish detailed information on its operations or procedures, it is difficult to corroborate these views. The following is based upon comments made by UN officials in Iraq.

Many of those with whom the delegation spoke were concerned that the UN Sanctions Committee is composed of political representatives of national governments, rather than UN appointed officials. The US representative on the Committee, the delegation was told, has been responsible for 80% of the refusals or delays related to delivery of humanitarian supplies whilst the UK representative had accounted for the remaining 20%.

Inadequate specification in requests for approvals put to the Committee by the Iraqi Government was also faulted. Sometimes products were described by their generic or commercial names without technical details of their chemical composition. This had unusual delays when the Sanctions Committee sought clarification. The delegation was informed that this problem is being actively addressed by relevant UN agencies working together with Iraqi authorities.

However, the major criticism heard, was the lack of accountability and transparency in the working practices of the Sanctions Committee. UN officials informed us that the Committee or its members rarely justify decisions. One example given comes from the report of the Sanctions Committee of 28 August 1997 (s/1997/672). The Committee could not accede to a UN Development Programme request for a programme entitled: "Rehabilitation of seed multiplication system through the strengthening of seed quality control in Iraq". The Sanctions Committee Chairman may have explained this decision in oral briefings, but the official report gives no reason for this decision.

This lack of transparency raises ethical questions. It also makes it difficult for humanitarian agencies to plan. For instance, the same report states that the World Food Programme's (WFP) request for a general waiver for all the equipment it planned to purchase for operations under res. s/986 was turned down, but that "the Committee was prepared to consider its application favourably on a case-by-case basis." Given the size and complexity of WFP's programme in Iraq this approach generates additional work and delays in implementation.

Despite these problems, the monitoring program was seen to have had some positive results. The FAO has been involved in supplying and monitoring the use of helicopter crop-spraying equipment in Southern Iraq without impediment, according to one official. Large amounts of chlorine gas used by the Iraqi authorities for water purification have been successfully monitored. Thousands of cylinders of this potentially lethal substance imported from Turkey have been monitored and properly accounted for by UNICEF. The only concern, according to one UN official, is that there is no coordination between UNICEF and the United Nations Special Commission (UNSCOM) the body responsible for monitoring domestic Iraqi production of chlorine gas. The international community has

legitimate reasons to take an interest in potentially dangerous dual-use materials, and these examples show that it is possible to admit them for humanitarian purposes without running unacceptable risks.

*Implementation of sanctions in light of the WCC criteria.* The present sanctions were designed to contain Iraq's military power. Sanctions were imposed at the end of a decade during most of which Iraq was at war with Iran. Neither the UN agencies nor the Iraqi government expected sanctions to last this long. Initial measures taken to implement sanctions were of an emergency nature. Now, seven years into the sanctions, the situation in Iraq is still being treated as an unending emergency. The financial crisis, the continuing degradation of the humanitarian conditions and the obstacles in the Sanctions Committee's administration of the sanctions regime have virtually condemned the civilian population to a state of hopelessness. It is they who have been hit most harshly and indiscriminately. Throughout this delegation visit, comparisons were made between living conditions in the period before and since the sanctions. Blame for the deterioration in living standards was often apportioned to the United States and Britain by officials and ordinary Iraqis alike. Indeed the resulting humanitarian situation does suggest a grossly punitive sanctions regime. If its intent was to erode popular support and sympathy for the existing political order, it has been counterproductive. Iraqis in all walks of life consistently interpreted sanctions as having been calculated to disempower both them and their government. This has created a general lack of confidence in UN efforts to manage international peace and security.

The humanitarian situation in Iraq was already alarming in 1991, according to UN Inter Agency reports of missions conducted that year. Almost seven years later, the humanitarian situation is even more critical. Sanctions have not punished leaders and bodies responsible for violations while meeting the essential humanitarian need of the civilian population. The leaders seem always to have ways and means of surviving more comfortably than do ordinary citizens. One government official in northern Iraq admitted quite bluntly that it was not he but the people who were suffering. It is obvious in Iraq that much of the civilian population does not believe that their leaders are responsible for the present situation. Response to humanitarian needs must be politically delinked from governmental compliance. The failure to do this, in the assessment of the delegation, borders often on bureaucratic incompetence and wilful political neglect.

Earlier UNSCOM reports to the Security Council have indicated that the Iraqi government has complied with many of the requirements of the UN. Iraq has recognized the sovereignty and inviolability of the borders of Kuwait. It has accepted, in principle, UNSCOM inspection and destruction of weapons of mass destruction, development and production facilities, and acknowledged its responsibility for war reparations. These issues were at the heart of the decision to impose sanctions. But rather than to recognize progress achieved through sanctions, the Security Council has concentrated attention on UNSCOM in a way that blocks dialogue, inflames passions and increases tensions. The impact of this on the humanitarian situation the delegation was able to observe should not be ignored.

One aspect of this impact has been the isolation of the Iraqi people from one another and from the world outside. Professionals and civil society leaders appear to have lost most contact with their counterparts abroad and the benefit of such intellectual discourse outside Iraq for long term peace. The extent of this was difficult to assess, but the delegation was provided with evidence of denial of visas for professional workshops and conferences, and withholding of funding for this purpose. Deputy Prime Minister Tariq Aziz himself stated that he was denied a visa to participate in an Oxford Union debate in Britain. General economic hardship, and high exit fees assessed by the Iraqi government also restrict travel abroad. The notable exceptions to these restrictions are humanitarian organizations, including churches, who are accorded facilities to travel in and out of Iraq freely.

In the light of the evidence presented during our visit, few aspects of the current Iraqi sanctions regime meet the WCC criteria and guidelines incorporated in the "Memorandum and Recommendations on the Application of Sanctions" adopted in September 1995.

*Irenic measures.* The sanctions do not appear to be part of any broader strategy of peace-making.

*Clear and limited purpose.* There is disagreement between members of the UN Security Council with respect to the aims of sanctions. Some apparently seek the removal of the current Iraqi Government, while others seek the more limited objectives of removing weapons of mass destruction and ensuring adequate war reparations.

*Proportionality.* The harm inflicted on the civilian population by the sanctions is far greater than the limited benefits that could have been expected from their implementation.

*Humanitarian conduct.* Essential humanitarian items have been denied to the population of Iraq.

*Open communication.* Neither the UN Sanctions Committee nor some individual governments have been open and transparent about policies or decisions related to the sanctions regime.

*Sanctions Committee decisions.* The imposition of sanctions on Iraq has had an obvious negative effect on the achievement of such humanitarian objectives as eradication of illiteracy, clean water for all, eradication of certain diseases through immunization, and the elimination of famine and hunger. The Gulf War and the sanctions have reversed the advances made previously by Iraq in these fields and others.

As noted earlier, the secrecy surrounding the work of the Sanctions Committee makes it virtually impossible to determine the rationale it has applied in decisions to refuse or delay certain imports. Clearly, however, some of these delays are inexcusable. UN officials informed the delegation that imports of sugar, vegetable oil and pencils have often either been delayed or blocked by the Sanctions Committee. **One NGO** sought to import bed sheets for hospitals in large rolls in order to save costs, but was told that rolls could not be allowed as they could be used for strategic purposes. The NGO had to send the rolls abroad to have them made up into individual bed sheets at extra cost and considerable delay. The Sanctions Committee also reportedly refused to allow the import of nitroglycerine tablets for the treatment of angina since the chemical they contained had potential weapons uses. This relatively small consignment could easily have been monitored by WHO through its established procedures.

An FAO official reported that in 1994, a laboratory specializing in the development and production of vaccines against hoof and mouth disease in cattle was shut down by UNSCOM. This establishment provides vaccines throughout the region, but no alternative arrangements appeared to have been made to control this disease. Spare parts and other equipment necessary to repair and maintain water and sanitation systems, particularly in the Basrah region, are seriously lacking, having been blocked as "dual-use" items. Large capital expenditures are needed for the provision of clean water, but they are unlikely to be provided so long as the existing sanctions regime continues.

These examples raise moral and ethical questions that put in question the stated humanitarian intentions of the sanctions regime.

*Reconstruction and Rehabilitation.* Reconstruction and rehabilitation are rendered impossible by the sanctions regime. Social needs by definition expand rather than contract. The limitations on humanitarian assistance have contributed to the impoverishment of the Iraqi population. The collapse of the Iraqi Dinar and inflation are leading rapidly to destitution and economic dependency. For example, Iraq, which was self-sustaining in terms of food even during the long war with Iran, is now increasingly dependent on food imports. The fertile Northern Governorates are capable of producing wheat sufficient to meet a substantial part of national needs. The sanctions regime, however, favors the import of wheat and other basic foodstuffs, denying the Governorates their traditional share of the market and diminishing their purchasing power. Restrictions on import of fertilizers, the delegation was told, lead to soil degradation and lower quality produce. This will have long term effects on the agricultural sector and thus on national nutritional levels.

Res. s/ 986 addresses resettlement and demining, which are essential to rehabilitation. However, these are not a priority. Overall, the denial of capital expenditure inside Iraq has led not just to economic deterioration, but to a collapse of the entire infrastructure, especially related to health, education, water and sanitation.

*Socio-economic consequences.* As a result of the sanctions, the middle class in Iraq is rapidly disappearing. Professionals like doctors, teachers, engineers have difficulties to survive economically. Those who stayed in Iraq are increasingly marginalized. The gap between the few rich and the large numbers of poor is evident. In the North, the delegation heard that income disparities between UN employees and nationals had created tensions and added to feelings of injustice. Such social inequalities risk to create long term instability whose consequences are not likely to be confined to Iraq alone.

### **Impact of sanctions on human lives**

The delegation was struck by the depth of Iraq's decline into poverty. Iraq today is an impoverished country. In towns and cities, empty lots are strewn with refuse, and garbage collects by the side of the road. Children wind through traffic begging for money or selling cigarettes and newspapers to motorists, while adults offer to sell possessions such as clothing and cooking utensils on the sidewalk. The landscape of the countryside is strewn with lakes of stagnant water. Most of the children seen in hospitals and centers for the displaced are dressed in rags, and many were barefoot despite chilly winter temperatures.

Iraq had full employment and a gross domestic product (GDP) per capita of \$ 3500 in 1990. The average salary has now dropped between five and ten dollars per month. By 1991, the GDP had dropped 75% to levels not seen since the 1940s. Unemployment has become a major problem, affecting both skilled and unskilled workers. Jobs for university graduates are scarce, and many professionals are leaving the country.

*Breakdown of the health care system.* In the 1980s, Iraq's health system had been a model for the region. Infant mortality rates were low, immunization levels were high, and comprehensive primary and hospital care were offered to all at no charge. New hospitals were built in each of the 18 governorates (provinces), and the country's 10 medical colleges graduated more than 1,000 doctors per year. Now, Iraq is one of the few countries where mortality rates in young

children are increasing. According to Ministry of Health figures, infant mortality is now 93 per thousand (out of every thousand live births, 93 children die during their first year of life). UNICEF's 1998 State of the World's Children report places Iraq among the quarter of the world's countries with the highest under-five mortality rates, at 122 per 1000 live births. The chief causes of death in this age group are diarrhoeal disease, pneumonia and malnutrition. Most of these deaths could have been prevented with proper case management. Mortality rates in children over five and among adults have increased fourfold since 1989. Moreover, UN officials estimate that as many as half of all pediatric deaths and one-third of all adult deaths go unrecorded.

*Effects of sanctions on women and children.* Nutritional surveys carried out by international teams and UN agencies have found a steady rise in the levels of malnutrition during the past seven years. Before the Gulf War, malnutrition was rare, even in poor families. Since 1991, chronic malnutrition rates for children under five in central and south Iraq have increased by 70%. A survey conducted by UNICEF in 26 hospitals and 33 primary health care centers during July and August 1997, found that one half of the children were malnourished (underweight for age). According to the latest UNICEF nutrition survey, conducted in October 1997 at primary health care centers, more than 30% of the infants surveyed were malnourished, placing Iraq at the level of the world's poorest countries. UNICEF projections from this data suggest that levels of general malnutrition in Iraqi children under five years of age is 25%. Data from UNICEF surveys conducted during the past two years suggest that 750,000 malnourished children in central and south Iraq are in need of supplementary feeding. Due to lack of donor support, less than 10% of these children are covered under current programs.

Undernutrition is also a serious problem in pregnant women. Recent surveys in Baghdad conducted by the Ministry of Health found more than half of the pregnant women surveyed were anemic. Malnourished women give birth to underweight infants. Until 1990, the prevalence of low birth weight newborns in Iraq was similar to that in industrialized countries. In 1997, 25% of newborns in Iraq are low birth weight, according to WHO.

Primary school attendance has been compulsory for Iraqi children since 1976, and in 1990 attendance in primary schools was almost universal. The government also provided free education through the university level, and offered university scholarships to students from other countries. Attendance in primary school has now dropped by 25%, according to UNICEF, as children leave school to work at odd jobs, or are sent by their parents to beg in the streets. The number of teachers at schools is decreasing as well. Schools lack basic supplies such as pencils and paper, notebooks, blackboards and chalk. Many have broken toilets, rooms infested with vermin, and no access to any water. Since there is no public budget for school maintenance, repair of leaking roofs and broken windows is extremely difficult. There are no feeding programs in the schools. Many children come to school hungry, and educators are concerned that chronic malnutrition has permanently impaired the cognitive ability of children of primary school age.

*Nutrition and health care.* Iraq, which had the highest caloric consumption per head in the Middle East by the end of the 1980s, according to UNICEF, has had to rely on government food rations to feed families since 1991. Although meat, eggs, fresh fruit and vegetables are available in stores, they are beyond the means of most families. Food rations were originally meant to supplement a family's food supply, but now are the only food that most families can count on. At present the food ration, which consists of flour, rice, sugar, pulses, cooking oil and salt, provides only 2030 kilocalories per person. Milk powder is also provided for infants. Otherwise the ration contains no animal protein, and is therefore almost totally lacking in Vitamin A. Since no fruits or fresh vegetables are included in the ration, it is also deficient in Vitamin C, and levels of minerals such as calcium and zinc are low. The caloric value of the ration is considered by UN sources to be barely adequate for healthy children and adults, but not sufficient to provide for the needs of vulnerable groups, such as pregnant women, nursing mothers, and malnourished children.

Moreover, families have had full food rations for only 2 of the last 12 months, according to UNICEF, and many poor families sell part of their food rations to get money for other necessities, such as medicine, blankets and kerosene.

Local UN agency heads the delegation met agreed that food rations were distributed equitably among the population, and the latest UNICEF survey has found no discrepancies between nutrition levels in children by sex, by geographic area, or by residence in urban or rural areas. However, malnutrition results not merely from lack of food, but from several factors, including lack of access to clean water, poor sanitation, and the accumulated burden of infectious diseases transmitted in such an environment. Bacteriological testing shows high levels of water contamination in major outlets, and these levels are likely to be even higher at the village and household level. A water and sanitation survey conducted by UNICEF in 1996 found that less than half of the rural population had access to potable water. Bacteriological contamination has ranged from 25% to 40% of the water sampled in Basrah.

*Public health infrastructure.* Water treatment is a complex process which consists of removal of sediments by filtration and flocculation followed by purification with chlorine. Pumping of water depends upon a steady supply of electricity to maintain adequate pressure to prevent backflow of contaminated water into the system. Removal and treatment of sewage is also dependent on electricity and an adequate water supply. The bombing campaign of the Gulf War extensively damaged the electrical power stations and water treatment plants, particularly in south Iraq. The intermittent electrical supply, combined with a shortage of pumps, spare parts, and reagents, has been a major problem in the country ever since. Although international agencies and non-governmental organizations implemented various emergency water and sanitation projects in the aftermath of the war, the repairs needed are beyond the scope of any humanitarian agency to tackle.

The lack of safe drinking water, combined with damaged sewage systems and erratic garbage removal, have resulted in an increase in food and waterborne diseases such as typhoid fever, polio, and hepatitis A. Typhoid fever has become a major health problem, with more than 27,000 cases reported in 1997, according to UN sources.

Diarrheal diseases, if untreated, can cause rapid dehydration leading to death in infants and young children, and now account for a sizable percentage of the infant and under five mortality rates. Chronic diarrhea is difficult to treat, and contributes to stunted growth and prevalence of nutritional conditions such as *marasmus* and *kwashiorkor* seen in children.

Acute respiratory diseases are another significant cause of death in children under five. Treatment of pneumonia in children requires specific antibiotics, access to an oxygen supply, and close supervision. According to Ministry of Health data, the case fatality rate (percentage of infected cases who die) for acute respiratory infections has increased more than fivefold since the end of the Gulf War.

Other communicable diseases reported by WHO include tuberculosis, which has shown a sharp increase, and sporadic cases of cholera, measles, diphtheria and polio. UNICEF's immunization program covers six vaccine-preventable diseases: tetanus, diphtheria, pertussis (whooping cough), polio, measles and tuberculosis. Immunization rates in children fell after the Gulf War, and the incidence of vaccine-preventable diseases peaked in 1992, but an intensive effort by the Ministry of Health in collaboration with UNICEF brought coverage rates for the six vaccine-preventable diseases up to over 90% in 1996.

Several Iraqi physicians expressed concern about what they regard as a marked increase in the incidence of congenital malformations seen in children born since the Gulf War, and increased numbers of children with leukemia and hepatorenal failure. It has been suggested that these cases stem from the use of depleted uranium in weapons shells used in the Gulf War. Further investigation of this problem by an international team of medical specialists may be warranted.

Although some hospital directors interviewed by the team focused on the shortage of medicine and hospital supplies, others stressed that their primary problem was not lack of medicine, but the breakdown of hospital's physical plant. The intermittent power supply, lack of clean water, broken plumbing, and physical decay appear to have crippled the country's hospitals and primary health care centers. The hospitals visited by members of the delegation were dimly lit, sparsely furnished, and often unclean. Leaking roofs caused pools of water in corridors of some hospitals. At Basrah General Hospital, canals were being dug around the hospital to drain sewage which flowed into homes in parts of the city. Diagnostic X-ray and laboratory equipment was broken or unusable in hospitals visited because of lack of spare parts, supplies and reagents. Dilapidated hospital vehicles have been cannibalized for spare parts, and

doctors reported that the shortage of functioning vehicles made it difficult to carry out immunization campaigns. Nursing care on hospital wards was provided for patients mainly by family members, and patients admitted to the hospital usually brought their own bedding food, drinking water and portable heaters. Doctors were often unable to perform basic medical procedures because of a lack of medical supplies, and patients' families often had to buy the supplies outside the hospital. "There is little we can offer our patients here beyond simple medical observation" said one hospital director.

At Saddam General Hospital in Nassirya, a central supply for oxygen that is piped to each hospital bed had broken long ago and there was a shortage of face masks for use with portable oxygen canisters. During our visit the hospital, which consisted of 400 beds, had supplies of intravenous fluid for only 30 patients per day. It is worth noting that there is a factory in Mosul, in north Iraq, for the manufacture of intravenous fluids. However, the factory has been closed since the Gulf War, and lacks spare parts and raw materials that cannot at present be imported.

### **Responding to the needs of the people**

*The general situation of humanitarian assistance.* The humanitarian situation described above is quite different from most humanitarian crises. The economic history and potential of the country does not by any standard warrant emergency relief assistance. As one of the UN representatives commented to the team: "We should not have been here with humanitarian assistance programmes in the first place!" The limitation of assistance under the sanctions regime creates an artificial division between general humanitarian assistance, targeted emergency relief assistance, and rehabilitation and development assistance. Under normal circumstances humanitarian assistance would be closely linked with rehabilitation and development efforts in a holistic approach. This is desirable also in the case of Iraq. But since economic development in Iraq is closely linked to oil, this approach has serious limitations. The sanction regime removes oil from the macro-economic equation, rendering a developmental approach impossible. Under the circumstances, Iraq could be described as a case of limited rehabilitation and minimal maintenance on a temporary basis. The Iraqi government itself has refused to accept the status quo of the sanctions regime which limits national sovereignty and development potential.

Humanitarian assistance history must be seen in two phases: 1991-1996, and since 1997 when the terms of res. s/986, "Oil for Food", was implemented.

1991-1996. The Government of Iraq responded to the post-war crisis with measures to increase local food production and distribution of relief assistance to registered needy persons through a food rationing system. External humanitarian efforts were governed by res. s/ 688 adopted in April 1991. The UN Inter-Agency Programme was quickly established and operations begun under the terms of a Memorandum of Understanding, whose main objective was to "provide humanitarian assistance to vulnerable groups and to help the country move from the emergency relief situation which has affected most of the population since the Gulf War". Assistance was made possible through Consolidated Appeals, eight of which have been issued. On average, 1.3 million people (7% of the population) were assisted. UN agencies, in cooperation with the Government of Iraq and NGOs, carried out assistance programs directed to the most vulnerable groups in the country. The special situation in the autonomous areas in the North called for programs, which emphasized assistance to Internally Displaced Persons. Appeals were limited to defined groups purposes and amounts. Donors' pledges fell below 40% of askings, thus curtailing some urgent operations. Phase 11, asked for US\$ 300 million to be earmarked for several UN agencies. It received only 32.7% coverage. A number of NGOs operating in the North helped to bridge the funding gap and to increase the implementation capacity of the programme.

*Humanitarian assistance delivery.* Meeting basic food requirements for vulnerable groups was given priority. In addition, programs for delivery of medicines and health care, nutrition, drinking water and water purification, sanitation, agriculture and veterinary services were extended to the whole country. In these, priority was given to child health care. Attempts were also made to address the severe shortage of kerosene and shelter materials and to provide resettlement assistance to returning IDPs in the North.

UN agencies, in cooperation with the Government of Iraq, were given responsibility for implementation. Actual field implementation was done by Iraqi government bodies in the southern and central areas, while the UN agencies were the main operational providers in the northern areas. Only a few NGOs have been involved in southern and central Iraq, but the role of the NGOs in the autonomous areas in the north has been particularly appreciated by government authorities and UN representatives with whom the team spoke. Their ability to address the needs of the most vulnerable, and to mobilize local communities and the internally displaced communities has been significant.



Although these operations have met some emergency needs, the humanitarian situation deteriorated drastically since 1991. According to UNICEF, infant mortality rates increased from 62% to 112% from 1990 to 1994, and underweight cases among children increased from 14% to 23% from 1991 to 1996. FAO has reported that food consumption per capita decreased from 191kg/year in 1988/89 to 121kg/ year in 1995/96. Large sectors of the Iraqi people have thus been denied their basic rights to life, food and health.

*Under the terms of res. s/986 ("Oil for Food").* This situation created an urgent need for substantial increases in levels of humanitarian assistance. Res. s/ 986, adopted in September 1995, was intended to address the gaps between urgent humanitarian needs and humanitarian assistance delivery.

Finally implemented in 1997, res. s/986 provides US\$ 1.3 billion every six months for humanitarian assistance. But the scope of the assistance remained narrow, with strict limitations imposed on commodities. Assistance, though substantially increased in volume, is still limited to maintenance of minimum survival levels. A basic food package providing 2030 kcal per day is the main component of the assistance (approx. US\$ 870 mill.). All citizens and foreign residents are entitled to the package. Unlike previous phases of humanitarian relief assistance programmes, no needs assessment is made, nor are priorities established for distribution. Yet delivery systems operate smoothly, efficiently and accountably, according to government officials and UN representatives consulted by the delegation.

Res. s/986 allows for basic medicines, limited medical equipment, seeds and other basic agricultural inputs, and limited basic education assistance to be provided. Distribution systems in these areas are also positively evaluated by UN representatives and government officials.

Funds for humanitarian assistance under res. s/986 come from the sale of Iraqi oil. But Iraq has very little say about priorities or the programme as a whole. "Oil for Food" remains an integral part of the coercive sanctions regime. Priorities are set by the Sanctions Committee, and thus reflect the overall political dynamics which lie behind sanctions. Implementation has been constantly plagued by technical constraints. Delays were often interpreted to the delegation as more or less deliberate obstructions. UN agency officials estimated that only about 10% of documented needs are being met through the "Oil for Food" arrangement. Additional designated emergency relief assistance remains urgent.

*The situation in the autonomous areas in the North.* Due to the continuing conflict between the Government of Iraq and Kurdish groups, and internal Kurdish struggles in the north, all relief operations in the autonomous areas are under UN administration and coordination. A complex emergency prevailed during the first post-war years, necessitating special policy and operational measures to protect beneficiaries and emergency relief providers in the still militarized environment. IDPs and local populations caught in areas of conflict or cut off due to security reasons were given priority.

*Monitoring and distribution net works in North and South.* In southern and central Iraq, the Government is responsible for field implementation. The UN sectoral monitors follow and report on the implementation within their areas of responsibility (FAO monitors agricultural activities, WFP monitors food deliveries, etc.). There are also geographical monitors, and multi-disciplinary monitors who receive the respective monitoring reports and provide overall coordination and policy-direction according to policies drawn up by the Sanctions Committee.

In the north, where UN agencies are directly responsible, local communities or institutions are often assigned responsibility for implementation. The High Committee for IDPs is responsible for coordination of assistance to IDPs on behalf of the de-facto authorities in the autonomous areas.

A point of contention has been the internal allocation of humanitarian assistance between north and south. Partly due to the complex emergency aspects in the autonomous areas of the north, a disproportionately large volume goes to meet needs there. With the implementation of res. s/986, bilateral donors and international NGOs have reduced their funding to aid some vulnerable groups, especially the internally displaced populations in the autonomous areas of the north.

The delegation was constantly struck by the concurrence between Iraqi government officials and UN representatives interviewed with respect to assessments of field implementation. Implementation was generally considered efficient and accountable, and cooperation between the UN agencies and the government of Iraq quite constructive.

The overall implementation of res. s/986, on the other hand, was generally considered unsatisfactory. There were shortcomings in procedures and cooperation, and as a result of delays on the part of the Sanctions Committee. These delays impose additional suffering on the civilian population. At the time of the delegation visit, Phase I, which ended June 1997, was not complete. Phase II ended in December 97, but only 12% of the food had arrived. The lack of cash components in res. s/986 was also said to pose significant constraints to effective implementation.

A major concern raised particularly by UN representatives was the piecemeal approach to humanitarian assistance. There is an urgent need to include rehabilitation components into the humanitarian assistance package. Grounded ambulances need spare parts, electricity networks need repair, tractors need tires, helicopter insecticide sprayers need spare parts, water and sewage systems need repair. Seven years of lack of or inadequate maintenance has had a cumulative effect which cannot be solved through food and medicine deliveries.

*Deficiencies in the humanitarian assistance regime, and negative impact of the sanctions from a human rights perspective.* More than 60% of Iraq's pre-Gulf War economy was directly dependent on oil revenues. The remaining 40% was indirectly dependent on oil money. The "Oil for Food" deal does not contribute to the Iraq's cash economy, since the revenue is totally controlled by the UN and is channeled in-kind back into Iraq. The basic pre sanctions Iraq economy is thus virtually destroyed. Documents reviewed and interviews conducted by the delegation showed that the Government of Iraq is making considerable efforts to address the humanitarian situation with meager resources, but that resources for securing a minimum standard of sustenance are hardly available in Iraq at present.

The cumulative effects of non-maintenance of basic infrastructure has critically weakened the general health situation. Soils have been exhausted. Serious skills shortages exist due to extremely high unemployment rates. The brain drain continues. All these offset by far the positive effects of res. s/986. If this situation continues, the future appears bleak indeed for the general population. A senior UN official interviewed estimated that a minimum increase of res. s/986 revenues to the level of US\$ 8 to 10 billion would be necessary to meet an acceptable humanitarian minimum standard.

Minimum acceptable criteria are often difficult to quantify. But everyone agrees that people have the right to decent standards of living, health conditions, educational opportunities, and fair opportunities for income sufficient to sustain individuals and their families. These rights, the delegation concluded, are grossly violated under the present sanctions regime applied to Iraq.

## **CONCLUSIONS AND RECOMMENDATIONS**

### **CONCLUSIONS**

#### **A. Health and Sanitation**

The UN sanctions imposed on Iraq have resulted in increased mortality, morbidity and malnutrition, particularly in children. They have perpetuated the damage of the nation's infrastructure brought about by the extensive bombing campaign during the Gulf War: crippled power supply, inadequate water treatment, and inadequate sewage treatment. The strongest impact has been on the most vulnerable members of society, i.e. women and children. The cumulative effects of non-maintenance of basic infrastructure (water, sanitation, electricity systems, hospitals, schools) has been critical. Weakened health conditions of large sections of the population, alarming levels of unemployment, exhaustion of arable land and intellectual brain drain have offset by far the potential by positive effects of the "Oil for Food" deal (res. s/ 986). The future scenario remains grim.

#### **B. Human rights violations**

A number of reports have been published which highlight human rights violations of the Government of Iraq. Being outside the mandate of the team, these human rights aspects were not investigated. Based on Conclusion I. a) above, human rights in relation to right to food, right to life, and right to health were examined. Large sections of Iraqi population are denied minimum levels of sustenance in terms of sufficient food and health because of the sanctions. The team firmly takes the position that the Sanctions Regime seriously violates human rights of the Iraqi people as expressed in the Universal Declaration of Human Rights.

#### **C. Questionable efficacy of sanctions**

Seven years of applications of sanctions and the hardships endured by the people of Iraq appeared to have failed to undermine their support for the present regime. Instead, they have strengthened sentiments of nationalism and brought about solidarity among the various ethnic and religious communities.

#### **D. Lack of clarity of purpose**

The continuance of UN Sanctions Regime is the major cause of the present humanitarian crisis in Iraq. As long as the sanctions continue, the people of Iraq will not be able to begin the process of reconstruction and rehabilitation. The lifting of sanctions being dependent on Iraq's compliance of RES. S/ 687, it is important that a review of what is accomplished and what remains to be accomplished be clearly spelled out in order that the progress made by UNSCOM viz-a-viz the inspections are clearly evident. This progress can then be linked to a commensurate easing of sanctions. Sanctions must have clearly defined and agreed goals. Undefined objectives can only lead to further confrontation and conflict.

#### **E. Obstacle nosed by the Sanctions Committee**

According to RES. S/ 661, the Sanctions Committee's task is to examine the progress in the implementation of the Resolution. RES. S/ 986 further elaborates the Committee's task which amongst others is to scrutinize the import of humanitarian supplies into Iraq. The present composition and mandate of the Sanctions Committee is seen by UN Agencies officials, NGOs and others as creating obstacles in the pace and direction of the approval process. The tendency for political considerations to take precedence over professional quality assessment seriously impairs the objectivity of the Committee. The veto power of some member states and its reported use to block or put on hold contracts which have been endorsed by UN humanitarian agencies is a major source of concern.

#### **F. Effects of sanctions on the christian community**

Christian communities in Iraq too have been hurt by the consequence of the application of the sanctions. The life and witness of the churches is affected as the basis of their ministry and self-reliance is challenged. The resources available within the constituency have dwindled as the number of christians decrease because of emigration resulting from economic hardships. This has adversely affected the growth of the Christian community, which is a small minority in Iraq.

#### **G. Call for solidarity support**

The Churches in Iraq feel isolated from the Churches in the region as well as the wider ecumenical family. The sufferings and pains of the people, as witnessed by the churches of Iraq needs to be understood and the challenges they face as a result, should be appreciated by the global Christian family.

### **RECOMMENDATIONS**

A. Human Rights violations of the Iraqi people as a result of the application of UN economic sanctions needs to be monitored and publicized in order to mobilize international public opinion against such violations. Representations at regional as well as international fora, like the Arab League, Organization of Islamic Conference, European Union, Organization of African Unity and the UN Commission on Human Rights should be made to highlight the sufferings of the Iraqi civilian population and redress sought for the victims.

B. Churches and NGOs should lobby at the United Nations for greater openness and transparency in the decision-making procedures of the Sanctions Committee, particularly in its functions relating to the import of humanitarian items into Iraq.

C. There is an urgent need to defuse the environment of confrontation building up in the region. Representatives of Churches, NGOs and civil society groups within and outside the region should be encouraged to visit Iraq to inform themselves first hand about the sufferings of the people and as an expression of solidarity support, initiate dialogue with the people of Iraq for peace and reconciliation.

D. The Middle East Council of Churches together with the World Council of Churches should organize a day of prayer for the people and churches of Iraq.

E. The prolonged application of the comprehensive economic embargo in a manner that ignores the humanitarian needs of the Iraqi civilians have denied them their basic socio economic rights. Accordingly it is recommended that the international community call upon the member states of the UN Security Council to seek the lifting of the Sanctions Regime in its present form, as it is extremely detrimental to the dignity and well-being of the common Iraqi people.

F. As the delegation was about to conclude its mission to Iraq, there were reports of imminent military action, once again, to force compliance of the Sanctions Regime by the Iraqi Government. The delegation is of the considered opinion that such action is bound to further add to the sufferings of the powerless Iraqi people caught in the middle of this conflict. The delegation therefore strongly recommends that churches around the world endeavour to prevent such military action by making urgent representations to their respective governments that the resolution of the crisis in Iraq cannot be achieved through the use of force. Military action will further intensify the pain and suffering the Iraqi people have been subjected to.

## APPENDIX I

### United Nations Security Council Resolutions

#### SECURITY COUNCIL RESOLUTION 661 (1990)

Adopted by the Security Council at its 2933rd meeting on 6 August 1990 .  
Adopted by a vote of 13 in favour , none against, and 2 abstentions ( Cuba and Yemen) .

The Security Council,

Reaffirming its resolution 660 (1990) of 2 August 1990,

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

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

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

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

Affirming the inherent right of individual or collective self-defence, in response to the armed attack by Iraq against Kuwait, in accordance with Article 51 of the Charter,

Acting under Chapter VII of the Charter of the United Nations,

1. Determines that Iraq so far has failed to comply with paragraph 2 of resolution 660 (1990) and has usurped the authority of the legitimate Government of Kuwait;

2. Decides, as a consequence, to take the following measures to secure compliance of Iraq with paragraph 2 of resolution 660 (1990) and to restore the authority of the legitimate Government of Kuwait;

3. Decides that all States shall prevent:

(a) The import into their territories of all commodities and products originating in Iraq or Kuwait exported therefrom after the date of the present resolution;

(b) Any activities by their nationals or in their territories which would promote or are calculated to promote the export or trans-shipment of any commodities or products from Iraq or Kuwait; and any dealings by their nationals or their flag vessels or in their territories in any commodities or products originating in Iraq or Kuwait and exported therefrom after the date of the present resolution, including in particular any transfer of funds to Iraq or Kuwait for the purposes of such activities or dealings;

(c) The sale or supply by their nationals or from their territories or using their flag vessels of any commodities or products, including weapons or any other military equipment, whether or not originating in their territories but not including supplies intended strictly for medical purposes, and, in humanitarian circumstances, foodstuffs, to any person or body in Iraq or Kuwait or to any person or body for the purposes of any business carried on in or operated from Iraq or Kuwait, and any activities by their nationals or in their territories which promote or are calculated to promote such sale or supply of such commodities or products;

4. Decides that all States shall not make available to the Government of Iraq or to any commercial, industrial or public utility undertaking in Iraq or Kuwait, any funds or any other financial or economic resources and shall prevent their

nationals and any persons within their territories from removing from their territories or otherwise making available to that Government or to any such undertaking any such funds or resources and from remitting any other funds to persons or bodies within Iraq or Kuwait, except payments exclusively for strictly medical or humanitarian purposes and, in humanitarian circumstances, foodstuffs;

5. Calls upon all States, including States non-members of the United Nations, to act strictly in accordance with the provisions of the present resolution notwithstanding any contract entered into or licence granted before the date of the present resolution;

6. Decides to establish, in accordance with rule 28 of the provisional rules of procedure of the Security Council, a Committee of the Security Council consisting of all the members of the Council, to undertake the following tasks and to report on its work to the Council with its observations and recommendations:

(a) To examine the reports on the progress of the implementation of the present resolution which will be submitted by the Secretary-General;

(b) To seek from all States further information regarding the action taken by them concerning the effective implementation of the provisions laid down in the present resolution;

7. Calls upon all States to co-operate fully with the Committee in the fulfilment of its task, including supplying such information as may be sought by the Committee in pursuance of the present resolution;

8. Requests the Secretary-General to provide all necessary assistance to the Committee and to make the necessary arrangements in the Secretariat for the purpose;

9. Decides that, notwithstanding paragraphs 4 through 8 above, nothing in the present resolution shall prohibit assistance to the legitimate Government of Kuwait, and calls upon all States:

(a) To take appropriate measures to protect assets of the legitimate Government of Kuwait and its agencies; (b) Not to recognize any regime set up by the occupying Power;

10. Requests the Secretary-General to report to the Council on the progress of the implementation of the present resolution, the first report to be submitted within thirty days;

11. Decides to keep this item on its agenda and to continue its efforts to put an early end to the invasion by Iraq.

## SECURITY COUNCIL RESOLUTION 687 (1991)

Adopted by the Security Council at its 2981st meeting, on 3 April 1991.

The Security Council,

Recalling its resolutions 660 (1990) of 2 August 1990, 661 (1990) of 6 August 1990, 662 (1990) of 9 August 1990, 664 (1990) of 18 August 1990, 665 (1990) of 25 August 1990, 666 (1990) of 13 September 1990, 667 (1990) of 16 September 1990, 669 (1990) of 24 September 1990, 670 (1990) of 25 September 1990, 674 (1990) of 29 October 1990, 677 (1990) of 28 November 1990, 678 (1990) of 29 November 1990 and 686 (1991) of 2 March 1991,

Welcoming the restoration to Kuwait of its sovereignty, independence and territorial integrity and the return of its legitimate Government,

Affirming the commitment of all Member States to the sovereignty, territorial integrity and political independence of Kuwait and Iraq, and noting the intention expressed by the Member States cooperating with Kuwait under paragraph 2 of resolution 678 (1990) to bring their military presence in Iraq to an end as soon as possible consistent with paragraph 8 of resolution 686 (1991),

Reaffirming the need to be assured of Iraq's peaceful intentions in the light of its unlawful invasion and occupation of Kuwait,

Taking note of the letter sent by the Minister for Foreign Affairs of Iraq on 27 February 1991 and those sent pursuant to resolution 686 (1991),

Noting that Iraq and Kuwait, as independent sovereign States, signed at Baghdad on 4 October 1963 "Agreed Minutes Between the State of Kuwait and the Republic of Iraq Regarding the Restoration of Friendly Relations, Recognition and Related Matters", thereby recognizing formally the boundary between Iraq and Kuwait and the allocation of islands, which were registered with the United Nations in accordance with Article 102 of the Charter of the United Nations and in which Iraq recognized the independence and complete sovereignty of the State of Kuwait within its borders as specified and accepted in the letter of the Prime Minister of Iraq dated 21 July 1932, and as accepted by the Ruler of Kuwait in his letter dated 10 August 1932,

Conscious of the need for demarcation of the said boundary,

Conscious also of the statements by Iraq threatening to use weapons in violation of its obligations under the Geneva Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare, signed at Geneva on 17 June 1925, and of its prior use of chemical weapons and affirming that grave consequences would follow any further use by Iraq of such weapons,

Recalling that Iraq has subscribed to the Declaration adopted by all States participating in the Conference of States Parties to the 1925 Geneva Protocol and Other Interested States, held in Paris from 7 to 11 January 1989, establishing the objective of universal elimination of chemical and biological weapons,

Recalling also that Iraq has signed the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction, of 10 April 1972,

Noting the importance of Iraq ratifying this Convention,

Noting moreover the importance of all States adhering to this Convention and encouraging its forthcoming Review Conference to reinforce the authority, efficiency and universal scope of the convention,

Stressing the importance of an early conclusion by the Conference on Disarmament of its work on a Convention on the Universal Prohibition of Chemical Weapons and of universal adherence thereto,

Aware of the use by Iraq of ballistic missiles in unprovoked attacks and therefore of the need to take specific measures in regard to such missiles located in Iraq,

Concerned by the reports in the hands of Member States that Iraq has attempted to acquire materials for a nuclear-weapons-free zone in the region of the Middle East,

Conscious of the threat that all weapons of mass destruction pose to peace and security in the area and of the need to work towards the establishment of a nuclear-weapons-free zone in the region of the Middle East,

Conscious also of the objective of achieving balanced and comprehensive control of armaments in the region,

Conscious further of the importance of achieving the objectives noted above using all available means, including a dialogue among the States of the region,

Noting that res. 686 (1991) marked the lifting of the measures imposed by resolution 661 (1990) in so far as they applied to Kuwait,

Noting that despite the progress being made in fulfilling the obligations of res. 686 (1991), many Kuwaiti and third party nationals are still not accounted for and property remains unreturned,

Recalling the International Convention against the Taking of Hostages, opened for signature at New York on 18 December 1979, which categorizes all acts of taking hostages as manifestations of international terrorism,

Deploring threats made by Iraq during the recent conflict to make use of terrorism against targets outside Iraq and the taking of hostages by Iraq,

Taking note with grave concern of the reports of the Secretary-General of 20 March 1991 and 28 March 1991, and conscious of the necessity to meet urgently the humanitarian needs in Kuwait and Iraq,

Bearing in mind its objective of restoring international peace and security in the area as set out in recent resolutions of the Security Council,

Conscious of the need to take the following measures acting under Chapter VII of the Charter,

1. Affirms all thirteen resolutions noted above, except as expressly changed below to achieve the goals of this resolution, including a formal cease-fire;

A

2. Demands that Iraq and Kuwait respect the inviolability of the international boundary and the allocation of islands set out in the "Agreed Minutes Between the State of Kuwait and the Republic of Iraq Regarding the Restoration of Friendly Relations, Recognition and Related Matters", signed by them in the exercise of their sovereignty at Baghdad on 4 October 1963 and registered with the United Nations and published by the United Nations in document 7063, United Nations, Treaty Series, 1964;

3. Calls upon the Secretary-General to lend his assistance to make arrangements with Iraq and Kuwait to demarcate the boundary between Iraq and Kuwait, drawing on appropriate material, including the map transmitted by Security Council document S/22412 and to report back to the Security Council within one month;

4. Decides to guarantee the inviolability of the above-mentioned international boundary and to take as appropriate all necessary measures to that end in accordance with the Charter of the United Nations;

B

5. Requests the Secretary-General, after consulting with Iraq and Kuwait, to submit within three days to the Security Council for its approval a plan for the immediate deployment of a United Nations observer unit to monitor the Khor Abdullah and a demilitarized zone, which is hereby established, extending ten kilometres into Iraq and five kilometres into Kuwait from the boundary referred to in the "Agreed Minutes Between the State of Kuwait and the Republic of Iraq Regarding the Restoration of Friendly Relations, Recognition and Related Matters" of 4 October 1963; to deter



violations of the boundary through its presence in and surveillance of the demilitarized zone; to observe any hostile or potentially hostile action mounted from the territory of one State to the other; and for the Secretary-General to report regularly to the Security Council on the operations of the unit, and immediately if there are serious violations of the zone or potential threats to peace;

6. Notes that as soon as the Secretary-General notifies the Security Council of the completion of the deployment of the United Nations observer unit, the conditions will be established for the Member States cooperating with Kuwait in accordance with resolution 678 (1990) to bring their military presence in Iraq to an end consistent with resolution 686 (1991);

C

7. Invites Iraq to reaffirm unconditionally its obligations under the Geneva Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare, signed at Geneva on 17 June 1925, and to ratify the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction, of 10 April 1972;

8. Decides that Iraq shall unconditionally accept the destruction, removal, or rendering harmless, under international supervision, of

(a) All chemical and biological weapons and all stocks of agents and all related subsystems and components and all research, development, support and manufacturing facilities;

(b) All ballistic missiles with a range greater than 150 kilometres and related major parts, and repair and production facilities;

9. Decides, for the implementation of paragraph 8 above, the following:

(a) Iraq shall submit to the Secretary-General, within fifteen days of the adoption of the present resolution, a declaration of the locations, amounts and types of all items specified in paragraph 8 and agree to urgent, on-site inspection as specified below;

(b) The Secretary-General, in-consultation with the appropriate Governments and, where appropriate, with the Director-General of the World Health Organization, within forty-five days of the passage of the present resolution, shall develop, and submit to the Council for approval, a plan calling for the completion of the following acts within forty-five days of such approval:

(i) The forming of a Special Commission, which shall carry out immediate on-site inspection of Iraq's biological, chemical and missile capabilities, based on Iraq's declarations and the designation of any additional locations by the Special Commission itself;

(ii) The yielding by Iraq of possession to the Special Commission for destruction, removal or rendering harmless, taking into account the requirements of public safety, of all items specified under paragraph 8 (a) above, including items at the additional locations designated by the Special Commission under paragraph 9 (b) (i) above and the destruction by Iraq,

under the supervision of the Special Commission, of all its missile capabilities, including launchers, as specified under paragraph 8 (b) above;

(iii) The provision by the Special Commission of the assistance and cooperation to the Director-General of the International Atomic Energy Agency required in paragraphs 12 and 13 below

10. Decides that Iraq shall unconditionally undertake not to use, develop, construct or acquire any of the items specified in paragraphs 8 and 9 above and requests the Secretary-General, in consultation with the Special Commission, to develop a plan for the future ongoing monitoring and verification of Iraq's compliance with this paragraph, to be submitted to the Security Council for approval within one hundred and twenty days of the passage of this resolution;

11. Invites Iraq to reaffirm unconditionally its obligations under the Treaty on the Non-Proliferation of Nuclear Weapons of 1 July 1968;

12. Decides that Iraq shall unconditionally agree not to acquire or develop nuclear weapons or nuclear-weapons-usable material or any subsystems or components or any research, development, support or manufacturing facilities related to the above; to submit to the Secretary-General and the Director-General of the International Atomic Energy Agency within fifteen days of the adoption of the present resolution a declaration of the locations, amounts, and types of all items specified above; to place all of its nuclear-weapons-usable materials under the exclusive control, for custody and removal, of the International Atomic Energy Agency, with the assistance and cooperation of the Special Commission as provided for in the plan of the Secretary-General discussed in paragraph 9 (b) above; to accept, in accordance with the arrangements provided for in paragraph 13 below, urgent on-site inspection and the destruction, removal or rendering harmless as appropriate of all items specified above; and to accept the plan discussed in paragraph 13 below for the future ongoing monitoring and verification of its compliance with these undertakings;

13. Requests the Director-General of the International Atomic Energy Agency, through the Secretary-General, with the assistance and cooperation of the Special Commission as provided for in the plan of the Secretary-General in paragraph 9 (b) above, to carry out immediate on-site inspection of Iraq's nuclear capabilities based on Iraq's declarations and the designation of any additional locations by the Special Commission; to develop a plan for submission to the Security Council within forty-five days calling for the destruction, removal, or rendering harmless as appropriate of all items listed in paragraph 12 above; to carry out the plan within forty-five days following approval by the Security Council; and to develop a plan, taking into account the rights and obligations of Iraq under the Treaty on the Non-Proliferation of Nuclear Weapons of 1 July 1968, for the future ongoing monitoring and verification of Iraq's compliance with paragraph 12 above, including an inventory of all nuclear material in Iraq subject to the Agency's verification and inspections to confirm that Agency safeguards cover all relevant nuclear activities in Iraq, to be submitted to the Security Council for approval within one hundred and twenty days of the passage of the present resolution;

14. Takes note that the actions to be taken by Iraq in paragraphs 8, 9, 10, 11, 12 and 13 of the present resolution represent steps towards the goal of establishing in the Middle East a zone free from weapons of mass destruction and all missiles for their delivery and the objective of a global ban on chemical weapons;

D

15. Requests the Secretary-General to report to the Security Council on the steps taken to facilitate the return of all Kuwaiti property seized by Iraq, including a list of any property that Kuwait claims has not been returned or which has not been returned intact;

E

16. Reaffirms that Iraq, without prejudice to the debts and obligations of Iraq arising prior to 2 August 1990, which will be addressed through the normal mechanisms, is liable under international law for any direct loss, damage, including environmental damage and the depletion of natural resources, or injury to foreign Governments, nationals and corporations, as a result of Iraq's unlawful invasion and occupation of Kuwait;

17. Decides that all Iraqi statements made since 2 August 1990 repudiating its foreign debt are null and void, and demands that Iraq adhere scrupulously to all of its obligations concerning servicing and repayment of its foreign debt;

18. Decides also to create a fund to pay compensation for claims that fall within paragraph 16 above and to establish a Commission that will administer the fund;

19. Directs the Secretary-General to develop and present to the Security Council for decision, no later than thirty days following the adoption of the present resolution, recommendations for the fund to meet the requirement for the payment of claims established in accordance with paragraph 18 above and for a programme to implement the decisions in paragraphs 16, 17 and 18 above, including: administration of the fund; mechanisms for determining the appropriate level of Iraq's contribution to the fund based on a percentage of the value of the exports of petroleum and petroleum products from Iraq not to exceed a figure to be suggested to the Council by the Secretary-General, taking into account the requirements of the people of Iraq, Iraq's payment capacity as assessed in conjunction with the international financial institutions taking into consideration external debt service, and the needs of the Iraqi economy; arrangements for ensuring that payments are made to the fund; the process by which funds will be allocated and claims paid; appropriate

procedures for evaluating losses, listing claims and verifying their validity and resolving disputed claims in respect of Iraq's liability as specified in paragraph 16 above; and the composition of the Commission designated above;

F

20. Decides, effective immediately, that the prohibitions against the sale or supply to Iraq of commodities or products, other than medicine and health supplies, and prohibitions against financial transactions related thereto contained in resolution 661 (1990) shall not apply to foodstuffs notified to the Security Council Committee established by resolution 661 (1990) concerning the situation between Iraq and Kuwait or, with the approval of that Committee, under the simplified and accelerated "no-objection" procedure, to materials and supplies for essential civilian needs as identified in the report of the Secretary-General dated 20 March 1991, and in any further findings of humanitarian need by the Committee;

21. Decides that the Security Council shall review the provisions of paragraph 20 above 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;

22. Decides that upon the approval by the Security Council of the programme called for in paragraph 19 above and upon Council agreement that Iraq has completed all actions contemplated in paragraphs 8, 9, 10, 11, 12 and 13 above, the prohibitions against the import of commodities and products originating in Iraq and the prohibitions against financial transactions related thereto contained in resolution 661 (1990) shall have no further force or effect;

23. Decides that, pending action by the Security Council under paragraph 22 above, the Security Council Committee established by resolution 661 (1990) shall be empowered to approve, when required to assure adequate financial resources on the part of Iraq to carry out the activities under paragraph 20 above, exceptions to the prohibition against the import of commodities and products originating in Iraq;

24. Decides that, in accordance with resolution 661 (1990) and subsequent related resolutions and until a further decision is taken by the Security Council, all States shall continue to prevent the sale or supply, or the promotion or facilitation of such sale or supply, to Iraq by their nationals, or from their territories or using their flag vessels or aircraft, of

(a) Arms and related materiel of all types, specifically including the sale or transfer through other means of all forms of conventional military equipment, including for paramilitary forces, and spare parts and components and their means of production, for such equipment;

(b) Items specified and defined in paragraphs 8 and 12 above not otherwise covered above;

(c) Technology under licensing or other transfer arrangements used in the production, utilization or stockpiling of items specified in subparagraphs (a) and (b) above;

(d) Personnel or materials for training or technical support services relating to the design, development, manufacture, use, maintenance or support of items specified in subparagraphs (a) and (b) above;

25. Calls upon all States and international organizations to act strictly in accordance with paragraph 24 above, notwithstanding the existence of any contracts, agreements, licences or any other arrangements;

26. Requests the Secretary-General, in consultation with appropriate Governments, to develop within sixty days, for the approval of the Security Council, guidelines to facilitate full international implementation of paragraphs 24 and 25 above and paragraph 27 below, and to make them available to all States and to establish a procedure for updating these guidelines periodically;

27. Calls upon all States to maintain such national controls and procedures and to take such other actions consistent with the guidelines to be established by the Security Council under paragraph 26 above as may be necessary to ensure compliance with the terms of paragraph 24 above, and calls upon international organizations to take all appropriate steps to assist in ensuring such full compliance;

28. Agrees to review its decisions in paragraphs 22, 23, 24 and 25 above, except for the items specified and defined in paragraphs 8 and 12 above, on a regular basis and in any case one hundred and twenty days following passage of the present resolution, taking into account Iraq's compliance with the resolution and general progress towards the control of armaments in the region;

29. Decides that all States, including Iraq, shall take the necessary measures to ensure that no claim shall lie at the instance of the Government of Iraq, or of any person or body in Iraq, or of any person claiming through or for the benefit of any such person or body, in connection with any contract or other transaction where its performance was affected by reason of the measures taken by the Security Council in resolution 661 (1990) and related resolutions;

## G

30. Decides that, in furtherance of its commitment to facilitate the repatriation of all Kuwaiti and third country nationals, Iraq shall extend all necessary cooperation to the International Committee of the Red Cross, providing lists of such persons, facilitating the access of the International Committee of the Red Cross to all such persons wherever located or detained and facilitating the search by the International Committee of the Red Cross for those Kuwaiti and third country nationals still unaccounted for;

31. Invites the International Committee of the Red Cross to keep the Secretary-General apprised as appropriate of all activities undertaken in connection with facilitating the repatriation or return of all Kuwaiti and third country nationals or their remains present in Iraq on or after 2 August 1990;

## H

32. Requires Iraq to inform the Security Council that it will not commit or support any act of international terrorism or allow any organization directed towards commission of such acts to operate within its territory and to condemn unequivocally and renounce all acts, methods and practices of terrorism;

## I

33. Declares that, upon official notification by Iraq to the Secretary-General and to the Security Council of its acceptance of the provisions above, a formal cease-fire is effective between Iraq and Kuwait and the Member States cooperating with Kuwait in accordance with resolution 678 (1990);

34. Decides to remain seized of the matter and to take such further steps as may be required for the implementation of the present resolution and to secure peace and security in the area.

## SECURITY COUNCIL RESOLUTION 986 (1995)

14 April 1995

Adopted by the Security Council at its 3519th meeting,

The Security Council,

Recalling its previous relevant resolutions,

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

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

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

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

1. Authorizes States, notwithstanding the provisions of paragraphs 3 (a), 3 (b) and 4 of resolution 661 (1990) and subsequent relevant resolutions, to permit the import of petroleum and petroleum products originating in Iraq, including financial and other essential transactions directly relating thereto, sufficient to produce a sum not exceeding a total of one billion United States dollars every 90 days for the purposes set out in this resolution and subject to the following conditions:
  - (a) Approval by the Committee established by resolution 661 (1990), in order to ensure the transparency of each transaction and its conformity with the other provisions of this resolution, after submission of an application by the State concerned, endorsed by the Government of Iraq, for each proposed purchase of Iraqi petroleum and petroleum products, including details of the purchase price, their market value, the export route, the opening of a letter of credit payable to the escrow account to be established by the Secretary-General for the purposes of this resolution, and of any other directly related financial or other essential transaction;
  - (b) Payment of the full amount of each purchase of Iraqi petroleum and petroleum products directly by the purchaser in the State concerned into the escrow account to be established by the Secretary-General for the purposes of this resolution;
2. Authorizes Turkey, notwithstanding the provisions of paragraphs 3 (a), 3 (b) and 4 of resolution 661 (1990) and the provisions of paragraph 1 above, to permit the import of petroleum and petroleum products originating in Iraq sufficient, after the deduction of the percentage referred to in paragraph 8 (c) below for the Compensation Fund, to meet the pipeline tariff charges, verified as reasonable by the independent inspection agents referred to in paragraph 6 below, for the transport of Iraqi petroleum and petroleum products through the Kirkuk-Yumurtalik pipeline in Turkey authorized by paragraph 1 above;
3. Decides that paragraphs 1 and 2 of this resolution shall come into force at 00.01 Eastern Standard Time on the day after the President of the Council has informed the members of the Council that he has received the report from the Secretary-General requested in paragraph 13 below, and shall remain in force for an initial period of 180 days unless the Council takes other relevant action with regard to the provisions of resolution 661 (1990);
4. Further decides to conduct a thorough review of all aspects of the implementation of this resolution 90 days after the entry into force of paragraph 1 above and again prior to the end of the initial 180 day period, on receipt of the reports referred to in paragraphs 11 and 12 below, and expresses its intention, prior to the end of the 180 day period, to consider favourably renewal of the provisions of this resolution, provided that the reports referred to in paragraphs 11 and 12 below indicate that those provisions are being satisfactorily implemented;
5. Further decides that the remaining paragraphs of this resolution shall come into force forthwith;
6. Directs the Committee established by resolution 661 (1990) to monitor the sale of petroleum and petroleum products to be exported by Iraq via the Kirkuk-Yumurtalik pipeline from Iraq to Turkey and from the Mina al-Bakr oil terminal, with the assistance of independent inspection agents appointed by the Secretary-General, who will keep the Committee informed of the amount of petroleum and petroleum products exported from Iraq after the date of entry into force of paragraph 1 of this resolution, and will verify that the purchase price of the petroleum and petroleum products is reasonable in the light of prevailing market conditions, and that, for the purposes of the arrangements set out in this resolution, the larger share of the petroleum and petroleum products is shipped via the Kirkuk-Yumurtalik pipeline and the remainder is exported from the Mina al-Bakr oil terminal;
7. Requests the Secretary-General to establish an escrow account for the purposes of this resolution, to appoint independent and certified public accountants to audit it, and to keep the Government of Iraq fully informed;
8. Decides that the funds in the escrow account shall be used to meet the humanitarian needs of the Iraqi population and for the following other purposes, and requests the Secretary-General to use the funds deposited in the escrow account:
  - (a) To finance the export to Iraq, in accordance with the procedures of the Committee established by resolution 661 (1990), of medicine, health supplies, foodstuffs, and materials and supplies for essential civilian needs, as referred to in paragraph 20 of resolution 687 (1991) provided that:

- (i) Each export of goods is at the request of the Government of Iraq;
  - (ii) Iraq effectively guarantees their equitable distribution, on the basis of a plan submitted to and approved by the Secretary-General, including a description of the goods to be purchased;
  - (iii) The Secretary-General receives authenticated confirmation that the exported goods concerned have arrived in Iraq;
- (b) To complement, in view of the exceptional circumstances prevailing in the three Governorates mentioned below, the distribution by the Government of Iraq of goods imported under this resolution, in order to ensure an equitable distribution of humanitarian relief to all segments of the Iraqi population throughout the country, by providing between 130 million and 150 million United States dollars every 90 days to the United Nations Inter-Agency Humanitarian Programme operating within the sovereign territory of Iraq in the three northern Governorates of Dihouk, Arbil and Suleimaniyeh, except that if less than one billion United States dollars worth of petroleum or petroleum products is sold during any 90 day period, the Secretary-General may provide a proportionately smaller amount for this purpose;
- (c) To transfer to the Compensation Fund the same percentage of the funds deposited in the escrow account as that decided by the Council in paragraph 2 of resolution 705 (1991) of 15 August 1991;
- (d) To meet the costs to the United Nations of the independent inspection agents and the certified public accountants and the activities associated with implementation of this resolution;
- (e) To meet the current operating costs of the Special Commission, pending subsequent payment in full of the costs of carrying out the tasks authorized by section C of resolution 687 (1991);
- (f) To meet any reasonable expenses, other than expenses payable in Iraq, which are determined by the Committee established by resolution 661 (1990) to be directly related to the export by Iraq of petroleum and petroleum products permitted under paragraph 1 above or to the export to Iraq, and activities directly necessary therefor, of the parts and equipment permitted under paragraph 9 below;
- (g) To make available up to 10 million United States dollars every 90 days from the funds deposited in the escrow account for the payments envisaged under paragraph 6 of resolution 778 (1992) of 2 October 1992;
9. Authorizes States to permit, notwithstanding the provisions of paragraph 3 (c) of resolution 661 (1990):
- (a) The export to Iraq of the parts and equipment which are essential for the safe operation of the Kirkuk-Yumurtalik pipeline system in Iraq, subject to the prior approval by the Committee established by resolution 661 (1990) of each export contract;
  - (b) Activities directly necessary for the exports authorized under subparagraph (a) above, including financial transactions related thereto;
10. Decides that, since the costs of the exports and activities authorized under paragraph 9 above are precluded by paragraph 4 of resolution 661 (1990) and by paragraph 11 of resolution 778 (1991) from being met from funds frozen in accordance with those provisions, the cost of such exports and activities may, until funds begin to be paid into the escrow account established for the purposes of this resolution, and following approval in each case by the Committee established by resolution 661 (1990), exceptionally be financed by letters of credit, drawn against future oil sales the proceeds of which are to be deposited in the escrow account;
11. Requests the Secretary-General to report to the Council 90 days after the date of entry into force of paragraph 1 above, and again prior to the end of the initial 180 day period, on the basis of observation by United Nations personnel in Iraq, and on the basis of consultations with the Government of Iraq, on whether Iraq has ensured the equitable distribution of medicine, health supplies, foodstuffs, and materials and supplies for essential civilian needs, financed in accordance with paragraph 8 (a) above, including in his reports any observations he may have on the adequacy of the revenues to meet Iraq's humanitarian needs, and on Iraq's capacity to export sufficient quantities of petroleum and petroleum products to produce the sum referred to in paragraph 1 above;
12. Requests the Committee established by resolution 661 (1990), in close coordination with the Secretary-General, to develop expedited procedures as necessary to implement the arrangements in paragraphs 1, 2, 6, 8, 9 and 10 of this

resolution and to report to the Council 90 days after the date of entry into force of paragraph 1 above and again prior to the end of the initial 180 day period on the implementation of those arrangements;

13. Requests the Secretary-General to take the actions necessary to ensure the effective implementation of this resolution, authorizes him to enter into any necessary arrangements or agreements, and requests him to report to the Council when he has done so;

14. Decides that petroleum and petroleum products subject to this resolution shall while under Iraqi title be immune from legal proceedings and not be subject to any form of attachment, garnishment or execution, and that all States shall take any steps that may be necessary under their respective domestic legal systems to assure this protection, and to ensure that the proceeds of the sale are not diverted from the purposes laid down in this resolution;

15. Affirms that the escrow account established for the purposes of this resolution enjoys the privileges and immunities of the United Nations;

16. Affirms that all persons appointed by the Secretary-General for the purpose of implementing this resolution enjoy privileges and immunities as experts on mission for the United Nations in accordance with the Convention on the Privileges and Immunities of the United Nations, and requires the Government of Iraq to allow them full freedom of movement and all necessary facilities for the discharge of their duties in the implementation of this resolution;

17. Affirms that nothing in this resolution affects Iraq's duty scrupulously to adhere to all of its obligations concerning servicing and repayment of its foreign debt, in accordance with the appropriate international mechanisms;

18. Also affirms that nothing in this resolution should be construed as infringing the sovereignty or territorial integrity of Iraq;

19. Decides to remain seized of the matter.

## APPENDIX II

### STATEMENT ON THE GULF WAR, THE MIDDLE EAST AND THE THREAT TO WORLD PEACE

#### I. PREAMBLE

1. As we gather in the Seventh Assembly of the World Council of Churches (Canberra, February 1991), a war of terrible proportions is being waged in the Gulf. Kuwait was already ravaged by Iraqi invading forces. Now, both Kuwait and Iraq are being destroyed by bombardment of unprecedented intensity. Hour by hour this war claims a mounting toll of victims on all sides, combatants and non-combatants alike, our own sisters and brothers. As we met, news was received of the horrible bombing of a shelter in Baghdad killing hundreds of people who sought refuge there, many of them children and women. At this very moment, preparations are being made for a ground battle which is certain to cause greater destruction and loss of life. It is a war of ominous dimensions which threatens the destruction of the land and the people it seeks to liberate. Day by day the war escalates, drawing in more and more nations of the Gulf, the Middle East, and other parts of the world. It squanders the resources of rich and poor countries alike, and no end is in sight.

2. Intensive efforts were made around the world to prevent this war and avoid its escalation. Urgent appeals were made by leaders of nations not to abandon non-violent efforts to cause Iraq to withdraw unconditionally from Kuwait and resolve its differences with its neighbour through negotiations. The churches pleaded with the leaders of their nations not to aggravate further the long-standing conflict in the Middle East which time and again has brought war and violence to the region; created a climate of fear and mistrust between Israel and the Arab nations; led to the suffering of Jews, Christians and Muslims alike, and to the continuing occupation of Palestinian territories and parts of Lebanon and to the invasion and partial occupation of Cyprus; inflicted suffering upon the Palestinian people who have been deprived of their rights to self-determination, statehood and national dignity, and exacerbated conflicts within the countries of the region, delaying justice for national minorities like the Kurdish people.

3. War promises no lasting solution for the festering wounds of the Middle East, no just, peaceful and durable regional or world order, but rather continued insecurity, pain and conflict.

4. It is never too soon nor too late to seek peace and a comprehensive settlement. So once again, together, our hearts cry out to the leaders of the nations, especially to those of the coalition forces led by the United States of America and of Iraq: Cease the bombing! Still the missiles! Stop the fighting! Restrain your armies! Negotiate! Trust in the promise of peace!

#### Peacemaking the believers' calling.

5. We confess that many of us and our churches have for too long been confused, timid and unfaithful in the face of the daunting complexity of the decades-long problems confronting the Middle East. We have failed to disassociate ourselves from the institutions of militarism which view war either as a solution to human conflicts or as a necessary evil, or to avoid complicity with the powers who trust more in armed might than in the rule of law or the ability of the human spirit to achieve justice by peaceful means.

6. During this Assembly we have sought to open our hearts and minds to one another and to the Holy Spirit, and we have renewed our resolve to be peace-makers, conscious of the cost of being disciples of the Prince of Peace.

7. The participants in the WCC World Convocation on Justice, Peace and the Integrity of Creation (Seoul, 1990) declared: "We will resist doctrines and systems of security based on the use of, and deterrence by, all weapons of mass destruction, and military interventions and occupations." It is imperative that the churches hear and respond now to this challenge.

8. The First Assembly of the World Council of Churches (Amsterdam, 1948) was delayed by a looming world war, and every subsequent Assembly has been confronted with the prospect or reality of war. Yet, consistently and persistently, the World Council of Churches has sought lasting peace through efforts to eliminate injustices which



give rise to war, to create and strengthen institutions capable of safeguarding international peace and security, and in the event of war, to aid the victims.

9. The peace we seek, as the Vancouver Assembly (1983) reminded the churches, "is not just the absence of war. Peace requires a new international order based on justice for and within all the nations, and respect for the God-given humanity and dignity of every person. Peace is, as the Prophet Isaiah has taught us, the effect of righteousness."

10. We trust in the knowledge that the world belongs to God, not to the powers of this world, and we take courage and hope from God's promise of peace, righteousness and justice which was embodied in Jesus Christ and made present among us through the work of the Holy Spirit. With God's help, peace is possible even now.

The Churches' advocacy for a Just peace in the Gulf and the Middle East

11. The World Council of Churches has repeatedly advocated respect for international law and a peaceful resolution of this conflict. It has:

- a) strongly opposed Iraq's invasion and annexation of Kuwait;
- b) welcomed the Security Council's demand that Iraq withdraw immediately and unconditionally from Kuwait and its appeal to Iraq and Kuwait to initiate intensive negotiations for the resolution of their differences;
- c) supported the application of strict sanctions banning all commercial dealings and trade with Iraq, with the exception of medical supplies and foodstuffs in humanitarian circumstances;
- d) called upon the Security Council to enforce with equal vigour its earlier resolutions on the territorial integrity of Lebanon, the division and occupation of Cyprus, Israel's withdrawal from the territories it occupied in 1967, and the right of every State in the area, including Israel, to live in peace within secure and recognized boundaries free from threats or acts of force;
- e) appealed for the withdrawal of all foreign forces from the region and the exploration of all avenues for negotiations to defuse the crisis and obtain a peaceful settlement;
- f) declared as morally unacceptable the holding of foreign nationals in Iraq and Kuwait, appealed to the Iraqi government to facilitate the departure of all foreign nationals desiring to do so, and appealed for strict application of international norms for the protection of refugees.

12. Around the world, member churches and regional ecumenical bodies took the lead in pressing for peace along these same lines:

- a) The Middle East Council of Churches (MECC) sought a regional solution to the conflict, at the same time expressing hope for a comprehensive, just resolution for all the conflicts and occupations in the region in order to bring harmony and peace among Muslims, Christians and Jews in the region. It contributed significantly to assisting the refugees and other victims of the conflict.
- b) The National Council of Churches of Christ in the USA appealed repeatedly to the US Administration and Congress not to abandon sanctions as a means to obtain an end to the occupation of Kuwait, warning against the rapidly escalating military response of the US government to the crisis and the apparently open-ended nature of US military involvement in the region. A delegation of US church leaders traveled to Iraq and other states of the region in an expression of ecumenical concern and solidarity.
- c) The Canadian Council of Churches issued similar appeals to its own government and also sent a delegation to the region, meeting with leaders of churches and of other religious faith communities.
- d) The Conference of European Churches (CEC) and national councils of churches in Europe warned against acceptance of the inevitability of war, recalling the conviction of the European churches, expressed at the European Ecumenical Assembly (Basel, 1989) that war is against the will of God and that everything should be done to further peaceful resolution of conflicts.

e) The Latin American Council of Churches (CLAI) urged the UN to redouble efforts for a peaceful solution, and churches in Asia, Africa, the Caribbean and the Pacific drew attention to the grave effects of the crisis on their nations and cautioned governments against military or economic support for efforts to achieve a military solution.

#### The widening effects of the conflict in the Middle East

13. When Iraq refused to withdraw from Kuwait, massive forces of the coalition led by the United States were deployed in the Gulf and three months later began bombing both Kuwait and Iraq. Iraq launched missiles on Israel, some of which fell in Palestinian areas. This has caused fear and suffering in Israel, which has not retaliated. But it has imposed a blanket curfew in the Occupied Territories, further worsening the already desperate plight of Palestinians who feel unprotected, abandoned by the world community and fear for their future, and heightening tensions in the whole region.

14. Lebanon's hard-won, fragile peace was disrupted as missiles were launched on Israel from its territory. Israel retaliated with a renewal of heavy punitive bombing raids on Lebanese towns and villages. This has placed further obstacles in the way of the Lebanese Government and Army in their efforts to establish their authority over this strife-torn land.

15. Smouldering fires of tension throughout the region have been fanned as countries from the northern limits of the Middle East to the Horn of Africa. Turkey, Iran, Jordan, Sudan and others have been drawn into the sphere of confrontation. Indeed, the whole of the region, including Iraq, is armed with huge arsenals of the most modern weaponry, much of it provided by the governments and industries of countries participating in the coalition forces. The whole of the Middle East is a powder-keg which could explode in a moment. And with the presence of chemical, biological and nuclear weaponry in and around the region a conflagration could rapidly escape the confines of the Gulf.

16. All wars have serious side effects, but the oil spillage which has already occurred in the Gulf, and the estimated consequences for the global warming of the earth's atmosphere should the oil wells of Kuwait, Iraq and Saudi Arabia be set ablaze, show that the potential of this war for widespread, even global ecological destruction is exceptional.

#### The global implications of the war

17. In fact, the war already has global impact. Among its chief victims have been the poor nations of the world, many of whom are already beset by internal conflicts and massive foreign debt.

18. Their peoples were among the first to suffer. Workers in the Middle East from countries like Sri Lanka, Bangladesh, the Philippines, India and Korea were either trapped in war zones or forced to flee under excruciating circumstances. The war has added to the drain on these nations' economies, some of which depended heavily on remittances - from their nationals employed in the region - which have now been cut off.

19. The war has dealt a massive economic blow to much of the developing world, eliminating major markets for primary exports, causing prices for fuels and petroleum products and for basic foodstuffs like rice and grain to skyrocket, and making the cost of other essential imports prohibitive for the poor.

20. The war has led to new acts and threats of terrorism in several parts of the world.

21. The war has fanned the flames of religious, ethnic and regional conflicts in many countries, especially in Asia, seriously destabilizing some and giving rise to violent conflicts in others.

22. The preoccupation of the global mass media, governments, and international institutions with the war in the Gulf has distracted attention from efforts to revolve other armed conflicts raging around the world and from other massive human tragedies. It is estimated, for example that some 20 million people are on the brink of starvation and death in the African countries of Sudan, Ethiopia, Somalia, Angola, Mozambique and Liberia. At this time of war, much of the world has turned a deaf ear to their cries for help.

#### The United Nations the Gulf War, and the "New World Order"

23. The World Council of Churches promoted the formation of the United Nations and through representatives of the member churches it was present when the Charter was adopted. Since the Amsterdam Assembly (1948) it has supported the UN and, especially through its Commission of the Churches on International Affairs, a leading non-governmental organization in consultative status with the Economic and Social Council, the WCC has contributed to the success of the UN and its related agencies.

24. The achievements of the United Nations over the years have been notable in many fields. Even during the past decade of the greatest neglect by the major powers, it continued to lay the groundwork for a role in the peaceful resolution of international conflicts. Much of this work came to fruition after 1985 when the UN was instrumental in negotiating an end to the Iran/Iraq war, the war in Afghanistan, and a settlement of the long-standing dispute over Namibia and guiding it to independence; brought closer the end of apartheid in South Africa through the application of comprehensive sanctions; and played a new, more energetic role in promoting the settlement of regional conflicts in Central America and elsewhere.

25. The words of the late Bishop Bell at the First Assembly (Amsterdam, 1948) remain pertinent, however, "International law," he said, "clearly requires international institutions for its effectiveness. These institutions, if they are to command respect and obedience of nations, must come to grips with international problems on their own merits and not primarily in the light of national interests ... The United Nations was designed to promote friendly relations among the nations. Its purposes in these respects deserve the support of Christians. But unless the nations surrender a greater measure of national sovereignty in the interest of the common good, they will be tempted to have recourse to war in order to enforce their claims."

26. The churches and the general public in most parts of the world supported the initial actions of the UN Security Council in condemning the invasion of Kuwait and the application of sanctions to enforce its call for Iraq's withdrawal from this occupied country. They would very much have preferred that the United Nations itself had taken all decisions and the limited actions necessary to end the aggression. Unfortunately member nations have not yet empowered the UN for such a role.

27. By adopting Security Council Resolution 678, which authorized "member states ... to use all necessary means to implement previous resolutions," the UN placed itself in danger of being blamed for being unduly dependent upon a powerful nation or group of nations and for appearing to authorize a large-scale war which is not in the interests of an international order of peace based on law.

28. The question of how major international decisions are made has become one of pressing urgency in the world today. The lessons learned from the way this first major world crisis in the post-Cold War era has been handled by the international community demand a critical examination of the emerging new world order. Not one government or group of governments should either take or be allowed to take primary responsibility for the resolution of major conflicts beyond their own borders.

29. For the Security Council or the Secretary-General, in the exercise of his good offices, to be for some reason unable to act independently and in the true spirit of the UN Charter would be unacceptable. The community of nations cannot afford such a weakening of the UN system. For the sake of world peace, for the sake of the rule of law, for the sake of the authority of the United Nations, its position as guarantor of a comprehensive international peace order must be strengthened.

30. It is imperative, for the sake of world peace, the rule of law, and the credibility of the United Nations, that the parties to the Gulf war cease immediately the hostilities and invest their efforts in the pursuit of a negotiated peace.

31. For the sake of all peoples it is time to build a new world order of justice, the foundation stone of peace:

a) a world economic order which ends the domination and exploitation of the poor by the rich;

b) information and communication systems which - as the World Convocation on Justice, Peace and the Integrity of Creation (JPIC) (Seoul, 1990), said - offer all peoples truth in place of distortion, and media disposed to peace rather than violence; and which redress the concentration of control over global communications media in the hands of a few powerful nations and corporations;

c) an environmental order which respects the integrity of God's creation and controls the industrialized nations' insatiable thirst for oil - a major source of global conflict, as this war shows, and of widespread damage to the environment - and leads them to adopt new energy policies which promote conservation.

### The Impact of Racism and Intolerance

32. The war in the Gulf reveals the tragic impact of racism on both the international and domestic policies of nations from which indigenous peoples are often the first to suffer.

33. Internationally, there is a shocking rise in discrimination against persons of Arab nationality, background or appearance. In the name of "national security" and "prevention of terrorism", many are subjected to systematic humiliation, harassment, preventive detention, and open threat of physical harm by both state authorities and private groups in many nations around the world.

34. Anti-Muslim intolerance is on the increase in many Western countries, fed by the portrayal of Islam as an inherently menacing religion. As a result, many Muslims feel humiliated and angry, and the future of Christian-Muslim relations - so crucial to peace and harmony in many parts of the world - risks being gravely affected. At a time when there are manifestations of anti-semitism in a number of countries, many Jews feel great anguish.

35. A disproportionate burden is being imposed on racial and ethnic minorities in this war. According to United States Department of Defense estimates, for example, 25% of US troops deployed in the Gulf (and 29% of ground forces and 55% of women in uniform) are Black. Yet African-Americans comprise only slightly more than 11% of the civilian population over the age of 16. Corresponding figures for other racial or ethnic minority groups are not readily available, but it is safe to assume that Native Americans and persons of Hispanic background are similarly over-represented in the fighting forces. Concern rises for a generation of Black, Hispanic and Native American youth endangered by intense, endemic poverty, inadequate health care, the ever-rising incidence of AIDS, and the impact of drugs and drug-related crime. Now, many of those who joined the military in search of education, stable employment and a way out of these dangers, are at peril in the Gulf

### The situation and role of women

36. This particular conflict and the long-standing institutions of war and militarism that feed it are created, controlled, and perpetuated by men. Some women may at times support military solutions to conflicts and, increasingly, women participate as soldiers. In the rare circumstances where women lead governments, some of them promote policies leading to war. But most women and children are victimized by war and militarism. They become refugees, objects of sexual violence by occupation forces, and they are trapped in the midst of violence. Women and children are also the majority of those who are deprived of basic necessities when resources from institutions that enhance life are diverted to those that destroy it. In contrast to this victimization by forces in which they have little meaningful participation, women are often at the heart of movements for peace with justice and other activities that promote creative non-violent resolution of conflict. And women have taken the lead in urging that adversaries be recognized as full human beings rather than being made objects in enemy images.

### The Impact on Youth

37. Modern warfare takes a particularly terrible toll on youth and children. There are indications that the chief victims both of the occupation of Kuwait and on the bombing of Iraq in retaliation are many infants and children. Young people make up the bulk of the armed forces exposed to battle. The youth of this Assembly have expressed concern that young men and women from many countries are called to fight in the Middle East in a war not of their making, and that young people are among the first to suffer from the economic deprivation and strife it is causing.

## **II. APPEALS AND AFFIRMATIONS**

38. Out of deep human concern for all these who are victimized by the war in the Gulf: the poor, the racially oppressed, women, youth, civilian victims, and those who out of loyalty or due to circumstance are engaged in conflict as members of the armed forces; out of our concern for justice, peace and the integrity of creation; and as an expression of our hope for a truly just, peaceful, democratic participatory world order and institutions able to govern

and sustain it, we at the Seventh Assembly of the World Council of Churches (Canberra, February 1991) cry out: Stop the war! Pursue the way of peace!

### 39. To the churches:

- a) We urge you to be constant in prayer and pastoral care for the leaders of the nations and particularly for all those on every side caught up in or victimized by this tragic war: innocent civilians, those involved in the fighting, families and friends who grieve the separation or loss of their loved ones, and those who reject military service on grounds of conscience.
- b) We appeal especially to the churches in arms exporting and importing countries to press for immediate steps to control this trade in death and destruction. The more lethal the weapons and the larger their number, the greater the violence and destruction of wars and conflicts. This uncontrolled trade denies the sanctity of human life and defiles the planet.
- c) We reiterate the affirmation of the Sixth Assembly: "The churches today are called to confess anew their faith, and to repent for the times when Christians have remained silent in the face of injustice or threats to peace. The biblical vision of peace with justice for all, of wholeness, of unity for all God's people is not one of several options for the followers of Christ. It is an imperative in our time."

### 40. To the United Nations:

- a) We urge you to reassert your role as peacemaker, peacekeeper, conciliator and negotiator.
- b) We urge you to act now, decisively, to stop the war and return to the strict application of non-violent sanctions - without deadlines - against Iraq, whose actions are in violation of international law and have been widely condemned by the nations.
- c) We urge you to reconvene the Security Council on a continuing, emergency basis, to map a new course of peaceful negotiation of the dispute between Iraq and Kuwait and of the other outstanding conflicts in the region.
- d) We urge you to move with all due speed to the convening of the International Peace Conference on the Middle East, called for by the 38th UN General Assembly (1983), to resolve the question of Palestine, to address the legitimate national rights of Palestinians to self-determination and an independent state of their own, and as a means to implement Security Council Resolution 242 (1967) which affirms the right of every State in the area, including Israel, "to live in peace within secure and recognized boundaries free from threats or acts of force." Meanwhile, we call for international protection for the Palestinian people under occupation until such an International Peace Conference has done its work.
- e) We also call for the initiation of a Conference on Peace, Security and Cooperation in the Middle East with the equal participation of all interested states and peoples as a further instrument for the achievement of a just and lasting settlement in the region which will bring about the mutual recognition of all states and effective guarantees for their security.
- f) We urge you to be consistent in your actions to ensure the compliance of the nations with United Nations resolutions, especially those others calling for an end to illegal occupation of territory in the region of the Middle East: the Palestinian territories occupied by Israel in 1967, Lebanon, and Cyprus.

### 41. To the nations and their leaders:

- a) We commend those nations who have exerted efforts to seek a negotiated solution to this conflict both before and after the engagement of the war, and encourage you to pursue them now with even greater vigour.
- b) We call urgently and insistently on both Iraq and the coalition forces led by the United States to cease fire immediately and to work for a negotiated solution of the Iraq-Kuwait dispute within the context of the United Nations.

c) We urge all nations involved in the war to respect international norms for the protection of non-combatants in situations of armed conflict.

d) We appeal to the government of Iraq to signal its intention and offer guarantees that it will comply with Security Council Resolution 660 by withdrawing completely and unconditionally from the territory of Kuwait immediately upon the cessation of hostilities.

e) We call upon all external powers to withdraw all forces from the Middle East - except those required to perform a peace-keeping role under UN command - as a means to help restore a climate propitious for the pursuit of a lasting settlement of the region's conflicts.

f) We appeal to the Government of Israel to lift the blanket curfew that has been imposed on the Occupied Territories since the war began.

#### **42. To peoples of other faiths:**

In the presence of the representatives of other faiths who have been our guests during this Assembly, we commit ourselves to refuse to be separated from brothers and sisters of other faiths as a result of this war, and to reject especially any effort to divide Christians, Muslims and Jews whose faiths originated in the Middle East, and to join with them in prayers and common endeavours for peace in anticipation of the day when all may live together in peace and mutual respect.

#### **43. Ever mindful that God rules with righteousness over all, we pray:**

Come, Holy Spirit  
transform our lives,  
lift and sustain us in this day.  
Give wisdom and faith  
that we may know  
the great hope to which we are called.  
Come, Holy Spirit,  
renew the whole creation.

## **APPENDIX III**

World Council of Churches  
CENTRAL COMMITTEE  
Geneva, Switzerland  
14-22 September 1995

ADOPTED Document No. 3 .2

### **MEMORANDUM AND RECOMMENDATIONS ON THE APPLICATION OF SANCTIONS**

#### **Introduction**

In recent times the international community has often felt helpless in face of armed conflicts and wars. The cost of military force, in terms of lives and property is heavy. Sanctions are a valuable tool available to enforce international law and to bring about the peaceful resolution of disputes.

The applicability, effectiveness and impact of sanctions on the people have been a frequent topic of ecumenical discussion. In World Council of Churches Assemblies and Central Committee debates since 1968, but more particularly since 1991, the subject of sanctions has come up repeatedly in relation to the cases of South Africa, Southern Rhodesia, Iraq and the Former Yugoslavia. Some Christians have preferred the use of sanctions as a non-military option in situations of conflict. It is in this spirit of overcoming violence that this study has been undertaken at the request of the Central Committee during its meeting in Johannesburg (January 1994). It aims to help churches to understand the complexities surrounding sanctions and to offer criteria which might be applied to improve this instrument and limit its negative effects on powerless victims of conflicts.

Various measures have been classified as sanctions. Some have questionable legitimacy under international law, as shown later. They have been imposed both unilaterally and multilaterally by a government or group of governments. Some have had the authority of internationally recognized bodies, others have not.

The churches need to have a proper grasp of the term "international sanctions," especially as it is understood in international law on the basis of Chapter VII of the United Nations Charter, in order to make informed judgments about the application of such measures.

Though the commonly understood aim of sanctions is to bring about a peaceful resolution of conflict and to enforce compliance with international law, they are by definition coercive. As such they have the potential also to polarize conflict, contribute to its escalation, or inflict unacceptable suffering on populations caught in the middle.

Sanctions tend not to distinguish between those responsible for perpetrating an unlawful act, and innocent victims of a situation over which they have no control. As they make judgments about sanctions, churches must have uppermost in their minds both the positive and the potentially negative impact of such measures on the powerless and the victims.

Sanctions are never a first resort for the international community. They must be seen as part of a range of interrelated options available to obtain the compliance of states with the requirements of international law and established humanitarian principles, and to resolve conflicts within and between states. First come efforts to find a solution through diplomatic means, including "quiet" diplomacy.

Positive incentives need to be offered, to induce an offending state to correct its behavior short of the application of coercive pressures. Beyond sanctions lies the power of the United Nations Security Council to authorize the use of "all necessary means" - including military force - to enforce compliance.

Even if early efforts fail to remedy a situation and a violation continues to the point where sanctions become necessary, the door must always be kept open for diplomacy and negotiated solution.

As noted at the outset, this study considers sanctions to be a valuable tool, when in responsible hands and used prudently. It recognizes, however, that present practice often fails to meet these criteria. Therefore at its conclusion, a set of criteria is listed for consideration, along with proposals to improve the effectiveness and applicability of this instrument and to reduce its potential for becoming yet another act of violence.

### **Sanctions in International Law and Practice**

International legal experts concur in regarding sanctions as measures of enforcement in response to violations of international law. Sanctions contribute to setting the acceptable limits of conduct and seek to restore legality. Properly and consistently applied, they serve as a deterrent. In this understanding, the principal actors are sovereign states, subject to no direct superior authority. Effective application of sanctions presupposes a degree of coherence on the international level, and an acceptance of the rule of international law.

Sanctions, as a term to describe measures taken by a state or group of states against another which has violated accepted norms and standards, is a comparatively new concept in the history of international law. Sanctions have been imposed only rarely by competent international bodies, and the cases where they have been effective in gaining compliance by an offending state are even rarer.

The notion of sanctions has nonetheless become increasingly commonplace in contemporary international politics. Sanctions are generally understood as a way to describe concerted international action by non-military means against a state which is in violation of international law.

Sanctions have been seen by some as a *non-violent* means to correct systematic violations of human rights or to stop acts of aggression. Yet, powerful states have at times sought to justify aggressive, and sometimes very violent actions against another state with the official aura of sanctions to which some international body has given approval.

Sanctions may take many forms. In order to avoid misunderstandings, this study has considered especially those forms - economic, communications and diplomatic - foreseen in Art. 41 of the United Nations Charter.

The last of these, diplomatic sanctions, has a long tradition in the history of international relations. They include the recognition or non-recognition of another sovereign state, or the suspension of such diplomatic relations as a means of expressing displeasure with the behavior of the other. Diplomatic measures may include a strong inducement for a state to correct its behavior through the offer of recognition or the extension of greater privileges.

Attention is concentrated here, however, on economic sanctions, those most frequently proposed and disputed in present practice. Economic sanctions are generally taken to include such things as restrictions on international travel and communication; trade, commerce, foreign investment, and other areas of finance; restrictions on access to certain goods, like arms and strategic materials; and cultural exchange. Diplomatic sanctions themselves also frequently have an economic effect.

### **The Evolution of Sanctions in International Law**



The League of Nations foresaw collective measures to be taken against member states who violated their obligations under the Covenant. In fact, the short-lived League only applied sanctions once, in the classic case of Ethiopia, and then without effect. This concept was carried forward nevertheless to the United Nations Charter, though the word "sanctions" is not used there. In fact, the International Law Commission has dismissed the term as a legal category, preferring to discuss such actions under the heading "countermeasures ...legitimate under international law." "Measures" in the clear sense of sanctions are, however, described in Chapter VII of the UN Charter, and in the Statutes of the International Monetary Fund (IMF) and the Rules of the Bretton Woods Agreement.

The Charter continues to give sovereign states the limited right to act unilaterally in self-defense in case of armed attack. Clear priority is given, however, to collective decision-making and provision is made only for collective action to correct violations of international law or infringements of accepted international norms and standards of behavior. Acts of retaliation are in any case forbidden.

Economic sanctions by one state in order to gain advantage over another are expressly forbidden in the Declaration of Principles of International Law Concerning Friendly Relations and Cooperation Among States, adopted by the General Assembly (res. 2625, XXV).

### **The Application of Sanctions**

Even when appropriately applied under the authority of the UN Charter, sanctions have not always been consistent, impartial or effective. Decisions to apply multilateral sanctions have often been hotly disputed. Interpretations of universal norms vary widely. Permanent members of the Security Council have regularly used or threatened to use their veto power to shield friends or allies from the application of mandatory sanctions.

The absence of a clear, consistent, and effective system of enforcement by the UN further complicates the picture. This, and the ambiguity of international law, has allowed individual governments to use the term sanctions to provide a cloak of moral and legal justification for some of their own foreign policy initiatives. Especially since 1990, powerful states have sought UN endorsement of their intention to apply what they have termed sanctions. This practice requires careful scrutiny by the churches and by the international community.

In practice, the Security Council has seldom decided to apply sanctions against states. It has, however, frequently condemned illegal behavior, or acts of states which threaten international peace and security. Other individual member states or coalitions have frequently used such condemnations as moral justification for unilateral retaliatory actions, claiming to be operating within the framework of international law in defense of universal values, and not just in their own self-interest. The implications are far-reaching. A trend may emerge where a simple, but not prescriptive majority vote in the Security Council, irrespective of veto, may be taken to legitimize the behavior of those states who are in the majority, and to disregard significant dissenting powers. This trend could have serious negative consequences for the-credibility and viability of the UN as the principal protector of international law. It also puts into serious question the credibility, moral authority and legitimacy of the Security Council in its present structure and composition.

Another set of problems related to sanctions arises because only inadequate standards exist to determine what measures are appropriate in response to a given offense. Governments, therefore, have been left with a wide range of options. Sanctions, particularly economic ones, are usually put forward as the preferred non-military alternative.

The legality and propriety of non-military sanctions has also been the subject of controversy. It has been the contention, especially of many developing country governments, that all forms of economic coercion are proscribed under the terms of the UN Charter [Art 2 (4)] as acts of illegitimate force

against the territorial integrity and political independence of a sovereign state. Many of these countries see sanctions as a tool of the North to continue its domination and exploitation of the South.

Questions are also raised about whether economic sanctions are the most efficient form of concerted action. It has proven virtually impossible to gain universal compliance with their application. Concerns have also been voiced about their indiscriminate effects on the civilian population and on third parties. It has been argued that such sanctions are a form of economic violence against whole peoples. Further doubts have been expressed about the slow and often limited results which can be obtained through economic sanctions, and their cost not only to the offending state and its population, but also to states obliged to apply them.

Sanctions have been seen primarily as an instrument to be used to address international disputes. Their use in cases of civil wars, for example to block the flow of arms to warring parties, has been severely restricted by appeals to the principle of non-interference in the internal affairs of sovereign states. Some of the most serious threats to international peace and security are, however, posed by precisely such conflicts, although they have not been addressed as such by the Security Council. A review of the application of sanctions needs to take this into account, and guidelines need to be developed to allow for more concerted international action to resolve internal disputes.

### **The Christian Faith and Sanctions**

The Christian case for sanctions as an instrument of diplomacy must ultimately be based upon a theology of just peace and a clearly articulated set of ethical criteria, as well as on firmly established norms of international law.

The moral appeal of economic sanctions is that they purportedly offer non-violent alternatives to warfare in situations of manifest injustice. That appeal, however, must be tested in any specific case by prudential questions as to whether sanctions themselves may result in violence and further injustice, and also by questions as to whether there may be irenic alternatives to sanctions.

### **Just Peacemaking, Coercion and Reconciliation: Theological Foundations**

The vision of a world of justice and peace is central to the Gospel of Jesus Christ. While the perfecting of a just peace is beyond the possibility of human achievement, it is within the power of the Sovereign God of Love who has created one whole, indivisible human family in a covenant of peace. Before our Sovereign God, the nations rise and fall; but the promise of shalom, of love binding peace with justice, is eternal.

Every member of God's family bears God's sacred image and is entitled to an abundant life of freedom, security and well-being. To be so endowed is to enjoy God-given dignity from which flow principles of human rights which it is the responsibility of all persons and governments to respect and protect. The ultimate justification of sanctions must be such a concept of justice for the sake of authentic peace and security.

God has set our common life in human communities which have in turn established institutions necessary to govern them. Governments are responsible not only for justice and peace within their borders, and for security against aggression. They are rightly called to policies of initiative and cooperation in the quest for a just peace among all nations. The indivisibility of political liberty, common security, civil equity, economic welfare, and ecological integrity requires effective instruments of global governance and transnational action. Such instruments must promote the development of peoples, the resolution of conflicts, and the overcoming of violence.

Christian imperatives of justice and peace are especially grounded in the prophetic heritage of the scriptures and the ministry of reconciliation in Jesus Christ.

The policies and actions of all human institutions, including government, must be judged according to their impact upon the innocent, the poor, the weak and the oppressed; not only within domestic societies, but within any other society affected by these policies and actions. Coercive concepts of justice, as in the imposition of sanctions, risk becoming policies of injustice and cruelty if they compound the sufferings of the disinherited.

Under the sovereignty of God, no nation or group of nations is entitled to prosecute vengeance against another. Nor is any nation entitled to make unilateral judgments and take unilateral actions that lead to the devastation of another nation and the massive suffering and impoverishment of its people. Whenever aggression or massive and flagrant abuses of human rights by one nation call for preventive or punitive action under international law, a concerted multilateral response authorized by the United Nations or other competent international body is most likely to meet the requirements of just peacemaking, especially if that response is faithful to the integrity of carefully articulated ends and means.

While Christian churches and individual Christians have long differed with regard to the ethics of military action, our commitment to peacemaking has shared a common presumption against the resort to violence. For some Christians, that presumption may be overridden by the imperatives of justice when nonviolent strategies appear unavailing.

Sanctions have typically been regarded by churches as peaceful and nonviolent alternatives to war. But experience has revealed that sanctions, in some instances, may contribute to violence, widespread suffering, and the escalation of conflict. Thus sanctions must be understood as a morally mixed and ambiguous strategy. They may gain legitimacy when more conciliatory approaches to injustice have failed, but when military action seems premature or inappropriate. At best, sanctions may not inflict physical violence. Their very effectiveness, however, depends upon either their coercive force or the offer of compelling alternatives. The coercive consequences of sanctions typically involve suffering among at least some segments of the object nation. Sanctions may thus become implicated in the spectrum of violence and must not be sanctified with the name of nonviolence.

Just peacemaking, for Christians, must always be shaped by our commitment to the ministry and message of reconciliation. The Gospel's promise of reconciliation is based on God's first-loving initiative in Jesus Christ, who is our peace, breaking down the dividing walls of hostility, loving even our enemies, and making us one new humanity. Such a faith will not move to any coercive policy, whether economic or military, before seeking positive incentives to peacemaking among aggrieved adversaries. Any resort to a coercive strategy must aim at the reconstruction of peaceable and humane relationships, take great care to avoid or minimize suffering of the general populace or any innocent groups, and avoid causing more harm than good.

Nations facing decisions on either military or economic sanctions must always recollect the possibilities of their own complicity in the injustices of other nations they now seek to overcome. The moral burdens of history, if forgotten or neglected, may be deprived of their due weight and their chastening power on nations self-righteously about to launch punitive attacks on their partners in iniquity. The recollection of such moral burdens does not necessarily imply a prohibition on just action in the present; it does serve to enhance the possibilities of humility and humanity in the conduct of sanctions and the quest for irenic alternatives. Repentance in most human conflicts, be they personal, social or international, is a precondition of reconciliation.

### **Criteria for Determining the Applicability and Effectiveness of Sanctions**

The Central Committee of the World Council of Churches, meeting in Geneva, September 1995,

- basing itself on the churches' experience with the impact of the imposition of economic sanctions, and on a preliminary study of several dimensions of sanctions as an instrument to restore respect for

international law, to redress gross and systematic violations of accepted international standards of conduct, and to promote peace through non-military means;

- and in the context of the Council's Program to Overcome Violence;

**receives and commends** the background document accompanying this statement to the churches;

**aware** that sanctions are by definition coercive and that they often inflict additional suffering on affected populations, particularly the most innocent, for example, children;

conscious of the need for churches to consult one another in times of crisis, especially when measures like sanctions are being considered which will impact the people of their country;

convinced that sanctions should only be applied after all other less coercive measures have been exhausted; and

adopts the following criteria by which churches may judge the legitimacy of imposing sanctions, assess their effectiveness, and ensure humanitarian care for those affected by sanctions applied against a state whose policies they may neither share nor be able to change:

#### Decision-making Criteria

1. Irenic measures. Sanctions must be regarded as *part of a broader strategy of peacemaking*, and as an alternative to warfare. They should be imposed only after less coercive diplomatic measures have been taken to remedy the situation.

Churches may play a role not only as advocates for irenic government policies, but as direct actors in offering inquiry, mediation or conciliation. Where possible, positive incentives or inducements should be offered as a preferable means of avoiding the escalation of conflicts.

2. Flagrant and persistent violations. Sanctions should be adopted only in *circumstances of flagrant and persistent violations* of international law and accepted international norms and standards.

3. **Clear and limited purpose.** Sanctions should have a *clearly defined purpose*, and explicit criteria should be given for determining the conditions under which that purpose will be seen to be achieved, and the sanctions lifted.

Sanctions *may not have a punitive purpose beyond compliance*, nor may they be used for self-aggrandizement, or applied to further the economic, ideological, political, military or other narrow national self-interest of a state or group of states.

4. Competent multilateral authority. Sanctions find their greatest legitimacy and moral authority when authorized by a *competent multilateral body*, especially the United Nations Security Council, authorized by the United Nations Charter to impose such measures.

The churches should seek to ensure that the Security Council or any other multilateral body functions justly and is so structured as to *judge violations impartially, consistently, openly and in consultation* with the alleged offending government.

5. Proportionality. *The good achieved by sanctions must not be exceeded by the harm that can reasonably be anticipated.* Care should be taken to design measures which will limit suffering of persons affected by sanctions within a country whose policies they may be powerless to change.

6. **Political efficacy.** Sanctions aim to effect political change through economic pressure. For them to be effective, there must be a determination that there is a *reasonable prospect that their stated purposes are achievable* by this means.

7. **Enforceability.** Sanctions are effective only to the extent that they are *consistently and thoroughly applied*. This depends on the capacity of the authorizing body to enforce them and on the mobilization of sufficient political will among member states to apply them universally.

#### Operational Criteria

8. **Humanitarian Conduct.** Sanctions should be directed as precisely as possible to those political, military and economic bodies and their leaders most responsible for the violation.

Humanitarian assistance should be made available to a country to which sanctions are being applied so that such essential items as food, water and medicine are not denied to the general population.

Churches are often well-placed to assess whether these aims are being achieved.

9. **Authoritative Monitors.** The progress and the effects of sanctions should be continually assessed by an independent and impartial multilateral monitoring body so that compliance with aims of the sanctions can be measured, the harmful impact on the population evaluated, and the sanctions terminated in a timely manner.

Churches and other non-governmental organizations have a vital and distinctive role to play in this monitoring.

10. **Compensatory Justice.** The enforcing powers should be prepared during and following sanctions to attend to the hurts and meet the needs of victims within the object nation, as well as in those nations which suffer collateral damage as a result of the application of the sanctions.

11. **Open Communication.** Governments and international authorities applying sanctions should maintain open communication with both government leaders and civic groups within the object nation as a means to:

- avoid the danger of provoking sentiments of abandonment and isolation in the object nation which could serve to intensify the conflict and frustrate the aims of sanctions;
- keep open the possibility of dialogue with political and other leaders in pursuit of a diplomatic negotiated solution;
- assure open access to competent humanitarian bodies, including those of the churches, to allow them to minister to the needs of those who suffer needlessly as a result of the sanctions.

## APPENDIX IV

### Members of the Delegation

Metropolitan Gregorios Yohanna Ibrahim  
 Archbishop of Aleppo  
 Syrian Orthodox Patriarchate of Antioch and All the East  
 Member of the WCC Central Committee

Mr. Josh Arnold-Foster  
 international political consultant  
 Former Head of Research  
 UN and Conflict Resolution Programme - United Nations Association of the United Kingdom  
 (Specialist in the application of sanctions, humanitarian intervention and conflict-prevention)  
 Anglican Church

Dr. Josephine Ajema Odera  
 Lecturer  
 Institute of Diplomacy and International Studies - University of Nairobi  
 Regional Program Coordinator  
 International Resource Group for Peace and Security in the Horn of Africa  
 (Specialist in international diplomacy, conflict and peace management)  
 Anglican Church of Kenya

Dr. Leila Richard  
 Physician  
 Served in Iraq in 1991-92 with the American Friends Service Committee and UNICEF  
 Former consultant to the World Health Organization in Geneva and New Delhi  
 Experienced in refugee medical programs in the Gaza Strip, Lebanon, Thailand and  
 former Yugoslavia  
 (Specialist in public health)  
 The Episcopal Church, USA

Mr. Stein Villumstad  
 Acting Director of International Programs  
 Norwegian Church Aid  
 Co-Moderator of Action by Churches Together (ACT) Executive Committee  
 Member of UN Disaster Assessment and Coordination Team  
 (Specialist in emergency and humanitarian relief assessment)  
 Lutheran Church of Norway

Ms. Salpy Eskidjian  
 Executive Secretary of the Commission of the Churches on International Affairs (CCIA)  
 of the World Council of Churches  
 (Sociologist and specialist in peace and conflict resolution)  
 Armenian Orthodox Church in Cyprus

Mr. Clement John  
 Executive Secretary of the Commission of the Churches on International Affairs (CCIA)  
 of the World Council of Churches  
 (Lawyer and specialist on human rights)  
 Church of Pakistan

Accompanying staff from the Middle East Council of Churches (MECC)

Mr. Mike Nahhal

Field Coordinator of the MECC Ecumenical Relief Services (ERS) in Iraq  
Greek Orthodox Church of Antioch in Lebanon

Mr. Peter Makari

Coordinator for Interpretation and International Linkage of MECC headquarters in Cyprus  
Presbyterian Church (USA)

## APPENDIX V

### List of persons met and places visited

#### I. CHURCH LEADERS

##### a) Central Iraq (Baghdad)

Patriarch Rafael Bidaweed, Chaldean

Patriarch Addy, Assyrian

Archbishop Avak Asadourian, Armenian Orthodox

Archbishop Severios Hawa, Syrian Orthodox

Archbishop Paul Dahdah, Latin Archbishop of Iraq

Archbishop Delli, Chaldean Patriarch's Auxiliary

Archbishop Juiseppe Lazzarato, Syrian Catholic

Archbishop Boghos Koussam, Armenian Catholic

##### b) Southern Iraq (Dhi-Qar, Basrah, Misan)

Bishop Kassab, Chaldean

Father Soulaka, Syrian Orthodox

Father Boutros, Syrian Orthodox

##### c) Northern Iraq (Niveneh, Erbil)

Bishop Saliba Shammoun, Syrian Orthodox

Bishop Jacod, Chaldean

Bishop Loukka, Syrian Orthodox, Abbot of Mar Matte Monastery

Bishop Emmanuel Bunni, Syrian Catholic

Bishop Thomas Gorgis, Assyrian

Father Jibrail Bakhos, Chaldean

Father Badran Khatcho, Syrian Catholic

#### II. GOVERNMENT OFFICIALS

Mr. Tariq Aziz, Deputy Prime Minister of Iraq

Dr. Oumeed Medhat Ibrahim, Minister of Health

Dr. Ahmad Menaam Saleh, Minister of Endowments and Religious Affairs

Mr. Rojj, Deputy of the Kurdish Democratic Party (KDP), Prime Minister of the  
Autonomous Northern Governorates

Mr. Franso Hariri, Governor of Erbil

Mr. Mohammad Abdel Kader, Governor of Mosul

Mr. Jabbar, Assistant Director Al-Basrah Water and Sanitation Authority

#### III. UNITED NATIONS AGENCIES

Mr. Fareed Zarif, Deputy Humanitarian Coordinator of the UN (UNOCHI)

Mr. Max Gaylard, Assistant Director in Autonomous Areas, UNOCHI

Dr. Yousef Abdallah, Assistant Coordinator, FAO

Mr. William Gardner, Coordinator for South and Central Iraq, FAD

Dr. Philippe Heffnick, Director, UNICEF

Dr. Habib Rajeb, Director, WHO

Mr. Arthur Holdbrook, Director, WFP

#### IV. NGOs

Dr. Khaldun Derwish, President, Iraqi Red Crescent Society (IRCS)

Mrs. Manal Younis, President, Iraqi Women's Federation

Dr. Salam As-Saadoon, Director, IRCS Al-Basrah

Dr. Habib Muhan, Director IRCS Al-Nassariyah



Dr. Manuel Annaz, Director, IRCS Erbil  
 Mr. Akhyor, Chairperson, Committee of Displaced Persons  
 Mr. Hikmat, the Sindbad Project (Center for the treatment of diarrhea on children),  
 Engineer for Water Purification  
 Dr. Emad As-Saadoun, attending physician, the Sindbad Project

#### V. HOSPITALS, ORPHANAGES AND SCHOOLS, ELDERLY HOMES, INTERNALLY DISPLACED PERSONS (IDP's)

Dr. Hussein Dari, Director, Ibn Al-Baladi, paediatric and gynecological hospital in Baghdad  
 Dr. Yasin Abeid Yasin, Director, Saddam general hospital in Al-Amara  
 Dr. Hussein Ali Al-Jalaby, Director, Al-Basrah general hospital  
 Dr. Samer Fuad Daoud, Director, Saddam general hospital in Al-Nassariyah  
 Elderly care center in Mosul  
 Mr. Adel Abbas, Director, elderly care center in Basrah  
 Girls orphanage and school of Mosul  
 Boys orphanage and school of Mosul  
 2 IDP compounds in Erbil  
 2 IDP compounds in Basrah  
 Al-Amariyya shelter

#### VI. ACADEMICIANS (University of Mosul)

Prof Sameer Abdul-Rahim, College of Science Mosul  
 Dr. Moayad Younis Al-Taee, consultant physician, College of Medicine  
 Dr. Yousif Hanna Ibrahim, Assistant Professor, Department of Education and Psychology

#### VII. THEOLOGICAL SCHOOLS AND YOUTH GROUPS

Seminary of the Chaldean Church  
 Seminary of the Syrian Orthodox Church in Mosul  
 Youth Movement of the Syrian Orthodox Church in Mosul