

## **Cool war: Economic sanctions as a weapon of mass destruction**

by Jop Gordon

### **Abstract:**

Although there is little security council support for the sanctions on Iraq, they cannot be lifted without US agreement. After five years of the oil for food program's operating at full capacity, the situation has actually worsened.

### **Full Text:**

In searching for evidence of the potential danger posed by Iraq, the Bush Administration need have looked no further than the well-kept record of U.S. manipulation of the sanctions program since 1991. If any international act in the last decade is sure to generate enduring bitterness toward the United States, it is the epidemic suffering needlessly visited on Iraqis via U.S. fiat inside the United Nations Security Council. Within that body, the United States has consistently thwarted Iraq from satisfying its most basic humanitarian needs, using sanctions as nothing less than a deadly weapon, and, despite recent reforms, continuing to do so. Invoking security concerns—including those not corroborated by U.N. weapons inspectors—U.S. policymakers have effectively turned a program of international governance into a legitimized act of mass slaughter.

Since the U.N. adopted economic sanctions in 1945, in its charter, as a means of maintaining global order, it has used them fourteen times (twelve times since 1990). But only those sanctions imposed on Iraq have been comprehensive, meaning that virtually every aspect of the country's imports and exports is controlled, which is particularly damaging to a country recovering from war. Since the program began, an estimated 500,000 Iraqi children under the age of five have died as a result of the sanctions—almost three times as many as the number of Japanese killed during the U.S. atomic bomb attacks.

News of such Iraqi fatalities has been well documented (by the United Nations, among others), though underreported by the media. What has remained invisible, however, is any documentation of how and by whom such a death toll has been justified for so long. How was the danger of goods entering Iraq assessed, and how was it weighed, if at all, against the mounting collateral damage? As an academic who studies the ethics of international relations, I was curious. It was easy to discover that for the last ten years a vast number of lengthy holds had been placed on billions of dollars' worth of what seemed unobjectionable—and very much needed—imports to Iraq. But I soon learned that all U.N. records that could answer my questions were kept from public scrutiny. This is not to say that the U.N. is lacking in public documents related to the Iraq program. What is unavailable are the documents that show how the U.S. policy agenda has determined the outcome of humanitarian and security judgments.

The operation of Iraq sanctions involves numerous agencies within the United Nations. The Security Council's 661 Committee[1] is generally responsible for both enforcing the sanctions and granting humanitarian exemptions. The Office of Iraq Programme (OIP), within the U.N. Secretariat, operates the Oil for Food Programme. Humanitarian agencies such as UNICEF and the World Health Organization work in Iraq to monitor and improve the population's welfare, periodically reporting their findings to the 661 Committee. These agencies have been careful not to publicly discuss their ongoing frustration with the manner in which the program is operated.

Over the last three years, through research and interviews with diplomats, U.N. staff, scholars, and journalists, I have acquired many of the key confidential U.N. documents concerning the administration of Iraq sanctions. I obtained these documents on the condition that my sources remain anonymous. What they show is that the United States has fought aggressively throughout the last decade to purposefully minimize the humanitarian goods that enter the country. And it has done so in the face of enormous human suffering, including massive increases in child mortality and widespread epidemics. It has sometimes given a reason for its refusal to approve humanitarian goods, sometimes given no reason at all, and sometimes changed its reason three or four times, in each instance causing a delay of months. Since August 1991 the United States has blocked most purchases of materials necessary for Iraq to generate electricity, as well as equipment for radio, telephone, and other communications. Often restrictions have hinged on the withholding of a single essential element, rendering many approved items useless. For example, Iraq was allowed to purchase a sewage-treatment plant but was blocked from buying the generator necessary to run it; this in a country that has been pouring 300,000 tons of raw sewage daily into its rivers.

Saddam Hussein's government is well known for its human-rights abuses against the Kurds and Shiites, and for its invasion of Kuwait. What is less well known is that this same government had also invested heavily in health, education, and social programs for two decades prior to the Persian Gulf War. While the treatment of ethnic minorities and political enemies has been abominable under Hussein, it is also the case that the well-being of the society at large improved dramatically. The social programs and economic development continued, and expanded, even during Iraq's grueling and costly war with Iran from 1980 to 1988, a war that Saddam Hussein might not have survived without substantial U.S. backing. Before the Persian Gulf War, Iraq was a rapidly developing country, with free education, ample electricity, modernized agriculture, and a robust middle class. According to the World Health Organization, 93 percent of the population had access to health care.

The devastation of the Gulf War and the sanctions that preceded and sustained such devastation changed all that. Often forgotten is the fact that sanctions were imposed before the war—in August of 1990—in direct response to Iraq's invasion of Kuwait. After the liberation of Kuwait, sanctions were maintained, their focus shifted to disarmament. In 1991, a few months after the end of the war, the U.N. secretary general's envoy reported that Iraq was facing a crisis in the areas of food, water, sanitation, and health, as well as elsewhere in its entire infrastructure, and predicted an "imminent catastrophe, which could include epidemics and famine, if massive life-supporting needs are not rapidly met." U.S. intelligence assessments took the same view. A Defense Department evaluation noted that "Degraded medical conditions in Iraq are primarily attributable to the breakdown of public services (water purification and distribution, preventive medicine, water disposal, health-care services, electricity, and transportation) .... Hospital care is degraded by lack of running water and electricity."

According to Pentagon officials, that was the intention. In a June 23, 1991, Washington Post article, Pentagon officials stated that Iraq's electrical grid had been targeted by bombing strikes in order to undermine the civilian economy. "People say, 'You didn't recognize that it was going to have an effect on water or sewage,'" said one planning officer at the Pentagon. "Well, what were we trying to do with sanctions—help out the Iraqi people? No. What we were doing with the attacks on infrastructure was to accelerate the effect of the sanctions."

Iraq cannot legally export or import any goods, including oil, outside the U.N. sanctions system. The Oil for Food Programme, intended as a limited and temporary emergency

measure, was first offered to Iraq in 1991, and was rejected. It was finally put into place in 1996. Under the programme, Iraq was permitted to sell a limited amount of oil (until 1999, when the limits were removed), and is allowed to use almost 60 percent of the proceeds to buy humanitarian goods.[2] Since the programme began, Iraq has earned approximately \$57 billion in oil revenues, of which it has spent about \$23 billion on goods that actually arrived. This comes to about \$170 per year per person, which is less than one half the annual per capita income of Haiti, the poorest country in the Western Hemisphere. Iraqi diplomats noted last year that this is well below what the U.N. spends on food for dogs used in Iraqi de-mining operations (about \$400 per dog per year on imported food, according to the U.N.).

The severe limits on funds created a permanent humanitarian crisis, but the situation has been worsened considerably by chronic delays in approval for billions of dollars' worth of goods. As of last July more than \$5 billion in goods was on hold.

The Office of Iraq Programme does not release information on which countries are blocking contracts, nor does any other body. Access to the minutes of the Security Council's 661 Committee is "restricted." The committee operates by consensus, effectively giving every member veto power. Although support for the sanctions has eroded considerably, the sanctions are maintained by "reverse veto" in the Security Council. Because the sanctions did not have an expiration date built in, ending them would require another resolution by the council. The United States (and Britain) would be in a position to veto any such resolution even though the sanctions on Iraq have been openly opposed by three permanent members-- France, Russia, and China-- for many years, and by many of the elected members as well. The sanctions, in effect, cannot be lifted until the United States agrees.

Nearly everything for Iraq's entire infrastructure--electricity, roads, telephones, water treatment--as well as much of the equipment and supplies related to food and medicine has been subject to Security Council review. In practice, this has meant that the United States and Britain subjected hundreds of contracts to elaborate scrutiny, without the involvement of any other country on the council; and after that scrutiny, the United States, only occasionally seconded by Britain, consistently blocked or delayed hundreds of humanitarian contracts.

In response to U.S. demands, the U.N. worked with suppliers to provide the United States with detailed information about the goods and how they would be used, and repeatedly expanded its monitoring system, tracking each item from contracting through delivery and installation, ensuring that the imports are used for legitimate civilian purposes. Despite all these measures, U.S. holds actually increased. In September 2001 nearly one third of water and sanitation and one quarter of electricity and educational-supply contracts were on hold. Between the springs of 2000 and 2002, for example, holds on humanitarian goods tripled.

Among the goods that the United States blocked last winter: dialysis, dental, and fire-fighting equipment, water tankers, milk and yogurt production equipment, printing equipment for schools. The United States even blocked a contract for agricultural-bagging equipment, insisting that the U.N. first obtain documentation to 44 confirm that the 'manual' placement of bags around filling spouts is indeed a person placing the bag on the spout."

Although most contracts for food in the last few years bypassed the Security Council altogether, political interference with related contracts still occurred. In a March 20, 2000, 661 Committee meeting--after considerable debate and numerous U.S. and U.K. objections--a UNICEF official, Anupama Rao Singh, made a presentation on the deplorable humanitarian situation in Iraq. Her report included the following: 25 percent of children in south and central

governorates suffered from chronic malnutrition, which was often irreversible, 9 percent from acute malnutrition, and child-mortality rates had more than doubled since the imposition of sanctions.

A couple of months later, a Syrian company asked the committee to approve a contract to mill flour for Iraq. Whereas Iraq ordinarily purchased food directly, in this case it was growing wheat but did not have adequate facilities to produce flour. The Russian delegate argued that, in light of the report the committee had received from the UNICEF official, and the fact that flour was an essential element of the Iraqi diet, the committee had no choice but to approve the request on humanitarian grounds. The delegate from China agreed, as did those from France and Argentina. But the U.S. representative, Eugene Young, argued that "there should be no hurry" to move on this request: the flour requirement under Security Council Resolution 986 had been met, he said; the number of holds on contracts for milling equipment was "relatively low"; and the committee should wait for the results of a study being conducted by the World Food Programme first. Ironically, he also argued against the flour-- milling contract on the grounds that "the focus should be on capacity-building within the country"-even though that represented a stark reversal of U.S. policy, which consistently opposed any form of economic development within Iraq. The British delegate stalled as well, saying that he would need to see "how the request would fit into the Iraqi food programme," and that there were still questions about transport and insurance. In the end, despite the extreme malnutrition of which the committee was aware, the U.S. delegate insisted it would be "premature" to grant the request for flour production, and the U.K. representative joined him, blocking the project from going forward.

Many members of the Security Council have been sharply critical of these practices. In an April 20, 2000, meeting of the 661 Committee, one member after another challenged the legitimacy of the U.S. decisions to impede the humanitarian contracts. The problem had reached "a critical point," said the Russian delegate; the number of holds was "excessive," said the Canadian representative; the Tunisian delegate expressed concern over the scale of the holds. The British and American delegates justified their position on the grounds that the items on hold were dual-use goods that should be monitored, and that they could not approve them without getting detailed technical information. But the French delegate challenged this explanation: there was an elaborate monitoring mechanism for telecommunications equipment, he pointed out, and the International Telecommunication Union had been involved in assessing projects. Yet, he said, there were holds on almost 90 percent of telecommunications contracts. Similarly, there was already an effective monitoring mechanism for oil equipment that had existed for some time; yet the holds on oil contracts remained high. Nor was it the case, he suggested, that providing prompt, detailed technical information was sufficient to get holds released: a French contract for the supply of ventilators for intensive-care units had been on hold for more than five months, despite his government's prompt and detailed response to a request for additional technical information and the obvious humanitarian character of the goods.

Dual-use goods, of course, are the ostensible target of sanctions, since they are capable of contributing to Iraq's military capabilities. But the problem remains that many of the tools necessary for a country simply to function could easily be considered dual use. Truck tires, respirator masks, bulldozers, and pipes have all been blocked or delayed at different times for this reason. Also under suspicion is much of the equipment needed to provide electricity, telephone service, transportation, and clean water. Yet goods presenting genuine security concerns have been safely imported into Iraq for years and used for legitimate purposes. Chlorine, for example-vital for water purification, and feared as a possible source of the

chlorine gas used in chemical weapons-is aggressively monitored, and deliveries have been regular. Every single canister is tracked from the time of contracting through arrival, installation, and disposal of the empty canister. With many other goods, however, U.S. claims of concern over weapons of mass destruction are a good deal shakier.

Last year the United States blocked contracts for water tankers, on the grounds that they might be used to haul chemical weapons instead. Yet the arms experts at UNMOVIC [3] had no objection to them: water tankers with that particular type of lining, they maintained, were not on the "1051 list"-the list of goods that require notice to U.N. weapons inspectors. Still, the United States insisted on blocking the water tankers-this during a time when the major cause of child deaths was lack of access to clean drinking water, and when the country was in the midst of a drought. Thus, even though the United States justified blocking humanitarian goods out of concern over security and potential military use, it blocked contracts that the U.N.'s own agency charged with weapons inspections did not object to. And the quantities were large. As of September 2001, "1051 disagreements" involved nearly 200 humanitarian contracts. As of last March, there were \$25 million worth of holds on contracts for hospital essentials-- sterilizers, oxygen plants, spare parts for basic utilities-that, despite release by UNMOVIC, were still blocked by the United States on the claim of "dual use."

Beyond its consistent blocking of dual-use goods, the United States found many ways to slow approval of contracts. Although it insisted on reviewing every contract carefully, for years it didn't assign enough staff to do this without causing enormous delays. In April 2000 the United States informed the 661 Committee that it had just released \$275 million in holds. This did not represent a policy change, the delegate said; rather, the United States had simply allocated more financial resources and personnel to the task of reviewing the contracts. Thus millions in humanitarian contracts had been delayed not because of security concerns but simply because of U.S. disinterest in spending the money necessary to review them. In other cases, after all U.S. objections to a delayed contract were addressed (a process that could take years), the United States simply changed its reason for the hold, and the review process began all over. After a half-million-- dollar contract for medical equipment was blocked in February 2000, and the company spent two years responding to U.S. requests for information, the United States changed its reason for the hold, and the contract remained blocked. A tremendous number of other medical-equipment contracts suffered the same fate. As of September 2001, nearly a billion dollars' worth of medical-equipment contracts-for which all the information sought had been provided-was still on hold.

Among the many deprivations Iraq has experienced, none is so closely correlated with deaths as its damaged water system. Prior to 1990, 95 percent of urban households in Iraq had access to potable water, as did three quarters of rural households. Soon after the Persian Gulf War, there were widespread outbreaks of cholera and typhoid--diseases that had been largely eradicated in Iraq-as well as massive increases in child and infant dysentery, and skyrocketing child and infant mortality rates. By 1996 all sewage treatment plants had broken down. As the state's economy collapsed, salaries to state employees stopped, or were paid in Iraqi currency rendered nearly worthless by inflation. Between 1990 and 1996 more than half of the employees involved in water and sanitation left their jobs. By 2001, after five years of the Oil for Food Programme's operating at full capacity, the situation had actually worsened.

In the late 1980s the mortality rate for Iraqi children under five years old was about fifty per thousand. By 1994 it had nearly doubled, to just under ninety. By 1999 it had increased again, this time to nearly 130; that is, 13 percent of all Iraqi children were dead before their fifth birthday. For the most part, they die as a direct or indirect result of contaminated water.

The United States anticipated the collapse of the Iraqi water system early on. In January 1991, shortly before the Persian Gulf War began and six months into the sanctions, the Pentagon's Defense Intelligence Agency projected that, under the embargo, Iraq's ability to provide clean drinking water would collapse within six months. Chemicals for water treatment, the agency noted, "are depleted or nearing depletion," chlorine supplies were "critically low," the main chlorine-production plants had been shut down, and industries such as pharmaceuticals and food processing were already becoming incapacitated. "Unless the water is purified with chlorine," the agency concluded, "epidemics of such diseases as cholera, hepatitis, and typhoid could occur." [4]

All of this indeed came to pass. And got worse. Yet U.S. policy on water-supply contracts remained as aggressive as ever. For every such contract unblocked in August 2001, for example, three new ones were put on hold. A 2001 UNICEF report to the Security Council found that access to potable water for the Iraqi population had not improved much under the Oil for Food Programme, and specifically cited the half a billion dollars of water- and sanitation-supply contracts then blocked-one third of all submitted. UNICEF reported that up to 40 percent of the purified water run through pipes is contaminated or lost through leakage. [5] Yet the United States blocked or delayed contracts for water pipes, and for the bulldozers and earth-moving equipment necessary to install them. And despite approving the dangerous dual-use chlorine, the United States blocked the safety equipment necessary to handle the substance-not only for Iraqis but for U.N. employees charged with chlorine monitoring there.

It is no accident that the operation of the 661 Committee is so obscured. Behind closed doors, ensconced in a U.N. bureaucracy few citizens could parse, American policymakers are in a good position to avoid criticism of their practices; but they are also, rightly, fearful of public scrutiny, as a fracas over a block on medical supplies last year illustrates.

In early 2001, the United States had placed holds on \$280 million in medical supplies, including vaccines to treat infant hepatitis, tetanus, and diphtheria, as well as incubators and cardiac equipment. The rationale was that the vaccines contained live cultures, albeit highly weakened ones. The Iraqi government, it was argued, could conceivably extract these, and eventually grow a virulent fatal strain, then develop a missile or other delivery system that could effectively disseminate it. UNICEF and U.N. health agencies, along with other Security Council members, objected strenuously. European biological-weapons experts maintained that such a feat was in fact flatly impossible. At the same time, with massive epidemics ravaging the country, and skyrocketing child mortality, it was quite certain that preventing child vaccines from entering Iraq would result in large numbers of child and infant deaths. Despite pressure behind the scenes from the U.N. and from members of the Security Council, the United States refused to budge. But in March 2001, when the Washington Post and Reuters reported on the holds-- and their impact--the United States abruptly announced it was lifting them.

A few months later, the United States began aggressively and publicly pushing a proposal for "smart sanctions," sometimes known as "targeted sanctions." The idea behind smart sanctions is to "contour" sanctions so that they affect the military and the political leadership instead of the citizenry. Basic civilian necessities, the State Department claimed, would be handled by the U.N. Secretariat, bypassing the Security Council. Critics pointed out that in fact the proposal would change very little since everything related to infrastructure was routinely classified as dual use, and so would be subject again to the same kinds of interference. What the "smart sanctions" would accomplish was to mask the U.S. role. Under the new proposal,

all the categories of goods the United States ordinarily challenged would instead be placed in a category that was, in effect, automatically placed on hold. But this would now be in the name of the Security Council—even though there was little interest on the part of any of its other members (besides Britain) for maintaining sanctions, and even less interest in blocking humanitarian goods.

After the embarrassing media coverage of the child-vaccine debacle, the State Department was eager to see the new system in place, and to see that none of the other permanent members of the Security Council—Russia, Britain, China, and France—vetoed the proposal. In the face of this new political agenda, U.S. security concerns suddenly disappeared. In early June of last year, when the "smart sanctions" proposal was under negotiation, the United States announced that it would lift holds on \$800 million of contracts, of which \$200 million involved business with key Security Council members. A few weeks later, the United States lifted holds on \$80 million of Chinese contracts with Iraq, including some for radio equipment and other goods that had been blocked because of dual-use concerns.

In the end, China and France agreed to support the U.S. proposal. But Russia did not, and immediately after Russia vetoed it, the United States placed holds on nearly every contract that Iraq had with Russian companies. Then last November, the United States began lobbying again for a smart-sanctions proposal, now called the Goods Review List (GRL). The proposal passed the Security Council in May 2002, this time with Russia's support. In what one diplomat, anonymously quoted in the Financial Times of April 3, 2002, called "the boldest move yet by the U.S. to use the holds to buy political agreement," the Goods Review List had the effect of lifting \$740 million of U.S. holds on Russian contracts with Iraq, even though the State Department had earlier insisted that those same holds were necessary to prevent any military imports.

Under the new system, UNMOVIC and the International Atomic Energy Agency make the initial determination about whether an item appears on the GRL, which includes only those materials questionable enough to be passed on to the Security Council. The list is precise and public, but huge. Cobbled together from existing U.N. and other international lists and precedents, the GRL has been virtually customized to accommodate the imaginative breadth of U.S. policymakers' security concerns. Yet when U.N. weapons experts began reviewing the \$5 billion worth of existing holds last July, they found that very few of them were for goods that ended up on the GRL or warranted the security concern that the United States had originally claimed. As a result, hundreds of holds have been lifted in the last few months.

This mass release of old holds—expected to have been completed in October—should have made a difference in Iraq. But U.S. and British maneuvers on the council last year makes genuine relief unlikely. In December 2000, the Security Council passed a resolution allowing Iraq to spend 600 million euros (about \$600 million) from its oil sales on maintenance of its oil-production capabilities. Without this, Iraq would still have to pay for these services, but with no legal avenue to raise the funds. The United States, unable in the end to agree with Iraq on how the funds would be managed, blocked the measure's implementation. In the spring of 2001, the United States accused Iraq of imposing illegal surcharges on the middlemen who sell to refiners. To counter this, the United States and Britain devised a system that had the effect of undermining Iraq's basic capacity to sell oil: "retroactive pricing." Taking advantage of the fact that the 661 Committee sets the price Iraq receives from each oil buyer, the United States and Britain began to systematically withhold their votes on each price until the relevant buying period had passed. The idea was that then the alleged surcharge could be subtracted from the price after the sale had occurred, and that price would then be imposed on the buyer.

The effect of this practice has been to torpedo the entire Oil for Food Programme. Obviously, few buyers would want to commit themselves to a purchase whose price they do not know until after they agree to it. As a result of this system, Iraq's oil income has dropped 40 percent since last year, and more than \$2 billion in humanitarian contracts—all of them fully approved—are now stalled. Once again, invoking tenuous security claims, the United States has put in place a device that will systematically cause enormous human damage in Iraq.

Some would say that the lesson to be learned from September 11 is that we must be even more aggressive in protecting what we see as our security interests. But perhaps that's the wrong lesson altogether. It is worth remembering that the worst destruction done on U.S. soil by foreign enemies was accomplished with little more than hatred, ingenuity, and box cutters. Perhaps what we should learn from our own reactions to September 11 is that the massive destruction of innocents is something that is unlikely to be either forgotten or forgiven. If this is so, then destroying Iraq, whether with sanctions or with bombs, is unlikely to bring the security we have gone to such lengths to preserve.

Footnote:

[1] So called because of Security Council Resolution 661, which initially imposed sanctions on Iraq.

[2] Twenty-five percent of the proceeds are reserved for reparations to Kuwait.

[3] The United Nations Monitoring, Verification and Inspection Commission.

[4] "Iraq Water Treatment Vulnerabilities," Defense Intelligence Agency, January 18, 1991.

[5] "Status of the Water and Sanitation Sector in South/Center Iraq," UNICEF, September 2001.

Author note:

Joy Gordon is a professor of philosophy at Fairfield University. She is at work on her first book, *A Peaceful, Silent, Deadly Remedy: The Ethics of Economic Sanctions*, which will be published by Harvard University Press.