

The 2004 Roundtable on  
**UN Sanctions against Iraq:  
Lessons Learned**

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Website: <[www.smartsanctions.se](http://www.smartsanctions.se)>

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## The 2004 Roundtable on UN sanctions against Iraq: Lessons learned

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### Executive summary

#### 1. The 2004 Roundtable

The comprehensive sanctions on Iraq (1990 – 2003) represent one of the largest operations for peace and security performed in the history of United Nations. For the benefit of the international community, an inventory roundtable on lessons learned was held at the Department of Peace and Conflict Research, Uppsala University on September 25, 2004. Leading academic experts and practitioners with many years of direct or indirect experiences from the Iraqi sanctions regime participated. The meeting was chaired by Professor Peter Wallensteen. Reflections from the deliberations are presented in this Executive Summary.<sup>1</sup> It serves to demonstrate the richness of the discussions. It is testimony to the need for making systematic evaluations of this large sanctions experience, for the aid of future operations, whether imposed by the UN, EU or other international governmental bodies.

The **background** to this particular roundtable is the involvement of the Department and the Swedish Ministry for Foreign Affairs in the Stockholm Process on the implementation of targeted sanctions. This resulted in the Stockholm Report that was presented in the UN

<sup>1</sup> The reflections in this report are the sole responsibility of the authors, not necessarily the views of the participants or the funder, the Swedish Ministry for Foreign Affairs. We would also like to thank Ms. Lina Edmark for assistance in convening the roundtable.

Security Council in February 2003 (see [www.smartsanctions.se](http://www.smartsanctions.se)).<sup>2</sup> It was the third governmental effort of this kind that sought to make sanctions a more effective tool. The first was the Interlaken Process, sponsored by Switzerland, focusing on targeted financial sanctions.<sup>3</sup> It was followed by an initiative from Germany – the Bonn/Berlin Process – dealing with arms embargoes, travel- and aviation-related sanctions.<sup>4</sup> The Stockholm Process focused on ways to increase the efficiency in implementing and monitoring targeted sanctions, rather than adding new categories of sanctions. Throughout the three processes, the Iraq sanctions figured prominently as an illustration of strengths and weaknesses of the sanctions instrument. Thus, it was natural to move towards a more systematic analysis of lessons learned. A first result was the 2004 Roundtable on the Iraq sanctions. It was set up by the Uppsala team involved in the Stockholm Process, with a grant from the Swedish Ministry for Foreign Affairs.

The **aim of the 2004 Roundtable** was to identify, discuss and analyze experiences from the Iraq sanctions regime, particularly in the field of implementation and monitoring. For instance, an underlying question was to ask whether or not the arms embargo and associated measures, in fact, were successful in preventing Iraq from rebuilding its capacity to produce weapons of mass destruction. An issue of particular relevance was: if so, which were the key elements explaining this outcome and, then, what was the role of the inspections, monitoring and enforcement measures?

By most standards, the UN sanctions against Iraq have been a unique experience. That can largely be attributed to the political will shown by the Member States in sanctioning and implementing measures against Iraq. Some of the special features are the following:

<sup>2</sup> The full citation for the Stockholm Report is Wallensteen, Peter, Carina Staibano and Mikael Eriksson, 2003. *Making Targeted Sanctions Effective*, Uppsala: Department of Peace and Conflict Research.

<sup>3</sup> See Biersteker, Thomas et al. 2001. *Targeted Financial Sanctions: A Manual for Design and Implementation. Contributions from the Interlaken Process*, Providence, R.I.: Thomas J. Watson Jr. Institute of International Studies.

<sup>4</sup> See Brzoska, Michael (ed) 2001 *Design and Implementation of Arms Embargoes and Travel- and Aviation- Related Sanctions: Results of the 'Bonn-Berlin' Process*. Bonn: Bonn International Center for Conversion.

- The sanctions lasted for almost thirteen years, which makes them – together with the Rhodesia and South Africa sanctions – the longest so far in UN experience.
- They were initiated and maintained by resolutions that were detailed, continuously discussed, updated and refined by the Security Council.
- They contained focused efforts of implementation and enforcement, notably in the form of the United Nations Special Commission, UNSCOM (1991-1999), the mandate to the International Atomic Energy Agency, IAEA, the United Nations Monitoring, Verification and Inspection Commission, UNMOVIC (since 1999), and the Multinational Interception Force, MIF (1991-2003); nothing like this has been available for other sanctions.
- The measures included international efforts to cope with the humanitarian consequences, notably the Oil-for-food Program administered through the Office of the Iraq Program.

The unique character and the political consequences of the Iraq sanctions may mean that they will not be repeated, but nevertheless these experiences can yield valuable information for the design and implementation of future UN sanctions.

The organizers were positively surprised over the welcoming reactions to undertake a lessons learned exercise in Uppsala. A distinguished and competent group came together for a full day of intensive deliberations (program and participants are given in the Appendix 1). It was agreed that none of the participants should be directly quoted in the report from the Roundtable.

In the following this report includes a short background on the sanctions and, then, outlines possible lessons as mentioned by participants and organized along the lines of the Stockholm Report.

## **2. Setting up the international sanctions on Iraq**

On August 2, 1990, Iraqi military forces crossed the border of the independent state of Kuwait, quickly occupying the whole country and soon claiming it to be an integral part of Iraq. In a swift response to this breach of international peace, the UN Security Council condemned

the invasion, demanded the withdrawal of the Iraqi forces and – within a few days – initiated sanctions against Iraq (as well as on Kuwait, as it was incorporated into Iraq). The sanctions included the freezing of Iraqi and Kuwaiti assets abroad and a ban of trade (imports and exports) with both Iraq and Kuwait. A Sanctions Committee was established to monitor the implementation of the sanctions (Res. 661, 1990). Further measures included naval interdiction (Res. 665, 1990) and a ban of flights to and from Iraq (Res. 670, 1990). As the sanctions were seen to be slow in generating the expected outcome, the Security Council authorized the use of “all necessary means” to end Iraq’s occupation of Kuwait (Res. 678, 1990). Following the US-led military operation on Iraq the Security Council adopted Resolution 687 (1991) in April 1991 where it defined the terms for the peace (see Appendix 2).

One of the central aspects of Resolution 687 – besides the cease-fire agreement, the international observer mission and the border demarcation operation – was to continue the existing sanctions regime against Iraq to make sure the country complied with the disarmament stipulations. No particular limitations were placed on Iraq’s conventional army (except for missiles with a range beyond 150 kilometers), but tough regulations were instituted on Iraq’s capabilities to acquire, possess and develop weapons of mass destruction (WMD). Resolution 687 specified the destruction of all such capabilities. For this purpose a special commission (UNSCOM) was created. IAEA was also given an inspection role. The resolution made clear that the sanctions measures (primarily the embargo on the purchase of Iraqi oil) would be lifted once the Council agreed that Iraq had completed all actions required under the obligations as regards the WMD-dimension of the cease-fire resolution (Res. 687, paragraph 22). Iraq was allowed to import goods for humanitarian purposes. Kuwait was removed from the sanctions.

A unique element of monitoring and verification was later instituted (Res. 715, October 1991 and Res. 1051, March 1996) to implement the provisions of Resolution 687. It enabled UNSCOM and IAEA to monitor imports to Iraq in the search of equipment that could have implications for the development of a WMD capability.

From this overview it can be concluded that the Security Council attempted to be fairly precise in its expectations of what was to be achieved. Still, the confrontation with the reality made it necessary to continuously update and refine the tools and the objectives of the sanctions. The sanctions went on for a long time, and the strategies of the Security Council seem not to have been adapted to the needs of a more long term approach, according to many of the participants in the 2004 Roundtable. Let us now proceed to list some of the lessons indicated at the Roundtable.

### 3. Lessons for Security Council sanctions strategy

#### *Continuity of purpose*

What is *the ultimate purpose* of a sanctions regime? It is a general lesson drawn from many other sanctions cases that a high degree of international consensus and cooperation with the sanctions is a necessary requirement. In the case of Iraq, according to participants, that was also the case at the beginning of the operation. However, it faded as sanctions went on. The concerted efforts by the United States and the United Kingdom at supporting the implementation of the UN measures were seen as significant. A particular illustration of this was the creation of the special maritime observation force (Multinational Interception Force, MIF). It included officials checking Iraq's import and export. According to one estimate at the Roundtable MIF stopped and checked over 10.000 shipments during ten years.

Several participants questioned what the ultimate purpose of the sanctions actually was. The Roundtable discussion centred on three different understandings, not necessarily excluding each other:

- *Compliance*: Coerce Iraq to meet the requirements in Res. 687, and once that had been achieved, proceed to lift the sanctions.
- *Containment*: Prevent Iraq from again becoming a military significant actor in the region, thus, keeping the sanctions – in one form or another – in place for an undetermined period of time.
- *Change of Regime*: Bring about the fall of the Saddam Hussein regime, meaning that the sanctions would soften the regime's will to resist and possibly preparing for an uprising

or an outside intervention. After September 11, 2001 the possible connection to terrorism resulted in a new focus on the regime as such.

The UN sanctions, as outlined in Resolution 687, were designed according to the first purpose. However, as sanctions went on, actors in Iraq and in the region began to suspect that there were also other considerations. This would, in that case, undermine the regional and international interest in compliance. It might also stimulate an Iraqi interest in evasion.

Indications of other concerns were suggested in the Roundtable discussions. For instance, some found that there were different stands taken by different US Administrations to the sanctions efforts. According to participants, the original sanctions strategy was developed by the George Bush Sr. Administration. It would mean the ultimate proof of the validity of the US response if it could be convincingly demonstrated that Iraq had successfully and permanently been disarmed through the Gulf War and the following sanctions. The Clinton Administration, it was suggested, did not, to the same extent 'own' the sanctions approach and were more inclined to the other two objectives. In fact, the regime change approach was clearly expressed in 1997 by Mme. Madeleine Albright, US Secretary of State. The Iraq policy under George W. Bush seemed initially to pursue a compliance strategy. For instance, this US Administration went to great lengths in developing the 'smart sanctions' that were instituted in May 2002 (Res. 1409). Later, however, the policy shifted and in March 2003 the USA choose to initiate a war aimed at regime change.

There were participants in the Roundtable, however, who were of the opinion that regime change had been on the mind of all administrations throughout the sanctions. Still, priorities shifted. The US policy in the first part of 2002 emphasized the utility of sanctions, indicating that there were alternatives that were judged to be effective.

Assuming that compliance was an important goal throughout the sanctions regime, the Roundtable embarked into an important discussion on the 'carrots' and 'sticks' that were available to the international community in general and UNSCOM in particular. In terms of lessons learned, *clarity about the purpose and action that logically follows from*

*this* seems important in sanctions implementation. If compliance is the purpose, and compliance is observed, then one would expect sanctions to be eased accordingly.

### *Carrots and sticks*

The sanctions had a supporting role for the inspections and allowed inspectors to operate using a ‘carrot and stick’ approach. According to several participants the initial understanding was that if Iraq violated its obligations under the cease-fire agreement and did not come clear on the WMD issue, the threat of new military intervention would be imminent. This was the ‘stick’ that might be available to the international community. The ‘carrot’ was that if Iraq did everything to comply on the weapons issue the oil embargo would be lifted. Iraq would return to ‘normal’ relations with the UN and the international community.

To understand the effectiveness of this approach an analyst would need to consider how the Iraqi government – at the time – analyzed the country’s security situation immediately after the first Gulf War. Participants suggested that Iraq’s position internationally was weak and that the regime was shaken domestically. Thus, it was afraid of further military operations by, in particular, the USA. It was observed that the regime saw any US troop movement with anxiety. Participants underlined that the basic purpose was for the regime to maintain itself in power and that it was prepared to go to the extreme in achieving this objective. The logic of this argument would, however, be that the regime was not dependent on having access to WMD. It would have been logical for the regime to cooperate with the inspections.

This, in effect, initially gave UNSCOM and IAEA two significant pressure points against Iraq to be able to carry out the inspections: the threat of renewed military hostilities and the promise of ending the sanctions. The participants illustrated how the Iraqi regime during the first years was willing to comply with a number of the demands of the inspection agencies. Some suggested that, as the threat of a renewed military intervention subsided particularly with the Clinton Administration being less motivated for such actions, the carrot gained increasing significance. Iraq was willing to comply, several participants thought, as it wanted to rid itself of the outcast status created by the continued sanctions. Between 1994 and 1996 much was achieved in disarming

Iraq. In the latter part of 1996 there was a high-speed destruction of biological weapons. By 1997 a large part of the illegal weapons capacity in Iraq had been destroyed. It had also become clear to everybody involved that Iraq did no longer possess any WMD capabilities. Iraq on its part, had become more hopeful to get the sanctions lifted, particularly as this could be done fairly swiftly according to paragraph 22 in the initial resolution.

However, several participants pointed out how this dynamic changed when the American government explicitly stated its preference for a regime change in Iraq. The declaration by Mme Albright in March 1997 saying that it was unlikely that a regime such as Saddam Hussein's would ever have peaceful intentions,<sup>5</sup> and the US Congress giving support to opposition groups (USD 98 million was the allocation mentioned), in effect took away a positive incentive for Iraq to comply with the UN stipulations and to work with the inspections. A consequence was that the issue of Iraq and its WMD capacity became more divisive and that the consensus in the Security Council began to break up. It was noted that the Security Council members that had been strong supporters of UNSCOM and inspections began to shift their positions. Iraq reacted by suspending all cooperation with the inspectors.

At the same time, the international public support for sanctions was gradually undermined by the observed humanitarian consequences of the operations. Although measures were instituted to remedy this (the OIP and the oil-for-food program) the comprehensive sanctions were seen in an increasingly hostile way around the world. This, in effect, gave Iraq an alternative strategy to remove the sanctions, hoping to

<sup>5</sup> On March 26, 1997, Madeleine Albright said, in her first major foreign policy address as Secretary of State: "We do not agree with the nations who argue that if Iraq complies with its obligations concerning weapons of mass destruction, sanctions should be lifted. Our view, which is unshakable, is that Iraq must prove its peaceful intentions. It can only do that by complying with all of the Security Council resolutions to which it is subjected. Is it possible to conceive of such a government under Saddam Hussein? When I was a professor, I taught that you have to consider all possibilities. As Secretary of State, I have to deal in the realm of reality and probability. And the evidence is overwhelming that Saddam Hussein's intentions will never be peaceful."

gradually undermine the public support for the sanctions efforts in key countries.

A lesson from this is the importance of *consistency* and *consensus* in the Security Council. As time went by, key actors began to change their understanding of what was the central concern in the Iraq crisis, moving from WMD to regional power issues, internal regime concerns and the fate of the population in the country. To operate the sanctions and the inspections, as several participants could exemplify, became increasingly complex.

The discussions indicated what might be an exceptional feature of the Iraq sanctions. There were *military options* available to the international community, or at least, its leading actor. This is not the case in most sanction situations. In the Iraq case, the ‘stick’ was not only a theoretical option but had actually been used (in the Gulf War 1990-91) and the threat of renewed military action may, thus, have contributed to Iraq’s early compliance. A similar observation can be made for the restarting of inspections (by UNMOVIC) in November 2002: again there was a clearly visible ‘stick’ close to Iraq. The US support to opposition groups, however, does not appear to have had the same impact in moving the regime towards compliance. Rather, it may have made it more recalcitrant.

#### **4. Lessons learned: Monitoring and inspection**

An outstanding feature of the Iraq sanctions was the inspections and the monitoring. No other sanctions have had such operative instruments. During the 1990s there have been efforts at building up monitoring mechanisms and expert panels to evaluate the implementation of other sanctions. In the Iraq case, this was part of the UN measures from the outset, although the mandates were more limited to the actual sanctions outcome: were there or were there not WMD capacity or WMD potential in Iraq? The Roundtable spent some time in understanding the organizational set-up of the inspection schemes.

UNSCOM, as established by the Security Council in Resolution 687, was declared to be a subsidiary organ of the Council. A solid Council backing was crucial for the continued work of the inspections, all participants seemed to agree. During the first five years of UNSCOM/

IAEA operations the UN did not provide UNSCOM with any financial resources at all. The UNSCOM Executive Chairman, also responsible for the financing of the IAEA inspection regime, had to raise most of the needed resources for operations and administration. This, the Roundtable was informed, was done through fund-raising efforts among interested Governments on a voluntary basis. Furthermore, the great majority of weapons experts were provided on the basis of secondments from Governments. Clearly, this did not prevent the UNSCOM and IAEA leadership from fielding strong inspection regimes. From 1996, UNSCOM got ample financial resources by receiving a (relatively small) portion of Iraq's oil revenues. Considering that UNSCOM/IAEA could operate continuously over several years it developed an unusually strong institutional memory and created increasingly refined inspection strategies. Still, a lesson is that *sufficient economic resources should be available from the beginning* of any monitoring or inspection regime, in order to safeguard its efficiency, independence and credibility.

According to the export/import mechanism established under Security Council Resolution 1051 (1996) the UN Member States had to submit, before shipment, lists of the items to be exported to Iraq for scrutiny by UNSCOM and, of course, the 661 Sanctions Committee. The time of entry and the end-station in Iraq was to be notified. Extensive lists were produced to allow as much as possible of civilian items to be brought into the country. UNSCOM worked with the 661 Committee on this. This procedure enabled UNSCOM and IAEA to follow what actually entered the country. The inspectors had the mandate to conduct on-site destruction of imported items that had not been notified according to the procedures. This import/export control mechanism gave UNSCOM and IAEA the right to monitor much of Iraq's economy (e.g. health care, university labs, the metal sector, the chemical industries, breweries etc.). The impact of these measures point out that such *inspections and/or controls may be necessary* if sanctions are going to be thoroughly implemented.

In the Roundtable, several participants underlined the complex working relationship between UNSCOM and Iraq's government, adding that this might not have been fully understood and known by all Member States. Obviously, it meant walking a fine line, for instance, in

how to deal with public relations; how to negotiate with regime leaders; how to communicate information; and how to find a reasonable level of cooperation with the target. An issue that illustrated this was the requirement for unconditional access to all facilities in Iraq, including the presidential sites. It was an issue negotiated repeatedly, ultimately resulting in the UN Secretary General himself going to Baghdad in 1998 to work out an agreement directly with Saddam Hussein. The inspectors had the right to enter any facility under agreed procedures. This particular agreement, however, became short-lived, as further complications developed and by the end of the year all UNSCOM and IAEA staff left Iraq.

Furthermore, UNSCOM was a purely technical team made up of the most competent scientists available. They were recruited by the Executive Chairman. Already in 1991 Iraq began to obstruct the work of UNSCOM, forcing the Executive Chairman to be engaged in complex and sometimes protracted negotiations on behalf of the Council. At the outset both the Council and the Executive Chairman perceived UNSCOM and the inspection regime as primarily a technical undertaking. Iraq's action made it necessary to exert pressure on the Iraqi authorities with frequent use of Council warnings to Iraq. For instance, the extensions of no-fly zones in the north and south of Iraq were intended as punishment of Iraq's efforts to block inspections.

A lesson from this is that *inspection and monitoring under the Security Council's mandate should be run as purely technical operations*. However, the record suggests that there must be preparedness and willingness of the Council to resort to more coercive measures should the inspected entity refuse to comply with Council decisions. Furthermore, inspection teams should be composed on the basis of competence, expertise and scientific skills. Political considerations such as nationality and affiliations of inspectors and similar non-technical considerations should be secondary. Also, this means that the political aspects should be dealt with by the Security Council, not by the inspection regime itself. It seems logical that international weapons inspections only muster credibility and respect if technical competence is guaranteed and political manipulation of the composition of inspection teams is rejected.

## 5. Lessons for regional member states

The Roundtable spent some time on the role of UN Member States in the region surrounding Iraq. Clearly this is an aspect that will require further elaboration. Participants illustrated the significance of the regional context. Many observed that Iraq's neighbouring states did not keep a water-tight embargo on Iraq, although they officially maintained the sanctions system. Smuggling of oil from Iraq was known to take place, possibly also some import of military equipment. Some of the neighbors may have earned a lot on the trade in oil. Jordan was mentioned as a case for analysis. Jordan also demanded that it should be compensated for the effects of the sanctions on its economy.

Participants indicated that information was continuously exchanged between neighbouring countries and provided to UNSCOM. Also for the Arab neighbors it may have been a strong interest in having the sanctions removed, as they had a serious impact on the whole region, not least from a political-psychological perspective. In the Roundtable, some underlined the role of *Iran* in that equation. It may have been to the advantage of Iran having Iraq under international pressure and military weakened. It would reduce the likelihood of new hostilities between these two neighbors. By and large this would be an argument for making sanctions a continuous containment measure. This, on the other hand, may have made other Arab neighbors worried about the ascendancy of Iran, notably Saudi Arabia, and more eager to find ways of ending the sanctions.

In the Stockholm Report, the role of UN Member States in implementing sanctions was deemed crucial. The Iraq case confirms this observation, particularly focusing on the neighbors. The discussions in the Roundtable dealt with the political will of the neighbors to see an early ending of the sanctions. However, that could be achieved either by making Iraq comply or by undermining the sanctions by not implementing them. The history of *the regional reactions to the sanctions needs to be studied further*.

## 6. The impact of sanctions on Iraq

The sanctions on Iraq were comprehensive and, thus, affected Iraq's entire economy. On the sender side, there seems to have been limited

pre-assessments of how the sanctions were going to work over a period of time. Already in the first UN decisions (i.e. Res. 661, 1990), allowance was made for imports of food and medicine, so as not to create undue hardship for the population. Also in this context it seems important that the sanctions were never thought to go on for such a long period. The same was true for the ameliorative measures that were instituted later on. A common view in the Roundtable was that the sanctions were neither well-planned for immediate implementation nor designed to be a protracted operation. The reality forced the Security Council and the UN agencies into repeated improvisations.

*Exit strategies and target regime objectives*

Resolution 687 contained a defined exit strategy, several participants underlined, which would lead to the termination of the sanctions once the specified obligations were fulfilled by Iraq. This was, however, spoiled by Saddam Hussein's actions and unwillingness to follow-through, participants argued. Given the lead role of the US, the action of the first Bush Administration set a pattern, which, in the eyes of some, was surprisingly 'soft' on Iraq. It was willing to reintegrate Iraq into the Arab community and again make the country part of the regional security setting, including the need to balance Iran. Thus, more vigorous compliance by Saddam Hussein may have led to an early removal of the sanctions.

Participants commented on *the objectives of the Iraqi regime*. The target may have had varying reasons for its defiance of the sanctions. At the bottom was regime survival, even at high costs as witnessed today by the mass graves discovered all over Iraq. It was a coercive regime that did not necessarily need WMD, but required a regular supply of conventional military equipment. As there were relatively little of conventional arms entering Iraq, some suggested that the regime was more concerned with being attacked from the outside (by the USA once again, for instance) and was instead building up a guerrilla type defence. This may or may not have had implications for its interest in WMD.

Others understood the regime to have regional ambitions, particularly the defence of the Arab world against Iran. In that light, WMD might have been more important, as Iraq easily could be outnumbered in conventional forces. It was even argued that Iraq survived the war

with Iran by the use of chemical weapons against Iranian forces. In this perspective, the regime of Saddam Hussein would do the most to hide as much as possible of its weapons potential, while pretending to comply with the inspections. Of course, with access to some WMD Iraq would pose a threat not only to Iran but also to Israel, complicating the regional situation further.

International sanctions would constitute a threat, a burden and a reason for any authoritarian regime to comply as quickly as possible, not to complicate its own internal position. The drawn-out sanctions affair over Iraq suggests a more complicated set of objectives. Even from the actions of the regime, however, it may not be easy to understand its reasoning. *Shedding more light on the internal considerations of the Iraqi regime* might help to understand its action and the effects of the sanctions.

*Impact of sanctions: Arms, finances and aviation*

The participants discussed the resources available to Saddam Hussein and his regime. According to a report, released in March 2004, by GAO (US General Accounting Office) the regime may have controlled a total of USD 10 billion for five years of the Oil-for-food program, through illegal revenues.<sup>6</sup> That program in all controlled oil at a value of USD 64 billion for the same period. If Iraq had been able to operate freely, its oil export would probably have amounted to USD 200 billion. Thus, the resources denied to Saddam Hussein were considerable. The 10 billion available, at a rate of US 2 billion a year, would not be enough to build up a strong military force, it was argued. It was unlikely that Iraq would again have the military strength it enjoyed in the early 1980s, for instance. It was estimated that Iraq's annual weapons imports before the sanctions was approximately USD 6 billion, meaning that what was available during the sanctions was only a fraction of this.

<sup>6</sup> Under the Oil-for-Food Programme, set up on 14 April 1995 by the Security Council, Iraq was allowed to use oil sales to buy the food and humanitarian supplies. The Programme was intended to be a “temporary measure to provide for the humanitarian needs of the Iraqi people”, until the fulfilment by Iraq of the relevant Council resolutions, including notably Resolution 687 (1991).

*Where did the illegal money go, then?* Some participants pointed to the building of presidential palaces, and the luxury consumption of Saddam loyalists. Others argued that some specific weaponry of potential significance still could be purchased and smuggled into the country. The delivery of missile engines, found by UNMOVIC, was one example mentioned.

With the ending of comprehensive sanctions in May 2003 the accounts belonging to Saddam, his family and closest associates were frozen. There were high expectations of retrieving sizeable sums of money. The tracking of such funding had at the time of the Roundtable turned out to be surprisingly unsuccessful.

The picture emerging was, thus, one of the regime being quite isolated and not able to militarily rebuilding itself, as long as the sanctions were in place. A more difficult question would be *what the regime might do, once sanctions were lifted*. What guarantees could be instituted against a rapid rearmament when oil revenue would again be at the disposal of the regime?

An element in the sanctions against Iraq was the ban on flights in and out of Iraq. This was an aspect, not developed sufficiently at the Roundtable. It was observed, however, that flights were rescheduled by the end of 1999, which indicated international erosion of the support for the sanctions. What the impact may have been of *the aviation ban remains to be discussed*, however.

#### *The health consequences of sanctions*

The humanitarian consequences of the sanctions against Iraq early became an extremely politicized issue. The first Security Council resolutions allowed Iraq to pursue imports for humanitarian reasons. It was early observed, for instance, in December 1991 in a Security Council Presidential statement, that Iraq had not used that possibility. For some participants this was an indication that the regime was not really concerned about the welfare of the population.

Internationally, the child mortality rate under sanctions was heavily debated. It was, of course, a reason for the creation of the Oil-for-food program. The Roundtable spent some time also on this issue, particularly the different estimates on preventable deaths that have been central in the

discussions. The figure of more than 500.000 preventable child deaths in Iraq was published in the respected medical journal *The Lancet* in 1995. It built on a survey on child mortality in an area outside Baghdad. It was probably a poor urban area with a higher mortality rate than the rest of the country. The figures were then extended to the entire country and for a longer time period. A second article in *The Lancet* revised the figures downwards. Nevertheless, participants agreed that there had been considerable negative humanitarian effects of the sanctions.

The discussions pointed to a particular feature of the public health system in Iraq: it was highly hospital-based, urbanized and catering to the needs of an elite. It meant that it was not prepared to manage a situation of nutritional shortages in the entire population, or managing the health consequences from the break-down of the water supply system, for instance. In other health systems, there may be better preparedness to manage epidemics, large outbreaks of diarrhoea and other common effects of deteriorating sanitary conditions. It seems also, from the Roundtable discussions, that the regime did not expect the sanctions to last, and thus took little remedial action. It may, as some suggested, not have cared much about the general well-being of the population.

A factor reinforcing the last point was the strict control of food distribution that was instituted by the regime in Iraq deliberately using it to reward and punish for the benefit of the regime authorities. It was pointed out that health conditions and food availability was markedly better in the north, where the regime has lost all practical control.

The sanctions debate has *already integrated these lessons* from the Iraq sanctions. Conclusions include the importance of a humanitarian pre-assessment of the likely impact of sanctions. Also for targeted sanctions, where a particular economic sector is in focus, such possible impacts have to be evaluated. Thus, if sanctions are pursued, measures to deal with humanitarian consequences have to be an integral part of the operation.<sup>7</sup>

<sup>7</sup> Right after the Roundtable a most relevant sanctions assessment manual appeared: 'The United Nations Inter-Agency Standing Committee's Sanctions Assessment Handbook – Assessing the Humanitarian Implications of Sanctions' with accompanying 'Field Guidelines' by Manuel Bessler, Richard Garfield and Gerard Mc Hugh (United Nations, OCHA October 2004).

From the Roundtable discussion follows as well that it is important to *determine the type of health care system a country is using*. It is an asset that evidently is difficult to adjust under a sanctions regime, as it builds on long-term investments, training and work habits.

For the future, sanctions would also require more emphasis on *public explanation*, by the sender and by the Security Council on what the sanctions are about, what their impact is and what is done to ameliorate negative effects. This specific aspect of the Iraqi public and its understanding of the purpose and impact of the sanctions require further study. No such investigation has been done, as of yet, and the conditions for collecting reliable reactions of the public may be far from optimal. Still, the understanding of the sanctions may be different than the usual portrayals that were seen during the reign of Saddam Hussein. Here might also be interesting lessons to be learned.

### *Compliance*

As was indicated above, the rearmament of Iraq was, in fact, made more or less impossible under the international sanctions. There was little weaponry coming in and the financial resources available to the regime were too limited. One might say that *Iraq in essence was contained*. The regime remained in power, however, and its record of compliance to the specific demands was one of evasiveness and unreliability.

A matter that was debated in the Roundtable was the *burden of proof*. The Security Council resolutions laid the burden on the targeted actor. It was Iraq that was to show that it had complied, not the inspectors. Still, that seems to have been difficult to maintain as a basic approach. It was argued that an unintended result of the periodic reviews was to make the inspectors more responsible than would necessarily be the case. This is an issue that definitely warrants further discussion.

A peculiarity was brought up by participants: Saddam Hussein, being the President of the country, avoided signing any documents himself. It was always others that did so, and thus were made responsible for what was agreed, even if Saddam had been part of the negotiations. There were many experiences of Iraq not honouring agreements, and the fact that the President never committed himself to any of them could have been a central weakness. It may have given him the space of manoeuvre, but indicated to his lieutenants that these agreements were of lesser significance.

## 7. Next steps: Issues for future workshops

The 2004 Roundtable was set up to identify key issues in the sanctions against Iraq from which valuable lessons could be learned for the benefit of future sanctions regimes. The Roundtable raised several questions that need further attention. Particularly, this may be instructive in a comparative perspective: how have other sanctions functioned. For instance, the protracted sanctions on Rhodesia and South Africa did not give rise to as vigorous debate on humanitarian consequences as did the sanctions on Iraq. In fact, in these cases, the white minority governments attempted to point to humanitarian effects, without this having an impact internationally. The difference may rest with the role of the opposition. Parties representing the majority population were often in favor of the sanctions, even arguing that the hardships for the population was something one was prepared to take for achieving the necessary changes in society. The global public perception of the sanctions, in other words, was very different. Learning from one case of sanctions to others, obviously have to be done with care.

Thus, we, as editors, may ask for the further investigation of issues such as the following:

1. Was the carrot and stick approach central in the Iraq case, and can other sanctions use similar strategies?
2. The 'ownership' of the sanctions initiative seems important for the will to pursue and implement a coherent sanctions strategy: what is the situation in other cases and how can such ownership be maintained over time, if at all?
3. The role of the different agencies in the implementation and monitoring of the sanctions remains important to map out: what were the interrelations, and were all agencies necessary?
4. The regional member states were in a squeeze, and their reactions need further understanding. How do regions normally deal with global decisions, such as the imposition of sanctions on a state in the region? Which type of neighbors will implement sanctions, which ones will not? There are matters of will and ability to discuss, notably the need for assistance and the demand for compensation.

5. The goals of the targeted regime are important for understanding whether it is likely to comply or not. The Roundtable shed some light on this aspect of the Iraqi sanctions, but more discussion is necessary.
6. The actions of the targeted country in evading sanctions remain points of debate: which resources did the regime have, what was necessary for it to maintain itself in power and what was needed to continue to defy the international community?
7. It is also important to ask which of the sanctions measures that were the more important, as the arms embargo, the export/import and financial controls, and the aviation ban were in operation simultaneously. Were they all needed and did their impact go in the same direction?
8. Humanitarian concerns need further elaboration and the remedies need to be thought out more thoroughly.
9. The perception of the sanctions efforts by the general public in the target country remains important to ascertain, in this case as well as in other situations.
10. The international understanding of the sanctions became increasingly negative; the dynamics of this necessarily require further analysis.

## APPENDIX 1

Program of the Roundtable

### **UN Sanctions against Iraq – lessons learned**

Saturday, September 25, 2004

Location:

Department of Peace and Conflict Research, Uppsala University

Chair: Professor Peter Wallensteen, Uppsala University

#### **Introduction**

Professor Peter Wallensteen, Department of Peace and Conflict Research, Uppsala University, Sweden

#### **First plenary session: Inspection and supervision of Iraq's arms development**

Opening statement by Mr. Rolf Ekéus, former UNSCOM Executive Director, Sweden

#### **Second plenary session: The Oil for Food Program and the control of Iraq's armaments**

Opening statement by Mr. David Cortright, President of the Fourth Freedom Forum and Researcher at University of Notre Dame, USA

#### **Third plenary session: Humanitarian considerations of the sanctions against Iraq**

Opening statement by Johan von Schreeb, Surgeon and Health Emergency Analyst, Department of Public Health Sciences, Division of International Health, Karolinska Institutet, Sweden

### **List of participants**

Michael Brzoska, Director of Research, Bonn International Center for Conversion

Ewen Buchanan, Public Information Officer, UNMOVIC

Hans Corell, Ambassador, former Legal Counsel of the United Nations

David Cortright, President of the Fourth Freedom Forum

Anthonius de Vries, European Commission's Special Envoy to the Republic of Azerbaijan, European Commission

Lina Edmark, Research Assistant, Department of Peace and Conflict Research, Uppsala University

Mikael Eriksson, Research Assistant, Department of Peace and Conflict Research, Uppsala University

Rolf Ekéus, Ambassador, former Executive Director of UNSCOM, United Nations, presently High Commissioner on National Minorities, OSCE

David Lektzian, Assistant Professor, Department of Political Science, University of New Orleans

George Lopez, Senior fellow, Joan B. Kroc Institute for International Peace Studies, University of Notre Dame

Ivan Lukas, PhD candidate, Department of Peace and Conflict Research, Uppsala University

Daniel Nord, Desk officer, Weapons of Mass Destruction Commission

Andreas Papaconstantinou, Policy Unit, EU Council Secretariat

Graham S. Pearson, Visiting Professor of International Security, Department of Peace Studies, University of Bradford

Khaled Salih, Senior Lecturer, Centre for Contemporary Middle East Studies, University of Southern Denmark

Johan von Schreeb, Surgeon and Health Emergency Analyst, Department of Public Health Sciences, Division of International Health, Karolinska Institutet

Carina Staibano, Research Assistant, Department of Peace and Conflict Research, Uppsala University

Peter Wallensteen, Professor, Department of Peace and Conflict Research, Uppsala University

## Appendix 2

### Resolution 687 (1991) of 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 dated 27 February 1991 from the Deputy Prime Minister and Minister for Foreign Affairs of Iraq addressed to the President of the Security Council and of his letters of the same date addressed to the President of the Council and to the Secretary-General, and those letters dated 3 March and 5 March he addressed to them, 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 formally recognizing the boundary between Iraq and Kuwait and the allocation of islands, which Agreed Minutes 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 with its boundaries as specified 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 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 Final 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 the Convention,

*Noting also* the importance of all States adhering to the 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 programme contrary to its obligations under the Treaty on the Non-Proliferation of Nuclear Weapons of 1 July 1968,

*Recalling* the objective of the establishment of a nuclear-weapon-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 in the Middle East of a zone free of such weapons,

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

*Noting also* that despite the progress being made in fulfilling the obligations of resolution 686 (1991), many Kuwaiti and third-State nationals are still not accounted for and property remains unreturned,

*Recalling* the International Convention against the Taking of Hostages, opened for signature in 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 transmitted by the Secretary-General on 20 March “ 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 its recent resolutions,

*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 the present 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;
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 maps transmitted with the letter dated 28 March 1991 addressed to him by the Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations,’ and to report back to the 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 Council for its approval a plan for the immediate deployment of a United Nations observer unit to monitor the Khawr ‘Abd Allah 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”; to deter violations of the boundary through its presence in and surveillance of the demilitarized zone and to observe any hostile or potentially hostile action mounted from the territory of one State against the other, and also requests the Secretary-General to report regularly to the Council on the operations of the unit and to do so 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 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 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 related thereto;
  - (b) All ballistic missiles with a range greater than one hundred and fifty kilometres, and related major parts and repair and production facilities;
9. *Decides also*, for the implementation of paragraph 8, the following:
  - (a) Iraq shall submit to the Secretary-General, within fifteen days of the adoption of the present resolution, a declaration on 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 adoption 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), including items at the additional locations designated by the Special Commission under paragraph (i) 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);
  - (iii) The provision by the Special Commission to the Director General of the International Atomic Energy Agency of the assistance and cooperation required in paragraphs 12 and 13;
10. *Decides* further that Iraq shall unconditionally under-take not to use, develop, construct or acquire any of the items specified in paragraphs 8 and 9, 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 the present paragraph, to be submitted to the Council for approval within one hundred and twenty days of the passage of the present 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-weapon-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-weapon-usable materials under the exclusive control, for custody and removal, of the 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); to accept, in accordance with the arrangements provided for in paragraph 13, 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 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 and with the assistance and cooperation of

the Special Commission as provided for in the plan of the Secretary-General referred to in paragraph 9 (b), 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 Council within forty-five days calling for the destruction, removal or rendering harmless as appropriate of all items listed in paragraph 12; to carry out the plan within forty-five days following approval by the 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, for the future ongoing monitoring and verification of Iraq's compliance with paragraph 12, 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 Council for approval within one hundred and twenty days of the adoption of the present resolution;

14. *Notes* that the actions to be taken by Iraq in paragraphs 8 to 13 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 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 its debts and obligations 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 its 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 and to establish a commission that will administer the fund;
19. *Directs* the Secretary-General to develop and present to the Council for decision, no later than thirty days following the adoption of the present resolution,

recommendations for the Fund to be established in accordance with paragraph 18 and for a programme to implement the decisions in paragraphs 16 to 18, including the following: 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 its exports of petroleum and petroleum products, 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; 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 to the Secretary-General dated 20 March 1991, and in any further findings of humanitarian need by the Committee;
21. *Decides* to review the provisions of paragraph 20 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 Council, for the purpose of determining whether to reduce or lift the prohibitions referred to therein;
22. *Decides also* that upon the approval by the Council of the programme called for in paragraph 19 and upon Council agreement that Iraq has completed all actions contemplated in paragraphs 8 to 13, 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 further* that, pending action by the Council under paragraph 22, the Security Council Committee established by resolution 661 (1990) concerning the situation between Iraq and Kuwait 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, 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 it takes a further decision, all States shall continue to prevent the sale or supply to Iraq, or the promotion or facilitation of such sale or supply, 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 not otherwise covered above;
  - (c) Technology under licensing or other transfer arrangements used in the production, utilization or stockpiling of items specified in paragraphs (a) and (b);
  - (d) Personnel or materials for training or technical support services relating to the design, development, manufacture, use, maintenance or support of items specified in paragraphs (a) and (b);
25. *Calls upon* all States and international organizations to act strictly in accordance with paragraph 24, 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 Council, guidelines to facilitate full international implementation of paragraphs 24, 25 and 27, 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 Council under paragraph 26 as may be necessary to ensure compliance with the terms of paragraph 24, 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 to 25, except for the items specified and defined in paragraphs 8 and 12, on a regular basis and in any case one hundred and twenty days following the adoption 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 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-State nationals, Iraq shall extend all necessary cooperation to the International Committee of the Red Cross by providing lists of such persons, facilitating the access of the International Committee to all such persons wherever located or detained and facilitating the search by the International Committee for those Kuwaiti and third-State 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-State nationals or their remains present in Iraq on or after 2 August 1990;

## H

32. *Requires* Iraq to inform the 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;
33. *Declares* that, upon official notification by Iraq to the Secretary-General and to the Security Council of its acceptance of the above provisions, 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 region.

**Adopted at the 2981st meeting by 12 votes to 1 (Cuba) with 2 abstentions (Ecuador, Yemen).**

## **Recent reports from the Special Program on the Implementation of Targeted Sanctions (SPITS)**

Peter Wallensteen, Carina Staibano and Mikael Eriksson (eds), *Making Targeted Sanctions Effective: Guidelines for the Implementation of UN Policy Options*, The Stockholm Process on the Implementation of Targeted Sanctions (Stockholm: Elanders Gotab, 2003)

Peter Wallensteen, Carina Staibano and Mikael Eriksson, *Routes to Democracy in Burma/Myanmar: The Uppsala Pilot Study on Dialogue and International Strategies*, Department of Peace and Conflict Research, Uppsala University, 2004

Carina Staibano, Peter Wallensteen, *Attention and Commitment: Practical Approaches in Bridging Gaps in UN's Post-Conflict Peace Building Capacity*, Department of Peace and Conflict Research, Uppsala University, 2004

Peter Wallensteen, Carina Staibano (eds), *International Sanctions: Between Wars and Words* (London: Frank Cass, 2005)