

## H.-C. von Sponeck

I would like to thank the mayor of Geneva for his welcome and support and I am grateful to all the speakers and chairpersons to be here. My special thanks go to the team of organisers, who has worked hard and against so many odds to make this conference a reality. There are also other voices, who disagree with us and it's a shame for a community of diplomats like Geneva, that these voices did not have the time and interest to be here, in this room, to understand a little bit more.

I want to start my presentation by saying that even for somebody like me, who over decades has been involved in debates on Iraq it is difficult to fully comprehend the extent of the Iraqi suffering. You may have heard me say it before but I need to say it again. How much can a people take?

Germany has seen 5 years of war and we already thought we wouldn't make it through, since the pressure was extremely strong. But Iraqi people have suffered for decades, many decades. And so the question is justified: How much can a people take?

Let us remember that many people have contributed to the Iraqi suffering. In my presentation however, I would like to concentrate on the role of the institution I so deeply believed in during my 32 years of professional life: The United Nations. I will show you the role it has played and the consequences its actions had on many sides and particularly the Iraqi society. I might seem emotional, but how is it possible to remain unemotional talking about the plight of a people? But even if after so many years I still appear emotional, I am confident to say that what I am presenting here is a fact, based on credible analysis in addition to my own limited experience. What we have seen cannot be unseen, it stays with us forever. My motivation is the spirit of warmth and generosity that I learnt to appreciate so much during the two years I spent in Iraq. But I would like to emphasise something very important, that shouldn't be needed to be emphasised: Our discussion is not about ideology, even if debates on Iraq often tend to be ideological. But it's nauseating to read untruthful reports that simply do not meet the required standards for such an important subject as the fate of a people. If I fail to make my point, it's not because I don't have a point, but because I am unable to convey the message properly, so for that you may forgive me.

The evidence of the Iraqi misery is painfully visible. I know what I say and I don't say it lightly, when I address the situation in relation to a body of the United Nations that should be the custodian of integrity and honesty: The United Nations Human Rights Council.

A lot of things have been said about Iraq after 2003 but I want to suggest that the war against Iraq started long before 2003. It started on the 6<sup>th</sup> of August 1990, in a very visible manner, when a sanction regime was introduced that, at least at the outset, was legal. A country cannot get away with impunity after invading another country but if this applies to the 2 August 1990, it also applies to 19 March 2003. If it was illegal for Iraq to march into Kuwait, then it was equally illegal for the UK and US to march into Iraq. There is no question. We cannot measure with double-standards. But the UN sanctions introduced on 2 August 1990, being legal in the beginning, soon turned into something illegal, because these sanctions, as we know today, have been the harshest and most comprehensive sanctions any country has ever faced. The harshest and most comprehensive multilateral sanctions all ever! Thanks to books written on this topic today we know what sanctions are about and what their legal foundation is. We

also know about the importance for United Nations Security Council to be well prepared before implementing such sanctions. In 1990 however, the UN Security Council was not prepared. The sanctions were introduced in a rush and this led to a quickly deterioration of the well-being of the Iraqi people on all levels, including food and health. Neither Iraq nor the international community were prepared to address the situation in a humanitarian manner. The situation rapidly deteriorated over 7-8 months.

On the 15 January 1991, in Geneva, the delegations of James Baker and Tarek Azeez finally met in order to find a peaceful resolution to the conflict but in vain. Only one day later, operation Desert Storm started. As a side note, I would like to add that it is absolutely despicable that the secretary of State of the US has continuously refused to take a stand for the dying Tarek Azeez, who was well known in Washington and enjoyed a well reputation as a serious and respectable Iraqi diplomatic. Still when we Dennis Halliday and I asked him to intervene for an old man withering in jail without charges and fair trial, we were told that the US Secretary of State absolutely refused to get him off anything. So after the meeting in Geneva failed, operation Desert Storm started. It was not a United Nations war, but it was a United Nations Security Council sanctioned operation Desert Storm. I know there are people who would object if they were in the room, but it is a fact that in 1990 there was a deliberate destruction of civilian infrastructure like electricity facilities, water supply and bridges. I've seen this destruction with my own eyes and it is visible until today.

After the operation two missions were conducted in order to try to assess the deliberately inflicted damage. One country visit was undertaken by the Secretary General, Javier Perez de Cuellar, and another one by Prince Sadruddin Aga Khan in 1991. Both of them tried to estimate the damage and did an important piece of work but in hindsight they made the mistake to carry out a qualitative assessment instead of a quantitative assessment. The developed survival plan for Iraqis was thus completely inadequate with a disastrous result for the Iraqi people.

After this there was a five year long tug of war between the government in Baghdad and the UN Security Council, at the expense of the Iraqi people. No Oil for Food programme, no lifting of sanctions or efforts to guarantee at least minimal financial support to help the Iraqi people to survive during these 5 years. The UN Security Council had outsourced the entire humanitarian programme to NGO's, international aid, and voluntary organisations and sometimes it worked, often it didn't. However, nobody spoke up and said that it would have at least be the duty to provide help if otherwise it fails. The result was disastrous.

Finally the UN assessed a minimum of 1.2 billion US dollars for five years but the actual sum donated was only 450 million US Dollars. Thus not even a third was assessed. This five year long tug of war between Baghdad and the UN was heavily influenced by biased media. Together with my family I lived in Pakistan at that time and we saw the distorted news, conveying the impression that the Iraqi people, at that time around 21 million, were a nation of dictators. So why be generous?

After some time the Oil for food program was introduced. But before I address this topic, it is very important to understand what happened after operation Desert Storm on a political level, because suddenly the UN Security Council resolutions began to change. Before the war they were aimed at getting Iraq out of Kuwait. After the war, the policy changed. Resolution 687 of April 1991 demands from Iraq not only to withdraw from Iraq but to also disarm, get rid of weapons of mass destruction and

justify itself for the almost 600 missing Kuwaitis in order to find out whether they are dead or alive. This sudden policy change linked the sanctions and thus the fate of the Iraqi people with disarmament. When I challenged the questionable practise to link disarmament with sanctions, Westerners looked at me with amazement and told me to shut up. Disarmament needed sanctions in order to gain an equal, they said. When I asked if they were not thinking about the implications on the welfare of the Iraqi people an ambassador told me "what you're saying is preposterous, unacceptable and the linkage must be made." Of course, we knew the implications, but what the Iraqi government certainly understood even if me and my colleagues didn't understand in the beginning, was that Baghdad could have done everything they were expected to do, as long as Saddam Hussein's government was in power, there was no chance sanctions would ever be lifted. One doesn't have to go far to find the proofs, one just needs to have a look at the Iraqi liberation act of October 1998, that includes three references to regime change. If anything surprised me it was that the government in Iraq did cooperate.

The linkage thus continued to exist. It was a fantastic, carefully orchestrated plan and a game of procrastination that the UN Security Council and the UK and US leadership played. There is a video, showing the team of Ambassador Butler on one side and Tareq Aziz with his team on the other side and you will see it is humorous but it is serious. Mr Tareq Aziz lifts his cup and he said, Ambassador Butler, I say to you this is a cup of tea and you say to me, we have to analyse it. How many more times do you ask me to do the same analysis, the same documentation, again and again? That was the game because the alternative was not to get rid of the government in Baghdad. In 1995 Iraq was quality disarmed. But that was all irrelevant, as long as Saddam was in power. So it is a long story of horrific violations of the organisation that organisation I joined in 1968. It was a game. And this game was played in accordance with the United Nations Charter.

It took Kofi Annan quite a while before he finally authorized the disarmament group to leave Iraq. Finally at the request of the UN Security Council, the Office for the Prohibition of Chemical Weapons Provision of De Haag was requested to have a look at these facilities. When the team leader met with the Ministry of Defense and demanded that the all dangerous substances were to be destroyed, the responsible Iraqi said: "If you destroy these substances then you deprive the Iraqi government of the last pieces of evidence to suggest that these were not our substances, that they were imported". So the UN dishonesty was played on the back of the Iraqi people. And that seriously hindered our operations in Baghdad and our attempts to help the Iraqi people to survive. There was an alleged mistrust against our work. The message was very clear and some diplomats at least had the honesty of say it: Policy first, people second. Government officials like Tony Blair just said "this is a terrible collateral damage but we have a wider view". So the UN intensified the suffering. What was humanitarian, when the entire Oil-for-Food was funded by Iraqi money? It was all Iraqi money. What was humanitarian? The Oil-for-Food program was not meant to work. The Compensation provision department in Geneva was the richest of all departments because 30% of the Oil Revenue in Iraq was deposited in Geneva and this at a time when 135 children of 1000 under five died because they did not have adequate food or medicine. It would have been easy for the UN to recognize this and freeze the claims until at least the need of children that were trying to survive was met.

Finally only very few people spoke out. For me it is incomprehensible that a UN Rapporteur was only allowed to report on the government's violations but not on the impact of the sanctions. And we kept insisting that the sanctions were having a huge humanitarian impact. One enormous element that hindered our work was thus mis- and disinformation. We had to deal with that every single day. When we think about disinformation again, 2003 comes to our mind, when in front of the UN Security Council, Colin Powell was talking about Iraq and the dangerous situation with regarding weapons of mass destruction. There were three representatives who knew the evidence but all lacked the courage to speak out. Of course there were good voices; there was Kofi Annan, who repeatedly reminded to work on the comprehensive sanctions, there was a Canadian foreign minister who continuously reminded the UN Security Council that the Council's responsibility is to provide for the benefit of each Member State and not on the interest of individuals. But then there were other voices that put pressure on us, saying if you are on the US side we will strengthen you, if you don't we will marginalize.

If you look at Iraq today, we see ethnic tensions that have never existed before, we have a medical collapsed system after it was one of the most advanced in Middle East, we have malnutrition and diseases that were long forgotten, we have sanitarian facilities that discourage girls from going to school, we have this whole complex issue, underreported ignored, purposely ignored, we have a high degree of mental illness, a higher poverty rate, we have corruption, and the head of the Iraqi commission said that the stealing the money of the state and its property is the unspoken part of the struggle for power in Iraq. There are many other things like the horrific development with regard to assassination of academics. It is an endless list of humanitarian suffering. However, the so called humanitarian program in 6 and a half years had an entire capital value per day of 51 cents – and 60 - 70 % of the Iraqi people were dependant on it. It was good that President Obama finally decided to withdraw US troops from Iraq, but the outcome is there, the issues need to be addressed and the responsible to be held accountable.