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## IRAQ: THE WORLD COMMUNITY'S RESPONSE TO A TROUBLED NATION

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# Iraq: The World Community's Response to a Troubled Nation

## I. BACKGROUND

The nation of Iraq has a long history of conflict. Since it became an independent republic in 1932, the country has endured several civil wars and has spent much of the last 2 decades at war with forces outside its borders.<sup>1</sup> In addition, there is dangerous tension between government and several ethnic minorities in the country. The conflict that has had the most severe effect on the people of Iraq was the war against a worldwide coalition in 1990. This war was a response to Iraq's invasion of their neighbor, Kuwait, in August of 1990. As a result, the world community, through the United Nations, imposed economic and military sanctions on Iraq.<sup>2</sup> These sanctions have worked to restrict trade between Iraq and all nations of the world,<sup>3</sup> as well as place restrictions on the types of weapons the Iraqi military could develop.<sup>4</sup> In the years since the sanctions were imposed on Iraq, human rights groups have raised serious concerns on the effects the sanctions are having on the civilians of Iraq. These groups have also raised concerns as to the treatment of all citizens, with a particular focus on ethnic minorities, by the Iraqi government.

The political situation in Iraq has deteriorated as well since the end of the Gulf War. In December of 1998, Iraq ended all cooperation with the United Nations weapons inspection missions, which coupled with their demands for lifting of the sanctions against their country, has severely strained relations with the United Nations. Iraq has rejected all attempts to allow the weapons inspectors back into the country, including under a United Nations resolution that would change the system of inspections. In addition, the United States and Great Britain still maintain a "no-fly zone" over North-

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<sup>1</sup> See *U.N. Development Programme*, available at <http://www.undp.org/Iraq1.html> (last visited Mar. 21, 2002).

<sup>2</sup> See *U.N. Office of Iraq Program Oil for Food*, available at <http://www.un.org/Depts/oip/chron.html> (last visited Mar. 21, 2002).

<sup>3</sup> S.C. Res. 661, U.N. SCOR, 2932 mtg., at 19 (1990), available at <http://www.un.org/Depts/oip/scrs/scr661onu.html> (last visited Mar. 21, 2002)

<sup>4</sup> S.C. Res. 687, U.N. SCOR, 2981 mtg., at 11 (1991), available at <http://www.un.org/Depts/oip/scrs/scr687.html> (last visited Mar. 21, 2002).

ern and Southern Iraq, which has resulted in regular air strikes that continue to produce claims by the Iraqi government that their civilians are being killed.<sup>5</sup>

## II. SANCTIONS IMPOSED

On August 6, 1990, the United Nations passed Resolution 661<sup>6</sup>, which imposed economic sanctions on both Iraq and occupied Kuwait. The sanctions called for all nations, including those who were not member states of the United Nations, to end all trade with Iraq. The sanctions stated that all countries should end the "import into their territories of all commodities and products originating in Iraq or Kuwait exported therefrom after the date of the present resolution." In addition, the resolution declared that no state should aid Iraq in the shipment or transportation of Iraqi goods. While these restrictions were lifted from Kuwait after it was liberated in 1991, the restrictions on Iraq established by Resolution 661 are still in effect today.

In addition to the economic sanctions imposed under Resolution 661, Resolution 687 established a cease-fire and formulated a plan for the removal and destruction of all of Iraqi weapons of mass destruction. The restrictions set out in this resolution have caused continued conflict between the United Nations and Iraq, which in turn has limited the human rights efforts of the United Nations and other groups.

## III. CHANGES IN POLICY

Following the conclusion of the Gulf War, a United Nations mission was sent to Iraq to report on the well being of Iraq. The mission reported "an imminent catastrophe . . . if minimum life supporting needs are not met rapidly."<sup>7</sup> The United Nations Security Council responded in 1991 by offering Iraq the opportunity to export oil, their principle export, in exchange for food and basic medical and infrastructure materials. The government of Iraq refused and the economy and the infrastructure of Iraq continued to de-

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<sup>5</sup> UNITED NATIONS, DEVELOPMENT PROGRAM IRAQ COUNTY OFFICE, 1999-2000 REPORT.

<sup>6</sup> S.C. Res. 661, *supra* note 3.

<sup>7</sup> *United Nations Office of Iraq Programme Oil-for-Food Background Information*, at <http://www.un.org/Depts/oip/backgroundindex.html> (last visited Mar. 21, 2002).

cline. Four years passed until Iraq accepted the offer of the United Nations. On April 14, 1995, Resolution 986<sup>8</sup> created the United Nations Oil for Food Program. The following May, the Iraqi government signed a Memorandum of Understanding<sup>9</sup> with the United Nations and the first barrels of oil were pumped out of Iraq on December 10, 1996.<sup>10</sup> The oil was transported through the Kirkuk-Yumurtalik pipeline into Turkey. Here, the oil was delivered to those countries and private companies that had contracts with Iraq. These contracts could only be obtained with the approval of the United Nations. The money received from these transactions is placed in an escrow account and the money is used to purchase necessities for the people of Iraq.<sup>11</sup> Under the program, the goods are then distributed evenly throughout all areas of the country by the Iraqi government. When the program began in December of 1996, the amount of oil that could be exported by Iraq was limited to \$1 billion worth every 90 days.<sup>12</sup> This ceiling was raised several times over the next few years until it was finally lifted in 1998.<sup>13</sup> By August of 2000, 1.9 billion barrels had been exported by Iraq, and funds totaling just under \$29 billion had been deposited into the escrow account.<sup>14</sup>

#### IV. HUMAN RIGHTS ISSUES

The humanitarian situation in Iraq has worsened steadily since the Gulf War. Iraq, which had been a country that provided an average standard of living by regional standards, has now become a country with substandard conditions in the economy, infrastructure, health care, education, standard of living for children. This, coupled with government corruption, has resulted in numerous human rights violations.

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<sup>8</sup> S.C. Res. 986, U.N. SCOR, 3519<sup>th</sup> mtg. (1995), available at <http://www.un.org/Depts/oip/scrs/scr986.html> (last visited Mar. 21, 2002).

<sup>9</sup> *Implementation of Security Council Resolution 986 and the Memorandum of Understanding*, available at <http://www.un.org/Depts/oip/undocs/s1996356.html> (last visited Mar. 21, 2001).

<sup>10</sup> See U.N. Office of Iraq Program Oil for Food, *supra* note 2.

<sup>11</sup> See *Implementation of Security Council Resolution 986 and the Memorandum of Understanding*, *supra* note 9.

<sup>12</sup> Statement by Benon V. Sevan, Executive Director of the Office of the Iraq Programme, available at <http://www.un.org/Depts/oip/latest/bvsstatement000731.html> (last visited Mar. 21, 2002).

<sup>13</sup> *Id.*

<sup>14</sup> *Id.*

## V. THE ECONOMIC IMPACT

Before the start of the Gulf War, Iraq had an economy that ranked above average with regard to economic indicators compared to the rest of the region. The GDP stood at \$75.5 billion for a population of 18.3 million, which had a per capita income of \$3,510. While Iraq was susceptible to changes in the oil market, which represented 60% of its national income, it still produced 3.5 million barrels per day in the 1980s. Iraq's reliance on the export of oil made the country particularly vulnerable to United Nation's sanctions that would hit the region by the start of the next decade.

In the years since the Gulf War, the economy of Iraq has collapsed. Inflation in Iraq reached 120% by 1990 and the per capita income decreased to less than \$1,036 by the end of 1998.<sup>15</sup> While per capita income dropped significantly by 1998, this was an increase from a low of \$450 per capita income that had been estimated in 1995.<sup>16</sup> This fluctuation, coupled with a 50% unemployment or underemployment rate,<sup>17</sup> shows the effects of the fall of the Iraqi economy.

## VI. AN INFRASTRUCTURE IN RUINS

In addition to the economy of Iraq, the years of war have taken a serious toll on the infrastructure of the nation. Major problems exist in the conditions of the hospitals and buildings of the country, the availability of potable water, the disposal of sewage and the transmission of electricity.

Buildings throughout Iraq that house health facilities, schools, government offices, and provide residential accommodations have been left in disrepair since the war with Iran in the 1980s. Hospitals lack the sanitary conditions vital to their needs. Schools are forced to close, which in turn results in a rise in the dropout rate. These problems are then compounded by the poor living conditions created by lack of water and electricity in much of the country. Only about 50% of those people living in the cities of Iraq have potable

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<sup>15</sup> UNITED NATIONS, REPORT OF THE SECOND PANEL ESTABLISHED PURSUANT TO THE NOTE BY THE PRESIDENT OF THE SECURITY COUNCIL CONCERNING THE CURRENT HUMANITARIAN SITUATION IN IRAQ, S/1999/100 (1999), available at <http://www.un.org/Depts/oip/panelrep.html> (last visited Mar. 21, 2001).

<sup>16</sup> *Id.*

<sup>17</sup> See UNITED NATIONS, DEVELOPMENT, 1999-2000 REPORT, *supra* note 5.

water.<sup>18</sup> This number drops to 33% in the rural areas.<sup>19</sup> In addition, black outs have become a common occurrence in much of the country. Power plants that were targeted by Iran in the 1980s have still not been rebuilt. These shortcomings are also hindering the government's ability to meet basic waste removal needs. This is causing the spread of malaria and other water borne diseases. The years of war have also destroyed most means of communication or transportation networks in the country. The United Nations and various human rights groups are now calling attention to these problems.

#### VII. THE STATUS OF NATIONAL HEALTH CARE

Another major problem confronting the Iraqi people is the state of their health care system. Prior to 1990, Iraq had a health care system that serviced 97% of all people living in urban areas and 79% of those people living in rural areas.<sup>20</sup> This system has been destroyed by lack of medicine, equipment, hospitals, and well-trained personnel. Since 1990, the maternal death rate has more than doubled from 50/100,000 to 117/100,000.<sup>21</sup> In addition, the infant death rate has more than tripled from 30.2/1000 to 97.2/1000.<sup>22</sup> The average birth rate has dropped. Malnutrition among the people of Iraq has also increased while the average daily caloric intake had dropped from 3,120 in 1989 to 1,093 by 1996. This problem has been compounded by the fact that essential commodities now sell for about 850 times more than their July 1990 prices.

#### VIII. THE ROLE OF THE IRAQI GOVERNMENT

The United Nations has long been concerned with the Iraqi government's treatment of its people and its lack of cooperation with the international community. In Iraq, problems have arisen with the implementation of programs such as the Oil For Food Program established by the United Nations. Many international human rights groups, along with the United Nations, have raised

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<sup>18</sup> See REPORT OF THE SECOND PANEL, *supra* note 15.

<sup>19</sup> See REPORT OF THE SECOND PANEL, *supra* note 15.

<sup>20</sup> See UNITED NATIONS, DEVELOPMENT PROGRAM, 1999-2000 REPORT, *supra* note 5.

<sup>21</sup> See REPORT OF THE SECOND PANEL, *supra* note 15.

<sup>22</sup> See REPORT OF THE SECOND PANEL, *supra* note 15.

concerns about the distribution of those resources and whether they are reaching those who need the materials.

Before 1990, one of the greatest human rights concerns of the world community was the treatment of the Kurdish rebels in Northern Iraq. This group, which has been fighting for the autonomy of Northern Iraq since 1960, has been the target of brutal attacks by the Iraqi military. Land mines placed in Northern Iraq by the military still result in 4 to 10 injuries or casualties every month.<sup>23</sup>

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Additionally, the Iraqi government has refused to cooperate with the United Nations weapons inspectors since 1998. This has once again strained relations between Iraq and the world community. This will no doubt slow many attempts to bring aid to all areas of the impoverished country and prolong the suffering of many of its people.

#### IV. CHILD WELFARE

Unfortunately, the effects of decades of war seem to have taken the greatest toll on the children of Iraq. The country, which in 1989 had a primary and secondary school enrollment of 75%, has seen that number decrease to 22%. Child literacy, as well as literacy on the whole, has dropped significantly. A country that once spent 5% of its total budget on education now has 83% of its school buildings in disrepair. Elementary school dropouts have risen from 95,692 in 1990 to 131,658 in 1999. Many parents now rely on the income of their young children to help support the family instead of sending them to school.

The lack of education is compounded by the poor living conditions in which these children are raised. They suffer from chronic malnutrition and are in constant danger of spreading diseases. The effects of the malnutrition can be seen in the high infant and child mortality rates, which have doubled in the last decade according to the United Nations.

#### X. SUMMARY

The tensions between the government of Iraq and the world community do not seem to be nearing an end. Any hope of finding international support towards lifting the sanctions on Iraq has been

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<sup>23</sup> See REPORT OF THE SECOND PANEL, *supra* note 15.

dashed by the new war on terrorism. This new war will almost certainly focus on Iraq and its government, with a majority of the suffering to be borne by the citizens of Iraq. The people of Iraq need greater economic opportunities and improved governmental action in all aspects of their lives. The government of Iraq needs money to provide food, medicine, education, and basic governmental support services to its people. The major road block to pouring capital into Iraq is the world community's concerns that the neither the money, nor the supplies, will ever make it to the people that need it the most. This well-founded concern leaves the world community with the choice of ignoring the demands of the government of Iraq and delivering much-needed care themselves, or trusting a government that to date has shown no desire to cooperate with the global community, even to the benefit of its people. In light of recent events; the situation is bound to worsen for the Iraqi people, as they become more and more isolated from the rest of the world.

*Steven Montgomery*

