

Open Letter To United Nations Secretary-General Kofi Annan and to Representatives of the Member States, on the Declared Intention of the United States to Commit Aggression Against Iraq

Dear Sirs and Madams:

Although the U.S. government openly plans a war against Iraq, U.N. officials and representatives have neither spoken out in opposition nor taken any actions that might prevent the United States from embarking on this violent course. The United Nations was created explicitly to “save succeeding generations from the scourge of war” (Preamble, U.N. Charter) and “to take effective collective measures for the prevention and removal of threats to the peace...” (Article 1, 1). The U.N. Charter condemns unilateral attacks across borders when not justified by self-defense, referring to the need to fend off an ongoing or clearly imminent attack. Otherwise, it is obligatory to obtain Security Council sanction for any such military action. When a country simply takes it upon itself to displace a regime of which it disapproves by force of arms, this is aggression, described by the U.S. representative at the Nuremberg trials, Robert Jackson, as “the supreme international crime differing only from other war crimes in that it contains within itself the accumulated evil of the whole.” The recent U.S. assertion of a right to engage in “pre-emptive” attacks on states, including Iraq, does not obviate these considerations--it is another expression of an intent to violate international law.

Claims regarding Iraq's pursuit or actual possession of “weapons of mass destruction” (WMD) cannot justify a U.S. attack, any more than an Iraqi attack on the United States could be similarly justified based on the U.S. possession of such weapons (and much greater threat of their use). Existing resolutions that address this issue, such as U.N. Security Council Resolution 687, do not give the United States the right to launch a strike without specific authorization from the Security Council. The idea that the United States is threatened by

Iraq's alleged possession of WMD is untenable. There is no evidence that Iraq possesses any long-range delivery systems, or that its leadership is so irrational as to be planning actions that would unleash the full force of U.S. military power on their country.

The United States also lacks clean hands on this issue, as it and Britain facilitated Iraq's acquisition and use of WMD in the 1980s--including the U.S. provision of high quality germ seed for anthrax and other deadly diseases--when Iraq was fighting a war against Iran and served U.S. interests. The United States also compromised the work of the U.N. Special Commission for weapons inspections (Unscm), using it for espionage and withdrawing it in advance of the U.S. bombing of Iraq in December 1998. More recently, as it seeks to preserve its rationale for going to war, the United States has rebuffed offers from Iraq to negotiate on re-admitting inspectors.

Under strong U.S. and British pressure the U.N. imposed and has maintained sanctions on Iraq for the past dozen years in the alleged interest of preventing Iraq's acquisition of WMD. But the price of those sanctions has been paid by millions of innocent civilians, not the regime or its leaders. The embargo has made it difficult for Iraq to recover from the 1991 Gulf War, undermining its ability to rebuild sanitation and water treatment systems targeted and destroyed by U.S. bombing. That deliberate bombing violated Article 54 of the 1977 Protocol Additional to the Geneva Convention.

Although then-President George Bush stated in 1991 that “we do not seek...to punish the Iraqi people for the decisions and policies of their leaders...[and] we are doing everything possible and with great success to minimize collateral damage” (*New York Times*, Feb. 6, 1991), the necessarily devastating effects of such bombing on civilians were understood at

the time and in fact intended by U.S. planners. The *Washington Post* reported shortly after the war that “Planners now say their intent was to destroy or damage valuable facilities that Baghdad could not repair without foreign assistance” (June 23, 1991). It is now known that these included water treatment facilities, whose absence was understood to “lead to increased incidences, if not epidemics, of disease” (Defense Intelligence Agency, “Iraq Water Treatment Vulnerabilities,” Jan. 21, 1991, quoted in Thomas Nagy, “The Secret Behind the Sanctions: How the U.S. Intentionally Destroyed Iraq's Water Supply,” *The Progressive*, Sept. 2001). Wrecking these facilities and preventing their repair or replacement would give greater bargaining leverage by intensifying the adverse effects of sanctions on civilian welfare.

As is pointed out in the report recently issued by over a dozen church and human rights groups, “Iraq Sanctions: Humanitarian Implications and Options for the Future” (Aug. 6, 2002), “The 1977 Protocols to the Geneva Conventions on the laws of war include a prohibition of economic sieges against civilians as a method of warfare.” In their actions involving Iraq, the United States, Britain, and the United Nations have violated these laws of war in a historically unprecedented manner. In an article in *Foreign Affairs* (“Sanctions of Mass Destruction,” 78: 3 [May/June 1999]), John and Karl Mueller contend that “economic sanctions may well have been a necessary cause of the deaths of more people in Iraq than have been slain by all so-called weapons of mass destruction throughout history.” The United Nations Children's Fund has documented an increase in the under-five child mortality rate in Iraq from 56 to 131 per thousand in the sanction years 1990-1998, with an estimated child death toll of several hundred thousand.

Having contributed to these mass deaths through economic warfare, the United Nations now remains silent in the face of an openly planned war of aggression against Iraq. The war will be bloody and will have much wider, potentially disastrous, repercussions. If the Secretary-General and members of the United Nations do not speak out, oppose, and attempt to stop what would be flagrant aggression, will it not be clear that the United Nations is not an institution serving to prevent war but rather a political instrument of the United States and selected allies?

We urge the UN Secretary-General and U.N. members to act now or stand condemned as accomplices of aggression, in defiance of both the clear language of the U.N. Charter and the desires of the vast majority of the world's people.