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**U.S. Foreign Policy in the Middle East  
War on Iraq (2003-2011)**

A Memoire by

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## **STATEMENT OF ORIGINALITY**

The work contained in this thesis has not been previously submitted for a degree or diploma at any higher educational institution. To the best of my knowledge and belief, the thesis contains no material previously published or written by another person except where due references are made.

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Abstract

Since its emergence as a global power after World War II, the United States has accorded a great importance to the Middle East region. However, the many successive international developments since the eighties had a significant impact on the U.S. foreign policy, starting from protecting its growing interests and drawing strategic objectives to be achieved in the region in any way possible including a direct military intervention. In fact, the United States' policy in the Middle East has the great influence in guiding and directing almost all of what is happening in the region according to what fits and guarantees its interests and those of its strategic ally Israel. Hence, the present work explores the U.S. foreign policy towards the region and the developments it has known, especially, after the events of 09/11 that led to the war on Iraq.

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### **List of Abbreviations**

**Snr:** Senior

**Jnr:** Junior

### **List of Acronyms**

**U.S. or U.S.A:** United States of America

**UN:** United Nations

**WMD:** Weapons of Mass Destruction

**UNSCOM:** United Nations Special Commission

**UNMOVIC:** United Nations Monitoring Verification and Inspection Commission

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## Identification of Concepts

### Middle East

The Middle East area's exactness has known ambiguity since there are many terminologies that refer to the countries of the region, proving an interesting contrast in its determination. We recall these terms as following:

- Levant
- Old East or Ancient East
- Desert Classic
- Southwest Asia
- Near East
- Middle East

The term *Levant* means the East or the place where the sun shines. It is an ancient term that goes back to the Greco-Roman era and referred to the Eastern Mediterranean population: Syria, Lebanon and Palestine. Note that this term did not include the entire region. ( يحي احمد , الكعكي, 1986)

The archaeologists used the term *Old East* to refer to the region stretching from Egypt to Anatolia and Western Iran. In other words, the areas that knew the Neolithic era (New Stone Age). It is also the area where the ancient civilizations originated in, like, Egypt, Iraq, Phoenicia, Central Anatolia and Western Iran. Therefore, it is clear that this label is primarily based on ancient civilizations' features. The same thing can be said about *Desert Classic* term, which includes Arabian deserts and agricultural lands in between the Nile and the Euphrates. (حداد معين, 2002)

The term *Southwest Asia* is a geographical term that includes the triangle stretching from Afghanistan in the East, to Anatolia in the West, and Yemen in the South. (حداد معين, 2002)

*Near East* is a geographical term that roughly encompasses Western Asia, and despite having varying definitions within different academic circles, the term was originally applied to the maximum extent of the Ottoman Empire. However, this term has fallen into disuse and has been replaced by the term *Middle East*. (حداد معين, 2002)

The term *Middle East* is used, unanimously, at the present time as an alternative to the previous terms, to refer to the region stretching from Iran to Egypt and from Turkey to Yemen. Some might add Libya and Sudan. Thus, the Middle East refers to West Asian countries in addition to Egypt, Sudan and Libya in some cases. The Middle East states are the following: Egypt, Jordan, Syria, Palestine, Lebanon, Iraq, Saudi Arabia, Kuwait, Qatar, Bahrain, UAE, Oman, Yemen, Iran, Turkey and the State of Israel by virtue of its status quo as it occupies the bulk of the land of Palestine. (محمود أمين, 1977)

On the other hand, the United States has launched after the end of World War II, the term *Middle East* to refer to the region which begins from Morocco on the Atlantic Ocean and the Mediterranean countries (North Africa) in the West, to Pakistan on the Western border of India in the East, to Turkey on the Black Sea in the North, to Sudan and Ethiopia in Central and East Africa in the South. (Modigs Ronny, 2003).

### **The Pre-emptive Strike**

It means to destroy an opponent before growing in its full dimensions. This theory emerged in the period between 1945 and 1949, when the United States monopolized the ownership of weapons of mass destruction in the international community, with a belief that the Soviet Union was seeking to own a nuclear power which would put the world in front of dangerous nuclear threat which was likely to be begun by the Soviet Union during Stalin's Presidency. (International Encyclopaedias of Political Sciences, 1986).

The U.S. administration published in September 2002, its definition of the concept of the pre-emptive strike, or what some references called *the new pre-emptive war*, which stipulates that:

*We must adapt the concept of imminent threat to the capabilities and objectives of today's adversaries. Rogue states and terrorists do not seek to attack us using conventional means. They know such attacks would fail. Instead, they rely on acts of terror and, potentially, the use of weapons of mass destruction—weapons that can be easily concealed, delivered covertly, and used without warning.... The greater the threat, the greater is the risk of inaction and the more compelling the case for taking anticipatory action to defend ourselves, even if uncertainty remains as to the time and place of the enemy's attack. To forestall or prevent such hostile acts by our adversaries, the United States will, if necessary, act pre-emptively. (The National Security Strategy of United States of America, 2002, p. 15)*

### **Rogue States**

Are states considered mostly by the United States as being ruled by authoritarian systems that do not accord the slightest respect to human rights, and they tolerate terrorism and proliferation of weapons of mass destruction. Among these countries we recall Syria, Iran, North Korea and Sudan.

### **Procedural Definition of Gulf wars**

Several political and military names have labelled the war waged by coalition countries in 1991, to drive Iraq out of Kuwait, among them we mention:

- Gulf crisis
- Gulf War

- Desert Storm
- Liberation War of Kuwait

However, in most of political references we find that this war is referred to as *The First Gulf War*, and the U.S. occupation of Iraq in 2003 is referred to as *The Second Gulf War*. Notwithstanding, some politicians prefer to name the U.S. occupation of Iraq *The Third Gulf War*, for the fact that they label the Iraqi-Iranian war *The Second Gulf War*. To be precise, we launched the naming of *The First Gulf War* to refer to the Liberation War of Kuwait and *The Second Gulf War* to mean the U.S. occupation of Iraq in 2003.

## Introduction

The U.S. foreign policy was based, in the fifties, on the principle of *Containment*. It worked on the establishment of security and economic strategy to contain the expansion and influence of the Soviet Union and its ideology of Communism. This drove the two powers to enter in the Cold War which lasted for several years, choosing the third world countries to be tools of this policy. In the beginning of the seventies, some U.S. decision-makers began to reconsider this U.S. non-interventionist policy a constraint which increased the size of the challenges to the U.S. interests abroad, and that the U.S. unresponsive attitude to minor threats abroad would encourage more serious challenges later. In addition to this, the Vietnam syndrome, in their perspective, had led practically to instability because it encouraged the hostile forces to exploit the gaps of the global security system. Thus, they claimed that the U.S. non-interventionist policy “*is a sign of the United States’ weakness rather than self-control policy*” (Bassma Kodmani, Darwish May, Chrtaiuni\_Dubarry, 1991).

Then, in the late eighties and after the fall of the Berlin Wall and the end of the Cold War by the disintegration of the Soviet Union, the U.S. position has been strengthened politically, economically and militarily, becoming the world’ sole superpower. However, the competition between international superpowers became intensified in order to expand and control the global trade markets, as well as, strategic energy sources. The Middle East region was the focus of their attention for what it represents from being a global source of oil energy and a promising market for their products. In the midst of these transformations, the United States saw that its policy of Containment became useless. As a result, it started to work on crystallizing its policy to maintain its position and superiority and to protect its interests, starting from the Middle East area because it is considered, by the United States, a very important strategic region that fits the U.S. growing interests and objectives.

Following the Iraqi occupation of Kuwait on August 02, 1990, the United States felt that its interests were threatened. Therefore, it resorted to the pressure method composing an international coalition containing twenty nine (29) countries against Iraq. After the liberation of Kuwait, the U.S. administration along with its ally Britain proceeded with the destruction of the Iraqi economic and military infrastructure under the legitimacy of the United Nations, beginning with the economic embargo and sanctions that claimed the lives of many Iraqi people because of malnutrition and the lack of medicines. Then, they worked on reducing the inviolability of the Iraqi territorial sovereignty by establishing the no-fly zone in North and South Iraq under the pretext of protecting the population of these areas (Kurds and Shiites) from the Iraqi regime that threatened them. This also was done with the approval of the UN Security Council, in addition to the destruction of the Iraqi military forces and arsenal which was done through the UN commissions UNSCOM and UNMOVIC.

However, the United States realized that the war fought with coalition countries in 1991 against Iraq and the subsequent economic blockade did not fulfil the U.S. desired goals within its strategy for hegemony. This pushed the administration of the President George Walker Bush to pursue a new style in the classification of countries that do not share its political trends labelling them *Axis of evil*, and referring to their systems to be dangerous and constitute a threat to the U.S. people and the entire world. Among these countries we recall Iran, North Korea and Iraq.

After the September 11, 2001, the U.S. administration reconsidered its strategy as it adopted the *pre-emptive strike* policy, although it is seen illegal by the international law. This transformation in the U.S. strategy from containment and deterrence to the early abortion of enemies has marked the turning point in the U.S. foreign policy. The adoption of this policy had been justified by the Bush administration under the pretext of fighting terrorism arguing that they are not obliged to return to the legitimacy of international law, because they are in a

state of self-defense. As a result, the United States launched attacks against Afghanistan as being the centre of Al-Qaeda terrorist organization. Then it declared war on Iraq in 2003 accusing it initially of owning weapons of mass destruction and then indicting the Iraqi authority of having a relationship with Al-Qaeda. When Iraq turned out to be clear from these allegations, the U.S. administration announced that its goal is to help the Iraqi people to get rid of the dictatorship of Saddam Hussein and his Baath Party, trying to convince the world with the necessity of staying in Iraq in order to establish a democratic system there to make it a role model in the Middle East to be aspired to.

Thereof, this research aims to underline the motives and goals of the U.S. foreign policy towards Iraq in particular and the Middle East in general. It attempts to find out whether the United States wants to ensure the success of its American project for dominance through the imposition of solutions, reforms, and a democratic change in the region, choosing Iraq as a model to test on these options.

This work intends also to look within the principles of the U.S. foreign policy, and to find out whether petroleum energy is still the source of economic strength and a crucial strategic commodity which necessitates putting its resources under the control of United States in any way possible.

However, the problematic of the research focuses on the conflict and confrontation that characterized the U.S. foreign policy toward Iraq and which led to occupying it from 2003 till 2011, when the last U.S. troop left Iraq. As the research probes into the motives and nature of the goals and aspirations that the U.S. administration is seeking to achieve in Iraq's internal, regional and international levels, and to highlight the reasons that made Iraq to be a perfect model for the United States to put on its strategy into effect in order to achieve its objectives. For this purpose, the present work searches in the course and nature of the foreign policy of the United States toward Iraq, in an attempt to identify its strategic goals and



interests and to clarify the means and tools used by the U.S. administration to achieve them.

There from, we posed two essential questions:

- Why was Iraq chosen as a strategic goal by the United States to keep the case of imbalance within the international system devoting the decisive superiority to its advantage in front of the rest of the world's powers? And did really the Iraqi system represent an obstacle for the United States to achieve its objectives?
- What are the factors influencing the foreign policy of the United States toward Iraq? And what are its objectives and the tools used to achieve them? And to what extent was it able to achieve those goals?

In order to provide in-depth answers to these main questions, we asked other targeting sub-questions and which are as follows:

- Why did the United States seek to worsening relations with Iraq and to portray it as a source of threat to security and world peace?
- Was the United States a direct cause in pushing Iraq toward division and outbreak of ethnic and sectarian conflicts to be difficult to control?
- Will the United States be able, after expanding its influence over Iraq, to control the oil supply and ensure its security from any potential threats?
- What are the results dragged from the increasing hostility in the Islamic populations, generally, and the Arabs, specifically, towards the United States due to its practices in Iraq and its permanent bias to Israel?
- Will the American presence in Iraq impact, in all its forms, the neighbouring countries?
- To what extent will the other international powers allow the United States to control alone the Middle East region?

On this basis, we formulated the following hypotheses:

- The United States used all possible options and means including military force and occupation, in order to ensure its strategic interests in Iraq and in the Middle East, in general, because of the important geographical location and the huge stock of oil
- The real practice of the U.S. foreign policy in Iraq, particularly, and the Middle East, generally, contrasts with the perfect wording of its stated ideal objectives
- Tightening the U.S. control over the situation in Iraq will facilitate its process of control over the Iraqi wealth and will support its geo-economic hegemony over the Middle East countries, reaching its influence even to the Far East countries

To discuss the problematic of the research, we have systematically divided this work into five chapters. Because the methodological necessity requires us to bring to light the bodies involved in decision-making process in the U.S. foreign policy as well as their various bureaucratic roles, the first chapter addresses the philosophical and constitutional foundations of the foreign policy of the United States, and displays the various U.S. political principles that take always into priorities the Middle East area for being considered a strategic target for the U.S. interests.

The second chapter is devoted to discuss the role of the United States in arms control process, and to address its motives for the destruction and elimination of weapons of mass destruction in Iraq under international supervision and the Security Council's Resolutions. On the other hand, we tried to focus on the motivations behind the Iraqi desire to build and develop weapons of mass destruction. Then, we addressed thereof the UN Commissions UNSCOM and UNMOVIC and their roles in removing the Iraqi WMD arsenal in addition to discussing their reports. We tried also to find out the reasons behind the escalation of the U.S. - Iraqi crisis, as well as the initiative prepared by the American Congress for arms control in the Middle East and its strategic dimensions.

The research, in its third chapter, deals with the credibility of the U.S. justifications for the occupation of Iraq in 2003, which took place without international legitimacy, and the United Nations' position along with the international community of this occupation.

The chapter four is dedicated to study the Iraqi armed resistance, its different sources and its impact on the strategy of the United States following the occupation. It attempted also to address the Iraqi ruling stages under the U.S. occupation as well as the role played by the American administration in reconstructing the Iraqi institutions, for the fact that these historical stations in the course of the Iraqi history require to be discussed and analyzed in order to know their impact on Iraq and its future after the overthrow of the Iraqi President Saddam Hussein and his Baath Party from power. Meanwhile, we tried to measure the extent to which United States was able to control the developments that happened in Iraq after the occupation.

The fifth and last chapter of the research digs up the U.S. National Security Strategy in the Middle East following the occupation of Iraq, with a focus on the most important developments in its policy towards the region, especially, *The Greater Middle East Project* which the U.S. administration is seeking to establish in the area, and spotlighting its aims and its international dimensions as well. This chapter also exposes the international challenges faced by the U.S. administration and its new adopted strategy to combat terrorism which is based on the pre-emptive strike. It discusses also the importance of the Middle East oil and what it represents in the balance of geo-economic and geo-strategic powers, revealing the attempts of the United States to monopolize and control this essential source of energy.

The research' five chapters are ended by a conclusion which is a sort of a comprehensive summary of the memoire trying to answer the questions stemmed from the problematic of the research, and attempting to anticipate the future of the U.S. foreign policy toward the Middle East in general in light of the current developments.

The foreign policy is one of the most important major branches in political sciences as being the engine of international relations between States, and if the international relations reflect the interactions occurring between international units and international actors, the foreign policy reflects the behaviour taken by one state in its interaction toward the rest of the international units in order to serve its interests and achieve its specific strategic objectives. However, the foreign policy controls internal variables and other external ones, which determine the type of the policy. Therefore, it is noted that the policy of a state towards other countries witnesses stages of high and low tide, having strengthened ties sometimes and strained relations other times. This trait often characterizes international relations in general.

Therefore, we tried to address the subject matter of the research in accordance with *A Systems Analytical Approach*, due to its comprehensive analytical nature of the phenomenon of foreign policy, wherein *General Systems* theory is the source of this systemic analysis, and the unit of analysis in this approach is the concept of the system which has been transferred to social sciences from the natural sciences, and then, applied on political science<sup>1</sup>. Since the mid-twentieth century, the systems analytical approach has been used on the ground of using pathways and tools to analyze data based on the concept of the complex system and its interlocking relations. Given that the system is a complex concept that refers to “a network of interdependent relations between the phenomenon of influence and interaction resulted from the relationship of this complicated entity (system) with the environment surrounding it” (International Encyclopaedia of Political Sciences, 1986, p. 45).

Systems Analytical Approach considers the foreign policy a political system with a number of institutions that have certain functions resulting in decisions or outputs (specific policies). These outputs lead when interacting with the surrounding environment to the production of outcomes. The latter generate, through the feedback process, new demands

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<sup>1</sup> For more information see: David. Easton. (1965). *A Framework for Political Analysis*. New Jersey: prentice-hall, Inc. pp. 2, 15-23.

or inputs and form groups in support or against these policies or outputs, and the feedback process forms a never-ending cycle (Easton David, 1965). This approach incorporates several dimensions to study and analyze the foreign policy of countries, namely:

- Factors affecting foreign policy
- Foreign policy goals
- Foreign Policy tools

The *State* in this approach is the axis of decision-making process which is based on decision-makers' perceptions and their identification of the objectives (David Easton, 1965). The advantage of this approach is its ability to absorb all the variables associated with a particular position that leads to the need to take a particular decision. Our research is based primarily and through this approach on analyzing the U.S. decision-making process, especially, in its war on Iraq 2003.

Among the multiple difficulties that we faced while conducting this research, we mention the following:

- The issues in this subject overlap each other making it difficult to separate the political and military side from the economic, social and cultural sides, as well as the interlocking and interconnection of the events made it so hard to isolate a particular period of time to be studied, what brought us back with history to earlier periods
- The second difficulty stems from the first point where no matter how we tried to include the subject matter in a comprehensive study, still other sides and matters related to the research subject are of great worth and needed to be studied
- The third issue concerns the methodological difficulty that lies in the nature of the subject because of its continuing interactions making it difficult to monitor the ongoing developments and predict their path

- The last issue is the lack of some original books and all what is available for us is a translated version of them

## Chapter One

### The Philosophical and Constitutional Foundations of the U.S. Foreign Policy

A foreign policy consists of the total necessary means by which the countries seek to achieve their objectives, to maintain their security and enhance their strength and international status. The foreign policy neither represents specific interests of the countries nor expresses the real international concepts that the word *Policy* contains. Rather it is a mix of interests, perceptions and doubts that may or may not be interconnected in the international community. However, what could be a significant obstacle to foreign policy' formation process is denying the fact of the constant change of circumstances, or the inability to adapt and deal with new situations when they are recognized (Robert Cantor, 1989). On this basis, we formulate the following question:

- How can the U.S. diplomacy go beyond the contradiction between idealism and realism in its foreign policy management?

In order to know how the U.S. administration is trying to reconcile its national interests with its global role, we must go back a bit with history to know the principles of its foreign policy, with a focus on the region of our research, i.e., *the Middle East*.

#### 1. The Middle East through the Doctrines of U.S. Foreign Policy

Since the independence of the United States of America in 1776, its foreign policy has been based on the *two-direction* reference which is, in fact, consisted of two directions Isolationism and Internationalism. The first one, i.e., isolationism, is the old and first direction; it was the idea of the first President of the United States George Washington. It lasted almost till the forties of the 20<sup>th</sup> century. The Spanish-American War in 1898 was the first international war America won, and it had reached its forces to the Pacific Ocean until the Philippines. Thenceforth, the United States has been busy to develop its full Navy potential (Zbigniew Brzezinski, 2004).

The second trend of Internationalism started in the forties of the 20<sup>th</sup> century and is lasting till the present day. Both of the two trends were the result of internal and external facts that have been differed over time. As a matter of facts, Isolationism called for the adoption of a foreign policy that provided the United States with the political independence and neutrality towards the European conflicts affecting the international politics at that time. Those policies of independence and neutrality, however, have not been understood by the United States to stay in isolation, but relatively understood as leaving the United States to expand outside its territory. Albert Beveridge, a member of the U.S. Senate then, said:

*The U.S. factories today produce more than we can consume, and here we see that the fate has drawing much of our policy, that the world trade must be in our hand, and there is no doubt we will handle it and create its rules in various parts of the whole world. (George Buis, 1993, p.107)*

Therefore, the American ambitions have begun expanding and extending across the world in various ways and forms, especially, after the end of the Cold War and the emergence of internationally influential economic powers, and geo-economic interlocking and overlapping and often conflicting interests. The Middle East, however, has always enchanted the various global powers, and thus, has been accorded an importance that worth the economic attraction and intense competition between the world' superpowers. It has been seen an important area on the international scene for a long time ago, because it is the main source of the current civilizations. The banks of the Tigris and Euphrates have known the world's first civilizations which were transferred to Greece and Rome, then to Europe. After that, the Middle East region has known the rise of the Islamic civilization which has been established in the 7<sup>th</sup> century. (حداد معين, 2002)



Besides, the Middle East is the homeland of the three monotheistic religions: Judaism, Christianity and Islam. This factor, in fact, was the cause of the outbreak of a lot of ideological conflicts in the region in order to impose one religion only, and among the longest and most prominent conflicts in history, the Crusades and the everlasting Arab-Israeli conflict. (حداد معين, 2002)

The region privileged location has also increased the geostrategic importance of the Middle East. The latter occupies the heart of the ancient world, and seen as the meeting point of the three continents (Asia, Africa and Europe) where there are important vital sea, air and land lanes, like the Bosphorus and the Dardanelles, which link the Black Sea with the Mediterranean Sea, and the Strait of Bab el-Mandeb, which connects the Red Sea and the Arabian Sea. The Indian Ocean sums up the estimated distance of about 70% in maritime navigation, and the Suez Canal in Egypt plays a vital role in the movement of ships in between the Red Sea and the Mediterranean Sea. In addition to the Strait of Hormuz which is one of the strategic water passages in the world because of the movement of petroleum ships transiting the corridor daily. (المركز القومي لدراسات الشرق الأوسط, 2000)

Among other reasons that make the Middle East an important region, the political developments that the region has known across the time, especially, after the Second World War, when the competition was intensified between the United States and the Soviet Union, over what was known as *areas of influence* in the context of the Cold War between the two blocs. Add to this, the emergence of liberation movements against the French and the British colonization, because the majority of the region's countries were under the influence of a foreign power. However, the most serious political development witnessed in the Middle East is the declaration of the state of Israel on the land of Palestine, and which has become, later, the U.S. strategic ally that helped the United States to implement its containment policy of the communist danger in the region. Given that the U.S. administration established, in an attempt

to implement its containment policy, a network of economic, political and military relations with many of the region's countries, such as, Turkey, Iran during the reign of Shah Reza Bahloe, and with the Gulf Cooperation Council (GCC) on its head Saudi Arabia, within the framework of the so-called Friendly Countries. (المركز القومي لدراسات الشرق الأوسط, 2000)

After it entered into the Second World War, the United States was interested in what was happening in the region and considered it part of its national policy, and because of the events that took place in World War II and later, this interest has been increased more and more in the region, as President Roosevelt declared then: “*Defending Turkey is vital for the defense of the United States*” (Michael Clyre, 1982, p. 157). Five years later, the U.S. President Truman made a speech in front of the army on March 6, 1946, saying:

*In this region (Near East) vast natural resources as well as its better location across the sea, land and air transport lanes, make it an important and great economic and strategic spot...and so it is easy for one to be aware how the Near and Middle East could one day become an area of an intensive and violent competition between external forces which can suddenly turn into an armed conflict.* (Micheal Clyre, 1982, p. 158)

This interest in the region stems from the academic studies that had been highlighted already by the professor of geography at the University of London, Helford Mackinder (1861-1947), who said: “*Who rules East Europe commands the Heartland; who rules the Heartland commands the World-Island; who rules the World-Island commands the world*” (Mackinder, 1942, p. 106).

The *World-Island* is the entire joint landmass of Europe, Asia, and Africa. (Helford Mackinder, 1942, p. 45)

The *Heartland* lies at the centre of the *World-Island*, stretching from the Volga to the Yangtze Rivers and from the Himalayas to the Arctic Coast. ([www.sott.net/article/276668-Geopolitics-of-Empire-Mackinders-Heartland-Theory-and-the-Containment-of-Russia](http://www.sott.net/article/276668-Geopolitics-of-Empire-Mackinders-Heartland-Theory-and-the-Containment-of-Russia))

To know the most important evolutions that the U.S. foreign policy has been through since the founding of the state, we must return to the various doctrines that many U.S. presidents came out with. We mentioned them as follows:

**1.1. Monroe Doctrine 1823.** After the World War I, the United States had pursued the principle of the U.S. President James Monroe, in which the policy of isolation had been taken with intent to move away from international problems, and to devote the American efforts and potential for local economic development. Then, as a second stage, the United States put its hand over Central and South America's countries by controlling the Caribbean and the Panama Canal after its excavation. It also directed its investments to all agricultural and industrial sectors, as well as, the energy and oil resources in Mexico and Venezuela, Copper in Peru, the Czech and Tin in Bolivia, and also towards railroads and airlines in South America. (فهد بن عبد الرحمان آل الثاني, 2002)

The adoption of the United States to the Monroe doctrine was declared before Congress in 1823, as a U.S. foreign policy' option, because of the fear of the Russian expansion, at that time, into the Pacific Ocean's shores of North America, as well as, the movements carried out by the Spanish and other European countries after the Spaniards' withdrawal from large parts of Latin America. At the beginning, the goal of United States throughout this doctrine was not to confirm its sovereignty over the Western Hemisphere; rather, it was to confirm the end of the European powers' domination. But, when the Czar of Russia asked for the U.S. approval on the Holy Alliance (a European system of peacekeeping because of the Napoleonic wars), the United States rejected. This rejection was so openly

expressed by both of U.S. Presidents George Washington and Davis Jefferson. The U.S. President Monroe explained in a letter to Congress saying that: “*The political system of the allied forces differs fundamentally from the system in United States of America*”. He also stressed that: “*We should consider any attempt from the part of these countries to extend their system to this part of the hemisphere, a threat to our security and our safety*” (Bruce Denny, 1991, p. 51).

Thus, the foundations and premises of the U.S. foreign policy were built thanks to its central government and the growth of its industrial and financial strengths, as well as the political stability of its internal system. Add to this, the support of the American community to the U.S. regime, and their belief that their system is superior to the rest of the existing systems across the entire world. (موسى محمد, 1996)

The American foreign policy has been affected to a large extent by theories of the sociologist Herbert Spenser, and the success he achieved in the United States in 1882 by publishing his theory with help of the professor William Graham Sumner (1840-1910). Spenser transferred and applied Charles Darwin's theory of the evolution of organisms on humanities. This theory was adopted by the decision-makers in the United States making it a basis in the formulation of the U.S. foreign policy within the following context: “*Life is a constant pitiless struggle, and there is no chance of survival but only for mightiest*” (Yues Henri Nouailht, 1977, p. 69).

**1.2. Truman Doctrine 1949.** The U.S. President Harry Truman’s doctrine was devoted primarily to the defensive system against any potential threat to Turkey and Greece. But, this principle did not work exclusively in this region in particular; it expanded to include other areas. Note that the Marshall Project which the United States allocated to provide economic aid after the World War II to the European countries, was extended to include the countries of the Middle East that were willing to benefit from it without exception. This way,

the United States aimed to win these countries to its side during what was known as *bipolar system* and the onset of the Cold War between the two blocs the Soviet Union and the United States. (Bruce Denny, 1991)

It is stated in Truman Doctrine that a direct intervention of United States is needed, not only in Western European countries, but also in the Eastern Mediterranean and Near East, in order to provide all possible aid, whether economic or militarily for the regimes and states that stand against communist ideology. What is noticeable is the overall support of Truman Doctrine for the partition of Palestine and the establishment of the Israeli state, which will support and secure the U.S. strategy in the Middle East later. Given that the U.S. President Truman had a crucial role in passing the project of the partition of Palestine in the United Nations General Assembly session held on November 29, 1947, under the list No 181, whereby, the United States made a formal recognition with the state of Israel. (بحیری مروان, 1982)

**1.3. Eisenhower Doctrine 1957.** On January, 5<sup>th</sup>, 1957, after the triple attack of the three countries France, Britain, and Israel, on Egypt in October 1956, the U.S. President Dwight Eisenhower asked for the approval of the U.S. Congress on the necessity to ensure security and stability in the Middle East, and to support the world peace. However, the real aim of this doctrine was to protect the region from a direct or indirect Soviet attack. It aimed also to fill the vacuum left by France and Britain in the Middle East through military aid in order to provide help for countries wishing for aid. On the other hand, Eisenhower doctrine had ranked the Middle Eastern countries into two categories: friendly countries which are friends and loyal to the United States, and Hostile countries to the United States of America. Among these friendly states, Israel was the only state that had accepted the military assistance from the United States. What is noteworthy is that Eisenhower doctrine had not given the Palestinian issue any political interest. (بحیری مروان, 1982)

In March of the same year, the United States joined the military committee in the Baghdad Pact, which was established in 1955 in the form of a military agreement at the beginning of its establishment between Iraq and Turkey. Then, joined them all of Britain, Pakistan and Iran in the same year, in addition to the United States which had not a full membership in the early years. The main reason behind the creation of this alliance, which was planned by the United States, was the excellent strategic location of the area' alliance (Iraq) which had many important elements that served the U.S. economic interests largely thanks to the petroleum resources in that territory. In addition to this, the area is adjacent to the South of the Soviet Union's borders, and thus, it represented the gate of incursion into the entire Middle East, making it imperative for the Western countries headed by the United States that sought to close it in front of the Soviet expansion. (Robert Cantor, 1990)

This way, the United States completed its strategic blockage of the communist camp as it was surrounded by the NATO to the West and South-East Asia Alliance to the East, these reasons prompted the United States to establish the Baghdad Pact to reach from behind its political goals. This alliance had taken a lot of Eisenhower's attention who planned to include into the alliance new member countries of the Middle East, and he had got three attempts in this regard but all of them failed. The first one was with Jordan, when King Hussein had shown his desire to join the Baghdad Pact. But, the internal situation at that time in Jordan prevented the King Hussein from achieving his desire, because Jordan witnessed a strong opposition rejecting the Baghdad Pact, pushing the king to retreat his decision. The second attempt was with Egypt, but they also rejected acceding to military alliances. Then, the third one was with Syria, and its response was similar to that of Egypt. Syria had been under a military threat from Turkey in 1957, and this had made its relations unstable not only with Turkey, but also with the United States, because it stood behind Turkey's military provocations to Syria. In addition to this, the tension between Syria and Iraq was more severe

than it was between Egypt and Iraq, for the fact that the Syrian government announced to discover a conspiracy targeting the Syrian authorities, and claiming that it was set by the government of Nouri El-saaid in coordination with the U.S. Embassy in Damascus. This incident had disturbed the relationship between Syria and Iraq to a large degree, and thus, all possibilities for Syria to join Baghdad Pact fell apart. (بحیری مروان, 1982)

**1.4. Nixon Doctrine 1970.** February 18<sup>th</sup>, 1970, testified the emergence of the U.S. President Richard Nixon's doctrine that renewed the U.S. foreign policy during the seventies. Among the most important points that this doctrine came out with, we mention:

- The United States is committed to all its international obligations
- If any ally state to the United States or any other country which we (United States) believe that touching its security would impact our own security, has been under a nuclear threat by another state, the United States will provide protection necessary for the safety and security of those nations.

The President Nixon, in this regard, said:

*The United States will participate in the defense of its allies and in the development of their countries, but it (U.S.A) cannot and will not prepare all plans, and design all the programs, and implement all decisions and carry out all the responsibilities of the defense of all the countries of the free world, we will help where help can be productive and make things different for real and serve our interests. (Robert Cantor, 1990, p. 132)*

The United States adopted, then, the Nixon Doctrine in order to maintain its interests in the Middle East through the proxy states, i.e., countries in the region that work to safeguard the interests and influence of America in the Middle East, like, Iran in that period, in addition to its strategic ally Israel. (هويدي أمين, 1984)

**1.5. Carter Doctrine 1980.** The U.S. President Jimmy Carter announced on January 24<sup>th</sup>, 1980, his doctrine which is summarized in the necessity to maintain the American interests in the Middle East. These interests are as follows:

- Raising the American defence budget by 5% every year in the coming years
  - Strengthening and developing the American surge capacity in the areas distant from the continent of America
  - Strengthening the NATO and all other U.S. security alliances
  - Working to find a settlement to the Arab-Israeli conflict emphasizing on ensuring the security of Israel
  - Strengthening the U.S. forces in the Indian Ocean and searching for bases and facilities in the Middle East area
  - Working to find a common defense formula between the Middle East countries, taking into account the political and ideological differences between these countries
- (هويدي أمين, 1984)

What we do observe in the Carter Doctrine, is its compatibility to some extent with the Eisenhower Doctrine which affirmed and maintained the continuity of the American strategy and objectives. The difference appears only in the means by which the implementation of the policy was done. Also, the Carter Doctrine appeared in certain circumstances, most notably, the Soviet intervention in Afghanistan and which was considered by the United States a direct threat to its security and interests in the Middle East.

**1.6. Reagan Doctrine 1981.** The Doctrine of President Jimmy Carter faced a lot of difficulties when it was put into effect due to many reasons:

- The difficulty of the U.S. military forces' movement because of the distance between the operations' base in California, U.S.A, and the Middle East



- Fresh water scarcity in the Middle East, so that the U.S. military personnel provided themselves with 12 gallons<sup>2</sup> weighing 100.4 Lbs of fresh water per day for each of them, what made the United States to think about finding a solution to this issue, especially, in areas where its military forces are landing, like, the Middle East on which United States does not rely too much because of the unstable regimes there, except for the state of Israel which is characterized by stability, according to the American perspective

As a result of all the aforementioned difficulties characterized by Carter Doctrine, the U.S. President Ronald Reagan applied his doctrine to avoid them all by:

- The formation of fast-moving forces
- The formation of a new military fleet, in addition to the Sixth and Seventh Fleet which are watching the Mediterranean Sea and the Pacific Ocean respectively
- The permanent positioning of some U.S. military forces in the Middle East even if it requires the use of force against any state opposes that. (Bassma Kodmani et al, 1991)

Through all of the above doctrines advocated by those American presidents, we notice that the Middle East region is ranked in the first class in American foreign policy because of its global strategic importance. Besides, it is characterized by two factors that seduce the American policy all the time, the economic factor and the security factor, and which their importance is repeated always on the lips of various American presidents and strategists. In this regard said the U.S. President Gerard Ford in 1975:

*The American care with the situation in the Middle East is not a matter of choice, but an important vital necessity, that this region is of a strategic importance and it is a source of a great and large section of*

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<sup>2</sup> **Gallon:** The unit of measurement equals to 4.59 liters in British standard and 3.875 liters in American standard

*sources of energy weather for us or for the Western Europe and Japan alike.* (Maksimovitch Primakov, 1979, p. 234)

During the sixties, a shift in the American foreign policy occurred. Instead of being based on the strategy of *large-scale deterrence*, using all means in order to achieve the desired goals, especially, the military force, the U.S. administration adopted another strategy of the flexible response<sup>3</sup> in 1961, featured by working on solving international conflicts with the potential of using the military force as a possibility to solve a problem. Through this strategy, the U.S. administration had tried to suppress the liberation movements in the Middle East region. (Maksimovitch Primakov, 1979)

Hence, the most important characteristic of the American foreign policy is its adaptation to the nature of international relations after the World War II. Its strategy towards the Middle East was based on two factors:

- The importance<sup>3</sup> of the region in facing the Soviet Union, as noted earlier
- Working on disabling the libertarian movements

To achieve these purposes, the U.S. administration established military alliances with an intention to control the Middle East countries and prevent them from falling under the domination of the Soviet Union.

## **2. Decision-making Devices in the U.S. Foreign Policy**

Knowing the U.S. institutions that are involved in the decision-making process will help us to discuss and analyze premises and justifications important in the American foreign policy decisions, in general, and towards the Middle East, in particular. This subsection is necessary for the fact that the United States is the first and great powerful country in the world. The decision-making process does not only affect the internal politics of the United

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<sup>3</sup> **Flexible Response** is a U.S. defense strategy in which a wide range of diplomatic, political, economic and military options are used to deter an enemy attack. This term first appeared in U.S. General Maxwell D. Taylor's book *The Uncertain Trumpet* (1960), which sharply criticized U.S. national security policy. Initially designed to thwart communist expansion more effectively, the strategy has become a fundamental principle of American military thinking.

States, but its foreign policy and thus, all the world. To illustrate the work of these mechanisms, we will focus after having an overview of the functions of these mechanisms, on the reign of the U.S. President George W. Bush, because of its importance to the subject of our research.

**2.1. The Political System in the United States.** The United States has put into effect its Constitution since 1789 to the present day, with some amendments, but, without having touched its essence. Thus, we find that the system is consisted of:

**2.1.1 The Legislative Branch.** It includes the House of Representatives and Senate. The House of Representatives is made up of 435 members, it has proved that number in 1929 according to the population of each state of the American States, and a two-year term of office renewable and non-solvable. The Senate is consisting of one hundred (100) members; two members (02) for each of the fifty states, and its members are subject to renewal every two years.

**2.1.2. The Executive Branch.** It is chaired by the president of the United States who defines the options of the field of foreign policy, and enjoys a full legitimacy acquired from the electorate (the people). Note that the popular contentment is the strength of democracy in the United States of America. For example, the foreign policy of President Gerard Ford, who took power after the resignation of President Richard Nixon, had known this lack of grass roots. This was clear during the Congo Crisis<sup>4</sup> and delays toward the Cuban intervention. Before, Linden Johnson also knew the same period of disability and paralysis in the international scene, when he was instructed to complete the tasks of the assassinated President John F. Kennedy, and to take decisions related to the national security. So, the President Johnson asked the help of the Secretary of State Dean Rusk and the Secretary of Defense

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<sup>4</sup> **The Congo Crisis** was a period of political upheaval and conflict in the Republic of the Congo (today the Democratic Republic of the Congo) between 1960 and 1965, consisting a series of civil wars. It began almost immediately after the Congo became independent from Belgium and ended, unofficially, with the entire country under the rule of Joseph-Désiré Mobutu.

Robert McNamara, and his own consultant Mc George Bundy in taking decisions. This situation, however, remained this way until he was elected a U.S. President in 1964. (Thomas Monlar, 1978). The President is of paramount importance. A great and very serious responsibilities fall on his shoulders, that's why the President in the United States enjoys great powers and authorities for a term of four 4 years entitled to renewal only for a second term.

**2.2. The President's Powers and Authorities.** The President of the United States is the one who draws the big lines of the foreign policy and defines its options. He enjoys a legitimacy that comes from the people who elected him and so does the Constitution which has granted the President several authorities, as the president is primarily responsible for the executive authority and has the power to appoint senior state officers. He also ensures the implementation of the law, and can object to laws and legislation passed by the Congress. The Constitution also empowers him to sign international treaties with the approval of two-thirds of the members of the Senate at least. The president is also the Commander in Chief of the Armed Forces. (Marc Aicardi de saint Paul, 1987)

The Vice President, who is also located on the U.S. pyramid of powers and authorities, appears in the same political list with the President, except that he does not represent a source of great interest in the American elections. The presidential institution has the primary responsibility in the formulation of foreign policy. Thus, the President chooses and defines it among several alternatives offered by various advisory-institutions, especially, the Executive Office established by the U.S. President Franklin D. Roosevelt in 1939, and which is consisting of White House office, Management and Budget office and National Security Council, in addition to the Central Intelligence Agency. (Thomas Monlar, 1987)

Due to the growing U.S. intervention in many parts of the world, Congress passed the 1973 law called War Powers Act, or also known as War Powers Resolution that requires the following:

*The President, upon sending troops into military action, must notify Congress within 48 hours that he has done so. The Resolution forbids military personnel from remaining in a state of conflict for more than 60 days (including an additional 30 days for withdrawal). After that, the President must seek an additional authorization from Congress or a formal declaration of war. (Thomas Monlar, 1987, p. 170)*

As a matter of fact, many U.S. presidents have ignored this War Powers Act and the authority of Congress. Given that the latter has not given its approval for war in the history of the United States, but, only in five wars out of 130 wars that took place so far, and which U.S. Presidents took their decisions alone. In order to legitimize their interventions, those U.S. presidents tried to win the support of Congress, like for example, what happened in the Korean War, or what happened in the case of Gulf of Tonkin incident in 1964 in Vietnam. (Thomas Monlar, 1987)

Generally, the War Powers Act has forced the heads of the United States to consult Congress when there is a certainty of the need to intervene. External forces have seen this act as an advantage because they realize that potential U.S. military moves, especially, for long terms, do not happen without the consent of Congress. So, there can be a slowdown in the U.S. response, and the Iraqi President Saddam Hussein might take this factor into account when he invaded Kuwait.

As for signing and ratifying international conventions, the President of the United States derives his powers from Article (02) part (02) of the Constitution, after gaining

the approval of the Senate (the approval of two-thirds of the members of the Senate).

(Françoise Burgess, 1998)

With regard to the appointment of ambassadors, the Senate has the right to object to the president's appointment of Ambassadors. But, the tradition in the United States held that the president's appointment is certain and acceptable in almost of all cases. This tradition is very important in the foreign policy currently. In addition to these constitutional powers that enable the President to formulate the foreign policy, each one of the Presidents of the United States leaves his own mark on it, depending on each president's personality. If the President wanted to overcome constitutional obstacles, it could be done, as it was possible for both Presidents Harry Truman and John F. Kennedy to convince the public opinion and Congress and the whole U.S. administration with the effectiveness and healthful of their approaches adopted by them in managing the U.S. foreign policy. While, we find other presidents, such as Gerald Ford and Jimmy Carter, who had not been able to highlight and crystallize, equally successful, their theories and perspectives in the formulation of the foreign policy. (Françoise Burgess, 1998)

Due to the complexity of the internal and international duties and the increasing burdens and obligations, the president has the right to be assisted by assistants whom their task is to collect information and to express tips. Those assistants are known as The Executive Office of the President, in addition to the Central Intelligence Agency (CIA), which is subject in its exercise of tasks to the National Security Council. The President of the United States works on the application of the foreign policy which is characterized by complexity and the constant evolution over time. During the presidency of Franklin D. Roosevelt, this huge task was the responsibility of the president personally. But, the World War II made it clear that it is difficult for the President alone to handle this task, because of its interlocking and interwoven dimensions. So, he personally appointed staff in the field of foreign policy.

This new dimension had led to the creation of the National Security Council through legislation passed by Congress. (Coral Bell, 1989)

The responsibility of the president in the United States stems from the strength of the state as whole, and which stretches in all parts of the world. There from, it is necessary to have effective assistants for the President to confirm and ensure the strict monitoring of the executive body. The President is subject to other restrictions, some are traditional, others are granted in the Constitution, and some of them are imposed by the prevailing circumstances. Despite the fact that the president can re-read and interpret the Constitution, his commitment to the preservation of constitutional democracy imposes upon him respecting the Constitution and the decisions of the courts. We find, for example, the President Truman's attempt to interpret his powers as a Commander in Chief, allowing himself in the Korean War to seize the steel mills during the strike. But the Supreme Court did not give him the right to take such action, and the president was forced to retreat his decision. In some other cases, we find that although the constitutional right is granted to the President, he remains limited to some extent by the acceptance or objection of other people, like, influential members of Congress, advisers of the president himself, officials of the executive branch, pressure groups and lobbies, as well as the public opinion.

**2.3. The Executive Department.** It is composed as follows:

**2.3.1. Executive Office of the President.** It was established by the U.S. President Franklin D. Roosevelt in 1939. This executive body assists the President in the decision-making process. It includes the White House Office, the Office of Management Budget, and National Security Council. (Coral Bell, 1989)

**2.3.2. The White House Office.** These advisers are chosen by the president and do not require the Senate's confirmation for appointment. They are not obliged to provide

explanations or certificates before Congress, and thanks to them, the president can adjust issues related to the national security of the state. (Coral Bell, 1989)

**2.3.3. *The Office of Management and Budget (OMB)*.** OMB's main function is to produce the President's budget. It also measures the quality of the programs, policies, and procedures, and to maintain their compliance with the president's policies. (Coral Bell, 1989)

**2.4. National Security Council's Powers.** The United States has participated in the two world wars, and it had almost no form or a formal system for the process of decision-making, until the establishment of National Security Council in 1948. During the First World War, the United States established the National Security Council which was entrusted with the task of economic coordination, and before the outbreak of the World War II, the U.S. president Roosevelt established a permanent coordination group composed of a representative of the Department of Foreign Affairs and a Chief of Staff of the Army and Navy. The U.S. President Nixon tried to use the National Security Council staff as an alternative to the permanent government. After that, the U.S. President Carter tried to restore the balance between the National Security Council on the one hand, and the Foreign and Defense Departments on the other hand. However, these efforts had not achieved the desired results due to some vulnerable points of weakness which were very clear in the era of the President Jimmy Carter within this body of decision-making process. Then, in the era of President Ronald Reagan, significant changes occurred in the practice of the National Security Council. His idea was based on the grounds that this device (NSC) is not a decision-making body, but rather, it is an Assistant Council in the process of decision-making. (Wayne S, 1995)

The President Reagan had made some changes to the structure of committees. As a result, there were four ministerial committees' formations which reflected the four principles of the national security, and are: Foreign Policy Committee, Committee for Defense Policy, Committee for International Economic Policy, and Committee of National Security Policy,



and each Department is in charged with the committee which is directly linked and under its responsibility. For special cases and highly sensitive and complex issues, there is a special committee headed by the National Security Adviser, and within the framework of the four committees, work other committees on a regional or functional basis. (Françoise Burgess, 1998)

From all what has been said above, we conclude that the decision-making process in the United States is based on the principle of communication and integration, and the pursuit of the ultimate goals. However, this does not obscure the negatives of the National Security Council which are evident through the failure of the performance of the U.S. administration in many issues such as: the Vietnam War, its involvement in Iran, Lebanon and Somalia, and in Iraq too. The risk of these failures requires reconsideration of the performance of its duties and a continued correction on an ongoing basis, because of its importance not only as an institution involved in the decision-making process and achieving the U.S. strategic interests, but, also as an institution of a real direct impact on the international level generally, due to the complexity of international issues and its growing gravity.

**2.5. The Central Intelligence Agency (CIA).** It is one of the most important U.S. agencies abroad which its task is spying on important foreign states and people. Before the events of September 11, CIA avoided to work on the internal arena in order not to contradict its own activity with Federal Bureau of Investigation (FBI).

CIA has been formed after the World War II in conditions characterized by the conflict on the unification of the various branches of the armed forces in the period of the U.S. reorganization of the foreign policy as a whole. The CIA is considered a strategic tool that works to provide the U.S. decision-makers with information necessary for the formulation of foreign policy. Theoretically, it is subject to the control of Congress. However, such control is very limited because the Central Intelligence Agency, in fact, does not involve Congress in

its reached information under the pretext of preventing the leak of intelligence information related to the security to wider circles. (François Burgess, 1998)

The majority of American presidents gave special attention to the Central Intelligence Agency, weather by material support or by giving it powers with respect to its activities and its work. In this regard, the President Reagan issued a decree in December 1981, which allows the CIA for the first time in its entire history to exercise covert spy operations inside the country, in order to obtain information affecting the activities and intentions of foreign countries, organizations or people. This decree allowed conducting raids without a warrant issued by the legal authorities, as well as, the surveillance of all methods of correspondence and telephone communications. Moreover, William Casey, the director of the CIA, asked to expand his powers in order to support the Reagan policy on both internal and external levels. As a result, the CIA has got powers enable it spying on the U.S. citizens and interfering in their affairs, giving the full immunity to the staff of the CIA in order not to be prosecuted. (Wayne Stephan, 1995)

The CIA' staff is about sixty thousand (60,000) employees, with an estimated annual budget of one billion dollars. Generally, the CIA is used by the U.S. administration as a tool to solve and fix important and confidential and complex political issues, for example, it had been entrusted the task of dropping the governments of Iran and Guatemala during the reign of Eisenhower. In fact, the agency had succeeded in these tasks. It also tried to breakdown Saddam Hussein's regime, but it was not able to do so only after the United States declared war on Iraq (Bowles Nigel, 1998). The CIA is one of many intelligence services in which tasks are distribute as follows:

**2.5.1. The Defense Intelligence Agency.** This intelligence agency is in charge of the military district spying on armies all over the world. It is a subsidiary to the U.S.

Department of Defense, and it is known to be the most organized and successful than FBI with regard to the Iraq war. (Bowles Nigel, 1998)

**2.5.2. *The National Security Agency.*** This agency is concerned with using the latest technology and science in spying on the others of enemies and friends alike. Its number of employees is limited but its technological means are very huge. It controls communications and possesses very modern and developed decoding equipments, and provides the other agencies with its latest information reached from electronic and technical eavesdropping. (Bowles Nigel, 1998)

**2.5.3. *The Geospatial Intelligence Agency.*** This agency is concerned with collecting information, pictures, and maps for every place in the world. It provides guidance for military and civilian decision-makers about everything related to the geographical and astronomical matters, especially, those related to field missions in the world. (Bowles Nigel, 1998)

**2.5.4. *The Space Reconnaissance Office.*** This Office is entrusted with the collection of information from space and provides other agencies with pictures and information required taken from outer space to help the other agencies to find out the movements of foreign armies, and any other activities that might draw attention of the Defense Intelligence or CIA. (Bowles Nigel, 1998)

**2.5.5. *The Foreign Affairs Department Intelligence Agency.*** Is one of the smallest intelligence agencies, but the most important. It was a research office subsidiary to the Department of Foreign Affairs. Currently, it holds the collection, classification and arrangement of information derived from reports of the U.S. embassies abroad. Foreign Affairs intelligence had warned, before the Iraq war, the White House that the overthrow of Saddam Hussein will be followed by a severe period of anarchy. But, this warning was ignored by the White House and the other agencies. (Bowles Nigel, 1998)

**2.5.6. The Department of Finance Intelligence Agency.** It controls the movements of money in the United States and the world, and cracking down on terrorists, given that money is the engine of life for terrorism. Since the attacks of September 11<sup>th</sup>, 2001, it became impossible to make a bank account operation that exceeds ten thousand dollars in any U.S. bank without showing a red signal at the Department of Finance Intelligence Agency in order to scrutinize the legality of the source. (Bowles Nigel, 1998)

**2.5.7. The Energy Intelligence Agency.** Tasked with monitoring and analyzing the nuclear capabilities of foreign states whether friendly or hostile, and drawing policies of the fight against nuclear proliferation. Currently, it focuses on the nuclear programs of hostile countries, including North Korea and Iran. (Bowles Nigel, 1998)

**2.5.8. The Defense Logistics Agency.** The DLA provides the U.S. forces with the full spectrum of innovative logistics, acquisition, and technical solutions. (Defense Logistics Agency Strategic Plan, 2015)

**2.5.9. The Defense Advanced Research Projects Agency (DARPA).** It is a U.S. Department of Defense's agency. It provides the national security with the technical foundation by developing and enhancing the emerging technologies for defense applications. (Department of Defense Fiscal Year (FY) 2016 President's Budget Submission, 2015)

**2.5.10. The Pentagon Force Protection Agency.** It is an agency subsidiary to the U.S. Department of Defense in charge with protecting the occupants and visitors, and with safeguarding the infrastructure of the Pentagon and its other facilities. ([www.pfpa.mil/](http://www.pfpa.mil/))

**2.5.11. The Drug Enforcement Agency.** It is an independent agency specializing in the prosecution of drug dealers and adjusting smuggled through ports, land and air. It has stations in some South American countries, Asian and European countries. ([www.justice.gov](http://www.justice.gov))

**2.5.12. The Navy intelligence Agency.** It holds operations on the high seas, and gathers information on the naval powers of the foreign States. ([www.cia.gov](http://www.cia.gov))

**2.5.13. The Marines Intelligence Agency.** It holds the boot field work that can be handled by special units of the Marine forces, and it coordinates with the Central Intelligence Agency and the Department of Defense. ([www.cia.gov](http://www.cia.gov))

**2.5.14. The U.S. Army Intelligence Agency.** It is a separate agency from the Department of Defense, but its work is in coordination with the Defense Intelligence in reconnaissance operations needed by the U.S. military and which are not allowed only by the military intelligence because its elements combine military capabilities and intelligence training at the same time. ([www.cia.gov](http://www.cia.gov))

**2.5.15. The U.S. Federal Bureau of Investigation (FBI).** The anti-crime bureau handles its tasks within the U.S. territories. But, after the events of September 11, it has created a legal way out of the U.S. territories and now it is able to extend its activities abroad. ([www.justice.gov](http://www.justice.gov))

**2.6. The Role of Congress in U.S. Foreign Policy.** Congress is of many powers, both in normal or exceptional circumstances, and a key player in the Foreign policy of the United States. Its committees (permanent, temporary, shared and subsidiary) play a prominent role in the political sphere and the legislative which is the basic process of Congress. It also exercises other functions, like, amending the Constitution as it is stated in Article 05 of the U.S. Constitution. It gives its approval for some important disciplines such as, the appointment of senior state officers, and ratifies the international treaties. The Congress exercises significant pressures on the Executive Branch and compels the application of its congressional policy. It has also the power to regulate business operations between the United States and the countries of the world and approves or rejects credits. More than that, the Congress has the authority to control the President's practice of policy by commissions of inquiry which often represent an

obstacle to the president of the United States. As examples of the role played by commissions of inquiry, the scandal of Water Gate<sup>5</sup> in the era of President Nixon, and Monica Lewinsky scandal<sup>6</sup> in the era of President Bill Clinton. (Michel Mann, 1999)

Also, Congress has the authority to vote for a president if no one of the presidential candidates could get a majority of the American people ballots. It has the right to exercise a judicial task by playing the role of the Supreme Court in case there is an official indictment of the president or a state officer.

Through what we have seen before, we can notice clearly that each branch of the U.S. government can limit the powers of the other branches. This system is called *checks and balances* and is very important part of the U.S. Constitution.

**2.7. The Influence of Pressure Groups and Lobbies.** The role played by the pressure groups and lobbying has taken too much attention in the academic community. According to the political scientist A. F. Bentley, understanding a government cannot be achieved by defining its groups and their activities, and all phenomena related to governments are phenomena related to some groups practicing some pressure on other groups. (Michel Mann, 1999)

There are several definitions for pressure groups in the Encyclopaedia of Political Science. Samuel Finer defines them to be: *“all the groups or unions that seek to influence public policy of the state, while reluctant to assume direct responsibility in governance”*.

The most current definition says that pressure groups are organized groups of people that

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<sup>5</sup> **The Watergate scandal** was a major political scandal that occurred in the United States in the 1970s as a result of the June 17, 1972 break-in at the Democratic National Committee (DNC) headquarters at the Watergate office complex in Washington, D.C., and President Richard Nixon's administration's attempted cover-up of its involvement. When the conspiracy was discovered and investigated by the U.S. Congress, Nixon resigned as the scandal also resulted in the indictment of 69 people, with trials or pleas resulting in 48 being found guilty and incarcerated, many of whom were Nixon's top administration officials.

<sup>6</sup> **The Lewinsky scandal** was an American political sex scandal emerging in 1998, from a sexual relationship between 49-year-old President Bill Clinton and a 22-year-old White House employee, Monica Lewinsky. The news of this extra-marital affair and the resulting investigation eventually led to the impeachment of President Clinton in 1998 by the U.S. House of Representatives and his subsequent acquittal on all impeachment charges of perjury and obstruction of justice in a 21-day Senate trial.

endeavour to influence governmental legislation, regarding its particular concerns and priorities which according to them, they take action to promote change and further their goals (Ronald Bryson, 2009). There are two types of pressure groups:

**2.7.1. Non-profit Pressure Groups.** (also known as Advocacy Groups). They often represent viewpoints of people who are dissatisfied with the current conditions in society, or represent alternative viewpoints that are not well represented in the main stream population. So, through these advocacy groups people seek to express their shared beliefs and values and influence change within communities and socio-political structures like, governments and corporations. The best example for that is the Tobacco-Control Movement which has been very successful at influencing change across a number of socio-political structures. (Morgan Hrebendar, 2009)

According to what have been said above, one may think that pressure groups are political parties. The short answer is no. Although both of them seek to create change, but the difference between the two is that political parties are elected to public office, while pressure groups are neither elected nor appointed by the government. This doesn't mean that pressure groups are illegal. In fact, they are recognized by the constitution and government as being an important part in the democratic process because they strengthen democracy by giving opportunities and a voice to all varieties of people.

Lobbying elected officials, media advocacy and direct political action (organized protests) are the strategies adopted by the advocacy groups. Clearly, some advocacy groups exert more influence than others depending on their ability to be recognized as legitimate by the population, media, as well as those in authority. For instance, Civil Rights group, Trade Unions and professional associations are more successful and recognized. (Magloff Lisa, 2012)

**2.7.2. Self-Interest Groups.** (also known as *Lobbies*). They are often so powerful organizations which reflect only their interests that are most of the time contrary to the interests of the general public. For this reason, they often prefer to have their activities and influence go unnoticed by the public at large. However, the major area of concentration for those lobbies is the Legislative Branch. Since the legislators are those who make the rules that can affect those lobbies' interests, whom, in turn, spend massive sums of money in form of fundraising or electoral campaigns, to assist Congressmen and presidential nominees, in order to exert as much influence as they can to have ruling favourable to their interests, or to block specific provisions from being enacted. The lobbyist Jack Abramoff said while talking about Congressmen: "*We own them*" (Morgan Hrebenar, 2009, p. 70).

In the United States, there are many lobbies. But, the most powerful lobby is the Jewish foreign lobby known as the *AIPAC* (American Israeli Public Affairs Committee) which is very influential on decision-makers in the United States whom have the permanent support toward Israel. This is due to multiple reasons including the strategic importance of Israel for the United States in the Middle East.

Hence, the U.S. President always takes into account the Israeli interests, and any tendency to an Arab opinion will cost him the loss of votes and the financial and media support. Given that the most powerful lobbies in the United States are Jews. In fact, according to many studies such as, a study by University of Kansas, professor Raquel Meyer Alexander, a meta-analysis of previous research findings, and a study done in 2006 by Bloomberg News, these Jewish lobbies are referred to as the *shadowy government* that controls America. The Senator Daniel .K. Inouye said: "*...there exists a shadowy government with its own air force, its own navy, its own fundraising mechanism and the ability to pursue its own ideas of national interest, free from all checks and balances and free from the law itself*". Also Theodore Roosevelt said: "*...behind the ostensible government sits enthroned an invisible*



*government owing no allegiance and acknowledging, no responsibility to the people...”*

(Morgan Hrebennar, 2009, p. 94).

Woodrow Wilson, the 28<sup>th</sup> U.S. president, said:

*Since I entered politics, I have chiefly had men's views confided to me privately. Some of the biggest men in the United States, are afraid of something, they know that there is a power somewhere, so organized, so subtle, so watchful, so interlocked, so complete, so pervasive that they better not to speak above their breath when they speak in condemnation.* (Lisa Magloff, 2007, p. 115)

Even media mass is either owned or controlled by Jews, like AOL, the largest internet service provider in America, is run by Jews whom are using it as a Jewish online platform. Time Warner is also bought by AOL and is run by Jews. Ted Turner, the owner of Turner Media Maverick is a Jew. He has also built the successful cable-TV CNN, and he employed only Jews in key executive positions in CNN which along with Media Maverick have never taken public positions contrary to the Jewish interests. Michael Eisner, the chairman of Walt Disney Company which is the second largest media in the world today, is a Jew. Also Rupert Murdoch who owns Murdoch's News Corporation, Fox television net work, 20<sup>th</sup> century Fox films, and Fox 2000, is a Jew. (Barry Hesenius, 2007)

Also the three most influential newspapers in America, New York Times, Wall Street Journal and Washington Post are Jewish newspapers, except that Washington Post and New York Times had a non Jewish origin, but were bought by a wealthy Jew. (Barry Hesenius, 2007)

Here is a list of AIPAC's achievements in United States:

- Passing more than a dozen bills and resolutions condemning and imposing tougher sanctions on Iran during the past fifteen years.

- Securing critical security assistance to Israel each year to ensure that Israel remains capable of facing increased threats
- Passing legislation requiring the administration to evaluate all future military sales to Arab states in the context of the need to maintain Israel's qualitative military edge over potential adversaries
- Passing multiple resolutions affirming congressional support for Israel's right to self-defence in the face of terrorism by the terrorist groups Hamas and Hezbollah
- Each year, AIPAC is involved in more than a hundred legislative and policy initiatives involving Middle East policy or aimed at broadening and deepening the US-Israel bond. While building support in Washington is essential, AIPAC is found wherever the future of the US-Israel relationship could be affected
- AIPAC has a network of ten regional offices and nine satellite offices that help pro-Israel activists from Missouri to Miami (Barry Hesenius, 2007, p. 128)

These considerations must be taken into account when analyzing and explaining the foreign policy of the United States, as well as, its resolutions and strategies with respect to the conflict in the Middle East between the Arab countries and Israel.

Sandy Berger, the National Security Advisor in the Bush administration, made a statement concerning the relations between the United States and Israel saying:

*The Middle East is also the homeland of Israel which is our near ally, and a state which we are bound up with by relations that are rooted in history and characterized by common interests and supported by common values. Protecting the security of Israel is protecting our own security, this is the reason behind our commitment to Israel's safety and it is a solid and lasting commitment ...".* (Lisa Magloff, 2012, p. 136)

There from, we conclude that Israel has a very crucial role in maintaining the U.S. interests. Therefore, the U.S. administration provides Israel annually with more than 20% of the total aid that the United States offered to other foreign countries (Morgan Hrebenar, 2009) in addition to the sophisticated weapons deals.

**2.8. Tasks and Functions of the Department of Foreign Affairs.** The Department of Foreign Affairs is the body entrusted with the task of foreign policy. Its inception has been in 1789, since the very first presidency of the United States. Its head is a National Security Council member. He discusses with the President all the steps concerned with international relations, including treaties, agreements and the setting up of the U.S. foreign interests. He is also the Prime Adviser of the Head of State. The Department of Foreign Affairs is in charge of coordination between the various U.S. foreign activities, employing a large number of professional diplomats, because its work is complementary and inclusive to many other policies like, the military and economic policies. It is also tasked with negotiations and the study of reports sent from different countries of the world to this institution. The task of assembling the various functions of the foreign policy is also within the responsibilities of the Secretary of Foreign Affairs. (Barry Hesenius, 2007)

Both of the President and the Secretary of Foreign Affairs require knowing the crises to be addressed in the foreseeable future and the solutions proposed to deal with them. The Secretary of Foreign Affairs combines between internal and foreign affairs, including the defense, diplomacy and economic affairs. Because of the complexity of its tasks, several agencies are subordinate to the Department of Foreign Affairs, like Disarmament and Arms Control Agency, International Development Agency, International Communications Agency, and many other agencies. The standards of evaluating relations with foreign countries generally differ from one department to another, according to specific criteria such as, human rights, combating international terrorism, trade, and so on. (Coral Bell, 1989)

**2.9. The Role of Political Parties.** There is a disagreement about the concept of parties and more than one meaning for the party due to the upbringing itself. A political party is generally defined being a permanent group of individuals working together to exercise or maintain power. However, a political party is known, according to the American model, to be an organization which its main goal is to win the majority of electoral seats in order to affect the general policy (Stephen J. Wayne, 1995). In this part of the research, we will focus on the two major parties in United State that have dominated American politics since the Civil War and have won every U.S. presidential election since 1852 and controlled Congress since 1856, the Republican Party and the Democratic Party.

Alexander Hamilton's Party or the Republican Party is conservative and the majority of its members are businessmen. While, James Madison's Party or the Democratic Party (anti-federalist) is more open and moderate. The presence of these two parties does not deny the existence of other small parties, but their effectiveness is limited.

The Republican Party was for slavery's complete abolition, and Abraham Lincoln was the first Republican to win the White House in 1860. It generally positions itself as left of centre in American politics and supports a conservative platform. ([www.cullmangop.com](http://www.cullmangop.com)).

The Democratic Party opposed the strong central government provisions of the Constitution and successfully lobbied for adoption of the Bill of Rights. It positions itself as left of centre and supports a modern liberal platform. ([www.sos.arkansas.gov](http://www.sos.arkansas.gov)). However, issues of national security and the supreme interests of America are issues that involve both of the main parties unanimously. (Bowles N, 1998)

Each party of the two has distinct principles in foreign policy and international relations. Unlike the Republican Party, the Democratic Party is the party of Internationalism policy that calls for the construction of a strong economy. It has got a long time experience in dealing with international politics, specifically, from the period of the President Wilson and

his global idealism to the era of the President Franklin Roosevelt and his Good Neighbour policy. (Bowles N, 1998)

**2.10. The Role of the Department of Defense.** The establishment of the Department of War in the United States was in 1790 and the Department of Navy in 1798. Until the World War II, they were organized separately depending on their traditional tasks where each of them had its civil and military leadership under the responsibility of the supreme commander of the Armed Forces. These Departments enjoyed a large degree of independence from the Department of Foreign Affairs. After the World War II, these organizational structures were changed. So, the semi independent Air Force unit, which was part of the Army during the World War II, has become the U.S. Air Force, and thus, becoming an equal branch with the other branches of the Armed Forces. The U.S. Joint Chiefs of Staff turned into a permanent body headed by a military chief responsible for the development of unified defence plans of the United States. (Nigel Bowles, 1998)

The establishment of the Department of Defense with its current form has been under the amendments of the National Security Act in 1949 which granted the State Secretary of Defense the responsibility of managing and controlling the Department of Defense. However, the U.S. president has remained the Commander in Chief of all the Armed Forces. The Department of Defense or the Pentagon ensures the security of the United States internally and the aspirations of its foreign policy at the international level. Its high annual budget gives it a prominent role in decision-making policy. (Nigel Bowles, 1998)

So, it is noticeable that the military institution is one of the important tools of the U.S. foreign policy, and the presence of a large standing army ready for war plays a major role in its international politics and strategies. The U.S. President Wilson had already predicted that saying:

*The failure of the U.S. foreign policy in establishing an effective organization of collective security will require an establishment of a regular army of high costs which will be a burden on the basic social programs in the United States.* (Nigel Browles, 1998, p. 399)

**2.11. Research and Studies Centres.** There are many political and strategic research centres in the United States named as *Think Tank*. The first word *Think* refers, of course, to thinking. The second word, however, means the tank which is a sign of war. Thus, it is a combination of thought and arms. The President Eisenhower referred to these centres saying: “*The influence of these institutions involves authorization which has not been voted on; this authority is subject to no one*” (François Burgess, 1998, p. 125).

Thus, these institutions are able to influence the public opinion and policy as well. These institutions, in a part of its activities, have turned into pressure groups that have given the opportunity and paved the way to other pressure groups of the same interests, on both internal and external level (François Burgess, 1998). We mention among these Centers:

- The Heritage Foundation, established in 1973
- Policy Research Institute , established in Kansas
- Hoover Centre for Strategic Studies , established in 1919

Due to their importance, many of the decision-makers in the United States are members in these research institutions, for example, the Secretary of Defense Rumsfeld Donald, the National Security Adviser Condoleezza Rice and the Secretary of State for Foreign Affairs, in the second term of George Walker Bush’ presidency, are all members in Hoover Centre for Strategic Studies. Also Richard Perle, the former president of the Council of Defense in the Department of Defense is the most important advocate calling for redrawing the map of the Middle East starting from Iraq. (Lisa Magloff, 2012, p. 251)

**2.12. The Role of Public Opinion.** The public opinion has a great effective power on foreign policy. This power is growing very rapidly since recent decades, and the policy-makers pay great attention to public opinion for having a permanent relationship with the government. The public opinion is interested in public issues of a general nature, and it has a direct impact on the performance of the government in democratic countries. It needs to be expressed because it is an important part of the democratic system. (Stephen L. Wasby, 1973)

The Public opinion is the expression of opinions made by a society's individuals as response to an issue. It is a fundamental force among the political and social forces having a huge impact. Thus, this force is used in guiding communities on national level to accomplish certain goals, and its impact is highlighted in the process of making, changing or cancelling laws as being the basis of democracy. (Stephen L. Wasby, 1973)

The United States' democracy is based on the role of the learner and intellectual who can make judgments on internal or external national issues. This is due to the theory of foreign policy which is based on the assumption that the American educational system is made to sustain the public opinion. On the basis that the educational system shapes the attitudes and judgments about the American interests, and highlights responsible choices. In exceptional circumstances, public opinion can be a catalyst for foreign policy, for example, the isolationist trend of the American society in the nineteenth century was behind the adoption of the United States to the Isolationism policy. This also can be applied on the U.S. invasion of Afghanistan after the events of September 11<sup>th</sup>, 2001, that gained the approval and support of the American public opinion (Morgan Hrebenar, 2009). Often, the public opinion is influenced and guided to serve specific interests, by speeches of Presidents, the media, pressure groups, elections' campaigns and political parties.

In light of what is said above, we conclude that the seemingly complex relationship between the decision-makers and public opinion reflects both the difficulty and the accuracy of the domestic policy which is, in turn, a reflection of foreign policy in the American model.

**2.13. Financial and Economic Clout.** Economy and the financial influence are important engines for the manufacture of internal and foreign policy of America. The role and influence of money and economy in the U.S. foreign policy stemmed from the U.S. Oil Company, when its directors started exercising pressure on the successive governments of the United States since the twenties, because they felt that the British businessmen put their hands over the oil's fields in the Middle East, while the U.S. Oil Company's petroleum properties were curtailed in Mexico and Romania. (Noam Chomsky, 2008)

Due to this reason, the U.S. companies sprung into action and organized themselves in an American Petroleum Complex known as American Petroleum Institute (API) in 1991, and they formed a Committee of Foreign Relations chaired by Walter Stegal, the director of Standard Oil Company of New Jersey. This company had only 16% of crude oil produced from its own fields. Hence, the Standard Oil Company aspired to the acquisition of other oil fields, and the Middle East has been the most promising place for success. The API was not the only company that pushed the U.S. government to invest in the Middle East oil. There is an oldest organization that urged the government to the need to move toward this trend. This company is Engineers American Institute of Mining and Metallurgical that possesses a special section devoted for oil. (Noam Chomsky, 2008)

In March 1920, the latter introduced a petition to the President and Congress entitled *The Urgent Need to Resolute Foreign Policy with Respect to Oil Industry*, whereby it defended the view that pushed the U.S. administration to protest and demand the foreign governments for an equal access to new oil fields that are under their possession. As a result of the pressure exerted by the U.S. oil companies, Congress passed the Mineral Leasing Law



in 1920, which prevents any country that denied the U.S. oil companies' access to the oil fields that are under its control, from reaching the U.S. oil fields. (Ian Rutledge, 2006)

In the late twenties, the U.S. oil companies have managed to put their hands over the Middle East fields of oil. Thenceforth, the U.S. financial giants and influential people have started to manage and impose decisions concerning the U.S. foreign policy, and they have become stronger over time as they have extended their businesses to include other sectors, such as, weapon industry. These influential businessmen have a very important impact on the formulation of the U.S. foreign policy in order to enhance their business status in marketing their products, especially, weapons, and for which they have found a best asset in the Middle East countries. (Ian Rutledge, 2006)

### **3. The Political Philosophy of the New Right in the United States**

Before addressing this part of the research, it is worth knowing what is meant by the political philosophy and who the new Conservatives are.

The political philosophy is ranked higher than the political idea. Philosophy, generally, means those in-depth visions or comprehensive views that try to explain the world, nature, humans and society. Thus, the political philosophy is the methodological treatment done by the philosopher of those overall looks and political ideas that revolve around specific titles, as attributing the political philosophy to the subject matter or to its dominant character, for example, Ideal political philosophy or material or compromise or a liberal or social political philosophy. It is also attributed to its philosopher's name like, the Aristotle philosophy, or to its concepts and principles such as, the concept of nerve of Ibn Khaldoun, the principle of sovereignty of Jean Bodin and the principle of freedom of John Stewart Mil. (ربيع محمود محمد, 1994)

Conservative philosophy is a system of ideas discussed in the books of the British thinker *Edmund Burke* at the end of the eighteenth century. These ideas were spread with the

beginning of the nineteenth century as a reaction to the results of the French Revolution in Europe (Melvin J, 1990). The word *conservative* denotes the set of ideas, most notably; focusing on the social solidarity and it rejects the state's interference in the economy and indicts liberalism and individualism for the demolition of the social and political structure of the nation. It also focuses on the social role of the family and religion. (Critchlow Donald, 2011)

The action done by the state is, in fact, done by people. Thus, grasping this action, according to the political scientist Glenn Snider, requires going back and looking at the vicinity of the decision-making process. This can be achieved through the decision-makers' recognition to their surroundings and not through objective or neutral observations. So, the way followed by the decision-makers in dealing with a specific situation determines the state's behaviour towards this situation. (أمينة عبد اللطيف, 2003)

When a U.S. presidential nominee becomes the president of the United States, the first thing he does is working on appointing people in important power positions. These people have already given him their loyalty and have got enough experience as well as the necessary skills to fill these positions. Those people could be the persons who stood by the President's side in his quest to gain power. This selection of professionals and officials is also based on the degree of their proficiency in managing and dealing with issues and attitudes during crises. The president coordinates through these professionals his tasks, and the responsibility of foreign policy falls on their shoulders at a large degree. (Mattson Kevin, Erickson Steven, 2008)

There from came the importance of studying the political philosophy of the New Right and the Neoconservatives of the U.S. administration of the President George Walker Bush, after taking power in January 2001. Given that he surrounded himself with an impressive line-up of political symbols that have an adequate experience in the field of foreign and defense

policies. This formation also reflects the dominance of the neoconservative flow, as we shall see in this subsection.

**3.1. The Roots of the New Right in the United States.** The New Right stream or neo-conservatism is an intellectual elitist thinking that has began appearing in the forties, when some of its symbols, whom were libertarians before, rejected the American liberalism and its attitude towards the Soviet Union. Then, the clear appearance of this political trend was in the sixties, when the American people and Liberalism apposed severely the American War on Vietnam. Thus, there was a rupture between the symbols of this trend and those of Liberalism. (Critchlow Donald, 2011)

This trend's philosophical orientation can be explained through its attitude towards the Vietnam War. They considered the Liberalism' rejection of war and its calling for the containment of the communist thought, a disorder and a bad functioning of the liberal thought that stemmed in its essence from the relative understanding of values like, the absolute good and the absolute evil. Then, they concluded that this moral relativism deprived Liberalism from understanding the absolute evil contained in the communist thought, and thus, from "*the moral clarity necessary to face that danger and then destroy it*" (Mattson Kevin, Erickson Steven, 2008, p. 287).

However, this trend has remained confined and had no popular base. It depended on the grassroots of other right-wing currents that shared with it the same opinions and views concerning the foreign policy, like, the right-wing religious currents, despite the intellectual differences between them. But, the election's necessity has brought them together, for the fact that the religious right-wing current has been an important force in tipping the balance to win in favour of the candidate for the presidency. This fact made its ignorance to be seen a political loss for any Republican candidate seeking elections. (Jacques P, Riley E & Freeman M, 2008)

The New Right Movement is a secular utilitarian (\*), claiming that religion is a way to fill the void within the American society, and help to impose order, because the ethical virtue does not exist but only in the popular opinion where its objective is to control and impose discipline. This conviction is emanating from the philosophy of the German philosopher Leo Strauss<sup>7</sup> who said: *“The ethical virtue is not applicable to the real intelligent man or a philosopher; the ethical virtue does not exist but only in popular opinion where its objective is to control the majority of unintelligent people”* (Melvin J, 1990, p. 61).

The most important Leo Strauss’s ideas espoused by the New Right are:

- His vision of democracy: he believes that it must be strong enough to stand in the face of tyranny which poses a threat to humanity. This explains his orientation about the importance of adopting the force to transfer democracy to various parts of the world, and this view has been adopted and sponsored by the U.S. leadership under the Presidency of George Walker Bush.
- The second element which is adopted by the New Right philosophy is closely related to the first element, which is the risk of racism and hostility from non-democratic countries, as tyranny and totalitarianism are both, for Strauss, results of the rejection of ethical virtue. He sees also that the policy must not be prohibited from issuing benevolent provisions, and that it is the duty of the good system to defend itself in the face of the corrupt regimes. (Mattson Kevin, Erickson Steven, 2008)

This thought has formed the basis of the New Right’s philosophy which considers itself the good and benevolent system, and the rest of the other systems are evil and corrupted.

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<sup>7</sup> **Leo Strauss** (1899- 1973): A Jewish political philosopher and classicist who specialized in classical political philosophy. He was born in Kirchhain in Hessen-Nassau Germany, but he left in the mid-thirties with the arrival of Adolf Hitler to power, to move between France and Britain, and then, immigrated to the United States to teach at the New York Institute for Social Research. After that, he went to the city of Chicago where he spent most of his career as a professor of political science at the University of Chicago. His philosophy is the nucleus of the social pattern of philosophical thinking of the new right.

James Zegby, the director of the Arab American Institute, has defined the neo-conservatives saying:

*A secular philosophy that constitutes a reaction of a group of some adherents of liberalism against the pacification policy of the Democratic Party toward the Soviet Union (formerly) and, particularly, with regard to the treatment of its Jewish citizens and its relationship with the Arab world.... It is a small but influential group of writers and commentators and government officials. (Schoen Wald, Jonathan M, 2001, p. 19)*

The British Godfrey Hodgson said in his book *The History of the Rise of Neo-conservatives*:

*Since the late sixties, this group has started developing a number of ideas and trends that have well-defined and rooted the neo-conservatives' movement, and may have had the huge effect on the way the New Right movement was formed, like, the need to emphasize the American Nationalism or Americanization or Exceptional American. The idea that the American society, despite its shortcomings, remains morally superior when compared to the rest of the world's communities. (Mattson Kevin, Erickson Steven, 2008, p. 101)*

This belief of moral superiority has deep origins in the American thought because it is rooted in Puritanism in the basic idea that says: "*The fate of the United States imposes upon it being the saviour of this sinner world*", and the Americans of different ethnicity and class levels, including those with African descent believe in it. (George Schneider, 2009, p. 12)

So, this U.S. neoconservative trend included the religious dimension in managing its interests, while it was thought that involving religion in the management of international

relations is in deep recession. It is also noticeable that the U.S. administration intervenes more than ever in the privacy of the Islamic religion linking it to terrorism.

**3.2. The Political Thought of the Neoconservatives.** Don Paul, a member of the U.S. Congress, has identified in a speech to Congress on July 10<sup>th</sup>, 2003, the most important characteristics of the neo-conservatives' thought and which are:

- They agree with Trotsky<sup>8</sup> that the revolution is permanent, and that the use of force is granted
- They demand to redraw the map of the Middle East and are willing to use force to achieve that
- They believe in the pre-emptive war to achieve the desired results
- They proudly believe in the principle of the American Imperialism
- They believe that lying is essential in order to revive the state
- They believe that the important facts concerning the management of the country must remain in the ruling elite's hands and hidden for those who do not have the courage to deal with them
- They believe that neutrality in foreign policy issues is not recommended
- The use of force to impose the American values and ideals is acceptable and that the force must not be limited to the defence of the country's security only
- They support Israel unconditionally and they have a close alliance with the Likud Party<sup>9</sup>. (George Schneider, 2009, p. 31)

These thought and ideas have been put in practice in the reign of the U.S. President John F. Kennedy who appointed a group of university professors (neoconservatives) in

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<sup>8</sup> **Leon Trotsky** (1879 – 1940): Was a Marxist revolutionary and theorist, Soviet politician, and first leader of the Red Army. He was removed from power (October 1927), expelled from the Communist Party (November 1927), and finally exiled from the Soviet Union (February 1929). On Stalin's orders, he was assassinated in Mexico in August 1940.

<sup>9</sup> **The Likud Party** (The Consolidation in Hebrew): is a right wing political party in Israel founded by the revolutionary leader "Menachem Begin" and was the first right-leaning party to lead the Israeli government. It is currently headed by the Prime Minister Benjamin Netanyahu.

administrative positions and were assigned to draw the big lines of politics. These professors were selected on the basis of proficiency and competency. But, their projects have not been completed till the era of President Ronald Reagan who adopted their concepts when he referred to Communism as *evil empire*. Since then, the neoconservatives have begun to strengthen themselves through the access to important administrative positions. (Schoenwald, Jonathan M, 2001)

There are also a number of research centres run by neoconservative intellectuals. We recall among:

- The American Project for Public Policy and Research Institute
- The American New Century Project Institute
- The Washington Institute for Near East Policy
- Heritage Foundation
- Security Policies Centre
- The Jewish Institute for National Security Affairs
- Hudson Institute
- Advanced Strategic and Political Studies Institute

The neoconservatives harness also many of the mass media to promote their thought in the American society such as:

- Weekly Standard
- The National interest
- The Washington Times
- The New Republic
- The National Review
- Commentary
- Wall street journal

**3.3. The President George Walker Bush and the New Right.** The President George Walker Bush has been interested with the New Right movement since he was a governor of Texas for six years, to such an extent he appointed Dick Cheney, one of the most prominent Right religious men, to be his deputy. Furthermore, Bush promised the Right-Wing Christians to provide them with the support that they were waiting for when he ran for elections and wanted to win at the expense of the President Bill Clinton in 1996, because the latter refused to commit himself with some of their demands.

The Right Christian leaders considered reaching George Walker Bush to power a victory to them. As the president of the United States, Bush worked on giving most of the key positions in his administration to a group of Right Christians and neo-conservatives. We mention among them in particular:

**3.3.1. Dick Cheney (*the U.S. Vice President*).** He called for the pre-emptive military intervention against Iraq since the beginning of the Iraqi crisis. Cheney was the Secretary of Defense under the Presidency of George Bush Snr. He also held the position of the General Secretary of the White House under Presidency of Gerard Ford.

**3.3.2. Colin Powell.** He held the position of the Secretary of Foreign Affairs in the government of George Walker Bush during his first custody. He was one of the team of the President George Bush Snr. Then, he became the U.S. Armed Forces Chief of Staff.

**3.3.3. Donald Rumsfeld.** He was the Secretary of Defense in the government of President George Walker Bush. He is one of the supporters of the war on Iraq as he called from the outset for a pre-emptive strike against Iraq. Rumsfeld was the Secretary of Defense for the first time between 1975 and 1977, during the Presidency of Gerald Ford, and served as a U.S. representative of the NATO. Then, he became a Congressman. He met with the Iraqi President Saddam Hussein in 1983 as the President Ronald Reagan's special envoy, at a time when Iraq enjoyed the American support against Iran.



**3.3.4. George Tenet.** Was the Central Intelligence Agency's director and the only person in the government of President George Walker Bush who was one of the President Bill Clinton's team. He was appointed to head the agency in 1998. Then, Bush kept him in his position. But, after the events of September 11, 2001, he had been criticized severely claiming that CIA had failed to stop those terrorist operations.

**3.3.5. Paul Wolfowitz.** Was the second man in the Pentagon and first assistant of the Secretary of Defense Rumsfeld. He enjoys a great appreciation in Right-Wing circles. He also called for a pre-emptive strike against Iraq to topple Saddam Hussein, and he was a university professor of political sciences and a U.S. Ambassador to Indonesia. He presented a study back in 1979, describing Iraq as a source of threat to the Middle East and the U.S. interests, emphasizing on the need for a total elimination of the Iraqi Republican Guards and on imposing more severe conditions for the ceasefire during the First Gulf War in 1991.

**3.3.6. Condoleezza Rice.** The National Security Adviser in the White House and a university professor before. She is the first woman to hold the presidency of the National Security Council, specializing in Russian affairs and the issues of arms control. She worked at the National Security Council between 1979 and 1991, then, appointed as the Secretary of Foreign Affairs following the resignation of Colin Powell after the end of the first electoral custody of the President George Walker Bush. She assumed the task of being the presidential candidate advisor for foreign affairs during the second election campaign of George W Bush, and drafted a document that reflects the vision of George Walker Bush and the Republican Party for the future of the world in case he would be re-elected. This document had been published in Foreign Affairs magazine entitled *Campaign 2000: Promoting the National Interests* whereby she said:

*The United States has found it exceedingly difficult to define its national interest in the absence of Soviet power. That we do not know how to*

*think about what follows the U.S.-Soviet confrontation is clear from the continued references to the “post-Cold War period”. Yet such periods of transition are important, because they offer strategic opportunities. During these fluid times, one can affect the shape of the world to come. The enormity of the moment is obvious. The Soviet Union was more than just a traditional global competitor; it strove to lead a universal socialist alternative to markets and democracy. The Soviet Union quarantined itself and many often-unwitting captives and clients from the rigors of international capitalism. In the end, it sowed the seeds of its own destruction, becoming in isolation an economic and technological dinosaur. (Condoleezza Rice, 2000)*

According to what it's said in this document, this transitive period that United States had been through should be invested in the future to draw the world landmarks on an international capitalist base targeting two dimensions; market and democracy.

She added:

*The process of outlining a new foreign policy must begin by recognizing that the United States is in a remarkable position. Powerful secular trends are moving the world toward economic openness and -- more unevenly -- democracy and individual liberty. Some states have one foot on the train and the other off. Some states still hope to find a way to decouple democracy and economic progress. Some hold on to old hatreds as diversions from the modernizing task at hand. But the United States and its allies are on the right side of history. (Condoleezza Rice, 2000)*

About power, Rice said:

*American foreign policy in a Republican administration should refocus on the national interest and the pursuit of key priorities. These tasks are: To ensure that America's military can deter war, project power, and fight in defense of its interests if deterrence fails. To promote economic growth and political openness by extending free trade and a stable international monetary system to all committed to these principles, including in the western hemisphere, which has too often been neglected as a vital area of U.S. national interest. To renew strong and intimate relationships with allies who share American values and can thus share the burden of promoting peace, prosperity, and freedom. To focus U.S. energies on comprehensive relationships with the big powers, particularly Russia and China, that can and will mould the character of the international political system. To deal decisively with the threat of rogue regimes and hostile powers which is increasingly taking the forms of the potential for terrorism and the development of weapons of mass destruction (WMD). (Condoleezza Rice, 2000)*

Through Rice's document, we can clearly notice the American political thought which is dominated by the New Right movement. We summarize it in the following points:

- The use of force in order to maintain the strategic interests of the United States
- Deployment of American values and re-crystallization of the international system
- To stand in the face of the opposed countries and forces to the American political orientations

**3.3.7. Irving Cristol.** One of the founders of the neo-conservatives movement. He wrote a book in 1983 entitled *One's Reflections of the Neo-conservatives*, and his wife was one of the promoters of the President George W. Bush's idea of *Passionate Conservative*, and

his Son William Cristol is the editor of Weekly Standard magazine. He is also the founder of The American New Century Project Institute.

Clearly, the Neoconservatives' thought has a prominent influence on the performance of the President George Walker Bush since he took power. This thought was responsible for the order of priorities in the Middle East, where the Iraqi issue topped the lead before even the Palestinian cause. This explains the U.S. administration' ignorance to what was happening in Palestine until it was forced to change its attitude, because of the escalation of the Palestinian resistance and the popular uprising in the occupied territories.

This order of priorities of the New Right in the Bush administration is due to several convictions. They considered that the withdrawal of the U.S. troops from Iraq in 1991 without completing the task of removing the President Saddam Hussein's regime was a strategic mistake done by the United States, and must be corrected claiming that the solution of the Arab-Israeli conflict starts from Baghdad and not from Palestine (Patrick Allitt, 2009).

This means that the solution to the Arab-Israeli conflict can be achieved only by getting rid of Saddam Hussein and his regime. In other words, the solution to the Arab-Israeli conflict is to redraw the map of the Middle East where the region will be reordered and rearranged again.

On the other side, the events of September 11<sup>th</sup>, have given a support to this mindset, and the hard-line speech of the New Right became acceptable and supported by large segments of the American people under the pretext of protecting the U.S. national security from any potential threat.

The president George W Bush accepted his New Right team's perspective of rearranging the map of the Middle East, when he used the expression of the pre-emptive strike in his speeches. This had enabled the Secretary of Defense Rumsfeld to convince the U.S. President to expand the War on Terror beyond Iraq. (Patrick Allitt, 2009)

The President Bush's speech at the annual ceremony of the American Enterprise Institute on February 26<sup>th</sup>, 2003, was as a declaration of war against Iraq. Note that the place and time had significance for this speech, because in that Right-Wing organization which relies on the extremist-right donations, the president chose that morning to declare war on Iraq. This confirmed the President's tendency and bias to the New Right's philosophical thought and visions for the world in general, and the region of Middle East in particular.

This vision was summarized by the researcher Philip Gordon from Brookings Institute in four hypotheses:

- (Status Qua), the current situation in the Middle East is no longer acceptable after September 11<sup>th</sup>, 2001 attacks. Those who have done these suicidal attacks are motivated by hatred for the United States and the Arab World is their homeland
- The existence of Saddam's regime means the existence of dictatorship in the region and which represents a threat whether the sanctions against Iraq are lifted or remained, with the prospect that Saddam will possess or develop weapons of mass destruction making it impossible to achieve the stability and peace in the region of Middle East
- The Bush administration concluded that the experience of the previous Democrat President Bill Clinton had failed and that the United States will not achieve peace between the Palestinians and the Israelis, as long as there are countries in the Middle East that support with money and training what the United States calls *the Palestinian terrorism*
- Long-term peace, stability and anti-American terrorism will be achieved if the ruling systems of the region' countries will become more democratic. (Peter Jacques, Riley Dunlap, Mark Freeman, 2008)

Based on these hypotheses, the Bush administration began the practical application of the New Right's projects by changing the regime in Iraq as a first step in the path of The New Middle East Project, i.e., the real application of the U.S. strategy in the region.

What can be also deduced is that the most prominent figures in the administration of the President George Walker Bush are not new in the American political practice. Many of them held important positions in the successive Republican administrations since the era of President Nixon and President Ford to the President Ronald Reagan and Bush Snr. So, the New Right movement is, in fact, the same old one but it only crystallized in different international circumstances resulted from the end of the Cold War. Also what this trend was addressing in private meetings had become in the era of President George Walker Bush a public address. Thus, there is no difference between the old conservatives and neo-conservatives but only in the method and planning and not in the target objectives.

As we conclude from this chapter that the geo-strategic importance of the Middle East has made it a zone of influence. This is clearly noticeable through the distinctive outlook of the U.S. decision makers and which is resulted in the U.S. foreign policy in the region, regardless of who governs whether the president is Republican or Democratic, as long as the political system is based on two basic elements: liberalism and democracy.

We explained also in this chapter how the philosophy of the neo-conservatives became the most prominent characteristic of the Republicans' political theory under the Presidency of George W Bush, and that the American values carried by this new thought are meant to be universal. We also highlighted the policy of the neo-conservatives which is not diplomatic, because diplomacy, according to their perception, crashes the U.S. policy's ability to disseminate the values of democracy. Thus, politics must be a revolutionary change tool which is the primary basis of the philosophical thought of the neo-conservatives. Moreover, and according to them, the United States and thanks to its military force and power is in

a position that makes of it the world saviour and peace keeper, justifying the U.S. interference in the Middle East to be a U.S. commitment to convey the region's countries into democratic states and to support their economics liberally.

## **Chapter Two**

### **The Iraqi Armament Program and the Role of the UN Security Council and the United States in Removing it**

The military strategy of the state is the basis on which the military force is constructed and developed according to age requirements. It stems from the state's capacities and capabilities in all domains and fields to achieve its objectives. It is also based on the state's data concerning its relations with neighbour countries and regional and international environment. For this reason, the armament budget has a great interest in terms that the purchase or manufacture of weapons constitutes the first priority of the Defence budgets of the countries in general, and in the Middle East in particular, because of the tensions, conflicts and frequent wars that have affected the region.

The Iraqi armament program, since the beginning of the nineties, had been the major concern of the neighbour countries, as well as the international community. Thus, it had been one of the important causes of the American-Iraqi conflict since the end of the First Gulf War, where the United States was able to obtain the UN Security Council's support and permission for the destruction and elimination of weapons of mass destruction in Iraq under international supervision. This permission was considered a condition for the lifting of the international economic sanctions on Iraq. Since then, the process of removing weapons of mass destruction had been the cause behind many of tensions between the Iraqi government, the UN inspection committees and the United States.

In this chapter, we shall discuss the capabilities of weapons of mass destruction in Iraq and the role played by the United Nations in the elimination of weapons in Iraq, by addressing the work and actions of the UNMOVIC (United Nations' Monitoring Verification and Inspection Commission) and UNSCOM (United Nations' Special Commission) in Iraq. Meanwhile, we shall identify the United States policy toward the issue of armament in



the Middle East, and the evolution of the international arms market and the share of the military industry in it as well as its relationship with the circuit of events and transitions happened in the Middle East. Furthermore, this chapter deals with the reasons behind the United States to declare war on Iraq in 2003 under the pretext of the arsenal of weapons of mass destruction possessed by Iraq, and how the U.S. administration had been able to find various pretexts to occupy Iraq.

## **1. The Capabilities of Iraqi Weapons of Mass Destruction**

**1.1. The Nuclear Program.** The term *Weapons of Mass Destruction* was used for the first time in British newspapers describing the German planes that were bombing Britain. Then, it was used in the Security Council Resolution 687 in 1991 which put the condition of getting rid of weapons of mass destruction in Iraq to lift the economic sanctions imposed on it (Zucchini D, 2004). These weapons included different types: chemical, biological, nuclear and long-range missiles. However, some linked the use of this term to the *Law of War* which was issued in 1874 preventing the use of toxic weapons. It came after that *La Haye Declaration* in 1899 which denied the use of the shells loaded with poison gas, and *Geneva Protocol* in 1925 to ban the use of asphyxiating, poisonous gases, as well as bacteriological means which are considered the most dangerous of these weapons. (نعمان الدين, جعفر ضياء جعفر, سعد, 2004)

As for Iraq's nuclear capabilities, its date of construction goes back to the early sixties, in 1968. This year marked the beginning of a Soviet research reactor running a small five-megawatt capacity, and in 1980 Iraq started to run another small reactor dedicated to research and had no effect on the military research. In 1991, the French-made Osirak reactor began to run with 40 megawatts. After the escalation of the Iranian - Iraqi War, Osirak was attacked by Iranian planes, but, they didn't succeed to destroy it. Then, Israel bombed the reactor causing

substantial losses in the reactor, because Israel considered that the reactor produced enough uranium for one or two nuclear bombs per year. (Frank Barnaby, 1991)

In fact, the primary motivation for some Middle Eastern countries in the quest to develop nuclear programs like, Iran, Iraq and Egypt, is Israel's possession of nuclear weapons, and the implicit support of the United States for Israel to make it the only power in the region with the monopoly of such multi-tasking technology. This situation has escalated the pace of some of the countries in the region to continue building a nuclear technology including Iraq, especially, after the Israeli refusal to disclose the truth about what is produced by its reactor Dimona and to put it under international monitoring or to access to the Non-proliferation of Nuclear Weapons Treaty. (Stockholm International Peace Research Institute, 1993)

The United States has prevented, since the era of President Ronald Reagan, any country in the region to reach position of power and to impose its hegemony over the Middle East, within the framework of the so-called The Dual Containment Strategy. This pushed the United States to provide Iran with military equipments and weapons, when it estimated that Iran would be defeated by Iraq. This has become to be known later as Iran-gate Scandal<sup>10</sup>.

(عبد الفتاح جلال, 2001)

The Iraqi government had striven to find different justifications for its nuclear program, like:

- To face the Israeli nuclear threats
- To prevent Iran from achieving its goals of expansion at the expense of the Arab countries
- To protect its petroleum energy from foreign ambitions (عبد الفتاح جلال, 2001)

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<sup>10</sup> **Iran-gate Scandal** or also known as **Iran-Contra affair** is a political scandal in the United States that occurred during the second term of the Reagan Administration, specifically, in 1987. Senior administration officials secretly facilitated the sale of arms to Iran, which was the subject of an arms embargo. Ultimately the sale of weapons to Iran was not deemed a criminal offense but charges were brought against five individuals for their support of the Contras. Those charges, however, were later dropped because the administration refused to declassify certain documents. The indicted conspirators faced various lesser charges instead. In the end, fourteen administration officials were indicted, including then-Secretary of Defense Caspar Weinberger.

Despite these facts, the possession of nuclear weapons was not within the Iraqi defense strategy, because Iraq was part of Non-Proliferation of Nuclear Weapons Treaty. However, Israel's possession of nuclear weapons and its refusal to accede to the Non-Proliferation of Nuclear Weapons Treaty had bred a lot of concerns among the countries in the region, prompting the Iraqi government and other Middle Eastern countries to work on the development and the production of their nuclear reactors.(Barnaby Frank, 1991)

On this basis, Iraq established the Nuclear Energy Commission and signed an agreement with the Soviet Union (Formerly) in 1960, for the establishment of a Soviet nuclear reactor in the region of Tuwaitha near the city of Baghdad. In 1968, this reactor was launched into work with 2 Megawatt. Then, its power was developed in 1978 to 5 Mw. In the mid-seventies, the Iraqi nuclear program had known some developments when Iraq noticed the desire of Iran to build a nuclear power. Given that Iran in 1975, started building a strategic nuclear program with the encouragement of the United States which allowed the U.S. companies, in the presidency of Richard Nixon, to negotiate with Iran in order to sell it sophisticated nuclear technology. This was a strong motivation for Iraq to seek the need to possess uranium which can be used for military purposes. (محمود إبراهيم احمد, 2002)

Thus, Iraq signed in 1975 another agreement with France to build an advanced nuclear reactor devoted to the generation of electric power along with the production of plutonium for military purposes and was called Osirak. The French-Iraqi project included two models of reactors, the first reactor Osiris with capacity of 70 megawatts and it was a nuclear research reactor. The second one was called Isis and it was smaller than the first reactor. Then, it cooperated with Italy for the supply of nuclear equipments and complementary technology. The both sides signed in 1978 with the Italian commission of nuclear energy (Italian companies specializing in nuclear technology), and this project had been called July 30 Project. Also within the same framework of the Iraqi nuclear cooperation, and as an Iraqi

effort to get Uranium, it signed another agreement with Brazil in 1981, to search for Uranium mines in Iraq. It also cooperated with India in 1974, but its projects were interrupted after the Israeli attack on the Iraqi reactor. (عبد الحليم أحمد, 2001)

The First Gulf War and the results of the UN inspection committees for weapons of mass destruction in Iraq showed the Iraqi nuclear program's details. We summarized them in the following points:

**1.1.1. Long-term Program to Produce Nuclear Weapons.** The Iraqi program focused on the development of equipments and expertise necessary for the production of uranium through the use of stored local materials. (محمود إبراهيم احمد, 2002)

**1.1.2. A Special Urgent Nuclear Weapons' Program.** The Iraqi government began to build this program in 1990 after the Iraqi invasion of Kuwait. This program's objective was to produce one nuclear head in order to establish a strategic balance. But, the declaration of war on Iraq by the coalition countries stopped Iraq from achieving this program, with reference to the fact that Iraq was not able to control alone the nuclear technology which allows the production of nuclear weapons despite the availability of the necessary facilities to achieve this goal. However, the Iraqi government, in order to protect its nuclear sites, had built armoured shelters and underground facilities. It also strengthened its air defensive force and managed to hide most of its nuclear sites among which we mention:

- Tuwaitha facility which was the most important centre of the Iraqi nuclear research and production. It included Osiris an Isis nuclear reactors, and the Soviet research reactor
- Atheer facility; also one of the main Iraqi nuclear installations. It was specialized in the design of nuclear weapons, the production of Plutonium and Uranium, and in doing tests for explosive and nuclear weapons through the X-ray cameras

- Qaqaa facility; it was a research centre under the control of the Ministry of Industry and the Ministry of Military Industrialization. It had been doing many of the tasks in the field of research and development, particularly, explosive devices for nuclear weapons, in addition to other facilities and mines that had been developed to extract and produce Uranium in Iraq

As a result, Iraq had been able to provide a stockpile of 13.7 kg of Uranium, and 11.9 kg of radioactive materials from Russia, and 0.4 kg of fertilized materials from France. (إبراهيم محمود, 2003)

Time magazine reported, in February 1991, that Saddam Hussein wanted to develop Iraq into a regional military superpower since 1971, and referred to the report done by Stockholm Institute for International Peace Research which showed at that time that the military spending of Iraq was the highest among the Middle East countries. Note that it achieved \$ 33.3 billion dollars in 1984, what is equal to 30% of Iraq's total national production. According to this report, these spending bills made Iraq the fourth military power in the world with a total of 50,000 million dollars for the purchases of conventional weapons, and about another 15,000 million dollars spent on secret procurement of necessary materials for the development of chemical and biological weapons. (Barnaby Frank, 1991)

The U.S. Secretary of Defense Dick Cheney and the Vice President under the Presidency of George Walker Bush, announced during his visit to Saudi Arabia in 1991, that the coalition forces had succeeded to destroy most of the Iraqi facilities that produced nuclear, biological and chemical weapons, and he continued to amplify the Iraqi military capabilities, saying *“I am shocked by this massive size of Iraqi military force ... size of the army and the huge number of tanks, aircraft, shelters and abundant contact systems...”* (Norman Holms [Broadcasting Board of Governors], 1991).

After that, he concluded that these capabilities were far outweighed those capabilities that had been used for the occupation of Kuwait. Then, he made an implicit assumption that Iraq's expansion project will not stop at the borders of Kuwait (Barnaby Frank, 1991). Also, many of the U.S. mass media presented different analyses and statistics, all of which sought to amplify the Iraqi force, giving the world the impression that Iraq had reached an advanced degree of sophistication and danger that required an international coalition to curb this Iraqi growing power. (إبراهيم محمود أحمد, 2003)

This view was also adopted by Paul Wolfowitz, the Secretary of Defense in the Government of the President George W. Bush, when he described the international coalition in the First Gulf War saying "*It has been unprecedented*", and pointed out that thirty countries, some of which were shortly before conflicting with each other, were united militarily to achieve a common goal which is to destroy Iraq's military capabilities, and that the First Gulf war (Iraqi occupation of Kuwait) highlighted the need for arms control. (Berta Gomez [Broadcasting Board of Governors], 1991)

Therefore, the United States put forward a project for arms control in the region, and considered that the circumstances were very suitable for the application of a strategy through which to establish control mechanisms on the supplier states and importer ones as well, and that only the United States would estimate which state needed, primarily, military equipments and weapons from its plants.

**1.2. The Chemical Program.** The chemical weapons are among the estimated high-strategic weapons of mass destruction. Overall, a chemical weapon is a toxic chemical contained in a delivery system, such as, a bomb or shell.

The Convention defines chemical weapons much more generally; the term chemical weapon is applied to any toxic chemical or its precursor that can cause death, injury, temporary incapacitation or sensory irritation through its chemical action. Munitions or other

delivery devices designed to deliver chemical weapons, whether filled or unfilled are also considered weapons themselves.

The toxic chemicals that have been used as chemical weapons, or have been developed for use as chemical weapons, can be categorized as choking, blister, blood, or nerve agents. The most well known agents are as follows: choking agents (chlorine and phosgene), blister agents or vesicants (mustard and lewisite), blood agents (hydrogen cyanide), nerve agents (sarin, soman, VX). The rejection of such weapons has been expressed in the following international conventions: (مركز الدراسات السياسية و الإستراتيجية, 1998)

**1.2.1. Geneva Protocol 1925.** It prohibited all use of asphyxiating and toxic gases, and all fatal materials as well as biological weapons (germs), in military operations.

**1.2.2. 1972 Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological Toxic.** This treaty prohibited all kinds of biological weapons and worked on removing them. It supported the Geneva Protocol of 1925 for banning the use of chemical means in wars.

**1.2.3. Paris Convention 1993.** Stipulated on:

- The reduction of chemical and bacteriological weapons
- The need to control the spread of these weapons by inspection's experts
- The need to eliminate them

Despite this international will to stop the spread of these weapons in all forms, these agreements have not been able to achieve the desired objectives for many reasons:

- International agreements have no mandatory force
- Lack of commitment by the major powers possessing and manufacturing these weapons

- Possession and manufacture of chemical and biological weapons is not expensive financially, and does not require sophisticated technological equipments, unlike nuclear weapons
- The high financial costs of the International Atomic Energy Agency, do not allow monitoring the spread of these weapons
- Some countries refused to join any treaty that prevents the proliferation of these weapons, due to the lack of guarantees that they would not have been exposed to these chemical and biological weapons ( مركز الدراسات السياسية و الإستراتيجية , 1998)

For these same reasons, many countries are still manufacturing and buying these weapons. That's why the Iraqi leadership found that the development and possession of such weapons is essential, so, it begun to develop its chemical program in the mid-seventies with a motivation to establish a military balance with Iran and as restitution for the Iraqi forces in the face of the Iranian army. (مركز الدراسات السياسية و الإستراتيجية, 2004)

Therefore, Iraq built Al-Hassan Foundation in 1984, in order to develop chemical products, and built The General Establishment for Pesticide Products as a covert to develop these weapons, particularly, after the Israeli attack on the Iraqi nuclear reactor. (عبد الفتاح جلال, 1990)

Consequently, the Iraqi production had reached about 60 tons per month of mustard gas and 4 tons per month of tabun gas (nerve agent), in addition to other toxic gases, with reference to the fact that Iraqi army used three types of these chemical weapons in the war against Iran: sarin gas, tear gas, and chemical shells. (مركز دراسات الوحدة العربية, 2004)

In 1990, the Iraqi government officially acknowledged possessing chemical weapons, when the President Saddam Hussein threatened to use them against Israel if there would have been any Israeli attack on Iraq. This Iraqi official announcement was taken by Israel an excuse to acquire *deterrent weapons* and impose a fait accompli on the countries of



the region, and putting Israel in a positive position in any future agreements. It gained also the sympathy of the international community, especially, the United States because of the strong relations between the two countries. (مركز دراسات الوحدة العربية, 2004)

**1.3. The Biological Program.** Biological weapons are lethal fluids of vegetable or animal origin that spread quickly causing serious human and environmental losses, and are easy to manufacture and to transport, light weight, multiply rapidly and its influence last for generations. Japan was the first state owning the largest program in the history of the production of these weapons during the period between 1932 and 1945. It had used this type of weapons against civilians in China leading to thousands of deaths, and it also conducted research on prisoners of war from China and the Soviet Union.

The international community had tried to make an end to these weapons by signing Biological and Toxin Weapons Convention in 1972, which permitted the signatory countries to conduct biological research for defensive purposes only. However, many countries of the world continued their biological research for military purposes after signing this Convention. (نعمان سعد الدين, جعفر ضياء جعفر, 2004)

The Iraqi leadership had focused on the development and production of its biological program to be used in the military field since the mid-seventies. It established Al-Hassan Ibn Haytham factory to conduct many research for the production of biological agents. But, this project was interrupted and the factory was closed in 1978. In 1985, the Iraqi government once again revived its biological program to face the Iranian forces during the war between the two countries. (نعمان سعد الدين, جعفر ضياء جعفر, 2004)

In the period between 1985 and 1986, Iraq produced the toxin poisons Anthrax and Botulinum, and it continued to expend its biological program and its facilities. What should be known is that many American research institutes had participated in the development of the Iraqi biological program by providing Iraq with materials involved in the production of

these weapons. Earth Control Centre provided Iraq with strains of bacteria used in biological weapons program, like, toxin West Nile virus fever and Botulinum toxins. These militarily deals were authorized by the U.S. Department of Commerce and with the help of the CIA. (Robert Fisk, 2000)

The objective of the production of biological weapons is to influence the final outcome for the war, because these tactical weapons are used for coercion and subjugation, and therefore there are many temptations for using them in wars.

**1.4. The Missile System.** The Iraqi government was interested with ballistic missiles since the seventies. The number of ballistic missiles in the possession of Iraq before it started war against Iran reached about 250 rockets all from the Soviet Union. It also established factories to develop and produce engines and spare parts of different missiles. In addition to the Soviet Union, Iraq had cooperated with East Germany (the former), China, Pakistan, Brazil and Argentina, in an attempt to develop more advanced missiles. The most important Iraqi project was Badr 2000 project which aimed at developing missiles of intermediate-range, in collaboration with Argentina and Egypt. The project began by focusing on the development of Argentine air-land missile (Condor 2), but, the Iraqi government wanted to design missiles with range of 400 to 900 km with the ability to carry one warhead weighing 450 kg. (محمود إبراهيم أحمد, 2002)

The Iraqi missile projects, and after recording significant development in this area, were stopped by the United States. This was the cause that pushed the U.S. administration in an effort to prevent missile proliferation at the international level, to create Union-Producing Countries of Ballistic Missiles. (Robert Fisk, 2000)

Iraq had, at that time, several types of ballistic missiles. In addition to the Russian Scud-B missiles, it developed 400 missiles with range of 500km called Hussain Missiles. Then, it developed other missiles with range of 850km called Abass Missiles, in addition to

400 of Stone Missiles and more than 50 000 missile platform and short-range missiles, such as, Abid and July 1, as well as giant cannons designed by the Canadian scientist Gerald Pull specialist in ballistics engineering. (كاظم المقدادي, 2000)

The use of these weapons and missiles by Iraq in the First Gulf War had bred a great psychological impact on Israel and Saudi Arabia. Add to this, it was a compelling reason for the United States to seek international support for the disarmament of Iraq, and to strictly control its technological and military industries under the tutelage of the United Nations.

(كاظم المقدادي, 2000)

## **2. The Role of the United Nations in the Elimination of Weapons of Mass Destruction in Iraq**

**2.1. The Role of the United Nations Special Commission (UNSCOM).** The Iraqi disarmament and removal of weapons of mass destruction was the first task done and supervised by the UNSCOM and UN Atomic Energy Agency. It was a new experience in the management of international relations and conflict. These commissions had been of great influence. Note that the work of these committees had been implemented under penalty of economic sanctions imposed on Iraq since its invasion of Kuwait, and the use of military power to force the Iraqi government to comply fully with the orders of the UN inspection committees.

The UN Security Council had set up UNSCOM committee in accordance with Resolution 687 issued in 1991, which tasked UNSCOM with the destruction of weapons of mass destruction in Iraq, and the International Atomic Energy Agency with the destruction and removal of chemical and biological weapons as well as Iraq's missile arsenal. (مركز دراسات العربية, 2004)

The UN resolution demanded also from Iraq its unconditioned approval for the non-possession of nuclear weapons or materials that can be used in the production of these

weapons, with insistence on international supervision represented by the United Nations, to implement the resolution' content carefully, making sure that Iraq will never resume, in the future, this kind of production process or acquire weapons of mass destruction. (مركز دراسات الوحدة العربية, 2004)

Chaired by the Swedish Rolf Ekeus, UNSCOM began its tasks in Iraq with 20 members belonging to 19 countries. The Commission found that most of the equipments were destroyed by the coalition aircraft during the First Gulf War in 1991, and weakened largely the Iraqi armed forces. In addition, Iraq confessed that it had destroyed many of its military equipments and elements that were involved in the production of several types of weapons of mass destruction. But, UNSCOM wasn't convinced because there was no proof for that presumed Iraqi self-destruction of military capabilities without registration of details. After continuous searching and checking by professionals using highly sophisticated means of detection, the Chairman of the Commission Rolf Ekeus made his report to the UN Security Council in 1992, stated the following: *"All ballistic missiles and materials involved in its production and development and which require the destruction, have been destroyed"* (Scott Ritter, 2000, p.58)

The UNSCOM commission had been also able to conduct a full assessment of Iraq's capabilities in this field. The inspection report of 1993 had explained the true extent of Iraq's capabilities stating the following:

*There is no ability for production of rockets of mass destruction. For the production of prototypes, the ability is very low. The absence of missiles' designs, eligible stuff, raw materials and equipments will prominently delay the development and production of any Iraqi missile system.* (Scott Ritter, 2000, p. 61)

The report added that even if the circumstances and necessary materials are provided for Iraq in the near term, these weapons manufacturing will take many years.

The UNSCOM committee's process of inspection and destruction was executed according to the following plan:

- Sudden inspections of the Iraqi sites related to biological and chemical and missile programs
- Work on the destruction of all chemical and biological weapons and all subsystems associated with their production, as well as all technical research centres
- Supervising the destruction's operations of ballistic missiles done by the Iraqi government as well as all the main pieces and elements and all associated production and maintenance facilities
- To assist the Secretary-General of the International Atomic Energy Agency by providing him with Iraqi nuclear program (مركز دراسات الوحدة العربية, 2004)

The committee also put Iraq under its permanent observation to ensure Iraq's compliance of not using or developing any weapons of mass destruction. It imposed control over its import-export process and put a monitoring plan issued by the UN Resolution 715 in 1991, which granted the full access of the International Atomic Energy Agency and UNSCOM to any site or document they want at any time. (مركز دراسات الوحدة العربية, 2004)

During the mid 1998, there had been a strained atmosphere between Iraq and the UNSCOM which reached its peak after the meeting between the two parts that was chaired by the Foreign Minister Tariq Aziz from the Iraqi side, and Richard Peter from the UNSCOM part. At this meeting, Tariq Aziz stated that it would be a sterile dialogue with the UNSCOM, if the latter did not report the true facts to the National Security Council, that Iraq had fulfilled its commitment in the field of disarmament and that the remaining minor issues could be solved later. However, the UNSCOM saw that Iraq had adopted the policy of deception,

camouflage, concealment and half-truths, because it destroyed a large part of its weapons secretly and individually. This act contrasted with the essence of the 08<sup>th</sup> paragraph of the UN Resolution 687 which required Iraq with the destruction under international supervision.

(Scott Ritter, 2000)

In August of the same year, the Iraqi government stated that Iraq would resume its cooperation with the UN commission with the condition of the restructuring of the UNSCOM and the transfer of its headquarters from New York to Geneva or Vienna. However, the National Security Council issued, after this Iraqi declaration, two resolutions, under the numbers 1114 and 1205 respectively, accusing Iraq with cease dealing with the UNSCOM and demanding it to resume its unconditioned cooperation with the committee. (Scott Ritter, 2000)

In December 1998, the U.S. and British military forces began their operations against Iraq. They bombed all the Iraqi facilities and sites that were concerned with the development and storage of weapons of mass destruction. These military operations known as Desert Fox caused heavy civilian casualties including a residential area on the outskirts of Baghdad, and Baghdad Teaching Hospital, oil refinery in Basra and an academic institute for research in Baghdad, as well as the Baghdad Museum of Natural History. (Ramzy Clark, 2004)

After the Desert Fox operations, UNSCOM along with UN Atomic Agency ended their tasks in Iraq. They reported that Iraq's ability of weapons of mass destruction was completely destroyed, and that the Iraqi strategic forces had become weak compared with the neighbouring countries. Concerning the possession of nuclear weapons, UNSCOM concluded with confirmation that Iraq became clear from weapons of mass destruction of all types. Concerning the biological weapons and despite some remaining doubts, the two inspection committees recorded that even if Iraq had a desire to re-manufacture weapons of mass destruction, it would not be able to obtain the necessary materials to do so. (Fillips Benis,

Martha Hinny, 2001). The table below shows the detailed results of the inspection committees.

**Table 01.**

*The UNSCOM Inspection Results*

<b>The nuclear field</b>	<b>The field of ballistic missiles</b>
<ul style="list-style-type: none"> <li>• All facilities and nuclear components were destroyed</li> <li>• Iraq’s nuclear program was officially ended in 1992</li> <li>• All usable nuclear materials were transferred out of Iraq.</li> </ul>	<ul style="list-style-type: none"> <li>• Destruction of 45 long-range missiles</li> <li>• Destruction of 14 traditionally upsides</li> <li>• Destruction of 06 mobile launchers</li> <li>• Destruction of 60 fixed launch platform</li> <li>• Destruction of 30 chemical warheads</li> <li>• Destruction of many gears</li> </ul>
<b>The biological field</b>	<b>The chemical field</b>
<ul style="list-style-type: none"> <li>• Destruction of the main biological entity</li> <li>• Destruction of variety of production equipments and materials</li> </ul>	<ul style="list-style-type: none"> <li>• Destruction of 38 527 chemical munitions filled and empty</li> <li>• The destruction of 600 tons of chemicals</li> <li>• The destruction of more than three thousand tons of raw materials</li> <li>• The destruction of 91 different pieces of equipments.</li> </ul>

United Nations Special Commission: [http:// UNSCOM-Main-Achievements.com](http://UNSCOM-Main-Achievements.com) (UNSCOM Web Site. 1998)

Therefore, Iraq did pose any danger neither to its neighbours nor on the security of the United States or other countries. But, the United States was not convinced of the results reached by the inspections committees. These doubts were justified by the U.S. administration in the speech of President Bill Clinton in 1998, stating that his country's strategy towards Iraq would be as follows:

- That as long as Saddam Hussein remained in power, Iraq would be a constant source of threat to his people and to the entire region
- A new government must be founded
- The military forces must remain in the region to deter Saddam Hussein from directing his air force against his neighbours or against the opposition
- To keep the economic blockade which had cost Iraq 120 billion \$, and to continue with the program Oil-for-food in the range of 10 billion \$ per year for the Iraqi people
- UNSCOM inspection committees must return to Iraq and the Iraqi government must cooperate with them (Zucchini David, 2004)

Although the issuance of the UN Resolution 1284 on December 17<sup>th</sup>, 1999, obliged the inspection committees to return, Iraq did not accept only after the issuance of the UN Resolution 1441 on November 08<sup>th</sup>, 2002. However, the U.S. administration wanted a new resolution with more assertive conditions, stressing that any objection from Iraq would cost it a military strike without even going back to the Security Council. This U.S. desire for that new resolution had been a bone of contention between the United States and Britain on one hand, and Russia and China on the other hand. (التقرير العربي الاستراتيجي, 2002-2003)

In fact, Moscow and Beijing managed, through long discussions, to enter some amendments in this American project' draft, and which played an important role in avoiding Iraq a military strike by the United States at that time. These amendments dealt with



the following points:

- Not to mention the necessary seven-day deadline for Iraq to agree on the new resolution
- They objected to the idea of maintaining the threat against Iraq, because it could lead to Iraq's refusal to cooperate with the UN inspectors (التقرير العربي الاستراتيجي, 2002-2003)

The last point, however, had remained highly controversial because its inclusion in the new resolution would permit automatically the United States to use force against Iraq in case of Iraqi non-compliance with the UN new resolution. (التقرير العربي الاستراتيجي, 2002-2003)

After consultations, the U.S. administration made also three amendments to the UN Security Council through four sessions held in the period between October and November 2002, and the resolution had been voted on unanimously. As a result, the commissions' inspectors returned to Iraq to continue their work. However, the United States insisted on finding excuses and declared in more than an occasion that the United Nations approach taken with Iraq would not work as long as the president Saddam Hussein remained in power. Given that the U.S. Vice-President Dick Cheney announced in August 2002, that the efforts done by UN inspectors in Iraq were useless, and he added:

*...they will not prove that the Iraqi president is committed to the resolutions of the United Nations; on the contrary, there is a risk that this provides the convenience for the Iraqi President to restore his abilities for a new containment case, meanwhile, he will continue to conspire. (Geoff Simons, 2002, p. 211)*

Cheney highlighted through this statement the big desire of the American neoconservative leaders in accelerating the achievement of their plan, which was the use of military force against Iraq. This desire remained a clear and underlined goal necessitated to be

done at any price, with or without the support of the United Nations. This was explicitly declared by the President Bush who announced that the UN inspectors' reports would change nothing. Then, he addressed the United Nations General Assembly in September 2002, saying "*A military action against Iraq is something that cannot be avoided*" (Geoff Simons, 2002, p. 214). Then, he openly declared saying "*The United States will launch an attack against Iraq even if the United Nations does not support a decision coming from of the National Security Council to justify the U.S. resort to military action*" (Geoff Simons, 2002, p. 215)

The U.S. administration continued its propaganda focused on Iraq, denying completely its government's role in the construction of the Iraqi military force, and while the Iraqi people were suffering from the results of the economic blockade, the United Nations was frequently reluctant to lift it. Despite the UNSCOM reports that had confirmed the dismantling of the Iraqi military industrial base of various kinds, and the destruction of the majority of weapons of mass destruction in Iraq. Furthermore, the UNSCOM lost its credibility because of the United States. The latter had been leaning on the chairman of the Committee to fake the reports concerned with the Iraqi capabilities causing him to lose his credibility. (Robert Fisk, 2003)

## **2.2. The UN Monitoring, Verification and Inspection Commission (UNMOVIC).**

The UNSCOM and its chairman Richard Butler became largely under suspicions, particularly, after being accused to hand a false report to the Security Council declaring the lack of Iraqi cooperation with the Committee, and that he made this false report as a service for the U.S. government which wanted to use it a pretext to attack Iraq. This accusation cost UNSCOM its credibility and legitimacy. (مركز دراسات الوحدة العربية, 2004)

To overcome this crisis and curb the desire of the U.S. administration against Iraq, there had been wide deliberations between the various members of the Security Council, resulted in the establishment of a new committee under the tutelage of the United Nations

called the UNMOVIC (UN Monitoring, Verification and Inspection Commission) to replace the UNSCOM, and to be asked under Resolution 1284 with doing the same job that was handled by the former Special Commission. (مركز دراسات الوحدة العربية, 2004)

Both of the United States and Britain worked on reset Rudolf Ekeus, the former chairman of the UNSCOM, to chair UNMOVIC. But, this proposal was strongly opposed by France, Russia and China, which supported the view of the Secretary-General Kofi Annan, not to provoke Iraq. The objection set for Ekeus was not because of his personality or professionalism. It was because this appointment was not appropriate at that stage which required not only a chairman to be neutral, but first and foremost would be acceptable to everyone. Eventually, they assigned Hans Blix to head the new commission. The latter had served as a director of the International Atomic Energy Agency before appointing Mohammed el-Bradaae (محمد ألبرادعي) to be the director of the agency. (محمود إبراهيم أحمد, 2002)

Despite the British and American reservations, both of the International Atomic Energy Agency and UNMOVIC resumed their work starting on November 28<sup>th</sup>, 2002, and making from Cyprus the regional headquarters instead of Bahrain.

In January 2003, the UNMOVIC and the International Atomic Agency made their first report to the Security Council, denying any indictment that Iraq did not cooperate or provide the UN inspectors with information necessary about weapons of mass destruction. Note that Iraq had made a detailed report about its nuclear, chemical and biological programs to the Security Council in December 2000, including 12 000 pages in addition to 529 Megabyte CDs. However, the director of the International Atomic Energy Agency Mohammed El-Bradaae announced that this report needed few months to be analyzed because of its huge size. On the other hand, the Security Council preferred to wait until the UNMOVIC and the International Atomic Energy Agency would have made their reports. (التقرير العربي الاستراتيجي, 2002-2003)

In February 2003, the UN inspectors made their second report whereby the UNMOVIC chairman Blix said *“If Iraq was as cooperative in 1991 as it is now generally, the disarmament phase could have been so short, and it could avoid years of sanctions”* (Robert Fisk, 2003, p. 37)

In addition to this, Hans Blix questioned the interpretation of the United States concerning the capture of some images via satellite, and which were presented by the U.S. Secretary of State Colin Powell on February 5<sup>th</sup>, 2003 as a proof of suspicious activities in Iraq. He also questioned the presumed phone call which was intercepted by the United States, between Iraqi Republican Guards and a mobile biological laboratory transferring military equipments. (Robert Fisk, 2003)

The Iraqi dissidents also played an important role in the promotion of Iraq's possession and development of weapons of mass destruction, especially, that information given by the Iraqi scientist Khader Hamza. The latter testified before the Foreign Affairs Committee of the Congress that the Iraqi regime might be able to possess three nuclear bombs by 2005, because Iraq, according to him, had got ten tons of raw uranium, and one ton of enriched uranium, and that Iraq imported equipments for the nuclear program through companies from India and shipped them from Malaysia. He added that the Iraqi government was working on increasing the range of its missiles to reach the range of Israel. (محمود إبراهيم أحمد, 2002)

The General Director of the International Atomic Energy Agency Mohamed El-baradaae made his report to the Security Council whereby he declared that the inspection teams did not find any nuclear activities, stressing on the agency's experience and professionalism in the field of investigation of nuclear weapons in addition to the permanent presence of a firm control system in Iraq. (محمود إبراهيم أحمد, 2002)

Despite all of these reports which were unanimous on the Iraqi government cooperation and its flexibility with various inspection teams, the United States appeared

interested in replacing the inspection committee by a military occupation, particularly, after the September 11<sup>th</sup>, 2001 attacks, when the option of war became inevitable and must be prepared for to put it into effect.

The U.S. administration's declaration of war on Iraq had been based to a large extent on the reports of the CIA, because its director George Tenet was tasked with evaluating the real Iraqi capabilities in the nuclear program. George Tenet declared saying "*We have arrested and booked 3000 aluminium tube used in the uranium enrichment industry*". He also reported that Iraq tried to buy 500 tons of uranium oxide from Nigeria. This report was confirmed by the Secretary of State Colin Powell (Robert Fisk, 2003, p. 75)

But, the attempt is not evidence for conviction and to take a decision of war against an independent state and a member of the United Nations. On the other hand, the CIA collected information from political refugees and dissidents without even trying to validate the credibility of the sources, knowing that the United States had exerted on the CIA laboratories multiple pressures to provide misleading information to support the decision of war. This was confirmed by a former member of the Agency Vincent Cannistraro, specialized in Counter-Terrorism. (Simon Malley, 2003)

David Kay, an American inspector in Iraq and the special advisor of the CIA, specialized in Counter-Terrorism, was appointed to head an organization subsidiary to the U.S. Armed Forces, and was entrusted to collect reliable information concerning weapons of mass destruction in Iraq. The latter submitted to the U.S. Congress a report in which he declared that they did not find in Iraq any weapons of mass destruction and that he was surprised at how mistaken the CIA was in overestimating Iraq's capabilities of weapons of mass destruction. He said "*The intelligence information were all wrong*" (David Kay [Broadcasting Board of Governors], 2004)

We conclude from the foregoing that the competition between the various security agencies in the U.S. administration led to a big failure in the coordination between these different devices. This failure led also to the occupation of Iraq putting the American foreign policy under criticism from within the United States and abroad including its allies. The latter warned of the repercussions of this political monopoly and double standard, as well as the adoption of force to impose the U.S. foreign policy and a fait accompli policy which is so contrary to the claim of spreading democracy, because how democratic any state will be, after being destroyed and after the demolition of its institutions and the fragmentation of its society. (Simon Malley, 2003)

### **3. The Role of the United States in the Destruction of Iraq's Military Capabilities**

The Budgets for the purchase of weapons and military equipments have formed major financial allocations in the defense budgets of the Middle Eastern countries with an average of 50%, making the Defense' spending in the Middle East to be considered the highest in the world. For example, the Arab countries during the seventies and eighties spent more than \$ 667 billion dollars to buy weapons and militarily equipments.

Thus, we will highlight through this subsection the U.S. administration's policy in dealing with the issues of armament in the Middle East in the beginning of the nineties, and the President Bush's initiative of arms control in the region, as well as, the Congress project to establish a continuous monitoring on armament in the area.

**3.1. The U.S. Initiatives for Disarmament in the Middle East.** Due to the conflicts and the rapid increase of the pace of arms between the Middle East countries, the idea of arms control was emerged to maintain the stability and security of the Middle East, especially, after the Gulf War when some countries had begun actively to develop their capacities concerning not only traditional military weapons but also weapons of mass destruction. This fact

portended the beginning of a large-scale arms race and serious developments that might lead to the outbreak of many wars in the future.

In the face of these developments and its risks, the U.S. administration, following the liberation of Kuwait, worked on the establishment of arms control mechanisms in the region. It started with a conducted advertising campaign in 1991, to exercise many pressures and protests against some countries exporting weapons like, Russia. In this regard The Washington Post newspapers wrote that the Russian intelligence recruited for several years Russian scientists and sent them to Iran to train the Iranian technicians in order to build missiles with a range of 1920 kilometres. These are strategic missiles capable of carrying weapons of mass destruction. (جريدة السياسة الدولية, 1998)

The United States also accused PRC (People's Republic of China), North Korea, Brazil and Argentina, of providing the countries of the Middle East with sophisticated technology and military equipments. What is noteworthy is that the United States criticized arms exporting countries, while we find that it was at the head of the exporter countries of weapons and the biggest weapon supplier in the world, according to a report done by Service Congressional Research Centre. This report covered the period from 1998 to 2005, and offered official data on international trade of conventional weapons in general, as well as its transfer to the developing countries in particular. (Stockholm International Peace Research Institute [SIPRI], 2006)

The report highlighted the increased value of contracts for the purchase of weapons from 36 billion dollars in 1998 to 44 billion dollars in 2005. It also showed that the United States, Russia, France, Germany and the United Kingdom were the four major countries respectively in terms of the total value of contracts conducted during that period with 107 billion dollars which is equal to 36.5% of the total value of contracts to the United States,

\$ 46 billion (15.5%) to Russia, \$33 billion (11.3%) to France, \$19 billion (6.6%) to Germany.

(Stockholm International Peace Research Institute [SIPRI], 2006)

This report was made as a revision of a previous one that covered the period from 1990 to 1996, and which showed the following results:

**Table 02.**

*Sales of the Largest Exporters of Conventional Weapons to the World (1990-1996)*

<b>Countries</b>	<b>1990_1996 Constant prices of 1990 [billion dollars]</b>
United States	61687
Russia	15471
Germany	8715
UK	7320
France	6468
China	4357
Italy	1747

(Stockholm International Peace Research Institute [SIPRI], 2006)

Besides, one day after the President George Bush Snr announced his program of arms control, the United States provided Israel with 10 U.S. jet fighter and short-range tactical missiles Arrow type. When the U.S. Secretary of Defense then, Dick Cheney was asked about the deal, he replied *“The United States is interested to bear the burdens of the legitimate security interest of our friends”* (Zbigniew B, 2004, p. 108)

We conclude that despite the President Bush’ initiative of arms control, the problem remained in its application. Given that in addition to keeping Israel out of any international



pressures concerning its military projects, this arms control process carried a high financial burdens that the United States couldn't bear alone due to its increasing military burdens.

Also the U.S. administration found itself, after presenting this initiative, before the question whether or not it should continue to provide the allied Middle Eastern countries with weapons, because the U.S. administration was afraid that these countries' governmental systems would change to be replaced by new governments which could be hostile to the United States, as these countries at that time had been through unstable political state that would threaten the United States and its interests in the region.

**3.2. The Congress' Project of Arms Control in the Middle East.** The U.S. Congress had tried to adjust the armament process at that period in order to mitigate the intensity of armed conflicts which were considered threat to the U.S. interests in the region. Hence, legislation was issued in 1991 to put a project of arms control into effect in order to regulate the sale of weapons to countries in the Middle East and beyond. This project contained the most important following points:

- Congress found that the Middle East countries had imported since the mid-seventies conventional weapons worth more than \$200 billions, mostly provided from the states of permanent membership in the Security Council (U.S.A, France, Russia, UK and China) plus Germany, Italy, Brazil and Argentina
- It also concluded that the Middle East countries possessed or sought to possess weapons of mass destruction and the launchers of ballistic missiles
- The proliferation of conventional and non-conventional weapons, the project's report said, would threaten the security and stability of the Middle East countries
- The five permanent members of the Security Council can work together with other major weapons exporting countries, on the contraction of transmission of conventional and non-conventional weapons to the countries of the Middle East (Lesch D, 2003)

The United States was very keen to be a pivotal state in this convention. This was obvious through the third quarter of Congress' project entitled *Arms Providers Deal* and which mentioned that:

- The U.S. Secretary of State must hold a conference including representatives of the governments of the United States, Russia, Britain, and France in addition to other arms provider states concerning Arms Providers Deal
- The purpose of holding a conference for providers of arms is to reach an agreement for the exchange of information and implementation of formal and informal agreements made on the following points:
  - a. Stop the flow of non-conventional weapons such as ballistic missiles, chemical weapons and biological and nuclear technologies needed to produce or assemble such weapons for all countries in the Middle East
  - b. Reduce the transmission of all conventional weapons to the Middle East countries
  - c. Provide incentives for the establishment of a regional arms control agreements in the Middle East using all available means (مركز الأهرام للدراسات السياسية و الإستراتيجية, 2003)

The project stressed also on the need to disseminate information between arms exporter countries concerning their sales to all the Middle East countries, and the promotion of regional arms control agreements. Congress underlined in the fourth part of Arms Providers Deal what the United States should do regarding the countries of the region, as for instance:

- How to transform the Middle East into a zone free of ballistic missiles and chemical, biological and Nuclear weapons
- Implementation of security measures that required all the states of the Middle East to provide an advance notification for all military ground and air training

- Purposeful application of other procedures enabling the Middle East to negotiate about them

However, the fifth part of the agreement came with the following:

- Permitting the Middle East countries to ratify and access to the Nuclear Mid-Range Arms Treaty which prevents the spread of all ballistic missiles and rockets Cruz type with range of 500 to 5500 kilometres
- Multilateral negotiations on a new treaty to prevent the ownership of ballistic missiles and Cruz missiles with range of 150 kilometres

The Congress' project stressed on the need to provide an annual report on arms sales including the following:

- To document all transmissions of conventional and non-conventional weapons to the Middle East including their sources, kinds and destination
- To study and analyze the military balance of the region (Middle East) including the impact of the transmitting weapons' operations
- Naming all exporter countries that refused to participate in the signing of this Agreement
- To determine any work done by weapons exporter states and that violates the agreement (مركز الأهرام للدراسات السياسية و الإستراتيجية, 2003)

In the sixth part of the agreement, the Congress put restrictions on the U.S. arms sale process, so the U.S. administration cannot make any sale's contract to any Middle Eastern country unless the U.S. president submit the following:

- An affidavit which shows that the Secretary of Foreign affairs made efforts to hold the conference for this special Arms Providers Deal
- To submit a report to Congress on the Arms Providers Deal (مركز الأهرام للدراسات السياسية و الإستراتيجية, 2003)

The seventh part, however, was about the United States' policy concerning the friendly states' armament, whereby it is stated that:

- Weapons transmission must be according to the agreement (Arms Providers' Deal), and having no impact on the U.S. interests in the Middle East countries
- Provide all measures to enhance the security of friendly countries ( مركز الأهرام للدراسات ( السياسية و الإستراتيجية , 2003)

Then, in part eight, it is mentioned that the United States will seek to expand the scope of the agreement to include other countries of the world.

This American project made by the Congress in that period of the Iraqi crisis, had met a real difficulty in its application. But, what is noteworthy is that the careful reading of what was mentioned in the text of the project for arms control in the Middle East excluded Israel from the conditions and restrictions set by the agreement of arms control under the pretext that Israel buys weapons to maintain its security. Thus, there was no sign mentioned in the convention urged it to ratify international conventions on arms control with all its types. This of course aimed to keep the Israeli side always ahead for the rest of the other countries in the region, reinforced by a strategic cooperation agreement between the two countries (U.S.A and Israel). (Butler R, 2002)

We can conclude that through this Congress project, the United States wanted to find an international formula for monitoring the rest of the world in terms of military equipments' sales and any form of cooperation between the international powers mentioned in the agreement and the countries of the Middle East, with the possibility of expanding the scope of monitoring to include all the countries in the world in order to retain its leadership role and the monopoly on the arms market.

**3.3. The U.S. Escalation Policy against Iraq.** Following the liberation of Kuwait, all the efforts of the United States were focused on Iraq. The President Bush Snr made his speech in March, 1991, saying:

*We must work to control the proliferation of weapons of mass destruction and the missiles that are used to launch these weapons, and it would be tragic if the Middle East and the Persian Gulf proceed now in the aftermath of the war to start a new arms race.*

Then, he added:

*Until Iraq succeeds to convince the world with its good intentions that its leaders will not use oil revenues to rearm and rebuild dangerous war machines, it must be prevented from obtaining the tools of war.*

(Broadcasting Board of Governors, 1991)

The United States had made Iraq through media, advertising campaigns and press analysis, the fourth military power in the world. This expression was launched by the commander of U.S. Forces B. Chwarzkopf as an American propaganda to justify the declaration of war and the destruction of the Iraqi state, although all countries were fully aware that the Iraqi armour had only limited defensive capabilities comparing with the coalition forces who possessed very sophisticated war equipments with remote control and UV light, and modern-lethal weapons. (Alain Jokxe, 1992)

Indeed, Iraq was really one of the few countries in the Third World that owned great capacities and technological progress which enabled it to achieve and develop great military capabilities. This fact had been taken by the U.S. administration a diplomatic justification for declaring war on Iraq. The American administration in its quest for arms control in the Middle East focused on specific Islamic and Arab countries with Iraq in first priority. It was

absolutely convinced that Iraq was developing weapons of mass destruction. Thus, the latter was a source of the threat for the region and for the world.

However, a study done by Jaffee Centre for Strategic Studies at Tel Aviv University in 2003 before the Second Gulf war, showed in a report that displayed what Iraq possessed to face the United States and its allies, that Iraq did not pose any risk for a possible war in the region or even on a country like Jordan, so, how it could face strong military forces like the United States and Britain. These statistics about the Iraqi capabilities were compiled and deployed by the state of Israel which is not a neutral side in what happened in Iraq. This study made no reference to any type of weapons that would disrupt or constitute a military superiority for the Iraqi forces in any possible form of war in the region, because the study's report showed that Iraqi military forces had been, after the Iranian-Iraqi war in 1988, the largest military force in the Middle East. But, it had been retreated because of the war and the economic embargo. The study showed that Iraq had lost 40% of its forces during the First Gulf War, and it could not rebuild these forces since that period because of the strict economic sanctions that caused Iraq the loss of ability to maintain the effectiveness of its military forces which were also greatly affected by the American British air attacks that were executed in order to prevent the flight of Iraqi aircraft North and South the country. In addition to this, the Iraqi military campaigns which were waged against the Shiites and the Kurds had also contributed in weakening what was remained of its forces. ( مركز دراسات الوحدة العربية, 2004)

The centre had reported the following statistics concerning the Iraqi forces before the Second Gulf War:

- 2000 tanks including 800 of the type (T72), these tanks were old Soviet and Chinese model and no longer used in modern armies
- 2000 vehicles of different types

- About 2000 artillery pieces of which only 150 pieces with the capacity of self-packing (مركز دراسات الوحدة العربية, 2004)

The same weakness and retreat was reported by the Research Centre regarding the Iraqi Air Force stating that:

- Most of the Iraqi Air Force was lost in 1991
- The majority of Iraqi aircraft fighters were destroyed
- About 100 aircraft were transferred to Iran and confiscated there
- Only 200 aircraft fighters were remained within service but their effectiveness was low because they were the seventies model
- Only about 20 new jet fighter had the ability to face aircraft owned by Israel or the United States
- Around 350 helicopters among which 100 were armed helicopters (مركز دراسات الوحدة العربية, 2004)

The Iraqi air defences, according to the study, were made up of:

- 60 surface-to-air missile batteries type (SA2) and (SA3) with weak movement
- 10 missile batteries type (SA6) and (SA8) in addition to lighter land –air rockets
- About 200 anti-aircraft gun can be considered dangerous

In addition to this, the Iraqi Air Force had air defences (C13) provided from China and developed by the Iraqi government. But, these defences were built on radar systems which had been destroyed by U.S.-British air forces during the First Gulf War and beyond. As for the Iraqi naval forces, they had been completely destroyed in the First Gulf War. (مركز دراسات الوحدة العربية, 2004)

Through these statistics presented by the *Jaffee Centre for Strategic Studies* of the Israeli university, we conclude that the U.S. hype on Iraq's military capacities was artificial and exaggerated a lot making it the fourth military power in the world. Furthermore, it is clear

that this U.S. international mobilization against Iraq aimed at gaining the support of the international community, as well as, the U.S. domestic public opinion to declare a justified war on Iraq.

As we conclude from this chapter, that the U.S. administration had taken the decision of war against Iraq despite the UN inspection committees' reports stating that Iraq possesses no longer neither weapons of mass destruction nor scientific designs or programs or equipments that can be used in the production of such weapons. This has only one explanation which says that putting Iraq under the U.S. influence had been a strategic goal set by the United States a long time before, and which was desired to be achieve at any price, hiding behind numerous justifications, from Iraq's possession of weapons of mass destruction, the sponsorship of terrorism and the fight against dictatorship, to its humanitarian mission in establishing a democratic system in Iraq to be a role model in the Middle East.



### **Chapter Three**

#### **The U.S. Military Intervention in Iraq 2003**

The September 11th, 2001 attacks on the United States are seen a qualitative development in the phenomenon of terrorism and its destructive power. In fact, the United States had witnessed during the last twenty years, terrorist operations including those of the World Trade Centre in 1993 and the bombing of the U.S. Embassy in each of Tanzania and Kenya in August 1998, to New York and Washington attacks in September 2001 and which were significantly surprise to the United States that has never known similar attacks on its territory before.

The incident had provided the President George W. Bush and his administration with a chance to embody the philosophical thought of the New Right which is based on three main foundations: the military superiority, religious fundamentalism and expansion. This thought needed that external risk which provides it with a strategic space in order to be applied. Following the end of the Cold War, the U.S. administration took advantage of the big psychological tremor created in the American society by increasing military agreements and intensifying the military intervention outside the United States, raising the slogan of the war on terrorism and the need to dry up its sources. Since then, war on terrorism has become the main axis of the U.S. foreign policy trying to convince the world that the Middle East is the source of global terrorism. Therefore, the latter has become the starting point in the U.S. war on terrorism. However, the first step was Afghanistan and the overthrow of Taliban regime. After that, came Iraq when the United Nations and international opposition failed to prevent the United States from declaring war on Iraq.

Hence, we deal in this chapter with the U.S. occupation of Iraq in 2003 and its exclusivity with this war without being committed to the international legitimacy. As we

discuss the justifications and the credibility of the United States for the occupation of Iraq and its new national security strategy which is based on the pre-emptive strike.

### **1. The Political Set-up of the War on Iraq**

Some studies had linked the attempt to turn Iraq upside down politically to the reign of the Presidents John F. Kennedy and Dwight Eisenhower, when the U.S. Navy Forces landed in Lebanon after the Pro-Western Hashemite Kingdom in Iraq was overthrown by the General Abdulkarim Kassem in 1958. The U.S. Navy landing was aimed to threaten the Iraqi revolution and prevent its possible spread to Jordan. However, after the arrival of the Arab Socialist Baath Party and its philosophy and goals for Arab national unity, Iraq has become a desirable homeland and a location targeted by the American policy of obstruction and sabotage using the Kurdish leader Mustapha Barzani to implement its plans. But, America abandoned that policy because of its uselessness when the Shah of Iran put an end to his conflicts with Iraq. The latter, however, remained in the United States' eyes the desired strategic target. (مركز الأهرام للدراسات السياسية و الإستراتيجية, 2003)

Since that time, the United States has strengthened its political, economic and military presence in the Middle East. It has pledged to protect oil shipments since 1987, during the period known as *Tankers War*. Consequently, the percentage of the U.S. imports of oil during the first six months of 1990, according to the American Petroleum Institute, was about 49.4%. For that reason, the United States has worked to keep a large number of its military forces in the Gulf region in an attempt to tighten its control on the sources of oil along with other goals which had been crystallized after its military intervention in Iraq. (سعيد الحضري, 1998)

The events of September 11<sup>th</sup>, 2001, marked the beginning of the U.S. escalation in political speeches which were carrying the hostile character in an attempt to prepare for war against Iraq. Notwithstanding, the desire of striking Iraq had existed since the First Gulf War of 1991, where the Bush Sr administration announced its desire to overthrow the Iraqi

President Saddam Hussein. As a matter of fact, America had entered into an undeclared war with Iraq since the Liberation War of Kuwait in 1991, like the establishment of no-fly zone in Iraq, the severe economic blockade and the bombing of the Iraqi military and strategic sites from time to time. But, when the U.S. administration confirmed that Saddam Hussein and the Baath Party would not step down voluntary, the President George W Bush and his administration sprung into action and targeted Iraq for the so called War on Terror and the possession of weapons of mass destruction. (Bob Ward, 2004)

The United States began to prepare the region for the war by sending many American officials to the Middle East countries to find out their position from the war on Iraq trying to gain these countries' support. The most prominent of these visits was that of the U.S. Vice President Dick Cheney who visited eleven Middle Eastern countries in March 2002. This diplomatic visit coincided with the U.S. continuous broad escalation of rhetoric toward Iraq to show that the Iraqi system was an imminent danger to the countries of the region and to the whole world, and so it must be removed. Note that, it was stated in the speech of President George Walker Bush in the opening session of the General Assembly of the United Nations in September 2002 concerning Iraq, the following:

- Emphasis on the need to disarm Iraq, otherwise a military action against it would be inevitable
- Warning that Iraq would be able to build a nuclear bomb within a year if they succeeded to obtain fissile materials
- Indictment of the Iraqi regime to continue violating international obligations since the end of the Liberation War of Kuwait, as Iraq evaded from the disclosure of its stock and its programs of weapons of mass destruction, and it continued the development of these programs

- He emphasized that Iraq's refusal to comply with the resolutions of the UN Security Council threatened the United Nations' authority, and that Washington must work with the members of the National Security Council on a new resolution that aims at the disarmament of Iraq from weapons of mass destruction
- If these measures had been put into effect, the United Nations could help in the formation of a new Iraqi government that represents all parties in Iraq and that stems from elections supervised by the United Nations (العزاوي دهام محمد, 2005)

The Bush' administration stated that the President Bill Clinton and his administration must bear the responsibility of taking bad decisions, because they applied the policy of containment within the framework of Double Containment Policy that was pursued since 1992 toward Iraq and which had proved its ineffectiveness. Therefore, it became necessary to attack Iraq and remove the Baath regime by force. In addition, the United States had worked to discredit any initiative done by the Iraqi government to find a peaceful solution and resolve the crisis, like the Iraqi initiative to stop the excuses and indictments of the United States by accepting the return of the UN international inspectors in 2002 to Iraq after being interrupted in December 1998. (فتحي العفيفي, 2002)

However, at the time when the inspection committees were still doing their work in Iraq, the United States was mobilizing its military forces in the Middle East, and increasing its rhetoric on the need to execute a military operation against Iraq and not to stay idle in front of the growing Iraqi threat. In June 2002, the President Bush made a speech in West Point in which he was clear about his desire to declare war on Iraq saying "*There are countries that oppose terrorism but tolerate hatred and this must be changed*" (Bob Ward, 2004, p. 30).

Despite the fact that the President Bush did not identify by name those countries and how this must be changed, his speech was followed in less than a week by a speech made by William Crystol, a neo-conservative leader and Weekly Standard editor. The latter openly

called for the need to change the governmental system of Saudi Arabia. Then in July 2002, Commentary magazine which represents the New Right movement and neoconservatives published an article stating that:

*The importance of the invasion of Iraq goes beyond than just the evil it represents... the only solution to get rid of persons like "Bin Laden" and "Saddam Hussein" is to seek to bring about the imbalance, if not a complete chaos in that region of the world (Bob Ward, 2004, p. 31).*

Furthermore, the U.S. administration had worked since the Iraqi invasion of Kuwait on the recruitment of the Kurdish file in order to weaken Iraq internally by feeding the factors of division and split in preparation for the re-formation of Iraq' social structure on a sectarian and ethnic basis. Given that the period following the withdrawal of Iraq from Kuwait in 1991 had known a U.S. escalation for the Kurdish and Shiite (Chiaa) files side by side. The President George Bush Snr encouraged at that time the rebellion of Kurds in the North of Iraq and Shiites in the South to create chaos and to disrupt the Iraqi national structure as prelude to the American intervention. Consequently, a state of sectarian and ethnic tension had emerged in the country leading the Iraqi government to suppress the rebellion. This suppression increased the degree of hatred against the President Saddam and the ruling Baath Party, and served the U.S. administration which was looking for arguments to prove the oppression of the Iraqi system and its lack of respect for human rights. Thus, the U.S. administration imposed along with Britain and in accordance with UN Resolution 688, a ban on the Iraqi military aviation on the latitude regions in the North and the South of Iraq under the pretext of providing protection and security for the Kurds and Shiites from the oppression of the Iraqi system. This procedure weakened the Iraqi central authority causing a gap in the community to such extent of declining sense of national belonging to the unified Iraq. (فتحي العفيفي , 2002)

The United States had sought to re-divide Iraq as follows: a Kurdish region in the North, a Sunni area in the centre, and the Shiites in the South of the state. This new division had been reinforced by the draft of the permanent constitution on which it was approved on October 25<sup>th</sup>, 2005, and aimed to divide Iraq into ethnic regions. This, in fact, paved the way for the explosion of social contradictions and racist conflicts that had led to dissolve the Iraqi national unity (Thomas E. Ricks, 2006). This was mentioned in the plan presented by the U.S. Agency for International Development (USAID) entitled *Vision for Post-Conflict Iraq* and which emphasized on establishing a new Iraqi government with limited powers and to transform Iraq from a central state of hierarchy power to a form of democratic and federal system. (USAID, 2003)

However, building a federal system on the basis of ethnicity and sectarianism was not, as the American author Michael Hudson wrote, “*A U.S. choice to ensure the participation of marginalized groups of Kurds and others in the political process and to prevent the possibility of the absolute monopoly of power from one predominant group*” (Soderblom J. D. 2004). But rather, a U.S. choice aimed at the fragmentation of the structure of the Iraqi society before it declared war in order to ensure its survival in multi-forms in Iraq, as well as to extend its influence to the rest of the region, as long as the political situation would not settle down, not before a long time.

So, it is clear that the United States was determined to destroy Iraq militarily, economically and socially, when it realized that Iraq had become of a great importance in all fields and levels in a way seen as a real threat to the U.S. interests in the region. Thus, and after the resistance of Iraq despite all what it had been through from the blockade and economic sanctions to the Desert Fox military operations and the U.S-British bombing of many important Iraqi facilities and infrastructure, a military intervention was seen an urgent solution to put Iraq under the U.S. influence and to ensure its interests in Iraq and the Middle

East. This occupation, however, can't be achieved only by accusing Iraq with the possession of weapons of mass destruction, sponsoring terrorism, and presuming that the United States wants to put an end to the dictatorship of Saddam Hussein in order to build a democratic system in Iraq to be a role model for the countries of the Middle East to aspire to.

## **2. The U.S. Justifications for the Military Intervention in Iraq**

**2.1. Iraq's Possession of Weapons of Mass Destruction.** The Iraqi researches and development of chemical and biological weapons as well as its nuclear project had raised the fears of international and regional powers, especially, Israel and the United States. In front of the U.S. pressures, the United Nations compelled Iraq under Resolution No. 687 to destroy its stockpile of weapons and infrastructure related to ballistic missiles and weapons of mass destruction. (محمود إبراهيم أحمد, 2003)

Iraq agreed to cooperate with the UN commissions of inspection to remove weapons of mass destruction in order to mitigate or lift the economic blockade and international sanctions imposed on it. It initiated in 1991 to destroy its armour of rockets and weapons of mass destruction. This work was an expression of the Iraqi commitment in implementing the Security Council's Resolution 687, and its full cooperation with the inspectors of the UN committees and the International Agency of Atomic Energy for the elimination of weapons of mass destruction and the establishment of a permanent control system. However, the Iraqi regime tried to hide a number of ballistic missiles and weapons of mass destruction away from the committees. This attempt when discovered in 1995 destabilized the political confidence in the Iraqi government toward its obligations to the Security Council and it had become questioned in every move or initiative it tried to do. (محمود إبراهيم أحمد, 2003)

Thenceforth, the United States took advantage of this crisis between Iraq and the United Nations and the Security Council trying to promote for the inevitable war against Iraq. Then, came the events of September 11<sup>th</sup>, 2001 to occur a significant change in the American

strategic thinking, and this was clear in the speech of President George W. Bush in January 2002, in which he classified Iraq along with North Korea and Iran as being part of the so called *Axis of Evil*. The U.S. administration began to emphasize the need to take a military action against Iraq sticking to the idea that Iraq still had weapons of mass destruction, and it continued to mobilize its military troops in the region in preparation for the declaration of war. (محمود إبراهيم أحمد, 2003)

In September 2002, the U.S. Congress held a meeting and tasked the CIA director George Tenet to provide them with estimations of the Iraqi weapons of mass destruction. After a while he made his report in which he said “*We arrested and booked 3000 high-strength aluminium tube in Amman en route to Iraq and this is only part of a large contract to buy these tubes that are used in the manufacture of centrifuge for uranium enrichment*” (Christopher Scheer, Robert Scheer, & Lakshmi Chaudhry, 2003, p. 121)

He also said that the CIA had got information proved that in the period between 1999 and 2000 Iraq tried to buy 500 tons of Uranium oxide from Niger. This declaration was confirmed by the U.S. Secretary of State Colin Powell stressing on the fact that Iraq still had the desire to continue its projects of weapons of mass destruction. (Christopher Scheer et al, 2003)

These statements made the Congress with a large majority to give the U.S. President the green light to launch a military attack on Iraq. As a result, the United States declared war on Iraq on March 19<sup>th</sup>, 2003, with the participation of many countries. We mention among them: Albania, Armenia, Australia, Azerbaijan, Bosnia-Herzegovina, Bulgaria, the Czech Republic, Denmark, El Salvador, Latvia, Estonia, Macedonia, Mongolia, the Netherlands, Norway, Slovakia, Romania, Ukraine, Britain, Georgia, Italy, Japan, Kazakhstan, South Korea, Spain (it withdrew its forces after the election of President Jose Luis Zapatero). The table below shows more information about the international military troops in Iraq.



**Table 03.***List of the Participating Military Troops in the War on Iraq 2003*

<b>States</b>	<b>Number of troops</b>	<b>Observation</b>
United States	140000	<ul style="list-style-type: none"> <li>• There was reduction of troops under the stated replacement plan in March 2005 to 135000</li> <li>• Withdrawn 2011</li> </ul>
Britain	12000	<ul style="list-style-type: none"> <li>• Withdrawn 2011</li> </ul>
South Korea	3300	<ul style="list-style-type: none"> <li>• Withdrawn 2008</li> </ul>
Italy	3030	<ul style="list-style-type: none"> <li>• Withdrawn 2006</li> </ul>
Poland	1500	<ul style="list-style-type: none"> <li>• Withdrawn 2008</li> </ul>
Ukraine	890	<ul style="list-style-type: none"> <li>• Withdrawn 2008</li> </ul>
Georgia	850	<ul style="list-style-type: none"> <li>• Members of this force worked within the United Nations mission in Iraq</li> <li>• Withdrawn 2008</li> </ul>
Romania	863	<ul style="list-style-type: none"> <li>• About 120 to 130 of them worked within the United Nations mission in Iraq</li> <li>• Withdrawn 2009</li> </ul>
Japan	800	<ul style="list-style-type: none"> <li>• Withdrawn 2006</li> </ul>
Australia	1380	<ul style="list-style-type: none"> <li>• Withdrawn 2009</li> </ul>
Denmark	540	<ul style="list-style-type: none"> <li>• Withdrawn 2008</li> </ul>
Bulgaria	450	<ul style="list-style-type: none"> <li>• Withdrawn 2008</li> </ul>
Salvador	380	<ul style="list-style-type: none"> <li>• Withdrawn 2009</li> </ul>
Azerbaijan	151	<ul style="list-style-type: none"> <li>• Withdrawn 2008</li> </ul>
Latvia	136	<ul style="list-style-type: none"> <li>• Withdrawn 2008</li> </ul>
Mongolia	130	<ul style="list-style-type: none"> <li>• Withdrawn 2008</li> </ul>
Lithuania	120	<ul style="list-style-type: none"> <li>• Withdrawn 2007</li> </ul>
Albania	120	<ul style="list-style-type: none"> <li>• Withdrawn 2008</li> </ul>
Slovakia	100	<ul style="list-style-type: none"> <li>• Withdrawn 2007</li> </ul>

Czech	90	• Withdrawn 2008
Armenia	450	• Withdrawn 2008
Bosnia	360	• Withdrawn 2008
Macedonia	350	• Withdrawn 2008
Estonia	350	• Withdrawn 2009
Kazakhstan	270	• Withdrawn 2008
Norway	100	• Withdrawn 2006
Netherlands	40	• Withdrawn 2005

([www.newsweek.com/iraq-war-bushs-biggest-blunder-294411](http://www.newsweek.com/iraq-war-bushs-biggest-blunder-294411))

Despite the fact that it was well known that the U.S. administration had fabricated the charges to Iraq to declare war, the United States diplomacy succeeded to gain the international support of many countries, especially, those which have been related to the *Non-proliferation of Weapons of Mass Destruction*, like, the European Union countries in addition to the support of the international organizations, and America employed them all to achieve its objectives.

**2.2. Sponsorship of Terrorism.** The international community has known a rapid development during the nineties. One of these important variables is the transformation of the international system, including the development of military technologies, weapons of mass destruction, globalization and the challenges it presents, and the relations between the regimes and groups of opposition in several countries. But, what marked these developments is the growing rejection of American dominance in the international system because of its bias in the management of international relations, especially, in the Middle East. Note that the U.S. administration following the events of September 11, 2001, indicted the Arabs and Muslims for terrorism along with the Saudi dissent Osama bin Laden and Al-Qaeda which is backed by Taliban regime in Afghanistan. (Henry B, 2004)

Thus, harbingers of the war on Iraq began during the U.S. military operations against Afghanistan, and preceded by the Project for a New American Century members' desire for war. The latter issued three documents: Declaration of Principles, Rebuilding America's power and The U.S. National Security Strategy, by virtue of their key positions in the planning and decision making process in the U.S. administration. If we go back to the events of September 11, we find that the members of Project for a New American Century, like William Crystal, Charles Krutchmer and Francis Fukuyama made a speech to the president George Walker Bush, asserting that the war against terrorism must be accompanied by a change in the ruling system of Iraq, as the speech said “...even if it is proved that there is no relationship linking Iraq to Al-Qaeda, any strategy to get rid of terrorism must also include the removal of the governing system of the President Saddam Hussein” (Geoff Simons, 2002, p. 137).

Note that the U.S. administration before the events of September 11, including the CIA, did not have a strategy to combat terrorism and the threat it had posed on the U.S. interests. Given that there had been many terrorist attacks against U.S. targets inside the United States and abroad (see table 04).

**Table 04.**

*Terrorist Attacks against U.S. Targets Abroad and Inside the United States*

Date	Events
November 1979	<ul style="list-style-type: none"> <li>• Students stormed the U.S. embassy in Tehran, 52 Americans were held hostage detained for 444 days</li> </ul>
April 1983	<ul style="list-style-type: none"> <li>• Car bomb attacks on the U.S. embassy in Beirut, 63 persons were killed including 17 Americans</li> </ul>
October 1983	<ul style="list-style-type: none"> <li>• A suicidal group of Shiites (Chiaa) blew up the U.S. Marines' barracks in Beirut and killed 241 U.S. soldiers</li> </ul>
December 1983	<ul style="list-style-type: none"> <li>• Shiites blew up a car bomb in front of the Embassies of the United States and France in Kuwait, 5 people were killed and 86 wounded</li> </ul>

September 1984	<ul style="list-style-type: none"> <li>• A car bomb exploded in the U.S. Embassy annex building in East Beirut, killing 16 persons and the Ambassador was wounded</li> </ul>
November 1984	<ul style="list-style-type: none"> <li>• A bomb attack on the U.S. Embassy in Bogotá, killed a passer-by</li> </ul>
April 1985	<ul style="list-style-type: none"> <li>• A bomb exploded in a restaurant near a U.S. air base in Madrid, killing 18 Spanish and injured 15 Americans</li> </ul>
June 1985	<ul style="list-style-type: none"> <li>• Shiites kidnapped Boeing TWA 727 subsidiary to American Air-Fly in the Mediterranean region and forced it to fly to Beirut and killed a U.S. Navy soldier and detained another 39 Americans until July after a Syrian mediation</li> </ul>
August 1985	<ul style="list-style-type: none"> <li>• A car bomb killing two and injuring 20 at a U.S. base in Frankfurt</li> </ul>
October 1985	<ul style="list-style-type: none"> <li>• Palestinians seized the Italian cruise ship Achilles Lauro and killed an American</li> </ul>
November 1985	<ul style="list-style-type: none"> <li>• An Egyptian passenger plane (Egypt Air) was kidnapped, an American passenger was killed</li> </ul>
December 1985	<ul style="list-style-type: none"> <li>• A suicidal Arab group stormed U.S. and Israeli tickets offices in Rome and Vienna airports killing 16 people</li> </ul>
April 1986	<ul style="list-style-type: none"> <li>• A bomb exploded in an American TWA plane causing the death of 4 passengers</li> <li>• A bomb exploded in a night club in Berlin killing an American and a German lady and wounded 150 persons among them 44 Americans</li> </ul>
December 1988	<ul style="list-style-type: none"> <li>• A bomb exploded in a plane for Panama Company when flying over Walker town (U.S.A) killing 259 passengers and 11 people from the town</li> </ul>
February 1993	<ul style="list-style-type: none"> <li>• A bomb explode in a plane in a garage beneath the World Trade Centre, killing 07 people and wounding 500, the American convicted for this operation Timothy McVeigh faced the death penalty in 2001</li> </ul>
November 1995	<ul style="list-style-type: none"> <li>• A bomb at the base in Riyadh in Saudi Arabia killed 7 people among them 5 Americans</li> </ul>
June 1996	<ul style="list-style-type: none"> <li>• A truck bomb exploded at the Khobar Towers in Dhahran, Saudi Arabia, killed 19 Americans and injured about 400 people</li> </ul>

June 1998	<ul style="list-style-type: none"> <li>• A bomb fired by shells exploded near the U.S. Embassy in Beirut</li> </ul>
August 1998	<ul style="list-style-type: none"> <li>• A truck bomb exploded in the U.S. embassy in Nairobi killing 224 people among them 12 Americans</li> </ul>
October 2000	<ul style="list-style-type: none"> <li>• A bomb killed 17 U.S. soldiers aboard the USS Cole while refuelling in the port of Aden in Yemen and the United States had accused “Osama bin Laden”, the leader of al-Qaeda for this operation</li> </ul>
September 2001	<ul style="list-style-type: none"> <li>• American Airlines plane carrying 81 passengers and nine crew members crashed into the North tower of the World Trade Centre, which has a height of 368 feet in Manhattan</li> <li>• After about 18 minutes another plane of Boeing 727 belonging to U.S. Airlines hit the South tower of the World Trade Centre and at 9:30 another plane from U.S. Airlines carrying 65 passengers hit the building of the U.S. Department of Defense (Pentagon)</li> <li>• A plane of type Boeing 747 carrying 45 passengers crashed near the Pittsburgh airport and a car bomb exploded outside the Foreign Ministry building in Washington</li> </ul>

(Geoff Simons, 2002)

However, this was not an obstacle in front of the declaration of war on Iraq. The only thing that was standing obstacle was the American public opinion and how to convince the Americans along with the international community of the inevitability of this war. Because going to war in a country like the United States with a democratic system needs at least the approval of 50% of the public opinion. So, the U.S. administration had worked on promoting allegations against Iraq and which were often contradictory. Yet, it had been largely successful in persuading wide range of American society that the Iraqi President Saddam Hussein is the new Hitler and that he is a global terrorist and a tyrant who has or soon will have the possibilities and means that would threaten the United States and the world as well, like, biological, chemical and nuclear weapons. (Zucchini D, 2004)

As a result, the American public opinion recorded a percentage of support for war against Iraq with 72%, and the opposition decreased from 43% to 25% in March 2003 (Zucchini D, 2004). Also the President George W Bush, after the September 11 attacks, made a number of speeches striving to enlist the support of the public opinion and the international community in this fight against terrorism and eventually, of course, against Iraq. On November 6, 2001, the President George W Bush made a speech saying *“No group or nation should mistake America’s intentions, we will not rest until terrorist groups of global reach have been found, have been stopped, and have been defeated”* (National Strategy for Combating Terrorism, 2003, p. 01).

The President Bush’ speech was supported by the Deputy Secretary of Defense Paul Wolfowitz who said *“What the president wants to achieve can happens only in case if we make direct strikes on terrorism-sponsoring states, terrorist countries and Iraq with the existence of “Saddam Hussein” on its head”* (Christopher Scheer, Robert Scheer, Lakshmi Chaudhry, 2003, p. 116)

On June 1, 2002, the President George W Bush said in a speech he made in front of West Point Military Academy’ students: *“We must take the battle to the enemy, disrupt his plans and confront the worst threats before they emerge. In the world we have entered the only path to safety is the path of action and this nation will act”* (National Strategy for Combating Terrorism, 2003, p. 11).

What is meant by the speech is that the U.S. administration gave up the old method of Containment Strategy in defending the United States and its allies, because it became no longer effective, and that the nature of the current threats of terrorism or dictatorial governments require the adoption of a military strategy based on acting pre-emptively before these threats reach the U.S. borders.

The U.S. administration harnessed considerable financial possibilities as the proportion of its spending on defence had reached more than 40% of the total global arms spending, because war on terrorism has become a fundamental pillar of the American strategic thinking. However, the concept of terrorism remained a mystery in the American political discourse because the organized crime has become a structured regulation with its own specific goals and methods. This phenomenon was expended as a result of deterioration of social conditions and increased poverty, making it difficult to establish specific definitions of violence and terrorism. Furthermore, it is difficult to isolate these phenomena from international disputes and conflicts within the same country. Note that terrorism is a global phenomenon and not limited to Arabs and Muslims as it is marketed by the Western mass media in general, and the U.S. media and press in particular. (بيضون أحمد، و آخرون) (2004)

On the other hand, the United States itself has known spread of lawless militias, such as Michigan militia which was founded in 1914, and Texas militia adhering to its individual weapons and defending the superiority of the white man of the Anglo\_ Saxon race over the rest of the races. Also the bombing of Oklahoma on April 19, 1995 was a proof for the involvement of the American militias in terrorist works. In addition to this, acts of violence and terrorism have been associated also in the Central and South America, with the drugs Cartels in Colombia, Brazil and Mexico, and in Europe like, the Red Brigades in Italy, and the assassinations done by the Red Army, plus the terrorist works done by the ETA organization (Basque Separatists) in the North of Spain, as well as, the continuing crimes done by Israel against the Palestinian people. (غزال إسماعيل) (2003)

Notwithstanding, the American political literature defines terrorism in the U.S. Strategy report as “*a pre-planned violence to achieve political goals and to kill innocent civilians*” (غزال إسماعيل) (2003, p. 52). Moreover, it goes far beyond to state that there is existence of injustices in the world stand in the way of peace, stability and security like

the armed struggle and national liberation movements which must no longer exist in today's world and that the conflict should be resolved through political means. (غزال إسماعيل, 2003)

This means that the armed struggle led by some populations to regain their independence and sovereignty is, in the perspective of this U.S. political literature, terrorism and thus, it is required from these populations to give up and stop the resistance, otherwise they will be considered terrorists.

In light of this ambiguity in defining the concept of terrorism, we can notice that the United States is confused between terrorism and the legitimate resistance sanctioned by laws and international norms to liberate a country from the occupation and aggression, like the Palestinian resistance and Iraq after being occupied by the United States. However, the U.S. administration classified them within the U.S. list of terrorist organizations and has worked to suppress and blockade them with every possible means.

On the other hand, we are asked, according to this literature, to make resemblance and similarity between completely two different things and to distinguish between two similar things. In other words, and as an example, we are asked to make resemblance between the terrorist operations in Algeria which led to the death of hundreds of thousands of innocent people and hit the national economy, and the Palestinian martyrdom operations that are done in order to draw the attention of the world to the justice of their cause and to the ugliness of what Israel is doing with them and with their country, after they were stripped of all means of expression. These two works, in the U.S. perspective, are equal and have the same designation "*terrorism*".

As we are also asked to distinguish between two similar incidents in terms of ugliness and cruelty by naming them differently, the incident of September 11, where more than four thousand civilian people were killed, and the killing of innocent children and elderly in Iraq and starving them to death and preventing access of medicine to them. The first is so-called



terrorism, and the second is given many names except of terrorism, as the United States designated it *self-defense, defense of international legitimacy, disciplining a terrorist governor in Iraq*.

What is interesting and noteworthy is that every dangerous international terrorist begins his life a friend of the United States, and then later he turns against them. For instance, Osama bin Laden cooperated with the U.S. intelligence in the war against the Soviets in Afghanistan. Then, after that war he turned into a religious man fighting the American presence in Afghanistan, Saudi Arabia and other Islamic countries. Note that his family is still a shareholder in a U.S. company called Carlyle Group, which is one of the most important companies operating in the supply of weapons to the U.S. government. Also Saddam Hussein was among the partners of the President George Bush Snr and one of his family's friends. He was a friend of the United States, and it stood up for him in his war against Iran and provided him with military, financial and even informatics aids. After that, he turned to be an enemy of the United States and a terrorist that must be got rid of.

Therefore, the U.S. administration had worked in various ways to link between Al-Qaeda and the President Saddam Hussein, trying to bear him the responsibility for the September 11 attacks in America. These claims were based upon the presumed meeting of Mohamed Atta, the leader of the terrorists who hijacked the civilian aircraft on September 11, 2001, and an Iraqi Intelligence representative. But, Czech intelligence, later, announced that this contact had not been done because there was no proof for this meeting (Rotella S, 2002). Despite that, however, the U.S. media focused on Iraq and its involvement in the events of September 11, and pictured to the American people and the world that there is a relationship between Saddam Hussein and Osama bin Laden.

**2.3. Violation of Human Rights.** The United States has tied up through its successive administrations since 1991, the human rights' file to justify the keeping of the economic

sanctions against Iraq, as a way to carry the President Saddam Hussein to relinquish power by accusing him of human rights violations and the use of weapons of mass destruction against the Iraqi people. However, we can notice a constant contradiction in the official discourse of the U.S. administration regarding the rationale for the war. The latter had been constantly changed from disarmament of weapons of mass destruction to the relationship between Saddam Hussein and Al-Qaeda, and then to the dictatorship of the Baath regime and the violation of human rights. Notwithstanding, the speech delivered by the President Bush in late February 2003, in the American Enterprise Institute was a public expression of another purpose of the U.S. military intervention, when he said: *“A free Iraq would highlight the power of freedom and its ability to form that region of the world ... and that a new regime in Iraq would serve as an inspiring model of freedom to other nations in the region”* (Christopher Scheer et al, 2003, p. 22)

Through his speech, the U.S. president also announced that his country wanted to build a democratic system in Iraq. But, the U.S. administration was aware that establishing democracy in a country sharply divided in its national, religious and ethnic affiliation is quite impossible, and that democracy was not a comprehensive solution that could be applied to solve all the Iraqi problems. In addition to this, the United States knew that if those freedoms are introduced suddenly in a country like Iraq, it is likely either one of the groups will use the opportunity to dominate the other groups or there will be a violent conflict that claims the lives of innocent people without limits. In fact, this has happened in Iraq after the overthrow of the old regime. Severe conflicts between Shiites, Sunnis, Kurds and Turkmen, and between several foreign interventions that have authority and influence inside these groups, like, Iran, Saudi Arabia, Turkey, Syria and U.S.A (Toensen C, 2007). So, what democracy claims the U.S. administration to set up in this country torn between the domestic people and groups and foreign ambitions.

Also, Iraq's record of human rights is not worse than any other country's record in the region in particular, and in the world in general. In addition to this, it is commonly known that the religious freedom does not exist in the Gulf States the way it does in Iraq, but the U.S. administration ignored that fact.

Thus, the administration of President George Walker Bush raised reforms' logos in the Middle East, as it was reported in a speech of the President at the University of South Carolina on May 9, 2003, a project or formula for U.S. reform initiative, which later became apparent through The Greater Middle East Project or known also as The New Middle East Project. This project includes the countries from Mauritania to Afghanistan and revolves around three foundations: political reform, administrative reform and social and educational reform. While, the final goal of the project is the creation of a free trade zone in which Israel with U.S. support would be an active side, and to resolve the Iraq issue by the formation of a democratic government to be a model in the region. (Lesch D, 2003)

This initiative was proposed when the U.S. administration realized that the political and regional situations in the Middle East were no longer acceptable and threatened the U.S. national security and interests. Therefore, advised William Crystal, one of the neo-conservative politician writers, the U.S. administration saying that: *"The United States should review its traditional alliance circle with systems that were called moderate while they are authoritarian countries that reject moral and political U.S. model and refuse the establishment of democracy"* (Lesch D, 2003, p. 203)

Crystal focused then, on Saudi Arabia, because fifteen of the nineteen participant terrorists in the September 11 attacks were from Saudi Arabia, and he considered that the Wahhabism ideology and belief followed there was the source of Islamic radicalism and the increasing hostility toward the United States. Then, he made a conclusion whereby he advised the U.S. administration to impose internal radical reforms to change this Saudi model and

update it by giving up Radical Wahhabism and adopting democracy and pluralism which must be circulated to all Arab and Islamic world. (Lesch D, 2003)

We conclude from the foregoing that this project of imposing reforms and change and to adopt the democratic model desired by the United States has become part of a new U.S. strategy which is sought to be achieved in the Middle East by all ways, even if that means using the military force to spread democracy.

However, we must emphasize, in the light of the given data above, that the successive American administrations do not want a true effective democracy or the strong popular democratic expression, especially, if it has the potential to influence political decisions when necessary. But, it keeps announcing in its political speeches that the United States will deal with any government comes out by democratic elections. However, in practice the U.S. administration is always betting on its ability to influence and manipulate the governments of democratic appearance by legitimate and illegitimate means. The United States' historical experience in this field is a proof for that, due to the fact that it had been able to disqualify Mossadek government in Iran in the fifties and the government of Eduard Shevardnadze in Georgia by demonstrations and bribery although he was a friend of the United States before. Add to this, the numerous attempts to disqualify the Venezuelan President Hugo Chavez from power, although he was elected democratically. Furthermore, the U.S. administration headed by Bush rejected the democratic victory of the Palestinian Hamas movement although the elections' honesty had been admitted by the whole world. But, the United States accused Hamas of being a terrorist organization that must not manage the affairs of the Palestinians (Jones S, 2014). This confirms the second hypothesis which says that the real practice of U.S. foreign policy in general contrasts with the perfect wording of its stated ideal objectives.

When it comes to Iraq, and to cover its actions, the U.S. administration had worked on finding a moral justification to be a satisfactory argument to the American and international

public opinion, declaring that the U.S. military intervention in Iraq was for the sake to combat terrorism and to spread democracy in Iraq. But, only what have been achieved so far are devastation, destruction and division.

On the other hand, how the United States could talk about human rights despite its inhumane practices in Iraqi prisons, torture, harassment and attacks against Iraqi detainees, in addition to the raids and random shelling on unarmed population under the pretext of fighting terrorism. Add to this, the suffering of the Iraqi people who was deprived from life because of the economic blockade, as well as ignoring the United Nations covenants on human rights because they didn't serve the U.S. interests. In fact, these inhumane practices caused the United States its position in the Human Rights Committee which is located in Geneva and subsidiary to the United Nations. This was considered a black mark in the history of the United States, because it was the first time since the establishment of this committee in 1948, that the United States lost its position in the Human Rights Committee. But, by exerting some pressures, it had managed to take its place back. (Tschirgi D, 2007)

Besides, democracy that the United States wanted it to be a role model meanwhile applied with these inhuman and cruel means, has done nothing but only increasing hatred toward the United States within various parts of the world, and brought instability by growing the phenomenon of extremism and terrorism in all its forms. Because it is unanimously agreed that democracy is a culture and an exercise associated with human rights, and so it cannot be imposed, but rather, it gradually grows with the development of political awareness and the accumulation of social and political practices and experiences.

### **3. The United Nations' Position of the U.S. Military Intervention in Iraq**

**3.1. Legal Justifications for the Use of Military Force.** The Charter of the United Nations called for the need of peace-keeping, security and the development of international relations on the basis of equal rights of populations and their right to self-determination. It is

also keen to achieve international cooperation, the promotion of peace, human rights and fundamental freedoms as well. But, these noble goals after the fall of the Soviet Union, changed becoming no longer the way it used to be, because the United Nations has become just a structure of international politics, due to the U.S. constant attempts to control it and push it towards its own political and strategic vision for the world. For this reason, this subsection launches the United Nations' position of the U.S. intervention in Iraq.

On March 20, 2003, and after the end of the 48-hour deadline set by the President George Walker Bush to President Saddam Hussein to leave Iraq with his family, a bid that was rejected by Saddam Hussein, the United States launched an attack on Iraq with various weapons without even the approval of the UN Security Council. This act hampered the functions and performance of the Security Council in the maintenance of peace and respect for its laws. However, the U.S. administration claimed to use the military force on behalf of the international community, as long as the latter was convinced of the need to disarm Iraq from its devastating weapons. In front of these developments, the international community found itself in an unprecedented situation since the founding of the United Nations body, because it had never happened that two states (United States and France) with permanent membership in the Security Council and from the democratic countries in the world broke the international law. This act put the international order in a political crisis, and millions of citizens across different parts of the world including the United States demonstrated against this unilateral military action against Iraq. Besides, many countries did not support the Bush administration like Mexico, Chile, Pakistan, and even Turkey which had always been the strategic ally of the United States. (أشرف بيومي, 2003)

Despite that, the U.S. administration was determined to invade Iraq without the approval of the United Nations and without giving importance also to the warnings of the International Committee which is subsidiary to the United Nations. The Secretary-General of

the United Nations Kofi Annan declared that: *“The United States adopts various policies towards the Security Council resolutions about Iraq, and Washington is uncommitted to the UN policy, and this will lead the organization to a failure similar to that of the League of Nations”* (Ignacio Ramoel, 2003, p. 23).

However, the U.S. administration wanted constantly to subordinate the United Nations’ positions concerning Iraq the way it deemed them to be in order to fit its interests and objectives. This was illustrated quite frankly by Madeleine Albright, the U.S. Secretary of State formerly and Washington's Ambassador at the United Nations during the era of the President Bill Clinton, when she informed the Security Council during a previous confrontation between the United States and Iraq saying: *“The United States will act collectively when possible and unilaterally when necessary”*. Then she added: *“We are aware of the vitality of this region to our national interests and therefore we reject any foreign restrictions on our policy”* (Geoff Simons, 2002, p. 237)

Albright re-took the same position when Kofi Annan started his diplomatic mission in February 1998 in the region, saying: *“We wish him success, and when he returns, we'll see what he does have up his sleeve and how much it fit our national interests, and this will determine our response”* (Geoff Simons, 2002, p. 238).

When Kofi Annan returned from his mission and announced that he reached an agreement with the Iraqi leadership, Albright reiterated the same positions saying: *“It is possible that the UN Secretary-General Kofi Annan has comeback with an agreement to be admitted, however, we will protect our national interests”* (Geoff Simons, 2002, p. 239).

The President Bill Clinton also announced saying:

*If Iraq fails to comply with the conditions specified by Washington, the United States, then, will have the full right to respond unilaterally. As we hope that our allies will use the right that grants us choosing the*

*time and place and how emerging against the lawless state whether it is Iraq or other country.* (Ignacio Ramoel, 2003, p. 27)

The Security Council had unanimously approved on the agreement of Annan and issued a resolution rejecting the use of force against Iraq. Besides, the United Nations warned of the serious consequences that could be drawn from the use of military force without the consent of the Security Council. (Geoff Simons, 2002)

Britain's Ambassador to the United Nations explained this resolution saying:

*The resolution does not entitle each of Britain and the United States to launch an attack or military operations against Iraq, if the latter impeded the mission of the United Nations' inspectors in search of chemical weapons, and that the Security Council alone determines when the military force should be used.* (Noam Chomsky, 2003, p. 135)

While, the U.S. interpretation was completely the opposite, as it had been confirmed by its Ambassador to the United Nations Perl Richardson who said: *"The resolution does not prevent Washington from the unilateral use of force and therefore, the U.S. administration reserves the right to respond and attack Iraq whenever it is necessary"* (Noam Chomsky, 2003, p. 135)

Besides, the official spokesman for the U.S. State Department of Foreign Affairs James Duane declared saying: *"It does not mean that we do not care about international resolutions, but we do not see the need to return to the UN Security Council if there is any violation of the resolution between the United Nations and Iraq"* (Noam Chomsky, 2003, p. 136). The President Clinton also said: *"The resolution provides the full legitimacy to act"* (Noam Chomsky, 2003, p. 136)



The Charter of the United Nations has approved a set of principles, and the member states are required to respect them in order to achieve the objectives of the organization. These enshrined principles are also included in the resolution of the United Nations General Assembly session issued on October 25, 1970, concerning the declaration of international law on friendly relations among the countries in accordance with the Charter of the United Nations. This resolution declared that:

- The principles set out by the Charter of the United Nations are interrelated in their interpretation and application, and each principle is interpreted in the light of the other principles, and what is stated in the declaration may not be construed to be a prejudice in any manner whatsoever to the provisions of the Charter or rights and duties of the member-states under the Charter, or the rights of peoples established in accordance with the Charter
- The Charter's principles represent the basis of international law and, therefore, it is appealed to all states to be guided by these principles in their international behaviour and to develop their mutual relations on the basis of a strict consideration of these principles of equality, sovereignty, fulfilment of the obligations and commitments, and resolution of disputes by peaceful means preventing recourse to force, and finally not to interfere in the internal affairs of the states. (Richard N. Gardner, 2000, p. 33)

However, the United States put all this UN literature aside and went on to complete its project of occupation. It had formally requested on March 20, 2003, from all countries of the world to close the Iraqi embassies until forming a new government in Iraq. It also expelled three members of the Iraqi Embassy in Washington, and other members of the Permanent Delegation of Iraq in the United Nations. All of these actions, in fact, are constituted a breach of the international law. However, the U.S. administration used the September 11 attacks

which gave the United States more legitimacy under the pretext of protecting the national security. (الأشعل عبد الله, 2004, p. 192)

So, we conclude that the American leadership' design, whether it's Democratic or Republican, is based on the same constants and premises. For example, ensuring the U.S. national security and a strong military readiness to be used in defence of its vital interests have been remained options that the American leadership are convinced of their necessity, despite their claim that the Charter of the United Nations is what they are inspired by in drawing the guidelines of the United States on international relations.

In addition, the U.S. non-compliance to the international legitimacy and international law has precedents in the political practice of the United States. Given that its forces bombed Lebanon in 1986 under the pretext of self-defence against future attacks. Also, the President Bill Clinton ordered to launch a missile attack on Iraq in June 1993 causing the death of hundreds of civilians. Then, the Ambassador Madeleine Albright justified saying that the attack was a self-defence against an imminent armed attack, presuming that the President Saddam attempted to assassinate the President Bush Snr, although they did not provide any evidence to prove the conviction of the Iraqi President. (King James, 2002)

**3.2. The U.S. Attempt to Use the Security Council.** The U.S. administration had sought to use the Security Council to serve its interests and stand against any position would prevent it from the attainment of its objectives, although Iraq did not constitute any danger to the United States or the world, because its forces were very weak due to the First Gulf War and the UN economic sanctions, and its military capabilities were destroyed by the UN inspectors in addition to all the sites and facilities which were suspected to be linked with the manufacture of weapons of mass destruction.

Despite that, the United States has adopted the principle of *the pre-emptive self-defence* which is unacceptable in the international law, and opposes the Charter of the United

Nations for the total chaos it causes in the international community. Besides, the Security Council has already condemned in its resolution 486 issued in 1981, the use of the pre-emptive strike after the Israeli offensive attack against the Iraqi nuclear reactor Osirak. Even the United States itself rejected this principle of the pre-emptive strike on April 5, 2003, when India claimed the right to execute a pre-emptive strike against Pakistan. (مردان أنور وجدي, 2004)

The United States had tried to explain the right of self-defence and the pre-emptive attack in accordance with the international law and in its very limited scope. Indeed, this is true from a legal standpoint, but, only when it is confirmed that there is a real threat which is not the case of Iraq, as mentioned above, because there was not an imminent threat and danger coming from Iraq. Therefore, the pre-emptive strike against Iraq on the pretext of self-defence was an illegal act.

Furthermore, The United States tried to build an international coalition swirled around its conviction in order to exert pressure on the Security Council. However, the formation of this alliance without being committed to the recommendations of the UN Charter was also illegal. (الأشعل عبد الله, 2004)

The United States claimed also that Iraq had violated the UN resolution 1441, and this is not its jurisdiction to judge on the extent of Iraq's respect for this resolution, the fact that the same resolution gives the UN inspectors this authority. So, this U.S. justification is null and void because it violated the same resolution, as the United States has no right to intervene in the decision of the inspectors and make judgments contrary to the reached results. (أنور وجدي, 2004)

Add to that, the U.S. administration said that the use of force against Iraq aimed at forcing Iraq to respect this resolution as long as the Security Council was unable to impose its will. Here also the U.S. administration violated the international law by using unilaterally

the military force, and tantamount to explicit aggression against the decisions of the Security Council. (مردان أنور وجدي, 2004)

In addition, the United States went to war against Iraq without respect for the Geneva Convention of 1949 that imposes on countries in a state of war to secure civilians who are under their control and maintain their properties, as well as governmental institutions. But, its military operations targeted civilian sites with bombs and different kinds of weapons and destroyed the Iraqi infrastructure. Thus, the UN General Assembly applied on the United States the definition of the UN Resolution No 3314 issued in December 1974, admitting that the operations done by the United States are aggression under Article I of the resolution: *“Aggression is the use of armed force against the sovereignty of a state, or its territorial integrity, or its political independence, or any other manner which is inconsistent with the Charter of United Nations”* (UN Resolution 3314, 1974).

According to this definition, listed Article III the acts that constitute aggression, among which we mention in particular:

- The armed forces of a country invade the territory of another state or attack it or occupy it militarily even if it is temporarily
- The armed forces of a state bomb the territory of another state or use weapons against the territory of another state
- The armed forces of a state blockade the ports or coasts of another state (UN Resolution 3314, 1974)

Article V stipulates that aggression cannot be justified by any consideration whether politically, economically or militarily. Article VII also specifies that nothing in the definition can affect the right of freedom and independence and self-determination enjoyed by populations, or that may reduce their right to fight for their independence and sovereignty and to ask for help and aid of other countries for this purpose. (UN Resolution 3314, 1974)

Consequently, the war waged by the United States against Iraq, and the crimes resulted from it served as an aggression against an independent state and one of the United Nations staff members.

We conclude from this chapter that the United States resorted to the use of the military force against Iraq without the slightest respect for international legitimacy under the pretext of the possession of weapons of mass destruction in addition to its presumed relationship with Al-Qaeda and its non-compliance with the UN resolution 1441, and portraying Iraq a real threat to the U.S. national security and the whole world. To give the moral legitimacy to its acts, the United States claimed that it wanted to change the Iraqi dictator system and to spread democracy.

This has caused, however, a serious damage to the Charter of the United Nations, as the international law does not authorize the use of military force to change the system of a government by force and thus, it is a blatant interference in the interior affairs of countries no matter what the justifications are. But, neither the United Nations nor the international and local public opinion could stop this war, despite the total response of the Iraqi regime to the demands of each of the United Nations and the Security Council trying to dismiss all the arguments upon which the U.S. administration based its justifications for its military intervention.

Clearly, this wasn't enough for the United States which put war to be an inevitable option to solve the Iraqi crisis, and if we suppose that Iraq did not comply with the UN resolutions, as the United States presumed, and that the U.S. administration wanted to apply the law on Iraq. So, the application must be done according to the law itself, that of international law and the UN Charter, and not through a series of violations. In fact, it is not the authority and jurisdiction of the United States to control the extent of any state's respect

and compliance for the international law, as Chapter VII of the Charter of the United Nations has identified the provisions under which the military force could be used.

Therefore, the Iraqi people saw itself under control and occupation, and by virtue of international laws and religious legitimacy, they have the right to raise an armed resistance against the occupation forces to get back their independence and regain their sovereignty. Hence, the following chapter deals with the Iraqi armed resistance and how the U.S. occupation had dealt with it.

## **Chapter Four**

### **The Impact of Armed Resistance on the U.S. Occupation Strategy for Iraq**

A shift in U.S. expectations had occurred after the occupation of Iraq on March 20, 2003; when the United States announced the pre-emptive war against Iraq despite the opposition from the UN Security Council for this U.S. unilateral decision. Since the beginning of the armed confrontation, the U.S. forces faced unpredictable strong challenges. A resistance emerged when some formations of the Iraqi army refused to surrender to the coalition forces, then, it expanded across different cities and rural areas of Iraq becoming more ferocious over time. This made the U.S. forces' tasks to be difficult and complicated the process of maintaining security and stability. Add to that, the position of many Arab and Islamic countries on the official and popular levels which named what was happening in Iraq by The Iraqi Resistance, earning it an important morale boost because they considered it a legitimate resistance to foreign occupation sanctioned by religious laws and international conventions. Although there were many events that had been committed contrary to the spirit of a legitimate national resistance. We shall address them through this chapter and explain their dimensions.

However, naming the Arab states what happened as The Iraqi resistance did not negate the support provided by many of them to the United States during its occupation of Iraq. This support was either militarily, by a pledge of support to contribute to the reconstruction after the devastation inflicted on the overall result of the occupation, or by contributing to the diplomatic support of the governing council appointed by the United States under the pretext of a fait accompli.

The American administration along with the Iraqi Council had found difficulties in handling and controlling the situation in Iraq, because of the intensification of the armed resistance to its operations in the various districts of Iraq. So, what is the source of this

resistance? Is it an expression of the Iraqi people's rejection to the presence of the U.S. occupation? Is it purely Iraqi or a mixture of domestic and foreign groups of fighters and volunteers who came from neighboring countries and share Islamic and nationalist convictions? Did the resistance have a structured organization within one central command or was it just scattered operations that didn't subject to any political program? What was the reaction of the American administration to the escalation of the resistance? Was the U.S. military ruling led by Garner and Paul Bremer able to rearrange along with the Iraqi interim Governing Council the order of priorities and to weaken the Iraqi resistance and restore control over the deteriorating security situation?

Answering these questions will help us confirming or refuting the third hypothesis of the research problematic which says that: *"Tightening the U.S. control over the situation in Iraq will facilitate the process of its control over the Iraqi wealth and will support its geo-economic hegemony over the Middle East countries reaching its influence to the Far East countries"*.

### **1. The Emergence of Armed Resistance in Iraq after the U.S. Occupation**

The U.S. administration's trends made clear, in 2002, that a military solution against Iraq would be an urgent need to topple the Iraqi President Saddam Hussein and to change the system there. Based on multiple justifications including non-compliance with UN resolutions and furthered development of weapons of mass destruction, with the possibility of transmitting these weapons to terrorist organizations led by Al-Qaeda, as mentioned before. Thus, saw the United States that it was its duty to change the political system by applying radical reforms in Iraq which would lead up to build a democratic state to be a role model for the countries of the Middle East to aspire to. (Simon Malley, 2003)

The U.S. administration had exploited the events of September 11, 2001, to convince the American public opinion, as well as, the Congress that this war wasn't going to be



expensive because of the large difference between the Iraqi forces and the American forces. In addition to the Iraqi people' deep hatred for the President Saddam Hussein and its desire to get rid of him, and that the Iraqi army would rebel and refuse to fight because, according to U.S.A, America would be welcomed in Iraq for being the country that would set Iraq free and not as an aggressor and a colonial force . Besides, the U.S. administration argued that the war would be easy, fast and with guaranteed results, and that it would be also far from civilian targets, and it would avoid losses in Iraqi infrastructure. (التقرير العربي الاستراتيجي, 2002-2003)

But, with the start of military operations, another reality had been revealed by the field reports which belied these scenarios prepared by the American and British leadership, because the destruction was immense and thousands of civilians fell down. Hence, it wasn't a technological war and surgical strikes as they presumed it to be. In front of the gravity of these events and losses, the resistance did not wait long to emerge and immediately after the fall of the Iraqi capital Baghdad, the resistance began to target the U.S. forces through the process of guerrilla warfare. (التقرير العربي الاستراتيجي, 2002-2003)

In its entirety, the resistance had been launched in Iraq automatically with an objective of liberating Iraq, the fact that they saw the United States a foreigner occupier. Therefore, the Americans were not greeted as expected and portrayed to them by the Iraqi opposition. What made things complicated for the U.S. administration, those reports which were supplied by the Central Intelligence and the Foreign Affairs Department and which were conflicting with those that were provided by the U.S. Department of Defense. As a result, the U.S. strategy was befuddled in the battlefield and revealed gaps in Conflict Management Strategy during the crisis' period. (مثنى حارث الضاري, 2004)

On the one hand, part of the Iraqi people looked at the resistance as being the sacred duty which must be done by peaceful means. While others felt that the resistance must be only by force of arms. (سلمان الجميلي, 2004)

The belief of peaceful resistance was based on two points:

- That the United States had powerful military forces which enabled it to control Iraq in record time, while the resistance lacked those capabilities to face the U.S. forces along with coalition forces
- The possibility of investing the U.S. occupation's power in rebuilding what war and the long years of economic blockade devastated, and in case the United States rejects those obligations, the option of armed resistance would be necessary inevitable (الجميلاني, 2004)

On the other hand, another category had chosen the armed resistance, basing on the convictions that the goal of the U.S. occupier was far beyond changing the former regime and establishing democracy. Besides, they saw that this American occupation' project was linked to the U.S. strategy for world domination. Thus, its success in Iraq and eventually in the Middle East would be the first step to achieve its long-term goals. (سلمان الجميلي, 2004)

Some studies had attempted to explain the motives behind the emergence of the armed resistance in Iraq according to several considerations, among which we mention:

- Action and reaction: this interpretation of the resistance is based on action and response as the resistance was a natural reaction to the excesses of occupation and its unjustified violence in dealing with the Iraqi people since 1991. (مثنى حارث الضاري, 2004)

The International Federation of the Red Cross had pointed in a report to the impact of economic and military sanctions saying: "*One of the basic principles of the war laws is the distinction between combatants and civilians...*". The report confirmed that: "...they must not be the target and the weapons must be designed and operated so it can target only fighters and avoid making harm to civilians..." (Simon Malley, 2003, p. 38)

Hence, this suffering that lasted years and followed by a devastating war led by the United States without international legitimacy was the direct cause of the flustered natural reaction to all what is American or cooperating with them.

**1.1. Religious Motives of the Armed Resistance in Iraq.** The Iraqi resistance derived its legitimacy from the religion of Islam which imposes on Muslims fighting (jihad) in case of occupation. Thus, it is a duty on all Muslims because the Islamic legislation and Quran impose the defense by all means available against any aggression.

Shortly after the occupation, the armed resistance began to distribute leaflets in the various cities and areas to explain the religious ruling in dealing with the Americans. The Islamic resistant movement was based on many Fatwa issued by Sunni scholars before and during the war. Also, it was found that the places that had known strong resistance, their populations had already received religious genesis. This was a strong motivation behind the resistance without even waiting for the issuance of fatwa to fight. (مثنى حارث الضاري, 2004) Hence, the religious motivation was prominent in the Iraqi armed resistance as a result of the occupation and its injustice.

Among the Islamic resistant groups in Iraq, we mention:

Ansar al-Sunna Army, Jihad Brigades, the Organization of the Black Banners, Elhaq Army, Mohamed II Vanguard Army, Al-Quds Brigades, The Islamic Jihad, National Islamic Resistance, Abu Hafs al-Masri Brigades, Al-Anbar Iraqi Armed Revolutionaries Brigades, Ansar Saddam Hussein, Al-Faruq Brigades, Al-Madina Al-Monawara Group, Ansar al-Islam, Islamic Armed Group (GIA) (*it was the first group to declare its relation with Al-Qaeda*), General Iraqi Armed Forces of Resistance and Liberation, Iraqi Communist Party, Iraqi Liberation Front, Iraqi Liberation Organization, Iraqi National Liberation Army, Iraqi national Resistance Brigades, Iraqi National Opposition, Iraqi Resistance, Islamic Liberation Party, Imam Ali bin Abi Talib Brigades, Jihad Brigades, Khatab Martyrdom Brigades, Muhammad's

Army, Al-Mojahidoun, Al-Chabeb Al-Moslimoun, Nasiriyah Organization, Commandos National Front of Iraq, Political Broadcast Service of the Baath Party, Iraqi Popular Liberation Resistance, Salafiste Jihadist Group, September 11 Revolutionary Group, Head of the Snake Movement, Sons of Islam, United Front for the Liberation of Iraq, The Awakening and Holy War (*are famous with their slogan that says: Saddam and the Americans are two sides of the same coin*), White Flags. (مثنى حارث الضاري, 2004)

However, this large number of organizations and groups fighting in Iraq raised a fundamental problem related to regulation, control and coordination between their works. To overcome these obstacles The National Resistance Council was formed in order to coordinate between the factions and resistant groups and organizations. In April 2004, the Council made an agreement by which it had committed the signatories to the liberation of Iraq and building an independent and democratic state based on a multi-party system and political freedoms. Some factions and organizations of the armed resistance had managed to employ various broadcast means, like, leaflets, video recordings and posting messages through some TV channels and multiple sites in the internet. They used usually in the communication the Classical Arabic language aiming probably to influence various Arab countries which were sympathizing with their cause, and focusing on the Quran in their speeches, particularly, the verses concerning the Jihad. They also used the Arabic and Islamic heritage when, for example, they compared their resistance with the battle of *Badr* where the Prophet Mohammed (peace be upon him) and his companions came out victorious despite the numerical superiority of *Quraish* infidels. They also commonly used terms, such as, Mojahidine, the infidel enemy (to refer to U.S.A), American imperialism and Zionists. (الجميلي, 2004)

**1.2. Problems of the Iraqi Armed Resistance.** The U.S. administration had failed along with Governing Council to control the resistance and restore security to Iraq. Furthermore, the abolition of the civil administration of Iraq and the re-establishment of a new Iraqi government had never changed or improved the bad situation in Iraq. For the reason that the Iraqi armed resistance considered that the elections had been made under the authority of the occupation, and therefore, were illegal. Given that the Iraqi governance remained subject to the occupying power. Thus, the Iraqi resistance with its various ideological and intellectual trends and belonging did not give up the fighting despite several problems and challenges, like, its failure to develop a clear political program with specific objectives and dimensions. This may be due to the following reasons:

- The formation of the armed resistance was quick
- Lack of coordination between the resistant groups and organizations
- The diverse natures of the resistance (Islamic, national, followers of the former regime, foreign fighters)
- No battlefield or political leaders were declared, may be due to safety precautions as they were afraid that their organizations would be detected and so easily eliminated
- The conflicting debate in Iraq between groups of Iraqi people, as some of them supported the armed resistance and others rejected the armed struggle and trusted in the promises made by the U.S. administration, as it is the case of the Kurdish parties and Ahmad Al-Halabi and Iyad Allawi groups, in addition to other parties that allied with the United States even before the occupation (محمد حسين هيكل, 2004)

However, other groups rejected the armed resistance and preferred to use political resistance to achieve the greatest demands and test the credibility of the U.S. administration for a certain period ranging from one to two years. These parties justified their position with religious and political legitimacy, claiming, politically, that the priority must be given for

rebuilding the structure of the state and to provide the needs of the Iraqi people. Most of these groups were Shiites and a number of secular parties. When it comes to religious arguments, it was announced by some of the Sunni scholars that there was no Imam or a leader to follow and that Jihad requires an adequate preparation before starting it. (سلمان الجميلي, 2004)

On the Other hand, those who were engaged in the armed resistance were convinced politically and religiously that only the armed resistance would regain their independence. But, the U.S. administration had worked on making Iraq the land of its battle against terrorism and paste a label of terrorism to the Iraqi resistance. It also tried to link the Iraqi resistance to physical reasons, such as, lack of water, food, electricity and high unemployment rate. The U.S. goal was to empty the armed resistance in Iraq from any religious or national dimension and to reduce its effectiveness, because George Walker Bush was required to provide justifications for the American people to continue the occupation and the allocation of a prohibitive budget for the war. This, in fact, caused him a decline in his popularity during his second presidential custody. (سلمان الجميلي, 2004)

The United States had attributed what was happening in Iraq to Al-Qaeda and to non-Iraqi people, in order to amplify the role of Al-Qaida and legitimize the justification to continue its occupation and its presence in Iraq. Along with the Iraqi groups who were hostile to the armed resistance, the United States described the resistant factions and their martyr operations as people despaired of changing the situation in their country, so, they chose death than life because they had nothing to lose. Therefore, they conducted terrorist operations with a conviction that this was martyrdom. (مثنى حارث الضاري, 2004)

Amnesty International submitted a paper for the meeting on the safety of civilians in the Middle East set up in Beirut, in August 2005, and entitled *Anatomy of the Crisis of Violence in Iraq*. This paper tried to study the Iraqi Armed resistance and to make

a classification of its groups. As a result, and according to the study, the groups of the armed resistance are classified as the following:

- The Dissolved Baath Party Organization: Armed groups that are formed by the former regime. These groups are assigned to execute offensive operations against the U.S. occupation in small separate groups from each other. They are pre-funded and trained for urban warfare and gangs and led by former military leaders and members of the Baath Party. They launch religious and sectarian labels to express their orientations, like, the Islamic Army, Sunni Supporters, Muhammad's Army, The Revolution Brigades, Ali ibn Abi Talib Brigades and Al-Faruq Brigades
- Islamic Groups: including
  - Iraqi: It includes the Shura Council of Mujahideen led by Abdullah al-Janabi from Fallujah, the Salafist Brigades from Mesopotamia led by Abu Dardaa Iraqi, and Ansar Al-Islam Organization led by Abu Abdullah al-Shafei.
  - Non-Iraqi: It includes El Tawhid and Jihad Organization led by Abu Musab al-Zarqawi, and its label had changed after the pledge of allegiance to Bin Laden's organization, to Jihad Base in Mesopotamia. The Jordanian security devices had estimated the Zarqawi's personnel about 300 Jordanian, and around 1000 from Saudi Arabia, Yemen and Syria, and other few numbers from the Arab Maghreb countries
- National Resistance groups: Are groups of Iraqis who have grouped themselves into armed resistant groups with different names to fight the occupation forces for multiple motives (national, ethnic, religious). They are different social groups with various political trends. Among these groups we mention: Mahdi Army led by Moqtadha Al-Sadr, who halted the armed operations and teamed to the political process in Iraq,

in order to create appropriate conditions for the Sadrist movement to occupy advanced positions in power in the Iraqi political ruling

- Groups made as a result of occupation forces practices: The repeated violations and raids, arrests and indiscriminate killing of innocent civilians and infringement of privacy, caused the formation of small groups that executed many operations against the U.S. occupation forces. A number of them gave up fighting and others joined the different resistance organizations and groups for different motives. (Amnesty International, 2005)

In fact, and due to the absence of the state, the U.S. occupation forces were unable to restore security and stability in Iraq, especially, after the dissolution of the military and security institutions. This dissolution left a void to be a strong and highly influential reason that threw the Iraqi people into chaos.

At this critical juncture in the history of Iraq, the U.S. President George Walker Bush declared in May 2003, that: *“Major military combat actions in Iraq have been ended...”* (Broadcasting Board of Governors, 2003). Yet the U.S. troops remained in Iraq for almost seven years. The U.S. President Bush made this declaration believing that the removal of President Saddam and his Baath Party would resolve and put an end to all forms of Iraqi resistance. In 2006, the United Nations adopted the resolution No1483 under which the U.S. troops were admitted as being occupation forces instead of liberation forces which were supposed to liberate Iraq from the dictator Saddam and his party. Thus, the U.S. forces became under this resolution subject to the Geneva Convention of 1949, which obliges in its Article four (04), the first paragraph to protect the persons who must be protected by this Convention. These persons are the citizens or the civilians, as stated in the Convention: *“Who find themselves at a given moment, and in any circumstance, when a war or occupation occurs, in the hands of one of the warring sides...”* (Geneva Convention, 1949)



However, the U.S. administration had not committed to that resolution, because each day registered abuses against the Iraqi people. The latter was left with only one choice, the armed resistance, despite the difficult conditions that surrounded it. Because acts of terrorism were stuck to the armed resistance, but were denied by some of the resistant factions that declared their innocence from the operations targeting citizens or institutions. While, there were other radical and extremist groups and organizations within the Iraqi resistance that described any one dealing with the Americans as a *U.S. client*. Therefore, they didn't exclude police, contractors, interpreters, and even reporters, and they were considered legitimate targets.

**1.3. The U.S. Occupation' Strategy in Facing the Armed Resistance.** A lot of Iraqi people saw that the Americans were behind the random killings and kidnappings witnessed every day in various parts of Iraq. The U.S. administration, for its part, wanted to take advantage of this chaos by persuading the other states of the Middle East region, that the American presence is needed to help the Iraqi people to overcome this situation and to build a stable country. Therefore, the U.S. administration argued that the Iraqi resistance had no national affiliation and was not subject to one regulation issued by a single command. Hence, it identified the Iraqi resistance as being just some scattered groups and operations exploited by terrorist organizations, most notably al-Qaeda. Notwithstanding, it was announced in a report done by a former inspector in Iraq Scott Reiter that: "*The resistance is not foreign, and it has been prepared at a good level*". Then, he concluded in his report that:

- Means and plans used in the killing of Americans in Iraq belonged to the former system and not imported from abroad
- The resistance was Iraqi in its foundation and had wide and deep roots (سلمان الجميلي, 2004, p. 563)

Reiter reached his conclusions based on his observations during the inspection process in Iraq, from the Iraqi management of the special operations and the Iraqi military instruction documents on how to install explosive devices from the basic components according to the nature and place of the objective to be destroyed. These devices are called Improvised Explosive Devices and according to him, were used constantly in the Iraqi armed resistance. (سلمان الجميلي, 2004)

Then, he added that the Iraqi armed resistance might have been planned and prepared for, even before the war took place. Furthermore, he stated that it was planned from the beginning for the disappearance of the Iraqi intelligence officers, in order to integrate among the people to form those armed resistant organizations. In his last conclusion, Reiter said: *“The former regime is not fully defeated and it keeps going on fighting in other forms and methods”* (سلمان الجميلي, 2004, p.565).

The Iraqi resistance had adopted the guerrilla warfare in Iraq making the U.S. administration to face big problems despite the massive mobilization of their potential and strengths. Some Israeli studies tried to urge the United States for a military doctrine as a solution to the Iraqi resistance. This military doctrine is boiled down to: *“Either the total attack or the total withdrawal from the war”*, depending on the famous saying about the Vietnam War: *“Destroy the Vietcong villages in order to control all of Vietnam”*. This statement reflected all kinds of overall wars that the United States had fought before and after the Vietnam War. This U.S. doctrine began with the General Julius Grand during the siege of Vicksburg city in the First World War. He gathered all his forces and destroyed pitilessly the enemy including the brutal treatment of the civilians and only accepting the unconditional surrender. (Abramowitz M, 2008)

During the World War I, the U.S. Major General John J. Pershing warned both of Britain and France that as long as they didn't occupy Berlin, the Germans would not give up

fighting; the result was another war. In the Korean War, America preferred to fight in that region and play the role of the police. The result was a dilemma which its aftermath continues until nowadays. In Vietnam, the Americans fought depending on preventive defense strategy, and it did materialize nothing but only loss and withdrawal from Vietnam because of the severe resistance there. The same thing was happened in Somalia, when the U.S. troops got out quickly from the country although they faced weak-armed forces. Then, the United States entered World War II in order to eliminate the German Nazism and the Japanese imperialism, by bombing the cities causing tremendous losses in the civilian population. (Abramowitz M, 2008)

In the case of Iraq, and following the wars' lesson which says: *"If you want to win the war you should attack with all strength, but if you think you might lose, you should withdraw or better not to start this war"*, the disarmament of the rebels necessitated the destruction of many towns and villages, and killing innocent civilians to control the situation in Iraq. The U.S. troops had worked by that Israeli piece of advice and they applied it in Fallujah, Najaf and other cities and villages in Iraq. As a result, thousands of dead Iraqis and displaced persons, continuous destruction and ethnic, religious and political divisions that ripped the Iraqi society. (Hirsh Jod man, et all, 2005)

The U.S. administration, through that strategy, had worked on the production and feeding of terrorism while pretending to fight it. It did not respect the International Humanitarian Law as being part of the International Law which regulates the actions of the contending States. The latter stated clearly that any state invades another country and controls it, must comply with the obligations imposed by International Humanitarian Law. It must protect civilians who are under its control and any failure or omission in the application of these procedures is considered a breach and violation of its obligations as being

an occupying power under the Geneva Convention of 1949. Thus, these violations are called *War Crimes*.

However, the U.S. administration did not respect these obligations and did not protect the civilians and their properties, as well as the institutions of Iraq. The civilian residential neighborhoods had been targets for aircraft bombing which led to the killing and wounding of thousands of civilians. Add to this, the genocidal crimes and the destruction of Iraqi institutions and infrastructure.

Besides, the U.S. forces violated the Declaration on the Protection of Women and Children in emergency and armed conflict issued under Resolution No 3318. This Resolution was adopted by the United Nations in 1974, on the grounds that women and children are often the victims of wars, civil unrest, and other emergency situations that cause them to suffer *“inhuman acts and consequently suffer serious harm”*. The Declaration states that women and children suffer victimization during armed conflict due to suppression, aggression, colonialism, racism, alien domination and foreign subjugation. Therefore, it specifically prohibits attacks and bombing of civilian populations (Article I), and the use of chemical and biological weapons on civilian populations (Article II). The Article III requires the states to abide by the Geneva Protocol of 1925 and the Geneva Convention of 1949. (UN Resolution 3318, 1974)

The Declaration also requires countries to take measures to end persecution, torture, punitive measures, degrading treatment and violence, especially, when they are targeted against women and children. Furthermore, it recognizes imprisonment, torture, shooting, mass arrests, collective punishment, destruction of dwellings, and forcible evictions as being criminal acts. Certain inalienable rights are also enshrined in the Declaration, such as, access to food, shelter, and medical care, which are to be provided to women and children caught in emergency situations. (UN Resolution 3318, 1974)

With reference to this declaration, the United States did not comply with its duty of protection for women and children. It did not avoid the destruction of the houses and civilian neighborhoods, under the pretext of follow-up terrorists who are taking civilians as human shields which provide them with protection so they can escape from the troops, according to the American claim. These dominant behaviors taken by the U.S. administration does not match with its proclaimed principles of spreading freedom and democracy. This confirms that the logic of *the end justifies the means* is adopted in U.S. Foreign Policy, and it reconfirms the second hypothesis of the study' problematic which states that: "*The real practice of the U.S. Foreign Policy contrasts with the perfect wording of its stated ideal objectives*".

The American excesses in Iraq had given more than one justification to declare the armed resistance that included various Iraqi currents and trends for one goal, the liberation of Iraq from the foreign forces of the United States.

On the other side, the United States tried to control Iraq by betting on the deep ethnic, religious and sectarian differences between the Iraqi factions. Because the Americans believed that these differences would be an obstacle that did not allow them to ally and fight against the U.S. forces. This American exploitation of the doctrines and ethnicity in Iraq is also incompatible with its political speeches whereby it kept calling for the unity of Iraq and its cohesion. At the same time, it was working on pursuing *divide and rule* policy on the grounds that such policy would speed up in the division of Iraq making it easier to control. To apply such policy, the U.S. administration tried to exploit the opposition inside and outside Iraq, targeting a variety of sectarian and ethnic factions, as well as some minorities. Among these opponents of the former regime, the Shiites in the South of Iraq, and the result had emerged through the fighting between Shiites and Sunnis targeting the worship places and holy shrines. This sectarian war had prolonged the crisis' years and left a deep impact on

the Iraqi society with negative consequences which are still difficult to overcome. (و آخرون, 2004)  
عثمان كامل حسين

It targeted also the Kurds in the North of Iraq, who had worked to exploit the new situation resulted from the U.S. occupation for their own benefit. They created the necessary conditions for the establishment of the Kurdish state and to get separate from the rest of Iraq's parts of state. For this purpose and to achieve their project, Jalel Talabani, the Kurdish politician who served as the sixth President of Iraq (2005-2014), went far to say: "*The American Army is not an occupier army, it is a liberation army*". Then, he announced that he wanted the U.S. troops to stay permanently in the Iraqi Kurdistan and that he wanted to keep two U.S. Air-Bases in the mountainous region of Kurdistan. (صلاح الدين سليم, 2006, p. 55)

This U.S. exploitation of ethnicity and sectarianism aimed to facilitate and prepare Iraq for the division to three regions, Kurdish, Shiite and Sunni. This trend was reflected in a lot of political speeches to U.S. officials, as well as in many studies submitted to the U.S. administration, such as, a study done by USAID (United States Agency for International Development) entitled *Vision for Post-Conflict Iraq*. USAID asserted to establish a federal system in Iraq and to limit the powers of the Iraqi Central Government and granting wide powers to local governments. (USAID, 2003)

The U.S. administration had welcomed the federal formula in Iraq because it meets the U.S. objectives that aimed to weaken Iraq and the rest of the Arab and Islamic countries in the Middle East, dividing them on ethnic basis into weak entities politically, economically and militarily. This opportunity can be only achieved through dividing Iraq into federations because this division would isolate Iraq from its Arab identity and also lead to the following:

- Extension of the federal division' results to Iran, due not only to the availability of the three components in Iran, but also other components as Azeri, Baluchi, Arab and Persian people

- The results also stretch to Saudi Arabia and some Gulf states because of its social components (Shiites and Sunnis)
- Expansion of the division' results to Syria, Lebanon, Turkey and Jordan because of the availability of these social ethnic components

## **2. Role of the U.S. Administration in Restructuring the Iraqi Constitutional Institutions**

### **2.1. Transitional Institutions.**

**2.1.1. Interim Governing Council.** It was announced on July 13, 2003, the formation of the Iraqi Interim Governing Council. It was appointed by the U.S. administration after a series of consultations with the various components of the Iraqi people: (political, sectarian and religious). This Council was consisting of 25 members comprising Shiites, Sunnis, Christians, Kurds, Turkmen and Assyrians. The list below shows in detail the Council' members in alphabetical order:

- Ibrahim el-Cheeqr el-Jaafari : (Shiite), a spokesman for El- Daawa Islamic Party from Karbala
- Ahmed Chiaa al-Barrak : (Shiite), President of the Bar Association and the Human Rights League in Babylon, and one of Abou-Sultan' Clan
- Ahmad el-Jalabi: (Shiite), the leader of the Iraqi National Congress group, which was founded in 1992 with support from the U.S. Department of Defense (Pentagon), he had spent 45 years outside Iraq
- Iyad Allawi: (Shiite), he was close to President Saddam Hussein as being his doctor and when he was asked to join the armed forces, he refused and chose voluntary the exile in Beirut and from there to Britain. Leader of the Iraqi National Accord group which was founded in 1990

- Jalal Talabani: The leader of the Patriotic Union of Kurdistan (Sulaimaniya), he left the “Kurdistan Democratic Party” in 1975 to found this Union which controls the South Eastern part of North Iraq
- Hamid Majid Moussa: (Shiite), Secretary of the Iraqi Communist Party since 1993 (Babylon), he lived for many years in Northern Iraq after the Gulf War II
- Dara Nouredine: one of the Court of Appeal judges, he was sentenced to three years in prison under the custody of the former President Saddam Hussein because he judged one his decrees about confiscating private lands to be unconstitutional
- Abdul Karim Muhammadawi: (Shiite), chairman of the Iraqi Hizb Allah (Al-Ammara), he spent most of his life ‘years in the leadership of the resistance movement against Saddam and imprisoned for six years under his rule
- Adnan el-Bajaji: (Sunni), leader of Democrat Iraqis Union, and a former Foreign Affairs Minister during the period between 1965 and 1967 before the arrival of El-Baath Party to power
- Aakila al-Hashimi: (Shiite), she was a former diplomat in Saddam's government, and an expert in foreign affairs and law, she has got a doctorate in French literature
- Ghazi Ajil al-Yawer: (Sunni), a civil engineer who spent 15 years in Saudi Arabia
- Mohsen Abdul-Hamid: (Sunni) leader of Iraqi Islamic Party, and a professor in Baghdad University (Kirkuk), he has several books in the annotation of the Qur’an
- Mohammed Bahr al-Oloum: (Shiite) scholar and the Chairman of Ahle el-Bait Charity Foundation, he escaped from Iraq because many members of his family were killed during the reign of Saddam
- Mahmoud Othman : An independent Kurdish politician, he held several positions in the “Kurdish Democratic Party” in the sixties before moving to London where he founded the Kurdish Socialist Party



- Massoud Barzani: (Sunni), the leader of the Kurdistan Democratic Party (Erbil), he led the party during the conflicts which extended for decades with the central government. The leader of a group of thousands of fighters known as the Beshmerga which dominates a large area Northwestern Iraq
- Mowafaq el-Rabaie: (Shiite), a doctor, studied in Britain and lived for a long time in London, he wrote a book on Iraqi Shiites, and he was an activist in the field of human rights (Nasiriyah)
- Kamil Jadraji: (Sunni), leader of Iraqi National Democratic Party and a businessman, he lived in Iraq during the years of Saddam's rule
- Wael Abdul Latif: (Shiite), a judge since the beginning of the eighties and served as a judge of the Court of Basra, he was imprisoned for one year under Saddam's rule
- Yonadam Kanah: The leader of the Assyrian Democratic Movement and an engineer served as responsible for transportation in the First Kurdish Regional Parliament, then as a Minister of Trade in the First Kurdish Regional Government formed in Erbil
- Mrs. Raja Habib Khuzai: (Shiite), director of a maternity in Southern Iraq, she studied and lived in the United Kingdom during the sixties and seventies and she returned to Iraq in 1977
- Samir Shakir Mahmoud Samaidaie: (Sunni), he was from the opposition and a well known businessman, a writer and entrepreneur in Anbar region
- Salah al-Din Mohammed Bahaa al-Dine: (Sunni), the leader of the Kurdish Islamic Union which was founded in 1991. He is from Halabja, Sulaymaniyah Governorate, and his party is the third in the order of the Iraqi forces that control the North of Iraq
- Son Cole Jajok: (Turkmen), she is an activist, engineer and professor (Kirkuk) and the third lady in the Council
- Ezzedine Salim: (Shiite), leader of Islamic Daawa Party in Basra

- Abdul Aziz al-Hakim: (Shiite), one of The Supreme Council for the Islamic Revolution' members in Iraq, he is the brother of Ayatollah Mohammed Baqir al-Hakim who wanted to establish an Islamic system in the country, Abdul Aziz had returned to Iraq after 20 years in exile (تشكيلة مجلس الحكم الانتقالي في العراق), <http://newsbbc.co.uk/hi/arabic/news/15/07/2003>)

Through this formation, the U.S. administration wanted to build institutions based on sectarianism and ethnicity. Add to this, the U.S. figures that were set to manage this delicate stage of Iraq's history and the entire state had political convictions based on the neo-conservative thought, like Jay Garner. The latter is a retired general appointed to hold the position of military governor of Iraq for a period of three months during which an Iraqi government would be selected to run the country. Then, he was appointed to head the Office for Reconstruction and Humanitarian Assistance in Iraq. Garner tried to rearrange and resolve the crisis caused by the escalation of the armed resistance. He conducted meetings involving tribal leaders and leaders of Iraqi political parties that were in exile, in order to rearrange the Iraqi situation and to form an interim government. (التقرير العربي الاستراتيجي, 2004-2005)

The first meeting for this purpose was held in Naserah city on April 15, 2003, to encircle the deteriorating situation in Iraq, Garner hired the former CIA director James Wesley. He also appointed Douglas Wit to be his deputy. Ahmad Jalabi who is an Iraqi opponent abroad, was appointed to be the chairman of the Iraqi National Conference by the U.S. Department of Defense which saw him the qualified person at that period who could gather a crowd of allies in Iraq. But the U.S. Department of Foreign Affairs did not agree, because Jalabi was considered a persona non grata by many Arab and Middle Eastern countries, along with Garner also because of his full bias to Israel. (التقرير العربي الاستراتيجي, 2004-2005)

The U.S. administration had developed several ideas in regard to the political formula by which Iraq was ruled in the transitional phase. It had set a government that consisted of representatives of the major tribes and military and political opposition, after holding a conference to be likeness of a parliamentary formula and appointing an American military governor. However, the appointment of foreign military governor for the transitional phase sparked widespread international condemnation, because it gave a colonial nature to the project. (نعمان عصام, 2005)

On May 16, 2003, Paul Bremer was appointed by the President Bush to hold the position of a Presidential Envoy to Iraq. His appointment declared him subject to the direct authority and control of the U.S. Secretary of Defense Donald Rumsfeld. Bremer appointed the General Jay Garner as a Director of the Office for Reconstruction and Humanitarian Assistance. In June 2003, the Office was transformed into the Coalition Provisional Authority and Bremer became the country's Chief Executive and the holder of the most powerful foreign post that has never been held by any American in Iraq. Bremer had a long experience in diplomatic practice, and was a member of The Americans for Victory on terror Organization which was established after the events of September 11, 2001 (نعمان عصام, 2005). He published an article in The Washington Times in January 2004 stated that:

*The war on terror has nothing to do with Israel and Palestine, and saying that the United States must pay attention to the peace process as a means to address the “Islamic extremism”, reflects a lack of understanding of the roots of the new terrorist threat...*

Then he added:

*Frankly, we must kill the terrorists before they kill us....The overthrow of the regime in Baghdad, the supporter of terrorism, will be a message to the friends and the enemies that we are serious in our fight against*

*terrorism.* (<http://thewashingtontimes/articles/.co./archive/paul-brimer/2004>)

Bremer warned of the danger of the Islamic terrorism, as he called it. He considered it to be a religious terrorism without centralized leadership and which motivated by hatred of the United States and the desire to destroy it through a *Holy War*, according to him. Concerning the pre-emptive strike strategy, Bremer said in an article published in The Washington Times entitled *Map of the Path of War*: “*We cannot win this war if we took a defensive posture, so we have to be the initiators of the attack...* (Hirsh Jod Man, et al, 2005, p.108).

This Bremer’s mindset shows his ideology which is based and espoused by neo-conservatives. He promoted with conviction their ideas and worked accordingly to achieve them on the ground. Paul Bremer had an important role in the formation of the transitional governing institutions and elections organized in Iraq after the U.S. occupation. As being the top civilian administrator of the former Coalition Provisional Authority, Bremer was permitted to rule by decree. Among his first and most notable decrees were: Coalition Provisional Authority Order N° 1, which banned the Ba'ath party in all forms, Coalition Provisional Authority Order N° 2, which dismantled the Iraqi Army. (Hirsh Jod Man, et al, 2005)

On July 13, 2003, Bremer approved the creation of the Iraqi Interim Governing Council with the stated mission of ensuring that the Iraqi people's interests are represented. The council’s members, as mentioned above, were chosen by Bremer from among groups and individuals who had supported the American invasion of Iraq. Bremer retained the veto power over the council's proposals. The council was authorized to select a limited number of delegates to key Coalition Provisional Authority Committees. Note that, the Interim Governing Council assortment was based on certain ratios and thoughtful sectarian

distribution. The same thing can be said concerning the Interim Government's formation which is subjected to the logic of quotas and supported in its entirety the U.S. endeavor in the management of the country. Given that those Iraqi elites in the transitional institutions had devoted their subordination in any way to the U.S. administration. Here lies the success of the American project based on the configuration of the U.S. influence permanently in Iraq and made it a forward base in the region. (التقرير العربي لاستراتيجي, 2004-2005)

## **2.2. The First Transitional Government and the First Iraqi Interim Constitution.**

Following the agreement on the Interim Constitution for Iraq, Bremer began to rebuild the governmental institutions for the transitional period, like, the government and the presidency and the National Assembly. These institutions' set up was from the same parties that formed the Interim Governing Council. To give legitimacy to these institutions, the U.S. administration opened the way to the United Nations' special envoy Lakhdar Brahimi to contribute to these arrangements. Because the U.S. administration did not want to appear alone in the political scene to sort the situation in Iraq, especially, in this very sensitive stage to avoid negative effects on the credibility of the institutions. (التقرير الاستراتيجي العربي, 2004-2005)

As a compromise resolution of the dispute over the appointment of Prime Minister, the U.S. administration suggested Iyad Allawi to serve this position. On the grounds that his popularity is acceptable from the Shiites, and his inclinations of secularism were also accepted from the other parties present in the Iraqi Governing Council. The latter was also supported by Brahimi to be the best to head the Iraqi Interim Government which inevitably was subjected to the occupation's authority in its decisions. Ghazi al-Yawar was chosen for the position of the head of state with his two representatives Ibrahim al-Jaafari and Rose Chaways. Ibrahim Saleh was chosen as a representative of the Prime Minister of the Interim Government Iyad Allawi. (التقرير الاستراتيجي العربي, 2004-2005)

It is clear that the combination of this formation was based on sectarianism quota instead of being a technocratic government which was proposed by the UN envoy Lakhdar Brahimi. According to him, the technocratic government would accelerate the process of Iraq's reconstruction and restoration of normal conditions to rebuild the Iraqi political system again. However, this proposal was rejected by the Shiite political forces. They claimed that this solution would marginalize its role and ignore the Governing Council. Besides, it was considered a retreat from the principle of democracy because it adopts the appointment method instead of the consultations and the elections. (التقرير الاستراتيجي العربي, 2004-2005)

Brahimi tried to find illustrative solution by suggesting a formation of a government of technocrats nominated by political parties from among its members. But, the Interim Governing Council also objected to the project. So, he made another offer that included the representation of political forces in the presidency i.e., the President and his two representatives would be chosen from political forces, while the Ministers and the Prime Minister would be chosen from among the technocrats. The UN envoy' project had met many difficulties from various political forces, especially, from the Shiites. The latter called for the composition of legislative bodies and the formation of an expanded Council that includes 1500 members representing various regions of Iraq, through which another Council would be elected with 250 members assigned with tasks of choosing the government and exercising legislative functions during the transitional period. (التقرير الاستراتيجي العربي, 2004-2005)

However, Brahimi did not see the need for the establishment of such a Council, because of the tight transitional period (half a year). Besides, it was sufficient to have a small body whose task was to provide advice to the Interim Government. It was also proposed during the negotiations to form a national conference of 1000 to 1500 members to choose the Interim Government. This proposal was accepted by the tribes' leaders who demanded to form a wide representative body assigned with legislative functions and governmental

oversight during the transitional period. In case of rejection, they demanded to form a new council to do these tasks, or instead, the expansion of the Iraqi Interim Council for more 50 members in order to be more effective. The Shiite forces rejected all these proposals, except the proposal of forming a National Conference, because they would form its majority. The Kurds had supported the idea of the technocratic government giving the political parties a greater role in the formation of the government through its representatives in the Interim Governing Council. (التقرير الاستراتيجي العربي, 2004-2005)

To complete the construction of the constitutional institutions of the transitional phase, a National Conference was formed consisting of approximately 1300 members representing different areas of Iraq. On August 15, 2004, the Council meeting was held to select a National Council made up of 100 members to carry out the functions of supervision and legislation in this transitional phase. Then, the list's members of the National Unity were elected. It included 81 members representing all political parties, Iraqi forces, minorities and tribes' leaders. Among the 100 seats in the National Council, there were 19 seats taken by former members of the Iraqi Governing Council, and the remaining 81 seats were distributed as follows:

- 21 seats for political parties
- 21 seats for local leaders
- 11 seats for minorities' representatives
- 10 seats for tribal leaders
- 10 seats for civil society
- 08 seats for independents (التقرير الاستراتيجي العربي, 2004-2005)

However, the Iraqi transitional government faced great difficulties resulting from the breakdown of the security situation, because the Iraqi resistance had been worsened over time. In order to avoid the chaos, there had been an agreement between the U.S. occupation's

authority and the Iraqi Governing Council's members on the need for a new Constitution. But the problem that imposed itself was about whether the Governing Council which was appointed by the U.S. occupation's administration could announce a new Constitution to be adopted and become legitimate.

As a matter of fact, there were many disagreements concerning the Constitution; over its drafting and the procedural steps, like, the elections, especially, with regard to the values, principles, rules, sources and systems that could be relied upon. Add to this, there were other sensitive issues, like, Kirkuk issue, the Kurdish issue, as well as the issue of sectarianism and the role of Islam and its place in the Constitution. Some Iraqi trends considered Islam the source of legislation, others insisted on a secular Constitution that should have got nothing to do with religions. While some emphasized the need to respect Islamic and Christian religious values and other religions but they called for the separation of religion from the state's affairs. Note that the first Constitution of 1925, which consisted of (123) Articles, considered in Article (13) thereof that Islam is the official state religion. Then, in the era of President Abdul Karim Qasim, the Article (01) of the Constitution of 1958 which consisted of (30) Articles, affirmed that Islam is the official state religion. However, after that, the Constitution put Islam in a symbolic position. This led to setting limits to the interference of religion in the state's affairs. (خير الدين حسيب, 2006)

Despite the complexity of the situation in Iraq and the difficulty of reaching a national consensus on the Iraqi Constitution, it was also illogic to run a country without a Constitution. In this regard, said Fouad Maasoum, the former Prime Minister of the Kurdish government, and the President of the Constitutional Preparatory Committee emanating from the Interim Governing Council, that the transitional Constitution was necessary as a means to break the deadlock over the fast transfer to sovereignty, and that it could be fairly rapid to rush it to



a permanent Constitution, as long as the document was called transitional and not temporary.

(خير الدين حسيب, 2006, p.159)

This view was supported by many of the Iraqi forces along with the U.S. administration. The U.S. Secretary of State Colin Powell set the date of December 15, 2003, to be the official date for issuing a new Constitution to be adopted based on the agreed basic principles which are:

- Federalism
- Keeping the Kurdistan region as it is until the issuing of the permanent Constitution
- To postpone the decisions over the fate of some of the Kurdish areas which remains hotly disputed, such as, Kirkuk
- The Islamic religion is not the sole source of legislation, but rather, one of the sources of legislation
- To respect the rights of all minorities and ethnic groups, and not to withdraw citizenship from any Iraqi citizen for any reason
- To consolidate democracy within the concepts of the Iraqi laws
- To ensure women's rights
- To respect the religious pluralism and nationalism and sectarian Iraqi people, and to ensure the national rights of the Kurdish people, Assyrians and Chaldeans
- The law must guarantee the rights of the Iraqi public freedoms, especially, freedom of opinion and religion
- The Army must be under the control of a civilian administration
- The Arabic language is not the only official language and all languages must be recognized (التقرير الاستراتيجي العربي, 2004-2005)

Notwithstanding, there was a disagreement about:

- Iraqi federalism: Will it be ethnic federal or geographical? The Kurdish people wanted an ethnic federal system, while other Iraqi political forces wanted a geographical federal system
- Power-sharing: i.e., the formation of a presidential governing body of a collective leadership. This formula had been the subject of disagreement within the Council, because the Kurds had agreed on a collective leadership, while the rest of political forces intercepted it, especially, the Shiites (التقرير الاستراتيجي العربي, 2004-2005)

**2.3. Legislative Elections.** Iraq held the first legislative elections after the adoption of the new Iraqi Constitution in mid-December 2005, to choose The Legislative Council (National Assembly). These elections came after the referendum on the Constitution in October 15, 2005, approved on the following basis:

- The seats of The Legislative Council (The National Assembly) had been identified by 275 members on the basis of one representative seat per 100,000 citizens
- 230 seats had been allocated to compete in the provincial framework, in accordance with the system of proportional representation of the lists within each province
- For each province there is a fixed number of seats according to population
- 45 seats were allocated to be contested on, according to the proportional representation system of the lists in the whole country, and were called Compensatory Seats
- Proportional representation of women had been identified by 25% of The National Assembly' seats, what is equal to 69 seats (التقرير الاستراتيجي العربي, 2004-2005)

The results of the elections which were supervised by the UN High Electoral Commission represented all religious, sectarian and national spectra, as well as the political and social forces of the Iraqi people, bringing the number to 212 political formations. Among

which there were 18 coalitions to enter the legislative elections, notably the three blocks that led the political process from the outset, namely:

- The United Iraqi Alliance: (Shiite), headed by Abdul Aziz al-Hakim
- The Kurdish Alliance List: with its two largest political parties headed by Massoud Berzanani and Jalal Talabani
- Iraqi National List: enshrined by the former Prime Minister Iyad Allawi

In addition to a Sunni Arab coalition which teamed The Iraqi Islamic Party, The National Dialogue Front, and The Sunni Conference. This coalition entered the elections with one list named The Iraqi Accord Front. The final results of the elections were as follows:

- The list of the United Iraqi Alliance (Shiite) had got 128 seats
- Kurdish Alliance won 53 seats
- The Iraqi Accord Front (Sunni Arabs) had got 44 seats
- Iraqi National List led by Iyad Allawi won 25 seats
- National Dialogue Front won 11 seats
- Kurdistan Islamic Union had got 5 seats

Then, all of the following lists obtained one seat:

- The Iraqi Nation Party list
- Turkmen Front list
- Yazidi list
- National Rafidain list (Christians) (التقرير الاستراتيجي العربي, 2004-2005)

According to these final results, we can notice that the United Iraqi Alliance had not been able to acquire the absolute majority that could enable it to form a government, because the latter requires 138 parliamentary seats. (التقرير الاستراتيجي العربي, 2004-2005)

The Shiite and Kurdish alliances also failed to get the majority of the two thirds of the seats (184 seats), which could enable them to form a Presidential Council, because they won only 181 seats. (التقرير الاستراتيجي العربي, 2004-2005)

As for the remaining 45 seats, they were awarded to minorities who could not compete with the major lists, and also to Iraqi women if they failed to get 25% of the seats approved by the Constitution. In fact, 70 seats were awarded to the Iraqi women in the Iraqi National Assembly. (التقرير الاستراتيجي العربي, 2004-2005)

Despite the protests over the election results, the UN Electoral Commission acknowledged them, and called on the Iraqi parties to accept the results announced on 20/01/2006, and to form an Iraqi National Government.

**2.4. The Referendum on the Iraqi Constitution.** The referendum on the final draft Constitution was in October 15, 2005, after being approved by The National Assembly. The latter had agreed on the contents reached by the various Iraqi factions concerning the provisions of the constitution. It also tried to remove obstacles to the referendum, when Hadjim el-Hossni, the speaker of the Parliament, approved on the amendments put by the Sunnis to some of the contents of the Constitution, namely:

- The amendments added clauses under which the Constitution guarantees the territorial integrity of Iraq to remove the fears of the Sunnis by ensuring that the Shiites and Kurds would not establish two independent states in each of the Iraq's North and South according to the federal system
- To give the Sunnis guarantees not to prevent the use of the Arabic language in the Kurdish region, and both of the languages Arabic and Kurdish would be used in the region
- Some amendments provided the Sunni Arabs with guarantees not to pursue them because they belonged to the Baath Party (العزاوي محمد دهام, 2006)

Despite that the Sunnis' amendments had been approved on, the Sunnis believed that the Iraqi Constitution developed, according to them, by the Shiites and the Kurds was not fair for them. So, they led an opposition movement and called the Arab Sunnis to reject the Constitution by referendum. To resolve the dispute, the Shiite, Kurdish and Arab Sunni leaders met and after long consultations and negotiations they reached an agreement to amend the Constitution but after being approved on by referendum, and to temporarily suspend the parties' differences and disputes over the content of the Constitution to keep on the continuation of the political reconstruction in Iraq. (العزاوي محمد دهام, 2006)

Under the permanent Iraqi Constitution approved on October 15, 2005, the legislative authority is vested in two bodies, the Council of Representatives (Majlis an-Nuwwab) and the Council of Union (Majlis al-Itihad). The Council of Representatives consists of 325 members elected for four years, with two sessions in each annual term. The Council passes federal laws, oversees the executive, ratifies treaties, and approves nominations of specified officials. It elects the President of the Republic who selects a Prime Minister from the majority coalition in the Council (During an initial period, a three-member Presidential Council elected by the Council of Representatives will carry out the duties of the President of the Republic). (خير حسيب الدين, 2006)

Elections for the Council of Representatives were held on December 15, 2005. The Council first met on March 16, 2006, exactly one year after the first meeting of the Transitional Assembly. The Council of Union, or Federation Council, consists of representatives from Iraq's regions. Its precise composition and responsibilities are not defined in the Constitution but rather determined by The Council of Representatives. (حسيب خير الدين, 2006)

What is noticeable is that the new Iraqi Constitution keeps Iraq away from its Arabic identity. Given that, it is not mentioned in any of its Articles that Iraq is part of the Arab

world, or the word Arabs or Arabism, but only in paragraph (B) of Article (VII) which stipulates that: “*Iraq is a multi-ethnic country and the Arab people in Iraq are an integral part of the Arab nation*” (الراوي فوزي, 2006, p.162).

In other words, Iraq is not an Arab country and part from the Arab world, but only the Arab population in Iraq is part of the Arab nation.

### **3. The Final Departure of U.S. Combat Troops**

On August 18, 2010, the final U.S. combat troops were reported to have crossed the border into Kuwait, when a last convoy of the Army's 4th Stryker Brigade Combat Team departed Iraq. A spokesman for the U.S. State Department P.J. Crowley was quoted by news media as saying the departure was *a historic moment*. In a released statement, the U.S. President Obama said about the withdrawn soldiers: “*I hope you’ll join me in thanking them and all of our troops and military families, for their service...*” (<http://www.WashingtonTimes/news/co./ko56/18-08-2010>)

Then, he noted that the event was *a milestone in the Iraq war*. The closure of *Operation Iraqi Freedom* was announced on August 31, 2010. “*It is time to turn the page...*”, Obama said in a national address, and the operations in Iraq were renamed *New Dawn*. However, the U.S. presence in Iraq continued as 50,000 troops stayed in an *advise-and-assist* role and the full withdrawal was in December 2011. (<http://www.WashingtonTimes/news/co./ko56/html>)

The U.S. administration had exercised experimentation policies in Iraq since the occupation. They tried Interim Governing Council formula which did not lead to stability because it lacked legitimacy. Then, they tried the Interim Government led by Iyad Allawi and also failed. After that, they tried the transitional government headed by Ibrahim al-Jaafari and fell too. Eventually, they tried the so-called permanent government headed by the Prime Minister Nuri al-Maliki who also was not able to reduce the resistance and stop indiscriminate

killings that took the lives of thousands of Iraqis as a result of the expansion of the sectarian fighting circle. The latter had emerged sharply in the last ten months of 2006, especially, between the Shiites and Sunnis and which the country had never seen in its likeness before.

What also turned out the political turmoil created by the Iraqi resistance was the U.S. approval on the implementation of the death penalty to the President Saddam Hussein by hanging in December 2006, the morning of Eid al-Adha. This was considered a deliberate U.S. challenge to the Muslims' feelings in the world, in general, and the Arabs in particular.

The U.S. occupation had fueled sectarianism and ethnicity within the reconstruction of the Iraqi system. The result was that all Iraqi successive governments formed since August 2003, had failed in restoring the stability and the security in Iraq. This failure reflected also the U.S. administration's empty promises to bring peace and democracy and to redeploy the Iraqi infrastructure. Add to this, all the slogans employed by the Bush administration for the spread of democracy, the establishment of freedom and fair elections, the protection of human rights and civil liberties, and the security of minorities, came to nothing after years of occupation. This, in fact, is another confirmation of the second hypothesis of the research' problematic that says: *The real practice of U.S. Foreign Policy contrasts with the perfect wording of its stated ideal objectives.*

Consequently, Iraq drowned in a never-ending chaos, especially, after the procedures taken by the occupation's management, like, the dissolution of the security bodies and the Iraqi Army. This U.S. policy increased the escalation of the armed resistance against the occupation forces, and against anyone who dealt with them. Therefore, Iraq became the land of Jihad after the issuance of multiple religious edicts. The latter opened the area for the arrival of many Islamic elements hostile to the U.S. policy from various Arab and Islamic countries to Iraq, in order to participate in the fighting, including Al-Qaeda which called itself Al-Qaeda Organization of Mesopotamia. Furthermore, the U.S. administration had promoted

since its occupation of Iraq, diplomatically and through media, the idea that what was happening in Iraq was an internal affair and not for foreign reasons. In other words, it was the result of sectarian conflict and not a result of the occupation. This American perspective had worsened the situation in Iraq and blew more contradictions making of Iraq a central front for the American strategy to combat the so called Universal Terrorism.

Accordingly, can we describe what happened in Iraq as a failure of the U.S. policy? Or these are only preparatory stages that the U.S. administration sought to experiment and implement according to its foreign policy's ideological perceptions starting from Iraq, in order to influence the policies of the Middle East' countries, and to strengthen its global dominance through preventing any other state from performing any significant role at regional and international levels, under its presumable strategy of defending the values and keeping peace and security. That's what we shall deal with in the following chapter.



## Chapter Five

### The U.S. Strategy in the Middle East Following the Occupation of Iraq

The U.S. administration had already announced the need to build a *new Middle East* based on democracy and free from corruption and tyranny. Then, it re-launched the project after the occupation of Iraq under the label of The Greater Middle East Project which had borne much of data regarding the U.S. policy's options towards the Middle East countries. This project is considered to be the continuation for what had been proposed by the President Bush Snr, when he declared in January 16, 1991, the birth of a new global system and that America has become able to put this system, on which it had worked since the end of the World War II, into effect. Furthermore, the militarily, ideological and pragmatic tendencies are clearly figured in the United States' practices in order to protect its interests. Therefore, the United States saw to start from the Middle East, and the occupation of Iraq was the first step to prevent the emergence of any threat to those growing interests of which it comes on the top the oil. The latter comes above all considerations of democracy and human rights which the U.S. administration is taking them as excuses to rally around the support locally and internationally.

However, this American project's path in the Middle East faced significant challenges as a result of the developments of the Iraqi armed resistance as well as the increasing complexity of the sectarian and regional situation. Add to this, the continued U.S. fighting in Afghanistan and the tensions with Iran over its nuclear program, and the Israeli practices in Palestine. All of these issues and complexities curbed the course of the project and led to wondering about the future of the Middle East and its new map which will be approved on, in order to preserve America's interests.

Based on what is said above, we shall discuss in this chapter, the Greater Middle East Project that the U.S. administration had planned for, its goals and aims at the regional and

international levels. We shall also spotlight the stakes the United States faced in the region, note that The Greater Middle East Project was put up in a way seemed like it was imposed on the countries of the region to follow. As a result, it had been faced by scepticism, fear and rejection.

The study also addresses in this part, the U.S. National Security Strategy in counter-terrorism, as well as the adoption of the new strategy of the pre-emptive strike against what America calls *Centres of Global Terrorism*. In addition to the international geo-economical and strategic challenges faced by the U.S. administration to maintain and promote their interests in the Middle East, especially, after the growing global economic competition with the increase in demand for petroleum energy.

## **1. The U.S. Justifications for the Establishment of the Greater Middle East Project**

**1.1. The American-European Initiatives.** The idea of establishing The New Middle East Project (old - renewable), goes back to the fifties of the last century. It is a geo-political term expresses the Arab and Islamic region after the decrease of the European countries' influence in the region and the emergence of the bipolar U.S-Soviet system and military alliances policy which wanted to make Israel part of the Middle East region. The United States wanted to keep the European countries away from the Middle East region. As a matter of fact, it had already done that before when adopting Monroe Doctrine which prevented the European countries from possessing regional bases in the American continent, because they were seen to be a real threat and danger to the interests and ambitions of the United States to dominate the region (Paul Marie, 1992). Thenceforth, the idea had been rooted in the American philosophy but with some variables of place and time.

Following the end of the First Gulf War, the New Middle East Project was proposed by the United States in the International Conference for Peace in the Middle East, held in Madrid in October 1991. As a result, the UN Resolution N° 242 was the legal basis of

the conference, despite the mysterious confusion in reading and interpreting the text. The resolution in its French version emphasized on Israel's withdrawal from the lands it occupied in 1967 and which were about ten thousand square kilometres, while Israel worked with the English version of the UN resolution which mentioned the Israeli withdrawal from territories it occupied, and not from the territories it occupied. Thus, Israel withdrew with about 60 square kilometres from Sinai between 1982 and 1985 following the signing of peace agreement with Egypt. (Monde Arabe Maghreb-Macherk, 1991)

Given the historical circumstances favourable to the United States, the latter wanted to impose its project concerning the Middle East. To achieve that, it used overlapping issues of regional and international dimensions, for instance, the issue of the arms race in the region, refugees, and the security and economic cooperation on geo-strategic and geo-economic foundations, in order to redraw the map of the region and create the appropriate formula to introduce Israel as part of the Middle East. Therefore, the United States worked on eliminating the Middle East's geographical, historical and cultural specifications, stressing on the contemporary geo-economic global market system which results into Middle Eastern market to be gradually expanded, with Israel as being its nucleus and an attractive dominant power economically, securely and civilly. (Joseph S. Nye, 2003)

The U.S. administration had worked on persuading Israel to participate in the International Conference of Peace in the Middle East during the Bush Snr administration. The latter pledged to stop the Arab economic boycott of Israel, and to abolish the UN resolution N° 379, which considered Zionism a racist movement, and to be committed to the written pledge signed by the U.S. President Gerard Ford with Israeli Foreign Minister Yitzhak Rabin in September 1975, with respect to the importance of the Golan Heights for the security of Israel. (Monde Arabe Maghreb-Macherk, 1991)

It also pledged to guarantee the security and the qualitative military superiority of Israel on all countries in the region. For that reason, the Israeli leaders are very keen to support The Greater Middle East Project, because they realized that the Israeli interests will be protected and its role will be pivotal in any process of change in the region. This is reflected in the Israeli Shimon Peres<sup>11</sup> book *The New Middle East*, which pictured Israel to be the democratic and the developed state that is surrounded by dictatorship and underdeveloped countries. This picture is also portrayed in the Israeli Prime Minister Benjamin Netanyahu's book *A Place Under the Sun*, in which he described the Palestinian state as a danger to Zionism, and declared the Jewish right to a state that would not just incorporate the land of Palestine, but even potentially incorporate other Arab countries like, Jordan, for example, which is, according to him, part of the lands that constitute the greater Israel. (محمد علي الحوت, 2006)

As a matter of fact, Israel was able to impose on the Arabs to enter into negotiations. It had been able to achieve significant results, with U.S. encouragement, regarding the economic normalization. It signed a peace treaty with Jordan in 1994, and reached the declaration of Oslo Accords with the Palestinian Authority in between 1993 and 1995. The latter resulted in the recognition by the PLO (Palestine Liberation Organization) of the State of Israel and the recognition by Israel of the PLO as the representative of the Palestinian people and as a partner in negotiations. Add to this, the Arabian Gulf countries along with Morocco and Tunisia, initiated with the U.S. support, to open trade representative offices of Israel in their countries, and also proceeded to cancel the economic boycott of the foreign companies that do business with Israel or that include Israeli branches within it. Mauritania and the state of Qatar

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<sup>11</sup>: is a Polish-born Israeli statesman. He was the ninth President of Israel from 2007 to 2014. Peres served twice as the Prime Minister of Israel and twice as Interim Prime Minister.

have also established diplomatic relationships with Israel, and the pace of normalization is still sustained secretly and openly. (محمد علي الحوت, 2006)

However, America was not the only country that presented its initiative for the countries of the Middle East region. Europe made also its initiatives side by side to the U.S. ones. They wanted to have a role in the region and not to leave the area for America to control it alone. From this perspective, the European countries made a number of initiatives in an attempt to confirm their presence for any arrangements relating to the Middle East. All in all, there were eleven Initiatives addressed to the regions of the Mediterranean and the Middle East, and are as follows:

- The Middle East Partnership Initiative (Colin Powell), December 12, 2002
- New Dialogue EU Initiative
- Simplification of EU Procedures for Human Rights with the Mediterranean Partners, May 21, 2003
- The Bigger Middle East Danish Initiative, June 2002
- Change in the Islamic World Initiative, March 2004
- Atlas New Initiative for the Middle East, 07/02/2004
- The Charter of Regional Security in the Middle East Initiative
- Franco-German Initiative for the Future of The Broader Middle East and North Africa, March 2004
- The Group of Eight' Initiative: The Broader Middle East and North Africa, 09/06/2004
- European Union' Initiative: The Role of the Mediterranean and the Middle East Partnership, 06/18/2004
- NATO Summit: ICI (Istanbul Cooperation Initiative), 30/06/2004

Then, the United States and the European Union decided to discuss the political and democratic reform initiative concerning the Arab and Islamic world. In a speech he made in February 2003, the President George W. Bush offered a strategy for strengthening freedom and democracy. This speech became to be known The Greater Middle East Project.

(التقرير الإستراتيجي العربي, 2004-2005)

**1.2. The Project's Foundations and Objectives.** America had found in the attacks of September 11, 2001 and in the occupation of Iraq, a historic opportunity to impose its appropriate visions on the Middle East countries, and to work directly and not through Israel as it had done before. Hence, the Bush administration pushed the whole world to support the so-called Counter-Terrorism and to link it with the proliferation of weapons of mass destruction. It designed to monopolize alone the determination of the different threats of terrorism, and it went too far to consider any state that would not support the United States to be a sponsor of terrorism (Madeleine Albright, 2003). Moreover, the United States did not accept the participation of the other states including the European allies, in redrawing the map of the Middle East region.

After extensive and in-depth studies, the President Bush felt that the events of September 11 proved that the old institutions, alliances and rules are no longer suitable to protect the U.S. nation and that the United States must suppress the terrorists or they expand their field of operations and gain access to weapons of mass destruction. The President Bush was addressing the world in general and the Arab and Islamic systems in particular, that the United States will act in time and in ways that deem appropriate, whenever it reaches clues of the existence of any link between the terrorists and the destructive technology. Then, he said that it was necessary to defeat the enemies of the United States and not only to object for their presence. This, in fact, was a sign for the resort to the pre-emptive strike option. (محمد علي الحوت, 2006)

Regarding the project, the American initiative was based on the reports of 2002 and 2003 made by the United Nations concerning the development program designed for the Arab countries. But, it chose only what could be commensurate with its strategic interests and ambitions in the region, for example, the development report described the Israeli occupation as an essential factor to impede development in the Arab countries. However, the United States did not refer to that fact. In addition to this, the United States identified, in this project, the Middle East as stretching from Morocco to Pakistan including Afghanistan, Turkey, Iran and Israel. (محمد علي حوت, 2006)

In fact, The Greater Middle East Project is extended in the American agenda, according to many political scientists and studies, from Indonesia in the East to Mauritania in the West, passing through South Asia and Asia Laos, i.e., Morocco, Algeria, Tunisia, Mauritania, Libya, Sudan, Sahrawi Arab Democratic Republic, Somalia, Egypt, Cyprus, Syria, Iraq, Iran, Saudi Arabia, Oman, UAE, Qatar, Kuwait, Bahrain, Jordan, Lebanon, Palestine, Israel, Afghanistan, Pakistan, Djibouti, Georgia, Armenia, Azerbaijan, Turkmenistan, Kazakhstan, Kyrgyzstan, Uzbekistan, and Tajikistan, as well as Yemen and Turkey (see map 01). Note that most of these areas have intensive American presence diplomatically and militarily. (السيد أمين شلبي, 2004)

The U.S. administration had established its initiative for The Greater Middle East Project on several foundations, namely:

- The source of religious extremism and terrorism which threatens the U.S. interests, the West and the security of the world in general, is the Middle East region
- The emergence of this militancy in this region is due to the absence of democratic practice, the low level of education and the absence of scientific development, in addition to the adverse conditions of women and human rights

- The best way to cope with the crisis is to proceed with the comprehensive political, economic and social reforms, including three directions:
  - 1- Promoting democracy and good governance
  - 2- To build a knowledgeable society
  - 3- To expand economic opportunities

**Map 01.**

*The Greater Middle East in the American Agenda*



<http://www.theGulf/2010project/school-of-international-and-public-affairs-colombia-university>



The project was based in the first direction of democracy on:

- To manage free elections
- To strengthen the role of Parliament
- To increase the participation of women in political and civic life
- To provide ordinary people with legal aid
- Freedom of the press
- Fighting corruption
- The freedom of the society's civil organizations

For the second trend (building a knowledgeable society), the project focused on:

- Educational reforms' initiative
- Online teaching
- Teaching business management

While the third trend (expand economic opportunities) of the project focused on:

- Finance growth initiative, through financing small-sized enterprises and  
The Greater Middle East Development Bank, as well as the implementation of  
the reform plans which decrease the state control of financial services
- Trade Initiative: Joining the World Trade Organization (التقرير الإستراتيجي العربي), 2004-  
2005)

The U.S. administration had allocated a budget which is estimated around \$ 293 million dollars for four years from the initiative's announcement date. Colin Powell, the former U.S. Secretary of Foreign Affairs, presented The Middle Eastern Partnership Initiative in support of democracy, civil liberties and educational reforms as well. He identified this initiative's program in the following points:

- Assisting the non-governmental organizations and individuals belonging to all political groups within the framework of political reform through mechanisms, such as, The Middle Eastern Democratic Fund
  - Supporting the creation of more non-governmental organizations, independent media companies, organizations to conduct polls and think tank institutions
  - Transparency of the legal, regulatory and judicial systems
  - Training candidates for political office, parliaments and other elected officials
  - Training the journalists in the traditional newspapers and electronic ones
- (التقرير الإستراتيجي العربي, 2004-2005)

The initiative pointed also to the educational reforms and to improve knowledge and provide the students of the region with scholarships to American universities.

Through the presentation of the most important content of The Greater Middle East Project, it is clear that the U.S. administration of the President George W. Bush adopted a particular perspective, that the lack of stability in the Middle East was not due to Israel as stated in the reports of the United Nations. But, it was the result of the nature of the existing systems in the countries of this region. This view, of course, protects the strategic goals and interests to be achieved through this project, among them importantly, ensuring the existence and security of Israel in addition to the oil, and to guard against the emergence of a regional power that may threaten the interests of the United States in the region. Here appears the Iranian role in the balance of power in the region after the destruction of the Iraqi force, especially, after the Islamic revolution in Iran and the rise of Islamic movements in all countries of the region. These Islamic movements have become the source of Western concerns, and the United States wanted to convey this Western concern and link it to the development of Iranian nuclear production. It also tries to incite the region and the world against Iran presuming that there are Iranian ambitions to expand in some areas of the Arab

countries. This incitement is used by America as a cover for the disposal of the Arab-Israeli conflict. (Tisdall S, 2006)

Also among the most important objectives of the project, the fight against terrorism or the Counter-Terrorism and arms control in the states of the region. Therefore, the U.S. administration has been engaged in an international campaign focused against Iran portraying it to be a threat to the security of the region's countries and to the world as well. It accuses Iran of protecting terrorists, the production of weapons of mass destruction, violation of human rights, and the opposition to the peace process and to the normalization of relations between Israel and the rest of the Middle East' countries. These charges are the same to those taken by the U.S. administration in the declaration of war on Iraq. (Tisdall S, 2006)

On the other hand, the United States wants, through this project, to adjust the teaching and pedagogical programs in the countries of the region, and remove everything the U.S. administration sees as a source of hatred and intolerance against them, against Israel and the West in general. According to the United States, the educational programs of these countries stress on Islamic beliefs, and therefore, are responsible to form the terrorists there. This American Israeli look contained in The Greater Middle East Project is expressed by Shimon Peres in his book *The New Middle East*. Peres tried to interpret the phenomenon of violence in the region linking it to frustration and poverty lived there, by saying:

*Due to atmospheres dominated by frustration and poverty, many people found an outlet in the occult and other factors rejecting the modern state and drowning themselves in religious fundamentalism which is one of the most prominent factors that threaten the security and stability of the region and attract the world's attention, and more than one billion Muslims see the Middle East as a source of life and a source of faith. (Shimon Peres, 1993, p. 136)*

He stated that there would be no conflict between Israel and the Arab states, when *The Confederacy* is taken as a solution:

*I've always been a supporter of the Jordanian Palestinian Confederacy, this Confederacy in its most mature form will be a perfect solution for the three parts, the Jordanians, the Palestinians and the Israelis, and it will allow them to live in peace.* (Shimon Peres, 1993, p. 194)

Under the framework of establishing a culture of tolerance and free from aggressiveness, the United States has compelled the countries in the region to apply its programs without the slightest regard for the peoples' positions, their privacy and their circumstances that differ from each other.

Charles Fränkel, a former Assistant U.S. Secretary of State and a philosopher, had already warned America from this approach in dealing with the other countries saying:

*We must let people free to choose what they want, without asking any form of total loyalty from them ... because the adoption of the policy of conflict and strife means to be engaged in a battle which is not likely to be won, and it is like sowing the seeds in the storm... the national arrogance and the United States' refusal to lose the conflict could drift the U.S. policy into another direction... and whatever the cultural policies adopted in the United States, the management of its programs is in the hands of the U.S. Intelligence Agency which is biased in advance to see the cultural relations just a propagandist weapon... (J. S Horowitz, 1991, pp. 191, 192)*

Thus, the United States recognized the importance of the inclusion of educational reforms in The Great Middle East Project. It is a living reality indeed, the American schools and universities located in many parts of the world, including many of the Arab and Islamic

countries, work on reinforcing the U.S. civilization through this strategic institutions. In this concern, said Robert Satloff, the Executive Director of the Washington Institute for Near East Policy (WINEP):

*The American schools in the Arab and Islamic country are not just high level educational edifices, but our secret weapon in the ideological battle for the Americanization of Arab and Islamic communities. (Lely Biossy, 2007)*

Then, Satloff spoke about the existence of 185 kind of American schools located in 50 Arab and Islamic countries, and he made clear that these schools are run by the U.S. Department of Foreign Affairs through a special office called The Office of American Overseas Schools. So, these schools are working to promote the American way of life in all its dimensions for their students through carefully selected educational curricula, taking English the basic language of teaching.

**1.3. The Criticism of the Project.** Before talking about the criticism and the drawbacks of The Greater Middle East Project, we shall mention some American experts' point of views. The latter argued that the project is commendable in terms of principles, which aim to find a solution to the real problems presented by the countries of the region. However, it has serious gaps and it was presented in a rude way when put forward by President Bush in the form of an initiative in the G8 (Group of Eight) Summit held in Georgia in June 2004. Judith Keeper, a member of the Council on Foreign Relations of the Institute for the Future, said in this regard:

*...Displaying a project through the Group of Eight Summit which includes the world's richest countries, mostly Western, can lead the project to be received in a bad way in the Middle East ... The way of presenting this project in the Group of Eight Summit will feed the local*

*suspicions that Western Christian and Jewish countries want to renew their opportunities in governance and society.* (Tschirgi D, 2007, p. 250)

However, the countries of the region embraced with varying degrees the President Bush's initiative. Some of them considered the project a new model of colonization addressed to the Islamic world and a mysterious project which has not a clear strategy with specific objectives. Furthermore, it combines overlapping schemes to be hastily applied. Other countries did not want to be part of the project because of their fears reinforced by a lack of credibility of the United States. While some other states welcomed the project and considered it a historic opportunity to invest in. Clearly, the Arab countries had not a unified stance towards this initiative, due to their varying perspectives, policies and attitudes towards the U.S. administration and its policies in the region. Thus, some countries signed the bilateral agreements with the United States and did not oppose the initiative, such as, Jordan which signed a bilateral agreement with the United States along with Morocco which began to negotiate with the United States to liberalize its trade. While other countries explicitly rejected the initiative, like, Lebanon when the Lebanese Prime Minister Rafik al-Hariri announced the rejection of the initiative and expressed his fears from its drawbacks. Egypt saw that the reforms must come out from a self-conviction taking into account the privacy of each community of the Arab societies and the fundamental differences in the social, cultural and religious structure of these societies. The same position was announced by Saudi Arabia, however, the Yemeni President Abdullah Saleh said that the dictatorship era was ended and the democratic era had begun and called on to accept the U.S. reforms saying:

"...فلنخلق رؤوسنا قبل أن يحلقوا لنا" (محمد على حوت, 2006)

What could be translated into English to:

*"Let's shave our heads before they will be shaved for us"*

We summarize the most important criticism of the project in the following points:

- Selectivity in dealing with statistics, facts and data contained in the reports of the United Nations on human development, like omitting the resulting impact of the Israeli occupation
- Neglecting the Palestinian-Israeli conflict
- The project has adopted the policy of direct intervention in the affairs of the countries which are concerned with the project
- Impose economic trading patterns on the Arab and Islamic banks in order to control the movement of money under the pretext of drying the sources of terrorism
- To persuade the Arab countries that there is an Iranian Shiite risk and therefore there is a need for a bloc with the United States and Israel to confront it (محمد على حوت, 2006)

Despite these criticisms, the U.S. administration is trying to establish this project through slow and careful steps, due to the comprehensiveness and complexity of the region basing on a number of means including:

- To continue pointing to the Middle East as being a source of conflicts and struggles
- To pressure on the countries of the region for the implementation of democratic reforms
- To establish military bases in the Gulf and increase the strategic link between the United States and the region' states
- To force the governments there to proceed with the normalization of relations with Israel
- Besiege the resistance' movements in Palestine and classifying them within the terrorist movements (محمد على حوت, 2006)

Based on the above, the U.S. administration is betting a lot on The Greater Middle East Project and it is working hard to implement it despite the obstacles it has faced in

the region. Among these obstacles, the loss of credibility because of the constant bias to Israel and turning a blind eye to the Israeli occupation and its aggressive practices against the Palestinians. Add to this, the U.S. deteriorating relationship with some Islamic states like Afghanistan and Iran. All these factors blocked the completion and promotion of the project. Furthermore, the real and radical changes do not occur in a blink of an eye, but rather, they will be established through cumulative and gradual manner giving them depth and continuity. However, the U.S. administration is still insisting on implementing the project no matter what it takes to be applied, because it falls within the strategy of dismantling the region and re-mapping it according to what guarantees the U.S. supreme interests, as well as to control the oil resources.

## **2. The U.S. Counter-Terrorism Strategy**

**2.1. The Pre-emptive Strike Option.** The latest attacks on the World Trade Centre in New York and the Department of Defence (Pentagon), on September 11, 2001, are an important shift in the phenomenon of terrorism and a new type of significant destructive powers. The United States considers that technological progress in the field of destructive weapons and the growing complexity in present-day communities; show that terrorism could be entitled to a quantum leap in the coming decades. Consequently, it would move from the abduction of aircraft, the use of regular explosives and taking hostages, to the use of nuclear, chemical and biological weapons with vast destructive ability. Hence, and according to U.S.A, terrorists who owe these means can cross easily any borders. The United States called this new type of terrorism *The Devastating Terror*, and considered it a danger on the military level because it differs from any traditional military conflict, and it is a completely new type of conflict for the American experience. (Ashton B. Carter, William J. Perry, 2001)

In front of these challenges, the U.S. administration made a military response to the attacks of September 11, even before gathering enough evidence about the responsible of



those attacks. It declared war against terrorism and created a broad international coalition of a political nature in order to track down terrorist groups and hit their global networks and drying their financial resources. The U.S. government also approved a legislation passed by Congress on the local level to combat terrorism. The new legislation carried many of the legal procedures to control the situation such as arrests without warrants, military trials and intercepting phone calls, e-mails and web sites. (Ashton B. Carter, William J. Perry, 2001)

These growing concerns stemmed from the ability of these terrorist organizations to penetrate the world including the United States. Add to this, their shift from closed hierarchical organizations to open organizations that include anyone who believes in their thoughts and approaches based on hitting the American interests everywhere in the world, taking advantage of the growing hatred because of the feeling of injustice and domination by the United States for the populations around the world. (Ashton B. Carter, William J. Perry, 2001)

In the reports submitted by the former Secretary General of the United Nations Kurt Waldheim, he linked the spread of the phenomenon of terrorism to reasons like, the idleness of the world's superpowers from doing their duties stipulated in the United Nations' Charter, and their complicity and bias which are based on self-interests. These reasons, according to Waldheim, have led to the failure of the international organization in achieving international cooperation and problem-solving. (أحمد إبراهيم محمود, 2002)

In front of these developments, the U.S. administration has been largely able to put the war on terrorism at the forefront of cooperation with all Middle East countries, on security coordination and intelligence-sharing level. Note that, the United States had cooperated even with countries classified by the U.S. administration within Rogue States<sup>12</sup>, such as, Syria, Iran and Sudan, making the war on terror the main axis of its foreign policy. But, this war on terror

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<sup>12</sup> a state that conducts its policy in a dangerously unpredictable way, disregarding international law or diplomacy

has got risks that lie at the American solo interpretation of the phenomenon of terrorism which threatens many countries and many of the libertarian organizations that struggle for the independence of their countries. The events of September 11 had led the U.S. administration to change its security strategy and to re-evaluate the functions of the U.S. security institutions, mainly, the military institution, in order to face the new challenges imposed on the United States. This was expressed by the U.S. Secretary of Defence Rumsfeld in June 2002, who said: *“It's been proven in practice that it is necessary to rely on a new strategy consistent with the conditions and requirements of this century”* (Joseph S. Nye, 2003, p. 35).

On June 1, 2002, the U.S. President Bush addressed the cadets at the U.S. Military Academy of West Point. In his speech, Bush clarified the role that the pre-emptive strike would play in the future of American Foreign Policy and national defence by saying:

*We cannot defend America and our friends by hoping for the best. We cannot put our faith in the word of tyrants, who solemnly sign non-proliferation treaties, and then systemically break them. If we wait for threats to fully materialize, we will have waited too long. Our security will require transforming the military you will lead — a military that must be ready to strike at a moment's notice in any dark corner of the world, and our security will require all Americans to be forward-looking and resolute, to be ready for pre-emptive action when necessary to defend our liberty and to defend our lives.* (National Strategy for Combating Terrorism, 2003, p. 15)

There from, the U.S. administration announced its military option of pre-emptive strike as a precautionary measure to prevent the exposure of its national security to risks similar to what happened on September 11, 2001.

The U.S. administration saw that the war should start from the Middle East, and Afghanistan was the starting point. That torn state because of the Soviet occupation previously and the rule of Taliban regime later, was the target of the U.S. military campaign with NATO's participation under the pretext of striking Al Qaeda which took from this state a base for it. Note that this country is within The Greater Middle East Project' allotted geographical scope. Then, it moved to Iraq charging it of supporting terrorism and possession of weapons of mass destruction. In fact, it was able to displace the President Saddam Hussein's regime and to occupy Iraq. All of this was done to eliminate the danger in its bunker before reaching the American territories, as claimed by the U.S. administration. ( أحمد بيضون و ( آخرون, 2004)

Applying the pre-emptive strike policy under the pretext of eliminating terrorism at its roots carries more strategic and political dimensions than a normal military dimension. The purpose of this policy was executing and implementing short and long-term strategic objectives in the Middle East. Furthermore, eliminating Saddam's regime and destroying its military forces and nuclear capabilities is a clear state of the concept of pre-emptive strike in use, not only for military purposes but for political, strategic and economic reasons through which the United States aims to have control over Iraq's oil in first place and to ensure its growing interests in the Middle East in general. Note that the subject of terrorism has started to be of great interest in U.S. Foreign Policy in the early eighties, particularly, during the presidency of Ronald Reagan, when the U.S. Secretary of State at that time, Alexander Haig announced that the global terrorism would replace human rights. ( أحمد بيضون و آخرون, 2004)

This perspective has been achieved to a large extent in the U.S. Foreign Policy, as a result of the transformations that followed the events of September 11, 2001. The latter were the U.S. administration's best card to exert pressure on the countries' governments making war on terror an essential condition for improving relations with them, especially, the Middle

Eastern countries (أحمد بيضون و آخرون, 2004). In addition, the violations of human rights were condoned by the United States in favour of its allies under the same pretext of war on terror. For example, The New York Times political correspondent Matt Bai described the situation in Uzbekistan, which falls within the states concerned with The Greater Middle East Project, in the fight against terrorism saying:

*In Uzbekistan, under the rule of President Islam Karimov, there are more than seven thousands (7000) political detainees, most of them were imprisoned for reasons such as, growing their beards or distributing religious leaflet. The political opposition has been crushed and the freedom of press does not exist, and the few who dare to talk are constantly exposed to beatings, assault and arrest or they are forced to leave the country. (Hans M. Kristen, 2006, p. 46)*

This situation in Uzbekistan is not different from what is happening in the rest of the other countries which repressed their people under the cover of fighting terrorism. While Israel took advantage of this situation to strike the resistance in Palestine as being classified terrorist movements.

**2.2. The U.S. Legal Arguments for the Pre-emptive Strike.** The pre-emptive strike was considered the strategic axis for the U.S. national security in the Bush Jnr presidential custody. Using the pre-emptive strike, the United States fought the two wars in Afghanistan and Iraq and which had been declared as a U.S. unilateral act under the pretext of *the right of self-defence* which is stipulated in the Article 51 of the United Nations' Charter that says:

*Nothing in the present Charter shall impair the inherent right of individual or collective self-defence if an armed attack occurs against a Member of the United Nations, until the Security Council has taken*

*measures necessary to maintain the international peace and security.*

(Christopher C. Joyner, 2005, p. 78)

To find a convincing justification for the expression *if an armed attack occurs*, the U.S. administration argued that the international law does not require a real armed attack, and that the pre-emptive strike against an imminent danger is a stretch of the self-defence right. However, the term *imminent danger* is remained under discussion about how and the size of this danger. (Abramowitz M, 2008)

Notwithstanding, this U.S. adoption of the pre-emptive strike has not gained unanimous global support, although the U.S. administration had already justified it with regard to the UN Charter. This new strategy was known as *The Bush Doctrine* and its main elements were delineated in The National Security Strategy of the United States of America, published in September 2002. This document is often cited as the definitive statement of the doctrine and stated the following:

*The security environment confronting the United States today is radically different from what we have faced before. Yet the first duty of the United States Government remains what it always has been: to protect the American people and American interests. It is an enduring American principle that this duty obligates the government to anticipate and counter threats, using all elements of national power, before the threats can do grave damage. The greater the threat, the greater is the risk of inaction – and the more compelling the case for taking anticipatory action to defend ourselves, even if uncertainty remains as to the time and place of the enemy's attack. There are few greater threats than a terrorist attack with WMD. To forestall or prevent such hostile acts by our adversaries, the United States will, if necessary, act*

*pre-emptively in exercising our inherent right of self-defence.* (The National Security Strategy of the United States of America, 2002, p. 13)

In other words, this new Bush doctrine is based on early abortion of the target before it develops into a real danger. Thus, Iraq had been chosen to be the target on which the U.S. administration applied this new strategy, claiming that it threatened the stability and security of the world and linking it with terrorism which resulted, according to them, from the absence of democracy in Iraq and in the countries of the Middle East in general.

Moreover, the U.S. National Security report of 2006 confirmed that “*the United States is at war*”, and that its strategy aimed:

*...to destroy the targets which cannot be not reached by other means, using, if necessary, nuclear weapons because the policy of deterrence proved its failure and so the space must be left for arms whether traditional or nuclear to intervene.* (Abramowitz Michael, 2008)

This doctrine also confirmed the U.S. unilateralism. This is stated in *National Strategy for Combating Terrorism* issued in February 2003, whereby it is stated that:

*The United States will constantly strive to enlist the support of the international community in this fight against a common foe. If necessary, however, we will not hesitate to act alone, to exercise our right to self-defence, including acting pre-emptively against terrorists to prevent them from doing harm to our people and our country.*

(National Strategy for Combating Terrorism, 2003, p. 02)

It is clear from the foregoing that the Bush doctrine of the war on terror, pre-emption and unilateralism, has become a conviction to the U.S. administration, as the Pentagon reports in 2005 and 2006 showed and ensured the insistence of the American leadership to continue the war on terror, and confirmed the U.S. Department of Defence' adoption of the pre-

emptive strike. This development in American military doctrine has become a factor of threat to international peace and security rather than a way to bring global stability and security.

**2.3. The International Positions of the U.S. Strategy for Counter Terrorism.** We begin with the Arab region which is placed by the U.S. administration onto its priorities ladder. The Arab governments, which some of them declared their support for the U.S. campaign against terrorism, found a difficulty to match between the concept of terrorism and the one adopted and imposed by the United States on the nations of the world to become a political and legal basis to be abided by their governments. Furthermore, the U.S. administration does not only claim these countries to provide it with information and collaboration on security issues, but, they are required to fight anyone designated by the United States in the list of terrorists. The Security Council has supported the U.S. administration by issuing the Resolution No 1373, concerning the threats to international peace and security caused by terrorist acts and a number of measures relating to cessation of financing terrorist operations and fighting it. Then, it set out the applied criteria of the UN Resolution 1373 in 13 items developed in a form of inquiries for the various governments to answer, and it formed a committee to follow up the countries' response with the resolution which was placed under Chapter VII of the Charter of the United Nations. (التقرير الاستراتيجي العربي, 2004-2005)

Therefore, many Arab countries claimed to open discussion on the identification of the concept of terrorism, but, this discussion has never taken place. Thus, neither there is a unanimous comprehensive definition of terrorism nor specific standards of it. For this reason, the identification of what is carried out by the resistance in many countries of the world for their freedom and independence is still unclear, since the United States considered them illegal and classified them as being terrorist acts. Even though it has been already set by the UN Resolution No 3246 issued in November, 1974, which confirmed the legitimacy of

the armed struggle for self-determination and independence, and the Resolution No 3314 issued in December, 1974, which also recognizes that peoples subject to regulations of colonialism, racism or any form of foreign domination have the right to an armed struggle for independence. However, the United States refused to omit the Palestinian resistant movement *Hamas* from the list of terrorist organizations, and to engage in this whole debate in order not to reconsider its policy which supports Israel which is condemned by the international community to be involved in many terrorist practices. (مركز دراسات الوحدة العربية, 2004)

In addition to this, the U.S. administration considers some states in the Middle East region to be a source of threat to their neighbours and the world after being indicted of sponsoring terrorists and providing them with weapons and training. It comes at the top of these countries, Iran. The latter was accused of backing Iraqi Shiite militias with all means. Syria also was directly accused of supporting and coordinating with the Iraqi Baath's armed resistance and allowing foreign fighters to enter Iraq through its borders, although the Syrian government declared its full cooperation with the U.S. administration in the so called Counter-Terrorism. This policy adopted by the United States and which endorses the culture of violence and coercion and expands the circle of conflict in many countries of the Middle East region, is another factor behind some countries' refusal of The Greater Middle East Project. (مركز دراسات الوحدة العربية, 2004)

Despite these American policy's drawbacks, the United States has been able to a large extent, to make the case of war on terrorism at the forefront of cooperation with all countries of the Middle East concerning the security matters, including even those which are classified within *The Rogue Countries*. However, this U.S. strategy in Counter-Terrorism which is based on targeting the terrorist groups in their places of origin before they reach the American territories, focuses mainly on four objectives, namely:



- Defeat terrorist organizations by fighting them in their strongholds and hit their leadership and their contact centres
- Prevent terrorist organizations from getting any support from any country, whether it is money, arms or training
- Work to change the conditions exploited by terrorist organizations to justify their work and this change will occur through The Greater Middle East Project in its part concerned with the political reform, democratic openness and economic liberalization
- Defend the United States, its citizens and its interests inside and abroad America through developing joint programs to combat terrorism (التقرير الاستراتيجي العربي, 2004-2005)

### **3. Maintaining Continuity of the Strategic Interests in the Middle East**

The Middle East has always been the United States' primary concern through its successive administrations. This, in fact, is clear through its continued military presence in many countries of the region, as well as its programs of reform that aim to change the region according to what suits the evolution of the U.S. interests in the future. To achieve that, the United States developed a strategy based on three key points:

- Ensure the continuity of the state of Israel and its role in the region
- Maintaining and controlling the sources of oil in the region
- Monitoring the rival economic powers that compete the United States to have an economic control on the Middle and Far East (Abramowitz M, 2008)

To better understand these strategic bases of the U.S. interests in the Middle East, our study and analysis shall be described as follows:

**3.1. Supporting the Israeli Role.** The US-Israeli relations are dated back to May 14, 1948, when Israel was officially announced to be a state by the United Nations. Then, the U.S. administration, under the presidential custody of Henry Truman, acknowledged the Israeli

state and supported the partition plan developed by the United Nation. Thenceforth, the relations and the cohesion between the two countries have evolved till Israel has become the first U.S. strategic ally in the world generally, and in the Middle East particularly. This was confirmed by Dick Cheney, the U.S. Secretary of Defence in the President Bush Snr administration, who said: “*This ongoing relationship between our two countries is based on strategic cooperation, on mutual support and on the U.S. unwavering commitment to Israel's security*” (Broadcasting Board of Governors, 1991).

The successive U.S. administrations have worked to strengthen Israel's power in the region and protect its security by all means available. It had done a lot in order to bring Egypt and Israel together, leading the two countries ultimately to sign Camp David Accords in September 1978. The U.S. Secretary of State, at that time, Henry Kissinger saw that this step strengthened the U.S. influence in Cairo, because the United States is well aware of the importance of upholding the strategic superiority in the region and to prevent a potential breach of the balance of powers in favour of an Arab or a Muslim country at the expense of Israel. (مركز الأهرام للدراسات السياسية والإستراتيجية، 2002، p.15)

The U.S. administration pushed Jordan also to sign a peace treaty with Israel in Wadi Araba, in 1994, and it was also the architect of the Israeli-Palestinian Oslo Accords. When it comes to Iraq, however, Israel played an important role in pushing the United States to declare war on Iraq. In this regard, Philip Zelikow, the Director of *Miller Centre of Public Affairs* at the University of Virginia and the Executive Director of the 9/11 Commission and also the Counsellor of the U.S. State Department, announced in 2007 at the University of Virginia saying: “*The real threat posed by Iraq was not directed to the United States, but, to Israel in fact*” (Abramowitz Michael, 2008).

On August 16, 2002, the Vice President Dick Cheney made a speech published in *The Washington Post*, whereby he asserted that Israel was urging U.S. officials not to delay

a military strike on Iraq, and that the Israeli intelligence officials provided the U.S. Department with many cautionary reports about the Iraqi program of weapons of mass destruction within the framework of strategic coordination between the United States and Israel (مركز الأهرام للدراسات السياسية والإستراتيجية, 2002). This harmony and coordination between the two states was emphasized in a press conference held by the Prime Minister Ariel Sharon with the President Bush at the White House in April 2004, in which the U.S. President said: *“For more than 50 years, Israel has been a vital ally and a true friend of America. I've been proud to call the Prime Minister my friend”*

(<http://georgewbushwhitehouse.archives.gov/news/releases/20414-4.html>)

The U.S. war on Iraq served the Israeli strategic interests in all its dimensions. Anthony Zinni, a former commander in chief of the United States' Central Command and an instructor in the Department of International Studies at Virginia Military Institute, almost confirmed this truth in his criticism of the war on Iraq in an interview by the Sun Diego Tribune in 2004. He accused the U.S. administration to wage this war serving the Israeli interests. (Thomas E. Ricks, 2006)

This growing interdependence of the alliance between the Republican Party and the neo-conservatives on one hand and the Israeli Likud Party on the other hand, may be due to the elections, i.e., it is considered a mobilization process of a large segment of American Jews to vote for Republicans and support them electorally, politically and financially, given that the majority of the American financial giants and elite of businessmen are Jews. It can be also interpreted from the ideological angle, as an attempt by the American Right Wing and Christian fundamentalists and neo-conservatives to change the international architecture of the world' system starting from the Middle East and then to expand to the rest of the world ensuring that the United States will remain the world's sole controlling power. For this reason, the Jewish support is one of the most favourable and endorsing factors for this project.

This wide American Republican support to the Israelis does not mean that the Democratic Party is working against this direction; rather, the two parties are engaged in same approach toward Israel, and to fully support it and ensure its security and superiority in all domains.

(John J. Marsha, Steven M. Walt, 2011)

The U.S. administration is also working to open an economic area for Israel in the Middle East region. Therefore, it had put forward many previous projects to set up a new Middle Eastern system that stems mostly from Israel and the surrounding Arab states including sometimes Turkey, Iran, Saudi Arabia, Sudan and Libya. However, Israel remains always the main axis of any of these projects and the pivotal state backed by the United States on the basis of the strategic alliance. This was confirmed by the Assistant Secretary of State for Near East Affairs and the U.S. Ambassador to Israel, Martin Indyk, during an exhibition of the American interests in the Middle East. The latter said that there is a U.S. commitment to Israel's qualitative superiority on the strategic partnership basis, and that the U.S. administration ensures the free flow of the Middle East' oil with affordable prices to the West, and strengthens cooperation with the Arab countries that seek good relations with the United States in the framework of settling the Arab-Israeli conflict. (محمد السيد سعد, 2004)

As a result of the U.S. full bias to Israel, the United States stood up for Israel in the suppression of the Palestinian resistance activists and Hamas' members, and it compelled the Arab and Islamic countries to consider them terrorists and not to support or deal with them. In this regard, the U.S. administration gave Israel its consent to the use of helicopter gunships in military operations that targeted the Palestinians, surpassing even the U.S. legal texts that control the deals of weapons supply for other countries and which must be only for defensive purposes. Also the Bush administration cooperated with Israel in the military field. It helped Israel to develop the missile system Arrow and it is working on the overall funding for the proliferation of these Arrow missiles in Israel. It also funded two other complementary

programs for Arrow system which are worth about \$192 million dollars. However, the annual U.S. contributions to Israel are estimated around \$10 billion. (Geoff Simons, 2002). All of this ranging cooperation in the framework of mutual interests between the two countries aims to maintain dominance in the region. From these premises stemmed the Israeli full support for the U.S. war on Iraq and the destruction of its military and economic strength. On the other hand, the Israeli Lobby plays a crucial role within U.S. organizations and political bodies. It aims in pushing the United States to adopt policies that suit the Israeli strategic interests, and this U.S. bias and support has enable Israel to expend in the occupied territories and to continue its crimes and brutal practices in Palestine (عماد الشيعة, 2007). This U.S. policy has evoked feelings of hatred within the Arab and Islamic countries towards the United States and constituted an obstacle in front of the implementation of The Greater Middle East Project.

**3.2. The Oil Factor.** The importance of the Middle East' oil for the United States has increased during the fifties. This period witnessed the Saudi Arabia dealings with the international oil companies, because there had been a big Saudi desire for money. This desire was an important factor for the United States to make a bid to assist the Saudi Arabia because the English and Dutch companies refused to provide it with financial assistance. So, the United States, however, responded to the request of the Saudi Kingdom by providing it with loans to be repaid in instalments from its oil returns. What is noteworthy is that these American oil companies required linking this financial aid with the approval of the U.S. government, aiming to subject this aid for political bargaining. (محمد الرمحي, 1982)

Thenceforth, the U.S. economic and strategic interests have been increasing rapidly and this policy has resulted in the creation of military alliances in the region. It created Baghdad Alliance and it sent military troops to Lebanon in 1956. Hence, the Middle East's oil fields have required, since then, a military presence under the pretext of protecting those fields and imposing stability in the region (Report of an Independent Task force, 2006).

In the seventies, the U.S. President Jimmy Carter tried to put a policy for energy known as Energy War, to save the U.S. economy from dependence to OPEC (Organization of the Petroleum Exporting Countries). Note that this policy was not the first and only policy announced by the President Carter, he offered before new approaches to the problems of energy. The same thing had been done by previous U.S. Presidents, like the President Richard Nixon and other presidents too, when the U.S. Department of the Interior announced a depletion of U.S. oil resources and the need to adopt a new oil policy in order not to deprive the United States from this important resource to the economy and development. Carter declared in 1977, saying: *“A national disaster is threatening us in the near future, the crisis of energy has not strangled us yet, but it will, inevitably, if we do not take the necessary procedures immediately”* (Institute for the Analysis of Global Security [IAGS], 2005, p. 03).

Therefore, Carter put a plan on the internal level intending to save the United States from dependency. To achieve this goal, he allocated about 142 billion dollars, on the ground that the U.S. import of oil would not exceed 8.2 million barrels per day, an amount that had been imported in 1977. This amount of import was supposed, according to Carter’s plan, to be decreased annually until it reaches the half, i.e., 4,1 million barrels per day. (Institute for the Analysis of Global Security [IAGS], 2005)

After the advent of President Ronald Reagan, a shift in U.S. energetic policy occurred in the beginning of the eighties. Reagan adopted a policy that relied mainly on importing oil from the Middle East countries. For this purpose, he worked on developing a military power and arming programs as a tool to protect the oil sources in the world, especially, in the Middle East. In this regard, Alexander Haig stated in 1981:

*...The NATO is likely to face problems in the developing world, like having control on raw materials. This, in fact, expands the circle of concern not only for the Gulf but rather for the African continent as*

*well, and we will certainly be willing to work even if individually in order to ensure access to vital resources.* (Institute for the Analysis of Global Security [IAGS], 2005, p. 12)

The U.S. President George Bush Snr had adopted the same policy pursued by the President Reagan, but the international events happened in the Middle East precipitated many of international developments during this period, we mention in particular:

- The emergence of fast Japanese economy that threatens the U.S. economic interests in the world
- The increased competition of the Japanese economy to the U.S. economy for oil market share in the Middle East
- Iraq's invasion of Kuwait, and the intervention of the multinational forces along with the United States to liberate Kuwait and to protect oil resources in the Middle East, in addition to establishing a strategy in order to protect the U.S. vital interests in the region in case of similar crises (فتحي العفيفي, 2002)

During The First Gulf War, the U.S. administration had worked to apply new oil's policy. It had set the prices between 18 to 20 dollars a barrel and it stepped up the security of oil resources by intensifying the military presence in the Middle East, and solidified its relations with the oil-exporting countries. In this concern, the president Bush Snr said in an article published in Newsweek magazine, in November 1990, saying: *"If the petroleum reserves fall under the control of Saddam Hussein, this would hurt our business, our way of life, our freedom and that of the friendly countries in the world..."*. Then he added: *"We cannot allow Saddam Hussein to impose economic bargaining ... The energy security is linked to the national security; therefore, we must act toward this situation"* (Nicolas Sarkis, 1992). This point of view is also expressed by the U.S. Secretary of Defence, at that time, Dick Cheney, during his visit to the Gulf countries in October 1990, saying: *"If you intend to wait*

*for two or three years, Saddam Hussein will dominate the entire Gulf ...*” (Nicolas Sarkis, 1992).

The Saudi Arabia is considered the most important oil producer in the Middle East, as it has 2,264 billion barrels of oil reserves. An amount that constitutes a quarter of the oil reserves in the world and makes the Saudi Arabia to be the most important producer in the world's oil markets. Thus, it has a strong effect on the reduction of oil prices in international markets. It is also a reliable supplier since 1933, except for the period in between 1973-1974, when Saudi Arabia along with oil-producing Arab countries imposed their oil embargo as a punishment to the United States for supporting Israel in the war of 1973. This Arab oil embargo cost the U.S. economy almost \$2.5 trillion. (Institute for the Analysis of Global Security [IAGS], 2005)

The President George W. Bush said in April 2005: *“U.S. dependence on overseas oil is a foreign tax on the American people”*. Indeed, oil imports constitute a quarter of the U.S. trade deficit and a major contributor to the loss of jobs and investment opportunities.

According to the Department of Energy, the United States is heavily dependent on foreign oil and a growing share of this oil comes from the Middle East. A study on the hidden cost of oil by The National Defence Council Foundation showed that America's dependence on Middle Eastern oil has increased from 30 percent in 1973, when OPEC imposed its oil embargo, to 60 percent in 2006 (Report of an Independent Task Force, 2006). This dependence is projected to reach 70 percent by 2025. But in the years to come, the U.S. dependence on the Middle East is projected to increase by leaps and bounds. The reason is that the reserves outside the Middle East are being depleted at a much faster rate than those in the region. The overall reserves-to-production ratio (an indicator of how long proven reserves would last at current production rates) outside of the Middle East is about 15 years comparing to roughly 80 years in the Middle East. According to Exxon Corporation, non OPEC production, including Russia and



West Africa will peak within a decade. At that point the amount of oil found outside of the Middle East will decline steeply, putting OPEC in the driver seat of the world economy.

(Institute for the Analysis of Global Security [IAGS], 2005)

For this reason, the United States has worked after the end of the Cold War on confirming its hegemony and strengthening its influence on the areas that lie on oil fields, especially, the Middle East. After September 11, 2001 attacks, the U.S. administration moved towards the goal of combating terrorism, and Iraq was a perfect model after Afghanistan to be the U.S. military target, because this country represents a strategic oil stockpile given that Iraq was the oil-rich state for having the largest stockpile of oil after Saudi Arabia with approximately 17 billion barrels of oil reserves, the equivalent of 15% of all global oil reserves. This alone is a strong motive to occupy Iraq that plays an important role in the Non-Aligned Movement and the Organization of OPEC (Toensen C, 2007). Hence, the U.S. administration was able to combine the justifications for hitting the countries that support terrorism with extending its influence on oil sources.

Many political analysts went to argue that the true reason behind the U.S. war on Afghanistan was to find a wider field of vital sources of oil, as specialized studies estimated Afghanistan' oil reserve about 6 billion barrels, while Iraq's oil reserve is estimated about 17 billion barrels and Iran's oil reserve about 13 billion barrels, making the Middle East the permanent focus of attention by The United States which has no substitute for the region's oil reserves (مركز دراسات الوحدة العربية, 2002). This also has made the Middle East to be the region of competition between the world's superpowers, given that the oil consumption of China and South Korea has reached 160 million barrels per day (Institute for the Analysis of Global Security [IAGS], 2005). Here lie the bets and challenges that the United States will face in the future.

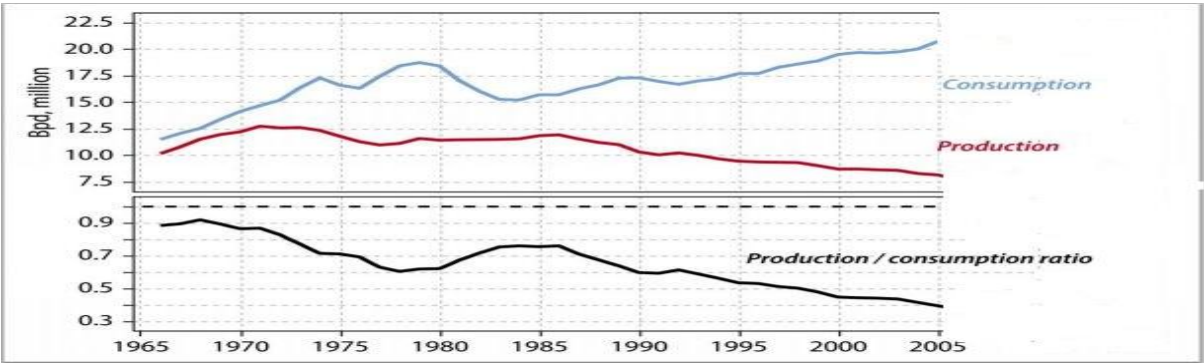
The Vice President in the Bush Jnr administration, Dick Cheney, officially headed the National Energy Policy Development Group. This group was established by the President George W. Bush during the second week of his presidency and officially composed of cabinets' secretaries including State Treasury and Energy, as well as top government administrators like, the Director of The Environmental Protection Agency and the Deputy Chief of Staff for Policy. The National Energy Policy Development Group conferred with representatives from a number of major U.S. energy-related corporations and trade groups, as well as business lobbyists. (Toby C. J, 2012)

Under a figure graphing the expending gap between U.S. petroleum consumption and domestic production in 2005, this group concluded that: (see figure 01)

*Over the next 20 years U.S. oil consumption will grow by over 26 million barrels after it was 19 million barrels per day. If U.S. oil production follows the same historical pattern of the last 10 years, it will decline by 1.5 million barrels per day in the coming years supplying less than 30% of U.S. oil needs. (Task Force Report, 2006, p. 28)*

**Figure 01.**

*U.S. Consumption and Domestic Production of Petroleum*



(Energy International Administration (EIA), Annual Energy Review, 2005)

As a seemingly more realistic way to address this sharp increase in U.S. oil demand, the United States took a direct control of Iraq's oil fields which have been significantly underutilized since the 1990 Persian Gulf War. While Cheney's energy group emphasized domestic sources of energy, its report included a chapter titled *Strengthening Global Alliances: Enhancing National Energy Security and International relationships*, whereby it was explained that: "*The Middle East' oil producers will remain central to world oil security*" The group's report noted that: "*By 2020 the Middle East oil producers are projected to supply 67% of the world's oil...this region will remain vital to the U.S. interests*" (George A. Gonzalez, 2013, pp. 82, 83).

In 2003, Dick Cheney, as a leader of the neoconservatives in the Bush Jr administration, brought about the U.S. invasion of Iraq, because Iraqi oil reserves are the second largest in the world. In March 2001, made the U.S. Secretary of Energy, Abraham Spencer, a speech in a conference held by the U.S. Chamber of Commerce, warning that the United States is facing the most serious energy shortage since the seventies saying: "*Without figuring a solution, the energy crisis will threaten the prosperity and national security and it will change the Americans' way of life.*" (Ian Rutledge, 2005, p. 274).

A month later, the U.S. Council on Foreign Relations along with James Backer Institute for Public Policy issued the same result in a report saying that:

*With the beginning of the twenty first century, the energy sector is witnessing a state of crisis, this crisis could erupt at any time as a result of a number of factors and would inevitably affect every country in this globalized world ...it is not deniable that these energy' disturbances can have a potential impact on the global economy, but it will have a dramatic impact on the U.S. national security and foreign policy. (Ian Rutledge, 2005, p. 276)*

The report confirmed again that the most serious threat comes from the oil sector and all these concerns of the U.S. administration are results of the increasing amount of consumption in all countries of the world with varying degrees. But, China is becoming the most country in need of the Middle East' oil as its demand has increased from 5 million barrels to 11 million barrels per day. This amount of consumption made China, for the first time in history, to be turned from oil exporter to importer. In order to ensure its stability, the development of its economy and being careful to avoid inflation, China is seeking oilfields abroad to establish a strategic stock of oil, like it has been done before by the United States, and the nearest source is the Middle Eastern countries (Ian Rutledge, 2005). However, the United States remains on top in having the priority to buy an additional annual amount of oil up to about 110 million barrels, while China is claiming an annual increase up to 106 million barrels. In the meantime, the indicators provided by International Energy Agency showed that the total production of the Gulf States reached 24 billion barrels in 2000 and 21.7 billion barrels in 2010. These quantities of oil did not meet the increasing needs of the countries, because it was expected that the Gulf States would reach a production capacity of 30.3 million barrels per day in 2010 and 44.5 million barrels of oil per day in the prospects of 2020. These low levels of oil production had paved the way to a strategic conflict between the international economic powers, which are seeking to obtain their desired shares of oil supply in any way possible, whether legally or illegally. (Clingendael International Energy Programme [CIEP], 2015)

According to International Association for Energy Economics, these signs of competition have begun to appear, for example, China and other Asian countries signed bilateral agreements with oil producers in the Middle East including arrangements on trade, finance, cooperation and contracts. The latter aimed deliberately to keep the Gulf states out of oil open market, so that the other multinational oil companies and oil-tanker shipping

companies will not be able to transfer their shipments to Western countries whatever the price they offer, leading to increase the demand for oil outside the Gulf States.

(Ian Rutledge, 2005)

Therefore, the U.S. administration was keen when invaded Iraq to avoid missile bombardment of the oilfields and basic facilities, to maintain a continuous flow of oil after extending its influence. Note that the first thing it had done was the formation of a comprehensive strategy with regard to the management of the Iraqi oil sector. The Iraqi authorities also, which were appointed in the Ministry of Oil after the occupation, developed specific political references relating to the issues of oil marketing with a direct U.S. intervention, of course, giving the priority to the United States. The latter took advantage of the UN Resolution 1483 which lifted the sanctions and provided the sales of Iraqi oil with legal regulations (Task Force Report, 2003). But the U.S. administration put all this under the control of the U.S. forces because Iraq possessed the second largest oil stockpile after Saudi Arabia, with reserves ranging approximately to 200 billion barrels, equivalent to 15% of all global reserves (Energy International Administration [EIA], 2005). This in fact, provided the United States with profits that reached 115 billion dollars in 2004 only. (Ian Rutledge, 2005)

So, we conclude that controlling the Middle East oil is one of the main axes in the strategic management of the U.S. Foreign Policy in the region, because the United States aims at singling out the region preventing the rival powers from having control on it. Thus, dominating Iraq as a first step allows the United States to expend its influence into the rest of the Middle East countries and to weaken the OPEC and control the oil prices. The U.S. administration is working also on controlling the oil stockpiles which constitute the main source of the world's economies. However, it is trying to avoid, currently, to enter into a direct confrontation with the world's superpowers to control the region, due to the unrest situation in the Middle East and its need to the diplomatic, financial and even military support

to accomplish its tasks. Therefore, the U.S. administration adopted the policy of alliances with the superpowers under multiple excuses, like that of fighting terrorism and spreading democracy, at least for the time being, until the situation stabilized. Then, it will proceed to determine the measures to consolidate its foreign policy' long-term principles concerning the Middle East region and the rival forces across the world as well.

**3.3. The Role of the Rival Economic Cloth.** The nature of the current international variables has imposed new concerns represented in the growing keenness to support the economic base specifically. Given that the decisive criterion to measure the strength or weakness of a state is reflected in its economic production and the extent of achieving well-being and prosperity of its peoples. This, actually, has led to a deep and fundamental shift in the concept and nature of international conflict which has taken economic, technological and financial dimensions. Thus, the political entities had been interwoven with the economic fields and cultural as well leading to the emergence of another concept of interdependence and coherence between all these fields. This new concept has become, in turn, another assessable component of power which had not existed before in its traditional definitions.

(وليد عبد الحي, 1994)

The United States has realized the new bets imposed by these changes. Hence, it employs new mechanisms to adapt quickly in order to keep up with the pace of international changes. These changes are distinguished by ever- increasing intensity of global economic competition as a result of the emergence of rival economic blocs in different places of the world. Therefore, the U.S. administration is working on employing its military forces not only for defensive purposes and political control. But, also to expand its economic domination because the Americans are aware that the future will be governed by the power of money and the economy. For this reason, the U.S administration is investing the military forces for economic purposes knowing that the United States allocates huge sums of money for its

military forces. This U.S. policy has been crystallized following the end of the Cold War. However, since the advent of George W. Bush to power, he began to change the President Bill Clinton's policies and methods. He started to build new foundations for the protection of the U.S. trade in order to ensure and guarantee the support for its industries and economic activities on which the impact of trade competition of Western and Asian countries is begun to be shown. (Zbigniew Brezezinski, 2004)

This explained the Bush administration's refusal to adopt the Kyoto Protocol on climate change and the protection of the environment, because they saw that this agreement would reduce the United States production and greatly damage its interests. Note that this agreement prevents the use of mines and prohibits the development of chemical weapons. Besides, the United States worked on freezing arms control agreements because these international obligations are seen by the United States a brake on the development of its economy and international trade. This repudiation of international agreements, specifically, in the field of armament highlights the U.S. administration's desire in staying militarily superior, as well as to have the monopoly on the traditional arms market because of the huge financial profits and political gains (Zbigniew Brezezinski, 2004). This trend had become clear after the adoption of an armament budget that had never been recorded before following the events of September 11, in which the U.S. leadership had found the opportunity to achieve the desired objectives and interests politically and economically. So, the United States fought a war on the Taliban regime adopting a strategy of fighting terrorism to give its wars legitimacy on the internal and international levels and with UN support based on the UN Security Council Resolution 1368 issued unanimously one day after the September 11 attacks. It successfully removed this regime from power and installed a system of government in Afghanistan that matched with the U.S. perspective and interests in Afghanistan. Then, it fought a war on Iraq without the consent of the United Nations giving multiple justifications. Notwithstanding, all

these wars and military interventions are justified in the strategic economic accounts of the United States of America. Note that the American war on Afghanistan had a strategic importance, because it is intimately related to the strategic control over energy pipelines and transportation corridors, especially, Eurasian corridors that have a dynamic geo-political and geo-economic importance, linking the Eastern edge of Europe with the Western edge of Asia (see map 02). In this regard, wrote Henry Kissinger in his book *Does America need a Foreign Policy?: “The U.S. national interest lies in resisting the efforts of any power wants to dominate Asia, and America should be willing to do so without allies if necessary.”* (Henry Kissinger, 2001, p. 204).

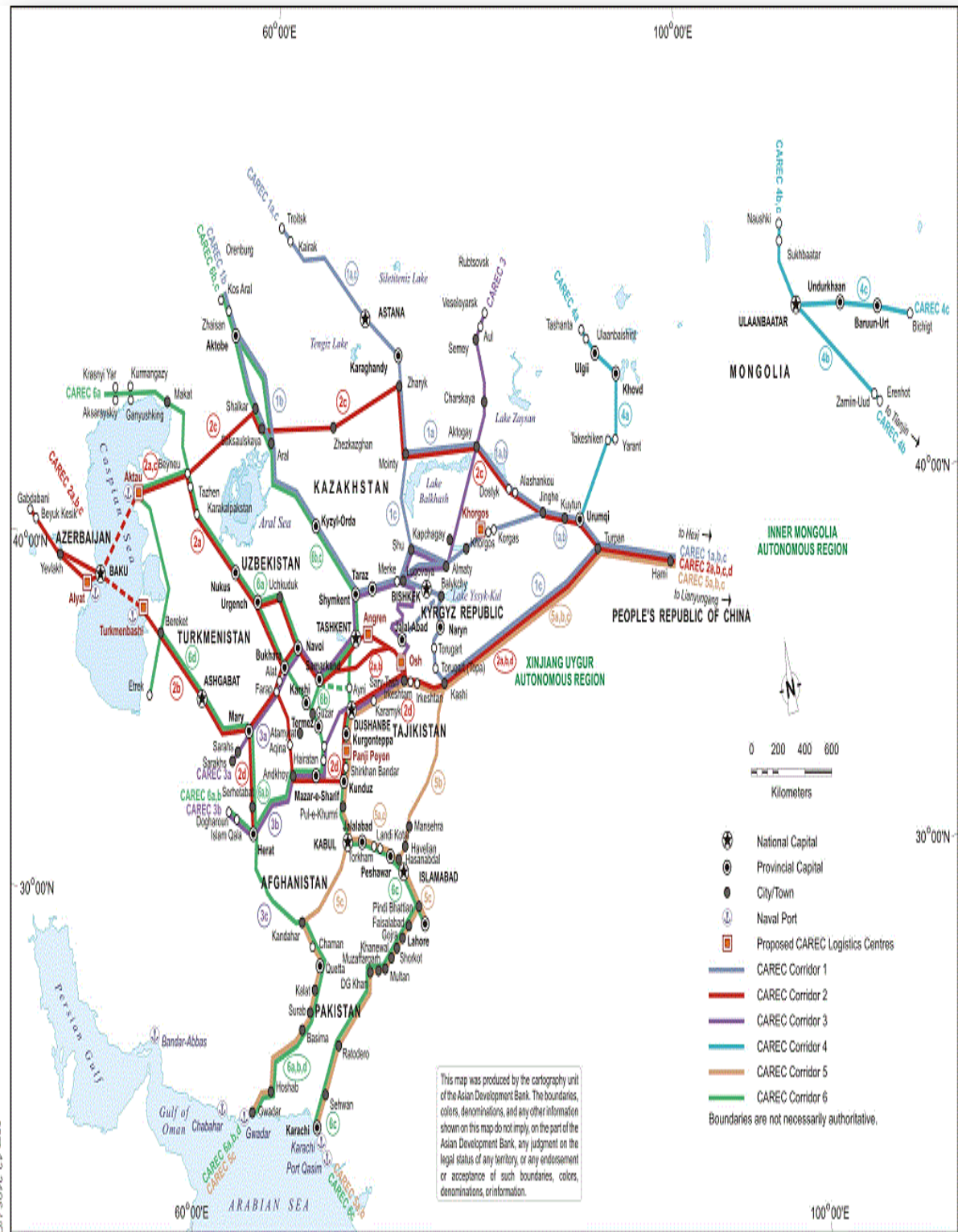
Also, Afghanistan’s importance falls into its strategic site between the Middle East countries and Central Asia countries and Indian subcontinent. It is located between Turkmenistan and the markets of India, China and Japan. However, its importance has been increased when it became the only option to extend the project of the Caspian Sea oil and gas pipelines (see map 03). This factor put this country in the global energy strategy’s equations competing American and Russian oil companies for the control of oil and gas flow, particularly, when competent statistics have estimated the Caspian Sea basin’ stock at about five trillion dollars of oil and gas materials (Zbigniew Brezezinski, 2004).

Therefore, the U.S. administration harnessed its military forces to achieve economic goals. It declared war on Afghanistan and then Iraq under multiple pretexts, as mentioned before, and proceeded to set about special arrangements for the Middle East region which is considered the source of global oil, in order to keep the other international rival powers away from the region.



**Map 02.**

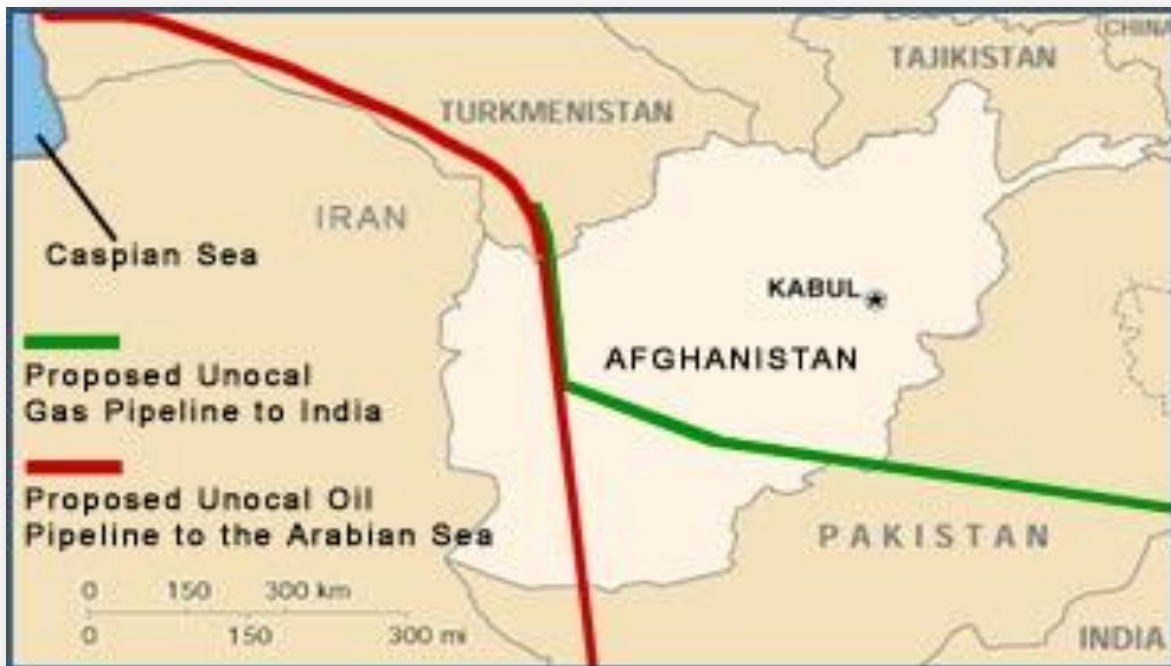
*The Eurasian Corridors*



(www.carec program.org)

**Map 03.**

*The Caspian Sea Oil and Gas Pipelines Project*



([http:// www.eia.gov](http://www.eia.gov))

Furthermore, the U.S. administration is obliged to find new ways that enable it to maintain its international status and economic strengths, harnessing all possible means, especially, the military strengths. Because it is well aware that the international economic system is undergoing deeper transformations which may lead to the emergence of a new system in which newly industrialized countries, such as, China, India, Korea, Malaysia, South Africa and Turkey will play a crucial role that cannot be bypassed by the industrialized countries in the foreseeable future. This eventually will drive the economic competition to more sharpness and new economic alliances. All this has made the ruling political elites in the United States to be fully convinced with the necessity and inevitability of intervening everywhere, in order to adjust these current transformations which the U.S. administration sees that they would be devastating for the future of the welfare and development of the American people, as well as, the U.S. leadership position on the international level. There

from, comes the geographical and political importance of the Middle East, not only because of its oil energy resources, but also because it is the meeting point of land and air transportation corridors and sea lanes between Europe, Asia, the Mediterranean Sea and the Indian Ocean. Add to this, the region has an important role in the U.S. foreign trade movement. Hence, the U.S. administration is working to expand the scope of NATO to the Eastern side of the Atlantic Ocean. This U.S. strategy confirms once again the U.S. theory of using military mechanisms for achieving economic goals. (Toby Craig Jones, 2012)

Besides, the United States also accords a great importance to the Arab Maghreb countries or also called the Greater Maghreb or the Farthest Maghreb which comprises Morocco, Algeria, Tunisia, Libya and Mauritania. The Arab Maghreb is considered by the United States part of the Middle East and, thus, included in The Greater Middle East Project. The latter is seen a very important geo-strategic area because of its crossroads character which has links to sub-Saharan Africa, Europe and the Persian Gulf. (Lesser Ian, 2001)

The Mediterranean Sea was also used as an important waterway during the Gulf War. This has made the Maghreb to be a crucial element within the U.S. foreign policy concerns, particularly, in the last few years, when the NATO has begun to develop political arrangements and measures for security issues of the North African energy. Furthermore, many African countries are also becoming important to the United States for being the source of oil supply (جوهر حسن عبد الله احمد، محمد عبد الله يوسف). Given that the United States imports about a quarter of the continent's total exports. Besides, the African continent, generally, consumes a small percentage of oil it produces as the table bellow shows.

**Table 05.***The African Consumption of Oil*

<b>Year</b>	<b>Percentage of Consumption (per year)</b>
1980	2.65 %
1981	7.68 %
1982	6.11 %
1983	1.94 %
1984	2.97 %
1985	6.59 %
1986	1.38 %
1987	1.10 %
1988	3.76 %
1989	4.02 %
1990	4.57 %
1991	2.35 %
1992	1.47 %
1993	1.13 %
1994	1.43 %
1995	2.61 %
1996	2.34 %
1997	3.68 %
1998	1.83 %
1999	2.21 %
2000	2.36 %
2001	3.55 %
2002	3.72 %

2003	1.52 %
2004	3.43 %
2005	6.08 %
2006	2.18 %
2007	1.32 %
2008	4.96 %
2009	1.66 %
2010	5.40 %
2011	4.26 %
2012	5.09 %
2013	1.54 %

(<http://www.eia.gov>)

However, the rest is directed for export, what puts the African oil in increasing global demand, especially, the United States which is considered the larger African oil consumer.

Due to the global security developments and the increasing of international economic competition, the United States has worked to expand its sources of oil. Note that after the Gulf War, the U.S. administration realized that the dependence on the Middle East oil is a big risk. Thus, there is no big difference, in present day, between U.S. import of oil from the Middle East and from Africa, as it reached, in recent years, 15% from Africa, mostly from Nigeria, Algeria and the Republic of South Africa, and 17% from the Middle East. All these efforts fall within the U.S. strategic policy to monopolize as much of the world's oil resources as possible, leaving no much space to the other rival economic powers whether European or international in order to minimize their role. (Toby Craig Jones, 2012)

Moreover, the United States has got fears of China's development, especially, after it began to expand economically in Asia and the Middle East. This development is the result of economic reforms carried out by China in the eighties and which gave it the opportunity to

develop a special model based on its central internal politics and external economic openness making China to enter the World Trade Organization in 2001. During the last two decades China's industrial economy maintained a growth rate exceeding 9% and having a positive impact on its economic and social development process. This encouraged the Chinese government to put forward a project for establishment of a joint free trade zone with Southeast and Northeast Asia, because the trade exchange between the Southeast Asia and China has increased reaching 55% in recent years, and same percentage of exchange has been recorded between Japan and China, surpassing Japan's exchanges with the United States. The same case is for the Chinese dual partnership with South Korea, Malaysia, Thailand and Singapore. (Philip S .Golup, 2003)

Besides, in less than four decades ago the total national output of the Asian countries including Japan was only 4% of the world's total national output, while North America had topped with 35% to 40%. However, during the mid-nineties the Asian countries and North America had become equal with almost about 25% for each of them. According to economic analysts, Asia growth and development had no match in history, given that the manufacture's development process required about 50 years in Britain and a little less in America, while it took only 10 years in China and South Korea to reach the same development and profits. What is more, Asia was estimated to increase its total national output preceding all of North America and Europe in the coming years unless the region knows a rupture preventing this progression. (Toby Craig Jones, 2012)

Thus, the U.S. administration took advantage of the Gulf war's circumstances and imposed a kind of commercial and political guardianship on the Asian countries in terms of importing energy from Middle East countries, specifically, from the Gulf Cooperation Council (GCC), because these countries constitute the market for Japanese electronics' exports. Note that Japan's trade expansion in the Middle East region also worried the U.S.

administration, especially, if we know that since the Second Gulf War, Japan is working on establishing long-term economic relations with the Petroleum Exporting Countries through the establishment of joint ventures in the field of energy refining. Add to this, the United States' anxiety over China's growing interests in the Middle East was expressed explicitly by Henry Kissinger who showed *his concern over China's desire for regional dominance as well as its economic and military growth*. This situation began to adversely affect the U.S. interests. The latter wanted to overcome these fears through seizing control of the Middle East region by force of arms and through its Greater Middle East Project, in order to control the course of evolution in the South-eastern Asian states which have taken from the Middle East countries their main source of oil supply and a promising market for their various industries. (Ian Rutledge, 2005)

From the foregoing, we conclude that the United States wants to supervise alone and without involving other parties, the rearrangement of situations in the Middle East region through displaying The Greater Middle East Project which was drafted for restructuring the systems existing in the region according to what suits the United States, and through its military interventions using what it called *War on Terror* as a justification. Furthermore, and after the September 11 attacks, the U.S. administration had adjusted its old strategies and alliances which became, from a U.S. point of view, no longer suitable to protect the American people. It also made significant changes in the performance of its institutions, mainly, the military institution which was based on the defensive strategy and which also, according to them, proved its uselessness and adopted the option of the pre-emptive strike to destroy any potential threat on its national security and interests monopolizing the determination of the various threats their features, and justifying all this legally with the right to self-defence.

As we also conclude that the U.S. administration is willing to use any means to keep and strengthen its control and influence over the world starting from the Middle East, not only

because of its oil energy resources, but, also because of its geographical position. Given that the latter constitutes the crossroads linking Europe, Africa, Asia, the Mediterranean Sea and the Pacific Ocean. Thus, it is the optimal model for the U.S. administration to pass its expansionary projects for dominating the world and controlling the global oil inventory, as well as the growing global economic development. However, all these American projects for the Middle East have met obstacles, as the region's countries question every move the United States does because of its practices in the region, like it is the case in Iraq. Add to this, its constant bias to Israel costs the U.S. administration its credibility in many countries of the region, in addition to the positions of the other international superpowers that are not willing to give the United States the opportunity to dominate the region alone in order not to lose the vital interests they have in the Middle East states.



## Conclusion

The foreign political practices of the United States toward Iraq had reflected the development and crystallization of a range of procedures and strategies that caused profound transformations, not only on the Iraqi internal level, but, also on the regional level. These U.S. practices affected Iraq by putting it into unstable state which is expanding into the entire Middle East region.

This research presented in five chapters is to answer the problematic posed over the nature of the conflict and confrontation that characterized the U.S. Foreign Policy at a critical stage of history resulting from the disintegration of the Soviet Union as well as the path the U.S. administration followed after the easing of the Cold War's tensions as being the world's sole superpower. It intends also to highlight the strategic goals underlined by the United States and for which it had taken Iraq as a springboard to achieve them.

To resolve and clarify this problematic, we asked two essential questions:

- Why was Iraq chosen as a strategic goal by the United States to keep the case of imbalance within the international system devoting the decisive superiority to its advantage in front of the rest of the world's powers? And did really the Iraqi system represent an obstacle for the United States to achieve its objectives?
- What are the factors influencing the foreign policy of the United States toward Iraq? And what are its objectives and the tools used to achieve them? And to what extent was it able to achieve those goals?

Then, the study tried to answer these questions by posing multiple target sub-questions in order to highlight as much issues and cases as possible that have a direct or indirect bearing on the research' subject. For this purpose, we set out the three following hypotheses:

- The United States used all possible options and means including military forces and occupation in order to ensure its strategic interests in Iraq and the Middle East, in general, because of its important geographical location and its huge stock of oil
- The real practice of the U.S. Foreign Policy in Iraq, particularly, and the Middle East, generally, contrasts with the perfect wording of its stated ideal objectives
- Tightening the U.S. control over the situation in Iraq will facilitate the process of its control over the Iraqi wealth and will support its geo-economic hegemony over the Middle East countries, reaching its influence even to the Far East countries

The study demonstrated that the U.S. administration had taken from the Iraqi armament an argument to declare war on Iraq and occupy it in 2003, although the war against Iraq did not stop practically since 1991, whereby the U.S. leadership had fought in various forms and with several possibilities. The first step was the diplomatic and economic blockade and the severe sanctions imposed on the Iraqi people. Then they tried to reduce the Iraqi territorial unit and dismantling the Iraqi national unity by establishing protected areas for the Kurds in the North of the country and for the Shiites in the South, and where the Iraqi forces' movement was prohibited either by land or air. After that came the direct military occupation of Iraq.

The administration of President George W. Bush had fought the war under allegations of Iraq's possession of weapons of mass destruction, the sponsorship of terrorism and the relationship between the Iraqi regime and Al-Qaeda. Meanwhile, they gave the war the moral role of removing the dictatorial regime and establishing a democratic system. However, these allegations, as the research has shown, were not true, because the Iraqi arsenal had been destroyed through phases since 1991, when the International Alliance declared war on Iraq, and then, the economic blockade in addition to the UNSCOM and UNMOVIC, side by side, which had destroyed completely the Iraqi arsenal of weapons of mass destruction, as well as

the infrastructure that had a direct or indirect relation with arms issues. Despite all this, and despite that the UN inspectors' reports confirmed that Iraq had become clear of such weapons, and multiple investigations had shown that there is no relationship between Saddam Hussein's regime and al-Qaeda, the U.S. administration clung to the decision of the war without even an international legitimacy, because the United States was aware that its allegations were not enough legitimized to go for a war. This, in fact, confirms that the United States used all possible options and means including the occupation to put Iraq under its control and influence because of, as the study shows, its strategic location and its important stock of oil, taking advantage of the situation of weakness and rupture that the country was undergoing, in addition to the social construction of the Iraqi people (ethnicity) and the nature of its political system. All this made Iraq the optimal model to test on the American power and to put the neoconservatives' ideas and thought into effect aiming to serve the U.S. strategic objectives and interests.

The study concluded also, in the third chapter, that the U.S. desire to occupy Iraq was very clear, through its political and military setup in advance for the war, trying constantly to question every move Iraq did, in addition to accusing it of non-compliance to the UN resolutions and violating its international obligations. While on the U.S. internal level, the Bush administration marginalized the role of Congress claiming, to overcome this constitutional obstacle, that the country is in a state of emergency, what requires a single side to be authorized to make the decision with a high degree of secrecy. To convince the American people and the international community of the imminent danger of Iraq, the U.S. administration used intensively advertising campaigns taking advantage of jittery psychological conditions resulted from the attacks of September 11, 2001.

Besides, the Bush administration had sought to employ the UN Security Council to endorse the option of war on Iraq and its newly adopted strategy of the pre-emptive strike

under the principle of *the right to self-defence*. Although they know that the pre-emptive strike option is considered illegal by the international law for the danger it constitutes to the management of conflicts in international relations. All these evidences support and confirm the research's first hypothesis.

The study authenticates also the validity of the second hypothesis, due to the fact that the United States exaggerated in portraying the Iraqi arsenal of weapons of mass destruction and linked its risks with Al-Qaeda network. It described Iraq as a source of threat to the security and safety of the world. Furthermore, it went to claim that the U.S. occupation of Iraq was for establishing a democratic system to be a role model in the Middle East.

Notwithstanding, its practices in Iraq after the occupation, as the research demonstrates, proved the opposite of its claims for democratic and ideal values, because the application of justice and law must be according to the law itself and not through violating the UN regulations and decisions ignoring even its domestic law as well. Besides, the United State is determined to proceed with its project of dominating the Middle East region by any means, and the best way to do so is to change the ruling systems there and to impose reforms at different spheres, claiming that the authoritarian systems in the Middle East are the primary causes of alienation and extremism that fuelled terrorist organizations. However, they chose to begin this change by the force of arms starting from Iraq. This change had, eventually, led to nothing but a total chaos as the armed resistance had risen and many of the sectarian and ethnic issues with extreme complexity were exploded expanding the circle of fight and causing heavy human and materiel losses and their drawbacks are still hard to overcome.

Add to this, the U.S. daily practices from random killing and bombing civil targets without according the slightest respect to the international law of war which stipulates, generally, that if any country invades another one, it will have obligations to protect the civilians of the invaded state from any harm. In addition also to the abuses and inhumane

practices within prisons and detention. All this was done under the pretext of fighting terrorists and, thus, the U.S. missionary of spreading democracy has become in itself a source of deadly danger, as long as the U.S. strategy is based on the principle of *the end justifies the means*. The research thereof validates the health of the second hypothesis.

It is also shown through this research that the United States backs and supports Israel constantly, and removes all what Israel sees a source of threat to its security and interests, ensuring that the latter will ever stay, regionally, in the superior position militarily within the framework of strategic alliance between the two countries which is based on the continuing bias in favour of Israel at the expense of the legitimate Arab demands. Given that it had occupied Iraq and ended the Baath Party which its missiles reached the bottom of Israel, and responded to the Israeli request of the classification of the Palestinian resistant movement in the list of terrorist organizations. Then, they directed a focused diplomatic campaign on Iran accusing it of developing nuclear capabilities for military purposes, and declaring an economic embargo on it, as well as the continuous pressure on Syria because of being accused of embracing terrorist organizations and supporting along with Iran the Iraqi resistance. Moreover, America supports and strengthens the Israeli negotiating position at the expense of the Arabs on the issues disputed over, and it is pushing the Arab States to establish relations with Israel. This, as a matter of fact, falls within is the U.S. strategy to subdue the region to new arrangements in accordance with the American perspective, so that Israel will have the full rights as being part of the Middle East.

On the other hand, and since the easing of the Cold War, the United States has always emphasized that it is the only superpower qualified to lead the world, employing its military forces as a tool to achieve its desired political and economic objectives, and to strengthen its international position and superiority. Hence, and because of Iraq's geo-strategic importance and due to the fact that the Middle East has always been an area that enchanted the

international powers because of its great significant strategic importance and its richness of oil and varied raw materials, the U.S. administration has worked unilaterally to keep all the rival powers away from the region dealing with any developments that would threaten its interests in the Middle East. Given that the control of natural resources is one of the most important focal points of international dominance, while, the importance of oil has always been to the fore to achieve this goal, particularly, in light of the growing economic rival such as the European Union countries, Japan, China and the Russian Federation. Thus, the U.S. administration seeks to harness and dominate the global oil and make it a weapon to control the developmental path of the international economic forces that the United States considered to be a threat to the future of its progress and well-being. Note that this research demonstrates that many of the economic indicators are moving towards an increased economic competition. Therefore, the American ruling leadership is working on expanding the U.S. control over the Middle East countries for being the global primary sources of oil, claiming that they want to provide the region with the necessary military protection, security and stability. This U.S. focus on the Middle East region is not new. In fact, it is dated back to the period following the Second World War, but the United States was not directly involved in the region and its policy and strategies were applied through local and regional intermediaries such as Israel, Iran under the ruling of the Shah, the Gulf Corporation Council (GCC) and Iraq before the First Gulf War, due to the circumstances of the Cold War. However, after the easing of its severity in the late eighties, the United States began to intervene directly in the Middle East using all possible means to put its project of dominating the region into effect, and all these stated evidences authenticate the third hypothesis of the research.

Based on the foregoing considerations, it is likely that the U.S. administration will continue to use its new approach of the pre-emptive strike which is based on the unilateral destruction of any potential threat before it becomes a real danger whenever necessary, and it

will continue to exert pressures on Arab and Islamic countries under the pretext of combating terrorism and extremism and spreading democracy. These U.S. pressures will be on the following levels:

**Politically**

- To push the Arab and Islamic countries to complete the process of normalization of relations with Israel at all levels
- To fuel democracy and free political practice

**Economically**

- To open the way to foreign investments
- To accelerate the adjustment with Liberal International Order because this system works mostly in the favour of the United States at the expense of the underdeveloped countries

**Educationally**

- To proceed with reforms within the educational pedagogical programs and remove all what the U.S. administration considers being religious intolerance that feeds terrorism

However, the countries' compliance with these procedures will measure and determine the nature of their relations with the United States; this is on the one hand.

On the other hand, this U.S. fighting of extremism and terrorism oriented towards the United States is a vain attempt, as it is trying only to treat the symptoms which have been motivated by increasing hatred and longstanding grievances. However, the United States should remedy their cause which is rooted in its policy and unfair practices in many Arab and Islamic countries. Therefore, it should rethink its foreign policy. Of course, it would be naive to expect a major overhaul of the U.S. Foreign Policy. However, adopting the *lessening harm* approach as a part of an inclusive policy-rethink is necessary and helpful for both sides.

Appendices

Appendix A

General Assembly Resolution 3246

1974



**3246 (XXIX). Importance of the universal realization of the right of peoples to self-determination and of the speedy granting of independence to colonial countries and peoples for the effective guarantee and observance of human rights**

*The General Assembly,*

*Reaffirming* its faith in resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, and resolution 2621 (XXV) of 12 October 1970, containing the programme of action for the full implementation of that Declaration,

*Recalling, inter alia,* its resolutions 2588 B (XXIV) of 15 December 1969, 2787 (XXVI) of 6 December 1971, 2955 (XXVII) of 12 December 1972, 2963 E (XXVII) of 13 December 1972, 3059 (XXVIII) of 2 November 1973 and 3070 (XVIII) of 30 November 1973, and the relevant resolutions of the Security Council,

*Noting with appreciation* the reports of the Secretary-General,<sup>25</sup>

*Noting with satisfaction* the assurances given by the Government of Portugal that it will fulfil its obligations under the Charter of the United Nations and comply with United Nations resolutions relevant to the right of the peoples under Portuguese administration to self-determination and independence,

*Indignant* at the continued repression and the inhuman and degrading treatment inflicted on peoples still under colonial and foreign domination and alien subjugation, especially on individuals detained or imprisoned as a result of their struggle for self-determination and independence,

*Reaffirming* that the independence of Southern Rhodesia should not be negotiated with the illegal régime but with the authentic and recognized representatives of the Rhodesian people,

*Mindful* of its responsibility to evolve all possible measures which will enable oppressed peoples to attain independence and self-determination and, in this regard, deploring the obstructive attitude of certain Member States,

*Recognizing* the imperative need to put an early end to colonial rule, foreign domination and alien subjugation,

1. *Reaffirms* the inalienable right of all peoples under colonial and foreign domination and alien subjugation to self-determination, freedom and independence in conformity with General Assembly resolution 1514 (XV) and other relevant resolutions of the United Nations;

2. *Renews* its call to all States to recognize the right to self-determination and independence of all peoples subject to colonial and foreign domination and alien subjugation and to offer them moral, material and other forms of assistance in their struggle to exercise fully their inalienable right to self-determination and independence;

3. *Reaffirms* the legitimacy of the peoples' struggle for liberation from colonial and foreign domination and alien subjugation by all available means, including armed struggle;

<sup>25</sup> A/9638 and Add.1, Add.1/Corr.1 and Add.2-5, A/9667 and Add.1.

4. *Demands* full respect for the basic human rights of all individuals detained or imprisoned as a result of their struggle for self-determination and independence, and strict respect for article 5 of the Universal Declaration of Human Rights under which no one shall be subjected to torture or to cruel, inhuman or degrading treatment, and their immediate release;

5. *Welcomes* the recognition by the Government of Portugal of the right of all the peoples under its colonial administration to self-determination and independence, and the initiatives already taken in this regard;

6. *Urges* the Government of Portugal to continue to ensure that the process of decolonization, which will enable peoples still under its colonial administration to achieve self-determination and independence, is accomplished without delay;

7. *Strongly condemns* all Governments which do not recognize the right to self-determination and independence of peoples under colonial and foreign domination and alien subjugation, notably the peoples of Africa and the Palestinian people;

8. *Further strongly condemns* the policies of those members of the North Atlantic Treaty Organization and those countries whose military, economic, sporting or political relations with the racist régimes of southern Africa and elsewhere encourage these régimes to persist in their suppression of the aspirations of peoples for self-determination and independence;

9. *Calls upon* those countries to reconsider their policies and to sever all links with the racist régimes of South Africa and Southern Rhodesia;

10. *Renews its appreciation* to Governments, United Nations agencies and intergovernmental and non-governmental organizations for their efforts in extending various forms of assistance to peoples in dependent Territories and appeals to them to increase such assistance;

11. *Requests* the Secretary-General to continue to assist the specialized agencies and other organizations within the United Nations system in working out measures for the provision of increased international assistance to the peoples of colonial Territories;

12. *Requests* the Secretary-General to submit a report on the implementation of the present resolution to the General Assembly at its thirtieth session.

2303rd plenary meeting  
29 November 1974

**3266 (XXIX). Report of the Committee on the Elimination of Racial Discrimination**

*The General Assembly,*

*Recalling* its resolutions 3057 (XXVIII) of 2 November 1973 and 3223 (XXIX) of 6 November 1974 on the Decade for Action to Combat Racism and Racial Discrimination and resolution 3225 (XXIX) of 6 November 1974 on the status of the International Convention on the Elimination of All Forms of Racial Discrimination,<sup>26</sup>

*Having considered* the report of the Committee on the Elimination of Racial Discrimination on the fifth year of its activities,<sup>27</sup> submitted under article 9, para-

<sup>26</sup> Resolution 2106 A (XX), annex.

<sup>27</sup> Official Records of the General Assembly, Twenty-ninth Session, Supplement No. 18 (A/9618).

Appendix B

General Assembly Resolution 3314

1974

Definition of Aggression

## **DEFINITION OF AGGRESSION**

### **GENERAL ASSEMBLY RESOLUTION 3314 (XXIX)**

Already under the League of Nations attempts were made to define aggression. The Special Committee of the Temporary Mixed Commission for the Reduction of Armaments, for instance, had considered it desirable to define exactly what constituted an act of aggression in order to provide the basis for the Council to decide in a given case whether an act of aggression had been committed. The Commission was, however, unable to draw up any such definition of aggression and therefore merely indicated the factors that might provide the elements of a just decision made by the Council (Commentary on the Definition of a case of Aggression by a Special Committee of the Temporary Mixed Commission, Records of the Fourth Assembly, Minutes of the Third Committee, League of Nations O.J. Spec. Supp. 26, pp. 183-185).

At the United Nations Conference on International Organization, held in San Francisco from 25 April to 26 June 1945, several delegations proposed that the term “aggression”, contained in section B of Chapter VIII of the Dumbarton Oaks Proposals (which later became Chapter VII of the Charter), be defined or explained, but the majority of Committee III/3, working with these issues, thought that a preliminary definition of the term went beyond the scope of the Charter and that the modern techniques of warfare rendered any definition of “aggression” impossible (see Report of Mr. Paul-Boncour, Rapporteur, on Chapter VIII, Section B, Doc. 881 (English) III/3/46, 10 June 1945, United Nations Conference on International Organization, Vol. 12, p. 505).

During its fifth session, the General Assembly, in resolution 378 (V) of 17 November 1950, decided to refer to the International Law Commission a proposal made by the Union of Soviet Socialist Republics in connection with the agenda item “Duties of States in the event of the outbreak of hostilities” and all the records of the First (Political and Security) Committee of the General Assembly dealing with the question, so that the Commission might take them into consideration and formulate its conclusions as soon as possible. The Soviet proposal provided that the General Assembly, “considering it necessary ... to define the concept of aggression as accurately as possible,” declares, inter alia, that “in an international conflict that State shall be declared the attacker which first commits” one of the acts enumerated in the proposal (A/C.1/608).

In 1951, the International Law Commission considered the question whether it should enumerate aggressive acts or try to draft a definition of aggression in general terms. It was decided that the only practical course was to aim at a general and abstract definition of aggression, but the Commission’s efforts to draw up a general definition were not successful. During the same session, the matter was reconsidered in connection with the preparation of the draft Code of Offences against the Peace and Security of Mankind. The Commission then decided to include among the offences defined in the draft Code any act of aggression and any threat of aggression (A/1858).

The report of the International Law Commission was on the agenda of the sixth session of the General Assembly, in 1952, and was submitted for consideration to the Sixth Committee, where it was discussed from 5 to 22 January 1952. The Committee adopted a draft resolution, which was submitted to the General Assembly (A/2087). On the recommendation of the Sixth Committee the General Assembly adopted resolution 599 (VI) on 31 January 1952. The General Assembly thereby concluded that it was both “possible and desirable, with a view to ensuring international peace and security and to developing international criminal law, to define

aggression by reference to the elements which constitute it". Furthermore, it decided to include the question of defining aggression in the agenda of its seventh session and instructed the Secretary-General to submit to it at that session a report in which the question of defining aggression should be thoroughly discussed.

The question of defining aggression was accordingly on the agenda of the General Assembly at its seventh session, in 1952, and was again allocated to the Sixth Committee for consideration. The Committee, which discussed the matter from 19 November to 10 December 1952, had before it the report on the question submitted by the Secretary-General (A/2211). Various representatives supported the idea of creating a special committee to study the question further and to present one or more draft definitions to the General Assembly. The Sixth Committee presented to the General Assembly a draft resolution providing accordingly (A/2322 and Corr.1), which the Assembly considered on 20 December 1952. By resolution 688 (VII) of that date, the General Assembly established a fifteen-member special committee which was requested to submit to the Assembly at its ninth session, in 1954, "draft definitions of aggression or draft statements of the notion of aggression".

The Special Committee met at United Nations Headquarters from 24 August to 21 September 1953. Several different texts aimed at defining aggression were presented. The committee, however, decided unanimously not to put the texts to a vote but to transmit them in its report (A/2638) to the General Assembly and to Member States for comments. Comments were received from eleven Member States.

The report of the Special Committee was on the agenda of the General Assembly at its ninth session, in 1954, and was submitted for consideration to the Sixth Committee, which discussed it from 14 October to 10 November 1954. Widely different views were expressed on whether it was possible and desirable to define aggression, on what type of definition should be adopted and on the draft definitions which had been submitted. No draft resolutions relating to the substance of the question were, however, put to a vote and the Sixth Committee instead decided, on 10 November 1954, by the adoption of a joint draft resolution submitted by Lebanon, Syria and Yemen (A/C.6/L.337 and Rev.1 and Add.1.), to propose that the General Assembly again establish a special committee to submit to it at its eleventh session, in 1956, a detailed report followed by a draft definition of aggression, having regard to the ideas expressed at the ninth session and to the proposals submitted by delegations. On the recommendation of the Sixth Committee, the General Assembly adopted resolution 895 (IX) of 4 December 1954, by which it established the Special Committee.

The Special Committee, composed of nineteen members, met at United Nations Headquarters from 8 October to 9 November 1956. The members of the Special Committee differed on the possibility and desirability of defining aggression, on the function and scope of such a definition and on the draft definitions submitted to it. The Special Committee therefore did not adopt a definition but decided to transmit its report (A/3574) to the General Assembly, summarizing the views expressed on the various aspects of the matter, together with the draft definitions previously submitted to it. Though the question of defining aggression was included in the provisional agenda of the eleventh session of the General Assembly, the Assembly decided that this item should be postponed until the twelfth session to allow Governments sufficient time to study the report of the Special Committee.

During the General Assembly's twelfth session, in 1957, the Sixth Committee again discussed the question of defining aggression, having before it the report of the 1956 Special Committee. Several draft resolutions were submitted to the Sixth Committee by Member States, but the Committee finally adopted a merely procedural draft resolution presented by Chile, Colombia, Cuba, Ecuador, El Salvador, the Philippines and Venezuela (A/C.3/L.403/Rev.1). On 29 November 1957, the General

Assembly thus adopted resolution 1181 (XII), by which it took note of the Special Committee's report, and decided to invite the views of twenty-two States admitted to the United Nations since 14 December 1955 and to renew the request for comments from other Member States. It also decided to refer the replies of Governments to a new committee, composed of the Member States which had served on the General Committee of the Assembly at its most recent regular session, and entrusted the committee with the procedural task of studying the replies "for the purpose of determining when it shall be appropriate for the General Assembly to consider again the question of defining aggression". Lastly, it requested "the Secretary-General to convene the first meeting of the committee prior to the fourteenth session of the General Assembly".

The said Committee accordingly met at United Nations Headquarters from 14 to 24 April 1959. It was decided (A/AC.91/2) that the fourteen replies received did not indicate any change of attitude and agreed to postpone further consideration of the question until April 1962, unless an absolute majority of its members favoured an earlier meeting in the light of new developments. The Committee asked the Secretary-General to transmit its resolution on the matter to all Member States and to convene the committee in either of the two cases specified.

As no such request to meet earlier than 1962 was received, the second session of the Committee began on 2 April 1962 at United Nations Headquarters in New York. At the end of that session on 9 April, the Committee, on the proposal of Cyprus, adopted a resolution (A/AC.91/3) providing for a further three-year adjournment of its work, until April 1965, unless a request for earlier consideration was received from an absolute majority of the committee's members. By the same resolution, the Committee also asked the Secretary-General to request States admitted to the United Nations since its 1959 session to submit their views on the question of defining aggression. It also asked him to renew his earlier request for other Member States to submit their views on the matter.

The third session of the Committee took place at the United Nations Headquarters between 5 and 16 April 1965, as no requests for an earlier meeting were received. At the conclusion of its work at that session, the Committee adopted, on the proposal of Cyprus, a resolution (A/AC.91/5) whereby it decided on a further adjournment until April 1967, again, unless a majority requested otherwise. By that resolution adopted on 16 April 1965, the Committee again asked the Secretary-General to request States admitted to the United Nations since its 1962 session to submit their views on the question of defining aggression.

At the fourth session of the Committee, held from 3 April to 26 May 1967, three draft resolutions were introduced, but the Committee took no decision on any of these proposals. On 22 September 1967, at the General Assembly's twenty-second session, the Union of Soviet Socialist Republics requested that an item entitled "Need to expedite the drafting of a definition of aggression in the light of the present international situation" be placed on the Assembly's agenda as an important and urgent matter (A/6833 and Corr.1). In deciding to place this item on its agenda, the General Assembly also decided that it should hold discussions first in plenary meetings of the General Assembly and then, in the light of the debate and results achieved, in the Sixth Committee. The plenary debate took place between 28 November and 4 December 1967. The item was then taken up in the Sixth Committee on 7 December 1967 and resulted in the adoption, on 14 December of the same, of a draft resolution, submitted by 26 Members (A/C.6/L.644). On the recommendation of the Sixth Committee, the General Assembly thus adopted resolution 2330 (XXII) on 18 December 1967, establishing a 35-member Special Committee on the Question of Defining Aggression which was to "consider all aspects of the question so that an adequate definition of aggression might be prepared" and "submit to the General Assembly at its twenty-third session a report which would reflect all the views

expressed and the proposals made.” It was furthermore decided “to include in the provisional agenda of [the General Assembly’s] twenty-third session an item entitled ‘Report of the Special Committee on the Question of Defining Aggression’”.

The Special Committee accordingly met, prior to the twenty-third session of the General Assembly, from 4 June to 6 July 1968, and adopted a draft resolution (A/7185/Rev.1) which would have had the Assembly decide, among other things, that the Special Committee should resume its work as soon as possible before the end of 1968, so that it could complete its work by submitting a report containing a generally accepted draft definition of aggression to the General Assembly at its twenty-third session. The report of the Special Committee was discussed at the General Assembly’s twenty-third session, later in 1968, mainly in the Sixth Committee. The Sixth Committee decided not to recommend that the General Assembly schedule meetings of the Special Committee during 1968 and instead adopted a draft resolution (A/C.6/L.733/Rev.1 and Add. 1-3) which would have the Special Committee resume its work as early as possible in 1969. On 18 December 1968, the General Assembly, acting on the basis of the recommendation of the Sixth Committee, adopted resolution 2420 (XXIII) on the question of defining aggression.

The Special Committee held six further sessions, one every year from 1968 to 1974, its mandate having been annually renewed by the General Assembly (see resolutions 2420 (XXIII) of 18 December 1968, 2549 (XXIV) of 12 December 1969, 2644 (XXV) of 25 November 1970, 2781 (XXVI) of 3 December 1971, 2967 (XXVII) of 14 December 1972 and 3105 (XXVIII) of 12 December 1973).

At its seventh and last session held at United Nations Headquarters in New York from 11 March to 12 April 1974, the Special Committee decided to establish a working group. The working group established three Contact Groups, to which it referred for consideration different areas relating to the definition of aggression. After the working group had received the reports of Contact Groups I, II and III, it established Contact Group IV, which was instructed to prepare a new consolidated text of the draft definition of aggression in the light of those reports. On 11 April 1974, the working group decided to refer the revised consolidated text prepared by Contact Group IV for final review to a drafting group. On the same day, the working group considered the text of the draft definition of aggression as finally reviewed by the drafting group. It took note of the report of the chairman of the drafting group and decided by consensus to submit to the Special Committee, for its approval, the text of the draft definition (A/9619 and Corr.1). It also recommended that the Special Committee include in its report further explanatory notes on the interpretation of certain words and phrases in articles 3 and 5 of the text. On 12 April 1974, the Special Committee adopted by consensus the text of the draft definition of aggression, as well as the explanatory notes, and recommended to the General Assembly the adoption of the draft.

The report of the Special Committee on the Question of Defining Aggression, which contained the draft definition, was taken up by the General Assembly at its twenty-ninth session, in 1974, and was referred to the Sixth Committee for consideration. The Sixth Committee considered the report and the text of the definition between 8 October and 22 November 1974. It made no amendments to the text of the definition elaborated by the Special Committee, but decided to include in its report to the General Assembly two statements clarifying the Sixth Committee’s views on operative paragraphs 3(c) and 3(d) concerning the qualification of “[t]he blockade of the ports or coasts of a State by the armed forces of another State” and “[a]n attack by the armed forces of a State on the land, sea or air forces, or marine and air fleets of another State” as acts of aggression. On the recommendation of the Sixth Committee, the General Assembly, on 14 December 1974, adopted without a vote resolution 3314 (XXIX), to which the Definition of Aggression was annexed. The General Assembly also called the attention of the Security Council to the Definition and recommended

that the Security Council should, as appropriate, take account of that Definition as guidance in determining, in accordance with the Charter, the existence of an act of aggression.

Appendix C

General Assembly Resolution 3318

1974

Declaration on the Protection of Women and Children in Emergency and

Armed Conflict



## **Declaration on the Protection of Women and Children in Emergency and Armed Conflict**

**Proclaimed by General Assembly resolution 3318 (XXIX)  
of 14 December 1974**

The General Assembly ,

Having considered the recommendation of the Economic and Social Council contained in its resolution 1861 (LVI) of 16 May 1974,

Expressing its deep concern over the sufferings of women and children belonging to the civilian population who in periods of emergency and armed conflict in the struggle for peace, self-determination, national liberation and independence are too often the victims of inhuman acts and consequently suffer serious harm,

Aware of the suffering of women and children in many areas of the world, especially in those areas subject to suppression, aggression, colonialism, racism, alien domination and foreign subjugation,

Deeply concerned by the fact that, despite general and unequivocal condemnation, colonialism, racism and alien and foreign domination continue to subject many peoples under their yoke, cruelly suppressing the national liberation movements and inflicting heavy losses and incalculable sufferings on the populations under their domination, including women and children,

Deploring the fact that grave attacks are still being made on fundamental freedoms and the dignity of the human person and that colonial and racist foreign domination Powers continue to violate international humanitarian law,

Recalling the relevant provisions contained in the instruments of international humanitarian law relative to the protection of women and children in time of peace and war,

Recalling , among other important documents, its resolutions 2444 (XXIII) of 19 December 1968, 2597 (XXIV) of 16 December 1969 and 2674 (XXV) and 2675 (XXV) of 9 December 1970, on respect for human rights and on basic principles for the protection of civilian populations in armed conflicts, as well as Economic and Social Council resolution 1515 (XLVIII) of 28 May 1970 in which the Council requested the General Assembly to consider the possibility of drafting a declaration on the protection of women and children in emergency or wartime,

Conscious of its responsibility for the destiny of the rising generation and for the destiny of mothers, who play an important role in society, in the family and particularly in the upbringing of children,

Bearing in mind the need to provide special protection of women and children belonging to the civilian population,

Solemnly proclaims this Declaration on the Protection of Women and Children in Emergency and Armed Conflict and calls for the strict observance of the Declaration by all Member States:

1. Attacks and bombings on the civilian population, inflicting incalculable suffering, especially on women and children, who are the most vulnerable members of the population, shall be prohibited, and such acts shall be condemned.

2. The use of chemical and bacteriological weapons in the course of military operations constitutes one of the most flagrant violations of the Geneva Protocol of 1925, the Geneva Conventions of 1949 and the principles of international humanitarian law and inflicts heavy losses on civilian populations, including defenceless women and children, and shall be severely condemned.

3. All States shall abide fully by their obligations under the Geneva Protocol of 1925 and the Geneva Conventions of 1949, as well as other instruments of international law relative to respect for human rights in armed conflicts, which offer important guarantees for the protection of women and children.

4. All efforts shall be made by States involved in armed conflicts, military operations in foreign territories or military operations in territories still under colonial domination to spare women and children from the ravages of war. All the necessary steps shall be taken to ensure the prohibition of measures such as persecution, torture, punitive measures, degrading treatment and violence, particularly against that part of the civilian population that consists of women and children.

5. All forms of repression and cruel and inhuman treatment of women and children, including imprisonment, torture, shooting, mass arrests, collective punishment, destruction of dwellings and forcible eviction, committed by belligerents in the course of military operations or in occupied territories shall be considered criminal.

6. Women and children belonging to the civilian population and finding themselves in circumstances of emergency and armed conflict in the struggle for peace, self-determination, national liberation and independence, or who live in occupied territories, shall not be deprived of shelter, food, medical aid or other inalienable rights, in accordance with the provisions of the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Declaration of the Rights of the Child or other instruments of international law.

## Appendix D

### UN Security Council Resolution 486

1981

At the same meeting, the Council also decided, at the request of the representative of Tunisia,<sup>41</sup> to extend an invitation to Mr. Clovis Maksoud under rule 39 of the provisional rules of procedure.

At its 2269th meeting, on 22 April 1981, the Council decided to invite the representative of Romania to participate, without vote, in the discussion of the question.

At its 2270th meeting, on 23 April 1981, the Council decided to invite the representative of Brazil to participate, without vote, in the discussion of the question.

At its 2271st meeting, on 23 April 1981, the Council decided to invite the representatives of Bangladesh and Democratic Yemen to participate, without vote, in the discussion of the question.

At its 2272nd meeting, on 24 April 1981, the Council decided to invite the representatives of Burundi, the Libyan Arab Jamahiriya and Pakistan to participate, without vote, in the discussion of the question.

<sup>41</sup> Document S/14453, incorporated in the record of the 2268th meeting.

At the same meeting, the Council also decided, at the request of the representatives of Niger, Tunisia and Uganda,<sup>42</sup> to extend an invitation to Mr. Johnstone Makatini under rule 39 of the provisional rules of procedure.

At its 2274th meeting, on 27 April 1981, the Council decided to invite the representative of Guyana to participate, without vote, in the discussion of the question.

At its 2275th meeting, on 28 April 1981, the Council decided to invite the representative of Singapore to participate, without vote, in the discussion of the question.

At the same meeting, the Council also decided to extend an invitation, under rule 39 of the provisional rules of procedure, to the Chairman of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples.

<sup>42</sup> Document S/14456, incorporated in the record of the 2272nd meeting.

## THE SITUATION IN CYPRUS<sup>43</sup>

### Decisions

At its 2279th meeting, on 4 June 1981, the Council decided to invite the representatives of Cyprus, Greece and Turkey to participate, without vote, in the discussion of the item entitled "The situation in Cyprus: report by the Secretary-General on the United Nations operation in Cyprus (S/14490 and Add.1)".<sup>44</sup>

At the same meeting, the Council also decided to extend an invitation to Mr. Nail Atalay under rule 39 of the provisional rules of procedure.

### Resolution 486 (1981)

of 4 June 1981

*The Security Council,*

*Taking note* of the report of the Secretary-General on the United Nations operation in Cyprus of 27 May 1981,<sup>45</sup>

<sup>43</sup> Resolutions or decisions on this question were also adopted by the Council in 1963, 1964, 1965, 1966, 1967, 1968, 1969, 1970, 1971, 1972, 1973, 1974, 1975, 1976, 1977, 1978, 1979 and 1980.

<sup>44</sup> See *Official Records of the Security Council, Thirty-sixth Year, Supplement for April, May and June 1981*.

<sup>45</sup> *Ibid.*, document S/14490.

*Noting* the concurrence of the parties concerned in the recommendation by the Secretary-General that the Security Council should extend the stationing of the United Nations Peace-keeping Force in Cyprus for a further period of six months,

*Noting also* that the Government of Cyprus has agreed that in view of the prevailing conditions in the island it is necessary to keep the Force in Cyprus beyond 15 June 1981,

*Reaffirming* the provisions of its resolution 186 (1964) and other relevant resolutions,

*Reiterating* its support of the ten-point agreement for the resumption of the intercommunal talks which was worked out at the high-level meeting on 18 and 19 May 1979 at Nicosia under the auspices of the Secretary-General,<sup>46</sup>

1. *Extends once more* the stationing in Cyprus of the United Nations Peace-keeping Force established under resolution 186 (1964) for a further period ending on 15 December 1981;

2. *Notes with satisfaction* that the parties have resumed the intercommunal talks within the framework of the ten-point agreement and urges them to pursue these talks in a continuing, sustained and result-oriented manner, avoiding any delay;

<sup>46</sup> *Ibid.*, *Thirty-fourth Year, Supplement for April, May and June 1979*, document S/13369, para. 51.

3. *Requests* the Secretary-General to continue his mission of good offices, to keep the Security Council informed of the progress made and to submit a report on the implementation of the present resolution by 30 November 1981.

*Adopted at the 2279th meeting by 14 votes to none.*<sup>47</sup>

### Decisions

At its 2313th meeting, on 14 December 1981, the Council decided to invite the representatives of Cyprus, Greece and Turkey to participate, without vote, in the discussion of the item entitled "The situation in Cyprus: report by the Secretary-General on the United Nations operation in Cyprus (S/14778 and Corr.1 and Add.1)".<sup>48</sup>

At the same meeting, the Council also decided to extend an invitation to Mr. Nail Atalay under rule 39 of the provisional rules of procedure.

### Resolution 495 (1981)

of 14 December 1981

*The Security Council,*

*Taking note* of the report of the Secretary-General on the United Nations operation in Cyprus of 1 December 1981,<sup>49</sup>

<sup>47</sup> One member (China) did not participate in the voting.

<sup>48</sup> See *Official Records of the Security Council, Thirty-sixth Year, Supplement for October, November and December 1981*.

<sup>49</sup> *Ibid.*, document S/14778.

*Noting* the concurrence of the parties concerned in the recommendation by the Secretary-General that the Security Council should extend the stationing of the United Nations Peace-keeping Force in Cyprus for a further period of six months,

*Noting also* that the Government of Cyprus has agreed that in view of the prevailing conditions in the island it is necessary to keep the Force in Cyprus beyond 15 December 1981,

*Reaffirming* the provisions of its resolution 186 (1964) and other relevant resolutions,

*Reiterating* its support of the ten-point agreement for the resumption of the intercommunal talks which was worked out at the high-level meeting on 18 and 19 May 1979 at Nicosia under the auspices of the Secretary-General,<sup>50</sup>

1. *Extends once more* the stationing in Cyprus of the United Nations Peace-keeping Force established under resolution 186 (1964) for a further period, ending on 15 June 1982;

2. *Notes with satisfaction* that the parties have resumed the intercommunal talks within the framework of the ten-point agreement and urges them to pursue these talks in a continuing, sustained and result-oriented manner, avoiding any delay;

3. *Requests* the Secretary-General to continue his mission of good offices, to keep the Security Council informed of the progress made and to submit a report on the implementation of the present resolution by 31 May 1982.

*Adopted unanimously at the 2313th meeting.*

## COMPLAINT BY IRAQ

### Decisions

At its 2280th meeting, on 12 June 1981, the Council decided to invite the representatives of Algeria, Brazil, Cuba, India, Iraq, Israel, Jordan, Kuwait, Lebanon, Pakistan, Romania, the Sudan, Turkey and Yugoslavia to participate, without vote, in the discussion of the item entitled "Complaint by Iraq: letter dated 8 June 1981 from the Chargé d'affaires of the Permanent Mission of Iraq to the United Nations addressed to the President of the Security Council (S/14509)".<sup>50</sup>

At the same meeting, the Council also decided, by a vote, that an invitation should be accorded to the representative of the Palestine Liberation Organization to participate in the debate and that that invitation would confer upon it the same rights of participation as those conferred on a Member State

when it was invited to participate under rule 37 of the provisional rules of procedure.

*Adopted by 11 to 1 (United States of America), with 3 abstentions (France, Japan, United Kingdom of Great Britain and Northern Ireland).*

At the same meeting, the Council further decided, at the request of the representative of Tunisia,<sup>51</sup> to extend an invitation to Mr. Chedli Klibi under rule 39 of the provisional rules of procedure.

At its 2281st meeting, on 13 June 1981, the Council decided to invite the representatives of Bulgaria, Guyana, Somalia, Viet Nam and Zambia to participate, without vote, in the discussion of the question.

<sup>50</sup> *Ibid.*, Supplement for April, May and June 1981.

<sup>51</sup> Document S/14524, incorporated in the record of the 2280th meeting.

Appendix E

UN Security Council Resolution 687

1991



Security Council

Distr.  
GENERAL

S/RES/687 (1991)\*  
8 April 1991

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RESOLUTION 687 (1991)

Adopted by the Security Council at its 2981st meeting,  
on 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 sent by the Minister for Foreign Affairs of Iraq on 27 February 1991 1/ and those sent pursuant to resolution 686 (1991), 2/

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\* Reissued for technical reasons.

1/ S/22275, annex.

2/ S/22273, S/22276, S/22320, S/22321 and S/22330.

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 recognizing formally the boundary between Iraq and Kuwait and the allocation of islands, which 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 within its borders as specified and accepted 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 Geneva 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, 3/ 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 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, 4/

Noting the importance of Iraq ratifying this Convention,

Noting moreover the importance of all States adhering to this 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,

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3/ League of Nations, Treaty Series, vol. XCIV (1929), No. 2138.

4/ General Assembly resolution 2826 (XXVI), annex.



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, 5/

Recalling the objective of the establishment of a nuclear-weapons-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 that despite the progress being made in fulfilling the obligations of resolution 686 (1991), many Kuwaiti and third country nationals are still not accounted for and property remains unreturned,

Recalling the International Convention against the Taking of Hostages, 6/ opened for signature at 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 of the Secretary-General of 20 March 1991 7/ and 28 March 1991, 8/ 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 recent resolutions of the Security Council,

Conscious of the need to take the following measures acting under Chapter VII of the Charter,

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5/ General Assembly resolution 2373 (XXII).

6/ General Assembly resolution 34/146.

7/ S/22366.

8/ S/22409.

1. Affirms all thirteen resolutions noted above, except as expressly changed below to achieve the goals of this 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 and published by the United Nations in document 7063, United Nations, Treaty Series, 1964;

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 map transmitted by Security Council document S/22412 and to report back to the Security 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 Security Council for its approval a plan for the immediate deployment of a United Nations observer unit to monitor the Khor Abdullah 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" of 4 October 1963; to deter violations of the boundary through its presence in and surveillance of the demilitarized zone; to observe any hostile or potentially hostile action mounted from the territory of one State to the other; and for the Secretary-General to report regularly to the Security Council on the operations of the unit, and 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 Security 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 Geneva 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;

(b) All ballistic missiles with a range greater than 150 kilometres and related major parts, and repair and production facilities;

9. Decides, for the implementation of paragraph 8 above, the following:

(a) Iraq shall submit to the Secretary-General, within fifteen days of the adoption of the present resolution, a declaration of 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 passage 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) above, including items at the additional locations designated by the Special Commission under paragraph 9 (b) (i) above 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) above;

(iii) The provision by the Special Commission of the assistance and cooperation to the Director-General of the International Atomic Energy Agency required in paragraphs 12 and 13 below;

10. Decides that Iraq shall unconditionally undertake not to use, develop, construct or acquire any of the items specified in paragraphs 8 and 9 above 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 this paragraph, to be submitted to the Security Council for approval within one hundred and twenty days of the passage of this 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-weapons-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-weapons-usable materials under the exclusive control, for custody and removal, of the International Atomic Energy 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) above; to accept, in accordance with the arrangements provided for in paragraph 13 below, 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 below 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, with the assistance and cooperation of the Special Commission as provided for in the plan of the Secretary-General in paragraph 9 (b) above, 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 Security Council within forty-five days calling for the destruction, removal, or rendering harmless as appropriate of all items listed in paragraph 12 above; to carry out the plan within forty-five days following approval by the Security 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 of 1 July 1968, for the future ongoing monitoring and verification of Iraq's compliance with paragraph 12 above, 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 Security Council for approval within one hundred and twenty days of the passage of the present resolution;

14. Takes note that the actions to be taken by Iraq in paragraphs 8, 9, 10, 11, 12 and 13 of the present resolution 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 Security 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 the debts and obligations of Iraq 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 Iraq's 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 above and to establish a Commission that will administer the fund;

19. Directs the Secretary-General to develop and present to the Security Council for decision, no later than thirty days following the adoption of the present resolution, recommendations for the fund to meet the requirement for the payment of claims established in accordance with paragraph 18 above and for a programme to implement the decisions in paragraphs 16, 17 and 18 above, including: 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 the exports of petroleum and petroleum products from Iraq 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 above; 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 of the Secretary-General dated 20 March 1991, 9/ and in any further findings of humanitarian need by the Committee;

21. Decides that the Security Council shall review the provisions of paragraph 20 above 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 Security Council, for the purpose of determining whether to reduce or lift the prohibitions referred to therein;

22. Decides that upon the approval by the Security Council of the programme called for in paragraph 19 above and upon Council agreement that Iraq has completed all actions contemplated in paragraphs 8, 9, 10, 11, 12 and 13 above, 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 that, pending action by the Security Council under paragraph 22 above, the Security Council Committee established by resolution 661 (1990) 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 above, 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 a further decision is taken by the Security Council, all States shall continue to prevent the sale or supply, or the promotion or facilitation of such sale or supply, to Iraq by their nationals, or from their territories or using their flag vessels or aircraft, of:

(a) Arms and related matériel 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 above not otherwise covered above;

(c) Technology under licensing or other transfer arrangements used in the production, utilization or stockpiling of items specified in subparagraphs (a) and (b) above;

(d) Personnel or materials for training or technical support services relating to the design, development, manufacture, use, maintenance or support of items specified in subparagraphs (a) and (b) above;

25. Calls upon all States and international organizations to act strictly in accordance with paragraph 24 above, 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 Security Council, guidelines to facilitate full international implementation of paragraphs 24 and 25 above and paragraph 27 below, 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 Security Council under paragraph 26 above as may be necessary to ensure compliance with the terms of paragraph 24 above, 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, 23, 24 and 25 above, except for the items specified and defined in paragraphs 8 and 12 above, on a regular basis and in any case one hundred and twenty days following passage 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 Security 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 country nationals, Iraq shall extend all necessary cooperation to the International Committee of the Red Cross, providing lists of such persons, facilitating the access of the International Committee of the Red Cross to all such persons wherever located or detained and facilitating the search by the International Committee of the Red Cross for those Kuwaiti and third country 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 country nationals or their remains present in Iraq on or after 2 August 1990;

H

32. Requires Iraq to inform the Security 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;

I

33. Declares that, upon official notification by Iraq to the Secretary-General and to the Security Council of its acceptance of the provisions above, 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 area.

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Appendix F

UN Security Council Resolution 688

1991

"The members of the Security Council have considered the report of the Secretary-General of 19 December 1991 on his mission of good offices in Cyprus.<sup>122</sup>

"The members of the Council expressed their deep gratitude to the Secretary-General for his long and tireless efforts in seeking a just and lasting solution to the Cyprus question. They noted with appreciation that thanks to his efforts, progress was made during this year towards achieving an overall framework agreement.

"The members of the Council reaffirmed the Council's position as expressed in its previous resolutions, especially in resolutions 649 (1990) of 12 March 1990 and 716 (1991) of 11 October 1991.

"The members of the Council were unanimous in endorsing the report and observations of the Secretary-General. They fully shared his view that a solution of the Cyprus problem is long overdue. The mere maintenance of the status quo does not constitute a solution. They called on the leaders of the two communities and of Greece and

Turkey to devote their full energies to the early achievement of this objective.

"The members of the Council reiterated the Council's position that the convening of a high-level international meeting chaired by the Secretary-General in which the two communities and Greece and Turkey would participate represents an effective mechanism for concluding an overall framework agreement.

"The members of the Council requested the leaders of the two communities and of Greece and Turkey to cooperate fully with the Secretary-General in completing on an urgent basis the set of ideas on an overall framework agreement.

"The members of the Council requested the Secretary-General to report to the Security Council by April 1992 whether sufficient progress has been made to convene the high-level international meeting and, should conditions not be ripe, to convey to the Council the set of ideas as they will have evolved by that time with his assessment of the situation."

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**LETTER DATED 2 APRIL 1991 FROM THE PERMANENT REPRESENTATIVE OF TURKEY TO THE UNITED NATIONS  
ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL**

**LETTER DATED 4 APRIL 1991 FROM THE CHARGE D'AFFAIRES A.I. OF THE PERMANENT MISSION OF FRANCE  
TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL**

**Decision**

At its 2982nd meeting, on 5 April 1991, the Council decided to invite the representatives of Canada, Denmark, Germany, Greece, the Islamic Republic of Iran, Iraq, Ireland, Italy, Luxembourg, the Netherlands, Norway, Pakistan, Portugal, Spain, Sweden and Turkey to participate, without vote, in the discussion of the item entitled:

"Letter dated 2 April 1991 from the Permanent Representative of Turkey to the United Nations addressed to the President of the Security Council (S/22435);<sup>7</sup>

"Letter dated 4 April 1991 from the Charge d'affaires a.i. of the Permanent Mission of France to the United Nations addressed to the President of the Security Council (S/22442)".<sup>7</sup>

**Resolution 688 (1991)  
of 5 April 1991**

*The Security Council,*

*Mindful* of its duties and its responsibilities under the Charter of the United Nations for the maintenance of international peace and security,

*Recalling* the provisions of Article 2, paragraph 7, of the Charter,

*Gravely concerned* by the repression of the Iraqi civilian population in many parts of Iraq, including most recently in Kurdish-populated areas, which led to a massive flow of refugees towards and across international frontiers and to cross-border incursions which threaten international peace and security in the region,

*Deeply disturbed* by the magnitude of the human suffering involved,

*Taking note* of the letters dated 2 and 4 April 1991, respectively, from the representatives of Turkey and France to the United Nations addressed to the President of the Security Council,<sup>123</sup>

*Taking note also* of the letters dated 3 and 4 April 1991 from the Permanent Representative of the Islamic Republic of Iran to the United Nations addressed to the Secretary-General,<sup>124</sup>

*Reaffirming* the commitment of all Member States to respect the sovereignty, territorial integrity and political independence of Iraq and of all States in the region,

*Bearing in mind* the report transmitted by the Secretary-General on 20 March 1991,<sup>53</sup>

1. *Condemns* the repression of the Iraqi civilian population in many parts of Iraq, including most recently in Kurdish-populated areas, the consequences of which threaten international peace and security in the region;

2. *Demands* that Iraq, as a contribution to removing the threat to international peace and security in the region, immediately end this repression, and in the same context expresses the hope that an open dialogue will take place to ensure that the human and political rights of all Iraqi citizens are respected;

3. *Insists* that Iraq allow immediate access by international humanitarian organizations to all those in need of assistance in all parts of Iraq and make available all necessary facilities for their operations;

4. *Requests* the Secretary-General to pursue his humanitarian efforts in Iraq and to report forthwith, if appropriate on

the basis of a further mission to the region, on the plight of the Iraqi civilian population, and in particular the Kurdish population, suffering from the repression in all its forms inflicted by the Iraqi authorities;

5. *Also requests* the Secretary-General to use all the resources at his disposal, including those of the relevant United Nations agencies, to address urgently the critical needs of the refugees and displaced Iraqi population;

6. *Appeals* to all Member States and to all humanitarian organizations to contribute to these humanitarian relief efforts;

7. *Demands* that Iraq cooperate with the Secretary-General to these ends;

8. *Decides* to remain seized of the matter.

*Adopted at the 2982nd meeting by 10 votes to 3 (Cuba, Yemen, Zimbabwe), with 2 abstentions (China, India).*

## CENTRAL AMERICA: EFFORTS TOWARDS PEACE<sup>125</sup>

### Decisions

In a letter dated 22 April 1991,<sup>126</sup> the Secretary-General informed the Security Council that the tour of duty of Brigadier-General Lewis Mackenzie, who had been serving as acting Chief Military Observer since 18 December 1990, would come to an end on 13 May 1991 and that following the usual consultations with the parties concerned, it was his intention to appoint Brigadier-General Victor Suanzes Pardo (Spain) to the post of Chief Military Observer of the United Nations Observer Group in Central America as from 13 May 1991, subject to extension of the mandate of the Group. The Government of Spain had informed the Secretary-General that it was prepared to make the services of Brigadier-General Suanzes available to the United Nations.

In a letter dated 24 April 1991,<sup>127</sup> the President of the Council informed the Secretary-General as follows:

"I have the honour to inform you that your letter dated 22 April 1991<sup>126</sup> concerning your intention to appoint Brigadier-General Victor Suanzes Pardo (Spain) to the post of Chief Military Observer of the United Nations Observer Group in Central America has been brought to the attention of the members of the Security Council. They agree with the proposal contained in your letter."

At its 2986th meeting, on 6 May 1991, the Council discussed the item entitled "Central America: efforts towards peace - report of the Secretary-General (S/22543)".<sup>7</sup>

### Resolution 691 (1991) of 6 May 1991

*The Security Council,*

*Recalling* its resolutions 637 (1989) of 27 July 1989, 644 (1989) of 7 November 1989 and 675 (1990) of 5 November 1990, as well as the statement made by the President of the Security Council on its behalf on 7 November 1989,<sup>128</sup>

1. *Approves* the report of the Secretary-General of 29 April 1991;<sup>129</sup>

2. *Decides* to extend, under its authority, the mandate of the United Nations Observer Group in Central America, as defined in resolution 644 (1989), for a further period of six months, that is until 7 November 1991, bearing in mind the report of the Secretary-General and the need to continue to monitor expenditures carefully during this period of increasing demands on peace-keeping resources;

3. *Requests* the Secretary-General to keep the Security Council fully informed of further developments and to report

Appendix G

UN Security Council Resolution 715

1991



Security Council

Distr.  
GENERAL

S/RES/715 (1991)  
11 October 1991

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RESOLUTION 715 (1991)

Adopted by the Security Council at its 3012th meeting,  
on 11 October 1991

The Security Council,

Recalling its resolutions 687 (1991) of 3 April 1991 and 707 (1991) of 15 August 1991, and its other resolutions on this matter,

Recalling in particular that under resolution 687 (1991) the Secretary-General and the Director General of the International Atomic Energy Agency were requested to develop plans for future ongoing monitoring and verification, and to submit them to the Security Council for approval,

Taking note of the report and note of the Secretary-General, 1/ transmitting the plans submitted by the Secretary-General and the Director General of the International Atomic Energy Agency,

Acting under Chapter VII of the Charter of the United Nations,

1. Approves, in accordance with the provisions of resolutions 687 (1991), 707 (1991) and the present resolution, the plans submitted by the Secretary-General and the Director General of the International Atomic Energy Agency; 1/

2. Decides that the Special Commission shall carry out the plan submitted by the Secretary-General, 2/ as well as continuing to discharge its other responsibilities under resolutions 687 (1991), 699 (1991) and 707 (1991) and performing such other functions as are conferred upon it under the present resolution;

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1/ S/22871/Rev.1 and S/22872/Rev.1 and Corr.1.

2/ S/22871/Rev.1.

3. Requests the Director General of the International Atomic Energy Agency to carry out, with the assistance and cooperation of the Special Commission, the plan submitted by him 3/ and to continue to discharge his other responsibilities under resolutions 687 (1991), 699 (1991) and 707 (1991);

4. Decides that the Special Commission, in the exercise of its responsibilities as a subsidiary organ of the Security Council, shall:

(a) Continue to have the responsibility for designating additional locations for inspection and overflights;

(b) Continue to render assistance and cooperation to the Director General of the International Atomic Energy Agency, by providing him by mutual agreement with the necessary special expertise and logistical, informational and other operational support for the carrying out of the plan submitted by him;

(c) Perform such other functions, in cooperation in the nuclear field with the Director General of the International Atomic Energy Agency, as may be necessary to coordinate activities under the plans approved by the present resolution, including making use of commonly available services and information to the fullest extent possible, in order to achieve maximum efficiency and optimum use of resources;

5. Demands that Iraq meet unconditionally all its obligations under the plans approved by the present resolution and cooperate fully with the Special Commission and the Director General of the International Atomic Energy Agency in carrying out the plans;

6. Decides to encourage the maximum assistance, in cash and in kind, from all Member States to support the Special Commission and the Director General of the International Atomic Energy Agency in carrying out their activities under the plans approved by the present resolution, without prejudice to Iraq's liability for the full costs of such activities;

7. Requests the Committee established under resolution 661 (1990), the Special Commission and the Director General of the International Atomic Energy Agency to develop in cooperation a mechanism for monitoring any future sales or supplies by other countries to Iraq of items relevant to the implementation of section C of resolution 687 (1991) and other relevant resolutions, including the present resolution and the plans approved hereunder;

8. Requests the Secretary-General and the Director General of the International Atomic Energy Agency to submit to the Security Council reports on the implementation of the plans approved by the present resolution, when

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3/ S/22872/Rev.1 and Corr.1.

requested by the Security Council and in any event at least every six months after the adoption of this resolution;

9. Decides to remain seized of the matter.

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## Appendix H

UN Security Council Resolution 1114

1997





**Security Council**

Distr.  
GENERAL

S/RES/1114 (1997)  
19 June 1997

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RESOLUTION 1114 (1997)

Adopted by the Security Council at its 3791st meeting,  
on 19 June 1997

The Security Council,

Recalling its resolution 1101 (1997) of 28 March 1997,

Recalling the statement of 13 March 1997 of its President on the situation in Albania (S/PRST/1997/14),

Taking note of the letter of 16 June 1997 from the Permanent Representative of Albania to the United Nations to the President of the Security Council (S/1997/464),

Taking note also of the sixth report to the Council on the operation of the multinational protection force in Albania (S/1997/460),

Taking note of Decision 160 by the Permanent Council of the Organization for Security and Cooperation in Europe (OSCE) of 27 March 1997 (S/1997/259, annex II), including to provide the coordinating framework within which other international organizations can play their part in their respective areas of competence,

Expressing appreciation for the neutral and impartial way in which the Council mandate has been carried out by the multinational protection force, in close cooperation with the Albanian authorities,

Reiterating its concern over the situation in Albania,

Underlining the need for all concerned to refrain from hostilities and acts of violence, and calling on the parties involved to continue the political dialogue and facilitate the electoral process,

Stressing the importance of regional stability and, in this context, fully supporting the diplomatic efforts of the international community, particularly the OSCE and the European Union, to find a peaceful solution to the crisis and

assist in the electoral process in Albania, in cooperation with the Albanian authorities,

Taking note of the need over a short period of time, as underlined in the sixth report on the operation of the multinational protection force in Albania, for a limited increase in the contingent originally planned, for the purpose of protecting the OSCE mission, especially in view of the planned elections,

Reaffirming the sovereignty, independence and territorial integrity of the Republic of Albania,

Determining that the present situation in Albania constitutes a threat to peace and security in the region,

1. Condemns all acts of violence, and calls for their immediate end;
2. Welcomes the readiness of the countries contributing to the multinational protection force to maintain their military contingents in Albania for a limited time as part of the multinational protection force in the framework of the mandate provided by resolution 1101 (1997);
3. Further welcomes the intention of the countries contributing to the multinational protection force to continue, within the framework of the mandate provided by resolution 1101 (1997), to facilitate the safe and prompt delivery of humanitarian assistance and to help create a secure environment for the missions of international organizations in Albania, including those providing humanitarian assistance, and takes note of all the elements contained in the sixth report to the Council on the operation of the multinational protection force in Albania, concerning, inter alia, the electoral monitoring mission of the OSCE-Office for Democratic Institutions and Human Rights;
4. Authorizes the Member States participating in the multinational protection force to conduct the operation in a neutral and impartial way to achieve the objectives set out in paragraph 3 above and, acting under Chapter VII of the Charter of the United Nations, further authorizes these Member States to ensure the security and freedom of movement of the personnel of the multinational protection force;
5. Calls upon all those concerned in Albania to cooperate with the multinational protection force and with the missions of the international organizations;
6. Decides that the operation will be limited to a period of forty-five days from 28 June 1997, at which time the Council will assess the situation on the basis of the reports referred to in paragraph 9 below;
7. Decides that the cost of implementing this temporary operation will be borne by the participating Member States;
8. Encourages the Member States participating in the multinational protection force to cooperate closely with the Government of Albania, the United

Nations, the OSCE, the European Union and all international organizations involved in rendering humanitarian assistance in Albania;

9. Requests the Member States participating in the multinational protection force to provide periodic reports to the Council through the Secretary-General, at least every two weeks, the first such report to be made no later than 14 days after the adoption of this resolution, inter alia specifying the parameters and modalities of the operation on the basis of consultations between those Member States and the Government of Albania;

10. Decides to remain actively seized of the matter.

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Appendix I

UN Security Council Resolution 1205

1998



**Security Council**

Distr.  
GENERAL

S/RES/1205 (1998)  
5 November 1998

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RESOLUTION 1205 (1998)

Adopted by the Security Council at its 3939th meeting,  
on 5 November 1998

The Security Council,

Recalling all its previous relevant resolutions on the situation in Iraq, in particular its resolution 1154 (1998) of 2 March 1998 and 1194 (1998) of 9 September 1998,

Noting with alarm the decision of Iraq on 31 October 1998 to cease cooperation with the United Nations Special Commission, and its continued restrictions on the work of the International Atomic Energy Agency (IAEA),

Noting the letters from the Deputy Executive Chairman of the Special Commission of 31 October 1998 (S/1998/1023) and from the Executive Chairman of the Special Commission of 2 November 1998 (S/1998/1032) to the President of the Security Council, which reported to the Council the decision by Iraq and described the implications of that decision for the work of the Special Commission, and noting also the letter from the Director General of the IAEA of 3 November 1998 (S/1998/1033, annex) which described the implications of the decision for the work of the IAEA,

Determined to ensure immediate and full compliance by Iraq without conditions or restrictions with its obligations under resolution 687 (1991) of 3 April 1991 and the other relevant resolutions,

Recalling that the effective operation of the Special Commission and the IAEA is essential for the implementation of resolution 687 (1991),

Reaffirming its readiness to consider, in a comprehensive review, Iraq's compliance with its obligations under all relevant resolutions once Iraq has rescinded its above-mentioned decision and its decision of 5 August 1998 and demonstrated that it is prepared to fulfil all its obligations, including in particular on disarmament issues, by resuming full cooperation with the Special Commission and the IAEA consistent with the Memorandum of Understanding signed

by the Deputy Prime Minister of Iraq and the Secretary-General on 23 February 1998 (S/1998/166), endorsed by the Council in resolution 1154 (1998),

Reiterating the commitment of all Member States to the sovereignty, territorial integrity and political independence of Kuwait and Iraq,

Acting under Chapter VII of the Charter of the United Nations,

1. Condemns the decision by Iraq of 31 October 1998 to cease cooperation with the Special Commission as a flagrant violation of resolution 687 (1991) and other relevant resolutions;

2. Demands that Iraq rescind immediately and unconditionally the decision of 31 October 1998, as well as the decision of 5 August 1998, to suspend cooperation with the Special Commission and to maintain restrictions on the work of the IAEA, and that Iraq provide immediate, complete and unconditional cooperation with the Special Commission and the IAEA;

3. Reaffirms its full support for the Special Commission and the IAEA in their efforts to ensure the implementation of their mandates under the relevant resolutions of the Council;

4. Expresses its full support for the Secretary-General in his efforts to seek full implementation of the Memorandum of Understanding of 23 February 1998;

5. Reaffirms its intention to act in accordance with the relevant provisions of resolution 687 (1991) on the duration of the prohibitions referred to in that resolution, and notes that by its failure so far to comply with its relevant obligations Iraq has delayed the moment when the Council can do so;

6. Decides, in accordance with its primary responsibility under the Charter for the maintenance of international peace and security, to remain actively seized of the matter.

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Appendix J

UN Security Council Resolution 1284

1999



Security Council

Distr.  
GENERAL

S/RES/1284 (1999)  
17 December 1999

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RESOLUTION 1284 (1999)

Adopted by the Security Council at its 4084th meeting,  
on 17 December 1999

The Security Council,

Recalling its previous relevant resolutions, including its resolutions 661 (1990) of 6 August 1990, 687 (1991) of 3 April 1991, 699 (1991) of 17 June 1991, 707 (1991) of 15 August 1991, 715 (1991) of 11 October 1991, 986 (1995) of 14 April 1995, 1051 (1996) of 27 March 1996, 1153 (1998) of 20 February 1998, 1175 (1998) of 19 June 1998, 1242 (1999) of 21 May 1999 and 1266 (1999) of 4 October 1999,

Recalling the approval by the Council in its resolution 715 (1991) of the plans for future ongoing monitoring and verification submitted by the Secretary-General and the Director General of the International Atomic Energy Agency (IAEA) in pursuance of paragraphs 10 and 13 of resolution 687 (1991),

Welcoming the reports of the three panels on Iraq (S/1999/356), and having held a comprehensive consideration of them and the recommendations contained in them,

Stressing the importance of a comprehensive approach to the full implementation of all relevant Security Council resolutions regarding Iraq and the need for Iraqi compliance with these resolutions,

Recalling 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 as referred to in paragraph 14 of resolution 687 (1991),

Concerned at the humanitarian situation in Iraq, and determined to improve that situation,

Recalling with concern that the repatriation and return of all Kuwaiti and third country nationals or their remains, present in Iraq on or after 2 August 1990, pursuant to paragraph 2 (c) of resolution 686 (1991) of



2 March 1991 and paragraph 30 of resolution 687 (1991), have not yet been fully carried out by Iraq,

Recalling that in its resolutions 686 (1991) and 687 (1991) the Council demanded that Iraq return in the shortest possible time all Kuwaiti property it had seized, and noting with regret that Iraq has still not complied fully with this demand,

Acknowledging the progress made by Iraq towards compliance with the provisions of resolution 687 (1991), but noting that, as a result of its failure to implement the relevant Council resolutions fully, the conditions do not exist which would enable the Council to take a decision pursuant to resolution 687 (1991) to lift the prohibitions referred to in that resolution,

Reiterating the commitment of all Member States to the sovereignty, territorial integrity and political independence of Kuwait, Iraq and the neighbouring States,

Acting under Chapter VII of the Charter of the United Nations, and taking into account that operative provisions of this resolution relate to previous resolutions adopted under Chapter VII of the Charter,

A.

1. Decides to establish, as a subsidiary body of the Council, the United Nations Monitoring, Verification and Inspection Commission (UNMOVIC) which replaces the Special Commission established pursuant to paragraph 9 (b) of resolution 687 (1991);

2. Decides also that UNMOVIC will undertake the responsibilities mandated to the Special Commission by the Council with regard to the verification of compliance by Iraq with its obligations under paragraphs 8, 9 and 10 of resolution 687 (1991) and other related resolutions, that UNMOVIC will establish and operate, as was recommended by the panel on disarmament and current and future ongoing monitoring and verification issues, a reinforced system of ongoing monitoring and verification, which will implement the plan approved by the Council in resolution 715 (1991) and address unresolved disarmament issues, and that UNMOVIC will identify, as necessary in accordance with its mandate, additional sites in Iraq to be covered by the reinforced system of ongoing monitoring and verification;

3. Reaffirms the provisions of the relevant resolutions with regard to the role of the IAEA in addressing compliance by Iraq with paragraphs 12 and 13 of resolution 687 (1991) and other related resolutions, and requests the Director General of the IAEA to maintain this role with the assistance and cooperation of UNMOVIC;

4. Reaffirms its resolutions 687 (1991), 699 (1991), 707 (1991), 715 (1991), 1051 (1996), 1154 (1998) and all other relevant resolutions and statements of its President, which establish the criteria for Iraqi compliance, affirms that the obligations of Iraq referred to in those resolutions and statements with regard to cooperation with the Special Commission, unrestricted access and provision of information will apply in respect of UNMOVIC, and

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decides in particular that Iraq shall allow UNMOVIC teams immediate, unconditional and unrestricted access to any and all areas, facilities, equipment, records and means of transport which they wish to inspect in accordance with the mandate of UNMOVIC, as well as to all officials and other persons under the authority of the Iraqi Government whom UNMOVIC wishes to interview so that UNMOVIC may fully discharge its mandate;

5. Requests the Secretary-General, within 30 days of the adoption of this resolution, to appoint, after consultation with and subject to the approval of the Council, an Executive Chairman of UNMOVIC who will take up his mandated tasks as soon as possible, and, in consultation with the Executive Chairman and the Council members, to appoint suitably qualified experts as a College of Commissioners for UNMOVIC which will meet regularly to review the implementation of this and other relevant resolutions and provide professional advice and guidance to the Executive Chairman, including on significant policy decisions and on written reports to be submitted to the Council through the Secretary-General;

6. Requests the Executive Chairman of UNMOVIC, within 45 days of his appointment, to submit to the Council, in consultation with and through the Secretary-General, for its approval an organizational plan for UNMOVIC, including its structure, staffing requirements, management guidelines, recruitment and training procedures, incorporating as appropriate the recommendations of the panel on disarmament and current and future ongoing monitoring and verification issues, and recognizing in particular the need for an effective, cooperative management structure for the new organization, for staffing with suitably qualified and experienced personnel, who would be regarded as international civil servants subject to Article 100 of the Charter of the United Nations, drawn from the broadest possible geographical base, including as he deems necessary from international arms control organizations, and for the provision of high quality technical and cultural training;

7. Decides that UNMOVIC and the IAEA, not later than 60 days after they have both started work in Iraq, will each draw up, for approval by the Council, a work programme for the discharge of their mandates, which will include both the implementation of the reinforced system of ongoing monitoring and verification, and the key remaining disarmament tasks to be completed by Iraq pursuant to its obligations to comply with the disarmament requirements of resolution 687 (1991) and other related resolutions, which constitute the governing standard of Iraqi compliance, and further decides that what is required of Iraq for the implementation of each task shall be clearly defined and precise;

8. Requests the Executive Chairman of UNMOVIC and the Director General of the IAEA, drawing on the expertise of other international organizations as appropriate, to establish a unit which will have the responsibilities of the joint unit constituted by the Special Commission and the Director General of the IAEA under paragraph 16 of the export/import mechanism approved by resolution 1051 (1996), and also requests the Executive Chairman of UNMOVIC, in consultation with the Director General of the IAEA, to resume the revision and updating of the lists of items and technology to which the mechanism applies;

9. Decides that the Government of Iraq shall be liable for the full costs of UNMOVIC and the IAEA in relation to their work under this and other related resolutions on Iraq;

10. Requests Member States to give full cooperation to UNMOVIC and the IAEA in the discharge of their mandates;

11. Decides that UNMOVIC shall take over all assets, liabilities and archives of the Special Commission, and that it shall assume the Special Commission's part in agreements existing between the Special Commission and Iraq and between the United Nations and Iraq, and affirms that the Executive Chairman, the Commissioners and the personnel serving with UNMOVIC shall have the rights, privileges, facilities and immunities of the Special Commission;

12. Requests the Executive Chairman of UNMOVIC to report, through the Secretary-General, to the Council, following consultation with the Commissioners, every three months on the work of UNMOVIC, pending submission of the first reports referred to in paragraph 33 below, and to report immediately when the reinforced system of ongoing monitoring and verification is fully operational in Iraq;

B.

13. Reiterates the obligation of Iraq, in furtherance of its commitment to facilitate the repatriation of all Kuwaiti and third country nationals referred to in paragraph 30 of resolution 687 (1991), to extend all necessary cooperation to the International Committee of the Red Cross, and calls upon the Government of Iraq to resume cooperation with the Tripartite Commission and Technical Subcommittee established to facilitate work on this issue;

14. Requests the Secretary-General to report to the Council every four months on compliance by Iraq with its obligations regarding the repatriation or return of all Kuwaiti and third country nationals or their remains, to report every six months on the return of all Kuwaiti property, including archives, seized by Iraq, and to appoint a high-level coordinator for these issues;

C.

15. Authorizes States, notwithstanding the provisions of paragraphs 3 (a), 3 (b) and 4 of resolution 661 (1990) and subsequent relevant resolutions, to permit the import of any volume of petroleum and petroleum products originating in Iraq, including financial and other essential transactions directly relating thereto, as required for the purposes and on the conditions set out in paragraph 1 (a) and (b) and subsequent provisions of resolution 986 (1995) and related resolutions;

16. Underlines, in this context, its intention to take further action, including permitting the use of additional export routes for petroleum and petroleum products, under appropriate conditions otherwise consistent with the purpose and provisions of resolution 986 (1995) and related resolutions;

17. Directs the Committee established by resolution 661 (1990) to approve, on the basis of proposals from the Secretary-General, lists of humanitarian

items, including foodstuffs, pharmaceutical and medical supplies, as well as basic or standard medical and agricultural equipment and basic or standard educational items, decides, notwithstanding paragraph 3 of resolution 661 (1990) and paragraph 20 of resolution 687 (1991), that supplies of these items will not be submitted for approval of that Committee, except for items subject to the provisions of resolution 1051 (1996), and will be notified to the Secretary-General and financed in accordance with the provisions of paragraph 8 (a) and 8 (b) of resolution 986 (1995), and requests the Secretary-General to inform the Committee in a timely manner of all such notifications received and actions taken;

18. Requests the Committee established by resolution 661 (1990) to appoint, in accordance with resolutions 1175 (1998) and 1210 (1998), a group of experts, including independent inspection agents appointed by the Secretary-General in accordance with paragraph 6 of resolution 986 (1995), decides that this group will be mandated to approve speedily contracts for the parts and the equipments necessary to enable Iraq to increase its exports of petroleum and petroleum products, according to lists of parts and equipments approved by that Committee for each individual project, and requests the Secretary-General to continue to provide for the monitoring of these parts and equipments inside Iraq;

19. Encourages Member States and international organizations to provide supplementary humanitarian assistance to Iraq and published material of an educational character to Iraq;

20. Decides to suspend, for an initial period of six months from the date of the adoption of this resolution and subject to review, the implementation of paragraph 8 (g) of resolution 986 (1995);

21. Requests the Secretary-General to take steps to maximize, drawing as necessary on the advice of specialists, including representatives of international humanitarian organizations, the effectiveness of the arrangements set out in resolution 986 (1995) and related resolutions including the humanitarian benefit to the Iraqi population in all areas of the country, and further requests the Secretary-General to continue to enhance as necessary the United Nations observation process in Iraq, ensuring that all supplies under the humanitarian programme are utilized as authorized, to bring to the attention of the Council any circumstances preventing or impeding effective and equitable distribution and to keep the Council informed of the steps taken towards the implementation of this paragraph;

22. Requests also the Secretary-General to minimize the cost of the United Nations activities associated with the implementation of resolution 986 (1995) as well as the cost of the independent inspection agents and the certified public accountants appointed by him, in accordance with paragraphs 6 and 7 of resolution 986 (1995);

23. Requests further the Secretary-General to provide Iraq and the Committee established by resolution 661 (1990) with a daily statement of the status of the escrow account established by paragraph 7 of resolution 986 (1995);

24. Requests the Secretary-General to make the necessary arrangements, subject to Security Council approval, to allow funds deposited in the escrow account established by resolution 986 (1995) to be used for the purchase of locally produced goods and to meet the local cost for essential civilian needs which have been funded in accordance with the provisions of resolution 986 (1995) and related resolutions, including, where appropriate, the cost of installation and training services;

25. Directs the Committee established by resolution 661 (1990) to take a decision on all applications in respect of humanitarian and essential civilian needs within a target of two working days of receipt of these applications from the Secretary-General, and to ensure that all approval and notification letters issued by the Committee stipulate delivery within a specified time, according to the nature of the items to be supplied, and requests the Secretary-General to notify the Committee of all applications for humanitarian items which are included in the list to which the export/import mechanism approved by resolution 1051 (1996) applies;

26. Decides that Hajj pilgrimage flights which do not transport cargo into or out of Iraq are exempt from the provisions of paragraph 3 of resolution 661 (1990) and resolution 670 (1990), provided timely notification of each flight is made to the Committee established by resolution 661 (1990), and requests the Secretary-General to make the necessary arrangements, for approval by the Security Council, to provide for reasonable expenses related to the Hajj pilgrimage to be met by funds in the escrow account established by resolution 986 (1995);

27. Calls upon the Government of Iraq:

- (i) to take all steps to ensure the timely and equitable distribution of all humanitarian goods, in particular medical supplies, and to remove and avoid delays at its warehouses;
- (ii) to address effectively the needs of vulnerable groups, including children, pregnant women, the disabled, the elderly and the mentally ill among others, and to allow freer access, without any discrimination, including on the basis of religion or nationality, by United Nations agencies and humanitarian organizations to all areas and sections of the population for evaluation of their nutritional and humanitarian condition;
- (iii) to prioritize applications for humanitarian goods under the arrangements set out in resolution 986 (1995) and related resolutions;
- (iv) to ensure that those involuntarily displaced receive humanitarian assistance without the need to demonstrate that they have resided for six months in their places of temporary residence;
- (v) to extend full cooperation to the United Nations Office for Project Services mine-clearance programme in the three northern Governorates of Iraq and to consider the initiation of the demining efforts in other Governorates;

28. Requests the Secretary-General to report on the progress made in meeting the humanitarian needs of the Iraqi people and on the revenues necessary to meet those needs, including recommendations on necessary additions to the current allocation for oil spare parts and equipment, on the basis of a comprehensive survey of the condition of the Iraqi oil production sector, not later than 60 days from the date of the adoption of this resolution and updated thereafter as necessary;

29. Expresses its readiness to authorize additions to the current allocation for oil spare parts and equipment, on the basis of the report and recommendations requested in paragraph 28 above, in order to meet the humanitarian purposes set out in resolution 986 (1995) and related resolutions;

30. Requests the Secretary-General to establish a group of experts, including oil industry experts, to report within 100 days of the date of adoption of this resolution on Iraq's existing petroleum production and export capacity and to make recommendations, to be updated as necessary, on alternatives for increasing Iraq's petroleum production and export capacity in a manner consistent with the purposes of relevant resolutions, and on the options for involving foreign oil companies in Iraq's oil sector, including investments, subject to appropriate monitoring and controls;

31. Notes that in the event of the Council acting as provided for in paragraph 33 of this resolution to suspend the prohibitions referred to in that paragraph, appropriate arrangements and procedures will need, subject to paragraph 35 below, to be agreed by the Council in good time beforehand, including suspension of provisions of resolution 986 (1995) and related resolutions;

32. Requests the Secretary-General to report to the Council on the implementation of paragraphs 15 to 30 of this resolution within 30 days of the adoption of this resolution;

D.

33. Expresses its intention, upon receipt of reports from the Executive Chairman of UNMOVIC and from the Director General of the IAEA that Iraq has cooperated in all respects with UNMOVIC and the IAEA in particular in fulfilling the work programmes in all the aspects referred to in paragraph 7 above, for a period of 120 days after the date on which the Council is in receipt of reports from both UNMOVIC and the IAEA that the reinforced system of ongoing monitoring and verification is fully operational, to suspend with the fundamental objective of improving the humanitarian situation in Iraq and securing the implementation of the Council's resolutions, for a period of 120 days renewable by the Council, and subject to the elaboration of effective financial and other operational measures to ensure that Iraq does not acquire prohibited items, prohibitions against the import of commodities and products originating in Iraq, and prohibitions against the sale, supply and delivery to Iraq of civilian commodities and products other than those referred to in paragraph 24 of resolution 687 (1991) or those to which the mechanism established by resolution 1051 (1996) applies;

34. Decides that in reporting to the Council for the purposes of paragraph 33 above, the Executive Chairman of UNMOVIC will include as a basis for his assessment the progress made in completing the tasks referred to in paragraph 7 above;

35. Decides that if at any time the Executive Chairman of UNMOVIC or the Director General of the IAEA reports that Iraq is not cooperating in all respects with UNMOVIC or the IAEA or if Iraq is in the process of acquiring any prohibited items, the suspension of the prohibitions referred to in paragraph 33 above shall terminate on the fifth working day following the report, unless the Council decides to the contrary;

36. Expresses its intention to approve arrangements for effective financial and other operational measures, including on the delivery of and payment for authorized civilian commodities and products to be sold or supplied to Iraq, in order to ensure that Iraq does not acquire prohibited items in the event of suspension of the prohibitions referred to in paragraph 33 above, to begin the elaboration of such measures not later than the date of the receipt of the initial reports referred to in paragraph 33 above, and to approve such arrangements before the Council decision in accordance with that paragraph;

37. Further expresses its intention to take steps, based on the report and recommendations requested in paragraph 30 above, and consistent with the purpose of resolution 986 (1995) and related resolutions, to enable Iraq to increase its petroleum production and export capacity, upon receipt of the reports relating to the cooperation in all respects with UNMOVIC and the IAEA referred to in paragraph 33 above;

38. Reaffirms its intention to act in accordance with the relevant provisions of resolution 687 (1991) on the termination of prohibitions referred to in that resolution;

39. Decides to remain actively seized of the matter and expresses its intention to consider action in accordance with paragraph 33 above no later than 12 months from the date of the adoption of this resolution provided the conditions set out in paragraph 33 above have been satisfied by Iraq.

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## Appendix K

UN Security Council Resolution 1368

2001





## Security Council

Distr.: General

12 September 2001

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### Resolution 1368 (2001)

**Adopted by the Security Council at its 4370th meeting, on  
12 September 2001**

*The Security Council,*

*Reaffirming* the principles and purposes of the Charter of the United Nations,

*Determined* to combat by all means threats to international peace and security caused by terrorist acts,

*Recognizing* the inherent right of individual or collective self-defence in accordance with the Charter,

1. *Unequivocally condemns* in the strongest terms the horrifying terrorist attacks which took place on 11 September 2001 in New York, Washington, D.C. and Pennsylvania and *regards* such acts, like any act of international terrorism, as a threat to international peace and security;

2. *Expresses* its deepest sympathy and condolences to the victims and their families and to the people and Government of the United States of America;

3. *Calls* on all States to work together urgently to bring to justice the perpetrators, organizers and sponsors of these terrorist attacks and *stresses* that those responsible for aiding, supporting or harbouring the perpetrators, organizers and sponsors of these acts will be held accountable;

4. *Calls also* on the international community to redouble their efforts to prevent and suppress terrorist acts including by increased cooperation and full implementation of the relevant international anti-terrorist conventions and Security Council resolutions, in particular resolution 1269 (1999) of 19 October 1999;

5. *Expresses* its readiness to take all necessary steps to respond to the terrorist attacks of 11 September 2001, and to combat all forms of terrorism, in accordance with its responsibilities under the Charter of the United Nations;

6. *Decides* to remain seized of the matter.

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Appendix L

UN Security Council Resolution 1373

2001



## Security Council

Distr.: General

28 September 2001

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### Resolution 1373 (2001)

**Adopted by the Security Council at its 4385th meeting, on  
28 September 2001**

*The Security Council,*

*Reaffirming* its resolutions 1269 (1999) of 19 October 1999 and 1368 (2001) of 12 September 2001,

*Reaffirming also* its unequivocal condemnation of the terrorist attacks which took place in New York, Washington, D.C. and Pennsylvania on 11 September 2001, and expressing its determination to prevent all such acts,

*Reaffirming further* that such acts, like any act of international terrorism, constitute a threat to international peace and security,

*Reaffirming* the inherent right of individual or collective self-defence as recognized by the Charter of the United Nations as reiterated in resolution 1368 (2001),

*Reaffirming* the need to combat by all means, in accordance with the Charter of the United Nations, threats to international peace and security caused by terrorist acts,

*Deeply concerned* by the increase, in various regions of the world, of acts of terrorism motivated by intolerance or extremism,

*Calling* on States to work together urgently to prevent and suppress terrorist acts, including through increased cooperation and full implementation of the relevant international conventions relating to terrorism,

*Recognizing* the need for States to complement international cooperation by taking additional measures to prevent and suppress, in their territories through all lawful means, the financing and preparation of any acts of terrorism,

*Reaffirming* the principle established by the General Assembly in its declaration of October 1970 (resolution 2625 (XXV)) and reiterated by the Security Council in its resolution 1189 (1998) of 13 August 1998, namely that every State has the duty to refrain from organizing, instigating, assisting or participating in terrorist acts in another State or acquiescing in organized activities within its territory directed towards the commission of such acts,

*Acting* under Chapter VII of the Charter of the United Nations,



1. *Decides* that all States shall:

- (a) Prevent and suppress the financing of terrorist acts;
- (b) Criminalize the wilful provision or collection, by any means, directly or indirectly, of funds by their nationals or in their territories with the intention that the funds should be used, or in the knowledge that they are to be used, in order to carry out terrorist acts;
- (c) Freeze without delay funds and other financial assets or economic resources of persons who commit, or attempt to commit, terrorist acts or participate in or facilitate the commission of terrorist acts; of entities owned or controlled directly or indirectly by such persons; and of persons and entities acting on behalf of, or at the direction of such persons and entities, including funds derived or generated from property owned or controlled directly or indirectly by such persons and associated persons and entities;
- (d) Prohibit their nationals or any persons and entities within their territories from making any funds, financial assets or economic resources or financial or other related services available, directly or indirectly, for the benefit of persons who commit or attempt to commit or facilitate or participate in the commission of terrorist acts, of entities owned or controlled, directly or indirectly, by such persons and of persons and entities acting on behalf of or at the direction of such persons;

2. *Decides also* that all States shall:

- (a) Refrain from providing any form of support, active or passive, to entities or persons involved in terrorist acts, including by suppressing recruitment of members of terrorist groups and eliminating the supply of weapons to terrorists;
- (b) Take the necessary steps to prevent the commission of terrorist acts, including by provision of early warning to other States by exchange of information;
- (c) Deny safe haven to those who finance, plan, support, or commit terrorist acts, or provide safe havens;
- (d) Prevent those who finance, plan, facilitate or commit terrorist acts from using their respective territories for those purposes against other States or their citizens;
- (e) Ensure that any person who participates in the financing, planning, preparation or perpetration of terrorist acts or in supporting terrorist acts is brought to justice and ensure that, in addition to any other measures against them, such terrorist acts are established as serious criminal offences in domestic laws and regulations and that the punishment duly reflects the seriousness of such terrorist acts;
- (f) Afford one another the greatest measure of assistance in connection with criminal investigations or criminal proceedings relating to the financing or support of terrorist acts, including assistance in obtaining evidence in their possession necessary for the proceedings;
- (g) Prevent the movement of terrorists or terrorist groups by effective border controls and controls on issuance of identity papers and travel documents, and through measures for preventing counterfeiting, forgery or fraudulent use of identity papers and travel documents;

3. *Calls* upon all States to:

(a) Find ways of intensifying and accelerating the exchange of operational information, especially regarding actions or movements of terrorist persons or networks; forged or falsified travel documents; traffic in arms, explosives or sensitive materials; use of communications technologies by terrorist groups; and the threat posed by the possession of weapons of mass destruction by terrorist groups;

(b) Exchange information in accordance with international and domestic law and cooperate on administrative and judicial matters to prevent the commission of terrorist acts;

(c) Cooperate, particularly through bilateral and multilateral arrangements and agreements, to prevent and suppress terrorist attacks and take action against perpetrators of such acts;

(d) Become parties as soon as possible to the relevant international conventions and protocols relating to terrorism, including the International Convention for the Suppression of the Financing of Terrorism of 9 December 1999;

(e) Increase cooperation and fully implement the relevant international conventions and protocols relating to terrorism and Security Council resolutions 1269 (1999) and 1368 (2001);

(f) Take appropriate measures in conformity with the relevant provisions of national and international law, including international standards of human rights, before granting refugee status, for the purpose of ensuring that the asylum-seeker has not planned, facilitated or participated in the commission of terrorist acts;

(g) Ensure, in conformity with international law, that refugee status is not abused by the perpetrators, organizers or facilitators of terrorist acts, and that claims of political motivation are not recognized as grounds for refusing requests for the extradition of alleged terrorists;

4. *Notes* with concern the close connection between international terrorism and transnational organized crime, illicit drugs, money-laundering, illegal arms-trafficking, and illegal movement of nuclear, chemical, biological and other potentially deadly materials, and in this regard *emphasizes* the need to enhance coordination of efforts on national, subregional, regional and international levels in order to strengthen a global response to this serious challenge and threat to international security;

5. *Declares* that acts, methods, and practices of terrorism are contrary to the purposes and principles of the United Nations and that knowingly financing, planning and inciting terrorist acts are also contrary to the purposes and principles of the United Nations;

6. *Decides* to establish, in accordance with rule 28 of its provisional rules of procedure, a Committee of the Security Council, consisting of all the members of the Council, to monitor implementation of this resolution, with the assistance of appropriate expertise, and *calls upon* all States to report to the Committee, no later than 90 days from the date of adoption of this resolution and thereafter according to a timetable to be proposed by the Committee, on the steps they have taken to implement this resolution;

7. *Directs* the Committee to delineate its tasks, submit a work programme within 30 days of the adoption of this resolution, and to consider the support it requires, in consultation with the Secretary-General;

8. *Expresses* its determination to take all necessary steps in order to ensure the full implementation of this resolution, in accordance with its responsibilities under the Charter;

9. *Decides* to remain seized of this matter.

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## Appendix M

UN Security Council Resolution 1441

2002



## Security Council

Distr.: General  
8 November 2002

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### Resolution 1441 (2002)

#### Adopted by the Security Council at its 4644th meeting, on 8 November 2002

*The Security Council,*

*Recalling* all its previous relevant resolutions, in particular its resolutions 661 (1990) of 6 August 1990, 678 (1990) of 29 November 1990, 686 (1991) of 2 March 1991, 687 (1991) of 3 April 1991, 688 (1991) of 5 April 1991, 707 (1991) of 15 August 1991, 715 (1991) of 11 October 1991, 986 (1995) of 14 April 1995, and 1284 (1999) of 17 December 1999, and all the relevant statements of its President,

*Recalling also* its resolution 1382 (2001) of 29 November 2001 and its intention to implement it fully,

*Recognizing* the threat Iraq's non-compliance with Council resolutions and proliferation of weapons of mass destruction and long-range missiles poses to international peace and security,

*Recalling* that its resolution 678 (1990) authorized Member States to use all necessary means to uphold and implement its resolution 660 (1990) of 2 August 1990 and all relevant resolutions subsequent to resolution 660 (1990) and to restore international peace and security in the area,

*Further recalling* that its resolution 687 (1991) imposed obligations on Iraq as a necessary step for achievement of its stated objective of restoring international peace and security in the area,

*Deploring* the fact that Iraq has not provided an accurate, full, final, and complete disclosure, as required by resolution 687 (1991), of all aspects of its programmes to develop weapons of mass destruction and ballistic missiles with a range greater than one hundred and fifty kilometres, and of all holdings of such weapons, their components and production facilities and locations, as well as all other nuclear programmes, including any which it claims are for purposes not related to nuclear-weapons-usable material,

*Deploring further* that Iraq repeatedly obstructed immediate, unconditional, and unrestricted access to sites designated by the United Nations Special Commission (UNSCOM) and the International Atomic Energy Agency (IAEA), failed to cooperate fully and unconditionally with UNSCOM and IAEA weapons



inspectors, as required by resolution 687 (1991), and ultimately ceased all cooperation with UNSCOM and the IAEA in 1998,

*Deploring* the absence, since December 1998, in Iraq of international monitoring, inspection, and verification, as required by relevant resolutions, of weapons of mass destruction and ballistic missiles, in spite of the Council's repeated demands that Iraq provide immediate, unconditional, and unrestricted access to the United Nations Monitoring, Verification and Inspection Commission (UNMOVIC), established in resolution 1284 (1999) as the successor organization to UNSCOM, and the IAEA, and regretting the consequent prolonging of the crisis in the region and the suffering of the Iraqi people,

*Deploring also* that the Government of Iraq has failed to comply with its commitments pursuant to resolution 687 (1991) with regard to terrorism, pursuant to resolution 688 (1991) to end repression of its civilian population and to provide access by international humanitarian organizations to all those in need of assistance in Iraq, and pursuant to resolutions 686 (1991), 687 (1991), and 1284 (1999) to return or cooperate in accounting for Kuwaiti and third country nationals wrongfully detained by Iraq, or to return Kuwaiti property wrongfully seized by Iraq,

*Recalling* that in its resolution 687 (1991) the Council declared that a ceasefire would be based on acceptance by Iraq of the provisions of that resolution, including the obligations on Iraq contained therein,

*Determined* to ensure full and immediate compliance by Iraq without conditions or restrictions with its obligations under resolution 687 (1991) and other relevant resolutions and recalling that the resolutions of the Council constitute the governing standard of Iraqi compliance,

*Recalling* that the effective operation of UNMOVIC, as the successor organization to the Special Commission, and the IAEA is essential for the implementation of resolution 687 (1991) and other relevant resolutions,

*Noting* that the letter dated 16 September 2002 from the Minister for Foreign Affairs of Iraq addressed to the Secretary-General is a necessary first step toward rectifying Iraq's continued failure to comply with relevant Council resolutions,

*Noting further* the letter dated 8 October 2002 from the Executive Chairman of UNMOVIC and the Director-General of the IAEA to General Al-Saadi of the Government of Iraq laying out the practical arrangements, as a follow-up to their meeting in Vienna, that are prerequisites for the resumption of inspections in Iraq by UNMOVIC and the IAEA, and expressing the gravest concern at the continued failure by the Government of Iraq to provide confirmation of the arrangements as laid out in that letter,

*Reaffirming* the commitment of all Member States to the sovereignty and territorial integrity of Iraq, Kuwait, and the neighbouring States,

*Commending* the Secretary-General and members of the League of Arab States and its Secretary-General for their efforts in this regard,

*Determined* to secure full compliance with its decisions,

*Acting* under Chapter VII of the Charter of the United Nations,

1. *Decides* that Iraq has been and remains in material breach of its obligations under relevant resolutions, including resolution 687 (1991), in particular through Iraq's failure to cooperate with United Nations inspectors and the IAEA, and to complete the actions required under paragraphs 8 to 13 of resolution 687 (1991);

2. *Decides*, while acknowledging paragraph 1 above, to afford Iraq, by this resolution, a final opportunity to comply with its disarmament obligations under relevant resolutions of the Council; and accordingly decides to set up an enhanced inspection regime with the aim of bringing to full and verified completion the disarmament process established by resolution 687 (1991) and subsequent resolutions of the Council;

3. *Decides* that, in order to begin to comply with its disarmament obligations, in addition to submitting the required biannual declarations, the Government of Iraq shall provide to UNMOVIC, the IAEA, and the Council, not later than 30 days from the date of this resolution, a currently accurate, full, and complete declaration of all aspects of its programmes to develop chemical, biological, and nuclear weapons, ballistic missiles, and other delivery systems such as unmanned aerial vehicles and dispersal systems designed for use on aircraft, including any holdings and precise locations of such weapons, components, sub-components, stocks of agents, and related material and equipment, the locations and work of its research, development and production facilities, as well as all other chemical, biological, and nuclear programmes, including any which it claims are for purposes not related to weapon production or material;

4. *Decides* that false statements or omissions in the declarations submitted by Iraq pursuant to this resolution and failure by Iraq at any time to comply with, and cooperate fully in the implementation of, this resolution shall constitute a further material breach of Iraq's obligations and will be reported to the Council for assessment in accordance with paragraphs 11 and 12 below;

5. *Decides* that Iraq shall provide UNMOVIC and the IAEA immediate, unimpeded, unconditional, and unrestricted access to any and all, including underground, areas, facilities, buildings, equipment, records, and means of transport which they wish to inspect, as well as immediate, unimpeded, unrestricted, and private access to all officials and other persons whom UNMOVIC or the IAEA wish to interview in the mode or location of UNMOVIC's or the IAEA's choice pursuant to any aspect of their mandates; further decides that UNMOVIC and the IAEA may at their discretion conduct interviews inside or outside of Iraq, may facilitate the travel of those interviewed and family members outside of Iraq, and that, at the sole discretion of UNMOVIC and the IAEA, such interviews may occur without the presence of observers from the Iraqi Government; and instructs UNMOVIC and requests the IAEA to resume inspections no later than 45 days following adoption of this resolution and to update the Council 60 days thereafter;

6. *Endorses* the 8 October 2002 letter from the Executive Chairman of UNMOVIC and the Director-General of the IAEA to General Al-Saadi of the Government of Iraq, which is annexed hereto, and decides that the contents of the letter shall be binding upon Iraq;

7. *Decides* further that, in view of the prolonged interruption by Iraq of the presence of UNMOVIC and the IAEA and in order for them to accomplish the tasks

set forth in this resolution and all previous relevant resolutions and notwithstanding prior understandings, the Council hereby establishes the following revised or additional authorities, which shall be binding upon Iraq, to facilitate their work in Iraq:

- UNMOVIC and the IAEA shall determine the composition of their inspection teams and ensure that these teams are composed of the most qualified and experienced experts available;
- All UNMOVIC and IAEA personnel shall enjoy the privileges and immunities, corresponding to those of experts on mission, provided in the Convention on Privileges and Immunities of the United Nations and the Agreement on the Privileges and Immunities of the IAEA;
- UNMOVIC and the IAEA shall have unrestricted rights of entry into and out of Iraq, the right to free, unrestricted, and immediate movement to and from inspection sites, and the right to inspect any sites and buildings, including immediate, unimpeded, unconditional, and unrestricted access to Presidential Sites equal to that at other sites, notwithstanding the provisions of resolution 1154 (1998) of 2 March 1998;
- UNMOVIC and the IAEA shall have the right to be provided by Iraq the names of all personnel currently and formerly associated with Iraq's chemical, biological, nuclear, and ballistic missile programmes and the associated research, development, and production facilities;
- Security of UNMOVIC and IAEA facilities shall be ensured by sufficient United Nations security guards;
- UNMOVIC and the IAEA shall have the right to declare, for the purposes of freezing a site to be inspected, exclusion zones, including surrounding areas and transit corridors, in which Iraq will suspend ground and aerial movement so that nothing is changed in or taken out of a site being inspected;
- UNMOVIC and the IAEA shall have the free and unrestricted use and landing of fixed- and rotary-winged aircraft, including manned and unmanned reconnaissance vehicles;
- UNMOVIC and the IAEA shall have the right at their sole discretion verifiably to remove, destroy, or render harmless all prohibited weapons, subsystems, components, records, materials, and other related items, and the right to impound or close any facilities or equipment for the production thereof; and
- UNMOVIC and the IAEA shall have the right to free import and use of equipment or materials for inspections and to seize and export any equipment, materials, or documents taken during inspections, without search of UNMOVIC or IAEA personnel or official or personal baggage;

8. *Decides* further that Iraq shall not take or threaten hostile acts directed against any representative or personnel of the United Nations or the IAEA or of any Member State taking action to uphold any Council resolution;

9. *Requests* the Secretary-General immediately to notify Iraq of this resolution, which is binding on Iraq; demands that Iraq confirm within seven days of that notification its intention to comply fully with this resolution; and demands

further that Iraq cooperate immediately, unconditionally, and actively with UNMOVIC and the IAEA;

10. *Requests* all Member States to give full support to UNMOVIC and the IAEA in the discharge of their mandates, including by providing any information related to prohibited programmes or other aspects of their mandates, including on Iraqi attempts since 1998 to acquire prohibited items, and by recommending sites to be inspected, persons to be interviewed, conditions of such interviews, and data to be collected, the results of which shall be reported to the Council by UNMOVIC and the IAEA;

11. *Directs* the Executive Chairman of UNMOVIC and the Director-General of the IAEA to report immediately to the Council any interference by Iraq with inspection activities, as well as any failure by Iraq to comply with its disarmament obligations, including its obligations regarding inspections under this resolution;

12. *Decides* to convene immediately upon receipt of a report in accordance with paragraphs 4 or 11 above, in order to consider the situation and the need for full compliance with all of the relevant Council resolutions in order to secure international peace and security;

13. *Recalls*, in that context, that the Council has repeatedly warned Iraq that it will face serious consequences as a result of its continued violations of its obligations;

14. *Decides* to remain seized of the matter.

**Annex**

**Text of Blix/El-Baradei letter**

**United Nations Monitoring, Verification  
and Inspection Commission**

**International Atomic Energy Agency**

**The Executive Chairman**

**The Director General**

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8 October 2002

Dear General Al-Saadi,

During our recent meeting in Vienna, we discussed practical arrangements that are prerequisites for the resumption of inspections in Iraq by UNMOVIC and the IAEA. As you recall, at the end of our meeting in Vienna we agreed on a statement which listed some of the principal results achieved, particularly Iraq's acceptance of all the rights of inspection provided for in all of the relevant Security Council resolutions. This acceptance was stated to be without any conditions attached.

During our 3 October 2002 briefing to the Security Council, members of the Council suggested that we prepare a written document on all of the conclusions we reached in Vienna. This letter lists those conclusions and seeks your confirmation thereof. We shall report accordingly to the Security Council.

In the statement at the end of the meeting, it was clarified that UNMOVIC and the IAEA will be granted immediate, unconditional and unrestricted access to sites, including what was termed "sensitive sites" in the past. As we noted, however, eight presidential sites have been the subject of special procedures under a Memorandum of Understanding of 1998. Should these sites be subject, as all other sites, to immediate, unconditional and unrestricted access, UNMOVIC and the IAEA would conduct inspections there with the same professionalism.

H.E. General Amir H. Al-Saadi  
Advisor  
Presidential Office  
Baghdad  
Iraq

We confirm our understanding that UNMOVIC and the IAEA have the right to determine the number of inspectors required for access to any particular site. This determination will be made on the basis of the size and complexity of the site being inspected. We also confirm that Iraq will be informed of the designation of additional sites, i.e. sites not declared by Iraq or previously inspected by either UNSCOM or the IAEA, through a Notification of Inspection (NIS) provided upon arrival of the inspectors at such sites.

Iraq will ensure that no proscribed material, equipment, records or other relevant items will be destroyed except in the presence of UNMOVIC and/or IAEA inspectors, as appropriate, and at their request.

UNMOVIC and the IAEA may conduct interviews with any person in Iraq whom they believe may have information relevant to their mandate. Iraq will facilitate such interviews. It is for UNMOVIC and the IAEA to choose the mode and location for interviews.

The National Monitoring Directorate (NMD) will, as in the past, serve as the Iraqi counterpart for the inspectors. The Baghdad Ongoing Monitoring and Verification Centre (BOMVIC) will be maintained on the same premises and under the same conditions as was the former Baghdad Monitoring and Verification Centre. The NMD will make available services as before, cost free, for the refurbishment of the premises.

The NMD will provide free of cost: (a) escorts to facilitate access to sites to be inspected and communication with personnel to be interviewed; (b) a hotline for BOMVIC which will be staffed by an English speaking person on a 24 hour a day/seven days a week basis; (c) support in terms of personnel and ground transportation within the country, as requested; and (d) assistance in the movement of materials and equipment at inspectors' request (construction, excavation equipment, etc.). NMD will also ensure that escorts are available in the event of inspections outside normal working hours, including at night and on holidays.

Regional UNMOVIC/IAEA offices may be established, for example, in Basra and Mosul, for the use of their inspectors. For this purpose, Iraq will provide, without cost, adequate office buildings, staff accommodation, and appropriate escort personnel.

UNMOVIC and the IAEA may use any type of voice or data transmission, including satellite and/or inland networks, with or without encryption capability. UNMOVIC and the IAEA may also install equipment in the field with the capability for transmission of data directly to the BOMVIC, New York and Vienna (e.g. sensors, surveillance cameras). This will be facilitated by Iraq and there will be no interference by Iraq with UNMOVIC or IAEA communications.

Iraq will provide, without cost, physical protection of all surveillance equipment, and construct antennae for remote transmission of data, at the request of UNMOVIC and the IAEA. Upon request by UNMOVIC through the NMD, Iraq will allocate frequencies for communications equipment.

Iraq will provide security for all UNMOVIC and IAEA personnel. Secure and suitable accommodations will be designated at normal rates by Iraq for these personnel. For their part, UNMOVIC and the IAEA will require that their staff not stay at any accommodation other than those identified in consultation with Iraq.

On the use of fixed-wing aircraft for transport of personnel and equipment and for inspection purposes, it was clarified that aircraft used by UNMOVIC and IAEA staff arriving in Baghdad may land at Saddam International Airport. The points of departure of incoming aircraft will be decided by UNMOVIC. The Rasheed airbase will continue to be used for UNMOVIC and IAEA helicopter operations. UNMOVIC and Iraq will establish air liaison offices at the airbase. At both Saddam International Airport and Rasheed airbase, Iraq will provide the necessary support premises and facilities. Aircraft fuel will be provided by Iraq, as before, free of charge.

On the wider issue of air operations in Iraq, both fixed-wing and rotary, Iraq will guarantee the safety of air operations in its air space outside the no-fly zones. With regard to air operations in the no-fly zones, Iraq will take all steps within its control to ensure the safety of such operations.

Helicopter flights may be used, as needed, during inspections and for technical activities, such as gamma detection, without limitation in all parts of Iraq and without any area excluded. Helicopters may also be used for medical evacuation.

On the question of aerial imagery, UNMOVIC may wish to resume the use of U-2 or Mirage overflights. The relevant practical arrangements would be similar to those implemented in the past.

As before, visas for all arriving staff will be issued at the point of entry on the basis of the UN Laissez-Passer or UN Certificate; no other entry or exit formalities will be required. The aircraft passenger manifest will be provided one hour in advance of the arrival of the aircraft in Baghdad. There will be no searching of UNMOVIC or IAEA personnel or of official or personal baggage. UNMOVIC and the IAEA will ensure that their personnel respect the laws of Iraq restricting the export of certain items, for example, those related to Iraq's national cultural heritage. UNMOVIC and the IAEA may bring into, and remove from, Iraq all of the items and materials they require, including satellite phones and other equipment. With respect to samples, UNMOVIC and IAEA will, where feasible, split samples so that Iraq may receive a portion while another portion is kept for reference purposes. Where appropriate, the organizations will send the samples to more than one laboratory for analysis.

We would appreciate your confirmation of the above as a correct reflection of our talks in Vienna.

Naturally, we may need other practical arrangements when proceeding with inspections. We would expect in such matters, as with the above, Iraq's co-operation in all respect.

Yours sincerely,

*(Signed)*  
Hans **Blix**  
Executive Chairman  
United Nations Monitoring,  
Verification and Inspection Commission

*(Signed)*  
Mohamed **ElBaradei**  
Director General  
International Atomic Energy Agency

Appendix N

UN Security Council Resolution 1483

2003





## Security Council

Distr.: General

22 May 2003

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### Resolution 1483 (2003)

**Adopted by the Security Council at its 4761st meeting, on  
22 May 2003**

*The Security Council,*

*Recalling* all its previous relevant resolutions,

*Reaffirming* the sovereignty and territorial integrity of Iraq,

*Reaffirming also* the importance of the disarmament of Iraqi weapons of mass destruction and of eventual confirmation of the disarmament of Iraq,

*Stressing* the right of the Iraqi people freely to determine their own political future and control their own natural resources, *welcoming* the commitment of all parties concerned to support the creation of an environment in which they may do so as soon as possible, and *expressing* resolve that the day when Iraqis govern themselves must come quickly,

*Encouraging* efforts by the people of Iraq to form a representative government based on the rule of law that affords equal rights and justice to all Iraqi citizens without regard to ethnicity, religion, or gender, and, in this connection, *recalls* resolution 1325 (2000) of 31 October 2000,

*Welcoming* the first steps of the Iraqi people in this regard, and *noting* in this connection the 15 April 2003 Nasiriyah statement and the 28 April 2003 Baghdad statement,

*Resolved* that the United Nations should play a vital role in humanitarian relief, the reconstruction of Iraq, and the restoration and establishment of national and local institutions for representative governance,

*Noting* the statement of 12 April 2003 by the Ministers of Finance and Central Bank Governors of the Group of Seven Industrialized Nations in which the members recognized the need for a multilateral effort to help rebuild and develop Iraq and for the need for assistance from the International Monetary Fund and the World Bank in these efforts,

*Welcoming also* the resumption of humanitarian assistance and the continuing efforts of the Secretary-General and the specialized agencies to provide food and medicine to the people of Iraq,

*Welcoming* the appointment by the Secretary-General of his Special Adviser on Iraq,

*Affirming* the need for accountability for crimes and atrocities committed by the previous Iraqi regime,

*Stressing* the need for respect for the archaeological, historical, cultural, and religious heritage of Iraq, and for the continued protection of archaeological, historical, cultural, and religious sites, museums, libraries, and monuments,

*Noting* the letter of 8 May 2003 from the Permanent Representatives of the United States of America and the United Kingdom of Great Britain and Northern Ireland to the President of the Security Council (S/2003/538) and recognizing the specific authorities, responsibilities, and obligations under applicable international law of these states as occupying powers under unified command (the "Authority"),

*Noting further* that other States that are not occupying powers are working now or in the future may work under the Authority,

*Welcoming further* the willingness of Member States to contribute to stability and security in Iraq by contributing personnel, equipment, and other resources under the Authority,

*Concerned* that many Kuwaitis and Third-State Nationals still are not accounted for since 2 August 1990,

*Determining* that the situation in Iraq, although improved, continues to constitute a threat to international peace and security,

*Acting* under Chapter VII of the Charter of the United Nations,

1. *Appeals* to Member States and concerned organizations to assist the people of Iraq in their efforts to reform their institutions and rebuild their country, and to contribute to conditions of stability and security in Iraq in accordance with this resolution;

2. *Calls upon* all Member States in a position to do so to respond immediately to the humanitarian appeals of the United Nations and other international organizations for Iraq and to help meet the humanitarian and other needs of the Iraqi people by providing food, medical supplies, and resources necessary for reconstruction and rehabilitation of Iraq's economic infrastructure;

3. *Appeals* to Member States to deny safe haven to those members of the previous Iraqi regime who are alleged to be responsible for crimes and atrocities and to support actions to bring them to justice;

4. *Calls upon* the Authority, consistent with the Charter of the United Nations and other relevant international law, to promote the welfare of the Iraqi people through the effective administration of the territory, including in particular working towards the restoration of conditions of security and stability and the creation of conditions in which the Iraqi people can freely determine their own political future;

5. *Calls upon* all concerned to comply fully with their obligations under international law including in particular the Geneva Conventions of 1949 and the Hague Regulations of 1907;

6. *Calls upon* the Authority and relevant organizations and individuals to continue efforts to locate, identify, and repatriate all Kuwaiti and Third-State Nationals or the remains of those present in Iraq on or after 2 August 1990, as well as the Kuwaiti archives, that the previous Iraqi regime failed to undertake, and, in this regard, *directs* the High-Level Coordinator, in consultation with the

International Committee of the Red Cross and the Tripartite Commission and with the appropriate support of the people of Iraq and in coordination with the Authority, to take steps to fulfil his mandate with respect to the fate of Kuwaiti and Third-State National missing persons and property;

7. *Decides* that all Member States shall take appropriate steps to facilitate the safe return to Iraqi institutions of Iraqi cultural property and other items of archaeological, historical, cultural, rare scientific, and religious importance illegally removed from the Iraq National Museum, the National Library, and other locations in Iraq since the adoption of resolution 661 (1990) of 6 August 1990, including by establishing a prohibition on trade in or transfer of such items and items with respect to which reasonable suspicion exists that they have been illegally removed, and *calls upon* the United Nations Educational, Scientific, and Cultural Organization, Interpol, and other international organizations, as appropriate, to assist in the implementation of this paragraph;

8. *Requests* the Secretary-General to appoint a Special Representative for Iraq whose independent responsibilities shall involve reporting regularly to the Council on his activities under this resolution, coordinating activities of the United Nations in post-conflict processes in Iraq, coordinating among United Nations and international agencies engaged in humanitarian assistance and reconstruction activities in Iraq, and, in coordination with the Authority, assisting the people of Iraq through:

(a) coordinating humanitarian and reconstruction assistance by United Nations agencies and between United Nations agencies and non-governmental organizations;

(b) promoting the safe, orderly, and voluntary return of refugees and displaced persons;

(c) working intensively with the Authority, the people of Iraq, and others concerned to advance efforts to restore and establish national and local institutions for representative governance, including by working together to facilitate a process leading to an internationally recognized, representative government of Iraq;

(d) facilitating the reconstruction of key infrastructure, in cooperation with other international organizations;

(e) promoting economic reconstruction and the conditions for sustainable development, including through coordination with national and regional organizations, as appropriate, civil society, donors, and the international financial institutions;

(f) encouraging international efforts to contribute to basic civilian administration functions;

(g) promoting the protection of human rights;

(h) encouraging international efforts to rebuild the capacity of the Iraqi civilian police force; and

(i) encouraging international efforts to promote legal and judicial reform;

9. *Supports* the formation, by the people of Iraq with the help of the Authority and working with the Special Representative, of an Iraqi interim administration as a transitional administration run by Iraqis, until an internationally

recognized, representative government is established by the people of Iraq and assumes the responsibilities of the Authority;

10. *Decides* that, with the exception of prohibitions related to the sale or supply to Iraq of arms and related materiel other than those arms and related materiel required by the Authority to serve the purposes of this and other related resolutions, all prohibitions related to trade with Iraq and the provision of financial or economic resources to Iraq established by resolution 661 (1990) and subsequent relevant resolutions, including resolution 778 (1992) of 2 October 1992, shall no longer apply;

11. *Reaffirms* that Iraq must meet its disarmament obligations, *encourages* the United Kingdom of Great Britain and Northern Ireland and the United States of America to keep the Council informed of their activities in this regard, and *underlines* the intention of the Council to revisit the mandates of the United Nations Monitoring, Verification, and Inspection Commission and the International Atomic Energy Agency as set forth in resolutions 687 (1991) of 3 April 1991, 1284 (1999) of 17 December 1999, and 1441 (2002) of 8 November 2002;

12. *Notes* the establishment of a Development Fund for Iraq to be held by the Central Bank of Iraq and to be audited by independent public accountants approved by the International Advisory and Monitoring Board of the Development Fund for Iraq and looks forward to the early meeting of that International Advisory and Monitoring Board, whose members shall include duly qualified representatives of the Secretary-General, of the Managing Director of the International Monetary Fund, of the Director-General of the Arab Fund for Social and Economic Development, and of the President of the World Bank;

13. *Notes further* that the funds in the Development Fund for Iraq shall be disbursed at the direction of the Authority, in consultation with the Iraqi interim administration, for the purposes set out in paragraph 14 below;

14. *Underlines* that the Development Fund for Iraq shall be used in a transparent manner to meet the humanitarian needs of the Iraqi people, for the economic reconstruction and repair of Iraq's infrastructure, for the continued disarmament of Iraq, and for the costs of Iraqi civilian administration, and for other purposes benefiting the people of Iraq;

15. *Calls upon* the international financial institutions to assist the people of Iraq in the reconstruction and development of their economy and to facilitate assistance by the broader donor community, and *welcomes* the readiness of creditors, including those of the Paris Club, to seek a solution to Iraq's sovereign debt problems;

16. *Requests* also that the Secretary-General, in coordination with the Authority, continue the exercise of his responsibilities under Security Council resolution 1472 (2003) of 28 March 2003 and 1476 (2003) of 24 April 2003, for a period of six months following the adoption of this resolution, and terminate within this time period, in the most cost effective manner, the ongoing operations of the "Oil-for-Food" Programme (the "Programme"), both at headquarters level and in the field, transferring responsibility for the administration of any remaining activity under the Programme to the Authority, including by taking the following necessary measures:

(a) to facilitate as soon as possible the shipment and authenticated delivery of priority civilian goods as identified by the Secretary-General and representatives

designated by him, in coordination with the Authority and the Iraqi interim administration, under approved and funded contracts previously concluded by the previous Government of Iraq, for the humanitarian relief of the people of Iraq, including, as necessary, negotiating adjustments in the terms or conditions of these contracts and respective letters of credit as set forth in paragraph 4 (d) of resolution 1472 (2003);

(b) to review, in light of changed circumstances, in coordination with the Authority and the Iraqi interim administration, the relative utility of each approved and funded contract with a view to determining whether such contracts contain items required to meet the needs of the people of Iraq both now and during reconstruction, and to postpone action on those contracts determined to be of questionable utility and the respective letters of credit until an internationally recognized, representative government of Iraq is in a position to make its own determination as to whether such contracts shall be fulfilled;

(c) to provide the Security Council within 21 days following the adoption of this resolution, for the Security Council's review and consideration, an estimated operating budget based on funds already set aside in the account established pursuant to paragraph 8 (d) of resolution 986 (1995) of 14 April 1995, identifying:

(i) all known and projected costs to the United Nations required to ensure the continued functioning of the activities associated with implementation of the present resolution, including operating and administrative expenses associated with the relevant United Nations agencies and programmes responsible for the implementation of the Programme both at Headquarters and in the field;

(ii) all known and projected costs associated with termination of the Programme;

(iii) all known and projected costs associated with restoring Government of Iraq funds that were provided by Member States to the Secretary-General as requested in paragraph 1 of resolution 778 (1992); and

(iv) all known and projected costs associated with the Special Representative and the qualified representative of the Secretary-General identified to serve on the International Advisory and Monitoring Board, for the six month time period defined above, following which these costs shall be borne by the United Nations;

(d) to consolidate into a single fund the accounts established pursuant to paragraphs 8 (a) and 8 (b) of resolution 986 (1995);

(e) to fulfil all remaining obligations related to the termination of the Programme, including negotiating, in the most cost effective manner, any necessary settlement payments, which shall be made from the escrow accounts established pursuant to paragraphs 8 (a) and 8 (b) of resolution 986 (1995), with those parties that previously have entered into contractual obligations with the Secretary-General under the Programme, and to determine, in coordination with the Authority and the Iraqi interim administration, the future status of contracts undertaken by the United Nations and related United Nations agencies under the accounts established pursuant to paragraphs 8 (b) and 8 (d) of resolution 986 (1995);

(f) to provide the Security Council, 30 days prior to the termination of the Programme, with a comprehensive strategy developed in close coordination with the Authority and the Iraqi interim administration that would lead to the delivery of all

relevant documentation and the transfer of all operational responsibility of the Programme to the Authority;

17. *Requests further* that the Secretary-General transfer as soon as possible to the Development Fund for Iraq 1 billion United States dollars from unencumbered funds in the accounts established pursuant to paragraphs 8 (a) and 8 (b) of resolution 986 (1995), restore Government of Iraq funds that were provided by Member States to the Secretary-General as requested in paragraph 1 of resolution 778 (1992), and *decides* that, after deducting all relevant United Nations expenses associated with the shipment of authorized contracts and costs to the Programme outlined in paragraph 16 (c) above, including residual obligations, all surplus funds in the escrow accounts established pursuant to paragraphs 8 (a), 8 (b), 8 (d), and 8 (f) of resolution 986 (1995) shall be transferred at the earliest possible time to the Development Fund for Iraq;

18. *Decides* to terminate effective on the adoption of this resolution the functions related to the observation and monitoring activities undertaken by the Secretary-General under the Programme, including the monitoring of the export of petroleum and petroleum products from Iraq;

19. *Decides* to terminate the Committee established pursuant to paragraph 6 of resolution 661 (1990) at the conclusion of the six month period called for in paragraph 16 above and *further decides* that the Committee shall identify individuals and entities referred to in paragraph 23 below;

20. *Decides* that all export sales of petroleum, petroleum products, and natural gas from Iraq following the date of the adoption of this resolution shall be made consistent with prevailing international market best practices, to be audited by independent public accountants reporting to the International Advisory and Monitoring Board referred to in paragraph 12 above in order to ensure transparency, and *decides further* that, except as provided in paragraph 21 below, all proceeds from such sales shall be deposited into the Development Fund for Iraq until such time as an internationally recognized, representative government of Iraq is properly constituted;

21. *Decides further* that 5 per cent of the proceeds referred to in paragraph 20 above shall be deposited into the Compensation Fund established in accordance with resolution 687 (1991) and subsequent relevant resolutions and that, unless an internationally recognized, representative government of Iraq and the Governing Council of the United Nations Compensation Commission, in the exercise of its authority over methods of ensuring that payments are made into the Compensation Fund, decide otherwise, this requirement shall be binding on a properly constituted, internationally recognized, representative government of Iraq and any successor thereto;

22. *Noting* the relevance of the establishment of an internationally recognized, representative government of Iraq and the desirability of prompt completion of the restructuring of Iraq's debt as referred to in paragraph 15 above, *further decides* that, until December 31, 2007, unless the Council decides otherwise, petroleum, petroleum products, and natural gas originating in Iraq shall be immune, until title passes to the initial purchaser from legal proceedings against them and not be subject to any form of attachment, garnishment, or execution, and that all States shall take any steps that may be necessary under their respective domestic legal systems to assure this protection, and that proceeds and obligations arising from sales thereof, as well as the Development Fund for Iraq, shall enjoy privileges and

immunities equivalent to those enjoyed by the United Nations except that the above-mentioned privileges and immunities will not apply with respect to any legal proceeding in which recourse to such proceeds or obligations is necessary to satisfy liability for damages assessed in connection with an ecological accident, including an oil spill, that occurs after the date of adoption of this resolution;

23. *Decides* that all Member States in which there are:

(a) funds or other financial assets or economic resources of the previous Government of Iraq or its state bodies, corporations, or agencies, located outside Iraq as of the date of this resolution, or

(b) funds or other financial assets or economic resources that have been removed from Iraq, or acquired, by Saddam Hussein or other senior officials of the former Iraqi regime and their immediate family members, including entities owned or controlled, directly or indirectly, by them or by persons acting on their behalf or at their direction,

shall freeze without delay those funds or other financial assets or economic resources and, unless these funds or other financial assets or economic resources are themselves the subject of a prior judicial, administrative, or arbitral lien or judgement, immediately shall cause their transfer to the Development Fund for Iraq, it being understood that, unless otherwise addressed, claims made by private individuals or non-government entities on those transferred funds or other financial assets may be presented to the internationally recognized, representative government of Iraq; and *decides further* that all such funds or other financial assets or economic resources shall enjoy the same privileges, immunities, and protections as provided under paragraph 22;

24. *Requests* the Secretary-General to report to the Council at regular intervals on the work of the Special Representative with respect to the implementation of this resolution and on the work of the International Advisory and Monitoring Board and *encourages* the United Kingdom of Great Britain and Northern Ireland and the United States of America to inform the Council at regular intervals of their efforts under this resolution;

25. *Decides* to review the implementation of this resolution within twelve months of adoption and to consider further steps that might be necessary;

26. *Calls upon* Member States and international and regional organizations to contribute to the implementation of this resolution;

27. *Decides* to remain seized of this matter.

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تشكيلة مجلس الحكم الانتقالي في العراق: نشر على موقع :

[http://newsbbc.co.uk/hi/arabic/news15/07/2003\(55, 4 ko\)](http://newsbbc.co.uk/hi/arabic/news15/07/2003(55, 4 ko))

## Summary:

The mémoire deals with the conflicts and confrontations which characterized the U.S-Iraqi relations, as its main aim is to find out the reasons behind these conflicts highlighting the American foreign policy towards Iraq in particular and the Middle East in general, as well as the nature of such a policy, especially, after the events of 09/11/2001 which led to the occupation of Iraq since 2003 until 2011. Furthermore, it explores the aspirations and objectives that America wants to achieve in the region.

Key-Words: Foreign Policy – Pre-emptive Strike – U.S.A – Middle East- War on Terror.

## Résumé:

Ce mémoire traite les conflits et les affrontements qui ont caractérisé les relations Américano-Irakiennes, comme son objectif principal est de trouver les raisons de ces conflits mettant en évidence la politique étrangère Américaine envers l'Irak en particulier et au Moyen-Orient en général, ainsi que la nature d'une telle politique, en particulier, après les événements du 11/09/2001 qui ont conduit à l'occupation de l'Iraq depuis 2003 jusqu'en 2011. En outre, ce travail explore les aspirations et les objectifs que l'Amérique veut atteindre dans la région.

Les Mots-Clés: Politique Etrangère - Frappe Préemptive – Guerre contre le Terrorisme- Moyen Orient – Etats-Unis d'Amérique.

## ملخص:

موضوع المذكرة يتناول الصراعات و المواجهات التي ميزت العلاقات بين الولايات المتحدة الأمريكية و العراق، و هدفها الرئيسي هو معرفة الأسباب الكامنة وراء هذه الصراعات مع تسليط الضوء على السياسة الخارجية الأمريكية تجاه العراق بشكل خاص و منطقة الشرق الأوسط بشكل عام، فضلا عن طبيعة هذه السياسة خصوصا بعد أحداث 2001/09/11 و التي أدت إلى احتلال العراق منذ 2003 إلى غاية 2011. علاوة على ذلك، فإنه يستكشف الطموحات و الأهداف التي تريد أمريكا تحقيقها في المنطقة.

الكلمات المفتاحية: السياسة الخارجية - الضربة الإستباقية - الولايات المتحدة الأمريكية - الشرق الأوسط - الحرب على الإرهاب.

## **Summary:**

The U.S. foreign policy was based, in the fifties, on the principle of *Containment*. It worked on the establishment of security and economic strategy to contain the expansion and influence of the Soviet Union and its ideology of Communism. This drove the two powers to enter in the Cold War which lasted for several years, choosing the third world countries to be tools of this policy. In the beginning of the seventies, some U.S. decision-makers began to reconsider this U.S. non-interventionist policy a constraint which increased the size of the challenges to the U.S. interests abroad, and that the U.S. unresponsive attitude to minor threats abroad would encourage more serious challenges later. In addition to this, the Vietnam syndrome, in their perspective, had led practically to instability because it encouraged the hostile forces to exploit the gaps of the global security system. Thus, they claimed that the U.S. non-interventionist policy “*is a sign of the United States’ weakness rather than self-control policy*” (Bassma Kodmani, Darwish May, Chrtouni\_Dubarry, 1991).

Then, in the late eighties and after the fall of the Berlin Wall and the end of the Cold War by the disintegration of the Soviet Union, the U.S. position has been strengthened politically, economically and militarily, becoming the world’ sole superpower. However, the competition between international superpowers became intensified in order to expand and control the global trade markets, as well as, strategic energy sources. The Middle East region was the focus of their attention for what it represents from being a global source of oil energy and a promising market for their products. In the midst of these transformations, the United States saw that its policy of Containment became useless. As a result, it started to work on crystallizing its policy to maintain its position and superiority and to protect its interests, starting from the Middle East area because it is considered, by the United States, a very important strategic region that fits the U.S. growing interests and objectives.



Following the Iraqi occupation of Kuwait on August 02, 1990, the United States felt that its interests were threatened. Therefore, it resorted to the pressure method composing an international coalition containing twenty nine (29) countries against Iraq. After the liberation of Kuwait, the U.S. administration along with its ally Britain proceeded with the destruction of the Iraqi economic and military infrastructure under the legitimacy of the United Nations, beginning with the economic embargo and sanctions that claimed the lives of many Iraqi people because of malnutrition and the lack of medicines. Then, they worked on reducing the inviolability of the Iraqi territorial sovereignty by establishing the no-fly zone in North and South Iraq under the pretext of protecting the population of these areas (Kurds and Shiites) from the Iraqi regime that threatened them. This also was done with the approval of the UN Security Council, in addition to the destruction of the Iraqi military forces and arsenal which was done through the UN commissions UNSCOM and UNMOVIC.

However, the United States realized that the war fought with coalition countries in 1991 against Iraq and the subsequent economic blockade did not fulfil the U.S. desired goals within its strategy for hegemony. This pushed the administration of the President George Walker Bush to pursue a new style in the classification of countries that do not share its political trends labelling them *Axis of evil*, and referring to their systems to be dangerous and constitute a threat to the U.S. people and the entire world. Among these countries we recall Iran, North Korea and Iraq.

After the September 11, 2001, the U.S. administration reconsidered its strategy as it adopted the *pre-emptive strike* policy, although it is seen illegal by the international law. This transformation in the U.S. strategy from containment and deterrence to the early abortion of enemies has marked the turning point in the U.S. foreign policy. The adoption of this policy had been justified by the Bush administration under the pretext of fighting terrorism arguing that they are not obliged to return to the legitimacy of international law, because they are in a

state of self-defense. As a result, the United States launched attacks against Afghanistan as being the centre of Al-Qaeda terrorist organization. Then it declared war on Iraq in 2003 accusing it initially of owning weapons of mass destruction and then indicting the Iraqi authority of having a relationship with Al-Qaeda. When Iraq turned out to be clear from these allegations, the U.S. administration announced that its goal is to help the Iraqi people to get rid of the dictatorship of Saddam Hussein and his Baath Party, trying to convince the world with the necessity of staying in Iraq in order to establish a democratic system there to make it a role model in the Middle East to be aspired to.

Thereof, this research aims to underline the motives and goals of the U.S. foreign policy towards Iraq in particular and the Middle East in general. It attempts to find out whether the United States wants to ensure the success of its American project for dominance through the imposition of solutions, reforms, and a democratic change in the region, choosing Iraq as a model to test on these options.

This work intends also to look within the principles of the U.S. foreign policy, and to find out whether petroleum energy is still the source of economic strength and a crucial strategic commodity which necessitates putting its resources under the control of United States in any way possible.

However, the problematic of the research focuses on the conflict and confrontation that characterized the U.S. foreign policy toward Iraq and which led to occupying it from 2003 till 2011, when the last U.S. troop left Iraq. As the research probes into the motives and nature of the goals and aspirations that the U.S. administration is seeking to achieve in Iraq's internal, regional and international levels, and to highlight the reasons that made Iraq to be a perfect model for the United States to put on its strategy into effect in order to achieve its objectives. For this purpose, the present work searches in the course and nature of the foreign policy of the United States toward Iraq, in an attempt to identify its strategic goals and

interests and to clarify the means and tools used by the U.S. administration to achieve them.

There from, we posed two essential questions:

- Why was Iraq chosen as a strategic goal by the United States to keep the case of imbalance within the international system devoting the decisive superiority to its advantage in front of the rest of the world's powers? And did really the Iraqi system represent an obstacle for the United States to achieve its objectives?
- What are the factors influencing the foreign policy of the United States toward Iraq? And what are its objectives and the tools used to achieve them? And to what extent was it able to achieve those goals?

In order to provide in-depth answers to these main questions, we asked other targeting sub-questions and which are as follows:

- Why did the United States seek to worsening relations with Iraq and to portray it as a source of threat to security and world peace?
- Was the United States a direct cause in pushing Iraq toward division and outbreak of ethnic and sectarian conflicts to be difficult to control?
- Will the United States be able, after expanding its influence over Iraq, to control the oil supply and ensure its security from any potential threats?
- What are the results dragged from the increasing hostility in the Islamic populations, generally, and the Arabs, specifically, towards the United States due to its practices in Iraq and its permanent bias to Israel?
- Will the American presence in Iraq impact, in all its forms, the neighbouring countries?
- To what extent will the other international powers allow the United States to control alone the Middle East region?

On this basis, we formulated the following hypotheses:

- The United States used all possible options and means including military force and occupation, in order to ensure its strategic interests in Iraq and in the Middle East, in general, because of the important geographical location and the huge stock of oil
- The real practice of the U.S. foreign policy in Iraq, particularly, and the Middle East, generally, contrasts with the perfect wording of its stated ideal objectives
- Tightening the U.S. control over the situation in Iraq will facilitate its process of control over the Iraqi wealth and will support its geo-economic hegemony over the Middle East countries, reaching its influence even to the Far East countries

To discuss the problematic of the research, we have systematically divided this work into five chapters. Because the methodological necessity requires us to bring to light the bodies involved in decision-making process in the U.S. foreign policy as well as their various bureaucratic roles, the first chapter addresses the philosophical and constitutional foundations of the foreign policy of the United States, and displays the various U.S. political principles that take always into priorities the Middle East area for being considered a strategic target for the U.S. interests.

The second chapter is devoted to discuss the role of the United States in arms control process, and to address its motives for the destruction and elimination of weapons of mass destruction in Iraq under international supervision and the Security Council's Resolutions. On the other hand, we tried to focus on the motivations behind the Iraqi desire to build and develop weapons of mass destruction. Then, we addressed thereof the UN Commissions UNSCOM and UNMOVIC and their roles in removing the Iraqi WMD arsenal in addition to discussing their reports. We tried also to find out the reasons behind the escalation of the U.S. - Iraqi crisis, as well as the initiative prepared by the American Congress for arms control in the Middle East and its strategic dimensions.

The research, in its third chapter, deals with the credibility of the U.S. justifications for the occupation of Iraq in 2003, which took place without international legitimacy, and the United Nations' position along with the international community of this occupation.

The chapter four is dedicated to study the Iraqi armed resistance, its different sources and its impact on the strategy of the United States following the occupation. It attempted also to address the Iraqi ruling stages under the U.S. occupation as well as the role played by the American administration in reconstructing the Iraqi institutions, for the fact that these historical stations in the course of the Iraqi history require to be discussed and analyzed in order to know their impact on Iraq and its future after the overthrow of the Iraqi President Saddam Hussein and his Baath Party from power. Meanwhile, we tried to measure the extent to which United States was able to control the developments that happened in Iraq after the occupation.

The fifth and last chapter of the research digs up the U.S. National Security Strategy in the Middle East following the occupation of Iraq, with a focus on the most important developments in its policy towards the region, especially, *The Greater Middle East Project* which the U.S. administration is seeking to establish in the area, and spotlighting its aims and its international dimensions as well. This chapter also exposes the international challenges faced by the U.S. administration and its new adopted strategy to combat terrorism which is based on the pre-emptive strike. It discusses also the importance of the Middle East oil and what it represents in the balance of geo-economic and geo-strategic powers, revealing the attempts of the United States to monopolize and control this essential source of energy.

The research' five chapters are ended by a conclusion which is a sort of a comprehensive summary of the memoire trying to answer the questions stemmed from the problematic of the research, and attempting to anticipate the future of the U.S. foreign policy toward the Middle East in general in light of the current developments.

The foreign political practices of the United States toward Iraq had reflected the development and crystallization of a range of procedures and strategies that caused profound transformations, not only on the Iraqi internal level, but, also on the regional level. These U.S. practices affected Iraq by putting it into unstable state which is expanding into the entire Middle East region.

This research presented in five chapters is to answer the problematic posed over the nature of the conflict and confrontation that characterized the U.S. Foreign Policy at a critical stage of history resulting from the disintegration of the Soviet Union as well as the path the U.S. administration took after the easing of the Cold War tensions as being the world's sole superpower. It intends also to highlight the strategic goals underlined by the United States and for which it had taken Iraq as a springboard to achieve them.

To resolve and clarify this problematic, we asked two essential questions:

- Why was Iraq chosen as a strategic goal by the United States to keep the case of imbalance within the international system devoting the decisive superiority to its advantage in front of the rest of the world's powers? And did really the Iraqi system represent an obstacle for the United States to achieve its objectives?
- What are the factors influencing the foreign policy of the United States toward Iraq? And what are its objectives and the tools used to achieve them? And to what extent was it able to achieve those goals?

Then, the study tried to answer these questions by posing multiple target sub-questions in order to highlight as much issues and cases as possible that have a direct or indirect bearing on the research' subject. For this purpose, we set out the three following hypotheses:

- The United States used all possible options and means including military forces and occupation in order to ensure its strategic interests in Iraq and the Middle East, in general, because of its important geographical location and its huge stock of oil

- The real practice of the U.S. Foreign Policy in Iraq, particularly, and the Middle East, generally, contrasts with the perfect wording of its stated ideal objectives
- Tightening the U.S. control over the situation in Iraq will facilitate the process of its control over the Iraqi wealth and will support its geo-economic hegemony over the Middle East countries, reaching its influence even to the Far East countries

The study demonstrated that the U.S. administration had taken from the Iraqi armament an argument to declare war on Iraq and occupy it in 2003, although the war against Iraq did not stop practically since 1991, whereby the U.S. leadership had fought in various forms and with several possibilities. The first step was the diplomatic and economic blockade and the severe sanctions imposed on the Iraqi people. Then they tried to reduce the Iraqi territorial unit and dismantling the Iraqi national unity by establishing protected areas for the Kurds in the North of the country and for the Shiites in the South, and where the Iraqi forces' movement was prohibited either by land or air. After that came the direct military occupation of Iraq.

The administration of President George W. Bush had fought the war under allegations of Iraq's possession of weapons of mass destruction, the sponsorship of terrorism and the relationship between the Iraqi regime and Al-Qaeda. Meanwhile, they gave the war the moral role of removing the dictatorial regime and establishing a democratic system. However, these allegations, as the research has shown, were not true, because the Iraqi arsenal had been destroyed through phases since 1991, when the International Alliance declared war on Iraq, and then, the economic blockade in addition to the UNSCOM and UNMOVIC, side by side, which had destroyed completely the Iraqi arsenal of weapons of mass destruction, as well as the infrastructure that had a direct or indirect relation with arms issues. Despite all this, and despite that the UN inspectors' reports confirmed that Iraq had become clear of such weapons, and multiple investigations had shown that there is no relationship between Saddam Hussein's

regime and al-Qaeda, the U.S. administration clung to the decision of the war without even an international legitimacy, because the United States was aware that its allegations were not enough legitimized to go for a war. This, in fact, confirms that the United States used all possible options and means including the occupation to put Iraq under its control and influence because of, as the study shows, its strategic location and its important stock of oil, taking advantage of the situation of weakness and rupture that the country was undergoing, in addition to the social construction of the Iraqi people (ethnicity) and the nature of its political system. All this made Iraq the optimal model to test on the American power and to put the neoconservatives' ideas and thought into effect aiming to serve the U.S. strategic objectives and interests.

The study concluded also, in the third chapter, that the U.S. desire to occupy Iraq was very clear, through its political and military setup in advance for the war, trying constantly to question every move Iraq did, in addition to accusing it of non-compliance to the UN resolutions and violating its international obligations. While on the U.S. internal level, the Bush administration marginalized the role of Congress claiming, to overcome this constitutional obstacle, that the country is in a state of emergency, what requires a single side to be authorized to make the decision with a high degree of secrecy. To convince the American people and the international community of the imminent danger of Iraq, the U.S. administration used intensively advertising campaigns taking advantage of jittery psychological conditions resulted from the attacks of September 11, 2001.

Besides, the Bush administration had sought to employ the UN Security Council to endorse the option of war on Iraq and its newly adopted strategy of the pre-emptive strike under the principle of *the right to self-defence*. Although they know that the pre-emptive strike option is considered illegal by the international law for the danger it constitutes to the



management of conflicts in international relations. All these evidences support and confirm the research's first hypothesis.

The study authenticates also the validity of the second hypothesis, due to the fact that the United States exaggerated in portraying the Iraqi arsenal of weapons of mass destruction and linked its risks with Al-Qaeda network. It described Iraq as a source of threat to the security and safety of the world. Furthermore, it went to claim that the U.S. occupation of Iraq was for establishing a democratic system to be a role model in the Middle East.

Notwithstanding, its practices in Iraq after the occupation, as the research demonstrates, proved the opposite of its claims for democratic and ideal values, because the application of justice and law must be according to the law itself and not through violating the UN regulations and decisions ignoring even its domestic law as well. Besides, the United State is determined to proceed with its project of dominating the Middle East region by any means, and the best way to do so is to change the ruling systems there and to impose reforms at different spheres, claiming that the authoritarian systems in the Middle East are the primary causes of alienation and extremism that fuelled terrorist organizations. However, they chose to begin this change by the force of arms starting from Iraq. This change had, eventually, led to nothing but a total chaos as the armed resistance had risen and many of the sectarian and ethnic issues with extreme complexity were exploded expanding the circle of fight and causing heavy human and materiel losses and their drawbacks are still hard to overcome.

Add to this, the U.S. daily practices from random killing and bombing civil targets without according the slightest respect to the international law of war which stipulates, generally, that if any country invades another one, it will have obligations to protect the civilians of the invaded state from any harm. In addition also to the abuses and inhumane practices within prisons and detention. All this was done under the pretext of fighting terrorists and, thus, the U.S. missionary of spreading democracy has become in itself a source

of deadly danger, as long as the U.S. strategy is based on the principle of *the end justifies the means*. The research thereof validates the health of the second hypothesis.

It is also shown through this research that the United States backs and supports Israel constantly, and removes all what Israel sees a source of threat to its security and interests, ensuring that the latter will ever stay, regionally, in the superior position militarily within the framework of the strategic alliance between the two countries which is based on the continuing bias in favour of Israel at the expense of the legitimate Arab demands. Given that it had occupied Iraq and ended the Baath Party which its missiles reached the bottom of Israel, and responded to the Israeli request of the classification of the Palestinian resistant movements in the list of terrorist organizations. Then, they directed a focused diplomatic campaign on Iran accusing it of developing nuclear capabilities for military purposes, and declaring an economic embargo on it, as well as the continuous pressure on Syria because of being accused of embracing terrorist organizations and supporting along with Iran the Iraqi resistance. Moreover, America supports and strengthens the Israeli negotiating position at the expense of the Arabs on the issues disputed over, and it is pushing the Arab States to establish relations with Israel. This, as a matter of fact, falls within is the U.S. strategy to subdue the region to new arrangements in accordance with the American perspective, so that Israel will have the full rights as being part of the Middle East.

On the other hand, and since the easing of the Cold War, the United States has always emphasized that it is the only superpower qualified to lead the world, employing its military forces as a tool to achieve its desired political and economic objectives, and to strengthen its international position and superiority. Hence, and because of Iraq's geo-strategic importance and due to the fact that the Middle East has always been an area that enchanted the international powers because of its great significant strategic importance and its richness of oil and varied raw materials, the U.S. administration has worked unilaterally to keep all the rival

powers away from the region dealing with any developments that would threaten its interests in the Middle East. Given that the control of natural resources is one of the most important focal points of international dominance, while, the importance of oil has always been to the fore to achieve this goal, particularly, in light of the growing economic rival such as the European Union countries, Japan, China and the Russian Federation. Thus, the U.S. administration seeks to harness and dominate the global oil and make it a weapon to control the developmental path of the international economic forces that the United States considered to be a threat to the future of its progress and well-being. Note that this research demonstrates that many of the economic indicators are moving towards an increased economic competition. Therefore, the American ruling leadership is working on expanding the U.S. control over the Middle East countries for being the global primary sources of oil, claiming that they want to provide the region with the necessary military protection, security and stability. This U.S. focus on the Middle East region is not new. In fact, it is dated back to the period following the Second World War, but the United States was not directly involved in the region and its policy and strategies were applied through local and regional intermediaries such as Israel, Iran under the ruling of the Shah, the Gulf Corporation Council (GCC) and Iraq before the First Gulf War, due to the circumstances of the Cold War. However, after the easing of its severity in the late eighties, the United States began to intervene directly in the Middle East using all possible means to put its project of dominating the region into effect, and all these stated evidences authenticate the third hypothesis of the research.

Based on the foregoing considerations, it is likely that the U.S. administration will continue to use its new approach of the pre-emptive strike which is based on the unilateral destruction of any potential threat before it becomes a real danger whenever necessary, and it will continue to exert pressures on Arab and Islamic countries under the pretext of combating

terrorism and extremism and spreading democracy. These U.S. pressures will be on the following levels:

### **Politically**

- To push the Arab and Islamic countries to complete the process of normalization of relations with Israel at all levels
- To fuel democracy and free political practice

### **Economically**

- To open the way to foreign investments
- To accelerate the adjustment with Liberal International Order because this system works mostly in the favour of the United States at the expense of the underdeveloped countries

### **Educationally**

- To proceed with reforms within the educational pedagogical programs and remove all what the U.S. administration considers being religious intolerance that feeds terrorism

However, the countries' compliance with these procedures will measure and determine the nature of their relations with the United States; this is on the one hand.

On the other hand, this U.S. fighting of extremism and terrorism oriented towards the United States is a vain attempt, as it is trying only to treat the symptoms which have been motivated by increasing hatred and longstanding grievances. However, the United States should remedy their cause which is rooted in its policy and unfair practices in many Arab and Islamic countries. Therefore, it should rethink its foreign policy. Of course, it would be naive to expect a major overhaul of the U.S. Foreign Policy. However, adopting the *lessening harm* approach as a part of an inclusive policy-rethink is necessary and helpful for both sides.