



LAWYERS FOR SOCIAL RESPONSIBILITY

THE NEWSLETTER

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Canada Must Condemn the War Against Iraq

This issue we are reprinting three items concerning the threatened war against Iraq: an editorial from the Vancouver Province, a letter reprinted from the Abbotsford News, and a letter from former U.S. Attorney General Ramsay Clark, reprinted from our January, 1996 LSR Newsletter. Another short item reflects some of the debate in the House of Commons concerning the planned U.S. strike.

As we go to press, the artificial February 24th deadline draws nearer. It is important to reflect on how easily war hysteria is whipped up and dispassionate and critical reasoning abandoned. The complaints against the composition of the UNSCOM inspection team by Iraq are longstanding and substantial. On June 12, 1997, Iraq refused to allow Col. Scott Rotter, an offer of the U.S. army, to enter the political section of the intelligence service which contains classified records and documents, citing their concerns about the personal security of President Hussein. On June 23, 1997 Iraqi Deputy Prime Minister Tariq Aziz released a statement claiming that the inspection teams are not inspectors for the UN but were acting as agents of the U.S. government. It stated "the entry into these sites does not aim to implement the mandate of the special commission but to make use of the facilities available to the special commission as a cover to detect the security system of Iraq and the security of its leadership."

The allegation the U.S. has utilized its representatives on UNSCOM for spying

activities is an allegation that should be thoroughly investigated and if the allegation is substantiated, this practice should be condemned by the international community. In any event, it is completely reasonable that any inspectors about whom complaints of this nature have been made should be removed from their post pending completion of the investigation.

Further, since early January both Britain and the U.S. have been taking active steps to make war against Iraq, and these actions by these two governments should disqualify them to nominate inspectors to the UNSCOM team. It has been pointed out that many members of the current UNSCOM team do not have the technical expertise to make the type of determinations which are being sought. The Soviet Union has offered to provide trained personnel to do the job, but the U.S. has refused.

The dangerous situation in the Persian Gulf will not be resolved by Canada and other countries abdicating their own responsibilities and lining up behind the U.S. war plans. Only by renewing the demand for an unconditional end to the seven year economic war against Iraq which goes under the name of "sanctions" and by rejecting the U.S. efforts to isolate Iraq in order to attack it will peace and stability in the region be maintained. The U.S. actions to undermine the authority of the United Nations by manipulating the power position holds in the Security Council must be condemned.

International Commission on Economic Sanctions

(Excerpt of Letter)

Seven years have passed since the U.S. and its British and other allies, acting under the auspices of the UN Security Council, conducted a war against Iraq in which facilities essential to civilian life and economic productivity were destroyed throughout the country, in violation of the specific provisions of the UN Charter, the Hague and Geneva Conventions, the Nuremberg Charter, and the laws of armed conflict. During these past seven years, economic sanctions have been imposed on Iraq by the UN Security Council clearly acting under U.S. pressure. This has resulted in the deaths of around a million Iraqis, most of them children. The sanctions have violated the provisions of the Hague and Geneva Conventions, the Universal Declaration of Human Rights and

other covenants, and constitute a crime against humanity of immense proportions. Britain's government talks of a "moral approach" to foreign policy. Yet in the case of the Iraq sanctions, it adopts policies which are almost universally perceived by international public opinion to run directly counter to both the legal and the moral norms of international behaviour. Our Commission of Inquiry, which is headed by four former heads of state and government and a number of other international senior states people, takes the opportunity of this anniversary of the war's outbreak to reiterate its call for the immediate lifting of the sanctions, and a new approach for an agreed, just and non-violent resolution to the points at issue in Gulf region.

Ahmed Ben Bella,
Former President of
Algeria
Karmenu Mifsud
Bonnici, former Prime
Minister of Malta
Ramsey Clark, former
Attorney General of
the USA
Tony Benn, MP, Co-
Presidents
International
Commission of
Inquiry on Economic
Sanctions

House of Commons Debates U.S. War Resolution

On February 9-10 a seven and a half hour "debate" took place in the House of Commons over the resolution to endorse U.S. war plans in the Persian Gulf. The result was a foregone conclusion, and so Reform MP Randy White described it as an "information session" rather than a debate. The Langley-Abbotsford MP was quoted as saying, "I think we have to give support . . . Since we are a peaceful nation, by and large, we should play a support role. We have an obligation to support the UN. You have to stand up for what you believe in." (The Abbotsford News, February 10, 1998).

The last speaker, a newly elected MP from the Yukon, Louise Hardy, pointed out that no one had asked her during the June, 1997 election campaign what her position on war was. The NDP MP said that Canada should be "on the side of those who want a negotiated solution" and that "Force is an admission of failure." She criticized the lack of information provided to Members, pointing out that MPs had not been briefed either by the Government or by the UN. "There will be no winners of this war," she said. She criticized the language of "collateral damage" used to cover up the killing and torturing of civilians. She concluded by expressing the hope that this debate would take place "once in our lifetime" and would never have to happen again. Following her words, spoken to a virtually empty House, the Speaker announced that the resolution was "deemed adopted."

A number of Members of Parliament seriously proposed that UN inspection teams without American and British members should be sent to Iraq. Others talked of "exhausting diplomatic options," providing "protection for civilians" and urged, as Reform MP Keith Martin did, a "clear,

specific request for the Arab League to act as mediators." Martin argued that the U.S. would not have asked for support from Canada unless they expected to get it. "We can provide that support," he said, "if diplomatic initiatives truly failed." He pointed out that the UN resolutions concerning the West Bank were being violated by Israel without international action, and that if Arab countries were not involved, they would see military action as Western intervention.

Conservative leader Jean Charest asked what steps the government was taking to resolve the rift within the Security Council, and the NDP expressed disagreement on tactics, but what they all conveniently forget is that in every war the parties say "we tried diplomacy, diplomacy failed. There is no alternative."

Letter from Ramsay Clark

January, 1996

Dear Friend,

There is one crime against humanity in this last decade of the millennium that exceeds all others in its magnitude, cruelty and portent. It is the U.S.-forced sanctions against the twenty million people of Iraq. The whole population has suffered. More than one million have died, mostly among the elderly, the chronically ill, children and infants.

The United Nations and Agriculture Organization (FAO) reports that UN sanctions have been responsible for the deaths of more than 560,000 children in Iraq since 1990. Most children's deaths are from the effects of malnutrition – wasting or emaciation reaching 12 per cent of all children, stunted growth affecting 28 per cent, diarrhea and dehydration from bad water or food that is ordinarily easily controlled and cured, common communicable diseases pre-

ventable by vaccinations, and epidemics from deteriorating sanitary conditions. There are no deaths crueler than these. They are suffered slowly, helplessly, without simple remedial medication, without simple sedation to relieve pain, without mercy.

These facts must be widely publicized. Every member of the media, every political figure, every school and library should see this report.

While the United Nations Security Council is the nominal power imposing the sanctions, the United States has forced this decision on the council. Three of the five permanent members of the Security Council – China, France and the Russian Federation – have sought modification of the sanctions. The U.S. systematically eliminates opposition to the sanctions. It blames Saddam Hussein and Iraq for the effects of the sanctions, arguing that if Saddam “stopped spending billions on his military machine and palaces for the elite, he could afford to feed his people.” But only a fool would offer such propaganda. If Iraq is spending billions on the military, then the sanctions are obviously not working. Malnutrition didn’t exist in Iraq before the sanctions. The only accomplishment of the U.S./UN sanctions is death and suffering for the Iraqi people.

If the United Nations participates in such genocidal sanctions backed by the threat of military violence – and if the people of the world fail to prevent such conduct – the violence, terror and human misery of the new millennium will exceed anything we have known.

The people of the United States bear responsibility for the acts of their government. We must demand an end to these genocidal sanctions now and compel the absolute prohibition in the future of all sanctions that punish an entire population.

Help End the Sanctions on Iraq!

Add Your Name to An International Appeal to the United States Government and The Security Council of the United Nations

Economic Sanctions and blockades, as now applied as the weapon of choice by the United States and the Security Council of the United Nations at the urging of the U.S. and its allies, are a weapon of mass destruction directed at a whole people.

These blockades have been used only against poor countries, and while the entire people is punished by their economic impact, the great harm is overwhelmingly on the poorest and weakest – infants, children, the chronically ill and the elderly.

There is no crueler violation of fundamental human rights than this sanctions policy. The case of Iraq has demonstrated that the U.S. and its allies do not stop short of the deliberate creation of a new zone of death and destitution, with thousands of deaths monthly, dehydration, organ failure, and pain without relief, permanent physical or mental disability, and generalized shortening of life.

All humanitarian law from its inception has endeavored to limit violence to combatants to combatants, to prevent use of cruel and unfocused weapons, to protect civilians from the scourge of war, and to outlaw the principle of collective punishment. The sanctions policy is clearly a Crime Against Humanity as defined under the terms of the Nuremberg Principles. It also clearly violates the Charter of the United Nations,

the Geneva Convention and other fundamental documents of contemporary international law.*

** Prepared by the International Commission of Inquiry on Economic Sanctions*

For further information or to make a contribution, write to the International Appeal to the End the Sanctions

*International Action Centre
39 West 14th Street, Suite 206
New York, NY 10114-0763*

Hardial Bains

Aug. 15, 1939 - Aug. 24, 1997

IN MEMORIAM

Hardial Bains, the National Leader of the Communist Part of Canada (Marxist-Leninist) died in August, 1997 of cancer. He was born in Punjab, India and immigrated to Canada in 1959. He did his graduate work at the University of British Columbia in microbiology, where he was a student activist and obtained his Masters Degree in 1964. He then lectured at Trinity College, Dublin for two years, returning to Canada in 1968 to work as a full-time political theorist and organizer.

In 1963 while at U.B.C., Hardial Bains led the founding of the Internationalists, a youth and student move-

WAR GAMES

- reprinted from *The Province* (February 11, 1998)

“OUR DUTY is to promote peace, not war.” The words are Prime Minister Chretien’s, when as Opposition leader he spoke against Canada joining the Gulf War in 1991.

How times have changed for Chretien, who has now clambered aboard America’s macho express for a hasty and ill-advised aerial assault on Saddam Hussein’s Iraq.

Let’s be clear here: Chretien’s decision to commit two Hercules air transports and the frigate HMCS Toronto for rearguard duties is nothing more than tokenism to boost U.S. President Bill Clinton’s global public relations campaign. The prime minister’s quick capitulation to Clinton’s request is particularly galling to British Columbians who have watched the White House repeatedly fail to act on our requests for a resolution to the Pacific Salmon dispute.

Instead of dutifully jumping into Clinton’s lap, Chretien should have reminded his golfing buddy that even top-ranked military experts think the proposed bombing of Iraq is not only foolish, but potentially catastrophic.

Desert Storm commander General Norman Schwarzkopf and our own retired Major-General Lewis MacKenzie both predict sustained bombing will have no impact on Saddam Hussein’s refusal to comply with United Nations directives on disarming his weapons of mass destruction.

Schwarzkopf fears another North Vietnam, where the carnage escalated without achieving military or political goals. MacKenzie says bombing “will only make matters worse” and cause the Iraqi people “to suffer a good deal more than Saddam.”

MacKenzie notes the Iraqi people are already suffering far more than Saddam under economic sanctions imposed after the Gulf War. “As many as 5,000 Iraqi children under the age of five are dying each month as a result of UN sanctions,” he says. Bombing will cause further civilian hardship and slaughter, with only limited effect on Saddam’s weaponry.

A diplomatic assault on the Arab League would be far more useful at this stage. Most Arab countries loathe Saddam but fear the regional chaos that would follow bombing. They should be pressured to convince their intransigent neighbor that weapons inspections must proceed, with the bartering chip of reduced sanctions.

Chretien could have taken a leading role in convincing the U.S. and Britain to pursue that route. His subservience to Clinton is neither creative nor helpful.

ment which in 1970 became the Communist Party of Canada (Marxist-Leninist). As a political thinker his contribution to Canadian political thought was significant – some examples of which I will discuss below. In 1967 he wrote “Necessity for Change,” an important call to youth and students to take a conscious stand against imperialism which played a role in creating conditions for the establishment of CPC(M-L) in 1970.

For many years Hardial Bains was denied Canadian citizenship because of his communist convictions, despite the fact that he lived most of his adult life in Canada and made an important contribution to Canadian political life. It was not until the Communist Party of Brazil took up the case of the denial of citizenship to Hardial Bains as a human rights violation and mobilized members of the Brazilian Parliament and other public figures in Brazil to publicly condemn the Canadian government for this act of political discrimination that the Canadian government was embarrassed into granting Hardial Bains citizenship in 1988.

In 1990 Hardial Bains addressed the Royal Commission on Election Reform and put forward a number of concrete proposals for the democratic renewal of the Canadian electoral process. In 1992 he wrote three important works on *The Consensus Report on The Constitution*, *A Future to*

Face, and *A Power to Share*, all dealing with a non-partisan approach to solution of the constitutional crisis in Canada, including proposals for democratic renewal of the political process.

In international affairs, Hardial Bains also wrote extensively. He considered that Canada should not belong to any economic or military blocs, and advocated that these blocs be dismantled, and international relations be dealt with on the basis of respect for sovereign nations through the United Nations which itself requires democratic renewal. He spoke and wrote extensively against the U.S. economic blockage of Cuba, condemned the U.S. war against Iraq and the dangerous situation created by U.S. adventures on the Korean peninsula. He also opposed the Russian invasion of Afghanistan and after the collapse of the Berlin Wall analyzed the need for a renewal of international relations outside the dictate of the monopolies. His work on defining modern communism in the current conditions and providing modern definitions of rights remains an important body of political thought which is worth exploring.

Hardial Bains is survived by his life partner Sandra Smith and his six children, numerous close extended family members, party co-workers, progressive forces and many friends in all walks of life.

- Dorothy-Jean O’Donnell