Abstract

Iraqi invasion of Iran in 1980 which led to eight years of full scale war, and then Iraqi invasion of Kuwait in 1990 are two examples of classic wars in 20th century. Among other things, one of the most important issues related to these two wars is the reaction of international organizations to them. Undoubtedly, the UN role in dealing with Iran-Iraq war, and the role played by the UN in the aftermath of Iraqi Invasion of Kuwait in 1990 up to the American occupation of Iraq in 2003 are regarded as the most important epochs in the life of the United Nations. This article is an attempt to explore and discuss the role of the United Nations in these two conflicts in a comparative perspective. It is also the aim of this paper to show the sharp differences in the ways that the UN reacted to these cases and then examine how this double standard behavior undermined the UN credibility and damaged its image in the world.

Keywords: International Organizations, United Nations, Security Council, Double Standard, War, Iran, Iraq, Kuwait.
Introduction
When in August 1945, representatives of 51 nations gathered in San Francisco to sign and celebrate the birth and establishment of the United Nations, their great common wish was to establish an international organization by which they can prevent further wars and to make peace. According to the charter they signed they declared their determination to save succeeding generations from the scourge of war, and to establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained and to practice tolerance and live together in peace with one another as good neighbors (UN Charters, 1945).

In the past six decades the UN has failed to accomplish its mission in maintaining international peace and security. Evan Luard supports this argument and believes that a final and more general criticism of the UN today is simply that, it is ineffective in fulfilling its primary responsibility to maintain world peace (Luard, 1988: 21). However, it the eyes of many observers in the double standard approach by the UN Security Council which damaged its credibility and took its chances away from being seen as an impartial active player in international system.

Main Question
The main question in this article is how and why the United Nations’ Security Council reacted so differently to two conflicts in the Persian Gulf region which were so similar in many ways. The other subsequent question is how the UN response to Iraqi invasion of Iran led to Iraqi temptation to invade Kuwait and how this whole thing damaged the UN credibility in international system.

Hypothesis
The central hypothesis of this paper is based on the fact that the UN response to the Iran-Iraq war was not a successful and appropriate one. In fact what prompted the Security Council to respond to the Iran-Iraq war in the way it did, was not the principles of justice and international law but was rather the national interests of the majority of the permanent members of the council and especially that of the United States. This article further argues that the Security Council’s response to the Kuwaiti crisis was again a demonstration of how national interest and political will of certain Security Council members together with their military power can use the UN system
as a tool to serve their causes. And finally it is argued that the malfunctioning of the UN Security Council in carrying out its duties and functions according to the UN charter, and its double standard behavior in response to Iraqi invasions of Iran and Kuwait harmed its image and its role in international system. This paper also argues that the Security Council’s response to the Iraqi invasion of Iran profoundly contributed to the Iraqi temptation and decision to go for a second aggression, this time against its small neighbor, Kuwait.

The UN and Iran-Iraq War
On 17 Sept. 1980, Saddam Hussein, President of Iraq, unilaterally abrogated the Algiers Treaty of 1975 between Iran and Iraq which paved the way for the initiation of an all-out war against Iran. Five days later, on 22 Sept. 1980 the Iraqi airplanes bombed ten airfields in Iran in an attempt to paralyze the Iranian air force on the ground. A day later Iraqi forces crossed the Iranian territory along some 800 miles borders, waging one of the bloodiest and longest wars since the World War II (Karsh & Rautsi, 1991:135).

The very first reaction of the Security Council to the Iraqi invasion came six days after the beginning of war on 28 Sept. 1980, when the Iraqis had already achieved a major part of their military goals. Although on 23 Sept. the Secretary-General called for a Security Council meeting to discuss the situation between Iran and Iraq but the result of this meeting was not a resolution. It was just a statement in which the Council asked the two sides to resolve their disputes peacefully and also announced its support of the Secretary-General’s good offices (S/STA/1980). Eventually on 28 Sept. 1980, the Security Council adopted its first resolution on the Iran-Iraq War in which it called for both sides to refrain from any further use of force and to settle their disputes by peaceful means (S/RES/479,1980). The Council also urged the two sides to accept any appropriate mediation or to resort to regional agencies or to make arrangements that facilitate the fulfillment of their obligations under the Charter of the United Nations (S/RES/479,1980). After nearly two years of silence, and while a full scale war was going on between the two sides, the Security Council adopted its second resolution, on 12 July 1982, in which it called for a cease-fire and an immediate end to all military operations (S/RES/514,1982). It was in this resolution that the Security Council for the first time asked for a withdrawal of forces to internationally recognized boundaries. On 4 October 1982 The Security
Council met and passed its third resolution regarding the Iran-Iraq war. By adopting resolution 522 the Security Council reacted to the developments in the battlefields. It called again for an immediate cease-fire and an end to all military operations. The Council also welcomed the readiness of Iraqis to co-operate in the implementation of resolution 514 and invited Iran to do likewise (S/RES/522, 1982). It also asked other States to abstain from any actions which could contribute to the continuation of the conflict (S/RES/522, 1982).

On 31 October 1982, the Council passed Resolution 540 which was its fourth resolution regarding the situation between Iran and Iraq. This resolution came after a heavy bombardment of cities on both sides and targeting of commercial ships in the Persian Gulf. In this resolution the Council expressed its concerns over the instability in the Persian Gulf region (S/RES/540, 1982). On 24 February 1986 the Security Council passed its sixth resolution concerning the Iran-Iraq conflict. Resolution 582 was adopted after the escalation of war and the use of chemical weapons by Iraqis in order to prevent the Iranian troops from advancing towards new targets inside Iraq (S/RES/582, 1986). On October 8, 1986, and after a series of meetings, the Council passed its seventh resolution regarding the War. Resolution 588 was again a proposal of the Arab League Countries in which the Council called upon Iran and Iraq to implement fully and without delay its previous resolution adopted unanimously in February 1986 (S/RES/588, 1986).

On 20 July 1987, the UN Security Council passed unanimously resolution 598 concerning the Iran-Iraq war. For the first time since the beginning of war in 1980, in this resolution the Security Council deplored the initiation of the war. In the past, the Council had always been complaining of the continuation of the conflict. Like its other resolutions the Council demanded that Iran and Iraq observe an immediate cease-fire, discontinue all military actions on land, at sea and in the air, and withdraw all forces to internationally recognized boundaries without delay (S/RES/598, 1987). The resolution also called upon Iran and Iraq to co-operate with the Secretary-General in implementing the resolution and in mediation efforts to achieve a comprehensive, just and honorable settlement, acceptable to both sides (S/RES/598, 1987). The Council also urged all other states to exercise the utmost restraint and to refrain from any act which might lead to further escalation and widening of the conflict (S/RES/598, 1987).
Perhaps the most significant part of this resolution which encouraged the Iranian side to rethink its position towards the Security Council, was paragraph 6 of the resolution. For the first time since the beginning of the conflict, in this paragraph of its resolution, the Council paid attention to the issue of responsibility for the war. The Council requested the Secretary-General to explore, in consultation with Iran and Iraq, the question of entrusting an impartial body with inquiring into responsibility for the conflict and to report to the Security Council (S/RES/598,1987). On 9 May 1988, the Security Council passed its last resolution, resolution 612, related to the Iran-Iraq war. This resolution was totally dedicated to the issue of the use of chemical weapons in the War, after a wide range of use of chemical weapon by Iraq, something which in the eyes of independent observers was too little too late and fall short of condemning Iraqis for their violation of international law and their criminal act of using chemical weapons in the war. On 2 July 1988, an Iranian airbus with 290 passengers of different nationalities was shot down by a missile attack fired by the USS Vincennes, an American warship in the Persian Gulf. A few days after the airbus tragedy, Iran officially declared its acceptance of the resolution 598, a breakthrough which led to an end to eight years of bloody war between Iran and Iraq.

The UN Role in the Iraqi Invasion of Kuwait

On August 2, 1990 as a result of the Iraqi invasion of Kuwait a new chapter in the history for the United Nations was opened. A chapter which is still open and proved to be the most controversial and most challenging one for the Organization.

In sharp contrast to its very late reaction to Iraqi invasion of Iran, the reaction of the Security Council to the Iraqi invasion of Kuwait was overwhelmingly fast and tough. Just a few hours after the invasion, the Security Council met and passed its first resolution regarding the invasion. Referring to the articles 39 and 40 of the UN Charter, the Council condemned the Iraqi Invasion of Kuwait and demanded that Iraq withdraw immediately and unconditionally all its forces to the positions in which they were located on 1 August 1990 (S/RES/ 660, 1990). The Iraqi reaction to the Resolution was that of ignorance and heedlessness. Iraq rejected the Security Council’s resolution 660 and claimed that what had happened was just a domestic matter. The United States froze Kuwaiti deposits and all assets belonging to Kuwait and Iraq. Soon France Britain, Germany and
Japan froze all Kuwaiti funds, and the Soviet Union announced it had halted all arm sales to Iraq. All these reactions occurred on the very first day of the Iraqi invasion. On 29 November 1990, the Council adopted resolution 678, its 12th resolution regarding the crisis, by which it put a deadline before Iraq to comply with its obligation to implement all resolutions adopted by the Council. Acting under Chapter VII of the Charter, the Security Council demanded that Iraq comply fully with resolution 660 (1990) and all subsequent relevant resolutions. The Council authorized Member States cooperating with the Government of Kuwait, to use all necessary means to uphold and implement resolution 660 (1990) and all subsequent relevant resolutions, unless Iraq on or before 15 January 1991 fully implemented the foregoing resolutions(S/RES/678, 1990).

This resolution in fact was a declaration of war against Iraq unless it accepted the previous resolutions of the Council and withdrew its forces from Kuwait. By adopting this resolution, the Council paved the way for the US-led coalition to resort to military action after the deadline of 15 January. Between 29 November 1990 and 2 March 1991, the Security Council did not adopt any other resolution. The next resolution came after the end of Desert Storm Operation which led to a total defeat for Iraqis and Baghdad’s agreement to implement the previous resolutions. On 17 January 1991, at 3.00 o’clock local time in the Persian Gulf, the international coalition forces started its war against Iraq. The first phase of military operation was attacking Iraq with aircraft and missiles. The plan was to strafe Iraqi military bases, military installations, command and control centers, bridges, and electricity stations, and in order to paralyze the country. Coalition aircraft were raiding strategic positions in Iraq and Kuwait at a rate of 2000 daily sorties, a tactic which proved very effective.

Between January 17, and February 24, Iraq was under heavy bombardment either by bombs from the air or missiles from the sea. On Sunday 24 February, coalition forces launched their ground attack and just 100 hours later, at 8.00 a.m. on 24 February 1991, with the Iraqi announcement of the acceptance of all UN Security Council resolutions, a cease-fire came into effect. After 43 days of war the total casualties of war were 149 killed and 513 wounded among the allies, and perhaps more than 100,000 deaths and injuries among the Iraqis (Time, 1991). On 2 March 1991, the Security Council adopted resolution 686, the thirteenth one regarding the Persian Gulf Crisis. Taking note of the letters of the foreign minister of Iraq confirming Iraq's agreement to comply fully with all of the
resolutions adopted by the Council, it demanded that Iraq implement its acceptance of all twelve resolutions and in particular that Iraq should:
   a) Rescind immediately its actions purporting to annex Kuwait;
   b) Accept in principle its liability for any loss, damage, or injury arising in regard to Kuwait and third States, and their nationals and corporations, as a result of the invasion and illegal occupation of Kuwait by Iraq.

Comparison and Conclusion
Analyzing the most important factors in the UN Security Council’s response to the Iraqi Invasions of Iran and Kuwait it seems that the political will and national interests of the permanent members of the Council were the essence of the actions and decisions made by the Council. In the case of the Iraqi invasion of Iran, the majority of Council members, due to their national interests and their hostile relations with Tehran, preferred simply to ignore the importance of what had happened and closed their eyes and to stay silent while Saddam Hussein was preparing for Iraqi total aggression against Iran. Therefore, they chose to minimize the Security Council’s involvement in that case. And more importantly, they tried to show to the international community that what they did in response to the crisis was normal and fair, and in accordance with international norms.

However, in dealing with the second crisis, and again due to their vital national interests, their interpretation of the situation was dramatically changed and they tried successfully to convince the international community and world public opinion that what has been done by the Security Council in this case, was in accordance with the UN Charter. In both cases some permanent members of the UN Security Council namely the Unites States and Great Britain used informal consultations to convince the rest of the Council members, that the policy proposed by Washington and London is the best option in dealing with the two conflicts.

Sir Anthony Parsons supports this argument and says: “First, in 1980, anyone who could read a newspaper could see the war between Iran and Iraq was imminent. Why did no member state of the Security Council or the Secretary-General, bring the mounting tension between the two countries to the attention of the Council before it was too late? ... Only in 1987, after seven years of brutal war, did the UN Security Council involve itself deeply in attempts at a settlement……individual members of the Security Council had good reasons of national policy for not taking initiatives.” (Parsons, 1988: 57). Comparing the reactions of the Security Council to the two cases
of conflicts observed by this paper, we can clearly see many sharp differences between the Council’s responses to the two conflicts in terms of the amount of resolutions adopted in each case, in terms of the language it used in the resolutions, and more importantly in terms of the action it took in dealing with each case. Between 22 Sept. 1980, the day that Iraq invaded Iran, and 18 August 1988, the day that the cease-fire came into effect between the two countries, the Security Council adopted a total of nine resolutions, almost one for each year.

In contrast, in the second case, and during the first phase of the Persian Gulf crisis resulting from the occupation of Kuwait by Iraq (2 August 1990 till 29 November 1990), almost 4 months period, the Security Council held 24 formal meetings related to the issue. In other words just in the first phase, and within about 120 days, the Security Council had 24 meetings, one meeting for every five days. During this period the Council adopted 11 resolutions, nearly three resolution each month. The first meeting of the Council in this case was held in less than a few hours after the invasion.

In terms of the language used by council in its resolutions regarding each case, there is very significant and sharp difference between two cases. While in the case of Iraqi invasion of Iran, the first resolutions referred to the invasion merely as a “Situation” and fall short of condemning the Iraqi invasion as an act of aggression, in the case of Iraqi invasion of Kuwait, the text of the very first resolution was filled with phrases and words such as “alarmed by the invasion of Kuwait by Iraq” or “Determining that there exists a breach of international peace and security as regards of Iraqi invasion Kuwait “ or “condemnation of Iraqi invasion” and “demanding immediate & unconditional Iraqi withdrawal” (S/RES/ 660, 1990).

Finally the author of this paper argues that the Security Council’s ill response to the Iraqi invasion of Iran profoundly contributed to the Iraqi temptation and its decision to go for a second aggression, this time against its small neighbor, Kuwait. In other words, the faultier of the Council to act in accordance with its obligations under the UN Charter, it might deter Iraqi regime from committing a second act of war in the region. If UN response to the first Iraqi act of aggression against Iran was an appropriate one and in accordance with the principles of international law, something that could had led to Iraqi condemnation by the Council leading to punishment of Saddam Hussein for his crimes against his neighbor Iran, it would be hard to imagine that he could dare to wage another war again this time against Kuwait. The meaningful inaction and silence of the Security
Council during the Iran–Iraq war, and later, the military, intelligence, and political supports that Saddam Hussein received from some certain members of the Security Council encouraged and tempted him to think about his second aggression in the region.

This double standards behavior adopted and exercised by the Security Council has had a huge negative impact on the minds and judgments of many nations around the world towards the UN system and its role and credibility in international relations. Such a biased and partial performance by the UN Security Council degraded the role and position of the UN as an independent international institution to an extension of Foreign Ministry of certain members of the Security Council. If the UN is going to regain its outstanding and positive image across the globe, and if it is going to remain the venue for bringing long lasting dreams of nations across the globe in terms peace, security and justice, it ought to abandon its double standards policy, and take a different stance based on fairness, impartiality and justice.
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