

Introduction

Iraq: the legacy

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I. Introduction

The military action taken by the United States and its coalition partners in Iraq in March–April 2003 was not the only significant security event of the year, but it has taken on an emblematic quality beyond compare. This one event and its aftermath drew together all the strands of politics, policy and analysis discussed in the Introduction to the *SIPRI Yearbook 2003*:¹ US–European and intra-European differences, the role and credibility of different international institutions, the choice of means for tackling ‘asymmetric threats’ such as terrorism and the proliferation of weapons of mass destruction (WMD), the challenge of multi-functional crisis management and security building, the nature and impact of trends in military technology, and many more. The run-up to and conduct of the military campaign, and the issues that have arisen since then, have affected literally all the world’s states and have involved direct US and/or European interactions with the majority of them. Iraq has therefore more or less imposed itself as the linking theme for this Introduction and as a major focus for many of the chapters in this Yearbook.

Ten fields of policy and practice are considered here on which the events connected with Iraq have set their mark. Section II of this chapter deals with the role of the United States; section III with asymmetric threats and the efforts to counter them; section IV with the Euro-Atlantic community; section V with the main associated institutions; section VI with Iraq considered as a conflict; section VII with the region around Iraq; section VIII with military–technical considerations; section IX with arms control in general; section X with other dimensions of global security; and section XI with concerns about individual rights. The selection of these topics and their sequence deliberately reflect the range of issues that are explored in more detail in this Yearbook. Some important questions that fall outside SIPRI’s traditional and present areas of expertise have had to be left aside, such as the cultural and civilizational dimensions (including any deeper analysis of effects on Arab/Islamic opinion) and the implications for the world oil market as well as for the US and world economies.

¹ Bailes, A. J. K., ‘Introduction: trends and challenges in international security’, *SIPRI Yearbook 2003: Armaments, Disarmament and International Security* (Oxford University Press: Oxford, 2003), pp. 1–21.

II. The USA's role in and impact on global security

First and foremost, the military occupation of Iraq and the crushing of organized military resistance there within less than a month were an extraordinary demonstration of US power. It was hardly the first time that the USA had entered another sovereign state's territory (with or without coalition partners) to overthrow, unilaterally, a regime that it found intolerable. However, earlier US targets, such as Grenada (1983) and Panama (1989), lay close to home and were much smaller. Saddam Hussein's Iraq—a nation of 23 million people covering nearly 444 000 square kilometres of territory—lay in a region of the world where the USA had very few guaranteed allies, military helpers or even usable bases.² What made the occupation technically possible was the prior build-up of sea-borne forces by the USA and its coalition partners and their ability to get enough forces on to the ground, by sea and air, to allow the lightning seizure of key bridgeheads.³ What made the coalition victory politically possible was the fact that no global strategic competitor—such as the Soviet Union in the old days—was in a position to deter, block or retaliate against the US action, and no local state ventured to attack the US forces while they were assembling and fighting or during the post-conflict phase.

The combination of great military–technological superiority with the almost complete absence of (state-level) military antagonists adds up to what is often called the USA's 'sole superpower' status. This historic circumstance has not created the US propensity for unilateral military action, but has offered it a much larger potential stage to operate on than before, with fewer direct risks and penalties. It has coincided with a Republican administration within the USA who made it their declared objective to defend their country's military pre-eminence, if necessary by striking pre-emptively at perceived challengers.⁴ The USA made clear in 2003 that it was equally ready to use non-military tools, such as political pressure, aid or the withdrawal of aid, or changes of position on various bilateral issues, to obtain from other states—all around the world—the behaviour that it desired.

It did not take long after April 2003, however, for hindsight to reveal the differences between what the USA could do, what it should do and what it could do successfully. What could be achieved with military power alone—the seizure of a country's territory and the destruction of the previous regime and its army—the USA achieved brilliantly in Iraq. The tasks of pacifying, of normalizing and of reconstructing a national community after conflict, however, demand far more than just military strength. Military inputs are still important at these stages, but their quality becomes even more important than their quantity. Winning the peace in Iraq turned out to demand a degree of

² The USA was not able, for political reasons, to use Saudi Arabia as a basing area as it had done in the 1991 Gulf War. It failed to reach agreement with Turkey in time to make possible the deployment of coalition forces for the original attack by the northern route through Turkish territory.

³ For a detailed account of the events of the war see chapter 2 in this volume.

⁴ These elements are found in the US National Security Strategy of Apr. 2002; see Anthony, I. *et al.*, 'The Euro-Atlantic system and global security', *SIPRI Yearbook 2003* (note 1), pp. 48–52.

planning, coordination, local intelligence, political finesse and non-military investment that the USA was either incapable of or had wrongly reasoned itself out of contemplating in this particular case.⁵ The direct burden on US military and financial resources was all the greater because of the unilateral nature of the original action. In a situation rare in international law, the United States and the United Kingdom as ‘occupying powers’—rather than any international organization or an international administration appointed by one—were deemed to carry full responsibility for the control of Iraqi territory.⁶ This not only complicated many of the normal aspects of international involvement following a crisis (see further below) but also symbolized the price that even a superpower must pay today for changing the world single-handed.

The exercise of supreme power in any system can meet two kinds of limitation: internal and external. Developments in the Iraq crisis, especially from the autumn of 2003 onwards, shed light on the internal, domestic constraints upon the USA’s exercise of power. It is worth recalling that the Administration of President George W. Bush had chosen in the first place to address only one of its urgent proliferation worries by military means. US leaders had clearly decided even before attacking Iraq that Iran and North Korea would be approached differently.⁷ While engaged in Iraq they found it difficult to sustain major efforts simultaneously on the scene of their previous conquest in Afghanistan or to answer a call for help on a modest scale in Liberia.⁸ As soon as the difficulty of post-crisis administration in Iraq was clear, it became an open secret in Washington that at least no further military adventure would be contemplated before the autumn 2004 presidential elections.

Two sets of reasons may be traced for all these self-limiting choices. The first was the fact that the USA—not so differently from any other Western power—had difficulty in projecting more than a limited percentage of its armed forces to a remote location for any length of time. By November 2003 some 130 000 US troops in Iraq were being maintained only with the help of some 28 000 National Guard members and reservists. Some of these—as well as regular troops—faced individual tours of duty exceeding 12 months.⁹ (By the spring of 2004 the National Guard and reserves were expected to provide as many as 39 000 troops out of a reduced total of 105 000.) The unmanned, long-range strike weapons in which the US inventory abounds could not substitute for trained manpower in a situation such as this. Second, popular support for the occupation of Iraq (and approval for the US President’s policies in general) began to fall from the summer of 2003 onwards in reaction

⁵ The factors in the lack of preparation seem to have included over-reliance on assurances by émigré politicians, over-optimistic calculations about funding the post-crisis phase from oil revenues and the dominance of the US Department of Defense in the planning process.

⁶ This was authorized in UN Security Council Resolution 1483, 22 May 2003, available at URL <<http://www.un.org/documents/scres.htm>>.

⁷ See sections III and IX below.

⁸ A NATO coordinating role was introduced for the international forces in Afghanistan, and their mandate was extended in late 2003 as a way of sharing the burden. See also chapter 1, and on Liberia see chapter 3 in this volume.

⁹ US Department of Defense statistics quoted in Caryl, C., ‘With the ghost squad’, *Newsweek*, 17 Nov. 2003, pp. 24–27.

to the length of the operation, the casualties sustained and the economic costs.¹⁰ The Democrat opposition found its voice again and parts of the Republican Party also began to criticize the action as ill-considered and the expenses as inflated. The US people, it seemed, were more permissive in letting their leaders act than supportive in following through the consequences of their action.

At the time of the actual fighting in Iraq, the *external* limitations on US power might have seemed conspicuous by their absence. Not only was there no military opposition or overt mischief making in the region, but powers such as France, Germany and Russia, which formed a front to oppose the attack, appeared only to have demonstrated their own impotence. By making it impossible for the USA to act with United Nations (UN) approval, they created an opportunity for the USA to show that it could equally well act without it. However, in retrospect some of the features of the story can be read the other way round. The USA and the UK gave up the attempt to secure a majority on the UN Security Council to pre-approve their action because it proved too hard to win over the smaller countries represented there. The coalition that attacked Iraq officially had 30–40 active members¹¹ but was notably thinner, in numbers and authority, than the groups sharing responsibility for, say, the 1991 Gulf War and the Kosovo (1999) and Afghanistan (2002) operations. Another point so obvious that it might be overlooked is that the USA was not able to compel support for its attack from any single institution as such, not even from the North Atlantic Treaty Organization (NATO), where its influence is generally considered to be the most decisive. Seen with hindsight, the disinclination of this US Administration to use permanent and institutionalized frameworks for military action has been as much an admission of one boundary to the USA's power as an assertion of its resolve to act nonetheless. The USA proved that it can destroy its enemies, but it proved unable to compel its friends.

Opposition to the US-led attack on Iraq was vocal in every part of the world, starting with Europe, where anti-war demonstrators were numbered in the hundreds of thousands.¹² In terms of the world power balance, however, it was not the emotional reaction that counted so much as the extent to which it did or did not lead to changed behaviour. Did the Iraq episode win over more fol-

¹⁰ In the week of 27 Oct. 2004, when US deaths in post-conflict Iraq overtook those incurred during the invasion, a Gallup poll showed that only 50% of US citizens approved President Bush's handling of Iraq. See Drummond, I. and Spiegel, P., 'US postwar Iraq deaths exceed those of invasion', *Financial Times*, 30 Oct. 2004, p. 6.

¹¹ Many of the 'active' contributors sent only very small numbers of personnel to Iraq, and most of these after the combat phase. As of 9 Jan. 2004, according to a US source, the contributors were Albania, Australia, Azerbaijan, Bulgaria, Canada, the Czech Republic, Denmark, the Dominican Republic, El Salvador, Estonia, Georgia, Honduras, Hungary, Italy, Japan, Kazakhstan, Korea (South), Latvia, Lithuania, Macedonia (Former Yugoslav Republic of), Moldova, Mongolia, the Netherlands, New Zealand, Nicaragua, Norway, the Philippines, Poland, Portugal, Romania, Slovakia, Spain, Thailand, Ukraine, the UK and the USA. See Combined Joint Task Force 7 (CJTF7), Operation Iraqi Freedom, 'The coalition forces: the world, working together, to make a difference', URL <<http://www.cjtf7.army.mil/the-coalition/coalition-forces.htm>>.

¹² 'Worldwide protests mark Iraq war', BBC News Online, 21 Mar. 2004, URL <http://news.bbc.co.uk/2/hi/middle_east/3552147.stm>.

lowers to the US bandwagon because ‘power talks’ and ‘nothing succeeds like success’, or did it prompt significant efforts for counter-balance and strategic compensation?

Against the first thesis is the fact that regime change in Iraq brought no ‘domino effect’ of further pro-Western transformations in the region. Neighbouring Arab states held their fire out of demonstrable self-interest rather than conversion to the US cause. Even the USA’s main European partners in Iraq (including the UK, Italy and Spain) felt the need to take ‘corrective’ measures conveying their support for stronger European Union (EU) external policies and their loyalty to specific anti-US negotiating platforms in the months that followed.¹³ The countries that were exposed to US ‘punishment’ because of their blocking role before the action in Iraq—France, Germany and Russia—all sought to re-build bridges to Washington after April; but the coin in which they paid their way involved legalized cooperation in familiar bilateral and institutional frameworks, rather than acceptance of any part of the US preemptive gospel. By the autumn of 2003 both China and Russia had taken significant actions which, if not inherently anti-US, demonstrated their will and ability to proceed independently on their own agenda.¹⁴ A similar instinct to bolster self-sufficiency, and to strengthen national and group defences against US political pressure and military interference, may be traced in a series of decisions taken by regional groups in all parts of the world from mid-2003 onwards to deepen their level of integration and adopt more explicit joint security policies.¹⁵ The content of much of this activism—such as improved anti-terrorist policies and regional anti-proliferation measures—was fully in line with policy goals proclaimed by the USA: but regional players were signalling that they preferred to follow it of their own will, at their own speed and in their own way. This behavioural response does not seem to conform to any previously known definition of imperium or hegemony.

The USA’s own reactions, and the ultimate lessons it may draw from this intervention, would be hazardous to predict with Iraq’s future status, leadership and policies still undetermined and the winner of the next US presidential election unknown. Many proponents of the attack on Iraq still believe that it was right and necessary and that the USA would be justified in repeating the action in any other similar case. (This begs the question, of course, whether another target exists that is at the same time as egregious and as vulnerable as Iraq.¹⁶) Post-conflict experience does appear, however, to have widened cracks in the original common front of the ‘neo-conservatives’ and realist power projectors in the US Administration, making it uncertain whether the same coalition would easily form a second time. Groups which opposed mili-

¹³ See section V below.

¹⁴ E.g., President Vladimir Putin pursued imposed political solutions in Chechnya, renewed military cooperation with former Soviet neighbours and campaigned against the Yukos company; see chapter 1 in this volume. China paraded its bilateral influence at key points in the North Korean crisis; see chapters 6 and 15 in this volume.

¹⁵ The European Union is only the most obvious example. See section V below.

¹⁶ Syria has sometimes been mentioned but is far from being as isolated as Iraq or as widely regarded as sinning (notably on WMD issues).

tary action from the outset feel vindicated, while the mainstream of domestic opinion (and its electoral choices) is where the impact of specific ‘lessons’ about the costs of unilateral action may best be traced.

The picture remains, however, ambivalent and fluid. When variables such as the economy and possible further terrorist outrages are added, it is possible to imagine a future US president either persisting with a global interventionist strategy based on military force or adopting a much more restrained and multi-lateralist approach. Some external observers have even been concerned lest Iraq bring (in a smaller way) its own ‘post-Viet Nam syndrome’, leading to excessive caution if not actual isolationism on the USA’s part and leaving foreign partners without leadership just when they have started to internalize substantial parts of President Bush’s agenda. Without necessarily sharing this hypothesis, it may be remarked that a pendulum effect of this kind—a sort of ‘boom and bust’ cycle in the USA’s international security role—could be the worst scenario for global stability.

III. Asymmetric threats and responses to them

The action in Iraq was, of course, taken not in isolation but as a phase of the US Administration’s strategy developed from 11 September 2001 onwards to counter the new or newly prominent ‘asymmetric threats’.¹⁷ Iraq might have qualified as a target under several headings in this context: as a cruel dictatorship, a former aggressor in its own region, a flouter of UN rules and conceivably as a supporter of terrorism—although hard evidence on this last point has proved elusive. From an early stage, however, the USA and its coalition partners chose to make Iraq’s suspected WMD capacity the ‘killer’ accusation against the regime of Saddam Hussein. This was the field in which the UN had already placed Iraq under special obligations and scrutiny; this was the only dimension in which Iraq could conceivably threaten coalition members’ own territory; and the prospect of the use of WMD by ‘rogue’ states or the transfer of WMD materials or technology to terrorists seemed best calculated to arouse wide and strong international concern. As a tactical choice, however, the WMD ‘justification’ for pre-emptive military action against Iraq carried two major risks for the attackers. First, since the UN had itself taken action to address the problem by Security Council Resolution 1441 and the return of inspectors of the UN Monitoring, Verification and Inspection Commission (UNMOVIC) to Iraq in late 2002,¹⁸ using military force before the inspectors had reached conclusions could look like an action taken not just without the UN’s authority but in defiance of it. Second, any hope of establishing the action’s legitimacy for the wider international audience would rest critically

¹⁷ Asymmetric threats are those which a smaller power (including a non-state actor) can pose to the citizens of a larger one, e.g., by terrorist action, the use of mass destruction technologies or criminal sabotage.

¹⁸ Anthony *et al.*, *SIPRI Yearbook 2003* (note 4). For UN Security Council Resolution 1441, 8 Nov. 2002, see URL <<http://www.un.org/documents/scres.htm>>.

on the occupiers' ability to prove both that there had been a present and urgent WMD threat from Iraq and that the invasion had disposed of it for good.

On the latter point, the overthrow of Saddam Hussein's regime certainly ended any near- or medium-term risk that Iraq would carry out an attack with any kind of weapons. The powers which occupied Iraq (and, indeed, the concerned international organs) will not consider their work done without having cast-iron assurances in place of Iraq's compliance with all WMD-related international norms in future.¹⁹ The process of acquiring such assurances and the challenge of legitimizing the initial attack have, however, been made very much more difficult by the failure of the USA and its coalition partners to discover any significant evidence of WMD stocks or development facilities on Iraqi territory, despite the deployment of the Iraq Survey Group (ISG) of as many as 1300–1400 persons to search for them from June 2003 onwards.²⁰ This in turn raises two major questions: why the USA and the UK (in particular) appeared so certain that the weapons were there beforehand; and why Saddam did not take more convincing steps to demonstrate that they were not. Answers to the second question range from the theory that Saddam was misinformed about his own capacities, or was bluffing in the hope *inter alia* of deterring the US attack, to suggestions that the weapons and capacities did exist but were destroyed or moved abroad not long before the invaders' arrival. Debate on the first question has focused on the reliability of sources used by the intelligence services of the major Western powers (too many of which may have been out of date or have involved relatively unreliable human intelligence²¹), and on the more troubling possibility that uncertainties in the evidence were deliberately suppressed, and/or 'worst-case' assessments elevated to certainties, in the effort to make a convincing case.

In retrospect, the concern and energy invested by the Bush Administration in the 'asymmetric threats' agenda does seem to have encouraged over-interpretation of: (a) the linkages between the various threat components (especially between terrorism and WMD possession by rogue states); and (b) the evidence of Iraqi guilt in these contexts. Intelligence and other analytical and advisory capacities thus risked being used not, as normally, to identify the right target, but to legitimate a target already chosen. Subsequent exposure of these processes has had the effect not just of undermining the case for the attack on Iraq itself but also of raising widespread concern—in some countries

¹⁹ Bringing Iraq fully into the relevant international–legal framework and institutional structures of non-proliferation will, however, be a slow and difficult business, given both the delay in establishing a 'normal' Iraqi government and the long-standing legacy of special UN treatment. For a discussion of options in the case of chemical weapons see Zanders, J. P. *et al.*, *Non-Compliance with the Chemical Weapons Convention: Lessons from and for Iraq*, SIPRI Policy Paper no. 5 (SIPRI: Stockholm, Oct. 2003), URL <<http://editors.sipri.se/recpubs.html>>.

²⁰ For details of this operation and its (lack of) findings see chapter 16 in this volume. On the creation of the ISG see Garamone, J., 'Iraq Survey Group to take over hunt for Iraqi weapons', American Forces Press Service, 30 May 2003, URL <http://www.defenselink.mil/news/May2003/n05302003_200305305.html>; and chapter 2 in this volume.

²¹ In the Iraq case, reliable human sources within the country were hard to find and excessive use may consequently have been made of testimony by exiles (or sources provided through third countries) who naturally had their own agendas. Intelligence agencies may also have felt they had been *insufficiently* alarmist before the 11 Sep. 2001 attacks and should not be caught napping again.

reflected in formal post-mortem enquiries²²—about the relationship between executive government and intelligence agencies. It has opened up broader questions about the adequacy of (nationally generated) intelligence as a means to trace compliance with international obligations and to legitimate action against the non-compliant. As a result, for the short term at least, it will be hard to gain wide international credence for any warnings or findings about WMD proliferation that do not carry more than a national imprimatur.

Is there a risk that world opinion will tilt so far, in reaction to perceived misrepresentation on Iraq, that the whole cause of action against WMD proliferation will be undermined? For good or ill, the evidence of real and continuing problems in this field has mounted sufficiently since early 2003 to discourage any widespread ‘cry wolf’ syndrome. North Korea’s explicit threats to proceed with the production of nuclear weapons are alarming in themselves, but also fuel concern that the Iraqi case might lead other isolated states to see *proved and demonstrable* WMD capacity as the only sure hedge against invasion.²³ The always dangerous India–Pakistan nuclear confrontation remains unresolved. Other WMD capacities and ambitions in the wider Middle East region are of concern both in themselves and because they make it harder to keep Iraq WMD-free in the longer term. The USA’s willingness to approach these other cases—at least in the short term—with non-military, diplomatic and institutionally grounded methods has provided a chance to build anti-proliferation strategies that engage a wider range of both Western partners and responsible regional states.²⁴

If the Iraq campaign is judged as at best a qualified success on the WMD front, there is little good to say about its impact on terrorism. A new front for terrorist activity has been opened with the attacks on coalition forces, UN representatives, employees of non-governmental organizations (NGOs) and Iraqi targets in Iraq itself,²⁵ and—however great a coup the capture of Saddam Hussein was—it does not seem to have significantly stemmed the tide. Osama bin Laden, meanwhile, has not been caught. The vicious circle of terrorist onslaughts and violent retaliation in the Israel–Palestinian conflict has been depressingly unchanged.²⁶ Major outrages attributable to international terror-

²² For the launch of an official US enquiry see White House, ‘Fact Sheet: Commission on the Intelligence Capabilities of the United States Regarding Weapons of Mass Destruction’, 6 Feb. 2004, URL <<http://www.whitehouse.gov/news/releases/2004/02/20040206-13.html>>. There were 2 relevant enquiries in the UK: on the Investigation into the Circumstances Surrounding the Death of Dr David Kelly (the Hutton Inquiry) see URL <<http://www.the-hutton-inquiry.org.uk>>; and on the subsequent Review of Intelligence on Weapons of Mass Destruction (the Butler Review) see URL <<http://www.butlerreview.org.uk/index.asp>>.

²³ See chapter 15, section III, in this volume.

²⁴ As discussed again in sections V and IX below, the EU’s decision to adopt its own anti-WMD strategy (and to engage actively in efforts to solve the related concerns over Iran) offers a good example of an initiative fed both by threat assessments shared with the USA and by the wish to restrain the more extreme manifestations of US policy. The general and longer-term lessons for arms control and non-proliferation work are addressed again in section IX below and in chapter 15 in this volume.

²⁵ On the challenges of avoiding and suppressing terrorism in post-conflict environments while maintaining the positive goals of peace-building see Stepanova, E., *Anti-terrorism and Peace-building During and After Conflict*, SIPRI Policy Paper no. 2 (SIPRI: Stockholm, June 2003), URL <<http://editors.sipri.se/recpubs.html>>.

²⁶ See chapter 3 in this volume.

ism have taken place in locations ranging from Nepal through Turkey to Spain (destroying, among other things, any illusion of European immunity). More generally, it is hard not to believe that the resentment bred by the Iraq episode among broad segments of Arab and Muslim opinion will sow seeds for new waves of radicalism—expressed *inter alia* through terrorism—in future generations. On the other side, it is fair to note that the drive for international and institutional action to outlaw, block and suppress terrorism led by the USA from 2001 onwards was not reversed or even seriously slowed down by second thoughts during 2003. Institutions such as the UN, the Group of Eight industrialized nations (G8), NATO, the EU and the Organization for Security and Co-operation in Europe (OSCE) have continued to develop and implement new anti-terrorism measures and to ‘mainstream’ terrorism awareness into their other policies. Valid new concerns have begun to attract attention, such as the need to reduce the vulnerability of key infrastructures to human attack (as well as to accident and natural forces).²⁷ With longer hindsight, it is thus possible that the balance for 2003 in this domain could still be considered positive. What seemed to be lacking in 2003, however, was any serious attempt to place terrorism in perspective as a scourge for the early 21st century, relative to other security challenges²⁸—or any serious experiment in diverting resources to eliminate the ‘causes of terrorism’, as most critics of US policies had proposed.

It was also a year of chequered success for the USA’s Homeland Security programme. In some fields such as practical aviation security, permanent improvements in safety standards were achieved while retaining general public acceptance. A further range of measures, while strongly supported and efficiently pursued by the official authorities, drew increasing criticism from civil-liberties and business lobbies because of their negative effect on freedom of movement and economic processes both inside and beyond US territory. Measures with extra-territorial effects, such as the container security initiative known as the Customs–Trade Partnership Against Terrorism and the requirement for countries enjoying visa-free access to the USA to issue machine-readable passports incorporating biodata by the end of 2004, continued to provoke serious and often difficult discussions with the USA’s overseas partners.²⁹ Other fields were dogged by domestic difficulties in implementation,

²⁷ See Bailes, A. J. K. and Frommelt, I. (eds), *Business and Security: Public–Private Sector Relationships in a New Security Environment* (Oxford University Press: Oxford, 2004), Part IV: Preserving the legitimate economy and critical infrastructure, pp. 171–216.

²⁸ Certain types of terrorist action have been on the decline globally, as shown by the USA’s own statistics. See US Department of State, ‘Patterns of global terrorism 2002’, Apr. 2003, Appendix H: Statistical review, URL <<http://www.state.gov/documents/organization/20125.pdf>>.

²⁹ Business complaints referred especially to the delays and aborted visits caused by new visa screening procedures for a wide range of countries. These were also seen as hampering educational exchanges. For a detailed account see Bailes, A. J. K., ‘Business and security: public–private sector interface and interdependence at the turn of the 21st century’, Lenain, P., ‘The economic consequences of terrorism’, and Bonanno, P. O., ‘A comment on immigration controls and education in the United States’, in eds Bailes and Frommelt (note 27), pp. 1–24, 219–31 and 255–56, respectively.

such as the programme against possible attack with biological weapons which initially over-invested in a mass smallpox vaccination drive.³⁰

IV. A wider but divided West

In discussing the US–European tensions which were already clearly brewing in 2002, the *SIPRI Yearbook 2003* suggested that the ‘West’ was becoming at the same time a larger and more divided community.³¹ Both parts of the judgement could be seen as vindicated in 2003. During the period March–June in particular, political splits were severe both between the USA and Europe and between the European states themselves. Those which chose to join, and not to join, the attack on Iraq strove equally to build blocs of adherents behind them and to question the other camp’s representativeness and legitimacy. By the summer, however, centripetal forces were working to draw the European states back together and to tone down the expression of US–European differences. To some extent this reflected the sobering scale of difficulties in Iraq, but it also built on genuine and continuing commonalities in Euro-Atlantic policy. The USA and Europe, for example, were pursuing shared or complementary approaches on Afghanistan, the Middle East and North Korea throughout the year. The message of Russia’s behaviour was ambiguous: Russia sided with France and Germany against the USA (and the Central European states) in the pre-war phase, but it did not try to make more trouble than these two Western powers, and it was the first to seek reconciliation in Washington. China’s behaviour can only be viewed as extremely prudent at all points. In sum, the world’s democratic family of states was a markedly dysfunctional one in 2003, but it was still family.

That might be precisely why the sharpness of the US–European divisions caused such angst, such deep emotions of disillusionment or of betrayal on both sides. Whether or not this was the worst Atlantic crisis of the post-World War II period, it was surely one of the most ideologized and over-interpreted. By 2003, the previously daring hypothesis that the two sides of the Atlantic had developed different security *values*—not just capabilities or priorities—had become almost a commonplace. In an opinion survey published in September, 83 per cent of US and 79 per cent of European respondents agreed with this proposition.³² A partial explanation was provided by other poll results showing that a majority of US respondents believed that war could be ‘just’ and that it was acceptable to act without UN sanction where vital

³⁰ On the obstacles to the smallpox programme (but from a point of view committed to its continuance) see Bicknell, W. J. and Bloem, K. D., *Smallpox and Bioterrorism: Why the Plan to Protect the Nation is Stalled and What to Do*, Cato Institute Briefing Paper no. 85 (Cato Institute: Washington, DC, 5 Sep. 2003), available at URL <<http://www.cato.org/pubs/briefs/bp-085es.html>>. For a more critical report see MacKenzie, D., ‘US “too busy” to spot a smallpox outbreak’, *New Scientist*, vol. 177, no. 2384 (1 Mar. 2003), p. 10.

³¹ Anthony *et al.*, *SIPRI Yearbook 2003* (note 4), pp. 59–61, 78.

³² These and other statistics in the paragraph are taken from the German Marshall Fund of the United States, the Compagnia di San Paolo (Italy) and the Luso-American Foundation (Portugal), *Transatlantic Trends 2003*, available at URL <<http://www.transatlantictrends.org>>.

national interests were at stake—while the majority of Europeans rejected both these positions. When the US authorities put these beliefs into practice in Iraq, the proportion of Europeans favouring ‘strong [US] leadership in world affairs’ fell from 64 per cent to 45 per cent compared with a similar poll in 2002, and in Germany from 68 per cent to 45 per cent. Complicating the picture, however, both European and US respondents expressed greater approval of strong EU leadership in 2003 than before: and there were majorities on both sides of the Atlantic in favour of US–European cooperation, of avoiding US unilateralism, and of working through institutions such as the UN and NATO wherever possible.

The general message of these findings is banal enough and in line with daily experience: there is scope in intra-West relations for both alienation and reconciliation. The similarity in developed democracies’ economic and social structures implies similar vulnerabilities and ambitions, generating parallel interests as well as permanent competition (notably, in trade).³³ The self-limiting character of Western quarrels—which often had a flavour of phoney war even in the worst moments of the spring of 2003³⁴—is thus not hard to explain. More interesting for the longer term will be the significance of the apparent *attitude* changes towards the USA which resulted, not just within Europe or in more hostile regions, but also in the public opinion of many developed and semi-developed nations. These might arguably be part of a ‘wave motion’—an unusual low after the unusual high of solidarity in September 2001—or they might presage a growing wariness, a mental if not political distancing from US visions, and a preference for building self-reliance wherever possible on the part of other states and regions. The future policies of the USA itself can of course make a considerable difference.

V. Institutions as the problem or the solution

The USA had openly signalled in 2002 that, when fighting the new challenges to its own security, the ‘mission’ would determine the ‘coalition’ and not vice versa.³⁵ The implied message was actually twofold: established institutional frameworks for action would not be seen as having any merit in themselves (and might indeed be seen as drawbacks); and the USA would not necessarily look first for its partners among its longest-standing (notably, European) allies. Both the way in which the USA launched the attack on Iraq and its conduct of the occupation reflected these principles. Not only was the UN bypassed and many habitual partners alienated, but the USA was extremely reluctant—at

³³ A number of serious US–Europe trade disputes persisted in 2003, leading the EU to introduce sanctions against the USA by early 2004 in one case (that of a new type of subsidy to US producers which had already been ruled illegal by the World Trade Organization). See Lannin, P. and Waddington, R., ‘EU seeks trade sanctions against US’, 15 Jan. 2004, URL <<http://news.myway.com/top/article/id/379263%7Ctop%7C01-15-2004::08:09%7Creuters.html>>.

³⁴ The currency of the quarrel was the refusal of handshakes and pouring French wine on US streets rather than, e.g., trade sanctions—or even the withdrawal of military cooperation.

³⁵ ‘Secretary Rumsfeld speaks on “21st century” transformation of US armed forces’, Washington, DC, 31 Jan. 2002, URL <<http://www.defenselink.mil/speeches/2002/s20020131-secdef2.html>>.

least in the first weeks and months—to let any outside institutions operate on the Iraqi territory it controlled.

For the United Nations, the action of the USA and its coalition partners represented the shipwreck of the consensus-based approach embodied in UN Security Council Resolution 1441. Coming from the world's largest state and inventor of the UN idea, it could not be interpreted as other than a very serious setback for the organization generally. Against this, it could be argued (and sometimes was argued by those who blocked an empowering resolution) that the UN avoided (*a*) being tainted with responsibility for a questionably legitimate intervention, and (*b*) being saddled with an operation perhaps too big for it to conduct safely (as had arguably happened with the UN Protection Force, UNPROFOR, in the former Yugoslavia³⁶). There was also comfort for UN supporters in the way that circumstances after the occupation gradually drove the US-led coalition to seek the restoration of a UN-based legal framework and to transfer an increasing number of aspects of reconstruction work to UN hands. By early 2004, the USA was even relying on actions of the UN Secretary-General to help it resolve its most delicate internal-political quandary in Iraq, over the timing of general elections. It was not only that many of the nations which the USA approached for help in Iraq needed a UN 'cover' for political and constitutional reasons. It also became clear that, in a globalized and highly regulated world economic system, solutions for issues such as Iraqi debt, old and new contracts, ending sanctions and re-starting oil deliveries could in no way be found by a purely national fiat. Moreover, there were certain functional aspects of crisis control and reconstruction for which UN competences simply offered the most experienced and efficient solution.³⁷

In drawing up any general balance of the UN's fortunes in 2003, it would be right to take account of the value which the institution and its agencies offered: (*a*) in conflicts other than Iraq, (*b*) in continuing the global fight against transnational 'new threats',³⁸ and (*c*) in combating the acute threat from severe acute respiratory syndrome (SARS) and the continuing challenge of acquired immune deficiency syndrome (AIDS).³⁹ In these last two contexts especially, the USA was often found in the forefront of those trying to use the UN's potential in new and constructive ways. Nevertheless, neither the UN itself nor its supporters showed any inclination towards complacency. The UN General Assembly opening in September 2003 was marked by a series of ground-breaking speeches—by Secretary-General Kofi Annan, President Bush

³⁶ On UNPROFOR see Findlay, T., 'Bosnia: from white painted tanks to air strikes', SIPRI, *The Use of Force in UN Peace Operations* (Oxford University Press: Oxford, 2002), pp. 219–72.

³⁷ See chapter 4 in this volume.

³⁸ The UN Counter-Terrorism Committee established global goals, standards and processes for controlling terrorist finance. See URL <<http://www.un.org/Docs/sc/committees/1373>>; and Biersteker, T. J., 'Counter-terrorism measures undertaken under UN Security Council auspices', eds Bailes and Frommelt (note 27), pp. 59–75. The UN Convention against Transnational Organized Crime (URL <http://www.unodc.org/unodc/en/crime_cicp_convention.html>) entered into force on 29 Sep. 2003, and the UN Convention on Corruption (URL <http://www.unodc.org/unodc/en/crime_signatures_corruption.html>) was opened for signature on 9–11 Dec. 2003 in Merida, Mexico, and thereafter at the UN until 9 Dec. 2005.

³⁹ On SARS see appendix 16A in this volume. On AIDS see section X and note 84 below.

and others—calling for a fundamental review of the UN’s role in creating and maintaining world security. Was the UN’s highest duty to guard the law and to criticize and distance itself from those who sought to improve security outside the law, or should it adapt both the law and its own action so as to tackle the new threats more frontally? On 23 September Annan announced that he would appoint an international High-Level Panel to examine major threats and challenges and make recommendations for elements of collective response; its members were appointed on 4 November.⁴⁰ The decision overtook, but could also be seen as vindicating the logic of, the Polish proposal in 2002 for reflection on a new UN ‘political charter’.⁴¹

The first six months of 2003 were an ill-starred period also for the premier Euro-Atlantic organizations—NATO and the EU. The Iraq crisis was not in any sense ‘about’ them, nor did they provide the primary setting for working out intra-Western differences. Damage came to them first and foremost from their perceived irrelevance—especially their inability to impose discipline and compromise on their own members—and second from the bitterness spilling over into them from divisions elsewhere.⁴² As in other crises, a certain habit of compartmentalization helped to keep normal institutional business moving, and even progressing. Preparations for both institutions’ large-scale enlargement in the spring of 2004, for instance, continued on schedule. The historic achievement of enlargement itself, however, seemed at times to be soured or at least overshadowed by alleged rifts between the ‘new Europeans’ (the seven Central European entrants: Bulgaria, Estonia, Latvia, Lithuania, Romania, Slovakia and Slovenia) which were generally pro-USA over Iraq, and those ‘old European states’ which were against.⁴³

The fears aired in early 2003 about the imminent ‘de-institutionalization’ or collapse of the late 20th century multilateral order nevertheless looked distinctly overstated by the end of the year. Strong centripetal forces came into play also at the institutional level, and as early as July efforts were being made to expand and publicize NATO’s role in supporting the international forces in Afghanistan as a token that the USA and all Europe could work together militarily in an ‘out-of-area’ setting.⁴⁴ In the EU, efforts to rebuild unity and to

⁴⁰ For the Secretary-General’s statement to the General Assembly see URL <<http://www.un.org/apps/sg/sgstats.asp?id=517>>; and for full information on the group see URL <www.un.org/apps/news/infocusRel.asp?infocusID=848.Body=xxxxx8.Body1=>>.

⁴¹ For the Polish proposal see UN document A/57/PV.8, 15 Sep. 2002, pp. 20–22, available at URL <<http://www.un.org/ga/57/pv.html>>.

⁴² NATO was paralysed for some weeks in Jan.–Feb. 2003 by a dispute over allied aid to Turkey in the contingency of fighting spilling over there from Iraq. The EU suffered i.a. from its members’ disregard of negotiated compromise statements on Iraq and from various group initiatives taken without involving or informing High Representative for the Common Foreign and Security Policy Javier Solana and the Presidency.

⁴³ The ‘old’ and ‘new’ terminology was used both by French President Jacques Chirac and by US Defense Secretary Donald Rumsfeld. The definition of ‘old’ was somewhat shaky, given that 2 of the EU’s 6 founding members—Italy and the Netherlands—joined the US coalition and that other coalition members, such as the UK and Denmark, had been in the EU for at least 30 years.

⁴⁴ See note 8; and chapter 1 in this volume. In early 2004 discussion also turned towards a possible role for NATO in Iraq after the end of the US–British occupation. For US Secretary of State Colin Powell’s account of such discussions at an informal meeting of NATO foreign ministers see ‘Powell

guard against future repetitions of the humiliations suffered in the spring were multi-layered and perhaps even more significant for the longer term.

At the operational level, from June to September 2003 the EU carried out, with minimal preparation but respectable results, the EU Military Operation in the Democratic Republic of the Congo, Operation Artemis, without the benefit of NATO support.⁴⁵ At the doctrinal level, the June 2003 European Council held at Thessaloniki, Greece, adopted Basic Principles and an Action Plan for an EU Strategy against Proliferation of Weapons of Mass Destruction, and provisionally endorsed an overall EU strategy in the field of foreign and security policy (CFSP) drafted by High Representative for the CFSP Javier Solana.⁴⁶ At the institutional level, the draft Treaty establishing a Constitution for Europe, produced in mid-2003 by the 2002–2003 European Convention, included proposals to strengthen the Union's political leadership and action, notably through a longer-term Chairmanship of the Council and a post of a single 'Foreign Minister' to control all the EU's institutional resources for use abroad.⁴⁷ The failure of the Brussels European Council in December 2003 to reach agreement on adoption of the Constitution, however, provided a corrective to any runaway optimism. Questions remained open at the end of the year, not just about the pace of formal institutional change, but also about whether the Union's stronger foreign policy disciplines would actually manage to 'capture' the larger states in particular. Concerns about the latter forming an exclusive 'directoire', and about the political and procedural impact of the entry of 10 new members (Cyprus, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovakia and Slovenia) in May 2004, were actually on the increase as 2003 moved into 2004. On the last point, however, it would almost certainly be wrong to extrapolate too far from certain Central European states' behaviour in the Iraq context. EU obligations are far more wide-ranging and more systemically intrusive than those of NATO, and thus more liable to have lasting effects on policy transformation, while opinion polls show remarkably similar views on security challenges and principles

briefs in Belgium on NATO foreign ministers' meeting', Brussels, 2 Apr. 2004, URL <<http://usinfo.state.gov/is/Archive/2004/Apr/20-620155.html>>.

⁴⁵ See chapter 4 in this volume.

⁴⁶ On the Thessaloniki European Council, 19–20 June 2003, see URL <http://europa.eu.int/comm/councils/th20030619/index_en.htm>. For Solana's draft strategy document 'A secure Europe in a better world', see URL <http://ue.eu.int/ueDocs/cms_data/docs/pressdata/EN/reports/76255.pdf>. For the Basic Principles and the Action Plan, see European Council 'Basic Principles for an EU strategy against proliferation of weapons of mass destruction', document 10352/03, Brussels, 10 June 2003, URL <<http://register.consilium.eu.int/pdf/en/03/st10/st10352en03.pdf>> and European Council, 'Action Plan for the Implementation of the Basic Principles for an EU strategy against proliferation of weapons of mass destruction', document 10354/03, Brussels, 10 June 2003, URL <<http://register.consilium.eu.int/pdf/en/03/st10/st10354en03.pdf>>. For an analysis of the EU Security Strategy see Bailes, A. J. K., 'EU and US strategic concepts: a mirror for partnership and difference?', *International Spectator*, vol. 39, no. 1 (Mar. 2004), pp. 19–33.

⁴⁷ For background on the European Convention see Bailes, *SIPRI Yearbook 2003* (note 1), p. 18; and for details of the draft Treaty establishing a Constitution for Europe, presented to the Council on 18 July 2003, see section IV of chapter 1 in this volume. The text of the draft Treaty is available at URL <http://europa.eu.int/futurum/constitution/index_en.htm>.

among West and Central European populations and a comparable range of views on both sides about the USA.⁴⁸

A more united and active EU external policy should not automatically be equated with an anti-US stance, still less an attempt to create a rival 'pole'. A Europe which is more strategically conscious, and more aware of its responsibility to protect itself and others against new threats, might well find it easier to share or at least understand the US point of view on many issues. Nonetheless, steps taken by all European states to strengthen the EU indubitably reflect a wish to have an option of acting on their own initiative and in expression of their own values, in both the military and other fields. The steps also constitute a new vote of confidence in institutions as a mode of security management and in the uniquely demanding integration process that has been Europe's great institutional invention. In European thinking—and in opposition to views expressed recently by the USA—the process of building common multinational identities and policies, and the restraints which it implies, can be positive values in themselves.

It would be a matter worthy of more serious research to look at the way in which regional groups elsewhere in the world developed in 2003 and to consider whether some of the same statements made about the EU can be made about them. Although the USA did not make it a formal policy aim to split up either the EU or any other region in 2003, many of its policies undeniably tended to have that effect.⁴⁹ Decisions on group development taken by the African Union (AU), the Association of South-East Asian Nations (ASEAN), the Asia-Pacific Economic Cooperation (APEC) and the Southern Common Market (Mercado Común del Sur, MERCOSUR) in 2003 not only included stronger policies, presumably welcome to the USA (as noted above), against proliferation and terrorism.⁵⁰ They also mandated strides forward in economic integration, political consultation, and in some cases even in the strengthening of shared value codes. A further common theme was the need for more effectiveness—ideally, self-sufficiency—in conflict prevention and suppression at the regional level. All these developments need not be seen as the creation of blocs hostile to or excluding the USA, but they do convey a certain wish not to let the given region be split or manipulated and to avoid crises which would attract or even necessitate superpower intervention. They might also be read as a phase in the exploration of new modes of global organization following the

⁴⁸ E.g., according to *Transatlantic Trends 2003* (note 33), in a survey conducted in June 2003 Poland, Italy and the UK all graded their 'warmth' towards the USA as 61% (European average 56%); 55% of Britons and 53% of Poles favoured strong US leadership (EU average 45%); and 63% of Poles and 52% of Britons wanted the EU to become a superpower (EU average 71%).

⁴⁹ Apart from the efforts to recruit partners for the Iraq operation and gather votes for an enabling UN resolution, the USA brought pressure on nations to make bilateral agreements on exempting US personnel from the jurisdiction of the International Criminal Court (see chapter 5 in this volume), and rewarded those who met its wishes in this and other (e.g., terrorism-linked) respects with large preferential aid grants, including enhanced defence supplies. The impact of the latter on local strategic balances, and indeed on internal governance, does always not seem to have been fully considered. The US attempt to switch to a system of bilateral trade deals after the failure of the 10–14 Sep. 2003 World Trade Organization Cancun Summit had a similar resonance. See World Trade Organization, 'The Fifth WTO Ministerial Conference', URL <http://www.wto.org/english/thewto_e/minist_e/min03_e/min03_e.htm>.

⁵⁰ For the members of these organizations see the glossary in this volume.

two-way polarization of the cold war period and the 'one world' idealisms and disappointments of the 1990s. The challenge for this emerging model is to show how the regions still lagging behind in regionalism, which coincide with the worst proliferation dangers and many of the most stubborn conflicts (e.g., the greater Middle East and South Asia), could break through to a more peaceful order without a counter-productive degree of dictation or tutelage from outside.

VI. Iraq as a conflict

Considered as a conflict, the Iraq campaign was unusual in that the Western countries which intervened started the conflict rather than stopping it; in that the (initial) intervention had no institutional mandate or framework; and in that there was no predefined exit strategy. The action in Afghanistan had some of the same characteristics, but much broader international acceptance. Iraq thus posed in especially acute form the question of what circumstances (if any) may justify military intervention against another sovereign state in the absence of a *proven* self-defence rationale. It showed that cutting corners on legitimacy at the time of action makes it difficult to introduce a widely accepted and enforceable framework of legality for the follow-up. It also demonstrated that what are often called 'rogue' states—that is, isolated nations with little exposure to international processes or genuine public support for their regimes—are among the easiest to conquer, but also the most difficult to rebuild and subsequently to leave to their own devices. Fast victory in such cases does not equate to an early exit strategy, but rather the reverse.

Last but not least, as noted in section II, the travails of occupied Iraq were a textbook example of the limited applications and fruits of purely military force; of the need to deploy other expertise fast and on a large scale for political and institutional reconstruction, infrastructure repair, social and health services, and above all for law and order; and of the painstaking and professional attention that must be paid to coordination, even when most tools of intervention are in a single entity's grasp. Granted, Iraq was such a difficult case—for the extreme corruption and artificiality of its previous system of governance as well as its ethnic and religious divisions and the complex play of neighbours' interests—that even an 'ideal' intervention with widespread international support would have been unlikely to enjoy an unblemished record. Even so, it was surprising and disappointing to see how little of the lessons of other successes and failures in crisis management (even as recently as the war in Afghanistan) seemed to have found their way into the occupying powers' approach.

The lessons of Iraq for crisis management are, therefore, likely to consist mainly of negative examples, just as the crisis itself seems likely to remain an exceptional case rather than the norm. It will nonetheless provide a basis for reopening and pursuing some of the classical broad issues of crisis management theory. Such debates will be particularly useful if they combine

legal and ethical considerations with practical ones concerning intervention's *effectiveness*. The perceived lessons of the conflicts in the Balkans and the African Great Lakes region in the 1990s, as well as the current anti-terrorist agenda, have tended to nurture the view that early and powerful intervention by outside authorities is the ideal, whether technically 'preventive/pre-emptive' or not. The same arguments about arresting deterioration and escalation—and re-establishing a monopoly of force by legitimate (international and/or national) authorities—have been brought forward under the 'humanitarian' rationale which dominated much conflict work in the 1990s and in the 'new threats' rationale (essentially one of self-defence) which dominates current discourse. The experiences of the past few years show, however, that such an approach is not so much a panacea as a gamble for high stakes. When it works, it works dramatically: but it can also go wrong in several ways, including an escalation of violence within or beyond the troubled area, the triggering of new terrorist efforts, and the prompting of state collapse (and concomitant human distress) on a scale that the intervener cannot cope with. Even the best-intentioned non-military 'interventions' in the form of peace initiatives may stimulate renewed fighting for a number of reasons.⁵¹ At least some of these risks will apply irrespective of how unimpeachable the intervention's rationale, institutional paternity and mandate may be. It therefore behoves institutions active in crisis management to make sure that they review their thinking about all phases of the task: not just the right way and time to intervene militarily, or the way to plan properly for rebuilding, but other possible ways to get through the crisis cycle with lower levels of both risk and violence overall.

The more general trend in the handling of conflicts by the international community during 2003 continued to be in the direction (*a*) of more targeted and specialized interventions with a 'facilitating' nature and/or short exit strategies, and (*b*) of 'serial' interventions with one framework or institution succeeding another as the territory concerned moved towards the rebuilding and 'normalizing' end of the spectrum. As in 2002, there were signs of a growing readiness in 2003, especially among members of regional organizations, to act 'preventively' against the sharpening and escalation of conflicts, against their possible exploitation by terrorist elements and in favour of limiting and controlling 'overspill' phenomena such as refugee movements. The counter-examples were, again, to be found most obviously in the Middle East, where the progress apparently made in mid-2003 in promoting a US-backed 'road map' for peace between Israel and the Palestinians dissolved into further cycles of violence, accompanied by Israeli initiatives of a markedly unilateral character aiming at essentially physical solutions (redrawing the boundary of Palestinian-inhabited territory and erecting a barrier along it).⁵²

⁵¹ See chapter 3 in this volume.

⁵² See chapter 3 in this volume.

VII. Iraq in its region

To an outside observer, one of the most curious aspects of the 2003 Iraq crisis might be the almost complete lack of the knock-on and spillover effects it had for the wider Middle East region.⁵³ The positive ‘domino effects’ of the dreams of the US neo-conservatives failed to materialize, but so did any (large-scale or demonstrable) interference by Iraq’s neighbours, any significant short-term disturbance to energy prices and supplies, or any clear dynamic linkage with the Israeli–Palestinian problem.⁵⁴ Within Iraq itself, the worst pre-conflict fears about attempts at territorial secession involving the Shi’a, Kurdish and/or Turcoman communities were not realized, at least during 2003, and the graph of internal violence began to cause serious concern only in early 2004. There was not even any large-scale displacement of population (internally or across frontiers).

Other ‘dogs which did not bark’ related to the role of Turkey. The most disturbing scenario, a unilateral intervention by Turkey in northern Iraq to safeguard its interests during the fighting (which could i.a. have seriously upset Turkish–EU relations), was effectively ruled out by the Turkish Government in late March—although parliamentary authority for it had been given.⁵⁵ Throughout the early stages of the crisis, the dominant Turkish motive was to avert the use of military force which might impair Iraq’s territorial integrity, foster inter-communal violence and hurt Turkey economically (as the 1991 Gulf War had done). Significantly, the Turkish Parliament rejected a proposed deal to let US troops enter Iraq across Turkish territory.⁵⁶ It did pass an enabling motion (as late as October 2003) to let Turkey provide troops for stabilization in Iraq,⁵⁷ but US attempts to take up this offer fell foul of Iraqi sensitivities about any Turkish presence, the especial difficulty of introducing new Turkish forces on Kurdish-inhabited territory and the relative lack of incentive for Turkey to put its personnel in jeopardy anywhere else. The net result of these experiences, as measured in a post-conflict opinion poll,⁵⁸

⁵³ See also appendix 10E in this volume.

⁵⁴ As noted in Cottey, A., ‘Afghanistan and the new dynamics of intervention: counter-terrorism and nation building’, *SIPRI Yearbook 2003* (note 1), pp. 167–94, in 2002 there was an optimistic view that Saddam Hussein’s fall would create a better climate (especially in Arab circles) for solving this problem. Opponents of the war in Iraq feared that Israel or the Palestinians or both would use it as an opportunity to launch major violence while international backs were turned. There were also worries that Saddam would take wild measures in resistance, which could include strikes into Israel.

⁵⁵ See, e.g., Erdogan, R. T. (Turkish Prime Minister), ‘My country is your faithful ally and friend’, *Wall Street Journal*, 31 Mar. 2003, URL <<http://www.turkishembassy.org/pressreleases/arsiv/200303.htm>>. The Turkish Permanent Representative to the UN had announced there on 26 Mar. that Turkey had ‘no intention’ of entering Iraq. ‘Statement by His Excellency Ümit Pamir, Permanent Representative of the Republic of Turkey to the United Nations, at the open meeting of the UN Security Council on Iraq’, New York, 26 Mar. 2003, URL <<http://www.mfa.gov.tr/grupa/ai/pamir26march.htm>>.

⁵⁶ The use of Turkish airspace by coalition aircraft was permitted; see Erdogan (note 54).

⁵⁷ See Squitieri, T., ‘Turkey’s Iraq pledge may pay off later’, *USA Today*, URL <http://www.usatoday.com/news/world/2003-11-05-turkey-usat_x.htm>.

⁵⁸ In a Public Opinions Survey by the Pew Research Center for the People and the Press carried out in May 2003, only 15% of Turkish respondents expressed positive feelings about the USA and half of those who were negative blamed President Bush’s policies. Less than 25% of Turks supported the US-defined ‘war on terrorism’, and a majority were opposed to even the limited help offered by their government for

appears to have been a dramatic fall in Turkish popular trust and sympathy for the USA and some concomitant warming (and parallelism) in Turkish feelings vis-à-vis Europe. Time will show what the deeper implications may be, both for the prospects of Turkish entry into the EU and for the significance which membership would hold for Turkey's southern and eastern neighbours.

The restraint shown in so many regional quarters during the Iraqi conflict need not be read as either conscious connivance or tacit approval. There were few to grieve Saddam Hussein's disappearance or the radical reduction of the Iraqi threat to themselves. At the same time, an over-weak Iraq disintegrating into its component communities and provinces would present dangers for all its neighbours, far outweighing any attractive chances to meddle. Realpolitik thus dictated, for most observers, refraining from any move which might destabilize things further. This did not prevent the change of regime from having many painful and worrying overtones for Arab observers: among them the humiliation of a fellow Arab nation while its 'brothers' stood by, the perceived manipulation by outsiders of Iraq's oil resources and the risk of a lengthy Western occupation or of a 'puppet' regime being implanted in the heart of the region. On top of all this came the concern, fuelled by tough talk from Washington against both Iran and Syria, that the USA would at some near date address itself to another regional target. As a result, although the only way forward to a peaceful Iraq in a peaceful neighbourhood is clearly to develop some kind of regional cooperation regime, including the lowering of levels of military preparedness all round, the conditions for moving towards this have been as much complicated as they have been opened up by the fall of Saddam.⁵⁹ An imposed Pax Americana for the region—and probably even for Iraq itself—would not be viable. The most natural gathering principle for local states and for Saddam's eventual successors, that is, reaction against US interference, would hardly give the desired results either. The Israel–Palestine problem remains a very real stumbling block.

The other great problem that was highlighted but left unsolved by the crisis is that of 'Arab democracy'. The definition of the challenge in these terms is by no means the monopoly of the US neo-conservatives. A report published by the UN Development Programme (UNDP) in October 2003⁶⁰ showed in hard statistical terms what limited access the citizens of most Arab states have to public goods taken for granted in the rest of the developed world, such as

the US action in Iraq. See URL <<http://www.people-press.org/reports/pdf/185topline.pdf>>, p. T-132ff. A Pew opinion survey in Feb.–Mar. 2004 showed some easing of Turkish attitudes, with less than half of Turkish respondents viewing the USA 'very unfavourably' compared with 68% the previous year. Pew Research Center, 'A year after Iraq war: mistrust of America in Europe ever higher, Muslim anger persists', 16 Mar. 2004, URL <<http://www.people-press.org/reports/display.php3?ReportID=206>>. On the other hand, this survey showed over 70% of Turkish respondents as regarding the USA as 'less trustworthy' because of the events in Iraq.

⁵⁹ At the time of writing, details are unavailable of initiatives for promoting security and democracy in the greater Middle East which are to be revealed by the G8, NATO and the EU at their mid-2004 summit meetings, but the level of ambition (and of resources applied) is currently expected to be somewhat modest compared with earlier US visions.

⁶⁰ UN Development Programme (UNDP), *Arab Human Development Report 2003: Building a Knowledge Society* (UNDP: New York, 2003).

Internet access and free media (let alone gender equality). It also pointed out, however, that the themes of the war on terrorism had in several cases been exploited by local rulers to restrict civic freedoms even further. Completing the vicious circle, when Western actors set out to criticize and remedy such shortcomings they may only generate more local resentment and increase the odds that early resort to 'one man, one vote' will produce radicalized anti-Western governments. Oil and other economic relationships, such as the scale of Arab elites' investment in the West, are further deterrents to any aggressively transformationalist approach.

These contradictions were well exposed in the US treatment of Saudi Arabia before and after the attack on Iraq and during the war on terrorism generally. Saudi Arabia was al-Qaeda's birthplace and is possibly a continuing source of funds for terrorists. One intriguing theory would have it that the USA gambled to get a compliant, oil-rich Iraq not least so as to reduce its dependence on and increase the scope for toughness against Saudi Arabia.⁶¹ Nevertheless, and particularly when it became clear that it would be a long haul in Iraq, the US Administration went to some lengths to suppress embarrassing discussion of the ambivalence of Saudi roles, for instance, in the context of the public inquiry into intelligence received before 11 September 2001,⁶² thus encouraging a number of 'conspiracy theories' about various forms of collusion with Saudi interests.⁶³

Overall, the current picture in the Arab region can best be described as mixed and confused, with some states making undeniably promising reforms apparently of their own will; the Western community continuing to give strategic support to some others which have not done so; and certain changes that can only be seen as backward steps, such as setbacks for the 'moderates' in Iran. The ultimate results of the transformation in Iraq, including not just the formal level of democracy achieved but also the extent to which it is shown to be compatible with national unity and strength, may yet prove more influential for the region than the more pessimistic current schools of thought would allow.

VIII. Military–technical lessons

There is a tendency to lump together the military experiences and lessons of Afghanistan and Iraq. Both interventions gave US forces a chance to try out elements of their new technical and tactical arsenal, and the results of the two

⁶¹ This theory may be applied to both oil dependence and strategic dependence: it is noteworthy that the USA took early action to close its remaining military facilities in Saudi Arabia (while retaining facilities in e.g. Qatar and Bahrain) after the military victory in Iraq. See 'Prince Sultan Air Base Al Kharj, Saudi Arabia: 24°03'48"N 47°34'50"E', Global Security.org, URL <<http://www.globalsecurity.org/military/facility/prince-sultan.htm>>.

⁶² See note 22.

⁶³ These included a scandal over supposed offers by Prince Bandar bin Sultan, the Saudi Ambassador to the United States, to keep oil prices down in the run-up to the Nov. 2004 presidential elections. See 'Saudis said to boost oil output', 19 Apr. 2004, CNN.com, URL <http://money.cnn.com/2004/04/19/news/international/election_saudi/>.

wars will have a cumulative impact on the further development of US doctrines, structural measures and equipment choices. The means predominantly used by US national forces in the two cases were, however, quite different: distant and air strikes combined with light manoeuvres and much use of special forces in Afghanistan; and large-scale, long-distance ground armoured operations in Iraq. What linked both at the 'hardware' level was the application of the USA's state-of-the-art command, control, communications and intelligence (C³I), sensing, target acquisition and precision-guidance capabilities to allow pinpoint targeting and real-time synchronization of strikes by all three arms of the forces—an approach now generally summarized as network-centric warfare (NCW). Although familiar military assets such as tanks, artillery and aircraft are also integrated into this approach, the Afghanistan and Iraq operations have highlighted the combat value of some newer systems or facilitating technologies such as the use of satellites (including global positioning functions), cruise missiles and unmanned air vehicles.⁶⁴

In Iraq, during the combat phase, the new hyper-mobile style of warfare was ultimately vindicated—despite some worries and conflicting signals around the time of the encirclement of Baghdad. There were fewer than 150 US combat casualties, collateral damage was relatively low, and the oilfields were taken essentially intact. It can be assumed that the USA will wish to invest further in, and adapt its operating tactics even further to, the new equipment and technologies involved. Thus far, however, the costs of the latest developed technologies (including capacities specially adapted to the war on terrorism) have simply been added to the US Department of Defense's existing procurement commitments, explaining the sudden hike in the US military budget in 2003.⁶⁵ Many in the military feel that the cost-to-capacity ratio has been further tilted against them by the near-monopoly situation developing in some parts of the US defence industrial sector. Secretary of Defense Donald Rumsfeld made it his aim, upon appointment, to push through structural reforms designed just as much to cut unnecessary defence capacities and spending as to maximize the capacity for new tasks. In the autumn of 2003 he expressed his frustration that so little progress had been made in this—and his awareness that the overwhelming burden and distraction of the Iraq campaign might delay it still further.⁶⁶ Even if Iraq is seen as a military–technical success, therefore, the USA's path to integrating and consolidating its lessons for military modernization will not be a simple one. Added to this are the questions raised by the apparent difficulty experienced by US troops in Iraq in carrying out anything *other* than high-intensity combat tasks.

The impact on other partners' and powers' thinking about their own defence planning and procurement will be complicated by these factors, but also by

⁶⁴ See Gormley, D. M., 'New developments in unmanned air vehicles and land-attack cruise missiles', *SIPRI Yearbook 2003* (note 1), pp. 409–32; and chapter 12 in this volume.

⁶⁵ See chapter 10 in this volume.

⁶⁶ A leaked memorandum dated 16 Oct. 2003 and alleged to be written by Rumsfeld, questioning the success of various US security policies, was published in Moniz, D. and Squitieri, T., 'Defense memo: a grim outlook', *USA Today*, 23 Oct. 2003, p. 1.

others. Some nations which expect to operate frequently alongside the USA, such as the UK, will certainly want to maintain at least a part of their forces at a sufficiently high technical level to ensure interoperability. Others may feel that they either cannot or do not want to style their forces for long-range, rapid strikes of the kind typified by the war in Iraq. The idea that—in simple terms—the USA will specialize in ‘hard’, and other Western states in ‘softer’, follow-up functions is likely to gain more ground and to influence the continuing debate on national ‘specialization’ within the NATO–EU framework and elsewhere. Other powers which see themselves as regional leaders and, to some extent, even competitors of the USA will have more motive to pursue their own ‘revolution in military affairs’, but before investing major resources they will need to reflect on how typical and representative the success in Iraq actually was.⁶⁷ For countries with limited resources that do not expect to operate closely with the USA, and may even feel a need to acquire greater deterrent and defensive capacity against it, there could be increased temptation to acquire independent technical capacities for ‘asymmetrical’ responses up to and perhaps including WMD.

Another motive for non-US players to pursue at least some of the new technologies (and counter-technologies for them) is the wish to maintain competitiveness in their own defence industries. A widening gap between US and European technological levels and operating concepts is also a problem for US–European defence industry collaboration. The intra-Western quarrels of early 2003 have not helped the atmosphere: there were moves in the US Congress to impose stricter ‘Buy American’ rules on the USA’s own defence procurement than either the administration or many US industrialists could accept.⁶⁸ On the other side of the Atlantic, European states which believe in the need to maintain an independent and competitive high-technology base in the defence and dual-purpose (e.g., aerospace) industrial sectors will have been strengthened in their views. The decision by EU states to start setting up an EU armaments agency, as recommended by the European Convention, even before other parts of the draft Constitution have been approved,⁶⁹ in large part reflects the internal dynamics of development of the European Security and Defence Policy; but Europe’s collective recoil from Iraq-inspired divisions, as described above, must also have helped to set the political scene for it.

⁶⁷ The conditions were arguably unusually favourable and lent themselves especially well to NCW, because of the attackers’ complete control of the air—which also applied in Afghanistan—and the flat, empty Iraqi topography, as well as assumed morale problems on the defenders’ side. The way for successful application of NCW methods was also paved by the very high degree of unity of command and purpose during the initial occupation, which is not typical of many other types of international crisis intervention.

⁶⁸ ‘Rumsfeld blinked after “Buy American” veto call’, *Financial Times*, 27 Sep. 2003, p. 3.

⁶⁹ EU Council Decision of 17 Nov. 2003 ‘creating a team to prepare for the establishment of the agency in the field of defence capabilities development, research, acquisition and armament’. *Official Journal of the European Union*, L 318 (3 Dec. 2003), pp. 19–20, URL <http://europa.eu.int/eur-lex/en/archive/2003/l_31820031203en.html>.

IX. General lessons for arms control and non-proliferation

The US intervention in Iraq was hardly a model technique for disarmament since it did not find and dispose of any arms.⁷⁰ Even had it done so, and even setting aside all the issues about the adequacy of prior evidence, many would have questioned whether military action was the best or appropriate means of tackling a proliferation problem. The USA itself, as noted above, has deliberately chosen approaches designed to avoid and make unnecessary such action in the cases of Iran and North Korea. However, once such acts have taken place it is difficult to reconstruct the various taboos which they break. There is a risk that others may become readier to contemplate pre-emptive interventions against their own perceived terrorism- or WMD-related threats, and more often than not such actions initiated outside the USA would be damaging or at least unwelcome for the USA itself.⁷¹

This is only one of several reasons for believing that the world cannot go back to pursuing arms control in a ‘purist’, single-instrument way (if indeed it ever did). Both specific and general arms-related challenges will be tackled with a mixture of norm- and framework-setting, monitoring, interdiction, disposal and enforcement measures. The nature of the measures themselves must continue to evolve, to take account both of technological development and of the special difficulties posed by challenges from non-state actors. Approaches which, in effect, block off supplies to all conceivable users and sources of danger—such as effective export controls,⁷² and the physical destruction of surplus arms and other hazardous materials—must increasingly be seen as an integral part of the arms control toolbox and indeed as especially productive options within it.⁷³ Those who recognize the need for tough, coercive instruments as part of the panoply but would rather avoid military attack will be strongly motivated to develop alternatives, such as interruption of illegal deliveries (*vide* the Proliferation Security Initiative, concerning ship searches⁷⁴); economic sanctions and bribes;⁷⁵ intrusive and coercive inspec-

⁷⁰ There were complaints that the occupying forces had not even paid sufficient attention to securing stocks of small arms and other conventional weapons after the conflict, which aggravated the threats of guerrilla and terrorist action.

⁷¹ One earlier case of pre-emption also concerned Iraq, i.e., the Israeli air strike on the Osirak reactor on 7 June 1981. ‘Raid on the Iraqi reactor (1981)’, Jewish Virtual Library, URL <<http://www.us-israel.org/jsource/History/Osirak.html>>. Russia’s attempts to invoke the US pre-emptive doctrine to justify military incursions into Georgia were rejected by the USA itself in 2002. Australia has meanwhile enshrined a similar doctrine in its own security policy. Blank, S., ‘The law of the jungle’, *Asia Times*, 31 Jan. 2003, URL <http://www.atimes.com/atimes/Front_Page/EA31Aa02.html>.

⁷² See chapter 18 in this volume.

⁷³ The increased international support for destruction programmes aimed at Russian WMD, embodied in the 2002 G8 Global Partnership Against the Spread of Weapons and Materials of Mass Destruction, is the clearest example: see, e.g., Anthony, I., *Reducing Threats at the Source: A European Perspective on Cooperative Threat Reduction*, SIPRI Research Report no. 19 (Oxford University Press: Oxford, 2004). The wider application of such methods to address also left-over conventional capacities, in the framework of comprehensive regionally tailored ‘conversion’ strategies, would be even more desirable. See Bailes A. J. K., Melnyk, O. and Anthony, I., *Relics of War: Europe’s Challenge, Ukraine’s Experience*, SIPRI Policy Paper no. 6 (SIPRI: Stockholm, Nov. 2003), URL <<http://editors.sipri.se/recpubs.html>>.

⁷⁴ See chapter 14 in this volume.

⁷⁵ Libyan President Muammar Qadhafi agreed on 19 Dec. 2003 to stop his investigations into developing a WMD capability and to surrender the results in return for essentially economic (but also politi-

tions; and—on the more positive side—perhaps the more systematic use of guarantees to address the feelings of uncertainty which can prompt arms races, technological break-out and WMD acquisition. Hand in hand with the new focus on the protection of critical infrastructure, mentioned above, there is also a renaissance of interest in the subject (somewhat neglected since the end of the cold war) of civil emergency planning.

This diversification of the arms control agenda, and of the means for its implementation, does not make the traditional approach based on treaties and other international legal instruments less important.⁷⁶ On the contrary—as the story of Iraq has shown as well as anything—other methods will lack focus, target and consistency of application and effect in the absence of such transparent and binding normative measures. Treaties and conventions establish the meaning and the standard of compliance, and thus the goal towards which deviants are to be guided back. They both embody and guarantee the good behaviour of the compliant majority of states, by making the obligations of the latter explicit and binding and by assuring them that they face little risk of being ‘undercut’ by less scrupulous players. They are the means of measuring offences against the norm and of producing evidence that can offer a transparent and consensual base for international corrective action. The wide application of, and respect for, such multilateral measures also reduces the risk of ‘double standards’: that is, of certain powers being active to punish others’ transgressions while committing other actions hazardous for international security themselves (*inter alia* in the sphere of weapon development and use).

It is right to expose traditional arms control, disarmament and non-proliferation instruments to the challenge of effectiveness. They do have faults and, especially, rigidities and out-of-date features which should be actively reformed. It is not fair, however, either to judge their impact only by one side of the balance (by the fact that a few break the rules, against the huge number of states which comply) or to blame them for not doing something they could never be expected to do. Treaties can never enforce and have never enforced themselves. Their aims typically need to be implemented through state and non-state actions at a number of levels, and they need to be safeguarded by continuing, active incentives and disincentives which reflect something more than the merits of the treaty itself. In today’s conditions, an ideal prescription for a comprehensive arms control, disarmament and non-proliferation policy in any given domain might include the following: (a) universal normative and definitional measures, preferably legally binding; (b) measures for supply-side interdiction and for cutting and safely disposing of surpluses, also with the widest possible participation; (c) more detailed regional measures for restraint, transparency, disposal and conversion, which would be most effective when

cal) incentives offered during a confidential negotiating process by the USA and the UK. See Text of statement released by Libyan Foreign Ministry, 19 Dec. 2003, in ‘Libyan call against arms’, *New York Times*, 20 Dec. 2003, p. A8.

⁷⁶ See Anthony, I., ‘Arms control in the new security environment’, *SIPRI Yearbook 2003* (note 1), pp. 563–76.

interwoven with measures of positive security cooperation/integration;⁷⁷ and (d) early and targeted attention to specific cases of non-compliance which pose tangible dangers for security: drawing upon a further range of measures, including coercive ones, and with the use of force (under proper international mandate) as the *ultima ratio*.

The attempt to develop such approaches is not just a theoretical prescription, but has been reflected in some real-life political activities during 2003. An interesting generic example is the December 2003 EU Strategy against Proliferation of Weapons of Mass Destruction,⁷⁸ which contains a similar mixture of prescriptions for strengthening and updating normative instruments, better controlling the flow and speeding up the destruction of dangerous materials, using specific leverage for reform of performance in the framework of specific regional and bilateral relationships, and so on. Specific regional examples are the attempts made in partnership between the USA and the EU in Iran, and the USA, China and other regional players in North Korea, to reverse known or feared proliferation trends in these countries by means falling short of invasion or regime change.⁷⁹ The results of these efforts will be as important to watch as the further repercussions of military action in Iraq. The evidence of 'what works' will be a powerful subject of international debate and tool of influence in the future.

X. Putting Iraq in a global perspective

Iraq was far from the only trend-setting security event of 2003 and may not have been the most ultimately influential for intra-West and North–South relations. There were developments which are important for the present and future international order, for example, in the economic field, with the fruitless outcome of the World Trade Organization (WTO) Cancún Summit on trade liberalization in September 2003⁸⁰ and the escalation of a number of EU–US trade disputes. In 2003 the US and European economies moved overall in the direction of recovery and of greater business confidence, and it is possible that improved indicators in this respect contributed to the more business-like tone of transatlantic relations in the latter part of the year. The prospects, however, remained fragile and the scale of the US trade and budget deficit gave particular cause for concern.⁸¹

⁷⁷ On the application of these principles to conventional weapons see Wezeman, S. T., *The Future of the UN Register of Conventional Arms*, SIPRI Policy Paper no. 4 (SIPRI: Stockholm, Aug. 2003), URL <<http://editors.sipri.se/recpubs.html>>.

⁷⁸ 'EU strategy against proliferation of weapons of mass destruction', adopted on 12 Dec. 2003 by the European Council, Brussels, URL <<http://ue.eu.int/pressData/en/misc/78340.pdf>>.

⁷⁹ See chapter 15 in this volume.

⁸⁰ See note 49.

⁸¹ US international trade in goods and services showed a deficit of \$489 911 million for the period Jan.–Dec. 2003: see US Department of Commerce, 'US international trade in goods and services: March 2004', Part A: seasonally adjusted, pp. 4–8, at URL <<http://bea.gov/bea/newsrelarchive/2004/trad0304.pdf>>. The US Congressional Budget Office estimated the 2003 federal budget deficit as \$375 billion in 2003 and set to reach \$477 billion in 2004. US Congressional Budget Office, 'Monthly budget review', Feb. 2004, p. 3, at URL <<http://www.cbo.gov/showdoc.cfm?index=5003&sequence=0>>.

The costs to the USA of the Iraq operation itself were considerable and were a major contributor to fiscal imbalance,⁸² but they were not the only or the largest economic shock of 2003. The SARS episode in the first half of 2003 had a global economic impact which dwarfed that of the Iraq intervention, cutting air travel by 21 per cent (compared with the previous year) in May alone and causing an estimated \$9 billion in economic losses in North-East Asia and a further \$1 billion in South-East Asia through factory shutdowns, cuts in travel and tourism, and the cost of counter-measures.⁸³ SARS was a harsh reminder of the threats posed even to the most developed populations (Canada was one of the countries worst affected) by challenges that are not so much asymmetric as fundamentally beyond human control. It was also a threat that patently could be tackled only by universal and universally binding multilateral cooperation, as the USA was one of the first to see. The internationalist flavour of the US approach to disease-related threats was further illustrated by the strong personal initiative taken by President Bush to boost global cooperation against AIDS.⁸⁴

On the other threat to human security highlighted in 2003, however—that of a changing and increasingly hostile climate—policy and ideological divisions across the Atlantic remained in place. The year 2003 was the third hottest year in historical record, and ‘weather of mass destruction’ (especially the northern summer) caused thousands of deaths even in normally temperate European countries,⁸⁵ while flood and fire did massive human and economic damage elsewhere.⁸⁶ A publication of the World Health Organization (WHO) predicted steadily mounting deaths from climate-related causes, hitting the poorest countries hardest, while the UNDP pointed out that natural disasters even now claim more victims when they strike in poor environments than in well-

⁸² The US Congress was asked in Mar. 2003 to approve a supplementary budget of \$74.7 billion and in Oct. to approve a further \$87.9 billion, of which by far the greatest part was to be spent on Iraq.

⁸³ Asian Development Bank (ADB) estimates, quoted at URL <<http://www.business-in-asia.com/sars.article1.html>>. In a May 2003 Special Briefing, the Conference Board of Canada suggested that, up to that month, Canada had similarly lost some C\$1.5 billion in 2003, equivalent to 0.15% of Canada’s real GDP. See Conference Board of Canada, ‘The economic impact of SARS’, URL <<http://www.conferenceboard.ca>>.

⁸⁴ The Joint United Nations/WHO Programme on HIV/AIDS (UNAIDS) estimated that 40 million people were living with HIV/AIDS worldwide and that total deaths in 2003 had reached more than 3 million. UNAIDS, *AIDS Epidemic Update 2003* (UNAIDS: Geneva, 2003), available at URL <<http://www.unaids.org>>. On US policy see ‘The President’s emergency plan for AIDS relief’, Fact sheet (White House, Office of the Press Secretary: Washington, DC, 28 Jan. 2003), URL <<http://www.whitehouse.gov/news/releases/2003/01/20030129-1.html>>; and on UN policy see UNAIDS, *Accelerating Action against Aids in Africa* (UNAIDS: Geneva, 2003), URL <http://www.unaids.org/html/pub/UNA-docs/ICASA_Report_2003_en_pdf.pdf>.

⁸⁵ An estimate of over 21 000 climate-related deaths in France, Italy, the Netherlands, Portugal, Spain and the UK was given in World Meteorological Organization (WMO), *Annual Report 2003* (WMO: Geneva, 2004), URL <http://wmo.ch/files/pdf/annual_report2003_en.pdf>.

⁸⁶ According to figures from the UN Food and Agriculture Organization (FAO) quoted in ‘Planet goes up in flames’, *New Scientist*, vol. 180, no. 2419 (1 Nov. 2003), p. 4, some 170 million hectares of land are being destroyed by fire per year in Sub-Saharan Africa, compared with 18 million ha. in Central America, 23.7 million ha. in Russia, 60 million ha. in Australia (Austral summer 2002–2003) and 2.8 million ha. in the USA. UN Food and Agriculture Organization, ‘Fires are increasingly damaging the world’s forests’, 9 Sep. 2003, URL <<http://www.fao.org/english/newsroom/news/2003/21962-en.html>>.

developed ones.⁸⁷ For most observers this underlined the need for universal and formal restraints, such as those in the Kyoto Protocol,⁸⁸ to avoid aggravating the pace of climate change even further. The US Administration continued, however, to challenge the need for nationally intrusive counter-measures, to defend its low-price energy policy, and to open up new oil and gas resources on its territory in the face of environmentalist protests.

XI. Envoi: the rights of the individual

One aspect of global security that should have been debated more than it was in 2003 was the implications and effects of current security trends for individual rights and freedoms. There were some positive institutional developments during the year: for instance, the start of operational activity at the International Criminal Court (ICC)⁸⁹ and the agreement reached during the EU's constitutional negotiations to incorporate the European Union Charter of Fundamental Rights in the next recension of the EU Treaty.⁹⁰ There were, however, also many general and specific triggers for concern. The evidence of backsliding in human freedoms in parts of the Arab world, partly as the product of a misused security rationale, could probably be matched in other regions of tension. In several nations of the developed West, civil rights advocates protested against government proposals that would permit lengthy detention of suspects without trial, increased surveillance, widespread encroachment into previously protected personal data or curbs on free speech and free movement. The continuing concern over the USA's detention of a large number of prisoners taken in Afghanistan at Guantanamo Bay, outside the US mainland and effectively without legal redress,⁹¹ was dwarfed by the universal outcry that arose in May 2004 over allegations of abuse of prisoners within Iraq itself by members and employees of the coalition forces. Another trend particularly noticeable in Europe was towards a tougher line on immigrants, refugees and asylum seekers: this was extended in early 2004 even to the EU's new members, when the majority of existing members opted temporarily to deny them free entry to their labour markets.⁹² A further constit-

⁸⁷ World Health Organization (WHO), UN Environment Programme (UNEP) and World Meteorological Organization (WMO), *Climate Change and Human Health: Risks and Responses* (WHO: Rome, 2003). See also WHO, 'New book demonstrates how climate change impacts on health', WHO press release, 11 Dec. 2003, URL <<http://www.who.int/mediacentre/releases/2003/pr91/en>>; and UN Development Programme (UNDP), Bureau for Crisis Prevention and Recovery, *Reducing Disaster Risk: A Challenge for Development*, 2 Feb. 2004, URL <<http://www.undp.org/bcpr/disred/rdr.htm>>.

⁸⁸ For the 1997 Kyoto Protocol to the 1992 United Nations Framework Convention on Climate Change, and the signatories, see URL <<http://unfccc.int/>>.

⁸⁹ On the ICC see chapter 5 in this volume.

⁹⁰ See 'The Charter of Fundamental Rights of the European Union', URL <http://www.europarl.eu.int/charter/default_en.htm>.

⁹¹ On the initial background and reaction to these detentions see Anthony *et al.*, *SIPRI Yearbook 2003* (note 4), pp. 53–54; and chapter 4 in this volume.

⁹² Austria, Finland, Denmark, France, Spain, Belgium, Greece, Luxembourg, Portugal and Italy announced specific transitional restrictions (the last 2 in the form of quotas) to apply for at least 2 years from the accession date of 1 May 2004. See 'EU-25: member states grapple with the free labour market', EurActiv.com, 6 May 2004, URL <<http://www.euractiv.com/cgi-bin/cgint.exe?204&OIDN=1507666&-tt=el>>.

uency potentially at risk from interventionist and authoritarian trends in government policies was the private business sector. Demands that private corporations should avoid feeding money to terrorists and help enforce stricter strategic export controls were justified, but the measures imposed unilaterally by governments for these ends were not always clear, reasonable or proportionate. Other changes (tighter visa controls, cargo inspections and travel delays) hit legitimate business harder than could have been intended and were hardest of all on citizens of the developing world.

The end of 2003 did not bring the same clear signs of 'backlash' and corrective trends in this dimension as in many political and institutional ones. A worrying question that arises is whether the world's libertarian NGOs are today sufficiently powerful, well focused and well coordinated to contain the risks of governmental over-reach in this sphere. The matter needs careful monitoring if the main drive of Western policies towards making the world both more secure and more democratic is not to stumble on its own contradictions. Human beings cannot be made free, let alone happy, by placing them in a protective security cage. The already very difficult task of achieving democratic transformation in non-Western societies will not be helped if the West is seen as slowly consuming its own stock of inherited liberties, while trying to impose freedom (a contradiction in terms) on others.