

Debate No. 3

Private Notice Questions - 01 April 2003

IRAQ – HUMANITARIAN CATASTROPHE

The Leader of the Opposition (Dr. N. Ramgoolam) (*By Private Notice*) asked the Minister of Foreign Affairs and Regional Cooperation whether, in regard to the humanitarian catastrophe unfolding in Iraq, he will state if Government –

views the killing of civilians by the coalition forces as a despicable crime against innocent civilians;

expresses the view that the lethal weapons to kill such civilians are akin to weapons of mass destruction;

condemns unequivocally the bombing and slaughter of innocent civilians by the coalition forces; and

supports the call for an immediate ceasefire to enable the conveyance of emergency relief to the civilian population.

Mr Gayan: Mr Speaker, Sir, in reply to the PNQ on Iraq last week we quoted Mr Kofi Annan, Secretary-General of the United Nations, who said that war is always a catastrophe and leads to human suffering. The current situation in Iraq is a distressing moment for all members of the United Nations and for all of us.

With regard to part (a) of the question, Mr Speaker, Sir, we hold the view that all the forces in action in Iraq should avoid civilian casualties and respect all their obligations under the Geneva Conventions. However, we deplore the loss of life among the civilian population, particularly women and children.

With regard to part (b), we do not unfortunately have the technical expertise of the weapons used by the forces in action in Iraq to enable us to assess whether such weapons can be considered as weapons being akin to weapons of mass destruction or not.

Mr Speaker, Sir, with regard to part (c), we strongly deplore civilian casualties as a result of military action. We call on both sides to adhere strictly to the provisions of International Humanitarian Law.

With regard to part (d), during the open debate regarding the situation in Iraq in the Security Council on 26 March 2003, our Permanent Representative at the United Nations expressed the hope that the conflict should end as soon as possible with minimum civilian casualties and called for immediate action to be taken to alleviate the suffering of the Iraqi population.

As the House is aware the UN Security Council unanimously adopted on Friday 28th March Resolution 1472 to enable UN humanitarian organisations to resume humanitarian assistance to the Iraqi population under the Oil-For-Food-Programme. The Resolution also urged all parties concerned to allow full and unimpeded access by international humanitarian organisations to all people of Iraq in need of assistance.

Mr Speaker, Sir, Mauritius considers that the Security Council of the United Nations should urgently meet in order to address the crisis in Iraq. We consider that all possible efforts should be made to bring hostilities to an early end.

Dr. Ramgoolam: I thank the hon. Minister for his answer. Can I ask him to say clearly whether he condemns – not, as he has said, we hope, we expect - and agrees that this innocent killing of civilians ought to be condemned? That is what we want to hear.

Mr Gayan: Mr Speaker, Sir, the statement I have just made is very clear on the stand that the Government is taking on this issue.

Dr. Ramgoolam: The stand is not clear, Mr Speaker, Sir. In fact, I urge the hon. Minister to look at the question and his stand again. The stand is one of ambiguity, as if sitting on the fence. Everybody hears the hon. Minister say 'we hope and expect and wish that the civilians do not lose their lives.'

(Interruptions)

Does the Government agree that it is an act that ought to be condemned?

Mr Gayan: We have said, Mr Speaker, Sir, that war is always a dirty and very nasty business. I think from what I have said the stand of this Government is very clear on the very tragic issues that are unfurling Iraq. I think we have made our stand very clear.

Dr. Ramgoolam: In fact, the stand of Government is not very clear. May I ask the hon. Minister whether he maintains the point of view that the war is legal, as he said in 'L'Express' newspaper?

Mr Gayan: Mr Speaker, Sir, there is a big debate raging in the world about the legality or otherwise of the war in Iraq. In fact, the Secretary-General of the United Nations, Mr Kofi Annan, is on record as having said recently that there would have been greater legitimacy had there been a second Resolution. So, he assumes that there was legitimacy. I am not going into the legal intricacies of the debate, but I am informed, Mr Speaker, Sir, that there is within the UN system, the International Court of Justice, and some countries are trying to go to the International Court of Justice to seek an advisory opinion on this issue. I think it would be sterile for us to have a debate on the academic aspect of the legality or otherwise of this issue.

Dr. Ramgoolam: I understand why the hon. Minister does not want a debate and he thinks it is academic. It seems there are three points of view. The first one was given by the Prime Minister at the Non-Aligned Movement in Malaysia. A second one was given by the Deputy Prime Minister last week, and the hon. Minister is giving a third one. This is why I

say it is not clear, it is ambiguous. We think that there is a lot of opacity in what is being said.

Can I ask the hon. Minister, especially being a person who has studied international law, whether he agrees that the magnitude of the so-called 'shock and awe' bombing attack does not fail the test of proportionality?

Mr Gayan: Mr Speaker, Sir, not being a military person myself and not being close to all the details of the war, it is very difficult for me to answer that question.

Dr. Ramgoolam: Is he aware that President Bush himself has said last night in Washington that America has dropped around 8700 bombs and missiles on Iraq already? Does he agree that a lot of these bombs and missiles have not reached the projected targets?

Mr Gayan: If the hon. Leader of the Opposition says so, he knows what he is talking about. But I cannot comment on that.

Dr. Ramgoolam: Does he not agree that all these missiles and bombs that have landed in Iraq are going all over the place and that, therefore, it is failing the test of

proportionality? They said that it was going to be surgical attacks, that they have weapons which are very high-tech and can hit a distinct target, this is not the case. What does he say about the test of proportionality?

Mr Gayan: Unfortunately, Mr Speaker, Sir, I cannot get into this kind of a debate, because we are talking of military tactics and I am not equipped to answer that kind of question.

Dr. Ramgoolam: Can the hon. Minister confirm – I saw reports in the press this morning – that one stray missile landed at Agalega? Is that true?

(Interruptions)

Mr Speaker: Order! Order, please!

Mr Gayan: Mr Speaker, Sir, I think this is a misguided question on the part of the Opposition.

Dr. Ramgoolam: I don't know whether it is a *poisson d'avril*, but this was reported in the press this morning. So, I thought that I would ask the question, because it is possible. Does the Minister know – I am sure he knows that – that in the last Gulf War, only 7% of the missiles and bombs actually reached their target, in spite of all the hi-tech weapons?

Mr Gayan: Once again, Mr Speaker, I cannot comment on things that are not to my personal knowledge.

Dr. Ramgoolam: But, this is a known fact. If the Minister looks it up, he will see. Only 7% of the missiles actually reached their targets. We have seen how many civilians have died in two market places, one in the North and one in the South. Again, this morning, civilians have died. That is why I am asking the Minister whether he does not think that all this shock and awe campaign is leading to despair, and that we should condemn it. That is why I am asking the question.

Mr Gayan: Mr Speaker, Sir, once again, I have to say what I have said earlier, namely that the statement I have made on behalf of Government is the stand that we are taking on this issue.

Dr. Ramgoolam: The stand is not clear. Does the Minister, therefore, agree that these hi-tech weapons are, in fact, of massive destructive force and are, themselves, perhaps, weapons of mass destruction?

Mr Gayan: As I have said, Mr Speaker, Sir, any violence that is used in a war is a matter that is very distressing and disturbing. But, with regard to the kind of weapons, once again, I am sorry that we do not have the expertise and I cannot comment on that.

Mr Duval: Mr Speaker, Sir, in relation to the Gulf War, the hon. Minister stated publicly that Mauritius will look after its own national interest – he said that clearly, I think, twice in the press. Can I ask the Minister whether he does not find this position very, very selfish in the light of our responsibility as a nation, as a member of the United Nations, and that Mauritius should not only look at its own little monetary interest but consider what is happening around us, as a nation, and take sides with people who are suffering and dying, as in the case of Iraq?

Mr Gayan: Mr Speaker, Sir, we have always expressed the greatest of anguish and sympathy with all those who suffer in war situations. In fact, immediately after the war started, this Government set up a Fund for the benefit of the Iraqi people. But, when it comes to foreign policy, I think it is incumbent on any Government to defend its national interests, without losing sight of the humanitarian dimension of the problems that may exist.

Dr. Boolell: Mr Speaker, Sir, it is incumbent upon any responsible Government to protect its own sovereignty. South Africa is negotiating a free trade agreement with the United States and, yet, it has severely condemned the stand taken by the United States. I would like to know whether Mauritius is being subject to any arm-twisting and this is the reason why Mauritius cannot condemn and take a firm stand on the situation?

Mr Gayan: Sir, there is no arm-twisting at all. It is a stand that we take, based on the principles that we defend.

Dr. Chady: Mr Speaker, Sir, Government has made only one official statement in reply to a PQ that I put last week. The Minister, himself, made a statement, and that was supposed to be the official statement cautioned by Cabinet. That was the only official statement and it was ambiguous at this point in time. After all these killings, after market places were bombed, telecommunication centres bombed, what is the position of the Government of Mauritius now?

Mr Gayan: First of all, Mr Speaker, Sir, I wish to say that the statement I made in reply to the PQ asked by the hon. Member was a very clear statement on the policy of this Government with regard to the situation. The position has not changed.

Dr. Chady: Everywhere in the world, everybody is changing their position in that they are saying that this war must stop now, because it looks that they are going for petrol and there is a material cause behind it. So, has Mauritius not got a soul? Can't it express itself? Why should we hide behind other Governments? Have we not got a voice to express our feeling?

Mr Gayan: Mr Speaker, Sir, if the hon. Member had listened very carefully to what I said in reply to the PNQ, I ended by saying the following –

"Mauritius considers that the Security Council of the United Nations should urgently meet to address the crisis in Iraq. We consider that all possible efforts should be made to bring hostilities to an end".

Dr. Chady: Will Mauritius now state clearly that this war is illegal? Everybody is finding it illegal. The war must stop.

Mr Speaker: Hon. Dr. Chady, last week, we had this question as to whether it is legal or not legal. I am not allowing this question.

Mr Dulloo: In the light of the reply just given by the hon. Minister, may I ask him what initiative the Government of Mauritius is taking at the level of the UN, in order to ensure that or go in the direction that the UN should shoulder its responsibility in the circumstances?

Mr Gayan: Mr Speaker, Sir, there was an open debate in the Security Council last week. Our permanent representative participated in that debate and he called on the international community to bring an end to this crisis and to consider whatever could be done to ease the humanitarian dimension of the crisis.

Mr Duval: In the light of what happened in 1939, when the Germans invaded Poland and some Governments washed their hands, and history turned out to despise these Governments, I would like to ask the Minister of Foreign Affairs whether he will not review his position and act to end the misery in Iraq, and for Mauritius to take a very strong position for an end of the war and the restitution of international law?

Mr Gayan: Mr Speaker, I can only repeat what I said. We are asking the Security Council to address this issue, because the Security Council remains the principal organ of the United Nations system on all matters on international peace and security. That is the forum where this matter can be addressed.

Mr Hurnam: Mr Speaker, I heard the Minister state that some members of the UN are seeking the advice of the International Court of Justice in connection with the legality or otherwise of the war. The question is: has this been done or is it an attempt which is being envisaged by the members of the United Nations?

Mr Gayan: From my information, some countries are seeking legal advice on how to proceed forward, because this is a new situation. I think the legal intricacies are so immense that some time has to be given to the lawyers to decide on an appropriate course of action. But, what I said is that it is open to any State to go to the International Court of Justice to seek an advisory opinion on what has happened.

Mr Dulloo: With regard to what is happening to the civilian people in Iraq right now, we know that the international embargo has affected the people of Iraq more than Mr Saddam Hussein or his regime. Now, with the bombing, itself, the killing and maiming of innocent people, the people of Iraq - and even their property - are directly being affected. The hon. Minister just said that our Government has been raising the matter at the UN for it to take the necessary action, the necessary initiative. May I ask him whether, in the light of what is happening, Mauritius has made any particular suggestion, has suggested any particular action, and has contributed anything in the direction that we all want to move?

Mr Gayan: Mr Speaker, Sir, we are no longer a member of the Security Council. So, we do not have the right to initiate any action on the Security Council. What we can do is to make suggestions and proposals through our permanent representative in New York, but these have to be taken on board by the Security Council of which we are no longer a member. I do recognise that under the sanctions regime, more than 60% of the Iraqi population depend on the oil for food programme and it is reassuring that this particular Resolution was adopted last Friday by the Security Council to provide urgent humanitarian assistance to the Iraqi people.

Dr. Ramgoolam: Since the Minister is talking about the UN Security Council, the UN General Assembly, can I ask him whether he is aware that this morning on Doordarshan television in New Delhi the Arab States and the Islamic States are proposing that there be a meeting of the General Assembly of the United Nations to declare its opposition to this war? And my understanding is that India is favourable to that. Does he not agree that we should join in with them and call an urgent special meeting for the General Assembly so that we can declare this war in a great majority to be illegal, unjustified and oppose it so that innocent people are not killed as is the case?

Mr Gayan: Mr Speaker, Sir, I know that there is a request to convene the General Assembly to have a general debate on the Iraq issue and Mauritius will certainly participate in that debate.

Dr. Ramgoolam: Will the Minister join in and add his voice to those who are asking for that special meeting as some people have already taken the initiative?

Mr Gayan: We can certainly look into that.

Mr Dulloo: Mr Speaker, Sir, the hon. Minister has just said that we would like to see action being taken to cope with the humanitarian crisis which is culminating into a catastrophe. He has already referred to Resolution 1472 whereby the UN has been entrusted unanimously by the Security Council to implement the oil for food programme. The difficulties are universally known in order to implement the programme, because the bombing is going on right now and, through this PNQ, we have specifically asked the hon. Minister whether he is supporting the call for an immediate ceasefire like many nations have already stated in order to enable the implementation of the Resolution 1472, the oil for food programme, by the UN and, at the same time, the conveyance of relief, aid immediately to the civilians. All of us have seen the pictures and even the coalition forces are having difficulties in distributing aid to the civilians. May I ask whether Mauritius

should not immediately, publicly and unequivocally state that there should be a ceasefire so that the humanitarian crisis and catastrophe could be coped with?

Mr Gayan: Mr Speaker, Sir, I think I made it very clear that we are in favour of making all possible efforts to bring hostilities to an end in Iraq. But I do also share the view that there are difficulties on the ground with regard to the conveyance of humanitarian assistance, but until the Security Council has met, it is impossible for us to take any action. What I can also say is that there are already attempts being made on the ground in Iraq to find humanitarian corridors for the purpose of conveying humanitarian assistance to those Irakis who are most in need.

Dr. Ramgoolam: I heard the hon. Minister say that there are attempts on the ground to try to start humanitarian aid, but as he probably knows they are holding back because of the problems in the south, much lower down than Baghdad. In a small town called Najaf they are holding back because of the difficulties to send in humanitarian aid. Can I ask him whether we should join those who are asking for an immediate ceasefire because in the other places like Basra it is going to be very difficult. I do not know if the Minister knows that in Baghdad we have 1.5 million people, that is, more than the population of Mauritius, Rodrigues and the outer Islands combined. There is a great humanitarian problem as there is no water, no electricity, no food and these people are dying.

Mr Gayan: I think everybody is aware of the immense proportions of the humanitarian crisis, there is a shortage of water, of food, of medicine. In fact, we sympathise with all the Iraqi people who are enduring such pain, but we have to look at the situation on the ground and whatever is happening there is traumatic for everybody. We are very distressed when we see pictures of small kids asking for water. Our heart goes out to these people. I think no one in this House can remain insensitive to the tragedies that are unfurling in Iraq with regard to the women, to the elderly. It is not a question on which we can have a dispute. I think that whatever the international committee can do will be done to bring some relief to the distress, pain and sufferings of the Iraqi people.

Dr. Ramgoolam: I heard the hon. Minister say before - and he says it again - that we express our sympathy. That is alright as I do not see any person who will not express sympathy. What we want Government to do and to recognise is that we need to act, to be forceful in our condemnation of this war and not just say that we regret. We want Government to take the stand that we are forcefully and unequivocally, unambiguously against the war and condemn the war.

Mr Gayan: Last week, the hon. Deputy Prime Minister addressed this issue very much and I do not think that we need to go into it again.

Dr. Ramgoolam: It is not quite the same what the hon. Deputy Prime Minister said, but I would like to hear it from the voice of hon. Minister himself, because there are already three voices, three different versions and we do not approve any of those versions. If the Government of Mauritius does not forcefully condemn this human tragedy, does he not realise that we will be seen as if we are surreptitiously condoning the killing and barbaric action that is being taken against civilians?

Mr Gayan: I do not think this arises. In any case from what I have said and from what was said in reply to the PNQ last week, the stand of Government is very clear.

Dr. Boolell: Will the Minister state what is the stand of Government in respect of the United States' decision to award contract to American companies in respect of an eventual reconstruction of Iraq?

Mr Speaker: Is this relevant to the question?

Dr. Boolell: It is relevant, Sir.

Mr Gayan: I do not think that this arises out of the original question.

Dr. Boolell: If Government does not condemn, then we know that its stand for the United States in respect of the invasion of Iraq is clear. This is it, Sir.

Mr Dulloo: My understanding is that both the United States and the United Kingdom have gone on record to say that the UN will have the responsibility for a post war Iraq, for the reconstruction and everything.

Dr. Ramgoolam: Does the Minister take the same position as the Deputy Prime Minister has taken, that is, Saddam Hussein is the sole responsible for this war?

(Interruptions)

It was said again on radio...

(Interruptions)

Mr Speaker: Order, please!

Mr Dulloo: Sir, we know that Resolution 1441 has at its basis the elimination of weapons of massive destruction which, if not implemented would result in serious consequences, but not necessarily war. Now that the international community has universally condemned this recourse to unilateral military intervention in order to deal with the question of weapons of massive destruction, may I ask the hon. Minister whether Government has got suggestions to make as far as the setting up of a credible and effective system to deal with weapons of massive destruction and disarmament, especially in view of the fact that very soon we will be called upon to vote certain Bills concerning Geneva Convention and chemical weapons and what not? May I ask the hon. Minister whether Government has got any suggestions on how to set up a credible and effective system that would not need to have recourse to military, unilateral declaration of war or military intervention?

Mr Gayan: Mr Speaker, Sir, this does not strictly arise, but very soon we'll be addressing this whole issue of disarmament at the level of Government.

Mr Dulloo: Given the emergency of the situation, may I, therefore, ask the hon. Minister whether Government would consider urgently appointing an adviser on disarmament as it was done in the past? And perhaps we may have recourse to the adviser on disarmament in order to know how to tackle this problem right now.

Mr Speaker: This is not relevant.

(Interruptions)

Order! Order please!

Dr. Ramgoolam: Mr Speaker, Sir, can you allow me two more questions?

Mr Speaker: Yes.

Dr. Ramgoolam: Can I just remind the hon. Minister - I am sure he has seen Reuters news -

"La Federation Internationale des Droits de l'Homme appelle Samedi à un cessez-le-feu immédiat et inconditionnel en Irak."

There are lots of organisations which are joining, apart from countries. So, can I urge the Minister again to ask forcefully, to join those who are saying that we should ask for a ceasefire?

Mr Gayan: Mr Speaker, Sir, I cannot add to what I have already said on this.

Dr. Ramgoolam: Sir, the Minister is going to sit on the fence and not on the bench as the hon. Prime Minister said! But can I ask him a final question if you would allow me Mr Speaker, Sir. He must agree the war has been fought officially as if to rid Iraq of the weapons of mass destruction and also as if to fight terrorism. That is what the official reason is. We have heard about regime change, about all these things afterwards. But can I ask him whether he agrees that up to now there has been no evidence of any weapons of mass destruction, up to now there has been no evidence of any link between Iraq and Al Qaeda. Up to now, the Niger connexion has been found to be a sheer fabrication and the inspectors have found no smoking guns. Can I, therefore, ask him that there might be another hidden agenda and not those reasons that have been put forward for this war?

Mr Gayan: Mr Speaker, Sir, it is not part of the foreign policy of this Government to deal with speculation.

Dr. Ramgoolam: I am asking him at least to say that he agrees none of these has been found. So what is the hidden agenda?

Mr Speaker: A last one.

Dr. Ramgoolam: Given that all those things have happened, nothing has been found, no smoking gun, no atomic bomb, no weapon of mass destruction, can I urge him again to stop sitting on the fence and to join those who say we should ask for an immediate ceasefire?

Mr Gayan: I have replied to that, Mr Speaker, Sir