

**Hans-C. von Sponeck (UN Humanitarian Coordinator for Iraq, 1998-2000)**  
**Denis J. Halliday (UN Humanitarian Coordinator for Iraq 1997-1998)**

**Mme Louise Arbour**  
**UN High Commissioner for Human Rights**  
**Palais des Nations**  
**CH-1211 Geneva 10**  
**Schweiz**

**Müllheim/New York 20 June 2007**

Dear Mrs. Arbour,

As two former UN Coordinators for Iraq, we are writing to seek your action in response to the widespread perception of UN failure towards fulfilling its human rights mandate for Iraq.

We are encouraged to do so by many who are voicing concern that there has been no human rights rapporteur for Iraq for several years. The assignment of Dr. Andreas Mavromatis was not renewed by the UN Human Rights Commission after he had submitted his report on 19 March 2004. Neither the UN Human Rights Commission/Council nor the UN Security Council have found it compelling to include human rights in Iraq in any of their agendas. UNAMI's human rights reports, important as they are, can not be considered as a sufficient fulfillment of the UN's human rights mandate. Iraq is a country, as we daily witness, deeply immersed in human rights abuses by both internal and external parties.

In fact, the UN history of human rights monitoring for Iraq reveals much negligence and serious imbalance. During the years of sanctions (1990-2003), the UN human rights mandate constituted an unjustifiably one-sided approach to assessing human rights conditions in Iraq. Much to his discredit, Max van der Stoep adhered to lop-sided terms of reference without objection. He limited his reviews to allegations of human rights violations perpetrated by the Government of Iraq.

Andreas Mavromatis had the courage to object and to refer to international sanctions policies as an important cause of human rights violations against Iraq's population.

Professor Marc Bossuyt, currently a judge in the Belgian Court of Arbitration, in June 2000 conveyed to the UN Human Rights Commission his grave legal concern about the UN Security Council's policy for Iraq: "The sanctions regime against Iraq is unequivocally illegal under existing international humanitarian law and human rights law" (E/CN.4/Sub.2/2000/33 refers). At the time, there was no response from the UNHCHR, or any other UN body, to these serious observations.

Reluctantly and late, your predecessor took a critical but very cautious position on the UN's role in Iraq. Neither the UN Human Rights Commission, the UN Office of the High Commissioner for Human Rights nor the UN Deputy Secretary General Louise Frechette, who was the chairperson of the Iraq policy group in New York, did do justice to their respective responsibilities.

As you may know, we decided to resign from our positions as UN Humanitarian Coordinators since we could no longer accept that 'our' organization had decided to accept a self-serving and hard-line sanctions approach which punished first and foremost the innocent. The immense damage that a flawed UN Iraq policy has done to the Iraqi society is today much more widely known than it was at the time. This knowledge, however, is available only to a limited extent through UN sources and much more because of relentless probing and researching by civil society. As former UN officials we find this very disturbing.

We are writing to you out of our great concern that to-date neither the UN Security Council nor the UN Human Rights Council have felt an obligation to accept their responsibilities and carry out an assessment of the human rights conditions as they evolved during 13 years of sanctions. The role the UN has played throughout this period must be shown. Due to the still destroyed civilian infrastructure, which constitutes criminal negligence by the occupying powers, the impact of sanctions is ongoing. We, therefore, are equally concerned that the UNHRC has failed to engage in a debate of the atrocious human rights abuses in Iraq under occupation.

We consider it an important right of the public to expect both assessment and debate. This would also be significant for the future handling of such crises as we have seen and experienced first hand in Iraq.

Equally important would seem the need to re-assure the world community that accountability holds for all who have played a role in determining the fate of a people, not only for a failed government.

We would hope that you, as the UN High Commissioner for Human Rights and a person who has spoken out with courage on Iraq and other human rights issues, will pressure both the UN Human Rights Council as well as the UN Security Council to include human rights in Iraq in the agendas of relevant United Nations bodies. The fact that possibly as many as one million innocent Iraqis have died since the invasion, four million or more Iraqis have become IDPs or refugees, the entire socio-economic infrastructure has collapsed and an entire nation has been traumatized would seem stark reasons for immediate and urgent UN involvement. A statement expressing your position on this reality in Iraq would undoubtedly make a significant political impact and be re-assuring to all those around the world who look to you to uphold the supremacy of human rights for all.

With all good wishes for your important work,

Yours sincerely,

**Hans-C. von Sponeck, Denis J. Halliday**