

**Kuwaiti foreign policy in light of the Iraqi invasion,
with particular reference to Kuwait's policy towards Iraq, 1990-2010**

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Signature: Talal Zaid A. Alazemi

Dedication

To my dear country Kuwait,

To the spirit of my late father, may God bless him,

To my dear mother, may God grant her long life,

To my dear wife, children and family,

To the spirit of Kuwait martyrs and prisoners of war.

Acknowledgment

In the name of Allah, the Most Beneficent, the Most Merciful. First and foremost, I sincerely thank Almighty Allah, who created the seven heavens in layers and the earth, the creator of everything, there is no God but Him, for the kindness and blessings that he has given us and bestowed on me, So for You is all praise and unto You all thanks.

I would like to express my sincere gratitude to His Highness Sheikh Nasser Al Mohammed Al Ahmed Al Sabah and His Excellency Sheikh Dr. Ahmed Al Nasser Al Mohammed Al-Sabah for their full support throughout my period of study. I would also to thank HE Sheikh Dr. Mohammad Al-Sabah for his time and valuable information. I am deeply grateful for the continuous guidance and supervision of my supervisor Prof. Gerd Nonneman and truly acknowledge the valuable time, patience, and support of my supervisory team: Dr. Marc Valeri and Dr. István Kristó-Nagy. I would like to extend heartfelt thanks and appreciation to my dear beloved mother, my wife and my family for their invaluable role throughout my period of study, Sincere thanks are also due to my friends.

Finally, I pray to Almighty Allah to make this study beneficial and a contribution from my part to all researchers.

Abstract

The study sheds light on the impact of the Iraq invasion of Kuwait in 1990 on Kuwaiti foreign policy, with particular reference to changes in behaviour towards Iraq, from 1990-2010, and the impact of this invasion on changes to the concepts of Kuwaiti foreign policy at regional, Arab and international levels.

Thus, the study investigates the ‘impact’ of this invasion on Kuwaiti foreign behavior towards Iraq during the period from 1990 to 2010, the principles and determinants of Kuwaiti foreign policy towards Iraq in this period, and the ‘outstanding issues’ between Iraq and Kuwait and the Kuwaiti vision for Iraq after the fall of Saddam Hussein’s regime from 2003 until 2010.

It finds that the trauma of the invasion drastically affected both Arab politics overall and Kuwait’s own policy: for the first time the notion of alliance became a cornerstone of Kuwait’s overall foreign policy – even if its geographical location and exposure to possible threats from Iraq meant that, after Saddam’s fall in 2003, there was a gradual evolution towards trying to help a stabilisation in that country occur. The combination of geographical location and ideational factors in the shape of sectarian cleavages crossing domestic and regional theatres, meant a continued sharp focus not only on military security with external help, but also on the pre-emption of spill-over effects from the sectarianised Iraqi political landscape to Kuwait’s own latent ethno-sectarian divisions. Even so, there were certain red lines that remained uncrossed, in the shape of the so-called outstanding issues that remained to be resolved between Iraq and Kuwait.

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List of Abbreviations

Arab League	AL
Defence and Economic Co-operation Treaty	IDECT
Development Fund for Iraq	DFI
Gulf Cooperation Council	GCC
Humanitarian Operation Centre	HOC
Istanbul Cooperation Initiative	ICI
Iraqi Governing Council	IGC
Kuwait Fund for Arab Economic Development	KFAED
Kuwait Dinar	KD
National Assembly	NA
National Committee for M. & POWs Affairs	NCMPA
Oil For Food	OFF
Operation Iraqi Freedom	OIF
Organization of Islamic Conference	OIC
Organization of the Petroleum Exporting Countries	OPEC
Organization of Arab Petroleum Exporting Countries	OAPEC
Palestinian Liberation Organization	PLO
United Nations	UN
United Nations Security Council	UNSC
United Nations Iraq–Kuwait Observation Mission	UNIKOM
United Nations Iraq-Kuwait Boundary Demarcation Commission	UNIKBDC
United Nations Compensation Commission	UNCC
United Nations Special Commission	UNSCOM
United Nations Monitoring, Verification and Inspection Commission	UNMOVIC
UN Compensation Fund	UNCF
Status of Forces Agreement	SOFA
Tripartite Commission	TC
Technical Sub-Committee	TSC

Chapter I

Introduction

1. Introduction

The study of Third World foreign policy is in some ways distinct from that of other states – where the literature is well-developed – and more problematic to undertake. This is due to range of factors, including the fact that sufficient information is not always available, in addition to the ‘sophisticated’ bureaucratic and institutional networks,¹ such as those found in developed countries, in which it is assumed that the people have the right to be informed about their governments’ actions, and where mechanisms, such as the press, radio and mass media exist, by which the information is made available in order to obtain support for government decisions.² Foreign policy is conceived and executed in accordance with interwoven requirements and impacts that are difficult to be separated from each other, because it is related to internal circumstances and external factors as well as to the ideational factors such as ideology, religion and cultural components etc.³ The politics of Third World states, particularly following the emergence of the ‘new states’, which have obtained their independence relatively recently, since 1945, have had a great impact on the new international map,⁴ part of which is represented by the endeavours of some Arab countries to achieve an advanced position in this new world through playing a more prominent and effective role in their territory, and hence perhaps beyond the international political scene.

The study of Arab foreign policies is one of the least well-established academically. The first methodical attempt to study Arab policies came with the publication of the edited

¹ Sekhri, Sofiane, ‘The Role Approach As a Theoretical Framework for the Analysis of Foreign Policy in Third World Countries’, Vol. 3, No.10, *African Journal of Political Science and International Relations*, 2009. p.424.

² Calvert, P., *The Foreign Policy of New States*, Wheat sheaf Books Limited, Brighton, UK, 1986.p. 11.

³ Merritt, Richard L, *Foreign Policy Analysis*, Lexington, Mass: D.C. Heath and Company, 1975. pp.1-3.

⁴ Calvert, P, Op. Cit. p.18.

1984 volume by Korany and Dessouki.⁵ In the period since then, other works gave followed, both region-wide or subregional, and case studies of individual countries – including, in fact, Kuwait – as I will illustrate later in this chapter, but both at the overarching and the country-level there remains a good deal to be done. The case of Kuwait, interesting as it is, stands out in this already fairly thinly populated landscape as one of the least studied.

Kuwait gained its independence in 1961, and it has great oil resources, amounting to 101.5 billion barrels in 2009, representing 7.6% of the total oil reserve in the World.⁶ It is located in the Arabian Gulf region, which has strategic and economic importance for the world, simply because this region has 64% of the total world reserve of oil,⁷ in addition to the events it witnessed from the late 1970s until the beginning of the 21st century. From its independence until the present day, Kuwait has used its diplomatic and economic tools to serve its external policy in order to occupy an important and effective position on the territorial and international level, in addition to the political and national objective, via granting loans and foreign aid to one hundred countries from 1961 until 2011 at a total value of KD 4.544 million (equivalent to \$16 billion) via the Kuwait Fund for Arab Economic Development (KFAED).⁸ This is in addition to its confidential and sometimes undeclared contributions, which are beyond public control and are provided by Kuwait to some countries as a result of political and national considerations out of the ‘General Reserve Fund’ in the form of aid, such as foodstuffs or medication, which may not be easy to quantify. These financial contributions have been estimated at \$ 26.5 billion provided to Arab governments from 1963 to 1990.⁹ Since independence, Kuwait has endeavoured to activate the tools of its foreign policy and expand its diplomatic and economic activities towards a number of countries, including Arab countries in general and Iraq in particular,

⁵ Nonneman, Gerd (ed.), *Analyzing Middle East Policies and the Relationship with Europe*, Routledge, 2005. p.6.

⁶ BP p.l.c., ‘BP Statistical Review of World Energy’, June 2010.p.6.On the BP website; www.bp.com/statisticalreview

⁷ Ghunaimi, Zain Eldeen Abdulmaqsoud , *Al-Kuwayt wa taḥadiyāt al-karn il-ḥādi wal ‘ishrīn: Ru’yah Strāṭijīyah was-tishrāfīyah* , ‘Kuwait and the Challenges of the Twenty First Century. Strategic and Futuristic Vision’, 1st edition, Center for Research and Studies on Kuwait , Kuwait, 2001. p. 24.

⁸ Kuwait Fund for Arab Economic Development, *Forty Nine Annual Report 2010 /2011*, Kuwait, 2011.p.13.

⁹ Assiri, Abdul Reda, *Al-kuwayt fis-siyāsah ad-duwalīyah al-mu’asirah: ‘injāzāt.. ‘ikhfākāt.. taḥadīyat*, ‘Kuwait in the Contemporary International Policy: Achievements, Failures and Challenges’, 2nd edition, Kuwait University, Kuwait, 1992. p.116.

due to common factors between Kuwait and Iraq, such as common geographic, issues and territorial frontiers and similarity between the colonialist conditions that were imposed on both parties from the beginning of the 20th century.

Kuwait in the modern period has always had to cope with the presence of three regional big powers – Iraq, Iran and Saudi Arabia – and given its small size and a shifting number of material and ideational challenges, was always in a vulnerable position. This was most strikingly illustrated in the invasion by Iraq on 2 August 1990. This occupation resulted in fundamental changes in the foreign policy of Kuwait on the Arab and international levels and of course also in its behaviour towards Iraq from 1991 until the present time. Therefore the purpose of the present study is to explore the impact of the Iraq invasion on the behaviour of the Kuwaiti foreign policy with particular reference to Iraq during the period from 1990, and on changes in the concepts of Kuwaiti foreign policy on the regional, Arab and international levels.

Since its emergence in the 17th century, Kuwait's successive leaderships have adopted a generally neutral political approach to maintain the security of the entity against regional and international powers, particularly after the appearance of international competition on the Gulf region during the 18th and 19th centuries among international powers (the UK, Russia, Germany and the Ottoman Empire (now known as Turkey)).¹⁰ During the 19th century, the Ottoman Empire constituted an actual threat to Kuwait. Therefore, Kuwait applied for British protection against the Ottoman threat and in 1899 Kuwait signed a treaty with the UK.¹¹ Following the collapse of the Ottoman Empire after World War I, its territories were divided and the Ottoman threat against Kuwait ceased to exist. Following the division of the territories of the Ottoman Empire, Iraq appeared as an integrated entity with clear boundaries in 1921 under the British mandate while Kuwait remained as a UK protectorate as per the 1899 treaty.¹² In the early 1930s, Kuwaiti-Iraqi borders had been demarcated pursuant to correspondence among Iraq, Kuwait and the UK. Following the demarcation of borders, Iraq declared independence in 1932 and joined the League of

¹⁰ Alazami, Walid, *The Political History of Kuwait Through British Documents 1752-1960*, Riad El-Rayyes Books LTD, London, 1st edition 1991. pp. 49-52.

¹¹ Assiri, Abdul Reda, Op. Cit. p. 32.

¹² Al-Ghunaim, Yacoub Yousef, *Al-kuwayt tuwajih al-,atmā'*, 'Kuwait Faces Avidity', 1st edition, Centre for Research and Studies on Kuwait, Kuwait, 1998. p. 77.

Nations at that time.¹³ From the time of its emergence, Iraq constituted a threat to Kuwait during limited periods in the 1930s until Kuwait's declaration of independence on 19th June 1961, when the Iraqi president Abdul Karim Qasim (1958-1963) threatened to annex Kuwait to Iraq six days after independence.¹⁴

This threat was finally realised on August 2nd 1990 when Iraq invaded and occupied Kuwait.¹⁵ The Iraqi invasion inevitably impacted Kuwait policy on the regional, Arabian and International levels, particularly but not only in terms of its behaviours towards Iraq.

Following the liberation of Kuwait from Iraqi occupation in February 1991, Kuwait's foreign policy has adopted a pragmatic approach to safeguard its entity, resources and autonomy; it is a small country surrounded by many countries of greater population, geographic area and military might. The area of Kuwait is 17,818 km² and it is located at the extreme north-western part of the Arabian Gulf, bounded on the west and the north by Iraq, while on the south it shares a long border with Saudi Arabia and on the east a maritime border with Iran.¹⁶ Therefore, Kuwait is located within a 'triangle' surrounded by states that have conflicts with each other, particularly the Iraqi – Iranian conflict that ended with Iraq-Iran War, also sometimes known as the First Gulf War (1980-1988).¹⁷

From independence to the Iraqi invasion, Kuwaiti foreign policy was shaped by three main drivers: internal and external political security and Kuwait's sovereignty; the values of 'Arabism' and Islam; and the need profitably to invest Kuwaiti funds abroad and directing part of the surplus to Arab and Third World countries to achieve political and humanitarian objectives abroad.¹⁸ The ways in which this was approached also, of course, depended on the nature of decision-making in the sheikhdom, and particular players' views and personalities – something to which we will turn later in some detail.

¹³ Ibid, p. 83.

¹⁴ Podeh, Elie, 'Suez in Reverse: The Arab Response to the Iraqi bid for Kuwait, 1961-63', *Diplomacy & Statecraft*, Vol. 14. No.1, Frank CASS, London, March 2003. p. 103.

¹⁵ Parasiliti, Andrew T, 'The Causes and Timing of Iraq's Wars: a Power Cycle Assessment', *International Political Science Review*, Vol 24, No. 1, SAGE Publications, London, 2003. p. 152.

¹⁶ Ministry of Information, *Al- Kitāb as-sanawī*, 'Yearbook 1998', State of Kuwait, 1998. p. 21.

¹⁷ Al Watan Information and Studies Center, 'Foreign Policy: Classification No. 5 – 6' dated 3/4/1997, Kuwait.

¹⁸ Assiri, Abdul Reda, Op. Cit. p. 17.

The context in which policy-making happened and to which it had to respond, also included a number of specific events and factors. Between 1961 and the invasion, these included:

1. The geographic location of Kuwait, directly overlooking Iraq.¹⁹ Further, Iraqi leaders and much of the population have long considered Kuwait as a wealthy country with a significant geographic location overlooking the Arabian Gulf, while at the same time it cannot protect its territories against any foreign aggression. Hence, the Iraqi ambitions to acquire this great wealth started in 1961 on several pretexts, including historical, economic or nationalist allegations until 1990 when Iraq occupied the State of Kuwait.²⁰
2. The claim of president Abdul Karim Qasim in 1961 that Kuwait was part of Iraq, until his regime overthrown by a Ba'athist military coup on 8th February 1963,²¹ with the result that Iraq's new regime recognized Kuwait as an independent state as per an agreement (treaty) signed between the two countries in 1963 following the expiry of the regime of president Abdul Karim Qasim.²²
3. The lack of demarcation of borders under the agreements already signed between the two countries in 1963, which resulted in many violations of borders (with notable crises in 1966, 1967 and 1973) and pressure on Kuwait to submit territorial assignments in favour of Iraq, in addition to providing financial assistance due to the poor internal conditions witnessed by Iraq following the Iraqi-Iranian war, all of which variables led to Iraq's invasion of the State of Kuwait in 1990.²³

¹⁹ Nonneman, Gerd, 'The Gulf States and the Iran-Iraq War: pattern shifts and continuities', in Larry Potter & Gary Sick (eds.), *Iran, Iraq and the Legacies of War*, New York: Palgrave, 2004, p. 169.

²⁰ Panel of Specialists, *Al-kuwayt wujūdan wa hudūdan: ḥaka'ik mawḍū'iyah wal id-di'ā'āt al-'irāqīyah*, 'Kuwait Statehood and Boundaries: Objective Facts and Iraqi Claims', 3rd edition, Center for Research and Studies on Kuwait, 1997. p.114.

²¹ Worrall, Richard John, 'Coping with a Coup d'Etat': British Policy towards Post-Revolutionary Iraq, 1958 -63', *Contemporary British History*, Vol. 21, No. 2, June 2007. p.194.

²² Podeh, Elie, Op. Cit. p. 120.

²³ Al Anezi, Rashid Hamad, *Alqanūn ad-duwalī al-'ām: wa dirāsāt khāsah 'an mawqif il-qānūn ad-duwalī min al-'iḥtilāl il-'irāqī li dawlat il kuwayt*, 'Public International Law: Special Studies on the Stand of The International Law from Iraqi Occupation to the State of Kuwait', 1st edition, Kuwait University, Kuwait, 1997. p. 700.

4. Political instability and military coups in Iraq from 1958 until 1968 in addition to political disruptions within Iraq, which resulted in the suspension of efforts to resolve many Iraqi Kuwaiti issues, particularly the demarcation of borders based upon signed treaties.
5. Economic instability in Iraq and the economic disorder it was suffering despite its oil wealth. This resulted in pressure on Kuwait to provide economic assistance to Iraq.
6. Circumstances of political instability experienced by the Arabian Gulf region, represented by the Iranian Revolution (1979) and the implicit and explicit threats emerging from it and the outbreak of Iraqi-Iranian war (1980-1988), which resulted in the changes in Kuwait's own foreign policy stance - including the rest of the GCC States - to support Iraq,²⁴ and leading to the emergence of most of the economic problems in Iraq due to this war.²⁵

Following the liberation of Kuwait on 26 February 1991 (the Second Gulf War), Kuwaiti foreign policy towards Iraq has insisted on Iraq's implementation of UN resolutions that are relevant to the occupation of Kuwait, including:

- 1- Respect of international borders between Iraq and Kuwait in accordance with international resolutions;
- 2- Payment of the compensations and financial obligations resulting from the losses sustained by Iraq;
- 3- Return of Kuwaiti prisoners of war;
- 4- Disarmament of Iraqi weapons of mass destruction;
- 5- Restoration of the Kuwaiti properties that were looted during the period of Iraqi invasion to Kuwait.²⁶

²⁴ Nonneman, Gerd, 'The Gulf States and the Iran-Iraq War: pattern shifts and continuities', Op. Cit., pp.168-174.

²⁵ Al-Rashidy, Ahmed el.at (ed.), *Al-kuwayt min al-'imārah 'ila ad-dawlah, 'Kuwait from Emirate to State'*, Center for Political Research & Studies, Cairo University, 1993. p. 476.

²⁶ For all international resolutions, see Weller, M. (ed.), 'Iraq and Kuwait: The Hostilities and Their Aftermath', *Cambridge International Document Series*, Vol 3. Grotius Publications Ltd, 1993. pp.2-6.

During the period from 1991 to 2003 the relations between the two countries witnessed severe tension, represented by the mobilisation of more than 100,000 Iraqi soldiers on the Kuwaiti frontiers in 1994 and successive threats during that period for a variety of reasons that we will discuss later.²⁷ The tension was aggravated after the USA-UK launched a war against Iraq in 2003, which resulted in dethroning the regime of Saddam Hussein in April 2003.²⁸ Following the collapse of Saddam Hussein's regime, several crucial changes came to characterise the foreign policy of Kuwait, one of which is that *economic diplomacy* became much more prominent, being designed to maximize benefits and increase the margin of political manoeuvre, and to construct economic alliances with the countries and blocks that have impacts on the world economy.²⁹ Diplomatic relations between the two countries were resumed in 2004 and have been activated on all levels.³⁰ Despite the advancements made between the two countries after the collapse of the Iraqi regime, relations remain poorer than desired as a result of certain outstanding issues that must be settled, the most important of which are the Iraqi debt, compensation, revealing the fate of Kuwaiti prisoners of war, restoration of the Kuwaiti national archive, security of borders and security issues between the two countries that are related to the UN resolution.³¹

2. The Problem of the study

The Iraqi invasion of Kuwait inevitably had an impact on Kuwaiti foreign policy towards Iraq. This invasion led to changes in the concepts of Kuwait's foreign policy in several aspects on internal and external levels. The Iraqi invasion of Kuwait resulted in the collapse of the concept of the Arab Security System, which was based on the 1950 Joint Defence and Economic Co-operation Treaty (IDECT) between the States of Arab League. The liberation of Kuwait by non-Arab troops established the inability and uselessness of

²⁷ Centre for Research and Studies on Kuwait, *Al-hushūd 'ala al-ḥudūd il-Kuwaytīyah uktūbar 1994: dirāsa tawthikīya li-rudūd il-fi'l il-'arabīya wal 'ālamīya*, 'The Iraqi Mobilization on Kuwait Borders: A Documentary Study', 2nd edition, Kuwait, 1997. p. 99.

²⁸ Krebs, Ronald R and Jennifer K. Lobasz, 'Fixing the Meaning of 9/11: Hegemony, Coercion, and the Road to War in Iraq', *Security Studies*, Vol. 16, No. 3, Taylor & Francis Group, LLC, July–September 2007. p.410. Also see Asharq Al Awsat Newspaper, Issue No. 8899, Thursday 10th April, London, 2003.

²⁹ Ministry of Foreign Affairs, *At-takrīr us-sanawi 2004*, State of Kuwait, 2004. p. 31.

³⁰ Ibid. p.46.

³¹ Al Qabas Newspaper, 'Al Kuwait: Al-Malafat al-'alqa ma'a al-'Iraq, Owram Fi Jassad al-'alaqat', 'Outstanding Files with Iraq, Trauma in the Body of Relations', Issue No. 12936, Kuwait, Wednesday, 3/6/2009.

Arab security frameworks. Consequently, Kuwait attempted, following its liberation, to fill the security gap in the Arabian Gulf based on military results and it has laid out new principles and features for the new security defence group following the failure of the previous security system to stop the Iraqi aggression towards Kuwait. Therefore, Kuwait has depended on several complementary elements to create security arrangements to protect itself, particularly from the Iraqi threat but also that from Iran. These arrangements have been made on regional and international levels. In addition, this invasion changed foreign political concepts of Kuwait and the Arab Gulf States concerning the presence of foreign troops in the Gulf, as we will discuss later in this study.

The present study investigates Kuwait's foreign policy towards Iraq after the Iraqi invasion of Kuwait, or more precisely, the impact of this variable (the invasion) has had on Kuwaiti foreign policy towards Iraq from 1991 until 2010.

3. Significance, Objectives and Research Questions of the study

The significance of the study stems from the gap it fills in the description and analysis of Kuwait's foreign policy behaviour towards Iraq during the period from 1990s and the impact of the Iraqi invasion of Kuwait on changing the concepts of Kuwait foreign policy on the regional, Arabian and international levels: the dearth of research on this topic is quite striking. In the process, additional light is thrown on the reasons for the Second Gulf war. Most prior studies have focused on the Gulf crisis in 1990-1991 and the relationship between the two countries before Iraq invaded Kuwait, while academic studies that have focused on the two states' specific relations with regard to the issues at hand are scarce.

The study is designed:

- 1- to shed light on the impact of the Iraqi invasion of Kuwait on the evolution of Kuwaiti foreign policy and its underlying role conceptions on the regional, Arabian and international levels.
- 2- to examine the determinants and main outlines of the Kuwait foreign policy towards Iraq from the liberation of Kuwait until the present time.

- 3- more specifically, to identify the position of the Kuwaiti foreign policy regarding the 'outstanding' issues between Kuwait and Iraq, such as Iraqi debts, borders, prisoners of war, compensation, Kuwaiti properties, weapons of mass destruction and UN resolutions already issued regarding the situation between Kuwait and Iraq.
- 4- to examine Kuwaiti perceptions and positions concerning the events in Iraq from the liberation of Kuwait until the present time.

The key *research questions*, then, are:

1. What have been the main features of, and changes in, Kuwait's foreign policy towards Iraq since 1990?
2. What factors have shaped Kuwait's evolving policy, or policies, towards Iraq?
3. Specifically, regarding the 'outstanding issues' between Kuwait and Iraq since the fall of Saddam, what has Kuwaiti policy consisted of and what have been the explanatory factors?
4. What have been the Kuwaiti perceptions of, and positions on, the US occupation of Iraq?
5. How has Kuwait perceived, and what positions has it adopted, regarding events within Iraq since 1991?
6. How has wider Kuwaiti foreign policy changed since 1991? What are the main explanatory factors?
7. Within this, how has Kuwaiti foreign policy changed since the fall of Saddam Hussein in 2003? What are the main explanatory factors?

4. Methodology

There are three general research methods that involve, respectively, the collection of numerical data (the quantitative approach), the collection of non-numerical data (the qualitative approach) and the mixed-methods approach, which combines the quantitative

and qualitative approaches.³² The qualitative approach will be the most appropriate method for this study, as its primary sources involve written documents, maps, interview transcripts, statements, observations of situations and video and audio recordings relating to the relationship between Kuwait and Iraq, although the quantitative approach will be consulted for secondary sources such as statistical analyses. In this respect, I will use an essentially historical, analytical and case study approach, which I believe to be the most appropriate to the available data on this topic. Using these approaches, literature will be consulted from a range of sources that have dealt with Kuwait foreign policy and Kuwait's approach regarding the issues that are related to the relationship between Kuwait and Iraq in general.

The primary sources used for this research include:

1. Documents from British and Kuwaiti reports referring to the issues between the two countries. In this section, the documents will be consulted from UK government's official archives published by National Archives in UK³³ and edited by historians and Centers Research. This documents contain on the treaties signed between Britain, Kuwait and Iraq from 1899 till 1961 such as the protection treaty between Britain and Kuwait signed in 1899, and the correspondences among Britain, Kuwait and Iraq that demarcated the Kuwaiti-Iraqi borders in 1932 as well as to the historical maps that are related to the demarcation of the borders and events between Kuwait and Iraq during this period. In addition to the Iraqi documents left behind the Iraqi forces after the liberation of Kuwait and published by *Centre for Research and Studies on Kuwait* (CRSK) located in Kuwait that related to the Kuwaiti prisoners of war and the stolen Kuwaiti properties during the invasion.
2. United Nations Documentation,³⁴ which includes the 'United Nations Treaty collection' and 'UN resolutions' concerning the 'situation between Iraq and Kuwait'. In this section the treaty of 1963 will be obtained from the copies of UN documents regarding to the 'Minutes of the Agreement', dated in October 1963, between Kuwait and Iraq on mutual recognition and confirmation of frontiers as specified and

³² Murray, Neil and Beglar, David, *Inside Track: Writing Dissertations & Theses*, 1st edition, Pearson Education Limited, England, 2009. p. 42.

³³ UK National Archives website: <http://www.nationalarchives.gov.uk>.

³⁴ United Nations website: <http://www.un.org/en/documents/index.shtml>

demarcated between both countries in 1932 as well as the treaty of friendship 'Exchange of Notes' in 1961 between Kuwait and Britain in which Kuwait gained independence from Britain. It includes the UN resolutions, statements, minutes, speeches, reports and maps that issued by UN from 1990s until present time, concerning the Iraqi invasion of Kuwait and the demarcation of the borders between Kuwait and Iraq under the name 'The situation between Iraq and Kuwait'.

3. The documents of United States embassy cables released by WikiLeaks.³⁵ These contain confidential and secret documents sent by USA embassy in Kuwait from 1980s to 2010, regarding the Kuwaiti policy, Kuwait's relation with Iraq, the Iraqi invasion of Kuwait and the events in the Gulf region.
4. Speeches of High Iraqi and Kuwaiti officials. The transcripts of these speeches were consulted from UN website, official Kuwaiti institutions and government electronic sites such as Kuwait Ministry of Foreign Affairs and Kuwait National Assembly.
5. Interviews with influential figures such as high-ranking Kuwaiti officials and decision makers involved in Kuwait foreign policy, including personal face to face interviews with former and current senior members of the Kuwaiti government and members of National Assembly (Foreign Affairs Committee), who witnessed the period of my study. I used a semi-structured interview format as that was best suited to elicit the respondent's point of view about the events witnessed between Kuwait and Iraq.

Secondary sources include:

1. Academic studies and other published works in Arabic and English, whether in books, chapters in edited collections, or scientific journal articles
2. Unpublished M.A and Ph.D. theses in Arabic and English.
3. Newspapers and reports in Arabic and English.
4. Websites, the British library, Exeter university library and news channels.

³⁵ Wikileaks website; <http://www.wikileaks.org/>

5. Literature Review

Academic work on the subject of this thesis has remained limited. This is true even if one includes work on Middle East and GCC states' foreign policies as a whole, and work on general Kuwaiti foreign policy. The broader category of work proposes some frameworks for analysis, but provides little detail on our specific subject. Most studies of Kuwaiti foreign policy stop their analysis before the Iraqi invasion. Works on Iraqi-Kuwaiti relations similarly do not extend the analysis beyond the invasion. Simply providing a description and analysis of Kuwaiti-Iraqi relations after the invasion, therefore, by definition constitutes an addition to the literature. But in our own approach we can build on analytical approaches found in some of the earlier works, while adding to them in some specific respects.

5.1. Studies of Middle East and GCC states' foreign policies

Since the approach in this thesis is informed by previous work on the foreign policies of Middle Eastern states, and since Kuwait clearly shares a number of features with its fellow GCC members also in foreign policy, it is worth starting this survey with some remarks about the key literature in this broader field, in so far as it feeds into our analysis of the Kuwaiti case: apart from other things, such a survey also shows up the gap referred to above.

The analysis of Middle East foreign policies has received systematic and comparative attention only since the mid-1980s, starting with the volume edited by Korany & Dessouki – *The Foreign Policies of Arab States*³⁶ – which combined an attempt to construct an analytical framework with case studies. There have really only been two significant attempts since then to build on this, in the shape of the edited volume by Hinnebusch & Ehteshami – *The Foreign Policy of Middle East States*³⁷ – and the one by Nonneman – *Analyzing Middle East Foreign Policies*. All provide a framework that combines external and internal factors, and ideational as well as material factors, in varying combinations. The stress in the Korany & Dessouki volume is relatively more on the effect of identity

³⁶ Korany, Bahgat & Ali Dessouki (eds.), *The Foreign Policies of Arab States*, Westview Press, 1984.

³⁷ Hinnebusch, Raymond & Anoushiravan Ehteshami (eds.), *The Foreign Policy of Middle East States*, Lynne Rienner, 2001.

(Arab in particular) and external systemic factors, although particular factors of leadership and decision-making are not neglected. Hinnebusch and Ehteshami take an ‘adjusted realist’ approach: “adjusted” as it brings to a broadly realist approach an appreciation of internal and regional values. Nonneman’s volume, and especially his own two chapters that set out the book’s analytical framework, make a compelling case that Middle East states’ foreign policies need to be analysed by building on a ‘complex model of international relations’ and starting the analysis from the regime’s concern for security (both external and internal), but viewing this in a triple context of the domestic environment, the regional environment, and the international environment, in each of which he locates ‘material’ and ‘ideational’ factors – the latter including, among other factors, matters of identity, zeitgeist, etc. In the Arab world and the Middle East, he acknowledges the fluctuating relevance of Arab and Muslim identities and values, as influencing both decision-makers and broader audiences. He also points out that the Gulf region – and within it the GCC – has subregional dynamics of its own, including, again, both ideational and materials ones. But he also stresses that it is the nature of the domestic system and decision-making that shapes the way these factors are interpreted and acted on, filtered by decision-makers’ perceptions and role conception.³⁸

Hinnebusch’s contribution to Nonneman’s volume³⁹ builds on this and tweaks his own earlier work (and is in turn elaborated further in his subsequent book⁴⁰). In essence his argument is that ideational elements – identity both Arab and Islamic – must indeed remain a significant part of the overall explanatory framework of Middle East international relations, but are so in ways that vary and fluctuate depending on the overall regional and global historical and material context.

³⁸ Nonneman, Gerd, ‘Analyzing Middle East Foreign Policies: A Conceptual Framework’; and ‘The Three Environments of Middle East Foreign Policy Making and Relations with Europe’, both in Nonneman, Gerd (ed.), *Analyzing Middle East Foreign Policies and the Relationship with Europe*, Routledge, 2005, respectively Chapters 1 and 2.

³⁹ Hinnebusch, Raymond, ‘Explaining International Politics in the Middle East: The Struggle of Regional Identity and Systemic Structure’, In Nonneman, Gerd (ed.), *Analyzing Middle East Foreign Policies and the Relationship with Europe*, Routledge, 2005.

⁴⁰ Hinnebusch, Raymond, *The International Politics of the Middle East*, Manchester University Press, 2003.

Each of these volumes draws in part on the evidence from the GCC states. Further work takes these states as its specific focus – some considering them comparatively/thematically as a category, some looking at particular GCC states other than Kuwait: here, too, one may reasonably expect to find observations relevant to our own case study.

The GCC states

Hassan Al-Alkim asserts that the GCC states' foreign policy as a result of the second Gulf crisis in 1991 became mainly reactive rather than active and that these states became heavily dependent on foreign powers in their search for survival. His approach, not dissimilar to Nonneman's, posits that the GCC's foreign policy objectives and style must be understood in the context of three variables, namely, domestic milieu, external milieu and decision-making apparatus. He adds specificity to the latter by categorizing foreign policy decisions under three levels (1) decisions by the ruling families and their close elite associates; (2) decisions by members of the council of ministers; and (3) decisions by bureaucrats who formulate the detail of policies and execute them.⁴¹ This fine as far as it goes, and can be applied to the case of Kuwait as well, but gives little sense of the conditions under which decisions are made and may be constrained, nor about the intra-elite dynamics that may be crucial.

Abdullah Baabood's analytical overview of the GCC states' foreign policy dynamics⁴² does not dispute Al-Alkim's views but more systematically foregrounds the security imperative – both domestic and external – and closely follows Nonneman's framework outlined above (indeed his contribution comes as a chapter in the Nonneman volume). His specific contributions lie in the able description of the domestic environment as a determinant, the decision-making system and style (noting especially the strongly personalised nature of decision-making – something which will be confirmed in our study of Kuwait), and the long-term pattern of pragmatic balancing between domestic and regional requirements, and between the search for a main external protector and complementary relationships. Both, he notes, chime with the need, among other things, to

⁴¹ Al-Alkim, Hassan Hamdan, *The GCC States in An Unstable World: Foreign-Policy Dilemmas of the Small States*, 1st edition, Saqi Books, London, 1994.

⁴² Baabood, Abdulla, 'Dynamics and Determinants of the GCC States' Foreign Policy', in Nonneman (ed.), *Analyzing Middle East Foreign Policies*, op. cit, pp. 145-173.

take account of regional ideational frameworks, as well as of the material security challenges.

He adopts Nonneman's label of 'managed multi-dependence' for this – a concept the latter first introduced in his article on Saudi –European relations,⁴³ and then elaborated on both in the edited volume already referenced, but also in his subsequent study of the determinants of Saudi foreign policy:⁴⁴ very similar contexts and motifs will also be shown to apply in the case of Kuwait in the period under examination.

In less detail, and covering the period until the 1980s only, some of the same insights about the domestic imperative, the style of decision-making, and the need for pragmatic adaptation, also come through in the chapter on foreign policy in Gause's earlier volume on the *Gulf Oil Monarchies*,⁴⁵ although he did not yet identify the long-term patterns that Nonneman does. Two academic precursors to the latter insights in this respect are Anscombe and Troeller. The former analyses the politics of the Gulf under the Ottoman Empire and does point out the extent to which local sheikhs were intent on carving out measures of autonomy while playing both on the then hegemon – the Ottomans – and other forces, thereby achieving the emergence of what become the autonomous and eventually independent entities of Kuwait, Qatar and Saudi Arabia.⁴⁶ Troeller gives a more detailed picture of this in the case of the early years of the third Saudi state into the 1930s: arguably Abdulaziz Al Saud was one of the most effective practitioners of this 'managed multi-dependence', and almost certainly learned some of the principles and tactics by observing Sheikh Mubarak the Great of Kuwait, when the Al Saud was in exile in the shaykhdom around the turn of the century: something which both Troeller and, later, Nonneman, point out.⁴⁷

⁴³ Nonneman, Gerd, 'Saudi-European Relations, 1902-2001: a pragmatic quest for relative autonomy', *International Affairs*, Vol. 77, no. 3 (July 2001), pp. 631-661.

⁴⁴ Nonneman, Gerd, 'Determinants and patterns of Saudi foreign policy: "omnibalancing" and "relative autonomy" in multiple environments', in Gerd Nonneman & Paul Aarts (eds.), *Saudi Arabia in the Balance: Political Economy, Society, Foreign Affairs* (New York : New York University Press & London: Hurst, 2006) , pp. 315-351.

⁴⁵ Gause, Gregory, *Oil Monarchies: Domestic and Regional Security Challenges in the Gulf* (New York: Council on Foreign Relations, 1994).

⁴⁶ Anscombe, Frederick, *The Ottoman Gulf*, Columbia University Press, 1997.

⁴⁷ Troeller, Gary, *The Birth of Saudi Arabia*, London: Frank Cass, 1976.

5.2. *Studies of Kuwaiti foreign policy*

Several studies have dealt with the subject of relationships between Kuwait and Iraq from the independence of Kuwait in 1961 until the Iraqi invasion of Kuwait. A significant number of these studies were intended to explain the factors that shaped Kuwaiti-Iraqi relations before the invasion. All focus on geographical, population, social and economic factors, in addition to the Arab and regional environment, in understanding the nature of Kuwaiti-Iraqi relations up until 1990. Yet there is a striking shortage of studies regarding Kuwaiti foreign policy towards Iraq or even Kuwaiti-Iraqi relations generally, since 1991. Yet those studies that were undertaken to explain Kuwaiti-Iraqi relations before the Iraqi invasion remain significant for an understanding of the factors that shaped Kuwait's policy towards Iraq since then, because many of these factors have proven constants of a sort. In other words, an analysis of the policy patterns since 1991 requires an understanding of the dynamics and patterns of Kuwaiti-Iraqi relations up until 1990.

In these studies, one finds varied combinations of (1) specific events and decisions being described and explained, sometimes with reference to broader frameworks; and (2) thematic explanations, implicitly or explicitly.

The explanatory themes include much of what was discussed above, although surprisingly little by way of long-term patterns of the sort examined by Nonneman and Baabood. Factors recognised explicitly or implicitly are: the influence of geography; population (social and demographic); economic factors; the regional security environment; ideational factors, especially the role of Arab identity in the region; and the nature and details of decision-making. Many of these, it turns out, are intertwined.

Domestic social structure and the population

The influence of domestic social structure and the population factor on Kuwaiti foreign policy has been recognized by some works. Alduehis (1992)⁴⁸ lent his support to Assiri's

⁴⁸ Alduehis, Ahmad Hammoud, 'Siyāsāt al-Kuwayt il-khārijīyah min 1961 'ilā 1990', 'Kuwait's Foreign Policy from 1961 – 1991' unpublished master's thesis, Jordanian University, Amman, 1992.

argument that the ‘economic factor’, after the discovery of oil, played a key role in Iraqi ambitions towards Kuwaiti natural oil resources. However, Alduehis focused on the impact of the ‘social structure of the Kuwaiti population’, which was divided between Kuwaiti-non Kuwaiti nationals with different origins, religions and affiliations – as an ideational factor - on Kuwaiti internal and external policy. He contends that, after the discovery of oil, the formation of ‘nationalism’ and ‘pan-Arabism’, up until the Iraqi invasion in 1990, played a key role on the streets of Kuwait due to the large Arab immigrant population looking to earn a livelihood in Kuwait, which affected the internal security situation of Kuwait. He went on to say that the seriousness of the foreign and the Arab communities lies in the fact that they ‘saw Kuwait as a suitable place for the dissemination of their political ideas and affiliation among its sons’,⁴⁹ which resulted in the country being exposed to internal security risks due to the affiliation of those immigrants to their countries. This was demonstrated by terrorist operations in Kuwait during the 1980s due to the Kuwaiti stance in supporting Iraq in its war against Iran (1980-1988).

Alduehis’ approach is similar to that of Lori Plotkin Boghardt,⁵⁰ who highlights the impact of the varied social structure of the Kuwaiti population on the internal security situation of Kuwait during the Iranian revolution in 1979, the Iraq- Iran war (1980-1988), and the Iraqi invasion of Kuwait as having an ideational and a regional impact. She argues that the variety in Kuwait’s population, whether ethnic origin (Najdi, Persian and Iraqi), religious affiliation (Sunni -Shi'a) and racial (Arab and non-Arab), constituted political risks to the security of Kuwait through ideational challenges and terrorist operations stemming from the fallout of the events mentioned above, especially from Iranian and Arab immigrants. She suggests that Kuwaiti foreign policy from 1979 up until 1990, given the country’s small size and a shifting number of material and ideational challenges, could be seen in the context of its ‘domestic demographic structures’ and its ‘ethnic and religious composition’, which forced Kuwait to become engaged in the regional conflict due to the political and security activities of Kuwaiti and non Kuwaiti nationals. Clearly, then, these domestic factors intertwine with those of ideas and those of the regional environment, which I will turn to next. For the purpose of this thesis, these finding are relevant, as Kuwaiti foreign policy towards Iraq since 1991 can be understood not only in the context of ideational and

⁴⁹ Ibid. p.62.

⁵⁰ Boghardt, Lori Plotkin, *Kuwait Amid War, Peace and Revolution*, St Antony’ Series, 2006.

population factors since the fall of Saddam Hussein's regime in 2003, but also in the context of the religious factor represented by sectarian violence between Sunnis and Shiites in Iraq, which has affected Kuwait (as we will illustrate later in this thesis).

The Arab regional environment: security and identity

The debate on the role of the Arab factor and regionalism in Arab politics has been much debated. The case of Kuwait in this respect is particularly interesting, as it offers a set of contrasts: a pro-Western monarchy that from the mid-20th century adopted fairly strong Arabist themes in its foreign policy, and then dropped those rather dramatically – at least in relative terms – following the trauma of the invasion.

Assiri⁵¹ argues that Kuwait was more Arabist than were other Gulf States up until the Iraqi invasion in 1990, due to the spread of the concept of 'Arab identity', including the discourse of 'nationalism' and 'pan-Arabism' – fanned by the influence of *Nasserism* in the Arab world. This Arab nationalist discourse, he points out, was particularly strong in neighboring Iraq, where it was employed by successive regimes. This had a clear impact on Kuwaiti policy. He does not claim that this factor was more important than that of the country's geopolitical situation at the head of the Gulf region surrounded by three regional big powers, but that it became intertwined with it given the Iraqi neighbour at a time of regional nationalist ferment.

Assiri's argument is supported by Patrick (2006),⁵² who argues that the concepts of 'pan-Arabism' and 'nationalism' had a stronger impact on Kuwaiti politics from its independence in 1961 up until 1977 and in particular on its foreign policy due to the role played by Arab nationals in Kuwaiti society and in the Arab world having an ideational and regional impact. Patrick went on to say that 'Kuwait was for the most part only loosely associated with regional alliances, and that its non-alignment was part and parcel of an ideational construct that formed a key part of its foreign policy toward the Arab

⁵¹ Assiri, Abdul Reda *Al-kuwayt fis-siyāsah ad-duwalīyah al-mu'asirah: 'injāzāt.. 'ikhfākāt.. taḥaddīyat*, 'Kuwait in the Contemporary International Policy: Achievements, Failures and Challenges', 2nd edition, Kuwait University, Kuwait, 1992.

⁵² Partrick, Neil, 'Kuwait's Foreign Policy (1961-1977): Non-Alignment, Ideology and the Pursuit of Security', unpublished Thesis (Ph.D.), University of London, 2006.

world [...] However, Kuwait's regional vulnerability meant that it could not escape the need to assert its Arabism'.⁵³ Assiri and Patrick show that 'Arab ideology' was significant in Kuwaiti policy due to its geographic location and the ideational dimensions within its regional environment. Corroboration of this argument comes in the form of a British document released during the Kuwaiti independence crisis with Abdul Karim Qasim in 1961, when British forces faced trouble in Kuwait due to the unfavourable public reaction of Kuwaiti nationalists to such a military presence.⁵⁴

As a consequence of this invasion, the notion of 'pan-Arabism' and 'nationalism' has lost its potency in Kuwait. This was evident when some Kuwaiti nationalist groupings, which belonged to the Arab Nationalist Movement, changed the names of their blocs after the liberation of Kuwait in 1991, due to the pan-Arab movement's support of the Iraqi invasion. I will return to this aspect of the literature below when dealing with writings on the aftermath of the invasion.

Against the ideational argument in regional politics, there stands the material factor of power, size, capability, and geostrategic position. These factors too, feature in the limited literature on Kuwait.

Geostrategic factors and the regional environment

Assiri, as already seen, while recognising the role of Arab nationalism in influencing Kuwaiti policy, or at least policy options, does acknowledge that it is geography, strategic location, and relative military capabilities that remained uppermost – including in the Kuwaiti-Iraqi crisis in, and that this forced Kuwait to pursue a 'neutral policy' in the region until the outbreak of the Iraq-Iran war (1980-1988). This is reflected also in a secret telegram of the US Embassy in Kuwait in 1975, which noted: 'Kuwait's foreign policy is determined by the geopolitical fact that it is small, vulnerable and of great strategic and economic importance'.⁵⁵

⁵³ Ibid, p.8.

⁵⁴ Burdett, Anita L.P., (ed.) , *Records of Kuwait 1961–1965*, Archive Editions, 1997. p.274.

⁵⁵ WikiLeaks, 'Kuwait's foreign policy - A Tightrope Philosophy', Reference ID: [1975KUWAIT00546_b](#), [Secret](#), [EmbassyKuwait](#), [3-2-1975](#).

Sulaiman Al Shaheen⁵⁶ along the same lines argue that the foreign policy of Kuwait in general, from its independence in 1961 until the Iraq-Iran War in 1980, was characterized by ‘neutrality’ to maintain its security and entity against regional and international powers due to its small population and its geographical location. He maintains that the Iranian revolution with its explicit threats forced Kuwait and the GCC states to support Iraq in its war with Iran. Nonneman⁵⁷ lends support to this argument, noting that the regional environment, especially in the shape of the Iranian revolution of 1979, constituted a threat to the political regimes in GCC states, due to the attempt of the new Iranian regime to export the revolutionary ‘Shi’ism’ to the region. This forced Kuwait to provide material and political support to Iraq in its war against Iran (1980-1988) due to its sensitive geographical location and its Shi’a population, partly of Persian origin. Assiri and Nonneman’s work, in particular, shows that the regional factor, combined with the geography and domestic social and political factors, are significant in understanding the dynamics of Kuwaiti foreign policy. This thesis will argue that the regional environment continued to play a significant role in Kuwaiti policy towards Iraq since the fall of Saddam Hussein’s regime.

One special area of interest is the extent to which the Arab arena affected Kuwait’s security policy – something showcased right from the beginning of independence, following the 1961 threat from Iraq.

The Kuwaiti former Secretary General of the GCC, Abdullah Bishara (2007)⁵⁸ argues that Kuwait was able successfully to use the concept of pan-Arabism to form strong relationships with the Arab world – for purposes of security and politics – against Iraqi ambitions, when it was able to gain Arab support in the Arab League against Iraqi threats during the political crisis from 1961 to 1963. This resulted in the isolation of Iraq from the Arab world and strengthened both Kuwaiti independence and its foreign relations with

⁵⁶ Al Shaheen, Sulaiman Majed, *Ad-diblumāsīyah al-kuwaytīyah bayn al-miḥnah wal miḥnah*, ‘Kuwait Diplomacy between the Crisis and Professionalism’, 1st edition, National Library of Kuwait, Kuwait, 2001.

⁵⁷ Nonneman, Gerd, ‘The Gulf States and the Iran-Iraq War: pattern shifts and continuities’, in L. Potter and G. Sick (eds.), *Iran, Iraq and the Legacies of War*, (New York, Palgrave, 2004).

⁵⁸ Bishara, Abdullah, *Hurūb al-Kuwayt ad-diblumāsīyah 1961-1963: ‘ishkaliyāt il-jāmi’ah al-‘arabīyah wa ‘iḥbātāt al-ummam il-mutaḥidah*, ‘Kuwait diplomatic wars 1961/1963: problematic of Arab league and UN failures’, Kuwait’s Diplomatic Center for Strategic Studies, Kuwait, 2007.

Arab states. Bishara shows that the ‘Arab factor’ was essential in strengthening the independence of Kuwait in 1961. He goes beyond this, however, by delving back into the genesis of the conflict, which he suggests must also be sought outside Kuwait’s borders. He contends that the poor economic situation in Iraq, following the political and military disorder experienced by Iraqis since the collapse of monarchy in 1958, is crucial in explaining the crisis between Kuwait and Iraq during the period 1961-1963, arguing specifically, and plausibly, that the Iraqi president created a political crisis with Kuwait to turn the attention of the Iraqi people from their dire internal situation.

A similar point is made for a somewhat longer period, by Mohammad Al-Anzi⁵⁹ who agrees that the political disruptions and economic problems within Iraq in the period 1961-1973 were among the main reasons for the successive crises and violations of Kuwaiti borders by Iraq in 1961, 1966, 1967 and 1973. These analyses also arguably point us to potential dynamics in the later period – including the 1990 invasion and occupation.

However, while Bishara demonstrates that the Kuwait-Iraq crisis in 1961 was solved within the ‘Arab framework’, in contrast with the UN Security Council’s failure to address the crisis due to the Cold War context, one cannot escape the observation that the Arab League could not solve the 1990 crisis.

That puzzle was addressed by Youssef Ahmed⁶⁰ and Ahmed Al-Rashidy⁶¹ in 1991; they blame the failure on the position taken by some Arab states that in effect supported Iraq, even if they did not approve of the invasion, on the grounds that the presence of foreign troops was unacceptable to them. Attya Afandi⁶² argues that the UN Security Council, by contrast, was able to impact the crisis due to the collapse of the ‘bipolar’ system in the world and the emergence of a ‘unipolar’ system led by the US, which enabled it to form

⁵⁹ Al-Anzi, Mohammad Nayif, *Tarīkh il- ‘alākāt as-siyāsiyah bayn al-Kuwayt wal ‘irak fil fatrah 1961-1973*, ‘The History of Political Relations between Kuwait and Iraq 1961 – 1973’, 1st edition, Centre for Research and Studies on Kuwait, Kuwait, 2000

⁶⁰ Ahmad, Youssef Ahmad, ‘An-nizām al-‘arabi wa azmat al-khalīj’, ‘The Arab Order and the Gulf Crisis’, *Journal of Social Sciences*, Vol.19, No. 3. Kuwait University, Kuwait, 1991.

⁶¹ Al-Rashidy, Ahmed, ‘al-jami‘ah al-‘arabīyah wa ‘azmat il-khalīj: Dirāsāt hālah li-dawr al-jami‘ah fī majāl it-taswīyah as-silmīyah lil- munāza‘āt wat-taṣādī lil- ‘udwān’, ‘The League of Arab States and The Gulf Crisis’, *Journal of Social Sciences*, Vol. 19. No. 1. Kuwait University, Kuwait, 1991.

⁶² Afandi, Attya Hasein, ‘Al- ‘ummam al-mutaḥidah wa azmat al-khalīj: dawr fa‘āl li-majlis il-‘amn’, ‘The UN and the Gulf Crisis: An Active Role of the Security Council’, *Journal of Social Sciences*, Vol. 20, No. 1. Kuwait University, Kuwait, 1992.

international coalition forces to liberate Kuwait under the UN resolutions. The above analysis shows that the ‘international environment’ was crucial in solving the Kuwaiti-Iraqi crisis in 1990-1991. This analysis not only shows that in various periods different external dynamics both at the regional and global level can have a different impact on a country’s international relations and foreign policy – and did so quite clearly in the case of Kuwait and Iraq - but also helps explain why the Kuwaiti method of dealing with Iraq after the invasion was based on UN resolutions related to the Iraqi invasion, rather than on Arab reference points. As a consequence, the UN organization became a key element in Kuwait’s behavior towards Iraq after 1990.

The economic factor

The economic factor, the literature shows (as would be expected from the wider literature already surveyed) is one that plays both domestically – feeding into both strength and vulnerability – and as a regional effect. It also, of course, intertwines with the regional environment, as well as with the global environment. This was recognized by Bishara, as cited above. Assiri and Partrick both note that Kuwait’s oil wealth and its ‘small population’ – as internal factors – increased Iraqi ambitions to control Kuwaiti oil resources, which encouraged Kuwait, after its independence crisis in 1961, to use the policy of ‘Dinar diplomacy’ (Assiri’s term) to utilize its financial capabilities to provide assistance to Arab countries in order to protect its independence and its existence among Arab states by the establishment of the Kuwait Fund for Arab Economic Development (KFAED) in 1961. As Assiri notes, after this crisis, Kuwait’s leadership realized that ‘the security and stability of Iraq was an important factor for Kuwait security’.⁶³ Both Assiri and Partrick argue that Kuwait utilized oil money and western defense partnerships to deter what was primarily conceived of as an external threat in the region, despite its regional ‘non-alignment policy’. They imply Kuwait believed its aid to Arab states would act as a ‘deterrent policy’ against Iraqi territorial ambitions. Clearly, though, the 1990 invasion showed this policy to be a failure, at least in part: it did arguably help build support among those that supported Kuwait after the invasion. It certainly played a role in the invasion itself, as the literature surveyed in the section on the invasion below, shows.

⁶³ Assiri, Abdul Reda , *Op.Cit.* p. 91.

The economic factor, of course, remained important after the invasion – not least in that Kuwait was able to maintain its existence extra-territorially. It also remained an issue in post-Saddam relations with Iraq, as we will see later.

These various factors also feature in varying ways in the analyses produced of the Iraqi invasion of Kuwait, and indeed of subsequent periods.

The Iraqi invasion of Kuwait

The Iraqi invasion of Kuwait inevitably affected Kuwaiti policy in general, and particularly, but not only, in terms of its behaviour towards Iraq. This invasion became the cornerstone of Kuwaiti policy. Therefore, this study also seeks to clarify what led Saddam Hussein to invade Kuwait in 1990. The literature feature a range of explanations. And observations.

Both Richard Schofield⁶⁴ and a panel of specialists' studies in 1993⁶⁵ and 1994⁶⁶ argue that the 'strategic location of Kuwait' next door to Iraq was one of the main reasons for the Iraqi invasion of Kuwait; In 1990, Iraq used the issue of the 'common border' between both states to invade Kuwait by accusing Kuwait of violating the Iraqi border and stealing Iraqi oil. Schofield contended that after the Algeria agreement in 1975 between Iraq and Iran, in which Iraq ceded its international waters to Iran at Shatt al-Arab, and after the Iraq-Iran war, Iraq's ambition to own Kuwait's Warba and Bubiyan islands increased, as that could counter Iran's position due to their geographical position at the head of the Gulf region. Schofield also argues that the maritime border decreed by the UN's Iraq-Kuwait Boundary Demarcation Commission would cause problems in the future given that much of Iraq's navigation channel in the Khor al-Abdallah then came under Kuwaiti sovereignty and Iraq became a landlocked state.

⁶⁴ Schofield, Richard, *Kuwait and Iraq: Historical Claims and Territorial Disputes*, Royal Institute of International Affairs, London, 1991.

⁶⁵ Panel of specialists, *Takhtīt al-ḥudūd id-duwalīyah bayn dawlat al-Kuwayt wa jumhūrīyat il- 'irāq kamā akaratha al- 'ummam al-mutaḥidah*, 'Demarcation of the International Boundary Between The State of Kuwait and the Republic of Iraq By the UN', 1st edition , Center for Research and Studies on Kuwait, Kuwait, 1993.

⁶⁶ Panel of Specialists, *Tarsīm al-ḥudūd il-Kuwaytīyah al- 'irākīyah: al-ḥaqq at-tarīkhi wal idārah ad-duwlīyah*, 'Kuwait-Iraq Boundary Demarcation: Historical Rights and International Will', 3rd edition, Center for Research and Studies on Kuwait, Kuwait, 1994.

The Center for Research and Studies on Kuwait,⁶⁷ by contrast, argues that Iraq possessed six ports overlooking the Arabian Gulf - three merchant ports and three oil terminals - and it was shown through maps, diagrams, satellite images and statistics that Iraq's sea front measured 235 km, thus at first sight countering Iraq's claim that it had become a landlocked state due to the work of the UN Commission. The counter-argument advanced by Schofield and others, is that that coastline is largely unusably shallow even where it is not hemmed in, and that Iraq's main exit remains via the Kuwait-bordered Khor Abdalla.

Hassan Shoukri⁶⁸ and Gregory Gause⁶⁹ argue that the reason behind the Iraqi invasion was the 'Iraqi ambitions' in building marine military bases in the Gulf region by using the strategic geographical location of Kuwait to counter Iran. Parasiliti⁷⁰ supports the argument of Shoukri, Gause, and Schofield, namely, that Saddam Hussein's decisions to invade Iran and Kuwait were a result of his ambitions to play a prominent role in the region's hegemony in the Middle East and Gulf region after Iraq's war with Iran. It is impossible not to agree that the strategic location of Kuwait next to Iraq was a major factor in our understanding the Iraqi invasion.

In the final analysis, it is the 'geographic' factor combined with the economic element that is shown to be crucial. These approaches are important in conceptualizing the role of the 'geographic factor' in the Gulf crisis in 1990 but also afterwards. This played a major role in Kuwaiti foreign behavior towards Iraq during the time frame of this study, especially after the terrorist attacks of 9/11-2001 in the US and their impact on the global political scene, which resulted in the occupation of Iraq in 2003 and affected Kuwait due to its geographical location.

⁶⁷ Centre for Research and Studies on Kuwait, *Manāfith il-'irāq il-bahrīyah*, 'Iraq Navigational Outlets', 3rd edition, Centre for Research and Studies on Kuwait, Kuwait, 2000.

⁶⁸ Shoukri, Hassan, *ḥakā'ik lit-tarīkh fī azmat il-khalīj il-'arabī*, 'Facts for History on the Arabian Gulf Crisis', 2nd edition, Madbouly El-saghir Bookshop, Cairo, 1991.

⁶⁹ Gause, Gregory, 'Iraq's decision to go to war, 1980 and 1990', *Middle East Journal*, Vol 56. No 1, Middle East Institute, 2002.

⁷⁰ Parasiliti, Andrew T., 'The Causes and Timing of Iraq's Wars: a Power Cycle Assessment', *International Political Science Review*, Vol. 24, No. 1, SAGE Publications, Ltd, London, 2003.

The 'economic factor' in the Iraqi invasion, is also stressed in the work of Khadduri and Edmund Ghareeb (1997)⁷¹ and Omar Ali (1993)⁷², who argue that the reason behind the Iraqi invasion was this controversial claim that Kuwait destabilized Iraq's economy by flooding the oil markets during and after the Iraq-Iran war (1980-1988); they classed this policy as 'economic aggression' and suggested it led Iraq to invade Kuwait in 1990. They contend that Iraq had to invade Kuwait to protect its interests. In contrast, Ali Bin Ghanim Al-Hajri (1997)⁷³ argued that Kuwait did not wage 'economic war' against Iraq and that the Iraqi claim came as a justification to occupy Kuwait due to its poor economic situation as was being experienced by Iraqis after the war with Iran. Al-Hajri goes on to say that the claim that Kuwait demonstrated economic aggression towards Iraq could be proved to be 'false' and 'baseless' in international law and added that the record of conduct before the invasion proves that Kuwait's policy was not economic aggression, but rather Kuwait had adopted a policy based on national interest, which every state is allowed to pursue.

One more specific question has been how and to what extent the economic consequences of the Iraq-Iran war played a role in the Iraqi invasion of Kuwait. Kamran Mofid,⁷⁴ seven months before the Iraqi invasion of Kuwait, argued that the economic loss of both Iraq and Iran would lead to the risk of chaos inside these countries and bring instability and peace to the region. Abbas Alnasrawi (1992)⁷⁵ lent support to Kamran's prediction that the Iraqi invasion of Kuwait could be seen in the context of 'economic factors' represented by Iraq's weak economic situation after the end of the Iraq-Iran war, which led it to fiscal bankruptcy.

⁷¹ Khadduri, Majid and Edmund Ghareem, *War in The Gulf 1990-91: The Iraq-Kuwait conflict and its implications*, (Oxford University Press, New York, 1997).

⁷² Ali, Omar, *Crisis in The Arabian Gulf: An Independent Iraqi View*, (Praeger Publishers, West Port, CT, 1993).

⁷³ Al-Hajri, Ali Bin Ghanim, 'The Iraqi Invasion of Kuwait and the Legality of its Claims in International Law and Islamic International Law.' unpublished thesis (Ph.D.), University Of Kent, UK, 1997.

⁷⁴ Mofid, Kamran. 'Economic Reconstruction of Iraq: Financing the Peace', *Third World Quarterly*, Vol. 12, No. 1, 1990.

⁷⁵ Alnasrawi, Abbas, 'Iraq: Economic Consequences of the 1991 Gulf War and Future Outlook', *Third World Quarterly*, Vol. 13, No. 2. 1992.

Similarly, Ehteshami and Nonneman (1991)⁷⁶ argued that the Iraqi occupation of Kuwait was related to Iraq's need to strengthen its ruling regime and increase stability during this invasion to guard against any coup in order to control Kuwaiti oil resources and meet Iraq's economic needs, as a result of the poor economic and political situation suffered by Iraqis after the war with Iran.

A Wikileaks document indicates that 1990 during the meeting between Saddam Hussain and US ambassador April Glaspie on 25 July 1990, Saddam did not explicitly accuse Kuwait of stealing oil, but said that Iraq's problems were related to its poor internal economy, commenting, 'But how can we make them (Kuwait and UAE) understand how deeply we are suffering? The financial situation is such that the pensions for widows and orphans have to be cut'.⁷⁷ Certainly, there is no disagreement within the studies mentioned above that the 'bad internal situation' of Iraq, along with Iraqi hegemony ambitions in the region, played a role - as explanatory factors in understanding the nature of Kuwaiti-Iraqi relations during the time frame of this study.

The Impact of the invasion of Kuwaiti foreign policy

Clearly this invasion had a major impact on Kuwaiti foreign policy at both regional and international levels. Kuwaiti foreign policy – as this thesis argues – towards Arab, regional, and key global players has significantly changed since the liberation of Kuwait in 1991. The Iraqi invasion convinced the key decision makers in Kuwait that the Kuwaiti policy toward superpowers needed to be reconsidered. Terrill has commented: 'The 1990 Iraqi invasion left an indelible mark on Kuwaiti attitudes about the country's vulnerability'.⁷⁸ He argues that this invasion was the main reason behind the concept of 'military security agreements' between Kuwait and a number of other powerful countries after 1991 due to a number of difficulties within Kuwaiti national defense and its small population. Terrill's analysis suggests, then, that the emergence of the US-Kuwaiti alliance

⁷⁶ Ehteshami, Anoushiravan and Nonneman, Gerd, *War and Peace in The Gulf: Domestic Politics and Regional Relations into the 1990s*, (Ithaca Press, Reading, 1991).

⁷⁷ Wikileaks, 'Saddam's Message of Friendship to President Bush', Reference ID; [90BAGHDAD4237](https://wikileaks.org/90BAGHDAD4237), [SECRET](https://wikileaks.org/SECRET), Embassy Baghdad, 01-01-2011; available online at http://wikileaks.ch/origin/149_0.html

⁷⁸ Terrill, W. Andrew, *Kuwaiti National Security and the U.S.-Kuwaiti Strategic Relationship After Saddam*, Strategic Studies Institute United States Army War College, SSI, USA, 2007. p.33.

since 1991 was a reflection of the implication of the Iraqi invasion – something for which further corroboration is required, which this thesis will explore.

Abdullah Al-Enezi⁷⁹ agrees that Kuwait, after its liberation, for the first time depended on foreign protection when it signed security agreements with the five permanent members at UNSC to protect itself, particularly from Iraqi threats. He contends that Kuwait, and also the GCC states, believed that the international umbrella was crucial for the stability of the region due to the aggressive policies and conduct of Iraq and Iran. Al-Enezi shows that the liberation of Kuwait by foreign troops led six GCC states to sign the ‘Damascus Declaration’ with Egypt and Syria in 1991 due to the incompetence of the Arab security system. However, Gerges⁸⁰ argues that the Damascus Declaration proved to be useless due to the dissatisfaction of Egypt and Syria with the amendments of the Declaration supporting cooperation in security issues instead of permanent Arab military forces in the Gulf. Both authors, however, plausibly suggest that one of the key changes resulting from the invasion was the concept of forging a strategic ‘alliance’ with superpowers, which made its first appearance in Kuwaiti policy during the time frame of this study, as result of the futility and incompetence of the Arab security system in deterring the Iraqi occupation.

Ghanem Sultan⁸¹ argues that the Iraqi invasion caused a clear division in Kuwaiti–Arab relations after the liberation of Kuwait due to the stance of some Arab states towards the Iraqi invasion, and caused a major impact at a humanitarian, environmental and economic level for Kuwait and the Arab states. Ibrahim Abdul Kareem⁸² argues that the ‘Palestinian issue’ was the most affected by the Iraqi invasion after the expulsion of the Palestinian people from Kuwait and other GCC states due to the position of the PLO regarding the

⁷⁹ Al-Enezi, Abdulla, ‘‘amn il-khalīj il-‘arabi: dirāsah fil ’asbāb wal mu‘tayāt’, ‘The Arabian Gulf Security: Reasons and Results’, *Journal of the Gulf and Arabian Peninsula studies*, Vol.21, No. 83, Kuwait University, Kuwait, 1996.

⁸⁰ Gerges, Fawaz A., ‘Regional Security after the Gulf Crisis: The American Role’, *Journal of Palestine Studies*, Vol. 20, No. 4 (Summer, 1991).

⁸¹ Sultan, Ghanem, *Al-ghazw il- ‘irāqi lil Kuwayt: Kira’ah muwjazah fī Jawānib min ‘ishkālīyat il- ‘azmah, ‘The Iraqi invasion of Kuwait: A Brief Reading of the Problematic Aspects of The Crisis’*, 1st edition, AL-Wazzan International Printing Press, Kuwait, 1994.

⁸² Abdul Kareem, Ibrahim, ‘Al-in‘iqāsāt il-iqtisādīyah li ’azmat il-khalīj ‘ala al-filastīnīyīn fīd-diffah wal qitā’’, ‘Economic Implications of Gulf Crisis on the Palestinians in the West Bank and Gaza Strip’, *Cooperation Journal*, issue No. 29, Secretariat General of GCC States, 1993.

invasion. Abdullah Al-Enezi and Abdullah Saher⁸³ support Ghanem's argument that the Iraqi invasion caused a relationship crisis between Kuwait and some of the Arab states that did not support Kuwait during this invasion, and which were classified as "duwal aq-didd" (Opponent States) in Kuwaiti's foreign policy after 1991. The two authors contend that one of reasons that prompted Kuwait to reorganize its tense relationships with these Arab states was to contain Iraq and not to isolate Kuwait from its Arab and regional environment. However, their study focused on a survey of Kuwaiti students at Kuwait university from the renormalization of Kuwaiti relations with "duwal aq-didd", when this issue became controversial in Kuwait, while the analysis of Kuwaiti-"duwal aq-didd" relations or even the role of the Kuwaiti parliament regarding this issue was not discussed. It can also be deduced from Abdullah Al-Enezi and Abdullah Saher's analysis that the 'Arab factor' was significant in Kuwaiti foreign policy after its liberation during the time frame of this study in order to gain Arab support against Iraqi threats.

The few authors listed above do contribute to our understanding of the impact of the Iraqi invasion and the changes in the concept of Kuwaiti foreign behavior at Arab, regional, and international levels, and not only in terms of Kuwait's behaviors towards Iraq during this study's time frame. This is in addition to the impact of this invasion in recalibrating Kuwait's foreign relations with other states in light of the stances they took towards the invasion. But they leave us guessing about the detail and dynamics of how this happened.

Although Kuwaiti foreign policy towards Iraq since its liberation in 1991 became a controversial issue at Arab, Gulf and regional levels, few studies have undertaken to analyze this policy and those that have done so are limited and unsystematic. Fattou Abu Dahab (2001)⁸⁴ analyzes the shift in Kuwait's foreign policy for the first time concerning the 'Iraqi file' during the Arab summit in Amman in 2001. He argues that Kuwait entered into negotiations with the Iraqi regime at the Arab League and accepted the 'Conciliation Formula' in 2001, which was rejected by Iraq, due the effects of the economic embargo in increasing the suffering of the Iraqi people, which created Arab and international sympathy

⁸³ Al-Enezi, Abdullah and Saher, Abdullah, 'Al-kuwayt wa 'alakātiha ma' "duwal iq-did": Dirāsah maydanīyah', 'Kuwait and Its Relations with Opponent States: Field Study', *Al Mustaqbal Al Arabi Journal*, issue No. 245, Centre for Arab Unity Studies, Beirut, July 1999.

⁸⁴ Abu Dahab, Fattouh, 'At-taḥaruk ad-diblumāsi al-Kuwayti: ad-dalālāt wal nata'ij', 'Kuwait Diplomatic Movement: Indications & Results', *Sho'oun Khalijia Journal*, No. 26, The Gulf Centre for Strategic Studies, London, Summer 2001.

for the Iraqi people on the one hand, and on the other, led to the weakness of the ‘international coalition’ that was formed following the liberation of Kuwait in 1991. Abu Dahab contends that Iraq successfully used the issue of the suffering of the Iraqi people to hold Kuwait and some of the Arab Gulf States responsible for the miserable situation of the Iraqi people under the ‘economic embargo’. However, he limited his study only to Kuwaiti behavior towards Iraq at the Amman Summit in 2001. He does, though, draw our attention to the combination of the international environment and the ‘Arab factor’ during this study's time frame as explanatory factors of Kuwaiti foreign policy towards Iraq. However, the objective of this thesis is to survey Kuwaiti policy since the 1990s in order to fill the gap in the literature.

The political system and the decision-making context.

It is clear from the wider literature, and especially also that on the Gulf states, that the political system and the decision-making context is a critically important factor in understanding foreign policy, and there is every reason to assume this is true for the case of Kuwait.

Although the Kuwaiti parliament played a key role in Kuwaiti foreign relations, particularly with Iraq and with regard to the ‘outstanding issues’ since its return in 1992 through to what is called ‘popular diplomacy’ with other states, its role in the making of foreign policy is not readily ascertainable: there is a dearth of studies regarding the role of the National Assembly in foreign affairs, on the one hand, and on the other, foreign policy is entrusted to the executive authority represented by the Amir and the government in accordance with the Kuwaiti political system – which tends to be extremely opaque and reluctant to share deep insight into its workings. Most of the studies regarding the Kuwaiti political system have focused on the functions of the executive, legislative, and judicial authority only. However, it is important to note the limitations of the academic studies discussing the role of the Kuwaiti National Assembly in the making of foreign policy. Dr. Abdullah Al-Nafisi commented in an article in 1993 on the role of National Assembly before the Iraqi invasion as follows: ‘Foreign policy has always been the prerogative of the executive power [...] the legislative authority did not have a clear impact in determining

foreign policy and guidance'.⁸⁵ This point has credibility due to the fact that the National Assembly was dissolved unconstitutionally from 1976 until 1981, and once again from 1986 until 1992. But to what extent can this analysis be applied to Kuwaiti foreign policy after Kuwait's return to democracy immediately after the liberation in 1992?

Abdullah Al Edwani (2006)⁸⁶ argued that since the revival of the constitution and of parliament itself in 1992, which was also a result of the invasion and its aftermath, the National Assembly began to play a role in Kuwaiti foreign relations via what are called 'Parliamentary friendship committees' with other states and became an influential factor in restricting the decision makers in Kuwait. It can be said that Al Sabah family was forced to respect the country's constitution of 1962 after the Kuwaiti liberation in accordance with the agreement between the Kuwaiti government in exile and the Kuwaiti political blocs at Jeddah Conference in October 1990. Hence, Al Edwani contends that 'despite the Kuwaiti constitution entrusting the prerogative of foreign policy to the executive authority, the National Assembly has a reasonable role in foreign policy through its supervisory role and tools',⁸⁷ since its return in 1992. He emphasizes that the Amir of Kuwait is the first circle in the process of decision making, while the Kuwaiti cabinet is the second circle and the National Assembly is the third circle in the decision-making hierarchy through its supervisory role on foreign-policy decisions. However, Al Edwani does not explain how the Kuwaiti National assembly is involved in a practical way in devising foreign policy, and focuses in a very general way on the role of the National Assembly in issues of international peace and security, democracy and human rights, the Palestinian issue, and counterterrorism. Meanwhile, neither the role of the National Assembly in the renormalization or the blocking of Kuwait's relationship with "duwal aḍ-ḍidd", nor the outstanding issues with Iraq are discussed. With regard to the Iraqi-Kuwaiti issues, he limited discussion to the role of the National Assembly from 1992 until 1998 in challenging the Iraqi threats and garnering support for Kuwait issues under the UN resolutions.

⁸⁵ Al Watan Information and Studies Center, Classification No. 5-6, dated 13/2/1993, Kuwait

⁸⁶ Al Edwani, Abdullah Mutlaq, 'Dawr Majlis il-'umma fis-siyāsah al-khārijīyah al-Kuwaytīyah', 'Role of the National Assembly in the Foreign Policy of Kuwait', Jordanian University, unpublished Masters Degree thesis, 2006.

⁸⁷ Ibid.p.131.

In contrast, Assiri argues,⁸⁸ without explaining, that foreign policy is entrusted to the executive authority represented in Ministry of foreign affair and the character of the foreign minister, while the role of the legislative authority is ‘secondary’ and restricted in the supervisory role. He restricts himself to discussing the functions of the executive authority, legislative authority and judicial authority in the Kuwaiti political system. The foreign making decision or its process in the Kuwaiti political system has not been discussed. He contends the role of National Assembly can be seen in the enforcement of democracy, political socialization, domestic issues and its supervisory role on the external and internal decisions. However, he does not explain the role of National Assembly in the foreign relations or even its role in the blocking the Kuwaiti- *duwal aq-didd* relations.

Othman Al- Saleh⁸⁹, a legal expert, argues that the Amir of Kuwait is the head of the ‘supreme executive authority’ in the state in the decision-making process in Kuwait, followed by the Council of Ministers. He contends that the role of the Kuwaiti National Assembly could be seen through its own method of influence in supervising the government’s decisions, such as interpellations, parliamentary questions, discussing internal and external issues, enacting laws, and ratifying international treaties and agreements. However, he limits himself as a legal rather than a political expert, and so does not discuss the functions of the Kuwaiti political system in the making of foreign policy or even its process.

It can be seen from Al-Saleh’s and Al Edwani’s analyses that the Amir and the ruling family in Kuwait play a major role in making foreign policy, and indeed, members of the ruling family hold essential posts in the executive authority as foreign policy is made under this authority. This point is supported by Hamdan Al-Alkim⁹⁰, who argues that GCC foreign policy decisions (as applied in Kuwait) can be placed into three categories: the first

⁸⁸ Assiri, Abdul Reda, *An-niḍām as-siyāsi fil-Kuwayt: mabādi’ wa mumārasāt, ‘Political System in Kuwait: Principles & Practices’*, Kuwait university, Kuwait, 1996.

⁸⁹ Al-Saleh, Othman Abdul-Malek, *An-niḍām id-dustūrī wal- mu’assasāt il-siyāsyah fil- kuwayt: derāsah taḥlīlīyah nakdīyah lil niḍām fi ’itarih il- tarīkhī, wa fi ’itarih il-naḍarī, wa fi waki ’ihī il- ’ilmī wa wasa ’il islahih, al-juz’ il- ’awwl, ‘Constitutional System & Political Institutions in Kuwait’*, 2nd edition, Part I, Dar AlKetab for publication, Kuwait, 2003.

⁹⁰ Al-Alkim, Hassan Hamdan , *The GCC States in An Unstable World: Foreign-Policy Dilemmas of the Small States*, 1st edition, Saqi Books, London, 1994.

⁹² Patrick, Neil, ‘Kuwait's Foreign Policy (1961-1977): Non-Alignment, Ideology and the Pursuit of Security’, unpublished Thesis (Ph.D.), University of London, 2006.

includes the role of the ruling families and their close elite associates, the second comprises the members of the council of ministers, and the third includes the bureaucrats who formulate and execute the policies. Thus, Archie Lamb, British ambassador to Kuwait in the mid-1970s, described the process of making foreign policy in Kuwait as the 'unquestioning maintenance of key assumptions among a tiny coterie of leaders'. While these studies show something of the relative importance of these components of the Kuwaiti political system in foreign policy decision-making, and especially demonstrate the overwhelming importance of the Amir and the top royal elite in such matters, much detail is lacking, and little if anything is provided that relates to the specific subject and period of the present thesis.

Some notes on policy output patterns

The policy outcomes of the factors covered in the foregoing sections have shown a fluctuating pattern – some of which we have already touched on. Pragmatism, 'omnibalancing', and 'managed multi-dependence' – if not outright neutrality - were always in evidence. Ideational factors entered into policy as both modest drivers and significant constraints, as has also already been illustrated in the literature surveyed.

Assiri emphasises that the main feature of Kuwait's foreign policy has been a 'non-regional alignment policy' until the outbreak of the Iraq-Iran war (1980-1988) which changed the concept of the 'policy of non-alignment' in Kuwait's foreign policy towards support for Iraq. (The author also introduces the term 'Dinar diplomacy'⁹¹, to refer to the economy as a tool in Kuwait's foreign policy to achieve its national and international interests – a clear pattern throughout).

The title of Partrick's study - *Kuwait's Foreign Policy (1961-1977): Non-Alignment, Ideology and the Pursuit of Security*,⁹² sums up the intertwining of factors in producing certain policy patterns well. He argues that Kuwait's leaders from 1961-1977 maintained a foreign policy that reflected the country's regional vulnerabilities; therefore, he emphasises

Patrick, Neil, 'Kuwait's Foreign Policy (1961-1977): Non-Alignment, Ideology and the Pursuit of Security', unpublished Thesis (Ph.D.), University of London, 2006.

⁹² Patrick, Neil, 'Kuwait's Foreign Policy (1961-1977): Non-Alignment, Ideology and the Pursuit of Security', unpublished Thesis (Ph.D.), University of London, 2006.

Kuwait's crucial need to counterbalance its international security element with, as far as practicable, a regional non-alignment stance and adherence to Arab policy norms during that time. He argues that Kuwait utilized a regional 'non-alignment policy' as well as Arab ideology, oil money, and western defence partnerships to deter what was primarily conceived of as an external threat in the region. Thus, he maintains that Kuwait in that period sought to extend Islam and Arab nationalism by supporting the Palestinian issue, and has used foreign aid as a means to achieve its national and international interests. This matches the evidence, and is a useful starting point for analyzing the post-invasion policy patterns. As already suggested, since the Invasion the Arab ideational factor has largely fallen away since the invasion – something that is noted not only by Partrick.

Sulaiman Majed Al Shaheen, a former Minister of Foreign Affairs,⁹³ somewhat implausibly claims that Arab and Islamic values have been the most important influences in Kuwait's foreign policy. But he also joins other authors discussed here in showing that the appearance of international and regional competition in the Gulf region during the 1960s and 1970s led Kuwait to adopt the policy of non-alignment to secure itself – even if the invasion led to a turn to security alliances with major powers due to Iran's policy towards Iraq.

Alduehis's work has already been noted.⁹⁴ He makes the complementary argument that Kuwait's regional non-alignment enabled it to exercise some autonomy from the constraints of external power structures in the 1960s and 1970s till the outbreak of the Iraq-Iran War (1980); he also examines the effects of the aftermath of the war on Kuwait's foreign policy. He reaches the same conclusion as Assiri's study, specifically, that Kuwait initially adopted an Arab nationalist foreign policy that focused mainly on external legitimacy in order to offset regional threats, and occasionally used the appeasement of its opponents in the region, due to its strategic location and vast oil assets. The author asserts that Kuwait has played a key role in inter-Arab disputes, using its mediating position and aid policy as a tool in its foreign policy to achieve its national and international interests.

⁹³ Sulaiman Majed Al Shaheen, *Ad-diblumāsīyah al-kuwaytīyah bayn al-miḥnah wal miḥnah*, 'Kuwait Diplomacy between the Crisis and Professionalism', 1st edition, National Library of Kuwait, Kuwait, 2001

⁹⁴ Ahmad Hammoud Alduehis, 'Siyāsāt al-Kuwayt il-khārijīyah min 1961 'ilā 1990', 'Kuwait's Foreign Policy from 1961 – 1991' unpublished master's thesis, Jordanian University, Amman, 1992..

The impact of the Iraqi-Iran War on Kuwait's behavior is also examined in Gerd Nonneman's 'The Gulf States and the Iran-Iraq War: pattern shifts and continuities'.⁹⁵ He analyses in detail the attitudes of the GCC, including Kuwait's attitude, towards Iraq during this war and its aftermath. He also argues that the assessment of trends in relations during the Iran–Iraq war itself is an indispensable part of any effort to understand post-1988 outlines, from the ceasefire through to the 2003 Iraq conflict and its aftermath, and he stresses, precisely, the patterns of pragmatic, security-oriented adjustment. This relates to the same sort of long-term pattern he identified for the GCC states as a whole – i.e. that of pragmatic sheikhly pursuit of security through assuring a hegemon's protection without burning bridges with others, which, he shows, even Kuwait did after its invasion trauma. We will examine this in greater depth in this thesis.

5.3. *Historical background literature on Kuwaiti-Iraqi relations*

Some of the long-term factors and dynamics referred to above, are drawn from the historical record. As this thesis, too, will rely in part on a historical background, it is worth briefly noting some of the works that delve into this background. A number of Kuwaiti authors have provided excellent historical treatments of Kuwait's early history and its relations with other powers. Not surprisingly, these authors tend to stress – perhaps overly so – Kuwait's autonomy from the Ottoman Empire, whereas other authors tend to be more nuanced. Abu-Hakima's *Tareekh Al-Kuwait Al-Hadeeth, (The Modern History of Kuwait 1750 – 1965)*,⁹⁶ is a historical study of the political history of Kuwait from 1750 to 1965. The decision was taken to employ this study as a historical resource when referring to the emerging political state of Kuwait in the 18th century and its relations with international powers. The author traced the history of Kuwait in the 17th century and its relationships with international powers, such as the Ottoman Empire, Germany and Britain, during the 19th and 20th century. He argues that the significant location of Kuwait was the main reason that led these powers to complete railway projects in Kuwait during the 19th and 20th century. For this reason, the Ottoman Empire raises the issue of Ottoman supremacy

⁹⁵ Nonneman, Gerd, 'The Gulf States and the Iran-Iraq War: pattern shifts and continuities', in L. Potter and G. Sick (eds.), *Iran, Iraq and the Legacies of War*, (New York, Palgrave, 2004).

⁹⁶ Abu -Hakima, Ahmad Mustafa, *Tārīkh il-kuwayt il-ḥadīth, 'The Modern History of Kuwait: 1750 – 1965'*, 1st edition, That Al -Salasil for Publication and Printing, Kuwait, 1984.

over Kuwait during that time. He asserts that Kuwait had never been actually affiliated to the Ottoman Empire or to any Ottoman state in Iraq; rather, Kuwait largely used to manage its internal and external affairs itself from the time when it emerged as a political entity in the 17th century when what is now the state of Iraq was under the Ottoman regime. This can be, and has been, questioned in other works, not least Schofield's and Anscombe's where the degree of autonomy the local rulers could carve out is recognised but where that autonomy was often circumscribed and threatened – and constantly needed to be defended. That nuance is not, however, icked up by other Kuwaiti authors.

One of these is Walid Alazami, in *The Political History of Kuwait through British Documents 1752-1960*,⁹⁷ examines the history of Kuwait's foreign relations with regional and international powers (the UK, Russia, Germany and the Ottoman Empire, now known as Turkey) from the 18th century until the mid-20th century through British documents released in 1991. The author relied on British, Ottoman (Turkish) and Iraqi archives and reports, which traced the history of Kuwait's independence from the 17th century until the 20th century and its relations with Britain and the Ottoman Empire. He too, emphasises that Kuwait was not substantively part of or even reliant upon the Ottoman Empire, which led the Ottoman officials in Basra to express their discontent about this situation during the time of Ottoman sovereignty in Iraq. He comments that following the increase in the economic and geographic importance of Kuwait, during the 18th and 19th centuries, the Ottoman Empire raised the issue of Ottoman supremacy over the country due to the empire's desire to construct a railway line connecting Berlin and Baghdad and ending in Kuwait.

The collective study *Al-kuwayt wujūdan wa hudūdan: ḥaka'ik mawḍū'iyah wal id-di'ā'āt al-'irākīyah* ('*Kuwait Statehood and Boundaries: Objective Facts and Iraqi Claims*')⁹⁸ offers a complete introduction to the Kuwaiti origin and its evolving policy through the documents on its boundary and sovereignty and its relation with the Ottoman Empire during the 19th century. The study analyses the Ottoman position towards the 1899 British-Kuwaiti treaty and the 1913 British-Ottoman agreement, in addition to their legal status in

⁹⁷ Alazami, Walid, *The Political History of Kuwait Through British Documents 1752-1960*, 1st edition, Riad El-Rayyes Books LTD, London, 1991.

⁹⁸ Panel of Specialists, *Al-kuwayt wujūdan wa hudūdan: ḥaka'ik mawḍū'iyah wal id-di'ā'āt al-'irākīyah*, '*Kuwait Statehood and Boundaries: Objective Facts and Iraqi Claims*', 3rd edition, Center for Research and Studies on Kuwait, 1997.

the eyes of international law. It also argues that during the Ottoman period, Kuwait was not a part of or even ruled by Ottoman officials in Iraq, and its status as a *qaza* was a nominal link rather than an actual relationship. It is also emphasized that the Ottoman Empire acknowledged the independent situation of Kuwait in the 1913 treaty and accepted that the Kuwaiti ruler is independent from any Ottoman state, either in Iraq, or anywhere else.

In the same context, a study conducted by Al-Ghunaim, Yacoub Yousef entitled *Al-kuwayt tuwajih al-,atmā'*, ('*Kuwait Faces Avidity*')⁹⁹ focuses on the historical relations between Kuwait and Iraq, discussing the reasons behind the Ottoman Empire's attempts to annex Kuwait during the 19th century. The author uses a collection of maps and documents to explain relations between Kuwait, as an autonomous entity, and both the Ottoman Empire and its *vilayet* (province) of Basra. He refutes the Ottoman Empire's Basra claims regarding Kuwait through the UN resolutions' demarcation of the Iraqi-Kuwaiti borders in 1993 as well as referring to the 1899, 1913 and 1963 conventions.

Bondarevsky's *Kuwait's International Relations in the Nineteenth and Early Twentieth Centuries*¹⁰⁰ provides historical background on Kuwait's relationships with powers such as Russia, Britain, Germany and the Ottoman Empire. The author analyses British, Russian, Indian and German archives and systematically considers the strife and struggle among these super powers to control the Gulf region, especially Kuwait, which had a great impact on international relations in the Gulf and Middle East region. He argues that Kuwaiti control of the best port in the region was a major concern for the Ottoman Empire's Basra officials, who complained that Kuwait was practically independent and was ruled by its own sheikhs. He also shows how Sheikh Mubarak (1896-1915) struggled to protect Kuwait as an independent emirate at that time.

Richard Schofield's *Kuwait and Iraq: Historical Claims and Territorial Disputes*¹⁰¹ offers a detailed discussion of the Kuwait-Iraq border question up until 1991. It is systematic and

⁹⁹ Al-Ghunaim, Yacoub Yousef, *Al-kuwayt tuwajih al-,atmā'*, '*Kuwait Faces Avidity*', 1st edition, Centre for Research and Studies on Kuwait, Kuwait, 1998.

¹⁰⁰ Bondarevsky, G., *Kuwait's International Relations in the Nineteenth and Early Twentieth Centuries*, 1st edition, Center for Research and Studies on Kuwait, Kuwait, 1994.

¹⁰¹ Schofield, Richard, *Kuwait and Iraq: Historical Claims and Territorial Disputes*, Royal Institute of International Affairs, London, 1991.

focuses on the events and developments involved in resolving the border disputes between the two sides from the late 19th century to 1991. He surveys the border crises, the signing of the Algeria agreement in 1975 between Iraq and Iran, and the Iraq-Iran war, and own Kuwait's Warba and Boubyan islands, with a view to converting both islands to military bases as they have an advantageous geographical position in terms of confronting Iranian threats. Therefore, he argues that the historical border disputes stem from a geostrategic situation and the issue of access to the Gulf, ever since the borders were drawn by Britain. He also argues that the maritime border decreed by the UN's Iraq-Kuwait Boundary Demarcation Commission holds problems in store for the future given that much of Iraq's navigation channel in the Khor al-Abdallah now comes under Kuwaiti sovereignty.

Useful analyses of primary documents relating to Kuwait's borders were also produced by the Center for Research and Studies on Kuwait. One of these is a collective study,¹⁰² including accounts of Kuwait's international borders since the beginning of the 20th century and the Iraqi regime's position towards Kuwait's sovereignty; in addition, it examines the final report of the UN Iraq-Kuwait Boundary Demarcation Commission of 1993. The authors of this book provide transcripts of historical documents from published records that describe the geographical and political confines of Kuwait to explain the evolution of Kuwait and its recognised boundaries in the past.

The Center also published a study by a panel of specialists, discussing the UN's Demarcation of the International Boundary Between Kuwait and Iraq.¹⁰³ The authors of this study include facsimiles of letters, memoranda, reports, resolutions, charts and maps from sources housed at the UN Security Council pertaining to the demarcation of the international boundary between Iraq and Kuwait, and discuss the conditions and justifications behind the resolutions. It is worth putting this next to the second edition of Schofield's landmark study, for different emphases, but together these volumes provide a rich set of data.

¹⁰² Panel of Specialists, *Tarsīm al-ḥudūd il-Kuwayṭīyah al-'irāqīyah: al-ḥak at-tarīkhi wal idārah ad-duwalīyah*, 'Kuwait-Iraq Boundary Demarcation: Historical Rights and International Will', 3rd edition, Center for Research and Studies on Kuwait, Kuwait, 1994.

¹⁰³ Panel of specialists, *Takhṭīt al-ḥudūd id-duwalīyah bayn dawlat al-Kuwayt wa jumhūrīyat il-'irāq kamā akaratha al-'ummam al-mutaḥidah*, 'Demarcation of the International Boundary Between The State of Kuwait and the Republic of Iraq By the UN', 1st edition, Center for Research and Studies on Kuwait, Kuwait, 1993.

Conclusion

The literature review overall, demonstrates that, while a considerable amount has been written on various aspects of the Iraq-Iran war, the Iraqi invasion; a good deal less on GCC foreign policies; and even less on Kuwaiti foreign policy, there remains a huge gap of empirical and analytical knowledge, especially with regard to the research questions of the present thesis. None of the abovementioned studies discuss in any detail the impact of the invasion on Kuwaiti foreign behavior towards Iraq and on the recalibration of Kuwaiti foreign relations during the period from 1990 to 2010, the explanatory factors and the determinants of Kuwaiti foreign policy towards Iraq in this period, and the ‘outstanding issues’ between Iraq and Kuwait and the Kuwaiti vision for Iraq after the fall of Saddam Hussein’s regime from 2003 until 2010.

Thus, this study is intended to fill the gap in the literature by analyzing Kuwaiti foreign policy for the first time via documents released by Wikileaks, the UN and Britain, and by interviews with key players in Kuwait and the Arab world.

6. Structure of the study

The study has been divided into ten chapters and organized as follows: Following the current chapter, Chapter 1, Chapter 2 offers a review of the relevant concepts and approaches in Foreign Policy Analysis, with special reference to the case of developing and Middle Eastern states.

Chapter 3 sheds light on the political origin of the state of Kuwait in the 17th century and its relations with Iraq to inform the reader of the background to the relationships and issues between two countries through documents and maps.

Chapter 4 is divided into four sections discussing the factors affecting Kuwaiti foreign policy, including the internal and external factors. The first section discusses the political system in Kuwait and how foreign political decisions are made. The second includes the geographical location, the population and societal factors, and the economic factors. The

third comprises the Gulf, Arab and International environments. The tools of Kuwaiti foreign policy and their impacts on realizing the foreign objectives of Kuwait are also examined in this chapter.

Chapter 5 discusses the Iraqi invasion and the regional and international response, and surveys the position of the international, Arab and Islamic communities and how they have been affected by the invasion of Kuwait.

Chapter 6 surveys key official Kuwaiti positions towards Iraq after the invasion; in this chapter will shed lights on the principles of Kuwait's foreign policy towards Iraq during the period from 1990 to 2010.

Chapter 7 analyses Kuwait's foreign policy towards Iraq from 1991-2001 and includes the movements of Kuwaiti foreign policy towards the 'Iraqi file' during this period and the issue of the Kuwaiti-Iraqi reconciliation.

Chapter 8 examines Kuwait's foreign policy towards Iraq from 2001-2003, including the Kuwait's stance on the reconciliation with the Iraqi regime and the official and popular stance of Kuwait on the US mobilization of forces to attack Iraq and on the American occupation of Iraq.

Chapter 9 discusses Kuwait's foreign policy towards Iraq from 2003-2010 and includes Kuwait's vision towards Iraq since the collapse of the Iraqi regime as well as the outstanding issues between the two countries after the collapse of Saddam Hussein's regime.

In Chapter 10, the conclusions of this study are put forward, along with a summary of the main findings and interpretations of those findings, answering the research questions, noting the limitations of the study and setting out some recommendations.

Chapter II

Conceptual framework and analytical approach

1. Concepts of foreign policy analysis

The definition of the concept of foreign policy, and hence of the discipline of foreign policy analysis (FPA), still has clear differences among political scientists as a sub-field of International Relations (IR),¹ which, of course, reflect on the use of different approaches in political science.² Kubálková states that ‘According to most definitions, FPA refers to a complex, multilayered process, consisting of the objectives that governments pursue in their relations with other governments and their choice of means to attain these objectives’.³ Rosenau refers to this problem as follows: ‘foreign policy analysis lacks a comprehensive system of testable generalizations that treat societies as actors subject to stimuli which produce external responses. Stated more succinctly, foreign policy analysis is devoid of general theory’.⁴ One starting definition of the foreign policy of a state is ‘an area of governmental activity concerned with relationships between that state and other actors within the international community.’⁵ Some scholars point out that the study of foreign policy is ‘a variety of activities, dedicated to understanding and interpreting of foreign policy and behaviour of actors in world politics’.⁶ Joseph Frankel identified foreign policy as ‘decisions and actions which involve, to some appreciable extent, relations

¹ Hudson, Valerie M., *Foreign Policy Analysis: Classic and Contemporary Theory*, Rowman & Littlefield Publishers, Inc, Maryland, USA, 2007. pp. 4-6.

² Marsh, D. and Gerry Stoker (eds.), *Theory and Methods in Political Science*, 2nd edition, Palgrave Macmillan, 2002. pp.10-12.

³ Kubálková, V. (ed), *Foreign Policy in A Constructed World*, M. E. Sharpe, Inc, Armonk, New York, 2001. p.17.

⁴ Rosenau, James N, *The Scientific Study of Foreign Policy*, The Free Press, New York, 1971. p. 99.

⁵ White, Brain, ‘Foreign Policy and Foreign Policy analysis’, In Clarke, Michael and Brain White (eds), *An Introduction to Foreign Policy Analysis: The Foreign Policy System*, G.W.& A. Hesketh, Ormskirk & Northridge, 1981. p.1.

⁶ Neack, L., et al. (ed), *Foreign Policy Analysis: Continuity and Change in its Second Generation*, Prentice-Hall, Englewood Cliffs, New Jersey, USA, 1995. p1.

between one state and others'.⁷ Peter Calvert claims that foreign policy also includes 'relations between the state and external non-governmental organizations (NGOs)'.⁸ Rosenau defines the unit of analysis in foreign policy as follows: 'An undertaking is conceived to be a course of action that the duly constituted officials of a national society pursue in order to preserve or alter a situation in the international system in such a way that it is consistent with a goal or goals decided upon by them or their predecessors'.⁹ Brian White refers to foreign policy as that 'area of politics which bridges the all-important boundary between the nation-state and its international environments. Foreign policy is made within the frontiers of the state but is directed at and must be implemented within the environment external to the state'.¹⁰ Christopher Hill views foreign policy as 'the sum of official external relations conducted by independent actors (usually a state) in international relations'.¹¹ Holsti defines foreign policy as 'actions of a state toward the external environment and the conditions under which these actions are formulated'.¹² According to Charles Hermann, foreign policy 'consists of those discrete official actions of the authoritative decision makers of the nation's government, or their agents, which are intended by decision makers to influence the behaviour of the international actors external to their own polity'.¹³

From these various definitions, three main approaches may be summarized:

- **‘What the State does beyond its territorial limits in pursuing its objectives, and how it does so’:** that is, an approach that observes or attributes objectives, observes resultant actions and relations, takes into account constitutionally determined powers, and describes the means and tools employed.¹⁴

⁷ Frankel, J. *The Making of Foreign Policy: An Analysis of Decision Making*, Oxford University Press, London, 1963. p.1.

⁸ Calvert, P., Op. Cit. p.1.

⁹ Rosenau, James N, Op. Cit. p.50.

¹⁰ White, Brian, Op. Cit. p. 4.

¹¹ Hill, Christopher, *The Changing Politics of Foreign Policy*, Palgrave Macmillan, Basingstoke, New York, 2003. p.3.

¹² Holsti, K.J, *International Politics: A Framework for Analysis*, Prentice-Hall, Inc. Englewood Cliffs, New Jersey, 1967. p.21.

¹³ Charles F., Hermann, 'Policy Classification: A Key to the Comparative Study of Foreign Policy', In James N, Rosenau. et al. (eds), *The Analysis of International Politics*, The Free Press, New York, 1972. p.72.

¹⁴ Al Sayed Selim, Mohammed, *Tahleel_Alsiyasah Alkharijiyah*, 'Analysis of Foreign Policy', 2nd edition, Al-Nahda Al-Masriya Bookshop, Cairo, 1998. p.8.

- **The ‘Systems’ approach:** Prominent here is David Easton, who focuses on analysing the inputs - external or internal environmental pressures and their impacts - in the political system as indicating the ‘Demands or Needs’ and the outputs via the decisions and actions (Response), which determine the gains distribution system; he also points to the importance of feedback between inputs and the system.¹⁵ Another very important thinker in this field is Modelski, who defines foreign policy as ‘the system of activities evolved by communities for changing the behaviour of other States and for adjusting their own activities to the international environment’.¹⁶ Brecher sums up the foreign policy system as comprising ‘a set of components which are classified as inputs, process and outputs’.¹⁷ Michael Clarke adds: ‘the environment is the domestic and external setting which provides inputs to the foreign policy process. Outputs are foreign policy behaviours which can be defined not only as decision, but also more broadly as actions. These outputs feed back into the environment and contribute to other sources of inputs’.¹⁸

- **The decision-making approach:** this concentrates on the process of decision-making in explaining the foreign policy of the State, and emphasises the wide cluster of motivational, role, organizational and nongovernmental variables that work within the government or among policy makers as determinants of foreign policy.¹⁹ The central concepts of the decision-making approach are divided into the three components: ‘the decision, the decision maker and the decision making process or system’.²⁰ Foreign policy is seen as ‘a series of decisions made by a group of people who can be labelled decision-makers. Foreign policy decisions do not simply emerge in response to external stimuli; they are processed through an identifiable system within the state’.²¹ This approach was initially applied to the study of foreign policy analysis by Snyder,

¹⁵ Makled, Ismail Sabri, ‘Systems Analysis and Theorization about International Politics’, *Journal of the Social Sciences*, Vol.9, No.1, Kuwait University, Kuwait, 1981. pp.27-34.

¹⁶ George, Modelski, *A Theory of Foreign Policy*, Frederick A, Praeger Publisher, New York, 1962. p. 7.

¹⁷ Brecher. Michael, ‘Research Findings And Theory-Building in Foreign policy Behaviour’, In Patrick J. McGowan (ed.), *Sage International Yearbook of Foreign Policy Studies*, Vol 2, Sage Publication, Inc., 1974. p.50.

¹⁸ Clarke, Michael, ‘The Foreign Policy System’, In Clarke, Michael and Brian White (eds.), *An Introduction to Foreign Policy Analysis: The Foreign Policy System*, Ormskirk & Northridge, G.W.& A. Hesketh, 1981. p. 15.

¹⁹ Rosenau, James N, Op. Cit. p. 97.

²⁰ White, Brian, Op. Cit. p. 7.

²¹ Ibid. p. 7.

Bruck and Sapin during the 1950s.²² The focus, then, is on specific decisions (at various levels) and the decision-making process as a whole.

- **The bureaucratic politics approach** is a variant of the above, focusing on the nature of bargaining within the policy-making bureaucracy, and seeing outcomes (policies, decisions) as the outcome of such bargaining rather than necessarily of 'rational' analysis of costs and benefits²³. This approach was initially developed to the study of foreign policy decisions by Graham T. Allison and Morton H. Halperin in the late 1960s and early 1970s.²⁴

Foreign policy analysis, in fact, arguably has gone through two phases:

- **First Phase:** this is called the '*first generation*' (1954-1973),²⁵ and focuses on comparative foreign policy (CFP); the first generation of scholarship was typically labelled 'comparative foreign policy', while the second generation is referred to as 'foreign policy analysis'.²⁶ The first generation was influenced by all issues surrounding international relations following World War II and the resultant spread of the realist paradigm and 'power politics' that reinforce the role of the State and its impact and power on international relations. Therefore, during that time, the study of comparative politics was dominated by scholars who had learned to fear mass politics from both ends of the political spectrum.²⁷ This generation of analysis of comparative foreign policy (CFP) had, as one of its primary goals, a desire to move away from non-cumulative descriptive case studies and to construct a parsimonious explanation of what drives the foreign policy behaviour of states. Therefore, the scholars of this

²² Hudson, Valerie M, 'The History and Evolution of Foreign Policy Analysis', in Smith, Steve et al. (eds.), *Foreign Policy: Theories, Actors, Cases*, Oxford University Press, 2008. p.12.

²³ Eben J. Christensen and Steven B. Redd, 'Bureaucrats versus the Ballot Box in Foreign Policy Decision Making: An Experimental Analysis of the Bureaucratic Politics Model and the Poliheuristic Theory', *The Journal of Conflict Resolution*, Vol. 48, No. 1, 2004. p.70.

²⁴ J. Garry Clifford, 'Bureaucratic Politics', *The Journal of American History*, Vol. 77, No. 1 (Jun., 1990). p.161.

²⁵ Hudson, Valerie M. Op. Cit. p.17.

²⁶ Neack, L., et al. (ed), Op. Cit. p.2.

²⁷ Ibid, p.5.

generation adopted quantitative (data collection), positivist (scientific) models of theory building and methodological experimentation.²⁸

Second Stage: this is called '*the second generation*' (1974-1993).²⁹ Those who adopt this approach mainly focus on the 'quantitative' and 'qualitative' research approaches. Thus, second generation foreign policy analysis can be summarised into the following points:

- Second-generation scholarship is 'conducted using a wide variety of methodologies embracing a diversity of quantitative and qualitative research techniques'.
- Second-generation scholarship draws from 'as many critical theoretical perspectives as it draws from methodologies'.
- Second-generation scholarship rejects 'simple connections and considers contingent, complex interaction between foreign policy factors'.
- Second-generation scholarship 'accountings of the domestic sources and processes of foreign policy draw heavily upon insights generated by comparativists and area specialists and more systematic and consistent attention is given to non-American cases'.
- Second generation scholars are 'conscious of the contextual parameters of their work and explicitly seek to link their research to the major substantive concerns in foreign policy'.³⁰

Clearly the second generation built upon the first, reacting to, but also incorporating many features of the latter.³¹ For the purpose of this thesis, once again, it is important to be aware of the nuances and linkages pointed out by second-generation approaches, while trying to present a comprehensive analytical picture taking in all the explanatory factors summed up at the beginning of this section. Below, therefore, I briefly survey those types of factors.

²⁸ Ibid. p.3.

²⁹ Hudson, Valerie M, Op. Cit. p.17.

³⁰ Neack, L., et al. (ed), Op. Cit. pp.11-12.

³¹ Korany, B & A. E. Hilal Dessouki, 'Al-tahleel al-'ilmi li-l-sitasa al-kharijjiya min khilal al-manzur al-'arabi', [Scientific Analysis of foreign policy from an Arab perspective], Journal of Arab Strategic Thought, Issue 40, Beirut, 1992, p. 162.

2. A pragmatic approach: the determinants and environments shaping foreign policy

For the practical purposes of this thesis – and indeed arguably for the purposes of any realistic and comprehensive analysis of what actually shapes particular policies as well as patterns of foreign policy (the outputs) – it is worth stepping back and extracting from the above and the literature in general, the main categories of factors that are likely to be at work and that have some explanatory force.

These factors, in line with what was discussed above, fall essentially into (i) the external environment; (ii) the internal environment; and (iii) the decision-making process, including the relevant institutions. In all of this, material factors (economy, manpower, physical features, etc.) and ‘ideational’ factors (identity, ideology, perceptions, etc.) feature side by side, and in interaction, although different approaches give different weight to them. In this thesis, and in studying the Kuwaiti case, I am interested in each of these categories. However, the precise way in which various scholars have approached these has, again, varied. Before proceeding to drill down into these three high-level categories, I summarise the particularly useful ways in which Calvert, Rosenau, Brecher and Holsti have done so.

2.1. Calvert, Rosenau, Brecher and Holsti

Peter Calvert refers to the three stages of policy-making as follows:

1. The initiation of policy-making comprises a ‘set of demands for action with which the policy maker is confronted, and an inventory of political support, labour, land, equipment and finance’. This stage commences with the receipt of these demands, and the generation of alternative policy proposals to deal with them.
2. The formulation of policy: this stage includes ‘a choice between these policy alternatives and the condensing of the policy into a set of the specific proposals for action’.

3. The implementation of the chosen policy, which includes ‘the carrying out of those proposals’.³²

Rosenau identified three stages in foreign policy making:

1. The initiatory stage includes the ‘activities, conditions, and influences – human and nonhuman – that stimulate national actors to undertake efforts to modify circumstances in their external environments’.
2. The implementive stage consists of the ‘activities, conditions, and influences through which the stimuli of the initiatory stage are translated into purposeful actions directed at modifying objects in the external environment’.
3. The responsive stage denotes the ‘activities, conditions, and influences that comprise the reactions of the objects of the modification attempts’.³³

He added that the three stages comprise three variables in foreign policy analysis:

- a. The independent variables are divided into two major types: internal and external. Internal independent variables include ‘any human or non-human activities, conditions, and influences operative on the domestic scene that stimulate governmental officials to seek, on behalf of the national actor, to preserve or alter some aspect of the international system. Some examples of these variables are elections, groups, conflicts, depleted oil reserves, geographic insularity, demands for higher tariffs, historic value orientations, a lack of societal unity, executive-legislative frictions and the diverse factors that contribute to national life’. External independent variables include ‘human or non-human activities, conditions, and influences [that] occur abroad and operate as foreign policy stimuli by serving as the objects that officials seek to preserve or alter through their undertakings, such as diplomatic incidents, deteriorating economic, crop failures, military build-ups, elections, and historic enmities’.
- b. The intervening variables include ‘not only attitudes, procedures, capabilities, and conflicts that shape the way in which governmental decision-makers and agencies assess the initiatory stimuli and decide how to cope with them, but they also embrace any and all of resources, techniques and actions that may affect the way in which the

³² Calvert, P., Op. Cit. pp. 1-2.

³³ Rosenau, James N, Op. Cit. p.80.

decisions designed to preserve or modify circumstances in the international system are carried out’.

- c. The dependent variables comprise ‘the responsive stage, including the activities, attitudes, relationships, institutions, capacities, and conditions in the international system that are altered (or not altered) or preserved (or not preserved) as a result of the foreign policy undertakings directed towards them’.³⁴ Therefore, Rosenau’s ‘Pre-Theories’ confirm that the behaviour of foreign policy officials is a response to the requirements and demands of five types of system, each of which contains some variables that reinforce those of other systems and some that oppose them, as follows:
1. Interaction of individual variables: are those related to the ‘values, talent and experience of the decision maker’ that distinguish his behaviour from any other decision maker.
 2. Role variables: are those related to the ‘external behaviour of the official that is generated by the roles they occupy and that would be likely to occur irrespective of the individual characteristics of the role occupants’.
 3. Governmental variables: are those related to the ‘government’s structure or systems’ that would affect the choices made by decision makers.
 4. Societal variables: are those related to the ‘nongovernmental aspects of the society’ that would influence external behaviour.
 5. Systemic variables: are those related to any nonhuman aspects or ‘external environment or any actions occurring abroad’ influencing the decision of the decision maker such as geographical and ideological challenges from potential aggressors.³⁵

Brecher, as mentioned above, describes the process of policy making in three stages: inputs, process and output. He refers to three sequential stages of the decision-making process:

1. The pre-decisional phase, which comprises ‘the cumulative events which, by their gestation over time, create the need, opportunity, or occasion for (foreign policy) choice’.
2. The decisional phase, which begins with ‘the (formal or informal) consideration of known alternative options and terminates with a formal choice (decision)’.

³⁴ Ibid, pp.80-81.

³⁵ Ibid, p. 108.

3. The implementation phase, which refers to ‘action by which a decision is affected’.³⁶

In Brecher’s words, the foreign policy system is ‘a dynamic flow in which international actors respond, with policy choices, to stimuli from their environment’³⁷. This flow of stimuli consists of a set of boundaries for decision-making options from two environmental clusters, including:

1. The external environment: This cluster is divided into five elements, as follows:
 - a. The Global system, which comprises ‘the total web of relationships among all actors within an international system’.
 - b. A subordinate system, which comprises ‘the intermediate level of interaction between any two actors. The primary stress is on a geographic region at six subordinate systems of regional types, namely American, East European, Middle East, Southern Asian, and Sub-Saharan African’.
 - c. A second subordinate system: ‘states may be members of one subordinate system, or none at all. When pressures emanate from a system other than one's own, they are classified as foreign policy inputs from another subordinate system’.
 - d. Dominant Bilateral Relations, which represent ‘the total pattern of interactions between any state and a superpower’.
 - e. Bilateral Relations, which represent ‘the total pattern of interactions between any state except for those involving one of the superpowers’.³⁸
2. The internal environment: This cluster is divided into five elements as follows:
 - a. Military Capability: ‘an ability to wage war or to deter other states from attacking’.
 - b. Economic Capability: this is defined as ‘the total resources available for the pursuit of foreign policy objectives’.
 - c. Political Structure: this combines ‘the political institutions and the constitutional matrix in which foreign policy decisions are made’.

³⁶ Brecher, Michael, Op. Cit. p.64.

³⁷ Ibid. p.59.

³⁸ Ibid. pp.60-61.

- d. Interest Groups: this source is classified into four types: ‘institutional interest groups, associational groups, no associational groups, and status or class groups’.
- e. Competing Elites: these are parties in the ‘Opposition in the competitive political system.’³⁹

Holsti refers to three general types of illustrative variable that can shed light on the national role:

1. External conditions: these include ‘perception of threats and major shifts in conditions abroad’.
2. National attributes: these include ‘weak or strong capabilities, public opinion and attitudes, economic needs and ethnic composition of the state’.
3. Ideological and attitudinal attributes: these include ‘traditional policies or roles, public opinion and attitudes, humanitarian concerns, ideological principles and identification with region; compatibility of values with other states’.⁴⁰

It is clear, then, that in order to understand a state’s foreign policy behaviour, both domestic and international factors have to be taken into consideration;⁴¹ It is, after all, ‘a reaction to both external and internal stimuli’.⁴² Steven David’s concept of ‘omnibalancing’, picked up also in Nonneman’s analytical framework for studying Middle East foreign policies, explains that governments or policy makers endeavour to tackle all threats and domestic and external demands, in a decision framework shaped by the major location of threats and opportunities.⁴³ These factors, Nonneman points out, can be divided into internal and external ones, but also into material and ideational ones. The basic material factor of geography straddles the internal and external, and for the purposes of this thesis, that is where I propose to begin. I will follow this with a review of the factors in

³⁹ Ibid. pp.61-62.

⁴⁰ Holsti, K.J, Op. Cit. pp.356-357.

⁴¹ Alons, Gerry C. ‘Predicting a State’s Foreign Policy: State Preferences between Domestic and International Constraints’, *Foreign Policy Analysis*, Vol.3, No.3, 2007, pp.211-213.

⁴² Rosenau, James N, Op Cit. p. 98.

⁴³ Nonneman, Gerd, ‘Analyzing the Foreign Policies of the Middle East and North Africa: A Conceptual Framework’. In Nonneman, Gerd (ed.), *Analyzing Middle East Foreign Policies and the Relationship with Europe*, Routledge, 2005.p.13.

the external environment, before turning to the internal environment. The decision-making system is of course internal, but merits viewing as a separate category – the mechanism through which the ‘inputs’ – both material and ideational – are translated into policies and actions. This system is of course fundamentally shaped by the internal political system.

2.2. *Geographical factors*

There is often a close association between national interests and objectives of the state and geographical facts and considerations. Other scholars have suggested that ‘geographic patterns determine the workings of the foreign policy system’;⁴⁴ or that ‘foreign policy can be seen as being determined by geographical elements’.⁴⁵ Borders are one critical factor. It has been argued that states that share long frontiers with several other states will be liable to be engaged in a great number of international disputes and wars compared with those that do not.⁴⁶ More broadly, proximity is an obviously relevant factor in disputes.⁴⁷ In addition, geographic location also has a wider strategic aspect, such as natural resources of states, supervising seas, important ports and channels or canals of international transportation.⁴⁸ Accordingly, the geographic features of the state affect its strength and security as well as its ability to achieve the demands of foreign policy and to resist pressure by other countries.⁴⁹ Thus, ‘Geopolitics’, as a science, represents one of the most important components in analysing the effect of geographic elements on the policy of states, as it constitutes an essential pillar for estimating the might of the state and its role in international relations.⁵⁰ Then, there are basic features, such as size, landscape, mountains and rivers, which may provide greater or lesser protection or strategic depth to a country.

⁴⁴ Farrands, Chris, ‘The Context of Foreign Policy Systems’, In Clarke, Michael and Brain White (eds), *An Introduction to Foreign Policy Analysis: The Foreign Policy System*, Ormskirk & Northridge, G.W.& A. Hesketh, 1981. p.36.

⁴⁵ Ibid. p.46.

⁴⁶ McGowan, Patrick and Shapiro, Howard (eds.), *The Comparative Study of Foreign Policy: A Survey of Scientific Finding*, London, Sage, 1973. p.163.

⁴⁷ Lloyd, Jensen, *Explaining Foreign Policy*, Englewood Cliffs, N.J: Prentice -Hall,1982, p. 223.

⁴⁸ Hill, Christopher, Op.Cit. p.167

⁴⁹ Makled, Ismail Sabri, *Al- ‘alākāt us-siyāsīyah ad-duwalīyah*, ‘*International Political Relations: Study on Assets and Theories*’, 5th edition, That Al -Salasil Publications, Kuwait, 1987. p. 176.

⁵⁰ The most prominent thinker in this field is Friedrich Ratzel; see Taha Badawi, Mohammed and Morsy, Leila, *Madkhal ‘ilm us-Siyāsah*, ‘*An Introduction to Political Science*’, Alexandria Center for Books, Egypt, 2010. p.202.

2.3. *External factors*

The importance of external factors (or the external environment) for foreign policy decision-making differs according to the capabilities of the state and its geographic location within territorial and international conduct.⁵¹ In this respect, Nonneman's analysis of the FP of the Middle East and North Africa States' (MENA), as applied on the GCC countries, refers to three factors as determinants of their policies, namely the domestic, regional and international environment.⁵² He divides the variables related to the external environment into two parts:

1. International environment
2. Regional environment.

2.3.1. *International Environment*

The effect of the international environment – itself a very broad category encompassing many elements – will, Nonneman points out, differ from one state to another, 'depending, among other things, on the state's location'⁵³. Chris Farrands provides four sources of influence on the behaviour of foreign policy in the international system, as follows:

1. The structure of international society.
2. The position of the state in the international hierarchy (international position).
3. The pattern of alliance.
4. The commitments the state has undertaken.⁵⁴

Those who study foreign policy almost all agree that the ability of the small countries to achieve independent political movement within the international environment will increase once the variable character within this environment increases, i.e. there are variant blocks in the world. However, this is not a straightforward rule; nor does independence of action (autonomy) equate with security. Even so, increased competition among several great

⁵¹ Al Sayed Selim, Mohammed, Op. Cit., p.150.

⁵² Nonneman, Gerd, Op. Cit. pp.11-13.

⁵³ Ibid. p.12.

⁵⁴ Farrands, Chris, Op. Cit. pp. 47-50.

powers seems likely to increase smaller actors' room for manoeuvre.⁵⁵ Some scholars believe that 'interdependence' and intergovernmental interaction or what is known 'Globalization'⁵⁶ has become the main feature that distinguishes the current international environment, arguing specifically that the volume of international transactions has increased and that the degree of sensitivity and the tendency for some countries to be affected by each other has redoubled.⁵⁷ The term 'interdependence' has raised major debate. Some scholars believe that the essential feature of the international system environment is to distribute capabilities and that 'international inter-dependence' occupies only a very limited space.⁵⁸ However, others believe that the dominant feature of this system, particularly in the economic field, is that developing countries are subordinate to industrially developed countries. Therefore, interdependence is no more than an ideology that is designed to hide the subordination relations within this system.⁵⁹ Further, the international environment is also associated with the phenomenon of alliances, such as NATO (1949), Warsaw (1955), the Rio Pact (1947), SEATO (1954), the Baghdad Pact (1955) etc., which is one tool adopted by the states as a framework to coordinate their activities in order to achieve objectives that may not be individually realized.⁶⁰ However, researchers have different opinions about the best ways to determine the impact of these alliances on the safeguarding of peace in the international environment,⁶¹ particularly in the period of the 'Cold War' between the Western and Communist countries, which urges most small and Third World states to adopt the policy of non-alignment as a form of group solidarity to enhance their collective independence away from the policy of the superpowers.⁶²

⁵⁵ Al Sayed Selim, Mohammed, Op. Cit, p. 277.

⁵⁶ Al Sayed Selim, Mohammed, *Tatawwur as-siyāsah ad-duwalīyah, 'The Evolution of International Politics'*, 3rd edition, Dar AlFajr for Publication, Cairo, 2008. p.13.

⁵⁷ Sundelius, Bengt, 'Interdependence and Foreign Policy', *Cooperation and Conflict*, Vol. 15, No. 4, June 1980. p. 187.

⁵⁸ Ibid, pp.190-191.

⁵⁹ Al Sayed Selim, Mohammed (1998), Op. Cit. p. 344.

⁶⁰ Nassif, Mustafa, Op.Cit. p.8.

⁶¹ Calvert, P., Op. Cit. pp.48 -143.

⁶² Susan Aurelia Gitelson, 'Policy Options for Small States: Kenya and Tanzania Reconsidered', *Studies in Comparative International Development*, Vol. 12, No. 2, 1977. pp.29-30.

There are also other actors in the international system environment, including governmental organizations (GOs) or so-called ‘Non-State Actors’,⁶³ such as international governmental organizations (IGOs); the United Nations (UN), the Gulf Cooperation Council (GCC), the European Union (EU) and the International Monetary Fund (IMF).⁶⁴ At the same time, there are also ‘nongovernmental organizations’ (NGOs) or ‘nongovernmental groups’ in the international system environment, which constitute one of the elements that impact on states’ foreign policy.⁶⁵

Ideational factors such as ‘ideology’, ‘intellectual structure’ and ‘enemy images’ also play significant roles in shaping the international system. This was clear in the period of the Cold War between the USA and the Soviet Union.⁶⁶ It was also illustrated in the confluence of economic interest with neoconservative ideology in Washington under George W. Bush. The ‘Washington Consensus’ on economic liberalisation also fed through into global perceptions regarding international economic policy. Similarly, intellectual and political/ideological fashions that counter such globalising trends at times also have an impact on popular and elite opinions, hence potentially influencing policy.

In recent years, religion, as an ideational factor, has become an influential element in the international politics, but its role has received relatively little attention in the formal study of foreign policy. For example, the policies of Iran and Afghanistan, the religious conflicts in the World (like Kosovo case) and Arab-Israeli conflict are at least influenced by religious aspects. Jonathan Fox claims that the main reason behind the ignorance of the religious role in IR is that ‘the social sciences, including international relations, have their origin in the rejection of religion’.⁶⁷

⁶³ Calvert, P., Op. Cit.p.31.

⁶⁴ Mingst, Karen A., ‘Uncovering The Missing Links: Linkage Actors and Their Strategies In Foreign Policy Analysis’, In Neack, L. et al. (ed.), *Foreign Policy Analysis: Continuity and Change in Its Second Generation*, Prentice-Hall, Englewood Cliffs, New Jersey, USA, 1995. pp.234-238.

⁶⁵ Rosenau, James N, Op. Cit. p.203.

⁶⁶ Murray, Shoon Kathleen and Cowden, Jonathan A., ‘The Role of “Enemy Images” and Ideology in Elite Belief Systems’, *International Studies Quarterly*, Vol.43, No. 3, 1999. pp. 456-461

⁶⁷ Fox’s well-presented study on this subject. See Fox, Jonathan, ‘Religion as an Overlooked Element of International Relations’, *International Studies Review*, Vol. 3, No. 3, 2001. pp.53-68.

2.3.2. *The Regional Environment*

The concept of the region is ‘a flexible one, its referent depending on whether geographic, cultural, religious, or historical variables are used as the basis of delineation’.⁶⁸ A region is defined broadly as being ‘marked not only by certain boundaries of some salience but by discernible similarities within these boundaries’.⁶⁹ Countries are affected by the foreign political activities of the surrounding states, particularly if there are ideological,⁷⁰ social, cultural, national or historical backgrounds, economic and financial relations among them. The interaction between these backgrounds will influence the decision-makers on one hand and public opinion on the other.⁷¹ This factor plays an important role and is derived from the widespread post-war tendencies toward the institutionalisation of regional relationships in a variety of federations, confederations and common markets.⁷²

A state can of course be part of more than one regional environment – whether such environments overlap like Venn diagrams or sit within each other. Within the Arab and Middle Eastern environments, for instance, Nonneman identifies ‘sub-environments’ such as the Gulf sub-system, the Maghreb and the Nile Valley. These elements and transnational issues influence decision-makers.⁷³ This could be illustrated in the widespread proliferation of the ‘Arab Revolutions’ or ‘Arab Spring’, which resulted in the dethroning of some of the Arab regimes or governments since its outset in Tunisia in December 2010 and then spread to the Middle East and North African Arab countries in 2011 such as Egypt, Libya, Yemen, Bahrain, Syria, Morocco and Jordan as regional environment impact.⁷⁴ At the base of this system, several issues can be identified, such as the relationship between the components of the system and the levels of interaction

⁶⁸ Rosenau, James N, Op. Cit. p.236.

⁶⁹ Hansen, Peter, ‘Adaptive Behaviour of Small States: The Case of Denmark and The European Community’, In Patrick J. McGowan (ed.), *Sage International Yearbook of Foreign Policy Studies*, Vol.2, Sage Publication, Inc., 1974. p .153.

⁷⁰ Nonneman, Gerd, ‘The Three Environments of Middle East Foreign Policy-making’, op. cit. p.23.

⁷¹ Braillard, Philippe and Djalili, Mohammad-Reza, Op. Cit., pp.96-98.

⁷² Rosenau, James N, Op. Cit. p.236.

⁷³ Nonneman, Gerd, ‘The Three Environments of Middle East Foreign Policy-making’. p.12.

⁷⁴ Rogan, Eugene, ‘Regional Overview’, In Abdel-Haq, Mohammed and Docherty, Leo(eds.) ,*The Arab Spring: Implications for British Policy*, Conservative Middle East Council, 2011. pp.4-6.

between its units and public trends and contradictory issues on the internal or external level of the territory.⁷⁵

2.4. *Internal factors*

The internal factors include both material and ideational elements. These include population, social, economic and cultural (value, religion, ideas) structure, in addition to the military element, the nature of the political system and non-government organizations (such as political parties, lobbies and public opinion).⁷⁶ Political culture, both in society at large and at the elite level, is also part of the picture. These elements interact with each other to create their impact on the foreign policy makers and influence the foreign behaviour of the state.⁷⁷

2.4.1. *Ideational factors*

Many studies have engaged in analysis of influences of the ideational and cultural elements through ideologies, identities, ideas, norms, beliefs and values etc. on the behaviour of states.⁷⁸ The accumulated study of these subjects has produced the so-called ‘constructivist’ approach, with its prominent thinker, Alexander Wendt in International relations theory,⁷⁹ which assumes that the ‘constitutive role of socially constructed identities and the importance of shared ideas and practices’, as determinants, shape the structure of the international system.⁸⁰ Some scholars argue that the change in the basis of identity may reflect fundamental changes in the political behaviour of states and the

⁷⁵ Braillard, Philippe and Djalili, Mohammad-Reza, Op.Cit. pp.109-120.

⁷⁶ Braillard, Philippe and Djalili, Mohammad-Reza, *al- 'alākāt id-duwalīyah, 'International Relations'*, 1st edition, Dar Elhilal, Beirut, 2009. pp.80-83.

⁷⁷ Rosenau, James N, Op. Cit. p.96.

⁷⁸ Renda, Kadri Kaan, ‘Understanding the European Integration through the Ideational Factors’, Article published by *Centre For Strategic Research and Analysis (CESRAN)*, UK. Online; available at: http://www.cesran.org/index.php?option=com_content&view=article&id=403%3Aunderstanding-the-european-integration-through-the-ideational-factors&catid=56%3Aamakale-ve-raporlar&Itemid=75&lang=en

⁷⁹ Zehfuss, Maja, ‘Constructivism and Identity: A Dangerous Liaison’, *European Journal of International Relations*, Vol.7, No. 3, September 2010. p. 316.

⁸⁰ Twomey, Christopher.P, ‘Lacunae in the Study of Culture in International Security’, *Contemporary Security Policy*, Vol.29, No.2, August 2008. p. 338.

concepts of allies and adversaries in international politics.⁸¹ Scholars in the constructivist conception share the concept of the relationship between the identity functions and the actor's behaviour, as a source, in international relations.⁸² Thus, the concept of the 'national identity' of states, which is related to other descriptions such as 'nationalism, citizenship and nation-state', has its impact on political actions.⁸³ Goldstein and Keohane argue that 'ideas (defined as beliefs) as well as interests have causal weight on explanations of human actions'.⁸⁴ Some scholars within the field of European studies shed light on the impact of 'intersubjectivity' and 'social context', as ideational factors, in the process of European integration (EU).⁸⁵ It is also illustrated in the formation of the Arab League (1945), the Gulf Cooperation Council (1981) and the Organization of the Islamic Conference (1969) based on Arab and Islamic identity as the collective solidarity of the Arab and Muslim world.⁸⁶ For example, in the Arab region, the pan-Arab and Islamic identities and norms have significant impacts on the behaviour of these states. Thus, the policy makers are motivated, sometimes, to legitimise these elements (Arabism, Islam) in terms of the norms and identity of their population as policy options, especially in times of crisis with external threats.⁸⁷ The ideational factors, such as the perceptions of the leaders or individuals - defined as 'constructions of reality in which decisions are taken'⁸⁸ - play a key role in the behaviour of the states. The perceptions of the 'relative power, other states' intentions and degree of cultural distance between one's own state and others' shape the

⁸¹ Moaddel, Mansoor, 'Religious Regimes and Prospects for Liberal Politics: Futures of Iran, Iraq, and Saudi Arabia', *Population Studies Center Research Report 08-641*, Institute for Social Research, the University of Michigan. June 2008. p.4.

⁸² Ashizawa, Kuniko, 'When Identity Matters: State Identity, Regional Institution-Building, and Japanese Foreign Policy', *International Studies Review*, Vol 10, No. 3. 2008. p.573.

⁸³ Moio, Sami, 'From Enmity to Rivalry? Notes on National Identity Politics in Competition States', *Scottish Geographical Journal*, Vol. 124, No. 1, March 2008. p. 80.

⁸⁴ Goldstein, Judith and Keohane, Robert Owen, 'Ideas and Foreign policy: An Analytical Framework', In Goldstein, Judith and Keohane, Robert Owen (eds.), *Ideas and foreign policy: beliefs, institutions, and political change*, Cornell University Press, 1993. p. 3.

⁸⁵ Christiansen, Thomas, et al., 'The Social Construction of Europe', *Journal of European Public Policy*, Vol.6. No.4. 1999. p. 529.

⁸⁶ See the 'Charter of the Organization of the Islamic Conference'. On the Organization of Islamic Conference website; <http://www.oic-oci.org/home.asp>

⁸⁷ Hinnebusch, Raymond, 'Explaining International Politics in the Middle East: The Struggle of Regional Identity and Systemic Structure', In Nonneman, Gerd (ed.), *Analyzing Middle East Foreign Policies and the Relationship with Europe*, Routledge, 2005. pp. 244-245

⁸⁸ Herrmann, Richard K. and Keller, Jonathan W., 'Beliefs, Values, and Strategic Choice: U.S. Leaders' Decisions to Engage, Contain, and Use Force in an Era of Globalization', *The Journal of Politics*, Vol.66, No. 2, 2004. p. 560.

strategic decisions of the leaders. For instance, neo-realists claim that the leaders' decisions are built on 'their perceptions of an adversary's intentions'.⁸⁹ Thus, the personalities and the perceptions of the leaders with their own identity among the states play a significant role in the nature of the regional and international systems.⁹⁰

2.4.2. Demographic factors

The size of the population and what is called the 'local demographic structure' of proportions of ethnic or religious groups enables or constricts what each group can accomplish in politics at the local and external level'.⁹¹ There are some political scientists who associate the might of any state with the size of its population.⁹² Some scholars have argued for the 'theory of demographic pressure' as a main cause of revolutions and wars between states, such as the events of the French revolution in 1789 and its impact on Europe due to the increased numbers of people, which reflected on the economic situation.⁹³ However, at present, a very large or very small population is considered as a burden rather than a privilege for any state. Thus, development processes at all levels may be impossible in countries that do not have sufficient numbers of inhabitants unless an expatriate labour force is recruited,⁹⁴ as in the case of the GCC States, whose small populations complicate their defence and development planning.⁹⁵ However, over-population in some countries constitutes a burden on the state to equalise the distribution of economic resources and this is far more commonly the case in Third World countries,⁹⁶ in which case, the state may come to depend on external finance and consequently it will

⁸⁹ Ibid. pp. 559-561.

⁹⁰ Nonneman, Gerd, 'Analyzing the Foreign Policies of the Middle East and North Africa', Op. Cit. pp. 9-10.

⁹¹ Stroschein, Sherrill, 'Politics is Local: Ethnoreligious Dynamics under the Microscope', *Ethnopolitics*, Vol. 6, No. 2, Routledge, Taylor & Francis Group, June 2007. p. 178.

⁹² Calvert, P., Op. Cit. pp.10-102.

⁹³ Maurice, Duverger, *Madkhal 'ilā 'ilm as-siyāsah*, 'An Introduction to Political Science', 1st edition, Translated by Droubi, Sami and Al-Atassi Jamal, Arab Cultural Centre, Beirut, 2009. p.52.

⁹⁴ Al Sayed Selim Mohammed, Op. Cit. p.156.

⁹⁵ Baabood, Abdulla, 'Dynamics and Determinants of the GCC States' Foreign Policy, with Special Reference to the EU', In Nonneman, Gerd (ed.), *Analyzing Middle East Foreign Policies and the Relationship with Europe*, Routledge, 2005. p.155.

⁹⁶ Calvert, P., Op. Cit. p.100.

be involved in international associations that may affect its foreign policy.⁹⁷ The recruitment of a large expatriate labour force involves serious risks: consequently, immigrants will be a problem due to their relations with their homelands, and they will form effective lobbies against the foreign policy of the country where they live. This practice will have consequences for the present and future of this country.⁹⁸ With respect to various minorities and ethnic and religious groups within the state, the results of the same will be greatly visible. Therefore, the significance of these 'group' sizes is magnified in democratic states, particularly those with a great authority in local levels of government.⁹⁹ Thus, most of these states are suffering from racial and religious problems, such as the Lebanese Civil War (1975-1990)¹⁰⁰ and the 2005 'riot' of the Arab community in France¹⁰¹ as well as the ethnic and religious problems in some European countries, which prompted Britain to enact the 'Racial and Religious Hatred Act' in 2006.¹⁰² All of these factors have an impact on international politics. This latter observation once again reminds us of the importance of ideas and identity – and of people's perceptions of them – as factors in the interactive mosaic from which foreign policy patterns emerge.

2.4.3. *Economic factors*

The economic situation of a state is considered as one of the main pillars forming its national strength. Consequently, the economic ability of the state may be utilized to support the objectives of this policy, whether these objectives are related to economic, humanitarian, political and military or propagandist aspects, etc. Such economic assistance, provided by rich countries to developing countries, represents an important tool of foreign policy of such countries, which usually have political objectives that we will

⁹⁷ Al Sayed Selim Mohammed, Op. Cit. p.156.

⁹⁸ Braillard, Philippe and Djalili, Mohammad-Reza, Op.Cit. pp.82-86.

⁹⁹ Stroschein, Sherrill, Op. Cit. p. 178.

¹⁰⁰ El Hoss, Salim, 'Peace in Lebanon and the Middle East', *Contemporary Arab Affairs*, Vol. 1, No. 2, 2008. p.150.

¹⁰¹ Koff, Harlan and Duprez, Dominique, 'The 2005 Riots in France: The International Impact of Domestic Violence', *Journal of Ethnic and Migration Studies*, Vol. 35, No. 5, 2009. p. 714.

¹⁰² Brown, Alexander, 'The Racial and Religious Hatred Act 2006: a Millian Response', *Critical Review of International Social and Political Philosophy*, Vol. 11, No. 1, 2008. p.3.

point out later.¹⁰³ The economic position of the state reflects the extent of its ability to fulfil the requirements of its citizens from the components of the basic economic infrastructure, agriculture, industry and services etc. Further, it will determine whether the country will depend on assistance and aid provided by other countries or will mitigate its dependence on external resources.¹⁰⁴ Often, this assistance is used as a tool for ‘political pressure’ or ‘political carrots’ in some cases, such as threats to sever or reduce assistance, or to oblige the receiving country to change specific political approaches and trends in return for support.¹⁰⁵ Some scholars believe that the economic factor of the state has precedence over other factors based on the fact that ‘economic instability’ is one of the main elements in wars and revolutions within and between states.¹⁰⁶ This could be analysed in the widespread proliferation of the ‘Arab Revolutions’, known as the ‘Arab Spring’, across the Arab countries in 2011, which affected the stability of the Middle East region due to the ‘corruption’ and ‘economic instability’ of these states, among other reasons.¹⁰⁷ Both Benjamin and Edinger point out that countries whose Gross National Product (GNP) is very low are most likely to experience military control over their foreign policy and decision-making.¹⁰⁸ Therefore, Moon, referring to the significance of the economic role, states that ‘the economic arena will become a more central priority of state policy while economic considerations will come to dominate other goals, especially in the foreign policy realm’.¹⁰⁹

¹⁰³ Griffin, Keith, ‘Pearson and the Political Economy of Aid’, In T.J. Byres (ed.), *Foreign Resources and Economic Development*, Frank Cass, London, 1972. p.119.

¹⁰⁴ Farrands, Chris, Op. Cit. pp.43-46.

¹⁰⁵ Hey, Jeanne A.K., ‘Foreign Policy in Dependent States’, In Neack, L. et al. (ed.), *Foreign Policy Analysis: Continuity and Change in its Second Generation*, Prentice-Hall, Englewood Cliffs, New Jersey, USA, 1995. pp. 209-211.

¹⁰⁶ Makled, Ismail Sabri, Op.Cit. p.179.

¹⁰⁷ Wilson, Rodney, ‘Economy: The Root of The Uprising’, In Abdel-Haq, Mohammed and Docherty, Leo (eds.) *The Arab Spring: Implications for British Policy*, Conservative Middle East Council, 2011. p.49

¹⁰⁸ Benjamin, Roger W. and Edinger, Lewis L., ‘Conditions for Military Control over Foreign Policy Decision in Major States: an historical explanation’, *Journal of Conflict Resolution*, Vol .15, 1971. p.18.

¹⁰⁹ Moon, Bruce E., ‘The State in Foreign and Domestic Policy’, In Neack, L. et al. (ed.), *Foreign Policy Analysis: Continuity and Change in Its Second Generation*, Prentice-Hall, Englewood Cliffs, New Jersey, USA, 1995. p. 195.

2.4.4. Military factors

As Clausewitz asserted, ‘the use of force is always political’, which implies that foreign policy almost always carries with it the implicit threat of force.¹¹⁰ Many authors argue, however, that this claim might have witnessed an essential change during the last decades. Consequently, military force has not been able to grant the foreign policy of the country the impact or the profile of a major country, because the ‘use of violence is evidence of the failure of foreign policy, even where it succeeds, and it may have long-term consequences that are both harmful and unforeseeable’, according to Christopher Hill.¹¹¹ However, some countries use this ‘tool’ to influence the behaviour of other states by the threat to use their military arsenal or violence.¹¹² Therefore, the maintenance of a state’s sovereignty and the protection of its national security constitute the most prominent objectives for the state. Thus, a state endeavours to achieve this objective by several means, including: enhancing the military capability, establishing territorial and international coalitions and gatherings and signing non-aggression agreements with other states to protect its interests.¹¹³ In this context, Christopher Hill, in his examples of the use of force between states in the post-1945 era, reached the following points:

1. The overwhelming, decisive and short-term use of force can work.
2. Force is only an option for the already powerful, but even then success is far from guaranteed.
3. The use of military force is gradually more seen as risky and intolerable by the international community.
4. Force is more likely to work when the target is already vulnerable.¹¹⁴

¹¹⁰ Hill, Christopher, Op.Cit. p.143.

¹¹¹ Ibid, p. 144.

¹¹² Jeng, Russell J. and Goodsell, Robert A., ' Behavioral Indicators of War Proneness In Bilateral Conflicts', In Patrick J. McGowan (ed.), *Sage International Yearbook of Foreign Policy Studies*, Vol. 2, Sage Publications, Inc., 1974. p.195.

¹¹³ Nassif, Mustafa, ‘Alliances and Blocs in World Politics’, *Alam ALmarifah Journal* , Issue No.7, Kuwait,1978. p.12.

¹¹⁴ Hill, Christopher. Op. Cit. p. 145.

2.4.5. Political System

The nature and structure of the political system is also crucial in understanding foreign policy. The political system includes the essence of the executive and legislative power, the party system, the nature of the political system (i.e. whether it is closed or open)¹¹⁵ and the available resources, as well as the nature of interactions within the regime and the community.¹¹⁶ In addition, it includes the structure of political parties in the state and the roles played by political opposition and lobby groups, as well as other institutional arenas such as legislature and ruling party factions under this regime.¹¹⁷ Some scholars have pointed out that there is a relationship between the political stability of the regime and foreign policy making. Once the elements of legitimacy and support for this regime are available, the country will be more able to implement its foreign policy.¹¹⁸ Further, political pluralism arguably renders the political system more powerful and stable, which might be positively reflected in the making of external policies, as it may grant the state wider abilities to achieve its objectives and protect its interests.¹¹⁹ It is true that autocratic regimes may be quite resilient, and in the more secure such systems, the leaders may have fewer constraints in deciding policy options. But even an autocratic regime will generally have an eye open for the societal acceptability of policies. This still leaves the importance of legitimacy – in whatever type of system – as has been argued in various ways by such authors as Clapham, Ikenberry and Nonneman: a secure, legitimate regime often has more room for manoeuvre in implementing its foreign policy than does one that is less secure, which will often feel constrained to seek foreign protection or ‘cover its flank’ politically at home.¹²⁰

¹¹⁵ Makled, Ismail Sabri Op. Cit., p.375.

¹¹⁶ Rosenau, James N, Op. Cit. pp.402-408.

¹¹⁷ Hagan, Joe D., ‘Domestic Political Explanations in the Analysis of Foreign Policy’, In Neack, L. et al. (eds.), *Foreign Policy Analysis: Continuity and Change in Its Second Generation*, Prentice-Hall, Englewood Cliffs, New Jersey, USA, 1995. p.119.

¹¹⁸ Korany, Bahgat and Ali Eddin Hilal, ‘ At-tahlīl il-‘ilmi lis-siyāsah al-kharijīyah min khilāl il-manzūr il-‘arabī’, ‘Scientific Analysis of Foreign Policy from an Arab perspective: A Survey of the Literature and Proposed Framework’, *Journal of the Arab Strategic Thought*, Issue No. 40, Beirut, 1992. p.175.

¹¹⁹ Abu Talib, Hassan, ‘As-siyāsah al-kharijīyah li-niḍām il-‘iklīmi’, ‘Foreign Policy of the Regional System’, 1945 – 1991, *Journal of Arab Strategic Thought*, Issue No. 101, Beirut. 1992. p.164.

¹²⁰ Clapham, Christopher, *Africa and the International System: the Politics of State Survival* (Cambridge University Press, 1996); Ikenberry, John, ‘The State and Strategies of International Adjustment’, *World Politics*, Vol. 39 (1986), no. 1, pp. 53-77; Nonneman, Gerd, ‘Analyzing the foreign policies of the Middle East: A Conceptual Framework’, in Nonneman (ed.), *Analyzing Middle East Foreign Policies* (Routledge, 2005). pp. 6-18.

On the other hand, the form of the political system affects the ability of the political elite to influence the foreign policy, as this elite has its impact on such policy and these impacts will be increased once the strength of the political system is improved, i.e. whenever effective political institutions are available to make decisions. The political elite or opposition that occupy key positions in such institutions and have major resources can restrict the role of the political leader, as they will play an effective role in the formulation of the foreign policy.¹²¹ In this respect, Hagan investigated the impact of the domestic opposition to foreign policy behaviour in a cross-national analysis of thirty-eight countries during the 1960s and concluded that domestic opposition is a significant influence in the overall substance and style of foreign policy for a wide variety of countries, not only those with democratic systems.¹²²

2.4.7. Lobby and interest groups

There are several definitions of the concept of lobby or interest groups. Anne Therese Gullberg defines lobbying as ‘interest groups contact with—and activities directed at—decision makers in an attempt to influence public policy’.¹²³ Another definition states that these groups represent each organized or non-organized group of individuals who have an interest or link and are concerned with developing their interests and protecting the same via influencing the public opinion and practising pressure on government decision makers without any attempt to control the power.¹²⁴ To achieve their interests, these groups adopt different techniques, such as contacting government decision makers and trying to influence them by means of convention and pressure. Further, these groups endeavour to affect the public opinion using various mass media, advertisements, researches and leaflets to gain the support of the public in order to convince the government to adopt the decisions implementing their interests.¹²⁵ The impact of the interest group or lobby is still limited

¹²¹ Hagan, Joe D, Op. Cit. pp.124-132.

¹²² Gerner, Deborah J., ‘The Evolution of the Study of Foreign Policy’, In, Neack, L. et al. (ed.), *Foreign Policy Analysis: Continuity and Change in Its Second Generation*, Prentice-Hall, Englewood Cliffs, New Jersey, USA, 1995. p.22.

¹²³ Gullberg, A. T, ‘Rational lobbying and EU climate policy’, *International Environmental Agreements: Politics, Law and Economics*, Vol. 8, No. 2, June 2008. p.166.

¹²⁴ Taha Badawi, Mohammed and Morsy, Leila, Op. Cit. p.173.

¹²⁵ Gregory A. Caldeira, Marie Hojnacki and John R. Wright, ‘The Lobbying Activities of Organized Interests in Federal Judicial Nominations’, *The Journal of Politics*, Vol. 62, No. 1, February 2000, p.54.

unless they can convince the government of their point of view. Whereas these groups can influence foreign policy, governments will influence these groups, as the government has more information, particularly during times of crisis.¹²⁶

2.4.8. Public opinion

The impact of public opinion on foreign policy is variable, due to the differences among the existing political systems and the scope of influence or movement available to them. Public opinion plays a greater role in foreign decisions in democratic countries compared with autocratic societies or some developing countries where the political regime is one-sided and the mass media are controlled by decision makers who influence the people according to their own approaches.¹²⁷ The relationship between foreign policy and mass opinion is not entirely clear and often appears to be contradictory. Thus scholars argue about whether public opinion determines foreign policy or is irrelevant to it, or whether public opinion follows the chief executive on the foreign policy matters rather than influencing decision-making. In democratic states, the public opinion has considerable and effective impact on decision-making centres via laying out specific restrictions on foreign policy makers to select specific alternatives.¹²⁸ In addition, the public opinion prevents the political leader from adopting a specific policy more than inciting him to adopt an alternative policy.¹²⁹ In this respect, Chris Farrands refers to the impact of the 'social structure and cultural types' on the foreign policy behaviours: he states that 'Governments in open societies may, to some extent, be able to manipulate public opinion or the media, but public opinion and the openness of liberal societies is often seen as a constraint on foreign policy'.¹³⁰

¹²⁶ Al Sayed Selim, Mohammed, Op. Cit. pp.195- 196.

¹²⁷ Coplin, William, Op. Cit. p. 80.

¹²⁸ Gerner, Deborah J., Op. Cit. p.22.

¹²⁹ Taha Badawi, Mohammed and Morsy, Leila, Op. Cit. p.15

¹³⁰ Farrands, Chris, Op. Cit. p.39.

2.5. *The foreign policy decision making process*

The framework of a country's political system shapes not only the extent to which public opinion and lobbies may influence foreign policy, it also shapes both form and dynamics of the decision-making system. It is possible, Hermann points out, to identify 'decision units' in the stages of the foreign policymaking process, such as the Executive Authority and its ancillary systems, including the Ministry of Foreign Affairs, the Ministry of Defence or main political organizations (whether political parties or otherwise), as well as the legislative and judicial authorities.¹³¹ The actual policy outcome will be the conclusion of the interaction of these units with each other in the process of decision-making according to the nature of the political system.¹³² The most important institutions or entities that contribute to the process of making the external decisions of the State are as follows:

2.5.1. *Executive authority and the Head of State:*

The Executive Authority or head of the government is considered as the authority having the greatest influence in the field of foreign policymaking, while other authorities practice a supervisory role over the functions of this authority with respect to policymaking. The nature of foreign policy is characterized by a state of uncertainty and rapid fluctuation in political systems that render the executive authority central in making such policy in order to address international crises and variable circumstances created by the same.¹³³ This authority is assisted in playing this role by the fact that it is dedicated to this mission and it is organized and equipped with information on international problems as well as updates via technological communications. Accordingly, the executive authority can actively interact with the issues of foreign policy on account of the role that may be practised by other institutions.¹³⁴ The executive authority differs from one political system to another. Under the political parliamentary system (as is the case with the UK), executive authority

¹³¹ Hermann, Margaret G., 'How Decision Units Shape Foreign Policy: A Theoretical Framework', *International Studies Review*, Vol. 3, No. 2, Jan. 2001. p. 47.

¹³² Nafia, Hassan, Op. Cit. p.432.

¹³³ Calvert, P., Op. Cit. p.56.

¹³⁴ Hill, Christopher, Op. Cit. p.56.

means ‘the Council of Ministers’ in the field of foreign policy making. The role of the Prime Minister is similar to that of the President under presidential regimes. However, under the political presidential system (as is the case with the USA), the executive authority means ‘the head of the State’, while the council of ministers, ‘executive departments’, is no more than an authority assisting the President.¹³⁵ It is worth mentioning that in some states in developing countries or the Third World, such as GCC states, ‘the head of state’ means the leader of these states who has the main role in the field of foreign policy making.¹³⁶ Thus, according to the political system of GCC states, the role of leaders’ perceptions remains the main factor in the foreign policy-making process.¹³⁷ The executive authority comprises a set of institutions from different political systems, including:¹³⁸

A- Ministry of Foreign Affairs: This ministry will take part in laying out and implementing foreign policy as well as supervising international relations with the external world, including the exchange of diplomatic and consular representation with foreign countries and international organizations. Thus, the relationship between the chief executive and foreign ministers is of vital importance.¹³⁹

B- Ministry of Defence: This ministry takes part in making foreign policy, particularly with respect to the security and defence aspects of such policy. Further, the intelligence department has its role in making foreign decisions via whatever information is collected and analysed to serve this policy.

C- National Security Councils or National Security Bodies: These councils are available in some countries and they maintain direct coordination and cooperation with a number of vital ministries. Their functions are to give advice and recommendations. Examples of such councils include the National Security Council (NSC) in the USA. The USA pioneered the idea of the National Security Council on foreign and defence matters between 1947 and 1950, boosted by the

¹³⁵ Taha Badawi, Mohammed and Morsy, Leila, Op. Cit. pp.101-109.

¹³⁶ Baabood, Abdulla, Op. Cit. p.158.

¹³⁷ Nonneman, Gerd, Op. Cit. pp.10-11.

¹³⁸ Al Sayed Selim, Mohammed (1998), Op. Cit. p.455.

¹³⁹ Hill, Christopher, Op. Cit. p.77.

Korean War.¹⁴⁰ In Kuwait it is called the ‘Kuwait National Security Council’, which was established in 1997.¹⁴¹

2.5.2. *Role of sub-national territorial units*

In some states, territorial units have a competence in aspects of foreign policy. In Canada, for example, provinces have direct and independent roles in the field of Canadian foreign policy, as they enjoy international functions (such as their control over natural resources), which qualify them, under the constitution, to deal with foreign countries. The same applies to Germany, as its provinces have direct relations with foreign countries and behave as if they were independent states.¹⁴² The pattern of this system has also appeared in the Middle East, particularly in Iraq. The Kurds’ case is good example of ‘sub-national territorial units’ in Iraq. After the fall of Saddam Hussain’s regime in 2003, Iraq recognized that ‘Iraq shall be republican, federal, democratic, and pluralistic’ in accordance with Article 4 of Transitional Administrative Law (TAL), signed in March 2004 by the Iraqi Governing Council (IGC), until a permanent constitution emerges from the transitional National Assembly elected no later than 31st January 2005.¹⁴³ The TAL recognized the Kurdistan Regional Government (KRG) as the official government of the three Iraqi governorates, Erbil, Suleimaniah and Dohuk, and the Kurdish forces, *peshmerga*, were allowed as internal security and police force in the KRG zone.¹⁴⁴ However, the Iraqi permanent constitution, which was approved through referendum by the Iraqi people on October 15th, 2005, provides that:

1. The Republic of Iraq is ‘a single federal, independent and fully sovereign state’ in accordance with Article 1;

¹⁴⁰ Ibid. p. 63.

¹⁴¹ See; the ‘Amiri Decree of 1997, No.32’, website of the Kuwaiti Council of Ministers General Secretariat; http://www.cmgs.gov.kw/netahtml/main.htm?frame_page

¹⁴² Al Sayed Selim, Mohammed, Op. Cit. pp.456.

¹⁴³ The Transitional Administrative law, Law of Administration for the State of Iraq, for the Transitional Period, 8 March 2004. On the website of GlobalSecurity.org; http://www.globalsecurity.org/wmd/library/news/iraq/2004/03/iraq-transitional-adminsitration-law_8mar2004.htm

¹⁴⁴ Park, Bill, ‘The Kurds and post-Saddam political arrangements in Iraq’, *Adelphi Papers*, Vol. 45, No.374.,2005. p.29.

2. The ‘federal system in the Republic of Iraq is made up of a decentralized capital, regions and governorates, as well as local administrations’, in accordance with Article 112.
3. This ‘Constitution, upon coming into force, shall recognize the region of Kurdistan, along with its existing authorities, as a federal region, and shall affirm new regions established in accordance with its provisions’, in accordance of Article 113.
4. Each region shall adopt ‘a constitution of its own that defines the structure of powers of the region, its authorities, and the mechanisms for exercising such authorities, provided that it does not contradict this Constitution’, in accordance with Article 116.
5. The ‘regional powers shall have the right to exercise executive, legislative and judicial powers in accordance with this Constitution, except for those authorities stipulated in the exclusive authorities of the federal government, and offices for the regions and governorates shall be established in embassies and diplomatic missions, in order to follow cultural, social, and developmental affairs’ in accordance with Article 117.¹⁴⁵

These developments urged the Kurds to step towards the concept of the ‘*sub-national territorial units*’ represented in the following ways:

1. The Iraqi Kurds set up an autonomous administration in their region and held several parliamentary elections for the Kurdistan National Assembly (KNA) in 2005 and 2009, of which the first was in 1992;
2. The creation of an elected regional Kurdish government, Kurdistan Regional Government (KRG) as a federated region in Iraq, which has the right to amend the application of national laws, to maintain internal security forces; and to establish embassies abroad;¹⁴⁶
3. The creation of the Kurdistan Region Presidency (KRP), which was promulgated as an institution by the Kurdistan Parliament in 2005. The President of the Kurdistan region has the highest executive authority;

¹⁴⁵ United Nations Assistance Mission for Iraq (UNAMI), ‘Iraqi Constitution’, Articles, 1, 112 and 113. On UNAMI website; www.uniraq.org/documents/iraqi_constitution.pdf

¹⁴⁶ Katzman, Kenneth, ‘The Kurds in Post-Saddam Iraq’, *Congressional Research Service (CRS)*, USA, September 2009. pp.1-5.

4. The Kurds have their own militias, the Kurdish *peshmerga*, as a police force in the KRG zone;
5. The Kurdistan Region's laws were enacted by the Kurdistan Parliament.¹⁴⁷

Elsewhere in the region, sub-state territorial autonomy is not much in evidence, arguably because it would threaten the generally autocratic central control, and in part because some states are themselves already territorially very limited.

2.5.3. *Legislative Authority:*

The role of the legislative authority in making foreign policy differs from one political system to another in accordance with the essence of this system. Despite the fact that the political parliamentary system is based on the principle of the supremacy of parliament and amalgamation of the legislative and executive authorities, in practice, some countries grant the Council of Ministers a decisive role in making foreign policy, thanks to the fact that the Council of Ministers controls the majority of MPs, as is the case in the UK and Canada.¹⁴⁸ The presidential political system grants the legislative authority a more factual role regarding foreign policy-making due to the fact that this system is based on flexible separation between the two authorities in addition to the principle of balance and control. For example, the US congress enjoys independent functions in the field of foreign policy making. In this regard, it has the right to declare war, ratify conventions and approve candidates put forward by the executive authority to be appointed to diplomatic posts, in addition to regulating foreign trade and defence, etc.¹⁴⁹

2.5.4. *Judicial authority:*

Judicial authority plays an indirect role in the process of foreign policy making via nullifying some laws or treaties pertaining to this policy on the grounds that they are contradictory to the constitution. It has been established under judicial jurisprudence, in

¹⁴⁷ The website of the Kurdish Regional Government:
<http://web.krg.org/articles/detail.asp?anr=32349&lngnr=12&rnr=93&smap=04020000>

¹⁴⁸ Al Sayed Selim, Mohammed (1998), Op. Cit. p.458.

¹⁴⁹ Ibid. p. 460.

most countries, that issues of foreign policy are outside the control of the judiciary. Further, the judiciary cannot influence the acts of the state in the field of this policy.¹⁵⁰ Consequently, the process of foreign policy making is a complicated one wherein many institutions, having different roles, act together in accordance with the nature of the political system. Some of these institutions have effective and remarkable roles and they have their impact on the internal and external environments of the state, while other institutions play very limited and inconspicuous roles.

3. Foreign Policy Tools

Countries employ different means to realize the objectives of their foreign policy. In this regard, they may employ the military, the economy or the media, for example. Further, the state may employ one means or a set of means together. However, repeated employment of a specific tool in the foreign policy will distinguish this policy with a specific character. For example, the foreign policy of one country might be characterized by military character due to the repeated employment of military tools.¹⁵¹ The tools employed by these countries in their foreign policy include:

3.1. Diplomatic tools

Diplomacy is considered as ‘an instrument of statecraft. It was originally an instrument of states to deal with other states’.¹⁵² It is used to manage the goals of foreign policy by diplomats and delegates of countries and via diplomatic institutions that are governed by rules, protocols and practices for communication.¹⁵³ In this respect, analysts of international relations claim that the foreign policy effort towards the state is at the level of the embassy, which is considered as the diplomatic instrument of relations between the states. Diplomacy represents the main tool for maintaining international peace and security and preventing wars and disputes. The most prominent functions of diplomacy are

¹⁵⁰ Ibid.

¹⁵¹ Ibid.

¹⁵² Kleiner, Juergen ‘The Inertia of Diplomacy’, *Diplomacy & Statecraft*, Vol. 19, No. 2, Routledge, 2008.p.321.

¹⁵³ Ibid. pp. 322-325.

communication, negotiation, participation in multilateral institutions and the promotion of economic goods.¹⁵⁴ Foreign policy and diplomacy are considered as correlated concepts: diplomacy is the application of the foreign policy, which is different from the process of policy-making. It provides decision makers with the information that enables them to perform their functions, i.e. implementing resolutions.¹⁵⁵

3.2. *Economic tools*

Economic tools are defined as the use of the economic capabilities available to the state in order to influence other countries with respect to their approaches, conduct or situation in a manner that conforms to realizing foreign objectives of the state and protecting its interests.¹⁵⁶ The importance of this type of tool increased considerably following World War II and added a new dimension to foreign policy and the study of international relations,¹⁵⁷ such as the ‘Marshall Plan’, which was provided by the USA to non-communist Western Europe in order to prevent communist pressure and endorse European integration.¹⁵⁸ Other examples of the use of aid as a tool in foreign policy include the economic aid provided by the Soviet Union to several African countries, in particular Ethiopia and Tanzania, during the Cold War, which led these nations to nationalize their economies and enter a period of close relations with the USSR as a ‘change-seeking policy’.¹⁵⁹ Economic tools are used for unlimited purposes such as to support political stability in one state or to change situations or bring about improvements in their domestic human conditions, or to influence the behaviour of recipients through voting with the donor in the UN for political, economic and security reasons.¹⁶⁰ Therefore, many countries are endeavouring to limit or restrict economic dependence on specific states or other countries, as they doubt this assistance and believe that it is designed by the donating

¹⁵⁴ Hill, Christopher, Op. Cit. p.139.

¹⁵⁵ Martin Griffiths and Terry O’Callaghan, *il-mafahīm ‘asāsīyah fil ‘alākat id-duwalīyah*, ‘*International Relations: The Key Concepts*’, 2nd edition, Gulf Research Center, UAE, 2008.p.203.

¹⁵⁶ Makled, Ismail Sabri, Op. Cit. p.473.

¹⁵⁷ Palmer, Glenn, et.al (ed.), ‘Give or Take: Foreign Aid and Foreign Policy Substitutability’, *Journal of Peace Research*, Vol. 39, No. 1, 2002. p.6.

¹⁵⁸ Hill, Christopher, Op. Cit. p.149.

¹⁵⁹ Palmer, Glenn, et al. (eds). Op. Cit. p. 12.

¹⁶⁰ Ibid. p.7.

countries to exploit the state. Thus, external political dependence may be the price paid by subordinated countries to enjoy economic benefits from the countries granting these donations.¹⁶¹

3.3. *Information*

The information tool constitutes one of the most effective tools employed by states to implement their foreign policy objectives on all levels.¹⁶² The impact of this tool on the public opinion trends and states, as means of pressure and propaganda, merged after World War II in the USA against the Soviets. The development of this tool has been assisted by several factors, the most important being the revolution in telecommunication systems, which has resulted in the development of different mass media in addition to the prominent role of ideology in foreign policies, which has constituted an effective weapon used by superpowers to polarize states to their side.¹⁶³

3.4. *Military tools*

Military force is considered as a tool employed by decision makers to protect their interests and realize their foreign objectives or to improve their public standing when the economy is performing poorly.¹⁶⁴ In this respect, a ‘weak’ state or a ‘smaller’ state is one that does not have the ability to defend its existence itself, looking for foreign protection or alliance from the powerful states and accepting the consequences for its political decisions, particularly if these states receive economic aid from the major powers.¹⁶⁵ The employment of the military tool has two aspects, as follows:

A- Threatening to use force to oblige other countries to accept the requests of the state.

¹⁶¹ Makled, Ismail Sabri, Op.Cit. p.481.

¹⁶² Ibid. p.381.

¹⁶³ Ibid. p.447.

¹⁶⁴ Fordham, Benjamin O., ‘A Very Sharp Sword: The Influence of Military Capabilities on American Decisions to Use Force’, *The Journal of Conflict Resolution*, Vol. 48, No. 5, Oct. 2004. p.644.

¹⁶⁵ Nassif, Mustafa, Op. Cit. p.8.

B- Actual employment of force to defend the interests of the state and achieve the objectives of its foreign policy.¹⁶⁶

Despite the fact that military action will always remain as a main tool for foreign policy, it is impossible to know whether or not it will achieve its objective. In particular, as mentioned above, the use of armed force has become unacceptable by the international community in the post-1945 era.¹⁶⁷

4. The case of the Gulf states

The generic discussion above is relevant for, and is explicitly or implicitly applied in a number of variants, in the literature on the Gulf states' foreign policies that we surveyed in the previous chapter. While it is not the place here to restate those findings, it is worth recapitulating the essence of the analytical framework that can be derived from it for the purposes of this thesis: we will in fact broadly follow in our own analysis the sequence set out in the previous section of chapter, as this chimes well also with what emerges from the limited existing work on the Gulf states. That is in fact the approach followed by Nonneman, who in his analysis of Middle East foreign policies – including those of the GCC - starts from the domestic environment, then moves to the regional and international environments environment.¹⁶⁸ While I will follow a different sequence, substantively I follow the same categories. He takes the decision-making system as one part of the domestic environment – which of course it is – but, like Al-Alkim, I propose to treat it in practice as a distinct 'funnel' through which the other inputs (geographic, external and internal) are translated into policy and action, although it is of course fundamentally determined by the domestic political system.

¹⁶⁶ Makled, Ismail Sabri, Op. Cit. p. 509.

¹⁶⁷ Hill, Christopher. Op. Cit. p. 145.

¹⁶⁸ Nonneman, *Analyzing Middle East Foreign Policies*, op. cit.

Some specificity has been injected into this broad-brush framework by people such as Baabood¹⁶⁹ and Al-Alkim,¹⁷⁰ alongside Nonneman himself: while confirming the primacy of state and regime security as drivers for these states' foreign policies, and while noting the impact of the immediate regional ideational and security environment, they also draw our attention more particularly, at the domestic level, to the importance of the tribal structure of the population dominating political and social life; the nature of the local rentier state; the predominant role, within this, of the ruling families and the perceptions (and role perceptions) of the leaders; the personal and local/regional style of decision-making; the particular components and contributions of different lower-level components of the decision-making system – from political elites to the relevant ministries and the limited but not negligible input and impact of the bureaucracy and the legislature: as Al-Alkim sums it up, decision making in GCC states takes place within three circles: the heads of state, the members of the royal families and their close associates from the political elite and the members of executive authority.¹⁷¹

They also draw our attention to the combination of vulnerability and rich hydrocarbon-derived resources; the specific regional environment combining fluctuating ideational pressures and material security threats from the surrounding big regional powers; and the resources – not just pressures - available to the rulers of these states in the international environment, stemming from outside powers' interest in the region's strategic importance and energy resources, alongside ideological considerations that intertwine with regional and global competition. Indeed, as already noted in the previous chapter, the work of such authors as Anscombe, Troeller and Nonneman, has demonstrated that these states have been anything but passive players in the regional and global system, having carefully and pragmatically endeavoured to carve out and maintain a significant measure of autonomy, displaying effective 'agency'. Indeed Kuwait, from the days of Sheikh Mubarak the Great around the turn of the 19th/20th centuries, has been identified in these works as one of the pioneers of this ability and these tactics.

¹⁶⁹ Baabood, Abdulla, Op. Cit. pp. 148-154.

¹⁷⁰ Al-Alkim, Hassan Hamdan, *The GCC States in An Unstable World: Foreign-Policy Dilemmas of the Small States*, 1st edition, Saqi Books, London, 1994. pp. 28-31 and 156.

¹⁷¹ Ibid. p. 156.

Drawing on all of the above, I will adopt a pragmatic framework for analysing of Kuwaiti foreign policy which I lay out in the concluding section below.

7. Conclusion

In this chapter, we have shed light on the definition of foreign policy and the concept of foreign policy analysis and its framework to understand and explain the external behaviour of states. We have also suggested the key variables to consider when trying to understand the shaping and outcomes of the foreign policies of a state such as Kuwait. All these variables, indeed, have their impact on the Kuwaiti decision makers and on the process of Kuwaiti decision-making. In turn, Kuwaiti decision-makers have employed the usual range of tools in giving effect to their decisions.

This study will consider Kuwait's foreign policy behavior in light of the variables in the domestic, regional and international environments mentioned above, as well as the Kuwaiti decision-making apparatus involved in the shaping the Kuwait's external behavior.

We will need to take into account Kuwait's status as a constitutional emirate with a parliamentary system of government, albeit with a large amount of autonomy for the ruling family's key foreign policymakers, and as an integral part of the Arab and Islamic world. Kuwait is member of many institutions such as the Arab League, the Gulf Cooperation Council (GCC), the United Nations (UN), the Organization of the Islamic Conference (OIC) and the Non-Aligned Movement (NAM). We will need to address its domestic constraints and resources, material and ideational; its geographical situation; its regional material and ideational environment; and the challenges and resources to be found in the international environment.

Drawing, then, on the insights surveyed in this chapter, the thesis will proceed to analyse the formation and the dynamics of Kuwaiti foreign policy in the period through the impact of three main sets of variables:

1. The role of geographic factors

2. The domestic environment:
 - a. The political system of Kuwait as a constitutional emirate; the decision-making apparatus; the role of successive Kuwaiti leaders within this;
 - b. Economic factors; Social factors including popular perceptions,
 - c. Demographic, tribal and ethno-religious characteristics.

2. The regional environment:
 - a. The Iraqi invasion of Kuwait;
 - b. The other components of the Gulf security mosaic, including the role of Iran;
 - c. The Arab and Islamic ideational factor as a constraint on Kuwait's FP behaviour.
 - d. The role and functions of the GCC as an organisation.

3. The international environment:

The international environment is, as we have seen, the overarching context within which states react, adjust, and draw on opportunities. It also interacts with the regional environment. Crucially, this environment evolves and changes, offering state leaderships different pressures, challenges and opportunities at different times. For the period and players this thesis focuses on, this includes most significantly the emergence of the 'New World Order' under temporary US hegemony, coinciding with the period of the Iraqi invasion and its aftermath, and generating the concept of 'close alliance' in Kuwaiti foreign policy. Under this category also come the roles of international organizations such as, primarily, the UN, whose functions and room for action were dramatically transformed by the overall global shift in Zeitgeist. The international environment is where Kuwait, like other GCC states, has been both forced and enabled to play its game of pragmatic 'managed multi-dependence' – ensuring great power protection while also constructing a web of actual and potential support as wide as possible.

The adoption of the above framework, drawn in large measure from Foreign Policy Analysis literature, makes clear practical sense for this thesis since, after all, it is the output and dynamics of Kuwaiti foreign policy we are interested in examining. But it should be clear that this is not simply the 'old-school' or narrowly-defined FPA

approach that blithely privileges agency and decisions made within the state over other factors in IR: indeed, the approach adopted here, following authors such as Nonneman, is precisely that, while the state and its decision-makers do have agency, the extent, nature and outcomes of that agency can only be understood in a context not only of domestic politics, society and economy, but in the wider, international and regional context within which the state and its leaders are embedded. At times the pressures from that framework will be overwhelming – if never all-determinant – while at others decision-makers will be able to deploy less fettered agency. With Halliday,¹⁷² Hinnebusch¹⁷³ and Nonneman, however, this thesis does assume (and shows through the evidence that will be provided) that states and their leaderships are never simply pawns in a determinant international system, or states billiard balls in the anarchical world of traditional realists.

¹⁷² Halliday, Fred, *The Middle East in International Relations* (Cambridge: Cambridge University Press, 2005).

¹⁷³ Hinnebusch, Raymond, *The International Politics of the Middle East* (Manchester: Manchester University Press, 2003).

Chapter III

Kuwait: Origins, evolution, and history of relations with Iraq

1. Political origin of the State of Kuwait and its relations with Iraq

The word 'Kuwait' is the diminutive of the word '*Kout*', which means 'fort' or 'small castle'.¹ The fort in question was built by Barak Bin Uray'ir (1669-1682), the leader of the Bani Khalid tribe, which controlled the area at that time.² Before that, Kuwait was known by the name 'Kazima',³ and then 'Qurain' or 'Grane', which was established in 1613⁴ and settled by fishermen from Al-Awazim tribe.⁵

Kuwait and the Al-Hasa region were under the rule of the sheikhs of the Bani Khalid tribe during the 16th century; their territory of influence extended from Qatar in the south to Basra in the north. They were on good terms with the Ottoman Empire, which conquered Iraq from the Persians, and established many provinces in Iraq during the first quarter of 16th century. In 1555, the Ottoman Empire occupied the Kuwait and Al-Hasa regions; these were geographically and economically distinct and were subject to the rule of the

¹ Hussain, Abdulaziz, *Al-mujtama' al-'arabī fil Kuwayt*, '*Arabian Community in Kuwait*', 2nd edition, Dar Qurtas for Publication and Distribution, Kuwait, 1994. pp.23-27.

² Abu -Hakima, Ahmad Mustafa, *Tārīkh il-kuwayt il-ḥadīth*, '*The Modern History of Kuwait: 1750 – 1965*', 1st edition, That Al -Salasil for Publication and Printing, Kuwait, 1984. pp.18-19.

³ Al-Tamimi, Abdul Malek Khalaf, *Abḥāth min tārīkh il- kuwayt*, '*Researches from Kuwait History*', 2nd edition, Dar Qurtas for Publication and Distribution, Kuwait, 1999. p.11.

⁴ Rasheed, Abdulaziz, *tārīkh al-kuwayt*, '*Kuwait History*', Dar Maktaba Al-Hayat for Publication, Lebanon, 1978. p.31; Also see the information collected by Colonel Pelly, Political Resident at Bushire, Arabian Gulf, in 1863 in Rush, A.de L. (ed.), *Ruling Family of Arabia : Kuwait The Ruling Family of Al-Sabah*, Archive Edition, An Imprint of Archive International Group, 1991. p.35; Centre for Research and Studies on Kuwait (CRSK), 'Kuwait in History'; on the website of CRSK; <http://62.150.86.180/PageModule.asp?Module=10031>

⁵ Alazami, Walid, Op. Cit. p. 23.

Bani Khalid tribe at that time.⁶ The Ottoman Empire controlled the whole region from the second half of the 16th century until the end of the second half of the 17th century, when this region became the subject of a dispute between the Ottomans and Portuguese from the outposts in the Hormuz, coastal Oman and Bahrain.⁷ In 1669, the chief of the Bani Khalid tribe, Barak Bin Uray'ir,⁸ took the opportunity of the Ottomans' preoccupation with its wars with the 'Iranians'⁹ around Iraq and launched an offensive against the Ottoman garrisons to wrest Al-Hasa and Kuwait from the control of the Ottoman Empire. This spelled the end of Ottoman control in east Arabia.¹⁰ Ten years later Sheikh Barak Bin Uray'ir built a small fort or 'Kout' (diminutive form of 'Kuwait') as a small military outpost, hence the current name 'Kuwait'.¹¹

During 1700-1710, groups of Arab families belonging to the Utub tribe (Al-Sabah, Al-Jalahma, Al-Khalifa), migrated from the interior of the Arabian Peninsula to the north-east and settled in Kuwait during the reign of the Bani Khalid.¹² In the middle of the 18th century, the rule of the Bani Khalid tribe over the area weakened due to internal differences over the authority of leadership, in addition to the attacks of the Saudi Wahhabi movement. These factors resulted in the de facto independence of Kuwait's Al-Utub tribes from the Bani Khalid.¹³ Henceforth, in a consensual distribution of roles among the key families of the Utub of Kuwait, the administrative leadership would be held by the Al Sabah – who seem to have had good relations with the tribes of the area - while the Al Jalahima controlled maritime affairs, and the Al Khalifa commerce. In 1752, Sabah bin Jaber was selected by the Utub families of Kuwait as the first ruler.¹⁴ This year also

⁶ Al-Tamimi , Abdul Malek Khalaf, Op.Cit. p. 20.

⁷ Salibi, Kamal S., *A history of Arabia*, Delmar, N.Y.: Caravan Books, 1980. p.142.

⁸ Bondarevsky, G., *Kuwait's International Relations in the Nineteenth and Early Twentieth Centuries*, Center for Research and Studies on Kuwait, 1st edition, Kuwait, 1994. p. 21.

⁹ I refer to 'Iranians' due to the fact that power in Iran had passed through several different ethnic groups, such as the Persians, Zands, Mongols, Qajars (Turks), and Safavids (Azeris) from 14th century until 20th century. For more details see Nasrallah Falsafi, *'irān wa 'alāqatiha fil 'asr iṣ-ṣafhawī* , *'Iran and its Foreign Relations in Safavid Period'* , Dar Althgafa for publication, Cairo, 1989. pp. G-N.; Ervand, Abrahamian, *Iran between two revolutions*, Princeton University Press, New Jersey, 1982. pp.14-55.

¹⁰ Salibi, Kamal S. Op.Cit. pp. 142- 149.

¹¹ Bondarevsky, G., Op.Cit. p. 21.

¹² Alazami, Walid, Op. Cit. p. 24.

¹³ Abu -Hakima, Ahmad Mustafa, Op.Cit. p.27.

¹⁴ Ibid.p.60 and Ismael, Jacqueline, *Kuwait: Social Change in Historical Perspective* (Syracuse: Syracuse University Press, 1982), p. 27.

witnessed the emergence of the modern principality system of Kuwait with the building of the first wall (*sur*) in 1760 to protect Kuwait from other forces in the area.

From this time, 'Kuwait' was able to a significant extent to manage its own internal and external affairs, exploiting its geographic location, which made it the focus of disputes during the 18th and 19th centuries among major German, British, Russian, French and Turkish powers in addition to local tribes.¹⁵ Hence, the political emergence of Kuwait as separate from, or at least autonomous from, the Ottoman province of Basra occurred during the 17th century, while what became Iraq itself was disputed over between the Ottomans and Persians.¹⁶ Thus, the occupation of Ottoman Basra by Iran (1775-1779) was the main factor behind the first chance for official Kuwaiti-British communications when Britain officially requested from Kuwait the relocation of the Eastern Indian Company (UK) from Basra to Kuwait on a temporary basis due to this occupation. Following the relocation of this company, British overland mail and trade were transferred from India, the Mediterranean Sea and Europe to Kuwait on a temporary basis.¹⁷ This followed repeated harassment by the Ottoman authorities of the UK Company in 1793 and 1821, which incited the Ottoman ruler to ask Britain to remove the company from the Ottoman territories.¹⁸ Accordingly, Britain decided to relocate the company's headquarters to Kuwait on a permanent basis in 1821.¹⁹ The departure of this company resulted in the emergence of Kuwait as an economic and trading region to other countries due to its geographic location and led Kuwait to enhance its relations with the local and international powers.²⁰ Thus, Kuwait became a more tempting target, and indeed a target for envy, not least for Ottomans or local powers. Therefore, these powers tried to subjugate Kuwait such as the attacks launched by the Bani Kaab tribe in 1783, the Iraqi al-Muntafiq tribe in 1786, and the Wahhabis movement by Ibn Saud in 1793, 1795, 1797 and 1804.

¹⁵ For more details, see Al-Tamimi , Abdul Malek Khalaf, op.cit. pp.44-47.

¹⁶ Salibi, Kamal S, Op.Cit. p.148.

¹⁷ Aidaroos, Mohamed Hassan, *Tarīkh il-kuwayt il-ḥadīth wal- mo'asir*, 'The Modern and Contemporary History of Kuwait', Dar al-Kitab al-Hadith , Kuwait, 2002. pp.19-20.

¹⁸ Public Records, *Iraqi Claims to Kuwait*, F.O. 371/156854, File No. 1083, National Archives, UK, 1961.

¹⁹ R. V. Pillai and Mahendra Kumar, 'The Political and Legal Status of Kuwait', *The International and Comparative Law Quarterly*, Vol.11, No.1, 1962. p. 109.

²⁰ Panel of Specialists, *Al-kuwayt wujūdan wa ḥudūdan: ḥaka 'ik mawḏū 'īyah wal id-di 'ā 'āt al- 'irākīyah*, Op.Cit. pp. 61-63.

The story of Kuwait's fortunes and policies in the complex regional and international environment it found itself in, as a small and vulnerable entity with, however, a strategic position, very much follows the pattern laid out in the previous two chapters, and observed variously by Anscombe²¹ and Nonneman, amongst others, for the Gulf states as a whole and Kuwait in particular: proactively exploring options and resources in the regional and international environment in ways that maximised the combination of their own and their territory's security and autonomy, by playing on different external actors simultaneously, recognising where the balance of power lay among those and acting accordingly, without ever locking themselves into a position of 'mono-dependence', and always ready to adjust to external shifts.

Kuwaiti-British relations improved after the signing of the first agreement in 1841 for one year to combat piracy activities in the Gulf region, the so called 'Anglo-Kuwaiti Maritime Truce', which proved the independence of Kuwait from Ottoman Iraq.²² In 1863, during his first visit, Pelly, as the British resident at Bushire, classified Kuwait as 'one of the territories nominally' under the Ottoman supremacy, but 'practically independent under their own chiefs'.²³ However, following the increase in the economic importance to colonial powers in the 19th century of the Arabian Gulf, particularly after the opening of the Suez Canal in 1869, the Ottoman Empire intended to regain control of the Al-Hasa region, which added to British concern.²⁴ Therefore, in 1871, Medhat Pasha (Governor of Baghdad) launched a military expedition and recovered the Al-Hasa region, through Kuwaiti assistance, which was intended to gain the friendship of the Ottomans. After the success of his military expedition, Medhat Pasha issued a decree proclaiming Kuwait to be an 'autonomous entity' under the administration of Basra's Ottoman empire, and exempted Kuwait from paying financial expenses for the Ottoman's authority due to his appreciation of Kuwait's assistance, and the Kuwaiti ruler was given the title of '*Qaimmaqam*'. Kuwait

²¹ Anscombe, *The Ottoman Gulf*, op. cit.; Nonneman, 'Saudi-European Relations', op. cit.; Nonneman, *Analyzing Middle East Foreign Policies*, op. cit. Another valuable work is James Onley's *The Arabian Frontier of the British Raj: Merchants, Rulers, and the British in the Nineteenth Century Gulf*, (Oxford: Oxford University Press, 2007), which makes a related argument based on the case of Bahrain, and which confirms the 'agency' the local rulers had in the politics of protection.

²² Centre for Research and Studies on Kuwait, *Kuwait and Britain: A Historical Friendship*, Kuwait, 2007. p.12.

²³ Public Records, *Iraqi Claims to Kuwait*, F.O. 371/156854, Op.Cit.

²⁴ Salibi, Kamal S, Op.Cit. pp.181-185.

remained nominally under the Ottoman supremacy until the arrival of Sheikh Mubarak on the throne in 1896.²⁵

Following the increase of the economic and geographical importance of Kuwait at the end of the 19th century, the Ottoman Empire raised the issue of its supremacy over Kuwait due to two issues. The first was that they were in favour of a German-initiated project for a railway line connecting Berlin and Baghdad and ending at Kuwait.²⁶ The second was the increase of British influence in the Arabian Gulf, particularly after Britain concluded the 'General Treaty of Peace' with the Sheikhs of the Arabian coast in 1820 to combat piracy and slave trafficking in the Gulf,²⁷ followed by the protection treaty signed between Britain and Bahrain in 1880 and the consequent fear of the Ottoman Empire that Britain would gain control of the Arabian Gulf.²⁸

On 23 January 1896, Sheikh Mubarak Al-Sabah came to the throne after a bloody coup against his brothers Mohammad (1892-1896) and Jarrah, whom he had accused of being unable to rule the country and of being allied with the Ottoman Empire through Sheikh Yousef bin Abdullah Al Ibrahim, who was accused of wanting to rule Kuwait with the assistance of the Ottoman Empire. Financial disputes also played a role in the coup.²⁹ As Sheikh Mubarak was endeavouring to escape from Ottoman pressure to control Kuwait and convert its nominal suzerainty into direct government, he applied for British protection for Kuwait and obtained the same on 23 January 1899, after several unsuccessful attempts in 1897³⁰ and 1898, when he signed a treaty with Britain, taking advantage of British fears of German and Russian entry into the Gulf through the railway project.³¹ This secret treaty declared that Sheikh Mubarak would not assign, sell, or lease land or allow the existence

²⁵ Al-Mayyal, Ahmad Y.A., 'The Political Boundaries of the State of Kuwait; A Study in Political Geography', unpublished thesis (Ph.D.), School of Oriental and African Studies, University of London, UK, 1986. pp.65-67.

²⁶ Germans and Russians were involved in rail line project with Othman Empire. See Al-Mayyal, Ahmad Y.A., Op. Cit. pp.68-71; Alazami, Walid, Op.Cit. pp.49- 61.

²⁷ Ahmadi, Kourosh, *Islands and international politics in the Persian Gulf: Abu Musa and Tunbs in Strategic Perspective*, Routledge, 2008, p.9. Also see Alazmi, Walid, Op. Cit. pp.49- 61.

²⁸ Al-Hajri, Ali Bin Ghanim, 'The Iraqi Invasion Of Kuwait And The Legality of Its claims In International Law And Islamic International Law.' unpublished Thesis (Ph.D.), University Of Kent, UK, 1997. pp.42-43

²⁹ Rasheed, Abdulaziz, Op.Cit. pp.138-144.

³⁰ Public Records, *Iraqi Claims to Kuwait*, F.O. 371/156854, Op. Cit.

³¹ R. V. Pillai and Mahendra Kumar. Op. Cit. p.110.

of foreign troops without the consent of the British government.³² Further, the treaty entrusted to Britain the administration of Kuwait's foreign affairs, while internal affairs were managed by Sheikh Mubarak. However, this treaty did not mention any protection for Kuwait by Britain.³³ As the British document shows, Sheikh Mubarak appeared not to have been satisfied with this secret agreement; thus, he attempted unsuccessfully in October 1899 to bring Kuwait under the protection of Persia. In 1901, the Ottoman Empire objected to the convention and sent its military forces to Umm Qasr, Safwan and Boubyan Island in 1902 to occupy Kuwait, although this attempt proved a failure due to the British intervention. Thus, Britain appointed its first Political Agent in Kuwait, Major Knox, in summer 1904, and intervened to settle Kuwait's differences with the Ottoman Empire about Kuwait and the Gulf region through negotiations from February 1911 to July 1913,³⁴ which discussed the following issues:

1. the Baghdad Railway Project
2. the interests of Britain and the Ottoman Empire in the Arabian Gulf region
3. the increase of Turkish custom duties in the province of Baghdad.³⁵

At the end of these negotiations in 1913, both parties signed the 'Anglo-Ottoman Draft Convention'. Under Articles 1, 5, 6, 7 of this convention, the Ottoman Empire recognized all treaties concluded between the Sheikh of Kuwait and Britain and recognized Kuwait as an 'autonomous entity', with the Ottoman Empire committing itself not to interfere with the internal affairs of Kuwait or place any garrisons in Kuwait. The Kuwaiti frontiers were demarcated from the Ottoman Empire,³⁶ with the inner zone (red line) to be under the direct rule of Kuwait while the tribes in the outer zone (green line) recognized Kuwait's authority.³⁷ However, this agreement was not ratified due to the outbreak of World War I

³² The agreement was signed between Shaikh Mubarak and Colonel Mead on behalf of Britain. See Sluglett, Peter, 'The Resilience of a Frontier: Ottoman and Iraqi Claims to Kuwait, 1871-1990', *The International History Review*, Vol. 24, No. 4 (Dec., 2002). p. 789.

³³ Note Exchanged by Ruler of Kuwait and British Political Agent Constituting Secret Anglo-Kuwaiti Agreement 23 January 1899, with Translation in Rush, A.de L. (ed.), *Op.Cit.* pp.26-28.

³⁴ Public Records, *Iraqi Claims to Kuwait*, F.O. 371/156854, *Op.Cit.*

³⁵ Al-Hajri, Ali Bin Ghanim, *Op. Cit.* p.59.

³⁶ Schofield, Richard, *Arabian Geopolitics Regional 3: Documentary Studies: The Iraq – Kuwait Dispute 1830-1994*, Archive Editions, Southampton, Hobbs Ltd , Vol 5, 1994 . p.830.

³⁷ Sluglett, Peter, *Op.Cit.* p. 794.

between both parties in 1914. Yet Britain, in its letter of 3 November 1914, explicitly recognised Kuwait as an independent state under its protection in return for Kuwaiti assistance against the Ottomans.³⁸ **Figure (1)** shows the demarcation of the Kuwaiti - Ottoman frontiers under the above-mentioned convention.

The agreement with Britain did more than settle a boundary and give Kuwait a basis for recognition as an autonomous entity. It secured to the sheikhdom the sort of external protection which completely changed its regional position. Additionally, it also changed the role and power of Sheikh Mubarak and the Al Sabah internally, as this protection and external recognition was channelled through him, and would continue to be so for his successors. So would other kinds of assistance, not least financial. At this point, therefore, both Kuwait and the Al Sabah acquired a much enhanced role, and became bound into regional and international politics in a new way.

The sheikhdom's early relations with Iraq, too, must be seen in this light: indeed, they emerged from the very same events in which the Ottoman empire's disappearance was accompanied with the introduction of external powers – including Britain – into the region in ways that went beyond Britain's role in the Gulf itself during the previous century.

2. Early Kuwaiti-Iraqi Relations

World War I ended in 1918 with the defeat of the Ottoman Empire, and resulted in the signing of the 'Lausanne treaty' on 24 July 1923 whereby the Ottoman Empire gave up all the territories it controlled in the Islamic world, including Iraq and Syria, the so called The Fertile Crescent. Hence, Iraq emerged as a 'unified political entity' under monarchical regime for the first time in August 1921 under the British mandate, with unclear boundaries in the north with Turkey and northwest with Syria, until the decision was made by League of Nations in late 1925 to annex Mosul province to Iraq.³⁹ Previously, Iraq had been three states (Basra, Baghdad and Mosul), while Kuwait remained under British

³⁸ Public Records, *Iraqi Claims to Kuwait*, F.O. 371/156854, Op.Cit.

³⁹ Edith, W. and Benroz, F. , *al'raq : drasah fi a'lakath alkharjiah wttourath aldakhliyah 1915-1975*, 'Iraq: Study of Foreign Relations and Internal Development', 1st edition, Al-Dar Arabia for encyclopaedia, Part I , Beirut , 1989.p.116.

influence as per the 1899 convention.⁴⁰ Following the collapse of the Ottoman Empire, Britain, as a mandate authority, was concerned and preoccupied in arranging the Iraqi external and internal affairs. Thus it endeavoured to demarcate the Kuwaiti – Saudi and Iraqi – Saudi frontiers through the Al-Uqair Conference in 1922,⁴¹ and Kuwaiti – Iraqi frontiers via an ‘Exchange of Letters’ among Iraq, Kuwait and Britain from 1923 to 1932. In 1932, as Iraq, according to the 1930 British- Iraqi treaty, endeavoured to gain both its independence and membership at the League of Nations, which required a state’s borders to be clearly delineated, Nuri al-Said, the prime minister of Iraq at that time, sent a letter to Britain and Kuwait confirming the Kuwaiti – Iraqi frontiers as follows:

From the intersection of the Wadi el Audja with the Batin and thence northwards along the Batin to a point just south of the latitude of Safwan; thence, eastwards passing south of Safwan wells, Jebal Sanam and Um Qasr leaving then to Iraq and so on to the junction of the Khor Zubeir with the Khor Abdullah. The islands of Warbah, Bubiyan, Maskan (or Khashjan), Failakah, Auhah, Kubbar, Qaru, and Um el Maradim appertain to Kuwait.

This was accepted by Ahmed Al Jaber Al Sabah, the Kuwait ruler (1921-1950) in his letter dated 10 August 1932.⁴² (For more details, see Exchange of Letters, Appendices 1, 2, 3 & 4). These frontiers were the same frontiers that had been adopted by the Ottoman Empire and Britain under the 1913 Convention mentioned above.

Following the demarcation of the frontiers between Kuwait and Iraq, Iraq declared independence and joined the League of Nations, and there was no frontier problem with Kuwait.⁴³ Kuwaiti - Iraqi relations witnessed a new era with few problems until the end of the 1930s, due to the bad internal political situation witnessed by Iraqis since 1932, such as the massacre of the Assyrians in 1933, the rebellion of Arab tribes in the south (1934-1936), the political collision between Shiites and Sunnis, and the first military coup against the government of Yasin al-Hashimi by General Bakr Sidqi in October 1936. These

⁴⁰ Al-Ghunaim, Yacoub Yousef, Op. Cit. p. 77.

⁴¹ Rush, A.de L. (ed.), *Records of Kuwait 1899–1961*, Vol.7, Archive Editions, 1989. p.366.

⁴² Schofield, Richard and Gerald Blake, (eds.), *Arabian Boundaries: Primary Documents 1853-1957*, Vol.7, Archive Editions, 1988. pp.372-378.

⁴³ Panel of Specialists, *Tarsīm al-ḥudūd il-Kuwaytīyah al-‘irākīyah: al-ḥak at-tarīkhi wal idārah ad-duwlīyah*, ‘Kuwait-Iraq Boundary Demarcation: Historical Rights and International Will’, 3rd edition, Center for Research and Studies on Kuwait, Kuwait, 1994. p. 41.

circumstances of political instability led to 12 Iraqi government changes between 1932 and 1941.⁴⁴

However, in 1939, relations between the two countries were disturbed when King Ghazi of Iraq asked to annex Kuwait to Iraq in an attempt to establish a Fertile Crescent Country, taking advantage of the Kuwaiti merchants rebellion inspired by Iraqi leaders, after the dissolution of the first majlis al-tashri'i (Legislative Council) in December 1938,⁴⁵ to ask for Kuwaiti unity with Iraq.⁴⁶ Most analysts point out that the main reason for this attempt was the discovery of oil in Kuwait in 1938 and Iraq's ambition to control this wealth, in addition to smuggling operations that were taking place at that time. This problem, however, ceased to be an issue following the murder of King Ghazi on 4 April 1939.⁴⁷

Over the period 1938-1941, the question of the modification of the Kuwaiti-Iraqi frontier was raised by Britain and Iraq due to the Iraqi incursions into Kuwaiti territory at south Safwan in the one hand, and on the other, the Iraqi plan to build a port at Umm Qasr instead of on the Shatt al-Arab waterway, due to the fear that Iran might obstruct the traffic in the Shatt, which would effectively cripple the port of Basra. Thus, Iraqis sought to find an alternative subsidiary access to Basra, which would not be subject to Iranian threats. The Khor Abdullah was considered as the most suitable alternative outlet. Therefore, during the visit of the Iraqi Foreign Minister, Tawfiq al-Suwaidi in 1938 to London, Iraq sought territorial concessions from Kuwait to cover the approaches to Umm Qasr by obtaining Warba and Bubiyan, two islands that had been Kuwaiti territory since 1913.

British documents show that in 1938, Iraq claimed that Kuwait must properly be integrated in Iraq as the 'successors to the Turkish Vilayet of Basra', in which Kuwait was autonomous 'qaza' since the 1913 convention was never ratified, after the rejection of Britain to the Iraqi proposal.

The issue was temporarily eclipsed due to the aftermath of World War II on the one hand, and on the other hand, the unstable external and internal political situation – including the 1941 Iraqi coup d'état by Rashid Ali Al-Keilani.

⁴⁴ Edith, W. and Benroz, F, Op.Cit.pp.163-172.

⁴⁵ Rush, A.de L. (ed.), Op.Cit. pp.335-363.

⁴⁶ Majid Khadduri , 'Nuri Al-Sa'id's Disenchantment with Britain in His Last Years', *Middle East Journal*, Vol. 54, No. 1 , 2000.p.90.

⁴⁷ Al-Mayyal, Ahmad Y.A, Op.Cit. p79.

In 1947, after the end of World War II, Britain was concerned about the non-demarcation of terrestrial frontiers between Kuwait and Iraq, which was probably due to the discovery of oil in that region. In May 1955, Iraq suggested to have Warba Island and 4 km strip in the northern Kuwaiti territory at Umm Qasr in return for the demarcation of terrestrial frontiers between Kuwait and Iraq. However, some British officials in Iraq were in favor of leasing Warba for long time (99 years) to Iraq, so that would be acceptable to Kuwait, instead of its outright cession, (see figure.5), due to the fact that British realized, after World War II, the construction of this port was consistent with British commercial and defence interests in Iraq. A British document of 24 May 1955 noted that ‘the economic development of Iraq, to which the port at Umm Qasr would substantially contribute,’ was acknowledged as aligned with British interests’.⁴⁸

Kuwaiti rulers were hostile to any idea of concession to Iraq.⁴⁹ However, throughout the 1950s, Iraqi-Kuwaiti relations were characterised by relative tranquillity. This was in part related to the troubled internal situation in Iraq, which led to a change of 22 Iraqi governments between 1946 and 1958.⁵⁰ Moreover, after the 1952 revolution in Egypt, the Arab Cold War also played a role, ranging monarchies led by Iraq against republican regimes led by Egypt.⁵¹ Therefore, on 12 February, 1958, the Hashemite Arab Union (AU) was established between Jordan and Iraq as a response to the formation of the United Arab Republic (UAR) between Egypt and Syria on 1 February, 1958.⁵² Although, Iraq in its note of 6 June 1958 to Britain, after the establishment of AU, repeated its claim as ‘successor state’ to Turkey in Kuwait,⁵³ Nuri al-Said, the prime minister of Iraq, was vehement that Kuwait would join the Union as an independent state for political and economic reasons. Hence, in 1958, he officially asked Britain to declare the independence

⁴⁸ Rush, A.de L. (ed.), *Records of Kuwait 1899–1961*, Op.Cit. pp. 435-455.

⁴⁹ The port of Umm Qasr was built on the Iraqi territory in 1961 and opened in 1967 without any concession from Kuwait.

⁵⁰ Edith, W. and Benroz, F, Op.Cit.p.204.

⁵¹ Ibid.p.218.

⁵² Podeh, Elie, ‘Ending An Age-Old Rivalry: The Rapprochement between The Hashemites and The Saudis, 1956-1958’, in Susser, Asher and Shmuelevitz, Aryeh (eds), *The Hashemites in The Modern Arab World: essays in honour of the late Professor Uriel Dann*, Frank Cass & Co. Ltd, 1995. p.101.

⁵³ Public Records, *Iraqi Claims to Kuwait*, F.O. 371/156854, Op.Cit.

of Kuwait and for Kuwait to join the Hashemite Union.⁵⁴ The main reasons behind this request for Kuwait to join this Union were as follows:

1. The importance of Kuwait joining the union stems from the fact that its rulers were not blood relatives of the Hashemite family, so the Union would be more acceptable in the region, especially as it is known that at that time, there was a dispute between the royal and republican regimes in the region.⁵⁵

2. The economic importance of Kuwait was significant given its ability to support the Union in providing for the budget deficit of the other countries and to benefit from Kuwaiti funds to reduce the budget of the Union, as Iraq was to afford 80% of this budget, after Jordan and other relatively poor countries, compared with Iraq, and had joined.⁵⁶

Sheikh Abdullah Al-Sabah (1950-1965), the ruler of Kuwait, expressly declared that his country was not ready to join the political axis between the royal and republican regimes and played a mediating role between the two groupings.

3. Kuwaiti-Iraq relations after the 1958 coup in Iraq

In fact, the AU proved a failure due to the military coup in Iraq on 14 July, 1958 by Abdul Karim Qasim, which ended the monarchy, established a republican regime; this resulted in the dissolution of this Union.⁵⁷ Since the success of the 1958 military coup in Iraq, Kuwait considered this coup as an internal Iraqi affair. Thus, over the period 1958-1961, the relations between the two countries were good. This was evident, when Iraq had asked ruler of Kuwait, on 19 December 1958, to agree to the exchange of consular representation between Iraq and Kuwait,⁵⁸ but this request had been always denied by Britain due to the

⁵⁴ Schofield, Richard, *Arabian Geopolitics Regional 3: Documentary Studies: The Iraq – Kuwait Dispute 1830-1994*, Vol.4, Archive Editions, Southampton, Hobbs Ltd, 1994. pp.7-10.

⁵⁵ Panel of Specialists, 1994, Op.Cit. p.47.

⁵⁶ Majid Khadduri, Op.Cit.p.91.

⁵⁷ Richard Stables B.A., ‘Relations between Britain and Kuwait, 1957-1963’, unpublished thesis (Ph.D.), University of Warwick, UK, 1996. pp.92-94.

⁵⁸ Public Records, *Iraqi Claims to Kuwait*, F.O. 371/156854, Op.Cit.

fact that the number of Iraqi residents did not exceed 30 nationals,⁵⁹ as well as the new Iraqi regime was deemed a threat to British interests in the Gulf.

Throughout the 1940s and 1950s, Kuwait focused on supporting the pillars of the modern state as a prelude to independence, either on the internal or external level, depending, primarily, on the economic factor that was represented in the financial surplus after the exportation of oil in 1946. On the internal level, Kuwait focused on the administrative and organizational structure of the facilities of the state and formed committees to reform the government departments in 1946. Further, over a decade and a half, it gave due care to the promotion of the medical, economic and educational levels of citizens. Moreover, it formed the Supreme Council in 1956 from the heads of the government departments accompanied by the formation of local councils such as the Municipal Council, the Awqaf Council and the Information Council. This was accompanied by the complete arrangement of the security and defence affairs, the regulation of the judicial authority and the promulgation of the nationality law in 1959.⁶⁰

On the external level, Kuwait endeavoured to carve out some independence from Britain in its external policy by cementing its ties with Arab countries in different economic, cultural and political fields. For instance, Kuwait signed a Joint Defence Treaty with Saudi Arabia in 1947⁶¹ and it was behind the establishment of the Israel Boycott office, similar to the office of the member countries in the Arab League.⁶² In addition, Kuwait joined several organizations, including the International Maritime Organization (IMO) and the International Telecommunication Union (ITU) in 1959 and the Universal Postal Union (UPU), the International Civil Aviation Organization (ICAO), the World Health Organization (WHO), the United Nations Educational Scientific and Cultural Organization (UNESCO) and OPIC in 1960. On 13 June 1961, six days before independence, Kuwait joined the International Labour Organization (ILO) and the Food and Agriculture

⁵⁹ Assiri, Abdul Reda, Op.Cit. p. 36.

⁶⁰ Al-Anzi, Mohammad Nayif, *Tarikh il- 'alākāt as-siyāsiyah bayn al-Kuwayt wal 'irak fl fatrah 1961-1973*, 'The History of Political Relations between Kuwait and Iraq 1961 – 1973', 1st edition, Center for Research and Studies on Kuwait, Kuwait, 2000. p.33.

⁶¹ Panel of Specialists, 1994, Op.Cit, p.95.

⁶² Al-Rashidy, Ahmed et al. (ed.), Op.Cit, p.40.

Organization of the United Nations (FAO).⁶³ During the 1940s and 1950s, Kuwait sought to demarcate its terrestrial frontiers with Iraq upon the 'Exchange of Letters' of 1932 mentioned above, yet the Iraqi authorities were not interested in the demarcation of frontiers for the above mentioned reason.⁶⁴

In 1958, there were conflicting but unsubstantiated reports from Cairo that Kuwait had applied for full membership of the Arab League, which was both a great surprise and concern for Britain,⁶⁵ as such membership would affect British influence over Kuwait⁶⁶ and indicated the possibility that Qatar, Bahrain, Oman and the Trucial states would take similar steps. However, Sheikh Abdullah Al Sabah officially applied to Britain to obtain its agreement to Kuwait's joining the Arab League in August 1958, which added to British concern.⁶⁷ To this were added the increasing sentiments against the British presence in Kuwait and the Arab region during the 1950s by Arab nationalists and Nasserites, especially after the 'Suez Crisis' or so-called 'al-'Udwān al-Thulāthī' in 1956, which in July 1958, prompted Britain, in connection with US, after the military coup in Iraq on 14 July, 1958 by nationalists against the monarchy, to discuss a recommendation to occupy Kuwait, and of course, the oilfields in the Arab Gulf emirates, and run it as a 'Crown Colony'.⁶⁸ The concept of pan-Arabism, nationalism, self-determination and decolonization that swept the Arab and Third World during the 1950s and 1960s played a main role in Kuwait; it had an ideational and regional impact, which incited the Kuwaiti leadership to take this opportunity to apply for independence from Britain in 1961 by terminating the 1899 treaty.⁶⁹

In April 1961, Britain concluded that its fundamental interests would be best served by granting Kuwait full independence with a policy that was not dominated by Iraq, Saudi

⁶³ Al-Anzi, Mohammad Nayif, Op.Cit. pp.33-34; Kuwait Government, *Ḥakikat il-'azmah bayn al-kuwayt wal 'irāk*, 'The Reality of the Crisis Between Kuwait & Iraq : Set of Documents', Department of Press and Publication, Kuwait, 1961. p.24.

⁶⁴ Center for Research and Studies on Kuwait, *Al-ḥudūd al-kuwaytīyah al-'irākīyah: taṭawuriha wa watha'ikiha*, 'Kuwaiti- Iraqi Borders: Developments & Documents', 1st edition, Kuwait, January 1999. p.7.

⁶⁵ Public Records, *Political relations between Arab League and Kuwait*, F.O. 371/132555, File No. 1072, National Archives, UK, 1958.

⁶⁶ Rush, A.de L. (ed.), *Records of Kuwait 1899–1961*, Op.Cit. p.467.

⁶⁷ Public Records, *Political relations between Arab League and Kuwait*, Op.Cit.

⁶⁸ Rush, A.de L. (ed.), *Records of Kuwait 1899–1961*, Op.Cit. p.649.

⁶⁹ Panel of Specialists, 1994, Op.Cit, p.95.

Arabia and UAR or any other powers through allowing the ruler of Kuwait to make his own decisions in external affairs with the assistance of Britain, if requested. Thus, Britain hoped to avoid possible hostility from Arab nationalists in the case of a request for military protection. This is reflected in paragraph (4) in exchange of notes between Kuwait and Britain in 1961.⁷⁰ On 19 June 1961, Kuwait gained independence from Britain and the treaty of 1899 was terminated and replaced with a friendship agreement in the form of an exchange of notes in accordance with the following terms:⁷¹

1. The agreement of the 23rd of January, 1899, shall be terminated as being inconsistent with the sovereignty and independence of Kuwait.
2. The relations between the two countries shall continue to be governed by a spirit of close friendship.
3. When appropriate the two Governments shall consult together on matters which concern them both.
4. Nothing in these conclusions shall affect the readiness of Her Majesty's Government to assist the government of Kuwait if the latter request such assistance.

Six days after the independence of Kuwait, Abdul Karim Qasim (1958-1963), the Iraqi President at that time, alleged during a press conference held in Baghdad on 25 June 1961,⁷² that Kuwait was subject to the control of the Ottoman Empire and that Iraq had inherited this empire, including Kuwait. Thus, he declared that Iraq would not recognize any 'fabricated treaty' imposed on Kuwait by imperialist Britain, as Sheikh Mubarak had signed the 1899 treaty for Rupia (money). He affirmed: 'A decree will be issued appointing Abdullah Al Salem, the Governor of Kuwait, as a ruler of Kuwait province affiliated to Iraq and the boundaries of Iraq extend from Kuwait to the South'.⁷³ Thus, in

⁷⁰ Burdett, Anita L.P., (ed.) , *Records of Kuwait 1961–1965*, Archive Editions, 1997. pp.180-190.

⁷¹ United Nations, 'Exchange the Notes constituting an agreement regarding relations between The United Kingdom of the Great Britain and Northern Ireland and The Sate of Kuwait, Kuwait 19 June 1961', *United Nations Treaty Series*, Vol.399-1. No.5743. New York, p.239. On the online of UN see: <http://treaties.un.org/pages/UNTSONline.aspx?id=2>

⁷² Tonini, Alberto, 'Propaganda Versus Pragmatism: Iraqi Foreign Policy in Qasim's Years, 1958-63', in Nonneman, Gerd (ed.), *Analyzing Middle East Policies and the Relationship with Europe*, Routledge, 2005. p.139.

⁷³ Assiri, Abdul Reda , 1992, Op. Cit . p.72.

late June 1961, Iraq sent its army to a point 26 miles from the borders of Kuwait from which troops could cross the border within an hour.⁷⁴ Al-Mayyal suggests that the key motives behind the Qasim claim were a desire to seize Kuwait's oil wealth, the unstable external and internal political situations of Iraq, and Iraq's desire for extended sea outlets.⁷⁵ Al-Rashidy adds to this the political conflict between Iraq (communist) and UAR (Nasserites) over the Arabian Gulf region and, of course, Arab regional politics.⁷⁶ Kuwait, subsequently benefitted from the conflict between UAR and Iraq to bolster its independence in 1961. However, Qasim may well not have really intended to invade at all, instead using the grandstanding in order to bolster his domestic position.

Kuwait promptly denounced the claims and made a statement affirming that these allegations were groundless and had no historical foundation. Kuwait asserted that the country had never been a subject of the Ottoman Empire, and that the latter did not have any representative in Kuwait. The Iraqi and Kuwaiti governments published documents supporting their different points of view: the government of Kuwait published a book in Arabic entitled 'The Reality of the Crisis between Kuwait and Iraq', which contained the correspondence and documents confirming that Iraq had accepted Kuwait as an independent country while Iraq published a book entitled 'The Reality of Kuwait'.⁷⁷ As British documents have shown, the Iraqi threat was a fundamental challenge to the British interests in the region due to the following three main reasons:

- a. Kuwait represented a valuable insurance for oil supplies due to its vast oil reserves and through its good friendship with Britain;
- b. its role in supporting the British balance of payments through the operations of the British companies which were working in Kuwait;
- c. its membership of the sterling area and its willingness to accept payment for oil in sterling currency, as well as the considerable amounts of sterling it held.⁷⁸

⁷⁴ Burdett, Anita L.P., (ed.), *Records of Kuwait 1961–1965*, Op.Cit. p.272.

⁷⁵ Al-Mayyal, Ahmad Y.A, Op.Cit. p.120.

⁷⁶ Al-Rashidy, Ahmed el.at, Op.Cit. p.476.

⁷⁷ Panel of specialists, 1994, Op .Cit. p.53.

⁷⁸ Public Record, *Kuwait: Memorandum By The Lord Privy Seal*, F.O. CAB/129/106, National Archives, UK, 2nd October, 1961.

Therefore, Britain issued a statement on 26 June via the Foreign Office that Britain would support Kuwait and immediately sent its troops, along with Saudi Arabian troops, to Kuwait at the request of the Kuwaiti ruler on 30 June 1961. Britain was cautious in sending urgent military help before it had been able to assess the Arab states' stance to avoid the traditional Arab target of British imperialism; therefore, it put its forces under the orders of the Kuwaiti ruler to gain political support from the Arab states.⁷⁹ However, at the beginning, the British forces faced some troubles in Kuwait due to the unfavourable public reaction of Kuwaiti nationalists to such a military presence. This reaction was influenced by UAR propaganda claiming that British forces had come to occupy Kuwait.⁸⁰

At Kuwait's request, the Arab League (AL) convened an urgent meeting on 20 July 1961 to discuss Iraqi threats, in which the AL issued a statement rejecting the Iraqi threats and admitting Kuwait as the eleventh member state, in return for the withdrawal of British forces from Kuwait and their replacement with Arab forces, if Kuwait so requested.⁸¹ Consequently, Iraq withdrew from the AL and declared the severance of relations with any state that recognised the independence of Kuwait.⁸² In a similar approach, Kuwait raised the Iraqi threats with the UN Security Council (UNSC), which held four meetings from 2 July to 7 July 1961 to discuss this crisis. However, the UNSC failed to tackle this crisis due to the Cold War between the 'communist' Eastern and 'capitalist' Western blocs. This affected the admission of Kuwait to the UN due to the Soviet Union using its veto as a demonstration of support for its Iraqi communist ally.⁸³ After the arrival of Arab forces in September 1961, Britain began to accelerate the withdrawal of its forces to avoid any pressure on the Kuwaiti ruler that might possibly damage Britain's relations with Kuwait.⁸⁴ However, Britain remained concerned that Kuwait would turn out to be under Arab influence, which might lead to the change of regime and have an effect on British interests in the Gulf region,⁸⁵ similar to what happened in Iraq in 1958 and Egypt in 1952.

⁷⁹ Burdett, Anita L.P., (ed.), *Records of Kuwait 1961–1965*, Op.Cit. pp.256-258.

⁸⁰ Ibid. p.274.

⁸¹ R. V. Pillai and Mahendra Kumar, Op. Cit. p.115.

⁸² Tonini, Alberto, Op. Cit. p.139.

⁸³ Bishara, Abdullah, Op.Cit. p.81.

⁸⁴ Burdett, Anita L.P., (ed.), *Records of Kuwait 1961–1965*, Op.Cit. p.275.

⁸⁵ Ibid. p.287.

On 8 February 1963, there was a military coup against the regime of Abdul Karim Qasim in Iraq by Ba'athists.⁸⁶ Kuwait, after this coup, sought to have a legal recognition from Iraq according to its frontiers already stated in 1932 correspondences. This is what actually happened, when the new Iraqi government, under the presidency of Abdul Salam Arif (1963-1966), recognized the independence of Kuwait as per the convention that was signed between both parties on 4 October 1963 and also recognized the Kuwaiti-Iraqi frontiers specified in the 1932 exchange of letters.⁸⁷ The agreement was as follows:

1. The Republic of Iraq recognizes the independence and complete sovereignty of the State of Kuwait with its boundaries as specified in the letter of the Prime Minister of Iraq dated 21.7.1932 and which was accepted by the ruler of Kuwait in his letter dated 10.8.1932.
2. The two Governments shall work towards reinforcing the fraternal relations subsisting between the two sister countries, inspired by their national duty, common interest and aspiration to a complete Arab Unity.
3. The two Governments shall work towards establishing cultural, commercial and economical co-operation between the two countries and the exchange of technical information.⁸⁸ (See Appendix 5).

In order to achieve all the aforementioned objectives, the two nations immediately established diplomatic relations at the level of ambassadors. Under this agreement, the political crisis between Kuwait and Iraq was over, but the frontier demarcation issue was still pending in accordance with the contents of Article 1 of the agreement. Immediately after the signing of the agreement by both parties, Kuwait provided a \$30 million loan to Iraq, which fell within the business of the KFAD, in addition to a \$2 million gift to the families of victims of the 1963 military coup.⁸⁹ As a consequence of these new variables, Kuwait reapplied to join the United Nations as the Soviet Union had blocked the Kuwaiti

⁸⁶ Tonini, Alberto, Op. Cit. p.141.

⁸⁷ Al Anezi, Rashid Hamad, Op. Cit. p.700.

⁸⁸ United Nations, 'Agreed Minutes Between the State of Kuwait and the Republic of Iraq Regarding the Restoration of Friendly Relations, Recognition and Related Matters', *United Nations Treaty Series*, Vol.485. No. 7063, p.326. On the online of UN see: <http://treaties.un.org/pages/UNTSOnline.aspx?id=2>

⁸⁹ Bishara, Abdullah, *Hurūb al-Kuwayt ad-diblumāsīyah 1961-1963: 'ishkaliyāt il-jāmi'ah al-'arabīyah wa 'ihbātāt al-ummam il-muttaḥidah*, 'Kuwait diplomatic wars 1961/1963: problematic of Arab league and UN failures', Diplomatic Center for Strategic Studies, Kuwait, 2007. p.350.

application from 1961 to 1963, and the UN Security Council unanimously recommended admitting Kuwait to the UN Organization on 7 May 1963. On 14 May 1963, the UN General Assembly adopted a draft resolution to admit Kuwait to membership of the UN Organization and Kuwait became member No. 111 of the UN.⁹⁰

From 1963 to 1990, the demarcation of the terrestrial borders as per Article 1 of the 1963 treaty remained a key factor in the disruption of relations between the two countries until the outbreak of the Iraq-Iran war, i.e., the First Gulf War (with notable crises in 1966, 1967 and 1973), due to the fact that the Iraqis, over this period, did not want to put an end to the demarcation issue of borders with Kuwait, until the decision was made concerning the Iraqi demands in the two Kuwaiti islands.⁹¹

4. Kuwaiti-Iraqi relations during the Iran-Iraq war

Following a brief period of participation in government in 1963, the Iraqi Ba'ath party seized power through a military coup. Subsequently the party the sole party governing Iraq until 2003. It adopted radical Arab ideology based on a philosophy that focused on the notion of pan-Arabism, nationalism, struggle and socialism, whilst the Kuwaiti regime adopted Arab ideology, rather than radical policy, and has always been conservative and derived its legitimacy from the Kuwaiti people and the 1962 Kuwaiti constitution. Thus, Kuwait had always faced political problems with Iraq due to the internal political disorder of Iraq on the one hand, and on the other, the Ba'ath party's policy towards Kuwait since 1968, based on pacifying relations, but without the demarcation of the frontiers between the two countries.

In the period 1971-1973, especially after the treaty of friendship and cooperation signed between Iraq and the Soviet Union in 1972, whereby the Russians pledged to develop the Iraqi Navy, Iraq insisted on solving the demarcation issue of borders and pressed Kuwait to accept the 1972 Iraqi initiative, which provides territorial concessions in favour of Iraq and joint defence and economic cooperation between the two countries. The then minister

⁹⁰ Ibid. pp.359–371.

⁹¹ Panel of Specialists, *Tarsīm al-ḥudūd il-Kuwaytīyah al-'irāqīyah: al-ḥaqq at-tarīkhi wal idārah ad-duwalīyah*, 'Kuwait-Iraq Boundary Demarcation: Historical Rights and International Will', 1st edition, Center for Research and Studies on Kuwait, Kuwait, 1992. pp.102 – 103.

of foreign affairs, Sheikh Sabah Al Ahmed Al Sabah, during his visit to Iraq from 26/2/1973 to 1/3/1973, insisted to the Iraqi officials that 'Kuwait will never assign one single inch of its territories' although Kuwait appreciated the Iraqi needs for the navigational channels at the north of the Gulf region; therefore, Kuwait was ready to enter negotiations with Iraq to facilitate the use of these channels, but after the demarcation of borders. The Kuwaiti stance resulted directly in the third frontier crisis with Iraq in March 1973, the so-called Al-Samitah incident.⁹²

Kuwait employed its economic tools against Iraq during these Kuwaiti-Iraqi crises. In addition it played on Iraq's economic need by giving aid, in the hope of containing the Iraqi pressure. Kuwait gave an estimated KD 25 million during the 1967 frontier crisis,⁹³ and KD 11.6 million in the 1973 crisis.⁹⁴

Following the signing of the Algiers agreement in 1975, where Iraq ceded half of the International waterway of the Shatt al-Arab to Iran, Iraq sought to compensate this loss by acquiring Warba and at least long-term leasing of Bubiyan.⁹⁵ The main reasons behind the Iraqi claims to these islands was the Iraqi ambition to divert them for military bases that could counter Iran and thus become a powerful state in the Middle East and Gulf region.⁹⁶ This was the main obstacle in the demarcation of the border between Kuwait and Iraq. This was evident, when Saddam Hussein in July 1981 pointed out in an interview with the Kuwaiti *Al-Anba* newspaper, that 'demarcation of frontiers between both countries is one of its most important personal interests [...] it is important that Kuwait accepts the Iraqi proposal',⁹⁷ concerning the leasing of Warba and Bubyuan for long time to Iraq.

During the period from 1978 to 1980, the Arabian Gulf region experienced political disorder represented by the Iranian revolution in 1979, the coup in Iraq by Saddam Hussein against president Ahmed Hassan Al -Baker in 1979 and the growing hostilities between Iraq and Iran. There was a severe propagandist war between Iraq and Iran

⁹² Panel of Specialists (1995), Op.Cit. p. 81.

⁹³ Al-Rashidy, Ahmed el.at (ed.),Op.Cit. p.611.

⁹⁴ Partrick, Neil, Op. Cit. p.175.

⁹⁵ Al-Anezi, Rashid Hamad, Op.Cit. p. 739.

⁹⁶ Parasiliti, Andrew T., Op.Cit. p.154.

⁹⁷ Schofield, Richard, *Arabian Geopolitics Regional 3: Documentary Studies: The Iraq – Kuwait Dispute 1830-1994*,Op.Cit. p.466.

following the arrival of 'Shia Islamism' to the power in Iran. This was evident when an Iranian broadcast described Saddam Hussein, the new Iraqi President, as the 'devil's puppet' and 'mentally ill', whilst Iraq described the new Iranian regime as a 'Persian racist regime'.⁹⁸ The Iranian revolutionaries raised concerns in the west due to the collapse of the west's ally, the regime of the Shah. Iran, after its revolution in 1979, tried to export the revolutionary 'Shi'ism' to the world and dethrone the monarchical Gulf regimes, which affected Kuwait due to its geographic location and had a regional impact on its small Shia population. Thus, the new Iranian regime was a source of fear for Iraq and GCC states due to the seriousness of the Iranian revolution against the political system of the Arab Gulf states. The success of the Iranian revolution raised fears among the Kuwaiti political leadership from the Kuwaiti Shia of being courted to this revolution and concerns that it might affect its internal security situation through sectarian violence between Sunni and Shi'ite in Kuwait, which could drive Iran to exploit this situation to destabilize Kuwait. In addition, the new Iranian regime considered itself as a main supporter of the 'Palestinian issue', which raised the concern of Kuwait that this might drive a 'local tripartite alliance' among the Palestinians, Iranians and Shi'ites in Kuwait against the Kuwaiti regime.⁹⁹ Therefore, the issue of the Kuwaiti-Iraqi frontiers lost its importance due to these events, especially after the outbreak of the Iraq-Iran war in September 1980.

This war placed Kuwait into a position with two critical options: either to maintain its old policy of 'neutrality' in the region or to support Iraq. However, Kuwait and the GCC states supported Iraq from the beginning of its war against Iran in order to curb the seriousness of the Iranian revolution in the region. Despite the fact that Kuwait officially announced its neutrality towards this war, in practical terms, it was the main supporter of Iraq. This was made evident when Kuwait submitted economic assistance to Iraq during this war (1980-1988) estimated at \$ 13.2 billion, as well as political and media support for Iraqi demands to stop this war. Kuwait paid 10% of Iraq's financial obligations to the British companies during this war. This was in addition to the free transport of military equipment and commercial items to Iraq through Kuwaiti ports and terminals and allowing the Iraqi jet fighters to use the Kuwaiti air space in order to attack Iran.¹⁰⁰ For example, after the

⁹⁸ Wright, Robin, Op.Cit. p.84.

⁹⁹ Assiri, Abdul Reda, Op.Cit. p.173.

¹⁰⁰ Al-Rashidy, Ahmed el.at (ed.), Op.Cit. p. 636.

occupation of the Iraqi Al-Faw Peninsula, near the Kuwaiti borders, in 1986 by Iran, Kuwait asked Arab states to support Iraq in public and supported the imposition of economic sanctions against Iran. Most notably, the 'Arab identity' played a role in Kuwait during the Iraq-Iran War, when Kuwaiti media used the notion of 'nationalism' as a pretext for supporting Iraq against Iran.¹⁰¹ This urged Iran, and of course Iraq, to attack Kuwaiti interests internally and abroad through terrorist operations in Kuwait and the bombardment of Kuwaiti oil and merchant vessels in the Gulf region (Tanker War) as reprisal for the Kuwaiti stance in this war. Therefore, Kuwait experienced an unstable internal and external situation due to the fallout of this war, as will be discussed in Chapter 4.¹⁰²

5. Iraqi-Kuwaiti relations 1988-1990

Following the issuance of the resolution of UNSC 598 on 20 July 1987,¹⁰³ the war between Iraq and Iran ended in August 1988, after both states accepted this resolution. However, this war drove out of Iraq as a regional military power with an increased number of trained troops and military arsenal. Thus, Iraq looked forward to playing a role in the Middle East, which the Kuwaiti decision-makers had not taken into consideration and which might have had nothing to do with the fact that Iraq would be the real threat, with its expansionist ambitions and its economic weakness after the end of its war with Iran and Kuwait's inability to counteract Saddam Hussein's ambitions towards Kuwait due to its military weakness compared with Iraq, its small population and Saddam Hussein's popularity in the Arab world after the end of the Iraq-Iran War.

Some of the consequences of this war, in particular the political and economic instability and a major financial crisis in Iraq due to the huge amounts of debt owed to Kuwait and Saudi Arabia, helped lead to the Second Gulf War, which shifted from economic issues to frontier ones and ended with the occupation of Kuwait on August 1990.¹⁰⁴

¹⁰¹ Assiri, Abdul Reda, Op.Cit. p.180.

¹⁰² For more details, see Chapter 4.

¹⁰³ Security Council, 'The Situation between Iran and Iraq', 20th July 1987, S/RES/598, United Nations, New York.

¹⁰⁴ Nonneman, Gerd, 'The Gulf States and the Iran-Iraq War: pattern shifts and continuities', Op. Cit. pp.187-188.

Some sources estimated that the costs of reconstructing Iraq were as high as \$230 billion at that time.¹⁰⁵ Out of Iraq's total estimated debt of \$80 billion, it was estimated that Iraq owed \$40 billion to the Arab Gulf States.¹⁰⁶ Furthermore, there was an increase in unemployment and a shortage of consumer articles and services in addition to internal social problems.¹⁰⁷ Despite these problems, the Iraqi regime did not reduce military expenditure after the war: rather, it expanded its military manufacturing and armament program with Soviet and 'Western' assistance.¹⁰⁸ Therefore, Iraq's economic burdens were aggravated.¹⁰⁹

Kuwait foreign policy towards Iraq during this time rested on two important principles:

1. Demarcating the Kuwaiti-Iraqi frontier: Kuwait's leadership believed that its support to Iraq during its war with Iran would be an incentive for Iraq to demarcate its frontier with Kuwait in accordance with the treaties already signed.
2. Avoiding any political problems with Iraq: In this respect, the Kuwaiti government rejected any criticism of Iraq for using chemical weapons against Iran during the war and against the Kurds in 1988.¹¹⁰

In an attempt to address some of the consequences of the war, Saddam Hussein, in 1990 sent an Iraqi delegation to Kuwait, presided over by Dr. Sadoun Hammadi, the Deputy Prime Minister, to apply for a financial loan and to offer the concept of defence and security arrangements between the two countries. However, Kuwait rejected these conventions in the letter sent from Sheikh Sabah to Hammadi on 18 March 1990 because the provisions of these treaties contradicted Kuwait's sovereignty and its constitution; Kuwait also reiterated the importance of resolving the issue of the demarcation of borders before discussing anything else.

¹⁰⁵ Long, Jerry M, *Saddam's War of Words: Politics, Religion and the Iraqi invasion of Kuwait*, 1st edition, (University of Texas Press, Austin, 2004). p.10.

¹⁰⁶ Nonneman Gerd, 'The Gulf States and the Iran-Iraq War: pattern shifts and continuities', Op. Cit. p.180.

¹⁰⁷ Gause, F. Gregory, III, 'Iraq's decision to go to war, 1980 and 1990', *Middle East Journal*, Vol 56. No 1, Middle East Institute, 2002. p.52.

¹⁰⁸ Sluglett, Peter, Op.Cit. p.813.

¹⁰⁹ Al-Rashidy, Ahmed el.at (ed.), Op . Cit. p.564.

¹¹⁰ Schofield, Richard, *Kuwait and Iraq: Historical Claims and Territorial Disputes*, Royal institute of International Affairs, London, 1991. p.125.

Consequently, relations between the two parties were tense following the Baghdad summit in May 1990 when the Iraqi president attacked some Arab oil-producing countries for lowering the international oil prices; he claimed that some Arab states had not observed OPEC resolutions, and that this had resulted in massive losses in Iraqi revenues. During his attack, Saddam Hussein did not mention any names, but he looked at the Amir of Kuwait and the President of the United Arab Emirates and said, ‘You are launching economic war against my country’.¹¹¹ This was the beginning of Iraq’s construction of a set of justifications for its eventual invasion of Kuwait, which in many ways was a direct consequence of the economic and political impact the war had had on Iraq and its regime – as chapter 5 will discuss in greater detail.

The Iraqi invasion proved that the notions of ‘pan-Arabism’ and ‘nationalism’, which had been the most influential factors in Kuwait up until 1990, were just slogans for external or internal purposes, after the ‘negative’ public and formal Arab stands in supporting the Iraqi invasion and its demands from Kuwait.¹¹² As a consequence of this invasion, the notions of ‘pan-Arabism’ and ‘nationalism’ lost their potency, at least in Kuwait. This was made evident when some Kuwaiti nationalist groupings, such as the Movement of Kuwaiti Democratic Progressives, which belonged to the Arab Nationalist Movement, changed its bloc’s name after the Iraqi invasion of Kuwait to the Democratic Forum in 1991,¹¹³ due to the pan-Arab movement’s support of the Iraqi invasion. This also applied to some Islamic blocs, such as the Islamic Constitutional Movement, which formed in 1991 and belonged to the Muslim Brotherhood Movement, due to the stance of the leadership of the Brotherhood toward the Iraqi invasion of Kuwait.¹¹⁴ Most of these Kuwaiti political groupings started to reorganize their political orientation and principles based on the Arab public and Arab organizations’ stance from the Iraqi invasion. Clearly, the invasion was a major shock for the Kuwaiti political blocs.

¹¹¹ Dallas, Roland, *Tarīkh Malīk wa mamlakat il-ḥusayn 1893-1999*, ‘The history of King Hussein and his Kingdom 1893 – 1999’, Jarrous Press Publishers, London, 1999. pp.233 – 234.

¹¹² See Chapter 5.

¹¹³ Al-awadhi, Ali, ‘Arab Nationalist Movement in Arabian Gulf: Leftist Transformations and Root’, Series No. 15, December 15, 2010, Kuwait. Available online on the Al-awadhi website at: <http://alialawadhi.com/?p=372>

¹¹⁴ Awadh , Sami , ‘Islamic Political Groups in Kuwait: Roots and Influences’, unpublished Thesis (Ph.D.), University of Portsmouth, UK, 1999. pp.179-208.

Thus, the Iraqi invasion has become a constant backdrop in the minds of the Kuwaiti people since the liberation of Kuwait in 1991. As a result, Kuwait, after its liberation in 1991, has become more pragmatic in its foreign policy based on the fact that it is a small state surrounded by three big regional powers with a different ideology. Kuwaiti decision-makers realized that good relations with the great powers, particularly with the US, were essential for Kuwaiti security. Thus, the Iraqi invasion in 1990 changed the concept of Kuwaiti foreign policy at the international and regional levels, as we will discuss in more detail in Chapters 4 and 5.

6. Conclusion

Since its inception in 1613, the settlement that became known as 'Kuwait' and the political entity that grew from it, faced external risks; this is particularly true after the appearance of international competition in the Gulf region during the 18th and 19th centuries, such as the threat of the Wahabi Movement and tribes, and threats from the Ottoman Empire from the 18th century until the outbreak of the First World War. Under Sheikh Mubarak 'the Great', while nominal suzerainty of the Porte needed to be acknowledged, de facto autonomy was carved out, gradually consolidated by British protection. Following the collapse of the Ottoman Empire after World War I, Iraq appeared for the first time as an integrated state with clear boundaries in 1921. In late 1922, Kuwaiti-Saudi borders were demarcated at the Al-Uqair Conference, in which the sheikh of Kuwait lost 160 square miles of the territories he had claimed. The Kuwaiti-Iraqi borders were again demarcated pursuant to correspondence among Iraq, Kuwait and the UK in 1932. From the time of its emergence, the state of Iraq has constituted a real threat to Kuwait, especially during certain periods in the 1930s until the fall of Abdul Karim Qasim's regime in 1963. The unstable political and economic situation of Iraq was a major factor in this. From 1963 until 1990, the non-demarcation of territorial frontiers between Iraq and Kuwait in accordance with the agreed 'Minutes of 1963' signed between the two countries, and the unstable internal and external situation of Iraq, became a dilemma for Kuwaiti security through the subsequent frontier crises (in 1966, 1967 and 1973), as regards gaining territorial concessions and financial aid. The Iraqi attempts to obtain territorial concessions from Kuwait in Warba and Bubiyan, two Kuwaiti islands, in addition to its poor internal situation after the Iraq-Iran War, which negatively reflected on Kuwait and resulted in the appearance of the warning

signs of the Second Gulf War. However, the implication of Iraq-Iran War was realised on 2 August 1990, when Iraq occupied Kuwait on the basis of several assumptions (see Chapter 5).

The story to this point has been one where the rulers of a small, vulnerable player, initially only being able to count on its strategic location as a resource – which was simultaneously a source of pressure – and which from the 1950s acquired increasingly rich material resources – sought continuously to adjust alliances and relations based on the shifting regional and international resources available to them, notable securing great power protection without becoming beholden to this protector, indeed keeping open multiple channels in readiness to shift again as power balances changed. Taking account of the immediate regional ideational environment was imperative – especially given the shikhdom's position next to an irredentist and Arab nationalist Iraq. But that careful balancing and search for security was dramatically cut across by the invasion, which at the same time fundamentally affected Kuwait foreign policy, not least by reducing the salience of the Arabism factor, and by making recourse to protection by the US more visible and up-front. It is this effect of the invasion that this thesis will be examining in greater detail.

Chapter IV

Factors shaping Kuwaiti foreign policy

This chapter sets out the main categories of factors that have made up Kuwait's foreign policy environment. It starts out by focusing on the country's geography – which makes it both vulnerable and much prized – before going on to examine, first, the external factors; second, the external ones; and finally, the political system and decision-making system.

1. Geography

Kuwait is located in the north-western part of the Arabian Gulf, having common frontiers in the south and south-west with Saudi Arabia. In the north and west, it shares frontiers with Iraq and its eastern maritime border separates it from Iranian waters. Its location makes it an access point for the north of the Arabian Peninsula. It is also small and geographically vulnerable, due not just to its size but to its location between three large regional powers. Its terrain is largely flat desert surface and the desert climate is harsh. In contrast, of course, it harbours some 10% of the world's oil reserves.

The distance between the northernmost and southernmost points is about 200 km (124 miles), and the distance between the eastern and western frontiers at a latitude of 29° is about 170 km (106 miles).¹

The length of the frontiers is about 685 km (426 miles), of which about 195 km (121 miles) are taken up by the Gulf coast. Of the 490 km (304 miles) of shared land frontiers, 250 km (155 miles) are with Saudi Arabia in the south and the south-west, and 240 km (149 miles) with Iraq in the north and northwest.² The total area of Kuwait is 17,818 sq

¹ Ministry of Information, *Al-Kitāb as-sanawī*, 'Yearbook 1998', State of Kuwait, 1998. p.21.

² Ibid, *Kuwait: Facts & Figures*, State of Kuwait, 1999, p. 18.

km (6960 sq miles),³ including the Kuwaiti share of the Neutral Zone with Saudi Arabia, the total surface of which is estimated at 5700 sq km.⁴

On 17 December 1967, an Amiri decree was issued demarcating the territorial waters of Kuwait by 12 miles, including the Kuwaiti islands and considering Kuwait bay as an absolute territorial water (Figure.3). Kuwait's territorial waters are estimated to cover 2200 sq miles and are divided into two parts:⁵

1. the northern area, which consists mostly of shallow waters of not more than five meters with a muddy bottom, where Warba and Bubyān are located.
2. the southern area, which is relatively deep, with its bottom covered with a mixture of sand and silica sediments. Most Kuwaiti ports have been established on the southern coast of the country due to the depth of the water.

The geographical location of Kuwait has always been of great importance either to the surrounding countries or to major powers. This location has been built upon and added to due to Kuwait's role as an airbase and as a supply and storage depot, and of course, also, since the 1930s, due to the location of 10% of the world's oil reserves.⁶

Geopolitics and the competing objectives and ambitions of Kuwait's bigger neighbours in the region have made for a difficult foreign policy environment. Thus, the presence of Iraq to the north, with an unsettled border, until 1993, complicated by issues over Iraqi access to the Gulf, but always embedded in ideological differences as well, has resulted in frontier violations by Iraq, the most important of which were the 1966 and 1967 crises and the occupation of the Kuwaiti police post (Al-Samitah) in 1973,⁷ in addition to the non-demarcation of terrestrial frontiers between the two countries in accordance with the agreed 'Minutes of 1963' signed between them, which resulted in political disorder and the construction of installations on the Kuwaiti frontiers during the Iraq-Iran War to

³ Ministry of Information, *Al-Kitāb as-sanawī*, Op.Cit. p. 21.

⁴ Middle East and North Africa 2004, *Regional surveys of the world*, 50th edition, Europa Publications Limited, Routledge, London, 2004. p. 676.

⁵ Ministry of Information, *YearBook*, Op. Cit, p. 22.

⁶ Al-Feel, M. Rashed, *Aljuḡhrāfyah at-tarīkhīyah lil- Kuwayt*, 'Historical Geography of Kuwait', 2nd edition, That Al -Salasil for Publication and Printing, Kuwait, 1985. p. 32.

⁷ Schofield, Richard, *Arabian Geopolitics Regional 3: Documentary Studies: The Iraq – Kuwait Dispute 1830-1994*, Vol. 4, Op. Cit. p. 452.

support Iraq. In addition, there was the use of the ‘frontier issue’ as a pretext to invade Kuwait in 1990 (see Chapter 5).

Designs on Kuwaiti territory and autonomy have been a hallmark of Iraqi (and before that Ottoman) regimes – ranging from attempts to secure northern parts of the country on land and at sea, to full-scale annexation. Following Iraq’s creation as a state, this was clear in the statements of King Ghazi in the 1930s and the regime of Abdul Karim Qasim in the early 1960s. Iraq long endeavoured to control Warba and Bubyah⁸ due to their geographical location,⁹ which prompted Rafsanjani, the Iranian President, during the Iraq-Iran War, in 1984, to warn Kuwait regarding territorial concessions in the two Kuwaiti islands in favour of Iraq; he stated, ‘I am just telling the rulers of Kuwait to not play with fire [...] I say now to Kuwait and the Gulf Co-operation Council member countries and others if we were to capture the islands from Iraq tomorrow, Kuwait would have no territorial claim there’.¹⁰ However, during the regime of Saddam Hussain, Iraq occupied Kuwait in 1990 for many reasons, the most important of which was the strategic value of Kuwait’s geographical location for economic and military bases (see Chapter 5).¹¹ Between 1991 and 2003, the Gulf region witnessed several events and hostilities between Iraq and the US that affected Kuwait due to its geographical location, the most important of which was the outbreak of war in 2003, which resulted in the occupation of Iraq and the fall of Saddam Hussein’s regime in April 2003. The implications of this war, which Iraq chose to enter into, were foreign interventions and the spillover of sectarian violence; this affected Kuwait and the whole region as ideational factor, as will be discussed later in Chapter 9.¹²

Iran, after its revolution in 1979, tried to export the revolutionary ‘Shi’ism’ to the world and dethrone the monarchical Gulf regimes. Khomeini declared: ‘We shall export our revolution to the whole world; until the cry, ‘There is no God but God’ resounds over the

⁸ For more details see AL-Mayyal, Ahmad Y.A, Op.Cit. pp.80-89.

⁹ Partrick, Neil, ‘Kuwait's Foreign Policy (1961-1977): Non-Alignment, Ideology and the Pursuit of Security’, unpublished, Thesis (Ph.D.), University of London, 2006. pp.170-175.

¹⁰ Schofield, Richard, *Arabian Geopolitics Regional 3: Documentary Studies: The Iraq – Kuwait Dispute 1830-1994*, Vol.4, Op.Cit.p.473.

¹¹ Panel of specialists 1995, Op.Cit, p.99.

¹² For more details; see chapter VII and VIII.

whole world, there will be struggle',¹³ and to this were added sabotage and military harassment by Iran during the Iraq-Iran war.¹⁴ This war directly affected the internal and external situation of Kuwait due to its geographic location, as the war arena was just 150 kilometres away from Kuwait City.¹⁵ This war took the shape of attacks on Kuwaiti installations and Kuwaiti and international oil tankers: an estimated 353 oil tankers and merchant vessels were bombarded by both parties between 1984 and 1987, in what became known as the 'Tanker War'.¹⁶ Thus, Kuwait asked for assistance from US in 1987 to protect its vessels by hoisting US flags on the Kuwaiti vessels. The US accepted this offer due to its consequent fear against Soviet existence in the Arabian Gulf should it refused this offer. The total number of tankers attacked from 1981 to 1988 was 542: 329 by Iraq and 213 by Iran. Kuwaiti shipping suffered 6% of all attacks (1981-1987),¹⁷ with attacks taking place on 48 tankers bound for Kuwait.¹⁸ In addition, acts of violence, explosions, terrorist operations and assassination attempts occurred in Kuwait during the 1980s by tapping the Kuwaitis and residents for terrorist operations; these have been estimated at 28 explosions; 2 hijackings of Kuwait Airways jets and 21 assassinations;¹⁹ the most important of which was the assassination attempt on the Amir of Kuwait on 25 May, 1986 due to the fallout of this war.²⁰ Iran and, of course, Iraq used Kuwait as a 'battlefield' in supporting these attacks, resulting in violence occurring in Kuwait or GCC states, such as the coup attempt by 73 Gulf Shi'a citizens to overthrow the Bahraini regime in December 1981 as discussed below.²¹ In addition, the unsettled maritime border

¹³ Wright, Robin, *The Name of God : The Khomeini Decade*, (London : Bloomsbury Publishing Limited), 1990. p.108.

¹⁴ Alduehis , Ahmad Hammoud, 'Siyāsāt al-Kuwayt il-khārijīyah min 1961 'ilā 1990', 'Kuwait's Foreign Policy from 1961 – 1991' , unpublished master's thesis, Jordanian University, Amman, 1992. p. 32.

¹⁵ Assiri, Abdul Reda, 1992, Op.Cit., p.179.

¹⁶ Cordesman, Anthony H. and Abraham R. Wagner, 'The Iran-Iraq War', in Cordesman, Anthony H. and Abraham R. Wagner (eds.), *The Lessons of Modern War*, Vol. II. Henceforth referred to as Lessons, Boulder: Westview Press, 1990. pp. XIV – 17- 18.

¹⁷ Kelley, Stephen Andrew, 'Better Lucky Than Good: Operation Earnest Will as Gunboat Diplomacy', Master's Thesis, Naval Postgraduate School, Monterey, California, 2007, pp.30-64.

¹⁸ Al-Shaheen, Sulaiman Majed, *Ad-diblumāsīyah al-kuwaytīyah bayn al-mihnah wal mihnah*, 'Kuwait Diplomacy between the Crisis and Professionalism', 1st edition, National Library of Kuwait, Kuwait, 2001.p.294.

¹⁹ Awadh , Sami , 'Islamic Political Groups in Kuwait: Roots and Influences', unpublished Thesis (Ph.D.), University of Portsmouth, UK, 1999.p.43.

²⁰ AI-Zamat , Khalid Hamed S. ' The Basis for Cooperation in the Gulf Region: An Assessment of the Gulf Cooperation Council', unpublished Thesis (Ph.D.), University of Glasgow, UK, 1998.p.83.

²¹ Boghardt, Lori Plotkin, *Kuwait Amid War, Peace and Revolution*, St Antony' Series, 2006. p.54.

between Kuwait and Iran embroiled the two countries in disputes over the exploitation of the Continental Shelf in Durra (Arash) oil field.²² Nonetheless, since 2006, after the UNSC sanctions (Nos. 1737, 1747 and 1803) on Iran over its nuclear program, the main concern of Kuwait has been the potential environmental impact of its Bushehr nuclear plant, and of course, the political and military aspects, due to its near location on the opposite shore to Kuwait, and the outcome if it is damaged or suffers any leak due to natural causes.²³ Wikileaks documents show that concern was expressed several times by Kuwaiti officials, who were surprised to learn from the Russian ‘contractor’ that the Bushehr reactor is not threat to the region.²⁴ The Kuwaiti concern was aggravated after tension between Iran and the international community on the one hand, and with Israel on the other hand, concerning the possibility of a military strike against Iran or on its nuclear reactors given what the impact would be on Kuwait and any effects of this war on the internal and external situation of the Arab Gulf states from Iran as happened in Iraq-Iran War. Thus, Kuwait and the GCC states were concerned and were hesitant as to whether to challenge Iran over its nuclear program due to the fear that Iran might classify them as pro-Israeli and use this as propaganda to justify reprisals.²⁵ Therefore, Kuwait set up an emergency plan since 2007 to tackle any possible hostile acts or any incidents of radioactive pollution from Iran’s nuclear program due to its sensitive location and the possibility of attacks by Israel or any other state.²⁶

Saudi Arabia had also posed some risks to Kuwait since the emergence of the Wahhabi movement in the 18th century when members of the movement tried to subjugate Kuwait in 1793, 1795 and 1797, although these attempts proved futile.²⁷ The most important of these were the last three battles against Kuwait by the Ikhwan, a religious military force of the Ibn Saud, in the Hamdh area (Battle of Hamdh) in May 1920, Jahra city in October

²² *Gulf News*, ‘Kuwait rejects Iran’s threats over gas field development’, January 4, 2012, UAE.

²³ *Arab Times* ‘Kuwait concerned over Iran's Bushehr nuclear plant’, 24 August, 2010. Kuwait.

²⁴ Wikileaks, ‘Parade of Foreign Ministers Talk Iran in Kuwait: No Great Ideas Emerge’, Reference ID: [06KUWAIT1921](#), [CONFIDENTIAL//NOFORN](#), [Embassy Kuwait](#), [2006-05-24](#).

²⁵ *Ibid*, ‘Scenesetter For Counselor Zelikow's Feb. 28 -March 1 Visit to Kuwait’, Reference ID: [06KUWAIT594](#), [CONFIDENTIAL](#), [Embassy Kuwait](#), [2006-02-21](#).

²⁶ James Calderwood, ‘Kuwait unveils plan to tackle possible radiation accidents’, *The Nation*, 30 August 2010.

²⁷ Aidaroos, Mohamed Hassan, *Op.Cit.* pp.40-44.

1920, the so-called ‘Battle of Jahra’²⁸, and the ‘Battle of Injair’ in 1929, which ended with Britain intervening and taking responsibility for Kuwait’s security as per the 1899 treaty.²⁹ The Saudi military threat became a historic fundamental moment for Kuwaiti nation-building with the construction of the second *Sour* ‘Wall’ in 1814, after Wahabi attacks, and the third in 1920, after Hamdh battle, around Kuwait City to deter any threat.³⁰ However, Saudi Arabia succeeded in reducing Kuwait’s territories at the Al-Uqair Conference in 1922³¹ to demarcate the frontiers between Kuwait, Iraq and Saudi Arabia; when Kuwait lost approximately two-thirds (160 miles)³² of its territories in favour of Saudi Arabia and a neutral zone was created between the two countries.³³ This was expressly declared by Sir Percy Cox at the Al-Uqair Conference³⁴ to placate Ibn Saud, because Iraq was given a large area in Najd (see Figure 1 and 2).³⁵

Kuwait’s geographic location among three major powers, then, forced its leaders to adopt a regionally neutral policy until the end of the 1970s to avoid a collision with these powers.³⁶ However, the threats the Iranian revolution posed to the monarchical Arab Gulf (as well as Saddam’s regime in Iraq), and the outbreak of the Iraq-Iran war that soon followed, obliged Kuwait and, of course, the other monarchical states of the Gulf, to abandon their non-aligned regional stance and support Iraq against Iran despite retaining, formally, a neutral policy.³⁷ The Iraqi invasion of Kuwait was a reflection of the disorder

²⁸ Captain D.M Fraser report on Kuwait Crisis and Battle of Jahra, 18 November 1920 in Rush, A.de L. (ed.), *Op.Cit.* pp.198-199.

²⁹ The Ikhwan attack in 1929 came after their rebellion against the command of Ibn Saud. See; Martin Asser (ed.), *Kuwait Political Agency: Arabic Documents 1899–1949*, Vol.2, Archive Editions, 1994. pp.228-231.

³⁰ Al-Mayyal, Ahmad Y.A, *Op.Cit.* p.95.

³¹ The conference was held under the supervision of Sir Percy Cox, the British High Commissioner for Iraq. The Saudi side was represented by Ibn Saud. The Iraqi side was represented by Sabih Beg, Minister of Communications and Works. The Kuwaiti side was represented by J.C.More, the British Political Agent in Kuwait. See AL-Mayyal, Ahmad Y.A, *Op.Cit.*p.100.

³² Sultan, Ghanem, *Al-ghazw il- ‘irāki lil Kuwayt: Kira ‘ah muwjazah fī Jawānib min ‘ishkālīyat il- ‘azmah, ‘The Iraqi invasion of Kuwait: A Brief Reading of the Problematic Aspects of The Crisis’*, 1st edition, AL-Wazzan International Printing Press, Kuwait, 1994. p.50.

³³ Kuwait lost the area of the ‘Green Line’ to Saudis which demarcated between Kuwait and Ottoman Empire in accordance of Anglo-Ottoman Draft Convention’ of 1913 mentioned in the Chapter 3. (see Figure 1 and 2 for the space of Green Line). See the Kuwaiti-Najd Boundary Convention-1922 in Rush, A.de L. (ed.), *Records of Kuwait 1899–1961*, *Op.Cit.* p.366.

³⁴ Al-Feel, M. Rashed, *Op. Cit.*, p.42; AL-Mayyal, Ahmad Y.A, *Op.Cit.*pp.102-109.

³⁵ Sluglett, Peter, *Op.Cit.* p.800.

³⁶ Partrick, Neil, *Op.Cit.* pp.58-64.

³⁷ *Ibid.* pp.192-193.

that resulted from this change of formula via the establishment of ‘security treaties’ with major powers to enable Kuwait maintain its integrity.³⁸

Kuwait’s history of obtaining great power protection to guard against such regional challenges resulting from its location, had to be adjusted again following the UK's announced withdrawal from the Gulf region in January 1968.³⁹ In the immediate aftermath of the announcement, a major delegation representing all sectors of the state, presided over by the Minister of Foreign Affairs, Sheikh Sabah Al-Ahmad Al-Sabah, visited the countries of the region in 1971 with a comprehensive draft agreement covering all areas of the Arab Gulf countries. This draft agreement would eventually find expression in the formation of the Gulf Cooperation Council (GCC) on 25 May 1981. However, the country simultaneously maintained and developed strong external security links.⁴⁰

Geography, then, remains one of the most important factors to shape the attitude of Kuwaiti decision-makers, especially Kuwait’s vital geographic location overlooking the Arabian Gulf. It does, of course, as has already been amply illustrated, blur into the category of the external environment, which we explore further below.

2. External Factors

2.1. The Gulf environment

Following the UK's announced withdrawal from the Gulf region in January 1968 and the tension between Iraq and Iran over the Shatt al-Arab waterway in 1969, in addition to the occupation of UAE’s islands by Iran from 1971, Kuwait realized the importance of coordination between the Arab Gulf countries on the issue of the security of the Gulf region as a key element for their continued independence, despite being small states with small populations surrounded by big regional countries, which complicates their defence and development planning. Britain in particular represented a very important stabilizing factor for the entity of Kuwait against external risks, most notably Iraq and Iran as

³⁸ Al-Watan Information & Studies Center, ‘Foreign Policy: Classification No. 5-6’, dated 3 April 1997, Kuwait.

³⁹ Partrick, Neil, Op.Cit. p.151.

⁴⁰ Al-Watan Information & Studies Center, ‘Foreign Policy: Classification No. 5-6’, dated 25 February 1989, Kuwait.

mentioned above. Thus, the common idea linking the establishment of the Council crystallized between 1967 and 1971 by Kuwait, before the independence of UAE, Bahrain and Qatar, due to its sensitive location besides two regional powers; Iraq and Iran. In 1976, Kuwait called for joint coordination between the six Arab Gulf states at all levels to cope with the competing objectives and ambitions of international and regional powers due to the absence of collective security system among these states. Therefore, the Kuwaiti Crown Prince Sheikh Saad paid an official visit in 1978 to the six Arab Gulf states to discuss this coordination.⁴¹ Another regional concern was the outbreak of the Iranian revolution in early 1979, with Khomeini later describing the rulers of the Arab Gulf states as ‘mini Shahs’.

There was a shifting number of material and ideational challenges to the internal situation of the GCC states; in addition to the exclusion of Egypt from the Arab policies after the Camp David Accords of 1979 and the growing hostilities between Iraq and Iran,⁴² Kuwait and its neighbouring Arab Gulf states realized the importance of establishing a collective security ‘cooperation’, not alliance, as protection against external threats and, of course, the ideological clashes and changes in the region, which placed the political system of the monarchical Gulf states in a vulnerable position, as previously mentioned, due to the emergence of the security vacuum in the Gulf after the fall of the Shah’s regime.⁴³ Therefore, the foreign ministers of the six Arab Gulf states held a meeting to discuss the Kuwaiti proposal in October 1979, for the first time, to establish the Gulf Cooperation Council on the sidelines of Islamic Countries Conference in Taif, Saudi Arabia.⁴⁴

In late 1979 until the mid 1980s, Kuwait and the other monarchical Gulf states witnessed internal and external challenges, such as the seizure of the mosque in Mecca by Sunni extremists in November 1979, the Soviet invasion of Afghanistan in December 1979; and the consequent fear of the American that soviet would gain control of the Arabian Gulf, the two explosions of 12 July 1980 in the office of the Kuwaiti newspaper *al-Rai al-Amm*, two explosions of 26 May 1980 at an Iran airline office and the assassination attempt on

⁴¹ Assiri, Abdul Reda 1992, Op.Cit. p.190.

⁴² Boghardt, Lori Plotkin, Op.Cit. p.29.

⁴³ El-Rayyes, Riad, *Gulf Winds: The Beginning of Gulf Cooperative Council, 1980-1990*, Riad El-Rayyes Books S.A.L, Beirut, January 2012. pp.44-46. .

⁴⁴ Ibid. p41.

the Iranian Minister of Foreign Affairs, Ghotbzadeh, in April 1980 in Kuwait.⁴⁵ In addition, feelings were running high amongst the Shia citizens in the Gulf states due to the Iranian revolution and the outbreak of the Iraq- Iran War in September 1980; the aftermath posed internal and external challenges to the Arab Gulf states and so accelerated the establishment of the Gulf Cooperation Council on 25 May 1981 at the first summit held at Abu Dhabi.⁴⁶ Therefore, the two concerns of the GCC states that can be explained in terms of their regional foreign policy are external and domestic security⁴⁷ as follows:

1. the outbreak of the Iranian revolution in 1979 which threatened the Gulf region through the risk of exporting the Iranian revolution to the Arab Gulf⁴⁸
2. the international competition on the Arabian Gulf region between the USA and the West on the one hand and the Soviet Union on the other, due to the establishment of The Rapid Deployment Joint Task Force in 1979 by US, after the Soviet invasion of Afghanistan, to protect its interest in the Gulf region.
3. the Soviet Union's occupation of Afghanistan in 1979 and its attempt to reach to the Gulf region by its allies such as South Yemen and Iraq.
4. the instability of the region due to the Iraq-Iran War.⁴⁹

The GCC is very significant in Kuwait's foreign policy, as, simultaneously, an environmental factor and a tool. It is one of the closest entities to Kuwait and its national interests, in terms of Gulf identity, geographic contiguity, regime similarities, and threat perception. It highlights the issue of integration and security in the Gulf as one of the most prominent issues of Kuwaiti foreign policy. Therefore, since 1981, Kuwait has called for close cooperation within the institutional framework among the six GCC states to confront the risks that threaten the region, either from the political, economic, cultural, social or military aspects.

⁴⁵ Boghardt, Lori Plotkin, Op.Cit. pp.40-42.

⁴⁶ Ibid. p.52.

⁴⁷ Nonneman, Gerd (ed), *Analyzing Middle East Foreign Policies*, Op. Cit. p.25.

⁴⁸ Al-Zamat , Khalid Hamed S., Op.Cit. pp.94-95.

⁴⁹ Al-Alkim, Hassan Hamdan. Op. Cit. pp.43-44.

The efforts of Kuwait within the Gulf arena have three basic foci:

1. the active participation of Kuwaiti officials in the meetings and conferences of the GCC and their submission of papers discussing the issues of mutual interest
2. focusing on Saudi Arabia in particular, due to the fact that it is the nearest country to Kuwait and it is interested in Kuwaiti issues at present and has been in the past. This issue was quite evident in 2000 when relations between the two countries witnessed a new turn when the difference over the maritime frontiers was settled and a final agreement was concluded, bringing to a close 34 years of dispute between the two countries.⁵⁰
3. the coordination on security and political issues.

The impact of this circle is clear from a study conducted before and after the establishment of the GCC, from 1978 to 1988, regarding the diplomatic coordination of the ministers of foreign affairs of the GCC states via voting in the UN General assembly on resolutions regarding international issues. This study shows that the percentage of the GCC states demonstrating political coordination before the GCC was no higher than 33.5%, but after the GCC had been established, it was 64.17%, taking into account that this difference was of no significance in the international issues following the establishment of the GCC. It is noticeable that there were significant differences in Kuwait before and after the establishment of the GCC: the percentage of coordination between Kuwait and the GCC states increased from 30% to 67.5% regarding the voting on all international issues.⁵¹

Furthermore, after the Iraqi invasion, Kuwaiti coordination with the GCC states on issues related to the Middle East was enhanced, particularly regarding the UN and the 'Iraqi file'. This was evident through the effective role of the GCC in the liberation of Kuwait and the mobilization of Arab and international opinion against the Iraqi invasion of Kuwait, in

⁵⁰ Registry of Current Events in the Gulf & Arabian Peninsula Region, 'itifākīyat il-ḥudūd il-baḥrīyah al-muwaqa'ah bayna dawlat il-Kuwayt wal Mamlakah al-'arabīyah As-Su'ūdīyah', 'Marine Frontiers Agreement Signed Between the State of Kuwait and Kingdom of Saudi Arabia', Issue 15, *Center of Gulf & Arabian Peninsula Studies*, Kuwait University, Kuwait, July-September, 2000.p.145.

⁵¹ Obaid, Naif Ali, *Majlis at-ta'awn li- duwal il-khalīj il-'arabīyah min at-ta'awn 'ila at- takāmūl*, 'GCC from Cooperation to Integration', 1st edition, Series of PhD thesis, Centre for Arab Unity Studies, Beirut, 1996.p.210.

addition to financial and military support for Kuwait through GCC states' participation in the coalition forces that liberated Kuwait in 1991.⁵² Kuwaiti foreign political movements on the Gulf level had created 'unanimous' support for Kuwaiti issues, particularly those related to the method of dealing with Iraq. There was unity of opinion of the GCC states on the 'Iraqi issue' in all statements of the Council from the liberation of Kuwait till the date of this study, calling upon Iraq to implement the international resolutions related to the Iraqi invasion of Kuwait, to respect Kuwaiti sovereignty and its frontiers in accordance with UN resolution No. 833 of 1993, to release Kuwaiti prisoners of war and to restore Kuwaiti property.⁵³ This coordination was reflected in the unified political and military efforts in 1994 to face the Iraqi forces, when Iraq mobilized 100,000 troops on the Iraqi-Kuwaiti frontiers in an attempt to repeat the outcome of the second Gulf crisis (see chapter 7).⁵⁴

2.2. *The Arab and Islamic Factors*

The Arab and Islamic identities are highly salient ideational factors in the Arab world.⁵⁵ The value of these identities is evident in Kuwaiti political and social life, as reflected in Article 1 of the Kuwaiti constitution: 'Kuwait is an independent sovereign Arab State. Neither its sovereignty nor any part of its territory may be relinquished. The people of Kuwait are a part of the Arab Nation', and Article 2: 'the religion of the State is Islam, and the Islamic *Shari'a* shall be a main source of legislation.'⁵⁶

Despite Kuwait's foreign policy being characterized by a 'secular approach', the Arab and Islamic identities have strong influences on the decision-makers due to political tendencies inside and outside Kuwait having an internal and external effect. For example,

⁵² Ibid, p.305.

⁵³ GCC website, 'Closing Statements of The Supreme Council From 11th Session till 30th Session, Council of the Cooperation Council for the Arab States of the Gulf; <http://www.gcc-sg.org/eng/index.php?action=Sec-Show&ID=5>

⁵⁴ Registry of Current Events in the Gulf & Arabian Peninsula Region, 'Dirāsah 'an majlis at-ta'āwn il-khalījī wa tis'ah 'ashrah 'āman min al-mašīr il- Mushtarak', 'Study on Gulf Cooperation Council and Nineteen Years of Common Destiny', Issue 12, *Center of Gulf & Arabian Peninsula Studies*, Kuwait University, Kuwait, October-December, 1999. p.51.

⁵⁵ Dawiha, Adeed, 'Arab Nationalism and Islamism: Competitive Past, Uncertain Future', *International Studies Review*, Vol. 2 No. 3, 2000, p.79.

⁵⁶ Constitution of the State of Kuwait, 'Article 1 and 2', Op.Cit. p.1.

during the 1950s and 1960s, the concepts of pan-Arabism and nationalism had a stronger impact on Kuwaiti politics than did Islamist orientations because of the role played by Arab nationalists in the Arab world on the one hand, and the large Arab immigrant population in Kuwait on the other, such as the Palestinian community, who were educated and predominantly supportive of government positions in the formation of these ideas on the streets of Kuwait, especially regarding ‘self-determination’ and ‘decolonization’ through *Nasserism*; this was also reflected in the MPs of the Kuwait National Assembly.⁵⁷ Thus, up to 1990, Kuwait was more Arabist than were other Gulf States. This was due in part due to the role of the Kuwaiti nationals within the Kuwaiti parliament and the large Arab immigrant population and their activities within the margin of freedom and democracy allowed in Kuwaiti society. It was also rooted in Kuwait’s earlier development, not least educationally, as well as in its location next to Iraq – and the need on the part of the ruling family to react to, or pre-empt the effects of, Iraq’s nationalist rhetoric.

Since the beginning of the 1980s, the Islamist orientations have had an increasing impact on Kuwait because of the dominance of Islamic movements in the Kuwaiti parliament, at the same time as regional Arabist ideology lost its potency. The Islamist tendency became more influential than pan-Arabism in Kuwait after 1990, due to the setback of ‘negative’ public and formal Arab stands regarding the Iraqi invasion and support for this occupation (see Chapter 5). Therefore, the Islamist orientations have played an essential role and drawn attention to Kuwait’s leadership, especially after the dominance of Islamists in Kuwaiti parliament. This was expressed in the secret telegram of the US Embassy in Kuwait in 2005 on the role of Islamists in Kuwait as follows ‘Their influence has grown tremendously over the last three decades as Islamists have become prominent in Parliament and throughout government ministries’.⁵⁸

The significance of these identities in Kuwait can be seen through the support for the Palestinian, Arab and Islamic issues in the NA and the Kuwaiti press and by the Kuwaiti MPs whose stances drew attention to the Kuwaiti leadership.⁵⁹ For example, the Arab identity is an essential element in the concept of Kuwaiti foreign policy, which has been

⁵⁷ Assiri, Abdul Reda 1992, Op.Cit. p.45.

⁵⁸ Wikileaks, ‘Islamists In Kuwait: Contours Of A Growing, Influential Force’, Reference ID: [05KUWAIT656](#), [SECRET//NOFORN](#), [Embassy Kuwait](#), 14 Feb 2005.

⁵⁹ Partrick, Neil.Op.Cit. p. 37.

expressed by the Amir of Kuwait, Sheikh Sabah Al-Ahmad Al-Sabah, who stated that the Arab home 'constitutes a pivotal foundation for the defense of the security interests of our great Arab homeland'.⁶⁰

As these identities have gained particular significance in Kuwait, it is important to explain the actual stand of Kuwait on issues regarding Islam and Arab solidarity in a manner that serves the national interests of both parties. This is the circle of national belonging, as Kuwait is a member of the AL and OIC, and it cannot isolate itself from Islamic and Arab issues, particularly those related to the Arab-Israeli conflict and the peace process in the Middle East, due to its identity and geographic location. For instance, since the first summit of the Arab League in 1964, Kuwait has started a new era of effective participation in the decision-making of the Arabic resolution through its commitment to Arab resolutions and its financial contribution (as a major contributor) to the League of Arab States. This participation can be illustrated by Kuwait's support for the military capability of Arabs and the establishment of the Palestinian Liberation Army to liberate Palestine through its payment of £1,600,000 out of £150 million annually for 5 years from 1964.⁶¹ Following the 1967 setback, Kuwait paid £55 million of the proposed £135 million to support states affected by war and to finance the process of military mobilization of the affected countries so they might be prepared for any aggression⁶². In the war of 1973, at the OAPEC meeting in Kuwait on 17 October 1973, Kuwait declared its solidarity by its decision to reduce oil production by 5% each month until the Israelis had withdrawn from the occupied territories⁶³. This was in addition to an oil embargo to selected countries that were supporting Israel in the 1973 war, namely, the USA and some

⁶⁰ The Keynote Speech of H.H. the Amir of Kuwait, Sheikh Sabah Al-Ahmad Al-Sabah, at the Extraordinary Summit of Arab League in Libya on 9th October, 2010, Kuwait Times Newspaper; http://www.kuwaittimes.net/read_news.php?newsid=MjQxOTkzOTE4

⁶¹ League of Arab States, 'Second Arab Summit Conference Alexandria on 5-11/9/1964', Documents Section, Arab Summits, Egypt; http://www.arableagueonline.org/las/arabic/details_ar.jsp?art_id=395&level_id=202

⁶² League of Arab States, 'Fourth Conference of the Arab Summit in Khartoum on 08/29 to 09/01/1967', Documents Section, Arab Summits, Egypt; http://www.arableagueonline.org/las/arabic/details_ar.jsp?art_id=397&level_id=202

⁶³ Documents on British Policy Overseas, 'Minutes of Cabinet Working Party on Oil Supplies, WP(OS) (73) 2nd mtg SMG 12/548/9', dated in 18th October 1973, Cabinet Office, London, in *The Year of Europe: America, Europe and the Energy Crisis, 1972-1974*, Series 3 - Volume 4, Foreign and Commonwealth Office, UK.

European countries, like Holland.⁶⁴ In this war, Kuwait sent the ‘Yarmouk brigade’, which had been stationed on the Egyptian frontiers since 1967, to fight beside the Egyptian troops. The Kuwaiti air force also played a vital role and transported supplies to troops stationed on the Arabian fronts during this war. Further, Kuwaiti armed forces contributed by sending ‘Jahra troops’ to the fighting with the Syrian troops throughout the conflict.⁶⁵

All of the above links back to the concept of the Arab identity and the Arab League Joint Defence and Economic Co-operation Treaty (JDECT), which was concluded in 1950. The Iraqi invasion of Kuwait resulted in the collapse of the concept of the Arab Security System, which was based on the JDECT.

The liberation of Kuwait by the use of non-Arab troops established the futility and incompetence of Arab security. Consequently, following liberation, Kuwait attempted to close the security gap in the Arabian Gulf, laying out new principles and features for a new security defence group following the failure of the previous security system to stop the Iraqi aggression to Kuwait and the fact that the security of the Gulf had not been left to foreign forces only, whose existence might be harmful to Arab interests. Therefore, following the liberation of Kuwait, six GCC states signed the ‘Damascus Declaration’ with Egypt and Syria on 6 March 1991. This declaration was designed to set out security arrangements and perspectives that would meet the security needs of the GCC states by involving the Arab countries in the security of the Gulf region⁶⁶, and to create a solid new base for the Arab front. This declaration was based on the JDECT, the UN Charter, and international conventions⁶⁷. The Damascus Declaration provided a plan to establish an Arab peacekeeping force in the Gulf region and the Arabian Peninsula, comprising Egyptian, Syrian and GCC troops. However, this declaration was not a replacement for the security treaties that had already been signed between Kuwait and permanent member countries of the UNSC; rather, it was designed to involve the Arab countries in the Gulf’s security affairs.

⁶⁴ Ibid, ‘Report by the Joint Intelligence Committee (A) JIC(A) (73) 34: The main effects on the Middle East war’, dated 05th December 1973, Cabinet Office, London, in *The Year of Europe: America, Europe and the Energy Crisis, 1972-1974*, Series 3 - Volume 4, Foreign and Commonwealth Office, UK.

⁶⁵ Alduehis, Ahmad Hammoud, Op. Cit.p. 135.

⁶⁶ Gerges, Fawaz A., ‘Regional Security after the Gulf Crisis: The American Role’, *Journal of Palestine Studies*, Vol. 20, No. 4 (Summer, 1991). pp.63-64.

⁶⁷ Al-Enezi, Abdulla, ‘‘amn il-khalij il-‘arabi: dirāsah fil ’asbāb wal mu’tayāt’, ‘The Arabian Gulf Security: Reasons and Results’, *Journal of the Gulf and Arabian Peninsula studies*, Vol.21, No. 83, Kuwait University, Kuwait, 1996.p.257.

On 19 July 1991, the Damascus Declaration was amended to provide greater flexibility and mobility to its parties and to reduce group commitment through security cooperation, instead of through the presence of Arab forces, due to this Declaration cannot provide the defence needs of six Arab Gulf states. In addition, the unified economic objectives of this declaration were abandoned and replaced by more humble aims in the economic field. Therefore, the ambitious Damascus Declaration is now defunct⁶⁸ due to the dissatisfaction of Egypt and Syria with the amendments of the Declaration supporting cooperation in security issues, instead of permanent Arab military forces in the Gulf.⁶⁹ However, even though it imposed huge material obligations on the Gulf parties, it was just a draft Arab integration project that provided security protection to the Gulf countries in return for them providing economic support to Egypt and Syria with \$10 billion being allocated to both countries, although the final amount was reduced to only \$6 billion.⁷⁰ There was a set of territorial and international circumstances that motivated the eight Arab countries (the six GCC states, Egypt and Syria) to sign the Damascus Declaration:

1. The destruction of the Iraqi military and industrial capabilities and the possibility of dividing Iraq into three main regions (Kurds in the north, Shia in the south and Sunnis in the middle) may disturb the balance of power in the region in favour of the territorially affected countries, i.e. Iran in the East, Turkey in the north, Ethiopia in the south and Israel in the middle of the Arab world.
2. The Arab region would lose a senior comprehensive reference point following the collapse of the role of the Arab League.
3. The Arab system started to collapse and become weak in favour of the concept of the territorial system in the Middle East.
4. The Arab security system failed to stop the Iraqi aggression to Kuwait based on the JDET of 1950.

⁶⁸ Baabood, Abdulla, Op. Cit. p.155.

⁶⁹ Gause. F. Gregory III, ' Saudi Arabia: Desert Storm and After', in Freedman, Robert O.(ed.) , *The Middle East after Iraq's Invasion of Kuwait*, University Press of Florida, U.S., 1993. p.215.

⁷⁰ Center of Gulf & Arabian Peninsula Studies, *Research papers of The International Conference on the Impact of the Iraqi Aggression on Kuwait*, 2-6 April, 1994, Vol. 1, Kuwait University, Kuwait, 1994.p.46.

5. The USA emerged as a superpower and the influence of the Soviet Union deteriorated under the new world order.⁷¹

On the other hand, this invasion changed the Kuwaiti concept in dealing with the Arab-Israeli conflict. Before the Iraqi invasion of Kuwait, Kuwaiti policy had been built on the 'direct' and 'indirect' economic boycott of Israel in accordance with the Israel Boycott Office, founded in 1951 and affiliated to the Arab League, which bans economic dealings with the 'Hebrew state' and with companies that conduct financial or commercial dealings with Israel. These companies were blacklisted in Kuwait. However, Kuwait, following its liberation, stopped its 'indirect' boycott of Israel and lifted the ban imposed on the companies that had been previously blacklisted for dealing with Israel, although it maintained a direct boycott based on national interests. Sheikh Sabah Al-Ahmad Al-Sabah, Kuwaiti Minister of Foreign Affairs at that time, declared that 'Kuwait and other Arab countries have lifted the indirect embargo imposed on Israel due to considerations related to national interests'. He added: 'Some Jeep vehicles had been boycotted in the past, but recently have been imported as this serves the national interest. Kuwait is still adopting a direct economic boycott that has been imposed by the Arab League for four decades against Israel and it will never abandon the direct boycott of Israel', thus explaining what is meant by 'indirect boycott'.⁷²

2.3. *International factors*

Since its liberation, Kuwait's foreign policy has been based on two main pillars: policy and security. Kuwait has determined a set of political objectives that include supporting the efforts of the international community towards international peace and security and adhering to a policy of international legitimacy, territorial and international cooperation (UN, GCC, Arab League, Organization of Islamic Conference, Non-Aligned Movement and other territorial and international institutions).⁷³

⁷¹ Al-Astal, Kamal Mohammad, *Naḥwah siyāghat naḍarīyah li'amn duwal majlis at-ta'awn il-khalīj il-'arabīyah*, 'Towards the formulation of the theory to the security of the Cooperation Council for the Arab Gulf States', 1st edition, The Emirates Centre For Strategic Studies and Research, UAE, 1999.p.95.

⁷² Al-Watan Information & Studies Center, 'Foreign Policy: 5-6', dated 9 June 1993, Kuwait.

⁷³ Diplomatic Center for Strategic Studies, 'Al-Bu'd il-Asyawī fis-Siyāsah al-Khārijīyah al-Kuwaytīyah 'alā Khalfiyat il-Jawlah al-āsyawīyah li-Ra'īs Majlis il-Wuzarā', 'Asian Dimension in the Kuwait

Before the Iraqi invasion, Kuwait had refused any foreign intervention or presence in the Gulf region, whether military, by forming an alliance with other countries, or otherwise. Sheikh Saad Al-Abdullah Al-Sabah, Kuwaiti Crown Prince and Prime Minister at that time, pointed out,

Major powers have their own interests and they are seeking dispersion and harm to our region, but good coordination among the countries of the region has become essential. The spirit of responsibility incites many to satisfy this atmosphere of coordination. Moreover, the feeling of these countries of risk will be eliminated should mutual cooperation be available among them to repel foreign threats and risks.⁷⁴

He then reaffirmed this view, saying: 'Kuwait does not believe in any parties or blocs in the region and it does not support the same by any means whatsoever, as alliances are harmful to the region and it does not conform to the undeclared non-alignment policy of Kuwait'.⁷⁵ However, after the 'Tankers War' in 1980s and the liberation of Kuwait by foreign troops in 1991, these conceptions changed. Thus, the GCC states believed a foreign military existence in the region to be essential because of the aggressive policies and conduct of Iraq and Iran; they also believed that the international umbrella was a very important factor for the stability of the region.⁷⁶ Moreover, the Iraqi invasion of Kuwait established the ineffectiveness of the 'Peninsular Shield' of the GCC states that had been established in 1982⁷⁷ and of the security arrangements with the Arab countries under the JDECT. Therefore, since liberation, Kuwait has depended on several aspects to create security arrangements to protect itself, particularly from Iraqi threats, which constitute the main threat to Kuwait. These arrangements have been made on regional and international levels as preferable options.

On the regional level, the GCC states signed the 'Damascus declaration', as already mentioned, while on the international level, Kuwait turned to major countries to protect it

Foreign Policy Concerning the Asian Tour of the Prime Minister', eighth year, issue No. 14, Kuwait, 2008. p.5.

⁷⁴ Al-Enezi, Abdulla, Op.Cit.p.241.

⁷⁵ Ibid, p.243.

⁷⁶ Emirates Centre For Strategic Studies and Researches, *The Future of the GCC; Series of lectures*, 1st edition, United Arab Emirates, 1999. p.45.

⁷⁷ GCC website, 'Military Cooperation', Council of the Cooperation Council for the Arab States of the Gulf; <http://www.gcc-sg.org/index8409.html?action=Sec-Show&ID=49>

and signed five security agreements with permanent members of the UN Security Council.⁷⁸ On September 1991, Kuwait signed a joint defence pact with the US for ten years, automatically renewable. Under this treaty, both countries would conduct exercises for the Kuwait armed forces and joint manoeuvres. It also provided for defence purchases, the mobilization of military equipment in Kuwait to be utilized in emergency situations, and the provision of security cover to Kuwait that would guarantee the non-recurrence of the invasion.⁷⁹ Furthermore, Kuwait and Britain signed a defence cooperation treaty on 11 February 1992. This treaty provided for defence cooperation, purchase of British military equipment by Kuwait, and joint manoeuvres and exercises. On 22 September 1992, the Kuwaiti and British Defence ministers signed a treaty that was supplementary to that of the February regarding defence purchases. Further, Kuwait and France signed a military cooperation treaty and protocol organizing the purchase of weapons and military equipment for the Kuwaiti Army in October 1993. On 29 November 1993, Kuwait and the Russian Federation signed a military cooperation treaty. The term of this treaty was 10 years whereby joint manoeuvres would be conducted between the two countries and Kuwait would purchase military equipment from Russia⁸⁰. In addition, Kuwait and China signed a defence treaty in 1995. However, these treaties do not refer to any foreign troops staying on Kuwaiti territory; rather, the presence of these troops is restricted to conducting joint military exercises and manoeuvres to support the defensive capabilities of the Kuwaiti troops. These treaties may be terminated by either party⁸¹.

International organizations, such as the UN, the concept of alliances and nearby superpowers have started to play a role in Kuwait policy due to their role in liberating Kuwait in 1991 (see Chapter 5). For instance, the Kuwaiti method of dealing with Iraq is based on UN resolutions, which has made this organization the most important element in Kuwaiti foreign policy due to its support for Kuwaiti demands (see Chapter 6). The concept of alliances has appeared in Kuwaiti policy, which reflects the emergence of the US-Kuwaiti alliance after the Iraqi invasion of Kuwait through the designation of Kuwait

⁷⁸ Kostiner, Joseph, 'The United States and the Gulf States: Alliance in Need', *Middle East Review of International Affairs*, Volume 2, No. 4, November 1998. pp.3-4.

⁷⁹ Al Tayyar, Loai Baker, *Amn il-khalij il-'arabi*, 'Arabian Gulf Security', 1st edition, Dra Biesan, Centre Études Euro-Arab, Beirut, 1999. p.97.

⁸⁰ Zahran, Jamal Ali, 'Ad-dawr al-Rusi fi Tawāzun 'am il- khalij il-'arabi' , 'Russian role in the Balance of Arabian Gulf Security' *Al-Siyassa Al-Dawliya Magazine*, Issue No. 122, Cairo, October 1995.p.54.

⁸¹ Al-Enezi, Abdulla, Op. Cit.p.263.

as ‘a major US non-North Atlantic Treaty Organization (NATO) ally’ on 1 April 2004.⁸² In addition, Kuwait signed a set of agreements with NATO allies in 2006 under NATO’s Istanbul Cooperation Initiative (ICI) of 2004,⁸³ concerning the exchange of experiences and cooperation in border security, counterterrorism, crisis management, joint military exercises and military education and training.⁸⁴ This was expressed by Sheikh Mohammad Al-Sabah, who stated that Kuwaiti acceptance of the ICI ‘is not directed against anyone or poses a threat to anybody’. He added that ‘the reservation of alliances and foreign military bases no longer exists’ and that ‘the Iraqi invasion of Kuwait in 1990 and its implications for the latest qualitative change in the defence doctrine of the State of Kuwait and the GCC when the GCC states realized that security architecture that was prevalent then in the region is no longer effective and cannot be used as a basis’. He attributed the reasons to the lack of a balance of power within the Gulf region.⁸⁵ However, as Wikileaks has shown, LeBaron, the US ambassador to Kuwait, commented on this issue in 2006, saying that ‘the fact of Kuwait comes at a good time - signalling to Iran small Gulf States have big friends’.⁸⁶ All these variables have appeared in Kuwaiti foreign policy as a result of the Iraqi invasion and the international circumstances and could be described as ‘preventive diplomacy’ for Kuwaiti security and the GCC.⁸⁷

It is expected that these abovementioned treaties will remain in force for a long period and will be renewed by the contracting parties either with Kuwait or with the GCC states,⁸⁸ due to the strategic and economic importance of the Gulf region, particularly Gulf oil,

⁸² Terrill, W. Andrew, *Kuwaiti National Security and the U.S.-Kuwaiti Strategic Relationship After Saddam*, Strategic Studies Institute United States Army War College, SSI, USA, 2007. p.40.

⁸³ Kuwait Ministry of Foreign Affairs, *At-takrīr us-sanawi 2006*, Op.Cit. pp.35-39.

⁸⁴ Kuwait, Qatar, Bahrain and UAE are part of this Initiative since 2005. On the NATO website; http://www.nato.int/cps/en/natolive/topics_52956.htm

⁸⁵ Keynote Speech of Sheikh Dr. Mohammad Al-Sabah Speech, Minister of Foreign Affairs, ‘At the International Conference of the North Atlantic Treaty Organization (NATO) in Kuwait’, Ministry of Foreign Affairs, Kuwait, 12 December 2006.

⁸⁶ Wikileaks, ‘NATO Istanbul Cooperation Initiative Meeting in Kuwait’, Reference ID; 06KUWAIT4557, CONFIDENTIAL, Embassy Kuwait, 4-12-2006. Available online on Wikileaks website at: <http://wikileaks.org/>

⁸⁷ Key Note Speech of Sheikh Dr. Mohammad Al-Sabah, Minister of Foreign Affairs, ‘At Lecture entitled ‘The GCC in A Turbulent World in Washington’, Ministry of Foreign Affairs, Kuwait, 2 May 2010.

⁸⁸ UK – Bahrain on September 1991, France – United Arab Emirates on September 1991, USA – Qatar on July 1992, and Kingdom of Saudi Arabia with the USA to conclude an agreement concerning the expansion of a 20-year-old military exercise agreement as a legal basis for military cooperation between the two countries instead of any memorandum of understanding between the two countries, as Saudi Arabia objects to being an American protectorate; Al-Enezi, Abdulla, Op. Cit. p.263.

which is considered the most important factor for energy worldwide and for industrial countries in the future, due to several indicators, as follows:

1. Major industrial states, such as the US, Canada and Britain, need external oil. For example, the US is the greatest consumer of oil worldwide, at 17.4 million barrels per day in 1998⁸⁹ and 20 million in 2005, although this figure was down to 18 million in 2009.⁹⁰ The oil requirements of these countries are expected to increase, with this trend having started in 2005, as studies have indicated. This means that the oil market will need to produce more oil, equivalent to the production of these three countries, that is, amounting to 12.6 million barrels per day, to create the required balance between production and consumption in the international oil market.

2. The promotion and development of alternative energies such as solar, wind and thermal hydrogen are very slow, which means that alternative energy will not compete with the ordinary sources of energy, topped by oil and natural gas, in the near future.⁹¹

3. Forecasts indicate that oil consumption will increase until 2020 at 2% annually, i.e. 32.8 million barrels per day. International consumption will increase from 78.2 million barrels per day in 2002 to 111 million barrels per day in 2020. Further, expectations indicate that oil consumption by industrial countries will increase from 43.9 million barrels per day in 2002 to 52.2 million barrels per day by 2020.⁹²

This represents steadily increasing pressure on the oil countries that have significant oil reserves, such as the eight Gulf states, whose oil reserves are estimated at 660 billion barrels, i.e. two-thirds of the world's oil reserves.⁹³ In particular, some sources suggest that the consumption level of Western countries in 2000, whose oil reserves are estimated

⁸⁹ Ghunaimi, Zain Eldeen, Op.Cit. p. 27.

⁹⁰ Organization of the Petroleum Exporting Countries (OPEC), 'Annual Statistical Bulletin', 2009. p.46.

⁹¹ Ghunaimi, Zain Eldeen, Op.Cit. p. 27.

⁹² Al-Dar, Hossam Gabr, 'At-taṭawurāt ad-duwalīyah fi aswāk il-tākah wa in'ikāsātiha 'alā ad-duwal il-'arabīyah', 'International Developments in the Energy Markets and its implications on the Arab Countries', *Oil and Arab Cooperation Journal*, Vol. 33, Issue No. 120, Secretariat General of Organization for Arab Petroleum Exporting Countries, Kuwait, 2007. p.153.

⁹³ Abdullah, Hussain, *An-naft il-'arabi khilāl al-mustakbal il-maṇḍūr: ma'ālim miḥwarīyah*, 'Arab Oil in the Near Future: Fundamental Features on the Road', 1st edition, The Emirates Centre For Strategic Studies and Research, UAE, 1998.p. 102.

at 55 billion barrels, will provide them with enough for only five years of consumption.⁹⁴ North America and Western Europe imported about 21.5 million barrels per day in 2009.⁹⁵ While it is true that there are other territories in the world that are more willing to assist the West and that enjoy sufficient oil reserves, such as the oil reserves of Latin America, estimated at 138 billion barrels; of Western Europe, including Russia, estimated at 60 billion barrels; and of Africa, estimated at 76 billion barrels; all these countries have been witnessing economic growth, which may require more local consumption and reduce oil exports. Thus, Gulf oil remains the most important source of energy for Western countries; it constituted 64 – 84% of the world's oil reserves and 41% of the global consumption of energy in 2000.⁹⁶ The GCC states have 45.3% of the world's total oil reserves, which represents 70% of the Gulf's total oil reserves.⁹⁷

On the political and economic dimensions, since the emergence of New World Order led by US in 1991, the Gulf region has become more important to international powers, and particularly to the West and US in combating global terrorism and terrorist intelligence networks; most of the members of Al-Qaeda's network, who were behind the 9/11-2001 terrorist attacks on the US, are Gulf citizens. There is also the need to contain some states, such as Iraq and Iran. This was evident in the role of the GCC states in providing logistical support by offering use of their land and airspace to the international coalition led by the US to contain Iraq with a no-fly zone from 1990 to 2003 and in the war of 2001 against Afghanistan; this is in addition to their role in the 2003 war against Iraq. For example, the Kuwaiti role was defined by US ambassador LeBaron in 2006: 'Kuwait's extensive support for U.S. and coalition troops in the country is sensitive both domestically and in the region'.⁹⁸ However, the US has remained concerned over the financing of terrorism and has been monitoring the activities of several Islamic charities in Kuwait and other

⁹⁴ Emirates Centre For Strategic Studies and Research, *Al-khalīj al-'arabi: mustakbal al-'amn was-siyāsāt al-biriṭāniyah*, 'Arabian Gulf: The Future of Security and British Policy: Energy Safety in the Arabian Gulf Region', 1st edition, UAE, 2000. p. 61

⁹⁵ Organization of the Petroleum Exporting Countries (OPEC), 'Annual Statistical Bulletin'. Op.Cit. p.57.

⁹⁶ The Emirates Centre For Strategic Studies and Research, *Al-khalīj al-'arabi: mustakbal al-'amn was-siyāsāt al-biriṭāniyah*, Op.Cit. p.61.

⁹⁷ Morsi, Abdel-Aziz, ' "Matha ba'd al-Nift?" waḍ' duwal majlis at-ta'awn il-khalījī wa muḥāwalah listishrāf āfāk il- Mustakbal', 'What After Oil? 'The Status of the GCC States and an Attempt to Explore the Future', *Journal of Social Sciences*, issue No. 1, Kuwait University, Kuwait, 2002. p.181.

⁹⁸ Wikileaks, 'Kuwait: 2005/2006 Report To Congress on Allied Contributions To The Common Defense', Reference ID; [06KUWAIT407](#), [SECRET](#), [Embassy Kuwait](#), [2006-02-06](#).

GCC states.⁹⁹ Thus, the US urged Kuwait to enact the ‘terror finance and counterterrorism’ law and implement its plan to set up a ‘rehabilitation program’ similar to that of Saudi Arabia, for those who returned from Guantanamo Bay camp and for radical Kuwaitis.¹⁰⁰

The 2000s have also seen the return in international affairs to a relatively more multipolar world, as the unrivalled dominance of the US was whittled away and other powers – not least Russia - (re)asserted themselves. This went hand in hand with the economic surge in Asia and the general international clout of the BRICS and Asian energy-hungry states. In addition to changing the global landscape, this also further rased the importance of the Gulf region to the Asian economies such as China, India and Japan. This was evident through the exchange trade between GCC and Asian economic states, which has risen rapidly from 10% in 1980 to 36% in 2009, compared to 45% with the OECD in 2009. For example, China and India, as major economic partners to GCC, contributed 58% of the GCC’s total trade in Asia in 2010, while six major economies of ASEAN made up 35%. Thus, it is expected that Asia will be the GCC’s biggest trading partner by 2017.¹⁰¹

Kuwait has adapted to these shifts in international geopolitis and geo-economics, in dealing with its domestic interests and regional challenges and opportunities.

3. Internal factors

Among the internal factors shaping Kuwait’s foreign policy, the political system is of course crucial. This will be discussed in detail together with the decision-making system that it is intertwined with, in the following section. Here, we focus on demography, social structure and ethno-religious factors, and economic factors.

⁹⁹ Ibid, ‘U.S.-Kuwait Gulf Security Dialogue Talks (March 10, 2008)’, Reference ID: , [08KUWAIT337](#) , [SECRET//NOFORN](#), [Embassy Kuwait](#), [2008-03-26](#)

¹⁰⁰ Ibid, ‘Scenesetter For The Kuwait Prime Minister’s September 18-19 Visit To The United States: Strengthening An Indispensable Regional Partner’, Reference ID: [08KUWAIT936](#), [SECRET](#), [Embassy Kuwait](#), [2008-09-02](#).

¹⁰¹ The Economist Intelligence Unit, ‘GCC Trade and Investment Flows: The emerging-market surge’, The Economist, 2011. p.14.

3.1. *Demography, social structure and ethno-religious factors*

Kuwait's small national population has, clearly, meant severe limitations on its military capacity. This has been exacerbated by aspects of local political culture – looking to the state as provider and the military as part of the state apparatus that provides jobs and income, and, at least until the invasion, a profession that at least the national population by and large did not see as a target of serious effort and commitment. The gradual turning to non-national military personnel imported for the purpose did not fully address this. As we will discuss military capacity in section 5, as part of the tool box for Kuwaiti foreign policy, we will not expand on this aspect further here, and instead turn to other aspects of demography and social structure.

The first census in Kuwait dates back to 1957 when the total population was 206,473, of whom 113,633 were Kuwaiti nationals (55%) and 92,851 were non-Kuwaitis (45%). After the discovery of oil, there was increased demand for the different types of labour necessary to push forward policies for economic and social change; thus, the population increased dramatically and the demographic structure or demographic transition changed in favour of non-Kuwaiti nationals. According to the 1989 statistics, the total population of Kuwait was an estimated 2,014,135, of whom 550,181 were Kuwaitis (27%) and 1,463,954 were non-Kuwaitis (72.7%).¹⁰² Between 1930 and 1990, the population of Kuwait increased from 30,000 people to 2.2 million.¹⁰³

Following the liberation of Kuwait, many foreigners, especially Arabs, left the country and a degree of balance was restored between the numbers of Kuwaiti nationals and foreigners. At that time, the population of Kuwait was 1,484,431, of whom 642,596 were Kuwaiti nationals (43.3%) and 841,835 were non-Kuwaiti nationals.¹⁰⁴ In 1998, the population was 2,270,865, of whom 786,010 were Kuwaiti nationals (34.6%) and

¹⁰² Mohammad, Essa Haji, 'As-sukān wal 'amālah fil 'iktişād il-Kuwayti: al- Mushkilah was-siyāsāt', 'Population & Labour in the Kuwaiti Economy: Problem & Policies', *Center of Gulf & Arabian Peninsula Studies*, Issue 82, Kuwait University, Kuwait, 1996. p.17.

¹⁰³ Al-Sadoon, Jassem Khaled, 'Al-mustakbal al-iktişādi lil khalīj il-'arabi', 'Economic Future of the Arabian Gulf', *Al Mustaqbal Al Arabi Journal*, No. 161, Centre for Arab Unity Studies, Beirut, July, 1992.p.20.

¹⁰⁴ Mohammad, Essa Haji, Op.Cit. p.19.

1,484,855 were non-Kuwaiti nationals (65.40%).¹⁰⁵ By 2005, the population had grown to 2,193,710 including 860,361 Kuwaiti nationals (39.2%) and 1,333,349 non-Kuwaiti nationals (60.8 %).¹⁰⁶ In 2006, legal Arab immigrants numbered 356,899, while there were 875,976 Asians, 24,416 Europeans and Americans and 4,588 Africans.¹⁰⁷ This means that Asians represented the majority of the non-Kuwaiti population, followed by Arabs, Europeans and Americans, and finally, Africans due to political and security reasons discussed below. In 2008, the population of Kuwait was estimated at 3,328,136 out of whom 1,038,598 were Kuwaiti nationals, while the rest were non-Kuwaiti nationals.¹⁰⁸

The varied social structure of the Kuwaiti population is an important factor in shaping Kuwaiti policy. This structure can be categorized into two main groups. The first is Kuwaiti nationals; this group can be divided into subgroups according to ethnic origin (Najedi, Persian and Iraqi), religious affiliation (Sunni -Shi'a),¹⁰⁹ and families and tribes (Hadhar- Bedu). The second category is non-Kuwaiti nationals; this group also can be divided into subgroups along the lines of Arabs, non-Arabs and non-Muslims. This structure has sometimes resulted in tension between these groups for several reasons whether political, economic, cultural, or religious and so on,¹¹⁰ and especially between the groups such as between Sunnis and Shiites or families (Hadhar) and tribes (Bedu) in Kuwaiti society as discussed below.¹¹¹

¹⁰⁵ Al-Essa, Shamlan Yousef, 'Ta'thīr 'azmat il-khalīj fil- 'amālah al-'arabīyah', 'Impact of Gulf Crisis on the Arab Labour', *Al Mustaqbal Al Arabi Journal*, No. 254, Centre for Arab Unity Studies, Beirut, April 2000. p.31.

¹⁰⁶ Central Statistical Office, *Annual Statistical Abstract*, 44th edition, Ministry of Planning, State of Kuwait, 2007.p.17.

¹⁰⁷ Ibid, p.30.

¹⁰⁸ Kuwait Government Online, 'Population of Kuwait'. Available online on KGO website at: http://www.e.gov.kw/sites/kgoenlsh/portal/Pages/Visitors/AboutKuwait/KuwaitAtaGlance_Population.aspx

¹⁰⁹ Boghardt, Lori Plotkin, Op.Cit. p.9.

¹¹⁰ [Countries and Their Cultures](http://www.everyculture.com/index.html), 'Culture of Kuwait'. Available online on website at: <http://www.everyculture.com/index.html>

¹¹¹ Denise Yammine, 'Kuwaitis will Meet a New National Assembly Tomorrow: Voting for Sectarianism, Tribalism... and Change', published in Al-Monitor, Wednesday, Feb 1, 2012. Available online on Al-Monitor website at: <http://www.al-monitor.com/cms/contents/articles/politics/2012/02/kuwaitis-will-meet-a-new-nationa.html>

The non-Arab and non-Muslim populations have been cause for some social and cultural concerns among parts of the national population as representing material and ideational challenges to Kuwait. Concern about this was expressed by the Kuwaiti Minister of Foreign Affairs, Sheikh Mohammed Al Sabah in 2011: ‘the proportion of the Arab labour in the GCC dropped over the past 30 years from 72 percent in 1975 to 32 percent in 2005’, something which he noted could pose challenges to the Arab and Islamic identity.’¹¹² To date, however, this group has not posed any political risks to the security of Kuwait except for the ideational challenges (identity or religion) and minor security issues represented by labour strikes, criminal incidents and public riots such as the three-day Bangladeshi riot and the Asian workers strike on 29 July 2008 about the increase or nonpayment of salaries and unemployment problems¹¹³ and the ‘Egyptians’ riot’ in 1999 due to a quarrel between Egyptian and Bangladeshi residents, which led to disorder and left Kuwaiti properties damaged.¹¹⁴ Thus, this group, except for the Iranian community, remains in the circle of minor security risks due to the fact that they are less concerned with and less involved in the issues and politics of the Arab and Middle East region, and their fears and concerns stem from their own insecure hold over jobs and residency.¹¹⁵

In contrast, the Arab immigrants may constitute political risks to the security of Kuwait, especially at times when their home governments were ideologically opposite to Kuwait’s policy. This is demonstrated by the aforementioned acts of violence, explosions, terrorist operations and assassination attempts that occurred in Kuwait during the 1980s by the radical Arab and non-Arab immigrants (Iranians) due to the fallout from the Iranian revolution and the Kuwaiti stance towards the Iraq-Iran War. Iran and Iraq used Kuwait as a ‘battlefield’ or ‘proxy war’ by tapping the Kuwaitis and residents for terrorist operations. For example, Iran was the main supporter of some Kuwaiti Shi’a and Iranian residents who carried out terrorist and violent attacks in 1980s such as the bombings of the American embassy and Kuwait airport in 1983, the hijacking the Kuwaiti aeroplanes in 1984 and 1988, the assassination attempt on the Amir in 1985 and the bombings of four

¹¹² Kuwait Times Newspaper, ‘Top priority to welfare of GCC citizens: FM’, January 26, 2011. Kuwait; http://www.kuwaittimes.net/read_news.php?newsid=MzMxNzIyOTEx

¹¹³ *Arab News*, ‘Kuwaiti Police break up demo by Asian workers’, Tuesday 29 July 2008. Available online on Website at: <http://www.arabnews.com/node/314175>

¹¹⁴ BBC, ‘World: Middle East Egyptians riot in Kuwait’, Sunday, October 31, 1999. London.

¹¹⁵ Boghardt, Lori Plotkin, Op.Cit. p10..

oil installations in 1986 that were claimed to be linked to the Iranian-supported Iraqi Al-Dawa party and the Lebanese Hezbollah party. Iran was also linked with the weapon smuggling in Kuwait, with the Shiite incitement against the Kuwaiti leadership and the demonstrations by Kuwaitis and Iranian residents in support of the Iranian revolution and the capture of American hostages and the embassy in Tehran in early 1979-1980. In the meantime, Iraq supported the radical Arab residents who, it was claimed, were linked to Iraqi-backed organizations or individuals, and were responsible for acts such as the assassination of two Kuwaiti diplomats in New Delhi and Madrid in 1982, the bombing of a café, which left 11 dead in 1985, and the assassination attempt on the chief editor of the Kuwaiti newspaper *Al-Siyassa* in 1985 which were claimed to be linked with the Palestinian Abu Nidal Organization. To this were added the terrorist operations and assassination attempts against Kuwaiti and non-Kuwaiti individuals and Iranian interests in Kuwait during the 1980s.

These internal and external challenges prompted Kuwait to deport 18,000 Arab and non-Arab foreign residents from January 1979 to January 1980; Iranians represented 300% of the monthly average number of deportations (December 1979-January 1980). This increased during the Iraq-Iran War from 50,000 to 100,000 (illegal residents) during 1982¹¹⁶ but decreased to 62,125 from 1983 to 1988, of whom the Arabs (Iraqis, Lebanese and Jordanians of Palestinian origin) and Iranians represented the highest average proportion of deportations. To this is added the setting up of new restrictions on the awarding of visas for visits to Kuwait.¹¹⁷ Thus, the Kuwaiti leadership restored parliamentary life in February 1981 after its suspension since 1976, as the internal front to unite the Kuwaiti people behind their political leadership against any rebellion or threat to the Kuwaiti system.¹¹⁸ This is in addition to the exploitation of Arab immigrants in their important positions in the Kuwaiti bureaucracy for espionage activities, such as some Palestinians, of whom there were over 400,000 in Kuwait up to 1990, who, some of them collaborated with the Iraqi occupiers of Kuwait in 1990. This applied to some stateless Arab residents, known as Bidoon,¹¹⁹ who, inspired by Iraq or Iran, constituted some risks

¹¹⁶ Ibid, pp.32-91.

¹¹⁷ Ibid. p.125.

¹¹⁸ Ibid.p.45.

¹¹⁹ Bidoon is the term used to refer to those residents who do not have Kuwaiti citizenship or any other nationality (stateless).

to the security of Kuwait through their role in the acts of violence during the 1980s, the collaboration with the Iraqi occupiers of Kuwait,¹²⁰ and their involvement in spying activities, such as the spy ring discovered in 2010¹²¹ and Al Qaeda's network activities as discussed below. The unresolved issue of Bidoon, whose numbers, up to 2012 have been estimated at over 100,000, became a controversial issue in Kuwaiti society after its liberation in 1991, and represent major internal and external challenges to Kuwait, especially after the demonstrations of Bidoon that took place since 2011 during the Arab Spring to demand solutions to their problems.¹²² This placed Kuwait's reputation in a critical position before the international community and human rights watchdogs and also to its security.¹²³

On the other hand, there was little risk of political activism by non-Arab immigrants or of local meddling by their home governments – except, to some extent, when it came to Iran. Iranian citizens in Kuwait have been estimated to number between 54,000¹²⁴ and 70,000 (2009).¹²⁵ As well as direct contact with its own nationals, there has also been some evidence of Iranian attempts to reach out to Kuwaiti Shia – even if the Kuwaiti Shia population for the most part has shown little interest in being courted by Iran. In two instances, the embassy of Iran convened with Kuwaiti Shiite individuals in 2004,¹²⁶ which prompted the Kuwaiti Minister of Foreign Affairs to declare that the Iranian Embassy in Kuwait 'went beyond the limits granted to them under the Vienna Convention governing diplomatic work', which led the Kuwaiti Foreign Ministry to summon the Iranian *charge*

¹²⁰ It is worth mentioning that many Bidoon were apart of Kuwaiti resistance and Kuwaiti army against this invasion. See; Boghardt, Lori Plotkin, Op.Cit. pp.123-152.

¹²¹ Arab Times Newspaper, 'Kuwait condemns 3 to death in Iran spy ring', 29 March 2011, Kuwait.

¹²² Refugees International, 'Kuwait: Bidoon Nationality Demands Can't Be Silenced', March 6, 2012. Report available online on the RI website at :

<http://refugeesinternational.org/policy/field-report/kuwait-bidoun-nationality-demands-cant-be-silenced>

¹²³ U.S. Department of State, '2010 Country Reports on Human Rights Practices: Kuwait', Washington, 2010. p.12. Available online on the website of Department of State website at: <http://www.state.gov/j/drl/rls/hrrpt/2010/index.htm>

¹²⁴ *AlNahar* newspaper, 'Thousands of Iranians in Kuwait vote heavily to choose their president', 13 September 2009, Kuwait.

¹²⁵ *Kuwait Times*, 'Iranians in Kuwait', 21 June 2009, Kuwait. http://www.kuwaittimes.net/read_news.php?newsid=NDM3NTM4MTQx

¹²⁶ There are no official and accurate statistics on the number of Shiites in Kuwait. Most of these statistics include non-Kuwaiti nationals. However, sources cite figures of between 15% and 25%; see Falah Almdersis, *Shiite Movement in Kuwait*, Dar Qurtas, Kuwait, 1999.

d'affaires.¹²⁷ This was in addition to the claim that a 'spy cell', discovered in May 2010 in Kuwait, was working with Iran's Revolutionary Guards,¹²⁸ a year later, in 2011, the five members (2 Iranians, Kuwaiti citizen, Syrian and Arab stateless 'Bidoon') of this 'cell' were convicted by a Kuwaiti court.¹²⁹ The GCC states condemned Iran's 'flagrant interference' in regional affairs in its statement at the ministerial extraordinary meeting to discuss this issue on 3 April, 2011.¹³⁰ The Kuwaiti Minister of Foreign Affairs declared that Kuwait 'may expel three Iranian diplomats over a spying row in the Gulf Arab state' and that the Kuwaiti government had withdrawn its ambassador from Tehran; he also, accused 'Iran's elite Revolutionary Guards of being behind a spy cell in Kuwait'.¹³¹ This was linked to increasing concerns about wider Iranian influence in the Gulf region through the Shi'a. Wikileaks documents have shown Kuwaiti officials were saying that 'Iran is intent upon exporting its revolution and Shi'ism'¹³² in the Gulf and Yemen through 'supporting Shi'a in the Gulf and extremists in Yemen',¹³³ and were deeply worried that Iran 'would be more inclined to meddle in Kuwaiti internal affairs given the thirty percent of the nation that is Shi'a'.¹³⁴ This concern expressed in the secret telegram of the US Embassy in Kuwait in 2007, as follows 'Many Kuwaiti Sunnis fear Iranian-backed Shi'a ascendancy in the region and some see the Shi'a in Kuwait as a significant security threat'.¹³⁵

¹²⁷ *Al-sharq Al Awsat* Newspaper, Issue No. 9298, Thursday 13 May, London, 2004.

¹²⁸ Kuwait Times Newspaper, 'Kuwait busts Iran spy cell', 2 May, 2010, Kuwait; http://www.kuwaittimes.net/read_news.php?newsid=MTQwNDQxNjEwMg==

¹²⁹ AlWatan Daily, 'Death sentence to Kuwaiti, 2 Iranians, for belonging to Iranian spy ring', Wednesday, 30 March, 2011. Kuwait; <http://alwatandaily.kuwait.tt/>

¹³⁰ *Arab Times*. 'Gulf states denounce Iran's meddling', 4 April 2011, Kuwait; <http://www.arabtimesonline.com/NewsDetails/tabid/96/smId/414/ArticleID/167532/reftab/36/t/Gulf-states-denounce-Iran-s-meddling-/Default.aspx>

¹³¹ *AlWatan*, 'Kuwait to expel Iranian diplomats in spy row', Friday, 1 April, 2011. Kuwait; <http://alwatandaily.kuwait.tt/#>

¹³² Wikileaks, 'Kuwait Interior Minister Sounds Alarm on Iran Offers Assurances on GTMO Returnees and Security', Reference ID; [10KUWAIT142](#), [SECRET//NOFORN](#), [Embassy Kuwait](#), 17-2-2010. Available online on Wikileaks website at: <http://wikileaks.org/>

¹³³ Wikileaks, 'Gen Petraeus and Kuwaiti DCOS on Iran, Iraq, CT, Yemen and Joint Military Exercises', Reference ID; [09KUWAIT760](#), [SECRET](#), [Embassy Kuwait](#), 2 August 2009. Available online on Wikileaks website at <http://wikileaks.org/>

¹³⁴ Wikileaks, 'Ambassador Raises Iranian Nuclear Concerns with Kuwait', Reference ID; [10KUWAIT88](#), [CONFIDENTIAL](#), [Embassy Kuwait](#), 1 February 2010. Available online on Wikileaks website at: <http://wikileaks.org/>

¹³⁵ *Ibid*, 'Update On Shi'a-Sunni Relations In Kuwait: Stable, Despite Rhetoric And Regional Tensions', Reference ID: [07KUWAIT257](#), [SECRET//NOFORN](#), [Embassy Kuwait](#), 20 February [2007](#).

As to other internal challenges, it can be seen that ‘tribalism’ ,versus families, has played an essential role in Kuwait, as expressed by US ambassador, Deborah, in 2009: ‘Tribalism is a central factor in Kuwait's socio-political equation [...] tribalism partly fills the void created by the absence of official political parties’;¹³⁶ she added, ‘In contrast to the rising influence of Kuwaiti tribal groups, Kuwaiti merchants’ sense of shared identity and once predominant overt political and economic power has waned’.¹³⁷ Therefore, the political, economic, and ideological struggle for power among the Kuwaiti nationals (Hadhar ‘families’ versus Bedu ‘tribes’, Sunni versus Shi’a) to achieve short-term political and economic gains, especially in Kuwaiti bureaucracy, has been a main concern of Kuwait since 2006. This fact was stated by US officials in Wikileaks documents:

with rising oil revenues, the ruling Al Sabah family was able to provide - for the first time - health care, education and other services for its primary beneficiaries, the Hadhar . As such services and benefits increasingly trickled out to the tribes beyond the old line of the city wall [...] the traditional distinction in lifestyle between the Hadhar and the now settled tribes narrowed; but a fundamental difference of mindset continued to divide the two. That distinction never disappeared, and is the essence of Kuwait's tribalism ‘problem’ today.¹³⁸

Nonetheless, the struggle between the Sunni and Shi’a was exacerbated in Kuwait after the fall of Saddam Hussein regime in 2003 due to external and internal reasons having ideational and regional impacts, the most important of which was the spillover of the fallout of Iraqi Sunni-Shi’a sectarian violence in 2006; this divided Kuwaiti society, leading people to support their own ideological affiliations through demonstrations and protests, which threatened the ‘national unity’ and social cohesion in Kuwait as discussed in Chapter 9.¹³⁹ For this reason, the Amir of Kuwait has emphasized the importance of

¹³⁶ Ibid, ‘Tribalism As A Mobilizing Factor In Kuwaiti Politics (In The Absence of Political Parties)’, Reference ID: [09KUWAIT244](#) , [CONFIDENTIAL](#), [Embassy Kuwait](#), 15 March [2009](#) . Available online on Wikileaks website at: <http://wikileaks.org/>

¹³⁷ Ibid, ‘Kuwait's Merchants Fret About The Future, Fail To Shape The Present’, Reference ID: [09KUWAIT614](#) , [CONFIDENTIAL](#), [Embassy Kuwait](#), 22 June [2009](#) . Available online on Wikileaks website at: <http://wikileaks.org/>

¹³⁸ Ibid, Tribalism As A Mobilizing Factor In Kuwaiti Politics (In The Absence of Political Parties)’ Op.Cit.

¹³⁹ Ibid, Update On Shi'a-Sunni Relations In Kuwait: Stable, Despite Rhetoric And Regional Tensions’, Reference ID: [07KUWAIT257](#) , [SECRET//NOFORN](#) , [Embassy Kuwait](#), 20 February [2007](#).

‘national unity’ among Kuwaiti nationals in all his speeches since 2006 until the present time.¹⁴⁰

After the 9/11 terrorist attack in the US in 2001, the activities of Kuwaiti and non-Kuwaiti extremists in conjunction with Al-Qaeda’s network became the main challenge to Kuwaiti security. This is evident through the terrorist operations that have occurred in Kuwait since 2002 that are claimed to be linked to Al-Qaeda, the most important of which has been the violent clashes between the Kuwaiti security police and ‘Peninsula Lions network’, affiliated to Al-Qaeda, in January 2005,¹⁴¹ for which 30 of the 37 members (Kuwaiti, Arab, Bidoon) were convicted in December 2005 by a Kuwaiti court for attempting to overthrow the regime in Kuwait and for seeking to kill US troops in Kuwait.¹⁴² This is in addition to the Kuwaiti nationals’ involvement in the *Jihad* activities in Iraq since 2003, whose networks became a main concern for Kuwaiti security stability (see Chapters 8 and 9). These considerations reflect on Kuwait’s security and ideational social risks that may affect the internal or external stability of the Kuwaiti national unity in the case of conflict or tension between these identities.¹⁴³

3.2. *Economic factors*

Economic factors have given Kuwait much more clout regionally and internationally than its size would otherwise have suggested. Thus, Kuwait has employed economic means as one of the tools of its foreign policy towards Iraq and other countries to protect or further its national interests. In the past, and before the discovery of oil, Kuwait relied on pearling, growing crops and keeping livestock, and trade. The importance of Kuwait at that time was due to its location at the top of the Arabian Gulf, which formed a link with the Red Sea and the Indian Ocean. At that time, before the opening of the Suez Canal, the Arabian Gulf was the only port for European trade. Vessels and ships coming from India

¹⁴⁰ For all of H.H. the Amir of Kuwait Speeches; available online at the website of Al-Diwan Al-Amiri; http://www.da.gov.kw/eng/speeches/amir_speeches_2011.php

¹⁴¹ Terrill, W. Andrew, 2007, Op.Cit. p.51.

¹⁴² Wikileaks, ‘Peninsula Lions Verdict In: 30 Convictions Including 6 Death Sentences’, Reference ID: [05KUWAIT5270](http://wikileaks.org/wiki/05KUWAIT5270), UNCLASSIFIED//FOR OFFICIAL USE ONLY, Kuwait Embassy, 27 December 2005.

¹⁴³ Okruhlik, Gwenn , ‘ The identity politics of Kuwait’s election’, *Foreign Policy Magazine*, 8 February, 2012; http://mideast.foreignpolicy.com/posts/2012/02/08/the_identity_politics_of_kuwait_s_election

and destined for Syria and Europe used to pass through the Arabian Gulf.¹⁴⁴ Thanks to its location, Kuwait offered a key commercial link between the Arabian Gulf and Europe. This economic importance increased when the Persians occupied Basra between 1776 and 1779, which led Britain to relocate the East India Company (UK) to Kuwait and transfer to there its post and trade. In addition, migration to Kuwait increased, which made Kuwait an economic point of transit. In 1862, the British traveller W. Palgrave visited Kuwait and mentioned that he preferred its port to the nearest ports on the Arabian Gulf.¹⁴⁵

Following the discovery of oil in Kuwait in 1938, the economic climate in the country changed and most pre-oil exploration industries ceased to exist. The exploration for oil gave rise to international ambitions towards Kuwait, especially from Iraq. Nonetheless, due to the Second World War, Kuwait did not export the first shipment of oil until 1946. The export of Kuwaiti oil has had an impact on the social and economic lifestyle of the country and on its public policy after the nationalization of oil in Kuwait in 1975 (Kuwait Oil Company).¹⁴⁶

Oil is considered the main source of national income; it contributed 91.5% of the total revenue in 2011.¹⁴⁷ Kuwait's oil reserves were estimated at 101.5 billion barrels in 2009, representing 7.6% of the total oil reserves in the world (estimated at 1033.5 billion barrels).¹⁴⁸ The average daily production of Kuwaiti oil was 2.051 million barrels per day (mbpd) in 1998.¹⁴⁹ However, after the discovery of a new light oil and gas field with an estimated production capacity of 80,000 barrels of light oil per day and 110 mcfpd, in December 2009, Kuwait announced that its production capacity had reached 3.150 mbpd.

¹⁴⁴ Al-Tamimi, Abdul Malek Khalaf, *Al-khalīj il-'arabī wal maghrib il-'arabī: dirāsāt fit-tārīj as-siyāsī wal-ijtimā'ī wal iktisādī*, 'Arabian Gulf & al-Maghrib al-Arabi Area: Studies on the Political, Social and Economic History', 2nd edition, Dar Qurtas for Publication and Distribution, Kuwait, 1999.pp.38-40.

¹⁴⁵ Al-Feel, M. Rashed, Op.Cit.p.393.

¹⁴⁶ Assiri, Abdul Reda, *An-niḍām as-siyāsī fil-Kuwayt: mabādi' wa mumārasāt*, 'Political System in Kuwait: Principles & Practices', Op. Cit.p.266.

¹⁴⁷ Ministry of Finance, 'Statement of the Minister of Finance On the Economic, Monetary and Financial Conditions And the Draft Budget for the Fiscal Year 2011/2012', Public Budget Affairs, Kuwait. p.80. Available online on the Ministry of Finance website at; <http://en.mof.gov.kw/>

¹⁴⁸ There are no official statistics regarding the Kuwaiti oil reserve, and most of the figures are predictions. See BP p.l.c., 'BP Statistical Review of World Energy', June 2010. p.6. On the BP website; www.bp.com/statisticalreview

¹⁴⁹ Ghunaimi, Zain Eldeen Abdulmaqsoud , *Al-Kuwayt wa taḥadiyāt al-karn il-ḥādī wal 'ishrīn: Ru'yah Strātījīyah was-tishrāfiyah* , 'Kuwait and the Challenges of the Twenty First Century. Strategic and Futuristic Vision', 1st edition, Center for Research and Studies on Kuwait, Kuwait, 2001. p.24.

Kuwait seeks to have increased its production capacity to 4 mbpd by 2020.¹⁵⁰ However, oil has led the Gulf region to become an arena for international competition due to the fact that it estimated to have 64% of the world's oil reserves.¹⁵¹ Kuwait has diversified its income by investing its surplus oil revenues and avoiding a reliance on its oil resources through the establishment of the 'Kuwait Investment Board' in London in 1953, eight years before its independence. This was the first 'sovereign wealth fund' in the world.¹⁵² In 1982, the Kuwait Investment Authority (KIA) was established to take over from the Ministry of Finance the responsibility for controlling Kuwait's assets. It provides an alternative to oil reserves, which would enable Kuwait to cope with the uncertain circumstances in the fluctuating world economy. The KIA manages two funds: the General Reserve Fund (GRF) and the Future Generations Fund (FGF).¹⁵³ In 2010, Kuwait's foreign investment portfolio (GRF and FGF) was an estimated KD 80.589 billion (equivalent to \$277 billion).¹⁵⁴

Oil wealth also made Kuwait a more tempting target, and indeed a target for envy, not least for Iraq. This led Kuwaiti decision-makers to employ the economic factor to serve Kuwait's foreign policy, i.e. employing the surplus material resources for security and political objectives to gain allies and deter opponents as discussed below. Following the collapse of Saddam Hussein's regime in 2003, the importance of this factor has been evident in Kuwaiti foreign policy in the form of the so-called 'economic diplomacy', which first appeared in January 2004.¹⁵⁵ Sheikh Mohammed Al Sabah, Kuwait Minister of Foreign Affairs, expressed the objectives of this term as follows:

1. To utilise the geographic location of Kuwait to serve the economic objectives via a revival of the old project related to the route connecting China with the Arabian Gulf,

¹⁵⁰ Ministry of Oil, 'KOC celebrates its Diamond Jubilee', *Inaft Magazine*, 1 January 2010, Kuwait; <http://www.moo.gov.kw/magazine/en/index.asp?More=yes&NewsID=595&mode=0&day=31&page=12>

¹⁵¹ Ghunaimi, Zain Eldeen, Op.Cit. p.24.

¹⁵² Robert M. Kimmitt, 'Public Footprints in Private Markets: Sovereign Wealth Funds and the World Economy', *Foreign Affairs*, Vol. 87, No. 1, 2008. p.119.

¹⁵³ See keynote speech of Mr. Bader M. AL SA'AD, Managing Director Of Kuwait Investment Authority, at The First Luxembourg Foreign Trade Conference, 9 April 2008. On the KIA website http://www.kia.gov.kw/En/About_KIA/Pages/default.aspx

¹⁵⁴ There are no official and accurate statistics regarding the Kuwaiti investments, and most of the figures are predictions. See Kuwait Times Newspaper, 'Kuwait Foreign Assets Swell to \$277 billion', Friday, June 05, 2010, Kuwait. http://www.kuwaittimes.net/read_news.php?newsid=NTMzNzc4Njgx

¹⁵⁵ This term appeared at the opening of the Kuwaiti Fourth Conference of Heads of diplomatic missions abroad in Kuwait. See Kuwait Ministry of Foreign Affairs, *At-takrīr us-sanawi 2004*, Op.Cit. pp.71-73.

known as the 'Silk Road', through building an economic city in the northern part of Kuwait (Silk City) with its own port, the so called 'Mubarak Al-Kabeer Port', for which Kuwait allocated \$90 billion.

2. To realize an economic open-door policy with the external world by shifting from a closed system to a more open environment through changes to the laws restricting the flow of investments to Kuwait.¹⁵⁶

For these reasons, after the increasing importance of Asian economies which has made Asia the second largest continent in economic terms, Kuwait, and of course the GCC states, was wanting to enhance its economic ties with major Asian economic states. Thus, the Amir of Kuwait paid his first official visit (as Amir) on 11-20 June 2006 to four Asian states: Bangladesh, Thailand, Pakistan and India.¹⁵⁷ This visit was followed by the official tour by PM Sheikh Nasser Al-Sabah to the eight Asian states in 2008 to bolster the economic ties. In these two visits, Kuwait signed a number of economic agreements with these states.¹⁵⁸ The Asian continent, and of course, Africa, became more attractive areas for Kuwaiti investment, especially in the agricultural sector after the world food crisis and rising prices of foodstuff since 2008. Thus, Kuwait started to buy up farmland and establish firms such as Kuwait China Investment Company (KCIC) in late 2005 with a capital of 80 million KD (\$278 million) to enter the Asian food and energy markets. This was applied in the Industrial and Commercial sector, such as the Kuwaiti stake in the Industrial and Commercial Bank of China (ICBC) and the Kuwaiti plan under a joint venture with China to build a \$9 billion refinery in China,¹⁵⁹ in which Kuwait would hold a 10% stake.¹⁶⁰ The increase in the importance of the Asian continent is reflected in the exchange trade between GCC and Asian states, which grew from \$67.3 billion in 2009 to \$83.2 billion the following year in 2010. Thus, Kuwait hosted the first Asia Cooperation

¹⁵⁶ Key Note Speech of Sheikh Dr. Mohammad Al-Sabah, Minister of Foreign Affairs, 'Lectures at International Institute for Strategic Studies under the title; Kuwait Foreign Policy in a Changing Environment', London, 16 November 2006, Ministry of Foreign Affairs, Kuwait; http://www.mofa.gov.kw/MOFA/index.php?option=com_content&view=article&id=820:--&catid=23:-&Itemid=80

¹⁵⁷ Kuwait Ministry of Foreign Affairs, *At-takrīr us-sanawi 2006*, Op.Cit. p.121.

¹⁵⁸ Food Crisis and the Global Land Grab, 'Several agreements signed on PM's Asian tour', 17 August, 2008. Available online on the farmland grab website at: <http://farmlandgrab.org/>

¹⁵⁹ Ibid, 'Kuwait firm eyes farmland in Southeast Asia', 10-7-2009. Available online on the farmland grab website at: <http://farmlandgrab.org/post/view/8111>

¹⁶⁰ Ibid, 'Kuwait looks to raise stake in China's ICBC', 15 May, 2009.

Dialogue (ACD) summit on 15-17 October 2012 aiming for comprehensive cooperation at all levels among Asian states.¹⁶¹

On the Arab level, Kuwait hosted the first Arab Economic Summit on 19-20 January 2009 to reinforce economic relationships among Arab countries, enhance the role of the private sector, and solve the problems of the Arab world. A particular concern was that the volume of trade among Arab countries in 2006 was 11.04% of the total Arab external trade. This percentage is very poor compared with the percentage of trade with other blocs, such as the European Union.¹⁶² On the European level, the Amir made his second economic tour in 2010, after the Asian tour in 2006, to major European economic states, such as Germany, Italy and the Vatican; Kuwait signed a number of economic agreements with these states.¹⁶³ On the African and American level, the PM Sheikh Nasser Al-Sabah made an economic tour in 2009 to several African states, namely, Benin, Gabon, Djibouti, Ethiopia, Comoros and Swaziland,¹⁶⁴ and in 2010 to nine south American states, namely, Antigua and Barbuda, Republic of Trinidad and Tobago, United Mexican States, Cuba, Guyana, Brazil, Chile, Argentina, Uruguay, to enhance the political and economic relations between Kuwait and these states.¹⁶⁵ Since 2008, Kuwait has invested \$5 billion in two major US financial institutions: Citigroup and Merrill Lynch MER.¹⁶⁶ On the internal level, Kuwait amended the law of the tax rate on foreign companies in 2008 by reducing the tax rate from 55% to 15% in order to encourage more foreign investment in Kuwait.¹⁶⁷ The economic factor has given Kuwait more clout in international institutions and discussions through its economic aid and investment in the biggest economic states in the world.

¹⁶¹ KUNA, 'ACD Summit Good Chance For GCC-Asian Trade, Investment Partnerships', 15 October 2012, World News, Kuwait.

¹⁶² Diplomatic Center for Strategic Studies, 'Economic Summit in Kuwait and the reality of Arab Economies', Issue No.3, Kuwait, dated 15 January 2009. p.10.

¹⁶³ *AlWatan* newspaper, Issue No. 7674/13228, Tuesday, 16 October 2012. Kuwait.

¹⁶⁴ KUNA, 'PM Tour to Seven African States', 14 July 2009. Kuwait.

¹⁶⁵ *AlWatan* newspaper, on 8 July 2010. Kuwait.

¹⁶⁶ Wikileaks, 'Kuwait Investment Authority to Invest Usd 5 Billion In Citi And Merrill', Reference ID; [08KUWAIT78](#), [CONFIDENTIAL](#), [Embassy Kuwait](#), 17 Jan 2008.

¹⁶⁷ Kuwait Foreign Investment Bureau, 'KFIB: Economic performance', Ministry of Commerce & Industry, Kuwait. Report on its website; <http://www.kfib.com.kw/kfibclient/clientpages/Index.aspx?id=55>

4. Political decision-making under the political system of Kuwait

4.1. Introduction

As mentioned in Chapter 2, the nature and features of the political system are an important factor for understanding foreign policy. Kuwait's system has in some senses been a democratic constitutional monarchy, albeit one in which the ruling family – and within it particular sections, starting with the Amir – have retained a powerful position. The evolving balance between rulers and ruled has been shaped and tested by constant negotiation in practice, not least in the context of the changing regional context. Kuwait's permanent constitution was set up in 1962, and since 1963 has been stipulating free elections to a parliament, although this also includes the government ministers as *ex officio* members, and free media.¹⁶⁸ It has twice been ranked first in the Arab world as regards freedom of the press and 60th on the international level, according to the survey by Reporters without Borders published in 2009.¹⁶⁹ We will focus, for the purposes of this thesis, mainly on the role of the official authorities in the making of foreign policy: public opinion has little if no direct influence, other than through the elections for the National Assembly (which has relatively little impact itself, as we will see), and via the top decision-makers's awareness of popular feelings. There are no formal lobbies, and no official political parties either – although there are political groupings that are represented in the Assembly. Certainly those studies that have examined the dynamics of Kuwaiti foreign policy show compellingly that the real centres of power responsible for making foreign-policy decisions in Kuwait are the Amir, the Crown Prince, the Council of Ministers, the Ministry of Foreign Affairs and finally, the National Assembly: non-official bodies, the media and public opinion as expressed in *diwaniyyas* and the like, have little or no input.¹⁷⁰

One does of course note occasional expressions of public feeling, as indeed in the case of the clear rallying around the ruling family and system in response to Saddam's invasion:

¹⁶⁸ Assiri, Abdul Reda, *An-niḍām as-siyāsi fil-Kuwayt: mabādi' wa mumārasāt, 'Political System in Kuwait: Principles & Practices'*, Kuwait university, Kuwait, 1996. p.196.

¹⁶⁹ For more details, see the report published for 2009 by Reporters without Borders Organization on their website <http://en.rsf.org/report-kuwait.156.html>

¹⁷⁰ Al Edwani, Abdullah Mutalq, 'Dawr Majlis il-'umma fīs-siyāsah al-khārijīyah al-Kuwaytīyah', 'Role of the National Assembly in the Foreign Policy of Kuwait', Jordanian University, unpublished Master's Degree, Jordan, 2006. p.27.

this was clear among other things in the refusal of almost anyone to go along with Saddam's efforts to find members for the supposed Kuwaiti republican government he claimed had invited Iraqi intervention; and in the collective agreement about the political future of Kuwait between exiles and the Kuwaiti leadership in the person of then Crown Prince Sheikh Saad in the Saudi mountain town of Taif (about which more later). It was also clear in the spontaneous declarations of joy in the media and on the streets after Iraq accepted the cease-fire at the end of the Iraq-Iraq war.¹⁷¹ But fundamentally, the power to decide foreign policy positions is in the hands of the very top state officials – in particular the Amir, the Crown Prince, Prime Minister and Foreign Minister.

There is a difference between the official statutory involvement of different levels of the government machinery on the one hand (as above from Amir to Foreign Minister, and then down to the Council of Ministers, the bureaucracy and the National Assembly), and, on the other, the actual distribution of power and influence over the foreign policy brief, which depends on personalities and power balances at the very top. Below, I first describe the formal levels of decision-making apparatus involved. Next, I move to a description of the more personal realities of power for the period under consideration.

4.2. *Formal levels of decision-making in foreign policy*¹⁷²

The stages of decision-making under Kuwait's political system can formally be described using the following levels:

- **First level:** this level is related primarily to the Amir of Kuwait. At this level, general plans are made and the general framework of Kuwait's policy regarding current issues is drawn up. At this level, the Prime Minister and the Minister of Foreign Affairs inform and receive instructions from the Amir, as the Prime Minister and all other ministers are responsible before the Amir for the functions of their ministries as per Article 58 of the Kuwaiti constitution.

¹⁷¹ See Nonneman, Gerd, 'The (Geo)Political Economy of Iraqi-Kuwaiti Relations', *Geopolitics*, Vol. 1, no. 2, 1996, pp. 187-223.

¹⁷² The framework of these institutions cited in Al Edwani, Abdullah Mutalq, Op.Cit.

- **Second Level:** this level is reserved for the Prime Minister and Council of Ministers (executive authority) that draw up the government's general policy and follow up its execution as per Article 123 of Kuwait's constitution. At this level, the views and conclusions of Kuwait's Minister of Foreign Affairs on any issue related to the external world are discussed. Further, the policy and external situations of Kuwait towards different issues are studied and discussed in light of whatever might be presented by the Minister of Foreign Affairs.
- **Third level:** this level deals with the means of administering foreign policy and how to implement the same. This level is reserved for the Ministry of Foreign Affairs and its different agencies (embassies).
- **Fourth level:** this level is reserved for the Kuwait National Assembly (legislative authority), whose role is restricted to enacting laws supervising the performance of the executive authority.¹⁷³ Under Kuwait's constitution, the 'legislative authority' has a strong role to play in giving opinions on public policy of the state, studying international treaties and conventions and proposing whatever it deems appropriate as will be discussed later.

4.2.1. *The Amir (Head of the State)*

It should be noted that members of the royal families in the GCC states (as in the case of Kuwait) play a central role in making foreign decisions. The leader's perception and experience play a critical role in the formulation of foreign policy.¹⁷⁴ Al-Alkim noted that the 'head of state' in GCC states is one of the primary circles in making foreign policy decisions.¹⁷⁵ Hence, the Amir of Kuwait, as the head of state, is the first circle in making foreign policy decisions in Kuwait. He appoints the Prime Minister as per an 'Amiri Order'.¹⁷⁶ The appointed Prime Minister proposes members of the government (ministers) to the Amir, and after that, the Amir issues an 'Amiri Decree' forming the new Council of

¹⁷³ Ibid. p.28.

¹⁷⁴ Baabood, Abdulla, Op. Cit. p.158.

¹⁷⁵ Al-Alkim, Hassan Hamdan. Op. Cit. p.156.

¹⁷⁶ Note: there is difference between 'Amiri Order' and 'Amiri Decree'.

Ministers. According to the Kuwaiti constitution, the Amir undertakes several roles and functions due to several considerations, which include:

1. head of the executive supervisory system
2. commander of the army and armed forces
3. nominal head of state
4. diplomatic head of state
5. head of the legislative authority
6. judicial prince.¹⁷⁷

Even though the Amir is the head of the ‘supreme executive authority’ in the state,¹⁷⁸ regarding the performance of his duties and responsibilities, the Kuwaiti constitution has entrusted the direct executive powers of the Amir to the Council of Ministers as per Article 55 of the constitution,¹⁷⁹ which provides that ‘the Amir shall exercise his powers through his ministers’.¹⁸⁰ For this reason, Kuwait’s constitution exempts the Amir from political responsibility¹⁸¹ before the people and entrusts political responsibility to the Prime Minister and the Ministers who are responsible to the Amir and the legislative authority (National Assembly), which reflects Kuwait’s parliamentary system.¹⁸²

Under the Kuwaiti political system, the Amir, in his capacity as head of state, practises a set of separate executive and legislative functions as follows:¹⁸³

1. The Amir appoints the crown prince, the deputy Amir and the prime minister and removes them from their posts in accordance with an Amiri Order.¹⁸⁴

¹⁷⁷ Assiri, Abdul Reda (1996), Op. Cit. pp.73 – 80.

¹⁷⁸ Al- Saleh, Othman Abdul-Malek, Op.Cit. p.168.

¹⁷⁹ Al Tabtabai, Adel, *An-niḍām id-dustūrī fil- kuwayt: derāsah mukāranah*, ‘Constitutional Systems in Kuwait: Comparative Study’ 3rd edition, Kuwait University, Kuwait, 1998.p.504.

¹⁸⁰ Constitution of Sate of Kuwait, ‘Articles 51 and 65’, Op. Cit., pp.10 -12.

¹⁸¹ Al Tabtabai, Adel, Op.Cit. p.519.

¹⁸² Al- Saleh, Othman Abdul-Malek, Op.Cit. p.324.; Al Tabtabai, Adel, Op.Cit. p.549.

¹⁸³ Al Edwani, Abdullah Mutalq, Op.Cit. p.31.

¹⁸⁴ Al-Hamidah Khalifa Thamer, *an-niḍām id-dustūrī il-kuwayti*, ‘Kuwaiti Constitutional System’, 1st edition, National Library of Kuwait, Kuwait, 2010. pp.110-111.

2. The Amir has the right to dissolve the Kuwait National Assembly as per an Amiri Decree and he can call for new elections within a period of no more than two months as per Article 107 of the constitution. He also has legislative powers such as the right to propose laws in accordance with Article 51 of constitution, which provides that ‘legislative power shall be vested in the Amir and the National Assembly in accordance with the constitution’ and- as per Article 65 of the constitution- ‘the Amir shall have the right to initiate, sanction and promulgate laws’.¹⁸⁵

3. The Amir has executive powers, under Article 52, which provides that ‘executive power shall be vested in the Amir, the Cabinet and the Ministers in the manner specified by the constitution’.¹⁸⁶

4. The Amir has power related to the external and internal policy of the State in accordance with Article 58 of Kuwaiti constitution, which provides that ‘The Prime Minister and the Ministers are collectively responsible to the Amir for the general policy of the state. Every minister also is individually responsible to the Amir for the affairs of his ministry’.¹⁸⁷

5. The Amir concludes international treaties abroad and presents them to the National Assembly as per an Amiri Decree to secure the consent of the National Assembly -under Article 70 of Kuwaiti constitution- and practises this power personally.¹⁸⁸

Therefore, the Amir represents the first circle in the making of internal and external decisions. Hence, the making of foreign policy and executive power are entrusted to the Amir as per Kuwait’s constitution. His perception and experience play a critical role in making foreign policy decisions in accordance with the Kuwaiti constitution.

¹⁸⁵ Constitution of Sate of Kuwait, ‘Articles 51 and 65’, Op. Cit. pp.10 -12.

¹⁸⁶ Ibid, Article 52. p.10.

¹⁸⁷ Constitution of Sate of Kuwait, Op.Cit.p.11.

¹⁸⁸ Al Edwani, Abdullah Mutalq, Op.Cit. p.31.

4.2.2. Council of Ministers (Executive Authority)

Al-Alkim labels the ‘executive authority’ the second circle in making decisions in GCC states.¹⁸⁹ The Council of Ministers is the main pillar of the Kuwaiti political structure due to the fact that this authority, as mentioned above, exercises the functions of the Amir on his behalf. Thus, its power comes from the functions of the Amir. The council formulates the public trends of state policy and helps the Amir to create a general perspective for the most effective policies. In this respect, ‘the Council of Ministers shall have control over the departments of State. It shall formulate the general policy of the Government, pursue its execution and supervise the conduct of work in Government departments’.¹⁹⁰

The members of Kuwait’s Council of Ministers are ex officio members of the National Assembly, being added to the 50 elected members but limited to one-third of the total, as per Article 56 of the constitution. There are 14 supreme councils affiliated to the Prime Minister and the ministers.¹⁹¹

Under the Kuwaiti political system, the Kuwaiti government practises a set of separate executive and legislative functions as follows:

1. Drawing up general government extent and internal policy and supervising business progress within government departments.
2. Concluding Treaties with other states on behalf of the Amir.
3. To issue regulations, whether executive or independent.¹⁹²
4. Proclaiming defensive war and martial law as per an Amiri decree.¹⁹³

The executive authority plays a prominent role in the external affairs of the state on behalf of the Amir. Therefore, in accordance with Kuwaiti constitution, the executive authority is

¹⁸⁹ Al-Alkim, Hassan Hamdan, Op. Cit. p.156.

¹⁹⁰ Constitution of the Sate of Kuwait, Article 123. p.20.

¹⁹¹ The website of the Kuwaiti Council of Ministers General Secretariat;
http://www.cmgs.gov.kw/netahhtml/main.htm?frame_page

¹⁹² Al Edwani, Op. Cit. pp.33-34.

¹⁹³ Al- Saleh, Othman Abdul-Malek, Op. Cit. p.452.

granted wider powers to plan and execute many issues related to external and internal policy.¹⁹⁴ In foreign policy the Amir's role is formally even more pronounced.

4.2.3. *Ministry of Foreign Affairs*

Kuwait's Ministry of Foreign Affairs is certainly important in the foreign policy process, but its role is really one of implementation and advice, not 'making' of policy at the strategic level. The ministry's task is officially to reinforce traditional friendships and to establish new relations in order to activate Kuwait's role in the international arena and to serve Kuwaiti interests worldwide. The embassies abroad endeavour to transmit Kuwait's own view of territorial and foreign events to political decision-makers in Kuwait.

It has become a tradition that the Amir meets new Kuwaiti ambassadors, sometimes before they occupy their posts. In addition, the Amir sends the Minister of Foreign Affairs as a delegate of the state. The role of the Ministry of Foreign Affairs in the policy process starts once the political leadership determines its priorities. The Ministry plays a bureaucratic role in making and implementing foreign policy by preparing perspectives of the route that must be followed by Kuwait.

The Minister of Foreign Affairs, as opposed to his Ministry, plays an important role regarding the creation of Kuwait foreign policy by providing advice and basic information to Kuwait's political decision makers, both the Amir and the Council of Ministers. Any decision related to international issues must receive the consent of the Amir, who is the head of state, and the head of the executive authority on how to implement this policy.¹⁹⁵ The Foreign Minister also plays a role in forming and implementing policy through his travel abroad to take part in negotiations, agreements, treaties etc. Thus, the Foreign Minister's perspective and recommendations to the Amir do play a role in Kuwaiti foreign policy decision-making.

We will see later, however, that in practice, the realities of power can shape the extent of the Foreign Minister's role.

¹⁹⁴ Al Edwani, Op. Cit. p.34.

¹⁹⁵ Ibid. p.35.

4.2.4. *Legislative Authority (National Assembly)*

Under Article 51 of the constitution,¹⁹⁶ legislative authority is shared by the head of state (the Amir) and the National Assembly.¹⁹⁷ The constitution grants the legislative authority an essential role to control and review the external or internal policy, in addition to its powers to enact laws. The powers and functions of the legislative authority are stated under Article 43 of Kuwait's constitution and Articles 79 – 122 (Chapter III: Chapter IV),¹⁹⁸ the most important of which is Article 79, which provides that 'No law may be promulgated unless it has been passed by the National Assembly and sanctioned by the Amir'¹⁹⁹ and Article 6: 'the System of Government in Kuwait shall be democratic, under which sovereignty resides in the people, the source of all powers'.²⁰⁰ Therefore, enacting laws and the sharing of power are the most important foundations for the functions and powers of the National Assembly.

The National Assembly comprises 50 members who are elected by secret direct ballot, in addition to ministers as ex officio members who make up not more than one third of the MPs. The term of the National Assembly is four calendar years. It is provided that a candidate to the National Assembly must be a Kuwaiti citizen of Kuwaiti origin and his/her age upon the date of election must be at least 30 years. Further, he/she must be fluent in the Arabic language, both reading and writing.²⁰¹

4.2.4.1. *Legislative, Political and Financial Functions of National Assembly.*²⁰²

Under the Kuwaiti political system, the National Assembly practises a set of separate legislative functions as follows:

1. Proposing bills.

¹⁹⁶ Constitution of the State of Kuwait, Article 50, Op.Cit. p.15.

¹⁹⁷ Al- Saleh, Othman Abdul-Malek, Op.Cit. p.465.

¹⁹⁸ Al Edwani, Abdullah Mutalq, Op.Cit. p.36.

¹⁹⁹ Constitution of the State of Kuwait, Article 79, Op. Cit. p.16.

²⁰⁰ Ibid, Article 6, Op. Cit. p.2.

²⁰¹ Ibid, Article 80, 82, Op.Cit. p.22.

²⁰² The framework cited in Al- Saleh, Othman Abdul-Malek, Op.Cit. p.580.

2. General discussion and votes on bills.
3. Ratifying laws.
4. Ratifying treaties: this is perhaps the most important aspect of the National Assembly's role in foreign policy. Article 70 stipulates:

The Amir concludes treaties by Decree and transmits them to the National Assembly with the appropriate Statement. A treaty shall have the force of law after it is signed, ratified and published in the official gazette. However, treaties of peace and alliance, treaties concerning the territory of the State, its natural resources or sovereign rights or public or private rights of citizens, treaties of commerce, navigation and residence, and treaties that incur additional expenditure not provided for in the budget or which involve amendment of the laws of Kuwait shall come into force only when made by a law.²⁰³

The political authority of the National Assembly comprises the following:

1. The right to ask a question in any issues related to external or internal issues.
2. Proposing general subjects or any issue whether internal or external for discussion.
3. Formation of investigation committees for the internal or external issues.
5. Expressing wishes and opinions concerning public issues or external issues.
6. Interpellation and Vote of No-Confidence: the interpellation can be directed against the Prime Minister or any minister under Article 100 of the constitution. This questioning may end with an express accusation against the minister and it may lead to a 'question of no-confidence' of the minister who is the subject of the interpellation.²⁰⁴ Should the Prime Minister be interpolated, the 'question of confidence' in him would not be raised before the National Assembly; rather, it would be stated that no cooperation would be extended to the Prime Minister, as per Article 102 of the constitution.²⁰⁵ In this case, the matter is submitted to the Amir (head of state) for an appropriate resolution, i.e.

²⁰³ Constitution of the State of Kuwait, Article 70. p. 14.

²⁰⁴ Al-Moqatei, Mohammad A. A., 'Study OF The Kuwaiti Constitutional Experience 1962-1986', unpublished Thesis (Ph.D.), University of Warwick , UK, 1987. p.258.

²⁰⁵ Constitution of the State of Kuwait, Articles 100, 101 and 102, Op. Cit. p.21.; Bylaws of the Kuwait National Assembly, Articles 133, 134 , 135, 136, 137, 138, 139, 140, 141 and 142, Op.Cit. pp.48-51.

either to relieve the Prime Minister of office and appoint a new Cabinet or to dissolve the National Assembly and call for elections within a period of not more than two months.²⁰⁶

The NA practises a set of separate financial through control, discussing and approving budgets of state each year. The financial year starts in Kuwait on 1 April and ends on 31 March of the next year.²⁰⁷ Added to this, there is an authority entitled the State Audit Bureau of Kuwait, which is affiliated to the National Assembly, to supervise the expenses and revenues of government. This bureau always forwards periodic reports to the NA regarding the details of contracts, violations and expenses of government. Thus, it is described as the 'eye of the people'.²⁰⁸

4.2.4.2. *The role of the Foreign Affairs Committee and MPs*

The Foreign Affairs Committee is a permanent committee in the National Assembly. It consists of five members to be elected either by casting a vote or by recommendation at the beginning of each constitutional session.²⁰⁹ The most important functions of the external affairs committee are as follows:²¹⁰

1. to study the external issues referred to the committee by the National Assembly and submitting a report to the National Assembly summarising their business and indicating its recommendations for external issues, international treaties and foreign policy.²¹¹
2. to hold periodic meetings between the committee and the Ministry of Foreign Affairs, to discuss new issues in the political arena, on either local, regional or international levels.

²⁰⁶ Ibid. p.21.

²⁰⁷ Bylaw of the Kuwait National Assembly, Articles -159-168, Op.Cit.pp.55-58.

²⁰⁸ Al Edwani, Op. Cit.p.41.; Assiri, Abdul Reda, (1996), Op. Cit. p.76.

²⁰⁹ Bylaw of the Kuwait National Assembly, Article 43, Op.Cit. p.20.

²¹⁰ Kuwait National Assembly, 'Permanent Committees; Foreign Affairs Committee', on its website; <http://www.majlesalommah.net/clt/run.asp?id=62>

²¹¹ Ibid.

3. to meet ambassadors and parliamentary personalities and delegations visiting Kuwait to discuss relations and international affairs, and in order to reinforce and support bilateral relations and form parliamentary friendship committees with other states.
4. to follow up the issues discussed in international conferences and in reports from Kuwaiti embassies.²¹²
5. to issue National Assembly statements on foreign policy.

4.3. The practice of power relations and influence in foreign policy making in the Kuwaiti system.

It is striking how little is in fact known about the detail of the policy process, beyond the official, formal format outlines above. Indeed, even senior figures in the National Assembly, including in the Foreign Affairs Committee, appeared to be quite genuine in their professions of ignorance about how certain policies had emerged – generally pointing to the fact that this was decided by Sheikh Sabah (or, when it came to the pre-1997 period, also Sheikh Saad). Nor did there seem to be any particular urgency in trying to question this.²¹³

Below, however, I attempt to offer a picture of the actual evolution of influence among the key players – for the period in question in essence then Crown Prince Saad together with then Foreign Minister Sheikh Sabah, and from 1997 the latter virtually alone, as Sheikh Saad was sidelined by illness. Sheikh Sabah's elevation as Amir in 2006 merely formalised the reality of the concentration of power in his hands, when it comes to Foreign policy in particular. The previous Amir, Sheikh Jaber, was obviously still an important voice in the 1980s, but certainly from the time of the invasion he increasingly withdrew, and his footprint becomes difficult to discern. In the narrative and analysis of events and policies in the chapters that follow, the effects of these power realities will become evident, but is worth setting them out here in some detail. Of particular interest also is that, while Sheikh Sabah's dominance of the foreign policy process has been overwhelming, the National Assembly remained not wholly without impact: his eclipsing

²¹² Al Edwani, Op. Cit. pp.45 – 46.

²¹³ Confidential author's interviews with senior MPs in Kuwait, 2010-2012.

of the other two senior figures of state in this area from 1997, which would be evidenced in some key policy changes, in fact also roughly coincided with a change in the composition of the National Assembly, which became more sympathetic to his policy preferences.

4.3.1. Key Officials

Sheikh Saad Al Abdullah Al Sabah

Given the distribution of power within the ruling family in terms of foreign policy, Sheikh Saad Al-Abdullah Al Sabah (1978-2006) was one of the key decision makers in Kuwait after he became Crown Prince and Prime Minister in 1978. He played an essential role in the establishment of the Gulf Cooperation Council (GCC) in 1981 through his official visit in 1978 to the six Arab Gulf states to convince them of the need for the coordination of the GCC. As the head of the Kuwaiti government, he was in charge during the critical years with Iraq, especially after the end of the Iran-Iraq war, as a representative of the Amir in negotiations with Iraq and as head of the Kuwaiti delegation in the Jeddah Conference the day before the Iraqi invasion. Sheikh Saad played a crucial role in building the international coalition and Arab League alliance with Arab states through his official visits around the world to liberate Kuwait in response to the Iraqi invasion. For example, he signed a contract with the PR company Hill and Knowlton, which launched the 'Free Kuwait' campaign to gain public support for Kuwait in the US against Iraq during the Iraqi invasion; he established an Arabic daily newspaper, *Sawt al Kuwait* 'Voice of Kuwait', and the English-language 'New Arabia' in the UK, to explain Kuwaiti issues on Arab and international levels in order to counter Iraqi propaganda. He also chaired the meeting in Taif while in exile, where an understanding was reached with the leading Kuwaiti fellow exiles including political activists that while Kuwaitis would gather round the Al Sabah as their ruling family, the government would restore the constitution and democratic practice. Thus, after the liberation of Kuwait, he was seen by many in Kuwait as a national hero.²¹⁴

²¹⁴ See, among others, Gerd Nonneman, 'Sheikh Saad Al-Abdullah Al Sabah,' Obituary, *The Guardian*, 17 May 2008 (accessed <http://www.theguardian.com/world/2008/may/17/2>); *Telegraph* newspaper, 'Sheikh Saad Al-Sabah: Leader of Kuwait's government-in-exile during the Iraqi occupation', 14 May 2008.

From the liberation of Kuwait until 1996, Sheikh Saad was the key voice rejecting – and hence in effect blocking – blocking the restoration of Kuwaiti relations with Arab states that had not supported Kuwait during the Iraqi invasion, which Kuwait referred to as “*duwal aq-didd*” (Opponent States). This led to a collision with Sheikh Sabah Al Ahmad Al Sabah, the powerful and pragmatic former Kuwaiti foreign minister (1963-2003), who supported the policy of the renormalization of the Kuwaiti relationship with these “*duwal aq-didd*” in order to contain Iraq and not isolate Kuwait from the Arab environment. This issue was highlighted in a cable from US ambassador Chester Crocker in 1996, revealed by Wikileaks: ‘The Kuwaiti foreign minister Shaykh Sabah Al-Sabah remains in Morocco following his confrontation with the crown prince on the eve of the Cairo summit [...] The rift between Kuwait’s second and third ranking officials will continue, and may be more pronounced’. The cable added: ‘while the immediate cause of this latest flare up was the ongoing feud over relations with Jordan, the tension between the foreign minister and crown prince is rooted in fundamental differences in personality and style’.²¹⁵

Sheikh Sabah Al Ahmad Al Sabah

While Amb. Crocker correctly described Sheikh Saad and Sheikh Sabah as respectively the ‘second’ and ‘third’ ranking officials, this balance would shift dramatically from 1997. Sheikh Sabah Al Sabah became the key person in the process of making foreign policy since 1997, even in effect if not officially eclipsing the Amir (who had been increasingly frail and withdrawn since the invasion), due to the deterioration of Sheikh Saad's health, which forced him to spend a long time abroad in order to receive medical treatment. When Amir Jabir died in 2006,

Sheikh Saad, along with his supporters in the family, remained determined to take his place, partly to ensure the position of the al-Salem branch. But his obvious disability gave those preferring a transfer of power to Sheikh Sabah - seen as more effective and with a better relationship with parliament - the upper hand.

Parliament insisted that the official swearing in of the emir should happen, with the emir pronouncing the oath in person. It was clear that Sheikh Saad would be unable to do this.

²¹⁵ Wikileaks, ‘The Rift Between The Crown Prince And Foreign Minister’, Reference ID: [96kuwait4046](#), [Confidential](#), [EmbassyKuwait](#), [1996-06-30](#).

Eventually he conceded and wrote a letter agreeing to abdicate, but it did not arrive until after parliament had formally, and in keeping with the constitution, agreed that he was unfit to rule and adopted Sheikh Sabah as the new emir.²¹⁶

Even before this accession to the post of Amir, since 1997 Sheikh Sabah, in practical terms, became the central person in Kuwait in foreign policy decision making. This quickly became evident when Kuwait started to restore its relations with “*duwal ad-didd*” starting in 1997, leading to the establishment of full diplomatic representation in 1999: that had very much been Shaikh Sabah’s policy preference all along. He was able to convince the majority of MPs in a ‘closed session’ in 1996 of the importance of restoring Kuwaiti relations with these Arab states.²¹⁷ After becoming Amir in 2006, this de facto control of foreign policy in the hands of Sheikh Sabah became official in every sense.

US ambassador to Kuwait, Richard LeBaron, writing in 2006, called him ‘the de facto ruler of Kuwait since 2001’.²¹⁸

Sheikh Sabah, then, has served as the minister of foreign affairs from 1963 until 2003 (40 years), as Prime Minister from 2003 until 2006, and as Amir since 2006. In effect, this has meant an extraordinary concentration of power with regard to foreign policy-making in the hands of one man at least since 1997 – following a period of divided power between him and Sheikh Saad before that: while Amir Jaber was also a significant voice until the 1980s, subsequently his seems by all accounts to have played a limited direct role since 1990.

Over the years since 1963, then, he has played a major role in the internal and external issues through his conciliatory and mediatory roles during regional and Arab conflicts, especially in the critical times with Iraq. He forged strong relationships with key global states as well as helping to forge the international coalition during the Iraqi invasion of Kuwait. US ambassador to Kuwait, Ambassador Jones, commented in 2008: ‘His role may in fact be larger but simply not visible to us; his nickname within family circles is “the Crocodile” because of his tendency to come up quietly smiling and then “whack with

²¹⁶ Nonneman, ‘Sheikh Saad...’, op. cit. See also *The Independent* newspaper, ‘Sheikh Saad al-Abdullah al-Sabah: Emir of Kuwait for nine days’, 15 May 2008.

²¹⁷ Al Watan Information and Studies Center, Classification No. 6/205, dated 14/4/1996, Kuwait.

²¹⁸ Wikileaks, ‘Amir's Death: The Political Fallout’, Reference ID: [06KUWAIT97](#), [CONFIDENTIAL](#), [Embassy Kuwait, 2006-01-15](#).

his tail” anyone who gets out of line [...] and remains the bottom line of leadership authority in Kuwait’.²¹⁹ He played an essential role in Kuwaiti issues with Iraq before and after the fall of Saddam Hussein’s regime. This was evident when he successfully contained Iraq after his rapprochement policy with “*duwal aḍ-ḍidd*” from 1997 until 2003, and supported US-UK troops in toppling Saddam Hussein’s regime in April 2003 by hosting these troops in Kuwait. He has also played a major role in supporting Iraq politically and economically since the fall of Saddam Hussein’s regime and in solving most of ‘outstanding issues’ with Iraq.²²⁰ Iraqi PM Nouri al-Maliki noted that Sheikh Sabah’s role regarding Iraq was ‘appreciated’.²²¹

Sheikh Dr. Mohammed Al Sabah

Given the domination of most of the ministries in the foreign policy process, Sheikh Dr. Mohammed Al Sabah was one of the most influential figures in Kuwaiti foreign policy due to the fact that he served as Kuwaiti ambassador to the US from 1993 to 2001, as Minister of State for Foreign Affairs in 2001, and then became the Minister of Foreign Affairs from 2003 until 2011. He became responsible for and engaged in Kuwaiti foreign relations, especially in the case of the Iraqi issue, before the Kuwaiti parliament after Sheikh Sabah became Prime Minister in 2003 and then Amir in 2006. His role in the process of foreign policy has been significant over the 18 years since 1993 as expressed by US embassy to Kuwait in 2006: ‘Shaykh Dr. Mohammed, is a notable exception [...] the leading figure among the younger generation of Al-Sabah is considered by many to have the experience and vision necessary to lead Kuwait in the twenty-first century’.²²²

²¹⁹ Wikileaks, ‘(C/Nf) Response To Request For Information on Kuwaiti Leadership Dynamics (C-NE8-01319)’, Reference ID: [08KUWAIT934](#), [SECRET/NOFORN](#), [EmbassyKuwait](#), 2008-09-01 .

²²⁰ See Chapter 9.

²²¹ *Alrai media* newspaper, issue No. 12212, 7 December, 2012. Kuwait.

²²² Wikileaks, ‘Amir’s Death: The Political Fallout’, Reference ID: [06KUWAIT97](#), [CONFIDENTIAL](#), [Embassy Kuwait](#), 2006-01-15.

Sheikh Saud Nasir Al Sabah

One other official from the Al Sabah family is Sheikh Saud Nasir Al Sabah. His role was significant as he served as Kuwaiti ambassador to Britain from 1975 to 1980, to US from 1981 to 1992, and then held many ministerial posts from 1993 until 2000. He played an essential role in explaining Kuwaiti issues to the American public in order to counter the Iraqi propaganda during the Iraqi invasion, as noted by Richard H. Curtiss: ‘The Kuwaiti envoy's dramatic press conference took place before most Americans were even aware of the invasion. It touched off a period of sustained American public attention to the Middle East [...] Being a member of Kuwait's ruling Al Sabah family, with 21 years of experience in Kuwait's foreign ministry, Sheikh Saud did not hesitate to speak out forcefully and sometimes without the constraints a less well placed diplomat might have felt’.²²³ But clearly, Sheikh Saud was not the prime definer and designer of policy – other than perhaps in this very area of ‘propaganda’ as a key tool in Kuwait’s rescue.

Sheikh Sabah Al-Khalid Al Sabah

Sheikh Sabah Al-Khalid Al Sabah is another significant figure. He played a role in the formation of Kuwaiti foreign policy due to the fact that he held several posts in Kuwaiti apparatus, such as Kuwaiti Ambassador to Saudi Arabia from 1995 until 1998, and then Chairman of Kuwait's National Security Bureau from 1998 until 2006; he has been the Minister of Foreign Affairs since 2011.²²⁴ Published Wikileaks documents have made evident his role in Kuwait’s security and foreign issues, especially in critical times with Iraq during his presidency of Kuwait's National Security Council.²²⁵ But his role was never more than, in effect, advisory.

²²³ Richard H. ‘Kuwaiti Ambassador Sheikh Saud Nasir Al Sabah’, *Washington Report on Middle East Affairs*, Washington, DC, October 1990.

²²⁴ Ministry of Foreign Affairs, ‘Sheikh Sabah Al-Khalid: Biography’, Kuwait. Available online at: <http://www.mofa.gov.kw/index.php/component/content/article/3104>

²²⁵ Wikileaks, ‘Iraq: GOK Says Saudis Reluctant to Commit Specific Funding at Madrid’, Reference ID : [03KUWAIT4682](#), [SECRET](#), [Embassy Kuwait](#), 2003-10-14.

Other figures

The other senior figures in the making of foreign policy are Suleiman Majed Al Shaheen, Khaled Al-Jarallah and Mohammed AboualHassan. They played important advisory and implementation roles in the policy process, including advocacy, persuasion of players outside Kuwait, and negotiation, but were simply not visible to the public. Suleiman Al Shaheen served as undersecretary of the Ministry of Foreign Affairs from 1985 until 1999 and then was Minister of State for Foreign Affairs until 2001. He was one of the senior Kuwaitis during the critical times in the Iraq-Iran War and was a member of the Kuwaiti delegation in Jeddah Conference before day one of the Iraqi invasion; furthermore, he was engaged in Kuwaiti–Iraqi issues during the 1990s. At the time of writing, he is a member of the ‘Advisory Committee’ for the Ministry of Foreign Affairs.²²⁶

Mohammed AboualHassan served as permanent representative of Kuwait to the United Nations from 1981 until 2003 and then as political advisor to the Amir of Kuwait from 2003. He played a major role during the Iraqi invasion of Kuwait in convincing the states to support Kuwait and to challenge the Iraqi threats at the UN during the 1990s.²²⁷ His role was described as ‘the voice of Kuwait to the outside world on the first day of Iraqi invasion’.²²⁸

Khaled Al-Jarallah has been undersecretary of the Ministry of Foreign Affairs since 1999 and is a member of the ‘Advisory Committee’ at the Ministry of Foreign Affairs.²²⁹ His role in Kuwait’s foreign issues is evident through published Wikileaks documents, especially in critical times with Iraq. For much of this thesis, he has been one of main sources, via Wikileaks, regarding the outstanding issues between Kuwait and Iraq and Kuwait external issues.²³⁰

²²⁶ Interview by the researcher with Suleiman Majed Al Shaheen, former Kuwaiti Minister of State for Foreign Affairs, in Kuwait City, on Thursday 16th June, 2011.

²²⁷ The Permanent Mission of the State of Kuwait to the United Nations, ‘Former Permanent Representatives’, New York. Available online at : <http://www.kuwaitmission.com/#>

²²⁸ Qais Alost, ‘Mohammed Abdullah AboualHassan’, *Al-Qabas* newspaper, 12/08/2010, Kuwait. Available online at: <http://www.alqabas.com.kw/node/581879>.

²²⁹ *Alraimedia* newspaper, issue No.11056 , 1 August, 2009. Kuwait.

²³⁰ Wikileaks, ‘U/S Jarallah: Iranian Wheedling, Iraqi Dawdling, Palestinian Pleading’, Reference ID : [08KUWAIT808](#), [CONFIDENTIAL](#), [Embassy Kuwait](#), 2008-07-17 .

4.3.2. *The National Assembly's role in practice*

As already noted above, the fact that senior members of the National Assembly – often key persons in senior positions related to foreign affairs – often asserted not to know about key processes or origins of policies, gives some indication of the relative peripherality of the Assembly in foreign policy – especially seen against Sheikh Sabah's centrality.

Its official functions, though, so lend it some potential and – depending on the conjuncture of politics and personnel, and indeed on the subject at hand, its role in the foreign policy process cannot be ignored altogether. It can, after all, formally, 'supervise' foreign policy decisions, it can lend strength to, or detract from, particular foreign relations through the use or non-use of parliamentary delegations; it can facilitate or block international agreements with states; and it can, of course, discuss Kuwaiti foreign relations in public sessions or in the Foreign Affairs Committee.

Given the powers formally granted to the National Assembly, such as interpellation and parliamentary questions, Kuwaiti decision makers must take some account of the opinions of the MPs on international and regional issues.

There is no doubt that the Kuwaiti parliament has played a significant role in Kuwait since the liberation of Kuwait through what is called 'popular diplomacy', but its role in the process of foreign policy is largely invisible – and indeed almost never conclusive: foreign policy is entrusted to the executive authority represented by the Amir and the government. Abdullah Al-Nafisi commented in 1993 on the role of the National Assembly before the Iraqi invasion as follows: 'Foreign policy has always been the prerogative of executive power [...] The legislative authority did not have a clear impact in determining foreign policy and guidance'.²³¹

As a result of the Taif agreement that followed the Iraqi invasion, as already mentioned, the National Assembly returned in 1992 and began to play a limited role in foreign relations. This was evident when the National Assembly decided in 1994 to form 'Parliamentary friendship committees' with other states in order to enhance Kuwait's diplomatic relations around the world, and to counter Iraqi threats by explaining Kuwaiti

²³¹ Al Watan Information and Studies Center, Classification No. 5-6, dated 13/2/1993, Kuwait.

issues and the country's outstanding issues with Iraq.²³² However, the role of the National Assembly is restricted to its supervisory role on foreign-policy decisions on the one hand, and to its own methods of influence on the other hand, such as interpellation, parliamentary questions, forming investigation committees, and studying international treaties and conventions.

The role of the National Assembly was explored in interviews conducted by Al Edwani with MPs in 2006. The former speaker, Ahmed Al-Sadoun (opposition), commented: 'There is a role for the National Assembly through the objective of forming conventions with other countries, but its role is not related to the daily work of the foreign affairs [...] The role of the National Assembly became clearer after the liberation in Kuwaiti relations with states'. This argument is supported by former MP Hassan Jawhar (opposition), who adds that 'after the collapse of Saddam Hussein's regime, the National Assembly began to focus on foreign affairs'. In contrast, former MP Mubarak Al Duwailah (Islamist) commented on this issue: 'The National Assembly does not intervene in the details of foreign policy due to it being the prerogative of the executive power; however, through the Foreign Affairs Committee, the MPs get all the information in detail about this policy'. Former MP Musallam Al-Barrak (opposition) commented: 'There is an attempt (from the government) not to give a role in foreign affairs to the National Assembly. This will affect the role of the National Assembly in supervising this policy'.²³³

Even so, there have been a number of striking interventions – although, as the above responses suggest, this was mainly after 1992. For example, Sheikh Sabah was temporarily removed from his position as Foreign Minister in 1992 after the liberation of Kuwait due to concerns over the usage of 'interpellation' against the Kuwaiti government as a repercussion of the Iraqi invasion. The Assembly also saw the formation of an investigation committee related to the Iraqi invasion of Kuwait' in 1992, the so called 'Fact-Finding Commission on the Causes of the Iraqi invasion of Kuwait',²³⁴ which summoned the Kuwaiti officials who were in office to question them regarding the circumstances that led to the invasion.

²³² Ramzi, S. 'dwr mjls alamh fi aldblwmasyh albrlimanyh' 'Kuwait National Assembly and its Role in Parliamentary Diplomacy', Kuwait National Assembly, unpublished report, Kuwait, 2006. p.283.

²³³ See Al Edwani & Abdullah Mutlaq, Op.Cit. pp.108-110.

²³⁴ Alam alyawm Newspaper, 'Facts and Mysteries of Iraqi invasion of Kuwait', Kuwait, 29 July 2007. <http://www.alamalyawm.com/ArticleDetail.aspx?artid=2707>

The role of the National Assembly in Kuwaiti decision-making was of course explicit in 2006, when MPs intervened to remove the Amir Sheikh Saad Al Sabah from his position, due to ill health, and nominated Sheikh Sabah Al Sabah as the Amir of Kuwait, after differences and rifts between ruling family members on succession issues.²³⁵

MPs can play a significant role in blocking foreign policy initiatives. This was demonstrated when MPs blocked the Kuwaiti Government's endeavor to renormalize its relations with "*duwal ad-didd*" (Opponent States)²³⁶, after the liberation of Kuwait (see Chapter 5).²³⁷ It is worth noting though, that this happened at a time when the top of the regime was also divided, with Sheikh Saad objecting to normalization, and Sheikh Sabah in favour. At the same time, it would be just two years into the increasingly obvious process of Sheikh Saad's being eclipsed through illness by Sheikh Sabah, that an (admittedly differently constituted) Assembly in 1999 went with Sheikh Sabah's preference.

The *duwal ad-didd*, prior to the 1999 turn-around, sent their envoys to the Kuwaiti MPs, in an attempt to persuade them to restore relations. The former MP, Saleh Al-Fadhala, who opposed the restoration of relations with these states, commented on the role of the Kuwaiti Parliament by saying: 'After the liberation of Kuwait, Yemeni delegation came to Kuwait' in order to meet MPs 'to talk about the resumption of relations [...] I refused this delegation permission to enter the hall of Kuwait National Assembly and the MPs also refused all the agreements between Kuwait and these states'. He added, 'The Tunisian President, Zine el Abidine Ben Ali, sent a negotiator to me in 1994 in order to convince me to repair the relations between two countries. I asked him to present an official written apology to the Kuwaiti people in order to restore relations'.

The MPs' role was noted also by the President of Palestine, Mahmoud Abbas, when he attributed the reason for the slow return of Kuwaiti-Palestinian relations to 'some political parties and MPs at the Kuwait National Assembly' and added, 'those have impeded the

²³⁵ Wikileaks, 'Freedom Agenda And The Kuwaiti Succession: Something To Cheer About', Reference ID: [06KUWAIT285](#), CONFIDENTIAL, [Embassy Kuwait](#), 2006-01-28.

²³⁶ The term 'Opponent States' was used by press and official media and was officially imposed on public opinion. It describes the states that supported the Iraqi invasion of the State of Kuwait or who opposed the Kuwaiti government or who did not take a positive stance against Iraq and whose position fluctuated during the Cairo Summit immediately after the Iraqi invasion in 1990. For more details see Chapter 6

²³⁷ For more details see Chapters 5 and 6.

Kuwaiti Foreign Minister, Sheikh Sabah Al Sabah, in the re-opening of the Palestinian embassy in Kuwait’.

Kuwait did restore its relations with the *duwal aq-didd* from 1999 after the majority of MPs expressed satisfaction with the orientation of the Kuwaiti government, but in the process supported what Sheikh Sabah had always argued for. Saleh Al-Fadhala commented on the reasons that influenced the resumption of relations with these countries later, when he stated that ‘The MPs and Foreign Affairs Committee at the National Assembly played a prominent role in restoration of relations with these states after government pressure’ to change the stance of Kuwait National Assembly towards this issue. This applied to the different opinions of MPs, when it came to relations with Iraq. Before the fall of Saddam Hussein in 2003, the MPs played an essential role in the crises experienced by Kuwait with Iraq through the formation of foreign parliamentary delegations to mobilize global and regional public opinion about Kuwait’s outstanding issues against Iraq.²³⁸

Some MPs have played a more prominent role in foreign affairs than others, even if that role is generally not very visible. Ahmed Al-Saadoun (opposition) is the most influential figure, having been a member of the National Assembly from 1975 until 2012 and elected speaker for the parliament in 1985, 1992, 1996, and 2012.²³⁹ He played a role in the critical times experienced by Kuwait during the Iraqi invasion by supporting the legitimacy of the Al Sabah family. After the liberation of Kuwait, his role was evident during the 1990s through chairing parliamentary delegations on visits to countries in order to enhance Kuwaiti foreign relations and to mobilize international support for the Kuwaiti case against Iraqi threats.²⁴⁰

Abdulaziz Al-Adsani is another MP who played an important role, especially during decisive moments in Kuwaiti relations with “*duwal aq-didd*”, after the liberation of Kuwait, due to the fact that he served as a member from 1992 until 1999 and was chairman of the Foreign Affairs Committee at the Kuwait National Assembly.²⁴¹ He was

²³⁸ For more details about the outstanding issues, see Chapter 9.

²³⁹ Michael H., ‘Kuwait Politics Database: Elections’. Available online at: <http://www2.gsu.edu/~polmfh/database/database.htm>

²⁴⁰ Al Watan Information and Studies Center, Classification No. 6/2-5, dated 4/3/1999, Kuwait.

²⁴¹ Michael H., ‘Kuwait Politics Database: Elections’. Available online at :

one of the members who were hesitant about the restoration of Kuwaiti relations with “*duwal aq-didd*”. Thus, in 1997, he urged the Kuwaiti foreign minister ‘not to rush into the resumption of relations with these Arab states until there had been a full assessment of the negative popular stance of these states from the Kuwaiti issues’.²⁴² Clearly, however, his voice carried no weight once Sheikh Sabah had eclipsed the ill Sheikh Saad. That is in contrast with the case of Mubarak Alkhurainej (pro-government)²⁴³ is another MP who has been significant in Kuwaiti relations with “*duwal aq-didd*” and other states. He served as member in the parliaments of 1992, 1996, 1999, 2006, 2009 and 2012 and was a member of the Foreign Affairs Committee during these terms. He played a major role in supporting Kuwaiti endeavors to restore Kuwaiti relations with “*duwal aq-didd*” through his chairing of the Jordanian-Kuwaiti Friendship Committee and the exchange visit of parliamentary delegates between two counties to improve their acquaintance. He commented on this issue saying: ‘We must close the previous page and start a new page together and open the windows for anyone who wants to step towards us’.²⁴⁴

One other influential MP from the National Assembly is Mohammad al-Sager (Liberal and from a merchant family). He played a significant role in Kuwaiti foreign relations as he served as a member and chairman of the Foreign Affairs Committee at the National Assembly from 1999 until 2012.²⁴⁵ This is in addition to his presidency of the Arab parliament from 2005 until 2009.²⁴⁶ He engaged with Kuwaiti-Iraqi issues and Kuwaiti foreign relations, as chairman of the Foreign Affairs Committee, after the collapse of Saddam Hussein’s regime through official meetings with US officials. He was one of the members who supported the relief of Iraqi debts and who, according to Wikileaks documents, supported any such measure when it reached his Foreign Relations

<http://www2.gsu.edu/~polmfh/database/elec199200d7.htm>

²⁴² Al Watan Information and Studies Center, Classification No. 6/2-5, dated 17/7/1997, Kuwait.

²⁴³ Michael H., ‘Kuwait Politics Database: Elections’. Available online at :

<http://www2.gsu.edu/~polmfh/database/database.htm>

²⁴⁴ Al Watan Information and Studies Center, Classification No. 6/2-5, dated 4/3/1999, Kuwait

²⁴⁵ <http://www2.gsu.edu/~polmfh/database/DataPage52.htm>

²⁴⁶ *Al-Qabas* newspaper, Wednesday, 7-9-2008, Kuwait. Available online at:

<http://www.alqabas.com.kw/node/360673>

Committee.²⁴⁷ A telegram of the US Embassy in Kuwait in 2005 notes: ‘Al-Sager is a senior official and a well-respected and valuable contact for Embassy’.²⁴⁸

After the fall of the Saddam Hussein regime in April 2003, the MPs played a role in supervising Kuwaiti policy regarding its demands of Iraq with reference to outstanding issues. Thus, after the restoration of relations between Kuwait and Iraq from 2004, some MPs threatened to use their constitutional power of ‘interpellation’ against the Kuwaiti Government should there be any attempt to relieve Iraqi debts or reduce compensation payments without the consent of the Kuwait National Assembly (see Chapter 9).²⁴⁹ To this were added many ‘parliamentary questions’ sent by MPs to the Kuwaiti Foreign Minister after 2003 regarding outstanding issues with Iraq.²⁵⁰ The role of the Kuwaiti parliament in foreign issues with Iraq led the US ambassador to Kuwait, LeBaron, to meet with some MPs in 2005 to discuss the issue of Iraqi debt relief (see Chapter 9).²⁵¹

The National Assembly also had a hand in blocking some regional and international treaties such as the GCC Security Agreement, the GCC Counterterrorism Treaty, the Arab League Counterterrorism Treaty of 1998, OIC Counterterrorism Treaty of 1999, and the extradition treaty of 2004 for the Criminal Court between Kuwait and US until 2009.²⁵²

The objections of MPs to such treaties stem from their fear that these treaties might affect Kuwait’s cultural identity and its freedom to form a democratic system as distinct from the rest of the Arab Gulf and other states. For example, this concern was expressed by a former Speaker of the National Assembly, Ahmed Al-Sadoun, in 2012 when he said, ‘the Convention (GCC Security Agreement) violates the sanctity of the Constitution and affects the freedom and sovereignty of Kuwait in some of its clauses’.²⁵³ This shows the

²⁴⁷ Wikileaks, ‘Assembly Foreign Relations Chair On Iraq’s Political Process And Iraqi-Kuwaiti Relations’, Reference ID: [05KUWAIT1468](#), [CONFIDENTIAL](#), [Embassy Kuwait](#), [2005-04-12](#)

²⁴⁸ Wikileaks, ‘Parliamentarian Requests Assistance For Kuwaiti Citizen’, Reference ID: [05KUWAIT4904_a](#), [Unclassified](#), [for Official USA Only](#), [Embassy Kuwait](#), [2005 November 27](#).

²⁴⁹ Arab News, ‘Kuwaiti MPs Oppose Iraqi Debt Write-Off’, Friday 26 November 2004. Available online at: <http://www.arabnews.com/node/258683>

²⁵⁰ For all these parliamentary questions; Kuwait National Assembly Website, ‘Parliamentary questions submitted by members’ from 2003-2013 at: <http://www.kna.kw/clt/default.asp>

²⁵¹ Wikileaks, ‘Kuwait National Assembly Members Agree With GOK on Iraqi Debt Relief’, Reference ID: [05KUWAIT651](#), [CONFIDENTIAL](#), [Embassy Kuwait](#), [2005-02-14](#).

²⁵² Ministry of State For The National Assembly, ‘List of Bills Refereed to Committees’, The Department of Parliamentary Affairs, Kuwait, 2009.

²⁵³ *Al Rai Al Aam* newspaper, Issue No. 12009, 18 May, 2012. Kuwait.

significant role of the Kuwait National Assembly can on occasion have in Kuwaiti foreign relations with states. In recent years, parliament has issued many resolutions (as recommendations and wishes) in the field of foreign affairs, such as calling upon the Kuwait government to help the Palestinians in Gaza and reconstruct what Israel destroyed in its war with Hamas in 2008, and allocating \$34 million for UNRWA.²⁵⁴ On 7 November 2006, boycotting diplomatic relations with Denmark due to the publication of cartoons of the Islamic prophet Muhammad was suggested.²⁵⁵

It has also convened several times with the Kuwaiti Minister of Foreign Affairs, Dr. Sheikh Mohammed Al-Sabah, to discuss international issues related to Kuwait, such as:

1. 10 January, 2007: to discuss the official and popular stand of the states sympathetic to Saddam Hussein's execution
2. 9 May, 2007: to discuss the Kuwaiti preparation on all levels in case of military confrontations in the Gulf region due to the Iranian nuclear programme
3. 13 November, 2007: to discuss the latest developments on the regional and international arena²⁵⁶
4. 17 January, 2008: to discuss the latest regional and international political situation
5. 24 January, 2008: to discuss the fate of the three Kuwaiti citizens included in the UN enlisted Penalties Committee, Kuwaiti citizens arrested in Guantanamo and Kuwaiti citizens imprisoned abroad²⁵⁷
6. 6 June, 2009: to discuss the escalation of Iraq against Kuwait.
7. 25 August, 2009: to discuss the latest regional and international political situation.²⁵⁸

²⁵⁴ Kuwait National Assembly, Muḍbatat jalsat Majlis il-'ummah al-Kuwayti al-khāshah al-'alanīyah: al-fasl at-tashrī'ī ath-thāni 'ashar, al-'arbi'ā' 17 min Muḥarram sanat 1430 h, al- muwāfek 14 min yanāyir sanat 2009 m', 'Minutes of Kuwait National Assembly: 12th Legislative term, Wednesday 14 January, 2009. On the website of Kuwait National Assembly:

<http://www.majlesalommah.net/clt/meeting1.asp?FileName=1216b.txt&Line=40&Size=1548&date=1&i d=432>

²⁵⁵ Ministry of Foreign Affairs, *At-takrīr us-sanawi 2006*, Op.cit. p.56.

²⁵⁶ Ibid, *At-takrīr us-sanawi 2007*, State of Kuwait, 2007. p.31.

²⁵⁷ Ibid, *At-takrīr us-sanawi 2008*, State of Kuwait, 2008.pp.20-21.

In the final analysis, the National Assembly may discuss, and occasionally block or complicate aspects of policy, and it can also play a supportive role, and it can have relatively greater impact when the senior reaches of the ruling family are themselves divided, but certainly since the late 1990s, the central locus of power and policymaking has lain with Sheikh Sabah, and the individual views of other decision-makers or senior functionaries, other than as expressed by the MPs quote above, have been kept firmly behind closed doors.

5. Tools of Kuwaiti Foreign Policy

5.1. Diplomatic Tools

Kuwait has always depended on diplomatic formulae to protect its independence and security. Some researchers have commented on how Kuwaiti foreign policy is fairly well balanced, depending on diplomacy to deal with both internal issues and those relating to Arab and Islamic countries. In this respect, Kuwait has firmly believed in the Arab intentions and Arab will and it had strong belief that force could not be used in the Arab relations before the Iraqi invasion of Kuwait.²⁵⁹ However, the Iraqi invasion of Kuwait created new dimensions for Kuwaiti diplomatic tools for supporting its supremacy and independence and addressing demands from Iraq. After liberation, Kuwait endeavoured to reinforce its diplomatic relations with all countries, particularly major countries that influenced the international order, through intensification of its diplomatic presence worldwide. In 2006, Kuwaiti diplomatic missions abroad numbered 71 embassies, consulates and permanent delegations. In 2011, this figure had increased to 90, distributed as follows: 50% in Europe, 31.8% in Asia, 13.6% in North and South America and 4.5% in Arab world. Kuwait hosted 115 foreign permanent diplomatic missions and consulates in addition to the offices and organizations accredited by Kuwait until 2011.²⁶⁰ This extensive diplomatic representation reflects the importance of Kuwait and the Gulf region

²⁵⁸ Ibid, *At-taqrīr us-sanawi 2009*, State of Kuwait, 2009. pp.19-20.

²⁵⁹ Alduehis, Ahmad Hammoud, Op. Cit.p.120.

²⁶⁰ Ministry of Foreign Affairs, 'Al-majmū'a al-'iḥṣā'iyyah li-wizārat il- kharijīyah', 'Statistical Abstract of the Ministry of Foreign Affairs: January 1, 2006 to January 1, 2011', State of Kuwait, 2011. On the MOFA website; <http://www.mofa.gov.kw/MOFA/>

worldwide. These embassies constitute what may be called the ‘political security fence’ to achieve Kuwaiti objectives as follows:²⁶¹

1. maintaining the independence, security and territorial safety of Kuwait in accordance with its historical frontiers demarcated as per UNSC Resolution No. 833 of 1993, as well as reinforcing the relationship between Kuwait and the UN to solve the outstanding issues between Iraq and Kuwait
2. promotion of the relationship with the GCC to achieve external, defensive and economic policies and strengthen the principle of security integration between the Gulf states and security worldwide
3. construction of a regional system based on an understanding with neighbouring countries and grounded on the pillars and principles of international law
3. emphasising the principles included in the Arab League Charter as restrictions for future Arab systems and how the Charter of the Arab League should be reconsidered on the principles of respect for the supremacy of the states and their territorial and international legitimate interests and natural resources
4. encouraging participation in global economic institutions and international development programs and strengthening the economic interests of Kuwait with those countries that have the greatest impact, and reinforcing the principle of interest exchange
5. maintaining the strategic relationship between Kuwait and international coalition countries led by the US, including the development of security agreements with the permanent members of the UN security council.

These principles are not restricted to embassies abroad, but extend beyond that to what is called ‘popular diplomacy’, represented by the Kuwaiti National Assembly, non-government organizations, Kuwait syndicates in press associations, and the charitable and humanitarian donations that form the political and security fence of the state of Kuwait.²⁶²

²⁶¹ Registry of Current Events in the Gulf & Arabian Peninsula Region, ‘Political Security Between Sources of Threats and Restrictions of Counter Threats’ issue No. 9, *Center of Gulf & Arabian Peninsula Studies*, Kuwait university, Kuwait, 1999. p.65.

²⁶² Al-Edwani, Bader Ali, ‘ad-dawr il-itiṣālī lid-diblumāsīyah al-Kuwaytīyah fī Taḥkīk ’ahdāf as-siyāsah al-khārijīyah: Dirāsah Maydānīyah’, ‘Communicative Role of Kuwait Diplomacy to Achieve the Objectives of Foreign Policy: Field Study’, ‘Al-Door Al-Etesali Lel Deplomasyah Al-Kuwaitiya Fi

5.2. *Economic tools*

Economic means have been among the most important tools employed in Kuwaiti foreign policy since independence in 1961, with the surplus funds from oil revenues being used for political and humanitarian objectives. Following the discovery of oil in Kuwait, the Kuwaiti decision-makers realized at the beginning of the 1960s that Kuwait had become rich, but it had limited military powers and a small population compared with the territorial powers of the region. Thus, Kuwait felt that it was liable to external and territorial ambitions, especially after the attempt by Abdul Karim Qasim in 1961 to annex Kuwait. For this reason, from the 1960s, Kuwait endeavoured to utilize part of its financial surplus to provide assistance to foreign countries in order to gain friends, deter opponents and protect its safety, security, independence and existence among Arab states²⁶³ through the establishment of the Kuwait Fund for Arab Economic Development (KFAED) on 31 December 1961 to provide easy loans in order to implement economic and social development programs in Arab, Islamic and other friendly countries.²⁶⁴ Kuwaiti Aid is characterized by several official and non-official institutions; however, this study will examine only official institutions, such as the Ministry of Finance and other ministries and institutions, KFAED, the General Board for the South and Arabian Gulf, and Kuwaiti contributions to specialist Arab, territorial, Islamic and international organizations.²⁶⁵

5.2.1. *KFAED Activities*

KFAED is one of the official institutions of Kuwait that provides easy loans to Arab, Islamic and other friendly countries; it is one of the Kuwaiti foreign political tools to achieve foreign objectives and is currently under the chairmanship of the Minister of Foreign Affairs. Until 1974, the business of KFAED was restricted to the Arab countries. However, its business was later expanded to include all developing countries. Thus, the

Tahqeeq Ahdaf Al-Seyassah Al-Kharejyah', unpublished Master's Degree Treaties, Private University, Kingdom of Bahrain, 2007. p.102.

²⁶³ Podeh, Elie, Op. Cit. p. 121.

²⁶⁴ Kuwait Fund for Arab Economic Development (KFAED, *Itlālah 'ala masīrat uş-sundūk khilāl 48 'āman, 'Kuwait Fund Activities Throughout 48 Years'*, Kuwait, 2010. pp.1-3.

²⁶⁵ Al Watan information and Studies Center, 'Foreign policy: classification no. 5-6', dated 2 August 2000, Kuwait.

capital of KFAED was increased from KD 200 million in 1966 to KD 1 billion in 1974. Then, in March 1981, the capital of KFAED was doubled to KD 2 billion.²⁶⁶ From the establishment of KFAED in 1961 until 2011, the total number of loans provided by Kuwait to all countries amounted to 798 loans provided to 102 countries with a total value estimated at KD 4.54 billion, i.e. \$16 billion. Of these loans, 304 were provided to 16 Arab countries, with a total value estimated at KD 2479.621 million, (equivalent to \$8.7 billion) at 54.57%, while the number of African states benefiting from these loans was 246 loans provided to 40 African countries at 17.08 % of the total value, estimated at KD 776 million (equivalent to \$2.7 billion). The Asian and European countries that benefited from these loans numbered 35 countries, which obtained 209 loans at 25.7% of the total value, estimated at KD 1176.648 million (equivalent to \$3.5 billion). Latin American and Caribbean States obtained 39 loans, i.e. 1.27%, with a total value estimated at KD 111.343 million (equivalent to \$394 million). The average term of loans is around 22 years and the average grace period is about 4 years at 3.2% interest annually(see Table 1).²⁶⁷

Thus, the KFAED is considered one of the most important tools employed by Kuwait in its foreign policy as a humanitarian and political tool. For this reason, after being under the chairmanship of the Minister of Finance from 1961, it then came under the chairmanship of the Minister of Foreign Affairs in 2003; his task was to assess any financial loans based on ‘political interests’. This fact was expressed by Sheikh Mohammad Sabah, Kuwaiti Minister of Foreign Affairs, when he discussed the role of the KFAED at the National Assembly session, saying, ‘The granting of loans to five countries has been suspended as we have some remarks on these states and the Ministry of Foreign Affairs considered that these states did not have a positive stand towards Kuwait. This is a political situation and a political message but we do not fear, hesitate or make compliments on any issue relating to the interests of Kuwait’.²⁶⁸ This fact was emphasized by the Kuwaiti Minister for Foreign Affairs in one session at NA when he stated, ‘KFAED

²⁶⁶ The fund was born with a capital of KD 50 million and after two years, its capital was doubled to KD 100 million. See Kuwait Funds for Arab Economic Development, *Ma'lūmāt 'asāsīyah*, ‘Basic Information’, Kuwait, June 2005-2006; Ibid, ‘*Kuwait Fund Activities Throughout 48 Years*, Op.Cit. pp. 1-3.

²⁶⁷ Kuwait Fund for Arab Economic Development, *Forty Nine Annual Report 2010 /2011*, Op.Cit.pp.73-79.

²⁶⁸ Kuwait National Assembly, ‘Muḍbatat jalsat Majlis il-'umma al-Kuwayti al-khāshāh al-'alanīyah: al-fasl at-tashrīḥ al-ḥādī 'ashar: dawr al-'in'ikād athanī, yawm al-'ithnayn 17 min jamādah al-'akhirah sanat 1428 h, al-muwāfik 2 min yūlyo sanat 2007 m’, ‘Minutes of the special Public Session of Kuwait National Assembly, 11th legislative term: second session, Monday, 17 Jumada II, 1428 A.H. corresponding to 2 July 2007. Kuwait.

is considered as an important tool that serves the objective of Kuwaiti foreign policy. It is worth mentioning that the assistance given by KFAED is provided within the framework of this policy and in accordance with the approaches of the Government to guarantee the continuous provision of loans and assistance by KFAED conforming to the supreme interests of Kuwait, and serves its foreign policy according to the text of KFAED Articles of Association'.²⁶⁹

Therefore, the KFAED is considered as a 'mobile embassy' in countries where Kuwait does not have diplomatic representation. During the Iraqi invasion of Kuwait, the KFAED played an active role in gaining friends and mobilizing support as well as international and Arabic opinion to support Kuwait in its capacity as a peaceful state. Thus, following the liberation of Kuwait, the policy of the KFAED was revised based on the results of the Iraqi invasion, and accordingly, Kuwait stopped all loans that had previously been granted to the countries that did not support Kuwait or whose positions had fluctuated towards the Iraqi invasion of Kuwait. These countries were called 'opponent states' under Kuwaiti foreign policy (see Chapters 5). However, starting from 1999, this approach changed after the resumption of relations with these countries that did not support Kuwait, due to fundamental changes in Kuwaiti foreign policy to counter the Iraqi threat (see Chapter 7). It is worth mentioning that despite Kuwait cutting its economic aid to the countries that did not support it during the invasion; it maintained its assistance to the Palestinian people as per the resolutions adopted by Arab summits based on absolute humanitarian factors. The resolutions adopted by Arab summits concerning the provision of support to the Palestinian National Organization created obligations for Kuwait estimated at \$554,400,000 from the Beirut summit in March 2002 until the Damascus summit in 2008. Kuwait had already paid an estimated \$196 million of this amount at intervals from 2002 until 2009. On 17 December 2007, Kuwait promised to provide \$300 million to support development projects in the Gaza Strip and West Bank during the Paris donors' conference to support the Palestinian Authority. This amount is nearly equivalent to the outstanding

²⁶⁹ The Key Note Speech of His Excellency Sheikh Mohammed Sabah Al Sabah, Kuwait Minister of Foreign Affairs, ' On the Occasion of Graduating Trainee Engineers at Kuwait Fund for Arab Economic Development in 2007', Kuwait Ministry of Foreign Affairs . On the MOFA website; www.mofa.gov.kw.

obligation of Kuwait under the resolution already adopted in the abovementioned Arab summits.²⁷⁰

5.2.2. *The General Authority for the South and Arabian Gulf*

The Authority, established in 1966, is affiliated to Kuwait's Ministry of Foreign Affairs. It was designed to manage social and economic development projects, such as the construction of schools, hospitals, residential projects, mosques, health projects, etc., primarily in the Arab Gulf and Arabian Peninsula. Despite criticism, the assistance provided by this Authority did not have any political objectives.²⁷¹ It has been incorporated into Kuwait based on humanitarian responsibility and sympathy with the friendly states in the Arab Gulf. The Board played an effective role in helping those states who were considered the poorest. The role of the Authority was explained by the Sheikh Jaber Al Ahmed Jabber Al Sabah, the Crown Prince and Prime Minister at that time (Amir of Kuwait, 1977 – 2006), when he stated, 'We cannot accept that we benefit from the donation of God to our territories only for ourselves; rather we believe that reinforcing the economy of these states will support all Arab nations, of which we are considered as an integral part'.²⁷² Kuwait started humanitarian dealings in North Yemen in the 1960s, and then expanded its humanitarian acts to Bahrain, UAE, South Yemen, South Sudan and Oman. This humanitarian, social and educational aid was opposed by some regional states. For example, Iran was not satisfied with the Kuwaiti penetration into the UAE, as Kuwait spread Arab ideology and beliefs via the Egyptian and Palestinian teachers who supported the supremacy of Tehran over this State. Meanwhile, Oman, Saudi Arabia and Iran objected to the Kuwaiti aid provided to socialists in South Yemen, as they believed this aid would reinforce these parties. The Kuwaiti assistance provided to Sudan for the settlement of refugees in South Sudan was the only Arab obligation under the resolutions adopted by the Arab summits. Kuwait reconstructed many areas affected by the Zulfar War in Oman. The Authority constructed more than 191 schools and 55 hospitals and clinics,

²⁷⁰ Text of the Reply of Sheikh Mohammed Sabah Al-Sabah, the Kuwaiti Minister of Foreign Affairs, to the question directed by MP Waleed Al Tabtabai; See Al Rai Newspaper, Issue No. 10835 dated 1 March 2009, Kuwait. p.4.

²⁷¹ Assiri, Abdul Reda, 1992, Op. Cit. p.87.

²⁷² Ibid, p. 87.

as well as 23 educational projects and many other civil projects from 1963 to 1990. The budget of the Authority was KD 210 million (equivalent to \$730 million). This aid was distributed as follows: for North Yemen the proportion was 54.7%, for South Yemen 18.9%, for Bahrain 32.6%, for Sudan 1% and for Oman 1.8%.²⁷³

Following the liberation of Kuwait, this Authority was dissolved due to the infeasibility of its projects, and its functions were entrusted to the KFAED due to the reaction to the position of Yemen and Sudan on the Iraqi occupation of Kuwait. It is noticeable that all Kuwait aid provided either by the Authority or the KFAED, whether direct financial contributions or those provided by unofficial institutions, was directed to states that did not support Kuwait during the Iraqi occupation.²⁷⁴

5.2.3. *Financial Aid*

Kuwaiti financial contributions through the Ministry of Finance and other institutions to support Arab and Islamic issues have been made primarily for political reasons, although some contributions have been for national and sympathetic reasons, such as the liberation war in Algeria and relations with states having common frontiers with Israel and the PLO. It is worth mentioning that most of these contributions are confidential, non-restricted and sometimes undeclared and beyond popular control. Further, these contributions and aid provided by Kuwait always take the shape of immeasurable grants, such as foodstuffs and medications. Therefore, the total of monetary contributions provided by Kuwait for Arab political issues to Arab governments from 1963 to 1990 is estimated at \$26.5 billion. The share of this aid that went to countries that did not support Kuwait during the invasion, i.e. ‘*duwal id-did*’ or ‘opponent states’* was \$21.6 billion (81.5%); out of this, Iraq received \$15.3 billion (57.7% of the total amount of contributions); before 1979, Egypt received \$2.4 billion (8.9%); while Syria received \$2.5 billion, (9.6%) and Jordan obtained \$1.96

²⁷³ Ibid, p.113.

²⁷⁴ Ibid, p. 114.

* The concept of ‘*duwal id-did*’ or ‘opponent States’ was used to describe the states that did not condemn the Iraqi invasion of Kuwait during the Arab summit that was held in Cairo on 8 – 10 August 1990 or who supported Iraq. These states comprised Jordan, Yemen, Algeria, PLO, Sudan, Mauritania, Libya and Tunisia. This concept was adopted by the Kuwait Ministry of Foreign Affairs only after the invasion. However, this concept stopped being used in Kuwaiti foreign policy after the resumption of relations with these countries (for further information, see Chapter 5).

billion (7.3%). The PLO received \$920 million (3.4%). In addition, \$3.24 billion (12.2% of these contributions) was distributed among these states and organizations.²⁷⁵

Assiri described Kuwait's financial contributions as 'Kuwait Dinar diplomacy' in that it earns Kuwait and Kuwaiti citizens respect throughout the third world countries and worldwide due to the humanitarian and economic contributions provided to all countries. This diplomacy has become a protective shield for Kuwait.²⁷⁶

Kuwait decided to cancel the debts of more countries during the speech of Sheikh Jaber Al Ahmed Jabber Al Sabah, the Amir of the State of Kuwait, at the UN General Assembly on 28 September 1988. The initiative included several elements, such as inviting permanent members of the UN Security Council to a meeting to discuss the interest due on the debts and to cancel the debts of the poorest states, to suggest that the World Bank and the International Monetary Fund should reconsider the standard conditions applicable to countries that require the assistance of loans and to increase technological and technical assistance provided by states of the North to those of the South. This initiative was resubmitted in the Non-Aligned Movement meeting that was held at Belgrade in September 1989. The percentage of the assistance provided by Kuwait to its GNP is generally more than 8%, but sometimes less. Upon comparing the percentage of Kuwaiti aid to the total GNP of the industrial states (that is, states represented by OCED), the percentage of Kuwaiti assistance was 27 times that provided by developed countries in the 1970s, but occasionally decreased to 15 times. However, due to the decline in oil revenues in the 1980s, there were a decrease to 11 times and then to 1.58 times in the assistance provided by Kuwait. However, it jumped to 18.7 times in 1990.²⁷⁷ Thus, Kuwait is considered as one of the ten greatest donors worldwide. In this respect, it allocated 3.81% of its GNP to assistance in 1984, which was the greatest percentage among donor states at that time.²⁷⁸ Further, the percentage of Kuwaiti aid granted to developing countries and to

²⁷⁵ Assiri, Abdul Reda 1992, Op.Cit. p.116.

²⁷⁶ Ibid. p.117.

²⁷⁷ Al-Sharrah, Ramadan Ali and Al Fakeer, Husain Taha, *Al-kuwayt wat-tanmiyah al-'arabiyah, 'Kuwait and Arab Development'*, Center For Research and Studies on Kuwait, Kuwait, 1994. pp.30 – 33.

²⁷⁸ Mohafaza, Ali, 'Al-'alāqāt al-'urdunīyah al-Kuwaytīyah: al-Mu'tamar As-Sanawī Ath-thālith li-Siyāsāt al-Kharijīyah al-'urdunīyah: Al-Mamlakah al-'urdunīyah al-Hāshimīyah wa duwal majlis at-ta'awn al-Khalījī', 'Jordanian -Kuwaiti Relations', Third Annual Conference of Jordanian Foreign policy Under The Title; Hashemite Kingdom of Jordan and GCC States, Diplomatic Institute, Erbid, Amman, 3 – 4 April 2001.p.2.

the states that showed lesser growth during the last three decades was 2% of the total GNP, i.e., three times the internationally agreed percentage of 0.7%.²⁷⁹

Kuwait allocated \$300 million to the Islamic Development Bank in 2007 to combat poverty in Africa. Under an initiative from Sheikh Sabah Al Ahmad Al Jaber Al Sabah, the Amir of Kuwait in 2008, Kuwait established a 'Decent Living Fund' at \$100 million to assist developing countries to face the soaring price of food and improve their capability to increase agricultural production as a result of the international food crisis²⁸⁰ as well as \$500 million in 2009 to establish a \$2 billion Arab fund to support enterprises in the Arab world.²⁸¹ In addition to this, Kuwaiti contributions to the international, Arab, territorial and Islamic specialist organizations and entities during the period from 2005 – 2006 were KD 299.887 million²⁸². Kuwait increased its voluntary contributions to UN agencies fivefold in 2010.²⁸³ Kuwait supports these entities for the following reasons:²⁸⁴

1. to affirm Kuwait's membership of the Arab, Islamic and humanitarian world by avoiding any political conditions upon granting assistance to different countries
2. to reinforce international cooperation by supporting peace processes and international development processes from different UN organs

²⁷⁹ The Keynote Speech of His Excellency Sheikh Mohammed Sabah Al Sabah, Kuwait Minister of Foreign Affairs, 'Before the Third International Conference of the Faculty of Administrative Sciences: Kuwait University', Kuwait Ministry of Foreign Affairs, 2008. On the MOFA website; www.mofa.gov.kw

²⁸⁰ The Keynote Speech of His Excellency Sheikh Mohammed Sabah Al Sabah, Kuwait Minister of Foreign Affairs, 'The Sixth Ministerial Meeting of Forum for the Future: Morocco, 2-3 November 2009', Ministry of Foreign Affairs. Kuwait.

²⁸¹ WikiLeaks, 'MFA U/S Defends Kuwaiti Arab Economic Summit Objectives; PA Support; GTMO; Kuwait Airways', Reference ID: [09KUWAIT105](https://wikileaks.org/09KUWAIT105), [SECRET](https://wikileaks.org/SECRET), [Embassy Kuwait](https://wikileaks.org/EmbassyKuwait), 2009-02-04. Available online on Wikileaks website at ; <http://wikileaks.org/>

²⁸² Kuwait Funds for Arab Economic Development, *At-takrīr 'as-sanawī*, 44th Annual Report of 2005-2006. Op.Cit.

²⁸³ Statement by H.H. Sheikh Naseer AlSabah, Prime Minister of the State of Kuwait 'Before the Sixty-Fifth Regular Session of the United Nations General Assembly', United Nations Headquarter, New York, Friday, 24 September 2010.

²⁸⁴ Centre for Research and Studies on Kuwait, *Kuwait and Social Development. Leadership, Planning, Popular Participation and Humanitarian Orientation*, 1st edition, Kuwait, 1995.pp.164 – 176.

3. to establish deeply rooted cooperative relations and mutual interests with all friendly developed and developing countries to ensure that they will not have a biased role in international relations
4. to support contemporary humanitarian issues to promote the humanitarian civilization
5. to make an effective contribution to tackle urgent problems that may be faced by friendly states, particularly those resulting from natural catastrophes, such as earthquakes, floods, rains, etc.

The economic tool proved one of the most important ones on Kuwait's toolbox during the crises with Iraq. Kuwait provided a KD 30 million loan when Iraq recognised Kuwait in 1963,²⁸⁵ although some sources have pointed out that this loan had nothing to do with the issue of Iraq's recognition of Kuwait. To help solve the frontier crisis with Iraq in 1967, Kuwait provided KD 25 million to support developmental projects in Iraq following its withdrawal from the Kuwaiti territories.²⁸⁶ The same approach was applied during the third frontier crisis in 1973 (the Al-Samita crisis) when the Kuwaiti Ministry of Finance provided KD 11.6 million to Iraq.²⁸⁷ During the Iraq-Iran war, Kuwait provided financial support to Iraq to the tune of \$15.3 billion to counter the Iranian threat.²⁸⁸

It is worth noting that since the collapse of Saddam Hussein's regime in 2003, the economic tool has again played an important role in Kuwaiti foreign policy through Kuwait submitting \$1.6 billion of economic aid to reconstruct Iraq based on the purely political objectives set at the Madrid Conference in 2003.²⁸⁹ Kuwait, as one of the countries that provided facilities to the US to occupy Iraq, has an 'ethical obligation' to support the stability of Iraq. Sheikh Mohammed Al Sabah, Kuwaiti Minister of Foreign Affairs, stated during the Madrid Conference regarding the reconstruction of Iraq in 2003

²⁸⁵ Partrick, Neil, Op. Cit. p.64.

²⁸⁶ Al-Rashidy, Ahmed el.at (ed.),Op.Cit. p.611.

²⁸⁷ Partrick, Neil, Op. Cit. p.175.

²⁸⁸ Al Watan Information and Studies Center, 'Kuwait Foreign Policy: classification no. 5 – 6 dated 3/9/1997', Kuwait.

²⁸⁹ Wikileaks, 'Kuwait Fund On Iraq, Lebanon, PA And Strategic Investment Initiative', Reference ID; [06KUWAIT399 CONFIDENTIAL, Embassy Kuwait 2006-02-05](#). Available online on Wikileaks website at: <http://wikileaks.org/>

that ‘the main reason behind such assistance is to regain stability in the region and to support Iraq to resume its natural role’ (see chapter 9).²⁹⁰

5.2.4. Oil policy

Since the discovery of oil in 1938, with production starting in 1946, Kuwait has become increasingly influential state in global energy politics due to the fact that oil and natural gas have become the main global sources for energy; for example, in 2011, oil supplied about 33.1% of the global energy consumption and accounted for 70% of global trade.²⁹¹ As mentioned above, Kuwait’s oil reserves were estimated at 101.5 billion barrels in 2009, representing 7.6% of the total oil reserves in the world, which has led to Kuwait playing a key role in global politics and the global economy. Oil wealth has allowed Kuwait to play a significant role in creating a stable global energy market through its membership, as a founding member, in OPEC (1960) and AOPEC (1968). This is in addition to its participation in and membership of the International Energy Forum since 1991 and the Asian Oil and Energy Round-table meetings since 2005 to discuss issues related to oil and the stability of the world market for energy. Kuwait and the Middle East region have been seen as the most significant factor for creating a stable global energy market as this region produces 37% of the world’s oil and 18% of all natural gas and supplies, 22% of US oil imports, 36% of OECD’s oil imports, 40% of China’s imports, 60% of India’s imports, 45% of Canada’s imports, and 80% of Japan’s and South Korea’s oil imports.²⁹² Thus, after the shutdown of Libyan oil production in 2011, due to the Arab Spring that took place in that country, Kuwait and some other oil producing countries, such as Saudi Arabia, UAE and Qatar, increased their oil production to offset the loss of Libyan oil supplies in order to keep the prices of the global energy market at a reasonable level.²⁹³

Kuwait’s official objectives for its oil and energy policy are the following:

²⁹⁰ *Al Qabbas*, Issue No. 10910, Saturday, Kuwait, dated 25 October 2003.

²⁹¹ BP, *BP Statistical Review of World Energy*, June 2012. p.2. Available online on BP website at: <http://www.bp.com/en/global/corporate/about-bp/statistical-review-of-world-energy-2012.html>

²⁹² Gal Luft, ‘Dependence on Middle East energy and its impact on global security’, *Reports and Studies on Energy Security*, Institute for the Analysis of Global Security (IAGS), 2008. p.2.

²⁹³ BP, *BP Statistical Review of World Energy*, Op.cit. p.3.

1. to guarantee supplies in the energy markets and development of international trade and investment in energy resources and technology
2. to reduce differences among the producing states and consuming states and promote a dialogue between producers and consumers
3. to discuss views and exchange information related to the interdependent relations between energy, environmental issues, economic growth and development
4. to address and tackle any subjects related to the transfer of oil and gas that may have an effect on oil market stability and world energy security.²⁹⁴

In international politics, Kuwait has used oil as a ‘political weapon’ on several occasions, in its own or in Arab interests. This can be illustrated by Kuwait’s support for the oil embargo imposed upon states that supported Israel, such as the UK, the US, and West Germany, following the Six-Day War in June 1967 between Arab states and Israel, a ban which proved to be ineffective due to Western states having sufficient oil stocks and the desire of Iran and Venezuela to increase their output.²⁹⁵ However, the oil embargo became an effective weapon in the 1973 war, when Kuwait, once again, declared its solidarity with oil-producing Arab states (OAPEC) to reduce oil production by 5% each month until the Israelis had withdrawn from the occupied territories. This is in addition to the cut in oil production and in the sale of oil to the US and Holland due to their military support of Israel.²⁹⁶ This had a significant economic impact on the oil-importing Western states that led to the soaring of oil prices for the first time in the history of the oil industry. This was evident, for example, when the state of Oregon in the US banned the use of Christmas lights and commercial lighting so as to reduce energy consumption, and 90% of gas stations in the US were closed on Sundays and Saturday evenings until 1974 for the same reason.²⁹⁷ The 1973 oil crisis led the oil-importing countries (the majority of which were from the West) to establish the International Energy Agency (IEA) in November 1974 to

²⁹⁴ Ministry of Oil, ‘The Ministerial Meeting of the International Energy Forum Kuwait 12-14 March 2012’, Oil Meeting, Kuwait. Online on the Kuwait Ministry of Oil website at : <http://www.moo.gov.kw/Home.aspx>

²⁹⁵ Keir Thorpe, ‘The Forgotten Shortage: Britain's Handling of the 1967 Oil Embargo’, *Contemporary British History*, Vol. 21, No. 2, June 2007. p.203.

²⁹⁶ Documents on British Policy Overseas, ‘Minutes of Cabinet Working Party on Oil Supplies, WP(OS) (73) 2nd mtg SMG 12/548/9’, dated in 18th October 1973, Op.Cit.

²⁹⁷ Arab and American Business, ‘The Importance of Arab Oil in the American Economy’. Available online on Arab and American Business website at: <http://www.arabamericangiving.org/the-importance-of-arab-oil-in-the-american-economy.php>

discuss issues related to oil and energy and particularly the risk of a major disruption to oil supplies.²⁹⁸

The use of oil policy to influence or contain other states has also caused discussion among observers and those perceiving themselves as targeted in this way. It is debatable – and Kuwaiti official circles would dispute - whether this was ever used as a ‘weapon’ in the true sense. Saddam Hussein claimed that Kuwait’s oil policy in the late 1980s and early 1990 was ‘waging economic war’ against Iraq after 1988, through flooding the international oil markets with quantities exceeding its prescribed share of OPEC, which led to a reduction in the price of oil and a decline in Iraqi oil revenues. It also of course reduced Kuwaiti oil revenues, but arguably Kuwait was better able to absorb this. The accusation remains unsubstantiated, but was among the reasons Iraq invaded Kuwait in 1990, as we will discuss in Chapter 5.

At any rate, both in fact and in potentiality, oil has been an important tool in Kuwait’s foreign policy toolbox since the 1950s.

5.3. *The information tool*

Before the Iraqi invasion of Kuwait, Kuwait had no interest in the foreign media and it had never intensified its presence to address Arabic and public opinion due to the fact that it had no enemies that would require it to focus on foreign media to protect itself. Rather, Kuwait published informational press releases in Arab and foreign newspapers during official occasions. However, the propagation of inaccuracies by the Iraqi media and those of some countries supporting Iraq during the Iraqi invasion of Kuwait necessitated the existence of foreign Kuwaiti media to coordinate with the Ministry of Foreign Affairs to reflect the reality of the events in the region and to create a media that could counter the Iraqi media, which had gained great experience during their eight-year struggle with Iran. The Kuwaiti political leadership felt that it was necessary to explain the Kuwaiti issues abroad, given the Iraqi leadership’s successful use of the media as an effective tool during the Iraqi invasion of Kuwait, which had sparked a great popular response in many Arab

²⁹⁸ The International Energy Agency (IEA), *Key World Energy STATISTICS*, Report, 2012, p3. Available online on IEA website at: <http://www.iea.org/publications/freepublications/publication/kwes.pdf>

countries, particularly as regards the issues raised by Iraq concerning the redistribution of wealth, the liberation of the Holy territories in Saudi Arabia from foreign forces, and countering the major powers supporting Israel.²⁹⁹ For these reasons, after liberation, Kuwait established information offices worldwide, particularly in those countries where it would have a significant impact, such as the US, Britain and India and some Arab countries, such as Egypt, Lebanon, Tunisia, Algeria, Morocco and Syria, to propagate the political objectives of Kuwait and to counter the Iraqi media.³⁰⁰ Kuwait's information policy focused on the social and essential principles and objectives in the internal, territorial, Islamic and international fields, as follows:³⁰¹

1. belief in and commitment to Islam as a religion and faith to construct thinking and high values within the individual and the community
2. to defend Kuwait, including its territory, citizens, regime, values, religion, entity, supremacy and security; further, to reinforce the national unity and cooperation between the people and their leaders using all available informational tools
3. to affirm Kuwait's membership of the Arab and Islamic nations and its will to enhance its relationship with the GCC, Arab, Islamic and international countries
4. to adhere to Kuwait's obligations towards the humanitarian community and enhance awareness of being part of this world
5. to remain committed to the principle of open-door policy and constructive dialogue in resolving disputes

In this respect, Kuwait made a constructive initiative to countries that held negative attitudes as a result of the Iraqi invasion via observing the following principles:

- denouncing the Iraqi aggression and rejecting the resort to power as a means for solving disputes and rejecting the principle of threats

²⁹⁹ Al-Fraih, Siham, 'Al-Kuwayt wal-istratījīyah al-i'lāmīyah al-Jadīdah', *Kuwait and New Media Strategy*, Research Projects Department, Kuwait Foundation For the Advancement Of Science, Kuwait, 1998. p.5.

³⁰⁰ Diplomatic Centre for Strategic Studies, 'Al-'adā' al- i'lāmī al-Kuwayfī... Ru'yah Nakdīyah', 'Kuwaiti Media performance, Critical Prospective', Issue No. 8, Kuwait, 2007.

³⁰¹ Smith, Allan David, 'Role of Media to Serve Kuwait Foreign Policy', unpublished report, Research and Studies Department, Kuwait National Assembly, Kuwait, 2 April 1997. p.3.

- calling for Iraq to implement the resolutions of the UN Security Council related to the liberation of Kuwait
- calling Iraq to release prisoners of war and reveal the locations of Kuwaiti missing persons and other nationals as well as returning property looted from Kuwait
- claiming compensation for the crimes committed by the Iraqi army in Kuwait.

The Kuwaiti Cabinet, represented by the Prime Minister, determines Kuwait's foreign media policy. However, the Ministry of Information coordinates with the Ministry of Foreign Affairs to determine how this policy may be implemented. Given the importance of the media in confronting Iraq, Kuwait invited many political, informational, economical and scientific personalities to visit Kuwait in 1996 to become acquainted with its most important features and to learn about its issues with Iraq. The number of journalists visiting Kuwait from the US alone was more than 300.³⁰² From 1991 to 1994, Kuwait's media policy focused on convincing the world of the importance of exerting pressure on Iraq to implement international resolutions, particularly UN Security Council Resolution No. 833 of 1993 on demarcating the Kuwaiti - Iraqi frontiers. At that time, the international community was preoccupied by the issue of Iraqi weapons of mass destruction. Consequently, Kuwait intensified its diplomatic efforts and placed the issue of the Kuwaiti - Iraqi frontiers at the top of the list of priorities threatening the security in the region until it achieved official recognition from Iraq and the frontiers were demarcated under UN Security Council Resolution No. 833 of 1993.³⁰³ After that, the mass media started to tackle certain issues and points propagated by the Iraqi media, including:

1. the starvation of the Iraqi people and the relationship between the economic embargoes imposed on Iraq and the Kuwait issue. In this respect, Kuwait argued that lifting the economic embargo depended on Iraq itself implementing the international resolutions related to the situation between Kuwait and Iraq and affirmed that Kuwait and other Arab countries had called for a lifting of the economic sanctions imposed on Iraq

³⁰² Al-Fraih, Siham, Op. Cit.p. 8.

³⁰³ Smith, Allan David, Op.Cit. p. 3.

and respect for the supremacy of Iraq during the Arab summit that was held in Oman in 2001³⁰⁴ (see Chapter 7).

2. the presence of foreign troops in the Gulf region, linking this with Kuwait. In this respect, Kuwait affirmed that it had rejected any foreign presence in the Gulf before the Iraqi invasion. However, since the Iraqi invasion, the security concept had changed. Therefore, according to Kuwaiti media, the presence of foreign troops in the Gulf region was due to the Iraqi invasion and occupation of Kuwait rather than to Kuwaiti wishes.

3. foreign media propagating the view that financial compensation payable to Kuwait or other countries was the property of the besieged Iraqi people. Kuwait affirmed that, on the contrary, this compensation was not payable to Kuwait; rather, it was compensation for the damage caused by Iraq to other countries, for which Kuwait was claiming in accordance with the provisions of international law and international principles regarding war.

The Kuwaiti media remained insufficiently developed to explain Kuwaiti issues on the Arab and international levels, and the information offices in Arab and international countries needed strengthening. However, these offices were closed in 2007 after the collapse of Saddam Hussein's regime in 2003, as they were no longer needed because the Iraqi threat had ceased to exist.³⁰⁵

5.4. *The military tool*

As noted before, Kuwait's military capability is very limited, as was shown in the Iraqi invasion, when it proved not even to have any effective deterrent or delaying and 'trigger' function. In theory Kuwait could and can draw on the GCC as a whole, but there, too, there are severe limitations both on indigenous capacity and, especially, coordination.

³⁰⁴ Al Watan Information and Studies Center, 'Foreign Policy: Classification No. 5-6', dated 9 September 2001, Kuwait,

³⁰⁵ Diplomatic Center For Strategic Studies, 'Al-'adā' al- i' lāmī al-Kuwaytī... Ru'yah Nakdīyah', 'Kuwaiti Media performance, Critical Prospective', Op.Cit. p.5.

The Kuwaiti constitution has organized the use of the military in Article 68, which states, 'The Amir declares defensive war by decree. Offensive war is prohibited'.³⁰⁶ For this reason, the Kuwaiti constitution draws the military doctrine of Kuwait in the 'defensive war' only, which is reflected in the Kuwaiti armaments since its independence in 1961.

The military power of the countries surrounding Kuwait has been a key factor that has influenced its military strategy. Thus, Kuwait has always had to cope with the presence of three regional major powers: Iraq, Iran and Saudi Arabia. It is surrounded by states of greater population, geographic area and military might, which places Kuwait in a vulnerable position and emphasized the need to strengthen its military capabilities since the 1960s and to increase them further in the 1970s due to the ongoing Iraqi threats to Kuwait, especially after the Abdul Karim Qasim crisis in 1961 and the occupation of the Kuwaiti police post (Al-Samitah) in 1973. Therefore, Kuwait began to build up its military capabilities from the 1970s on through

1. the application of a conscription programme
2. the development of Kuwaiti armaments through the allocation of the first program for the purchase of arms in 1976 worth KD 400 million (\$1.5 billion)
3. the establishment of air and naval military bases.

In the 1970s and 1980s, the Iraqi threats, the Iranian revolution in 1979 and, of course, the fallout of the Iraq-Iran War (1980-1988) with its aftermath complicated the Kuwaiti small defence and development planning. Therefore, the need to reinforce the Kuwaiti military capabilities became essential in order for Kuwait to protect its security. As a result of events in the region during the 1980s, Kuwaiti military expenditure increased from KD 147 million in the budget of 1980 to KD 390 million in 1988. The total value of Kuwaiti military expenditure from 1961 to 1992 reached KD 4.980 billion (\$17.810 billion).³⁰⁷

However, the Iraqi invasion of Kuwait completely changed the Kuwaiti military doctrine after the failure of the Kuwaiti military strategy and of the GCC in repelling this occupation. This has been through the appearance in Kuwaiti policy for the first time in

³⁰⁶ Constitution of the State of Kuwait, Article 68, Op.Cit. p.10.

³⁰⁷ Assiri, Abdul Reda, 1992, Op.Cit. pp.194-195.

public of an 'alliance' concept with the superpowers, after its liberation, as a reflection of the 'imbalance equation' in Kuwaiti strategy in order to protect its security from threats from both Iraq and Iran. Therefore, Kuwait, since its liberation, has focused sharply on the military expenditure to offset its security. For example, arms imports increased by over 50% between 1994 and 1995 in comparison with 1987-1990 due to the fallout of the Gulf crisis. The total arms purchase agreements of Kuwait with major exporter states was estimated at \$3.5 billion between 1987 and 1990 and increased after its liberation to \$5.7 billion during the period of 1991-1994 and decreased to \$5.5 billion from 1994-1997.³⁰⁸

Despite the reinforcement of the Kuwaiti military force after the Iraqi invasion with modern technology from the exports of major states such as the US, Russia and China valued at \$3.1 billion from 1997 to 2004,³⁰⁹ and \$4.2 billion from 2004 to 2011,³¹⁰ Kuwaiti military power is still very limited compared to that of the surrounding countries. In 2011, Kuwait's military forces were estimated at 15,500, while Iran had 350,000, Iraq 271,400, and Saudi Arabia 233,500. Given the balance of power in the Middle East, as a regional extension to Kuwait and the Gulf region, the military power of Israel was estimated at 176,500, Egypt 438,500,³¹¹ and Turkey 510,600.³¹² As of 2011, Kuwait had 293 tanks, 66 aircraft and 11 patrol and coastal combatants (navy) and 1 logistic and support; Saudi Arabia had 565 tanks, 296 aircraft, 30 patrol and coastal combatants, 7 principle surface combatants, 7 mine countermeasures and 17 logistic and support and 8 landing ships and landing crafts (navy); Iran had 1,663 tanks, 336 aircraft, 23 submarines, 68 patrol and coastal combatants, 5 mine countermeasures, 43 logistic and support (navy), 13 landing ships and 10 landing craft; Iraq had 336 tanks, 3 aircrafts, 28 patrol and coastal combatants; Israel had 480 tanks, 440 modern aircrafts, 6 sophisticated Dolphin submarines (3 to be delivered from 2012), 59 patrol and coastal combatants, 1 landing craft and 3 logistic and support (navy); Egypt had 2,412 tanks, 589 aircraft, 4 submarines,

³⁰⁸ H. Cordesman, Anthony, 'Military Balance in the Middle East – XI The Southern Gulf : Bahrain, and Kuwait', Center for Strategic and International Studies, December 28, 1998. pp.22-32.

³⁰⁹ Richard F., 'Conventional Arms Transfers to Developing Nations, 1997-2004', *CRS Report for Congress*, U.S., August 29, 2005. p.49.

³¹⁰ Richard F. and K. Paul, 'Conventional Arms Transfers to Developing Nations, 2004-2011', *CRS Report for Congress*, U.S., August 24, 2012. pp.44-45.

³¹¹ International Institute for Strategic Studies, *The Military balance 2012*, UK, 2012. pp.319-323.

³¹² *Ibid.* p.162.

51 patrol and coastal combatants, and 8 principle surface combatants.³¹³ Turkey had 4503 tanks, 338 aircraft, 14 submarines, 18 principle surface combatants, 52 patrol and coastal combatants and 27 mine countermeasures, 5 landing ships and 45 landing crafts.³¹⁴

Therefore, Kuwait's military remains too small to counter any real threat from its neighboring countries, which is reflected in the value of the Kuwaiti military spending with Kuwait ranking ninth in the Middle East in 2011 '\$4 billion annually' (see Table 2).³¹⁵ Thus, the 'imbalance' of Kuwaiti military capabilities in the region urged Kuwait to rely on the US on the one hand and GCC states on the other, to close any gaps in its military strategy and in order to protect its security against any external risks through continued military coordination.

As a result of the Iranian ambitions in the Gulf region after the fall of Saddam Hussein's regime in 2003, through its interference in Iraq, Yemen, and Syria, and the development of Iran's supposedly peaceful nuclear program, Kuwait and, of course, the Arab Gulf states, have focused on strengthening their air, naval, and missile defence systems' military capabilities to counter any risk, especially since these six Arab states do not share a land border with Iran, which is reflected in their military expenditure and conventional military capabilities. For example, Saudi Arabia ranked first in the developing world in purchasing arms valued at \$75.7 billion and UAE ranked third, spending \$20.3 billion on arms from 2004 to 2011.³¹⁶ Thus, the conventional military capabilities of the GCC became more sophisticated and advanced than those of Iran except for naval power.³¹⁷ In 2011, the military forces of the GCC countries were estimated at 362,100 soldiers, 1,656 tanks, 651 aircraft, 93 patrol and coastal combatants, 9 principle surface combatants, 9 mine countermeasures, 35 logistic and support (navy) and 52 landing ships and landing craft³¹⁸ while Iran, as mentioned above, had 350,000 soldiers, 1663 tanks, 336 aircraft, 23 submarines, 68 patrol and coastal combatants, 5 mine countermeasures, 43 logistic and support (navy), 13 landing ships and 10 landing craft. This is in addition to the military

³¹³ Ibid,pp.319-335.

³¹⁴ Ibid. pp.162-164.

³¹⁵ Ibid. pp. 306-333.

³¹⁶ Richard and Paul, Op.Cit. p.47.

³¹⁷ International Institute for Strategic Studies, *The Military balance 2012*. Op.Cit. p.307.

³¹⁸ Ibid,pp.319-335.

superiority of the six Gulf States over Iran in air capabilities and modern technology. This superiority can be illustrated in the value of the military expenditure of the six Arab Gulf states estimated at \$68.1 billion in 2011, while Iran's expenditure amounted to \$11.9 billion in the same year.³¹⁹ Therefore, the Iranian conventional military capability does not represent a real threat to the six Arab Gulf states except regarding its naval capability; it was this that urged Iran to offset this 'gap' through the development of its nuclear program, which is believed to be for military purposes in order to counter external threats, especially from Israel's nuclear power.

Despite the theoretical superiority of the GCC states, the problem of coordination among the six Gulf states is that it is still limited to the establishment of a framework of collective security and effective military cooperation until 2010, due to internal and not external factors concerning the sovereignty of each country, the fear of Saudi Arabia becoming dominant and a lack of confidence in the effectiveness of collective military action. However, as a result of the events of the Arab Spring in Bahrain in 2011, and the subsequent Iranian interventions to support these events in Bahrain, the GCC states in November 2011 set up 'a marine security coordination centre' in Bahrain due to a fear of Iran's intervention in that country.³²⁰ This followed by setting up a unified military command for their land, navy and air forces in late 2012 to be under one umbrella for the existing GCC forces deployed in six member states.³²¹

The concept of military strategy is determined by Kuwait on the following basis:

1. retain military capabilities to be able to deter threats temporarily until it is possible to provide full protection to the state.
2. keep the diversity of sources of arms purchases to win the political and military support from the major sponsors of arms suppliers.
3. not to engage in regional conflicts with the states as the purpose of the Kuwaiti Army is defensive rather than offensive.³²²

³¹⁹ Ibid. pp.303-352.

³²⁰ Ibid. p307.

³²¹ Bloomberg, 'GCC to Form Unified Military Command Amid Iran 'Threats'', Tuesday, 25 December 2012. Available online at; <http://www.bloomberg.com/news/2012-12-25/gcc-states-to-form-unified-military-command-in-response-to-iran.html>

³²² Assiri, Abdul Reda, 1992, Op.Cit. p.198.

4. maintain good relations with the surrounding countries regionally and internationally for political cover to protect Kuwait against military risks.
5. establish closer relationships between Kuwait and military blocs, such as GCC states, NATO and superpowers as a military strategy to protect Kuwait.

6. Conclusion

This chapter has, in line with the framework laid out in Chapter 2, surveyed the main geographic, internal and external factors that have in varying combinations shaped Kuwaiti foreign policy. Small and vulnerable, without natural defences, located next to three regional powers – each presenting territorial and ideological challenges – the rulers of this entity from the beginning strove pragmatically to secure external protection while maintaining room for manoeuvre and flexibility to adjust to changing circumstances. This search for security was complicated by its small population and aspects of the domestic socio-ethnic and religious make-up, which tied into regional, cross-boundary cleavages that could be exploited by neighbouring regimes and which even without such intent created possible vulnerability to spillover effects: since 2006, Kuwait has witnessed Sunni-Shiite conflict in Kuwait due to the transmission of sectarian violence in Iraq and the effect of the Arab Spring on the one hand, and the conflict between families and tribes (Hadhar-Bedu) attempting to achieve short-term political and economic gains, on the other. Foreign policy thus becomes concerned also with the domestic immigration of foreigners to Kuwait, especially Arabs since the 1950s, which exposed Kuwait to internal and external challenges by those immigrants and their affiliation and ideas, such as the activities of Arabs, non-Arabs (Iranians) and Bidoon in a number of terrorist operations in Kuwait during the 1980s. This also applied to a small number of Kuwaiti Shia who, inspired by Iranian revolution, became involved in the terrorist operations. Concern was aggravated during the Iraqi invasion by some Palestinians and Bidoon collaborating with the Iraqi occupiers whilst, non-Arab and non-Muslim populations represent some social and cultural concerns and a minor security challenge among parts of the national population as material and ideational challenges to Kuwait. Thus, the alignment of

Kuwaitis, Arabs and non-Arabs with foreign states or networks such as Al-Qaeda's network became a main concern for Kuwait after the 9/11 terrorist attacks in the US.

The regional security theatre and regional ideational constructs, be they 'Arabist' or Islamic, produced another complexity, bringing potential pressures and constraints, as well as occasional opportunities and, in the GCC, a forum of support in crisis situations such as the Iran-Iraq war and the Iraqi invasion. The regional environment also presented other threats, not least the Iranian revolution in 1979. Against this background it was not surprising that the Kuwaiti leadership would pursue outside protection from the global hegemon, the US – although initially this had to be circumscribed by caution over the regional theme of Arab identity. It is only when the latter lost much of its potency in Kuwait due to the Iraqi invasion, that this external protective alliance could become more explicit and thorough – something we will explore in greater detail in the chapters that follow. As already suggested, shifts in the global environment were an important part of his picture: especially in the shifting balance of who the main hegemon was, and how changing relationships between the key external powers shaped possibilities – as in the end of the Cold War's effect on the UN's ability to act.

As part of its toolbox, in addition to the use of such external protection, Kuwait also had recourse to both diplomatic, propaganda and economic means. Diplomacy could be exerted directly, often by the top leadership itself, sometimes by key ministers from the ruling family, sometimes via the National Assembly. Propaganda or 'PR' was used extensively especially after the Iraqi invasion, and proved successful. And economic tools – not least aid – were used extensively since the 1950s. The economy, of course, was also a factor shaping foreign policy in the first place, both directly – in the need it created to serve the country's global place in the oil market, and in the clout that it provided – and indirectly, through way it shaped the domestic political economy as well as the attention, good and bad, that it brought to Kuwait from the 1950s especially.

Militarily, however much Kuwait bought by way of arms – something that was sharply increased after 1992 – it remained unable to defend itself – or even to provide serious deterrence. This, again, added to the need for external protection and goodwill.

The decisions that were made on the basis of all this, were generally arrived at not through a complex bureaucracy or even the Foreign Ministry or the National Assembly, but through the interpretations and perceptions of the leading members of the ruling family – especially the Amir, the Crown Prince and Prime Minister, and the Foreign Minister. Other individuals and parts of the foreign policy apparatus might have an advisory or implementation role, and the national Assembly might at times similarly raise questions, obstruct particular agreements, support a particular policy thrust, or indeed be useful as a relationship tool with some countries, but the core of policy and diplomatic stances was always in the hands of the top three. But the way in which this happened in practice was influenced as much by the particular personalities and intra-ruling family balance of power, as it was a mere function of their formal position. It became even more pronounced, when in the 1990s Amir Jaber became increasingly withdrawn, and with the eclipsing of Crown Prince Sheikh Saad from 1997: this effectively concentrated control of foreign policy in the hands of foreign minister Sheikh Sabah, a state of affairs that was officially sealed when he himself acceded as Amir in 2006. Indeed, it is remarkable that, during this period since 1997, few others, whether in the Ministry of Foreign Affairs or the National Assembly, even seem to have known exactly how policies were crafted. The National Assembly's role, however, retained some potency, shifting in conjunction both with its internal orientation, and with the shifts in internal Al Sabah politics: the most striking example is the shift in policy towards restoring relations with the so-called 'opposition states' in 1999, something that had been opposed by Sheikh Saad and key parts of the Assembly, and supported by Sheikh Sabah: the change came when Sheikh Saad had effectively become incapacitated, and when a new assembly had been formed – a story that will be picked up in Chapter 7. It is worth noting also that detailed comment on the formation of policy, especially since then, is made difficult both by the relatively small role played by other persons and institutions, and by the veil of secrecy that envelops any such discussions – or at least reluctance on the part of such parties to discuss these matters with researchers, other than to refer to official positions and the conclusion that it is really the domain of Sheikh Sabah. Certainly it is not possible to ascertain – other than the obvious disagreement on the policy towards the *duwal ad-didd* between Sheikh Saad and Sheikh Sabah – the individual views of particular decision-makers and officials: with the exceptions of some limited views expressed by MPS quoted in this chapter, this has remained behind closed doors. In this chapter, it is hoped that at least some of the

dynamics and roles have been outlined in ways not done before, in a way that will underpin the narrative that follows.

Chapter V

The Iraqi Invasion and the Regional and International Response

1. Introduction

The Iraqi invasion is obviously at the centre of this thesis, so it is important, if we are to understand the pattern of relations between Kuwait and Iraq, to examine the factors that shaped the Iraqi decision to invade Kuwait in 1990 and its aftermath. From the framework set out earlier, we will concentrate on the set of factors that appear to have been the most important in this instance.

1.1. Geography

As mentioned in Chapter 2, the geographic location of countries and common borders are one critical factor shaping the foreign policy of states. Therefore, the geographic factor is considered to have played a significant role in the nature of relations between Kuwait and Iraq, since they were always likely to become engaged in a great number of disputes as they have a common border with non-demarcation of terrestrial frontiers in accordance with the agreed 'Minutes of 1963' until 1993. This border has been disputed by both countries since Kuwait's independence in 1961, which has resulted in many border violations, with notable crises in 1966, 1967 and 1973. There has been pressure on Kuwait to submit territorial assignments in favour of Iraq, namely two Kuwaiti islands, Warba and Boubyan, due to their strategic location for economic and military bases, as mentioned in Chapter 4. During the Iraq-Iran War (1980-1988), Iraq started to build military installations on the Kuwaiti borders to protect Umm Qasr seaport in order to deter any Iranian threats. With the end of this war in 1988, Iraq's ambition to obtain territorial concessions from Kuwait was renewed. After the Kuwaiti refusal to grant any concessions

or economic assistance to Iraq, Iraq used the issue of the ‘border’ between the two countries as a pretext to occupy Kuwait in 1990, by accusing Kuwait of violating the Iraqi border and stealing Iraqi oil from the southern common oil wells between the two countries. Thus, due to the strategic value of Kuwait’s geographical location, and common borders between the two countries, the geographic factor is one of the main reasons behind the Gulf crisis in 1990.

1.2. *The domestic environment*

Exceptionally, we must discuss here two domestic environments: that in Iraq and that in Kuwait. As regards the latter, before the Iraqi invasion, Kuwait witnessed an internal political crisis from late 1989 due to the demands of the Kuwaiti political blocs and the return of parliamentary life, suspended since 1986. These demands led to violent confrontations between the Kuwaiti people and their government. Saddam Hussein believed that the Kuwaiti people would support Iraq in any action, even against the Kuwaiti government, due to the people’s discontent with the Kuwaiti political leadership. Thus, in July 1990, two weeks before the Iraqi invasion, Saddam Hussein invited some Kuwaiti political individuals to visit Baghdad to consolidate its relationship with them. However, after the Iraqi occupation of Kuwait, Saddam did not draw support or collaboration from any Kuwaiti individuals for the invasion, which prompted Iraq to appoint a ‘Provisional Free Government of Kuwait’ – although only one was subsequently confirmed as indeed Kuwaiti. Iraq claimed the new republican regime had carried out a *coup d’état* against the Kuwaiti regime and had requested assistance from Iraq. The domestic politics of Kuwait, therefore, clearly had influenced Saddam’s perception; at the same time, the deeper, underlying dynamics of the Kuwaiti polity – with its close-knit, in part kinship-derived, in part based on neo- or post-traditional mechanism and ethos, and in part on a rentier political economy,¹ meant that a neighbouring regime perceived as brutal, and ideologically alien by most Kuwaitis, never stood a chance of being a welcome annexing or controlling power, nor of Kuwaiti independence being sacrificed, not least given the dramatic loss in per capita wealth this would bring with it for Kuwaiti citizens.

¹ Compare e.g. Nonneman, Gerd, ‘Political Reform in the Gulf Monarchies: From Liberalisation to Democratisation? A Comparative Perspective’, in A. Ehteshami & S. Wright (eds.), *Reform in the Middle East Oil Monarchies* (Reading: Ithaca Press, 2008), pp. 3-45.

The evidence would come not only in the shape of the refusal of any significant numbers to be co-opted by Saddam, and in the spontaneous and effective grassroots organisation of resistance, but also in the mass gathering of exiles in Taif mentioned earlier, and the consensus worked out with the regime in the person of Sheikh Saad, whereby the representatives of the exiled Kuwaiti population and activists confirmed their adherence to the principle of rule by the Al Sabah under a resuscitated constitution.

In Iraq, the key aspects of the domestic situation were the dire economic situation following the Iran-Iraq war; the effect this had, actually and potentially, on domestic political stability and attitudes towards Saddam's regime; and the nature of the political system and decision-making, which shaped the way in which the regime perceived its interests, and the blinkered fashion in which key policies – including the decision to invade Kuwait – were taken.

1.3. The economic factor

In line with the generic findings in chapter 2, and as already noted above, the economic factor played a central role in the Kuwaiti crisis in 1990. After Kuwait's discovery of oil in 1938, Iraqi ambitions turned towards this natural oil resource: this has been the case since the regime of King Ghazi in the 1930s and became acute during the regime of Abdul Karim Qasim in the early 1960s, as already outlined in Chapters 3 and 4.

In the course of the Iran-Iraq war, Kuwait became a logistical and financial life-line for Iraq, but this left substantial outstanding debts. After the end of that war, Iraq witnessed political and economic instability and a major fiscal crisis, arguably preparing the ground for the Gulf crisis in 1990: the huge amounts of debt owed to Kuwait and the GCC states, the bankruptcy of Iraq's treasury, unemployment, the soaring price of foodstuff and the destruction of infrastructure, all placed the Iraqi political leadership in a critical position in front of its people. As a result, Iraq sought to obtain huge financial assistance from GCC states to reconstruct its country, and warned the GCC countries not to refuse such requests. When the GCC countries were less than forthcoming, Iraq adopted an escalation policy after the Baghdad summit in May 1990 by accusing Kuwait and UAE of flooding the oil market and not observing their prescribed share of oil. This resulted in the

deterioration of oil prices and gave Iraq a pretext to occupy Kuwait and control its rich natural oil resources in order to solve Iraqi economic problems.

1.4. Ideational factors at home, in the region and beyond

Both in the domestic and the external environment, ideational factors were at work. In the region, outside the GCC, the perception of rich small states that had a disproportionate share of Arab wealth, was one that had not wholly disappeared. Allied with the persistent sense among many in Iraq, that Iraq should have been properly constituted by including what was now Kuwait, this was perhaps more potent here than anywhere else. It clearly helped drive Saddam's thinking, both directly and in the sense that he knew he could tap into a popular Iraqi view. As the thesis demonstrates elsewhere, the irredentist theme in Iraqi foreign politics towards Kuwait is as old as the creation of the Iraqi state.

The ideational element in international affairs is evident also in the sea-change that had been taking place at the global level: the end of the Cold War brought with it a new *Zeitgeist* that assumed there was a new world order emerging, with greater clout for the UN, and, at last, new ways of dealing with conflict. In this context it may be possible to find a part-explanation both for the Kuwaiti assumption that a blatant invasion had become less likely, and for the subsequent reaction of the international community when that invasion did occur: it was clearly perceived as a direct challenge to the hoped-for new world order, then still seen with a good deal of euphoria.

1.5. The decision-making environment and leaders's perceptions

All of this, of course, must be filtered through the decision-making environment: perception and calculation by the decision-makers is what matters, ultimately. Here, too, we must consider both the Iraqi and the Kuwaiti side of the coin.

In the case of Kuwait, already the key decisions in the shaping of policy were being made by Sheikh Sabah and Sheikh Saad, with the Amir in the background. The common denominator in any case – not effectively countered by any other voices in the process –

was that Kuwait's sovereignty was not for sale; that Iraq under Saddam was not trusted; that some economic pressure on the country might be useful as a policy tool; and that Kuwait was safe from an imminent real attack given the support from the Arab League and, most importantly, the internationally acknowledged position of Kuwait as an important pro-Western player of importance for the economy of the West and with the implied protection of the US.

There were, of course, some voices outside Kuwait arguing that the threat might more acute than it appeared to these top leaders,² and indeed advice was forthcoming from Kuwait's own military intelligence to that effect. But as we will see, but it is the assessment of the top that mattered: the cabinet took its cue from Arab visitors and decided not to prepare militarily. There was no public opposition to the leadership's stance at the time.

In the narrative that follows, these above factors will be seen to play out in the way events and policies developed.

2. Background and lead-up to the Iraqi invasion

After the end of the Iraq-Iran War in 1988, the economy of both parties was exhausted, having lost some 1.97 trillion dollars.³ The war depleted Iraq's economic and financial resources. Before the war, Iraq had a financial portfolio estimated at \$ 36 billion.⁴ However, by the end of the war, its direct economic losses were estimated at \$452.6 billion,⁵ and Iraqi debts reached between \$80 and \$120.2 billion.⁶ Further, the costs of

² Ehteshami, Anoushiravan and Nonneman, Gerd, *War and Peace in The Gulf: Domestic Politics and Regional Relations into the 1990s* (Ithaca Press, Reading, 1991)., Chapter 3.

³ This amount includes direct and indirect costs: Mofid, Kamran. 'Economic Reconstruction of Iraq: Financing the Peace', *Third World Quarterly*, Vol. 12, No. 1, 1990, p.53.

⁴ Alexander, Justin and Rowat, Colin, 'A Clean State in Iraq: From Debt to Development', *Middle East Report*, No. 228, 2003, p.33.

⁵ Mofid, Kamran. Op.Cit. p.53.

⁶ Note: Iraq did not report its debt to the World Bank Debtor Reporting System, leading to many questions about what actually constitutes Iraq's foreign indebtedness. See Elali, W., 'Note: Dealing with Iraq's Foreign Indebtedness', *Thunderbird International Business Review*, Vol. 42, No.1, 2000, p.67; Alnasrawi, Abbas, 'Iraq: Economic Consequences of the 1991 Gulf War and Future Outlook', *Third World Quarterly*, Vol. 13, No. 2. 1992, p.337.; Paris Club, 'Press Release : The Paris Club And The Republic Of Iraq Agree On Debt Relief', November 21, 2004. Available on the Paris Club website at: <http://www.clubdeparis.org/>

reconstructing Iraq were estimated at \$230 billion.⁷ Therefore, on 19th November 1989, Saddam Hussein, the Iraqi President, sent Dr. Sadoun Hammadi, Deputy Prime Minister, to Kuwait to task him to:

- A. Provide financial help;
- B. Write off the Iraqi debts;
- C. Offer the concept of defence and security arrangements between the two countries.

During the visit of Sheikh Sabah Al Sabah, Minister of Foreign Affairs, to Iraq on 18th February 1990 to discuss the issue of the demarcation of frontiers, which had lasted four decades, Dr. Hammadi proposed two conventions, security cooperation and defense, to be signed between the two sides, in addition to the suggestion to bring the Kuwaiti Islands of Bubiyan and Failaka under effective control by Iraq; because Hammadi alleged later that Kuwait recognized Warba island as a part of Iraq and it had to be excluded from the discussion. Kuwait rejected these conventions in the letter sent from Sheikh Sabah to Hammadi on 18th March 1990, because the provisions of these treaties contradicted Kuwait's sovereignty and its constitution, and reiterated the importance of resolving the demarcation of borders before discussing anything else. Al Shaheen commented these treaties required Kuwait to waive its sovereignty to Iraq.⁸ Due to the economic destruction, Iraq needed a huge financial loan to overhaul its damaged internal economy.⁹ Thus, on the first anniversary of the Arab Cooperation Council on 23rd February 1990, in Jordan,¹⁰ Saddam Hussein delivered an aggressive speech regarding US domination of the Middle East and the Gulf area due to the deterioration of the Soviet influence and pointed out Iraq's dire need for \$30 billion in financial support from Arab Gulf countries due to its economic crisis, and asked that Iraqi debts to GCC states be written off.¹¹ These debts, estimated at between \$37 and \$40 billion (\$17 billion from Kuwait alone), were provided

⁷ Long, J. M, Op. Cit. p.10.

⁸ The most important provisions of the two treaties are freedom of military movement of the two countries in their land, opening the military and civilian airports in the case of confrontation with a third party and standardization of military procurement. See Sulaiman Majed Al Shaheen, Op.Cit. pp.14-39.

⁹ Haykel, Mohammed Hussain, *Harb al-khalij: 'awhām al-quwwa wan-nasr* 'Gulf War: Illusions of Power and Victory', 1st edition, Pyramids Translation and Publishing Center, Cairo, 1992. p.302.

¹⁰ The Arab Cooperation Council was established in 1989, comprising Iraq, Jordan, Egypt and North Yemen, and dissolved after the Iraqi invasion of Kuwait.

¹¹ Salinger, Pierre and Eric Laurent, *harb al-khalij: al-malaf us-sirrī*, 'Secret Dossier: The Hidden Agenda Behind the Gulf War', All Prints Distributors & Publishers s.a.l., Beirut, 1991. p. 14.

by GCC States during Iraq's war with Iran.¹² In this meeting, Saddam Hussein warned the GCC countries about refusing economic support, saying 'let the Gulf regimes know that if they do not give this money to me, I know how to get it'.¹³ Hence, he requested several items from GCC States, such as:

1. Settlement of the frontier issue between Iraq and Kuwait.
2. Agreement to lease the Kuwaiti islands of Warba and Boubyan to Iraq.
3. Settlement of the issue of Iraqi accumulated debts to Arab Gulf countries.
4. Provision of financial support to Iraq.¹⁴

The GCC countries ignored the Iraqi demands and there was no official reaction to the Iraqi rhetoric. Thus, Iraq adopted an escalation policy starting from April 1990 based on two approaches: first; escalating the propaganda war against Israel and pointing out that there was a 'Western plot' arranged against Iraq, and second, the creation of a political crisis with Kuwait.¹⁵ In response to Sheikh Sabah's letter on 18th March 1990, mentioned above, Hammadi replied on 30th April 1990, stating that 'the two countries have not reached an agreement around the demarcation of their marine and land borders'.¹⁶ On 26th May 1990, two days before the Extraordinary Arab Summit in Iraq, Dr. Hammadi revisited Kuwait to discuss the concept the suggestions of security cooperation and defense convention, mentioned above, and ask Kuwait to write off the Iraqi debts, despite the fact that 'Kuwait has never asked Iraq to repay its debts', as Majed Al Shaheen said, and added on this visit, 'Iraqis asked to cancel the Iraqi debts and provide them with the financial assistance. They (Iraqis) did not specify the value of the loan needed, but they (Iraqis) asked Kuwait to help them in order to rebuild Iraq due to the war'.¹⁷

¹² Different sources have attempted to determine the true value of Iraq's debt to the Gulf States. Some sources estimated the amount between \$37 and \$45 billion; Adam, Patricia, '*Policy Analysis: Iraq's Odious Debts*', Cato Institute, Washington DC, September 2004, p. 8; Nonneman Gerd, 'The Gulf States and the Iran-Iraq War: Pattern shifts and continuities', Op. Cit. p. 180.

¹³ Long, Jerry.M, Op. Cit. p. 16.

¹⁴ Salinger, Pierre and Eric Laurent, Op. Cit. p. 18.

¹⁵ Panel of Specialists 1997, Op.Cit, p.16.

¹⁶ See the text of the letter in Sulaiman Majed Al Shaheen, Op.Cit. pp.20.21.

¹⁷ Author's interview with Suleiman Majed Al Shaheen, former Kuwaiti Minister of State for Foreign Affairs, in Kuwait City, on Thursday 16th June, 2011.

On 30th May 1990, in a confidential closed meeting at the Extraordinary Arab Summit in Baghdad to discuss the Soviet Jewish emigration to Palestine (150,000 migrants during 1990),¹⁸ Saddam Hussein pointed out Iraq's economic problems and the chaos prevailing in the international oil markets that resulted in the deterioration of oil prices worldwide. He claimed that the deterioration of prices was due to some Arab countries failing to observe OPEC resolutions that resulted for 'every one dollar drop in the price of a barrel of oil, the Iraqi loss amounted to 1 billion dollars a year'. Saddam considered this economic policy as 'a kind of war against Iraq' and added 'we have reached a point where we can no longer withstand pressure'.¹⁹

On 15th July 1990, Tariq Aziz, the Iraqi Foreign Minister, sent a memorandum to Chedli Klibi, the Secretary-General of the Arab League, claiming that Kuwait and UAE had 'implemented an intentional scheme to flood the oil market with quantities of oil that exceeded their quotas fixed by OPEC'. Iraq claimed that this policy had led it to lose \$89 billion from 1981 to 1990. In its memorandum, Iraq accused Kuwait of 'stealing Iraqi oil' since 1980 through 'setting up oil installations in the southern section of Iraqi Al-Rumaila oilfield and siphoning oil from it'. Iraq estimated the 'stolen oil' at a total value of '\$2.4 billion'. Further, Iraq accused Kuwait of 'setting up military establishments, police posts, oil installations and farms on the Iraqi territories' during the Iraq-Iran War.²⁰ Thus, Iraq determined the following demands:

1. Raising the oil prices to over \$25 per barrel.
2. Kuwait must stop 'looting the oil' from Al Rumaila Iraqi oilfield and return the 'stolen oil' amounting to 2.4 billion.
3. Cancelling the Iraqi debts, which were obtained from Arab Gulf countries during the Iraq-Iran War.

¹⁸ Bulloch, John and Harvey Morris, *Saddam's war: The Origins of the Kuwait conflict and the International Response*, Faber and Faber Limited, London, 1991. p. 97.

¹⁹ Keynote Speech of the President of Iraq, Saddam Hussein, dated 30th May 1990 at the Arab Emergency Summit Conference in Baghdad, in Sulaiman Majed Al Shaheen, Op.Cit. p.425; Moore, Fred (Comp.), *Iraq Speaks: Documents on the Gulf Crisis: Iraq Speaks Saddam Hussein, Taha Yasin Ramadan, Tariq 'Aziz, Dr. Sa'dun Hammadi, Latif Jasim and Saadi Mahdi Salih*, DIANE Publishing, 1993. p.3.

²⁰ The text of the Iraqi Memorandum, to Chedli Klibi, the Secretary General of the Arab League, from Tariq Aziz, the Iraqi Foreign Minister, dated 15th July 1990, in Sulaiman Majed Al Shaheen, Op.Cit. pp. 413-424; Moore, Fred (Comp.).Op.Cit.pp.5-8.

4. Formulating an 'Arab Plan' similar to the 'Marshall Plan' to compensate Iraq for its losses during its war with Iran.²¹

On the same day as this memorandum, Iraq mobilized its forces on the Iraqi-Kuwaiti borders with 35,000 troops from the Republic Guard in addition to 300 tanks.²² On 17th July 1990, Saddam Hussein delivered an aggressive speech against Kuwait and some GCC States in the region and mentioned that the new oil policy adopted by rulers of Gulf States depended on reducing oil prices without any economic justification, which had resulted in Iraq's losing \$14 billion annually, and that this act could not be tolerated.²³

On 18th July 1990, Kuwait responded to the Iraqi memorandum of 15th July 1990, via Sheikh Sabah Al Sabah, to the Secretary-General of the Arab League, rejecting all these claims.²⁴ In its memorandum, Kuwait claimed that 'Iraq has a long record of transgressions on Kuwaiti territories'. Thus, Kuwait called for the formation of an 'Arab league arbitration panel' within the framework of the Arab League to verify all Iraqi accusations and to 'demarcate the borders on the basis of concluded treaties and documents signed between Kuwait and Iraq'. Moreover, it claimed that 'part of the Rumaila oilfield is located in the Kuwaiti territory. Accordingly, Kuwait has extracted oil from the wells located within its territory south the line of the Arab League at a sufficient distance from international borders and in accordance with international standards'. Kuwait reiterated that the deterioration of oil prices was a global problem involving many parties, producers and consumers, from inside and outside OPEC, and that Kuwait was suffering in the same way as Iraq. Kuwait pointed out that it has observed its prescribed share to maintain international oil prices. Finally, it supported the Iraqi proposal to 'set up a fund for aid and Arab development'.²⁵ On the same day, Kuwait sent a memorandum to UN Secretary

²¹ Khadduri, Majid and Edmund Ghareem, *War in The Gulf 1990-91: The Iraq-Kuwait conflict and its implications*, Oxford University Press, New York, 1997. p. 107; Bulloch, John and Harvey Morris, Op.Cit. p.101.

²² Al Tayyar, Loai Baker, Op.Cit. p. 22.

²³ Long, Jerry M, Op. Cit. p. 20.

²⁴ Ehteshami, Anoushiravan and Nonneman, Gerd, *War and Peace in The Gulf: Domestic Politics and Regional Relations into the 1990s* (Ithaca Press, Reading, 1991). p. 74.

²⁵ The text of the Kuwaiti Memorandum, to Chedli Klibi, the Secretary General of the Arab League, from Sheikh Sabah AlSabah, the Kuwaiti Foreign Minister, dated 18th July 1990, in Sulaiman Majed Al Shaheen, Op.Cit. pp. 429-433.

General, Javier Perez de Cuellar (Peru), wherein it outlined the development of the Kuwaiti-Iraqi crisis.²⁶

On 21st July 1990, Iraq responded to this Kuwaiti memorandum via Tariq Aziz, wherein Iraq repeated its claims and accused Kuwaiti officials of ‘looting the Iraqi wealth’, and ‘indirectly’ rejected the Kuwaiti proposal to form ‘an Arab arbitration panel’ for verification of the Iraqi accusations against Kuwait. Iraq claimed that the two countries ‘have not yet reached an agreement on the demarcation of the borders’, in addition to the claim that Iraq had tried to solve the problem of demarcation of borders through offering ‘a set of agreements (as mentioned above), which were rejected by Kuwait’. However, on 24th July 1990, Tariq Aziz declared Iraq’s rejection of the ‘Arab arbitration panel’ suggested by Kuwait and stated that, ‘The disputes on the border between the Arab states should be resolved by the States concerned, not by committees formed from Arab States’.²⁷ Meanwhile, Kuwait responded to the latest Iraqi memorandum, dated 21st July 1990, with its own memorandum to the Arab League, rejecting the Iraqi claims and reiterating that ‘the demarcation of the borders is governed by conventions and treaties signed between two countries’ and the ‘agreements proposed by Iraq lack the principle of equal cooperation in substance’ and Kuwait ‘does not want to publish drafts of these agreements a commitment to the ethics of political action’.²⁸

On 24th July, Hosni Mubarak, the Egyptian President, visited Baghdad in an attempt to solve the dispute between the two countries;²⁹ however, the official spokesman of the Iraqi ministry of foreign affairs declared that ‘the visit was made within the framework of bilateral relations and it has nothing to do with the current crises.’³⁰ After the meeting between Saddam and the US ambassador April Glaspie on 25th July 1990, Glaspie met the Kuwaiti ambassador to Iraq on 27th July, Ibrahim Al-Bhoh, and told him ‘There will be

²⁶ Ibid. pp. 455-457.

²⁷ Kuwait National Assembly, ‘Takrīr lajnat takasī il-ḥaka’ik fī mawdū’ il-ghazw il-‘irākī ‘alā dawlat il-kuwayt’, ‘Report of the Fact-Finding Commission on the causes of the Iraqi invasion of Kuwait’, unpublished Report, Secretariat General, Kuwait, VII legislative Chapter, 16 August, 1995.

²⁸ The text of the Kuwaiti Memorandum to Chedli Klibi, the Secretary General of the Arab League, from Sheikh Sabah AlSabah, the Kuwaiti Foreign Minister, in Sulaiman Majed Al Shaheen, Op.Cit. pp.445-452.

²⁹ Wikileaks, ‘Kuwaitis Calm, Confident, And Unified (For The Moment) In The Face Of Iraqi Threats’, Reference ID: [90KUWAIT4267](https://www.wikileaks.org/origin/117_0.html); CONFIDENTIAL, Embassy Kuwait; 1990-07-26. Available online at http://www.wikileaks.org/origin/117_0.html

³⁰ Panel of Specialists 1997, Op. Cit. p. 18.

military action' against Kuwait.³¹ On the same day, as Iraq intensified its military forces on the Kuwaiti-Iraqi frontiers,³² OPEC decided to reduce the oil production and raise the price of a barrel of oil to \$21 in light of Iraqi demands.³³ On 29th July, Kuwait issued a statement rejecting 'All forms of –arm-twisting, intimidation and the use of force' and welcomed the OPEC decision to raise the oil prices.³⁴ However, the crisis did not calm down. Therefore, it was agreed on 31st July 1990 to hold a meeting between Kuwait and Iraq in Jeddah, Saudia, under the auspices of King Fahd to solve their problems.³⁵ This meeting 'took place on the evening of that day', according to Suleiman Al Shaheen, one of the members of the Kuwaiti delegation, who added, 'at the meeting we did not discuss any issue...The Iraqis did not discuss any issue with us (Kuwaitis)... Izzat Ibrahim said to us, we (Iraqis) came to this meeting in response to the invitation of King Fahd only...if Kuwait (Izzat said) wants to discuss any issue related to Kuwait and Iraq, it is better to hold the meeting in Iraq'. Al Shaheen continues, 'We were surprised that the Iraqi delegation left Jeddah in the early morning of 1st August, without continuing the meeting'.³⁶

3. The Iraqi invasion

Following the Jeddah meeting, Iraq invaded and occupied Kuwait on 2nd August 1990. In an emergency Security Council session on 2nd August 1990, Iraq alleged that it had occupied Kuwait because the 'Provisional Free Government of Kuwait' had carried out a *coup d'état* against the regime in Kuwait and requested assistance from Iraq to establish

³¹ Kuwait National Assembly, 'Tagrir LjnhTagasi Alhagiga An Asbab AlGazo Allraqi LiDwatat AlKuwait', 'Report of the Fact-Finding Commission on the causes of the Iraqi invasion of Kuwait'. Op.Cit.

³² Ehteshami, Anoushiravan and Gerd, Nonneman. Op. Cit. p.76.

³³ Alnasrawi, Abbas, Op.Cit.p.343.

³⁴ Wikileaks, 'Kuwaiti Cabinet Rejects 'Arm-Twisting' As Talks With Iraq Begin July 31', Reference ID; [90KUWAIT4364](http://www.wikileaks.org/origin/117_0.html) , [CONFIDENTIAL](http://www.wikileaks.org/origin/117_0.html), [Embassy Kuwait, 1990-07-31](http://www.wikileaks.org/origin/117_0.html) . Available online at http://www.wikileaks.org/origin/117_0.html

³⁵ The Kuwaiti delegation was presided over by Sheikh Sa'ad Abdullah Al Sabah, the Crown Prince and Prime Minister and the Iraqi delegation was presided over by Mr. Izzat Ibrahim, Ibid.

³⁶ Author's interview with Suleiman Majed Al Shaheen, former Kuwaiti Minister of State for Foreign Affairs, in Kuwait City, on Thursday 16th June, 2011.

security and order,³⁷ and Iraqi forces would be withdrawn from Kuwait on 5th August 1990.³⁸ However, Iraq declared the annexation of Kuwait to Iraq on 8th August 1990, claiming to UNSC that Kuwait had been ‘separated from Iraq’ by colonizers.³⁹ During the Iraqi invasion of Kuwait, Iraq pursued on several objectives, as follows:⁴⁰

1. Expediting annexing of Kuwait, changing the Kuwaiti demographic structure of population and frontiers.
2. Discussing outstanding Arab issues, such as the Arab-Israeli conflict and the Lebanon crisis, to distract attention from the main issue of occupation of Kuwait.⁴¹
3. Insisting on solving the issue among Arab countries rather than the international community to remove any justifications for the existence of foreign intervention in the region.
4. Reaffirming that the issue has nothing to do with occupation: rather, it deals with confronting imperialists who wanted Arab wealth.
5. Neutralizing the Iranian threat through the Iraqi President’s initiative to solve the conflict between Iran and Iraq on 15th August 1990. This initiative included three principles: first; Iraq recognizes the 1975 Algiers Accord with the principles and basis contained in the same to demarcate the frontiers and divide Sha’at Al Arab. Second, withdrawal of the Iraq troop from Iranian territories unilaterally from 16/8/1990. Third: prompt exchange of all Prisoners of War on the same day. Iran

³⁷ Repertoire of the Practice of the Security Council 1989-1992, ‘Items relating to the situation between Iraq and Kuwait’, Supplement 1989-1992, Security Council, Department of Political Affairs, United Nations, New York, 2007. pp. 586-587. Available online on UN website at:

[http://www.un.org/en/sc/repertoire/89-92/CHAPTER%208/MIDDLE%20EAST/item%2022_Iraq-Kuwait .pdf](http://www.un.org/en/sc/repertoire/89-92/CHAPTER%208/MIDDLE%20EAST/item%2022_Iraq-Kuwait.pdf)

³⁸ Security Council, ‘Letter Dated 3 August 1990 from the Permanent of Representative of Iraq to the United Nation Addressed to Secretary General’, S/21436, 3 August 1990, United Nations, New York. Available online on UN website at:

<http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N90/181/06/IMG/N9018106.pdf?OpenElement>

³⁹ The text of the speech of Iraq’s representative to UNSC, Mr. Al-anbari; Security Council, ‘*Provisional Verbatim Record of The Two Thousand Nine Hundred and Thirty-Fourth Meeting*’, S/PV.2934, United Nations, New York. pp.43-45.

⁴⁰ Shoukri, Hassan, *Hakaek Liltareekh Fi Azmat Al-Khaleej Al-Arabi*, ‘*Facts for History on the Arabian Gulf Crisis*’, 2nd edition, Madbouly El-saghir Bookshop, Cairo, 1991. p. 39.

⁴¹ Ali, Omar, *Crisis in The Arabian Gulf: An Independent Iraqi View* (Praeger Publishers, West Port, CT. 1993). pp. 56-64.

accepted this initiative, and asked Iraq to withdraw from Kuwait and implement international resolutions.⁴²

The Kuwaiti leadership turned to Saudi Arabia and formed a Kuwaiti government-in-exile to liberate Kuwait. Al Shaheen comments ‘After the Kuwaiti support for Iraq...We did not expect any invasion from Iraq or even borders to be overrun’.⁴³ In contrast, Saleh Al-Fadhala, the Chairman of the Fact-Finding Commission on the Causes of the Iraqi Invasion of Kuwait, said that ‘the Kuwaiti Army (units of intelligence in Iraq) informed the government that the Iraqi Army was on the borders and took the position of openness (i.e. attack), but the political side overcame the military thought because cabinet officials blocked military preparations due to the visits to Kuwait made by the Arab presidents and officials, who confirmed that Saddam would not use force against Kuwait and asked it not to provoke Iraq’. He added that ‘Dhari Al-Ottoman, former Minister of Justice, after the end of Jeddah Conference, predicted the occurrence of the Iraqi invasion of Kuwait at the meeting of the Council of Ministers and told the council that ‘Iraq will invade Kuwait and it is supposed to act’. Al-Fadhala added that ‘the Council of Ministers unanimously did not agree with the Al-Ottoman’s opinion’, and that ‘the invasion was the mistake of the Kuwaiti officials in foreign policy, so the Fact-Finding Commission should take responsibility.’⁴⁴

Some Arab countries supported the initiatives mentioned above, but the international powers, except for France, denied the linkage between the Iraqi invasion of Kuwait and other issues that had nothing to do with the current crisis.⁴⁵ Thus, several Arab and international resolutions were adopted calling for prompt Iraqi withdrawal from Kuwait and reinstating the pre-1/8/1990 situation.⁴⁶

⁴² Panel of Specialists 1997, Op.Cit. p. 20.

⁴³ Author’s interview with Suleiman Majed Al Shaheen, former Kuwaiti Minister of State for Foreign Affairs, in Kuwait City, on Thursday 16th June, 2011.

⁴⁴ Author’s interview with Saleh Al-Fadhala, former MP and Chairman of the ‘Fact-Finding Commission on the Causes of the Iraqi Invasion of Kuwait’ at the National Assembly, in Kuwait City, on Wednesday 7th September, 2011.

⁴⁵ Menos, Dennis, *Arms over Diplomacy: Reflection on the Persian Gulf War*, Praeger, Westport, CT, 1992.pp1-7.

⁴⁶ Mal-Allah, Hussein Issa, [*The Iraqi War Criminals and Their Crimes During the Iraqi Occupation of Kuwait*](#), 1st edition, Centre for Research and Studies on Kuwait, Kuwait, 1998. p. 29.

4. Iraqi Justifications of the Invasion

Al Shaheen notes that ‘with respect to invasion and its justifications, to date, the question remains without answer...We hope to find one justification to give Saddam the right for invasion...I think the Iraqi justifications were to distract the Iraqi Army abroad to ward off any coup against Saddam’s regime’.⁴⁷ Nimer Hammad, political advisor to President Mahmoud Abbas, comments on this issue, saying that ‘before the US occupation of Iraq for a short time in 2003, I met with the Tariq Aziz and asked him why Saddam Hussein occupied Kuwait. Tariq Aziz replied that ‘three days before the Iraqi invasion, if anyone said to Saddam Hussein ‘why we should occupy Kuwait’, it is likely he would have been executed’.⁴⁸

The Iraqi justifications include the following:

4.1. *Historical allegations*

During this occupation, Iraq claimed that Kuwait was a part of Basra province during the Ottoman Empire and it was separated in World War 1 by Britain.⁴⁹ However, this claim made Kuwait aware that the dispute with Iraq was not restricted to political and economic issues only, but also encompassed intellectual and scientific issues. Therefore, after the liberation of Kuwait, it established the ‘Centre for Research and Studies on Kuwait’ in 1992, which is entrusted to undertaking research related to the emergence of Kuwait based on historical documents, maps and practical studies.⁵⁰ Kuwait claimed that its previous relationship with the Ottoman Empire was a ‘nominal link’ rather than an actual one because the Ottoman Empire represented the Islamic nation at that time.⁵¹ Sluglett cites an archival study of Ottoman documents by Anscombe which concluded that ‘The Iraqi claim to historical rights over Kuwait is very weak: on the fundamental issue of political status, Kuwait was indeed Ottoman but was neither integrated into, nor dependent upon, Ottoman

⁴⁷ Interview by the researcher with Suleiman Majed Al Shaheen, former Kuwaiti Minister of State for Foreign Affairs, in Kuwait City, on Thursday 16th June 2011.

⁴⁸ Interview by the researcher with Nimer Hammad, political advisor to the Mahmoud Abbas, President of the Palestinian National Authority, in Ramallah City, Palestine, on Monday 5 March, 2012.

⁴⁹ Sluglett, Peter, Op. Cit. p. 783.

⁵⁰ Website of Centre for Research and Studies on Kuwait: <http://62.150.86.180/HomeA.asp>

⁵¹ Pillai R.V and Mahendra Kumar, Op. Cit. p. 116.

Iraq'.⁵² From the earlier discussion in Chapter 3, it will be clear that while there was indeed a real link between the Ottoman Empire and Kuwait, it was for the most part one of patchily applied suzerainty at most, accompanied with a very large degree of autonomy – an autonomy which the rulers of Kuwait from Mubarak the Great onwards tried to protect and consolidate by reaching out to Britain.⁵³

The evidence employed by Kuwait as evidence of its pedigree as an independent entity is as follows:

1. The link between the empire and another territory outside its domains entails the existence of military forces and the existence of applicable laws to manage the security in this territory, as is the case with territories that were subject to the Ottoman empire, including the three Iraqi provinces. In the case of Kuwait, there were no Ottoman military forces: Ottoman administrative provisions or the Ottoman law was applied in Kuwait as in the case of Iraq's provinces.⁵⁴ Moreover, Kuwait imposed customs duties on the Ottoman vessels at 5%.⁵⁵ Had Kuwait been part of the Ottoman territories, it would never have imposed duties on the Ottoman vessels.

2. Kuwait had its own red flag bearing the word 'Kuwait'. The red colour represented the Ottoman empire, which represented the Islamic world and the religious aspects only, while the word 'Kuwait' indicates the independence of the Kuwaiti emirate from any influence.⁵⁶ Kuwait maintained the Ottoman flag for two reasons: the first was that Kuwait considered the Ottoman empire as the 'symbol' of Islamic religion for all Islamic nations, and the second was related to Kuwait's interests, as the surrounding countries did not acknowledge local flags during the trading overseas to India, which might have placed these vessels at risk of piracy or confiscation by the surrounding territorial States. Therefore, Kuwait maintained the Ottoman flag for its own interests and to safeguard its trade. This practice was repeated in the 1980s due to the Iraq-Iran War, when the two sides began to bombard Kuwaiti oil tankers (Tanker War 1984-1987), which led Kuwait in 1987

⁵² Cited in Sluglett, Peter, Op.Cit. p. 797.

⁵³ The literature has already been cited in chapter 3, but it is worth perhaps pointing to some of the most authoritative ones: Anscombe, *The Ottoman Gulf*, op. cit; and Schofield, *Kuwait and Iraq*, op cit..

⁵⁴ Sultan, Ghanem, Op.Cit. p.10.

⁵⁵ Pillai R.V and Mahendra Kumar, Op. Cit. p110

⁵⁶ Sultan, Ghanem, Op.Cit. p.10.

to re-flag its vessels with US, Soviet, and British flags to protect its interests. This was not actual subjugation; rather it was for the interest of the State.

3. Kuwait was dependent on itself to protect its population and territories since its emergence against external threats such as the attacks launched by the al-Muntafiq tribe⁵⁷ in 1786, the Beni Kaab tribe in 1783 (AlRaga Battle), and the Wahhabis movement by Ibn Suad in 1793, 1795, 1797 and 1804 etc. Kuwait had never depended on or requested assistance from Ottoman authorities.⁵⁸ Should Kuwait have been subject to the Ottoman regime; it would request assistance from Ottoman authorities to protect its territory.

4. Kuwait was a resort for rebels against Ottoman authorities. In 1789, Sheikh Thuwaini, head of the al-Muntafiq tribe, and Mustafa Agha, the ruler of Basra province, fled to Kuwait due to their rebellion in 1787 against Süleyman (II) Basha a-l Mamluk, the Governor of Baghdad, who dispatched a military power to Basra to eradicate the movement for independence of Basra. Sheikh Abdullah Al Sabah, ruler of Kuwait (1762 – 1815), refused their extradition to the Ottoman authorities because this action contradicted Arabian traditions for the protection of refugees, which led the Ottoman authorities to prepare a military power to occupy Kuwait. The officials of the British Agency, (India Eastern Company), informed the Kuwaiti Sheikh of the importance of extradition of those individuals to the Ottoman authorities, otherwise Ottoman would occupy Kuwait. However, the Kuwaiti ruler informed the British official that he was ready to fight the Pasha in order to protect his justice, which led him to let his refugees escape to Najd. This incident confirmed the independence of Kuwait from being subject to Ottoman Empire.⁵⁹

5. Relocation of the India Eastern Company (UK) from Basra to Kuwait during the period from 1793 to 1795 due to a dispute between the British and Ottoman authorities, which incited the Ottoman ruler to ask Britain to remove the company from the Ottoman territories. Accordingly, this company was relocated to Kuwait without any objection from the Ottoman Empire.⁶⁰ This incident was repeated on several occasions in 1821 and 1823.⁶¹ Had Kuwait been an Ottoman State, it would never have accepted the British

⁵⁷ Ibid, p.12.

⁵⁸ Al-Tamimi, Abdul Malek Khalaf, Op.Cit. p. 22

⁵⁹ Aidaroos, Mohamed Hassan, Op.Cit. p.38.

⁶⁰ Panel of Specialists 1997, Op.Cit, p.61.

⁶¹ Al-Tamimi, Abdul Malek Khalaf, Op.Cit. p.36.

company in its territory and the Ottoman ruler would have asked the British authorities to move away from the Ottoman territories.

6. The Ottoman Empire recognized the ‘autonomous entity’ of Kuwait from any Ottoman States in the Anglo-Ottoman Draft Convention in 1913, and its frontiers with Kuwait were demarcated (see Figure 1).⁶²

7. In modern history, Iraq has recognized the independence of Kuwait through:

a. Correspondence exchanged between Nuri al-Said, the Prime Minister of Iraq, and Ahmed Al Jaber, the Kuwaiti ruler, in 1932 demarcating the Kuwaiti-Iraqi frontiers, as previously mentioned in Chapter 3 (Appendix 1, 2, 3 & 4).

b. Abdul Karim Qasim, the Iraqi President (1958- 1963) applied to open an Iraqi consulate in Kuwait before the independence of Kuwait, as mentioned in Chapter 3, and congratulated Kuwait on its independence in 1961.

c. Iraq recognized the independence of Kuwait as per a convention signed between the two countries on 4th October 1963, and it also recognized the Kuwaiti frontiers specified in the 1932 ‘Exchange of Letters’, as mentioned in Chapter 3 (Appendix 5).⁶³

d. The Ottoman Empire had signed the Treaty of Sèvres (peace treaty) on 10th August 1920, after its defeat in the World War I. In accordance with Article 94 of this treaty, Iraq (Mesopotamia), Syria and Palestine territories were recognized as independent States subject to the ‘rendering of administrative advice and assistance by a Mandatory and determined the Turkish properties between parties later’. However, this treaty did not state that Kuwait was among the Turkish properties. Despite the fact that it had not been ratified by the parties, it is considered as important evidence of the actual frontiers of modern Iraq.⁶⁴ Moreover, Turkey had signed and ratified the ‘Lausanne Treaty’ on 24th July 1923, in which it ‘renounces all rights and title whatsoever over or respecting the territories situated outside the frontiers laid down in the present Treaty and the islands’ as per Article 16.⁶⁵ This means Turkey had renounced all rights over Kuwait, if accepted, that Kuwait

⁶² Schofield, Richard, *Arabian Geopolitics Regional 3: Documentary Studies: The Iraq – Kuwait Dispute 1830-1994*, Vol. 5. Op.Cit. p.830.

⁶³ Al-Anzi, Mohammad Nayif, Op. Cit. p. 51.

⁶⁴ The HR-Net Project, ‘The Treaty of Peace Between The Allied and Associated Powers and Turkey Signed at SÈVRES August 10, 1920 Available online at <http://www.hri.org/docs/sevres/part3.html>

⁶⁵ The HR-Net Project, ‘Lausanne Treaty’ Available online at <http://www.hri.org/docs/lausanne/part1.html>

was ‘a part of Ottoman’. Further, this treaty did not mention Kuwait or point out it as Iraqi heritage in the Ottoman properties.⁶⁶ On the contrary, the Lausanne and Sèvres treaty resulted in the creation of the state of Iraq as a ‘political entity’ for the first time in 1921, which was divided into three States under the Ottomans’ rule.⁶⁷

7. Historical maps drawn by travellers from Dutch, Portuguese, French and Arabs during 15th, 16th, 17th and 18th centuries, showing the frontiers of independent Kuwait away from Iraq, that were affiliated to Ottoman empire such as J.H. Linschoten’s map in the Netherlands in 1596, the French geographer N. Sanson’s map in 1652, Brothers R. and J. Ottens’s map of the Ottoman State and Persia in 1737, C. Nebuhr’s map of Kuwaiti Warba and Bobyan islands. C. Retter’s map in 1818, A. K. Jonston’s map (1803-1871) and maps drawn and issued in 1840 under the supervision of the Society for the Diffusion of Useful Knowledge in London.⁶⁸

4.2. *The argument that Kuwait was stealing oil from the southern section of the Iraqi oilfields*

There are neighbouring oilfields along the international frontier between Kuwait and Iraq in the southern section of Iraq and the northern section of Kuwait. Iraq calls this oilfield ‘Al-Rumaila’, while Kuwait calls it ‘Al Ratqa’ (see Figure 4).

International treaties determine the exploitation of the oilfield, which lies on the border, at sufficient distance away from international frontiers. Kuwait has claimed that it has utilized ‘Al –Ratqa’ oilfield at enough distance from the international frontier between the two countries. Kuwait has claimed that the ‘Al –Rumaila’ oilfield is completely different from ‘Al Ratqa’ and they are not one oilfield, as described by Iraq.⁶⁹ Several studies confirm that the two oilfields are completely different according to the strata supporting oil

⁶⁶ Pillai R.V and Mahendra Kumar, Op. Cit. pp. 126-129.

⁶⁷ Sluglett, Peter, Op. Cit. p. 798.

⁶⁸ Al-Ghunaim, Abdullah, *Kuwait: Readings the Historical Maps*, 2nd edition, Centre for Research and Studies on Kuwait, Kuwait, 1994.p.46.; All the maps are shown on the Centre for Research and Studies on Kuwait website: <http://www.crsk.edu.kw/PageModule.asp?Module=1004>

⁶⁹ The Text of the Kuwaiti Memorandum to Chedli Klibi, the Secretary General of the Arab League, from Sheikh Sabah AlSabah, the Kuwaiti Foreign Minister, in Sulaiman Majed Al Shaheen, Op. Cit. pp. 445-452

from the geological aspect and geological oil and water components as well as the type of crude oil extracted.⁷⁰ Geologists have affirmed that ‘Al-Rumaila’ oilfield is not a neighbouring oilfield on the international frontier and that ‘Al-Ratqa’ oilfield was discovered in 1967 and the oil extraction began in the end of 1970s,⁷¹ in addition that ‘Al Ratqa’ is 5 km away from the Iraqi borders.⁷²

Kuwait has affirmed that in its memorandum to the Arab League on 18th July 1990, it requested the ‘formation of an Arab Arbitration Panel’ from the Arab League to investigate Iraqi claims, but Iraq rejected this proposal.⁷³ In May 1993 the UN Iraq-Kuwait Boundary Demarcation Commission confirmed that Iraq was utilizing ten oilfields within Kuwaiti territories without having the right to do so. Accordingly, and as per this resolution, these oilfields have been restored to Kuwait.⁷⁴

Regarding international oil prices at that time, Kuwait claimed, on several occasions, its commitment to the prescribed shares and to the new quotas, as during the OPEC meeting in Geneva on 27th July 1990, it was confirmed that no member was allowed to exceed its prescribed shares for any reason. However, this new OPEC agreement was not given much time, due to the Iraqi invasion of Kuwait, although it was an Iraqi demand.⁷⁵ Kuwait claimed that the deterioration of oil prices in the international market was a ‘global problem’ involving producers and consumers, and that many OPEC member countries, including Iraq, had exceeded their prescribed share, while Kuwait accepted its prescribed share of 1.5 million barrels in the OAPEC meetings held in Jeddah on 10th July 1990 and in Geneva on 27th July 1990.⁷⁶ Kuwait clarified that its oil production dropped from 1.5 million barrels a day in 1979 to 800 thousand barrels during the 1980s, with a corresponding fall in revenue from \$6 billion in 1981 to \$1.4 billion in 1986 due to its

⁷⁰ Centre for Research and Studies on Kuwait, *Ru'yah mawdū'iyah fī 'itihām il-'irāk al-Kuwayt bi-sarikat nifīiha*, ‘Objective and Scientific Vision in Iraq’s accusation for Kuwait of Stealing Its Oil’, Kuwait, 2000, pp. 18-20.

⁷¹ Schofield, Richard, *Kuwait and Iraq: Historical Claims and Territorial Disputes*, Op. Cit. p.126.

⁷² Centre for Research and Studies on Kuwait, *Objective and Scientific Vision in Iraq’s accusation for Kuwait of Stealing Its Oil*, Op. Cit. p.19.

⁷³ Ehteshami, Anoushiravan and Gerd, Nonneman, Op. Cit. p. 74.

⁷⁴ Centre for Research and Studies on Kuwait, *Objective and Scientific Vision in Iraq’s accusation for Kuwait of Stealing Its Oil*, Op. Cit. p.13.

⁷⁵ Alnasrawi, Abbas, Op.Cit.p.343.

⁷⁶ Sulaiman Majed Al Shaheen, Op. Cit. pp. 445-452.

commitment to OPEC's prescribed shares.⁷⁷ Several studies have pointed out that fixing oil prices was a very complicated issue involving many elements related to exporters, importers, restrictions, agreement and difference inside OPEC, and the decline of oil prices was due to many factors, the most important of which were increasing production from the North Sea⁷⁸ and Alaska, as well as great stock with the main oil consumers.⁷⁹ This was confirmed in a study indicating that the decline in oil prices was due to the increase in oil production by the 'Independent Petroleum Exporting Countries' (IPEC), estimated at 8 million barrels per day over 1975-1985, while the world consumption of oil decreased to 6 million barrels per day. In contrast, OPEC's oil production declined from 31.7 million barrels in 1977 to 17.2 million in 1985.⁸⁰ For example, in the late 1980s, increased demands for oil in the Atlantic Basin were offset by the North Sea, Venezuela and Colombia, in addition to the Petroleos de Venezuela (PdVSA), in North America, creating 'dedicated buyers' of Venezuela crude that shut out the oil coming from the Arab Gulf.⁸¹

4.3. *Economic Justifications*

Iraq considered that Kuwait's refusal to write off its debts and grant Iraq a loan was because Kuwait was involved in a 'US conspiracy' to strangle Iraq economically⁸², despite the fact that USA-Iraq relations had improved dramatically in the 1980s: as the so-called 'Wikileaks' documents have shown, during the meeting between Saddam Hussain and USA ambassador April Glaspie on 25th July, 1990, Saddam himself said 'Iraq does not consider the US an enemy and has tried to be friends', and added, 'Iraq wants American

⁷⁷ The Text of the Kuwaiti Memorandum, to Chedli Klibi, Op.Cit. pp.446-447.

⁷⁸ North Sea output rose from 3.5 million b/d in 1988 to 5.9 million b/d in 1996. Norway's oil production rose from 1.1 million b/d to 2.8 million b/d, due to the combination of technology and better terms offered by the UK and Norway; Mohamedi, Fareed, 'Oil, Gas and the Future of Arab Gulf Countries', *Middle East Report*, No. 204, The Arabian Peninsula, July- September, 1997. p.3.

⁷⁹ Al-Rashidy, Ahmed el.at (ed.), Op.Cit. p.645.

⁸⁰ Abdullah, Hussain, Op.Cit. p.32.

⁸¹ Mohamedi, Fareed, Op, Cit. p.4.

⁸² Panel of Specialists, *An Aggression on the Mind. A Critical Study of Saad Al-Bazzaz's Book: A War Gives Birth To Another*, Centre for Research and Studies on Kuwait, Kuwait. p. 46.; Aljazeera Net, 'Iraqi President Saddam Hussain's letter to Kuwait', dated 7 December,2002, AlMarafh, 2003 Coverge; <http://www.aljazeera.net/NR/exeres/8F036180-1AF4-4FC9-98A8-870F81794E48.htm>

friendship... Although we will not pant for it, we will do our part as friends'.⁸³ However, Al Shaheen said, 'Kuwait has never asked Iraq to repay its debts... We (Kuwaitis) have said to the Iraqis, no one is asking Iraqis to repay our debts in order to ask us to cancel the debts'. Al Shaheen continued, but Kuwait refused to assign these debts for the following reasons:

1. The first reason was related to Iraq's interests, as if Iraq is exempted from its debts, then Iraq debts to the International Monetary Fund would be smaller and other parties would press Iraq to refund their debts. Therefore, it was for the benefit of Iraq that its debts would seem huge, even on paper.⁸⁴
2. The second was related to Kuwait interests. Should Kuwait write off its due debts from Iraq, then all debtors would claim for reciprocity, and in this way, Kuwait would lose its huge dues from many parties.⁸⁵

4.4. *The reasons for the Iraqi invasion of Kuwait*

The actual reasons for the Iraqi invasion of Kuwait, as examined in the literature, included the following:

1. Bankruptcy of the Iraqi treasury after the Iraq-Iran War, which exhausted its economy at a cost of \$452.6 billion,⁸⁶ due to military expenditure that absorbed 40–75% of Iraq's GDP during the 1980s. For example, Iraqi military spending during 1981-1985 was estimated at \$119.9 billion.⁸⁷ Further, Iraq owed heavy debts estimated at \$ 80 to \$100 billion and the destruction of economic and strategic installations was estimated at \$ 8.2 billion,⁸⁸ as well as the cost of reconstruction of Iraq after the war, estimated at \$230

⁸³ Wikileaks, 'Saddam's Message of Friendship to President Bush', Reference ID: [90BAGHDAD4237](#), [SECRET](#), Embassy Baghdad, 01-01-2011; available online at http://wikileaks.ch/origin/149_0.html

⁸⁴ Author's interview with Suleiman Majed Al Shaheen, former Kuwaiti Minister of State for Foreign Affairs, in Kuwait City, on Thursday 16th June, 2011.

⁸⁵ Panel of Specialists, *An Aggression on the Mind. A Critical Study of Saad Al-Bazzaz's Book: A War Gives Birth To Another*, Op. Cit. p.46.

⁸⁶ Mofid, Kamran. Op. Cit. p.53.

⁸⁷ Elali, Wajeih, Op. Cit. p. 71.

⁸⁸ Panel of Apecialists 1997, Op.Cit. p. 20.

billion.⁸⁹ This was in addition to the skyrocketing inflation rates, estimated between 20% to 40% per year during the 1980s, shortages in basic goods,⁹⁰ unemployment, domestic instability (as in the case of the Kurds in 1988).⁹¹ Thus, the solution was to occupy Kuwait and acquire its wealth, seize 20% of the world oil reserve fund⁹² and thus resolve most of Iraq's economic problems. This reality was confirmed by the Iraqi Deputy Prime Minister for the Economy, one month after the invasion, when he said 'Iraq will now be able to pay its debts in less than five years', that Iraq's oil reserves had doubled and that the 'new Iraq would have an oil production quota of 4.6 million barrels per day instead of 3.1 million barrels per day; that its oil income will reach \$38 billion per year to rise to \$60 billion in the near future'.⁹³ As the Wikileaks documents have shown, during the meeting between Saddam Hussain and US ambassador April Glaspie on 25th July, 1990, seven days before the invasion, Saddam did not mention any historical allegations or accusations of stealing oil towards Kuwait, but said that Iraq's problems were related to its poor internal economy, stating, 'but how can we make them (Kuwait and UAE) understand how deeply we are suffering? The financial situation is such that the pensions for widows and orphans have to be cut'. He added 'I begged Shaykh Zayid to understand our problems (when Saddam entertained him in Mosul after the Baghdad Summit in May 1990)', and stressed that 'in serious financial difficulties with 40 billion USD debts, Iraq needs a Marshall Plan'.⁹⁴

2. To attract the attention of the Iraqi military away from the bad internal situation by controlling Kuwait to avoid any revolution or military coup attempts that would dethrone the regime.⁹⁵ The Iraqi regime between 1988 and 1990 executed a large group of officers on charges of bringing down of government.⁹⁶

3. Iraq's expansionist ambitions in the Gulf and its desire to control the Kuwaiti islands of Warba and Boubyan and Marine Ports to appear as a regional power for strategic

⁸⁹ Long, Jerry M, Op.Cit. p.10.

⁹⁰ Alnasrawi, Abbas, Op.Cit. p.344.

⁹¹ Gause, F. Gregory, III, Op.Cit. p.52.

⁹² Assiri, Abdul Reda, 1992, Op.Cit. p. 329.

⁹³ Alnasrawi, Abbas, Op.Cit. p.344.

⁹⁴ Wikileaks, 'Saddam's Message of Friendship to President Bush', Reference ID: [90BAGHDAD4237](#), [SECRET](#), Embassy Baghdad, 01-01-2011; available online at http://wikileaks.ch/origin/149_0.html

⁹⁵ Sultan, Ghanem, Op.Cit. p.30.

⁹⁶ Gause , F. Gregory, III, Op.Cit. p.56.

counterbalance of Iran's presence in the Gulf.⁹⁷ This is quite evident from the Iraqi claim for Warba and Bubyah Islands of Kuwait, as explained later. Iraq alleged that it does not have sufficient seaports or outlets, despite the fact that the two Kuwaiti islands represent a quarter of the area of Kuwait. The area of Bubyah Island is 840km², while Warba is 37km²⁹⁸ (see figure 3). Iraq overlooks the Arabian Gulf and has 70km of coast on the Arabian Gulf, which could reach 235km if the coast of Khawr Zobeir (25km) and the distance between Sha'at Al Arab and Basra port (140km) were added as an extension to the Marine front. The Arabian Gulf comprises 35 commercial and oil seaports, distributed along the Arabian Gulf States. These ports are distributed as follows: nine ports in the United Arab Emirates, six in the Republic of Iraq, six in Iran, five in Kuwait, four in the Kingdom of Saudi Arabia, three in Bahrain and two in Qatar, while Oman does not have any ports overlooking the Arabian Gulf, rather it has seaports overlooking the Oman Gulf the and Arabian Sea⁹⁹.

Iraq has six commercial and oil ports, equal to that of Iran and more than any other Gulf State, at 17% of the total number of sea ports overlooking the Arabian Gulf. These six ports have been invested in the following ways:

1. **Three commercial ports:**¹⁰⁰
 - a. Basra Port: its operational capacity is 5 million tons per year at 30.5% of the total commercial capacity of all three commercial ports.
 - b. Umm Qasr Port: its operational capacity is 5 million tons per year at 43.5% of the total commercial capacity of all three commercial ports.
 - c. Khawr Zobeir Port: its operational capacity is three million tons per year at 26% of the total commercial capacity of all three commercial ports.

The total operational capacity of these ports is about 11.5 million tones per year.

⁹⁷ Panel of specialists 1995, Op.Cit. p.99.

⁹⁸ Ministry of Information, *Al Kitab Al Sanawi 2007, 'Year Book'*, Kuwait. p. 18.

⁹⁹ Centre for Research and Studies on Kuwait, *Iraq Navigational Outlets*, 3rd edition, Kuwait, 2000.p. 31.

¹⁰⁰ Ibid. p. 35.

2. **Three oil ports:**¹⁰¹

- a. Al-Faw Port: its operational capacity is 35 million tons per year at 20% of the total commercial capacity of all three oil ports.
- b. Al-Baker Port: its operational capacity is 78.8 million tons per year at 45% of the total commercial capacity of all three oil ports.
- c. Khor al-Amaya Port: its operational capacity is 61.3 million tons per year at 35% of the total commercial capacity of all three oil ports.

This capacity may be increased via constructing more piers, promoting the efficiency of business at these ports and constructing more oil ports, such as the new Faw Port, which has been under construction since 1993, overlooking the Arabian Gulf directly to the West of Sha'at Al Arab entrance, in addition to oil pipelines at Iraq that are considered as one of the greatest oil pumping stations in the world such as the oil pipeline between Iraq and Turkey (1000 km), established in 1977, the oil pipeline between Iraq and Syria, the oil pipeline between Iraq and Saudi established during the Iraq-Iran War, and the oil pipeline Kirkuk- Hadithaha, which ends at ALFaw Port (Arabian Gulf), established in 1975.¹⁰² These Iraqi oil pipelines, which go through Turkey to the north and north-western Iraq, are considered as some of the greatest oil pipelines in the world.

However, it is thought, though not substantiated, that the original intention of Iraq may not have been to take all of Kuwait, but only the northern strip, which would, first, have brought the Al Ratqa oil fields within Iraqi territory and second, have brought the islands also within Iraqi maritime territory. Then that would have put pressure on Kuwait to make official concessions in favor of Iraq. For this reason, the Crown Prince, Sheikh Saad Al-Sabah, in his speech at the Jeddah Conference in October 1990, reiterated that Kuwait's sovereignty was not negotiable or for concession.¹⁰³

¹⁰¹ Ibid. pp. 63 – 77.

¹⁰² Edith, W. and Benroz, F. , Op.Cit. pp.215-217.

¹⁰³ Key Note Speech of H.H. Sheikh Saad Al-Sabah, Crown Prince and Prime Minister, at Jeddah Conference on 13-15 October, 1990; available online at <http://www.kuwait-history.net/vb/showthread.php?t=1696>; Alraimedia Newspaper, Sunday 17 April, 2011, No. 11612, Kuwait.

5. Kuwaiti, International, Arab and Islamic responses to the Iraqi invasion

5.1. *The Kuwaiti stand*

Before the Iraqi invasion of Kuwait, the internal situation in Kuwait was not stable, as the Amir of Kuwait, Sheikh Jaber Al Sabah (1977-2006), had suspended the democratic path through dissolution of the elected National Assembly in July 1986 and replaced it with a consultative National Council 'Majlis al-Watani' on 22nd April 1990 after severe disorder and confrontations between the blocks of political opposition, that opposed the cessation of democratic life, and government since late 1989.¹⁰⁴ Saddam utilized this situation and invited Kuwaiti political opposition and Syndicate figures to visit Iraq on 15/7/1990 to be employed as 'political means of pressure' on the Kuwaiti government. The Iraqi officials expected that no less than 100 Kuwaiti figures would respond to this invitation, but only sixteen turned up, most of whom were journalists. The Iraqi official believed that the Kuwaiti people would support them in any action, even against the Kuwaiti government, due to the crisis between the Kuwaiti opposition and the political system.¹⁰⁵ During the Iraqi occupation of Kuwait, Iraq failed to mobilise the prominent political elements of Kuwait to form an 'interim government'. Consequently, Iraq appointed a 'Provisional Free Government of Kuwait' made up of Kuwaiti individuals.¹⁰⁶ The Iraqi regime launched a propagandist campaign that the events in Kuwait were 'internal matters' and Iraq's assistance had been requested by the 'Provisional Free Government of Kuwait'.¹⁰⁷

After being granted asylum in Saudi Arabia, all Kuwaiti political blocs convened a meeting during the period 13-15/10/1990 at Jeddah, which was originally initiated in September by Sheikh Saad Al-Sabah during his visit to London, and published a statement wherein they emphasized the rejection of the Iraqi occupation of Kuwait and their

¹⁰⁴ Awadh, Sami, Op.Cit.p.47.

¹⁰⁵ Al-Bazzaz, Saad, *The Generals Are The Last To Know*, Dar Alahliya, Amman, 1996. p.22.

¹⁰⁶ Ibid. pp.32-34.

¹⁰⁷ The Speech of Iraq's Representative at the Security Council meeting; Repertoire of the Practice of the Security Council, Op. Cit. p.568.

adherence to the Kuwaiti legitimacy and observance of the 1962 constitution.¹⁰⁸ In fact, the Kuwaiti political groups at this meeting insisted, before offering any support for their political leadership, that there be a return to the democracy and elections in accordance with the Kuwaiti constitution of 1962. Commitments to that purpose were made to them by Crown Prince Sheikh Saad al Abdullah Al-Sabah at the end of this meeting.

The stand of the Kuwaiti people left in the country towards the occupation was shown in a number of ways:¹⁰⁹

1. The Kuwaitis declared civil mutiny and almost to a person did not go to their government posts or private business in order to stop civil life.
2. They refused to change their Kuwaiti Civil ID Cards and nationality to Iraqi identity documents.
3. They traded in Kuwaiti instead of Iraqi currency.
4. Resistance forces against the Iraqi invasion were organised at grassroots level.

After the Jeddah Conference, the popular committees formed by Kuwaiti politicians, merchants and political blocs travelled around the world in order to garner support for the legitimacy of the Al-Sabah family's rule and to explain Kuwaiti issues on the Arab and international levels in order to counter the Iraqi propaganda. On a popular level, 'The Kuwaiti Community' was formed on 3 August 1990 in London by Kuwaiti students, individuals, patients, journalists and tourists and so on, to unite the efforts of the media and coordinate activities in order to gain foreign and Arab official and popular opinion to stand with Kuwait in its liberation from the Iraqi occupation. The activity of this Community resulted in approximately 7,000 British citizens joining one of this Community's branches under the name of the Free Kuwait Campaign: Friends of Kuwait.¹¹⁰ In addition to this were the individual popular committees, which were formed by Kuwaitis, such as the

¹⁰⁸ Text Statement of representatives of the Kuwaiti people, at Jeddah Conference on 13-15 October, 1990; available online at <http://www.kuwait-history.net/vb/showthread.php?t=1696>; Alraimedia Newspaper, Sunday 17 April, 2011, No. 11612, Kuwait.

¹⁰⁹ Al-Sabah, Maimouna Khalifa, 'Research papers presented in the seminar on Arab – Arab Relations after the Liberation of Kuwait', Center of Gulf & Arabian Peninsula Studies, Kuwait University, May 26-28th, 1997. pp. 63 – 67.

¹¹⁰ Alkhadher, Othman, *Epic of Kuwaiti Popular Action 1990-1991*, National Union of Kuwait Students, United Kingdom & Ireland Branch, 2011. pp.27-30.

Kuwait Popular Committee, the International Association for Solidarity with Kuwait, the Association of Free Kuwait and the Kuwaiti Women's Gathering in 1990.¹¹¹ The lobbying by all these committees of the international media and key global players became crucially important in supporting the issue of Kuwait and countering Iraqi allegations, particularly in the democratic states.

5.2. *The International Response*

On 2nd August 1990, the international community, represented by the UN, condemned the Iraqi invasion of Kuwait as 'blatant violation' of the international system.¹¹² For example the twelve members of European Community deemed this invasion a 'dangerous threat to peace and stability in the region'.¹¹³ The Secretary-General of Organization of African Unity (OAU) in January, 1991 appealed Iraq to end this occupation.¹¹⁴ Also there was condemnation from Non-Aligned Movement to this invasion.¹¹⁵ International powers such as the United States, Britain, France, the Soviet Union and China condemned the Iraqi invasion of Kuwait. However, they had some differences regarding how to deal with the Iraqi regime and convince it to withdraw its forces from Kuwait.¹¹⁶ In fact, this occupation represented an actual threat to the international powers' interests, particularly the industrial countries that are the most important importers of oil from the Gulf region. Their greatest fear was that Iraq would occupy Saudi Arabia and all Gulf States and control 62% of the world reserve of oil.¹¹⁷ Therefore, the USA led international coalition forces to convince

¹¹¹ Ibid. p.177.

¹¹² Repertoire of the Practice of the Security Council, Op. Cit. p.568.

¹¹³ General Assembly, 'Statement by the Twelve Member States of the European Community on the Iraqi invasion of Kuwait', A/45/368, 2 August 1990, United Nations, New York.

¹¹⁴ Security Council, 'Letter dated 21 January 1991 from the Chairman and the Secretary-General of Organization of African Unity addressed to the President of the United States of America', S/22151, 25 January 1991, United Nations.

¹¹⁵ Moor, Jhon Norton, *Crisis in the Gulf-Enforcing the Rule of Law*, Oceana Publications, Inc. 1992. p.224.

¹¹⁶ Newsom, David D (ed.), *The Diplomatic Record 1990-1991*, Boulder CO: Westview Press, Inc 1992. pp.6 -21.

¹¹⁷ Thatcher, Margaret, *The Downing Street Years*, Harper Collins Publisher, London, 1993. p. 817.

Iraq to withdraw from Kuwait and restore the legitimate government without any conditions or restrictions.¹¹⁸

During this invasion, the international community, represented by the UN, Arab¹¹⁹ and Islamic countries, endeavoured to end this crisis, yet Iraq did not respond to these appeals to withdraw its forces from Kuwait.¹²⁰ The UNSC issued twelve resolutions (660, 661, 662, 664, 665, 666, 667, 669, 670, 674, 677, 678) from the Iraqi invasion until the liberation of Kuwait on 26 February 1991, calling for Iraqi withdrawal from Kuwait.¹²¹ The most important of these resolutions are resolution no. 660, adopted through fourteen voters (Yemen did not participate in the voting) on 2nd August 1990, which *condemns* the Iraqi invasion of Kuwait and *demand*s that Iraq withdraw immediately and unconditionally all its forces to the positions in which they were located on 1 August 1990, and resolution No. 661, adopted through thirteen votes and two abstentions (Cuba, Yemen) on 6th August 1990, which imposed 'economic sanctions' under Chapter VII against Iraq to compel Iraq to withdraw its forces from Kuwait. After the annexation of Kuwait to Iraq on 8th August, UNSC unanimously adopted resolution no. 662 on 9th August 1990, which *decides* that the annexation of Kuwait by Iraq under any form and whatever pretext has no legal validity, and is considered null and void. After the Iraqi occupation of foreign embassies on 12th - 13th and 14th September 1990 in Kuwait and violation of the Vienna Conventions of 1961 and 1963 on Diplomatic and Consular Relations,¹²² the UNSC unanimously adopted resolution no. 667 on 16th September 1990, which *strongly condemns* aggressive acts perpetrated by Iraq against diplomatic missions and personnel in Kuwait, including the abduction of foreign nationals who were present in those missions. Resolution no. 674, adopted by through thirteen votes and two abstentions (Cuba, Yemen) on 29th October 1990 *demand*s that the Iraqi authorities and occupying forces immediately cease and desist from taking third-state nationals hostage and mistreating and oppressing Kuwait and third-State nationals and any other actions. Resolution no. 677, adopted unanimously on 28th

¹¹⁸ Brands, H. W, 'George Bush and the Gulf War of 1991', *Presidential Studies Quarterly*, Vol. 34, No. 1, Center for the Study of the Presidency, March 2004. pp. 115-120.

¹¹⁹ Afandi, Attya Hassein, 'The UN and the Gulf Crisis: An Active Role of the Security Council', *Journal of Social Sciences*, Vol. 20, No. 1. Kuwait University, Kuwait, 1992. p. 161.

¹²⁰ Shihab, Mufid, 'International Efforts to Confront the Iraqi Aggression to Kuwait', *Arab Journal for the Humanities*, issue No. 44, Kuwait University, Kuwait, 1993. p. 10.

¹²¹ Weller, M (ed.), 'Iraq and Kuwait: The Hostilities and their Aftermath', *Cambridge International Document Series*, Vol.3, Grotius Publications Ltd, England, 1993.pp.2-6.

¹²² Warbrick, Colin, 'The Invasion of Kuwait by Iraq', *The International and Comparative Law Quarterly*, Vol. 40, No. 2, 1991.p.488.

November 1990, *condemns* the attempts by Iraq to alter the demographic composition of Kuwait and to destroy the civil records.

Due to the fact that Iraq rejected all of the aforementioned resolutions, the UNSC adopted resolution no. 678 through twelve votes, with two against (Cuba, Yemen) and one abstention (China), on 29th November 1990 under Chapter VII: *authorizes* Member States cooperating with the Government of Kuwait, unless Iraq on or before 15th January 1991 fully implements, or ‘to use all necessary means to uphold and implement resolution 660 (1990) and all subsequent relevant resolutions and to restore international peace and security in the area’.¹²³ This resolution was the last attempt to give Iraq a chance to withdraw its forces from Kuwait by 15th January or face the use of force.

5.3. *The stand of Arab and Islamic countries*

This crisis damaged Arab cohesion and solidarity and it was clear that Arab countries did not adopt a unified stand towards it, yet the behaviour of some Arab countries was equal in practical terms to support for Iraq.¹²⁴ On 3rd August 1990, the GCC states issued a statement condemned this invasion as ‘brutal Iraqi aggression’.¹²⁵ On the same day (3rd August), the emergency Arab Ministerial meeting in Cairo adopted resolution no. 5036 by 14 votes,¹²⁶ in favour out of 19 votes (attendees) condemning the Iraqi invasion of Kuwait, *demanding* that Iraq withdraw immediately and unconditionally all its forces to the positions in which they were located on 1 August 1990 and *calling* for an emergency Arab summit.¹²⁷ However, despite the fact that this resolution did not involve ‘measures’ against Iraq in accordance with Article 6 of the Arab League Charter, it did not receive unanimous approval from the attendees compared with UNSC resolution 660. After the annexation of

¹²³ Repertoire of the Practice of the Security Council, Op. Cit. pp. 568-623; Weller, M.(ed.), Op.Cit..pp. 2-6.

¹²⁴ Ahmad, Youssef Ahmad, ‘The Arab Order and the Gulf Crisis’, *Journal of Social Sciences*, Vol. 19, No. 3. Kuwait University, Kuwait, 1991. p. 19.

¹²⁵ Security Council, ‘Statement issued by the Ministerial Council of the Gulf Co-operation on 3 August 1990’, S/21430, 3 August 1990, United Nations, New York.

¹²⁶ Ehteshami, Anoushiravan and Gerd, Nonneman. Op. Cit. p. 77.

¹²⁷ Libya did not participate in this meeting and Iraq had not the right to participate; Jordan, Palestine, Mauritania, Yemen and Sudan voted against the resolution. See ; Sultan, Ghanem, Op. Cit. p.73

Kuwait to Iraq on 8th August, there was emergency Arab Summit in Cairo on 9th-10th August 1990. This summit witnessed ‘a sharp contrast’ in the Arab stand, which was divided into two contradictory positions.¹²⁸ However, at the end of this Summit, the Arab States adopted resolution no. 195 by 12 votes in favour out of 21 attendees.¹²⁹ The most important provisions of this resolution were:¹³⁰

1. Confirmation of the resolution adopted by the Arab League on 3/8/1990 and the statement issued by the Organization of Islamic Conferences on 4/8/1990.
2. Adherence to the UN Security Council Resolutions (660,661 and 662) as they expressed international legitimacy.
3. Condemnation of the Iraqi aggression against Kuwait, non-recognition of Iraq's annexation of Kuwait and support for all measures adopted by Kuwait to liberate its territories.
4. Deploring the Iraqi threats to Gulf States, condemnation of the mobilisation of Iraqi armed troops at Saudi frontiers, affirmation of full Arab solidarity with Kingdom of Saudi Arabia and Gulf States and support for the measures taken by Saudi Arabia and other Arab Gulf acts of the right of legitimate defence in accordance with the provisions of Article 2 of the Treaty of the Joint Defence and Economic Cooperation of League of Arab States as well as Article 51 of the UN charter.
5. Response to the request of Saudi Arabia and the other Gulf States to send Arab troops to support the armed forces of these countries in defending its territory and territorial integrity against any external aggression.

¹²⁸ Al Manna, Ayed, ‘Research papers presented in the seminar on ‘Arab – Arab Relations after the Liberation of Kuwait’, Center of Gulf & Arabian Peninsula Studies, Kuwait University, May 26-28th, 1997. p.139; Sultan, Ghanem, Op. Cit. p.73.

¹²⁹ The countries voted in favour of this resolution, namely six GCC states, Egypt, Syria, Morocco, Lebanon, Djibouti and Somalia. Iraq and Libya voted against it. There were three reservations (Sudan, Palestine and Mauritania) and three abstentions (Algeria, Jordan and Yemen). Tunisia did not participate in this meeting. See Elwi, Mostafa, ‘The Management of the Gulf Crisis’, *Journal of Social Sciences*, Vol. 19. No. 3. Kuwait University, 1991.p. 84; AL-Rashidy, Ahmed, ‘The League of Arab States and The Gulf Crisis’, *Journal of Social Sciences*, Vol. 19. No. 1, Kuwait University, 1991.p. 130.

¹³⁰ League of Arab website, ‘Arab Summit Resolutions: Arab League Conferences: Conference of the Extraordinary Arab Summit 9-10/1990’, available online at http://www.arableagueonline.org/las/arabic/details_ar.jsp?art_id=469&level_id=202

The States that did not vote in favour of resolution no. 195, dated 10th August, justified their position of rejecting the ‘foreign troops’ in the region in response to the request of Saudi Arabia, despite the fact that some of these Arab countries had already called for foreign troops to protect their political system against external risks. Some Arab leaders insisted that the aforementioned resolution must be ‘unanimous’, in accordance with Article 6 of the Arab League Charter. Legal analysts confirmed that the response to Saudi Arabia’s request for non-Arab troops was valid in accordance with the provisions of Article 7 of Arab League chapter, which provides that: ‘the decisions of the Council taken by a unanimous vote shall be binding on all the member States of the League; those that are reached by a majority vote shall bind only those that accept them. In both cases the decisions of the Council shall be executed in each State in accordance with the fundamental structure of that State’.¹³¹ However, the implementation of this decision whether ‘unanimous’ or majority depends on the States themselves in accordance of their fundamental system.¹³² The Article 6 of the Arab League charter requires a unanimous vote in the case of ‘a threat or aggression’ from all members¹³³ in the following cases:

1. Adopting ‘group security measures’ to deter any aggression, such as the formation of Arab troops under the ‘administration of the Arab league’ similar to the Arab troops who were sent to the Kuwaiti-Iraqi crisis in 1961.

¹³¹ Note; Article 7 was revised at the Algeria Summit in 2005, which canceled the ‘unanimous voting’ and added to it some provisions in the voting system in accordance with the case and procedures, such as the ‘consensus’, ‘two third voting’ and ‘approval of simple majority. For an Arabic transcript, see the Arab league Charter, Article 7, ‘Official Documents of the Arab League’; available online at http://www.arableagueonline.org/wps/portal/las_ar/inner!/ut/p/c5/vZLLjoJAEW_xQ8w3S3vJQoICK1A_IzQbAmbEBY8FYeDrh8TFrHQ2E-tuKjIvdTYFIjCITLpzlrTnqkxyEIKIjXJcfesy0BIjtjw0FrriYoQZcclPnL7mJnq3bTIgAHQJvOO-NdHbUfTk8EXJEGC9Kr4ABZHwe2XtbFhoOB6HTW-H5DUEBISQjb3LUBvjdXQv8NvyrgUiltPbijoQEnxj9YY8C9ue34wEsqPn1xtCKEKihPaa08o4DrXWmP3hWnzQxXzQhf7VZYIoy6t0erRAP5WgVHavyuHO6bREasOax9t8FVwbyg8yZ8ZN7gyMyavR6GeXRhzSpCkxkupUkxjywj9O4NNjU7zVrXN244B4JWjawpeSX-UF8nMQsOcK-sdsW9m0nzAXzVneVkjItEVWO9DqFIWPC1-ezUBd-N3ZFfHxGfsHgJqW0w!!/dl3/d3/L2dBIS9nQSEh/?pcid=fbde9a80425e492e8f9dff7cf4bbec57 For an English transcript, available online at <http://www.mideastweb.org/arableague.htm>

¹³² Hammad, Majdi, ‘Jami’at al-duwal al-‘arabiya’, ‘The League of Arab States’, Issue No.345, *Almarifah Journal*, Kuwait, 2007. p.202.

¹³³ Article 6 was revised at the Algeria Summit in 2005 and now requires ‘consensus’, instead of ‘unanimous vote’. For an Arabic transcript; see Arab league Charter, Article 7, ‘Official Documents of the Arab League’, Arab League Charter, on the website of the Arab League. For an English transcript; see <http://www.mideastweb.org/arableague.htm>

2. Adopting ‘measures’ against member State in the Arab League in the case of the failure to implement its Charter, such as freezing the membership of one member and expulsion of a member from the organization. This was similar to the measures taken against Egypt to freeze its membership after Egypt signed a peace treaty with Israel in 1978. Legal analysts have confirmed that the aforementioned resolution did not require unanimous votes for two reasons:

a. The previous resolution did not adopt any ‘measures’ against Iraq (as mentioned above) or formation of Armed Forces under the name of the Arab League.¹³⁴

b. The summit convened to denounce the invasion and explain the consequences of the invasion. In this case, the resolution would be issued by simple majority. Thus, Saudi Arabia’s request for Armed Forces is classified under this case, i.e. denunciation, appeal, condemnation and in accordance of the Article 2 of the Treaty of Joint Defence and Economic Cooperation.¹³⁵

Regarding the Islamic countries’ stance, on 4th August 1990,¹³⁶ the Ministerial Meeting of the OIC in Cairo condemned the invasion and called for prompt withdrawal of Iraqi troops from Kuwait and restoration of legitimate government without condition.¹³⁷ Many Islamic countries participated in the international coalition forces, such as Bangladesh, Pakistan, Senegal and Niger, in addition to Afghan militants.¹³⁸

¹³⁴ Hammad, Majdi, Op.Cit. pp.204-211.

¹³⁵ Al-Ahram Center for Organization and Microfilm, ‘Gulf Crisis Documentary File: The Crisis, Facts and Events: The Stand of the International Organization; The Stand of the Arab League’, Cairo, p.45. ; League of Arab website, ‘ Documents: Official Documents of the Arab League: Treaties: Joint Defence Treaty’:

http://www.arableagueonline.org/las/picture_gallery/covenant2009.pdf

¹³⁶ Al-Ahram Center for Organization and Microfilm, ‘Al-Malaf al-watha’iq li- ’azmat il-khalij: Waqa’i’ wa ’ahdath: Mawqif al-Munazzamat id-duwaliya: Duwal ’adam al-’inhiyaz’, ‘Gulf Crisis Documentary File: The Crisis, Facts and Events: The Stand of the International Organization ; Organization of Islamic Conference’, Cairo. p.8.

¹³⁷ See the statement of OIC in Security Council , ‘ Letter dated 6 August 1990 from the Permanent Representative of Egypt to the United Nations addressed to the Secretary- General’ , S/21448, 10 August 1990, United Nations.

¹³⁸ Panel of Specialists, *The Iraqi Aggression on Kuwait: the Truth and the Tragedy*, 3rd edition, Center for Research and Studies on Kuwait, 2004. p. 86.

The Iranian and Turkish stands deserve consideration because both of them are Islamic countries having common frontiers with Iraq. Although this crisis affected Turkey due to the shutting down of the oil pipeline passing between Turkey and Iraq, which sustained losses estimated at \$6.2 billion, Turkey condemned the invasion in accordance with UN resolutions.¹³⁹ The Turkish attitude can be seen as follows:

1. Agreement to use its territories to attack Iraq.
2. Participation in the international coalition forces.¹⁴⁰

With respect to the Iranian stand, Iraq tried to neutralize Iran via an agreement concluded between the two countries on 15th August 1990, as previously mentioned. However, Iran condemned the invasion as a 'blatant violation' of the UN charter,¹⁴¹ despite participating in international coalition forces for various political reasons.¹⁴² However, on 3rd February 1991, Iran made an initiative to solve the crisis, rejected and considered by the USA and Britain as a 'diplomatic manoeuvre', which included the following ideas:

1. Ceasefire between coalition forces and Iraq.
2. Withdrawal of the Iraqi forces from Kuwait.
3. Withdrawal of coalition forces from the Arabian Gulf and replacing these forces with Islamic forces.
4. Revision of all frontier disputes between Kuwait and Iraq by Islamic experts.
5. Setting up an Islamic fund to support Iraq due to the destruction caused by the war.
6. Non-aggression agreement to be signed among Gulf States as a final step for peace.¹⁴³

¹³⁹ Ahmed, Nazly Muawadm , 'Turkīya wa 'Irān wa Kārithat al-khalīj ith-thāniya: muqārana taḥlīliya', 'Turkey and Iran and The Second Gulf Crisis: A Comparative Analysis', *Journal of Social Sciences*, Vol. 19, No. 1. Kuwait University, Kuwait, 1991. pp. 14-22.

¹⁴⁰ Ali, Omar, Op. Cit. p. 9.

¹⁴¹ Menos, Dennis, Op. Cit. p. 48.

¹⁴² Ahmed, Nazly Muawadm, Op. Cit. p. 27.

¹⁴³ Menos, Dennis, Op. Cit. p.49.

6. Liberation and the effects of the Iraqi invasion of Kuwait

6.1. *The Liberation of Kuwait*

Upon the request of Kuwait, the US-led international coalition forces were stationed in Saudi Arabia to liberate Kuwait under the UN resolutions.¹⁴⁴ After Iraq's rejection of the UN resolutions, particularly resolution no. 678, which granted Iraq a final chance to withdraw from the Kuwait up to 15th January 1990, the coalition forces (700,000 soldiers), waged a war against Iraq, known as 'Operation Desert Storm', to liberate Kuwait on 17th January 1991.¹⁴⁵ This war started with forty-two days of air strikes, estimated to have included 109, 876 air attacks.¹⁴⁶ The land attack started on 24th February 1991, involving the armed forces of eleven countries, which resulted in the liberation of Kuwait on 26th February 1991.¹⁴⁷ On 3rd March 1991, Iraq accepted all twelve UN resolutions contained in the UNSC resolution no. 686 issued on 2nd March 1991.¹⁴⁸ On 6th April 1991, Iraq accepted UNSC resolution no.687 of 3rd April 1991 as a condition for ceasefire, which called Iraq to respect the international treaties signed between Iraq and Kuwait and establish UN specialized commissions related to 'the situation between Iraq and Kuwait', which we will discuss later.¹⁴⁹

6.2. *Losses resulting from the Iraqi invasion of Kuwait*

On the level of civilian human losses, Kuwait lost 1000 Kuwaiti civilians, 15,000 casualties due to torture, 1000 cases of rape committed by the Iraqi troops and 605 Kuwaiti prisoners of war. An estimated 1700 civilians were injured due to mines, including 480

¹⁴⁴ Contemporary European Affairs, 'The Gulf Crisis', Vol.4, No.1, Pergamon Press Inc, 1991. p. 36.

¹⁴⁵ Bellamy, Christopher, *Expert Witness: A Defence Correspondent's Gulf War 1990-91*, Brassey's (UK) Ltd, 1993.p.56.

¹⁴⁶ Assiri, Abdul Reda, 1992, Op. Cit. p. 350.

¹⁴⁷ Bellamy, Christopher, Op. Cit. p. 127.

¹⁴⁸ Panel of Specialists, *The United Nations Role In Maintaining International Peace and Security*, 1st edition, Center for Research and Studies on Kuwait, Kuwait, 1995. p. 89.

¹⁴⁹ Security Council, 'Resolution 687 of 3 April 1991', United Nations, New York; <http://daccess-dds-ny.un.org/doc/RESOLUTION/GEN/NR0/596/23/IMG/NR059623.pdf?OpenElement>

deaths, and most of them were children. The cost of removal of 1.1 million mines and 82,000 tons of ammunitions was estimated at \$760 million (KD216 million). About 500,000 vehicles and trucks were looted.¹⁵⁰ This war resulted in 300,000 Kuwaiti refugees abroad.

On the level of economic and environmental losses, the environmental damage due to the burning of Kuwaiti oil wells in the Gulf region was disastrous.¹⁵¹ Iraq destroyed 1164 out of Kuwait's 1268 oil wells,¹⁵² at 91.8% of the total productive oil wells in Kuwait.¹⁵³ Thus, the losses of the Kuwaiti Oil Sector alone (installations, assets, burning of wells) are estimated at \$75 billion.¹⁵⁴ The destruction of Kuwaiti infrastructure, institutions and authorities and looting of Kuwaiti properties were massive,¹⁵⁵ which led Kuwait, for the first time, to take a loan estimated at \$5.5 billion for reconstruction,¹⁵⁶ however, the total cost of reconstruction is estimated at \$40 billion.¹⁵⁷ The value of the claim for total losses claims submitted to the UN Compensation Commission in 2010 was \$177,418,859,292.50.¹⁵⁸ However, this amount represents claims for direct losses only,¹⁵⁹ whilst the indirect damage is irreparable: according to UN resolutions, it is estimated at \$43.6 billion,¹⁶⁰ including Kuwaiti expenditure on 'Operation Desert Storm' at \$16 billion

¹⁵⁰ Assiri, Abdul Reda, 1992, Op. Cit. p. 351.

¹⁵¹ Al-Rahmani, Iqbal,, 'ab'ād il-khasā'r il-basharīya wal bī'īya al-'arabīya (ḥarb il-khalīj ith-thāniya' , 'Dimensions of Arabian Human and Environmental Losses (Second Gulf War)' , *Al Mustaqbal Al Arabi Journal*, No. 179, Centre for Arab Unity Studies, Beirut, 1994. p. 41.

¹⁵² Al Ajmi, Dharri et al., *Khanādiq un-nift wa tadmīr il-bī'a al-kuwaytiya: 'ihdah jara'im il-'udwān il-'irāqī*, 'Oil Trenches And Environmental Destruction in Kuwait: One of Iraq's Crimes of Aggression' , 2nd edition, Centre for Research and Studies on Kuwait, Kuwait, 2000. p. 129.

¹⁵³ Panel of specialists, *Devastating of Oil Wells As Revealed by Iraqi Documents. Economic and Environmental Damage and Kuwaiti Efficacy in Protecting Oil Wealth* , 1st edition, Kuwait, 1997. p.7.

¹⁵⁴ Al-Faqir, Hussein Taha, *Al-'iqtisād il-kuwayti wal 'amwāl il-'arabīya kabl al-ghazw al-'irāqī wa tahādīyāt ma ba'd at-tahrīr: ru'ya takhtītiya*, 'Kuwait Economy and Arab Assets Before the Iraqi Invasion and Post Liberation Challenges' , 4th edition, Centre for Research and Studies on Kuwait, Kuwait, 2000. p.219.

¹⁵⁵ Center for Research and Studies on Kuwait, *Man sarak al-kuwayt: Kirā'ah fil wathā'ik il-'irākīyah*, 'Who Looted Kuwait?: Readings of the Iraqi Documents' , 3rd edition, Center for Research and Studies on Kuwait, Kuwait, 2000.

¹⁵⁶ Al-Sabah, Maimouna Khalifa, Op.Cit. p. 97.

¹⁵⁷ Al-Faqir, Hussein Taha, Op.Cit. p.219.

¹⁵⁸ Public Authority for Assessment of Compensation for Damages resulting from the Iraqi Aggression (PAAC), *An-nashra al-faslīya lit-ta'widāt* , 'Compensations Periodical Bulletin' , issue No. 1/ 2010, Kuwait, 2010. p. 25

¹⁵⁹ Ibid, *An-nashra al-faslīya lit-ta'widāt* , 'Compensations Periodical Bulletin' , issue No. 3/2001, Kuwait, 2001.p. 9.

¹⁶⁰ Ibid, p. 13.

in cash and \$32 million as tangible aid. Kuwait's foreign investments portfolio declined from \$100 to \$40 billion¹⁶¹ and debt cancellations are estimated at \$4.9 billion. Thus, the total Kuwaiti direct and indirect losses are estimated at \$233 billion, in addition to claims for environmental losses, estimated at more than \$40 billion.¹⁶² The losses of GCC States are estimated at between \$200 and \$300 billion, out of which \$64 billion was sustained by Saudi Arabia and \$140 billion by other Gulf States (except Kuwait). On the Arabian level, the losses of Arab economies exceeded \$800 billion.¹⁶³ According to the Special UN Mission report to Iraq in 1991, the Iraqi losses were massive. In terms of human losses, it is estimated that Iraq lost between 50,000 and 120,000 soldiers and between 5,000 and 15,000 civilians during the war itself. The asset losses of Iraq are estimated at \$200 billion.¹⁶⁴

7. A summary assessment of the effect of the invasion and its aftermath on Kuwait's foreign relations

7.1. Kuwait's recalibration of its foreign relations with the Arab world

The Iraqi invasion of Kuwait caused a clear division in Arab–Arab relations after the liberation of Kuwait. It was in particular the question of how to react to the invasion, and what means to use to reverse it, that split the Arab League. The invasion resulted in a relationship crisis between Kuwait and those Arab countries that did not support Kuwait and the GCC states' demand for an armed international intervention. These eight states were classified in Kuwait policy as “*duwal ad-didd*” (Opponent States)¹⁶⁵: Jordan, Yemen,

¹⁶¹ The cost of Desert Storm was \$61.1 billion. The coalition forces paid \$54 billion while Kuwait paid \$16 billion. Al-Sabah, Maimouna Khalifa, Op. Cit. p. 97.

¹⁶² Public Authority for Assessment of Compensation for Damages resulting from the Iraqi Aggression, *Taqyīm ḥajm il-khasā'r alatī laḥiqat bel-iqtisād il-kuwaytī min jarrā' il-ghazw il-'iraqī, aljuz' il-'awwal*, 'Assessment of Losses sustained by Kuwait Economy due to Iraqi Invasion', part I, Kuwait, 1999.p. 10.

¹⁶³ Assiri, Abdul Reda, 1992, Op.Cit. p.355.

¹⁶⁴ Alnasrawi, Abbas, Op.Cit. pp.345-347.

¹⁶⁵ The term 'Opponent States' was used by press and official media and was officially imposed on public opinion. It describes the states that supported the Iraqi invasion of the State of Kuwait or who opposed the Kuwaiti government or who did not take a positive stance against Iraq and whose position fluctuated during the Cairo Summit immediately after the Iraqi invasion in 1990. For more details, see Chapter 6.

Sudan, PLO, Mauritania, Tunisia, Algeria and Libya.¹⁶⁶ Both the invasion and the divided Arab reaction had a huge impact on Kuwaiti feelings at the popular and leadership levels alike.

Dr. Ghanem Sultan conducted a questionnaire on the impact of the Iraqi invasion, targeting more than 500 students in Kuwait in 1992. The results of this questionnaire were that 94% considered the invasion to be ‘a stab in the back for Arab solidarity’, 48% considered it as ‘undoing Arab Unity’, 31% considered it to be ‘planting doubts in Arab relations’, while 20.5% said the invasion ‘divided the Arab world into two camps’.¹⁶⁷ There followed media battles between Kuwait and Arab Gulf states on the one hand, and the *duwal aq-didd* on the other hand. Not surprisingly, Kuwait drastically revised its relations with these states. After its liberation, Kuwait, as a result of the *duwal aq-didd* stance, recalibrated its foreign policy with these Arab states in diplomatic and economic terms as follows:

1. Diplomatic relations with these states were severed.
2. Economic aid to these states was suspended, with the exception of PLO, due to the Israeli occupation, as previously discussed.
3. The majority of the citizens of these states were expelled from Kuwait.
4. The entry visas of citizens of these states to Kuwait were suspended.
5. Political, trade and economic cooperation with these states were suspended.

This was especially striking given that its largest gift of foreign aid went to the *duwal aq-didd* before the Iraqi invasion, as shown in Chapter 4. As result of the recalibration of its foreign relations, Kuwait did not sign any cooperation agreement with these states over the period 1990 – 2000, in contrast to treaties signed with Arab states that supported Kuwait in its liberation war, as discussed below.¹⁶⁸ This is in addition to the suspension of its economic aid to these Arab countries. This was evident through the suspension of KFAED loans to the “*duwal aq-didd*” until Kuwait started to review its relations with these

¹⁶⁶ Diplomatic Centre for Strategic Studies, ‘al-‘alāqat al-Kuwaytīya- al- ‘arabīya ba’d ḥarb il-‘irāq: Taqyīm il-wāqi’ wastishrāq il-Mustaqbal’, ‘Kuwaiti – Arab Relations After Iraqi War: Assessment of Reality and Envisioning the Future’, Issue No. 19, Kuwait, 2004. p. 6.

¹⁶⁷ Sultan, Ghanem, Op. Cit. p. 88.

¹⁶⁸ The Legal Department, *List of Agreements Signed between State of Kuwait and a Number of Countries for 2010*, Ministry of Foreign Affairs. Kuwait, 2010.

countries in order to isolate Iraq on a regional and international level after successful Iraqi political movements on Arab and international levels to break the international and Arab isolation, as discussed in chapter 6.

According to the Jordanian statistics in 1992, the number of Jordanians, mostly of Palestinian origin, who left Kuwait to travel to Jordan, amounted to 329,000, including 14,579 families.¹⁶⁹ In 1991, King Hussein of Jordan asked the international community to provide material assistance to Jordan due to the mass return of Jordanians from Kuwait and GCC states, which he described as a 'third wave', after their displacement in the wars of 1948 and 1967.¹⁷⁰ Nonetheless, in 1992 King Hussein attacked the policy of GCC states towards Jordan and described it as a stance lacking 'good neighborliness',¹⁷¹ due to the expulsion of Jordanian citizens from GCC states, which caused an economic burden to Jordan. This is in addition to Saudi Arabia's action to end the residence permits of Yemeni workers, whose numbers up to 1990 were estimated at one million, and cancel all the privileges that the Yemeni community enjoyed. To this number was added the 45,000 Yemeni who fled from Kuwait and the 2,000 who left Qatar.¹⁷² Nimer Hammad has commented that 'the Iraqi invasion of Kuwait has affected the Arab world negatively; we (as Palestinians) still witness its impact at the present time'.¹⁷³ After the liberation of Kuwait, the feelings of MPs, at the Kuwait National Assembly, and the Kuwaiti people, as mentioned above, represented the main obstacle in any attempt to normalize the relations with these Arab states. The former MP Saleh Al-Fadhala, commented that 'MPs, at Kuwait National Assembly for 1992, after the liberation, were against the restoration of relations with these Arab countries due to their bad stance in supporting Iraq, who rejected all agreements with these Arab states'. However, he added, 'the enthusiasm of MPs and even the PM Sheikh Saad Al-Sabah', on the issue of blocking the normalization of the relations

¹⁶⁹ *Al Siyassa* newspaper, Issue No. 8450, Sunday, 12 April 1992, Kuwait.

¹⁷⁰ *Asharq Al Awsat* newspaper, Issue No.4645 , 17 August, 1991, London.

¹⁷¹ *Al-Watan* newspaper, Issue No.480/6034, Tuesday, 24 November 1992, Kuwait.

¹⁷² Gwenn Okruhlik and Patrick Conge, 'National Autonomy, Labor Migration and Political Crisis: Yemen and Saudi Arabia', *Middle East Journal*, Vol. 51, No. 4 (Autumn, 1997). p.560.

¹⁷³ Interview by the researcher with Nimer Hammad, Political Advisor to Mahmoud Abbas, President of the Palestinian National Authority, in Ramallah City, Palestine, on Monday 5 March , 2012.

between Kuwait and the *duwal aq-didd*, ‘became gradually less, became weaker over the years’.¹⁷⁴

In sum, the Iraqi invasion negatively affected Gulf-Arab relations in the critical period that witnessed international and regional changes such as the fall of the Soviet Union and the start of Arab-Israel negotiations for peace at the Madrid Conference in 1991.

In contrast, Kuwaiti relations improved with Arab states that supported the liberation war of Kuwait, headed by Egypt and Syria due to their participation in the coalition forces sent to liberate Kuwait in 1991. This became evident when Kuwait replaced Jordanian and Palestinian workers with an Egyptian and Syrian labour force. According to Kuwaiti statistics, the number of Arab immigrants who were granted residence in Kuwait was estimated to be 167.699 in 1992, 57.792 in 1993, 53.262 in 1994, 10.960 in 1995, and 8.764 in 1996, of whom the Egyptians and Syrians were the biggest beneficiaries of these permits.¹⁷⁵ This is in addition to the economic aid provided by GCC states to these two countries in 1991, estimated at \$6 billion, as previously mentioned. The relationship between Kuwait and these Arab states has been strengthened through economic, trade, labor and political agreements as a result of their positive stance towards Kuwait. This is demonstrated by Kuwait signing 18 agreements with Egypt, 17 with Syria, 11 with Morocco and seven with Lebanon since 1991 regarding the economy, investment, trade, education, media, and labor cooperation etc..¹⁷⁶ This is in addition to the fact that Kuwaiti economic aid to these countries has been expanded through KFAED loans, which amounted to KD 553.585 million to Egypt, KD 332.914 million to Syria, KD 205.140 million to Lebanon, KD 387.814 million to Morocco from 1990 until 2010.¹⁷⁷ These states represented the Arab political security bloc for Kuwait against Iraqi threats since its liberation until the fall of Saddam Hussein’s regime in 2003.

¹⁷⁴ Interview by the researcher with Saleh Al-Fadhala, former MP and Chairman of the ‘Fact-Finding Commission on the Causes of the Iraqi Invasion of Kuwait’ at the National Assembly, in Kuwait City, on Wednesday 7th September, 2011.

¹⁷⁵ Central Statistical Office, *Residence Permits Issued According to Groups of Countries*, Annual Statistics Year 2000, Ministry of Planning, Kuwait. p.57.

¹⁷⁶ The Legal Department, *List of Agreements Signed between State of Kuwait and a Number of Countries for 2010*, Op.Cit.

¹⁷⁷ Kuwait Fund for Arab Economic Development (KFAED), *Basic Information for the Loans of a Country*, 2013, Kuwait. pp.1-4.

7.2. *Kuwait's recalibration of its foreign relations with key global players*

At the international level, the Iraqi invasion of Kuwait was an essential factor in strengthening Kuwait's ties with global players, especially with the US. Thus, after its liberation, Kuwait re-examined its foreign policy with key global players around the world who supported Kuwait during the Iraqi invasion, such as the US, Britain, France, Russia, China, Japan and Germany. After its liberation, Kuwait sought to become closer to these countries by engaging their economic interests in the process of Kuwait's reconstruction in the oil sector, health, development projects and construction, estimated at \$ 40 billion,¹⁷⁸ as an instrument for rapprochement with these key global players. From 1991, Kuwait aimed to reinforce its political and economic ties with these countries through signing a number of agreements at all levels. Thus, the concept of making strategic alliances with superpowers started to play a role in Kuwait policy. Before the Iraqi invasion, Kuwait had refused any foreign intervention or presence in the Gulf region. However, as a result of the invasion, Kuwait came to believe a foreign military presence in the region to be essential because of the aggressive policies and conduct of Iraq and Iran. Thus, Kuwait turned to major countries to protect it and signed five security agreements with permanent members of the UN Security Council.

In addition to these five security agreements, since 1991 Kuwait has signed three agreements with the US, four with Germany, eight with Britain, four with France, six with China and two with Russia, in the field of economic cooperation, trade and investment and education.¹⁷⁹ Thus, over the 1990s-2000s, Kuwait's relationship with these countries has developed and reached the stage of a political, economic and security partnership. For example, on economic level, Kuwait's exports were estimated to be \$95.46 billion in 2008. Of this amount, Japan imported 19.9%, the US 8.4% and China 4.4%. Kuwait's imports were estimated to be \$26.54 billion, of which 12.7% came from the US, 8.5% from Japan, 7.3% from Germany, 6.8% from China, 5.8% from Italy, and 4.6% from Britain.¹⁸⁰ With regard to politics and security, relations between Kuwait and some of these states have

¹⁷⁸ Al-Faqir, Hussein Taha, Op.Cit. p.219.

¹⁷⁹ The Legal Department, *List of Agreements Signed between State of Kuwait and a Number of Countries for 2010*, Op.Cit.

¹⁸⁰ Khizar, Niazi , 'Kuwait Looks Towards the East: Relations with China', *The Middle East Institute Policy Brief*, No. 26, 1 September 2009. p.2.

reached the stage of strategic alliances through the combating of global terrorism and terrorist intelligence networks, the emergence of the US-Kuwaiti alliance after the Iraqi invasion of Kuwait,¹⁸¹ and the signing of a set of agreements between Kuwait and NATO allies in 2006.¹⁸² The agreements concerned the exchange of experiences and cooperation in matters of border security, counterterrorism, crisis management, joint military exercises and military education and training.¹⁸³ This was expressed by the Minister for Kuwaiti Foreign Affairs, Sheikh Mohammad Al-Sabah, who stated ‘the reservation of alliances and foreign military bases no longer exists’¹⁸⁴ as a result of Kuwait’s overall recalibration of its foreign policy towards key global players.

Since the emergence of the New World Order led by the US in 1991, directly after the liberation of Kuwait, Kuwait reinforced its relationship with the US at all levels including military, security and commercial, due to the main role of the US in the liberation of Kuwait. This was demonstrated by the US-Kuwaiti strategic alliance after 1991 on the one hand, and on the other hand, the signing of the Trade and Investment Framework Agreement (TIFA) in 2004, with the aim of establishing a free trade area between the two countries by 2013;¹⁸⁵ the volume of trade exchanges between Kuwait and US had reached \$6.1 billion by 2006.¹⁸⁶ The Kuwaiti-US relationship has been enhanced by the annual visits of officials and academics between the two countries to participate in US-Kuwait Gulf Security Dialogue (GSD) since 2006. This dialogue addresses the two countries issues of security, politics and economic need.¹⁸⁷

¹⁸¹ Terrill, Andrew W., *Kuwaiti National Security and the U.S.-Kuwaiti Strategic Relationship After Saddam*, Op.Cit. p.40.

¹⁸² Kuwait Ministry of Foreign Affairs, *At-takrīr us-sanawi 2006*, Op.Cit. pp.35-39.

¹⁸³ Kuwait, Qatar, Bahrain and UAE have been part of this Initiative since 2005. NATO website; http://www.nato.int/cps/en/natolive/topics_52956.htm

¹⁸⁴ Keynote Speech of Sheikh Dr. Mohammad Al-Sabah Speech, Minister of Foreign Affairs, ‘At the International Conference of the North Atlantic Treaty Organization (NATO) in Kuwait’, Ministry of Foreign Affairs, Kuwait, 12 December 2006.

¹⁸⁵ The Office of the United States Trade Representative (USTR), ‘United States and Kuwait Sign Trade and Investment Framework Agreement’, Washington, February 2004. Available online at: <http://www.ustr.gov/about-us/press-office/press-releases/archives/2004/february/united-states-and-kuwait-sign-trade-and->

¹⁸⁶ KUNA, ‘US, Kuwait, to Sign Free Trade Agreement by 2013’, economics, 14 March 2007, Kuwait; <http://www.kuna.net.kw/ArticleDetails.aspx?id=1718453&language=en>

¹⁸⁷ KUNA, ‘Kuwait, US hold Gulf Security Dialogue Meeting’, Politics, Kuwait. 23-5-2007.

7.3. *Recalibration of relations with Iran*

Iran is one of the states with which Kuwait achieved an overall recalibration of its foreign relations. Before the Iraqi invasion, Kuwait- Iran relations were disrupted by the Iranian revolution in 1979, and the attempts of the new Iranian regime to export revolutionary ‘Shi’ism’ to its neighboring countries. Thus, relations between the two countries deteriorated to hostility, especially given Kuwaiti financial and media support for Iraq against Iran during the Iraq-Iran War (1980-1988). As a result of the Iraqi invasion, Kuwait realized that the foreign aid given to Iraq during the Iraq-Iran War did not support its security and sovereignty against Iraqi ambition. This also applied to the other Arab states which did not support Kuwait, as mentioned above. Therefore, after its liberation, Kuwaiti aimed to reestablish its relationship with Iran, firstly due to the positive stance of Iran towards the Iraqi invasion, and secondly, in order to quell pro-Iranian elements in Kuwait from inciting military action or prompting destabilization in Kuwait.¹⁸⁸

This political and economic rapprochement with Iran is made evident by the 24 agreements signed between Kuwait and Iran since 1992 relating to the economy, culture and trade and cooperation. This is especially significant given that Kuwait had not signed any cooperation agreements with Iran since the outbreak of revolution in 1979. Therefore, the large number of agreements Kuwait made with Iran, compared with the number completed with other countries, reflects Kuwait’s overall recalibration of its foreign relations with Iran due to social and geographic dimensions.¹⁸⁹ This policy was described in a secret telegram sent by the US Embassy in Kuwait in 2007 ‘Kuwait and Iran have enjoyed a close trade relationship. This relationship is based as much on social networks as it is on geography [...] Since the 1990 invasion of Kuwait by Iraq, which was strongly opposed by Iran, Kuwait-Iran trade relations have been particularly strong’.¹⁹⁰ The total volume of Iranian exports to Kuwait rose from \$ 110 million in 2001¹⁹¹ to \$241 million in

¹⁸⁸ Kenneth Katzman, ‘Kuwait: Security, Reform, and U.S. Policy’, CRS Report for Congress, US, December 6, 2012. p.21

¹⁸⁹ The Legal Department, *List of Agreements Signed between State of Kuwait and a Number of Countries for 2010*, Op.Cit.

¹⁹⁰ Wikileaks, ‘Kuwaiti - Iranian Trade Relations: An Overview’, Reference ID: [07KUWAIT183](#) , [CONFIDENTIAL](#), Embassy Kuwait, 2007-02-07.

¹⁹¹ KUNA, ‘Trade Exchanges between Kuwait, Iran below Desired Level’, Economics, 21 October, 2001. Kuwait; <http://158.50.10.7/ArticleDetails.aspx?language=en&id=1200972>

2004, while the value of Kuwaiti exports to Iran was estimated at \$22 million in 2004.¹⁹² This is in addition to the exchange visit of parliamentary delegates between two countries to enhance their acquaintance.

To strengthen its relationship, Kuwait started to balance its relations between Iran on the one hand, and Iran's opponents such as the US, on the other hand. This was in order to maintain its regional and international interests, especially regarding the issue of Iran's nuclear program. However, Kuwait has remained cautious about Iranian political and nuclear ambitions in the region, especially after the Iranian 'spy cell', discovered in May 2010 in Kuwait, as mentioned in Chapter 4. As the Wikileaks document shows, LeBaron, the US ambassador to Kuwait, commented in 2006 on Kuwaiti policy towards Iran, saying 'Kuwait walks a fine line with its large neighbor across the Gulf, enjoying extensive economic and commercial ties, but remaining wary on the political front'.¹⁹³ In addition, the unsettled maritime border between Kuwait and Iran over the exploitation of the Continental Shelf in Durra (Arash) oil field was described by the Kuwaiti Minister of Foreign Affairs as a 'thorn in Kuwaiti - Iranian relations'.¹⁹⁴ Therefore, as Wikileaks has shown, Kuwait 'uses its contacts with Iran to assure Tehran of its continued friendship and to pursue parochial economic interests, to include off-shore oil field development and access to gas'.¹⁹⁵ Thus, the Iraqi invasion gave a fine opportunity for the recalibration of Kuwaiti-Iranian relations.

7.4. Impacts of the Iraqi invasion on the Palestinian Issue

Before the Iraqi occupation of Kuwait, there were approximately 400,000 Palestinian citizens living in Kuwait, representing great support to the Palestinians in the occupied territories, in addition to Kuwaiti (official and popular) support through financial transfers to the occupied territories, estimated at between \$140 million and \$200 million

¹⁹² This amount does not represent Kuwaiti investments in Iran.

¹⁹³ Wikileaks, 'Scenesetter For Counselor Zelikow's Feb. 28 - March 1 Visit To Kuwait', Reference ID: [06KUWAIT594](#), [CONFIDENTIAL](#), [Embassy Kuwait](#), [2006-02-21](#)

¹⁹⁴ Ibid, 'Iranian Parliament Speaker Larijani Completes', Reference ID: [10KUWAIT61](#), [CONFIDENTIAL](#), [Embassy Kuwait](#), [Jan 27, 2010](#).

¹⁹⁵ Wikileaks, 'Kuwait Tries To Downplay Importance Of Visits By Iranian Speaker Larijani; Iranian Economic Team Accomplishes Little', Reference ID: [10KUWAIT95](#), [CONFIDENTIAL](#), Embassy Kuwait, [Tue, 2 Feb 2010](#).

annually.¹⁹⁶ Following the liberation of Kuwait, most of the Palestinians who had remained then left Kuwait. Mahmoud Abbas, President of the Palestinian National Authority, commented on this issue, saying that ‘we (as Palestinians) have made three historical mistakes as follows: aylūl al-aswad ‘Black September’ in Jordan (1970), our involvement in the Lebanese Civil War (1975), and the Iraqi invasion of Kuwait (1990).’ He added, ‘The Iraqi invasion had broken our back, because half a million Palestinians were living in Kuwait whose money was a source of financial aid to the Palestinians in the occupied territories before their departure from Kuwait’. Abbas continued, ‘We will not repeat these mistakes again’.¹⁹⁷

The invasion inflicted losses on Palestinians in several ways.¹⁹⁸

1. The agricultural and industrial exports from Jordan to Kuwait were closed. These exports were estimated at \$100 million in 1989.
2. The Kuwaiti Dinar declined at 25% from its original value, which reduced the available incomes of the Palestinians employed in Kuwait.
3. The Palestinian financial transfers to occupied territories declined by more than \$350 million at 60%.
4. *Per capita* income for each Palestinian declined by 10% in the West Bank and 15% in the Gaza Strip, while consumer rates increased by 29% and investment rates declined by 20% in the occupied territories. Government consumption decreased by 73% in the West Bank and 25% in the Gaza Strip.
5. The number of unemployed persons in the occupied territories increased to 110,000 by the end of 1991, representing 65% of the labour force in the 1989 statistics. Further, most Palestinians left Kuwait for Jordan during the invasion and consequently, Jordan suffered from this departure.

¹⁹⁶ Abdul Kareem, Ibrahim, ‘Al-in’iqāsāt il-iqtisādīya li ’azmat il-khalīj ‘ala al-filastīnīyīn fiḍ-ḍiffa wal qitā’, ‘Economic Implications of Gulf Crisis on the Palestinians in the West Bank and Gaza Strip’, *Cooperation Journal*, issue No. 29, Secretariat General of GCC States, 1993. p. 81.

¹⁹⁷ Interview by the researcher with Mahmoud Abbas, President of the Palestinian National Authority, in Ramallah City, Palestine, on Tuesday 6 March, 2012.

¹⁹⁸ Abdul Kareem, Ibrahim, Op.Cit. pp.87- 89.

Nimer Hammad comments that, after the expulsion of the Palestinian people from Kuwait and other GCC states, ‘the Palestinians felt isolated, especially with the GCC countries’ and ‘Israel exploited this invasion to show the world that it is a peaceful state, because of the lack of response to the Iraqi missiles against Israel during the invasion’.¹⁹⁹ Ghassan Khatib commented on this topic, saying that ‘of course, the Iraqi invasion has several negative effects on the Arab situations in general, and on the Palestinian issue in particular [...] The event itself transferred local and international attention from the Palestinian issue, as a central issue, to the other issues resulting from this invasion’. He added, ‘Due to this invasion, there was a decline in the value of revenue GNP (remittances) by 25% to the Palestinians in the occupied territories in accordance with the study done one year after the liberation of Kuwait’, and further commented, ‘Israel exploited the situation to set up the checkpoints such as ‘Qalandia Checkpoint’ to crackdown on the Palestinian people’. Ghassan continued, ‘One of the main reasons for the Madrid Conference for the peace process and the attention of the world in 1991 to solve the Palestinian issue was the 1990 Gulf War Crisis.’²⁰⁰ Ahmed Majdalani commented on this point, saying that ‘one of the repercussions of the 1991 Gulf Crisis was the Madrid Peace Conference, after US President George Bush’s initiative for peace in 1991’. He alluded to the impact of this invasion on the Palestinian people, saying that ‘in fact, the major disaster is that the Palestinians have been exiled three times in their recent history, in 1948, 1967 and in the Kuwait crisis of 1990’.²⁰¹

8. Conclusion

Against the background of geography, it was the economic factor and the military dimension that played the main role in the Gulf crisis in 1990, although they need to be seen in the context of the domestic political and decision-making contexts of both countries., and also the ideational elements that influenced perceptions and calculations on both sides.

¹⁹⁹ Interview by the researcher with Nimer Hammad , Political Advisor to the Mahmoud Abbas, President of the Palestinian National Authority , in Ramallah City, Palestine, on Monday 5 March , 2012.

²⁰⁰ Interview by the researcher with Dr. Ghassan Khatib, Director of the Government media Center, in Ramallah City, Palestine, on Tuesday 6 March, 2012.

²⁰¹ Interview by the researcher with Dr. Ahmed Majdalani, Minister of Labour, in Ramallah City, Palestine, on Wednesday 7 March, 2012.

The poor economic and political situation of Iraq after its war with Iran from 1980 until 1988, in addition to the Iraqi ambitions to become the central power in the region, with a deeper historical irredentist mindset underpinning this, were the main reasons for its occupation of Kuwait in August 1990, as this occupation enabled Iraq to gain Kuwait's wealth and its strategic location. The concentration of decision-making power in Kuwait before the way, and even more extremely so in Iraq under Saddam, also played a role in the choices made.

Yet the occupation represented an actual threat to the international powers' interests, particularly the industrial countries that are the most important importers of oil from the Gulf region, but also more broadly in the challenge it constituted to the emerging new world order that had been envisaged by many. Thus, the condemnation of this occupation witnessed for the first time a wide-ranging international coalition against Iraq led by the US, which liberated Kuwait in February 1991. The occupation of Kuwait resulted in economic and environmental losses for Kuwait and for Arab and regional states, in addition to the discord between the Arab states that it engendered. This negatively reflected on the Palestinian issue, and drastically damaged relations between Kuwait and these Arab states, such as Jordan, Sudan, Tunisia, Yemen, PLO, Mauritania and Algeria. This can be illustrated by the use of the term *duwal aq-didd* or 'Opponent States', which appeared in the policy of Kuwait, after its liberation in 1991, to describe the Arab states that did not support Kuwait during the Iraqi invasion.

The invasion has become a milestone in Kuwaiti consciousness ever since 1990. This was evident through Kuwait's overall recalibration of its foreign relations with Arab states, Iran and global players. The Iraqi invasion, then, would reshape the concepts of Kuwaiti foreign policy on a regional and international level, including, most acutely, in terms of its behaviours towards Iraq. It is this particular aspect that we next turn to in Chapters 6, 7, 8 and 9.

Chapter VI

Key official Kuwaiti positions towards Iraq after the invasion

1. Introduction

Iraqi-Kuwaiti relations were severed at all levels following the Iraqi invasion. The Kuwaiti attitude towards Iraq was expressed by Sheikh Sabah Al Ahmed Al Sabah, then Kuwait's Foreign Minister, when he stated, 'we differentiate between the regime and the people [...] we cannot tolerate the sufferings of our brothers who are suffering from hunger and poverty [...] Kuwait is among the countries that assisted the Iraqi people directly after liberation with food and medicines, particularly those who migrated from the north and south where humanitarian aid was sent to them'.¹

In this brief chapter, we outline the basic positions that have undepinned and defined Kuwait's policy towards Iraq since the invasion. Subsequent chapters will then delve in more detail into the specific evolution of policy and behaviour in successive periods.

As has been made clear in Chapter 4, the definition of these stances, while promulgated by the Amir and the Government and backed up by the National Assembly, has been very much in the hands of, initially, Crown Prince and Prime Minister Sheikh Saad and Foreign Minister Sheikh Sabah, with the Amir playing a less assertive role, and then from 2007 really by Sheikh Sabah alone, albeit obviously with advice from others. The only obvious area of dispute was over the Kuwaiti position towards the 'Opponent States', with Sheikh Sabah in favour of restoring relations, and Sheikh Saad against. The National Assembly

¹ Al Watan Information and Studies Center, 'Foreign Policy', classification No. 5-6 dated 14/1/1994, Kuwait.

was divided. In 1999, the National Assembly, by the of a different complexion, sided with Sheikh Sabah, who had by then become in effect the real decider of foreign policy, after Sheikh Saad's being laid low by illness.

After the liberation of Kuwait, Kuwaiti behaviour towards Iraq was based on several pillars and principles represented by the call for complete implementation of UN Security Council (UNSC) resolution No. 687, dated 3/4/1991, which included 'specific conditions' for a ceasefire and an end to the conflict between Iraq and coalition forces, which Iraq officially accepted. This resolution, which may be described as the 'main resolution', included the following items:

1. The issue of demarcation of the international frontiers between Kuwait and Iraq as specified in the agreed 'Minutes of 1963' on 4/10/1963 and registered with the UN.
2. The prompt deployment of UNIKOM to control the water passage (Khor Abdullah) and Demilitarized Zone located between Iraq and Kuwait.
3. The destruction of all Iraqi weapons of mass destruction, chemical and biological weapons and all missiles of 150-kilometer range.
4. The repatriation of Kuwaiti prisoners of war and those from other countries as well as restoration of Kuwaiti properties.
5. The payment of compensation related to Kuwaiti and international claims resulting from the losses sustained by Iraq.

Upon resolution No. 687(1991), several UN entities were established:

- United Nations Iraq-Kuwait Observation Mission (UNIKOM).
- United Nations Iraq-Kuwait Boundary Demarcation Commission (UNIKBDC).
- United Nations Compensation Commission (UNCC).
- United Nations Special Commission (UNSCOM) in 1991, ² replaced with the United Nations Monitoring, Verification and Inspection Commission (UNMOVIC) pursuant to resolution No. 1284 in 1999. ³

² Weller, M. (ed), 'Iraq and Kuwait: The Hostilities and Their Aftermath', Op. Cit. p.8.

³ Security Council, 'Resolution 1284 (1999) Adopted by the Security Council at its 4084th meeting, on 17 December 1999', S/RES/1284, 17 December 1999, United Nations. Available online at:

2. Principles of Kuwait's Foreign Policy towards Iraq during the period from 1990 to 2010

2.1. Inviolability of the international boundary between Kuwait and Iraq in accordance with UN resolution 833

Under resolution No. 687 of 1991, Para 3, UNSC formed the UN Iraq-Kuwait Boundary Demarcation Commission (UNIKBDC) to demarcate the Iraqi-Kuwaiti land and marine frontiers in accordance with treaties signed between both countries. Resolution No. 687 states:

Iraq and Kuwait, as independent Sovereign States, signed at Baghdad on 4 October 1963" Agreed Minutes Between the State of Kuwait and the Republic of Iraq Regarding the Restoration of Friendly Relations, Recognition and Related Matters", thereby recognizing formally the boundary between Iraq and Kuwait and the allocation of islands, which were registered with the United Nations in accordance with Article 102 of the Charter of the United Nations and in which Iraq recognized the independence and complete sovereignty of the State of Kuwait within its frontiers as specified and accepted in the letter of the Prime Minister of Iraq dated 21 July 1932, and as accepted by the Ruler of Kuwait in his letter dated 10 August 1932).

Accordingly, the resolution

Demands that Iraq and Kuwait respect the inviolability of the international boundary and the allocation of islands set out in the "Agreed Minutes Between the State of Kuwait and the Republic of Iraq Regarding the Restoration of Friendly Relations, Recognition and Related Matters", signed by them in the exercise of their sovereignty at Baghdad on 4 October 1963 and registered with the United Nations and published by the United Nations in document 7063, United Nations, Treaty Series, 1964.⁴

<http://www.un.org/Docs/scres/1999/sc99.htm>

⁴ Security Council, 'Resolution 687 of 3 April 1991', United Nations; available online at <http://www.un.org/Docs/scres/1991/scres91.htm> ; Repertoire of the Practice of the Security Council, 'Items relating to the situation between Iraq and Kuwait', Op. Cit. p.650.

As mentioned in Chapter 3, these frontiers had been previously specified in the ‘Exchange of Letters 1932’ and recognized in the agreed ‘Minutes of 1963’ (see Appendices 1-5).

The UNIKBDC was established on 2nd May 1991 and practised its mandate within the powers included in the Secretary-General’s report of that date.⁵ The resolutions of the Commission are final and binding to both parties. There were five members of the Commission: three independent experts appointed by the Secretary General and one representative each from Kuwait and Iraq, to be appointed by their Governments. The UNIKBDC concluded its task and submitted its final report after demarcating the marine and land frontiers to the Secretary General on 20th May 1993.⁶ The functions of the UNIKBDC were as follows:

1. It performs technical tasks only rather than political ones and the nature of its task was the demarcation of boundaries.
2. Through demarcating the frontiers, it will not reallocate territory between Kuwait and Iraq; rather, it will ‘carry out technical tasks necessary to demarcate for the first time’ the frontier lines between the two countries set out in the agreed Minutes of 1963 referred to above⁷ (appendix 5).

The Commission convened eleven sessions that included eighty-two meetings to demarcate the land and marine frontiers between the two countries. It defined the frontiers as mentioned in the ‘1932 Exchange of Letters’ and recognized by Iraq and Kuwait under the agreed Minutes of 1963, which provided that the frontiers lay:

From the intersection of the Wadi el Audja with the Batin and thence northwards along the Batin to a point just south of the latitude of Safwan; thence eastwards passing south of Safwan wells, Jebal Sanam and Um Qasr leaving then to Iraq and so on to the junction of

⁵ Security Council, ‘Report of Secretary-General Regarding Paragraph 3 of The Security Council Resolution 687 (1991)’, S/22558, 2 May 1991, United Nations.

⁶ The members of Commission are Nicholas Valticos (Chairman); Ian Brook (Technical Director of the Swedsurvey: National Land Survey of Sweden); Mr. William Robertson (Surveyor General / Director, General of Department of Survey and Land Information of New Zealand), as independent experts, and Riyadh Al Qaysi, representative of the government of Iraq and Dr. Tariq Razzouki, representative of the State of Kuwait. See; Security Council, ‘Final Report on The Demarcation of The International Boundary Between of The Republic of Iraq and The State of Kuwait By The United Nations Iraq-Kuwait Boundary Demarcation Commission’, S/25811, 20th May 1993, United Nations. pp. 9- 10.

⁷ Security Council, ‘Letter dated 21 May 1993 From the Secretary-General Addressed to the President of the Security Council’, S/ 25811, United Nations.

the Khor Zubeir with the Khor Abdullah. The islands of Warbah, Bubiyan, Maskan (or Mhasjan), Failakah, Auhah, Kubbar, Qaru, and Um el Maradim appertain to Kuwait.⁸ (Appendix 1).

The Commission divided the frontiers into three sections:

Section I: called the western section (land boundary), described in the ‘1932 Exchange of Letters’ as follows: “From the intersection of the Wadi el Audja with the Batin and thence northwards along the Batin to a point just south of the latitude of Safwan.”

Section II: the northern section (land boundary), described in the ‘1932 Exchange of Letters’ as follows: “Thence eastwards passing south of Safwan wells, Jebal Sanam and Um Qasr leaving then to Iraq and so on to the junction of the Khor Zubeir with the Khor Abdullah.”

Section III: ‘Khowr Abd Allah’ (marine boundary), described in the ‘1932 Exchange of Letters’ as follows: “The islands of Warbah, Bubiyan, Maskan (or Mhasjan), Failakah, Auhah, Kubbar, Qaru, and Um el Maradim appertain to Koweit.”⁹

2.1.1. *Land Boundary*

The Commission held five sessions attended by all parties to demarcate the land boundary between 23/5/1991 and 16/4/1992. The Commission faced one problem during this demarcation: designating the proper place for the ‘notice board’ that was erected from 1923 until 1939 south of Safwan (northern section) to mark the ‘Iraqi-Kuwaiti boundary’ and recognized by both countries as their international boundary.¹⁰ However, this sign was removed in March 1939, which resulted in disagreement between Kuwait and Iraq in establishing its proper place. On 25th June 1940, Iraq sent a letter to the UK wherein it mentioned that the ‘notice board’ must be placed 1,250m south of the ‘old customs post’ at Safwan, rather than 1000m from this location as requested by Kuwait (appendix 6). Thus,

⁸ Security Council, ‘Final Report on The Demarcation of The International Boundary Between The Republic of Iraq and The State of Kuwait By The United Nations Iraq-Kuwait Boundary Demarcation Commission’, Op.Cit. pp.9-10.

⁹ Ibid. p.12.

¹⁰ Ibid. pp.13-14.

the Commission had three opinions with respect to interpreting the boundaries south of Safwan upon documents as follows:

1. The opinion of Iraq, set forth in its letter submitted above, wherein it determined the location of the ‘notice board’ at 1,250 meters away from old customs post at Safwan.
2. The opinion of Kuwait, which was that the ‘notice board’ is 1000 meters away from the old customs post at Safwan as determined in 1923 by Major More, the Political Agent in Kuwait.¹¹
3. The opinion of C. Dickson (British Agent in Kuwait 1929-1936) in his correspondence dated 27/1/1935, wherein he determined that the notice board should be one mile (1609m) south of Safwan.

However, the UN Commission determined that the ‘notice board’ should be 1,430m south of Safwan, taking into consideration both the Iraqi and Dickson opinions, given the absence of reliable evidence.¹² Thus, the UN Commission finalized full demarcation of the land boundary after placing pillars No.1 to 106 for this section.¹³ Consequently, UNSC issued resolution No. 773 of 1992, calling the Commission to continue its task and finalize the demarcation of the marine frontiers at Khowr Abd Allah.¹⁴

2.1.2. Maritime Boundary

This section is called Khowr Abd Allah and runs from the junction of Khowr Zhobeir to the eastern end of Khowr Abd Allah at the eastern frontiers of Kuwait (offshore boundary). The UN Commission concluded several resolutions concerning this section:

1. It was decided to demarcate the maritime boundary at Khowr Abd Allah based on the median line between the two countries as shown on the 1991 edition of British

¹¹ Richard Muir, ‘The Iraq–Kuwait border dispute: still a factor for instability?’, *Asian Affairs*, Vol. XXXV, No. II, July 2004. p.155.

¹² Security Council, ‘Final Report on The Demarcation of The International Boundary Between The Republic of Iraq and The State of Kuwait By The United Nations Iraq-Kuwait Boundary Demarcation Commission’, Op. Cit. pp.20-21.

¹³ Ibid. pp.31-35.

¹⁴ Security Council, ‘Resolution 773 (1992) adopted by Security Council at its 3180th meeting, on 26 August 1992’, S/RES/773 (1992), 26 August 1992, United Nations.

Admiralty Chart No. 1235, defining the 'median line' at Khowr Abd Allah, in addition to the World Geodesic System WGS (84) datum.

2. It affirmed that the median line at Khowr Abd Allah was used in 1959 on the map of Coucheron-Aamot, a Norwegian hydrographer, and approved by the Iraqi Ministry of Oil at the request of Iraq, which determined the 'median line' at Khowr Abd Allah as the offshore boundary line separating the two countries at sea. This official map was transferred to the Danish Embassy at Baghdad by the Iraqi Minister of Foreign Affairs on 22/8/1960 and published in the pleadings of the International Court of Justice (see Figure 7 on the territorial waters and continental shelf, as determined by Coucheron-Aamot in December 1959).

3. Frontiers were demarcated at Khowr Zhobeir using geographical lines from infrared aerial photography. Further, numerical signs and plates were placed in this region to determine the separating frontiers.¹⁵

The UN Commission finalized the demarcation of the maritime boundary at Khowr Abd Allah, and on 20th May 1993, UN Secretary General submitted a report to UNSC along with all documents related to the business of the Commission. The legal bases adopted by the UN Commission to demarcate the marine frontiers based on the 'median line' at Khowr Abd Allah are grounded on the following principles:

1. Under rules of International law, as embodied in the UN Convention on the Law of the Sea of 1982, ratified by both Iraq (30 July 1985) and Kuwait (2 May 1986), it provides under Article 15 that 'where the coasts of two States are opposite or adjacent to each other, neither of the two States is entitled, failing agreement between them to the contrary, to extend its territorial sea beyond the median line'.¹⁶

¹⁵ Security Council, 'Final Report on the Demarcation of the International Boundary between of the Republic of Iraq and the State of Kuwait by the United Nations Iraq-Kuwait Boundary Demarcation Commission', Op. Cit. pp.24-28.

¹⁶ United Nations, 'United Nations Convention on the Law of the Sea (with annexes, final act and *procès-verbaux* of rectification of the final act dated 3 March 1986 and 26 July 1993): Concluded at Montego Bay on 10 December 1982', Article 15, *United Nations — Treaty Series, Vol. 1833, 1-31363*, New York. p.403. Available online at:

<http://www.unrol.org/files/volume-1833-A-31363-English.pdf>

2. The median line was concluded in 1959 by the Aamot Report and approved by Iraq in the early 1960s.¹⁷

However, the report of the UN Commission also mentioned that the current frontiers are based on the median line, such that navigational access ‘should be possible for both to the various parts of their respective territory bordering the demarcated boundary’.¹⁸ In this way, neither country will be deprived of access of navigation. This fact was not been taken at the demarcation of Khowr Zhobeir. The UN Commission apparently took into consideration the safeguarding of water passages at the entrance of Khowr Zhobeir in favour of Iraq and ignored the median line, as per the text of Article 15 of the 1982 UN Convention on the Law of the Sea. The UN Commission demarcated the line at this entrance deviating to the south inside the Kuwaiti territorial waters to enable Iraq to benefit from the deep side of the Khowr Zhobeir, which deprived Kuwait of shipping at the entrance of Khowr Zhobeir. The reason was that this area is low water, and taking into consideration the circumstance of this area, ‘the right of access implies a non-suspendible right of navigation for both States’¹⁹ (See figure 8). Kuwait had reservations about the resolution of the UN Commission at Khowr Zhobeir; but eventually accepted it.²⁰

On 27th May 1993, the UNSC issued resolution No. 833, wherein it finalized the demarcation of frontiers between the two countries, appealed to Kuwait and Iraq to respect the inviolability of the international boundary as demarcated by the UN Commission and warned both countries against any violation of this resolution.²¹ However, Iraq only accepted this resolution after a year and a half on November 1994, following some tension between Iraq and the UN. This recognition was published in ‘*Mujalat AlWga’ih Aleraqla*’,

¹⁷ Security Council, ‘Final Report on the Demarcation of the International Boundary between of the Republic of Iraq and the State of Kuwait by the United Nations Iraq-Kuwait Boundary Demarcation Commission’, Op. Cit. pp.26-27.

¹⁷ Ibid. p.27.

¹⁸ Ibid. p.24.

¹⁹ Ibid. p.27.

²⁰ Centre for Research and Studies on Kuwait, *Iraq Navigational Outlets*, Op. Cit.p.21.

²¹ Security Council, ‘Resolution 833 (1993) adopted by Security Council at its 3224th meeting, on 27th May 1993’, S/RES/833 (1993), 27th May 1993, United Nations.

the Iraqi gazette of the Republic of Iraq as discussed below.²² Thus, the respect of frontiers based upon resolution 833 is one pillar of Kuwait's demands towards Iraq.

2.2. *Payment of financial compensation and obligations*

The compensation imposed on Iraq by the UN must be distinguished from the Iraqi debts to Kuwait during the Iraq-Iran War. This section will shed light on the compensation, which obliges Iraq to pay the claims for losses for the UN Compensation Fund (UNCF) under resolution 687, section E.²³ Due to the losses and damages as result of the Iraqi invasion of Kuwait, the UNSC established the UNCF and the UN Compensation Commission (UNCC) to administrate the Fund pursuant to its resolution 692 on 20th May 1991.²⁴ The UNCC divided the claims into six categories:

1. Category A: Individual claims for departing from Iraq and Kuwait during the period from 2/8/1990 until 2/3/1991.
2. Category B: Individual claims for death or serious physical injury.
3. Category C: The claims of individuals and individual establishments (less than \$ 100,000).
4. Category D: Claims of individuals and individual establishments (more than \$ 100,000).
5. Category E: Claims for the losses of other companies and institutions.
6. Category F: Government and International Organizations' claims, including claims for environmental damage.²⁵

Kuwait established the Public Authority for Assessment of Compensation for Damages resulting from the Iraqi aggression on 27th May 1991, to estimate the Kuwaiti losses to be submitted to the UNCC under the six categories mentioned above.²⁶ The total Kuwaiti

²² Muharib, Abdullah, *Everlasting Documents: Kuwaiti Right vis-à-vis the Iraqi Aggression*, 1st edition, Centre for Research and Studies on Kuwait, Kuwait, 2000. p. 119.

²³ Repertoire of the Practice of the Security Council, 'Items relating to the situation between Iraq and Kuwait', Op. Cit. p.652.

²⁴ Public Authority for Assessment of Compensation for Damages resulting from the Iraqi Aggression (PAAC), *At-takrīr us-sanawī*, 'Annual Report 1995 – 1996', Kuwait, 1995. p.19.

²⁵ Ibid. *An-nashrah al-faslīyah lit-ta'widāt*, 'Compensations Periodical Bulletin', issue No. 1/2001, Kuwait, 2001. p.14.

²⁶ Ibid. p.9.

claims submitted under these six categories were estimated at \$177,418,859,292.50 until 2010. However, the UNCC approved only \$41,082,716,186.04 from the total Kuwaiti claims, and out of this approved amount, Kuwait received \$18,141,563,043.05, and the remaining amount was for Kuwait, estimated at \$23 billion up to 2010.²⁷ Kuwaiti environmental claims under category E were more than \$40 billion.²⁸ Kuwait submitted 48 claims worth 16.6 billion up to 2009. However, the UNCC approved only 22 of these, at a total value of \$3.7 up to 2009, from which Kuwait received \$1,593 billion.²⁹

The international claims under all six categories, including Kuwait, are 2,686,131 claims at a total value estimated at \$352,532,838,903. However, the UNCC approved 1,543,619 claims only at total value \$52,383,356,715, out of which the States received \$26,681,677,779 up to 2010 (see Table 3).³⁰

As regards the method of the payment of these claims, the UNSC determined 30% to be deducted annually from the Iraqi oil exports for compensation in its resolution 705 of August 1991.³¹ In resolution 712 (September 1991), the UNSC determined the Iraqi oil sales (Oil for Food - OFF) at \$ 1.6 billion every six months. However, Iraq refused these two resolutions from 1991 to 1995 and demanded that Iraqi oil exports be increased to \$2.6 billion,³² which resulted in the deterioration in its humanitarian situation due to the suspension of Iraqi oil exports. For this reason, the UNSC, in its resolution 986 of 1995, made some amendments to the OFF program, increasing Iraqi oil exports from \$1.6 to \$2 billion every six months, out of which 30% was deducted for compensation. Iraq accepted this resolution in May 1996 and it became the mechanism of the OFF program.³³ On 20th February 1998, UNSC increased the Iraqi oil exports OFF from \$ 2 billion to \$ 5.2 billion

²⁷ Ibid, *An-nashrah al-faslīyah lit-ta'widāt*, 'Compensations Periodical Bulletin', issue No. 1/ 2010, Kuwait, 2010. p. 25.

²⁸ Ibid., *At-takrīr us-sanawi*, 'Annual Report 2006', Kuwait. 2006 .p. 20.

²⁹ Ibid., *An-nashrah al-faslīyah lit-ta'widāt*, 'Compensations Periodical Bulletin', issue No. 1/2009, Kuwait, 2009.p. 20.

³⁰ Ibid. p.21.

³¹ Ibid, *An-nashrah al-faslīyah lit-ta'widāt*, 'Compensations Periodical Bulletin', issue No. 1/2001, Op. Cit.p.15.

³² Lutfi, Manal, '‘āmān ‘alā ’indilā’ ḥarb il-khalīj: ’idarāt ma ba’d al-ḥarb’ ,‘Two Years from the Wage of the Gulf War: Administering Post War Results’, *Al-Siyassa Al-Dawliya Magazine*, issue No. 111, Cairo, January 1993. p. 104.

³³ Registry of Current Events in the Gulf & Arabian Peninsula Region, 'Iraq's Tense Relation With The United Nations', Vol. 2, Issue No.8, *Center of Gulf & Arabian Peninsula Studies* University of Kuwait, Kuwait, October/December, 1998.p.66.

every six months pursuant to resolution 1153 of 1998. Under resolution 1330 of December 2000, UNSC reduced the percentage deducted from the Iraqi oil imports from 30% to 25%.³⁴ This percentage was reduced once again from 25% to 5% as per UNSC resolution 1483 of 2003 after the collapse of Saddam Hussein's Regime. Moreover, the OFF program was terminated and the 'Development Fund for Iraq' (DFI) was established and Iraq's oil revenues were placed into this fund in order to reconstruct Iraq.³⁵ Kuwait reiterates the importance of payment the outstanding compensation, estimated at \$23 billion up to 2010, as one pillar of Kuwait's behaviour towards Iraq.

2.3. *Repatriation of Kuwaiti Prisoners of War*

International Law guarantees protection for armed forces prisoners of war, civilians and other prisoners of war under four treaties of Geneva signed in August 1949 and its relevant protocols.³⁶ In 1956, Iraq acceded to these treaties, while Kuwait acceded to the same in 1967: hence the provisions of these treaties are applicable to both countries in case of any dispute that may arise.³⁷ UNSC resolution 687 of 1991, Para 30 & 31 thereof, demands that Iraq return all Kuwaiti nationals and third country nationals and fully cooperate with the International Red Cross Committee (IRCC) via providing them with the names of the prisoners of war detained by Iraq during the period of occupation.³⁸

Following the cessation of hostilities in 1991, the UNSC formed a Committee under resolution no. 686 of March 1991, originally called the Riyadh Committee and renamed the Tripartite Commission (TC), to follow up the issue of prisoners of war under the IRCC

³⁴ Public Authority for Assessment of Compensation for Damages resulting from the Iraqi Aggression, *An-nashrah al-faslīyah lit-ta'widāt*, 'Compensations Periodical Bulletin', Kuwait, 1998. p.14.

³⁵ Security Council, 'Resolution 1483', S/RES/1483 (2003), United Nations, New York, 22 May 2003. Available on online at www.un.org

³⁶ Registry of Current Events in the Gulf & Arabian Peninsula Region, 'Waḍ' il-'asrā fī manzūr 'itifākīyat Jinīv aghustus 1949 wa brütükülātiha', 'The Status of Prisoners in the Perspective of Geneva Convention of August 1949 and Its Protocols', issue No. 13, *Center of Gulf & Arabian Peninsula Studies*, Kuwait University, Kuwait, March 2000.p. 47.

³⁷ Al Anezi, Rashid Hamad, Op.Cit. p. 819.

³⁸ Weller, M (ed.), 'Iraq and Kuwait: The Hostilities and Their Aftermath', Op. Cit .p. 8.

auspices. The members of this Commission consisted of coalition forces and Iraq.³⁹ At the first meeting of this Commission on 7th March 1991, both parties exchanged some Prisoners of War in Riyadh; then Iraq boycotted the meetings of this Committee from July 1993 to July 1994. Further, after the liberation of Kuwait, during the mutiny and uprising rebellion that occurred in southern Iraq on 28/2/1991, 6000 Kuwaiti prisoners of war escaped and returned to their homeland. On 12/4/1991, Kuwait made a business plan via compiling the names of the Kuwaiti prisoners of war still detained by Iraq based on Iraqi documents left behind by the Iraqi forces as well as the information gathered from Kuwaiti families who had lost their sons. In addition, it established the National Committee for M. & POWs Affairs (NCMPA) on August 15, 1992 to follow up the release of all Kuwaiti POWs. During the Iraqi boycott of this Commission from 1993 to 1994, Kuwait submitted 650 individual files based the statements of many eyewitnesses and the official Iraqi documents left behind by the Iraqi forces, while Saudi Arabia submitted seventeen files.

Given the importance of this issue, the TC established a 'Technical Sub-Committee' (TSC) in December 1994 to expedite the search for prisoners of war. Within four years (1994 – 1998), the TSC convened thirty-six meetings, in addition to twenty-one meetings held by the TC with the participation of Iraq. Therefore, the total number of meetings that were held between coalition members and Iraq on this issue was fifty-seven.⁴⁰ During its participation (1994 – 1995), Iraq submitted incomplete responses regarding on 126 out of 605 prisoners of war, which were classified as initial replies by IRCC. Moreover, Iraq did not provide any final reply regarding 479 Kuwaiti files out of 605 and 17 Saudi files.⁴¹ In its replies to the files of 126 Kuwaiti prisoners, Iraq alleged that 114 of these prisoners were lost during the mutiny that occurred in Iraq on 28/2/1991 and six were killed or died. However, there were six unclear replies. Iraqi justifications for detaining these persons were killing Iraqi soldiers (two cases) and resistance acts (114 cases), and no reasons were given for ten cases.⁴² All these meetings failed to achieve any progress concerning the

³⁹ Coalition forces were represented in this Committee by Kuwait, Saudi Arabia, USA, France and UK. See; National Committee for M. & POWs Affairs (NCMPA), 'Asrā al-Kuwayt fil 'irāk', 'Kuwaiti Prisoners of War in Iraq', Kuwait, 2001.p.9. Available online on NCMPA website at; <http://www.pows.org.kw/index2.html>

⁴⁰ Al Watan Information and Studies Center, 'Prisoners of War – National Committee' Classification No. 4 – 6/9, dated 30/8/2000, Kuwait.

⁴¹ Ibid, dated 29/8/2000.

⁴² National Committee for M. & POWs Affairs (NCMPA), 'Asrā al-Kuwayt fil 'irāk', 'Kuwaiti Prisoners of War in Iraq', Kuwait, 2002.p.23.

prisoners of war. On December 1998, Iraq boycotted the activities of the TC until the American threat to Iraq in 2002. Saeed Hasan, Iraqi representative to the UN, stated that 'Iraq refuses to sit down at one table with the USA, Britain and France, who had nothing to do with the issue of prisoners of war'.⁴³

The Prisoners of War represent 0.1% of the total Kuwaiti population and comprised 474 civilians (78%) and 131 military persons c (22%). The age category of the prisoners of war is as follows: 42 persons less than 18 years old (7%), 411 from 18 to 30 (68%), 136 persons from 31 to 50 (22%) and 116 persons of more than 50 years old (3%). If we compared this percentage (0.1%) of the Kuwaiti population with British citizens, it would be 57,000 prisoners.⁴⁴

Due to the Iraqi boycott of the activities of the TC since 1998, the UNSC issued resolution No. 1284 on 17/12/1999 and appointed an international high-level coordinator (Mr. Yuli Vorontsov) for the first time to tackle the issue of the Kuwaiti prisoners and its properties.⁴⁵ Vorontsov stated that, 'Iraq gives the issues of the prisoners of war a political dimension that justifies boycotting the activities of the Tripartite Commission.' However, on 20/5/2000, Vorontsov declared that the 'Iraqi authorities did not desire to cooperate with the International community to find a solution for the issue of the prisoners of war'.⁴⁶ Mr. Kofi Annan, UN Secretary General, pointed out in his report submitted to the UN Security Council on 16 April 2000 that Iraq rejects receipt of the international high level coordinator for Kuwaiti prisoners of war affairs, Vorontsov, on the allegation that there are no prisoners of war or Kuwaiti detainees in Iraq.⁴⁷

The Kuwaiti and Iraqi parties exchanged accusations regarding the existence of Kuwaiti prisoners in Iraq. In 1998, Iraq alleged that there were 1115 Iraqi prisoners of war in

⁴³ Al Watan Information and Studies Center, 'Prisoners of War – National Committee', Op.Cit, dated 26/2/1999.

⁴⁴ National Committee for M. & POWs Affairs (NCMPA) 2002, Op. Cit. p. 106.

⁴⁵ Security Council, 'Resolution 1284 (1999) Adopted by the Security Council at its 4084th meeting, on 17 December 1999', S/RES/1284, 17 December 1999, United Nations. Available online on UN website at <http://www.un.org/Docs/scres/1999/sc99.htm>

⁴⁶ Al Rai Al Am Newspaper, Issue No. 12682, Monday dated 11/3/2002, Kuwait. p.3.

⁴⁷ Security Council, 'Report of the Secretary-General pursuant to paragraph 14 of resolution 1284 (1999)', S/2000/347, 26 April 2000, United Nations. pp.1-5.

Kuwait and called for their return to Iraq. However, Kuwait refuted this claim and stated that:

1. Iraq did not claim for any prisoners of war throughout the eight years starting from the liberation of Kuwait: therefore, the current allegation of Iraq is grounded on political reasons.
2. The Iraqi citizens in Kuwait are freely living and trading in Kuwait. According to official statistics, Iraqi citizens who had valid residence permits during the period from 1/1/1997 to 31/12/1997 was 2231, in addition to 107 Iraqi citizens who had obtained residence permit for the first time. Therefore, the total number of Iraqi citizens living in Kuwait is 2338.
3. Kuwait invited international organizations and human rights committees to visit its prisons and verify that the Iraqi allegations were false. However, Mr. Yuli Vorontsov affirmed that the issue of the existence of Iraqi prisoners of war in Kuwait does not fall under the powers granted to him as per international resolutions.⁴⁸

Kuwaiti claims of the existence of its prisoners were based on the following evidence:

1. The availability of Iraqi documents left behind by the Iraqi army after withdrawal from Kuwait, which contained some prisoners' names. These official Iraqi arrest records were submitted and filed to the TC, IRCC and Arab League.⁴⁹
2. The availability of some Kuwaiti eyewitnesses who were in prisons in southern Iraq and released by the Shiite revolution that occurred following the liberation of Kuwait.
3. Many Kuwaiti prisoners were detained in front of their relatives and neighbours by Iraqi armed forces.

⁴⁸ Al Watan Information and Studies Center, 'Prisoners of War – National Committee', Op.Cit, dated 3/11/1998.

⁴⁹ Copies of the dossiers can be obtained by request from the NCMPA; National Committee for M. & POWs Affairs (NCMPA) 2001, Op. Cit.

4. The Iraqi release of 318 Iranian prisoners of war in April 1998, where Iraq alleged that they were not detained throughout the previous period.⁵⁰
5. The statements of Hussain Kamel al-Majid, Iraq's minister of industries, after his rebellion against the Iraqi regime and asylum to Jordan on 8/8/1995, through his indirect contact with Kuwait: he claimed that there were Kuwaiti prisoners but did not mention their names or their actual number.⁵¹

However, the validity of the Kuwaiti claim was confirmed after the collapse of Saddam Hussein's regime in 2003, when great numbers of corpses of these prisoners of war were recovered from several group tombs in Iraq. Ban Ki Moon, UN Secretary General, affirmed in his report submitted to the UN Security Council on 4/12/2008 that 236 corpses of Kuwaiti prisoners were recovered out of 605. All countries and international and territorial organizations condemned the killing of the Kuwaiti prisoners.⁵² In 2008 Mr. Gennady Tarasov was appointed as high-level coordinator following the death of Mr. Yuli Vorontsco in 2008. Kuwait reiterates that this item must be maintained under chapter VII of the UN charter until the fate of the remaining prisoners of war is revealed.

2.4. Removal of the Iraqi weapons of mass destruction

Kuwait considers that Iraqi possession of weapons of mass destruction (WMD) constitutes a threat to its security and people, as Iraq may use these weapons against Kuwait, similar to what happened with the Kurds at Halabja in 1988 and with the Iranian Army during Gulf War I to overcome the great number of Iranian soldiers.⁵³ Previously, Iraq endeavored to have nuclear weapons, assisted by France. However, Iraq suspended a

⁵⁰ Mahrous, Sadiq S., 'Al-ḥimāyah ad-duwalīya li 'asra al-ḥarb: Dirāsa li qawa'idiha al-'āmma ma' 'ishāra khaṣa 'ilā ḥālat al-asrā al-kuwaytīyīn lada al-'irāq', 'Regulation concerning the prisoners of war (POWs) and international protection; A study with special relevance to Kuwaiti POWs in Iraq', *Journal of Social Sciences*, Vol. 24, issue No. 1, Kuwait University, Kuwait, 1996. p.36.

⁵¹ Al Watan Information and Studies Center, 'National Committee for Prisoners of War Affairs', Classification No. 4-6/9, dated on 18/3/1996, Kuwait.

⁵² Security Council, 'Twenty-seventh report of the Secretary-General pursuant to paragraph 14 of resolution 1284 (1999)', S/2008/761, 4 December 2008, United Nations. p.4.

⁵³ Registry of Current Events in the Gulf & Arabian Peninsula Region, 'as-sa'ī li ja'l minṭiqat il-khalīj il-'arabī khālīya min asliḥat ad-damār ash-shāmil: al-madakhil wal 'imkāniyāt', 'Endeavour to Make Arabian Gulf Region Free of Weapons of Mass Destruction: Inputs and Potentialities' issue No. 10, *Center of Gulf & Arabian Peninsula Studies*, Kuwait University, Kuwait, April/June 1999. p. 39.

project to produce a nuclear bomb after the Israeli attack against the Iraqi nuclear reactor Tammouz I in April 1979 and the second reactor Tammouz II, known as Osirak, in June 1981.⁵⁴ Under UNSC resolution No. 687 of 1991, the UN Special Commission (UNSCOM) was formed to supervise the removal of the Iraqi arsenal of WMD,⁵⁵ and had the right to inspect any location or facility used by Iraq without condition or restriction according to UNSC resolutions no. 707 and 715.⁵⁶ During the UNSCOM work from 1991 to 1998, it supervised and dismantled some Iraqi WMD.⁵⁷ However, Iraq dismissed the inspectors and refused to cooperate with UNSCOM on 15/12/1998, which resulted in the USA and Britain launching a military operation against Iraq during the period from 16th to 19th December 1998, i.e. 70 hours: ‘Operation Desert Fox’.⁵⁸ Thus, the UNSC formed a new Commission to replace UNICOM – UNMOVIC, in its resolution 1284 of 1999.⁵⁹ Mr. Hans Blix was appointed as Executive Chairman of this new Commission. According to this resolution, economic sanctions were suspended and would be lifted after 120 days or six months from Iraq’s full cooperation with UNMOVIC. In 2002, Iraq accepted this resolution three years after its issue, after the Iraqi leadership became aware of the intention of the USA to launch a military campaign against Iraq (see chapter 8).⁶⁰ However, this Commission was terminated in 2007 according to UNSC resolution 1762⁶¹ due to the fact that there were no WMD in Iraq.⁶²

⁵⁴ Raas, Whitney and Austin Long, ‘Osirak Redux? Assessing Israeli Capabilities to Destroy Iranian Nuclear Facilities’, *International Security*, Vol. 31, No. 4, 2007. p.8.

⁵⁵ Security Council, ‘Resolution 687 of 3 April 1991’, Op. Cit.

⁵⁶ Repertoire of the Practice of the Security Council, Op. Cit. pp.667-677.

⁵⁷ United Nations Special Commission, ‘UNSCOM Main Achievements: Report’, March 1998, United Nations, available online at: www.un.org; Also see <http://www.state.gov>

⁵⁸ Anthony H. Cordesman, ‘The Military Effectiveness Of Desert Fox: A Warning About the Limits of the Revolution in Military Affairs and Joint Vision 2010’, Center for Strategic and International Studies (CSIS), Washington D.C, December 26, 1998. p.7.

⁵⁹ Security Council, ‘Resolution 1284 (1999) Adopted by the Security Council at its 4084th meeting, on 17 December 1999’, S/RES/1284, 17 December 1999, United Nations; available online at <http://www.un.org/Docs/scres/1999/sc99.htm>

⁶⁰ Kenneth Katzman, ‘Iraq: Compliance, Sanctions, and U.S. Policy’, Congressional Research Service (CRS), Washington D.C, July 5, 2002. p.2.

⁶¹ UNMOVIC website, ‘Basic facts’; United Nations, available online at <http://www.unmovic.org/>

⁶² Security Council, ‘Letter dated 8 April 2007 from the Minister for Foreign Affairs of Iraq addressed to the President of the Security Council’, S/RES/1762, United Nations, 8 April 2007.

2.5. *Return of all Kuwaiti properties*

UNSC resolution No. 687 of 1991 (section D) demanded that Iraq return all Kuwaiti properties seized during the invasion.⁶³ On 14/3/1991, Mr. Mohammed Abu Al-Hassan, Kuwaiti representative to the UN, submitted an initial statement to the UN, wherein he determined the Kuwaiti stolen properties, including the Kuwaiti National Archive, Kuwaiti National Library, all ministries' properties, Kuwait Airways Corporation, Central Bank of Kuwait, Kuwait National Museum and Kuwait National Assembly.⁶⁴ The value of the stolen Kuwaiti items has been estimated at \$100,000 million and includes gold, Kuwaiti currency, paintings, artistic works, medical equipment, military and civil aeroplanes in addition to the public documents. On 27/3/1991, Abdul Amir Al-Anbari, Iraqi representative to the UN, officially confirmed that Iraq had some of these properties, consisting of standard gold bars and currency at a total value \$1060 million. However, the restored items represent just 20% of the total looted items.⁶⁵ After the collapse of the regime of Saddam Hussein, Gennady Tarasov, the high-level coordinator, visited Baghdad for the first time in 2008 and emphasized that additional effort must be exerted to return the Kuwaiti National Archive. Kuwait has appealed that the status of the international high-level coordinator be maintained until all Kuwaiti properties have been handed over or their destiny determined.⁶⁶

3. **Summing Up**

Since its liberation in 1991, the key official Kuwaiti positions towards Iraq after the invasion have been based on several pillars and principles represented by the call for

⁶³ Weller, M (ed.), 'Iraq and Kuwait: The Hostilities and Their Aftermath', Op. Cit. pp 2-6.

⁶⁴ Security Council, 'Report of the Secretary-General on the Return of the Kuwaiti Property Seized by Iraq', S/1994/243, 2 March 1994, United Nations. p.5.

⁶⁵ Centre for Research and Studies on Kuwait, *Who Looted Kuwait? Readings of the Iraqi Documents*, Op. Cit. p. 28.

⁶⁶ Security Council, 'Report of the Secretary-General on the Return of the Kuwaiti Property Seized by Iraq', S/1994/243, 2 March 1994, United Nations. Op. Cit. p.4.

complete implementation of UNSC resolutions concerning the ‘situation between Kuwait and Iraq’, which included the following issues:

1. Inviolability of its demarcated international borders with Iraq in accordance with UNSC resolution No. 833 (1993)
2. The full payment of its compensation
3. The return of Kuwaiti prisoners of war
4. Return of all Kuwaiti properties and its archives
5. Removal of the Iraqi weapons of mass destruction

Since the 1990s, Kuwait has continued to reiterate the importance of solving these ‘outstanding issues’: this has become a pillar of Kuwait’s behaviour towards Iraq. It has emphasised that these issues must be maintained under Chapter VII of the UN Charter until they are resolved. This has made the UN organization a key component in Kuwait’s behavior towards Iraq since 1990.

Chapter VII

Kuwait's Foreign Policy towards Iraq from 1991 to 2001

1. Introduction

This chapter examines the determinants and evolution of Kuwait's policy towards Iraq in the first period after liberation. In shaping the environment for this evolving Kuwaiti policy, two factors stand out: the role of the international community and organisations; and the regional Arab environment. Just like at other times, of course, the domestic decision-making context is the funnel through which these and other inputs were translated into policy formation.

1.1. The international community and international organisations

As chapter 2 made clear, the international environment including international governmental organizations (IGOs), always forms part of the explanatory mosaic for a state's, and indeed Kuwait's, foreign policy. In the period in question for the case of Kuwait's Iraq policy, this was more evident than ever. As discussed in Chapters 4 and 5, the United Nations (UN) played an essential role in the Gulf crisis in 1990 through its issuance of 12 resolutions condemning the Iraqi invasion of Kuwait and authorizing the International coalition to liberate Kuwait in 1991. This UN role became integrated into Kuwaiti policy: the country's approach to Iraq since 1991 until the present time has been based on UN resolutions. The UN's role as a pillar of Kuwaiti sovereignty and territorial integrity, and the UN-legitimated requirements regarding the 'outstanding issues' between Kuwait and Iraq, of which more later. UN resolutions also became the basis for the improvement in Kuwait's relationship with other countries, based on their positions

towards the ‘outstanding issues’ between the two countries. Since Kuwait’s liberation, these ‘outstanding issues’ and their treatment remained the foundation of Kuwaiti behavior toward Iraq. Iraq procrastinated about implementing UN resolutions for more than a year and a half, especially dragging its feet over resolution No. 833 (1993), on the demarcation of borders and UN resolutions for the OFF program, which resulted in the deterioration of the Iraqi people’s humanitarian situation. Thus, Kuwait has sought at both the regional and the international level to urge states to put pressure on Iraq to implement UN resolutions between Kuwait and Iraq for the stability of the region.

1.2. The regional Arab environment

Given Kuwait’s location and the role of Arab identity across the Arab region, this Arab environment obviously plays a significant role in shaping the political and security dimensions of Kuwait’s foreign policy. A member of the Arab League, Kuwait cannot isolate itself from the Arab world. While the Arab League was one forum where support had to be acquired for the country’s liberation, it was also inescapable that nearly half the member states had failed to lend their support. This made for a difficult set of relationships from 1991. An initial refusal to engage began to change from 1996, when relations with the so called “*duwal ad-ḍidd*” or ‘Opponent States’ began to thaw, as an initial step towards containing Iraq and avoiding isolating Kuwait from the Arab world. It was in Kuwait’s interests to restore relations with these countries in order to gain Arab support against Iraqi threats, and to challenge the Iraqi media campaign in these countries, which has accused Kuwait of being behind the economic embargo on Iraq and the consequent humanitarian suffering of the Iraqi people. Yet effecting this shift was not straightforward, given feelings in Kuwait itself, not least among some key players in the decision-making system.

1.3. The domestic decision-making environment

As already noted in Chapter 4, the above question was one where a division was apparent at the highest levels, as well as in the National Assembly. There is no scientific way of ascertaining what the wider popular views were on the matter, but given the bitterness felt

by many about those perceived to have failed Kuwait in its hour of need, and the position taken by some prominent MPs against restoring relations, it is plausible to assume that the latter's position did reflect the presence of similar views amongst significant numbers of their constituents. Certainly the Assembly made its presence felt from its reconvening in 1992. Sheikh Sabah was temporarily removed from his position as Foreign Minister that year, because of government worries over the Assembly's 'interpellation' rights against the government in relation to the Iraqi invasion. The Assembly also formed an investigation committee called 'Fact-Finding Commission on the Causes of the Iraqi invasion of Kuwait', which summoned Kuwaiti officials who had been in office to question them about the circumstances that led to the invasion.¹

When it came to the question of restoring relations with the 'Opponent States', strong feelings were again evident. Then MP Saleh Al-Fadhala has commented: 'After the liberation of Kuwait, Yemeni delegation came to Kuwait' in order to meet MPs 'to talk about the resumption of relations [...] I refused this delegation permission to enter the hall of Kuwait National Assembly and the MPs also refused all the agreements between Kuwait and these states'. He adds: 'The Tunisian President ... sent a negotiator to me in 1994 in order to convince me to repair the relations between two countries. I asked him to present an official written apology to the Kuwaiti people in order to restore relations'.²

Mahmoud Abbas, the Palestinian president, also attributed the reason for the slow resumption of Kuwaiti-Palestinian relations to 'some political parties and MPs at the Kuwait National Assembly' adding that he felt 'those impeded the Kuwaiti Foreign Minister, Sheikh Sabah Al Sabah, in the re-opening of the Palestinian embassy in Kuwait'.³

As note earlier, however, it is telling that this happened at a time when the top of the regime was also divided, with Sheikh Saad objecting to normalization, and Sheikh Sabah in favour. At the same time, it would be just two years into the increasingly obvious eclipsing by Sheikh Sabah of Sheikh Saad as a result of the latter's illness, that the Assembly in 1999 went along with Sheikh Sabah's preference.

¹ *Alam alyawm* newspaper, 'Facts and Mysteries of Iraqi invasion of Kuwait', Kuwait, 29 July 2007. <http://www.alamalyawm.com/ArticleDetail.aspx?artid=2707>

² Author's interview with Salah Al-Fadhala, September 2011.

³ Author's interview, 2011.

2. Kuwait Foreign Policy towards Iraq from 1991 until 1998

2.1. Iraqi Recognition of the Kuwaiti-Iraqi frontiers as per UN resolution no. 833 of 1993 and the crisis of 1994

Following the demarcation of frontiers between the two countries, Kuwait welcomed UNSC resolution No. 833 of 1993 and called for Iraq to accept this resolution without any condition or restriction.⁴ However, Iraq refused to recognize this resolution and launched a huge campaign to raise doubts among Arab and international public opinion concerning the task of the UNIKBDC. On 21/5/1992, Iraq sent a letter to the UN rejecting recognition of the agreed 'Minutes of 1963' signed between the two countries on the assumption that the Iraqi National Assembly, the legislative power, did not ratify the said treaty; despite the fact that Iraq since the signing of 1963 treaty had no legislative council until the end of 1970s due to the military coups since 1958. Therefore, Kuwait officially responded to the Iraqi letter with its own letter to UN as follows:

1. Kuwait affirmed that Oppenheim, the international law expert, had stated 'should it be an exchanged Protocol, Declaration or Notes, then it may not be ratified unless otherwise is provided for so long as any of these tries do not increase or add any specific point or record the agreement of both parties to the interpretation of one paragraph of the original treaty'. Thus, the letter declared that the agreed Minutes of 1963 do not remove frontiers or establish alternatives; rather, it is a re-recognition of frontiers that were previously agreed upon in the 1932 Exchange of Letters. Kuwait added that the Iraqi letter had been rejected under international customs that allow countries to intervene in the internal affairs of other countries on the assumption of examining the agreement.
2. The contracting parties (Iraq and Kuwait) executed most items of these Minutes immediately after signing the same, such as political re-recognition, exchanging diplomatic representation, establishing commercial and economic agreements, etc.

⁴ Panel of Specialists, *Demarcation of the International Boundary Between The State of Kuwait and the Republic of Iraq By the UN*, 1993. Op. Cit. p.190.

The Kuwaiti part provided financial assistance with KD 30 million as per the agreement.

3. The Minutes of 1963 do not require any ratification because this treaty does not provide the necessity of this ratification, as all other treaties signed with Iraq (except those related to frontiers) expressly provide and stipulate that it must be ratified, including Bilateral Cooperation Protocol between Iraq and Kuwait. Therefore, the non-existence of this text in the documents related to frontiers between the two countries is a strong presumption that the ratification is not required.
4. The Minutes of 1963 were registered in the UN Secretary General on 10/1/1964 without any objection to this treaty on the grounds that it has not been ratified.⁵

In this period, Kuwait started to focus on UNSC members to press Iraq to accept its resolution No. 833, especially because Kuwait faced a problem regarding trespassing on the Demilitarized Zone of Kuwaiti-Iraqi frontiers, estimated at 35 incidents between 1/4/1991 and 20/11/1993.⁶ This was evident in the reports of Secretary –General of UN when the UNIKOM mandate was expanded on 5th February 1993, following a series of incidents on the newly demarcated boundary.⁷ However, Iraq created a crisis on the Kuwaiti-Iraqi frontiers through deployment of its military forces, with 60,000 to 100,000 at the northern frontiers of Kuwait on 6/10/1994. At the end of a joint meeting presided over by the Iraqi president of the Ba'ath Party, the official Iraqi spokesman declared that ‘the Iraqi leadership is discussing the adoption of a new stand that will enable Iraq to get rid of the embargo already imposed on Iraq’.⁸ On the political level, Kuwait presented this issue to the UNSC and there was diplomatic movement on the Arab and international

⁵ Centre for Research and Studies on Kuwait, *Rad Dawlat il-Kuwayt 'alal 'idi'a'āt il-'irāqīya al-warida fī mudhakkarat wazīr al-kharījīyih al-'iraqī 'ilal 'amīn il-'ām lil 'umam il-motaḥida bitārīkh 21 Māyo 1990*, ‘Reply of the State of Kuwait to the Iraqi Allegation Contained in the Memo of the Iraqi Minister of Foreign Affairs to UN Secretary General Dated 21/5/1992’, Kuwait, 1994. p.21.

⁶ Al Watan Information and Studies Center, ‘Iraqi Aggressions on the Kuwaiti Frontiers’, Classification No. 4-6/16, dated 21/11/1993, Kuwait.

⁷ Security Council, ‘Report of the Secretary –General on the United Nations Iraq-Kuwait Observation Commission’ from 1994 to 2003, Reports of the Secretary –General, available online at <http://www.un.org/Docs/sc/>; The UNIKOM was established in 1991(687) and terminated in 2003; available online at <http://www.un.org/en/peacekeeping/missions/past/unikom/background.html>

⁸ Centre for Research and Studies on Kuwait, *The Iraqi Mobilization on Kuwait Borders: A Documentary Study*, Op.Cit.p.99.

levels to counter the Iraqi threats. On the military level, Kuwait mobilized 20,000 Kuwaiti soldiers on its northern border. The official spokesman of the Kuwaiti Ministry of Foreign Affairs stated that, ‘the suffering of the Iraqi people is the responsibility of the Iraqi regime itself because it did not observe UNSC resolutions 706 and 712 dealing with the issue of the Iraqi people’s needs for food and medication’.⁹ In fact, as mentioned in Chapter 6, the deterioration of humanitarian situation in Iraq was because Iraqi refusal to OFF program from 1991 to 1995. On 15/10/1994, UNSC unanimously issued resolution no. 949, wherein it condemned the Iraqi military deployment and demanded that Iraq immediately withdraw its military to their original position and recognise Kuwait’s sovereignty with its frontiers in accordance with resolution no. 833.¹⁰ On 17/10/1994, Mohammed Abu Al-Hassan, Kuwaiti representative to the UN, determined thirteen of Kuwaiti demands from Iraq, the most important of which are as follows:

1. Official recognition of Kuwait’s sovereignty, independence and territorial integrity;
2. Recognition of Kuwait’s international borders as laid down in resolution 833 (1993);
3. These two recognitions should be fully documented through Iraq’s constitution channels, published in Iraq’s *Official Gazette*;
4. The remaining Kuwaiti prisoners and Kuwaiti properties stolen must be returned;
5. Iraq must fulfil its obligations related to payment of compensation under section E of UN Security Council Resolution no. 687;
6. The destruction of all Iraq’s weapons of mass destruction; refraining from terrorism or from supporting terrorism and pursuing a policy of suppressing or violating human rights.¹¹

This crisis ended on 23rd October 1994, when Iraq withdrew its forces from Kuwaiti borders after facing international pressure and condemnation. Moreover, Iraq recognized Kuwait’s sovereignty with its frontiers in accordance with resolution no. 833 on

⁹ Ibid. p. 111.

¹⁰ Security Council, ‘Resolution 949 (1994) Adopted by the Security Council at its 3438th meeting, on 15 October 1994’, S/RES/949, 15th October 1994, United Nations.

¹¹ Security Council, ‘3439th Meeting Monday, 17th October 1994, 11 a.m. New York’, S/PV.3439, United Nations, pp.16-18.

10/11/1994 through the recognition of the Iraqi government and the Iraqi National Assembly in resolution 833, published in Iraq's *Official Gazette*.¹² On 23/8/1995, King Hussein of Jordan affirmed in his speech to the Jordanian people that Lt. Gen. Hussein Kamel al-Majid, Iraq's Minister of industries, after his defection against Saddam's regime in 1995, had informed him that Iraq had discussed and planned to attack Kuwait and Saudi Arabia at the highest level during that period.¹³

2.2. *Kuwait's containment policy towards Iraq from 1995 to 1998*

After the recognition of Iraq in resolution 833, Kuwaiti policy focused on compelling Iraq to implement the remaining resolutions of the UNSC related to 'the situation between Iraq and Kuwait'.

During that period, Iraq started successful political movements on the Arab and international levels to break the international and Arab isolation through resumption of its relations with the neighbouring countries. At the Gulf level, Qatar nominated its ambassador to Baghdad and an Iraqi Ambassador was appointed at Doha in 1993. At the Arab level, Egypt sent a diplomatic delegation to Baghdad on 10/3/1993. At the regional level, Turkey decided to open its embassy in Baghdad and Iraq endeavoured to improve its relations with Iran. At the international level, Iraq tried to open new channels with the USA and the UK, but such initiatives failed.¹⁴ Within the light of these variables, Kuwait from 1996 started, as we have already had occasion to point out, to explore re-booting its relations with what were called the 'opponent countries' ("*duwal aq-didd*"), which had not supported Kuwait after the invasion, in order to contain Iraq. These countries, as previously mentioned were Jordan, PLO (greatest opponents), Yemen, Sudan (mild

¹² Centre for Research and Studies on Kuwait, *The Iraqi Mobilization on Kuwait Borders: A Documentary Study*, Op. Cit. p.210.

¹³ Hassan, Haytham Hassan, 'As-Siyāsa al-khārijīya al-'urdunīyah tijāh al-'irāq min 1990 'ilā 1998', 'Jordanian Foreign Policy towards Iraq from 1990 to 1998', unpublished Master's Thesis, Jordanian University, Jordan, Ayar 2000. p. 176.

¹⁴ Kuwait National Assembly, 'Muḥawalāt an-nizām il-'irāqī Fak il-'uzla ad-Duwalīya', 'Attempts of the Iraqi Regime to Dismantle International Isolation', unpublished Report, Kuwait, 2 April, 1997. p.13.

opponents), Mauritania, Libya, Algeria and Tunisia (lesser opponents).¹⁵ The Policy of Rapprochement with these countries led to a major collision between the Crown Prince, Sheikh Saad Al-Sabah, who did not support it, and the Foreign Minister, Sheikh Sabah, who did.¹⁶ As pointed out earlier in this chapter, a number of those states had approached Kuwait within the first few years but had been rebuffed, not least by the National Assembly. However, at the beginning of 1996, a more insistent approach became evident when they appealed to Iraq to fully implement the international resolutions related to the Iraqi invasion of Kuwait. For instance, Abdul Karim Al Kabbariti, the Jordanian Prime Minister, declared, ‘Kuwait suffered the most awful aggression against its independence, security, territories and people in 1990, so it has the right to adopt all necessary measures to rebel against any aggression and to protect its security and to defend the safety of its people and the integrity of its territories’¹⁷. Further, he declared that the threats made by Tariq Aziz, the Iraqi Deputy Prime Minister, in 1996 were considered as ‘an act of war’.¹⁸ As already noted, Sheikh Sabah was firmly in favour of responding positively, as part of a strategy to contain Iraq and pre-empting Kuwait’s own isolation. However, even while pursuing incremental steps to push this agenda, Sheikh Sabah found himself held back initially by Sheikh Saad and opponents in the National Assembly.

Former foreign minister Al Shaheen comments: ‘these countries felt isolated, especially with the GCC countries ... So they pressed for the restoration of relations with Kuwait... the restoration of relations with these countries were not in order to isolate Iraq, but the target was to make friends’.¹⁹

The rebuilding of relations began in 1997 – not coincidentally the year when Sheikh Saad’s illness removed much of his power to shape events. It began with the resumption of

¹⁵ Kuwait News Agency (KUNA), ‘The Positions of the Coalition Countries and other States’, Vol. 2, 1991, Kuwait; Al Shayji, Abdullah, ‘Kuwait and Opponent Countries: Is It Time?’ *Al Watan Newspaper*, 7/6/1997, Kuwait.

¹⁶ Wikileaks, ‘The Rift Between The Crown Prince And Foreign Minister’, Reference ID: [96kuwait4046](https://www.wikileaks.org/origin/117_0.html), Confidential, [EmbassyKuwait, 1996-06-30](https://www.wikileaks.org/origin/117_0.html), available online at http://www.wikileaks.org/origin/117_0.html

¹⁷ Al Watan Information and Research Center, ‘Iraqi Threats’, Classification No. 4-6/11, dated 15/9/1996, Kuwait.

¹⁸ Ibid.

¹⁹ Author’s interview with Suleiman Majed Al Shaheen, former Kuwaiti Minister of State for Foreign Affairs, in Kuwait City, on Thursday 16th June 2011.

flights and visits by public delegations, businessmen and academic staff as a precursor to the resumption of relations. In 1999, relations were officially resumed with the approval of the national Assembly, with the exchange of embassies with these countries and appointing ambassadors from both sides, except for the PLO.²⁰ However, when Mahmoud Abbas came to power and presided over the PLO following the death of Yassar Arafat, former Palestinian President, relations were resumed between Kuwait and Palestine after his first visit to Kuwait at the end of 2004. Relations were reinforced when Sheikh Ahmad Fahed Al Sabah, the Chairman of the Kuwait National Security Bureau, paid a ‘historical visit’ to the Palestinian occupied territories on 22/3/2009.²¹

The policy of re-engagement became a successful component in Kuwait’s campaign internationally to isolate Iraq and put pressure on the Iraqi government to implement the UN resolutions.²² Yet there were a number of additional factors that had brought Kuwait – and in particular Sheikh Sabah, to the conclusion that this was the way forward. For one, it was known that all coalition forces had resumed relations with these ‘opponent countries’ except Kuwait. Some of the coalition, not least the US, had specifically advocated such a resumption in relations. For instance, Robert Pelletreau, US Assistant Secretary of State, pointed out that it was high time to consider reconciliation with Jordan to achieve supreme strategic interests.²³

The conditions Kuwait, in the event, set out for the resumption of relations with these included the following:

1. Official apology and acknowledgment of their mistake by these countries. Further, these countries must provide justifications and observe the pact of the Arab League.
2. Pressure on Iraq to observe all UN resolutions, particularly those related to the situation between Kuwait and Iraq.

²⁰ Al Watan Information and Studies Center, ‘Relations with Jordan’, Classification No. 5-2/6, dated 2/3/1999, Kuwait.

²¹ *Al Watan* newspaper, issue No. 11924, Sunday, dated 22/3/2009, Kuwait. p.10.

²² Terrill, W. Andrew, Op. Cit. pp.44-45.

²³ Al-Enezi, Abdullah and Saher, Abdullah, Op. Cit. p.51.

3. Condemnation and rejection of the Iraqi aggression towards Kuwait. These acts must be clear, without contradictory interpretation or clarification.
4. Respect of the international legitimacy and supremacy of each State and its right to its natural wealth as well as to safeguard means of self defence and the measures already adopted by Kuwait for liberation.²⁴

Judging by the results, it did not appear that the countries in question had an issue with these, although the precise phrasing of statements regarding the first point will have been modulated. Indeed, as we have seen, some had already offered similar statements to that effect as part of their own campaign to resume relations.

3. Kuwait Foreign Policy towards Iraq from 1998 to 2001

3.1. The 1998 Crisis and Kuwaiti moves to counter the Iraqi threat

Iraq dismissed the UNSCOM inspectors in December 1998 following a series of tensions between Iraq and the UNSCOM, which resulted in the USA and Britain launching military attacks against Iraq in ‘Operation Desert Fox’ from 16-19 December 1998,²⁵ which reflected on Kuwait due to its geographic location. Over the seven years from 1991 to 1998, relations between Iraq and UNSCOM witnessed numerous crises, at an average of one crisis each month. Therefore, the situation was described as ‘a crisis gives birth to another’.²⁶ One of the most important confrontations between Iraq and UN inspectors was that of April 1991 when UNSCOM accused Iraq of negative cooperation.²⁷ Further crises occurred during the period from October 1997 to December 1998, the most important of which were:

²⁴ Al-Enezi, Abdullah and Saher, Abdullah, ‘Al-kuwayt wa ‘alaqātiha ma’ “duwal id-ḍid”: Dirāsa maydaniya’, ‘Kuwait and Its Relations with Opponent States: Field Study’, *Al Mustaqbal Al Arabi Journal*, issue No. 245, Centre for Arab Unity Studies, Beirut, July 1999. p. 50.

²⁵ Cordesman, Anthony H., ‘The Military Effectiveness of Desert Fox: A Warning About the Limits of the Revolution in Military Affairs and Joint Vision 2010’, Op. Cit. p.7.

²⁶ Registry of Current Events in the Gulf & Arabian Peninsula Region, ‘Iraq’s tense Relation With The United Nations’, Op. Cit. p.15.

²⁷ Katzman, Kenneth, Op. Cit. p.1.

1. The crisis of October 1997 when Iraq refused to allow the inspectors to oversee some Iraqi locations.²⁸
2. The crisis of November 1997 (known as the 1998 February Crisis) when Iraq moved to bar inspectors to visit some ‘sensitive presidential locations’.²⁹
3. The crisis of August 1998, when Iraq suspended its cooperation with UNSCOM and ceased its work in Iraq except with the IAEA in October.³⁰

Richard Butler submitted a letter to the UNSC on 15/12/1998, indicating that Iraq had not cooperated with the international inspectors and had placed hindrances and new restrictions on them.³¹ Accordingly, the USA and UK launched a military operation ‘Desert Fox’ for 70 hours from 16th to 19th December 1998 against Iraqi military targets.³² This operation sparked outrage among Arab and Islamic people, particularly against Kuwait and Saudi Arabia, due to the Iraqi accusations that American and British planes flew from both Kuwaiti and Saudi territories to bombard Iraq,³³ which resulted in terrorist threats to Kuwait after this operation. The Iraqi President appealed to the Arab people to overthrow the Arab rulers and described them as ‘agents to the West’ in the celebration of ‘Army Day’ on January 1999. The Kuwaiti Crown Prince, Sheikh Saad AlSabah, refuted the threats of the Iraqi President, saying, ‘aggressive intents are always present in Saddam Hussein's regime. His attacks against Arab leaders are not new because abuse and insults and conspiracies are tools which the Iraqi regime uses against all those who do not follow

²⁸ Zarnoqa, Salah Al Salem, ‘Majlis at-ta’āwun il-khalījī wal mas’alah al-‘irāqīyah’, ‘GCC and Iraqi Issue’, *Al-Siyassa Al-Duwaliya Magazine*, issue No. 136, Cairo, April 1999. p. 132.

²⁹ These locations are eight, viz: (1) The Republican Palace at Baghdad, (2) Al Radwania Presidential location at Baghdad, (3) Al Sujood presidential location at Baghdad, (4) Tukrit Presidential location, (5) Atharsar Presidential location, (6) Miguel mountain presidential location (7), Al Basra presidential location, (8) Al Mosul presidential location.

³⁰ Art, Robert J. and Patrick M. Cronin, ‘The United States and Coercive Diplomacy’, United States Institute of Peace, Washington D.C, 2003. p. 288.

³¹ Security Council, ‘Letter dated 15 December 1998 from the Executive Chairman of the Special Commission established by the Secretary-General pursuant to paragraph 9 (b) (i) of Security Council resolution 687 (1991) addressed to the Secretary –General’, S/1998/1172, United Nations; available online at <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N98/395/75/IMG/N9839575.pdf?OpenElement>

³² Masoud, Ahmed Ibrahim, ‘‘amalīyat tha‘lab as-saħra’: tatawwurāt wa nata’ij al-muwājaha al-‘askarīya fil khalīj’, ‘Desert Fox Operation: Developments and Results of Military Confrontation in the Gulf’, *Al-Siyassa Al-Dawliya Magazine*, Issue No. 135, Cairo, January 1999.p. 172.

³³ Terrill, W. Andrew, Op. Cit. p.45.

it'.³⁴ In February 1999, the Iraqi president threatened Kuwait and Saudi Arabia, saying that they would pay a 'high price' for allowing coalition forces to bombard Iraq and promising to attack the military bases in Kuwait and Saudi Arabia from which US fighters flew to control no-fly zones. Hence, there was severe attack from Gulf newspapers against Iraqi threats.³⁵

Kuwait officially denied the Iraqi accusations and reiterated that it had nothing to do with this crisis between Iraq and the UN because Iraq had ignored the relevant UNSC resolutions.³⁶ Abdul Aziz Al Adsani, the Chairman of Foreign Affairs Committee at the Kuwait National Assembly, stated that 'the feelings of the Kuwaiti people are with the Iraqi people and we pray to God to save them from all calamities. Our differences are with the present Iraqi regime.'³⁷ On the Arab level, the Prime Minister of Jordan, Faiz Al Tharouna, declared, 'the current crisis is not between Iraq and Kuwait; rather it is between Iraq and the UN regarding the international inspection team and how to continue inspection operation'.³⁸ The GCC States published a statement wherein they condemned the Iraqi threats and confirmed that the reason for the crisis was Iraqi reluctance to cooperate with UNSCOM.³⁹ Thus, Kuwait was able to mobilise Arab support against Iraqi threats due to its 'open-door' policy with the *duwal ad-didd* since 1996.

Saddam Hussein threatened Kuwait once again in his speech dated 8/8/2000 on the occasion of the ceasefire with Iran. He claimed that Kuwait and Saudi Arabia had offered their territories to the US troops to bombard Iraq, prompting Kuwait to submit a letter to the UN against the threats made by him.⁴⁰ This threat was also presented to the Arab, Gulf and International States, which appealed to Iraq to stop its threats against Kuwait. In addition, the Secretary General of the Arab League called for Iraqi threats to be suspended

³⁴ Cordesman, Anthony H., 'The Air Defense War Since Desert Fox: A Short History', Center for Strategic and International Studies, Washington D.C, 1999. pp. 7-12.

³⁵ Ibid., p. 26.

³⁶ Al Watan Information and Studies Center, 'Iraqi Threats', No. 4-6/16', dated 15/2/1999. Op.Cit.

³⁷ Ibid, dated 18/12/1998.

³⁸ Al Watan Information and Studies Center, 'Crisis of December 1998', Classification No. 4-10/5, dated 25/12/1998, Kuwait.

³⁹ Registry of Current Events in the Gulf & Arabian Peninsula Region, issue No. 5, *Center of Gulf & Arabian Peninsula Studies*, Kuwait University, Kuwait, 1998. pp. 39 – 43.

⁴⁰ Al Watan Information and Studies Center, 'Crisis of December 1998', dated 9/8/2000. Op.Cit.

at a time when the Arab league was endeavouring to achieve national reconciliation and purify the Arab atmosphere.⁴¹

In September 2000, Naji Sabri Al-Hadithi, Iraqi Minister of Foreign Affairs, sent letter to UN Security-General Kofi Annan, accusing Kuwait of ‘looting the Iraqi oil from the southern section of Iraq’ (Al-Rumaila oilfield) via horizontal drilling. On 14th December, Iraqi Minister of Oil, Amer M. Rashid estimated the ‘stolen oil’ at 300 – 350,000 barrels per day. Kuwait responded to these claims under the following points:

1. Iraq did not submit any documents, evidence or scientific studies confirming the validity of its allegations despite occupying Kuwait for seven months and its complete control on the Kuwaiti oil capabilities as well as perusal of the Kuwait oil archive and its knowledge of the oil fields and their natural characteristics.
2. Kuwait affirmed that it had never confessed to stealing Iraqi oil, as claimed by Iraq, and stated that the UNIKBDC had confirmed that Iraq was utilizing ten 10 oilfields located inside the Kuwaiti territories without having the right to do so. Consequently, these oilfields were returned to Kuwait.⁴²
3. On 18 December 2000, Kuwait officially declared the invalidity of the Iraqi claims and welcomed any ‘neutral concerned entity’ to inspect the oilfields adjacent to Kuwaiti-Iraqi frontiers on both sides to establish the validity of the these claims, which would not require more than few months to solve the difference between Kuwait and Iraq, similar to what happened between Britain and Norway in the North Sea.⁴³

Sheikh Saud Al Sabah, the Kuwaiti Minister of Oil, affirmed that Kuwait was unable to drill horizontally as claimed by Iraq, as this work required costly and sophisticated technology and all activities carried out on the frontiers were conducted in the presence of UNIKOM. He added that the oil production from Al Ratqa oilfield does not exceed 43,000

⁴¹ Ibid, dated 14/8/2000.

⁴² Centre for Research and Studies on Kuwait, *Objective and Scientific Vision in Iraq’s accusation for Kuwait of Stealing Its Oil*, Op.Cit.pp.10-12.

⁴³ Ibid. p.14.

barrels per day and this production is well known to specialist oil companies and OPEC and represents 2% of the daily oil production of Kuwait.⁴⁴

Kuwait responded to the Iraqi letter with its own letter from Sheikh Sabah Al Sabah, Foreign Minister of Kuwait to Kofi Annan, wherein it pointed out that ‘any investment business carried out by Kuwait to exploit and develop its resources and natural wealth at any location is made within its internationally recognized frontiers...Iraq has intensively produced oil for more than 40 years from Al Rumaila and Zubair oilfields before 1990; at that time Kuwait had very little oil, which resulted in depletion of the oil stock from oil reserves and the migration of oil from the Kuwaiti side to the Iraqi side’ Kuwait considered the Iraqi letter as a threat to the stability of the region.⁴⁵

3.2. *Kuwaiti Stance regarding the Kuwait-Iraq case and reconciliation with Iraq (2000 – 2001)*

This period was characterised by the movement of Kuwaiti diplomacy on the Arab and international levels to explain its position on Iraqi issues such as economic sanctions, the military attacks against Iraq beyond the resolutions of the UNSC and the ‘situation between Iraq and Kuwait’.

In 1997, at the 8th OIC Summit in Tehran, Iraq had endeavoured to delete the words ‘aggression, occupation, invasion’ related to Kuwait liberation war in the final statement of the OIC and replace the same with the phrase ‘the situation between Iraq and Kuwait’. However, Kuwait rejected the Iraqi demand at that time because it was concerned by Iraq’s lack of commitment to implement the UN resolutions in the case of change.⁴⁶ However, on November 2000, Kuwait accepted the Iraqi demands to entitle the ‘Kuwaiti-Iraqi file’ as ‘The situation between Iraq and Kuwait’ instead of the words mentioned above in the final statement of the 9th OIC Summit in Doha. Thereafter the word ‘situation’ became an essential word in all statements of Arab and Islamic Summits. This change in Kuwaiti stance was cleared by Sulaiman M. Al Shaheen, the former Kuwaiti Minister of State for

⁴⁴ Ibid. p. 15.

⁴⁵ *Al Rai Al Aam* newspaper, Issue No. 12524, Friday, 5/10/2001. Kuwait.

⁴⁶ *AlAnbaa* newspaper, Issue No. 9266, Monday, 25/2/2002. Kuwait. p.10.

Foreign Affairs, in 19/2/2000, when he stated that ‘the resolutions of the UNSC were issued under the name of this title’. Further, Khaled Al Jarallah, the Undersecretary of the Ministry of Foreign Affairs, affirmed on 4/12/2000 that ‘changing the name of the Iraqi aggression to Kuwait in 1990 to ‘the situation between Iraq and Kuwait’ is a formal issue that does not relieve Iraq from implementing international resolutions, particularly those related to the release of the Kuwaiti prisoners of war’.⁴⁷

At the beginning of 2001, some Arab and Islamic States tried to find reconciliation between Kuwait and Iraq. Thus Kuwait determined three essential conditions to enter into negotiations with the Iraqi regime:

1. Iraq must submit guarantees that it will not invade or threaten Kuwait.
2. UN resolutions must be implemented and prisoners of war must be released.
3. An apology must be issued to the Kuwaiti people.⁴⁸

Iraq rejected the last Kuwaiti demand concerning an apology, which prompted Kuwait to abandon this request and adhere to other demands, as evident in the words of Sheikh Dr. Mohammed Sabah, the former Minister of State for Foreign Affairs, who stated ‘Where did you hear that we are insisted on the apology condition? Our demands are clear, namely the security, existence, independence and supremacy of Kuwait... I am speaking about guarantees’.⁴⁹

These developments urged Kuwait to move on the Arab level to explain its position on the Iraqi issues during the visits made by Sheikh Sabah Al Sabah, the Kuwaiti Minister of Foreign affairs, as follows:

1. Kuwait respects the integrity and sovereignty of Iraqi territories and had never been party to the sanctions imposed on Iraq, which were imposed by the UNSC rather than Kuwait.

⁴⁷ Ibid. p.10.

⁴⁸ Al Watan Information and Studies Center, ‘Reconciliation with Iraq’, Classification No. 25 – 1/5, dated 12/1/2000, Kuwait.

⁴⁹ Ibid, Classification No. 2-2/6, dated 25/6/2001.

2. Kuwait sympathizes with the suffering of the Iraqi people and supports the call to lift the embargo imposed upon Iraq. Hence, Kuwait has no objection to any initiatives designed to mitigate these sufferings.
3. Kuwait does not object to the release witnessed by the economic and political relations between Iraq and some Arab countries.
4. The Kuwait relationship with Iraq is not prohibitive to discussions.
5. Kuwait highlights the necessity of implementing UN resolutions related to the 'situation between Kuwait and Iraq'.
6. Kuwait does not insist on having an 'official apology' from Baghdad; it would suffice to have security guarantees that would prevent the repetition of the calamity in 1990.
7. Kuwait accepts the call to lift the embargo from Iraq, denounces the 'no fly zones' in the south and north of Iraq and objects to the attack of Iraq outside UNSC Resolutions.⁵⁰

In March 2001 and before the Arab Summit in Amman, Kuwait announced that 'the position of Kuwait is clear regarding lifting the sanctions on Iraq and its people and stopping the Iraqi sufferings'.⁵¹ At this Summit on 27-29 March 2001, Arab countries endeavoured for the first time to find reconciliation between Kuwait and Iraq via creating a 'Conciliation Formula' to be acceptable to both parties. Thus, Arab countries formed several 'mediation committees' between the Iraqi and Kuwaiti delegates that finally concluded the 'final formula' accepted by sixteen Arab States. This formula included three main principles:

First: affirming respect of the Arab League Charter and objectives, maintaining Arab national security based on the respect of the safety and supremacy of its state on its territories, resources and oilfields, non-intervention or permitting intervention in the

⁵⁰ Abu Dahab, Fattouh, 'At-taharruk ad-diplumāsi al-Kuwayti: ad-dalālāt wal nata'ij', 'Kuwait Diplomatic Movement: Indications & Results', *Sho'oun Khalijia Journal*, No.. 26, The Gulf Centre for Strategic Studies, London, Summer 2001..p.54.

⁵¹ Al Watan Information and Studies Center, 'Arab Summits', Classification No. 32 – 4/1, dated 25/3/2001, Kuwait.

internal affairs of Arab countries. Furthermore, threats or force may not be used against Arab countries; rather, disputes must be settled by peaceful means via negotiation and discussion employing the vehicles of dispute settlement.

Second:

a. Confirming on the respect the independence and supremacy of Kuwait as well as the safety and integrity of territories within its internationally recognized frontiers. Further, Iraq should not interfere in the internal affairs of Kuwait and it should be incited to adopt sufficient policies to respect this obligation.

b. Confirming respect of the independence and supremacy of Iraq and the integrity of its territories and territorial safety in addition to non-intervention in its internal affairs as well as calling for suspension of all acts trespassing on its supremacy and threatening its safety, particularly those committed beyond the scope of the UNSC Resolutions, especially military attacks.

c. Inviting Iraq to fully implement all international resolutions of the UNSC to find a quick and ultimate solution to the issue of the Kuwaiti Prisoners of War and other detainees as well as the return of all Kuwaiti properties.

d. Calling for finalizing outstanding issues concerning weapons of mass destruction and surveillance methods via negotiations between Iraq and the Security Council to complete all obligations as soon as possible in accordance with the respective UN Security Council resolutions in order to establish a zone free of weapons of mass destruction in the Middle East.

Third:

a. Calling for a lifting of the sanctions imposed on Iraq.

b. Adopting necessary measures to resume air flights with Iraq.

- c. Calling for cooperation with respect to the information already submitted by Iraq regarding Iraqi prisoners of war under the sponsorship of the international Red Cross Committee⁵².

Kuwait promptly accepted the ‘Conciliation Formula’, while Iraq rejected the same, requesting that the phrase in Paragraph C of the second item calling for ‘execution of all international resolutions’ be replaced by ‘execution of resolutions only’. Further, the Iraqi delegation considered paragraph A of the second item ‘calling Baghdad to adopt sufficient policies to respect the supremacy and independence of Kuwait’ as a clear accusation of the Iraqi intentions towards Kuwait.⁵³

According to Sheikh Sabah, ‘The Amman Summit convinced all Arab leaders that Kuwait does not constitute an impediment before lifting the sanctions imposed on Iraq as some Arab leaders believed. Further, Iraq would like to put an end to the sanctions so that the current situation will continue and enable Iraq to control the community via a food share system’. He added that ‘Iraq refused to form a committee from five Arab Ministers of Foreign Affairs to contact the UNSC to lift the sanctions imposed on Iraq’. He claimed that ‘the UN Secretary-General stated that there are is less than \$600 million ready for Iraqi imports for food and medication, but the Iraqi leadership only requested \$34 million, as they desire to maintain the sanctions for propagandist purposes. Consequently, the Amman summit endeavoured to deprive the Iraqi leadership of this propagandist weapon and in this way, all Arabs will know who is responsible for the continued suffering of the Iraqi people’.⁵⁴

Talib Al Rifai, the Jordanian Minister of Information, held the Iraqi delegation responsible for not concluding the formula that was unanimously accepted by the other Arab States and by Kuwait. He asked: ‘Kuwait has accepted lifting the sanctions, what about other countries?’⁵⁵ Dr. Esmat Abdel Majid, Arab League Secretary–General, confirmed that

⁵² Middle East Studies Center, ‘ Jordan & Arab Summit Presidency: Challenges & Prospects: March 2001-2002’, issue No. 16, Jordan, 2001.p.6.

⁵³ Al Watan Information and Studies Center, ‘Arab Summits’, dated 29/3/2001. Op,Cit.

⁵⁴ Interview with Sheikh Sabah Al Sabah, Kuwaiti Minister of Foreign Affairs with *Asharq Al Awsat* Newspaper; Centre of Iraq for Studies, ‘ Iraqi file’, Issue No. 114, 2001. p. 21.

⁵⁵ Al Watan Information and Studies Center, ‘Arab Summits’, dated 29/3/2001. Op.Cit.

‘Iraqi endeavoured to hold Kuwait responsible for the failure of the Arab summit in Amman with respect to concluding a solution for what is called ‘The situation between Iraq and Kuwait’ - this is unacceptable.⁵⁶

Several factors incited Kuwaiti diplomacy to move concerning the Iraqi file during this period. First, there was the weakness of the international coalition that was formed following the liberation of Kuwait in 1990 for several reasons, including but not limited to:

- Contradiction of political and economic interests among coalition members, particularly the States having permanent membership in the UN Security Council. In this respect, the US and Britain adopted one opinion while Russia, France and China adopted another.
- The lengthy period of embargo and the collapse of US anticipation to dethrone the Iraqi regime.
- The sufferings of the Iraqi people as a result of the embargo that lasted more than 10 years and the death of 100,000 of children and old people, a matter that created international sympathy with the Iraqi people from non-government organizations and public figures in the west and the Arab world.

Second, the reconciliation and friendship policy adopted by the Iraqi regime towards Arab countries, which resulted in establishing several joint free-trade zones with many of these countries, such as Egypt, Syria and Tunisia. At the same time, there were many calls from the Arab countries to lift the embargo, which made some Kuwaiti writers and intelligence affirm that Kuwait might be politically isolated from Arab and international states should it did not evolve its political speech.

Third, Iraq successfully used its issues and the sufferings of its people on the Arab and international levels. In this respect, it held Kuwait and some Arab Gulf States responsible for the continuity of the miserable situations of the Iraqi people due to the embargo.⁵⁷

⁵⁶ Ibid, dated 4/4/2001.

⁵⁷ Abu Dahab, Fattouh, Op. Cit. p. 53.

4. Conclusion

Kuwait's options and imperatives were determined mainly, in this period, by the international environment – especially the United Nations system – and the Arab regional environment, as well as by the shifting decision-making environment at home. The way in which it reacted to the pressures and opportunities, in pursuing the UN and, from 1997, also the Arab world, as an avenue and platform for achieving its aims of security and international support, and to ensure sustained pressure on Iraq over the so-called 'outstanding issues', was ultimately decided by Sheikh Sabah, the Foreign Minister.

Thus, after Iraq's successful political moves to break its international isolation from 1993, Kuwait began its own diplomatic strategy to reorganize its previously tense relations with the so-called "*duwal aq-didd*" or 'Opponent States' in 1996, in an effort to contain Iraq and avoid its own isolation from the Arab world.

Sheikh Sabah's determination to pursue this policy was complicated initially by Sheikh Saad's opposition, and indeed a long-standing reluctance to such normalisation among key sections of the National Assembly. The latter became less potent once Sheikh Saad effectively disappeared from the policy-making scene as a major player following his illness, and Sheikh Sabah's emergence as the unquestioned lead policymaker in foreign affairs.

After the formal resumption of Kuwaiti diplomatic relations with the 'opponent' states in 1999, Kuwaiti demands towards Iraq gained full support from these states.

Between 1991 and 2000, the Iraqi regime constituted a real threat to Kuwaiti security, the most important features of which were the deployment of 100,000 Iraqi troops on the Kuwaiti border in 1994 and its continuous threats to attack Kuwait, and of course, Saudi Arabia, after the 'Operation Desert Fox' against Iraq in late 1998, in which Iraq claimed that US and UK jet fighters' attacks came from their bases in Kuwait and Saudi Arabia.

In 2001, Kuwait started to follow a flexible policy towards Iraq itself, through its acceptance of the 'Conciliation Formula' at the Amman summit of 2001, while Iraq rejected this, calling instead for the economic sanctions and no-fly zone imposed on Iraq to be lifted and the rejection of any military strike against Iraq beyond the UN resolutions.

The Iraqi rejection of this formula gave Kuwait greater credit in the eyes of the Arab world in that Kuwait did not constitute an impediment regarding the lifting of the sanctions imposed on Iraq, as some Arab leaders had believed. The following the year, after US-UK troop mobilizations in the Arabian Gulf, and in order to gain Arab support in preventing any 'military action' against Iraq, Iraq would finally accepted the formula at the Beirut summit – a subject we will address in Chapter 8.

Chapter VIII

Kuwait's Foreign Policy towards Iraq

2001 – 2003

1. Introduction

In the period 2001-2003, the effect of the international and regional environment on Kuwait's policy towards Iraq became especially evident. The key external developments were the terrorist attack of 9/11-2001 in the US and its impact on the global political scene that led to the war in Afghanistan in 2001 – all in the context of the arrival in the White House of a neo-conservative group. As a result, the attention of the US turned to Iraq under the pretext that Iraq had WMD and provided shelter for the al-Qaeda network. These events resulted in hostility between Iraq and the US over the Iraqi WMD program and mobilization of coalition forces by the US, UK and their allies (30 countries) from 2002-2003 to attack Iraq. The mobilization of international forces in the Gulf region, which ended with the occupation of Iraq in 2003, reflected Kuwait's economic and security concerns due to its geographical proximity to Iraq. It also reflected the views of Arab and regional states, which led to regional movement to solve the crisis. The war resulted in temporary tension in the relationship between Kuwait and some Arab states such as Syria and Lebanon due to Kuwait's own foreign policy stance supporting the international coalition to occupy Iraq.

These international events changed the pattern of Kuwaiti behavior towards Iraq, and also Iraqi behavior towards Kuwait, through Kuwait's hosting of international forces to wage a military war against Iraq, on the one hand, and contact with the Iraqi opposition to determine the future of Iraq, on the other. So the international and regional environment, represented by the international events that took place from 2001-2003, played a prominent role in Kuwaiti behavior towards Iraq.

It is worth noting that during this period, Sheikh Sabah Al-Ahmad Al Sabah, the Foreign Minister, was in effect in sole charge of the country's foreign policy, even though nominally the Amir, Sheikh Jaber, remained the fount of power. The Amir was, however, retreating ever further from active policy involvement, while Sheikh Saad, the Crown Prince, was now in effect out of the loop due to his deteriorating health. Although consulting trusted advisors, and to some extent working with the Foreign Affairs Committee of the National Assembly, he was for all intents and purposes in sole charge, and appears not to have experienced much countervailing pressure (see chapter 4).

This chapter, then, charts Kuwaiti behaviour towards Iraq from 2001 to 2003 in light of political tension between Iraq and the international coalition and its impact on Kuwait's internal and external position after the surge of US troops in the Gulf region to attack Iraq.

2. The changing regional and global environment

Between 2001 and 2002, the world witnessed several events that affected the Arabian Gulf region in general and Kuwaiti policy towards Iraq in particular:

1. The arrival of neo-conservatives to power in the US in January 2001, headed by George Bush, whose stance supported the use of military force for regime change in Iraq.¹
2. The terrorist attack of 9/11-2001 in the US, its impact on the global political scene in general, and on the policy of the US in particular, through the emergence of the term 'Bush Doctrine', which would allow the US to pursue terrorist networks in the world² as 'preventive war' to protect the security of the US.³ This 'doctrine' led to the formation of International Coalition forces under the command of the US to invade Afghanistan in October 2001 and overthrow the Taliban regime which had provided shelter for the al-Qaeda network. Accordingly, in 2002, this event turned the attention of the US to Iraq under the pretext that Iraq had weapons of mass destruction (WMD) and that it had a

¹ Metz, Steven and John R. Martin (eds.), 'Decisionmaking in Operation Iraqi Freedom: Removing Saddam Hussein By Force', Strategic Studies Institute (SSI), US, February 2010. pp.7-11.

² McAllister, IAN, 'A War Too Far? Bush, Iraq, and the 2004 US Presidential Election', *Presidential Studies Quarterly* Vol. 36, no. 2 (June), 2006. p.261.

³ Leffler, Melvyn R, '9/11 in Retrospect : George W. Bush's Grand Strategy, Reconsidered', *Foreign Affairs* , Vol. 90, No.5, 2011. p.34.

relationship with the al-Qaeda network.⁴ This is illustrated in the ‘strongly worded’ letter neo-conservative senators sent in early December 2001 to president George Bush requesting the overthrow of Saddam’s regime and the policy of regime change in Iraq.⁵

3. The conviction of the new US administration headed by Bush, following the 9/11 attack, that the ‘Iraq Liberation Act’ of October 1998 by the US Congress was, in fact, ineffective, and emphasize the importance of ‘military action’ for regime change in Iraq.⁶

As a result, after the occupation of Afghanistan, in November 2001, i.e. two months after 9/11, Bush ordered the US Secretary of Defense to set up an initial military plan for regime change in Iraq in the case of a lack of cooperation by Iraq with the UNSC resolutions, especially concerning the return of international inspectors to supervise the program of WMD.⁷ This step came after the US and the UK had attempted to resolve the issue of economic sanctions imposed on Iraq at UNSC; in July 2001⁸, they submitted a draft resolution called ‘Smart Sanctions’ to control the economic sanctions on Iraq through the strict monitoring of the borders of the countries surrounding Iraq to prevent the smuggling of oil, due to Iraq’s ability to violate the imposed economic sanctions under the Oil for Food Program (OFF). However, this draft resolution was withdrawn due to opposition by some countries at UNSC, especially Russia.⁹

The confrontation between Iraq and the US developed in January 2002, when Bush delivered a speech on ‘Union Address’, in which he described Iraq, North Korea and Iran as the ‘axis of evil’.¹⁰ The former UK PM, Tony Blair, has pointed out in his memoirs that Bush’s Speech indicated that the US would endeavor to change the world, using force if necessary, as happened in Afghanistan.¹¹

⁴ Allawi, Ali A., *The Occupation of Iraq: Winning the War, Losing the Peace*, Yale University Press publications, 2007. p. 80.

⁵ Blair, Tony, *Tony Blair A Journey*, Arrow Book, The Random House Group Limited, 2010. p.396.

⁶ This law allocated \$97 million, which calls for coordination with the Iraqi opposition only to topple the regime of Saddam Hussein without the use of force against Iraq. See Michael J. Mazarr, ‘The Iraq War and Agenda Setting’, *Foreign Policy Analysis*, Vol 3. No.1, 2007. p.4.

⁷ Bush, George W., *Decision Points*, Virgin Books, the Random House Group Limited, 2010. p.234.

⁸ Allawi, Ali A, Op.Cit. pp.78-80.

⁹ Blair, Tony, Op. Cit. p. 383.

¹⁰ Bush, George W., Op. Cit. p.233.

¹¹ Blair, Tony, Op. Cit. p.388.

These factors led the Iraq regime to adopt a flexible policy at regional and international levels after March 2002 to prevent the support of any ‘military action’ against Iraq as follows:

1. On the international level: Iraq declared its willingness to reopen negotiations with the UN regarding the return of international inspectors, who had been expelled from Iraq since 1998, in order to get closer to the international community to avoid any international support for action against Iraq.¹² Also, Iraq had cemented its relations with Russia in August 2002 by signing commercial contracts worth \$40 billion and had vowed to pay off its debts to Russia quickly (estimated at \$10 billion) to ensure Russian support for Iraq.¹³
2. On the Arab level: in March 2002, the Iraqi delegation, headed by Izzat Ibrahim, visited the Arab capitals states (Jordan, Syria, Lebanon, and Egypt). Iraq affirmed its willingness to re-open negotiations with Kuwait on the ‘Conciliation Formula’ during the Beirut summit scheduled to be held in March 2002. This formula had been rejected by Iraq at the Amman Summit in March 2001 (see Chapter 7).
3. On the Gulf level: Izzat Ibrahim visited the Arab Gulf states (United Arab Emirates, Bahrain, Oman, Qatar) in March 2002, to support the initiative of Prince Abdullah for peace with Israel that was scheduled for discussion during the Beirut summit at the end of March 2002 as a rapprochement with GCC states .¹⁴

3. Kuwait’s position towards reconciliation with the Iraqi regime

From 2002, the Iraqi movements focused attention on Kuwait, especially in light of political tensions in the Arab world due to the surge of US troops in the Gulf region to attack Iraq. Therefore, Kuwait started to give signals to the Arab world regarding its readiness to enter into negotiations with Iraq under the framework of the ‘Conciliation

¹² Ibid, p.396.

¹³ Ambrosio, Thomas, ‘The Russo-American Dispute over the Invasion of Iraq: International Status and the Role of Positional Goods’, *Europe-Asia Studies*, Vol. 57, No. 8, December, 2005. pp.1191-1197.

¹⁴ KUNA, ‘Vice Chairman of The Revolutionary Command Council In Iraq: Izzat Ibrahim Backs to Baghdad At The End of Visit Included Eight Arab Countries’, 21/3/2002, Kuwait. Available on KUNA website at : <http://www.kuna.net.kw/ArticleDetails.aspx?language=ar&id=1770279>

Formula'. Thus, at the Beirut summit (27 - 28 March 2002), the Kuwaiti Minister of Foreign Affairs, Sheikh Sabah Al-Ahmed AlSabah, pointed out that 'Kuwait has always been keen on solidifying the Arab ranks and solidarity and strengthening aspired security and stability in this region' and had always 'been supportive of any efforts to strengthen security and stability of Gulf region, but we cannot place security and stability and sovereignty of State of Kuwait within the quarters of the illicit Iraqi intentions'. Sheikh Sabah's speech determined the Kuwaiti position towards Iraq, calling for Iraq:

1. to respect the sovereignty, territorial integrity, international borders, security and political independence of Kuwait;
2. to refrain from any hostile or provocative action against Kuwait;
3. to implement, in accordance with international law, all relevant UNSC resolutions and to cooperate with the International Red Cross Committee to release all Kuwaiti prisoners of war and to restore Kuwaiti property.¹⁵

At the end of the Beirut summit, Iraq declared for the first time its undertaking to prevent any possible repetition of the events of 1990 and its acceptance of the 'Conciliation Formula' following some amendments, including the following items:

- a. to welcome the assurances provided by Iraq concerning respect for the independence, sovereignty, security and territorial integrity of Kuwait, thereby obviating any possible repetition of the events of 1990;
- b. to recognize the importance of halting negative media campaigns and pronouncements between the two countries;
- c. to uphold the principles of good neighborliness and non-interference in the internal affairs of others;
- d. to respect the independence, sovereignty, security and national unity and territorial integrity of Iraq;

¹⁵ KUNA, 'Kuwait Reaffirms Support of Arab Cases, Cautions of Iraqi Intentions', Political Affairs, Kuwait, dated 27/3/2002. On the KUNA website at : <http://www.kuna.net.kw/ArticleDetails.aspx?language=en&id=1239895>

- e. to allow Iraq to cooperate in the formulation of a speedy and definitive solution to the issue of Kuwait prisoners and hostages and the return of property;
- f. to call for the sanctions imposed on Iraq to be lifted;
- g. to affirm their unconditional rejection of a strike against Iraq;
- h. to welcome the resumption of the dialogue between Iraq and the United Nations.¹⁶

Izzat Ibrahim, to express the ‘good faith of Iraq’ approached Sheikh Sabah and shook hands in front of the Arab leaders¹⁷ in addition to the embrace between Azzat Ibrahim and the Saudi Crown Prince, Prince Abdullah bin Abdulaziz before the start of the closing session.¹⁸

The ‘Conciliation Formula’ had repercussions in the Kuwaiti streets in two different ways. The first was a belief that the Arab League Statement had achieved Iraq’s compliance with the demands of Kuwait, especially given that it had pledged for the first time in front of the Arab world to respect Kuwait’s security and independence. The second was the prevalence in articles of political analysts and in conversations between MPs of doubt regarding the seriousness and commitment of Iraq to meet its obligations under the pretext that Iraq had rejected this Formula in 2001 but had accepted the same in 2002 due to US threats.¹⁹

Sheikh Sabah, in his meeting with the Editors-in-Chief of Kuwaiti newspapers, emphasised that this Formula was ‘not a reconciliation between Kuwait and Iraq, rather it is in favor of Kuwaiti interests’.²⁰ Kuwait sent a letter to the UN Secretary-General concerning this Formula and reiterated the importance of Iraq’s implementation of the

¹⁶ General Assembly, ‘Annex II to the Letter Dated 24 April 2002 from the Chargé D’affaires a.i. of The Permanent Mission of Lebanon to the United Nations Addressed to the Secretary-General’, Fifty-sixth session Agenda items 41 and 42, A/56/1026, 15 August 2002, United Nations. pp.10-11.

¹⁷ KUNA, ‘Kuwait-Iraq Term Affirms Basic Principles of Kuwait’, Politics, Kuwait, dated 3/28/2002. On the KUNA website at : <http://www.kuna.net.kw/NewsAgencyPublicSite/ArticleDetails.aspx?Language=en&id=1240106>

¹⁸ KUNA, ‘Iraqi Vice President, Prince Abdullah Embrace at Arab Summit’, General, Kuwait, dated 3/28/2002. On the KUNA website at: <http://www.kuna.net.kw/ArticleDetails.aspx?language=en&id=1239992>

¹⁹ Diplomatic Center For Strategic Studies, ‘Kuwaiti Issues: Kuwait Foreign Policy in 2002’, Report, Kuwait, 2002. p.48. Al Watan Information and Studies Center, ‘Relations with Iraq’, Classification No. 5-2/6 dated 29/3/2002.

²⁰ Al Watan Information and Studies Center, ‘Relations with Iraq’, Classification No. 5-2/6 dated 31/3/2002.

terms of this agreement, particularly with respect to ‘outstanding issues’ between Kuwait and Iraq.²¹ Thus, during this period, Kuwaiti policy towards Iraq was characterized by what may be described as ‘surveillance and caution’²² of Iraqi movements on the international and regional level regarding the implementation the terms of ‘Conciliation Formula’ under the US and UK intentions to attack Iraq.

4. Official and popular views on the US mobilization of forces to attack Iraq

4.1. The official Kuwaiti stance

After the Beirut summit, Kuwait began focusing on Iraq’s implementation of the resolutions of the summit in accordance with the ‘Conciliation Formula’ as mentioned above. However, Kuwait’s flexible policy raised questions among analysts regarding Kuwait’s continuance of this policy as an allied state with the US should the US attack Iraq. Despite Kuwait’s declaration in 2002 that the US troop mobilizations based in Kuwait were for routine exercise and maneuvers as per the agreement concluded between the US and Kuwait,²³ George Bush has since pointed out that the aim was to launch sudden military operations against Iraq should they be requested to do so.²⁴

In April 2002, Bush and Blair met in the US to discuss the issue of Iraq; they set up the option of military action as one of the initial plans to dethrone Saddam’s regime should diplomatic efforts fail to convince Iraq to cooperate fully with the UN and to implement UN resolutions, particularly those related to the return of the UNMOVIC inspectors who had been excluded from Iraq since 1998.²⁵ However, in late April 2002, the US practically initiated a campaign for ‘regime change policy’ in Iraq²⁶ through the deployment of its troops in the Gulf region in preparation for any military operation against Iraq on the one

²¹ Ibid, dated 18/4/2002.

²² This description by the researcher.

²³ KUNA, ‘Iraqi Regime Complied With Resolution 1441 Upon International Community Seriousness’, Military and Security, Kuwait, dated 20/11/2002. Online on the KUNA website at:

<http://www.kuna.net.kw/ArticleDetails.aspx?language=en&id=1299739>

²⁴ Bush, George W., Op.Cit. p.236.

²⁵ Blair, Tony, Op.Cit. p.402.

²⁶ Flibbert, Andrew, ‘The Road to Baghdad: Ideas and Intellectuals in Explanations of the Iraq War’, *Security Studies*, Vol. 15, No. 2 (April–June 2006). p.316.

hand, and efforts to coordinate with the Iraqi opposition since August 2002 on the other, as a signal of the US's seriousness about changing the Iraqi regime.²⁷ According to published sources, the US took the final decision to end the ruling regime in Iraq in June 2002 using the following justifications:

1. the claim that Iraq had weapons of mass destruction
2. the claim that there was a relationship between Iraq and terrorism through Iraq's supposed ties to al- Qaeda
3. Iraq's brutal rule and its violation of human rights
4. the promotion of democracy in the Middle East, and the need to improve Arab Israeli relations.²⁸

Signs of the possibility of war in the Gulf region between the US and Iraq emerged after September 2002, when Bush pointed out in his speech at UNGA on 12 September 2002 that Iraq had violated UNSC resolutions, particularly those related to WMD, in addition to the claim of a link between Iraq and al-Qaeda elements who escaped from Afghanistan to Iraq in 2002. Bush concluded his speech by saying, 'We cannot stand by and do nothing while dangers gather ... the United States of America will make that stand'.²⁹ Also, Bush repeated his claim later in November 2002 that Iraq was working with al-Qaeda through training al-Qaeda elements and financing them, such as 'Abu Musab al-Zarqawi' in Afghanistan. Thus, he warned Iraq against transferring the WMD to terrorist groups and prohibiting the return of international inspectors to Iraq.³⁰ After Bush's speech at UNGA, he sought to obtain a resolution from the US congress allowing the US to use military force against Iraq.³¹ On 11 October 2002, the US congress approved a bill (voting: 133/296) authorizing the President to use such force against Iraq.³² These developments led Iraq on 16th September 2002 to send an official letter to UNSC through its Minister of Foreign Affairs, Naji Sabri, confirming its acceptance of the return of UNMOVIC

²⁷ Allawi, Ali A., Op.Cit. p.82.

²⁸ Flibbert, Andrew, Op.Cit. p.316.

²⁹ General Assembly 'Statement by President Bush United Nations General Assembly UN Headquarters, New York 12 September 2002', General Debate- 57th Session 12-15, 17-20 September 2002, United Nations. On the UN website at: <http://www.un.org/webcast/ga/57/statements/th020912.htm>

³⁰ Committee on Government Reform — Minority Office, 'Iraq on The Record: The Bush Administration's Public Statements on Iraq', Special Investigations Division, United States House of Representatives, March 16, 2004. pp.23-24.

³¹ Michael J. Mazarr, Op.Cit. p.8.

³² Bush, George W., Op.Cit. p.241.

inspectors without conditions and restrictions and with full compliance with international resolutions.³³ In light of this letter, the UN Security Council issued resolution No. 1441 on 8 November 2002 calling Iraq to allow the return of UNMOVIC inspectors, headed by Hans Blix, to monitor the WMD without condition or restriction. The 1441 resolution confirmed under paragraph 2 that this resolution was ‘a final opportunity to comply with [Iraq’s] disarmament obligations under relevant resolutions of the Council’ and in paragraph 13 warned Iraq that it would ‘face serious consequences’ in the case of any violation of this resolution.³⁴ Iraq immediately declared, on 15 November 2002, its acceptance of this resolution.³⁵ Blair, in his book, comments that Iraq accepted the return of international inspectors due to ‘a threat of military action’.³⁶ Consequently, the Arab League held an exceptional ministerial meeting on 10 November 2002 and issued a resolution welcoming UNSC No. 1441 and reiterating that Arab countries would refuse to attack Iraq as this act would threaten the national security of the Arab countries.³⁷

Kuwait feared the effects of the upcoming war on its economic and political situation, given its geographic location. The potential economic implications of war were noted in comments by the governor of the Central Bank of Kuwait, Sheikh Salem Abdulaziz Al Sabah: ‘The region’s economies might face difficulty in adjusting to a long war led by the United States against Iraq and the negative economic consequences of any military action will extend to the whole region and the world. The greatest concern of Kuwait is that the war would last a long time and it may be difficult to treat its impacts’.³⁸ Meanwhile, on the political level, Kuwait witnessed terrorist operations that were claimed to be linked to al-Qaeda’s network: one US soldier killed and another injured on 9 October 2002³⁹ a group of US soldiers injured in November 2002, one US soldier killed in January 2003, and 15 US

³³ United Nations, ‘Report of the Security Council 1 August 2002-31 July 2003’, General Assembly Official Records Fifty-eighth Session Supplement, No. 2, (A/58/2), New York, 2003. p.7.

³⁴ Security Council, ‘Resolution 1441 (2002) Adopted by the Security Council at its 4644th meeting’, on 8 November 2002’, United Nations, New York.

³⁵ *Al-sharq Al Awsat* newspaper, ‘Saddam Justifies to The Iraqi Parliament the Acceptance of the UN Security Council Resolution’, Issue No. 8755, 17th November 2002, London.

³⁶ Blair, Tony, Op.Cit. p.420.

³⁷ Arab League, ‘The Resolution of the Arab League at the Ministerial Level Meeting in Extraordinary Session on 10/11/2002’, Secretariat General, Arab League, Egypt.

³⁸ Al-Wasat Newspaper, ‘Central Bank of Kuwait Fears A Long War In Iraq’, Issue No. 120, Saturday, 4th January 2003, Bahrain.

³⁹ KUNA, ‘Sheikh Mohammed Says Shooting Incident is Attack Against National Interest’, General, Kuwait, dated 9/10/2002. On KUNA website at <http://www.kuna.net.kw/ArticleDetails.aspx?language=en&id=1288960>

soldiers wounded on 30 March 2003 due to a truck crash.⁴⁰ The situation in Kuwait became critical on 27 January 2003 after a threat by Tariq Aziz to Kuwait in his interview with the Canadian Broadcasting Channel: ‘Kuwait now is a battlefield and US troops are in Kuwait and preparing themselves to attack Iraq; if there will be an attack from Kuwait, I can't say that will not retaliate, we will of course retaliate against US troops whenever they start their aggression on Iraq’.⁴¹ Sheikh Sabah Al-Ahmed promptly responded to this threat saying that the Prime Minister of the Iraqi regime could do whatever he announced to the Canadian TV and he should shoulder the consequences if he considered attacking Kuwait.⁴²

Kuwait started to lay out its position on the issue of attacking Iraq on the internal and external levels as follows – as per the official statement by Sheikh Sabah to the UN General Assembly on 13 September 2002:

1. Reaffirm Kuwait’s refusal to allow use of its territory for military strikes on Iraq or the participation in any future military operation without a UN resolution;⁴³
2. Emphasize the Kuwaiti obligation to uphold the principle of non-interference in Iraq’s internal and its adherence to the resolutions of the Beirut summit held in March 2002 concerning the ‘Conciliation Formula’;
3. Call upon Iraq to implement, in accordance with international law, all relevant UNSC resolutions and complete cooperation with international inspectors as per resolution No. 1441 to avoid war in the area.⁴⁴

The Kuwaiti government began to develop internal procedures to deal with any possible war against Iraq as well:

⁴⁰ *Aljarida* newspaper, ‘Rounds of al-Qaeda in Kuwait’, Issue No.1238, Tuesday, 13 May, 2011, Kuwait. Online on the Aljarida website at: <http://www.aljarida.com/aljarida/Article.aspx?id=207333>

⁴¹ The CBC Digital Archives Website, ‘Mansbridge One on One: Tariq Aziz’, Recorded on 27 January, 2003, Broadcast Date: Feb. 8, 2003, Canadian Broadcasting Corporation. Online on the CBC website at http://archives.cbc.ca/politics/international_politics/clips/15002/

⁴² *Asharq Al Awsat* newspaper, ‘Kuwait: Iraqi Aggression Will Be As A Declaration To Commit Suicide’, Issue No. 8829, Thursday, 30/1/2003, London.

⁴³ *Al-Wasat* newspaper, ‘Kuwait Rejects Attack Iraq without UN Resolution’, Issue No. 17, Monday, 23/9/2002, Bahrain.

⁴⁴ General Assembly ‘Statement By His Excellency Sheikh Sabah Al-Ahmad Al-Jaber Al-Sabah First Deputy Prime Minister And Minister of Foreign Affairs of The State Of Kuwait’, Fifty-Seventh Session of The General Assembly of The United Nations, Friday, 13 September 2002, United Nations. New York.

1. Security checkpoints were set up in all governorates of Kuwait to prevent any sabotage acts that may be carried out in favor of external entities in the case of the outbreak of war;⁴⁵
2. Kuwaiti Ministry of Defense increased the readiness of the Kuwaiti forces to secure the protection of the border, as well as to secure the home front;
3. Ministry of Interior and National Guard Forces adopted several measures to safeguard the security and to tackle all contingencies;
4. A plan of medical emergency established in the hospitals to measure the degree of readiness and all necessary foodstuffs had been provided, in addition to a plan already prepared to receive casualties in the case of any attack with such weapons;
5. GCC Peninsular Shield forces were deployed on Kuwaiti borders to defend Kuwait in case of any attack;⁴⁶
6. A plan of media was set up to provide the people with real news and information on updated events, in addition to a media campaign launched to guide people in Kuwait on the likelihood of upcoming war;⁴⁷
7. The Central Bank of Kuwait set up precautionary measures to deal with any unusual circumstances that could affect the functioning of the banking business;⁴⁸
8. A Humanitarian Operation Centre (HOC) was established on 3 March 2003, to provide material support to the Iraqi people and refugees in case of outbreak of war,⁴⁹ which was terminated in mid-2009.⁵⁰

⁴⁵ *Al-sharq Al Awsat* newspaper, Issue No. 8831, Saturday, 1/2/2003, London.

⁴⁶ Kuwait National Assembly, ‘Muḍbatat jalsat Majlis il-’ummah al-Kuwayti al-‘alanīya: al-fasl at-tashrīḥī altase’’, 15 min Muḥarram sanat 1424 h, al-muwāfiq 18 min shahr mars sanat 2003 m’, ‘Minutes of Kuwait National Assembly: 9th legislative term, Tuesday 18, March 2003’, Kuwait. Online on the KNA website at : <http://www.kna.kw/clt/default.asp>

⁴⁷ Kuwait Information Office, ‘The 12th Anniversary of Iraqi Invasion’, Embassy of State of Kuwait, Beirut, 2000. Online on the KIO website at: <http://www.kuwaitinfo.net/officeactive-embassy6.htm>

⁴⁸ *Asharq Al Awsat* newspaper, Issue No. 8866, Saturday, 8/3/2003, London.

⁴⁹ Ministry of Foreign Affairs, *At-takrīr us-sanawi 2004*, Op.Cit. p.43.

⁵⁰ WikiLeaks, ‘ Kuwait's Ambassador To Iraq Describes Slow Progress; Humanitarian Operations Center To Close’ , Reference ID ; [09KUWAIT462](#) , [CONFIDENTIAL](#) , [Embassy Kuwait](#) , [07-05-2009](#) . Online on WikiLeaks website at ; http://www.wikileaks.org/origin/117_0.html

9. On 31 March 2003, KD500 million to meet all the security needs of the emergency was approved.⁵¹

Iraqi diplomacy became more flexible from early December 2002, and looked for rapprochement with Kuwait to neutralize any military action undertaken by the US against Iraq. This approach was seen first in the Iraqi attendance of TC meetings in Geneva on 18 December 2002 to discuss the Kuwaiti Prisoners of War, after the Iraqi boycott of TC meetings since December 1998⁵² (see Chapter 6); and second, in the speech of ‘apology’ by the Iraqi President, which was read by the Iraqi Minister of Information, Mohammed Saeed al-Sahaf on behalf of Saddam Hussein on 7 December 2002, addressed the Kuwaiti people for the first time. In this speech, Saddam Hussein apologized to the Kuwaiti people for the events of 1990 saying, ‘We apologize to Almighty God for any act that made Him angry, should this act have happened in the past. We apologize to you on this basis too’. However, he claimed in his speech that Iraq was forced to invade Kuwait in 1990 because of a ‘conspiracy of Kuwaitis and Americans in preparation for aggression’ against Iraq and that ‘the Kuwaiti officials isolated the Kuwaiti people from the Arab nation and put the Kuwaiti wealth under the disposal of the foreigners We are sorry for everything that happened against you’ and ‘we say this, not because of our weakness or a tactic for an illegal objective, but to clarify the facts as we see them,’⁵³ he added.

Kuwait officially rejected the Iraqi speech, considering it an ‘attack’ and ‘incitement’ against the Kuwaiti regime, and deemed it a violation of the ‘Conciliation Formula’ under the resolutions of the Beirut summit. Therefore, Kuwait started its movements to condemn this speech on the internal and external levels as follows:

1. On the internal level, the Kuwaiti National Assembly held an urgent session on 14 December 2002 to refute the Iraqi speech; it issued statement rejecting this speech and

⁵¹ Kuwait National Assembly, ‘Muḍbatat jalsat Majlis il-’ummah al-Kuwayti al-‘alanīya : al-fasl at-tashrī’ī altase’, 28 min Muḥarram sanat 1424 h, al-muwāfiq 31 min shahr mars sanat 2003 m’, ‘Minutes of Kuwait National Assembly: 9th legislative term, Monday on 31 March 2003’. Kuwait. Online on the KNA website at: <http://www.kna.kw/clk/default.asp> <http://www.kna.kw/clk/default.asp>

⁵² National Committee of Missing and POWs Affairs (NCMPA), ‘Tripartite: POW Meetings’, Kuwait. Online on the NCMPA website at: <http://www.pows.org.kw/index2.html#>

⁵³ Al-Jazeera Net, ‘Apology Speech from the Iraqi President to Kuwait’, *Almarifah*: 2003, dated 7/12/2002. Online on the Al-Jazeera website at : <http://www.aljazeera.net/NR/exeres/8F036180-1AF4-4FC9-98A8-870F81794E48.htm>.

confirmed that ‘the Kuwaiti people are free and no one can sow the seeds of sedition among its individuals. Saddam Hussein is mistaken in trying to incite the Kuwaiti people against their Kuwaiti leadership’. Therefore, the MPs in their statement called upon the Arab League to determine its position on this speech.⁵⁴ Sheikh Sabah Al-Ahmed Al-Sabah commented on the MPs’ statement saying that ‘this initial spontaneous reaction and firm rejection of the speech by the Iraqi regime leader has proved the historic cohesion amongst the Kuwaiti people and leadership. Saddam appears to have forgotten that he could not find any Kuwaitis who would collaborate during the heinous occupation’.⁵⁵

2. On the external level, the leaders of the GCC in their statement during the meeting of the supreme council held in December 2002 at Doha, denounced the Iraqi speech and considered it as ‘provocative’, producing more tension and instability in the region.⁵⁶ However, as WikiLeaks shows, the US Ambassador to Kuwait, Jones, during his meeting with Kuwaiti Minister of Foreign Affairs, Sheikh Dr. Mohammed Al Sabah in 2002 to review the outcome of this summit and the possibility of discussion the post-Saddam Hussein era, commented, ‘Dr. Mohammed could not have been clearer about GCC States’ desire to be rid of Saddam once and for all’.⁵⁷

After the speech of the Iraqi President and the passing of resolution 1441, Kuwait began to change the method of its movements towards Iraq based on ‘its readings and vision’ that there was an approach undertaken either for ‘strangling the Iraqi regime’ or ‘dethroning the same’.⁵⁸ This new Kuwaiti method involved, first, coordination between Kuwait and the US to overthrow Saddam’s regime, and, second, liaising with the Iraqi opposition

⁵⁴ Kuwait National Assembly, ‘Muḍbatat jalsat Majlis il-’umma al-Kuwayti al-khāshah al-‘alanīyah: al-fasl at-tashrī‘ī altase’, 10 min Shawal sanat 1423 h, al-muwāfiq 14 min shahr dysmbr sanat 2002 m’ ‘Minutes of Kuwait National Assembly: 9th legislative term, Saturday 14, December 2002’, Kuwait. Online on the KNA website at: <http://www.kna.kw/clt/default.asp> <http://www.kna.kw/clt/default.asp>.

⁵⁵ KUNA, ‘Sheikh Sabah Hails Kuwait’s Spontaneous Reaction of Saddam’s Speech’, Politics, Kuwait, dated 14/12/2002. Online on the KUNA website at: <http://www.kuna.net.kw/ArticleArchive.aspx?language=en&year=2002&month=12>

⁵⁶ GCC Council, ‘Statements of the Supreme Council: The Final Statement of the Twenty-Third Session of the Supreme Council for the Arab Gulf States’, 21 - 22 December 2002, Doha, Qatar. Online on the GCC website at: <http://www.gcc-sg.org/index2ba6.html?action=Sec-Show&ID=125>

⁵⁷ WikiLeaks, ‘GCC Prepares For Hostilities’, Reference ID; [02KUWAIT5528](https://wikileaks.org/origin/117_0.html), [Secret](https://wikileaks.org/origin/117_0.html), [Embassy Kuwait](https://wikileaks.org/origin/117_0.html), [2002-12-26](https://wikileaks.org/origin/117_0.html). Online on the WikiLeaks website at: http://www.wikileaks.org/origin/117_0.html

⁵⁸ Author’s interview with Khaled Al Duwaisan, the Kuwaiti Ambassador to UK, Embassy of the State of Kuwait, London, on Monday 3rd October 2011.

abroad to know the future of Iraq after Saddam Hussein.⁵⁹ Regarding the Iraqi opposition, it should be noted that Kuwaiti policy rejected the establishment of ‘offices’ or ‘organizations’ for opposition movements on Kuwaiti territory against any foreign country, whether Iraq or another country, for reasons related to its national interests with the international community.⁶⁰ Instead, Kuwait, after its liberation in 1991, endeavored to create ‘coordinating relations and contacts with the Iraqi opposition abroad before the fall of Saddam Hussein regime in order to explore the future of Iraq’.⁶¹ Sulaiman Majed Al Shaheen has commented on this relationship:

Kuwait had never sought to meet with Iraqi opposition en masse, but Kuwait was in touch with influential figures of the Iraqi opposition such as the Supreme Council for Islamic Revolution in Iraq (SCIRI), which is the closest party to Kuwait. These Iraqi figures were constantly visiting Kuwait for consultation. However, this coordination was not on such a level that Kuwait would adopt this opposition en masse.⁶²

Thus, in late 2002, Kuwait sought to exploit its relationship with SCIRI by initiating coordination between the US and SCIRI to plan opposition activities inside Iraq. However, Kuwaiti attempts failed due to the rejection of SCIRI headed by Mohammed Baker Al-Hakeem.⁶³ This is in addition to Kuwaiti efforts in late 2002 to facilitate the communications and transportations of Iraqi opposition among the GCC states.⁶⁴ The coordination between Kuwait and Iraqi opposition resulted in the participation of Kuwait (as an observer) in the Iraqi Opposition Conference held in London on 14 – 15 December 2002 to discuss the future of Iraq post-Saddam Hussein. The Kuwaiti Ambassador to the UK, Khaled Al Duwaisan, commented that ‘our mission was to find out who those (Iraqi opposition) were and what they intended after the fall of the Iraqi regime, and what would

⁵⁹ WikiLeaks, ‘Kuwaiti Interests In Iraq’, Reference ID; [02KUWAIT5417](http://www.wikileaks.org/origin/117_0.html), [CONFIDENTIAL](#), [Embassy Kuwait](#), 2002-12-17. Online on the WikiLeaks website at: http://www.wikileaks.org/origin/117_0.html

⁶⁰ Ibid, ‘GOK Urges US/SCIRI Contacts, With Some Reservation’, Reference ID; [02KUWAIT5177](http://www.wikileaks.org/origin/117_0.html), [CONFIDENTIAL](#), [Embassy Kuwait](#), 2002-12-01. Online on the WikiLeaks website at: http://www.wikileaks.org/origin/117_0.html

⁶¹ Author’s interview with Khaled Al Duwaisan, the Kuwaiti Ambassador to UK, Embassy of the State of Kuwait, London, on Monday 3 October 2011.

⁶² Interview by the researcher with Suleiman Majed Al Shaheen, former Kuwaiti Minister of State for Foreign Affairs, in Kuwait City, on Thursday 16th June, 2011

⁶³ WikiLeaks, ‘GOK Urges US/SCIRI Contacts, With Some Reservation’, Reference ID; [02KUWAIT5177](http://www.wikileaks.org/origin/117_0.html), [CONFIDENTIAL](#), [Embassy Kuwait](#), 2002-12-01. Online on the WikiLeaks website at: http://www.wikileaks.org/origin/117_0.html

⁶⁴ Ibid, ‘Talabani Pleased With Kuwaiti Reception’, Reference ID; [02KUWAIT5261](http://www.wikileaks.org/origin/117_0.html), [CONFIDENTIAL](#), [Embassy Kuwait](#), 2002-12-04. Online on the WikiLeaks website at: http://www.wikileaks.org/origin/117_0.html

be their relations with neighboring countries, especially with Kuwait'.⁶⁵ The Kuwaiti participation was further clarified by the Minister of Foreign Affairs, Sheikh Sabah Al-Ahmed Al-Sabah: 'We were invited to attend the conference as other observing countries. Moreover, we were concerned about Iraq's future'.⁶⁶ Simultaneously, Kuwait sought to coordinate more closely with the US to get rid of Saddam's regime. As WikiLeaks documents show, Kuwait granted military facilities to the US in Kuwait through hosting 16,360 soldiers in bases such as camp Araifjan Commando Camp, Camp Doha, Ali Al Salem Airbase, Ahmed Al-Jaber Air base, Kuwait Navy base, desert camps and desert training areas.⁶⁷

As a result of events in the region throughout 2002, the relationship of Kuwait with some Arab countries on the one hand, and the Secretary General of the Arab League on the other, were affected by Iraq. This can be illustrated by some Arab states, such as Lebanon and Syria, not giving priority to Kuwaiti demands regarding Iraq as per international and Arab resolutions at meetings of the Arab league. The Kuwaiti Ambassador to Cairo, Ahmed Al-Kulaib commented:

At one of the a ministerial meetings of the Arab League before the fall of Saddam, the Lebanon, which chaired the meetings, represented by its Minister of Foreign Affairs, lifted the session immediately before including the paragraph related to Kuwaiti prisoners of war in the Arab League statement, despite our demands to include this paragraph in accordance with previous Arab resolutions. Thus, we expressed reservations on the resolution passed by the ministerial meeting due to non-inclusion of this paragraph, which led Sheikh Sabah Ahmed Al-Sabah to intervene and change the Arab position regarding to this resolution. Accordingly, Sheikh Sabah Ahmed Al-Sabah protested against the chairmanship of the Lebanese Minister of Foreign Affairs at this meeting; in addition, some Arab states, such as GCC States, Egypt, and Jordan made a statement to the Secretary-General objecting about the non-inclusion of this paragraph.

⁶⁵ Author's interview with Khaled Al Duwaisan, the Kuwaiti Ambassador to UK , Embassy of the State of Kuwait, London, on Monday 3rd October 2011.

⁶⁶ KUNA, 'Kuwait an Observer at the Iraqi Opposition Conference -- Foreign Minister', Politics, Kuwait, dated 14/12/2002. Online on the KUNA website at: <http://www.kuna.net.kw/ArticleArchive.aspx?language=en&year=2002&month=12>

⁶⁷ WikiLeaks, 'Kuwait 2003 Annual Report To Congress on Allied Contributions To The Common Defense'; Reference ID; [02KUWAIT5416](https://wikileaks.org/kuwait/2003-annual-report-to-congress-on-allied-contributions-to-the-common-defense), **SECRET**, [Embassy Kuwait, 2002-12-17](https://wikileaks.org/kuwait/2002-12-17) . Online on the WikiLeaks website at: http://www.wikileaks.org/origin/117_0.html

Al-Kulaib added: ‘Then the resolution was amended and this paragraph was added to the Arab resolution, the consequences of this event was that the Lebanese Minister of Foreign Affairs was dismissed from his post as minister after the protest made by Kuwait.’⁶⁸ . Returning to Syria, Al-Kulaib claimed that, at the meeting, Syria’s role was to incite Lebanon to take this position: ‘During this meeting, there was a clear signal from the Syrian Minister of Foreign Affairs, Farouk al-Sharaa, to Lebanon to adjourn the meeting’.⁶⁹ Al-Kulaib added that during the one of the meetings before the fall of Saddam’s regime, Farouk al-Sharaa said that he ‘advised the Kuwaiti Foreign Minister, Sheikh Sabah Al-Ahmed, on the importance of resuming relations between Kuwait and Iraq’ on the grounds that ‘the Iraqi occupation of Kuwait is no more’. To this Al-Kulaib severely replied to Al-Sharaa saying, ‘If you want us to resume relations with Iraq, after its occupation of Kuwait and displacement and killing the Kuwaiti people, it is better that Syria should resume its relations with Iraq because of the similarity of both regimes (Ba'ath Party) and as there was no occupation issue and blood between Syria and Iraq. Be a role model and example to us, so we can think about the return of relations between Kuwait and Iraq’. Al-Kulaib commented that Farouk al-Sharaa did not reply to his speech.⁷⁰ Also, during the same period, Kuwaiti relations with AL Secretary–General, Amar Mousa, were tense due to Kuwaiti discontent regarding the visit of Amar Mousa to Iraq with a full delegation of a large number of staff and journalists compared with his visit to Kuwait comprising approximately five to six people. Al-Kulaib commented on the performance of the Secretary–General: ‘Before the collapse of Saddam Hussein’s regime, it was not successful, and he had to be fair’.⁷¹ At the beginning of 2003, the US started to mobilize international support for military action against Iraq under the pretext that Iraq had not implemented UNSC resolution No. 1441 in accordance with the first report issued by Hans Blix on 27 January 2003, which pointed out that Iraq did not reach ‘genuine acceptance’.⁷² The US troops’ mobilization in the Gulf region reached 250,000 soldiers during January and March of 2003,⁷³ of which 150,000 were stationed in Kuwait.⁷⁴

⁶⁸ Author’s interview with Ahmed Al Kulaib, the former Kuwaiti Ambassador to Egypt, Kuwait City, on Sunday 14 August 2011.

⁶⁹ Ibid

⁷⁰ Ibid

⁷¹ Ibid

⁷² See Blix’s report in Blair, Tony, Op.Cit. p.415.

⁷³ Blair, Tony, Op.Cit. p.424.

⁷⁴ Bush, George W., Op.Cit. p.250.

Kuwait announced that from the 15 February 2003, the entire northern area was a 'military zone' and access was prohibited.⁷⁵ Consequently, there was a movement on the regional level to resolve the Iraqi crisis after the first conference of countries neighboring Iraq held on 23 January 2003 at Istanbul to find a diplomatic solution and avoid war in the region. Kuwait was excluded from this meeting, which included the attendance of Egypt - Turkey - Saudi Arabia - Iran – Syria.⁷⁶ Some sources have indicated that this exclusion was due to the Kuwaiti policy, which contradicted the objective of this meeting.⁷⁷ The Turkish Prime Minister, Abdullah Gul, claimed that Kuwait was not invited because he invited only the countries he had visited on his recent regional tour, but that Kuwait would be invited to future meetings.⁷⁸ However, Sheikh Dr. Mohammad Al-Sabah blamed Syria for Kuwait not being invited to this meeting due to its objection to the joint attendance of Kuwait and Iraq:

I spoke with Abdullah Gul and expressed our surprise that Kuwait was not invited to attend the meeting and Gul's reply was that there was opposition to the attendance of Kuwait and Iraq together to avoid a collision at the meeting at a time when the war was imminent and that (Gul said) the idea was to hold this meeting in the presence of all parties, but Syria was opposed to the attendance of Kuwait and Iraq. ... Then, I spoke with Farouk al-Sharaa, and inquired about the reason for not inviting Kuwait. Al-Sharaa's answer was that (the attendees] wanted to deliberate and discuss the situation and that the Kuwaiti attendance was not useful', because the issue that would be discussed at this meeting was 'not related to Kuwait, but related to the security of the region.

Sheikh Dr Mohammad replied that this was 'rejectable and the justifications are unacceptable to Kuwait. We [as Kuwaitis] have no problem in inviting Iraq to keep pressure on them' regarding the Iraqi behavior with international inspectors and the UNSC

⁷⁵ WikiLeaks, 'Kuwait Media Reaction, February 3-10: War Against Iraq; Terrorism In Kuwait; US Presence In Kuwait; Space Shuttle Columbia; Travel Warning; Repatriation Case', Reference ID; 03KUWAIT544, UNCLASSIFIED, Embassy Kuwait, 2003-02-11. Online on the WikiLeaks website at: <http://wikileaks.org/cable/2003/02/03KUWAIT544.html> ; KUNA, 'All Northern Territories Military Zone as of Mid February – DM', General, Kuwait, dated 4/2/2003. Online on the KUNA website at : <http://www.kuna.net.kw/ArticleArchive.aspx?language=en&year=2003&month=2>.

⁷⁶ Ali Balic and Murat Yesilats, 'Turkey New Middle East Policy: The Case of the Meeting of the Foreign Ministers of Iraq's Neighboring Countries', *Journal of The South Asia and Middle Eastern Studies*, Vol. XXIX, No.4, Summer, 2006. p.22.

⁷⁷ Ibid, p.24

⁷⁸ KUNA, 'Kuwait to Be Invited for Next Meeting of States around Iraq – Official', Politics, Kuwait, dated 25/1/2003. Online on the KUNA website at: <http://www.kuna.net.kw/ArticleArchive.aspx?language=en&year=2003&month=1>.

resolutions and that ‘Kuwait should to be present in any regional meeting discussing either Kuwait’s relationship with Iraq or Iraq’s relationship with its neighbours’.⁷⁹ Kuwait indirectly expressed its discontent in its non-participation at the meeting by Sheikh Sabah Al-Ahmed Al-Sabah, who said:

We followed closely the proceedings of that meeting which we would have hoped to have taken part in. Nonetheless, I received a telephone call from the Saudi Foreign Minister Prince Saud Al-Faisal who was present at the meeting. That to me was acknowledgement that Kuwait should have been there as an active participant in the meeting.⁸⁰

This was followed on the Arab level by the Ministerial meeting of the Arab League on 15 – 16 February 2003 to discuss the Iraqi crisis. At this meeting, there were clear differences among the Arab states regarding this crisis, which resulted in the failure to reach an agreement on two main points. The first was on the subject of issuing a final statement at this meeting, and the second was on the Egyptian proposal to hold an emergency summit regarding Iraq. Kuwait and all the Arab states except Oman, Djibouti and Somalia, did not support holding an emergency summit. Nonetheless, these differences were aggravated after Lebanon (the chairman) issued a statement on behalf of the Arab League that had not been discussed or approved by the Arab states. Kuwait objected severely to this statement.⁸¹ As the US Ambassador, Jones, reported in WikiLeaks, Sheikh Dr. Mohammed Al-Sabah considered ‘the statement issued by Lebanon after the meeting to be a forgery. Syria, Lebanon, Sudan, Yemen and Palestinian supported issuing a statement and a draft was circulated half an hour before the meeting broke up, but it was never discussed because of widespread opposition to issuing any statement’.⁸²

At the Arab summit held at Sharm el-Sheikh on 1 March 2003, which was dominated by discussion on the Iraqi crisis, Kuwait pointed out in its speech that Iraq had violated the ‘Conciliation Formulae’ since the end of the Beirut summit, particularly those provisions

⁷⁹ Author’s interview with Sheikh Dr. Mohammad Al-Sabah, former Kuwaiti Minister of Foreign Affairs, Kuwait City, on Monday 11 June 2012.

⁸⁰ KUNA, ‘Sheikh Sabah, Franks Discuss Military Cooperation’, Military and Security, Kuwait, dated 25/1/2003. Online on the KUNA website at: <http://www.kuna.net.kw/PrevioUSrticles.aspx?language=en&date=25012003>.

⁸¹ BBC News, ‘Kuwait Protests Over Iraq Statement’, Tuesday, 18th February 2003. Online on the BBC website at: http://news.bbc.co.uk/2/hi/middle_east/2776819.stm.

⁸² WikiLeaks, ‘GOK Says Arab League Ministerial Was Tough on Saddam’, Reference ID: [03KUWAIT626](http://www.wikileaks.org/origin/117_0.html), **CONFIDENTIAL**, [Embassy Kuwait, 2003-02-19](http://www.wikileaks.org/origin/117_0.html). Online on the WikiLeaks website at: http://www.wikileaks.org/origin/117_0.html.

related to inviting Iraq to adopt policies that would guarantee such undertakings. Therefore, Kuwait had determined the aspects of this violation as follows:

- a. the Iraqi President's speech in December 2002, in which he threatened the Kuwaiti regime and praised the terrorist operations that had taken place in Kuwait against US troops;
- b. Tariq Aziz's aforementioned threat, in his interview on 27 January 2003, to attack Kuwait;
- c. Kuwait's claim that the Iraqi Intelligence Service had endeavored to attack Kuwaiti interests at home and abroad;
- d. non-disclosure regarding Kuwaiti Prisoners of War and the return of Kuwaiti property and archives;
- e. non-implementation of the UN resolution concerning the situation between Kuwait and Iraq.⁸³

Therefore, Kuwait started to give 'indications' about its 'distrust' in the ruling regime in Iraq concerning the implementation of international and Arab obligations in order to solve the Iraqi crisis since 1990. Thus, Kuwait supported the 'initiative' submitted by UAE President, Sheikh Zayed Al Nahyan during the abovementioned Arab summit to find a solution to the Iraqi crisis. However, this initiative was withdrawn after a threat by Iraq to withdraw from the meeting should this initiative be on the agenda, which included the following items:

1. call for Saddam Hussein to relinquish power and leave Iraq within two weeks from the date of accepting the initiative;
2. legally binding guarantees locally and internationally to be provided to Iraqi leadership against any prosecution should it accept;
3. the call for full amnesty for all Iraqis at home and abroad;

⁸³ KUNA, 'Sheikh Sabah Lashes out at Iraqi Regime for Continuous Threats Against', Politics, dated 1/3/2003. Online on the KUNA website at : <http://www.kuna.net.kw/ArticleDetails.aspx?language=en&id=1323149>

4. the Arab League, in cooperation with the UN, to supervise the situation in Iraq during the transitional phase.⁸⁴

Kuwait welcomed this initiative in its statement, saying that ‘these ideas were meant to safeguard Iraq’s unity and spare its people destruction and other losses and spare the region the woes of a destructive war that would jeopardize regional security and stability’.⁸⁵ Also, Kuwait repeated its support for this initiative at the emergency meeting of the OIC in Qatar on 5 March 2003, which was described by Sheikh Sabah Al-Ahmed Al-Sabah as a ‘sincere invitation to the Iraqi leadership to deeply think of the huge sacrifice that suit the bulk of risks storming Iraq and the region’.⁸⁶ However, as WikiLeaks shows, Kuwait expressed its discontent with UAE’s adoption of its initiative: ‘The UAE had not been more active in pushing the proposal, leaving Kuwait to do most of the diplomatic works’.⁸⁷ At the end of the Arab summit in Sharm el-Sheikh, AL issued a resolution confirming the Arab states’ rejection of attacking Iraq or threatening its security, calling upon the Arab states to refrain from participating in any military action targeting the safety, security and territorial integrity of Iraq or any Arab country’.⁸⁸

Despite the fact that Kuwait officially announced its adherence to the Arab resolutions to reject any military action against Iraq, in a practical way, it was in favor of any military operation carried out by the US to get rid of Saddam Hussein’s regime according to the US Ambassador to Kuwait, Jones, in Wikileaks documents.⁸⁹ This view was also expressed in the confidential telegram of the US Embassy to Kuwait, which stated that ‘the United

⁸⁴ Ibid, ‘UAE Initiative Forwarded To Islamic Summit’, Politics, Kuwait, dated 2/3/2003. Online on the KUNA website at:

<http://www.kuna.net.kw/ArticleArchive.aspx?language=en&year=2003&month=3>

⁸⁵ Ibid, ‘Kuwait Hails UAE Ideas At Arab Summit’, Politics, Kuwait, dated 2/3/2003. Online on the KUNA website at:

<http://www.kuna.net.kw/ArticleArchive.aspx?language=en&year=2003&month=3>

⁸⁶ Kuwait National Assembly, ‘Muḍbatat jalsat Majlis il-’ummah al-Kuwayti al-‘alanīya : al-fasl at-tashrī‘ī altase’, 15 min Muḥarram sanat 1424 h, al-muwāfīa 18 min shahr mars sanat 2003 m’, ‘Minutes of Kuwait National Assembly: 9th legislative term, Tuesday 18, March 2003’. Kuwait. Online on the KNA website at : <http://www.kna.kw/clt/default.asp>

⁸⁷ WikiLeaks, ‘ Oil For Jordan: GOK Awaits Specific Request’ , Reference ID; [03KUWAIT858](#) , [CONFIDENTIAL](#) , [Embassy Kuwait](#), [2003-03-11](#) , Online on the WikiLeaks website at:

http://www.wikileaks.org/origin/117_0.html

⁸⁸ Arab League, ‘Statement of The Council of Arab League Meeting at Summit Level in Its 15th Ordinary Session’, Sharm el-Sheikh, Egypt, 28 Dū l-Ḥiḡḡah 1423 AH, 1/3/2003, Secretariat General, Cairo.

⁸⁹ WikiLeaks, ‘Kuwaiti Interests In Iraq’, Reference ID; [02KUWAIT5417](#), [CONFIDENTIAL](#), [Embassy Kuwait](#), [2002-12-17](#) . Online on the WikiLeaks website at:

http://www.wikileaks.org/origin/117_0.html

States and Kuwait are standing shoulder to shoulder in the international effort to disarm Iraq as a result of Kuwait's geographic location next to Iraq and the political decision by the government of Kuwait to support very large numbers of US troops in the country'.⁹⁰ For this reason, Kuwait started focusing on Iraq's neighboring countries to gain their support in any military action to dethrone Saddam's regime in March 2003. In this respect, Kuwait granted Jordan \$100 million in cash, in addition to supplying 25,000 barrels of oil per day for six months in case of any interruption of the oil supply to Jordan at the start of military operations against Iraq.⁹¹ Kuwait also announced, at the beginning of March 2003, its willingness to receive the rest of the US forces after the Turkish parliament rejected the stationing of US troops in Turkish territory to launch an attack against Iraq.⁹² According to WikiLeaks documents, Kuwait was one of the countries most keen to overthrow the regime of Saddam. Thus, in 2003 Kuwait asked Jones to expedite toppling Saddam's regime and giving Kuwait 'at least one or two days' official notice in advance of hostilities'

4.2. *The Popular Stance in Kuwait*

The popular views and reactions in Kuwait can be ascertained from statements, articles and analysis in the Kuwaiti newspapers on the positive aspects and benefits that would be gained should Saddam's regime be toppled. This is not surprising given the experience Kuwaitis had gone through, and the widespread hatred of Saddam Hussein that any visitor to Kuwait could pick up in interactions with Kuwaitis of any walk of life. While it would have been useful if further more scientific corroboration could have been obtained directly for the purpose of this thesis, time and resource limitations made this unfeasible, not least

⁹⁰ Ibid, 'Anthrax and Smallpox Program for Kuwaiti Military', Reference ID; [03KUWAIT553](#), [CONFIDENTIAL](#), [Embassy Kuwait](#), [2003-02-13](#). Online on the WikiLeaks website at: http://www.wikileaks.org/origin/117_0.html

⁹¹ WikiLeaks, 'Oil For Jordan: GOK Awaits Specific Request', Reference ID; [03KUWAIT858](#), [CONFIDENTIAL](#), [Embassy Kuwait](#), [2003-03-11](#). Online on the WikiLeaks website at: http://www.wikileaks.org/origin/117_0.html; Ibid, 'Jordan's King Abdullah Visits Kuwait', Reference ID; [03KUWAIT5183](#), [CONFIDENTIAL](#), [Embassy Kuwait](#), [2003-11-12](#). Online on the WikiLeaks website at: <http://wikileaks.org/cable/2003/11/03KUWAIT5183.html>

⁹² Ibid, 'Kuwait Media Reaction, March 6: Exile For Saddam'; Reference ID; [03KUWAIT818](#) [UNCLASSIFIED](#), [Embassy Kuwait](#), [2003-03-07](#). Online on the WikiLeaks website at: http://www.wikileaks.org/origin/117_0.html

given the time that has elapsed since then. However, there is, fortunately, a Kuwaiti study that does provide useful evidence, especially with regard to the proposals and ideas of politicians and political blocks in Kuwait regarding their perspectives of how to deal with Iraq should Saddam's regime fall. All these proposals mainly supported the overthrow of Saddam, stressed the importance of communication and the link that brings together people of Kuwait and Iraq, and established the vision of political and economic ties between the two countries in the post-Saddam era. Among these proposals were those by the Islamic Constitutional Movement, and by the 'Liberal' block. The study also lists popular initiatives represented in a statement issued by key personalities, intellectuals, artists, politicians, academics, mothers of martyrs and wives of prisoners of war addressed to the Iraqi people.⁹³

One might add to this a statement by MP Mohammed Al-Saqer, the Chairman of Foreign Affairs Committee in Kuwait National Assembly, during a visit to Washington, that 'most Kuwaitis support the United States in any military action against Iraq should this act help to rid the region of Saddam Hussein'.⁹⁴

5. The official and popular stances of Kuwait on the American war against Iraq

The crisis became more acute on 5 February 2003 when the US Secretary of State, Colin Powell submitted a presentation to UNSC claiming that Iraq had WMD and did not comply with UNSC resolution 1441, which had given Iraq the 'final opportunity'. Therefore, UK, Spain and the US on 24 February 2003, submitted a 'second draft' resolution at UNSC indicating that Iraq had failed to cooperate and comply with resolution 1441. However, this draft resolution was withdrawn on 17 March 2003 due to the opposition of Russia, France and Germany.⁹⁵ Thus, after the failure of obtaining a resolution from the UN to give a 'permission' or 'an excuse' to launch a war against Iraq, the Spain, UK and the US changed their movement thorough holding the 'Azores summit'

⁹³ Diplomatic Center for Strategic Studies, 'Kuwait and Iraq Issues: Kuwaiti Vision on Iraq Post Saddam Hussein', Report, Issue No. 4, Kuwait 18/1/2003. pp. 6-12.

⁹⁴ Diplomatic Center For Strategic Studies, 'Kuwait Issues, Kuwait Foreign Policies in 2002'. Op.Cit. p. 41.

⁹⁵ United Nations, 'Report of the Security Council 1 August 2002-31 July 2003', General Assembly Official Records Fifty-eighth Session Supplement No. 2 (A/58/2), New York, 2003. p. 7.

in Portugal on 16 March 2003 to discuss the Iraqi crisis.⁹⁶ This summit could be described as a ‘war summit’, in which these countries sent an ultimatum to Iraq to resort to force in case of non-compliance of Iraq with UN resolutions. After this summit broke up, the UN Secretary- General announced the withdrawal of international inspectors from Iraq on 17 March 2003 following discussion of the Iraqi issue in the UNSC, and there were indicators to attack Iraq.⁹⁷

On the evening of 17 March 2003, George Bush, in a televised speech, gave the Iraqi President and his family 48 hours to leave Iraq or to face war. Iraq rejected the US initiative, which led the US, UK and their allies (30 countries) to launch first an air war against Iraq on 19 March 2003 and then a land attack on 20 March 2003 with 380,000 soldiers under the name of ‘Operation Iraqi Freedom’.⁹⁸

The military intervention in Iraq was the most prominent test of the Kuwaiti policy on the internal and external levels. Since the military operations had begun, Kuwait supported these operations on the official and public levels in order to dethrone the Iraqi regime. The Kuwaiti official stance was expressed by the permanent representative of Kuwait at the UN, Mohammed Aboual Hassan at the UNSC session on 26 March 2003; he stated, ‘Kuwait reaffirms that its position on the ongoing military operations against Iraq is in conformity with relevant security council resolutions and with the legal obligations on Iraq that proceed from them. This fact has been totally flouted by the Iraqi government. Security Council resolution 1441 (2002) also included a clear warning to Iraq that it would face grave consequences if it remained in breach of these decisions’.⁹⁹ This was also in addition to the Sheikh Sabah Al-Ahmed Al-Sabah’s congratulations to the Iraqi people after the US declaration on 9 April 2003 of the fall of Saddam’s regime in Baghdad,¹⁰⁰ when he stated that ‘our hearts are filled with joy as we see the brotherly Iraqi people with whom we have been bound with ties of neighborliness expressing jubilation over victory

⁹⁶ Kenneth Katzman, ‘Iraq: Post-Saddam Governance and Security’, CRS Report for Congress, *Congressional Research Service*, May 16, 2006. p.12.

⁹⁷ United Nations, ‘Report of the Security Council 1 August 2002-31 July 2003’, General Assembly Official Records Fifty-eighth Session Supplement No. 2 (A/58/2), New York, 2003. p.7.

⁹⁸ Kenneth Katzman, ‘Iraq: Post-Saddam Governance and Security’, Op.Cit. p.13.

⁹⁹ Security Council, ‘4726th meeting Wednesday, 26 March 2003, 3 p.m.: The Situation between Iraq and Kuwait’, Fifty-eighth year, S/PV.4726, 26 March 2003, United Nations, New York. p.15.

¹⁰⁰ Raymond W. Copson, ‘Iraq War: Background and Issues Overview’, CRC Report for Congress, *Congressional Research Service*, US, April 22, 2003. p.5.

and restoration of freedom'.¹⁰¹ Despite the fact that Kuwait did not take part in this war, Kuwait was the main supporter of the coalition forces in the region, which developed as follows:

1. Kuwait hosted the US forces on its territory and announced that the entire northern area was a 'military zone' and that the access was prohibited due to the stationing of these troops at this area. In addition, the US used its land and marine military bases to attack Iraq as mentioned previously.
2. Kuwait provided 'free' logistic support to coalition forces during the period of war from 2002 to 2004, which was estimated at \$2.145 billion,¹⁰² especially as this support continued subsequently through the signing of contracts between Kuwait by KPC and the US to provide the latter with gasoline and oil at 'discounted prices' in March 2005. This was renewed in March 2006 and March 2007 for a further one year¹⁰³ to finance OIF in Iraq. As WikiLeaks shows, the US Embassy to Kuwait pointed out that the Kuwaiti support saved US tax payers millions of dollars annually.¹⁰⁴ In addition to the abovementioned free and discounted jet fuel for OIF, Kuwait had provided the US subsidy to its troops since 2003 valued at \$1 billion annually, which included the following: 'waived port fees, waived ground support fees for military air craft, coast free use of bases, convey escorts, security, customs waivers for import and export and 7000 gallons of free jet fuel per day'. Thus, the total value of Kuwaiti support provided to US troops was in excess of \$10 billion from 2003 until the end of 2008 as the US report mentioned in WikiLeaks. Therefore, Kuwaiti support to the US was expressed by US Ambassador to Kuwait, Jones, as follows: 'Kuwaiti support for the US military

¹⁰¹ KUNA, 'Sheikh Sabah Congratulates Iraqi People on Liberation', Politics, Kuwait, dated 9/4/2003. Online on the KUNA website at:

<http://www.kuna.net.kw/ArticleArchive.aspx?language=en&year=2003&month=4>

¹⁰² WikiLeaks, 'Scenesetter For Deputy Secretary Armitage', Reference ID; [03KUWAIT5104](#), [CONFIDENTIAL](#), [Embassy Kuwait](#), [2003-11-06](#). Online on the WikiLeaks website at: http://www.wikileaks.org/origin/117_0.html

¹⁰³ Ibid, 'Kuwait Cabinet Renews Contract For Oil Fuel At Discounted Price', Reference ID; [07KUWAIT1007](#), [CONFIDENTIAL//NOFORN](#), [Embassy Kuwait](#) [2007-06-27](#). Online on the WikiLeaks website at: http://www.wikileaks.org/origin/117_0.html

¹⁰⁴ Ibid, 'Kuwait Confirms Supply of Concessionary Oil Fuel Supply', Reference ID; [06KUWAIT970](#), [CONFIDENTIAL](#), [Embassy Kuwait](#), [2006-03-19](#). Online on the WikiLeaks website at: http://www.wikileaks.org/origin/117_0.html

presence is 25 times that of Germany, 16 times that of South Korea and 65 times that of Italy'.¹⁰⁵

3. Kuwaiti media supported the military operations in Iraq; Kuwaiti official and non-official media were the only media in the region that supported the military operation throughout the period of war, calling it 'Operation Iraqi Freedom'.¹⁰⁶

On the public level, the members of parliament at Kuwait National Assembly, in their session on 31 March 2003, supported military operations against Iraq and criticized the Arab countries and AL for failure to condemn the Iraqi missiles that had hit Kuwait at the beginning of this war.¹⁰⁷ Therefore, the Kuwaiti MPs persuaded the Kuwaiti government to cut off economic aid for the Arab countries that did not support Kuwait. This stance can be illustrated in how after the US announced the fall of Saddam's regime in April 2003, the MPs at the Kuwait National Assembly congratulated the Iraqi people on 14 April 2003.¹⁰⁸ The Kuwaiti official and popular stances were expressed by US Ambassador to Kuwait, Jones, saying 'It is the only Arab State where both government and public opinion openly supported the US in eliminating Saddam Hussein's regime by force'.¹⁰⁹ However, the Kuwaiti popular stance excluded some 'religious groups' who considered this war as a 'new crusade' on Iraq.¹¹⁰ Thus, in appreciation of the Kuwaiti support, the US declared

¹⁰⁵ Ibid, 'Action Request: Recommended Engagement On Continuation of Jet Fuel Subsidy', Reference ID: [09KUWAIT565](http://www.wikileaks.org/origin/117_0.html) , [CONFIDENTIAL](#), [Embassy Kuwait](#), [2009-06-04](#) . Online on the WikiLeaks website at: http://www.wikileaks.org/origin/117_0.html

¹⁰⁶ W. Andrew Terrill, Op.Cit. p.42.

¹⁰⁷ Kuwait National Assembly, 'Muḍbatat jalsat Majlis il-'ummah al-Kuwayti al-'alanīya : al-fasl at-tashrī'ī altase', 28 min Muḥarram sanat 1424 h, al-muwāfiq 31 min shahr mars sanat 2003 m', 'Minutes of Kuwait National Assembly: 9th legislative term, Monday on 31 March 2003'.Kuwait. Online on the KNA website at <http://www.kna.kw/clt/default.asp> <http://www.kna.kw/clt/default.asp>

¹⁰⁸ Kuwait National Assembly, 'Muḍbatat jalsat Majlis il-'ummah al-Kuwayti al-'alanīyah: al-fasl at-tashrī'ī altase', 12 min Safar sanat 1424 h, al-muwāfiq 14 min April sanat 2003 m', Minutes of Kuwait National Assembly: 9th Legislative term, Monday on 14th April 2003'.Kuwait. Online on the KNA website at <http://www.kna.kw/clt/default.asp> <http://www.kna.kw/clt/default.asp>

¹⁰⁹ WikiLeaks, 'Scenesetter For Secretary's Visit', Reference ID: [04KUWAIT777](http://www.wikileaks.org/origin/117_0.html) , [CONFIDENTIAL](#), [Embassy Kuwait](#) [2004-03-08](#) . Online on the WikiLeaks website at: http://www.wikileaks.org/origin/117_0.html

¹¹⁰ Ibid, 'Kuwait Media Reaction, March 16: Iraq; French Opposition To War; Anti-War Demonstrations', Reference ID; [03KUWAIT944](http://www.wikileaks.org/origin/117_0.html), [UNCLASSIFIED](#), [Embassy Kuwait](#), [2003-03-17](#). Online on the WikiLeaks website at: http://www.wikileaks.org/origin/117_0.html

Kuwait to be ‘a major ally for US non-north Atlantic Treaty Organization (NATO)’ on 1 April 2004.¹¹¹

As an expression of Kuwaiti discontent with the stand of some Arab countries due to the lack of condemnation of the Iraqi missiles that hit Kuwait, the Kuwaiti Minister of Foreign Affairs did not take part in the Ministerial meeting of the Arab League on 23 March 2003, which was held directly following the start of the OIF. Instead, the Kuwaiti participation was represented by its ambassador to Cairo, Ahmed Al-Kulaib.¹¹² The US Ambassador, Jones, commented on non-participation of the Kuwaiti Foreign Minister at the abovementioned AL meeting, saying that ‘sending the Kuwaiti Ambassador to Egypt in his stead is a clear signal of Kuwait’s displeasure with the recent performance of the Arab League in general and Arab league Secretary General Amar Mousa in particular’.¹¹³ At this meeting, the AL condemned the US-British occupation of Iraq and called for the immediate withdrawal of these forces from Iraq.¹¹⁴ Kuwait expressed reservations about the statement of the AL due to the failure to denounce the Iraqi missiles that hit Kuwait, which was described by Kuwaiti Ambassador, Ahmed Al-Kulaib, as ‘imbalance’.¹¹⁵ As a reflection of the AL statement, a public demonstration took place in Kuwait on 3 April 2003, denouncing the Arab League stance from the lack of condemnation of these missiles.¹¹⁶ The Kuwaiti discontent with the AL Secretary-General, as shown in WikiLeaks by the statement of the Egyptian Ambassador to Kuwait to US Ambassador LeBaron, prompted President Hosni Mubarak to visit Kuwait on 27 February 2006 to convince Kuwaiti officials to renew the term of office of Amar Mousa as AL Secretary General, because Kuwait and UAE had reservations about him due to his handling of the

¹¹¹ Terrill, W. Andrew, Op.Cit. p.40.

¹¹² KUNA, ‘Kuwait’s Ambassador to Represent the Country at Ministerial Meeting Tomorrow’, Politics, Kuwait, dated 23/3/2003. Online on the KUNA website at:
<http://www.kuna.net.kw/ArticleArchive.aspx?language=en&year=2003&month=3>

¹¹³ WikiLeaks, ‘Kuwait Snubbing Arab League Meeting’, Reference ID: [03KUWAIT1047](#), CONFIDENTIAL, Embassy Kuwait, 2003-03-23. Online on the WikiLeaks website at:
http://www.wikileaks.org/origin/117_0.html

¹¹⁴ Arab League, ‘The Resolution of the Council of Arab League at the Ministerial Level in Its 119 Ordinary Session’, 24/3/2003, General Secretariat, League of Arab, Egypt.

¹¹⁵ KUNA, ‘Kuwait Expresses Reservations Over The ‘Imbalanced’ Final Arab Statement’, Politics, Kuwait, dated 24/3/2003. On the KUNA website at:
<http://www.kuna.net.kw/ArticleArchive.aspx?language=en&year=2003&month=3>

¹¹⁶ KUNA, ‘Demonstration Lash at Arabs’ Failure to Condemn Iraqi Missile Attacks on’, Politics, Kuwait, dated 3/4/2003. Online on the KUNA website at:
<http://www.kuna.net.kw/ArticleArchive.aspx?language=en&year=2003&month=4>

Iraqi crisis and the UAE initiative as mentioned above.¹¹⁷ The Kuwaiti reservations regarding the issue of renewal of the AL Secretary General was expressed by the Kuwaiti Minister of Foreign Affairs, Sheikh Dr. Mohammad Al-Sabah to the US Ambassador LeBaron, saying that ‘politically, the Government of Kuwait had serious disagreement with Mousa over his attempt to rehabilitate Saddam Hussein’s regime’.¹¹⁸

As a result of the Kuwaiti stance in supporting the military operations against Iraq, Kuwait felt ‘isolated’ in its regional environment, as the US Ambassador Jones pointed out. Therefore, Sheikh Dr. Mohammed Al-Sabah did a tour of the P-5 States at UNSC starting on 6 April 2003 in order to deliver the following messages:

1. to demonstrate to the Arab world that Kuwait has powerful friends and it is not alone or isolated.¹¹⁹ Therefore, the US Ambassador to Kuwait, LeBaron commented on this issue later in 2006 saying that ‘Kuwaiti officials view that support as sometimes costly in their dealings with other regional countries’¹²⁰
2. to express Kuwaiti discontent with some countries at UNSC, such as Russia and France, about the ‘German proposal’, following the fall of Saddam, concerning changes to the procedures related to payments of compensation to Kuwait as these procedures were designed to delay the compensation payments¹²¹
3. to call for the denouncing of the Iraqi missiles that attacked Kuwait
4. the importance of joining Kuwait in the practical efforts to reconstruct Iraq¹²²

¹¹⁷ WikiLeaks, ‘Amre Moussa Reappointment as Arab League SECGEN A Hard Sell In The Gulf’, Reference ID; [06KUWAIT748](#) , [CONFIDENTIAL//NOFORN](#), [Embassy Kuwait](#), [2006-03-05](#) . Online on the WikiLeaks website at:

http://www.wikileaks.org/origin/117_0.html

¹¹⁸ Ibid, ‘Foreign Minister Discusses Iran, Iraqi Sunnis, Hamas, And Amre Moussa’, Reference ID; [06KUWAIT807](#) , [CONFIDENTIAL](#), [Embassy Kuwait](#), [2006-03-09](#) . Online on the WikiLeaks website at: http://www.wikileaks.org/origin/117_0.html

¹¹⁹ Ibid, ‘ Kuwait Minister Of State Plans P-5 Tour, Requests White House Call’ , Reference ID; [03KUWAIT1168](#), [CONFIDENTIAL](#) , [Embassy Kuwait](#), [2003-03-31](#) . Online on the WikiLeaks website at: http://www.wikileaks.org/origin/117_0.html

¹²⁰ Ibid, ‘ Kuwait: 2005/2006 Report To Congress on Allied Contributions To The Common Defense’, Reference ID ; [06KUWAIT407](#) [CONFIDENTIAL](#), [Embassy Kuwait](#), [2006-02-06](#). Online on the WikiLeaks website at: http://www.wikileaks.org/origin/117_0.html

¹²¹ For more details on this issue see the Chapter VIII.

¹²² WikiLeaks , ‘GOK To Take Its Case on The Road’, Reference ID; [03KUWAIT1250](#) , [CONFIDENTIAL](#) [Embassy Kuwait](#), [2003-04-05](#). Online on the WikiLeaks website at: http://www.wikileaks.org/origin/117_0.html

5. to deliver special thanks for the US's efforts to remove Saddam from power¹²³
6. the importance of continuing the UN resolutions regarding the situation between Kuwait and Iraq.¹²⁴

All sources and interviewees agree that Sheikh Sabah – in the end the one decision-maker who mattered – forcefully supported the role of US, British and other forces in the overthrow of Saddam Hussein. Nor was there any opposing voice to be heard within Kuwait. There were several political, security and economic reasons that encouraged Kuwait to support this war to get rid of Saddam's regime:

1. Saddam's regime constituted a security threat for Kuwait from 1991 to 2003. This became obvious when this regime occupied Kuwait in 1990 and mobilized its forces once again against Kuwait in 1994 in addition to continuous threats to Kuwait as mentioned in the previous chapters.
2. This regime was one of the main reasons for the decline of economic growth and investment in Kuwait. The foreign investment in Kuwait from 1990 to 2000 was estimated at \$58 million only. After the fall of Saddam's regime in 2003, foreign investments rose to \$24 million in 2004 and \$250 million in 2005¹²⁵ then dropped to \$156 million from 2005 – 2007 due to violence that took place in Iraq and the region, as will be discussed in the next chapter. This decline increased in 2008 due to the financial global crisis.¹²⁶ Therefore, after the fall of Saddam, the term 'economic diplomacy' appeared in Kuwaiti foreign policy in 2004, the aim being to employ the diplomatic corps to attract foreign investment to Kuwait.¹²⁷ This was in addition to the amendments to the Kuwaiti foreign investment law in 2008 by reducing the tax rate on

¹²³ Ibid, 'Scenesetter for GOK Minstate's Visit To Washington', Reference ID: [03KUWAIT1283](http://www.wikileaks.org/origin/117_0.html), [CONFIDENTIAL, Embassy Kuwait, 2003-04-07](http://www.wikileaks.org/origin/117_0.html). Online on the WikiLeaks website at: http://www.wikileaks.org/origin/117_0.html

¹²⁴ Interview done by researcher with Sheikh Dr. Mohammad Al-Sabah, former Kuwaiti Minister of Foreign Affairs, Kuwait City, 11 June 2012.

¹²⁵ United Nations Conference On Trade And Development (UNCTAD), 'World Investment Report 2007', United Nations, Geneva, 2007. Report on the UNCTAD website at: <http://archive.unctad.org/Templates/Startpage.asp?intItemID=2068&lang=1>

¹²⁶ Ibid, 'World Investment Report 2011', United Nations, Geneva, 2011. Report on the UNCTAD website at: <http://archive.unctad.org/Templates/Startpage.asp?intItemID=2068&lang=1>

¹²⁷ Ministry of Foreign Affairs, *At-takrīr us-sanawi 2004*, Op.Cit. p. 31.

the foreign companies from 55% to 15% in order to encourage more foreign investment in Kuwait. Therefore, the total value of foreign investment in Kuwait reached KD600 million (\$2.16 billion) up to 2010.¹²⁸

3. The nature of the Kuwaiti-US alliance since 1991 was further developed by the US announcement that Kuwait had become ‘a major ally for US non-north Atlantic Treaty Organization (NATO)’ on 1 April 2004. This was in addition to the convergence of interests between the US and Kuwait to end Saddam’s regime.

6. Conclusion

The changing international and regional environments played a major role in Kuwait’s policy towards Iraq during this period, after the terrorist attack of 9/11-2001 in the US and its impact on the global political scene that led to the war in Afghanistan in 2001. This and the so-called war on terror turned the attention of the US to Iraq, which resulted in hostility between Iraq and the US over the Iraqi WMD program and mobilization of coalition forces in the Gulf region. This culminated in the occupation of Iraq in 2003 – with close linkage to Kuwait’s security concerns. Over the period 2002-2003, Kuwaiti policy was characterized by, first, the coordination between Kuwait and the US to overthrow Saddam’s regime, and, second, liaising with the Iraqi opposition abroad to determine the future of Iraq after Saddam Hussein. Thus, Kuwait’s relationship with some Arab countries, such as Syria and Lebanon, on the one hand, and the Secretary General of the Arab League on the other, were affected by Iraq. Thus, Iraq’s flexible policy towards Kuwait since December 2002, through its acceptance of the ‘Conciliation Formula’, the Iraqi President’s ‘apology’ speech to Kuwait and Iraq’s attendance of TC meetings in Geneva in late 2002 to discuss the Kuwaiti prisoners of war, after the Iraqi boycott since December 1998, were a reflection of Iraq’s need to gain Arab political support to prevent

¹²⁸ Kuwait Foreign Investment Bureau, ‘KFIB: Facts & Figures’, Ministry of Commerce & Industry, Kuwait. Report on the KFIB website at:
<http://www.kfib.com.kw/kfibclient/clientpages/Index.aspx?id=53>

any military attack against Iraq. Thus, the characteristics of Kuwait policy, during this period, are what may be described as ‘surveillance and caution’ of Iraqi movements on the international and regional level regarding the implementation of the terms of the ‘Conciliation Formula’ in the light of the US and UK intentions to attack Iraq.

Even though Kuwait officially announced its adherence to the Arab resolution to reject any military action against Iraq, in practice it was in favor of any military strike to get rid of Saddam Hussein’s regime. Not surprisingly, then, both official and popular Kuwaiti support was forthcoming for the intervention in order to dethrone the Iraqi regime; this was visible in Kuwait’s logistical support for US and UK troops in offering its air space and land for such military intervention. However, as a result of this stance, Kuwait felt isolated in its regional environment. Yet there were several political, security and economic reasons that encouraged Kuwait to support this war to topple Saddam’s regime, the most important of which were the continuous threats by the regime to Kuwait security since 1991 with the corresponding impact on the economic growth and investment in Kuwait, which led to the convergence of interests between the US and Kuwait to end Saddam’s regime.

Throughout, the key decision maker was Sheikh Sabah, the Foreign Minister, whose dominance of the foreign policy landscape was now virtually unchallenged. Indeed, this would only be confirmed further when he took up the post of Prime Minister a few months later. Yet he could count on widespread support among policy circles in Kuwait.

After the fall of the regime in April 2003, Kuwait entered into a new phase of its relationship with Iraq, especially with regard to the ‘outstanding’ issues and the improvement of relations between the two countries, as will be discussed in Chapter 9.

Chapter IX

Kuwait's Foreign Policy towards Iraq, 2003 to 2010

1. Introduction

Both the regional and internal environments played an essential role in Kuwaiti behavior towards Iraq after the fall of the Saddam Hussein regime in 2003 – the period which the present chapter will chart. Before detailing the evolution of policy, it is worth briefly introducing these factors.

1.1. The role of population and ideational factors

As mentioned in Chapter 2, ideational factors, demography and geography help shape the foreign policy of states. Religion, for instance, along with ethnicity, has become an influential element in international politics, which tends to be linked to both domestic demographic structures and ethnic or religious composition, and border-transcending identities. Such factors have certainly shaped Kuwaiti foreign policy towards Iraq since the fall of the Saddam Hussein regime. As mentioned in Chapter 4, the Kuwaiti population is divided in various ways, between Kuwaiti and non-Kuwaiti, as well as Sunni and Shi'a. This potentially exposes the country to internal security risks, as demonstrated by a few terrorist operations during the Iraq-Iran War (1980-1988). Concerns rose again after the fall of the Saddam Hussein regime due to sectarian violence in Iraq between Sunni and Shi'a and its potential (and in some cases actual) regional effects. In Kuwait, the Shi'a comprise approximately 15% to 25% of the otherwise largely Sunni population, while in Iraq, the Sunnis make up approximately 40%, with a largely Shi'a population. Due to sectarian violence in Iraq, relations between Sunni and Shi'a have been strained in Kuwait, leading increasing proportions of the Kuwaiti people to support their own ideological affiliations, thus harming national unity in Kuwait.

Kuwaiti officials have expressed concerns that the sectarian violence in Iraq might threaten their country's domestic security and social cohesion, as Wikileaks has shown. This is in addition to the fear that this sectarian violence could result in the disintegration of Iraq and the possibility of a 'Shi'a' state being established in the south of Iraq that would be loyal to Iran and would destabilize Kuwait. But as already mentioned, there are further border-transcending linkages to these religious, sectarian and ethnic cleavages: Iran is majority-Shia, as well as ethnically different, although there are populations of Arab ethnicity; while at the same time, there are Shia, and indeed people of Iranian ethnicity, throughout the Gulf and Iraq. This is one way in which the regional environment intertwines with the domestic.

1.2. The role of the regional environment

Countries are inevitably affected by geographic location and the foreign politically salient activities of regional states. This factor has been significant in Kuwaiti policy towards Iraq since the fall of Saddam Hussein regime. The occupation of Iraq by an international coalition led by the US and the UK in 2003, had political and security implications, as mentioned in Chapter 8. Also, foreign interventions and terrorist networks sought to destabilize Iraq and support terrorist operations in Iraq, in part in reaction against the US-UK occupation. These issues are central to understanding Kuwaiti policy towards Iraq since 2003, because of Kuwait's geographical location near Iraq. Iraq has become the unwitting host for violent radicals linked to al-Qaeda and foreign networks, leading to insecurity in the country. As a result, Kuwait has become concerned about transmission of such elements and terrorist operations to Kuwait. There is particular concern over Basra city in south Iraq, which might become a 'failed state' under the control of these extremist networks, which would affect Kuwait due to its geographic location.

Therefore, Kuwait used the diplomatic and economic tools at its disposal (see Chapter 4), to support Iraq in restoring its security and stability to avoid it being converted into a center for tension or terrorism and thus constituting a risk to stability in Kuwait. This is especially the case since the rebirth of Kuwaiti-Iraqi relations after the fall of Saddam Hussein's regime, when the 'outstanding issues' between Kuwait and Iraq, which were the main impediment to the development of relations between the two countries, began to be

addressed. This chapter, then, examines the evolution and components of Kuwait's policy towards Iraq after the removal of Saddam's regime, and its perspective on solving the 'outstanding issues' between the two states – all in light of the concerns over physical and ideological security stemming from the above.

1.3. The decision-making environment

As always, the domestic decision-making environment needs to be understood to make sense of how these factors are turned into policy. As will have become clear from the previous chapters and the overall picture sketched in chapter 4, decision-making at the strategic level in foreign policy had by this point come to be concentrate very much in the hands of Sheikh Sabah Al Ahmad Al Sabah, the Foreign Minister – who in July 2003 became Prime Minister of Kuwait, taking the place of Crown Prince Sheikh Saad in a move which split the position of Crown Prince and Prime Minister, thus consolidating his formal hold on power. While Sheikh Saad remained as Crown Prince, his indifferent health kept him away from the actual levers of power when it came to foreign policy. As Sheikh Sabah took over as Prime Minister, Sheikh Dr Mohammed Sabah Al Salem Al Sabah took the Foreign Affairs portfolio. Highly trusted, senior in the family, and with wide experience in foreign affairs – indeed including two years as deputy minister until that point – he became, as already noted in Chapter 4, an important figure in policy formation, much respected also by foreign diplomats, but playing his role very much discreetly, with ultimate direction firmly in the hands of Sheikh Sabah. This did not change, of course, when Sheikh Sabah was made Amir in 2006, instead of the largely incapacitated Sheikh Saad, who had to concede the position under pressure from the National Assembly a mere 9 days after the previous Amir's passing.

There was not really any countervailing or even diverging voice anymore in the policy establishment, but there were some strong views held and expressed in the National Assembly – especially against any moves towards debt relief for Iraq without National Assembly approval. Indeed some MPs threatened to use their constitutional power of 'interpellation' against the Kuwaiti Government should that be in prospect.¹ MPs sent

¹ *Arab News*, 'Kuwaiti MPs Oppose Iraqi Debt Write-Off', Friday 26 November 2004. Available online at: <http://www.arabnews.com/node/258683>

frequent parliamentary questions to the foreign minister from 2003 on the outstanding issues with Iraq,² and the US took them seriously enough for the Ambassador to spend time discussing with them the issue of Iraqi debt relief.³ MPs also convened regularly with the Foreign Minister in 2007, 2008 and 2009, to discuss, for instance, international positions on the execution of Saddam Hussein,⁴ and Iraqi challenges to Kuwait in 2009.⁵ Remarkably, there was little difference among the different parliamentary factions – otherwise so prone to dispute – when it came to Kuwait’s policy towards Iraq.

2. Kuwait’s policy towards Iraq after the collapse of the Iraqi regime

Following the collapse of the Ba'ath Party regime presided over by Saddam Hussein in 2003, Iraq witnessed four main phases from 2003 to 2006:

- a. First Phase: formation of ‘Iraqi Governing Council (IGC)’ (13 July, 2003 – 2004).⁶ During this phase, the Transitional Administrative Law (TAL) was promulgated on 8 March, 2004 by the so-called ‘Iraqi provisional constitution’, which administrated the transitional phase in Iraq in full. Under Article (2) of this law, it called for the transfer of sovereignty in full to an elected Iraqi government no later than 30 June, 2004.
- b. Second Phase: formation of ‘Iraqi Interim Government’ (30 June, 2004 to 31 January, 2005).⁷ During this phase, sovereignty was transferred to this government from the Provisional Coalition Authority (PCA), and the occupation was no longer as per UNSC resolution No. 1546 of 2004.⁸

² For all these parliamentary questions; Kuwait National Assembly Website, ‘Parliamentary questions submitted by members’ from 2003-2013 at: <http://www.kna.kw/clt/default.asp>

³ Wikileaks, ‘Kuwait National Assembly Members Agree With GOK on Iraqi Debt Relief’, Reference ID: [05KUWAIT651](#), [CONFIDENTIAL](#), [Embassy Kuwait](#), [2005-02-14](#).

⁴ Ibid, *At-taqrīr as-sanawi 2007*, State of Kuwait, 2007. p.31.

⁵ Ibid, *At-taqrīr as-sanawi 2009*, State of Kuwait, 2009. pp.19-20.

⁶ Allawi, Ali A, Op.Cit. p.166.

⁷ GlobalSecurity, ‘Law of Administration for the State of Iraq for the Transitional Period, 8 March 2004’. Online on the website of GlobalSecurity.org at:

http://www.globalsecurity.org/wmd/library/news/iraq/2004/03/iraq-transitional-adminsitration-law_8mar2004.htm

⁸ Security Council, ‘Resolution 1546 (2004) Adopted by the Security Council at its 4987th meeting’, S/RES/1546 (2004), on 8 June 2004, United Nations, New York.

- c. Third Phase: formation of 'Iraqi Transitional Government' (3 May, 2005 – 2006). During this phase, the permanent constitution was approved by referendum by the Iraqi people on 15 October, 2005' the parliamentary election was held on 15 December, 2005 in accordance with the approved constitution mentioned above.⁹
- d. Fourth Phase: formation of 'Permanent Iraqi Government' (20 May, 2006 till present). During this phase, the political process in Iraq was culminated by the formation of this government on 20 May, 2006 presided over by Nouri al-Maliki.¹⁰

During all these phases, Kuwaiti policy was determined by the principles laid out by Foreign Minister Sheikh Dr Mohammad Al Sabah in a speech in 2008:

1. Reaffirming the respect of the sovereignty, territorial integrity, political independence and national unity of Iraq and its Arab and Islamic identity; the inviolability of Iraq's internationally recognized borders; and adherence to the principle of non-interference in Iraq's internal affairs and good relations with all its neighbours;
2. Stressing the right of the Iraqi people to determine freely their political system and common future, and control their natural and financial resources;
3. Reaffirming, in this context, the obligation of all States, in accordance with international law, to combat terrorist activities and prevent the use by terrorists of their territory for supplying, organizing and launching terrorist operations. Specifically, it reiterated its call to prevent the transit of terrorists and arms to and from Iraq and re-emphasize the importance of strengthening cooperation between Iraq and its neighbouring countries to control their common borders;
4. Reaffirming the security stability of Iraq and condemn all acts of terrorism in all its forms in Iraq, notably against civilians, infrastructure, and government institutions; to emphasize the importance of addressing sectarianism and disarming and dismantling all militias and illegally armed groups without exception; and to suspend all acts of compulsory immigration and expulsion carried out by such powers;

⁹ Allawi, Ali A, Op.Cit. pp.396-436.

¹⁰ Ibid. p.446.

5. Stressing the need to assist the government of Iraq to build up its defence and security forces on a national and professional basis;
6. Emphasising the importance of the United Nations' support, and the need to strengthen its central role in coordinating international assistance and supporting the political process and national reconciliation;
7. Reiterating the importance of bringing to justice members of the previous Iraqi regime who had committed war crimes against Kuwait and Iran, and crimes against humanity against the Iraqi people;
8. Affirming that it is the responsibility of the Iraqi Government to pursue its obligation in accordance with the relevant international conventions and resolutions and to establish solid relations based on good neighbourhood in order to achieve security and stability in the region.¹¹

The principles of Kuwaiti foreign policy towards Iraq mentioned in Chapter 6 remained unchanged, and formed the basis of the new relations with future Iraqi governments.¹² Since the collapse of Saddam's regime, Kuwait, with the international community, has endeavoured to rehabilitate Iraq on the political, economic and security levels due to security and geopolitical reasons. It might be for 'ethical' reasons too, due to its effective contribution in toppling Saddam's regime. Therefore, Kuwait, in two main aspects, has determined its priorities or 'concerns' towards several issues relating to Iraq in order to rehabilitate it internationally and regionally.

2.1. Rehabilitation: political and security aspects of Iraq

Due to geographic, ideological and political reasons, the security and political obsession in Iraq was considered one of the priorities and main worries of Kuwaiti foreign policy. Therefore, Kuwait focused on the importance of the political and security stability of Iraq in the region to avoid being converted into a centre for tension or terrorism that would

¹¹ Keynote Speech of Sheikh Dr. Mohammad Al-Sabah, Minister of Foreign Affairs, 'The Item Related To Iraq' 18th EU-GCC Joint Council and Ministerial Meeting, Brussels, 26th May 2008. Available online on the Kuwaiti Ministry of Foreign Affairs website at: <http://www.mofa.gov.kw/MOFA/index.php/-57/813-u--18>

¹² See Chapter VI of this study.

constitute a risk to stability in the Gulf region in general and Kuwait in particular. Thus, Kuwait took steps at the regional and international level to support the political process in Iraq during the four phases mentioned above.

Regarding the political aspects, Kuwait welcomed UNSC resolution No. 1483 (22 May, 2003), which referred to US and UK forces as ‘occupying powers’ under the unified command of the ‘Coalition Provisional Authority’ (CPA) and the importance of the establishment of an internationally recognized, representative government of Iraq. In addition, this resolution called all countries and the UN and its specialized agencies to provide assistance to Iraq to support the political process and security stability by appointing a Special Representative of the UN Secretary-General for Iraq.¹³ Therefore, in the first phase of the political process in Iraq, Kuwait supported the Iraqi Governing Council (IGC) (25 members), which was formed on 13 July, 2003,¹⁴ and supported the UNSC resolution No. 1500 of 2003, which welcomed the formation of the IGC as an important step towards the formation of an internationally recognized government that would exercise the sovereignty of Iraq, in addition to the establishment of the United Nations Assistance Mission for Iraq (UNAMI).¹⁵ Hence, Kuwait endeavored to employ its diplomatic tools in order to gain regional and international recognition for the IGC as an initial step to restore Iraq to the international community by convincing first the Arab states to accept the IGC in the meetings of the Arab League (AL) as the legitimate representative of the Iraqi people, due to the fact that the vacuum of power in Iraq had to be filled in order to enable Iraq to restore its security and stability.¹⁶ In fact, some Arab states rejected the formation of the IGC, particularly Amr Moussa, the Secretary General of the AL, who refused to deal with the IGC under the pretext that it was not elected and did not represent the Iraqi people. Therefore, these parties sought to avoid giving the IGC

¹³ Security Council, ‘Resolution 1483 (2003) Adopted by the Security Council at its 4761st meeting’, S/RES/1483, on 22 May 2003, United Nations, New York.

¹⁴ Katzman, Kenneth, ‘Political Scenarios in Post-War Iraq’, in Alsuwaidi, Jamal S. (ed.), *Iraq: Reconstruction and Future Rule*, the Emirates Center for Strategic Studies and Research, 2004. p.95.

¹⁵ Security Council, ‘Resolution 1500 (2003) Adopted by the Security Council at its 4808th meeting’, S/RES/1500, on 14 August 2003, United Nations, New York.

¹⁶ KUNA, ‘Kuwait Supports IGC Participation in the Arab Foreign Minister Meeting- Kulaib’, 3 September, 2003. Available online on the KUNA website at:

<http://www.kuna.net.kw/ArticleDetails.aspx?language=en&id=1371267>

legitimacy and refused to grant it Iraq's seat in the AL.¹⁷ It was eventually admitted on 10 September, 2003 following regional and international pressure.¹⁸ The ambassador, Ahmed Al-Kulaib, commented on the significant role Kuwait played in the admission of the IGC:

the Kuwaiti proposal was rejected at the beginning, which prompted Kuwait to withdraw from the Arab League meeting in protest against the rejection of its proposals [...] Following the withdrawal of Kuwait from the meeting, Amr Moussa, and the Egyptian Foreign Minister, Ahmed Mahr intervened to convince Kuwait to attend the meetings in consideration of accepting the Kuwaiti proposal. This actually happened and the delegate of Iraq was allowed to attend the meetings of the Arab League to occupy the seat of Iraq in the Arab League.¹⁹

As WikiLeaks documents indicated, this support could also be illustrated by Kuwait seeking to support the IGC's occupancy of Iraq's seat in the meetings of the Organization of Islamic Countries (OIC) held in Malaysia in October 2003. This was opposed by the host country, Malaysia, due to an issue related to the 'protocol' as Iraq did not have a president. Further, Kuwait delayed the acceptance of the credentials of the Cuban ambassador to Kuwait to demonstrate dissatisfaction with Cuba's position against the IGC.²⁰ Thus, the IGC gained international and regional acceptance after its admission to the Arab League meetings,²¹ and particularly after UNSC resolution No. 1511 was issued on 16th October 2003, which demanded the IGC to submit a timetable to the UNSC no later than 15th December, 2003 for the drafting of a new constitution for Iraq and for the holding of democratic elections under that constitution.²²

¹⁷ Allawi, Ali A, Op.Cit. p.301.

¹⁸ Crocker, Bathsheba, 'Checking the Rising Tide: Anti- American in Iraq and the Future of the US-Iraq Relationship', in Alsuwaidi, Jamal S. (ed.), *Iraq: Reconstruction and Future Rule*, The Emirates Center for Strategic Studies and Research, 2004. p.54.

¹⁹ Author's interview with Ahmed Al Kulaib, the former Kuwaiti Ambassador to Egypt, Kuwait City, on Sunday 14 August 2011.

²⁰ WikiLeaks , 'Kuwaiti FM Discusses Aid To Iraq, Afghanistan', Reference ID; [03KUWAIT4486](#) , [CONFIDENTIAL Embassy Kuwait, 2003-10-01](#) . Online on the WikiLeaks website at: http://www.wikileaks.org/origin/117_0.html

²¹ Crocker, Bathsheba, Op.Cit. p.54.

²² Security Council, 'Resolution 1511 (2003) Adopted by the Security Council at its 4844th meeting' S/RES/1511, on 16 October 2003, United Nations, New York.

Supporting the IGC on the regional level, Kuwait started exerting pressure on Syria to change its ‘old guard’ policy towards Iraq represented by Syrian Minister of Foreign Affairs, Farouk al-Sharaa. As WikiLeaks shows, the US Ambassador to Kuwait, Richard H. Jones reported that the Chairman of the National Security Bureau, Sheikh Sabah Khalid Al-Sabah, said that the Kuwaiti Prime Minister, Sheikh Sabah Al Ahmed Al Sabah, visited Syria in October 2003 to discuss the issue of Iraq. Sheikh Sabah Al Ahmed informed the Syrian President, Bashar al-Assad, in the presence of Farouk al-Sharaa himself, that ‘FM Farouk al-Sharaa is the architect of your entire mistake. Now it is in Syria's own hands to determine its future. Act swiftly before the window closes’. Sabah Al Ahmed added that ‘he had stood with Bashar’s father as an ardent pan–Arabist, but those days were now gone, never to return’.²³ However, the Syrian position remained ‘negative’ towards the IGC, which prompted Kuwait to express its discontent with Syria because the latter did not invite the IGC and Bahrain (in its capacity as the Chairman of the Arab League) to attend the fourth meeting of neighboring countries for Iraq,²⁴ held in Syria on 1-2 November 2003.²⁵ Thus, on the Gulf (Saudi Arabia) and Arabian (Egypt – Jordan) levels, Kuwait started to exert pressure on the Syrian government to invite the IGC to this meeting. The Kuwaiti efforts culminated in Iraq being invited to attend this meeting at the last moment.²⁶ However, Iraq did not attend due to its discontent with Syria.²⁷ Sheikh Dr. Mohammad Al-Sabah commented on this issue saying, ‘When I went to Syria to attend the meeting, I said to Farouk al-Sharaa that if Iraq was not invited to attend this meeting, I would withdraw from the meeting. And then al-Sharaa agreed that Iraq could attend this meeting on condition that the invitation be sent by Kuwait instead of Syria’. He continued:

²³ WikiLeaks , ‘Syria: GOK to Host Bashar After Ramadhan’, Reference ID; 03KUWAIT4681 CONFIDENTIAL, Embassy Kuwait, 2003-10-14 . Online on the WikiLeaks website at: http://www.wikileaks.org/origin/117_0.html

²⁴ The First meeting was held in January 2003 at Istanbul, the Second meeting held in April 2003 in Riyadh and Third meeting held in May 2003 in Tehran, while the Forth meeting in Syria.

²⁵ WikiLeaks , ‘Syria to Convene FM’s on Iraq’, Reference ID ; 03KUWAIT4960, CONFIDENTIAL, Embassy Kuwait, 2003-10-28 . Online on the WikiLeaks website at: <http://wikileaks.org/cable/2003/10/03KUWAIT4960.html>

²⁶ Ibid, ‘More on Syria's Iraq Meeting’; Reference ID :03KUWAIT4988, CONFIDENTIAL, Embassy Kuwait, 2003-10-29 . Online on the WikiLeaks website at: <http://wikileaks.org/cable/2003/10/03KUWAIT4988.html>

²⁷ Ibid, ‘Iraq: GOK Wants to Rebuild People-To-People Ties, Encourage Private Sector’, Reference ID: 03KUWAIT5057 , CONFIDENTIAL, Embassy Kuwait, 2003-11-04 . Online on the WikiLeaks website at: <http://wikileaks.org/cable/2003/11/03KUWAIT5057.html>

Then, I called the Iraqi Minister of Foreign Affairs, Hoshyar Zebari, and invited him to attend the meeting, but after a short time, Zebari called and informed me of Iraq's appreciation of Kuwait's efforts, and of Iraq's refusal to attend the meeting as Iraq considered the method of sending the invitation was an insult to Iraq because it did not come from the host state, Syria. In addition, the Syrian regime had a negative stance towards Iraq.²⁸

Despite the absence of Iraq, the participating countries highlighted in the final statement of this meeting the importance of cooperation between the IGC and neighboring countries regarding security issues and the problem of terrorist operations in Iraq.²⁹ Kuwait emphasised the importance of Iraq joining this kind of meeting to show support for Iraq on both regional and international levels. Therefore, Kuwait invited Iraq to attend the next meeting of neighboring countries for Iraq held in Kuwait on 14–15 November, 2004; this was attended by Iraq for the first time.³⁰ The nine participating countries at this meeting confirmed the 'birth' of a new Iraq that would respect its obligations towards the international community.³¹

In the second phase of the political process in Iraq, Kuwait welcomed the formation of the Iraqi interim government,³² which was declared on 2 June, 2004 and presided over by Ayad Allawi,³³ and the termination of the US–UK occupation of Iraq on 30 June, 2004,³⁴ as per UNSC resolution No. 1546 of 2004 whereby the CPA transferred Iraq sovereignty to this government.³⁵ Thus, during the 'historical visit'³⁶ of the Iraqi Prime Minister, Ayad

²⁸ Author's interview with Sheikh Dr. Mohammad Al-Sabah, former Kuwaiti Minister of Foreign Affairs, Kuwait City, 11 June 2012.

²⁹ Ministry of Foreign Affairs, 'Final statement of the Ministerial Conference of the Neighboring Countries of Iraq', Damascus, 2 November 2003, Department of International Organizations, Kuwait.

³⁰ WikiLeaks, 'Iraq: Neighboring Countries' Meeting Supports Political Transition'; Reference ID: [04KUWAIT539](http://wikileaks.org/cable/2004/02/04KUWAIT539.html), [CONFIDENTIAL](#), [EmbassyKuwait](#), 2004-02-17. Online on the WikiLeaks website at: <http://wikileaks.org/cable/2004/02/04KUWAIT539.html>

³¹ Ministry of Foreign Affairs, 'Final Statement of Fifth Ministerial Conference of the Neighboring Countries of Iraq' on February 14-15-2004, Department of International Organizations, Kuwait.

³² Al Watan Information and Studies Center, 'Relations with Iraq', Classification No. 5-2/6, dated 17/7/2004, Kuwait.

³³ Allawi, Ali A, Op.Cit. p.286.

³⁴ Al Watan Information and Studies Center, 'Relations with Iraq', Classification No. 5-2/6, dated 30/6/2004, Kuwait.

³⁵ Under resolution 1546 of June 8, 2004, the UNSC demanded the termination of occupation and assumption of full responsibility and authority by a fully sovereign and independent Interim Government of Iraq by 30 June 2004. This was achieved on 28/6/2004.

Allawi, to Kuwait from 31 July to 2 August 2004, Kuwait and Iraq expedited resuming diplomatic relations between both countries, which had been severed since 1990.³⁷ This relationship was reinforced following the visit of Ghazi al-Yawar, the first Iraqi President, to Kuwait on 31 October, 2004.³⁸

In the third phase, Kuwait politically supported the political process in Iraq represented by the election of the Transitional National Assembly on 31 January, 2005 and the formation of the Iraqi Transitional government on 3 May, 2005, which was described by Kuwait as a 'historical' step³⁹ in order to draft a permanent constitution and conduct free elections for a permanent Iraqi government.⁴⁰ Thus, after the voting on the Iraqi constitution on 15 October, 2005 and conducting the first Iraqi free elections on 15 December, 2005, which paved the way for the formation of the first permanent Iraqi government (Phase IV) on 20 May 2006 presided over by Nouri al-Maliki,⁴¹ Kuwait promptly affirmed its support for this step in order to reinforce relations between both countries,⁴² and pushed Iraq to end hostilities between them. Therefore, Kuwait participated in the meetings of the Special Arab Committee for Iraq, held in Jeddah on October 2005, to urge the Iraqi parties to hold a reconciliation conference in order to support the political process in Iraq. This resulted in the Iraqi reconciliation meeting at the Arab League, 12-19 November 2005⁴³, in addition to its participation in all meetings of countries neighboring Iraq to support the political process in Iraq and its effective participation in the meetings of the International Compact

³⁶ WikiLeaks, 'Iraqi Prime Minister's Historic Visit To Kuwait', Reference ID : [04KUWAIT2426](http://www.wikileaks.org/origin/117_0.html) [CONFIDENTIAL](http://www.wikileaks.org/origin/117_0.html), [EmbassyKuwait, 2004-08-04](http://www.wikileaks.org/origin/117_0.html). Online on the WikiLeaks website at: http://www.wikileaks.org/origin/117_0.html

³⁷ Ministry of Foreign Affairs, *At-takrīr us-sanawi 2004*, Op.Cit. p. 46.

³⁸ Al Watan Information and Studies Center, 'Relations with Iraq', Classification No. 5-2/6, dated 31/10/2004, Kuwait.

³⁹ WikiLeaks, 'Update on Key Issues For Undersecretary Bolton's January 28-29 Visit To Kuwait', Reference ID ; [05KUWAIT327](http://www.wikileaks.org/origin/117_0.html) , [SECRET](http://www.wikileaks.org/origin/117_0.html), [Embassy Kuwait, 2005-01-19](http://www.wikileaks.org/origin/117_0.html) . Online on the WikiLeaks website at: http://www.wikileaks.org/origin/117_0.html

⁴⁰ Ibid, 'Kuwait Will Continue To Publicly Support ITG And Consider Transfer Of DFI Assets', Reference ID ; [05KUWAIT1900](http://www.wikileaks.org/origin/117_0.html) , [CONFIDENTIAL](http://www.wikileaks.org/origin/117_0.html), [Embassy Kuwait 2005-05-08](http://www.wikileaks.org/origin/117_0.html) . Online on the WikiLeaks website at: http://www.wikileaks.org/origin/117_0.html

⁴¹ Allawi, Ali A, Op.Cit. pp.436-446.

⁴² WikiLeaks, 'GOK Congratulates Iraqis on Successful National Elections', Reference ID [05KUWAIT5191](http://www.wikileaks.org/origin/117_0.html) [CONFIDENTIAL](http://www.wikileaks.org/origin/117_0.html), [Embassy Kuwait 2005-12-19](http://www.wikileaks.org/origin/117_0.html) . Online on the WikiLeaks website at: http://www.wikileaks.org/origin/117_0.html

⁴³ Ministry of Foreign Affairs, *At-taqrīr as-sanawi 2005*, State of Kuwait, 2005. p.25.

with Iraq (ICI) officially held on May 2007 at Sharm Al Sheikh, Egypt, until the present time.⁴⁴

Despite the above developments, represented in particular by the resumption of diplomatic relations between both countries in 2004, there was no diplomatic representation between both countries at an ‘ambassadorial level’ until 2008. This became a controversial issue between Kuwait and Iraq. According to WikiLeaks documents, Kuwait had (unofficially) named General Ali Al-Mo’min (Chairman of HOC) its ambassador to Iraq at the end of 2005⁴⁵ in addition to reopening the provisional embassy of Iraq in Kuwait in November 2005.⁴⁶ Nonetheless, Kuwait officially delayed the announcement of the appointment of its ambassador until September 2008⁴⁷ for the following reasons:

1. Kuwait was reluctant to send its diplomatic corps to Iraq, particularly following the deterioration of the security circumstances in Iraq since 2003. Al-Mo'min expressed this to the US Ambassador to Kuwait, LeBaron, in 2005: ‘Any Kuwaiti diplomat would be the prime target of the insurgents [...] we Kuwaitis have a lot of friends in Iraq, but we also have many enemies’.⁴⁸

⁴⁴ International Compact with Iraq (ICI) was an initiative between the Iraqi government and UN in May 2007, whereby Iraq undertook to be a secure, unified, federal and democratic nation, founded on the principles of freedom and equality, and providing peace and prosperity for its people within five years. See United Nations, ‘The International Compact With Iraq 2007 Mid – Year Progress Report’, UN News Center, 20 July 2007, New York. p.1. The report available online on the UN Website at :

<http://www.un.org/apps/news/infocusRel.asp?infocusID=50&Body=Iraq&Body1>

⁴⁵ WikiLeaks, ‘Foreign Minister Confirms Gen. Al-Mumin is the “Chosen One” For Kuwaiti Ambassador to Iraq’, Reference ID ; [05KUWAIT5130](#) , [CONFIDENTIAL](#) , [Embassy Kuwait](#) , [2005-12-14](#) . Online on the WikiLeaks website at : http://www.wikileaks.org/origin/117_0.html

⁴⁶ Calderwood, James, ‘First Iraqi envoy to Kuwait in 20 years’, The National, June 1, 2010. Available online on The National website at: <http://www.thenational.ae/news/world/middle-east/first-iraqi-envoy-to-kuwait-in-20-years>

⁴⁷ Kuwait officially declared the appointment of its Ambassador to Iraq in September 2008. The Kuwaiti Ambassador assumed his duties in Iraq at the end of October 2008. WikiLeaks , ‘Kuwaiti Ambassador To Iraq Sworn In By Amir’, Reference ID; [08KUWAIT991](#) , [CONFIDENTIAL](#) , [Embassy Kuwait](#) , [2008-09-17](#) . Online on the WikiLeaks website at: http://www.wikileaks.org/origin/117_0.html; Ibid, ‘Kuwait’s Ambassador To Iraq Seeks Limited USG Support Through December’, Reference ID; [08KUWAIT1113](#) , [CONFIDENTIAL](#) , [Embassy Kuwait](#) , [2008-11-06](#) . Online on the WikiLeaks website at: http://www.wikileaks.org/origin/117_0.html

⁴⁸ Ibid, ‘HOC Chief / Unofficial Kuwaiti Ambassador To Iraq on Relations With Iraq And HOC Development’ , Reference ID ; [05KUWAIT5299](#) , [CONFIDENTIAL](#) , [Embassy Kuwait](#) , [2005-12-31](#) . Online on the WikiLeaks website at: http://www.wikileaks.org/origin/117_0.html

2. Iraq delayed the appointment of its ambassador to Kuwait until March 2010⁴⁹ due to severe competition inside Iraq for this position, according to WikiLeaks documents.⁵⁰ Accordingly, Kuwait adopted the principle of reciprocity. Thus, in September 2008, the Kuwaiti Minister of Foreign Affairs, Sheikh Dr. Mohammed Al Sabah, highlighted to the US Ambassador to Kuwait, Deborah K. Jones, Kuwait's concerns regarding Iraq's failure to nominate its ambassador to Kuwait while Kuwait intended officially to announce its ambassador to Iraq.⁵¹ In addition, in June 2008, the Kuwaiti Prime Minister, Sheikh Nasser Al Sabah, pointed out to the US Coordinator to Iraq, Ambassador Satterfield, that the Kuwaiti stance was that 'both countries should name their respective ambassadors simultaneously'.⁵² However, this controversial issue was resolved after the appointment of the Iraqi ambassador to Kuwait for the first time in March 2010 despite Kuwait having officially announced its ambassador in 2008 as mentioned above. Sheikh Dr. Mohammed Al Sabah commented that this announcement was due to the Amir's desire to encourage Iraq to nominate its ambassador.⁵³

The matter of the 'outstanding issues' remained the main impediment to the development of relations between Kuwait and Iraq. Therefore, the Kuwaiti Minister of Foreign Affairs, Sheikh Dr. Mohammed Al Sabah, visited Iraq on 26 February, 2009. This was described as a 'historical visit' because it was the first visit from a Kuwaiti official to Iraq since 1990 to discuss those outstanding issues which had become a source of 'Kuwaiti doubt' regarding Iraqi behavior towards Kuwait.⁵⁴ This was followed by the visit of the Kuwaiti Prime Minister, Sheikh Nasser Al Sabah, on 12 January, 2010 to Iraq for the first time since 1990 to strengthen the relationship between both countries and to discuss the 'outstanding

⁴⁹ *Al-Qabas* Newspaper, Wednesday, 3/3/2010, Issue 13203, Kuwait.

⁵⁰ WikiLeaks, 'Ambassador Presents Credentials; Calls For Increased GOK Support For Iraq', Reference ID; [08KUWAIT438](#), CONFIDENTIAL, [Embassy Kuwait](#), [2008-04-20](#).
Online on the WikiLeaks website at: http://www.wikileaks.org/origin/117_0.html

⁵¹ Ibid, 'Foreign Minister on PM Visit: Iraq, Iran, GTMO, And Visas', Reference ID; [08KUWAIT947](#), SECRET//NOFORN, [Embassy Kuwait](#), [2008-09-05](#). Online on the WikiLeaks website at: http://www.wikileaks.org/origin/117_0.html

⁵² Ibid, 'Ambassador Satterfield Discusses Iraq With PM And FM', Reference ID; [08KUWAIT669](#), CONFIDENTIAL, [Embassy Kuwait](#), [2008-06-12](#). Online on the WikiLeaks website at: http://www.wikileaks.org/origin/117_0.html

⁵³ Researcher's interview with Sheikh Dr. Mohammad Al-Sabah, former Kuwaiti Minister of Foreign Affairs, Kuwait City, 11 June 2012.

⁵⁴ *Al-Rai* newspaper, 'Mohammed Al- Sabah Normalized the Relations with Iraq', 27 February 2009, Issue No. 10833, Kuwait.

issues', as will be discussed later.⁵⁵ In order to strengthen the relationship with Iraq, on 29 March, 2012, the Amir of Kuwait, Sheikh Sabah Al Sabah, visited Iraq for the first time since 1990 to attend the Arab Summit held in Baghdad; this summit had been postponed since 2011 due to the events of the Arab Spring and the deterioration of the security circumstances in Iraq.⁵⁶ Kuwait was the only Gulf Arab State of five other states that attended this summit at the level of the head of state. These states were absent due to Sunni–Shī'ah tension in the region, especially regarding the Syrian and Bahraini crises and the discrepancy among Arab countries and Iraq regarding their attitude towards these crises. This was expressed by the Qatari Prime Minister, Sheikh Hamad Bin Jassim, who stated that the 'low level of representation was a message to Iraqi's Shī'ah majority to stop the marginalization of the minority Sunnis'.⁵⁷

The issue of uncontrolled security, lawlessness and foreign intervention, particularly at Basra city in south Iraq, had become a concern for Kuwait due to its proximity to the Kuwaiti border. Iraq had witnessed sectarian strife between Shi'a and Sunnis since late 2006. This was in addition to the foreign intervention and terrorist operations in Iraq that had taken place since the collapse of Saddam's regime,⁵⁸ due to internal and external reasons, which were reflected in the national and ethnic composition in Iraq: Shī'ah (53.3%), Sunnis (42.3%), Arabs (77.1%), Kurds (19%), Turkmen (1.4%), Assyrians (0.8%), and Persians (0.8%), while Muslims made up 95.8%, Christians 3.5% and other religions 0.7%.⁵⁹ The Iraq Family Health Survey Study Group and WHO⁶⁰ estimated that the death toll in Iraq from 2003 to 2006 was 151,000 persons, while the study conducted by *The Lancet* estimated the death toll in Iraq for the same period to be 654,965 persons, of

⁵⁵ BBC News, 'Kuwaiti PM in first visit to Iraq since Gulf War', 12 January 2011. Available online on the BBC Website at: <http://www.bbc.co.uk/news/world-middle-east-12173206>

⁵⁶ *Al Watan* daily, 'Amir attends Baghdad Summit in Historic Visit', Friday, 30 March 2012, Kuwait. Available online on the Al Watan website at: <http://watanpdf.AlWatan.com.kw/AlWatanPDF/WatanDaily/2012-03-30/1.pdf>

⁵⁷ *Ibid*, 'Explosions heard as Arab summit opens in Baghdad', Friday, 30 March 2012, Kuwait. Available online on the Al Watan website at: <http://watanpdf.AlWatan.com.kw/AlWatanPDF/WatanDaily/2012-03-30/4.pdf>

⁵⁸ Cordesman, Anthony H., 'Iraq's Sectarian and Ethnic Violence and the Evolving Insurgency', Center for Strategic and International Studies, Washington, DC, 2006. p.8.

⁵⁹ These percentages include Sunnis and Shiites Arab, Kurdish, Persian and Turkmen. See Abdul Jabbar, Faleh, *Religion, Ethnic And Ideological Orientations in Iraq: From Conflict to Integration*, The Emirates Center for Strategic Studies and Research, Vol. 1, Issue No. 84, 2004. p.27.

⁶⁰ Iraq Family Health Survey Study Group, 'Violence-Related Mortality in Iraq from 2002 to 2006', *The New England Journal of Medicine*, Vol.358, No.5. January 31, 2008. p.484.

which 601,027 persons were killed due to sectarian violence.⁶¹ Thus, the national and ethnic conflict was negatively reflected in Kuwait in particular and in the region in general due to ideological, religious, political and geo-political considerations, which were determined by the following three approaches:

1. Fear of the transmission of sectarian conflict in Iraq to Kuwait and the region.⁶² As mentioned in Chapter IV, in Kuwait, the Shi'ah constitute 15% to 30%, while the majority belong to the Sunni sect.⁶³ Therefore, Kuwait witnessed clashes between Sunnis and Shi'ites during the sectarian violence in Iraq with some Sunnis and Shi'ite mosques being attacked, in addition to political tension between the categories of Kuwaiti society due to the implication of the situation in Iraq.⁶⁴ Thus, the chairman of HOC in Kuwait, Al-Mo'min (Shi'ite), commented to one US official in 2005 that 'Kuwaiti Sunni-Shi'a relations are suffering due to the growing influence of Sunni fundamentalists and Zarqawi's influence on youth throughout the region',⁶⁵ according to WikiLeaks documents., Regarding Kuwait's concern on this issue, LeBaron, the US Ambassador to Kuwait in 2007, commented, 'There is also mounting concern in Kuwait that sectarian violence in Iraq could threaten domestic security and social cohesion'.⁶⁶ This tension between Sunni-Shi'a relations in Kuwait was aggravated in 2008 because some Kuwaiti citizens staged a funeral after the assassination of the Shi'a leader of the Lebanese Hezbollah party, Imad Mugnyah, believed to be the mastermind of the terrorist operations in Kuwait during the 1980s. This event affected Kuwaiti society and became a major 'controversial' issue between the members of the Kuwaiti parliament.⁶⁷

⁶¹ Burnham, G. et al., 'Mortality after the 2003 invasion of Iraq: a cross-sectional cluster sample survey', *The Lancet*, Vol. 368 No. 9545, October 12, 2006. p.1426.

⁶² An interview with Sheikh Dr. Mohammed Al Sabah, the Kuwaiti Foreign Minister, with *Al Qabas* Newspaper, on Sunday 17 January 2010, Issue No. 13160, Kuwait.

⁶³ Alterman, Jon B., 'Iraq and the Gulf States: The Balance of Fear', *Special Report*, No.189, United States Institute of Peace, 2007. p. 4.

⁶⁴ WikiLeaks, 'Update on Shi'a Mosque Incident: Localized Act Blown Out Of Proportion By Local Media', Reference ID ; [05KUWAIT4633](#), [CONFIDENTIAL](#), [Embassy Kuwait](#), [2005-10-30](#). Online on the WikiLeaks website at: http://www.wikileaks.org/origin/117_0.html

⁶⁵ Ibid, 'Humanitarian Operations Center Chief on Iraq And His Possible Move To Baghdad As Ambassador', Reference ID ; [05KUWAIT5032](#), [CONFIDENTIAL](#), [Embassy Kuwait](#), [2005-12-06](#) Online on the WikiLeaks website at: http://www.wikileaks.org/origin/117_0.html

⁶⁶ Ibid, 'Kuwait Scen setter For May 22 Gulf Security Dialogue', Reference ID ; [07KUWAIT783](#), [SECRET//NOFORN](#), [Embassy Kuwait](#), [2007-05-17](#). Online on the WikiLeaks website at : http://www.wikileaks.org/origin/117_0.html

⁶⁷ Terrill, W. Andrew, *Regional Spillover Effects of The Iraq War*, Strategic Studies Institute (SSI), U.S. Army War College, USA, 2008. p.45.

Moreover, the Sunni–Shi'a tension increased sharply in Kuwait and the Gulf region after the events of the ‘Arab Spring’ in Bahrain (Sunni regime) and in Syria (Shi'a regime) in 2011; this divided Kuwaiti society, leading people to support their own ideological affiliations through demonstrations and protests that took place after 2011 and which threatened the ‘national unity’ in Kuwait.⁶⁸ Therefore, the ideational factors, as mentioned in Chapter 2, became a strong internal factor in Kuwaiti policy due to its social structure and geographic location bordering Iraq.

2. Fear of transmission of the terrorist elements and terrorist operations to Kuwait to destabilize the region.⁶⁹ Kuwait had suffered from the transmission of terrorist groups from Kuwait to Iraq to take part in terrorist acts in Iraq.⁷⁰ As WikiLeaks documents show, in 2006, the Chairman of Kuwait National Security Bureau, Sheikh Sabah Al Khaled Al-Sabah, commented to LeBaron, the US Ambassador to Kuwait about the lack of information on the number of Kuwaiti citizens who were travelling to Iraq for training and to carry out terrorist operations in Iraq.⁷¹ Therefore, Kuwait started to control its borders strictly to prevent the transfer of trained terrorist elements to destabilize Kuwait and Iraq. Moreover, Kuwait expressed fear over the poor situation in Iraq that could drive Iran to exploit the security disturbances in Iraq to support terrorist elements in Basra city near the Kuwaiti border in order to destabilize the internal stability of Kuwait. This view was expressed in 2006 by the Kuwaiti Minister for Oil, Sheikh Ahmed Al Fahed Al Sabah, to the US Consul to Kuwait, Zelikow, who stated that ‘Kuwait’s first concern was the South of Iraq’, and considered it ‘one of the main problems we will face in the future’.⁷²

⁶⁸ Stephenson, Lindsey, ‘A Historical Kuwaiti Sectarianism’, *Foreign Policy Magazine*, Friday, April 29, 2011. Available online at:

http://mideast.foreignpolicy.com/posts/2011/04/29/ahistorical_kuwaiti_sectarianism

⁶⁹ Interview with Sheikh Dr. Mohammed Sabah Al Salem Al Sabah, the Kuwaiti Minister of Foreign Affairs with *Al Qabas* Newspaper, on Sunday 17th January 2010, Issue No. 13160, Kuwait.

⁷⁰ WikiLeaks, ‘Kuwaiti Detainees In GITMO And Iraq: ARB Demarche Delivered; GOK Again Asks About Prisoners In Iraq’, Reference ID: [06KUWAIT235](#), [CONFIDENTIAL](#), [Embassy Kuwait](#), [2006-01-24](#). Online on the WikiLeaks website at: http://www.wikileaks.org/origin/117_0.html

⁷¹ Ibid, ‘Security Bureau Chief Says Kuwait To Be Example of Islamic Moderation; Praises CT Cooperation With Neighbors’, Reference ID: [06KUWAIT464](#), [CONFIDENTIAL](#), [Embassy Kuwait](#), [2006-02-08](#). Online on the WikiLeaks website at: http://www.wikileaks.org/origin/117_0.html

⁷² Ibid, ‘Energy Minister And Counselor Zelikow Discuss Iran, Iraq, Energy Supply Security And Democratization’, Reference ID: [06KUWAIT1002](#), [CONFIDENTIAL](#), [Embassy Kuwait](#), [2006-03-22](#). Online on the WikiLeaks website at: http://www.wikileaks.org/origin/117_0.html

3. Kuwaiti concern about the collapse of the security system in Iraq, which could result in the disintegration of Iraq and drive many Iraqis to seek refuge in Kuwait.⁷³ There were Kuwaiti worries that Iraq could turn into a 'failed state', where terrorists could control Iraq due to the poor security situation since 2006,⁷⁴ resulting in the instability and displacement of Iraqis to the Kuwaiti border, as happened in the uprising of the Iraqi people immediately after the liberation of Kuwait in 1991 in which an estimated 50,000 Iraqis were killed,⁷⁵ in addition to the 15, 000 Iraqi refugees who were hosted on the border by Kuwait during the war against Iraq since 1991.⁷⁶ Therefore, this was a concern for Iraq's neighbors, especially as the number of Iraqi refugees inside and outside Iraq was estimated at 1, 575, 50 million up to January 2012, due to acts of violence, war and sanctions.⁷⁷ In 2010, Kuwait's share of the Iraqi refugees was 596, and 214 asylum seekers.⁷⁸ For this reason, in 2006, Kuwait set up a strategic plan in case of civil war in Iraq for the reception of Iraqi refugees on the Kuwaiti border as a result of sectarian violence in Iraq.⁷⁹ According to the WikiLeaks documents, another Kuwaiti concern could also be the possibility of a 'Shi'a' state being established in the south of Iraq that would be loyal to Iran and would destabilize Kuwait should the security system in Iraq collapse.⁸⁰

For all the above reasons, Kuwait expressed its anxiety that the complete withdrawal of US troops from Iraq at the end of December, 2011, as per the 2008 SOFA treaty, could drive

⁷³ Interview with Dr. Mohammed Sabah Al Salem Al Sabah, the Kuwaiti Minister of Foreign Affairs with *Al Qabas* Newspaper, on Sunday 17th January 2010, Issue No. 13160, Kuwait.

⁷⁴ WikiLeaks, 'Kuwaiti FM Troubled By Lebanon, But Identifies Iraq And Iran As Greater Threats To Middle East Security', Reference ID; [06KUWAIT3295](#) , [CONFIDENTIAL//NOFORN](#) , [Embassy Kuwait, 2006-08-14](#) . Online on the WikiLeaks website at: http://www.wikileaks.org/origin/117_0.html

⁷⁵ Blair, Tony, Op.Cit. p.378.

⁷⁶ Terrill W., Andrew, Op.Cit. p.19.

⁷⁷ United Nations High Commissioner of Refugees (UNHCR), 'UNHCR Global Appeal 2012-2013 - Iraq', United Nations, New York. Report available online on the UNHCR website at: <http://www.unhcr.org/pages/49c3646c2.html>

⁷⁸ Ibid, 'UNHCR Kuwait Fact Sheet', United Nations, New York, June 2010. Report available online on the UNHCR website at: <http://www.unhcr.org/pages/49c3646c2.html>

⁷⁹ WikiLeaks, 'On Iraq And Iran, Kuwaiti Ministers Tell Zelikow "We Are In This Together" ', Reference ID ; [06KUWAIT1010](#) , [SECRET](#) , [Embassy Kuwait, 2006-03-22](#) . Online on the WikiLeaks website at: http://www.wikileaks.org/origin/117_0.html

⁸⁰ Ibid, 'Kuwaiti FM Troubled By Lebanon, But Identifies Iraq And Iran As Greater Threats To Middle East Security', Reference ID ; [06KUWAIT3295](#) , [CONFIDENTIAL//NOFORN](#) , [Embassy Kuwait, 2006-08-14](#) . Online on the WikiLeaks website at: http://www.wikileaks.org/origin/117_0.html

Iraq to come under the control of terrorist groups.⁸¹ SOFA was the Status of Forces Agreement signed between US and Iraq on 17 November, 2008, which called for the US withdrawal from Iraq in three phases, beginning in 2008 and ending on 31 December, 2011.⁸² This actually happened when the US announced the end of ‘Operation Iraqi Freedom’ on 31 August, 2010 and replaced it with ‘Operation New Dawn’.⁸³ This added to Kuwaiti concerns as expressed in the telegram of the US Embassy in Kuwait dated July 2007 as follows: ‘The leadership of the Government of Kuwait is nervous about possible US plans to pull out of Iraq [...] they fear that a near-term withdrawal will bring further instability to Iraq, which could have spill over effects in Kuwait’.⁸⁴ Nevertheless, the US had completed its withdrawal from Iraq by the end of 2011 as per SOFA.⁸⁵

2.2. *Economic rehabilitation of Iraq*

As mentioned in Chapter 2, the economy is one of the key factors in the stability of people and nations. Thus, this factor was associated with the political and security factors to achieve stability in Iraq. The Iraqi economy had suffered comprehensive destruction from the 1980s up until the preparation for this research, despite having the second largest oil reserves in the world, estimated at 115 billion barrels,⁸⁶ due to the policy of Saddam’s regime, which was as follows:

1. Iraq-Iran War (1980–1988);
2. the implications of the Iraqi invasion of Kuwait in 1990;

⁸¹ Ibid, ‘Centcom Commander Fallon Meets With Amir And Senior GOK Officials’, Reference ID ; [07KUWAIT500](#), [CONFIDENTIAL//NOFORN](#) , [Embassy Kuwait](#), [2007-04-07](#) . Online on the WikiLeaks website at: http://www.wikileaks.org/origin/117_0.html

⁸² Mason, R. Chuck, ‘U.S.-Iraq Withdrawal/Status of Forces Agreement: Issues for Congressional Oversight’, *CRS Report for Congress*, 13th July 2009. p.7.

⁸³ Cordesman, Anthony H., ‘Update on Us Withdrawal From Iraq’, Center for Strategic & International Studies, Washington, DC, 2010. p.2.

⁸⁴ WikiLeaks, ‘Scenesetter For Secretary Of Defense Gates' Visit To Kuwait’, Reference ID ; [07KUWAIT1170](#) , [SECRET//NOFORN](#) , [Embassy Kuwait](#) , [2007-07-26](#) . Online on the WikiLeaks website at: http://www.wikileaks.org/origin/117_0.html

⁸⁵ The Iraqi War had cost the US \$789 billion, while some other sources estimated the ultimate cost of war by \$3 trillion. The number of US military deaths was 4408 persons. See Barry S Levy and Victor W Sidel, ‘Adverse health consequences of US Government responses to the 2001 terrorist attacks’, *The Lancet*, Vol. 368 No. 9545, 2011. pp.946-949.

⁸⁶ Ministry of Planning and Devolvement Cooperation, ‘National Development Strategy 2005-2007’, Republic of Iraq, June 2005. p.15.

3. the economic sanctions on Iraq (1990–2003);
4. the implications of war against Iraq in 2003;
5. sectarian violence, terrorist operations and the chaos in Iraq following the collapse of Saddam’s regime in April 2003.⁸⁷

The process of determining the total cost of reconstructing Iraq remained unspecified and unknown before the US–UK occupation of Iraq in 2003. However, in 2002, the economic advisor to the White House, Lawrence Lindsey, estimated the cost of conflict with and subsequent rebuilding of Iraq to be between \$100 and \$200 billion.⁸⁸ In June 2003, the UN and the World Bank estimated the medium-term financial need to be \$56 billion: \$36 billion to reconstruct Iraq during 2005–2007 and \$20 billion to rebuild the oil, gas and environment sectors, which were estimated separately by the PCA. However, this figure does not reflect the long-term overall need assessment for reconstructing Iraq.⁸⁹ Therefore, Kuwait was aware of the importance of supporting international efforts to reconstruct Iraq as a prelude to political and security stability and so supported UNSC resolution No. 1483 on 22 May 2003; this lifted the economic sanctions that had been imposed on Iraq since 1990, even though it reduced the value of compensation payable to Kuwait from 25% to 5%.⁹⁰ This was in addition to the \$1 billion economic assistance provided from Kuwait to Iraq by HOC from 2003 till the mid of 2004⁹¹ and the \$500 million in grants and loans pledged by Kuwait to Iraq at the Madrid Conference on 23 – 24 October 2003, at which the 73 participating states pledged to grant Iraq \$32 billion from 2004 to 2007.⁹² According to WikiLeaks documents, Kuwait was concerned that at the Madrid Conference, Saudi Arabia was reluctant to provide financial assistance to Iraq due to the

⁸⁷ For more details about the impact of all these points, see Chapter V, Chapter VI and Chapter VII and the current chapter.

⁸⁸ Allawi, Ali A, Op.Cit. p.194.

⁸⁹ International Reconstruction Fund Facility for Iraq (IRFFI), ‘United Nations/World Bank Joint Iraq Needs Assessment’, United Nations, October 2003. pp.54-56. The report available on the IRFFI website at: <http://www.irffi.org/WBSITE/EXTERNAL/IRFFI/0,,contentMDK:20490285~menuPK:497543~pagePK:64168627~piPK:64167475~theSitePK:491458,00.html>

⁹⁰ Security Council, ‘Resolution 1483 (2003) Adopted by the Security Council at its 4761st meeting’, S/RES/1483, on 22 May 2003, United Nations, New York.

⁹¹ *Al-Qabas* Newspaper, Issue No. 11025, Saturday, 21/2/2004. Kuwait.

⁹² International Reconstruction Fund Facility for Iraq (IRFFI), ‘Madrid Conference: Conclusions by the Chair of International Donors Conference for the Reconstruction of Iraq Madrid’, 23–24 October 2003’, United Nations, New York. The report available on the IRFFI website at: <http://www.irffi.org/WBSITE/EXTERNAL/IRFFI/0,,contentMDK:20241550~pagePK:64168627~piPK:64167475~theSitePK:491458,00.html>

lack of an internationally recognized Iraqi government. So, Kuwait asked the UAE to pressurise Saudi Arabia into providing assistance to Iraq due the significance of the political status of the Saudis.⁹³ Moreover, Kuwait provided \$10 million to Iraq via the World Bank Iraq Trust Fund (WBIF) and United Nations Development Group Iraq Trust Fund (UNDGIF); thus, Kuwait became a member of the Donor Committee for Iraq, which coordinates the funding between these two trust funds .⁹⁴ Further, Kuwait released \$78 million of Iraqi assets that were frozen in Kuwaiti banks, which were transferred to the Iraq Development Fund as per UNSC resolution No. 1483 of 2003.⁹⁵ Accordingly, the total value of Kuwaiti assistance pledged to Iraq from 2003 to 2010 was estimated at \$1.575 billion, distributed as follows:

1. \$1 billion by HOC from 2003 to 2004, as mentioned above (all funds disbursed)
2. \$5 million grant by HOC (all funds disbursed)
3. \$10 million grant to International Reconstruction Fund Facility for Iraq (IRFFI) coordinated between WBIF and UNDGIF as previously mentioned (all funds disbursed)
4. \$120 million grant from the council of ministers managed by KFDAC (\$60 million of this disbursed), distributed as follows:
 - a. \$30 million grant for construction of schools in south Iraq
 - b. \$30 million grant for medical storage facilities and one mobile surgical facility
 - c. \$36 million grant for water and sewage projects in Sadr City
 - d. \$24 million grant for schools in Northern and Middle provinces including Baghdad.

⁹³ WikiLeaks , ‘Iraq: GOK Says Saudis Reluctant To Commit Specific Funding At Madrid’, Reference ID; [03KUWAIT4682](#), **SECRET**, [Embassy Kuwait](#), [2003-10-14](#). Online on the WikiLeaks website at: http://www.wikileaks.org/origin/117_0.html

⁹⁴ International Reconstruction Fund Facility for Iraq (IRFFI), ‘About the Facility’, United Nations, New York. Report available on the IRFFI website at: <http://www.irffi.org/WBSITE/EXTERNAL/IRFFI/0..contentMDK:20241542~menuPK:497521~pagePK:64168627~piPK:64167475~theSitePK:491458.00.html>

⁹⁵ WikiLeaks , ‘GOK Response on Release of Iraq Assets To DFI And Info on Al-Fahdli Designation’, Reference ID; [05KUWAIT1557](#), **SECRET**, [Embassy Kuwait](#), [2005-04-18](#). Online on the WikiLeaks website at: http://www.wikileaks.org/origin/117_0.html

5. \$500 million in the form of concessionary loans allocated at the Madrid Conference in 2003. This amount was reduced to \$440 million (fund not yet disbursed), distributed as follows:

- \$200 million to construct power plants in north Iraq
- \$100 million to construct schools
- \$100 million for sewage and water desalination plants
- \$40 to rehabilitate roads and railway stations.⁹⁶

Since 2008, Kuwait had disbursed \$60 million out of the remaining value of Kuwaiti assistance estimated at \$560 million for sanitary and educational projects in all Iraqi governorates.⁹⁷ Therefore, the total value of Kuwaiti assistance already disbursed to Iraq was \$1.75 billion, while the remaining value of Kuwaiti assistance pledged to Iraq, which up to 2010 had not yet been disbursed, was \$500 million. Thus, Kuwait employed both economic and diplomatic tools as a new Kuwaiti framework to restore security, political and economic stability to Iraq. It is worth mentioning that Kuwait has not used its economic tool as an access to solve the ‘outstanding issues’ between Kuwait and Iraq. Sheikh Dr. Mohammed Al Sabah commented on the reasons behind the Kuwaiti support for Iraq saying, ‘We want to create a natural neighbor with Iraq, and for us it is to measure the intentions of this new regime in Iraq’.⁹⁸

3. Kuwait’s perspective for solving the ‘outstanding issues’ with Iraq

The outstanding issues are those issues contained in the UNSC resolutions concerning the situation between Kuwait and Iraq resulting from the Iraqi invasion of Kuwait, in addition

⁹⁶ Ibid, ‘Kuwait Fund on Iraq, Lebanon, PA And Strategic Investment Initiative’, Reference ID; [06KUWAIT399](http://www.wikileaks.org/origin/117_0.html) , [CONFIDENTIAL](#), [Embassy Kuwait 2006-02-05](#) . Online on the WikiLeaks website at: http://www.wikileaks.org/origin/117_0.html; Ibid, ‘Time To Accelerate Kuwaiti Foreign Assistance To Iraq’, Reference ID; [08KUWAIT77](http://www.wikileaks.org/origin/117_0.html) , [CONFIDENTIAL](#), [Embassy Kuwait 2008-01-17](#) . Online on the WikiLeaks website at: http://www.wikileaks.org/origin/117_0.html

⁹⁷ Author’s interview with Nawaf Almahamel, Legal Advisor for Kuwait Fund for Arab Economic Development, Kuwait City, 21st April 2012, Kuwait.

⁹⁸ Author’s interview with Sheikh Dr. Mohammad Al-Sabah, former Kuwaiti Minister of Foreign Affairs, Kuwait City, 11 June 2012.

to the issues concerning the two countries bilaterally, which Iraq had to implement in full accordance with international law.⁹⁹ These issues became the main obstacle in the development of Kuwaiti-Iraqi relations and were described by one Kuwaiti newspaper as a ‘tumor’ in the relations between both countries.¹⁰⁰ Therefore, Iraq and Kuwait set up the ‘Supreme Joint Kuwaiti -Iraqi Committee’. It comprised all ministers of both countries and met first in 2011 and again in 2012 to discuss the bilateral relations and solve these outstanding issues.¹⁰¹ These issues are divided into two sections as follows:

3.1. Issues related to UN Security Council resolutions

These are the issues contained in the UNSC resolution No. 687 dated 3 April, 1991 under Chapter VII of the UN Charter, which set the requirements and obligations both Kuwait and Iraq had to implement to close the file of the ‘situation between Kuwait and Iraq’.¹⁰² Since the issuance of this resolution, there are still outstanding issues that need to be solved, which include the following:

3.1.1. The maintenance of the Iraq-Kuwait international boundary

After the demarcation of the Kuwaiti-Iraqi border in 1993 as per UNSC resolution No. 833, the UNSC demanded that both Iraq and Kuwait maintain boundary pillars between both countries annually through the UN until other technical arrangements could be made between Iraq and Kuwait to maintain the physical representation of their common boundary.¹⁰³ UNIKBDC recommended that Iraq and Kuwait should share equally the costs of boundary maintenance in the allocated ‘Iraq–Kuwait Trust Fund for Border Issues’. From 1993 to 2003, the maintenance and repair of the boundary pillars was carried

⁹⁹ See Chapter VI of this study for more details concerning these issues,

¹⁰⁰ *Al-Qabas* Newspaper, ‘Al Kuwait: almlfat al'ealqh m'e al'eraq: wrm fi jsm al'elaqat’, ‘Outstanding Issues with Iraq: A Tumor in the Body of Relations’, Issue No. 12936, Wednesday, 3/6/2009. Kuwait.

¹⁰¹ Mulvane, Peter, ‘Kuwait / Iraq: Two agreements signed and more to follow’, *Middle East Confidential*, Wednesday, 2 May 2012. Available online at: <http://me-confidential.com/3879-kuwait-iraq-two-accords-signed-and-more-to-follow.html>

¹⁰² For more details, see Chapter VI of this study.

¹⁰³ Security Council, ‘Resolution 833 (1993) adopted by Security Council at its 3224th meeting, on 27th May 1993’, S/RES/833 (1993), 27th May 1993, United Nations.

out periodically by the UNIKOM. However, after the expiry of the activities of UNIKOM on 6 October, 2003,¹⁰⁴ the functions of the UNIKOM were assumed by the Department of Peace Keeping Operation (DPKO) through the 'Iraqi Kuwait Boundary Maintenance Project' (IKBMP). Due to the consequences of the 2003 war in Iraq, the maintenance of the pillars had been suspended, which resulted in the need to maintain these pillars once again to avoid any future border problems. Therefore, Kuwait called upon the UN in 2004 and 2005 to assume its responsibility for forming a technical team to maintain these pillars in accordance with the resolution 833. Thus, the United Nations team for the 'Maintenance Project' made its first technical field visit in February 2006 to assess the boundary pillars and submitted its assessment to UNSC on 17 April, 2006 regarding the importance of maintaining the pillars in the two phases as follows:

1. First Phase: (Preparations for Boundary Maintenance). This phase was completed in the report of assessment of 2006 by the aforementioned field visit by the United Nations team.
2. Second Phase: (Field maintenance). This phase represents the implementation of Boundary Maintenance Project.¹⁰⁵

Field maintenance of the pillars (Phase II) was originally scheduled to start the late 2006 according to the timetable of the United Nations team. However, this phase was delayed several times, first in 2007 and again in 2008 until the present time; this has become a source of concern for Kuwaiti security. The reason for the delays, according to the report of the Secretary General dated in July 2009, was the following obstacles faced by United Nations team:

i. The need to remove encroachments on Kuwaiti territory:

The UN Demarcation Commission in 1993 found Iraqi buildings and farms along the boundary between pillars 104a and 106 on Kuwaiti territory, particularly at Umm Qasr town; these needed to be removed as they were blocking the inter-visibility of the boundary between two these pillars. Thus, Iraq was required to relocate the residents and

¹⁰⁴ Security Council, 'Report of the Secretary-General on the activities of the United Nations Iraq-Kuwait Observation Mission for the period 16 June-1 October 2003', S/2003/933, 2 October 2003, United Nations, New York.

¹⁰⁵ Security Council, 'Report of the Secretary-General Pursuant to Paragraph 5 of Resolution 1859 (2008)', S/2009/385, 27 July 2009, United Nations, New York. p.5.

encroaching buildings in order to maintain the pillars; this became known as the Iraqi Farmers Issue. For this reason, the UNSC issued resolution No. 899 in 1994, demanding compensation for Iraqi private citizens whose assets remained on Kuwaiti territory.¹⁰⁶, Kuwait paid this compensation, which amounted to \$671,000, to the ‘Trust Fund’ allocated for this purpose by the UN. However, Saddam did not hand this compensation over to those affected until the collapse of the regime in 2003.¹⁰⁷ To resolve this issue, Kuwait and Iraq held the first ‘Joint Technical Committee’ in November 2005 on the level of the under secretary of Minister of Foreign Affairs, which signed a ‘Minutes of Meeting’ to end the ‘outstanding issues’ between both countries including the formation of a technical team to work with the UN team to maintain the border pillars.¹⁰⁸ However, the issue of the maintenance of the pillars has remained unsolved since 2006 until the present day, due to the Iraqi failure to remove the encroachments on Kuwaiti territory, despite the fact that maintenance work was originally scheduled to take place late in 2006 in accordance with the plan of United Nations team.¹⁰⁹ According to the WikiLeaks documents, these encroachments, which are not more than 5 to 6 meters on Kuwaiti territory¹¹⁰ and involve 60 Iraqi families, have become an impediment to the work of the UN team,¹¹¹ although, Iraq asked the UN first in February and again in March 2008 to deposit the \$671,000 compensation paid by Kuwait into the ‘Development Fund for Iraq’ account to be paid to those affected in order to maintain boundary pillars.¹¹² To push Iraq to put an end to this issue, which had lasted five years from 2003, Kuwait submitted a

¹⁰⁶ Security Council, ‘Resolution 899 (1994) Adopted by the Security Council at its 3343rd meeting’, S/RES/899, on 4 March 1994, United Nations, New York.

¹⁰⁷ Security Council, ‘Report of the Secretary-General Pursuant to Paragraph 5 of Resolution 1859 (2008)’, Op.Cit.p.15.

¹⁰⁸ Al Watan Information and Studies Center, ‘Relations with Iraq’, classification No. 5-2/6, dated 22/11/2005, Kuwait.

¹⁰⁹ WikiLeaks, ‘UN Team’s First Kuwait-Iraq Border Assessment on Demarcation Maintenance’, Reference ID: [06KUWAIT659](#), [CONFIDENTIAL](#), [Embassy Kuwait](#), [2006-02-27](#). Online on the WikiLeaks website at: http://www.wikileaks.org/origin/117_0.html

¹¹⁰ Ibid, ‘Kuwait MFA U/S on Iraq, GTMO, 1267 Designees’, Reference ID: [08KUWAIT98](#), [CONFIDENTIAL](#), [Embassy Kuwait](#), [2008-01-24](#). Online on the WikiLeaks website at : http://www.wikileaks.org/origin/117_0.html

¹¹¹ In fact that, only 13 families out of 60 families are actually trespassing on the Kuwaiti border while the remaining families are directly adjacent to the Kuwaiti borders. Kuwait undertook to build residential units for all these Iraqi families due to political and security reasons in order to keep all these families away from the Kuwaiti border. Interview done by researcher with Nawaf Almahamel, Legal Advisor for Kuwait Fund for Arab Economic Development, Kuwait City, 21 April 2012, Kuwait.

¹¹² Security Council, ‘Report of the Secretary-General Pursuant to Paragraph 5 of Resolution 1859 (2008)’, Op.Cit. p.16.

‘proposal’ to Iraq in early 2008 in which Kuwait offered to bear the cost of building new private homes by KFAED to those Iraqis affected, even though Kuwait had already paid compensation to those affected.¹¹³ However, Iraq did not respond to this ‘proposal’ until 2011.

Due to this delay, the UN team held two meetings with representatives both of Kuwait and Iraq from 21 to 23 June 2007 in New York and from 21 to 23 October 2008 in Kuwait City to end the phase of ‘Field maintenance’. During two these meetings, the two countries expressed their commitment to implementing the recommendations of the 2006 assessment report and agreed to start the ‘Field maintenance’ on 15 September 2009, provided that both states send a letter to the UN Secretariat confirming their agreement to start the work on that date. Thus, on 1 December, 2008, Iraq sent such a letter, while Kuwait sent its letter on 5 January, 2009. On 9 March, 2009, Kuwait sent another letter confirming its readiness to provide access and security on the Kuwaiti side of the boundary for the UN team.¹¹⁴ This was followed by the agreement of two states to start the final phase of the Boundary Maintenance Project (Field maintenance) as scheduled in the ‘Minutes of Meeting’ signed between Kuwait and Iraq on 4 February, 2009 at the second ‘Joint Technical Committee’ held in Kuwait.¹¹⁵ Due to the importance of this issue, the Kuwaiti Minister of Foreign Affairs, Sheikh Dr. Mohammed Al Sabah visited Iraq on 26 February 2009 to establish the first ‘Kuwaiti–Iraqi Committee’ on the level of the Minister of Foreign Affairs to solve the ‘outstanding issues’ between both countries and to urge Iraq to meet its obligations to maintain the boundary pillars in accordance with the agreed timetable.¹¹⁶ Nonetheless, on 14 May 2009, Iraq sent a letter to UN Secretariat requesting the postponement of the implementation of ‘Field maintenance’ project without specifying a new deadline. Therefore, in response to the Iraqi letter sent on 14 May 2009, the DPKO sent notes to both Kuwait and Iraq on 9 June 2009 asking them to commence the final phase of ‘Field maintenance’ by 30 October 2009. Kuwait promptly responded to the DPKO note with two letters dated 17 and 25 June 2009 confirming its readiness to start the

¹¹³ *Al Rai* newspaper, Issue No. 1187, Tuesday January 17 2012, Kuwait.

¹¹⁴ Security Council, ‘Report of the Secretary-General Pursuant to Paragraph 5 of Resolution 1859 (2008), Op.Cit.p.5.

¹¹⁵ Al Watan Information and Studies Center, ‘Relations with Iraq’, classification No. 5-2/6, dated 6/2/2009, Kuwait.

¹¹⁶ *Al Rai* newspaper, ‘ Mohammed Al Sabah Normalized the Relations with Iraq’, 26/2/2009, Issue No. 10833, Kuwait.

final phase as scheduled and asking the reason for the delay. However, to date, Iraq has not responded to the June 2009 note. For this reason, the UN Secretary-General, in his report to UNSC of July 2009, held Iraq responsible for the delay, stating, ‘I would like to urge the Government of Iraq to respond positively to the note verbale dated 9 June 2009 from the Secretariat regarding the final phase of the project’.¹¹⁷ According to the WikiLeaks documents, the *Iraqi charge d'affaires* to Kuwait, Al-Azzawi, pointed out to the US Embassy officials in November 2008 that the reason behind the failure to implement the ‘Kuwaiti proposal’ for building new homes for affected Iraqis, was due to Iranian intervention, citing ‘the provocations by Iranian-backed Shia elements who have gone to the farmers and urged them to reject the idea of abandoning the ‘land of their ancestors’ to prevent reconciliation with Kuwait’.¹¹⁸

After three meetings had taken place between the two countries since 2009 to 2010 to discuss the ‘proposal of Kuwait’, Iraq submitted to Kuwait in 2011 the initial plan for the construction of 202 housing units in the city of Umm Qasr at a distance of 1800 meters from the international border, despite the fact that the encroachments involved no more than 60 Iraqi buildings. Thus, Kuwait prepared a final study to determine the value of the final cost of building 202 residential units in Umm Qasr town. It is expected that the cost will be determined by the end of 2012¹¹⁹ to put an end to this issue that has become an Iraqi justification for delaying the maintenance of boundary pillars.

ii. Political, security and funding reasons:

These reasons show the importance of providing security protection and material assistance to UN team members to complete their work in full at the final phase (Field maintenance). The UN team affirmed its need to put in place the necessary safety and

¹¹⁷ Security Council, ‘Report of the Secretary-General Pursuant to Paragraph 5 of Resolution 1859 (2008), Op.Cit. pp.5-6.

¹¹⁸ WikiLeaks, ‘Iraqi Charge in Kuwait Describes Sunni/Shia Tensions As Obstacle To Resolution Of Bilateral Issues’, Reference ID; [08KUWAIT1137](#), [CONFIDENTIAL](#), [Embassy Kuwait](#), [2008-11-13](#). Online on the WikiLeaks website at: http://www.wikileaks.org/origin/117_0.html

¹¹⁹ Despite the fact that the encroachment is not more than 60 families as we pointed out, yet Kuwait has agreed to build residential units for all Iraqi families that live near the Kuwaiti-Iraqi borders at the number of 202 home units. Interview done by researcher with Nawaf Almahamel, Legal Advisor for Kuwait Fund for Arab Economic Development, Kuwait City, 21 April 2012, Kuwait.

security arrangements for the Boundary Maintenance Team on the Iraqi side of the border throughout maintenance work. In particular, regarding the process of coordination and communication of the work, it would take 120 days to contact security forces on the Iraqi side to put in place security arrangements, in addition to the procurement process to contract an engineering firm. Therefore, Kuwait faced the problem of the delay in the formation of Iraq's security team to accomplish the work of the UN team.¹²⁰ According to WikiLeaks documents, Kuwait has sought to convince the Iraqi side of the importance of the formation of the Iraqi security team to end the work of the maintenance of boundary pillars through the visits of Iraqi officials to Kuwait.¹²¹ This is in addition to the problem of Iraq's failure to pay its share in the 'Iraq-Kuwait Trust Fund for Border Issues', which required Kuwait and Iraq to share equally the costs of Boundary Maintenance fees estimated at \$600,000 for each country. Therefore, the UN Secretary-General called for Iraq to fulfill its obligations to end the maintenance work as per the scheduled plan since 2006.¹²² Thus, according to WikiLeaks documents, Kuwait began to be suspicious of Iraq's behavior towards its obligation as per UNSC resolution No.833. This concern was expressed by the Kuwaiti Minister of Foreign Affairs, Sheikh Dr. Mohammed Al Sabah, to the US Ambassador to Kuwait, Deborah. K. Jones, in October 2008, when he stated that 'Al- Maliki's rejection of the reaffirmation in UNSCR 833 is the primary source of Kuwaiti mistrust of the Iraqi PM'. He added that 'Al-Maliki's refusal to accept the demarcation led to the postponement by a year of a UN team's scheduled September 2008 visit to maintain the border'.¹²³ It was also expressed by the Kuwaiti Undersecretary of Ministry of Foreign Affairs, Ambassador Khalid Al-Jarallah to US officials in August, 2009 regarding Kuwait's concern over Iraq's failure to confirm the Iraqi -Kuwait borders as per UNSC resolution No. 833, either orally or in writing .¹²⁴ Sheikh Dr. Mohammed Al

¹²⁰ Security Council, 'Report of the Secretary-General Pursuant to Paragraph 5 of Resolution 1859 (2008), Op.Cit.p.6.

¹²¹ WikiLeaks, 'Iraq/Kuwait: Talabani Visit; Fuel; Border Crossings', Reference ID; [07KUWAIT1674](http://www.wikileaks.org/origin/117_0.html) CONFIDENTIAL, [Embassy Kuwait](http://www.wikileaks.org/origin/117_0.html), 2007-11-29. Online on the WikiLeaks website at: http://www.wikileaks.org/origin/117_0.html

¹²² Security Council, 'Report of the Secretary-General Pursuant to Paragraph 5 of Resolution 1859 (2008), Op.Cit.p.6.

¹²³ WikiLeaks, 'For Kuwait, The SOFA A Litmus Test Of Iraqi Intentions And Iranian Influence', Reference ID; [08KUWAIT1088](http://www.wikileaks.org/origin/117_0.html) , [SECRET//NOFORN](http://www.wikileaks.org/origin/117_0.html) , [Embassy Kuwait](http://www.wikileaks.org/origin/117_0.html), 2008-10-29 . Online on the WikiLeaks website at: http://www.wikileaks.org/origin/117_0.html

¹²⁴ Ibid, 'MFA U/S: Terrorist Threat Hits Home; Kuwait Holds The Line On 833', Reference ID ; [09KUWAIT822](http://www.wikileaks.org/origin/117_0.html), CONFIDENTIAL, [Embassy Kuwait](http://www.wikileaks.org/origin/117_0.html) , 2009-08-19 . Online on the WikiLeaks website at: http://www.wikileaks.org/origin/117_0.html

Sabah commented, ‘We have clear letters from the Iraqi Minister of Foreign Affairs confirming Iraqi commitment towards the international boundary, but the letters of Iraqi Prime Minister, Nouri al-Maliki, were vague; thus, our relationship is still ‘cautious’ in dealing with Nouri al-Maliki personally’.¹²⁵

3.1.2. *The Compensation Issue*

As mentioned earlier, in 2010, the unpaid compensation for Kuwait was estimated at \$23 billion.¹²⁶ After the collapse of Saddam’s regime, several variables resulted in the compensation percentage being reduced from 25% to 5% as per UNSC resolution No. 1483 of 2003, even though Kuwait’s officials expressed their discontent with the US support for this reduction without any coordination with Kuwait.¹²⁷ This was in addition to Iraqi attempts to reduce the compensation percentage once again through the UN since 2003 as will be discussed below. In fact, the implications of the 2003 War affected on the compensation issue between the members of UNSC who supported or opposed this war. For instance, France and Germany, which opposed the war against Iraq, sought to draft a new resolution in UNSC in 2003 requiring first the approval of UNSC of any payments of compensation exceeding \$25,000, which would in fact, suspend the payments of compensation in the case of any objection by any permanent member at UNSC. Therefore, Kuwait urged the US to oppose this proposal, so it was not put to a vote.¹²⁸ The Germans and the French, supported by Russia, attempted to delay the payments as they wanted to ‘compensate their suppliers’, i.e. French and German companies in Iraq, as Kuwaiti Foreign Affairs, Sheikh Dr. Mohammad Al-Sabah stated to US Ambassador Jones in April 2003.¹²⁹ Thus, since 2003 Kuwait has based its position according to this issue as follows:

¹²⁵ Interview done by researcher with Sheikh Dr. Mohammad Al-Sabah, former Kuwaiti Minister of Foreign Affairs, Kuwait City, 11 June 2012.

¹²⁶ See Chapter VI for further details on this issue.

¹²⁷ WikiLeaks , ‘Kuwait Strongly Protests New Language on Compensation In Draft UNSC Resolution on Iraq’, Reference ID; [03KUWAIT2163](#), [CONFIDENTIAL](#), [Embassy Kuwait](#), [2003-05-21](#). Online on the WikiLeaks website at: http://www.wikileaks.org/origin/117_0.html

¹²⁸ WikiLeaks, ‘Kuwait Seeks US Support Against New Proposal on Compensation Payments’ ,Reference ID; [03KUWAIT2543](#) , [CONFIDENTIAL](#) , [Embassy Kuwait](#), [2003-06-10](#) . Online on the WikiLeaks website at: http://www.wikileaks.org/origin/117_0.html

¹²⁹ Ibid , ‘GOK To Take Its Case on The Road’ , Reference ID; [03KUWAIT1250](#) , [CONFIDENTIAL](#), [Embassy Kuwait](#), [2003-04-05](#). Online on the WikiLeaks website at: http://www.wikileaks.org/origin/117_0.html

1. Keep the compensation percentage at 5% without reduction until the full completion of payments of compensation.
2. Any proposal suggested must be discussed among the states at the UNCC Governing Council.¹³⁰

In October 2007, the UNCC rejected Iraq's request to reduce the compensation percentage of 5%, and called for Iraq to pay this percentage in full without any change. Thus, Iraq shifted its endeavors to the UNSC through sending two letters, the first on 7 December 2007¹³¹ and the second on 7 December 2008, requesting officially the reduction of compensation payments from 5% to 1% or the complete cancellation of this unpaid compensation under the pretext of the financial burden that Iraq was experiencing and the need for those funds to rebuild Iraq. These developments prompted Kuwait to send a letter to the UNSC on 23 March 2009 stressing its view that Iraq should fulfill its obligations to pay compensation without any change. In addition, Kuwait expressed its readiness in April and October, 2008 to enter into negotiations with Iraq to discuss the outstanding unpaid compensation under the auspices of the UN Compensation Commission. Thus, Iraq and Kuwait held negotiations in Amman under the auspices of UNCC on 19 – 20 May 2009 to settle the outstanding unpaid compensation. During these negotiations, Kuwait submitted a proposal to Iraq to invest the unpaid compensation in enterprises in Iraq, which would benefit both countries. However, Iraq emphasised its wish to cancel the unpaid compensation in full. Kuwait considered that the Iraqi position was not a good starting point for the meeting.¹³² According to WikiLeaks documents, Iraq has still not responded to the Kuwaiti proposal.¹³³ Therefore, this matter has become a politically controversial issue in Kuwaiti society and particularly between the members of Kuwaiti parliament, who

¹³⁰ Ibid, 'Kuwait Urges No Change To UNCC Iraqi Compensation Payments Until Environmental Remediation Claims Are Paid', Reference ID ; [08KUWAIT112](#), [CONFIDENTIAL](#), [Embassy Kuwait](#) , [2008-01-29](#). Online on the WikiLeaks website at:

http://www.wikileaks.org/origin/117_0.html

¹³¹ Security Council, 'Letter dated 7 December 2007 from the Prime Minister of Iraq addressed to the President of the Security Council', S/RES/1790, 18 December 2007 , United Nations, New York.

¹³² Security Council, 'Report of the Secretary-General Pursuant to Paragraph 5 of Resolution 1859 (2008), Op.Cit. pp.3-4.

¹³³ WikiLeaks, 'MFA U/S: Terrorist Threat Hits Home; Kuwait Holds The Line On 833', Reference ID ; [09KUWAIT822](#) , [CONFIDENTIAL](#), [Embassy Kuwait](#) , [2009-08-19](#). Online on the WikiLeaks website at: http://www.wikileaks.org/origin/117_0.html

are against any reduction of compensation.¹³⁴ Yousef Al-Ibrahim, Economic Advisor of the Amir of Kuwait, stated this to the US officials in 2008, as WikiLeaks shows, when he commented, ‘The reduction of compensation payments is currently impossible due to Kuwaiti popular and parliamentary opposition to any such accommodation’.¹³⁵

3.1.3. *Repatriation of Kuwaiti Prisoners of War, Properties and Archives*

According to the report of the Secretary- General dated 8 April 2009, these issues have remained outstanding between Iraq and Kuwait for the following reasons:

1. The number of Kuwaiti and third-country nationals whose remains have not been identified stands at 369, out of a total of 605;
2. The Kuwaiti properties have not been completely recovered;
3. The Kuwaiti national archives have not been completely recovered.¹³⁶

Therefore, in the letter sent to UNSC dated on 10 February 2009, Kuwait expressed its regret that for several years the files had witnessed no progress and urged the UN to work with Iraq to put an end for these humanitarian issues. In contrast, in the letter sent to UNSC dated 10 March 2009, Iraq claimed its full compliance with all its obligations towards these issues and requested the termination of the High-level Coordinator’s mandate and the transferral of these issues to be resolved on a bilateral level between Kuwait and Iraq.¹³⁷ On 23 March 2009, Kuwait responded to the abovementioned Iraqi letter confirming its view that Iraq should fulfill its obligations and support the High-level

¹³⁴ WikiLeaks, ‘Kuwait National Assembly Members Agree With GOK on Iraqi Debt Relief’, Reference ID; [05KUWAIT651](http://www.wikileaks.org/origin/117_0.html), CONFIDENTIAL, [Embassy Kuwait](http://www.wikileaks.org/origin/117_0.html), 2005-02-14. Online on the WikiLeaks website at : http://www.wikileaks.org/origin/117_0.html

¹³⁵ Ibid, ‘Forgiveness of Iraqi Debt, Compensation Not Imminent; More Economic Reforms To Come’, Reference ID; [08KUWAIT71](http://www.wikileaks.org/origin/117_0.html), CONFIDENTIAL, [Embassy Kuwait](http://www.wikileaks.org/origin/117_0.html), 2008-01-16. Online on the WikiLeaks website at: http://www.wikileaks.org/origin/117_0.html

¹³⁶ Security Council, ‘Comprehensive report requested in a letter dated 26 March 2008 from the President of the Security Council to the Secretary-General’, S/2009/190, 8 April 2009, United Nations, New York. pp.1-6.

¹³⁷ Security Council, ‘Letter dated 10 March 2009 from the Permanent Representative of Iraq to the United Nations addressed to the President of the Security Council’, S/2009/143, 13 March 2009, United Nations, New York.

Coordinator's efforts by putting an end to all the outstanding issues.¹³⁸ These issues had become important for Iraq itself, after the discovery of the remains of 55 Iraqi military personnel in northern Kuwait on 6 May 2010. Thus, in a letter sent to the UN on 12 May 2010, Iraq suggested that the mandate of the High-level Coordinator be continued. Due to the importance of these issues, Kuwait granted financial contributions amounting to \$974,000 in May 2010 to a UN project sponsored by UNAMI and the Ministry of Human Rights of Iraq to help Iraq to find the remains of missing persons regardless of their nationality.¹³⁹ Thus, these issues remained the main priority of Kuwait, particularly after the further discovery of 32 Iraqi corpses in Kuwait by a TSC mission in 2011.¹⁴⁰

3.1.4. The issue of Iraq evading Chapter VII mandate of UN Charter

Iraq began its movements to evade Chapter VII of the UN Charter in December 2008, through the termination of all UN resolutions and sanctions imposed on Iraq since 1990 which threatened to use economic or military measures against states in the case of the non-implementation of the resolutions of the UNSC.¹⁴¹ On 7 December 2008, the Iraqi Prime Minister, Nouri al-Maliki sent a letter to the UNSC requesting the restoration of Iraq's legal and international status as it had been prior to the adoption of the UNSC resolution 661 of 1990 and the subsequent sanctions imposed on Iraq under Chapter VII of the UN Charter. In response, the UNSC issued resolution No. 1859 on 22 December 2008; paragraph 5 deals with the decision 'to review resolutions pertaining specifically to Iraq, beginning with the adoption of resolution 661 (1990) to achieve international standing equal to that which it held prior to the adoption of such resolutions'.¹⁴² In fact, the SOFA treaty of 17 November 2008, had great effect in the issuance of this resolution, in which

¹³⁸ Security Council, 'Comprehensive report requested in a letter dated 26 March 2008 from the President of the Security Council to the Secretary-General', Op.Cit. p.5.

¹³⁹ Security Council, 'Twenty-ninth report of the Secretary-General pursuant to paragraph 14 of resolution 1284 (1999)', S/2010/300, 9 June 2010, United Nations, New York. p. 3.

¹⁴⁰ Security Council, 'Thirty-second report of the Secretary-General pursuant to paragraph 14 of resolution 1284 (1999)', S/2011/754, 5 December 2011, United Nations, New York. p. 3.

¹⁴¹ United Nations, *Charter of the United Nations: Chapter VII: Action with Respect to Threats to the Peace, Breaches of the Peace and Acts of Aggression*, United Nations, New York. Available online on the UN website at; <http://www.un.org/en/>

¹⁴² Security Council, 'Resolution 1859 (2008) Adopted by the Security Council at its 6059th meeting', S/RES/1859, on 22 December 2008, United Nations, New York.

the US pledged as per Article 25 as follows: 'Iraq should return to the legal and international standing that it enjoyed prior to the adoption of UN Security Council resolution 661 (1990), and that the United States shall use its best efforts to help Iraq take the steps necessary to achieve this by December 31, 2008'.¹⁴³

UN resolution 1859 represented a real concern for Kuwait due to the existence of outstanding issues. The Kuwaiti concern was that should Iraq get out of Chapter VII, the resolution of outstanding issues would not be under the supervision of the United Nations; rather they will be resolved on the level of bilateral relations, It was of particular concern that these outstanding issues had not been completed due to Iraq's behavior despite being under the supervision of the UN. The Kuwaiti concern was clarified by Kuwaiti officials, as WikiLeaks shows, when the Amiri's advisor, Muhammad Abulhassan, told US Ambassador Hill in May 2009 that Iraq's attempt to evade Chapter VII presented 'a serious obstacle to the goal of improved bilateral relations as there can be no shortcuts' and that Kuwait viewed 'continued UN leverage as essential in obtaining progress from Iraq on resolving several critical issues'.

The Under Secretary of Ministry of Foreign Affairs, Khaled Al-Jarallah, was even clearer with Ambassador Hill regarding the importance of the remaining 'outstanding issues' under the 'umbrella of the UN', when he stated that 'if this does not occur, Iraq will again be in a position to threaten regional security and stability'. He cautioned, 'Without the leverage the UN provides, Kuwait would never reach any agreement with the Iraqis'.¹⁴⁴ Thus, Kuwait stated officially its objection to Iraq getting out of Chapter VII until the full implementation of outstanding issues between both countries. This attitude was clear in the letter sent to the UNSC on 24 March 2009 by the Kuwaiti Minister of Foreign Affairs, Sheikh Dr. Mohammed Al Sabah, which pointed out in detail the outstanding issues between both countries and stressed that Iraq should remain under Chapter VII until the

¹⁴³ Global Security, 'Agreement Between the United States of America and the Republic of Iraq On the Withdrawal of United States Forces from Iraq and the Organization of Their Activities during Their Temporary Presence in Iraq', Signed in duplicate in Baghdad on 17th day of November, 2008. Available online on the Global Security website at:

<http://www.globalsecurity.org/military/library/policy/dod/iraq-sofa.htm>.

¹⁴⁴ WikiLeaks. 'Kuwait Seeks USG Support To Keep Iraq Under Chapter VII Mandate', Reference ID: [09KUWAIT514](http://www.wikileaks.org/origin/117_0.html), CONFIDENTIAL [Embassy Kuwait](http://www.wikileaks.org/origin/117_0.html), 2009-05-21. Online on the WikiLeaks website at: http://www.wikileaks.org/origin/117_0.html.

resolution of these issues in full.¹⁴⁵ Further, the Amir of Kuwait, Sheikh Sabah Ahmed Al Sabah, sent his special envoy, Mohammed AboualHassan, to five permanent state members at the UNSC and the UN Secretary-General in May 2009, to deliver letters explaining Kuwait's stance on the importance of keeping Iraq under Chapter VII until the completion of the outstanding issues.¹⁴⁶ Therefore, this issue has remained a source of concern to Kuwait, particularly after the termination of all sanctions imposed on Iraq such as the 'economic' sanctions as per UN resolution No. 1483 in 2003, the 'weapons embargo' as per UN resolution No. 1957 in 2010,¹⁴⁷ and the DFI, which was administrating the Iraqi oil imports, as per resolution No. 1956 in 2010. It is obvious that the two latter resolutions were issued in one session of UNSC on 15 December 2010.¹⁴⁸ Therefore, Mohammed AboualHassan commented on this issue saying that 'in fact there are no sanctions imposed on Iraq, and thus, the issue of Chapter VII will be automatically removed once the obligations for it to be implemented in full as per UNSC resolutions'.¹⁴⁹ Sheikh Dr. Mohammed Al Sabah commented, 'The UN resolutions are not subject to the bilateral relations since being issued by UNSC, they are related to the international community and the international peace and security. Therefore, it is important that the international community is present to prevent Iraq from returning to its previous reckless policies; thus, these international resolutions do not constitute any harm to Iraq and, in fact, they are a guarantee for the Iraqi people to prevent the return of dictatorship in Iraq.' He added that after the lifting of the sanctions on Iraq, 'Chapter VII is a moral constraint only' to focus the attention of the international community on Iraq.¹⁵⁰

¹⁴⁵ Security Council, 'Letter dated 24 March 2009 from the Permanent Representative of Kuwait to the United Nations addressed to the President of the Security Council', S/2009/178, 6 April 2009, United Nations, New York.

¹⁴⁶ KUNA, 'Amir's envoy meets Russian President's Middle East Envoy', Politics, 25 May 2009, Kuwait. Available online on the KUNA website at: <http://www.kuna.net.kw/ArticleDetails.aspx?language=en&id=2000776>

¹⁴⁷ Security Council, 'Resolution 1957 (2010) Adopted by the Security Council at its 6450th meeting', S/RES/1957, on 15 December 2010, United Nations, New York.

¹⁴⁸ Security Council, 'Resolution 1956 (2010) Adopted by the Security Council at its 6450th meeting', S/RES/1956, on 15 December 2010, United Nations, New York.

¹⁴⁹ *Al Rai* newspaper, Issue No. 10926, Sunday May 23 2009, Kuwait.

¹⁵⁰ Author's interview with Sheikh Dr. Mohammad Al-Sabah, former Kuwaiti Minister of Foreign Affairs, Kuwait City, 11 June 2012.

3.2. *The outstanding issues on the level of bilateral relations*

In addition to the issues discussed above, which were given an international framework through the UN, a number of further issues were not included within UN resolutions under Chapter VII of the UN charter; rather, they are related to bilateral relations between Kuwait and Iraq, even though some of these issues were referred to in the UN resolutions. We turn to those issues below.

3.2.1. *The Iraqi Debts*

These debts were provided to Iraq by Kuwait during the Iraq-Iran War (1980–1988), through direct loans and sale of oil by Arabian Oil Company, which were estimated at \$25 billion (with interest) until 2007.¹⁵¹ Following the collapse of Saddam's regime, the UNSC resolution No. 1483 of 2003 called the donor states to hold a meeting in order to find a solution for Iraq's sovereign debt problems.¹⁵² Therefore, the Paris Club held a conference on 21 November 2004 to discuss the \$120.2 billion of Iraqi debts as endeavors to help Iraq economically. The Iraqi debts to the Paris Club creditors as of 2004 were estimated at \$38.9 billion¹⁵³, while the debts to the non-member states at Paris Club were estimated at \$60 to \$65 billion, most of which was owed to Arab Gulf States. The remaining debts of \$15 billion were owed to the commercial creditors. The Paris Club conference of 2004, agreed on the reduction of 80% of the Iraqi debts owed to Paris Club members in three phases starting from January 2005.¹⁵⁴

Kuwait has determined its position regarding the Iraqi debt relief either to the special envoy of US President, Secretary Baker who visited Kuwait in January 2004 or to the Iraqi officials as follows:

1. Kuwait agrees to the reduction of 80% of the Iraqi debts in accordance with the Paris Club meeting of 2004.

¹⁵¹ Alterman, Jon B, *Op.Cit.* p.6.

¹⁵² Security Council, 'Resolution 1483 (2003) Adopted by the Security Council at its 4761st meeting', S/RES/1483, on 22 May 2003, United Nations, New York.

¹⁵³ Paris Club, 'Press Release: The Paris Club and The Republic Of Iraq Agree on Debt Relief', 21 November, 2004. Available online on the Paris Club website at: <http://www.clubdeparis.org/>

¹⁵⁴ Weiss, Martin A. 'Iraq: Paris Club Debt Relief', *CRS Report for Congress*, 19 January 2005. p.2.

2. Kuwait's agreement of reduction of these debts, as mentioned above, requires the approval of the Kuwaiti parliament in accordance with the Kuwait Constitution.¹⁵⁵

In fact, the Kuwaiti stance in supporting the Iraqi debt relief has constituted an extremely controversial issue in Kuwaiti society and between the members of Kuwait parliament. This controversy was expressed by the US Ambassador to Kuwait, LeBaron, in November 2006 as follows: 'These attitudes are particularly prevalent among the Kuwaiti public and the Kuwait National Assembly, which has made clear its distaste for the idea of Iraqi debt relief'.¹⁵⁶ This is in addition to the debt relief having become a 'dilemma' facing the Kuwaiti government for discussion with MPs, after the Government of Kuwait rejected the proposal submitted on 19 December 2006 by some MPs to write off the bad debts of Kuwaiti citizens to local Kuwaiti banks.¹⁵⁷ Thus, some expressed a concern that the Government of Kuwait may follow the decision taken by the UAE in July 2008 to write off its debts to Iraq.¹⁵⁸ Therefore, the Kuwaiti bad debts have negatively affected on the issue of Iraqi debt relief, which was expressed by Sheikh Dr Mohammed Al Sabah to the US Coordinator for Iraq, Ambassador Satterfield, in June 2008 as follows: 'In light of a recent decision by parliament not to forgive the outstanding debt of Kuwait, it would be impossible to attempt to reduce the debt of another country'.¹⁵⁹ Hence, the issue of the Kuwaiti bad debts and the 'memory' of the Iraqi invasion of Kuwait have remained the main obstacle facing the Iraqi debt relief in Kuwait as WikiLeaks shows.¹⁶⁰

¹⁵⁵ Wikileaks, 'Coordinating With The UK On Iraqi Debt Reduction', Reference ID; [04KUWAIT474](http://www.wikileaks.org/origin/117_0.html), [CONFIDENTIAL](#), [Embassy Kuwait](#), [2004-02-11](#). Online on the WikiLeaks website at: http://www.wikileaks.org/origin/117_0.html

¹⁵⁶ Ibid, 'Engagement Of Regional States For Iraq: What Can Kuwait Do?', Reference ID; [06KUWAIT4405](http://www.wikileaks.org/origin/117_0.html), [SECRET](#), [Embassy Kuwait](#), [2006-11-07](#). Online on the WikiLeaks website at: http://www.wikileaks.org/origin/117_0.html

¹⁵⁷ Kuwait National Assembly. 'Muḍbatat jalsat Majlis il-'umma al-Kuwayti al-khāshah al-'alanīyah: al-fasl at-tashrīḥ al-hādi 'ashar: dawr al-'in'ikād athanī, yawm 19 min dw alq'edh sanat 1428 h, al-muwāfik 19 min dysmbr sanat 2006 m'. 'Minutes of the Special and Public Session of Kuwait National Assembly', Eleventh Constitutional Chapter, Tuesday, 19 dw alq'edh, II, 1428 A.H. corresponding to 19/12/2006.

¹⁵⁸ Wikileaks, 'Initial Kuwait Reactions To UAE Announcement Of Iraq Debt Forgiveness: Different Circumstances FM', Reference ID; [08KUWAIT777](http://www.wikileaks.org/origin/117_0.html), [CONFIDENTIAL](#), [Embassy Kuwait](#), [2008-07-09](#). Online on the WikiLeaks website at: http://www.wikileaks.org/origin/117_0.html

¹⁵⁹ Ibid, 'Ambassador Satterfield Discusses Iraq With PM And FM', Reference ID; [08KUWAIT669](http://www.wikileaks.org/origin/117_0.html), [CONFIDENTIAL](#) [Embassy Kuwait](#), [2008-06-12](#). Online on the WikiLeaks website at: http://www.wikileaks.org/origin/117_0.html

¹⁶⁰ Ibid, 'Iraq Debt Forgiveness: A Bloody, Uphill Battle', Reference ID; [06KUWAIT4438](http://www.wikileaks.org/origin/117_0.html), [CONFIDENTIAL](#), [Embassy Kuwait](#), [2006-11-12](#). Online on the WikiLeaks website at: http://www.wikileaks.org/origin/117_0.html

3.2.2. *Kuwait Airways Corporation compensation*

This problem stems from the fact that the UN Compensation Commission did not pay any compensation for the damages and losses (for 10 aircrafts) estimated at \$630 million sustained during the Iraqi invasion to the Kuwait Airways Corporation (KAC) because the KAC was compensated by its underwriters after the liberation of Kuwait.¹⁶¹ Thus, KAC filed a lawsuit at the request of its underwriters in the British courts against Iraqi Airways Corporation (IAC) to ensure that the compensation would be repaid to these underwriters. In November 2005, KAC obtained a court order from the British courts obliging IAC to repay the paid compensation with interest.¹⁶² The value of compensation (with interest), including the other court orders for KAC in 2007 and 2008, was estimated at \$1.200 billion up to 2009. As a result of Iraq's non-payment of such compensation in accordance with the judgments, this issue has been disputed between Kuwait and Iraq, especially after the detention of Iraqi Airplanes in Canada in August 2008,¹⁶³ and an Iraqi Airplane in the UK in April 2010 pursuant to the judgments against IAC. Therefore, in September 2008, Iraq and Kuwait entered into negotiations to settle the issue of compensation to KAC. During these negotiations, the Iraqi delegation has submitted two offers to put an end to this issue:

1. First offer:

- a. Iraq would pay off \$150 million in cash, out of the total amount of \$1.200 billion;
- b. The remaining amount of compensation will be invested by KAC in the aviation, logistics, shipping in the assets owned by Iraqi Airways.

2. Second offer:

Iraq would pay off \$500 million in cash at once, in exchange for all claims, entitlements and judicial rulings for KAC being dropped.

¹⁶¹ House of Lords, 'Judgments - Kuwait Airways Corporation v Iraqi Airways Company and Others', Session: 2001-2002, Publications & Records, United Kingdom. Available online on the UK Parliament website at: <http://www.publications.parliament.uk/pa/ld200102/ldjudgmt/jd020516/kuwait-1.htm>.

¹⁶² *Al-Watan Newspaper*, Issue No. 12392, Saturday July 3rd 2010, Kuwait. Available online on the Al Watan at: <http://AlWatan.kuwait.tt/ArticleDetails.aspx?Id=40246>

¹⁶³ Eman Hassan, 'Kuwait Airways Obtains Seizure Order Against Iraq And Iraqi Airways Interests In Bombardier Aircraft In Canada', Saturday, August 30, 2008. Kuwait. Available online on the AME Info website at : <http://www.ameinfo.com/167330.html>

KAC has rejected these two offers and stressed the importance of compensation being paid in full for its dues as per court orders. Consequently, Kuwait has submitted its own offer to Iraq, which includes the following items:

- a. Payment of the principle amount of compensation issued in the judicial rulings in cash estimated at \$829 million.
- b. The remaining value of interests will be paid by installments or invested with Iraq.¹⁶⁴

However, Kuwait accepted a settlement with Iraq in March 2012, in which Iraq was to pay \$300 million in cash, and invest \$200 million in joint ventures between two countries in return Kuwait drops all its claim and judicial rulings.¹⁶⁵

3.2.3. *Common oilfields between Kuwait and Iraq*

Kuwait and Iraq share common oil fields along their international borders in the area of Safwan, Al Zubair, Al-Ratga or Al Rumaila (see figure 9).¹⁶⁶ As mentioned in Chapter V, this issue was one of Iraq's justifications for invading Kuwait. Saddam Hussein had exploited this issue in 1990 as an excuse for occupation by accusing Kuwait of stealing its oil. Thus, the problem of this issue stems from the fact that Kuwait and Iraq have not reached an agreement concerning the exploitation of joint oilfields on their borders until the present, similar to the agreement concluded between Kuwait and Saudi Arabia to exploit their joint oilfields in the Neutral Zone. Therefore, after the collapse of Saddam's regime, Kuwait and Iraq established the 'Oil Technical Committee' in 2003 to discuss and cooperate in the issues of energy and oil. According to the WikiLeaks documents, at Iraq's request, Kuwait and Iraq did not discuss this issue in the first meeting of the Committee due to its 'political sensitivity'. Issa Al-Own, the undersecretary of Kuwait Minister of Oil, told the US Ambassador to Kuwait, Jones, in 2004 that 'due to the

¹⁶⁴ *Al Watan* newspaper, 'The Answer of the Minister of Communications to the Parliament Question Submitted by MP Dr. Waleed Al Tabtabai', Issue No. 12098/6544, Saturday, September 12 2009, Kuwait.

¹⁶⁵ *Arabian Business*, 'Kuwait clears Gulf War Iraqi airline deal', Tuesday, 23 October 2012 . Available online at : <http://www.arabianbusiness.com/kuwait-clears-gulf-war-iraqi-airline-deal-477363.html>

¹⁶⁶ Daly, John, 'Could War Flare Again Between Iraq and Kuwait', 7 December 2011. Available online on the Oil Price website at ;<http://oilprice.com/Geopolitics/Middle-East/Could-War-Flare-Again-Between-Iraq-And-Kuwait.html>

sensitivity surrounding the idea of joint exploitation of the Rumaila fields, this part of the technical committee's discussion was not even recorded in the meeting's minutes'.¹⁶⁷ Due to the importance of this issue, Kuwait and Iraq agreed in November 2005 in their 'Minutes of Meeting' at a 'Joint Technical Committee' to push forward the negotiations between them to reach an agreement for exploitation the joint oilfields.¹⁶⁸ Especially, once Kuwait had set up investment plans to exploit and develop the so-called 'North Oilfields' project amounting to \$8.5 billion through seeking assistance from international companies, as scheduled on the agenda of the Kuwait National Assembly for approval since being submitted in 1996.¹⁶⁹ This issue has become critical between Kuwait and Iraq, when in April 2009, the Iraqi Minister of Oil, Hussain al-Shahristani, declared that Iraq set up towers for drilling at Sawfan City for oil extraction from the Iraqi territories, which prompted Kuwait to ask Iraq for coordination on this issue so as not to affect the stock of oil fields on Kuwaiti territory in the case of horizontal drilling that would lead to the migration of large quantities of oil.¹⁷⁰ Kuwait and Iraq especially developed a mechanism and perceptions provided by the two sides to resolve this problem through the Joint Committee in February 2009.¹⁷¹ Thus, the issue of the exploitation of oil still governs the development of relationship between two countries in the absence of agreement.

4. Summing Up

The factors that shaped Kuwaiti foreign policy towards Iraq since 2003, after the fall of Saddam Hussein regime, have been both internal – not least in the sense of the demographic and socio-cultural make up of the population, and the ideational factors associated with that – and external. In the latter category the regional intertwined with the

¹⁶⁷ WikiLeaks, 'Kuwait And Iraq Begin Addressing Bilateral Energy Concerns', Reference ID; [04KUWAIT786](#), [CONFIDENTIAL](#), [Embassy Kuwait, 2004-03-09](#). Online on the WikiLeaks website at: http://www.wikileaks.org/origin/117_0.html

¹⁶⁸ Al Watan information and studies center, 'Relations with Iraq', Classification No. 5-2/6, dated 22 November, 2005, Kuwait.

¹⁶⁹ Wikileaks, 'Energy Secretary Bodman and Kuwaiti Amir Discuss Middle East Conflict, Iran, Iraq, and Kuwait Oil Sector', Reference ID; [06KUWAIT2898](#), [CONFIDENTIAL//NOFORN](#), [Embassy Kuwait, 2006-07-19](#). Online on the WikiLeaks website at: http://www.wikileaks.org/origin/117_0.html

¹⁷⁰ Al Watan Information and Studies Center, 'Relations with Iraq', Classification No. 5-2/6, dated April 23, 2009, Kuwait.

¹⁷¹ Ibid, dated 6 February 2009, Kuwait.

internal precisely because of the ethnic/sectarian/religious identifications that cross regional borders. Iraq's fluctuating policy added to this mix, along with the instabilities inside its own borders. The global environment – with continued relevance and involvement by the UN organisations and the US – remained critical, as well as a crucial resource to be drawn on.

The period covered in this chapter saw the consolidation of Sheikh Sabah's predominant role in foreign policy making, as he assumed the presidency. He did need to take into account some strong feeling in the National Assembly over how to deal with Iraq, in particular concern over giving too much too quickly, but on balance was able to impose his vision quite comprehensively.

The Kuwaiti population's make-up combined with the country's geographic location to expose Kuwait to internal security risks, as spill-over from sectarian violence in Iraq between Sunni and Shi'a. This is in addition to the regional environment's plethora of foreign interventions and terrorist networks seeking to destabilize Iraq and support terrorist operations, as a result of the US-UK occupation. Therefore, after the collapse of Saddam's regime, Kuwait endeavored to rehabilitate Iraq on the political, economic and security levels for security and geopolitical reasons, the most importance of which was to avoid Iraq being converted into a centre for tension or terrorism that would constitute a risk to stability in the Gulf region in general and Kuwait in particular. The issue of uncontrolled security, lawlessness, foreign intervention and sectarian violence in Iraq had become a concern for Kuwait due to its impact on Kuwaiti border security and the increasing sectarian strife among the Sunni and Shia sects in Kuwait society. Thus, Kuwait focused, at both regional and international levels, on supporting the political process in Iraq during the four phases mentioned above on the one hand, and providing economic aid to Iraq from 2003 to 2010 estimated at \$1.58 billion on the other, to ensure Iraq's stability.

Despite the developments in the relations between Kuwait and Iraq, represented by the resumption of diplomatic relations in 2004, the matter of the 'outstanding issues' remained the main obstacle in the development of relations between the two countries; this had become a source of Kuwaiti doubt regarding Iraqi behaviour towards Kuwait. These outstanding issues included maintenance of the Iraq-Kuwait international boundary, unpaid compensation, Kuwaiti prisoners of war, properties and archives, the Iraqi debts,

Kuwait Airways Corporation compensation and the exploitation of the common oilfields between the two countries, especially after Iraqi attempts to evade its obligations regarding these issues through its demands to end the Chapter VII imposed on Iraq since 1990. Thus, the UN resolution 1859 (2008) - the SOFA treaty of November 2008 was influential in the issuance of this resolution - represented a real concern for Kuwait, as it called for a review of UN resolutions imposed on Iraq since 1990 to get Iraq out of Chapter VII. The Kuwaiti view was that this was premature due to the existence of outstanding issues that had not been resolved due to Iraq's behavior despite being under the supervision of the UN. Therefore, Kuwait stated officially its objection to Iraq getting out of Chapter VII until the full implementation of outstanding issues contained in the UNSC resolutions.

Chapter X

Conclusion

1. Overview and contribution of the study

This study has charted the influence of the Iraq invasion of Kuwait in 1990 on the formation of Kuwaiti foreign policy, with particular reference to Iraq, during the period 1990-2010, detailing and analysing evolving Kuwaiti policy positions towards Iraq.

Chapter 3 used documentary evidence to shed light on the political history of Kuwait since its emergence in the 17th century and its relationship with the Ottoman Empire, until the agreement with Britain that, just as the Ottoman Empire came to an end, consolidated Kuwait's autonomy as well as the hold on power of the Al Sabah. It sketched the early relationship with Iraq and its evolution to the 1980s, while putting this in the context of a description of Kuwait's foreign policy decision-making system. It then, in chapter 5, outlined the Iraqi invasion itself, and the regional and international response. Chapter 6 laid out the key pillars of Kuwait's policy position vis-à-vis Iraq since then – setting the scene for the detailed depiction and analysis of consecutive periods in policy towards Iraq since 1991, in chapters 7-9.

From early on, Kuwait's foreign policy was aimed at security, in recognition of the polity vulnerable nature and limited resources other than, from the 1950s, oil and the wealth it gradually brought. The desire to obtain protection from Britain – while retaining complementary channels of support – was adjusted after independence, first by a combination of a more 'Arabist' stance and a multiplicity of relationships, although seasoning its 'non-aligned' position with a good dose of great power protection. Even without a formal security arrangement with the US, which would have seemed not in keeping with Kuwait's efforts to present itself as both non-aligned and aligned with the Arab cause, there were nevertheless close security understandings with the superpower. Similarly finely balanced was Kuwait's collaboration with the GCC from 1981, without ever signing the internal security agreement that the other states were pushing for.

Yet the study showed that the trauma of the invasion drastically affected both Arab politics overall and Kuwait's own policy: for the first time the notion of alliance became a cornerstone of Kuwait's overall foreign policy – even if its geographical location and exposure to possible threats from Iraq meant that, after Saddam's fall in 2003, there was a gradual evolution towards trying to help a stabilisation in that country occur. The combination of geographical location and ideational factors in the shape of sectarian cleavages crossing domestic and regional theatres, meant a continued sharp focus not only on military security with external help, but also on the pre-emption of spill-over effects from the sectarianised Iraqi political landscape to Kuwait's own latent ethno-sectarian divisions. Even so, there were certain red lines that remained uncrossed, in the shape of the so-called outstanding issues that remained to be resolved between Iraq and Kuwait.

This study has, for the first time, drawn the sort of detailed picture of the evolution of Kuwaiti perceptions and policy towards Iraq since the invasion – and an analysis of the key factors involved – that has not featured anywhere in the existing literature. This includes also the first in-depth examination and detailed identification of the Kuwaiti position (and its evolution) regarding the 'outstanding' issues between Kuwait and Iraq, such as Iraqi debts, borders, prisoners of war, compensation, Kuwaiti properties, and weapons of mass destruction and UN resolutions already issued.

This has been done on the basis not only of the sort of combination of Arabic and English-language sources that has not been exploited systematically before, but through the extensive use of primary sources, including interviews with key players in Kuwait and the Arab world, documents not previously brought together, including from Arab, UN and British sources, and a thorough scouring of the hundreds of relevant Wikileaks files.

The thesis is also the first systematically to take into account the fluctuating but invariably important roles of the regional and international environment – including the significant changes in those environments – notably, at the global level, the changes from Cold War to post-Cold War and then to the shifts brought about in US and global politics by the events of 2001 – in turn gradually followed by the return of a more multipolar order and the shift to Asia; and, at the regional level, the shifts that were in many cases caused by those global shifts and by the Invasion, and the subsequent removal of Saddam, but also the broader regional context of instabilities and sectarianisation of conflict and politics.

The study also provided more of the ‘fine grain’ on the political decision-making apparatus in Kuwait’s governmental system, through which all the above is perceived and interpreted, and from which emerges policy in response, than previous studies have done, and followed this through in the discussion of the particular relationship between Kuwait and Iraq.

As noted in Chapter 2, the works of Abdul Reda Assiri and Ahmad Hammoud Alduehis do give an interpretation of Kuwait’s foreign policy to 1991 but, other than obviously not covering the post-invasion period, also did not systematically deal with the factors affecting policy evolution – whether regional and international factors or the internal political and decision-making system.¹ Sulaiman Majed Al Shaheen, while explaining the Kuwaiti position towards Iraq’s territorial demands before the Iraqi invasion of Kuwait, does,² not shed light on the impact of the Iraqi invasion on Kuwaiti foreign policy behavior. Patrick’s study of Kuwait’s Foreign³ ends in 1977, and Bader Al-Edwani stops at the invasion.⁴

Abdullah Al-Enezi and Abdullah Saher’s article ‘Al-kuwayt wa ‘alaqātiha ma’ “duwal ad-ḍidd”: Dirāsa maydanīya’,⁵ is useful in understanding Kuwaiti relations with the so-called “*duwal ad-ḍidd*” (Opponent States) after the Iraqi invasion, but provides limited depth in analysing these relations and especially the role of the Kuwaiti National Assembly as an internal constraint factor in blocking relations between Kuwait and these states. Fattou

¹ Assiri, Abdul Reda, *Al-kuwayt fis-siyāsa ad-duwalīya al-mu’asira: ‘injāzāt.. ‘ikhfāqāt.. tahaddīyat*, ‘Kuwait in the Contemporary International Policy: Achievements, Failures and Challenges’, 2nd edition, Kuwait University, Kuwait, 1992. Ibid, *Kuwait’s Foreign Policy - City-State in World Politics*, (Colorado; Westview Press, 1990). Ahmad Hammoud Alduehis, ‘Siyāsat al-Kuwayt il-khārijīya min 1961 ‘ilā 1990’, ‘Kuwait’s Foreign Policy from 1961 – 1991’, unpublished master’s thesis, Jordanian University, Amman, 1992.

² Sulaiman Majed Al Shaheen, *Ad-diblumāsīya al-kuwaytīya bayn al-mihna wal mihna*, ‘Kuwait Diplomacy between the Crisis and Professionalism’, 1st edition, National Library of Kuwait, Kuwait, 2001.

³ Patrick, Neil, ‘Kuwait’s Foreign Policy (1961-1977): Non-Alignment, Ideology and the Pursuit of Security’, unpublished Thesis (Ph.D.), University of London, 2006.

⁴ Al-Edwani, Bader Ali, ‘ad-dawr il-ittiṣālī lid-diblumāsīya al-Kuwaytīya fī Tahqīq ‘ahdāf as-siyāsa al-khārijīya: Dirāsa Maydanīya’, ‘Communicative Role of Kuwait Diplomacy to Achieve the Objectives of Foreign Policy: Field Study’, ‘Al-Dawr Al-Ettisali Li-l-Diplomasaya Al-Kuwaitiya Fi Tahqeeq Ahdaf Al-Siyasa Al-Kharijya’, unpublished Master Degree Treatise, Private University, Kingdom of Bahrain, 2007.

⁵ Al-Enezi, Abdullah and Saher, Abdullah, ‘Al-kuwayt wa ‘alaqātiha ma’ “duwal id-ḍid”: Dirāsa maydanīyah, ‘Kuwait and Its Relations with Opponent States: Field Study’, *Al Mustaqbal Al Arabi Journal*, issue No. 245, Centre for Arab Unity Studies, Beirut, July 1999.

Abu Dahab's article 'At-taḥaruk ad-diblumāsi al-Kuwayti: ad-dalālāt wal nata'ij',⁶ limits itself only to Kuwaiti behavior towards Iraq at the Amman Summit in 2001.

Abdullah Mutlaq Al Edwani's Master's thesis 'Dawr Majlis il-'umma fis-siyāsah al-khārijīyah al-Kuwaytīyah'⁷ is useful in discussing the role of the Kuwaiti Parliament as a consistent factor in Kuwaiti policy. However, the author does not offer a comprehensive discussion on the role of the Kuwaiti Parliament on the 'outstanding issues' with Iraq or Kuwaiti relations with the *duwal aḍ-ḍidd* after the Iraqi invasion and did not place weight on external factors as a constraint for Kuwaiti policy.

Lori Plotkin Boghardt's study *Kuwait Amid War, Peace and Revolution*,⁸ is valuable in addressing the effect of regional events such as the Iranian revolution in 1979, the Iraq-Iran War (1980-1988) and the Iraqi invasion on the internal situation of Kuwait and the GCC states, but does not discuss the effect of the Iraqi invasion on the foreign policy of Kuwait, especially towards Iraq.

Katzman's article 'Kuwait: Security, Reform, and U.S. Policy',⁹ addresses Kuwaiti foreign relations in general since 2003, but it offers a very limited and unsystematic analysis of Kuwaiti relations with Iraq, or even with Iran.. Terrill's study *Kuwaiti National Security and the U.S.-Kuwaiti Strategic Relationship After Saddam*,¹⁰ is critical and objective in addressing Kuwaiti security relations with the US after the Iraqi invasion of Kuwait, and Kuwaiti relations in general with Iraq and Iran. However, this study is restricted to Kuwaiti-US relations with regard to security until the fall of the Saddam Hussein regime, and Kuwaiti-Iraqi relations in general from a security perspective only until 2006. It offers a very limited analysis of Kuwaiti-Iraqi relations and does not discuss in detail the 'outstanding issues' between Kuwait and Iraq or even Kuwaiti behavior towards Iraq before and after the fall of Saddam Hussein.

⁶ Abu Dahab, Fattouh, 'At-taḥaruk ad-diblumāsi al-Kuwayti: ad-dalālāt wal nata'ij', 'Kuwait Diplomatic Movement: Indications & Results', *Sho'oun Khalijia Journal*, No.. 26, The Gulf Centre for Strategic Studies, London, Summer 2001.

⁷ Al Edwani, Abdullah Mutlaq, 'Dawr Majlis il-'umma fis-siyāsah al-khārijīyah al-Kuwaytīyah', 'Role of the National Assembly in the Foreign Policy of Kuwait', Jordanian University, unpublished Master Degree, Jordan, 2006.

⁸ Boghardt, Lori Plotkin, *Kuwait Amid War, Peace and Revolution*, St Antony' Series, 2006.

⁹ Katzman, Kenneth, 'Kuwait: Security, Reform, and U.S. Policy', CRS Report for Congress, US, December 6, 2012.

¹⁰ Terrill, W. Andrew, *Kuwaiti National Security and the U.S.-Kuwaiti Strategic Relationship After Saddam*, Strategic Studies Institute United States Army War College, SSI, USA, 2007.

Abdulla Al-Enezi's article 'amn il-khalīj il-'arabi: dirāsah fil 'asbāb wal mu'tayāt',¹¹ discusses Kuwaiti security arrangements after the Iraqi invasion of Kuwait, but the author does not discuss in detail the reasons for regional and international circumstances that motivated the six GCC states, along with Egypt and Syria, to sign the Damascus Declaration in 1991 and its effect on Kuwaiti policy. A study conducted by the Center for Research and Studies on Kuwait, entitled *Al-ḥushūd 'ala al-ḥudūd il-Kuwaytīya uktūbar 1994: dirāsh tawthiqīya li-rudūd il-fi'l il-'arabīya wal 'ālamīya*,¹² is restricted to the 1994 crisis between Iraq and Kuwait and does not undertake an overview of the comprehensive position of Kuwait towards Iraq during this crisis.

The existing literature, then, does not cover some of the key aspects and factors, and indeed details, of Kuwait-Iraqi relations and the effect of the invasion on Kuwaiti policy. Most prior studies have focused on the Gulf crisis in 1990-1991 and the relationship between the two countries before Iraq invaded Kuwait, while those that do focus on the two states' specific relations with regard to the issues at hand are scarce. It is hoped that the present study has made some contribution to filling these gaps.

Below, some of the more specific findings are listed that fill out the overall picture sketched at the outset of this chapter, of Kuwaiti policy towards Iraq since the invasion. First, however, I sum up the overall findings on the factors that have shaped this policy – and indeed Kuwait's foreign policy more generally.

2. The factors shaping Kuwait's foreign and Iraq policies

While the factors shaping Kuwait's foreign policy overall were laid out in detail in Chapter 4, it may be worth summing up the key ones that have particularly affected policy towards Iraq.

¹¹ Al-Enezi, Abdulla, 'amn il-khalīj il-'arabi: dirāsa fil 'asbāb wal mu'tayāt', 'The Arabian Gulf Security: Reasons and Results', *Journal of the Gulf and Arabian Peninsula studies*, Vol.21, No. 83, Kuwait University, Kuwait, 1996.

¹² Centre for Research and Studies on Kuwait, *Al-ḥudūd al-kuwaytīya al-'irāqīyah: taṭawwurha wa watha'iquha*, 'Kuwaiti- Iraqi Borders: Developments & Documents', 1st edition, Kuwait, January 1999.

Geography

The geographic and strategic location of Kuwait overlooking the Arabian Gulf and next to Iraq was one of the main factors that resulted in the occupation of Kuwait by Iraq in 1990. Secure access to the Gulf had been an aim of successive Iraqi regimes for both commercial and naval military reasons, not least to counter Iran. This was evident in Iraq's attempts to acquire control of Warba and Bubiyan from the 1930s until the 1980s, due to their geographical location at the head of the Gulf. Kuwait's location, moreover, among three large and powerful neighbours – Iran, Saudi Arabia and Iraq – explains the country's pursuit of a policy of 'neutrality' when it could, only diverging when it could not, in accordance with political circumstances, to maintain its existence: a theme since its emergence as an autonomous entity. This, and its very smallness, lack of natural borders, and hence vulnerability is also why its rulers for over a century have looked for a major external protector – something that became more explicit with the actual invasion by Iraq, as this now swept away the constraints of the ideational factor of Arab identity.

Military weakness

Smallness in size and population was exacerbated, when it comes to military strength, by features of the nature of the polity, including its rentier aspect: together, this made for a military capacity that was very weak both in size and capability – something that the shock of the invasion led Kuwaitis and their leadership to begin addressing, but that still leaves the country unable to defend itself effectively even for a limited time. In turn, this reinforces the need both for a pragmatic policy of building bridges, and for external protection.

The international environment

In light of the above, it is not surprising that Kuwait's leaders followed their long-established role conception in securing external great power protection, without, at least until the invasion, making this too explicit, and keeping it hedged and complemented by other relationships.

The global shift to the post-Cold War period, enabling the United Nations and the East-West collaboration that made possible the coalition to respond militarily to Saddam's invasion, was of course of the greatest importance for Kuwait. Subsequently, the terrorist attack of 9/11-2001 in the US led to the formation of an international coalition and to the Afghanistan war in 2001 to overthrow the Taliban regime, which had provided shelter for the al-Qaeda network. This, in the context of the rise of a neoconservative policy cabal in Washington, turned the attention of the US to Iraq under the presumption that Iraq had WMD: ultimately this resulted in the occupation of Iraq in 2003. But the specific form the impact of the international environment took, was of course related to the dynamics and developments in the regional environment.

The regional environment

The regional environment in the Gulf itself had straightforward strategic security implications, as already noted. In addition the region also posed ethno-religious challenges, in particular given the Shia-Sunni cleavages in Iraq and Iran, some of which were mirrored in Kuwait itself, thereby posing a threat of spill-over in case of conflict, or indeed in case of the sort of political upheaval that characterised Iraq since 2003. More straightforwardly, of course, it is the domestic political and economic features and problems of Iraq, together with the advent of the Iranian revolution, and the subsequent Iran-Iraq war, that would indirectly create the conditions for the Iraqi invasion.

The Gulf also offers, of course, resources, not least in the form of the GCC, which proved an essential forum for support after the invasion.

The wider Arab environment also presented both ideational constraints and pressures, and a forum for trying to build support – something that proved part-successful when the Arab League voted, just, to support the operation to liberate Kuwait, but left the region split, and Kuwait's relations with the Opponent States' frozen. Even so, the exigencies of finding ongoing support among regional states, and of pre-empting Iraq's own counter-diplomacy, meant that traditional Kuwaiti pragmatism would once again re-boot those relations from the late 1990s.

Economic factors

Economic factors were clearly very significant in a variety of ways. For a start, of course, Kuwait's wealth gave it regional and international clout, and resources to sustain its existence even while occupied, as well as to run a major campaign to drum up support for its liberation. At the same time, it is also this wealth, juxtaposed with the politically critical economic hardship experienced by Iraq after the Iran-Iraq war (with foreign debts estimated at \$120.2 billion), that fed into Saddam's decision to invade. They also featured in the post-liberation external regional climate Kuwait could act on and deploy its economic means as a tool. This intertwined with the GCC context, to, as some of the 'Opponent States', for instance, felt the effect of aid streams and investment that had ceased, and were eager to restore relations.

Demography, social structure and ethno-religious factors

Similarly linked to the regional environment were demography, social structure and ethno-religious factors. The simple fact of the small population size has already been mentioned. In addition, the varied socio-cultural structure of the Kuwaiti population (ethnic and religious, and carried in part by tribal affiliation and kinship) linked the domestic scene to regional cleavages and political upheavals, exposing Kuwait to spill-over risks. Foreign policy towards Iraq clearly needed to, and did, take this into account, trying to pre-empt and contain, not least by, under Sheikh Sabah's lead especially, attempting to find legitimate ways to start re-engaging with, and helping, Iraq and formerly 'Opponent' states. This was not only a phenomenon limited to the time of the invasion and after: Kuwait had been exposed also to internal security and terrorist operations during the Iraq-Iran War (1980-1988). Concern rose again after the fall of the Saddam Hussein regime due to sectarian violence in Iraq. Within Kuwait, some of the spill-over translated into people tending to support their own ethno-religious affiliations, potentially threatening social cohesion in Kuwait. This was evident in the sectarian tension in the Sunni-Shi'a relations in Kuwait, after sectarian violence broke out in Iraq in 2006: clashes erupted between Sunnis and Shi'ites with some mosques being attacked. This is in addition to fears of hardline Sunni fundamentalist influence crossing the border from Iraq, as some Kuwaiti youth were travelling to Iraq for training and to carry out militant operations.

Kuwait's foreign policy making machinery

Foreign policy decision-making in Kuwait is entrusted to the executive authority. The Amir of Kuwait is the head of the executive hierarchy, which is considered the first circle in the process of decision making in Kuwait, while the second circle is made up of the cabinet and the Ministry of Foreign Affairs, within which the ruling family members hold the essential posts; the Prime Minister; and the Ministers of Foreign Affairs, Interior and Defence: formally, they are meant to implement decisions pursuant to the instructions of the Amir.

The legislative authority (Kuwait National Assembly) represents the third circle in the decision making through its supervisory role in the foreign-policy decisions on the one hand, and its own methods of influence on the other hand, such as interpellation, parliamentary questions, forming investigation committees, studying international treaties and conventions and discussing the internal and external issues. This can be illustrated when MPs blocked the Kuwaiti Government's endeavor to renormalize its relations with the *duwal ad-didd* (Opponent States) from 1992 to 1999, and to relieve Iraqi debts or reduce compensation payments without the consent of the Kuwait National Assembly. This is in addition to the objection of MPs, until 2009, to several treaties between Kuwait and other states such as the GCC Security Agreement, the GCC Counterterrorism Treaty, the Arab League Counterterrorism Treaty of 1998, OIC Counterterrorism Treaty of 1999, and the extradition treaty of 2004 for the Criminal Court between Kuwait and US.

Clearly, the real locus of decision-making in foreign policy lies very much with Amir, Crown Prince/Prime Minister, and Foreign Minister. Yet the particular way in which this played out in practice had as much to do with the personalities and their health as with official status. While in the 1980s one could still perhaps present the foreign policy decision-making apex as one of a triumvirate, between the Sheikh Jaber as the Amir, Sheikh Saad as Crown Prince and Prime Minister, and Sheikh Sabah as Foreign Minister, this picture soon evolved, bringing the latter two to the fore as the Amir less forceful and increasingly withdrawn personality enabled this. Sheikh Saad was at the heart of both conception and diplomatic execution of policy towards Iraq, in the lead-up to and after the invasion. The invasion also further accentuated the diminishing active role, as he appears to have been severely affected by the traumatic events. Increasingly, Sheikh Sabah, who had built up enormous experience as Foreign Minister since 1963, gathered effective

control over foreign (and Iraq) policy in his hands, clashing with Sheikh Saad over the policy to start rebuilding relations with the so-called ‘Opponent States’ from 1996. The role of the National Assembly, newly reconstituted and invigorated in 1992, also was notable – although not definitive. It could constrain policies such as normalization with those state, or debt relief towards Iraq, although ultimately it tended, especially after the eclipsing from the policy arena of Sheikh Saad through illness from 1997, to go with the forcefully pushed policy preferences of Sheikh Sabah. Parliament did remain a force to be engaged with and assuaged or persuaded, but from the late 1990s it is fair to say that policy towards Iraq, and foreign policy in general, became the de facto domain of Sheikh Sabah himself – a position further cemented when he became, first, Prime Minister, taking over this position from Sheikh Saad in 2003, and then was confirmed as Amir by the National Assembly in 2006, after Sheikh Jaber’s death and in preference over Sheikh Saad, who, largely incapacitated, had to give up his prior claim to the position after 9 days of uncertainty. Since 1997, therefore, Kuwaiti foreign policy making and policy towards Iraq has seen an exceptional concentration of control in one, by all accounts exceptionally able, man’s hands.

3. The impact of the invasion and liberation on the domestic and regional levels

3.1. Regional Impacts

The Iraqi invasion of Kuwait had major impacts at a regional level. First, of course, there were the humanitarian, environmental and economic losses caused by the Iraqi invasion, not only for Kuwait itself but also for the other GCC and Arab states. Second, the Arab world was dramatically divided. Third, there was real damage inflicted on the Palestinian cause, in several simultaneous ways: the Palestinians lost their main financial backers as the GCC states turned away; and 400,000 Palestinians had to leave Kuwait.. Not least, the presence of foreign troops in the Gulf region had medium to longer-term effects on domestic and regional tensions, even aside from the concern about possible implications for Arab national security interests should the interests of the superpowers change. The failure of the previous Arab security system led the GCC, Egypt and Syria to sign the ‘Damascus Declaration’ in 1991, in principle involving the Arab countries in the security of the Gulf region. But the Declaration soon proved dead letter: it as amended towards

‘security cooperation’ rather than the introduction Arab military forces in the Gulf, as the GCC states neither trusted such Arab forces’ ability to ensure the desired external security, nor felt comfortable having non-GCC Arab troops stationed on their territories: this was a reflection of the turn to stronger external alliance, most strikingly so in Kuwait itself.

Yet the regional impact was not all negative. Some modest adjustments were made to the concept of a joint Arab framework, when a number of amendments were made to the Arab League Charter in 2005, regarding the voting system, to cope with new developments – in effect recognising the need for the League to be able to respond more effectively to new developments. More significantly, the invasion and the international response also indirectly resulted in renewed US involvement in the Arab-Israeli conflict, and the convening of the Madrid Peace Conference between Arab countries and Israel in 1991. This recognised, from an Arab perspective, that the principles upon which the international community was called upon to reject the Iraqi invasion and occupation also applied to the occupation of Palestine, and from the perspective of the external powers demonstrated they were not applying double standards – a key legitimacy requirement given the controversy over the motivations of these powers for their armed involvement in the Gulf. The conference resulted in the signing of the Oslo Accords in 1993 and the subsequent Peace Process between Palestinians and Israelis.

3.2. The effect of the invasion and liberation on Kuwait’s border question

The demarcation of Kuwaiti-Iraqi borders by the UN in 1993 as per the agreement signed between Kuwait and Iraq in 1963, was of huge importance. This question had dragged on for four decades without demarcation and had resulted in political disorder and the construction of installations on Kuwait’s frontiers. Iraq had used the issue of the ‘non-demarcation of frontiers’ to exert pressure on Kuwait and so obtain financial support and territorial assignments in addition to diverting the attention of the Iraqi people away from the poor internal political and economic situation in Iraq to the Kuwaiti- Iraqi border, with notable crises in 1966, 1967 and 1973. Finally, Iraq used the ‘frontier issue’ as a pretext to invade Kuwait in 1990. Thus, the UN was given the essential role of practising its task in accordance with its Charter to maintain global peace and international security due to this invasion.

3.3. *Kuwaiti domestic politics*

The key domestic political consequence of the invasion was, ultimately, Kuwait's return to democracy immediately after the liberation in 1992, following actions by the former Amir of Kuwait, Sheikh Jaber Al Ahmed Al Sabah, who had suspended the democratic way of life, dissolved the Kuwaiti National Assembly, and suspended the constitution in 1986. This would in turn bring an additional factor into play when it came to the shaping of Kuwait's foreign policy, including towards Iraq.

4. **Effects on Kuwait's overall foreign policy**

One clear effect of the invasion and liberation was a Kuwaiti policy of increased openness to the western world on political, economic and cultural levels due to the role played by western countries in the liberation of Kuwait. More specifically, though, as indicated already, one of the key changes resulting from the invasion, was that the concept of 'alliance' for the first time made an appearance in the Kuwaiti policy set, in quite striking fashion. This policy of alliance took several forms:

- a. the security agreements signed between Kuwait and five permanent States at the UN Security Council directly following its liberation in 1991.
- b. the Kuwaiti-USA alliance since 1991; this developed further after the USA announcement in April 2004 that Kuwait was 'a major US non-North Atlantic Treaty Organization (NATO) ally'.
- c. Kuwait's cooperation with NATO, demonstrated in the signing of a set of agreements between Kuwait and its NATO allies in 2006 under NATO's Istanbul Cooperation Initiative (ICI) of 2004 concerning the exchange of experiences and cooperation in border security, counterterrorism, crisis management, joint military exercises and military education and training.

Kuwait's regional policy shifted in conjunction with this overall shift – as of course it was precisely regional politics that had brought about the former. Relations with other Arab states were reassessed in light of their respective stances, and defined primarily by

Kuwait's interpretation of its interests. Yet this did not mean that the intricate regional balancing acts needed to maintain security in a difficult environment, were abandoned - either with regard to Iran or, indeed, Iraq itself: that would become clear in the willingness to help bring about Iraqi stabilisation after the fall of Saddam.

As one component in all this, Kuwait was able to review the economic, diplomatic, information and military tools of Kuwaiti policy as a donor state, and use these tools to serve the objectives of the security and politics of Kuwait in accordance with its interests.

5. Findings on the evolution of Kuwait's Iraq policy since 1991

5.1. The principles of Kuwaiti foreign policy towards Iraq since 1991

Since the liberation of Kuwait in 1991 until the present day, Kuwaiti foreign policy towards Iraq has been based on principles and grounds that call for Iraq to implement in full international resolutions that are relevant to the Iraqi occupation of Kuwait, including:

- a. respecting the international borders between Iraq and Kuwait in accordance with UNSC resolution No. 833 of 1993 that demarcate the Kuwaiti-Iraqi borders;
- b. making full payment of the compensation and financial obligations resulting from the losses sustained by the Iraqi invasion;
- c. returning the remains of Kuwaiti prisoners of war who have not been identified; these number 369 out of a total of 605;
- d. restoring Kuwaiti property and archives that were looted during the Iraqi invasion of Kuwait;
- e. the disarmament of Iraqi weapons of mass destruction;
- f. reaffirming the importance that all the outstanding issues related to the Iraqi obligation in accordance with international and UN resolutions remain under the supervision of the United Nations until there has been a full implementation of these issues by Iraq.

5.2. *Relations with the duwal ad-didd*

The regime of the former Iraqi President, Saddam Hussein, constituted an actual security threat to Kuwait after the country's liberation in 1991 with a notable threat in 1994 when Iraq mobilized its military forces on the Kuwaiti border. Therefore, from 1996, Kuwait started to re-organize its relations with what were called 'opponent countries' ("duwal id-did"), that is, those who had not supported Kuwait during the Iraqi invasion, to contain the Iraqi threat and oblige Saddam to implement international resolutions pertaining to the situation between Iraq and Kuwait. Indeed, by the end of 1999, and after the change at the top of Kuwait's policy-making system, where Sheikh Sabah was now definitively the sole key decision-maker on foreign policy, Kuwait had resumed relations with these countries – something which was facilitated when once they had called for Iraq to implement fully the international resolutions pertaining to the Iraqi invasion of Kuwait. Thus, the concept of a 'containment' policy had appeared in the Kuwaiti foreign policy due to the Iraqi threat on the one hand and the need for Kuwait not to isolate itself from the Arab world on the other: both because the 'Arab' theme remains an non-negligible ideational factor in regional politics and because the usefulness – and inescapability – of the Arab environment as a fact of life and a potential diplomatic resource.

5.3. *Kuwait's policy towards Iraq from 2001 to the Fall of Saddam*

Several variables have played a role in the formation of Kuwaiti foreign policy towards Iraq since 2001, represented by the effects of economic embargo on the suffering of Iraqi people during the UN economic sanctions that created Arab and international sympathy with the Iraqi people. Saddam Hussein used this issue to hold Kuwait and some Arab Gulf States responsible for the continuity of the miserable situations of the Iraqi people, which prompted Kuwait to explain its position on Iraqi issues; these can be seen in Kuwait's acceptance of the 'Conciliation Formula' at the Amman Summit in 2001, which was rejected by Iraq. This formula had repercussions in the Kuwaiti streets with political clashes between supporters and objectors, which included the following important items:

- a. calling for a lifting of the sanctions imposed on Iraq as per resolution No. 661 (1990)
- b. calling for the adoption of necessary measures to resume international air flights with Iraq

- c. calling for the suspension of all acts of trespass on Iraqi supremacy and threats to its safety, particularly those committed beyond the scope of the UNSC resolutions, especially military attacks
- d. denouncing the ‘no fly zones’ in the south and north of Iraq and objecting to the attack of Iraq outside UNSC Resolution.

As a result of the events in the Gulf region from 2002 to 2003, Kuwait changed its approach towards Iraq based on its understanding that the US had an approach to topple the Iraqi regime. Thus, Kuwait started to coordinate with the US on the one hand, and to form closer links with the Iraqi opposition abroad on the other, in order to get rid of Saddam’s regime, despite the fact that Kuwait officially announced its adherence to the Arab resolutions to reject any military action against Iraq. This coordination resulted in tension in relations between Kuwait and some Arab countries. Thus, Kuwait’s behaviour during this period was characterized as follows:

- a. Kuwait hosted over 130,000 US forces on its territory and announced that its entire northern area was a ‘military zone’ to launch an attack against Iraq.
- b. Kuwait facilitated the movements and communications of the Iraqi opposition abroad from Kuwait to the Arab Gulf States.
- c. Kuwait attended (as an observer) for the first time the Iraqi Opposition Conference held in London on 14-15 December 2002, to discuss the future of Iraq post-Saddam.
- d. Kuwait supported the UAE initiative in 2003, which called upon President Saddam Hussein to relinquish power and leave Iraq within two weeks to avoid war in the region.

As a consequence, in addition to the US’ mobilization of troops in the Gulf region over 2002 and 2003 to launch a military attack against Iraq, Iraq started for the first time to pursue a flexible policy with Kuwait in late 2002. This was manifested as follows:

- a. Iraqi acceptance of the ‘Conciliation Formula’ at the Beirut summit held in March 2002, which had been rejected the previous year by Iraq at the Amman Summit held in March 2001;

- b. the Iraqi President's apology speech on 7 December 2002 to the Kuwaiti people, though this was officially and publicly rejected by Kuwait as it was considered a 'provocative' speech against the Kuwaiti regime and in violation of 'Conciliation Formula'
- c. Iraqi acceptance of UN resolution 1441 in November 2002 for the return of UNMOVIC international inspectors to Iraq, who had been driven out of Iraq since 1998;
- d. the Iraqi attendance of TC meetings in Geneva on 18 December 2002 to discuss the Kuwaiti prisoners of war, after the Iraqi boycott of TC meetings since December 1998.

Kuwait's policy on Operation Iraqi Freedom

Regarding Kuwait's official stance regarding the US occupation of Iraq in 2003, Kuwait supported 'Operation Iraqi Freedom' launched by the US, the UK and their allies on 20 March 2003. Although Kuwait did not take part in the military operations against Iraq in 2003, it was the main supporter of the coalition forces aiming to depose Saddam by offering financial, media and logistic support to the coalition forces. It is worth mentioning that the Kuwaiti official and public stands, except for some religious personalities, were applied in supporting the military operations against Iraq. This led Kuwait to feel 'isolated' in the region, as WikiLeaks documents show.

Kuwait's official stand towards 'Operation Iraqi Freedom' was based on several political, security and economic reasons:

- a. Saddam's regime had constituted a major risk to the sovereignty of Kuwaiti since its liberation in 1991 until the outbreak of war in 2003;
- b. Saddam's regime was among the reasons for the decline in economic growth and the discouragement of foreign investment in Kuwait due the instability in the region;
- c. The nature of the Kuwaiti-US alliance since 1991, in addition to the convergence of interests between Kuwait and USA to get rid of Saddam's regime.

5.4. *Kuwait's Iraq policy after the fall of Saddam*

After the fall of Saddam's regime in April 2003, several variables occurred in Kuwaiti foreign policy which was represented in the appearance of a new term, 'economic diplomacy', and the resumption of Iraqi-Kuwaiti relations in 2004, which had been severed since 1991.

The security factor in Iraq remained a key concern in Kuwaiti policy for the following reasons:

- a. fear of the transmission of sectarian conflict from Iraq to Kuwait and the region after reputed sectarian violence in Iraq in 2006;
- b. fear of transmission of the terrorist elements and terrorist operations from and to Kuwait to destabilize the region since 2003;
- c. Kuwaiti concern about the collapse of the security system in Iraq, which could result in the disintegration of Iraq and so drive many Iraqis to seek refuge in Kuwait; in addition, Iraq could become a 'failed state', which could be threat to Kuwaiti security or result in the possibility of establishing a 'Shi'a' State in the south of Iraq that would be loyal to Iran and destabilize Kuwait. Therefore, Kuwaiti officials expressed their worry about the USA withdrawal from Iraq as per the SOFA agreement that was signed in November 2008.

Consequently, Kuwait employed its economic and political tools to support Iraq in restoring its security and stability to avoid it being converted into a center for tension or terrorism that constitutes a risk to stability in the Gulf region in general and Kuwait in particular.

Economically, Kuwait provided financial assistance to Iraq amounting to \$1.575 billion from 2003 in order to bolster international efforts to reconstruct Iraq and restore its internal and external stability, which would be positively reflected in the security of Kuwait and the entire region.

Politically, Kuwait supported the transition of the political process in Iraq from 2003 to 2006, seen in its support for the Iraqi Governing Council (IGC) formed in July 2003, the formation of the Iraqi interim government in June 2004, the formation of the Iraqi

transitional government in May 2005, and the formation of the first permanent Iraqi government in May 2006.

The outstanding issues

Despite the resumption of diplomatic relations between Kuwait and Iraq in 2004, however, there were a number of obstacles to enhancing the ties between both countries due to the existence of some 'outstanding issues' that currently remain unresolved; this constitutes a source of doubt regarding Iraqi behavior towards Kuwait. These issues are as follows:

- a. the issue of maintenance of the Iraq-Kuwait International Boundary in accordance with UNSC resolution No. 833 of 1993. Since the fall of Saddam's regime in 2003, the border pillars along the Iraqi-Kuwaiti boundary have remained without maintenance due to the Iraqi failure to meet its obligation with the UN team to remove the Iraqi encroachments on Kuwaiti territory represented by the existence of some Iraqi buildings and farms on Kuwaiti land, whose encroachments prevent the UN team from completing the maintenance works.
- b. Payments of compensation to Kuwait in accordance with UNSC resolution No. 687 of 1991. Kuwait urged Iraq to meet its obligation through the full payment of the unpaid compensation to those affected by the Iraqi invasion, which was estimated at \$23 billion up until 2010. Thus, Kuwait has refused the Iraqi proposal and its demands to terminate the unpaid compensation or reduce the compensation percentage from 5% to 1%.
- c. The issue of disclosure about prisoners of war who are nationals of Kuwait or of a third country, whose remains have not been identified, as in paragraph 6c, in addition to the Kuwaiti national archives and property, which have not been completely recovered. Thus, Kuwait has refused the Iraqi demands to terminate the High-level Coordinator's mandate and transfer these issues to be resolved on a bilateral level between Kuwait and Iraq.
- d. The issue of Iraq avoiding the consequences of the Chapter VII mandate of the UN Charter. In this respect, Kuwait refused Iraqi demands to the UN to release it from Chapter VII by terminating all UN resolutions and sanctions imposed on Iraq since 1990 until the full implementation of the outstanding issues between both countries mentioned above.

- e. The issue of the Iraqi debts provided by Kuwait during the Iraq-Iran War (1980–1988), which remained outstanding despite the Kuwaiti announcement after 2004 that it had agreed to the reduction of 80% of the Iraqi debts in accordance with the Paris Club meeting of 2004. The reason for not reaching an agreement to put an end to this issue was Kuwait's agreement to reduce these debts requires the approval of the members of Kuwaiti parliament in accordance with the Kuwait Constitution, but their stand became a main 'obstacle' to taking such decision, especially after the Government of Kuwait rejected the proposal submitted on 19 December 2006 by some MPs to write off the bad debts of Kuwaiti citizens to local Kuwaiti banks.
- f. The issue of Kuwait Airways Corporation compensation (KAC). Kuwait demands Iraq pay off the amount of compensation estimated at \$1.200 billion in accordance with court orders issued by British courts in favor of KAC against Iraqi Airways Corporation (IAC) for damages and losses sustained by KAC during the Iraqi invasion. Iraq's non-payment of this has hindered the development of relations between both countries, especially after the detention of Iraqi airplanes in Canada in August 2008 and an Iraqi airplane in the UK in April 2010 pursuant to the court orders against IAC.
- g. The issue of exploiting the joint oilfields between both countries; this issue is still outstanding due to the lack of agreement between Kuwait and Iraq to extract the oil from the common wells along the boundary on the international borders of the two countries. This issue has become critical when Iraq declared in April 2009 that it had set up towers for extracting the oil at Sawfan City in the southern part of Iraq along the boundary of Kuwait; this prompted Kuwait to ask Iraq for coordination on this issue in order not to affect the oil reserves of Kuwaiti wells.

The SOFA agreement concluded between Iraq and USA in December 2008 had a great impact on the issuance of the UNSC resolution No. 1859 in December 2008, which called for a review of the resolutions pertaining specifically to Iraq, beginning with the adoption of resolution 661 (1990) as discussed in paragraph 16d. This resolution represented a real concern for Kuwait due to the existence of 'outstanding issues' that have not been resolved, as mentioned above. Therefore, Kuwait began movements on regional and international levels to reaffirm its rejection of Iraq's avoidance of the consequences of Chapter VII, and affirming that Iraq should remain subject to this chapter until the full

implementation of outstanding issues between both countries, especially after the termination of all the sanctions imposed on Iraq, such as the ‘economic’ sanctions as per UN resolution No. 1483 in 2003 and the ‘weapons embargo’ as per UN resolution No. 1957 in 2010. Thus, as Kuwaiti officials explained, Chapter VII is a ‘moral constraint only’ to turn the attention of the international community to Iraq regarding the ‘outstanding issues’ between the two countries.

6. Concluding Remarks

While this thesis has detailed the evolution of Kuwait’s Iraq policy for the first time in a way that takes into account the full range of internal and external factors that shaped this evolution, and that draws on a much wider range of primary sources in doing so, it remains only the first ‘base-line’ for further work, not least in using these findings to enrich the broader study of Middle East states foreign policy and the conceptual frameworks for analysing foreign policies more broadly.

It has been limited by practical research problems when it comes to the details of the domestic decision-making environment, including both the precise roles and views of particular individuals and offices, and the role of the Kuwaiti National Assembly and its various members and blocs, in the shaping of Kuwait’s foreign policy and in particular its policy towards Iraq. One constraint has been the dearth of prior academic research on these matters. Another – in turn in part the explanation for this lack of previous research – is the fact that so much in this area of policymaking is, far more than in many more administratively developed states, very much personal rather than bureaucratic, informal rather than formal and written down in records. Allied with this is the fact that much of the real views and steps that lead to policy outcomes are purposely kept behind a veil of secrecy, and an unwillingness of officials to divulge relevant information, either as a matter of policy or out of personal reluctance borne of a system where such matters are not routinely revealed. It proved very difficult to secure relevant Kuwaiti official documents other than formal statements of policy. While I was extremely fortunate to be given interviews by a few very high-ranking figures, more typical was the unwillingness of several officials to be interviewed at all. Likewise, it was difficult to obtain explicit information from senior figures and officials in the interviews conducted during this study,

especially about the idiosyncracies, views, and specific roles of Kuwaiti decision-makers in the Al Sabah ruling family, and of MPs in the Kuwait National Assembly.

To an extent, these constraints were compensated for by the treasure trove of secret diplomatic cables and documentation that was revealed through Wikileaks in 2010. These proved especially useful for the period between 2002 and 2010.

Even so, there is much scope for further research on Kuwaiti foreign policy towards Iraq within the same time period. One theme of such further research could be a deeper engagement, through primary research, on the evolving views and interactions regarding foreign policy on the part of different groups in society, looking at different generations, communication media, civic bodies and interest groups, and of the interaction between these and groups or individual MPs in the National Assembly. This would, however be a very major undertaking, the feasibility of which remains to be proven. Another theme that might be explored further would be the dynamics, evolution and impact of the Kuwaiti regime's interests and interactions with the US and other powers, in relation to the shaping of its foreign policies, including towards Iraq. Finally, further detail on the decision-making process and internal debates would be desirable, if almost certainly very hard to come by.

In his thesis, the basic outlines have been drawn for the first time, but it is possible that a wide-ranging trawl through various sources, including not least the Wikileaks archives, along with more interviews including with players in those states, would produce a richer image.

While this thesis made the fullest possible use of the Wikileaks documentation within the time limitations for this project – I estimate them to number some 3750 documents regarding US embassy cables alone, sent from Kuwait to the US State Department – their very size and the timing of their release made it impossible to exploit them in the even more in-depth and comprehensive manner that a future researcher may find worthwhile: they were released in partial form in 2010, and as full unredacted cables only in late

2011,¹³ well into the current research project. As the reading and analysis of such an archive of documents is a hugely time-consuming process, the comprehensive examination of the certainty of effect or non-effect of particular domestic factors and decision-making detail, for instance, was inevitably beyond the scope of the current project: ours could never be more than an initial effort, to be built on by others.

It would also be fruitful for future researchers to compare the conclusions of this study, which ends in 2010, with Kuwait foreign policy towards Iraq since the withdrawal of US troops in 2011, particularly about the reasons and factors that led to the resolution of 'outstanding issues', and on the movement on some of these issues, such as missing Kuwaitis and Kuwaiti properties and archives, from Chapter VII to Chapter VI of the UN Charter in 2013,¹⁴ as they raise the question why Kuwaiti policy regarding these outstanding issues changed.

Finally, it is hoped that the findings of this study may be of benefit for future comparative study of Kuwaiti foreign policy towards other Arab or Gulf states, including Iran, since the liberation of Kuwait.

There remain, no doubt, alternative perspectives to be explored on the specific subject at hand. It is hoped, however, that the present study has at least helped to prepare the ground for such further work.

¹³ This is in addition to the release of the Global Intelligence Files, The Spy Files and the Syria Files in 2012 and the Kissinger Cables in 2013. These are available online on the Wikileaks website at: <http://wikileaks.org/>

¹⁴ KUNA, 'UNSC includes Kuwaiti issues under UNAMI mandate', 24/07/2013, Kuwait. Available on the KUNA website at: <http://www.kuna.net.kw/ArticleDetails.aspx?id=2325041&language=en>

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Appendix No. 1

Office
of the Council of Ministers,
Baghdad.
Dated 21st July, 1932.

Secret.
No. 2944.

My dear Sir Francis,

I think Your Excellency will agree that the time has now come when it is desirable to reaffirm the existing frontier between Iraq and Kuwait.

I therefore request that the necessary action may be taken to obtain the agreement of the competent authority or authorities in Kuwait to the following description of the existing frontier between the two countries:-

"From the intersection of the Wadi el Audja with the Eatin and thence northwards along the Eatin to a point just south of the latitude of Safwan; thence eastwards passing south of Safwan Wells, Jebel Sanam and Um casr leaving them to Iraq and so on to the junction of the Kher Zobeir with the Kher Abdallah. The islands of Warbah, Fubiyan, Maskan (or Kashjan), Failakah, Auhah, Kubbar, Qaru and Umm el Maradin appertain to Kuwait".

Yours sincerely,
(Sgd.) Nuri Sa'id.

His Excellency Sir Francis W. Humphrys,
G.C.V.O., K.C.M.G., K.B.E., C.I.E.,
His Britannic Majesty's Government
High Commissioner for Iraq, Baghdad.

Letter from Nuri Sa'id, Iraqi prime Minister to Sir Francis H. Humphreys, High Commissioner for Iraq, dated 21st July 1932 demarcating the Iraqi Kuwaiti frontiers in Arabian Boundaries Vol. 7. p. 372.

Appendix No. 2

CONFIDENTIAL. No. 528-S of 1932.
British Residency & Consulate-General,
Bushire, the 30th July 1932.

From - The Hon'ble Lt. Colonel T. C. Fowle, C.B.E.,
Officiating Political Resident in the
Persian Gulf,

To - The Political Agent,
Kuwait.

Sir, p-7

With reference to telegram No. 180, dated the 13th July 1932, from His Majesty's Secretary of State for the Colonies to His Excellency the High Commissioner for 'Iraq, a copy of which has been sent to you, I have the honour to forward herewith a copy of a letter No. S.O. 1004, dated the 25th July 1932, from His Excellency the High Commissioner for 'Iraq, enclosing copy of a letter No. 2944, dated the 21st July 1932, from the Prime Minister of 'Iraq, proposing the reaffirmation of the existing frontier between 'Iraq and Kuwait.

2. The proposal has the approval of His Majesty's Government. Please inform His Excellency the Shaikh of Kuwait accordingly and request his formal agreement to the reaffirmation of the existing frontier between 'Iraq and Kuwait described in the letter from the Prime Minister of 'Iraq.

I have the honour to be,
Sir,
Your most obedient servant,


Lt. Colonel
Officiating Political Resident in the
Persian Gulf.

Letter from the British Political Resident in Persian Gulf to the British Political Agent in Kuwait dated 30th July 1932 to the ruler of Kuwait, advising the ruler of Kuwait of reiterating the frontiers as stated in the letter of Nuri Sa'id in Arabian Boundaries Vol. 7. p. 371.

Appendix No. 3

Translation of a confidential letter.

From - His Excellency Shaikh Sir Ahmad al Jabir, as-
Subah, K.C.I.E., C.S.I., Ruler of Kuwait,
Kuwait.

To - The Political Agent, Kuwait.

No.R.560.

Dated the 8th Rabi' Thani 1351 (10th August 1932)

After compliments,

With the band of pleasure we have received
your confidential letter No.128 dated the 7th instant
(Rabi' Thani 1351 = 9th August 1932) and have noted the
contents of same, as well as the translation (of the
Confidential letter No.) marginally noted letter) of His Excellency
S.O.1004 dated the 25th) the High Commissioner for IRAQ, to the Hon'
July 1932)
ble the Political Resident in the Persian
Gulf, and the translation (of the marginally noted letter)
of His Excellency Nuri Pasha as-Said, the
Secret No. 2344 dated the)
21st July 1932)Iraq Prime Minister, regarding the Iraq -
Kuwait frontier. We also have noted from the Hon'ble the
Political Resident's letter (confidential No.528.S. dated
the 30th July 1932) that the frontier proposed by the Iraq
Prime Minister is approved of by His Majesty's Government.
And, therefore, we beg to inform you that we agree to ~~xxx~~
reaffirm the existing frontier between Iraq and Kuwait as
described in the Iraq Prime Minister's letter.

Usual ending.

sd/- Ahmad al Jabir.

letter of Sheikh Ahmad Al-Jaber, Kuwaiti ruler dated 10th August 1932, confirming the frontiers between Kuwait & Iraq as stated in the letter of Nuri Sa'id to the British High Commissioner for Iraq in Arabian Boundaries Vol. 7. p. 376.

Appendix No. 4

CONFIDENTIAL.

No. 129.

Political Agency, Kuwait.

Dated the 12th August 1932.

From

Lieutenant-Colonel H.R.P. Dickson, C.I.E.,
Political Agent, Kuwait.

To

The Hon'ble the Political Resident
in the Persian Gulf,

B u s h i r e.

Sir,

Reference your confidential No. 528.S. dated
the 30th July 1932 in which you forwarded me copies of

(a) His Excellency the High Commissioner
for Iraq's confidential letter No.
S.O.1004 dated the 25th July to your
address.

(b) His Excellency Nuri Pash al Said,
Prime Minister of Iraq's Secret No.
2944 dated the 21st July 1932 to His

Excellency the High Commissioner for
Iraq.

I have the honour to forward translation of

(a) My confidential letter No.128 dated
the 9th August 1932 (7th Rabi' Thani
1351) to His Excellency the Shaikh
of Kuwait and

(b) His Excellency the Shaikh of Kuwait's
reply No.R560 dated the 8th Rabi'
Thani 1351 (10th August 1932) to my
address, in which he formally agrees
to the reaffirmation of the existing
existing frontier between Iraq and Kuwait
as described in the letter of His Excellency
the Prime Minister of Iraq (b) above.

2. I am sending you 4 spare copies of this
despatch, as well as 4 copies of my letter to His Excellency
the Shaikh of Kuwait, and his reply, for submission to
His Majesty's Secretary of State for the Colonies, His
Majesty's Secretary of State for India and the Government
of India respectively.

I have the honour to be,

Sir,

Your most obedient servant,

W.S.

Lieut-Col.

Political Agent, Kuwait.

Letter from the British High commissioner in Kuwait to the British Gulf resident dated 12th August 1932 confirming the frontiers between Kuwait and Iraq in Arabian Boundaries Vol. 7. p. 378.

Appendix No. 5

[TRANSLATION¹ — TRADUCTION²]

No. 7063. AGREED MINUTES³ BETWEEN THE STATE OF KUWAIT AND THE REPUBLIC OF IRAQ REGARDING THE RESTORATION OF FRIENDLY RELATIONS, RECOGNITION AND RELATED MATTERS. SIGNED AT BAGHDAD, ON 4 OCTOBER, 1963

In response to the desire felt by both parties to eliminate all that blemishes the relations between both countries, the official Kuwaiti Delegation visiting the Republic of Iraq on an invitation from the Iraqi Prime Minister, held a meeting with the Iraqi Delegation in Baghdad on 4th October, 1963.

The Kuwaiti Delegation was constituted as follows :

H.H. Shaikh Sabah Al-Salim Al-Sabah, Heir Apparent and Prime Minister ;

H. E. Shaikh Saad Al-Abdullah Al-Salim Al-Sabah, Minister of the Interior and Acting Minister of Foreign Affairs ;

H. E. Khalifa Khalid Al-Ghunaim, Minister of Commerce ;

H. E. Ambassador Abdulrahman Ateeqi, Under-Secretary of the Ministry of Foreign Affairs.

The Iraqi Delegation was constituted as follows :

Major-General Ahmad Hassan Al-Bakre, Prime Minister ;

First General Salch Mahdi Ammash, Minister of Defence and Acting Minister of Foreign Affairs ;

Dr. Mahmoud Mohammad Al-Homsî, Minister of Commerce ;

Mr. Mohammad Kayyara, Acting Under-Secretary of Foreign Affairs.

The talks between the two delegations were conducted in an atmosphere rich in fraternal amity, tenacity to the Arab bond and consciousness of the close ties of neighbourliness and mutual interests.

Both sides affirming their deep-rooted desire in reinforcing their relations for the welfare of both countries, inspired by the high Arab aims ; and

¹ Translation provided by the Government of Kuwait.

² Traduction transmise par le Gouvernement de Koweït.

³ Came into force on 4 October 1963 by signature.

Believing in the need to rectify all that blemished the Iraqi-Kuwaiti relations as a result of the attitude of the past Kassim regime towards Kuwait before the dawn of the blessed revolution of the 14th of Ramadhan ;

Convinced with the national duty dictating the inauguration of a new page consistent with the bonds and relations between the two Arab countries which are free from the artificial gap created by the past regime in Iraq ;

Spurred by the belief of the two Governments in the entity of the Arab Nation and the inevitability of its Unity ;

And after the Iraqi side having seen the statement delivered by the Government of Kuwait at the Kuwaiti National Assembly on the 9th of April, 1963, embodying the desire of Kuwait to work for the termination, in due time, of the Agreement concluded with the United Kingdom ;

The two delegations have agreed to the following :

1. The Republic of Iraq recognized the independence and complete sovereignty of the State of Kuwait with its boundaries as specified in the letter of the Prime Minister of Iraq dated 21.7.1932 and which was accepted by the ruler of Kuwait in his letter dated 10.8.1932 ;
2. The two Governments shall work towards reinforcing the fraternal relations subsisting between the two sister countries, inspired by their national duty, common interest and aspiration to a complete Arab Unity ;
3. The two Governments shall work towards establishing cultural, commercial and economical co-operation between the two countries and the exchange of technical information.

In order to realize all the foregoing objectives, they shall immediately establish diplomatic relations between them at the level of ambassadors.

IN WITNESS WHEREOF the heads of the two delegations have appended their signatures unto these minutes.

Sabah Al-Salim AL-SABAH
Head of Kuwaiti Delegation

Ahmad Hassan AL-BAKRE
Head of Iraqi Delegation

Minutes of the Agreement dated 4th October, 1963 between Kuwait and Iraq on mutual recognition and confirmation of frontiers between both countries as demarcated in the correspondences of 1932 in United Nations, United Nation Treaty Series. Vol.485. No. 7063. p.326.

Appendix No. 6

Very Urgent.

No. 2635/2535/7/12364.

Ministry of Foreign Affairs.

Baghdad, 25th June, 1940.

The Ministry of Foreign Affairs present their compliments to His Britannic Majesty's Embassy, Bagdad, and have the honour to state that at 2 o'clock, on the 17th of the current month, Major McQueen, a British official from Kuwait, together with Sheikh Ali al Khalifa al Sabah, accompanied by an armed car carrying 17 armed persons, crossed the Iraqi frontier to a depth of 1000 metres from Safwan post and erected a pillar which Major McQueen alleged would mark the separating boundary between the Kingdom of Iraq and Kuwait.

2. It appears that the new pillar was erected instead of an old one which had stood there more than one year ago and disappeared recently. It should, however, be noted that the new pillar was erected at a point far from the site of the old one at a distance of 250 metres within the Iraqi frontier.

3. The Ministry would like to draw attention to the fact that the armed crossing of the Iraqi frontier by the Kuwait authorities and the erection by them of arbitrary frontier pillars is regarded as an act of frontier violation. It is therefore requested that the esteemed Embassy will use their kind offices in this connexion by inviting the attention of the appropriate authorities to the matter with a view to punishing those responsible for this action and to preventing the recurrence of similar acts in future.

4. It should be noted that orders have been issued to the appropriate Iraqi authorities instructing them to remove the pillar from the place in which it was recently erected.

The Ministry avail themselves of the opportunity to express their highest consideration and esteem.

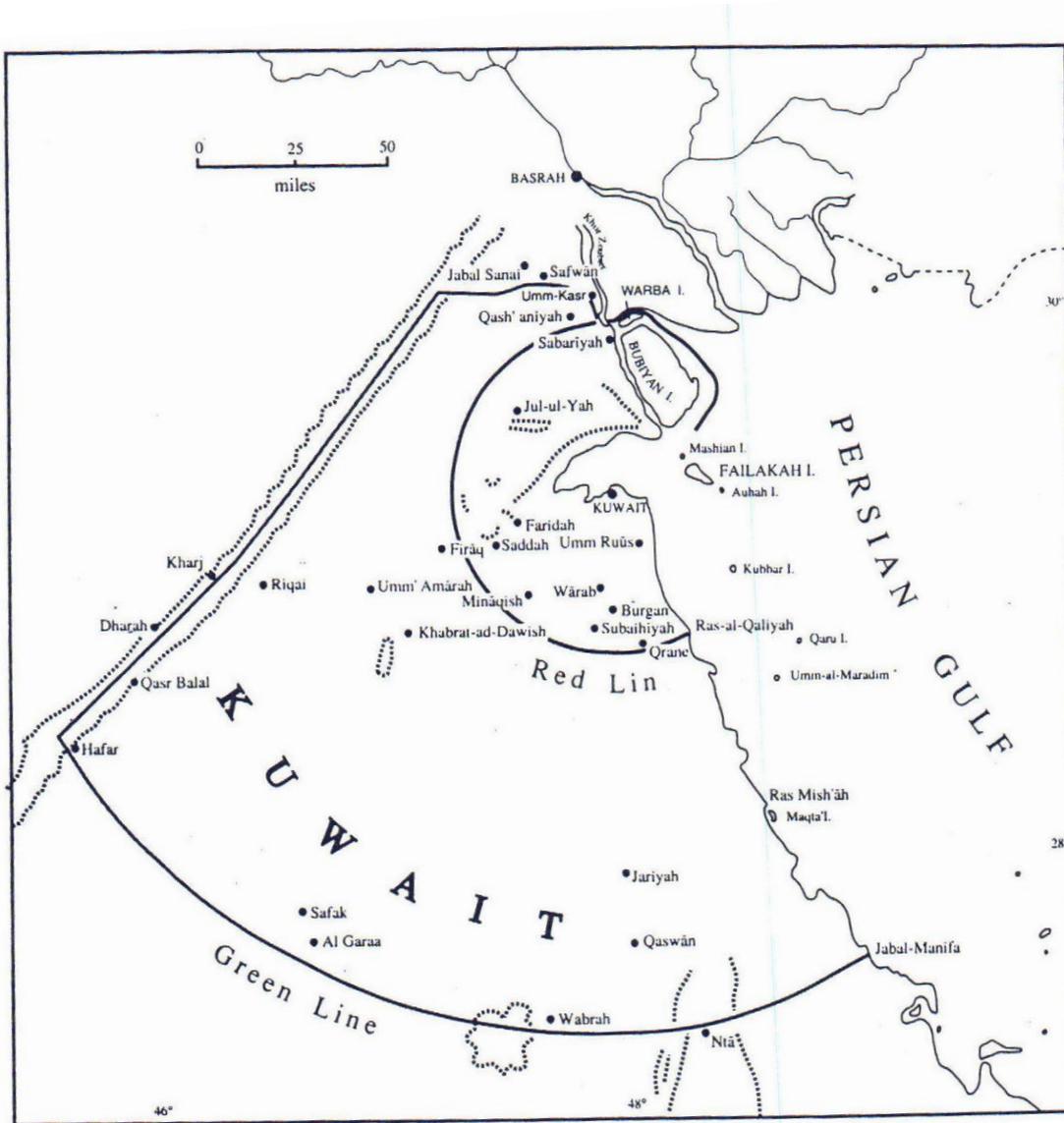
His Britannic Majesty's Embassy,
BAGDAD.

Memo of the Iraqi Ministry of Foreign Affairs dated 25th June 1940 wherein it is confirmed that frontier line is 1250 meters distance from South Safwan in Panel of Specialists, *Kuwait-Iraq Boundary Demarcation: Historical Rights and International Will*, 3rd edition, Center for Research and Studies on Kuwait, Kuwait, 1994.

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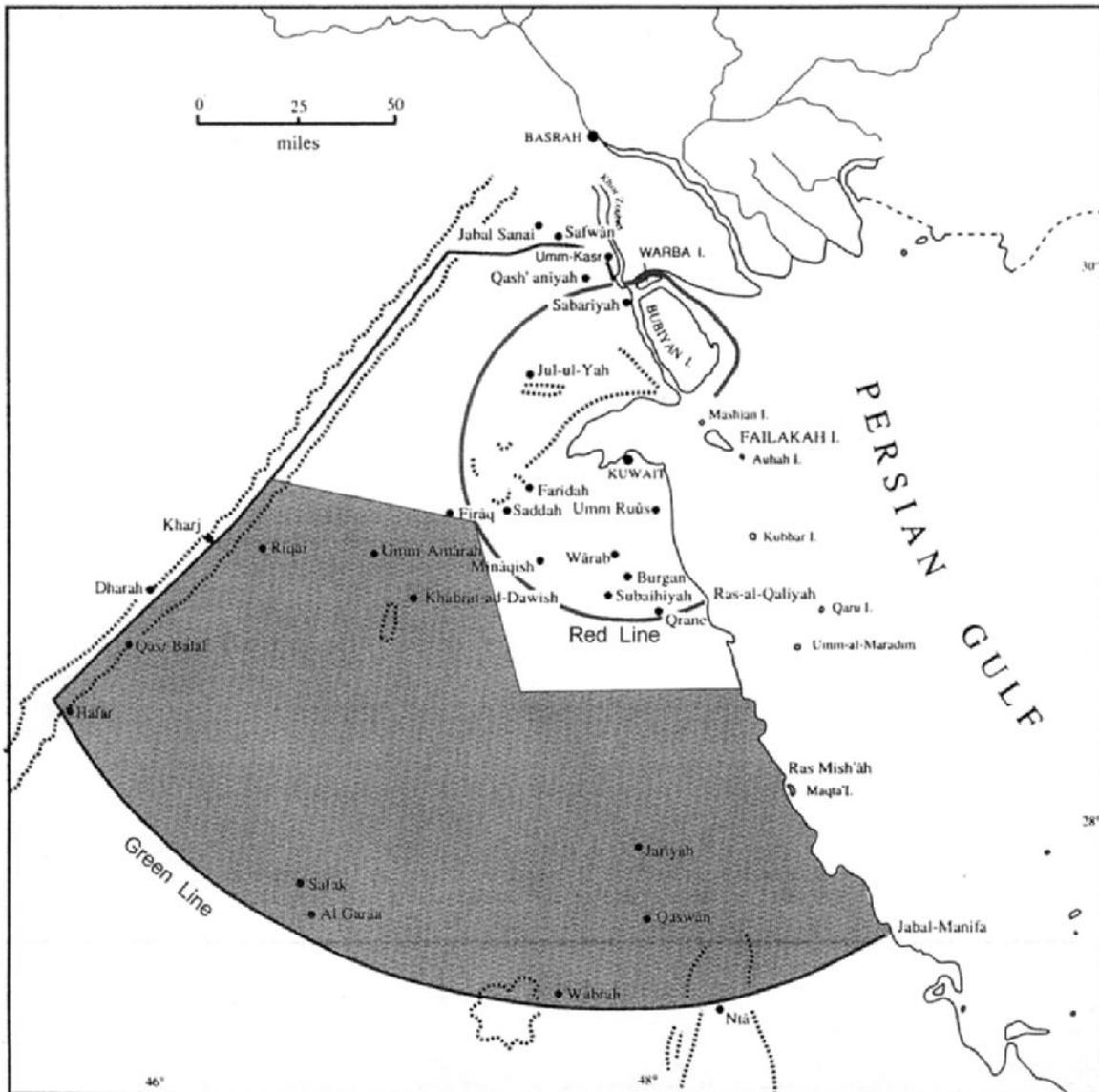
Figure No. 1



M... F

Map demarcating the frontiers of Kuwait with the Ottoman Empire as per the Anglo-Ottoman treaty of 1913 in Schofield, Richard, *Kuwait and Iraq: Historical Claims and Territorial Disputes*, (London : Royal institute of International Affairs) 1991.

Figure No. 2



Kuwaiti shaded area given to Ibn Saud at the Al-Uqair Conference in 1922 in Richard Muir, 'The Iraq–Kuwait border dispute: still a factor for instability?', *Asian Affairs*, Vol. XXXV, No. II, July 2004.

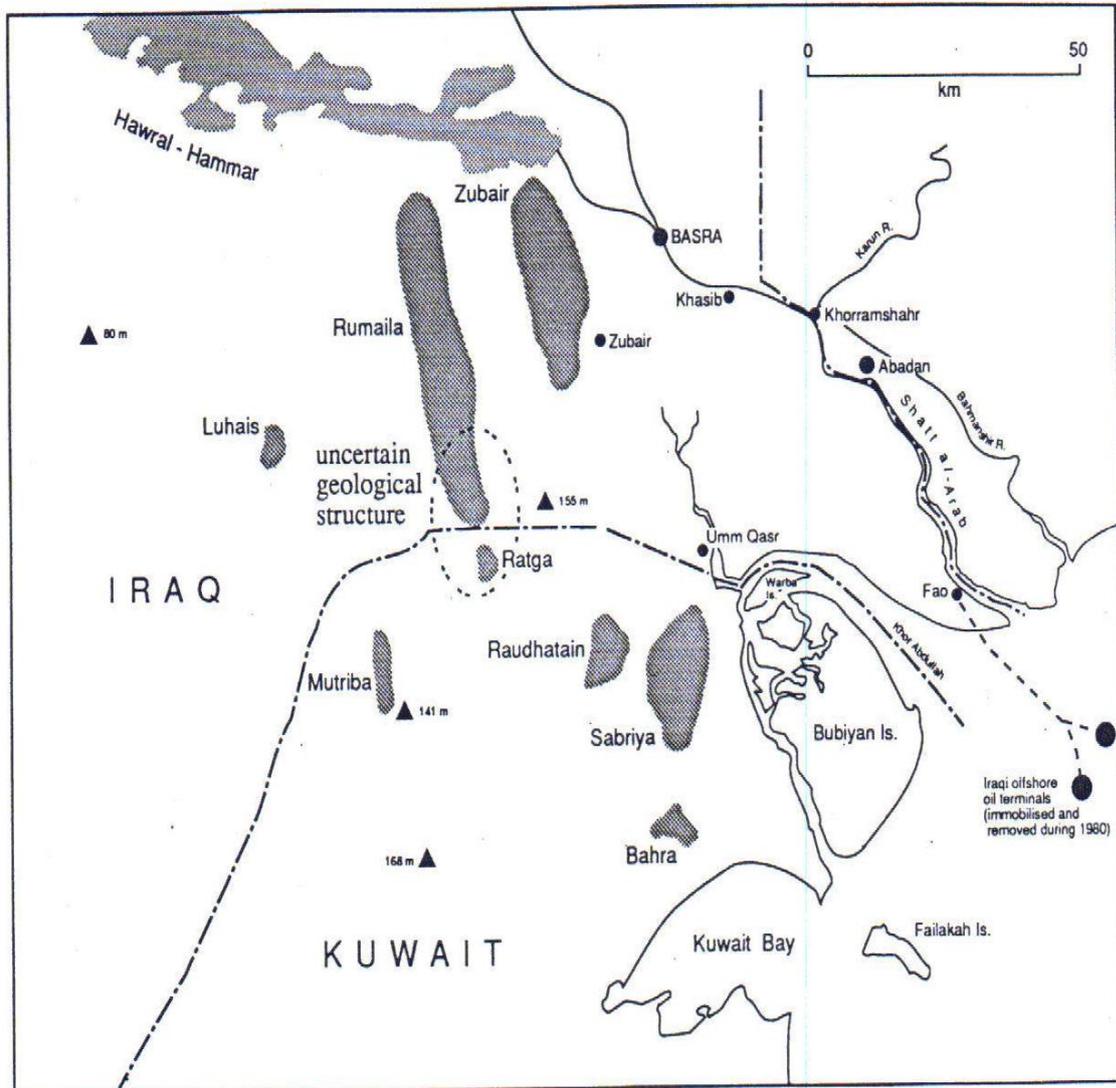
Figure No. 3



Map of Kuwait

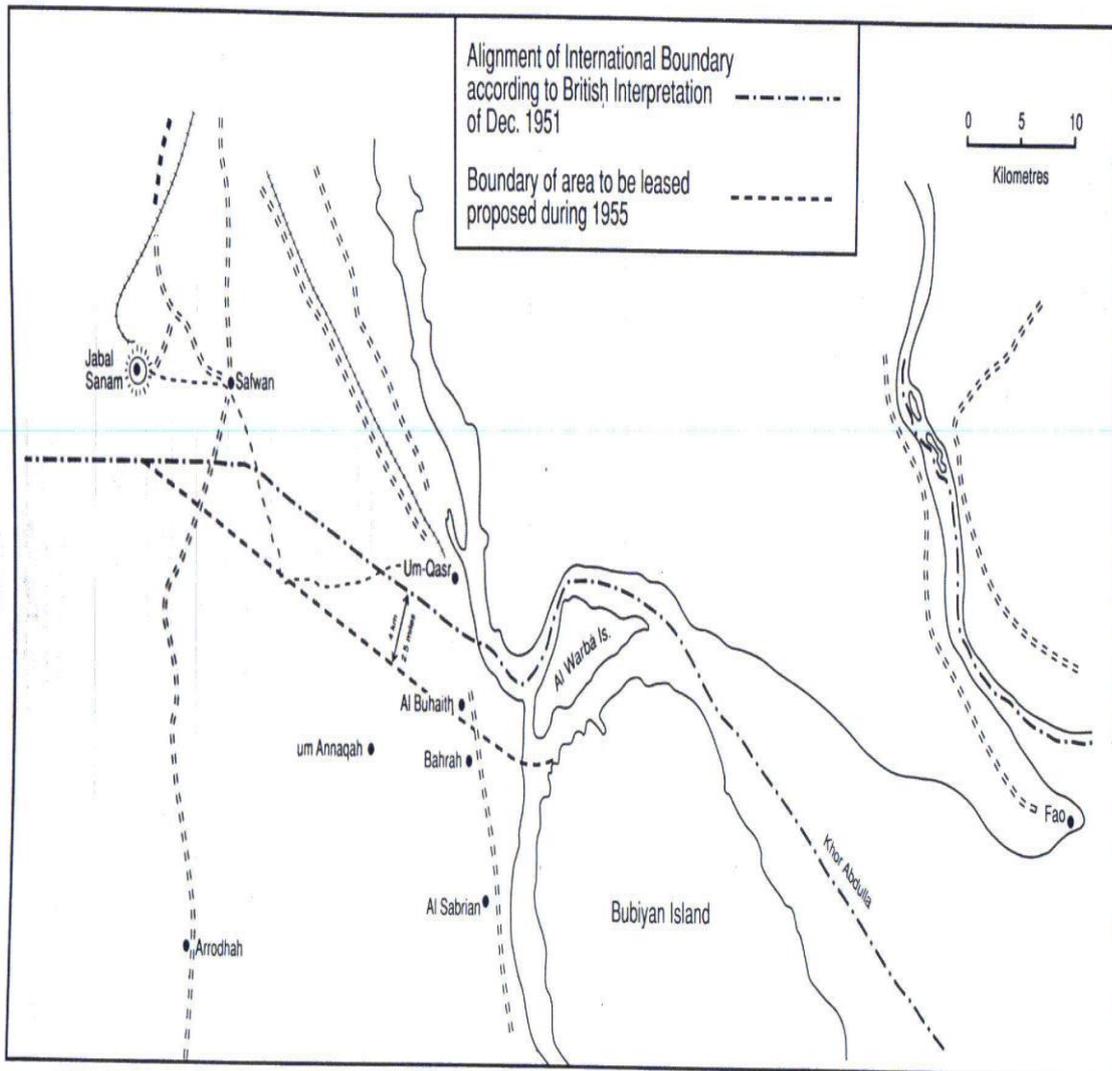
Source: *Gulf States Newsletter*, Vol. 35 , No. 892 , 17 January 2011.

Figure No. 4



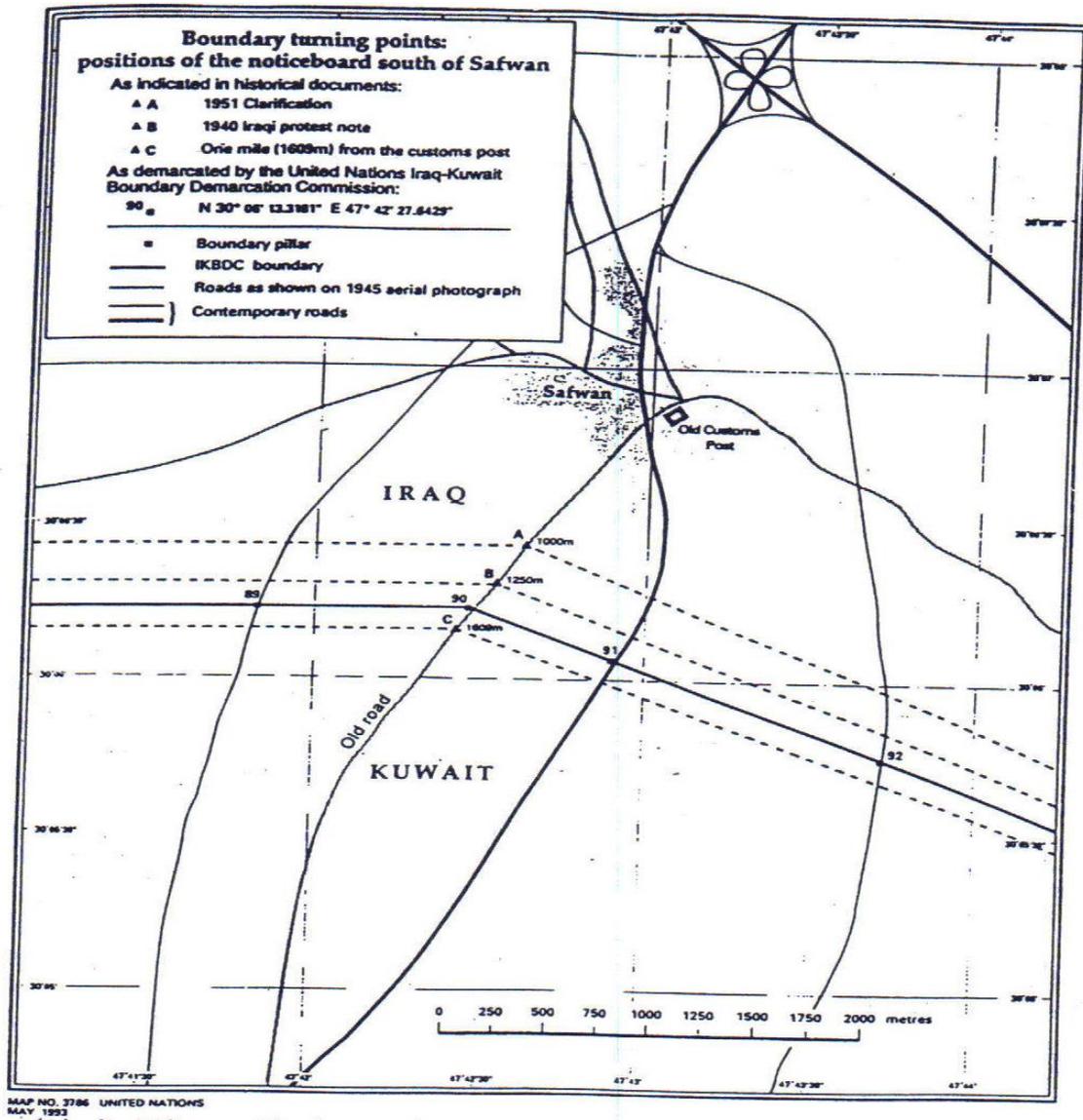
Map showing the configuration of oilfield north and south of Kuwaiti-Iraqi international boundary in Schofield, Richard, *Kuwait and Iraq: Historical Claims and Territorial Disputes*, (London : Royal institute of International Affairs) 1991.

Figure No. 5



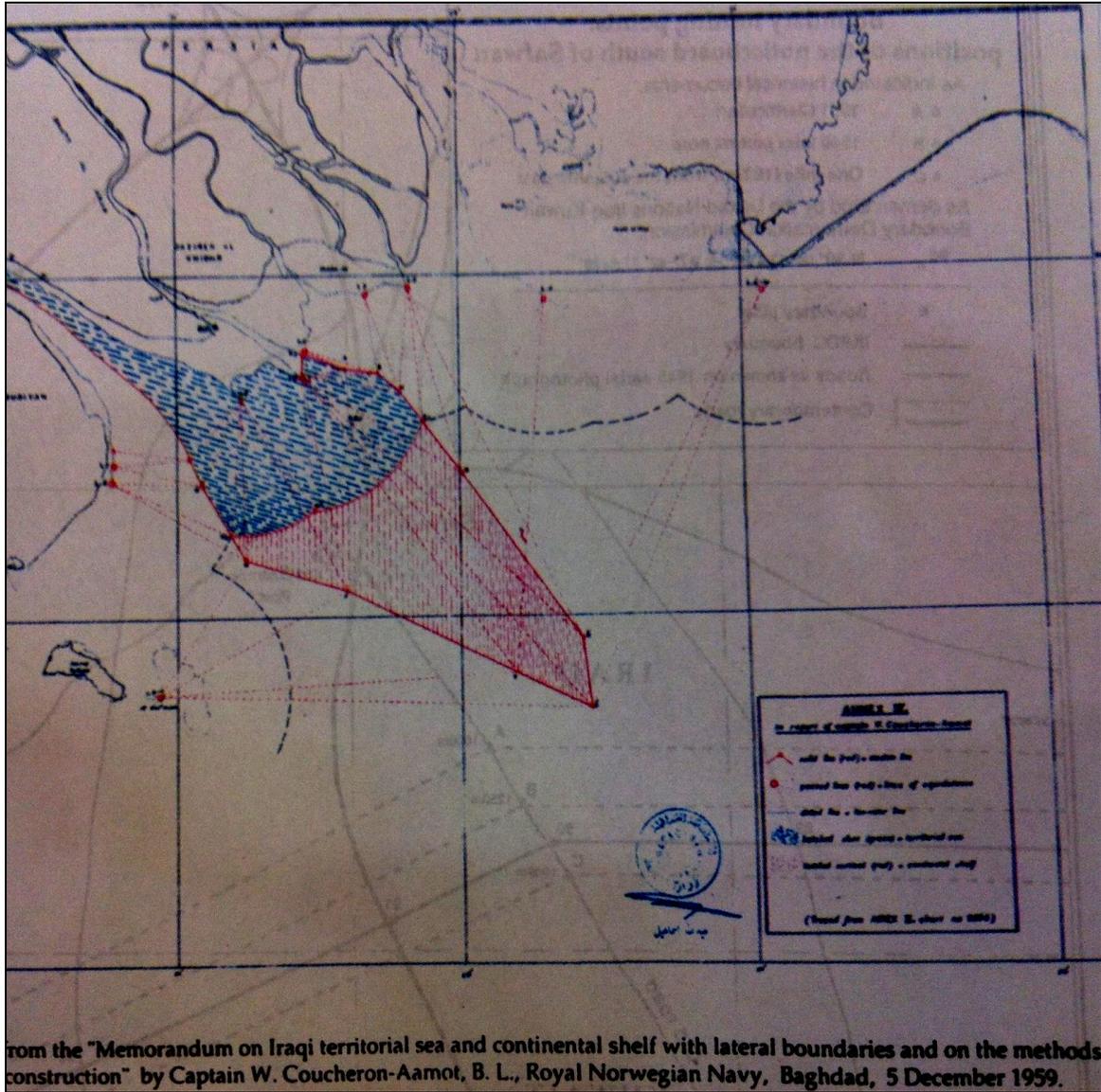
The Iraqi proposal of 1955 for lease a part of Kuwaiti territories in Schofield, Richard, *Kuwait and Iraq: Historical Claims and Territorial Disputes* , (London : Royal institute of International Affairs) 1991.

Figure No. 6



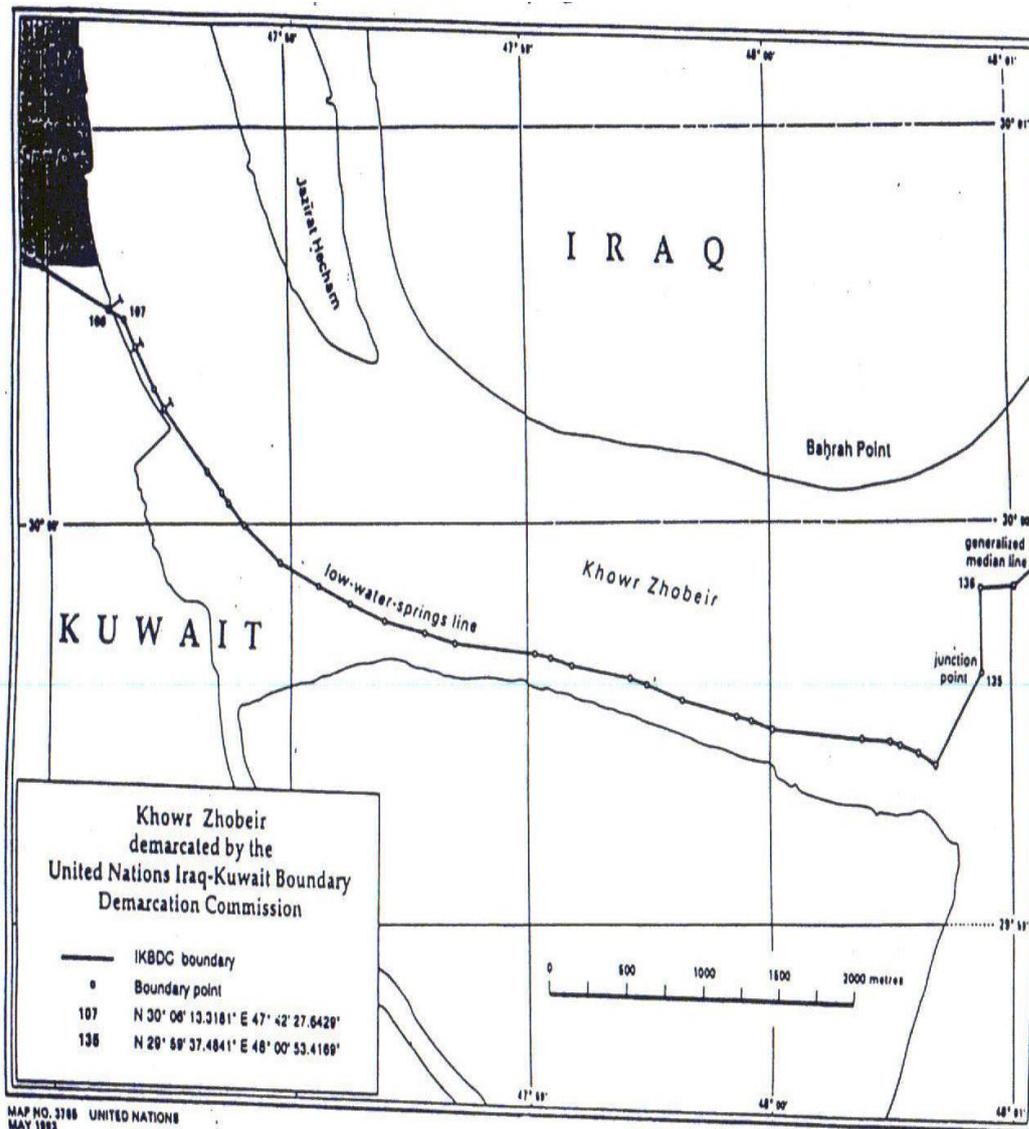
Demarcation of the land frontier at Safwan and opinions on the notice board located at south Safwan in Security Council, 'Final Report on The Demarcation of The International Boundary Between of The Republic of Iraq and The State of Kuwait By The United Nations Iraq-Kuwait Boundary Demarcation Commission', S/25811, 20th May 1993, United Nations.

Figure No.7.



Source: Centre for Research and Studies on Kuwait, *Iraq Navigational Outlets*, 3rd edition, Kuwait, 2000.

Figure No. 8



Demarcating frontiers at the entrance of Khowr Zhobeir between Iraq & Kuwait By UN in 1993. Source: United Nations Map No. 3786.

Figure No. 9



Kuwait Oil Field Map

Source: Ministry of Oil, Kuwait.2011.

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Table 1

**Geographical and Sectoral Distribution of Total fund Loans
Up to 30/3/2011 (Kuwait Dinars)**

Countries	Sectors										Percentage
	Transport	Agriculture	Industry	Energy	Water & sewerage	Telecommuni- cation	Social	Development Banks	Others	Total	
Arab Countries	(93)	(56)	(32)	(61)	(29)	(7)	(8)	(14)	(4)	(304)	54.57%
	623,050,552	331,978,669	181,473,717	795,745,260	230,063,834	86,655,928	98,900,000	122,819,575	8,938,031	2,479,625,566	
Central Asian & European Countries	(26)	(6)	(1)	(6)	(13)	(1)	(2)	(1)	-	(56)	6.33%
	133,297,506	17,791,968	5,100,000	20,838,626	92,086,163	2,586,309	9,500,000	6,100,000		287,300,572	
Central south & east African Countries	(56)	(11)	(6)	(16)	(8)	(3)	(2)	(2)	(3)	(107)	7.28%
	187,500,640	22,358,439	20,342,552	56,966,796	21,763,604	6,509,091	6,100,000	4,375,698	4,898,027	330,814,847	
East. South Asia & the Pacific countries	(56)	(23)	(21)	(41)	(3)	-	(5)	(1)	(3)	(153)	19.57%
	297,614,731	104,879,890	125,205,577	280,295,647	16,707,833		43,800,000	1,493,888	19,350,000	889,347,566	
Latin American & The Caribbean Countries	(31)	(23)	-	(1)	(4)	-	-	-	-	(39)	2.45%
	84,969,025	15,243,086		890,361	10,241,712					111,344,184	
West African Countries	(74)	(19)	(1)	(14)	(20)	(3)	(3)		(5)	(139)	9.80%
	246,586,852	61,249,296	5,999,988	54,883,567	47,879,593	5,370,637	10,900,000		12,600,000	445,469,933	
Total	(336)	(118)	(61)	(139)	(77)	(14)	(20)	(18)	(15)	(798)	100%
	1,573,019,306	553,501,348	338,121,834	1,209,620,257	418,742,739	101,121,965	196,200,000	134,789,161	45,786,058	4,543,902,688	
Percentage (%)	34.62%	12.18%	7.44%	26.62%	9.22%	2.23%	3.72%	2.97%	1.00%	100%	

- Figures in parenthesis refer to number of loan.

Source: Kuwait Fund for Arab Economic Development, *Forty Nine Annual Report 2010 /2011, Kuwait, 2011.*

Table 2**Middle East and North Africa Defence Expenditure 2010-2011 (US Dollar)**

Country	2010	% of Regional Total	2011 Estimate	% of Regional Total	Real % Change
Saudi Arabia	45.17	38.11%	46.18	36.18%	-3.1%
Israel	17.17	14.49%	18.25	14.30%	-2.8%
Iran	10.56	8.91%	11.96	9.37%	-3.4 %
UAE	8.65	7.29%	9.32	7.30%	5.1 %
Algeria	5.59	4.72%	8.61	6.74%	44.0%
Egypt	5.43	4.58%	5.53	4.33%	-3.2%
Iraq	4.19	3.53%	4.79	3/75%	8.9%
Oman	4.19	3.53%	4.29	3.36%	-1.6%
Kuwait	3.91	3.30%	4.05	3.17%	-6.2%
Qatar	3.12	2.63%	3.45	2.71%	8.2%
Sub-Total	107.97	91.09 %	116.42	91.21%	-1.01%
Regional expenditure Breakdown					
Oil exporting States	87.97	74.21%	95.57	74.88%	0.08%
Non-Oil Exporting Sates	30.57	25.79%	32.07	25.12%	-3.16%
Total	118.53	-	127.64	-	-0.77%

Source: The International Institute for Strategic Studies, *The Military balance 2012*, UK, 2012.

Table 3**Status of Processing and Payment of Claims up to 2012 (US Dollar)**

Category	Number of claims resolved	Number of resolved claims awarded compensation	Compensation sought by claims resolved (US\$)	Compensation awarded (US\$)	Percentage of awarded amount against claimed amount	Net compensation paid (US\$)	Outstanding award amounts (US\$)
A	923,158	852,499	3,455,092,500	3,149,692,000	91.16	3,116,927,373	0
B	5,734	3,935	20,100,000	13,435,000	66.84	13,377,388	0
C	1,738,237	672,452	11,503,877,999	5,185,716,912	45.08	5,178,326,390	0
D	11,915	10,343	16,539,501,201	3,348,902,861	20.25	3,347,980,604	0
E1	105	67	44,740,422,417	21,522,047,546	48.1	7,879,471,684	13,634,875,280
E2	2,445	954	13,661,076,541	916,054,517	6.71	913,638,683	1,841,509
E3	398	159	8,538,543,367	402,562,327	4.71	402,563,804	0
E4	3,623	2,868	11,796,336,671	3,456,889,662	29.3	3,458,491,969	0
E/F	123	57	6,148,493,927	311,282,668	5.06	311,282,668	0
F1	100	70	18,902,591,737	291,171,423	1.54	291,171,423	0
F2	63	46	18,417,163,597	264,422,123	1.44	264,099,732	0
F3	62	60	113,905,394,877	8,259,433,226	7.25	8,259,433,226	0
F4	168	109	84,904,244,069	5,261,746,450	6.2	5,260,112,735	0
Total	2,686,131	1,543,619	352,532,838,903	52,383,356,715	14.86	38,696,877,679	13,636,716,789

Source: United Nations Compensation Commission, *Status of Processing and Payment of Claims*, 25 October 2012.

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