

Inspecting Iraq: An Action Agenda

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During March, May, and July 2002, the UN Secretary General and the Chairman of the UN Monitoring, Verification and Inspection Commission (UNMOVIC) engaged Iraqi representatives in talks about the terms and conditions under which verification and monitoring of Iraq's Weapons of Mass Destruction (WMD) activities might be renewed. Efforts to verify these activities, conducted through most of the 1990s by UMMOVIC's predecessor, UNSCOM, were discontinued in December 1998. This article explores the advance and ongoing requirements for an effective, successful monitoring and verification regimen in Iraq.

Iraq's Past Record

The Security Council's 1991 resolutions obligated Iraq to cooperate fully in the "removal, destruction or rendering harmless" of its weapons of mass destruction and missiles, and in the subsequent Ongoing Monitoring and Verification (OMV). They also required the presentation of a "Full, Final and Complete Disclosure" (FFCD) detailing all Iraqi activities regarding the development of WMD. These clearly defined obligations, however, have been met with acts of obfuscation, confusion, and

distortion. The six editions and numerous corrected versions of the nuclear document alone attest to the Iraqi efforts to try to mask, as much as possible, related activities and capabilities. In addition, Iraq's outright lies, its acts of concealment, and its obstruction of the inspectors' work indicate that it still had much to hide, while effectively preventing disclosure of relevant information. Slowly the Iraqis managed to shift the burden of proof onto the inspectors. The Iraqis also succeeded in excluding "sensitive" and "Presidential" sites from the requirement to submit to unannounced inspections; these are but a few of the many Iraqi subversions during the inspections, which were suspended in December of 1998.

The international bodies entrusted with the verification duties were themselves not altogether blameless in the deterioration of the state of affairs. These bodies, the IAEA Action Team (AT) for the nuclear aspect, and the United Nations Special Commission (UNSCOM) for the rest of the required activities, were hampered from the beginning by the lack of resources, and as time went on, by the dwindling backing of the Security Council. As a result, the Iraqis slowly gained the upper hand

in their continuous conflict with the inspectors. The inspectors, lacking strong support, started to make concessions to Iraq that diminished their capacity to fulfill their duties. At the same time, there were many at the Security Council that were fed up with the Iraqi affair and wanted to forget or at least ignore the sins of the past. They wanted the return of normal trade relations so as to collect their debts and benefit from the renewed oil development and production and subsequent general trade (including arms sales) with this large country, and worked accordingly towards this end.

Since December 1998 the Iraqis have, in effect, been free to renew their activities in developing WMD and preparing them for deployment. They have retained much of the manpower previously employed in this endeavor, some equipment they declared they had "unilaterally destroyed" (in contravention of the Security Council's resolutions), and probably some materials. In addition, they still have substantial financial resources; they have thus also managed, throughout the years, to procure substantial amounts of materials and equipment, because of the inefficient international export/import controls.

In May 2002 the Iraqis, fearing US

military action, began negotiating with the UN about the possibility of resuming the inspections. Yet while Security Council resolution 1284 of December 1999 demands it, there is no report of the UN negotiators' insistence on the complete fulfillment of the 1991 resolutions. Some media reports have speculated that Iraq's intent is to prolong the negotiations as much as possible, thereby disarming the US of a main justification for the renewal of hostilities. Yet slim as it may seem, the possibility of renewed inspections in Iraq must be considered, and plans must be made in the event that the inspections recommence. These plans and subsequent preparations must take into account the lessons learned from the past.

Basic Assumptions

Before outlining what actions should take place if inspections resume in Iraq, some basic assumptions must be made:

■ First, Iraq has been proceeding with the development of a WMD capability.

Any other assumption would be counterproductive and could promote the failure of the inspections. Moreover, the fact that Saddam Hussein chose not to cooperate with the international inspection regime and decided to expel the inspectors from Iraq in 1998, coupled with the fact that he was willing to forgo the lifting of the sanctions imposed on him rather than coming clean and complying with all the inspectors' requirements, reinforces this assumption.

■ Second, unless Iraq provides total disclosure and openness, it cannot be believed.

Transparency is a basic requirement of all states that are parties to any treaty or agreement that includes verification provisions. Without manifest willingness to share with the inspectors all information relevant to their work (within the terms of the agreement) or to satisfy

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them in an alternate way, suspicions must necessarily arise. With Iraq, compliance with verification efforts has never been open and complete. Iraq has lied, cheated, concealed evidence, and hindered inspections from the beginning. Therefore, Iraq's compliance with all the inspectors' requests is the benchmark for its openness, and any further hindrance, evasion, or concealment of evidence will confirm its continuing untrustworthiness.

■ Third, the renewal of inspections will soon be followed by another crisis.

The third assumption is based on past experience with Iraq. Even if no

crisis emerges, this assumption must be anticipated and planned for, yielding many benefits if applied correctly. Accepting and acting on this assumption would provide the inspectors with as much information and data as possible in the shortest time, and enable a thorough assessment of the situation from outside Iraq, in case the inspections are again terminated.

■ Fourth, Iraq will claim that everything that they had, all the dual-use equipment and materials, other than the uranium declared under IAEA inspections, was destroyed or lost during the December 1998 bombing.

This assumption is also based on past experience. Iraq should not be expected to produce equipment and materials that it has concealed in the past or that it declared destroyed, unless evidence (destroyed machines, etc.) is produced to the contrary.

■ Fifth, if inspections are resumed, it is a totally new ball game. Everything is now open again, and the inspections must start from the beginning.

Up until the termination of inspections, and even in the period thereafter, considerable effort was devoted to determining what Iraq had achieved in its weapons capabilities. Resolution 1284 demands the completion of the "key remaining disarmament tasks" supposedly left over from past activities. Although UNMOVIC is reporting preparations for the resolution of this issue, it has no meaning today because of the long time that has elapsed since the

inspections ended, and the many changes that could have taken place since.

Planning Principles

Based on these assumptions, planning principles for the ensuing operation should be established.

- The purpose of future activities in Iraq is to assess the situation and uncover all illicit activities – activities that are contrary to the 1991 Security Council resolutions.

- Verification activities must use all prerogatives denoted by the 1991 Security Council resolutions.

- Whatever efforts are devoted to uncovering and ascertaining the past situation should only concentrate on facts that could affect the existing situation.

- The planned activities should be large-scale, work in parallel in all areas of activities (sites, documents, personnel, and so on), and cover simultaneously as many places of inspections as possible.

- All past concessions must be declared null and void and no new ones must be made. The main concessions were the Memorandum of Understanding on the “sensitive” and “Presidential” sites, but there were others, some of them tacit, that applied to additional sites and activities.

- All preparations for the eventuality of the resumption of inspections must be completed in advance and put on short-notice standby status. This includes not only the field teams in Iraq but all essential technical backing such as analytical

laboratories and other outside facilities.

- Planning must not be constrained by resources. On the contrary, resources should be allocated according to need, and not depend on availability. They should be augmented as necessary. This applies not only to the direct cost of the verification activities (to be borne fully by Iraq under Security Council resolutions 715 of 1991 and 1284 of 1999) but also to the provision of personnel, facilities, and services that should be rendered by the UN Member States.

UNMOVIC was established in December 1999 by the Security Council to replace the United Nations Special Commission on Iraq (UNSCOM) as its verification organization. Its verification mandate is, in effect, not very different from its predecessor's. Although described as “a reinforced system of ongoing monitoring and verification,” its mandated plan of action is the same as UNSCOM's was. Since its establishment UNMOVIC has recruited a staff of more than 50 and has trained some 230 persons in anticipation of the return of inspections in Iraq, including experts and chief inspectors. UNMOVIC has also reported on the gathering of both open-source information and information supplied by governments.

The verification activities in the nuclear area remain with the IAEA, but no reports of its preparations for the return to Iraq are publicly available.

- The verification operations must be fully independent, not relying on Iraqi logistical or technical assistance.

Consequent to the above principles, the following technical applications should be noted:

- Written procedures for all verification aspects should be drafted; these should be prepared with the main purpose of uncovering illicit activities in mind.

- Personnel should be identified for all tasks, with teams assembled and trained in field training and exercises. The teams should be composed of permanent core staff and additional personnel who should be on standby status, ready to be called up whenever inspections are resumed.

- New technologies are developed and implemented continuously. State-of-the-art technologies and equipment should be employed both in the field and in the support organizations; equipment should be either procured or be earmarked for future activities.

- On-site and environmental monitoring and sampling should be widely used. Rapid analysis of these would provide a main support for the investigation of suspect sites and the activities therein. This is the quickest way to obtain valid indicators, considering that inspections could again be terminated unexpectedly.

- Independent expert groups for each of the WMD and missiles aspects, formed for this purpose, should make final analyses of the

technical findings; positive findings should be reported to the Security Council and made public.

Good preparations are essential for a good operation. The better the personnel are trained, the better the outcome will be. Verification in Iraq is not a matter of ascertaining known facts; it is more a matter of detective work in a hostile environment than anything else. Therefore, the best equipment and technologies must be used. The inspectors must be well supported in order to enable them to function effectively, and their training must enable them to deal with any situation that could arise, technical or otherwise. As a rule, the inspectors should be trained to "expect the unexpected."

Conclusions

Can all that has been proposed be achieved? The principles outlined above stand as an ideal framework for future operations, and accomplishing all of them would give the world the assurance it needs that all that can be done is being done. It is hoped that the UNMOVIC and the IAEA Action Team preparations underway for an eventual resumption of inspections are taking into account the recommendations above.

Two additional factors contribute to a successful outcome of verification activities: independence of the verification mechanism from political pressures and, at the same time, political backing and support, in this case by the Security Council. Although these two factors seem to be

contradictory, they can be reconciled. The better the field activities are prepared and conducted, the less chance there is for political pressure to work. Similarly, if the inspectors are free from intervening demands and if the professional conduct of the work is above board, there is less opportunity for outside bias. The ensuing Security Council deliberations can then rely on the best

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and least partisan information possible, and consequently, any political decisions the Security Council makes will carry more weight and in turn reinforce the verification efforts.

Verification work is result oriented. Positive findings are an accomplishment. Negative results, unfortunately, have less meaning, as there can be no real proof of non-existence. At most, some assurances can be gained, but only following a faultless and comprehensive activity, with no telltale indications of concealment or hindrance on the part of the inspected party. False-negative findings are the bane of verification.

Detracting from the requirements of maximum verification efforts would increase the probability of false-negative results.

As stated, no a priori concessions should be offered. However, we live in a real world, and the reality is that concessions will be made as time goes on and the inspections proceed – if all goes well. These concessions should be made consciously and wisely, taking all possible consequences into account, particularly since any concessions regarding Iraq's obligations would certainly be used by Iraq in concealment activity.

If inspections recommence, they will probably be the last chance the world will have either to uncover Iraq's illicit activities or to assure itself that all is well. Failure is inconceivable, since it would lead to a terrible situation. Furthermore, when the truth ultimately emerges in contradiction of previously publicized findings, it will exert a corollary destructive effect on all other arms-control verification activities.

Finally, it must be stated that sanctions, even if strictly enforced, can only slow down development progress. They cannot prevent a sovereign state, even if severely limited by the sanctions, from proceeding, however slowly, with its plans. Only thorough verification activities can uncover these plans and whatever progress has been made. This knowledge is essential for the world, so that proper responses to the disclosed situation can be taken. Blindness could be disastrous.