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## **The lessons of UNSCOM and UNMOVIC**

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The long crisis over Iraq's actual and presumed weapons of mass destruction (WMD) capabilities has generated not only agonizing dilemmas for the international community but also novel ways of attempting to deal with the problem.<sup>1</sup> In particular it has led to the establishment by the United Nations (UN) Security Council of two bodies charged with monitoring, verifying and assisting in Iraq's disarmament. Both were given powers of inspection and information-gathering vis-à-vis a sovereign member state that are unprecedented in the history of the UN. And both were withdrawn from the country in the face of Iraqi non-co-operation that was judged by two permanent members of the Security Council—the United Kingdom and the United States—but few other states, to warrant the use of military force.

This chapter considers the lessons for nonproliferation, arms control and disarmament that might be learned from the experience of the United Nations Special Commission (UNSCOM) and the United Nations Monitoring, Verification and Inspection Commission (UNMOVIC). Since UNSCOM and UNMOVIC co-operated closely with the International Atomic Energy Agency (IAEA), the experiences of that agency will also be examined where relevant.

### **The United Nations Special Commission**

UNSCOM was created in 1991 as an integral part of the arrangements for ending the fighting between Iraq and the coalition of states that, with Security Council authorization, had driven Iraqi forces out of Kuwait. Part c of Security Council resolution 687 of 3 April 1991 required Iraq to accept unconditionally the destruction,

removal or rendering harmless, under international supervision, of all of its weapons of mass destruction and of all materials and facilities that could be used for WMD, including means of delivery.<sup>2</sup> Iraq was required to submit detailed reports of its inventories in the nuclear, chemical and biological spheres, as well as missiles with a range exceeding 150 kilometres. It was also obliged to accept 'urgent on-site inspections' in order to verify the capabilities revealed in its declarations and at additional locations chosen by the Special Commission. While UNSCOM was given the chemical, biological and missile 'files', the IAEA was charged, in co-operation with UNSCOM, with handling the nuclear portfolio.

UNSCOM was the first such subsidiary body ever established by the Security Council. It was also extraordinary in having to be built from scratch, having been mandated to conduct urgent inspections even before it had any capacity to do so. In May 1991, just one month after the creation of the disarmament regime, UNSCOM conducted its first inspection. Within a few months its hastily assembled staff had developed the plans and procedures and garnered the resources needed to fulfil its mandate. In addition to inspections UNSCOM began assessing Iraq's declarations in detail, as well as planning, and in some cases executing, the destruction of declared weapons and capabilities. When it became apparent that Iraq's declarations were incomplete and that Baghdad's co-operation would not be unconditional, UNSCOM turned its attention to identifying the gaps and unearthing hidden or undeclared facilities and items.

Organizationally, UNSCOM comprised a 19-member College of Commissioners which provided policy and other advice to its Executive Chairman, Rolf Ekéus, a Swedish diplomat, and his deputy, initially US Department of State official Bob Galluci. He had a small headquarters staff, located in the UN Secretariat in New York. Later, a field office was established in Bahrain to support the commission's activities in Iraq, in addition to a substantial presence in Baghdad itself. The majority of inspection team members were seconded, on request, from supportive governments, mostly Western ones.

UNSCOM also rapidly acquired techniques and technology, including some that was not normally available to UN bodies. In August 1991 the US provided the services of a U-2 high-altitude reconnaissance aircraft to support on-site inspection (OSI) planning, to facilitate industrial infrastructure monitoring and to search

for undeclared facilities. In 1991 and 1992 UNSCOM obtained low-altitude aerial capabilities in the form of helicopters, and, ultimately, an Aerial Inspection Team that provided overhead security at inspection sites and conducted aerial photography. Finally, and controversially, as it turned out, UNSCOM began to seek and receive information, including intelligence data, from governments. This began with supplier information to permit UNSCOM to track Iraqi imports, but later expanded to include sensitive data obtained from so-called National Technical Means (NTM), such as satellites, and human intelligence (HUMINT) sources.

It became clear as early as the end of 1991 that what many thought would be a quick accounting and verification exercise would in fact be a tug of war with the 'host' government. In October 1991 UNSCOM reported to the Security Council that: 'The elements of misinformation, concealment, lack of co-operation and violation of the privileges and immunities of the Special Commission and IAEA have not created any trust in Iraq's intentions'.<sup>3</sup> In June 1991, acting on information supplied by the US, a nuclear inspection team tried to examine two sites suspected of containing undeclared components of the Iraqi nuclear programme. Iraq barred the inspectors from both and fired on inspectors at one of them. In response, the Security Council passed resolution 707, condemning Iraq's actions as a 'material breach' of the ceasefire, language that would resonate more than a decade later in the Security Council debate over whether or not to invade the country.<sup>4</sup> Three months later another fabled incident occurred in which inspectors, again acting on external information, raided several facilities in Baghdad in search of documents relating to Iraq's nuclear programme. When inspectors seized documents the Iraqis took some of the papers back and then besieged the inspectors in a carpark to force them to surrender the remaining ones. The incident only came to an end after the inspectors managed to transmit the incriminating data electronically to Washington.<sup>5</sup>

While UNSCOM was able to piece together the details of, and eventually almost completely destroy, Iraq's nuclear and chemical weapon and longer-range missile capabilities, Iraq was particularly unforthcoming about its biological weapons (BW) activities. UNSCOM was convinced that there had been such a programme, but it experienced continuing difficulties in assessing its extent, especially due to the large amount of biological growth media that Iraq had imported and was unable

to account for convincingly. Iraq admitted that it had a BW programme only after it was confirmed by the defection in August 1995 of President Saddam Hussein's son-in-law, General Hussein Kamel Hassan, but by then UNSCOM had already determined that Iraq did have a large-scale BW programme.<sup>6</sup>

In an effort to clear up the remaining mysteries about Iraq's capabilities, UNSCOM embarked, from 1995 through 1998, on an intensified series of investigations, as well as on developing more intrusive investigative techniques.<sup>7</sup> These included: digging up sites where Iraq claimed to have destroyed and buried weapons and other materials unilaterally; conducting interviews with Iraqi personnel; and exploring and trying to counter Iraq's attempts at concealment, deception and denial.

Inevitably, Iraq reacted to this increased scrutiny and strived to end the activities of the Special Commission once and for all. In November 1997 it ejected all US nationals participating in the operation. It also rejected UNSCOM's right to inspect Saddam's palaces. UN Secretary-General Kofi Annan was dispatched to Baghdad in February 1998, returning with a much derided agreement for special procedures for such sites, but one that ultimately made little difference either way.<sup>8</sup> In November 1998, Iraq, sensing a lack of resolve in the Security Council, refused all co-operation with UNSCOM, alleging that it had been used as a cover for Western espionage, a charge that regrettably had some truth to it—whether wittingly or unwittingly remains unclear. In addition, UNSCOM's second executive chairman, Australian diplomat Richard Butler, was seen, not just by the Iraqis, as undiplomatic and heavy-handed and, less plausibly, as having become too close to the US.<sup>9</sup>

In December 1998 the UK and the US carried out a series of bombing campaigns in an attempt to force Iraq to comply with its obligations. When Baghdad refused, the Security Council was unable to agree on how to proceed and commissioned some studies to look at the options. The UK and the US became preoccupied with other issues and failed to pursue their harder line. UNSCOM remained in a hiatus for a year, able only to observe Iraq from afar, while the Security Council decided what to do. UNSCOM was never permitted to return to Iraq. Unfortunately it ended its life in controversy, accused by Iraq of having become a Trojan Horse for Western intelligence and military operations.

The achievements of UNSCOM and the IAEA's Iraq Action Team—responsible for nuclear inspections in Iraq—were nonetheless considerable. Among them were

the discovery and verified destruction of clandestine nuclear, chemical and biological weapons programmes and a long-range missile capability. But Iraq, in clear violation of its mandatory obligations to the Security Council, never did produce a credible complete and final account of its capabilities and what had become of them, particularly in respect of BW and, to some extent, missiles. UNSCOM and IAEA inspectors were faced with persistent Iraqi non-co-operation, harassment and dissembling. They had therefore not been able to verify Iraqi disarmament completely, nor to put in place the planned long-term Ongoing Monitoring and Verification (OMV) system designed to prevent Iraq from reacquiring WMD capabilities.

### **The United Nations Monitoring, Verification and Inspection Commission**

UNSCOM was abandoned in December 1999 after a year of debate in the Security Council, to be replaced by UNMOVIC. Created by UN Security Council resolution 1284 of 17 December 1999, the new body inherited its predecessor's responsibilities, as well as being mandated to strengthen the OMV, now to be known as the Reinforced Ongoing Monitoring and Verification (R-OMV) system. The IAEA retained its separate role with regard to nuclear matters. Swedish diplomat Dr Hans Blix, former Director General of the IAEA, was selected as executive chairman of UNMOVIC.<sup>10</sup> A 16-member College of Commissioners was also appointed that would meet at least every three months to provide the chairman with advice and guidance. The proposed role and membership of the College of Commissioners elicited allegations that UNMOVIC would have less political independence than UNSCOM, but such fears never materialized and Blix came to regard it as a useful 'sounding board'.<sup>11</sup>

#### *Organization and capabilities*

UNMOVIC drew heavily on the experience of UNSCOM, as well as acquiring its assets, archives and some of its personnel.<sup>12</sup> However, it became a much more formidable inspection organization, partly because it used the three years between its establishment and the deployment of its inspectors to Iraq to prepare thoroughly. It also implemented many of the recommendations of the Amorim panel, named after Brazilian Ambassador Celso Amorim, which had been established by the Security Council to suggest ways of avoiding the pitfalls encountered by UNSCOM.<sup>13</sup>

These recommendations included employing all UNMOVIC staff, including inspectors, as UN civil servants, rather than accepting staff on secondment and in the pay of governments. All staff members would henceforth be obliged to act on behalf of and in the interests of the world organization. In part this was an attempt to avoid the possibility of national intelligence agents, still beholden to their national authorities, being planted in inspection teams. This aim was reinforced by Blix's determination that the flow of intelligence information would be strictly 'one-way traffic'—from national intelligence services to UNMOVIC.<sup>14</sup> In addition the post of deputy executive chairman was abolished, since, as Blix puts it, 'it had always been a direct channel to the authorities in Washington'.<sup>15</sup> Internally, intelligence information would be restricted to the executive chairman and a 'special officer', an intelligence conduit trusted by supplier governments. If intelligence information was needed for identifying the target or facilitating the conduct of an OSI, the head of operations and the team leader would also be included in the intelligence 'loop', as agreed with the intelligence provider.

Another UNMOVIC innovation was to establish multi-disciplinary analytical and inspection teams to avoid the 'stove-piping' of information into the three types of WMD that, in the past, had resulted in missed leads and lost opportunities. Training courses were devised to emphasize the need for cross-disciplinary thinking.

A key difference between UNMOVIC and its predecessor was that UNMOVIC was able to use the three-year waiting period to determine priority sites for inspection, carefully analyze the huge amounts of information on Iraq's WMD programmes and capabilities that UNSCOM had collected, consolidate and learn from the experiences of the Special Commission, create a well-trained force of inspectors and refine its monitoring and inspection methods.

As instructed in resolution 1284, UNMOVIC focussed on identifying 'unresolved disarmament issues' and 'key remaining disarmament tasks'. To do this it assembled the unresolved issues into interrelated clusters to paint a better overall picture of Iraq's WMD programmes and to assess the significance of gaps in its knowledge and hence what still needed to be verified.<sup>16</sup>

Staff training—under UNSCOM largely the responsibility of member states—was now organized and conducted solely by UNMOVIC (with some support from governments).<sup>17</sup> As UNSCOM had been accused of cultural insensitivity, the programme

included an Iraqi cultural training package that covered the history, economy and politics of Iraq, as well as regional, social and religious themes. With the completion of the first training courses and the recruitment of 42 professional core staff members in New York, UNMOVIC was in a good position by the end of 2002 to commence inspections at short notice. Courses were still running in February 2003, when UNMOVIC was withdrawn from Iraq, bringing the total number of experts on the UNMOVIC roster to 380 from 55 nations. The over-reliance of UNSCOM on American and other Western experts had been dealt with, removing at least one excuse for future Iraqi non-co-operation.

UNMOVIC also had better technological capabilities than UNSCOM. Surveys and inspections were greatly assisted by significant improvements in technology after 1998. Detection devices were smaller, lighter, faster and more accurate. They included miniature radiation sensors, portable chemical and biological weapon detectors and ground-penetrating radar.<sup>18</sup> The IAEA used environmental sampling techniques developed for improved nuclear safeguards to monitor water, air and vegetation. The equipment employed to survey Iraq's watercourses was so sensitive that it could detect the permitted use by Iraq of radioisotopes for medical applications. Information technology developments also helped UNMOVIC. For instance, the IAEA and UNMOVIC databases were connected and cross-disciplinary analysis not previously available was used to look for patterns and linkages.

UNMOVIC's capabilities were also to be enhanced by the establishment of two regional offices, the freedom to fly into Baghdad rather than an airport several hours' drive away, a fleet of British, Canadian and Russian helicopters, access to colour satellite images—including from commercial providers—and the use of *Mirage* and U-2 aircraft for reconnaissance (although the latter took some time to arrange). It was also planned to obtain data from unmanned aerial vehicles (UAVs), but these could not be deployed before UNMOVIC's premature withdrawal from Iraq.

### *The build-up to UNMOVIC's entry into Iraq*

The first signs of movement in the Iraqi position on allowing inspectors to return appeared in the early part of 2002, prompted by UK and US intimations that the use of force could not be ruled out if the country continued to defy the Security Council.<sup>19</sup> Pressure was increased by the US release in September of intelligence

information on Iraq's alleged import of aluminium tubes for use in uranium enrichment centrifuges. The now infamous UK dossier on Iraq's alleged weapons of mass destruction was published on 24 September.<sup>20</sup>

On 8 November 2002 the Security Council unanimously adopted resolution 1441, declaring that Iraq had been and continued to be in 'material breach' of its obligations and calling on it to co-operate 'immediately, unconditionally and actively' with UNMOVIC. It ordered Baghdad to provide UNMOVIC and the IAEA with 'immediate, unimpeded, unconditional, and unrestricted access to any and all, including underground, areas, facilities, buildings, equipment, records, and means of transport which they wish to inspect'. The two bodies could impose no-drive and no-fly zones around suspect sites and could destroy, impound or remove any armaments, materials or records. They were also entitled to receive comprehensive lists of and 'immediate, unimpeded, unrestricted, and private access to all officials and other persons' whom they wished to interview in a mode or location of their choosing, without the presence of Iraqi observers. Gone were the special procedures for the inspection of presidential sites, as were the confidential 'understandings' that Ekéus had previously reached with Iraq.<sup>21</sup> Inspectors' premises were to be protected by UN guards, and UNMOVIC and IAEA personnel were to enjoy unimpeded entry to, and exit from, Iraq, and the right to import and export any equipment and material they required.

Not only was UNMOVIC's mandate now tougher and more intrusive than that of UNSCOM, but also it was politically more compelling. Unlike the resolution establishing UNSCOM, UNMOVIC was now specifically authorized under Chapter VII of the UN Charter, leaving no doubt that compliance with the resolution was mandatory. It was also, unlike the initial UNSCOM resolution, adopted unanimously (even Syria voted in favour).<sup>22</sup> In addition resolution 1441 explicitly stated that failure to comply at any point 'shall constitute a further material breach of Iraq's obligations', which would be reported to the Security Council for immediate assessment, with the possibility of 'serious consequences'. This was the first time that such a direct threat of force had been made in a resolution concerning the UN inspection regime. Previously, it had been linked indirectly as part of Iraq's ceasefire obligations.<sup>23</sup>

Several deadlines were imposed by resolution 1441: seven days for Iraq to notify the Security Council that it would comply; and 30 days for it to provide a 'currently



accurate, full and complete declaration of all aspects of its programmes to develop chemical, biological and nuclear weapons, ballistic missiles, and other delivery systems'. UNMOVIC was to begin inspections within 45 days and report to the Security Council 60 days thereafter, but earlier if Iraq was failing to comply.

On 13 November Iraq informed the Security Council of its decision to comply with the resolution 'without conditions'. A 30-strong advance team lost no time in travelling to Baghdad with Blix and IAEA Director General Dr Mohamed ElBaradei on 18 November for talks with Iraqi officials on the practical arrangements for the return of inspectors and to prepare premises and organize logistics to permit the resumption of operations. On 7 December a crucial deadline was met when Iraq provided, more than 24 hours before it was obliged to do so, what purported to be the required 'accurate, full, and complete declaration'. Comprising over 11,807 pages, with 352 pages of annexes and 529 megabytes of data, the declaration was detailed and technical (part of it was in Arabic).

### *UNMOVIC in Iraq*

The first inspectors arrived in Iraq on 25 November—there were only 11 experts but they covered all areas of UNMOVIC's caseload. This paved the way for inspections to begin early, and on 27 November, three sites previously inspected by UNSCOM were visited. Several more inspections were conducted, unimpeded by the Iraqis, on successive days. These early inspections were low-key affairs designed to test Iraqi co-operation. On 3 December the first presidential site was inspected, again without serious incident, although access was delayed.

The inspections by UNMOVIC and the IAEA's Iraq Nuclear Verification Office (INVO), formerly known as the Iraq Action Team, had two distinct phases. From November 2002 until the beginning of 2003, the focus was on re-establishing a baseline for declared sites by assessing any changes made with regard to activity, personnel or equipment after inspectors had left the country in 1998. Newly declared sites were also visited and all sites assessed against Iraq's declaration of 7 December. From mid-December inspections began in earnest, averaging eight per day, with discipline-specific teams focussing on their own particular area of interest. The strength of the teams varied between two and 40 inspectors, eight being the average. From mid-January UNMOVIC and the INVO began a second, investigative phase, designed

to identify and pursue leads obtained from inspections, Iraqi documents or information from other sources, including intelligence.

In its 111 days in Iraq UNMOVIC conducted 731 inspections at 411 sites—of which 88 had not been previously inspected<sup>24</sup>—while the INVO carried out 237 nuclear inspections at 148 sites, including 27 new ones, with over 1,600 buildings.<sup>25</sup> Most were located around Baghdad or the northern city of Mosul—inspections at the latter were facilitated by the opening of a regional field office there.<sup>26</sup> In sharp contrast to their handling of UNSCOM, the Iraqis did not prevent entry to any site that UNMOVIC sought to visit and delays in gaining access were minimal, even when inspections were no-notice or undeclared. Two key areas where Iraq engaged in delaying tactics were in granting permission for overflights by helicopters and U-2 and *Mirage* aircraft, despite the fact that such flights had occurred under UNSCOM, and in granting UNMOVIC access to Iraqi scientists and other experts to permit interviews to be conducted without the presence of Iraqi minders. In reporting to the Security Council, Blix distinguished between Iraq's co-operation in 'process', which was good, and co-operation in 'substance', where Iraq continued to be evasive and misleading. In his briefing to the Security Council on 7 March 2003 he identified at least 100 unanswered questions, many relating to the amount of anthrax and VX nerve agents that Iraq had declared but not adequately accounted for.<sup>27</sup> The waters were muddied by continuing unproven allegations made by the UK and US, based on their own intelligence sources, about various aspects of supposed Iraqi non-compliance, virtually all of which were discounted by UNMOVIC and/or the IAEA after investigation or as a result of subsequent public revelations.

By 17 March 2003, differences in the Security Council over continuing Iraqi non-compliance reached a head. China, France, Germany and Russia on the one hand and the UK and US on the other clashed heatedly over whether a second resolution was needed to authorize the use of force if Iraq were found to be in non-compliance with resolution 1441. The impasse led to the US declaring its intention of acting unilaterally. On 18 March, two days after Washington advised the UN that the inspectors should leave for their own safety, UNMOVIC and the IAEA withdrew from Iraq. So ended the second round of international inspections. Bombing by American and British aircraft began on 20 March and the coalition ground invasion was launched soon after.

*UNMOVIC's achievements*

Many observers and a majority of Security Council member states—China, France, Russia and all ten non-permanent members—felt that UNMOVIC had not been given enough time to fulfil its mandate. While Iraq had not been proactive in assisting the inspectors and continued to prevaricate about its past programmes, it had nonetheless co-operated sufficiently to permit UNMOVIC and the IAEA to carry out their tasks unhindered and had consistently backed down on specific issues when pressure was applied by the Security Council.

UNMOVIC had barely been in the country three months. It had not yet completed its second phase, had only just begun receiving overhead imagery and had not installed monitoring equipment. It had still to establish an office in Basra, which would have opened up southern Iraq to more thorough inspection and increased the element of surprise. In the end only seven sites were inspected in the southern third of the country. UNMOVIC had also interviewed only a fraction of the scientists and officials that it wanted to.

UNMOVIC appeared at all times to act professionally and efficiently, despite adverse conditions. Among these were the failure by the UK and the US to provide adequate, reliable intelligence early enough to allow inspections to progress more quickly. It turns out, in retrospect, that there was no such intelligence information available, which is why they were so coy about providing it. Also difficult for UNMOVIC were the insinuations and criticisms about its alleged shortcomings made by some within or associated with the US administration. Blix, as the head of an international body that was supposed to balance the interests of all UN member states, including Iraq, could clearly not engage in an open, all-out debate with his critics without further harming UNMOVIC's reputation. On the contrary, his official reports to the Security Council and public comments were a model of tact, balance and diplomacy.

If there was one failure by UNMOVIC to fulfil its mandate, highlighted extensively by US officials, it was Blix's understandable reluctance to attempt to remove Iraqi scientists (accompanied presumably by their families) from Iraq for interview. Plans were, however, being developed, before UNMOVIC's withdrawal, for this process to occur in another Arab state or possibly Cyprus. Some commentators suggest that this would not have helped much, as scientists might have still felt

too intimidated by the Iraqi regime to have divulged much information of use. Even after the invasion of Iraq the US has had little success in inducing Iraqis to talk, or if they have agreed to do so they have revealed little or have actually denied the existence of WMD programmes or plans.

The post-war failure of US and coalition forces and the Australian/UK/US Iraq Survey Group (ISG) to uncover anything more than UNMOVIC has gilded the reputation of both UNSCOM and UNMOVIC. Calls for the ISG to be given more time and vastly greater resources when it was unable to discover rapidly any WMD have only reinforced the notion that UNMOVIC itself should have been afforded these. The difficulty for both UNSCOM and UNMOVIC, even if they had been given more time and resources, was the perennial challenge that all verifiers, including the ISG, face—that of verifying a negative, in this case the absence of Iraqi WMD capabilities. The professional duty of verifiers to give honest assessments of the probabilities involved in obtaining verifiable certainty provides openings for those with political motives to invoke worst-case scenarios that are ultimately unverifiable.

### **Strategic lessons**

The first strategic lesson to be drawn from the cases of UNSCOM and UNMOVIC, and the experiences of their partner in the nuclear field, the IAEA, is that international verification can work effectively even under the most disadvantageous of conditions. Despite Iraq's non-co-operation and deliberate attempts at sabotage all three bodies broadly succeeded in their verification mission. All demonstrated that an international inspection regime can perform creditably: they were able to prepare themselves well, deploy quickly, use technology skilfully, organize efficiently, maintain their impartiality and produce sober, balanced reports of a high technical standard. They were also able to follow intelligence leads successfully and reach quick and decisive, albeit suitably caveated, conclusions.

The findings of UNSCOM, the IAEA and UNMOVIC respectively have subsequently been found to be true for the most part. Iraq did destroy the bulk of its WMD assets, either unilaterally before inspections commenced or under international supervision. In the nuclear sphere, the closure by the IAEA of its file on the grounds that Iraq no longer possessed significant capabilities or could rejuvenate them

swiftly has proved to be the correct decision. Similarly UNMOVIC determined that the chemical weapons programme had, with a few innocuous exceptions, largely been eradicated. In the biological weapons area, while substantive questions remained after UNSCOM's withdrawal, some of which even now have not been satisfactorily explained, the more outlandish claims made by the US intelligence services, such as the existence of mobile BW laboratories and pilotless drones for BW dissemination, were credibly rebuffed by UN inspections. In the missile realm, where question marks remained after UNSCOM's departure, UNMOVIC did detect violations and was in the process of destroying the missiles concerned when it was extricated.

A second strategic lesson follows from the first. The experience of all three bodies has demonstrated once more that the full support of the Security Council, or at least that of its permanent membership, is essential if a multilateral verification endeavour is to succeed in the face of opposition from the country being verified. In the UNSCOM case, a significant cause of its ultimate failure was French and Russian reluctance to press Iraq to comply and to extend full political support for intrusive inspections. Without a united Security Council, Executive Chairman Butler was unable to force the Iraqis to back down.

In the case of UNMOVIC, the re-admission of inspectors to Iraq and the substantive success of the process, even up to the point at which it was pulled out of the country, was undoubtedly due to the steeling of the Security Council's nerve by the UK and the US. The threat of the use of force in the event of continuing Iraqi non-compliance and a growing UK-US military presence on Iraq's doorstep undoubtedly were key factors in forcing Baghdad to yield. In turn, the premature withdrawal of UNMOVIC was caused by the flaunting of the majority view of the Security Council, not by Iraq, but by the UK and the US. Purported growing US impatience with the inspection process, in reality masking a pre-determined preference for military means irrespective of UNMOVIC's performance,<sup>28</sup> split the Security Council irredeemably.

A third strategic lesson is that an international monitoring and verification system backed up by military pressure, especially in combination with economic sanctions and control of militarily significant imports and exports, can result in effective containment of a renegade regime. Having, as it turned out, successfully disarmed Iraq of its WMD assets, it can now be seen that the planned Reinforced

Ongoing Monitoring and Verification regime (never fully implemented) would likely have proved effective in detecting and thereby deterring any future moves by Iraq to reacquire its lost capabilities.

In addition to these strategic lessons there are numerous institutional, operational and technical lessons that have been learned as a consequence of the UNSCOM/UNMOVIC/IAEA experience in Iraq.

### **Institutional lessons**

Institutionally, there was not only a direct lineage between UNSCOM and UNMOVIC, but also some evolution. Both were established by the Security Council and remained under its control and direction, rather than becoming part of the UN Secretariat. This had advantages for the political credibility of the organization, in that there was a direct line of authority to the Security Council. Both UNSCOM and UNMOVIC were headed by executive chairmen with strong powers and who were answerable to the Security Council (although appointed by the UN Secretary-General) and a College of Commissioners.

Iraq could have been under no illusion that it was dealing with another toothless part of the sprawling UN bureaucracy under a Secretary-General obliged to observe diplomatic niceties. Indeed Butler resisted attempts, as he saw it, by Annan to manage him, criticizing the latter for his alleged over-solicitousness towards the Iraqis.<sup>29</sup> The US too was critical when it appeared that Annan had reduced UNSCOM's inspection powers in respect of the so-called presidential sites. All of this reinforces the necessity for the head of such verification operations in future to be as independent of the UN Secretary-General and the UN Secretariat as possible.

Finance is also critical to organizational independence. UNSCOM had been funded for the first six months from the UN Working Capital Fund and subsequently by individual, mostly Western or pro-Western UN member states.<sup>30</sup> By funding UNMOVIC through the Iraq Oil for Food programme escrow account (0.8 per cent), the independence of the body, as well as the ready availability of funding, was assured. Had UNMOVIC been set up under the UN Secretariat or by the UN General Assembly, it would have had its budget scrutinized by the Advisory Committee on Administrative and Budgetary Questions (ACABQ) and undoubtedly

seen it whittled down by those states that objected politically to its existence. UNSCOM's reliance on seconded staff provided and paid by UN member states (in addition to seconded personnel from various UN agencies) had called into question its independence, as well as being unsatisfactory from a managerial perspective. Independent funding enabled UNMOVIC to hire the necessary staff quickly, an essential requirement when inspections have been urgently mandated by the Security Council.

While the vast majority of its personnel undoubtedly behaved professionally and in the best interests of the international community, UNSCOM was to a certain extent subject to undue influence by some UN member states. This occurred in two ways. First, the nature and pace of inspections may have been shaped without the agreement of UNSCOM's executive chairman. Former US National Security Advisor Richard Clarke claims that he 'set up' the confrontational nuclear inspections under UNSCOM, with British connivance; it is not clear whether these were approved by the executive chairman in advance.<sup>31</sup> A second misuse of UNSCOM was the reported planting of listening devices by the US on UN monitoring equipment and the use of inspections for national intelligence-gathering purposes as a result of inspectors reporting back to capitals.

Compared to UNSCOM, UNMOVIC was more successful in avoiding being taken advantage of by any UN member state. In addition it managed not to offend Iraqi sensibilities unnecessarily and was able to parlay strong Security Council support into achieving Iraqi co-operation, if not proactive engagement and full compliance.

### *Intelligence information and verification*

There are continuing lessons to be learned from both UNSCOM and UNMOVIC with regard to the relationship between intelligence information and multilateral verification. Clearly intelligence information can, in theory, be of great assistance to multilateral verifiers. It may, for instance, be derived from highly sophisticated NTM that are beyond the reach of international bodies. High-resolution satellite photography is one such example, although one that is declining in importance with the advent of cheap commercial satellite images with resolutions below one metre.

But, as in the Iraqi case, national intelligence data can also consist of analysis of information from HUMINT sources or electronic eavesdropping. As the various

inquiries by legislatures in Australia, the UK and the US have revealed, such intelligence information may be based on unreliable, self-interested and/or malicious sources. National intelligence agencies, adopting worse-case scenarios or under political pressure can dangerously inflate their assessments. By the time such analysis and 'information' is provided to multilateral verifiers it may have lost its qualifiers, its context and often, in an effort to protect the source and collection method, its provenance. International verification bodies thus need to be extremely wary of taking intelligence information provided by states at face value, even when it is supplied in good faith. In fact Rolf Ekéus says that the 'much-hyped intelligence provided [to] UNSCOM by member states was insignificant and highly marginal in the work to identify the WMD programmes and to establish the material balance'.<sup>32</sup>

It appears that UNMOVIC did learn from the difficulties that UNSCOM experienced in regard to what was later seen as too cosy a relationship with national intelligence agencies. There was, however, a price to pay. In seeking to formalize the relationship between UNMOVIC and national intelligence agencies by restricting it to the highest levels and a single designated 'conduit', UNMOVIC may have cut itself off from valuable contacts and information at the working level. This may be a necessary trade-off, though, to keep the intelligence/verification nexus as pristine as possible.<sup>33</sup> The relationship between any future inspection agency and national intelligence bodies needs to be subject to thorough review and careful thought.<sup>34</sup> It is encouraging, however, that UNSCOM, the IAEA and UNMOVIC were never accused of leaking classified information and indeed were successful in establishing systems to safeguard it. This should help repudiate critics who claim that UN bodies inevitably 'leak like sieves'.

### *Verification and public relations*

A key lesson for the future that has been identified by the IAEA, but which applies equally to UNMOVIC, is that multilateral verification bodies need to make better use of the media to convey their achievements to the public and decision-makers.<sup>35</sup> In part because of the multilateral nature of such bodies, but also because traditionally UN bodies have not been adept in defending their case, it was relatively easy for ill-informed and hostile observers to impugn the intentions and capabilities of the inspectors. Naturally there are constraints on how virulently UN bodies



can engage in self-defence in these circumstances, especially when critics can be as senior as the US vice-president. Nonetheless, they should have public information and media capacities to enable their case to be injected clearly into the public domain.

### *Deception and denial*

While initially UN inspections in Iraq may have begun in the naive hope that they would be concluded within weeks, if not months, UNSCOM soon found itself on a steep learning curve in terms of the degree of deception and denial that Iraq was willing and able to engage in. UNSCOM, the IAEA and UNMOVIC all ended up participating in a 'deception and denial' race, in which the Iraqis attempted to employ increasingly sophisticated means which the international bodies sought to counter with innovative schemes of their own. Both bodies set up their own special units to deal with the issue. Just one example relates to prior notification of inspections: after realizing that pre-notification allowed the Iraqis the opportunity to clear intended sites of any traces of WMD, the inspectors opted to set off vaguely in one direction, while leaving their actual destination a mystery until the last possible moment. Learning and using such counter-deception techniques is unusual for a UN body, but clearly necessary in the circumstances.<sup>36</sup> The lessons of such campaigns need to be collated and analyzed so that they can be drawn on when future challenges to verification arise.

### **Technical lessons**

The technical lessons that may be gleaned from the UNSCOM/IAEA/UNMOVIC experience are too numerous to be detailed in this chapter. Nonetheless several broad categories of lessons are readily identifiable. One is the need for rapid deployment. All three verification bodies fared well in this respect, but such endeavours in future would be facilitated by pre-leased airlift, pre-positioned equipment and standing contracts with inspection personnel, rosters of experts and pre-certified analytical laboratories. A second lesson is that UN verification bodies are clearly capable of rapidly absorbing and even advancing the latest verification techniques and technologies. Examples from the Iraq experience include U-2

overflights, ground-penetrating radar and environmental sampling. This should give pause to those who claim that UN bodies will always be behind the technology curve.

An innovation of UNSCOM and UNMOVIC, one acted on most stridently by David Kay as an IAEA inspection team leader, was the hunt for, and the use of, a paper trail—documents that would reveal WMD assets and intentions—rather than searching endlessly for the capabilities themselves.<sup>37</sup> A further innovation of UNMOVIC was what might be termed ‘verification archaeology’, the digging up of sites to detect buried weapons or weapons components or to determine destruction techniques and timelines. UNMOVIC did this fruitfully both in relation to missiles and chemical weapons. Finally, the role of UNSCOM and UNMOVIC in seeking information from UN member states about Iraqi imports of weapons-related technology and materials and those of a dual-use character, and about the companies and organizations involved, was also unprecedented for a UN body. The IAEA has followed this precedent by attempting to trace the reach of the A.Q. Khan network in facilitating nuclear proliferation in the cases of Libya, Iran and North Korea. Such precedents are valuable for future counter-proliferation efforts.

Perhaps the greatest legacy of the Iraq verification experience, though, is the size of the verification cadre that it has produced. Literally hundreds of inspectors have been trained and have gained field experience in all areas of WMD verification. This has benefited standing verification bodies like the IAEA and the Organisation for the Prohibition of Chemical Weapons (OPCW), and will also be useful for any future BW investigations that are launched under the mandate of the UN Secretary-General<sup>38</sup> or by a future BW organization. Such experience and capacity should be retained and nurtured, including by considering establishing a permanent, standing verification body to succeed UNMOVIC, which would be available to meet future Iraq-style non-compliance challenges.

Further lessons relate to health and safety and environmental issues, which may seem minor and parochial, but which can assume great significance. UNSCOM initially underestimated the time that it would take to ensure the safety and security of its personnel in a hostile political and physical environment. If such considerations are not taken into account, verification can stop dead in its tracks, with severe political ramifications. Several UNSCOM inspectors suffered damaging exposure

to toxic chemicals; UNMOVIC was much more careful in this respect, having learned the correct lessons. Similarly, the UN cannot be seen to be flaunting environmentally sound practices and international conventions in its rush to destroy WMD. In the early days of UNSCOM, for instance, chemical weapons were simply dynamited in open pits. Criticism of verification activities on environmental grounds can provide yet one more political excuse for opposing such multilateral action.

### **Conclusion**

The experiences of the three international bodies involved in verification in Iraq have been both salutary and path-breaking. They have added greatly to the store of verification lore and capacity that can be utilized by similar endeavours in future.<sup>39</sup> Lessons learned have already been fed into the standing multilateral verification bodies and were notable in the UNSCOM–UNMOVIC transition. The task for the international community is to ensure that such capacities as have been developed are preserved and strengthened. Providing the UN with the ability to launch intrusive, highly capable verification operations when required may at the very least give pause to the small number of states that are tempted to violate international treaties and norms relating to WMD.

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**Endnotes**

- 1 An earlier version of this chapter was prepared for a research project on 'The Iraq Crisis and World Order' organized by the International Peace Academy in New York and the United Nations University in Tokyo, Japan. The author is grateful for the research assistance of VERTIC Intern Benjamin Armbruster in preparing this chapter.
- 2 UN Security Council resolution 687, S/RES/687 (1991), 3 April 1991.
- 3 'Note by the Secretary-General', UN document S/23122, 8 October 1991 (report of the sixth IAEA inspection team).
- 4 UN Security Council resolution 707, S/RES/707 (1991), 15 August 1991.
- 5 A team of inspectors apparently read out the documents to a secretary in the US Department of State who typed them up for UN Secretary-General Kofi Annan and US President Bill Clinton. See Richard A. Clarke, *Against All Enemies: Inside America's War on Terror*, Free Press, New York, 2004, pp. 67–69.
- 6 Contrary to popular opinion Kamal's defection was not decisive for the success of UNSCOM's BW investigations. See Rolf Ekéus, 'Reassessment: the IISD strategic dossier on Iraq's weapons of mass destruction', *Survival*, vol. 46, no. 2, summer 2004, p. 74.
- 7 For details see Stephen Black, 'Verification under duress: the case of UNSCOM', in Trevor Findlay (ed), *Verification Yearbook 2000*, Verification Research, Training and Information Centre (VERTIC), London 2000, pp. 122–125.
- 8 'Memorandum of Understanding between the United Nations and the Republic of Iraq', 23 February 1998.
- 9 There are varying assessments of Butler's performance: clearly a tough executive chairman was needed to deal with the Iraqis, who were engaged in an increasingly aggressive concealment, deception and denial campaign. Throughout his career as an Australian diplomat Butler had been notably critical of US policy and could hardly be considered a US lackey. Nonetheless it clearly suited the Iraqis and their supporters to portray him that way. His relations with the French and the Russians, whom he suspected of attempting to undermine UNSCOM's effectiveness, at least partly for economic reasons, were poor. See Cameron Stewart, 'What the Butler saw', *The Australian Magazine*, 10–11 June 2000, pp. 33–37.
- 10 The Security Council had been unable to agree on the Secretary-General's first choice, Rolf Ekéus.
- 11 Richard Butler, *Saddam Defiant: The Threat of Weapons of Mass Destruction, and the Crisis of Global Security*, Phoenix, London, 2000, p. 239.
- 12 There were some who argued that UNMOVIC should not employ any UNSCOM personnel. Hans Blix, though, felt strongly that the new body should draw on the wealth of experience and expertise that his predecessors had put so much effort into acquiring.
- 13 'Report of the First Panel Established Pursuant to the Note by the President of the Security Council on 30 January 1999 (S/1999/100), concerning disarmament and current and future ongoing monitoring and verification issues', UN document S/1999/356, 27 March 1999.
- 14 Hans Blix, *Disarming Iraq: the Search for Weapons of Mass Destruction*, Bloomsbury, London, 2004, p. 50.
- 15 Blix, p. 49.
- 16 'Unresolved disarmament issues—Iraq's proscribed weapons programmes', UNMOVIC working document, 6 March 2003, which was presented informally to the Council. Paradoxically, a draft work programme was submitted to the Security Council for its approval on the very day that UNMOVIC completed its last inspection before leaving Iraq ('Draft work programme', UNMOVIC document, 17 March 2003).
- 17 UNMOVIC instigated a rolling programme of training on a wide range of topics: the past work of UNSCOM; the origins, mandate and legal framework of the commission; the scope and nature of Iraq's weapons programmes; monitoring and inspection techniques; and health and safety.

- 18 Multi-channel analysers (MCAs) were used to detect and assess gamma radiation from radioisotopes and neutron radiation from plutonium, while a gamma spectrometer was utilized to identify high-enriched uranium. Importantly, as nuclear activities often require exotic metals, x-ray fluorescence spectrometers were employed to distinguish between various metal alloys.
- 19 Iraqi Foreign Minister Tariq Aziz held talks with Kofi Annan on 7 March and again on 1 and 3 May. Technical talks were also held with an Iraqi delegation, headed by General Amer Al-Sa'adi, the main point of contact for UNSCOM on chemical and biological weapons.
- 20 'Iraq's Weapons of Mass Destruction—the assessment of the British government', The Stationary Office, London, 24 September 2002.
- 21 In June 1996 the Security Council requested him to go to Baghdad to obtain 'immediate, unconditional and unrestricted access' to all sites that UNSCOM wanted to inspect. In a statement of 22 June, signed by Deputy Prime Minister Tariq Aziz and Ekéus, Iraq agreed to the Security Council's demand in return for UNSCOM's assurances that it would 'operate with full respect for the legitimate security concerns of Iraq'. Ekéus produced 'modalities for sensitive sites' to alleviate Iraqi concerns. See Ekéus, pp. 76–77, for details.
- 22 Cuba voted against the initial UNSCOM resolution, while Ecuador and Yemen abstained.
- 23 Resolution 1154 of 2 March 1998 had, however, come close to threatening military action, in asserting that 'any violation would have severest consequences for Iraq'.
- 24 '13th quarterly report of the Executive Chairman of UNMOVIC to the Security Council', UN document S/2003/580, 30 May 2003. For a detailed log of the inspections see VERTIC's online database at [www.vertic.org/onlinedatabase/unmovic](http://www.vertic.org/onlinedatabase/unmovic).
- 25 'Fifteenth Consolidated Report of the Director General of the International Atomic Energy Agency under paragraph 16 of the UNSC Resolution 1051 (1996)', 11 April 2003.
- 26 Of the inspections conducted by UNMOVIC, 219 (30 per cent) were carried out by missile teams, 205 (28 per cent) by biological teams, 161 (22 per cent) by chemical teams and 146 (20 per cent) by multidisciplinary teams. In addition to inspections, the INVO also conducted 125 surveys, including 42 at locations not previously visited by the IAEA. The surveys included land- and vehicle-based sampling, with inspectors travelling over 8,000 kilometres to visit state-run industrial and military locations, as well as urban areas. They also conducted a radiometric survey of Iraq's main water-courses from 9–19 December, 2002.
- 27 Hans Blix, 'Briefing of the Security Council, 7 March 2003: Oral introduction of the 12th quarterly report of UNMOVIC', 7 March 2003, and '12th quarterly report of the Executive Chairman of UNMOVIC to the Security Council', UN document S/2003/232, 28 February 2003.
- 28 Richard Clarke records that, in the days after the 11 September 2001 attacks on the US, when he expected to be talking about strategy to deal with al-Qaeda, he instead 'realized with almost a sharp physical pain' that Secretary of Defense Donald Rumsfeld and Deputy Secretary of Defense Paul Wolfowitz were 'going to take advantage of this national tragedy to promote their agenda about Iraq' (Clarke, p. 30). Quizzed in an ABC television interview about the 'hard fact that there were weapons of mass destruction, as opposed to the possibility that [Saddam] might move to acquire those weapons', President Bush replied revealingly: 'What's the difference?' (Clarke, p. 266). Clarke also notes that Charles Duelfer, former Deputy Executive Chairman of UNSCOM and the last head of the now disbanded Iraq Survey Group, who was one of the leading US experts on Iraqi WMD, had thought in 2002 that no large and threatening stockpiles remained in Iraq. He was ignored by the US administration until he was appointed to lead the ISG (Clarke, p. 267).
- 29 'Deeply alarming' says Butler, 'was the behaviour of... Kofi Annan, who repeatedly tried to deal with the problems raised by an outlaw regime by papering them over with diplomacy'. See Richard Butler, 'Why Saddam is winning the war', *talk*, vol. 1, no. 1, September 1999, pp. 196–201.

- 30 Notably Australia, France, Japan, Kuwait, Norway, Saudi Arabia, the UK and the US.
- 31 Clarke, pp. 67–69.
- 32 Ekéus, p. 78.
- 33 For further analysis of the verification/intelligence relationship, see Brian Jones, ‘Intelligence, verification and Iraq’s WMD’, in this volume.
- 34 Jessica Tuchman Mathews, ‘What happened in Iraq? The success story of the United Nations inspections’, keynote address delivered at the ‘International Peace Academy Conference on Weapons of Mass Destructions and the United Nations: Diverse Threats and Collective Responses’, New York, 5 March 2004, Carnegie Endowment for International Peace, [www.ceip.org](http://www.ceip.org).
- 35 Jacques Baute, ‘Timeline in Iraq: challenges and lessons learned in Iraq’, *IAEA Bulletin*, June 2004, p. 67.
- 36 For the details of UNSCOM’s counter-deception and denial techniques, see Ekéus, p. 75.
- 37 Blix notes that: ‘I came to recognize in 1991 that both David Kay and UNSCOM had a better instinct than I: namely, on the importance of searching for relevant documents ... the rich caches of documents which Kay seized that year showed that such a search could be highly rewarding—providing you had good intelligence on where to look’. Blix, p. 26.
- 38 See Angela Woodward, ‘BW: revisiting the UN mechanism’, *Trust & Verify*, no. 116, September–October 2004, pp. 3–4.
- 39 For analysis of issues relating to the future role of UNMOVIC post-Iraq, see Trevor Findlay, ‘Preserving UNMOVIC: the institutional possibilities’, *Disarmament Diplomacy*, no. 76, March/April 2004.