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Ten years ago, the world was confronted by a country whose suspected nuclear weapons program was causing acute concern. The international community expended considerable time and effort on inducing Iraq to comply with UN-mandated measures designed to provide assurance that Baghdad was not developing weapons of mass destruction (WMD).

During the summer of 2002, Iraq and the United Nations discussed possible terms for resuming inspections and monitoring of Iraqi weapons programs. On September 16, Iraq agreed to re-admit UN inspectors into the country and subsequently began discussions with the UN on practical inspection details. The United States and United Kingdom, however, pushed the UN Security Council to adopt a new resolution governing Iraq's disarmament, arguing that the existing resolutions did not provide the inspectors with adequate authority. On November 8, the council adopted Resolution 1441, which required the Iraqi government to complete a series of disarmament requirements contained in previous council resolutions, the first of which was adopted in 1991 following the Persian Gulf War.

These events took place against a backdrop of indications from U.S. officials, including President George W. Bush, that Washington might use military force against Iraq to end what they portrayed as the threat posed by Baghdad's nonconventional weapons.

Despite Baghdad's subsequent cooperation with UN weapons inspectors, who found no evidence of ongoing prohibited weapons programs, the United States led an invasion of Iraq in March 2003 without council approval. The world subsequently learned that Baghdad had destroyed its nonconventional weapons and related programs following the 1991 war.

Thus, the UN disarmed Iraq, but did not prevent a war. A partial explanation for that result lies in three elements of the Security Council process: the erosion of international support for sanctions, the mismatch between the resolutions' goals and mandates, and the circumvention of the council process by the United States and the United Kingdom. These factors warrant consideration by the international community as it continues to debate the proper course of action regarding nuclear programs of concern.

Background

Following the 1991 war, the Security Council adopted a series of resolutions, beginning with Resolution 687, that required Iraq to declare its programs for nuclear, chemical, and biological weapons, as well as missiles with ranges exceeding 150 kilometers, and to destroy the weapons and related materials under UN monitoring (see box, page 46). The resolutions also required Baghdad to accept an ongoing UN monitoring regime to prevent Iraqi reconstitution of its prohibited weapons programs.

The story of Iraq's interference with the inspectors during the 1990s has been told in detail elsewhere.[1] In brief, Iraq interfered with the inspections by, for example, lying to UN inspectors about its WMD programs and destroying weapons and related materials without proper UN supervision. Baghdad decided to cooperate with inspectors in 1995, but never fulfilled all the requirements of the Security Council resolutions.

[1]
Iraq continued to exhibit inconsistent cooperation with the inspectors, whom the UN withdrew in December 1998 shortly before the United States and the United Kingdom conducted air strikes on suspected Iraqi weapons facilities. For several years afterward, the council struggled unsuccessfully to induce Baghdad to accept renewed weapons inspections. Iraq finally agreed to admit inspectors in response to Resolution 1441.

The November 2002 resolution gave Iraq “a final opportunity to comply with its disarmament obligations” under relevant council resolutions. The resolution required Baghdad to give the inspectors, whom the resolution provided with enhanced authority, a “currently accurate, full, and complete declaration of all aspects” of the country’s WMD programs and to grant the inspectors “immediate, unimpeded, unconditional, and unrestricted access to any and all” locations and personnel. [2]

By mid-March 2003, the inspectors had not yet completed their task, and Iraq had not fully complied with the requirements of Resolution 1441. Yet, Baghdad had admitted UN inspectors and allowed them to operate freely, albeit after some initial resistance; provided them with information on its past WMD programs; and begun destroying its al Samoud-2 missiles. Moreover, the inspection leaders told the Security Council shortly before the invasion that they needed only a short time to complete their tasks. Nevertheless, on March 19, 2003, the United States led an invasion of Iraq.

Sanctions Fatigue

A September 2004 report from the Iraq Survey Group (ISG), the U.S.-led task force charged with coordinating the search for Iraqi nonconventional weapons, as well as a 2006 CIA report, makes clear that the combination of sanctions and inspections imposed by the Security Council beginning in 1990 and 1991, respectively, prevented Iraq from reconstituting its programs to develop such weapons. [3] “The compounding economic, military, and infrastructure damage caused by sanctions—not to mention their effect on internal opinion in Iraq—focused Saddam [Hussein] by the mid-90s on the need to lift sanctions before any thought of resuming WMD development could be entertained,” the ISG report said.

Until the September 11, 2001, terrorist attacks on the United States, however, Security Council and worldwide public support for the sanctions was eroding, partly because of concerns about the sanctions’ impact on Iraqi civilians. Moreover, some governments were circumventing council-imposed prohibitions on the sale of Iraqi oil, and Baghdad was importing weapons-related materials. Iraq was pursuing what the ISG report described as a strategy to “outlast the containment policy of the United States imposed through the UN sanctions.” [4]

Indeed, the Bush administration was sufficiently concerned that it, along with the United Kingdom, began a campaign in the spring of 2001 to persuade the Security Council to expand the range of goods that Iraq could import. [5] The erosion of sanctions contributed to some observers’ claims that the international community could not contain Hussein’s suspected weapons ambitions.

Ends-Means Mismatch

Iraq initially defied the disarmament requirements of Resolution 687. Shortly after the inspections began in 1991, Hussein chose to withhold information about the country’s WMD programs. Later that year, Iraq destroyed illicit weapons and related materials outside the inspectors’ presence in an effort to maintain the capacity to develop chemical and nuclear weapons in the future. [6] These unilateral destruction efforts were inconsistent with Resolution 687 and greatly complicated the council’s ability to determine that Iraq had actually destroyed the weapons.

In 1995, Iraq decided to “cease efforts” to retain nonconventional weapons and comply with the inspections, according to the 2006 CIA report. [7] After these 1995 efforts were met with “added UN scrutiny and mistrust,” however, Hussein’s regime believed that “inspections were politically motivated and would not lead to the end of sanctions,” said the CIA report, which added that Iraq viewed concerns about nonconventional weapons as a “pretense to bring about regime change.” Consequently, Baghdad turned to “illicit economic weapons to end its isolation, eliminate sanctions,” and protect civilian infrastructure that also could be used in illicit weapons production. These actions
“increased suspicions that Iraq continued to hide” nonconventional weapons, according to the report.

These suspicions, coupled with Iraq’s failure to allow the inspectors to verify the destruction of its nonconventional weapons, Baghdad’s subsequent ejection of the inspectors, and its approximately four-year refusal to re-admit them, created an information vacuum that understandably was filled by suspicion. In some quarters, this suspicion evolved into firm convictions that Iraq still had active WMD programs in 2002.

The failure of the UN-formulated incentive structure—the end of sanctions in return for verified disarmament and follow-on monitoring—contributed to this outcome because Iraqi disarmament did not equate with Iraqi compliance and because the Security Council did not effectively adapt to Iraq’s partial compliance and the changed status of the country’s illicit weapons programs.\[8\]

### Security Council Resolutions on Iraq

The following list summarizes the relevant UN Security Council resolutions adopted following the end of the 1991 Persian Gulf War.

**RESOLUTION 687: CEASE-FIRE TERMS (APRIL 3, 1991)**

Demanded that Iraq “unconditionally accept the destruction, removal, or rendering harmless” of its chemical and biological weapons, ballistic missiles with a range greater than 150 kilometers, and related components, research programs, and facilities. Required Iraq to refrain from acquiring or developing nuclear weapons or weapons-grade nuclear material.

Established the UN Special Commission (UNSCOM) to verify that Iraq complied with these requirements and called for placing all weapons-grade nuclear material under International Atomic Energy Agency (IAEA) control “for custody and removal” with UNSCOM assistance.

Required the UN secretary-general, with the cooperation of UNSCOM and the IAEA, to develop plans for the “future ongoing monitoring and verification of Iraq’s compliance” with the ban on nonconventional weapons and certain missiles.

Maintained the economic embargo against Iraq established by Resolution 661 in 1990 after Iraq invaded Kuwait. Specified that the Security Council would lift the embargo when the council agreed that Iraq had met all its disarmament obligations.

**RESOLUTION 715: ONGOING MONITORING AND VERIFICATION (OCTOBER 11, 1991)**

Approved the plans for ongoing monitoring and verification developed by UNSCOM and the IAEA and submitted by the UN secretary-general to the Security Council, as required by Resolution 687.

**RESOLUTION 986: CREATION OF UNMOVIC (DECEMBER 17, 1995)**

Created a program allowing Iraq to sell up to $2 billion of oil every 180 days, a limit that the Security Council later removed. Authorized the United Nations to hold proceeds from these sales in an escrow account. Specified that the funds were reserved for buying supplies “essential” for civilian needs.
Circumventing the Security Council

The adoption of Resolution 1441 and Iraq’s subsequent decision to admit UN inspectors provided an opportunity to resolve reasonable concerns about Iraq’s suspected WMD programs. It now is known that Hussein ordered his military to comply with the inspections.[9] Indeed, as noted above, Iraq had mostly complied with the resolution’s provisions by the time of the U.S.-led invasion. Moreover, the inspection leaders reported to the Security Council in March 2003 that their teams had found no biological, chemical, or nuclear weapons in Iraq and that resolving the “remaining disarmament tasks” would take only “months.”[10] That month, some Security Council members, such as France, proposed measures for improving the inspections process in lieu of military action.

It has long been clear that the Bush administration planned to invade Iraq regardless of whether Baghdad complied with Resolution 1441’s disarmament requirements.[11] Indeed, Washington’s disdain for the Security Council process was evident before UN inspectors even entered Iraq.[12] For example, a White House spokesman claimed on November 18, 2002, that Iraq had violated the resolution by shooting at U.S. planes that were enforcing no-fly zones over Iraq.[13] Although the resolution prohibited Baghdad from taking “hostile acts” against any UN member state “taking action to uphold any [Security] Council resolution,” the zones had never been authorized by the council. Even the British government said the zones were not supported by the resolutions.[14]

Moreover, U.S. officials claimed, inaccurately, that U.S. intelligence contradicted the inspectors’ findings. For example, Secretary of State Colin Powell, citing unnamed intelligence sources, stated on March 5, 2003, before the invasion, that Iraq was evading UN inspections by moving banned chemical and biological materials. He dismissed Iraq’s destruction of its al Samoud missiles, asserting that Baghdad had ordered “the continued [covert] production” of such missiles. Notably, the United States withheld intelligence from the inspectors.[15]

Lastly, at least some Bush administration officials wished to overthrow Iraq’s government. The administration had a “menu of arguments” for invading Iraq, such as removing the regime in order to end the government’s human rights violations and to “score a geopolitical victory,” Richard Haass, the Department of State’s policy planning director at the time of the invasion, said during a television interview on September 5, 2003.[16] Iraqi compliance with Resolution 1441 presumably would not have satisfied these goals because Hussein would have remained in power.

Concluding Observations

The Security Council failed in its mission to eliminate Iraq’s illicit weapons programs peacefully. The resolutions did not convince Hussein’s government that it would be rewarded for compliance, and the sanctions were losing their ability to compel such compliance. In addition, the council did not adapt its compliance mechanism to the uncertainty created by Baghdad’s unilateral weapons destruction, which, although ill considered and illegal, did eliminate Iraq’s illicit weapons. Nevertheless, it is reasonable to believe that the Security Council could have devised a method for...
resolving this situation, had the United States and United Kingdom allowed the process to continue.

One lesson that can be drawn from the Iraq experience is that UN-mandated sanctions and inspections can effectively manage international concerns about illicit nonconventional weapons programs, but the durability and effectiveness of these tools depend on a variety of factors, including the support of council members, cooperation by the target country, and an incentive structure that properly aligns means and ends.

The Iraq experience also suggests that Security Council resolutions may have a better chance of succeeding if they can adapt to changed circumstances. Maintaining flexibility may be necessary in order to resolve satisfactorily whatever WMD issues may be of concern, especially if the target government has satisfied some or all of the resolution’s goals, even while failing to follow the mandated procedures.

As the international community continues to employ and refine sanctions and inspections to help address the nuclear programs of Iran and North Korea, it is worth noting that Iraq is the only other case in which the Security Council has placed sanctions on a country for reasons relating to proliferation of nonconventional weapons. One also could consider the major powers’ relationships with India and Pakistan following those governments’ 1998 nuclear tests. The Security Council responded to those tests by adopting Resolution 1172, which imposed no sanctions but required India and Pakistan to end their nuclear weapons and ballistic missile programs. Although both governments have continued those programs, the United States and other governments have not imposed sanctions for more than a relatively brief period and overall have maintained and increased ties with them. Governments, such as those of Iran and North Korea, have surely considered all three of these cases. Perhaps they have learned that noncompliance, rather than its opposite, may yield favorable results.

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ENDNOTES

1. See, for example, “Iraq: A Chronology of UN Inspections,” Arms Control Today, October 2002.


4. For an explanation of these events, see ibid. See also Alex Wagner, “UN Security Council Overhauls Iraqi Sanctions Regime,” Arms Control Today, June 2002.

5. These changes were codified in Security Council Resolution 1382, adopted in November 2001.


7. CIA, “Misreading Intentions.”
8. Security Council Resolution 1284, adopted in late 1999, may have further obscured the process. The resolution stated that, following Iraq’s compliance with “key remaining disarmament tasks,” the council would “suspend” sanctions for 120-day periods, renewable by the council. UN Security Council, S/RES/1284, December 17, 1999.

9. Iraqi military leaders “were instructed at a meeting in December 2002 to ‘cooperate completely’ with the inspectors, believing full cooperation was Iraq’s best hope for sanctions relief in the face of U.S. provocation.” Duelfer, “Comprehensive Report of the Special Advisor to the DCI.”


11. For example, the British Secret Intelligence Service chief noted in July 2002 after meeting with U.S. officials in Washington that the Bush administration intended to overthrow Hussein based on the justification that the regime had illicit weapons programs and had supported terrorism. See Memorandum to David Manning from Matthew Rycroft, Iraq: Prime Minister’s Meeting, 23 July, July 23, 2002, http://downingstreetmemo.com/memotext.html


13. Along with France and the United Kingdom, the United States established the no-fly zones over the northern and southern thirds of Iraq after the 1991 war.


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