

WMD Inspections in Iraq:

A Trap or an Opportunity?

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Brief Analysis

President George W. Bush's speech to the UN General Assembly on September 12 is expected to lay out U.S. policy on Iraq. There are strong arguments against raising the issue of arms inspections at all during this speech, and even stronger arguments for proposing a specific deadline for resuming inspections.

Disadvantages of Calling for Inspections

The greatest danger in pursuing the inspections route is that it would narrow the debate into a discussion of what concessions must be offered to Iraqi leader Saddam Husayn in order to secure his cooperation with weapons of mass destruction (WMD) inspections. In 1997-1998, Saddam showed that he was a master at generating small crises over issues that, taken by themselves, seemed too inconsequential to be made into matters of principle meriting a forceful response. He was able to secure compromises that gradually blunted the effectiveness of the inspections program, all the while generating sympathy and support among many in the Arab world and Europe who were convinced that the United States was being unreasonably obstinate. By the time he ceased pretending to cooperate with the UN inspectors in 1998, Saddam had been able to play on that sympathy in order to dramatically loosen the sanctions on Iraq, including the removal of UN limits on Iraqi oil exports and reduced enforcement by Iraq's neighbors. History shows that Saddam's appetite only grows as he is fed more inducements, and that only the credible threat of force secures Iraqi cooperation.

A focus on inspections could allow Saddam to outlast the world's political will. His most obvious strategic option would be to offer his cooperation and then delay until the current crisis atmosphere dissipates. That may be difficult, however, given Iraq's long history of creating obstacles and reversing previously announced cooperation initiatives. Securing agreement in the Security Council on a deadline should be a manageable proposition. But consider what would happen if inspectors returned to Iraq and were unable to find much in the way of WMD. If they subsequently stated that they had completed the dismantling portion of their mission, then it would be difficult to sustain the political will for the sort of ongoing monitoring that all of the relevant UN resolutions insist upon -- monitoring, according to the UN's disarmament experts, that would have to be at least as intrusive as in past inspections, and that would have to be maintained for decades.

Even assuming that inspections were resumed, there is a grave risk that Saddam would simply learn how to hide Iraq's WMD programs more effectively. Indeed, that is the danger of releasing information about the extent of Washington's knowledge concerning Saddam's ongoing WMD efforts; experience shows that Saddam would carefully examine such information to determine which clandestine efforts he has successfully hidden. Indeed, Iraq has had considerable success in concealing its WMD programs from international inspectors. Not only was it able to hide its nuclear weapons program from International Atomic Energy Agency (IAEA) inspectors before 1990, but after the 1995 defection of Saddam's son-in-law Husayn Kamil, it became clear that the Iraqis had been able to manufacture chemical weapons even while inspectors were in the relevant facilities. More recent defectors have told credible stories about new concealment techniques that are even more effective. In other words, it would be overly optimistic to anticipate that inspectors could end the threat of Iraqi WMD.

Finally, even monitoring that successfully controlled Iraqi WMD would nevertheless leave Saddam in power. To be sure, U.S. policy would remain one of regime change, but only in the same nominal sense that the United States supports regime change in Cuba. Saddam, aged sixty-five, could remain in power for twenty more years, oppressing the long-suffering Iraqi people and harboring ambitions to strike at his neighbors as soon as the opportunity presented itself.

Advantages of Calling for Inspections

The great advantage of pressing for inspections is that such a strategy would provide a focus for international diplomatic activity, similar in many ways to the imposition of UN sanctions on Iraq in 1990. As with sanctions in 1990, inspections:

- Could be done right away, even while forces are being sent to the region for use if military action proves necessary. In other words, attempts to resume inspections would impose no delay regarding military operations. Indeed, they could facilitate military operations by suggesting to Saddam that he would do well to negotiate rather than to order a preemptive strike at a time when U.S. forces are only beginning to arrive in theater.
- Are unlikely to solve the problem with Iraq, but would nevertheless show that the United States and the rest of the international community are making every effort to resolve their differences with Iraq peacefully, without military conflict.
- Would serve to demonstrate the resolve of the United States and its partners with regard to halting Iraq's violations of Security Council orders. Iraq's neighbors need to be reassured that the United States is serious before they can be expected to put themselves at risk of Iraqi retaliation. Much as the United States suffered from a credibility problem in the Middle East before the Gulf War because of its perceived weakness in responding to the Iran hostage taking and the Beirut Marine barracks bombing, so too America faces a credibility problem today because it has issued numerous tough statements about Iraq over the last five years without much action. Consider President Clinton's 1998 pledge to bring about regime change, following up on the Iraq Liberation Act overwhelmingly passed by Congress earlier that year establishing that "it should be the policy of the United States to support efforts to remove the regime headed by Saddam Hussein from power in Iraq and to promote the emergence of a democratic government to replace that regime."

The other great advantage to a debate about inspections is that it focuses attention on the international obligations that Saddam has refused to fulfill and that the United States is preparing to enforce. The Bush administration would do well to present U.S. action against Iraq not as preemptive but as a response to Saddam's violations of the 1991 ceasefire and his flouting of UN Security Council orders. When the United States frames its actions as enforcement of international agreements, it creates a better environment for securing cooperation from Middle Eastern and European governments. That is true even if the United States is unable to obtain consensus in the Security Council

on how to get Iraq to live up to its obligations under council resolutions -- although the more the United States demonstrates that it is in fact concerned about Iraq's failure to obey Security Council orders, the more likely the council will be to authorize the use of force if Iraq does not comply in a timely fashion.

If the unexpected happens and inspections are resumed, they would likely complicate Iraq's efforts to develop WMD. Although inspections are unlikely to halt those efforts entirely, the UN Monitoring, Verification, and Inspections Commission (UNMOVIC) can be expected to slow WMD development by forcing Iraq to take extra efforts to hide its programs. If the WMD programs can be slowed significantly, then Saddam may well be toppled by a coup or old age before Iraq is able to develop significant WMD capabilities.

Challenges

The inspections issue presents a clear challenge to the UN Security Council, namely, does the council mean what it says? Sixteen resolutions over eleven years have ordered Iraq to give up its WMD. Iraq is the test case to determine whether the UN is more than a League of Nations: can it force countries to comply with its orders, as provided for in Chapter Seven of the UN Charter? The Security Council has used this power only sparingly, generally confining itself to urging countries to negotiate and seek peace as called for in Chapter Six of the charter (e.g., this has been the case for every resolution related to the Arab-Israeli conflict). Iraq has been a rare case in which sufficiently broad and deep international consensus has existed for the Security Council to wield its full might. When Security Council members showed their determination to force Iraq to respect the council's orders in the early 1990s, the United States looked to the council as the central decisionmaking body in dealing with Saddam. More recently, however, the blithe acceptance of blatant Iraqi violations by some council members has led the United States to pay less attention to the council.

If the Security Council is to take a more central role in difficult world problems, it must demonstrate that it can take action without getting caught up in endless delays. Eleven years is long enough; Iraq must be given a deadline to convincingly comply with council orders. The council must make clear that inspections are not to be considered voluntary, and they should not be carried out in cooperation with Iraq; they are rather an obligation to be imposed on Iraq. There should be no flexibility about the requirements of the existing resolutions. Two issues are key here:

Full access. UN Security Council Resolution (UNSCR) 1284, which established UNMOVIC, states that "Iraq shall allow UNMOVIC teams immediate, unconditional, and unrestricted access to any and all areas, facilities, equipment, records, and means of transport which they wish to inspect in accordance with the mandate of UNMOVIC, as well as all officials and other persons under the authority of the Iraqi government whom UNMOVIC wishes to interview." The council should reiterate the clear meaning of this statement: presidential palaces, military bases, and other sensitive sites must be open for inspection without prior notice.

Full responsibility. UNSCR 687, which codified the Gulf War ceasefire, requires Iraq to demonstrate that it has dismantled its WMD programs. The burden of proof is on Iraq; it is not the inspectors' obligation to discover whether Iraq has clandestine WMD activities. As part of its responsibilities under UNSCR 687, Iraq must provide a "full, final, and complete disclosure" (FFCD) about its WMD activities. The international experts convened by UN Secretary General Kofi Annan in 1999 stated that none of the nine versions of FFCD provided by Iraq over the years has been coherent and internally consistent.

Finally, the council needs to spell out the measures needed to make inspections work. A proposal released last week by the Carnegie Endowment provides a good template: "coercive inspections" requiring 50,000 soldiers stationed in the countries surrounding Iraq, with full authority to use force in order to seize sites being inspected. Faced with that proposal as the alternative to regime change, regional states and reluctant U.S. generals may decide that invasion is less distasteful than they initially thought.

Conclusion

It is instructive that no European or Arab governments have actively engaged in promoting the resumption of inspections; that is, none have proposed a specific plan for getting inspectors back into Iraq, and none have pressed the Iraqis with a high-level diplomatic campaign. In other words, Arab and European governments seem to think that the prospects for successful inspections are slim. Although it may be annoyed at the hypocrisy of criticism issued by those who are unwilling to offer proposals of their own for resuming inspections, the Bush administration should seize this opportunity to shape the debate about inspections. The United States would be better served by defining why, how, and when inspections must resume than by allowing others to convert the inspections issue into a vain effort to secure Iraqi cooperation by offering Saddam bigger and bigger concessions. For this reason if no other, President Bush should use his upcoming UN General Assembly speech to propose a UN initiative for renewed arms inspections in Iraq.

Patrick Clawson, deputy director of The Washington Institute, is the editor of *How to Build a New Iraq after Saddam* (The Washington Institute, 2002).

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