

'Re-energizing' UN Sanctions on Iraq:

Problems and Prospects

by [Michael Eisenstadt \(/experts/michael-eisenstadt\)](/experts/michael-eisenstadt)

May 23, 2001

ABOUT THE AUTHORS



[Michael Eisenstadt \(/experts/michael-eisenstadt\)](/experts/michael-eisenstadt)

Michael Eisenstadt is the Kahn Fellow and director of The Washington Institute's Military and Security Studies Program.



Brief Analysis

This week, the United States and United Kingdom are circulating a draft resolution in the UN Security Council proposing a package of new measures intended to "re-energize" sanctions against Iraq. They hope to bring the resolution to a vote before the next six-month phase of the "oil for food" program begins on June 4. This revamped sanctions regime will lift restrictions on civilian trade, while retaining both international control over Iraq's oil income through the UN escrow account, and a ban on the import of arms and dual-use items critical to the production of weapons of mass destruction (WMD).

The new resolution will also introduce a number of other measures. It will permit Baghdad to sell oil to its immediate neighbors -- which it currently does outside of UN controls -- so long as the proceeds go into escrow accounts to be maintained by each of these states and overseen by the UN. (Iraq could thus continue to sell its neighbors oil at a discounted price, effectively providing a subsidy by which it cultivates influence with the governments of Jordan, Syria, Turkey, and Iran.) The resolution restricts all other oil sales to companies authorized by the UN, to cut out shady firms that pay kickbacks to Baghdad, and authorizes civilian flights, so long as cargo is checked by monitors prior to departure from designated foreign airports. It also authorizes the UN to use the escrow account money to pay for monitors to check imports at foreign airports and Iraq's land borders.

According to the logic of the new approach, the more narrowly focused UN sanctions will reduce Iraq's propaganda advantage in complaining about the humanitarian impact of the sanctions. It may also allow for greater concentration on goods of military concern rather than spreading the inspectors thin by trying to monitor everything going into Iraq. Moreover, Iraq's neighbors and trading partners (including Russia and France) will be offered increased civilian business opportunities in Iraq, in return for their support for stricter airport and border controls, a partial ban on dual-use items, and an arms embargo. In this way, the United States hopes to consolidate international support for those measures that are necessary for the military containment of Iraq.

Challenges to Implementation

U.S. and British diplomats face formidable obstacles to gaining acceptance for this revamped "control regime," as they prefer to call it. Baghdad's opposition, regional political dynamics, and the divergent interests of Iraq's

neighbors and the Security Council's permanent members, will greatly complicate, if not thwart, the implementation of these measures. Gaining and keeping regional and international support and ensuring that the re-focused sanctions work as intended will prove extremely difficult, for a variety of reasons:

Russia and France, with China following their lead, are likely to push to water down the restrictions on Iraq by gutting the draft resolution of its most important parts. They are also likely to press UNMOVIC -- charged with monitoring the dual-use imports under the new system -- to close its eyes to Iraqi evasion of the rules. And should the Security Council pass a new resolution, there is no reason to believe that Russia, France, and China would not seek to further dilute sanctions, if not scrap them altogether. They want the sanctions lifted, not refined. It is for this reason that the U.S./U.K. draft resolution says nothing about putting restrictions on travel by those Iraqi officials blocking cooperation with UN resolutions, nor does it freeze the foreign bank accounts of top Iraqi officials. And there is no mention of a war crimes tribunal to indict Saddam and his cronies.

Neighboring states are likely to be threatened by Baghdad with loss of trade, or offered lucrative financial counter-incentives. Already, Baghdad has threatened Jordan and Turkey with a trade cutoff should they cooperate with the U.S./U.K. plan. The United States and U.K. are seeking to use monies from the UN escrow account to compensate countries thus sanctioned by Baghdad, though it is by no means clear that Russia and France will allow such a provision in the new resolution. Alternatively, Baghdad could offer to increase trade with neighbors who agree not to cooperate with the UN, or threaten those cooperating with the UN with subversion or terror. Jordan, with several hundred thousand Iraqi expatriate residents (presumably including a fair number of intelligence operatives), would be particularly vulnerable to such efforts.

Iraq's neighbors could decide to give lip service to the new sanctions system while quietly allowing the new rules to remain a dead letter. After all, important domestic constituencies tied to illegal trade with Iraq may be unhappy with the idea of allowing this trade to fall under UN auspices, thereby cutting into the high profit margins they now enjoy.

Effectively monitoring imports to Iraq will pose daunting challenges. The resolution makes no mention of monitoring by the supplier countries, for instance, by pre-shipment inspection. Such inspection is the only practical means to determine what is actually being shipped: it is not possible for some overworked Jordanian customs officer sitting in the middle of the desert to rummage through every truck to verify that the contents of each box corresponds to the description on the label. Nor does the resolution mandate that UN members should share information about sanctions enforcement, much less to create a UN center to track shipments. There is no provision for prosecuting violators, which would allow the United States to pursue smugglers operating outside of U.S. territory without facing European complaints about U.S. extraterritorial action. Instead of putting the responsibility for enforcement squarely on the suppliers, the burden of inspection and monitoring will continue to fall on Iraq's neighbors, who have little incentive to vigorously implement the restrictions. And the increased volume of trade will make the problem worse: airport and border monitors will have to physically inspect a tremendous number of items.

Prospects

In light of these potential problems, what are the prospects that revamped sanctions will achieve their intended objectives? At best, such an effort may re-capture some of Baghdad's illicit income and temporarily shore up sanctions, thereby slowing their erosion. More likely, however, "smart sanctions" will yield to "smart sanctions fatigue," and rather than serving as the cornerstone of a sustainable Iraq policy, they will define the new point of departure for the continued erosion of sanctions on Iraq. Plus, there is a danger that the re-focused sanctions will strengthen the regime of Saddam Husayn by providing Baghdad more income, as state-owned businesses and "friends of Saddam" are likely to dominate the import trade.

The suffering of the Iraqi people is likely to change little under re-focused sanctions. If Baghdad is determined to

preserve that suffering to gain a propaganda edge, there is little the outside world can do. For instance, Baghdad could continue to under-order food and medicine, or curtail government medical care and food rations to ensure that the Iraqi people remain in dire straits, thereby stoking opposition on the Arab street to the remaining controls on Iraq.

The military impact of re-focused sanctions are likely to be mixed. A new "control regime" would greatly hinder Iraq's conventional re-armament efforts. It is highly unlikely that Iraq could smuggle in significant numbers of major weapons systems. As a result, Iraq will be unable to expand or modernize its current equipment inventory, though by smuggling spare parts, it could prevent further deterioration of key equipment items. With the improvement of general economic conditions in Iraq, conditions of military service will improve, raising morale. As Iraq's communications and transportation infrastructure is rebuilt, military command, control, communications, and transport capabilities will improve. Furthermore, improved economic circumstances will allow for more frequent and realistic training. The cumulative impact of these factors will be to permit some modest recovery of capability, though overall, Iraq's conventional military capabilities will remain far less than in 1991. As for WMD, a new "control regime" will have a limited impact. Iraq today retains the means to produce chemical and biological weapons, and will probably be able to acquire (through smuggling and the more restrained use of the U.S. veto over items that it regards as dual use) the means to gradually enhance its capabilities in this area. Iraq's chemical and biological arsenal is therefore likely to remain small but potent. As for Iraq's nuclear program, should Baghdad's agents acquire fissile material for a nuclear weapon from the former Soviet Union or elsewhere (between several kilograms and several tens of kilograms is all that is required) they will almost certainly succeed in bringing it into Iraq undetected.

The Broader Policy Context The success of re-energized sanctions will depend crucially on the supporting steps taken to complement the UN action to revamp sanctions. A new Security Council resolution will not by itself alter Baghdad's propaganda advantage; the United States will have to vigorously defend what it has done to address humanitarian problems, and that should include consulting with non-governmental organizations to show them that Washington shares their concerns. Nor will the Security Council resolution by itself be enough to persuade Iraq's neighbors to vigorously monitor imports: the United States will have to show that there is a price to be paid for ignoring the UN's mandates. Crucial here will be what happens to the Syrian-Iraqi oil pipeline, which Syrian President Bashar al-Asad promised Secretary of State Colin Powell would be put under the UN rules. If Asad gets away with ignoring his promise to Powell and flouting the UN rules, the odds are high that sanctions will erode faster.

Because re-focused sanctions face such long odds, they can be at most a small part of U.S. policy toward Iraq. The real problem in Iraq is the continued survival of Saddam Husayn. And this means ultimately that there is no substitute for formulating a long-term strategy for regime change in Baghdad. To be effective, U.S. policy must therefore supplement efforts to achieve sanctions reform with action to bolster deterrence, and steps toward a viable long-term plan for achieving regime change in Baghdad.

Michael Eisenstadt is a senior fellow at The Washington Institute. ❖

Policy #537

RECOMMENDED



BRIEF ANALYSIS

Bennett's Bahrain Visit Further Invigorates Israel-Gulf Diplomacy

Feb 14, 2022



Simon Henderson

(/policy-analysis/bennetts-bahrain-visit-further-invigorates-israel-gulf-diplomacy)



BRIEF ANALYSIS

Libya's Renewed Legitimacy Crisis

Feb 14, 2022



Ben Fishman

(/policy-analysis/libyas-renewed-legitimacy-crisis)



BRIEF ANALYSIS

The UAE Formally Ceases to be a Tax-Free Haven

Feb 14, 2022



Sana Quadri,
Hamdullah Baycar

(/policy-analysis/uae-formally-ceases-be-tax-free-haven)

TOPICS

Energy & Economics (/policy-analysis/energy-economics)

Gulf & Energy Policy (/policy-analysis/gulf-energy-policy)

REGIONS & COUNTRIES

Iraq (/policy-analysis/iraq)

