



Grading Iraqi Compliance

**A Report by the Sanctions and Security Project of the Fourth Freedom Forum
and the Joan B. Kroc Institute for International Peace Studies
at the University of Notre Dame**

Authored by Linda Gerber, Karl Shelly, Alistair Millar, George A. Lopez, and David Cortright

Photos on front cover: **(left)** UN inspectors at work in central Iraq (UN/DPI Photo). **(right) Colin Powell, United States Secretary of State, briefing the Security Council February 5, 2003 (UN Photo by Mark Garten).**

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The U.S. and other governments contend that the United Nations disarmament process in Iraq is not working, but an objective analysis shows that significant steps toward compliance have occurred.

This report lists Iraqi efforts to cooperate with UN inspections while also identifying areas of inadequate compliance. The report also reviews the compliance mandates of Security Council Resolution 1441, notes whether Iraq has complied, and grades Iraq's overall level of compliance.

We believe the Iraqi government receives a grade of B- so far for its response to UN disarmament mandates.

Steps Toward Compliance

1.	Early March 2003	Destruction of Al Samoud 2 short-range missiles begins under UN supervision and continues in days following. Approximately twenty missiles destroyed through 6 March. Chief UN weapons inspector Hans Blix calls destruction of missiles "a very significant piece of real disarmament." ¹
2.	Late February 2003	Iraq begins UN-monitored excavation at site sixty miles south of Baghdad where it claims large quantities of prohibited chemical and biological agents were disposed in 1991. Invites UN officials to gather physical evidence at the site to seek confirmation that prohibited items were destroyed. ² Excavation reveals remnants of approximately 150 R-400 bombs that had contained anthrax.
3.	14 February 2003	Hans Blix reports that Iraq has provided a list of eighty-three individuals involved in the 1991 destruction of prohibited materials from biological weapons and missile programs. ³ The individuals are made available for interview to help provide evidence of the claimed destruction of prohibited items.

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4.	14 February 2003	At the insistence of UN officials Saddam Hussein and the Iraqi parliament pass legislation banning the production of weapons of mass destruction in accordance with Security Council resolutions. ⁴ This fulfills the obligation in previous UN resolutions that Iraq renounce the development or use of weapons of mass destruction.
5.	10 February 2003	Iraq agrees to allow U-2 surveillance flights in accordance with UN demands. U-2 flights begin 17 February, with Iraq assuring the safety of flights as required by Security Council Resolution 1441. ⁵
6.	6 February 2003	Baghdad allows first private interview to be conducted with Iraqi scientist. Interview takes place in Baghdad hotel. Subsequent interviews occur in early March. ⁶
7.	27 January 2003	Blix reports that Iraq has provided new information on its weapons activities, including an "Air Force document" that may shed light on Iraq's use of chemical weapons during the Iran-Iraq war. Blix also reports that Iraq has submitted a 193-page listing of all imports by the agency responsible for biological weapons development. ⁷
8.	20 January 2003	Iraq and UN reach 10-point agreement to better facilitate inspections. Agreement includes provisions to form Iraqi commissions to determine locations of weapons and documents left out of the 7 December weapons declaration and to conduct technical discussions with the IAEA about nuclear-related imports. ⁸
9.	9 January 2003	Hans Blix reports to the Security Council that Iraq has cooperated by providing an "open doors" policy of unfettered access to requested sites. According to a later statement from Blix, "the most important point to make is that access has been provided to all sites we have wanted to inspect." ⁹ IAEA director Mohamed ElBaradei likewise reports on 9 January that "Iraqi authorities have consistently provided access without conditions and without delay." ¹⁰



10.	28 December 2002	Iraqi national monitoring directorate provides UNMOVIC with list of more than 500 individuals involved in the chemical, biological, and nuclear and ballistic missile programs. ¹¹ In response to UN complaints that the list is inadequate, Iraq provides 80 additional names in late January.
11.	7 December 2002	Iraq submits 12,000-page weapons declaration to UNMOVIC and IAEA one day in advance of the 30-day deadline mandated in Resolution 1441. ¹² Although provided on time, the weapons declaration is judged inadequate.
12.	16 September 2002	In response to President Bush's address at the UN General Assembly, Saddam Hussein agrees to allow the unconditional return of UN weapons inspectors to Iraq. ¹³ After refusing to permit UN monitoring for nearly four years, Iraq quickly concedes to the demand for renewed disarmament inspections.

Areas of Inadequate Compliance

The primary area of noncompliance is Iraq's failure to provide a full and complete weapons declaration as required by paragraph three of Resolution 1441. Hans Blix characterized the Iraqi declaration submitted on 7 December 2002 as "inadequate." Although 12,000 pages in length, the Iraqi declaration contained little new evidence, according to Blix. It failed to resolve many of the unanswered questions about Iraqi weapons capabilities that remain from UN inspections during the 1990s. Most of the documents in the submission were identical to those provided in previous Iraqi weapons declarations. Blix described the Iraqi declaration as "rich in volume but poor in new information" and "practically devoid of new evidence."¹⁴ IAEA officials similarly concluded that the Iraqi declaration was "consistent with our existing understanding of Iraq's pre-1991 nuclear programme,"¹⁵ but that the documents "do not include any which are relevant to the questions and concerns outstanding since 1998."¹⁶ Subsequent meetings and agreements between the Iraqi government and UN officials have helped to address some of these concerns, but whether Iraq will provide full disclosure on all issues remains to be seen.

Another area of concern is the failure of the Iraqi government to provide an adequate list of scientists and other personnel presently or formerly engaged in prohibited weapons activities. The list submitted by Iraq on 28 December 2002 consisted of 117 persons in the chemical sector, 120 in the biological sector, and 156 in the missile sector. According to chairman Blix, this was "an inadequate response."¹⁷ The list did not include the names of more than 3,500 persons associated with past weapons activities,



as identified in earlier Iraqi weapons declarations or known to UN officials from previous inspections.¹⁸ In response to UN demands the Iraqi government subsequently provided additional names in late January, but the list remains inadequate.

The weapons declaration of 7 December 2002 asserts that vast quantities of chemical and biological weapons were destroyed during the 1990s but provides no documentation or proof of such destruction. UN inspectors have been unable to account for thousands of chemical and biological munitions and huge quantities of anthrax, VX, and other deadly agents. Recently Iraq has taken steps to provide documentation, and it is cooperating with UN inspectors to excavate sites where it claims that chemical and biological weapons were disposed in 1991. Despite these efforts, it is unlikely that UN inspectors will be able to document the quantities involved or resolve questions about remaining material balances of prohibited chemical and biological agents.

Until mid-February Iraq refused to guarantee the safety of U-2 surveillance flights, claiming that it could not provide such assurance as long as U.S. and British warplanes continue to patrol its skies and bomb Iraqi targets. After discussions with UN officials, Iraq agreed to allow the U-2 flights, announcing on 10 February that flights could resume.

Iraq initially refused to take steps toward facilitating private interviews with Iraqi scientists. In early February Iraq consented to allow the first interviews, but through early March only a handful of private interviews occurred. Iraq claimed that scientists were free to participate in such interviews but that most either refused the private interviews or requested that the sessions be recorded. IAEA Director ElBaradei reported in late January that "inspectors have conducted a great number of interviews of Iraqi scientists, managers and technicians—primarily in the workplace in the course of unannounced inspections—as valuable source of information about present and past programmes and activities. The information gained has been helpful in assessing the completeness and accuracy of Iraq's declarations."¹⁹

Scorecard of Iraqi Compliance with Resolution 1441

Conditions of Resolution 1441	Compliance Status
Complete disarmament actions required under paragraphs 8 to 13 of Resolution 687.	Partial Compliance
Submit a "currently accurate, full, and complete" declaration of all weapons programs.	Noncompliance
Provide UNMOVIC and the IAEA "immediate, unimpeded, unconditional, and unrestricted access" to all requested sites (including Presidential sites).	Full Compliance
Allow inspectors to conduct private interviews inside or	Partial Compliance



outside Iraq without the presence of government minders.	
Provide UNMOVIC and the IAEA with unrestricted rights of entry into and out of Iraq and unrestricted and immediate movement within Iraq.	Full Compliance
Provide a listing of all personnel currently and formerly associated with the chemical, biological, ballistic missile, and nuclear weapons programs.	Partial Compliance
Allow UNMOVIC and the IAEA free and unrestricted use of aircraft.	Full Compliance
Allow UNMOVIC and the IAEA to import and use equipment and materials without search.	Full Compliance
Not threaten or promote hostility against UN personnel.	Full Compliance
Confirm (within seven days) intention to comply with resolution.	Full Compliance
Cooperate "immediately, unconditionally, and actively" with inspectors.	Partial Compliance
Ensure that destruction of proscribed material only takes place within the presence of inspectors.	Full Compliance
Provide support and assistance to UN staff, help secure UN equipment, and help establish regional UNMOVIC and IAEA offices within the country.	Full Compliance
Ensure the safety of aircraft operating in the "No-Fly Zones".	Partial Compliance
Total = 14	Noncompliance = 1 Partial Compliance = 5 Full Compliance = 8
Overall grade: B-	

Conclusion

As this report indicates, Iraqi cooperation with the UN disarmament mission is considerable. UN officials report that "a steadily increasing number of industrial, administrative, military, scientific and research sites are again being opened for inspections under the authority of the Security Council." By early March UNMOVIC had conducted than 500 inspections and that UNMOVIC had collected "more than 200 chemical and more than 100 biological samples"²⁰ from various locations in Iraq.



As a result of this accelerating inspection effort, "transparency is increasing."²¹ A substantial institutional and scientific infrastructure for UN monitoring now exists in Iraq. This on-site monitoring system is already providing substantial security benefits. The presence of more than one hundred highly trained weapons specialists, equipped with the world's most advanced monitoring technology, enables UN officials to detect any militarily significant weapons activity. Under these conditions, according to IAEA director ElBaradei, UN "verification activities serve . . . as an important deterrent to the resumption of such activities by Iraq."²²

If the goal is assuring Iraq's disarmament, that objective is now being met. Never before has the international community been able to mount such a comprehensive weapons verification and monitoring effort. Through the efforts of the renewed inspection regime, the UN Security Council is in the process of achieving its declared objective of assuring that Iraq does not possess and cannot develop weapons of mass destruction. If the inspections are able to continue in the months ahead, it is likely that they will be able to assure Iraq's effective disarmament.

Notes

¹ Patrick E. Tyler, "New Element in Iraq's Mix," *New York Times*, 1 March 2003, A1.

² Neil MacFarquhar, "U.N. Official Says Iraqis Still Build Barred Missile," *New York Times*, 26 February 2003, A9.

³ Edith M. Lederer, "Iraq Hands Over Weapons Destruction List," *Associated Press*, 20 February 2003. Available online at *FindLaw* <<http://www.news.findlaw.com/>> (27 February 2003).

⁴ Hamza Hendawi, "Iraqis March in Support of Saddam After Iraq Bans Weapons of Mass Destruction," *Associated Press*, 15 February 2003. Available online at *Yahoo! News* <<http://news.yahoo.com>> (27 February 2003).

⁵ Hamza Hendawi, "Iraq, In Key Concession, Allows First U-2 Surveillance Flight," *Associated Press*, 18 February 2003. Available online at *Yahoo! News* <<http://news.yahoo.com>> (27 February 2003).

⁶ Ian Fisher, "Scientist Gives Inspectors First Private Talk," *New York Times*, 7 February 2003, A11.

⁷ Dr. Hans Blix, United Nations, United Nations Monitoring, Verification and Inspection Commission, *The Security Council, 27 January 2003: An Update on Inspection*, 27 January 2003. Available online at the *United Nations*, <<http://www.un.org/Depts/unmovic/Bx27.htm>> (27 January 2003).

⁸ Julian Borger and Helena Smith, "Threat of War: Iraq and UN Reach Deal on Cooperation: Inspections New Agreement Unlikely to Satisfy US," *The Guardian* (London), 21 January 2003, 4.

⁹ United Nations, *The Security Council, 27 January 2003: An Update on Inspection*.



- ¹⁰ International Atomic Energy Agency, *Status of the Agency's Verification Activities in Iraq as of 8 January 2003*, 9 January 2003. Available online at the *International Atomic Energy Agency*, <<http://www.iaea.org/worldatom/Press/Statements/2003/ebsp2003n002.shtml>> (15 January 2003), para. 5.
- ¹¹ "Iraq Gives Names of Scientists to U.N. Inspectors," *CNN*, 29 December 2002. Available online at *CNN* <<http://www.cnn.com/2002/WORLD/meast/12/28/sproject.irq.un.list/index.html>> (27 February 2003).
- ¹² Jules Crittendon, "Saddam Apologizes to Kuwait; Iraq Delivers 12,000-page Dossier Declaring No Doomsday Weapons," *Boston Herald*, 8 December 2002, 001.
- ¹³ United Nations Security Council, *Letter Dated 16 September 2002 from the Secretary-General Addressed to the President of the Security Council*, S/2002/1034, New York, 16 September 2002.
- ¹⁴ Dr. Hans Blix, United Nations, United Nations Monitoring, Verification and Inspection Commission, *Notes for Briefing the Security Council*, 9 January 2003. Available online at the *United Nations* <<http://www.un.org/Depts/unmovic/bx9jan.htm>> (15 January 2003).
- ¹⁵ International Atomic Energy Agency, *The Status of Nuclear Inspections in Iraq*.
- ¹⁶ International Atomic Energy Agency, *Status of the Agency's Verification Activities*, para. 16.
- ¹⁷ Blix, *Notes for Briefing*, 4.
- ¹⁸ United Nations, *The Security Council, 27 January 2003: An Update on Inspection*.
- ¹⁹ International Atomic Energy Agency, *IAEA Update, Report for the Security Council Pursuant to Resolution 1441 (2002)*, 27 January 2003. Available online at the *International Atomic Energy Agency*, <http://www.iaea.org/worldatom/Press/Focus/laealraq/unscreport_290109.html> (27 January 2003).
- ²⁰ Dr. Hans Blix, United Nations, United Nations Monitoring, Verification and Inspection Commission, *Briefing of the Security Council*, 14 February 2003. Available online at the *United Nations* <<http://www.un.org/Depts/unmovic/recent%20items.html>> (5 March 2003).
- ²¹ Blix, *Notes for Briefing*, 2.
- ²² International Atomic Energy Agency, *Status of the Agency's Verification Activities*, para. 16.

