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# AANVAL OP IRAK (3)

Het inspectieregiem

**PENN – NL Facts and Reports Nr. 17**

December 2002

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Werkgroep Eurobom

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PENN-Nederland

## **AANVAL OP IRAK (3)**

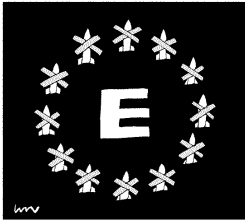
December 2002

### **PENN, het Project voor Europese Nucleaire Non-proliferatie, is opgezet om:**

- \* officiële discussies over de toekomst van kernwapens in Europa nauwgezet te volgen en deze te verhelderen;
- \* analyses van en commentaren op deze ontwikkelingen te publiceren;
- \* verdere maatregelen voor kernontwapening in Europa en substantiële Europese bijdragen aan kernwapenbeheersing, ontwapening en non-proliferatie te stimuleren;
- \* te ijveren voor de volledige naleving van het Non-Proliferatieverdrag door de NAVO, de Europese Unie, en haar leden;
- \* politieke belemmeringen op te werpen tegen ontwikkelingen die zouden kunnen leiden tot een Europese Unie met kernwapens;
- \* te bevorderen dat de Europese Unie en al haar leden uiteindelijk niet-nucleaire leden van het NPV worden.

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# Werkgroep Eurobom

PENN/Netherlands MPI/Netherlands

## FACTS AND REPORTS

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December 2002 – No. 17

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## **INLEIDING**

Deze derde F&R over de situatie rond Irak heeft vooral tot doel om de lezer te informeren over het inspectieproces. Daarom hebben we hier een aantal documenten bij elkaar gebracht, danwel naar de vindplaats verwezen. In de huidige omstandigheden zijn van belang het mandaat van UNMOVIC en de IAEA, en de recente VN resolutie die tot doel heeft om Irak een laatste kans te geven om alle informatie over massavernietigingswapens vrij te geven. Inmiddels heeft Irak in overeenstemming met de resolutie een eerste rapport van (volgens de Iraakse regering) al het materiaal gerelateerd aan de productie van massavernietigingswapens vrijgegeven. Dit zal vergeleken worden met andere informatiebronnen, terwijl in Irak de inspecties voortgang vinden. De vraag is of al niet zeer snel door de Amerikaans regering een tegenstrijdigheid zal worden geconstateerd tussen de opgegeven data en informatie die ze uit andere bron hebben: bijvoorbeeld een overgelopen wetenschapper. Als dat gebeurd is het mogelijk dat de zaak nog in de Veiligheidsraad wordt neergelegd, maar te beoordelen aan de openbare uitingen van Amerikaans regeringswoordvoerders, wordt dit door de VS slechts gezien als een formaliteit. Een militaire operatie tegen Irak kan dan al snel beginnen, omdat de voorbereidingen daarvoor gestaag doorgaan, inclusief toezeggingen door de Amerikaanse bondgenoten zoals Nederland, om deel te nemen aan die oorlog. Rondom deze gang van zaken hebben we ook commentaar en en aantal vragen toegevoegd aan deze uitgave van F&R. Een meer volledige versie plaatsen we op onze website [www.eurobomb.nl](http://www.eurobomb.nl)

Redactie F&R

# UNSCOM

## UNSCOM

March 1998

### **UNSCOM MAIN ACHIEVEMENTS**

1. UNSCOM has uncovered significant undeclared proscribed weapons programmes, destroyed elements of these programmes so far identified, including equipment, facilities and materials, and has been attempting to map out and verify the full extent of these programmes in the face of Iraq's serious efforts to deceive and conceal. UNSCOM also continues to try to verify Iraq's illegal unilateral destruction activities. The investigation of such undeclared activities is crucial to the verification of Iraq's declarations on its proscribed weapons programmes.

2. Examples of what has been uncovered since 1991 include: the existence of Iraq's offensive biological warfare programme; the chemical nerve agent VX and other advanced chemical weapons capabilities; and Iraq's indigenous production of proscribed missiles engines. Following these discoveries, UNSCOM has directed and supervised the destruction or rendering harmless of several identified facilities and large quantities of equipment for the production of chemical and biological weapons as well as proscribed long-range missiles.

3. UNSCOM has supervised the destruction of the following proscribed items.

#### **Missile Area:**

- 48 operational long-range missiles
- 14 conventional missile warheads
- 6 operational mobile launchers
- 28 operational fixed launch pads
- 32 fixed launch pads (under construction)
- 30 missile chemical warheads
- other missile support equipment and materials
- supervision of the destruction of a variety of assembled and non-assembled "super-gun" components

#### **Chemical Area:**

- 38,537 filled and empty chemical munitions
- 690 tonnes of chemical weapons agent
- more than 3,000 tonnes of precursors chemicals
- 426 pieces of chemical weapons production equipment
- 91 pieces of related analytical instruments

#### **Biological Area:**

- the entire Al-Hakam, the main biological weapons production facility
- a variety of biological weapons production equipment and materials

## US Department of State

13 March 1998

### **UNSCOM SAYS SENSITIVE SITE INSPECTIONS SUCCESSFUL**

(Ritter reports to Secretary General Annan) (780)

By Judy Aita

USIA United Nations Correspondent

United Nations -- Referring to "a new spirit" of cooperation between Iraq and the UN, the head of the UN Special Commission (UNSCOM) overseeing the destruction of weapons of mass destruction in Iraq told

reporters March 13 that weapons experts received "access of a kind that we've never had before" during recent inspections.

UNSCOM Chairman Richard Butler said that UN inspectors "were given access of a kind that we've never had before in terms of the places we got into and in terms of the numbers of inspectors and ways in which we got into those places including for example, the headquarters of the Iraqi Ministry of Defense."

The head of the latest inspection team, UNSCOM chief inspector Scott Ritter, briefed Secretary General Kofi Annan on the first inspections of sensitive sites since the signing of the memorandum of understanding between Iraq and the UN February 23. The inspections, by 50 inspectors from 11 nations, were carried out March 6-9.

"Ritter was able to report to the Secretary General that he considers -- and I certainly agree -- that we had established some new procedures and some new benchmarks there for access to sites that Iraq chooses to declare as sensitive," Butler said at a press briefing.

"We are hopeful that having gained that access, established the practicality and usefulness of the procedure...it continues to work well in the future," Butler said. "There is a new spirit out there," he said. "I think that's what the Ritter exercise shows. The Secretary General has come back with a pledge of cooperation by Iraq and it seems to be being fulfilled. I really welcome that. "So far the tests have come up well," Butler said.

"Sensitive" and "presidential" sites have been the source of major confrontations between Iraq and the UN in the past. On a special diplomatic mission to Baghdad February 21-23 Annan worked out a "memorandum of understanding" with Iraqi President Saddam Hussein that states Iraq's agreement to allow weapons inspectors "immediate, unconditional and unrestricted access" to all sites and sets up special procedures for investigating eight presidential sites.

In January Ritter's team was withdrawn after Iraqi officials refused to work with the group complaining that there were too many members from the United States and Great Britain.

"What we have in our hands is a new situation created by the Secretary General in the memorandum of understanding. It gives us an unprecedented opportunity to get this job done," Butler said referring to an end to destruction of Iraq's weapons and cataloging of its banned weapons programs.

(Economic sanctions against Iraq cannot be lifted until UNSCOM certifies to the Security Council that the weapons have been destroyed and Iraq's weapons programs are under long-term monitoring and verification.)

"I will do whatever is required to get done on our side. I expect Iraq will do the same on its side and I think overall everyone would be better off if we did that rather quietly and got on with it," Butler said.

Butler also announced that he will heading a scientific and policy team that will visit Baghdad beginning March 22 to discuss weapons inspections issues, including the upcoming visits to Iraq's so-called presidential sites. Inspections of the presidential sites are slated to begin soon after Butler leaves Baghdad.

Butler said he will hold two days of meetings with Deputy Prime Minister Tariq Aziz reviewing the results of the technical evaluation meetings that have been held on the status of the missile, chemical and biological weapons destruction and programs and "talking about the future of UNSCOM-Iraq cooperation in light of the memorandum of understanding." He also is slated to spend another two days with UN staff at UNSCOM's Baghdad monitoring and verification center.

Undersecretary General Jayantha Dhanapala, who has been appointed the UNSCOM commissioner to handle the diplomats who will accompany UN weapons inspectors as "observers" at the presidential sites, will also be in Baghdad for talks with Iraqi officials.

Butler said about 10 nuclear experts from the International Atomic Energy Agency (IAEA) will be joining UNSCOM chemical, biological, and missile experts and other UNSCOM personnel for the inspections of the eight presidential sites. Dhanapala will provide the diplomats needed for the teams.

When all the personnel have been assembled "they will travel to Baghdad," Butler said. "We will do all eight sites beginning at one and continuing through all eight until we've done all of them," he said.

The size of the teams will vary depending on the size of the presidential sites, Butler said.

# UNMOVIC

## Veiligheidsraad

**S/2000/292 - 6 April 2000**

### **Note by the Secretary-General**

The Secretary-General has the honour to transmit to the Security Council the organizational plan for the United Nations Monitoring, Verification and Inspection Commission (UNMOVIC) called for in paragraph 6 of Council resolution 1284 (1999) of 17 December 1999. The plan has been prepared, as the Council requested, by the Executive Chairman of UNMOVIC, in consultation with the Secretary-General. The plan is submitted to the Council, through the Secretary-General, for its approval.

### **Organizational plan for the United Nations Monitoring, Verification and Inspection Commission prepared by the Executive Chairman**

#### **I. Introduction**

1. In paragraph 6 of its resolution 1284 (1999) of 17 December 1999, the Security Council requested the Executive Chairman of the United Nations Monitoring, Verification and Inspection Commission (UNMOVIC), within 45 days of his appointment, to submit to the Council, in consultation with and through the Secretary-General, an organizational plan for UNMOVIC. The present plan is submitted in response to that request.

2. The resolution provides that the plan is to cover:

(a) The Commission's structure, staffing requirements, management guidelines and recruitment and training procedures, incorporating as appropriate the recommendations of the panel on disarmament and current and future ongoing monitoring and verification issues (S/1999/356, annex I), and recognizing in particular the need for an effective, cooperative management structure for the new organization;

(b) Staffing the Commission with suitably qualified and experienced personnel, who would be regarded as international civil servants subject to Article 100 of the Charter of the United Nations, drawn from the broadest possible geographical base, including, as the Executive Chairman deems necessary, from international arms control organizations, and the provision of high-quality technical and cultural training.

3. The present plan aims, first of all, to secure for UNMOVIC the capacity, staffing, and management that will enable it to fulfil the tasks mandated by the Security Council. At the same time, it endeavours to keep the Commission "lean", in the sense of keeping the staffing level no higher than is strictly necessary for the performance of its responsibilities and as experience in the field dictates. The structure of UNMOVIC is shown in the annex and is described in section III. The plan incorporates guidelines on management, such as lines of authority, arrangements for cooperation and consultation, need for staff at the managerial level and other senior staff and provisions concerning recruitment and training. In accordance with resolution 1284 (1999), the organizational plan envisages that the Executive Chairman will be provided with professional advice and guidance by the College of Commissioners. In the day-to-day work he will be assisted by his own office, comprising several officials at the senior level. The majority of staff will be placed in four divisions and an administrative service, each headed by a senior official. The four divisions will be for technical support and training, planning and operations (including the Baghdad Ongoing Monitoring, Verification and Inspection Centre), analysis and assessment and information. The staff will be paid by the United Nations and serve under the appropriate United Nations conditions of employment. Rosters will be prepared with the names of persons with special skills and expertise to supplement UNMOVIC staff on inspection teams as required. Such persons will have gone through the training programmes established within UNMOVIC before being included in the rosters. When called upon to serve, they will be given United Nations contracts. Cost-free experts may be engaged only in special circumstances and with the express approval of the Executive Chairman. Reviews of the organizational structure and staffing will naturally have to be undertaken in the light of developments and future needs. The following paragraphs describe how the plan meets the specific requirements cited in paragraph 2 above.

#### **A. Cooperative management structure**

4. The plan seeks to bring about an effective cooperative management structure. For the fulfilment of the tasks assigned to the Commission, it is indispensable that the different parts of the organization complement each other and cooperate. While this close cooperation calls for openness and discussion within the organization, at the same time the need for strict confidentiality, for example about sites, objects and timing of inspections and about data underlying inspections, will often require that certain information be shared only on a "need-to-

know" basis. Nevertheless, a weekly meeting, led by the Executive Chairman and comprising senior and key staff, is envisaged as an important means of ensuring cooperative management and a sense of unity of purpose, mutual assistance and the sharing of as much information as is advisable considering the nature of the various activities undertaken. A similar approach will be followed within each of the divisions so as to strengthen the effectiveness of the organization and to achieve synergy through close cooperation between units and staff. The heads of divisions will have a duty to ensure cohesion within their divisions and cooperation with other divisions and the Administrative Service

## **B. Staffing**

5. While the United Nations Special Commission (UNSCOM) relied mainly on staff seconded from and paid by national Governments, the present plan envisages that most staff will be United Nations employees subject to Article 100 of the Charter, which requires that they shall neither seek nor receive instructions from any Government and that Member States shall not seek to influence them in the discharge of their responsibilities. The staff will be required to respect strict rules of confidentiality. This will contribute to giving "a clear United Nations identity" to the Commission, to use the language of the report of the panel on disarmament and current and future ongoing monitoring and verification issues (see S/1999/356, annex I, para. 51). It is foreseen that the Division of Technical Support and Training will fulfil the important task of providing technical and cultural training of inspection personnel.

6. A special question concerning staff relates to the transition from UNSCOM to UNMOVIC. About two thirds of the professional staff of UNSCOM have left and some more may still do so. While there will be no automatic transition to United Nations employment contracts for those who are on government contracts and who are still on board, they will be free to apply for the new United Nations positions in competition with other candidates. Previous work will have given them valuable experience and knowledge that could usefully be passed on to new UNMOVIC staff who come on board. A combination of renewal and continuity would minimize the loss of momentum and knowledge that has inevitably occurred during the long absence of inspection and monitoring.

7. Staff recruitment will take place with the aim of securing the highest standards of efficiency, competence and integrity, in accordance with Article 101 of the Charter, and staff, including the staff of inspection teams, will be drawn from the broadest possible geographical base. In recruiting UNMOVIC staff, the gender balance will also be a consideration. In line with paragraph 6 of resolution 1284 (1999), contacts have been established with the International Atomic Energy Agency (IAEA) and the Organization for the Prohibition of Chemical Weapons with a view to cooperation.

8. While the organizational plan is based on the working assumption that Iraq will accept resolution 1284 (1999) and the reinforced system of ongoing monitoring and verification, it may be neither practical nor prudent to move to immediate full recruitment; rather, the adoption of a two-step approach, beginning with prompt action to fill the core needs of staff, to be followed by full recruitment to make UNMOVIC fully operational, might be preferable.

9. As noted in paragraph 3 above, the present plan seeks, first of all, to enable UNMOVIC to fulfil the mandate given to it by the Security Council. For a proper understanding of the plan, therefore, it is necessary to describe the responsibilities conferred upon UNMOVIC in resolution 1284 (1999). Given that the central task of UNMOVIC, like that of UNSCOM before it, is to verify that Iraq complies with the obligations set out by the Council, those obligations, too, are relevant for understanding the Commission's responsibilities and the demands that their fulfilment place on the organization. Accordingly, the following section briefly sets out the responsibilities of UNMOVIC and the obligations of Iraq.

## **II. Responsibilities of the Commission and obligations of Iraq**

### **A. Subsidiary organ of the Security Council**

10. In paragraph 1 of its resolution 1284 (1999), the Security Council established UNMOVIC as a subsidiary body of the Council that replaced the Special Commission established pursuant to paragraph 9 (b) of resolution 687 (1991). Such a subsidiary body is created to carry out the collective will of the Council as expressed in resolutions and other forms of Council decisions. Conversely, the subsidiary body may turn to the Council for instructions, guidance and support in its mission. Thus, while they are accountable to the Council for the performance of UNMOVIC and initially report to it every three months, the Executive Chairman of the Commission may bring urgent matters pertaining to the Commission's mandate to the attention of the Council and ask for its guidance and support, when he deems it to be required. This is without prejudice to the possibility of seeking advice and guidance from the College of Commissioners.

11. The specific responsibilities set out by the Security Council for UNSCOM — and taken over by UNMOVIC as its successor — are first defined in resolution 687 (1991), which was adopted on 3 April 1991 and formally accepted by Iraq in conjunction with the ceasefire. They are further defined in other related



resolutions, in particular resolutions 707 (1991), 715 (1991), 1051 (1996), 1154 (1998) and 1284 (1999). The Council, in its resolution 715 (1991), approved the detailed plans for ongoing monitoring and verification (S/22871/Rev.1 and S/22872/Rev.1 and Corr.1), which are now, under resolution 1284 (1999), to be implemented by UNMOVIC and IAEA. In its resolution 1051 (1996), the Council approved a similarly detailed mechanism for monitoring sales or supplies to Iraq of dual-use or proscribed items. In accordance with paragraph 8 of resolution 1284 (1999), this mechanism is now to be operated by a joint unit established by UNMOVIC and IAEA. Steps are being taken to achieve this.

#### **B. Verification of compliance by Iraq with its obligations**

12. Paragraph 2 of resolution 1284 (1999) provides that UNMOVIC will undertake the responsibilities mandated to UNSCOM by the Council with respect to the verification of compliance by Iraq with its obligations under paragraphs 8, 9 and 10 of resolution 687 (1991) and other related resolutions. UNMOVIC thus has the responsibility to verify Iraq's compliance, with its obligations to:

- (a) Unconditionally accept the destruction, removal or rendering harmless, under international supervision, of all chemical and biological weapons and all stocks of agents, all related subsystems and components and all research, development, support and manufacturing facilities related thereto, and all ballistic missiles with a range greater than 150 kilometres and related major parts and repair and production facilities;
- (b) Declare all of its holdings of the foregoing items, agree to immediate on-site inspection of its biological, chemical and missile capabilities and accept the destruction, removal or rendering harmless of those items
- (c) Unconditionally undertake not to use, develop, construct or acquire any of the items referred to above.

13. The responsibilities of UNMOVIC, in connection with paragraphs 8 and 9 of resolution 687 (1991), are generally referred to, in resolution 1284 (1999), as "disarmament tasks", while the responsibilities under paragraph 10 of resolution 687 (1991) relate to implementing the plan for ongoing monitoring and verification. The report of the panel on disarmament and current and future ongoing monitoring and verification issues (S/1999/356, annex I, para. 61) recommended that those two tasks be merged and that a reinforced system of ongoing monitoring and verification capable of addressing, through integration, remaining unresolved disarmament issues be carried out. The organization and management of UNMOVIC must be tailored to implement this system — preparing it, directing it and reporting on it.

#### **C. Reinforced system of ongoing monitoring, verification and inspection**

14. In implementing Security Council resolution 1284 (1999) and other relevant resolutions — in particular resolution 715 (1991) and the plan for ongoing monitoring and verification approved thereby — UNMOVIC must be equipped, for example, to verify Iraq's declarations regarding its proscribed programmes, its periodic reporting on sites subject to monitoring and its notifications under the export/import regime of dual-use items both before and after importation. It must designate sites for inspection and undertake on-site inspections, including no-notice inspections, throughout Iraq. It must be able to conduct interviews with officials and other persons under the authority of the Government of Iraq and analyse documentation provided by or found in Iraq. It must be prepared to take samples to be analysed inside or outside Iraq. It must be equipped to take photographs, both from the ground and in the air. It must be ready to conduct fixed-wing and helicopter flights throughout Iraq in its own aircraft for all relevant purposes, including aerial surveillance.

15. UNMOVIC is required, under paragraph 3 of resolution 1284 (1999), to furnish assistance and cooperation to IAEA in the performance by the latter of its responsibilities under the same paragraph. Furthermore, as mentioned in paragraph 11 above, UNMOVIC and IAEA will jointly operate the export/import mechanism called for in paragraph 8 of resolution 1284 (1999). The Executive Chairman of UNMOVIC, in consultation with the Director General of IAEA, is to resume revision of the lists to which the monitoring regime applies.

16. UNMOVIC is to have all the rights, facilities, privileges and immunities previously available to UNSCOM under resolution 687 (1991), related resolutions and other decisions of the Security Council, the exchange of letters of May 1991 between the United Nations and Iraq on the status, privileges and immunities of UNSCOM and the plan for ongoing monitoring and verification. Iraq's full respect for those rights and the fulfilment of its own obligations are evidently decisive, not only to allow UNMOVIC to carry out its duties in Iraq, but also for its Executive Chairman to report, in accordance with paragraph 33 of resolution 1284 (1999), that Iraq has cooperated in all respects. In this regard the Council has placed particular stress on the right of UNMOVIC to have immediate, unconditional and unrestricted access to any and all areas, facilities, equipment, records and means of transport. Together with freedom of movement into, out of and throughout Iraq, by such means as UNMOVIC may deem appropriate, the right of free and prompt access is essential to the discharge by UNMOVIC of its responsibilities. The credibility and effectiveness of all inspection and monitoring increase decisively with decreases in lead times.

### **III. Outline of the organizational structure of the Commission**

17. In addition to the College of Commissioners and the Executive Chairman and his support office, UNMOVIC will have the four main divisions and an administrative service. Each division and service will be headed by a senior official. They will consist of functional units led by senior staff. When the Executive Chairman plans to be absent, he will appoint a senior official to act in his place during his absence. If the head of a division or service is to be absent, the Executive Chairman will designate one of the senior staff of that division or service to act in his or her place.

**A. College of Commissioners**

18. A College of Commissioners for UNMOVIC has been appointed by the Secretary-General (S/2000/207), as required by resolution 1284 (1999). The Commissioners, chaired by the Executive Chairman, will meet regularly to review the implementation of resolution 1284 (1999) and other relevant resolutions, and to provide professional advice and guidance to the Executive Chairman, including on significant policy decisions and on written reports to be submitted to the Security Council through the Secretary-General. As such reports are initially required every three months, in accordance with paragraph 12 of resolution 1284 (1999), meetings with the College of Commissioners will be held at least once every three months. It is proposed that the first meeting of the College be held towards the end of May 2000. A senior official will be appointed as Secretary of the College to ensure that the Commissioners are kept informed of the work of UNMOVIC, supplied with proper documentation and provided with a draft agenda before each meeting. The Secretary, who will serve in the Office of the Executive Chairman, will be responsible for preparing summaries of the discussions of the College and for fully recording any conclusions resulting from the sessions.

**B. Executive Chairman**

19. The Executive Chairman is responsible to the Security Council for all of the Commission's activities. He will thus exercise authority and overall control of its operational and administrative activities and appoint the staff. The functions of the Executive Chairman will include chairing the College of Commissioners and seeking its advice and guidance; formulating policies and guidelines for inspection and monitoring operations; preparing reports to the Security Council as required under resolution 1284 (1999); and briefing the Security Council on all tasks entrusted to UNMOVIC under section C of resolution 687 (1991) and subsequent relevant resolutions, in particular resolution 1284 (1999), especially in providing the Council with assessments relating to monitoring and verification activities and to the status of verification of remaining disarmament issues.

**C. Office of the Executive Chairman**

20. The Executive Chairman and senior members of his office as instructed by him will maintain the necessary contacts with the Security Council, the Secretary-General, relevant United Nations departments and offices and the members of the College of Commissioners, and will also maintain high-level contacts with Governments, including the Government of Iraq. As noted in paragraph 4 above, weekly meetings between the Executive Chairman and key and senior staff from his office, the four divisions and the Administrative Service will contribute to the cooperative management structure.

21. The Executive Assistant will assist the Executive Chairman in carrying out his responsibilities relating to substantive, organizational, administrative, personnel and budgetary matters.

22. The External Relations Officer will assist the Executive Chairman in the Commission's relations with Member States and their permanent missions and will handle liaison with organizations in the United Nations system and international arms control organizations.

23. The Activity Evaluation Officer will be responsible for reviewing the functioning of UNMOVIC as a whole, alerting the Chairman to any weaknesses identified and advising him on possible measures to improve the Commission's performance in the interests of effective management. The Activity Evaluation Officer, in cooperation with the Administrative Service, will also facilitate the internal audit that is to be performed by a unit of the United Nations Secretariat.

24. The Legal Adviser will provide advice to the Executive Chairman and all the units of UNMOVIC on any legal issues arising in the performance of their functions. The Legal Adviser will also provide advice on all issues relating to the facilities, privileges and immunities of UNMOVIC and its personnel arising under the relevant agreements and arrangements, and will, where necessary, maintain liaison with the Office of Legal Affairs of the Secretariat on matters such as contracts and procurement. The Legal Adviser will also assist, as required, in the drafting of correspondence and reports, particularly where they touch on legal issues.

25. The Public Information Officer will manage the Commission's public and media relations. He or she will follow the media and ensure that the Chairman and UNMOVIC staff are informed about matters of interest, prepare press releases at the request of the Executive Chairman and represent UNMOVIC or arrange for its representation, as appropriate. The Public Information Officer will ensure that there will be a single authoritative point of contact with the media — the Executive Chairman himself or an officer authorized by him to speak on his behalf or on specific subjects or items.

#### **D. Division of Planning and Operations**

26. The Division of Planning and Operations will be responsible for planning, directing and performing all monitoring, verification and inspection activities in the implementation of the reinforced system of ongoing monitoring and verification and the verification of dual-use items imported into Iraq. It will have four functional units, namely, biological weapons, chemical weapons, ballistic missiles and multidisciplinary inspections and operations. As ongoing monitoring and verification forms a principal component of the Commission's work, a Baghdad Ongoing Monitoring, Verification and Inspection Centre, with regional offices elsewhere in Iraq, if required (see S/1999/356, annex I, para. 42 (g)), will constitute a vital part of the Division. The Division will be headed by a senior official who, together with the senior staff of the Division, will undertake the overall planning of monitoring, verification and inspection; propose the sites, objectives and timing of inspections and monitoring; decide upon the composition of inspection teams in the light of the objectives of each mission; and propose to the Executive Chairman the appointment of each chief inspector for field duty.

27. Applying the reinforced system of ongoing monitoring and verification, the staff of the weapons-specific functional units, under the authority of the head of the Division, will endeavour to attain full understanding and clarity regarding the remaining capacity of Iraq in the areas of those weapons, to neutralize this capacity as prescribed by the Security Council and to verify that no new prohibited capacity arises. The staff, in cooperation with the relevant staff in the Division of Analysis and Assessment, will be responsible for formulating plans for implementing the monitoring system in Iraq in the relevant weapons areas, including identification of the scope of monitoring (sites, facilities, items, materials and activities to be monitored). The staff will prepare comprehensive operational plans and timetables for inspections and monitoring operations under the direction of the head of the Division. In cooperation with other divisions of UNMOVIC, they will propose new inspection and monitoring operations and other field activities. Staff of this Division will perform inspections in the Field, rotating with staff in Iraq to serve in the Field as chief inspectors or in other capacities.

28. Under the authority of the head of the Division, the functional unit for multidisciplinary inspections and operations will be responsible for verifying information related to identified sales or supplies to Iraq of proscribed items, monitoring the end-use of dual-use items imported by Iraq and conducting inspections for identifying possible undeclared imported notifiable items. It will also act as the focal point for practical cooperation with and assistance to IAEA in carrying out inspections and monitoring operations, and it will plan, coordinate and execute joint on-site inspections and monitoring operations with IAEA. In addition, and in cooperation with other staff of the Division, it will plan and coordinate multidisciplinary inspections of sites related to multiple capabilities, including additional sites.

29. The Baghdad Ongoing Monitoring, Verification and Inspection Centre will provide all the support offices, logistics, communications, transport and so on for inspectors of UNMOVIC and IAEA in Iraq. It will also provide routine analytical services to the teams of inspectors, through the analytical laboratory operating on the premises, and furnish remote monitoring capabilities. The Centre will be headed by a senior official with a deputy. The head of the Baghdad Centre will report to the head of the Division of Planning and Operations on all operational matters. In especially important matters, he may report directly to the Executive Chairman. Authority will be delegated to the Centre to coordinate and perform routine activities, reporting, as appropriate, to the Division of Planning and Operations at Headquarters. Any regional offices in Iraq will, on routine matters, report to the Baghdad Centre but will, on important matters, report directly to the head of the Division.

30. The resident inspectors of the Baghdad Centre will perform monitoring in implementation of the reinforced system of ongoing monitoring and verification. They will do so with advice by and subject to the overall coordinating responsibilities of the head of the Centre and on the basis of general planning provisions and guidelines issued by the head of the Division of Planning and Operations at Headquarters. Daily written reports of the monitoring teams from the field to Headquarters will be channelled through the head of the Baghdad Centre. Visiting inspection teams will operate on a similar basis. While in Iraq they will be advised by and be subject to the overall coordinating responsibilities of the head of the Baghdad Centre, but will perform inspections on the basis of specific plans and instructions issued by the head of the Division of Planning and Operations. The latter will provide specific additional instructions when needed, after consultation and as appropriate, with the Executive Chairman, and the head of the Centre will be kept fully informed. Resident inspectors will at intervals rotate back to New York to work at UNMOVIC headquarters and will be replaced in the field by Headquarters staff. In conducting monitoring and inspection operations, effectiveness should be the primary consideration. A rigorous and comprehensive approach is to be adopted to planning and in-field activities. Mandated tasks will be carried out in a correct, technically competent and thorough manner. Denial of access or other lack of cooperation will be immediately reported.

## **E. Division of Analysis and Assessment**

31. The Division of Analysis and Assessment will be responsible for analysing and assessing information available to UNMOVIC, in particular the data resulting from the organization's own activities in the field, but also from other sources, such as information about export/import activities, overhead imagery and outside information. It will make extensive use of the central database. The Division will be headed by a senior official who will report to the Executive Chairman.

32. The Division will have four functional units for analysis and assessment, namely, biological weapons, chemical weapons, missiles and multidisciplinary inspections. These units are counterparts to units within the Division of Planning and Operations, with which they will cooperate closely, inter alia, to clarify weaponization and disarmament issues and questions relating to Iraq's production capabilities and acquisitions, to identify additional sites for inspection and to assess the effectiveness of inspection and Iraq's compliance. New information from the field will be provided by staff of the Division of Planning and Operations. In turn, the latter will be provided with analyses and assessments of the information it has generated as well as of other relevant information for its further planning and operations.

33. The head of the Division, in cooperation with the head of the Division of Planning and Operations and assisted by relevant senior staff from the two divisions, will be responsible for providing to the Executive Chairman a draft quarterly report on UNMOVIC activities for his consideration and for subsequent submission by him to the College of Commissioners. The Division of Analysis and Assessment will also be responsible for compiling, with the cooperation of the Division of Information and the Division of Planning and Operations, a list of remaining disarmament issues from which key issues can be identified.

## **F. Division of Information**

34. The Division of Information is the main repository of information that will form the basis for the reinforced system of ongoing monitoring and verification. The Division will continuously integrate new information received from inspections and other sources with relevant existing information, operate the UNMOVIC database and be in charge of the archives.

35. The Division will be headed by a senior official and will comprise functional units and an office for outside information sources. The export/import joint unit foreseen in paragraph 8 of resolution 1284 (1999) will collect relevant information for use in the Division of Analysis and Assessment and the Division of Planning and Operations. The information will provide the basis for monitoring and verification activities regarding dual-use goods and proscribed items. The joint unit will also be responsible for proposing the revision and updating the lists of items and technology to which the mechanism applies.

36. A second functional unit will gather and process overhead imagery, as requested by the Division of Planning and Operations and the Division of Analysis and Assessment. It will also handle imagery that becomes available through inspections and other sources, including Governments, and will interpret relevant information from such imagery.

37. The Office for Outside Information will analyse relevant information from open sources. In addition to the Executive Chairman, it will be the sole entrance point for intelligence provided by Governments in accordance with paragraph 10 of resolution 1284 (1999), in which the Security Council requests that they give full cooperation to UNMOVIC and IAEA in the discharge of their mandates. The official in charge of the Office will critically analyse information obtained and assess its usefulness for inspection and monitoring purposes. The official will report administratively to the head of the Division, but will share sensitive information only with the Executive Chairman and persons whom the latter indicates, in particular staff members who may have use of it in pursuit of the mandate of UNMOVIC as set out by the Council. The flow of intelligence must be one-way only and have regard only to matters relevant to the mandate of UNMOVIC, but dialogue with providers may be necessary in order to seek clarification and to indicate what may be of particular interest to the organization in discharging its tasks.

38. The Data-Processing and Archives Unit will be responsible for establishing, operating and maintaining a central integrated database and the organization's archives. Information from a variety of sources, including, notably, the results of the Commission's inspection and monitoring activities, will be stored and systematized in the database. It will be accessible on a "need-to-know" basis, in an efficient and secure manner, for analysis and use in reports and in the planning and operation of inspection and monitoring activities. It will provide advice regarding the Commission's needs for computer hardware and software and maintain the organization's computer network.

## **G. Division of Technical Support and Training**

39. The Division of Technical Support and Training will plan and provide training and logistical support for inspection and monitoring operations and other missions. In cooperation with United Nations procurement units and Governments, it will secure equipment and supplies for the divisions of UNMOVIC on the basis of requests and specifications originating from them, and will be responsible for the installation and maintenance

of all such equipment. It will provide the international and field system of communications and will arrange for the ground and air transport facilities necessary for field missions. It will develop and review ways and methods of ensuring security. It will also establish and accredit a network of analytical laboratories, according to their capabilities, and arrange for contracts for analysis and for transportation of samples and hazardous material.

40. In cooperation with other divisions, it will develop, organize and run technical and cultural training programmes. The technical programmes will cover weapons technology, relevant civilian industry, monitoring techniques and safety. The cultural programmes will stress the importance of understanding national sensitivities and the proper handling of adversarial situations.

41. The Division will be headed by a senior official who will report to the Executive Chairman. It will have three functional units, namely, for equipment, procurement and analytical services; communications, transportation and security; and training. It will also be responsible for overseeing the operations of a field office outside Iraq. Discussions are under way for the establishment of such an office in Bahrain, in premises that have been expressly built to serve as a field office. This office will provide logistical services and serve as the base for missions going to or coming from Iraq.

#### **H. Administrative Service**

42. The Administrative Service will be headed by a senior official who will report to the Executive Chairman. It will have functional units for budget and finance; personnel, recruitment, health and safety; and translation and interpretation. It will manage the funds allocated to UNMOVIC and administer its staff in accordance with the relevant United Nations regulations and rules. It will be responsible for the implementation of the United Nations accountability policies through the internal audit system. Under the authority of the head of the Service, the units will provide the requisite services to the organization as a whole. The Service will further carry out the functions relating to the financial management of the offices of UNMOVIC in New York and in the field. Annex Organization chart of the United Nations Monitoring, Verification and Inspection Commission Security Council Secretary-General BW, biological weapons; CW, chemical weapons; M, missiles.

Verdere informatie is ook te vinden op de websites:

“Saddam and the Bomb,” Nuclear Control Institute

<http://www.nci.org/sadb.htm> *Nuclear Control Institute website on Iraq's nuclear weapons program.*

International Atomic Energy Agency (IAEA) Iraq Action Team

<http://www.iaea.org/worldatom/Programmes/ActionTeam/index.html>

*Includes IAEA reports on its inspection in Iraq.*

U.N. Monitoring, Verification and Inspection Commission (UNMOVIC)

<http://www.unmovic.org>

*Includes UNMOVIC quarterly reports.*

U.N. Special Commission on Iraq (UNSCOM)

<http://www.un.org/Depts/unscom/unscomdoc.htm>

*Includes UNSCOM inspection reports, U.N. resolutions on Iraq.*

#### Nuclear Control Institute

#### **NEW NUCLEAR INSPECTIONS IN IRAQ: KEY ISSUES**

Steven Dolley - Nuclear Control Institute

September 26, 2002

After more than seven years of inspections, beginning in mid-1991 pursuant to the Gulf War cease-fire, United Nations weapons inspectors from the U.N. Special Commission (UNSCOM) and the International Atomic Energy Agency (IAEA) hurriedly departed Iraq in December 1998, just days ahead of the U.S. military strikes known as Operation Desert Fox. For nearly four years thereafter, Saddam Hussein refused to allow the inspectors to return, claiming that Iraq had already given up all its weapons of mass destruction and that the inspectors had been spying on Iraq on behalf of the United States.

In his September 12, 2002 speech to the United Nations, President George Bush presented his case against Saddam Hussein's regime. On the issue of Iraq's nuclear capabilities, Bush stated that

In 1995, after four years of deception, Iraq finally admitted it had a crash nuclear weapons program prior to the Gulf War. We know now, were it not for that war, the regime in Iraq would likely have possessed a

nuclear weapon no later than 1993. Today, Iraq continues to withhold important information about its nuclear program—weapons design, procurement logs, experiment data, an accounting of nuclear materials and the documentation of foreign assistance. Iraq employs capable nuclear scientists and technicians. It retains physical infrastructure needed to build a nuclear weapon. Iraq has made several attempts to buy high-strength aluminum tubes used to enrich uranium for a nuclear weapon. Should Iraq acquire fissile material, it would be able to build a nuclear weapon within a year. And Iraq's state-controlled media has reported numerous meetings between Saddam Hussein and his nuclear scientists, leaving little doubt about his continued appetite for these weapons.

Despite all efforts to date, Bush continued, Saddam Hussein "continues to develop weapons of mass destruction. The first time we may be completely certain he has nuclear weapons is when, God forbids, he uses one." President Bush detailed other crimes of Saddam's regime, and emphasized that "the purposes of the United States should not be doubted. The Security Council resolutions will be enforced—the just demands of peace and security will be met—or action will be unavoidable. And a regime that has lost its legitimacy will also lose its power."

President Bush's U.N. speech was an effort to garner support for the Administration's position that "regime change" in Iraq is the only reliable means of eliminating the threat posed by Saddam Hussein's efforts to acquire weapons of mass destruction. However, the United States has encountered difficulty in convincing many nations, including key allies, that new U.N. weapons inspections should not be given an opportunity before any military action is undertaken. This background paper provides an analysis of the history and complexities of weapons inspections in Iraq as context for the present controversy.

***The government of Iraq announced on September 16 that it would allow the United Nations to resume weapons inspections. What, exactly, did Iraq agree to do?***

On September 16, four days after President Bush's speech to the United Nations, Naji Sabri, the Iraqi Ministry of Foreign Affairs, wrote to U.N. Secretary-General Kofi Annan to notify him of Iraq's decision "to allow the return of United Nations weapons inspectors to Iraq without conditions." However, the Sabri letter also characterized renewed inspections as the first step toward "a comprehensive solution that includes the lifting of the sanctions imposed on Iraq..."

Richard Butler, the former head of UNSCOM, commented that: "This letter has a big black hole in it with respect to the conditions under which inspections will be conducted...[W]hat we really need to hear is that you can inspect without conditions, that you can go anywhere any time. It did not say that. That is a black hole. That is a significant omission. It is a very snaky letter."

To complicate matters further, Fahdil al-Janabi, chairman of the Iraqi Atomic Energy Commission, stated on September 17 that, "in return [for allowing inspectors to return to Iraq], we ask the U.N. Security Council...to secure lifting of the unjust embargo imposed on Iraq," a troubling echo of previous Iraqi insistences that U.N. sanctions be lifted prior to the resumption of inspections. Further, Arab League ambassador Ali Muhsen Hamid suggested on September 17 that Iraq would permit inspections only at military sites.

A White House statement on September 17 characterized Iraq's offer as "a return to form. Time after time, without conditions has meant deception, delay, and disregard for the United Nations." The statement cited examples of "the Iraqi regime's repeated pattern of accepting inspections 'without conditions' and then demanding conditions, often at gunpoint." Indeed, on September 21 the Iraqi government issued a statement that "[t]he American officials are trying, according to the media, to issue new, bad resolutions from the Security Council. Iraq declares that it will not cooperate with any new resolution that contradicts what has been agreed upon with the secretary general."

Though a new round of inspections without conditions might provide valuable information in a number of areas, almost no one believes that Iraq's latest offer represents anything other than the next move in Saddam's chess game with the United Nations and the United States.

***Why are new inspections needed? Didn't the inspectors successfully dismantle Saddam's nuclear weapons program before their departure in December 1998?***

A sizeable portion of Iraq's nuclear weapons facilities and equipment was dismantled or destroyed by U.N. inspectors between 1991 and 1998. However, substantial and significant issues remained unresolved when the inspectors left the country. Iraq has never surrendered to inspectors its two completed designs for a nuclear bomb, nuclear-bomb components such as explosive lenses and neutron initiators that it is known to have possessed, or almost any documentation of its efforts to enrich uranium to bomb-grade using gas centrifuges, devices which are small and readily concealed from reconnaissance. *(These issues, and their relevance to a potential Iraqi nuclear breakout, are detailed in a 1998 Nuclear Control Institute report "Iraq and the Bomb: The Nuclear Threat Continues," available on NCI's website at <http://www.nci.org/ib21998.htm>)* Moreover,

almost nothing is known publicly about Iraq's nuclear progress since December 1998 toward acquiring nuclear weapons.

***What evidence exists of a renewed effort by Saddam Hussein to acquire nuclear weapons?***

Disturbing reports from Iraqi defectors suggest that over the last few years Saddam has reconstituted his team of nuclear scientists, reportedly recalling some of them from other assignments. In public speeches over the last year, Hussein has commended his nuclear team for their key role in defeating Iraq's enemies. Bush Administration officials assert that Iraq is "aggressively pursuing nuclear weapons," but so far have offered little elaboration, let alone documentation, of this accusation. Most of the evidence of nuclear weapons development by Iraq that the Bush Administration has cited publicly is not new; in fact, much of it (such as the revelations by Saddam's son-in-law Hussein Kamel, who defected in 1995) is several years old. The absence of any substantiation of Iraq's imminent acquisition of nuclear weapons makes claims of urgency for immediate military action questionable.

The most detail so far provided by the Administration appeared on September 17, when Defense Secretary Donald Rumsfeld testified before the House Armed Services Committee that Iraq has an active program to acquire and develop nuclear weapons. They have the knowledge of how to produce nuclear weapons, and designs for at least two different nuclear devices. They have a team of scientists, technicians and engineers in place, as well as the infrastructure needed to build a weapon. Very likely all they need to complete a weapon is fissile material---and they are, at this moment, seeking that material---both from foreign sources and the capability to produce it indigenously.

On September 24, British Prime Minister Tony Blair released a U.K. government dossier on Iraq's weapons of mass destruction. The report revealed little new information about Saddam's nuclear weapons efforts, except for the claim that "there is intelligence that Iraq has sought the supply of significant quantities of uranium from Africa" since 1998. The U.K. report does not provide the amount of uranium, the African nations or groups involved, and most important, whether or not Iraq was actually able to acquire this uranium. The report also details Iraqi attempts to purchase dual-use technologies which would be useful in manufacturing and operating centrifuges for uranium enrichment, but does not say whether Iraq successfully acquired the technologies.

The reported seizure this summer of a large shipment of specialized aluminum tubes, ideal for housing centrifuge rotors and destined for Iraq, was mentioned in Blair's dossier. This attempted import has also been cited by the Bush Administration as evidence of a resurgent Iraqi effort to construct centrifuges. However, these tubes also have other industrial applications, and their attempted acquisition by Iraq does not make clear the degree of technical progress so far achieved by Iraq in centrifuge development. Moreover, even if Iraq had been successful in acquiring these tubes, construction of centrifuges and start-up of uranium enrichment would have taken at least several months or longer.

Dr. Khidir Hamza, an Iraqi nuclear scientist who defected in 1994, recently claimed that Iraq had some 400 locations where covert uranium-enrichment operations could be carried out, and that Iraq had prior to the Gulf War purchased 130 secret German technical documents on uranium centrifuge manufacture. "When the inspectors took away the original centrifuge, we already had the know-how," Hamza claimed, saying that Iraqi scientists had carefully documented the complex assembly process demonstrated by a German engineer. "I believe there are probably hundreds of copies [of that centrifuge] today." Though these claims are plausible, Dr. Hamza offered no evidence to support his assertions.

Administration officials have cited favorably a report issued in early September by the International Institute for Strategic Studies in London, which posited that if Iraq "were to obtain fissile material from abroad --- steal it or buy it in some way --- we certainly believe he has the ability to put together a nuclear weapon very quickly, in a matter of months." Some media stories on this report featured headlines that Iraq was "months away" from the bomb, an inaccurate interpretation of this finding, which was nothing new but rather a reiteration of what had been known for years about Iraq's technical progress in nuclear bomb design.

Paul Leventhal, then president of Nuclear Control Institute, testified before a Senate committee in November 1990, several weeks before Operation Desert Storm, that "[t]he bottom-line question is whether Iraq now has enough material to build nuclear weapons. If Iraq does, it would be foolhardy to assume that it lacks the technical wherewithal to explode nuclear weapons with it." Leventhal warned that Iraq's highly enriched uranium (HEU) research reactor fuel was sufficient to build at least one and possibly more implosion-design nuclear bombs, and concluded that "[I]f Iraq has the components of an implosion device---save the nuclear core---completed and ready to be assembled, Iraq could have a bomb within the one-to-three-week conversion time." Though the world did not know it at the time, General Hussein Kamel, Saddam's son-in-law who later defected to the West, had three months earlier, in August 1990, ordered Iraqi nuclear scientists to launch a "crash program" to convert this HEU reactor fuel into fissile "cores" to fuel nuclear bombs. This operation

was disrupted by coalition bombing of Iraq's nuclear facilities at Tuwaitha at the beginning of the Gulf War in January 1991, and Iraq's HEU fuel was recovered and removed from Iraq in 1992.

***Does the Bush Administration support a new round of weapons inspections in Iraq?***

Reports circulated earlier this year that senior Administration officials were deeply divided on this question, with Secretary Rumsfeld criticizing renewed inspections as a useless and dangerous delay, and Secretary Powell supporting inspections as an important element of working through multilateral channels to address the Iraqi threat. However, since Iraq's September 16 letter agreeing to renewed inspections, senior Administration officials have pursued a consistent strategy of distinguishing "inspections" from "disarmament," insisting that the latter should be the only true goal in Iraq. "It's about disarmament, not inspections," officials in Washington say. This rhetorical dichotomy, though clever, is false: the sole purpose of U.N. weapons inspections has always been to disarm Iraq fully of its weapons of mass destruction, as required by U.N. Security Council Resolution (UNSCR) 687 (April 3, 1991, the Gulf War cease fire). The essential question is whether renewed inspections can substantially assist in achieving that goal.

In Congressional testimony last week, both Rumsfeld and Powell expressed extreme skepticism that new inspections would yield significant results; cited numerous Iraqi violations of U.N. resolutions in areas other than weapons inspections as additional arguments for regime change; anticipated that the inspectors would inevitably be thwarted by Saddam at some point; and warned of the perils of allowing Iraq to buy time by stringing the inspectors along. Neither rejected out of hand a new round of inspections, but both made it clear that the United States reserved the right to take unilateral military action even before the inspection process is completed.

***Is a new U.N. resolution required for inspections to proceed?***

U.N. Security Council Resolution (UNSCR) 1284 (December 17, 1999) is still in effect, and specifies criteria for weapons inspections by the U.N. Monitoring, Verification and Inspection Commission (UNMOVIC, the successor agency to UNSCOM) and IAEA in Iraq. Under the terms of UNSCR 1284, UNMOVIC is responsible for CW, BW and missile inspections, and the IAEA retains its previous responsibility for nuclear inspections. Dr. Hans Blix, former director-general of the IAEA and currently director of UNMOVIC, has stated that he plans to move forward with inspections under the authority of the current resolution, unless and until new guidance is provided by the Security Council.

Administration officials have expressed strong dissatisfaction with inspections as previously implemented, and contend that the lengthy review periods specified in UNSCR 1284 are unacceptable. The Bush Administration is drafting, in conjunction with the United Kingdom, a new Security Council resolution which would include prompt and strict enforcement measures to back the U.N. inspectors if Iraq again fails to comply. The resolution is expected to be submitted to the Security Council soon.

***How will the United Nations carry out this new round of weapons inspections?***

UNSCR 1284 created UNSCOM's successor agency, UNMOVIC, and required UNMOVIC and IAEA to draft lists of "the key remaining disarmament tasks to be completed by Iraq pursuant to its disarmament obligations to comply with the disarmament requirements of resolution 687 (1991) and other related resolutions, which constitute the governing standard of Iraqi compliance..." The 1999 resolution emphasized that "what is required of Iraq for the implementation of each task shall be clearly defined and precise." Four months after UNMOVIC and IAEA report to the Security Council that Iraq has completed the specified tasks and that the system for ongoing monitoring and verification is in operation, U.N. economic sanctions against Iraq are to be suspended. Every four months thereafter, the agencies are to report again, with sanctions to be reinstated if Iraq fails to continue full cooperation with the inspectors.

UNMOVIC and IAEA officials have scheduled meetings with Iraqi officials in Vienna during the week of September 30 to discuss logistical arrangements for the inspectors' return. Dr. Blix predicts that UNMOVIC could have its inspection teams on the ground in Iraq by October 15. An IAEA spokeswoman said that the Agency's Iraq Action Team is ready to return to Iraq "as soon as we get the green light."

***Besides actual nuclear, chemical, or biological weapons and missiles, what will the inspectors be looking for?***

Under the terms of the UNSCR 687, Iraq was required to provide "full, final and complete declarations" (FFCDs) of its chemical, biological, nuclear and missile weapons and technologies. The declarations that Iraq submitted were neither full, nor final, nor complete.

As of early 1998, a few months before the inspectors departed and were not allowed to return, IAEA was largely satisfied with Iraq's nuclear declarations, reporting to the Security Council that



- "IAEA's ongoing monitoring and verification activities carried out since October 1997 have not revealed indications of the existence in Iraq of prohibited equipment or materials or of the conduct of prohibited activities;

- Iraq has satisfactorily completed its undertaking to produce a consolidated version of its full, final and complete declaration of its clandestine nuclear programme"; and

- Iraq's summary of the technical achievements of its nuclear weapons program "is regarded by IAEA to be consistent with the technically coherent picture of Iraq's clandestine nuclear programme developed by IAEA in the course of its activities in Iraq." (S/1998/312, April 9, 1998).

However, these IAEA findings were contradicted by its own reports on the inspections in Iraq, including the Agency's October 1997 summary of its inspection results which detailed a large number of crucial unresolved issues. (S/1997/779, October 8, 1997)

In contrast, UNSCOM was far from satisfied with Iraq's CW, BW or missile FFCDs, particularly in the areas of biological weapons production and weaponization and long-range missile technology, and compiled a lengthy, detailed list of issues still to be resolved. (S/1998/1106, November 20, 1998). (*For a comparison of UNSCOM and IAEA inspections in Iraq, see Paul Leventhal and Steven Dolley, "Iraq's Inspector Games," Washington Post, November 29, 1998, available on NCI's website at <http://www.nci.org/v-w-x/wp112998.htm>*)

U.N. resolutions prohibit Iraqi possession of chemical, biological and nuclear weapons and WMD technologies, long-range missiles and related technology, and also requires that certain "dual-use" items--- technologies with civilian applications that could also be used to produce weapons of mass destruction---be declared and monitored. Iraq is required to declare any acquisition of specified dual-use items, but suspended such reporting after the inspectors left in 1998. Last week Iraqi officials promised to provide UNMOVIC with backlogged reports on their dual-use technology imports. Verifying these declarations will be extremely difficult, as there are thousands of these items dispersed at numerous facilities throughout the country, and any undeclared items could be concealed.

Moreover, though granted the authority to verify dual-use items, the IAEA did not do so in anything approaching a comprehensive fashion. Prior to its departure from Iraq in December 1998, IAEA set up a process to deal with Iraqi requests to release or relocate dual-use equipment from the nuclear program, or to change use of monitored buildings. As of early 1998, 27 out of 29 such requests had been approved by IAEA. Once released to the Iraqis, subsequent inspection of these technologies and buildings was uncertain at best. IAEA required only that monitoring occur "at a frequency commensurate with their significance," a criterion never clearly defined. Of course, no U.N. monitoring of any dual-use technologies in Iraq has taken place since December 1998.

### ***In what ways has Saddam Hussein attempted to subvert weapons inspections in the past?***

From 1991 through 1998, U.N. weapons inspectors were subjected to constant harassment, interference, and non-cooperation in Iraq. In fact, Iraq engaged in an extensive, well-funded, systematic program of concealment and misinformation. Inspectors were almost never allowed to access a site without considerable delay by Iraqi officials. In September 1991, several IAEA inspectors were held hostage for three days in a Baghdad parking lot because they refused to surrender incriminating documents they had seized. Inspectors also had shots fired over their heads by Iraqi troops, were driven deliberately through violent mobs, had their living quarters bugged and their communications monitored, and were generally subjected to non-stop harassment.

Even Iraq's "cooperation" was non-cooperative. Inspectors were never allowed to interview weapons scientists without Iraqi government handlers present and rolling videotape. The Iraqis would frequently claim that key documentation or technologies had been lost, destroyed during the Gulf War, unilaterally destroyed by the Iraqis with no documentation, transferred to another facility, or had never existed at all. These tactics were intended to wear down the inspectors by dragging out the process and forcing them to waste time and resources investigating specious cover stories. As former UNSCOM chief Richard Butler wrote in his memoirs, "All these efforts at deception—the false declarations, the unilateral destruction, the concealment of weapons and weapons making—forced the staff of UNSCOM to become detectives. The arms inspections had to become intrusive, even, at times, aggressively so."

Nonetheless, a great deal was discovered about Iraq's nuclear weapons program, and many crucial technologies and facilities were removed or destroyed. Some of these discoveries were prompted by tips from defectors such as Hussein Kamel, but others were the result of careful investigation. The inspectors' greatest successes came when they did not permit Iraq to shift the burden of proof, but instead held fast and insisted that Iraq provide documentation of its unsubstantiated claims. Further, investigation of Iraq's many lies and

cover stories, coupled with intelligence information, provided considerable insight into the organization and tactics of Saddam's concealment program.

***How long will U.N. weapons inspections continue in Iraq?***

Dr. Blix has stated that UNMOVIC will need at least a year to reach definitive conclusions. This timeframe is consistent with the terms of UNSCR 1284. However, this estimate assumes complete and uninterrupted cooperation from Iraq, which is extremely unlikely. IAEA representatives have stated that their nuclear inspection teams could be on the ground in Iraq as soon as October 15, with full inspections beginning within six weeks, but have not provided a public estimate of the amount of time they would require to complete their mission.

UNMOVIC

Voorafgaand aan onderstaande brief zonden UNMOVIC en IAEA op 8 december 2002 een gezamenlijke brief aan Irak. Deze is verderop te vinden als annex bij Veiligheidsraadresolutie 1441.

**Iraqi letter of 10 October to UNMOVIC/IAEA**

3635.02D 02-62982

Translated from Arabic

Republic of Iraq

Office of the Adviser at the Presidency

Baghdad, 10 October 2002

Sirs,

I have the honour to refer to your joint letter dated 8 October 2002, and I should like to submit the following in its regard:

1. The substance of the joint press statement of 1 October 2002 and of the notes for your briefing of the Security Council on 3 October 2002 is in conformity with the agreements we reached during the Vienna talks on practical arrangements.
2. We confirm our readiness to receive the UNMOVIC/IAEA advance team on 19 October 2002, in accordance with the preliminary agreement with you. We confirm the concept, to which you referred in the joint press statement of 1 October 2002, that many of the practical arrangements that were followed in the period from 1991 to 1998 remain viable and useful and can be applied once more and that some of the previous working procedures have been modified. You perhaps share our view that some of the problems that might stand in the way of our future work in the context of practical arrangements can be resolved through consultation and in a professional and objective manner when the actual need for such arrangements arises, as was the case during our talks in Vienna, so as to promote the optimal and most rapid implementation of the work and expedite the lifting of the unjust embargo imposed on Iraq.

Your assurances that the practices of UNMOVIC will differ from those of the former Special Commission, that UNMOVIC will be professional and impartial and will respect Iraq's sovereignty, security and dignity and that it will not be allowed to use its mechanisms to precipitate crises or for purposes of provocation or espionage have done much to help the confidence-building process. We confirm our readiness to cooperate in all fields so that we may avoid any problems with implementation procedures such as arose with the former Special Commission.

3. I should also like to state that we proposed that the cost of services, equipment, escorts, protection and other support to be provided by the Iraqi side to UNMOVIC and IAEA should be reimbursed because we believe that when such services are rendered against payment this fact ensures that they are efficient and timely, and this would facilitate the work of the two organizations and expedite the completion of their tasks. This would be of benefit to both parties, inasmuch as these services comprise tasks that are done by persons and entities in the private sector and persons and entities in government departments that are self-financing. I should like to recall that the wages and fees that we suggest should be provided for the work of persons and for the services made available by the Iraqi side would be paid from Iraqi funds withheld from the proceeds of exports of Iraqi oil. I should also like to recall that we presented this idea as a suggestion and not as a condition.

4. On the question of the safety of UNMOVIC and IAEA air operations, I should like to point out that, in practical terms, the acts of military aggression being committed by the United States and British air forces in the unlawful no-flight zones make it impossible to guarantee the safety of the two organizations' air operations in the two zones imposed by the United States and the United Kingdom in violation of the relevant Security

Council resolutions. Should the unlawful no-flight zones be abolished, there would be no problem in guaranteeing the safety of the air operations of the two organizations throughout Iraq's airspace. The final paragraph of the joint press statement of 1 October 2002 represents a faithful summary of our position.

In closing, I should like to recall that our initiative to allow the return of the inspectors to Iraq without conditions, as set forth in the letter dated 16 September 2002 from the Minister for Foreign Affairs of Iraq addressed to the Secretary-General [S/2002/1034, annex], expressed our desire to complete the implementation of the relevant Security Council resolutions and the agreements, commitments and arrangements previously in place. It was also based on the statement of the Secretary-General of the United Nations to the General Assembly on 12 September 2002 that the decision of the Government of Iraq was the indispensable first step towards an assurance that Iraq no longer possesses weapons of mass destruction and, equally important, towards a comprehensive solution that includes the lifting of the sanctions imposed on Iraq and the timely implementation of other provisions of the relevant Security Council resolutions.

In his letter of 16 September 2002 addressed to the President of the Security Council, the Secretary-General reaffirmed these principles, just as he reaffirmed the commitment of the Security Council and all States Members of the United Nations to all the purposes and principles laid out in the Charter of the United Nations and the relevant Security Council resolutions.

(Signed) Amir Hammudi Al-Saadi  
Adviser at the Presidency

#### UNMOVIC

#### **Iraqi letter of 12 October to UNMOVIC/IAEA**

3636.02D 02-63623

Translated from Arabic

Republic of Iraq

Office of the Adviser at the Presidency

Baghdad, 12 October 2002

Sirs,

Further to my letter dated 10 October 2002 addressed to you [I should like to state as follows]:

I. I hope that the letter in question will not be understood as a rebuttal of the terms of your letter dated 8 October 2002. It is rather a presentation of our understanding of what we agreed at the Vienna meeting and our endorsement of your Security Council briefing of 3 October 2002.

II. I confirm our commitment to the practical arrangements on which we agreed in Vienna on 30 September and 1 October 2002 and which were embodied in the joint press statement of 1 October 2002 and in Mr. Blix's written Security Council briefing of 3 October 2002.

III. It is our understanding that the points listed in your letter that are not mentioned in the joint press statement of 1 October 2002 or in Mr. Blix's written Security Council briefing of 3 October 2002 relate to the following matters:

1. On the question of the safety of UNMOVIC and IAEA aircraft in the unlawful no-flight zones, the reference made in the joint press statement of 1 October 2002 represents a faithful summary of the outcome of the discussion. If, however, you consider that the text contained in your letter of 8 October 2002 is better, then that can be adopted.

2. With regard to the presidential sites, we have taken note of your reference thereto.

3. On the question of interviews, we should like to state that we shall continue to facilitate the interviewing of Iraqi nationals by the two organizations so that you may fill whatever information gaps you wish and in such a way as to ensure the rights of these Iraqi nationals under the law.

In closing, we reaffirm that we are fully prepared to receive the UNMOVIC/IAEA advance team on 19 October 2002 in accordance with the preliminary agreement with you and that we are prepared to resolve all issues that may stand in the way of our joint cooperation in a professional, constructive and positive spirit so as to facilitate the work of UNMOVIC and IAEA in implementing their mandate and to confirm that Iraq is free of weapons of mass destruction.

Accept, Sir, etc.

(Signed) Amir Al-Saadi

Adviser at the Presidency

12 October 2002

## UNMOVIC

### **Briefing of the Security Council at an informal meeting on 15 October 2002 Dr. Hans Blix, Executive Chairman of UNMOVIC**

I have been asked to comment upon the letters, which have been exchanged between myself as Executive Chairman of UNMOVIC and Dr. El Baradei as Director General of the IAEA on the one hand and General Al Sa'adi of Iraq on the other.

An ambition on the part of UNMOVIC, shared by the IAEA, has been to achieve clarity that Iraq accepts the practical arrangements for inspection and monitoring that we believe are required under the regime established by the Security Council or follow from it, or have developed and proved to be practical during the period of inspection from 1991 to 1998.

The thought has been that it is better to have discussion outside Iraq in advance of inspection than inside Iraq when inspections have started.

The clarification process now includes:

- a) two days of talks in Vienna on 30 September and 1 October 2002; and
- b) an agreed press statement in Vienna covering salient points in the talks;
- c) a detailed briefing of the Security Council by Dr. Blix and Dr. ElBaradei on 3 October;
- d) a joint letter of 8 October from Dr. ElBaradei and Dr. Blix, to General Al Sa'adi;
- e) a reply of 10 October from General Al Sa'adi to the letter of 8 October;
- f) a further letter of 12 October from General Al Sa'adi.

The wealth of documents may appear somewhat confusing. However, it is not too complicated. It should be remembered that the relatively brief period of exchanges has not aimed at ironing out a single text agreement on practical arrangements, but rather at reaching clarity about and a common understanding of the practical arrangements, which are to be followed under the resolutions adopted by the Council. Nearly four years have passed since the last inspections and UNMOVIC is a body, which has not had any dealings with Iraq until this year.

As I said at my briefing in the Council on 3 October, the two days of meetings in Vienna enabled us in large measure to talk through the practical arrangements that we can foresee will be required.

The wording of the points covered in the press statement in Vienna had been agreed with the Iraqi delegation. The points were selected as fairly important among many that had been talked about and, given the public interest, we thought it was desirable to make them public. A great many other points of various degrees of importance had been covered in our talks but were only noted by our respective delegations. Nevertheless, in my briefing to the Council on 3 October, I reported on most of these points, as I had understood them. My briefing note was given to Members of the Council, to the Iraqi Mission and others. Both letters from General Sa'adi confirm that the brief presented by me to the Council correctly reflects clarifications we reached in Vienna. Thereby, a large area of common understanding exists about the practical arrangements that will be followed under the existing resolutions of the Security Council.

At the briefing of the Council, it was suggested that we might make a list of all clarifications we thought were attained. This was the background of the joint letter of 8 October from Dr. ElBaradei and myself to General Al Sa'adi.

In his first reply to this letter, General Al Sa'adi confirmed on 10 October that the press statement from Vienna and my extensive briefing note for the Council accurately reflected our conclusions in Vienna. There was no similar confirmation about the contents of the joint letter, the substance of which, however, in large parts overlapped with the briefing note. The reply of 10 October recorded several explanations of views expressed, but not insisted upon, by the Iraqi representatives in Vienna. This gave the impression that steps were taken backward. In a closer reading, however, I do not see any retreat from the positions taken in Vienna, e.g. regarding air operations and services.

The second letter from General Al Sa'adi of 12 October is shorter and more focused on the points we had talked about. It repeats the acceptance of the press statement from Vienna and my 3 October briefing note for the Council as accurate renderings of conclusions from Vienna. However, it deals only with some specific points contained in the joint letter from myself and Dr. ElBaradei.

My reading of the letters leads me to conclude

- a) that on the question of UNMOVIC/IAEA air operations in the no-fly zones, the Iraqi side remains committed to taking all steps within its control to ensure safety. We, on our side, must consult also the authorities, which uphold the no-fly zones to find arrangements, which will result in full safety for the

operations of both fixed-wing planes and helicopters; the Iraqi side has not responded to our understanding contained in the joint letter, regarding the broad use of helicopters, included when needed over Baghdad;

b) that on the question of interviews, the Iraqi side has not yet affirmed that UNMOVIC/IAEA can freely choose mode and location but rather referred to an intention to "ensure the rights of these Iraqi nationals under the law". Naturally, the inspecting organizations cannot force any Iraqi citizen to be interviewed by them, whether in private or in the presence of Iraqi officials. We would like to learn, however, that the Iraqi side does not demand to have an observer present at any interview.

c) that there is no response to the point made in the 8 October joint letter to the effect that no proscribed material, equipment, records or other relevant items will be destroyed except in the presence of UNMOVIC and/or IAEA inspectors, as appropriate, and at their request; the point may have been overlooked;

d) that, similarly, there is as yet no response to the point that the inspecting organizations may establish with the help of Iraq and free of cost regional offices, for example in Basra and Mosul;

e) that, lastly, there is no affirmation that the practical arrangements for the resumption of aerial imagery through overflights by U-2 or Mirage plans would be similar to those implemented in the past.

On the last two points, the Iraqi representatives in Vienna had expressed no other position than that the matters could wait until we wanted to take practical steps to set up offices or make use of overflights. In my view, shared by Dr. ElBaradei, it would be better to have all these points cleared up in advance of actual operations. There might be some additional points in our joint letter, which have not been responded to and which I have not identified.

The 8 October joint letter was carefully prepared to be precise and to cover the talks in Vienna comprehensively. The simplest way to clear up remaining points would be an affirmation of the contents of our joint letter to General Al-Sa'adi.

A last point. In the letter of 12 October from General Al Sa'adi, reference is made to a "preliminary agreement" to send in an advance inspection team by 19 October. This was our aim. We wanted to have clarity about practical arrangements before deploying inspectors to Iraq but we, like others, did not see any legal obstacles to deployment. However, with talks going on within the Council about a new resolution, it was felt prudent to await the adoption of a new text by the Council and its acceptance by Iraq rather than starting inspection work the premises of which might be soon be modified.

UNMOVIC has further accelerated its preparations for inspection but it is evident that without any new resolution yet adopted, an advance party cannot be sent to Baghdad by 19 October. Unless otherwise instructed by the Council, we are currently making the day on which the Council adopts a new resolution the starting point of our time line.

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#### **Security Council - 02-68226 (E) - Resolution 1441 (2002)**

**Adopted by the Security Council at its 4644th meeting, on 8 November 2002**

The Security Council,

*Recalling* all its previous relevant resolutions, in particular its resolutions 661 (1990) of 6 August 1990, 678 (1990) of 29 November 1990, 686 (1991) of 2 March 1991, 687 (1991) of 3 April 1991, 688 (1991) of 5 April 1991, 707 (1991) of 15 August 1991, 715 (1991) of 11 October 1991, 986 (1995) of 14 April 1995, and 1284 (1999) of 17 December 1999, and all the relevant statements of its President,

*Recalling* also its resolution 1382 (2001) of 29 November 2001 and its intention to implement it fully,

*Recognizing* the threat Iraq's noncompliance with Council resolutions and proliferation of weapons of mass destruction and long-range missiles poses to international peace and security,

*Recalling* that its resolution 678 (1990) authorized Member States to use all necessary means to uphold and implement its resolution 660 (1990) of 2 August 1990 and all relevant resolutions subsequent to Resolution 660 (1990) and to restore international peace and security in the area,

*Further recalling* that its resolution 687 (1991) imposed obligations on Iraq as a necessary step for achievement of its stated objective of restoring international peace and security in the area,

*Deploring* the fact that Iraq has not provided an accurate, full, final, and complete disclosure, as required by resolution 687 (1991), of all aspects of its programmes to develop weapons of mass destruction and ballistic missiles with a range greater than one hundred and fifty kilometres, and of all holdings of such weapons, their components and production facilities and locations, as well as all other nuclear programmes, including any which it claims are for purposes not related to nuclear-weapons-usable material,

*Deploring* further that Iraq repeatedly obstructed immediate, unconditional, and unrestricted access to sites designated by the United Nations Special Commission (UNSCOM) and the International Atomic Energy Agency (IAEA), failed to cooperate fully and unconditionally with UNSCOM and IAEA weapons inspectors, as required by resolution 687 (1991), and ultimately ceased all cooperation with UNSCOM and the IAEA in 1998,

*Deploring* the absence, since December 1998, in Iraq of international monitoring, inspection, and verification, as required by relevant resolutions, of weapons of mass destruction and ballistic missiles, in spite of the Council's repeated demands that Iraq provide immediate, unconditional, and unrestricted access to the United Nations Monitoring, Verification and Inspection Commission (UNMOVIC), established in resolution 1284 (1999) as the successor organization to UNSCOM, and the IAEA, and regretting the consequent prolonging of the crisis in the region and the suffering of the Iraqi people,

*Deploring* also that the Government of Iraq has failed to comply with its commitments pursuant to resolution 687 (1991) with regard to terrorism, pursuant to resolution 688 (1991) to end repression of its civilian population and to provide access by international humanitarian organizations to all those in need of assistance in Iraq, and pursuant to resolutions 686 (1991), 687 (1991), and 1284 (1999) to return or cooperate in accounting for Kuwaiti and third country nationals wrongfully detained by Iraq, or to return Kuwaiti property wrongfully seized by Iraq,

*Recalling* that in its resolution 687 (1991) the Council declared that a ceasefire would be based on acceptance by Iraq of the provisions of that resolution, including the obligations on Iraq contained therein,

*Determined* to ensure full and immediate compliance by Iraq without conditions or restrictions with its obligations under resolution 687 (1991) and other relevant resolutions and recalling that the resolutions of the Council constitute the governing standard of Iraqi compliance,

*Recalling* that the effective operation of UNMOVIC, as the successor organization to the Special Commission, and the IAEA is essential for the implementation of resolution 687 (1991) and other relevant resolutions,

*Noting* the letter dated 16 September 2002 from the Minister for Foreign Affairs of Iraq addressed to the Secretary General is a necessary first step toward rectifying Iraq's continued failure to comply with relevant Council resolutions,

*Noting* further the letter dated 8 October 2002 from the Executive Chairman of UNMOVIC and the Director General of the IAEA to General Al-Saadi of the Government of Iraq laying out the practical arrangements, as a follow-up to their meeting in Vienna, that are prerequisites for the resumption of inspections in Iraq by UNMOVIC and the IAEA, and expressing the gravest concern at the continued failure by the Government of Iraq to provide confirmation of the arrangements as laid out in that letter,

*Reaffirming* the commitment of all Member States to the sovereignty and territorial integrity of Iraq, Kuwait, and the neighbouring States,

*Commending* the Secretary General and members of the League of Arab States and its Secretary General for their efforts in this regard,

*Determined* to secure full compliance with its decisions,

*Acting* under Chapter VII of the Charter of the United Nations,

1. Decides that Iraq has been and remains in material breach of its obligations under relevant resolutions, including resolution 687 (1991), in particular through Iraq's failure to cooperate with United Nations inspectors and the IAEA, and to complete the actions required under paragraphs 8 to 13 of resolution 687 (1991);
2. Decides, while acknowledging paragraph 1 above, to afford Iraq, by this resolution, a final opportunity to comply with its disarmament obligations under relevant resolutions of the Council; and accordingly decides to set up an enhanced inspection regime with the aim of bringing to full and verified completion the disarmament process established by resolution 687 (1991) and subsequent resolutions of the Council;
3. Decides that, in order to begin to comply with its disarmament obligations, in addition to submitting the required biannual declarations, the Government of Iraq shall provide to UNMOVIC, the IAEA, and the Council, not later than 30 days from the date of this resolution, 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 such as unmanned aerial vehicles and dispersal systems designed for use on aircraft, including any holdings and precise locations of such weapons, components, sub-components, stocks of agents, and related material and equipment, the locations and work of its research, development and production facilities, as well as all other chemical, biological, and nuclear programmes, including any which it claims are for purposes not related to weapon production or material;
4. Decides that false statements or omissions in the declarations submitted by Iraq pursuant to this resolution and failure by Iraq at any time to comply with, and cooperate fully in the implementation of, this resolution

shall constitute a further material breach of Iraq's obligations and will be reported to the Council for assessment in accordance with paragraphs 11 and 12 below;

5. Decides that Iraq shall provide UNMOVIC and the IAEA 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, as well as immediate, unimpeded, unrestricted, and private access to all officials and other persons whom UNMOVIC or the IAEA wish to interview in the mode or location of UNMOVIC's or the IAEA's choice pursuant to any aspect of their mandates; further decides that UNMOVIC and the IAEA may at their discretion conduct interviews inside or outside of Iraq, may facilitate the travel of those interviewed and family members outside of Iraq, and that, at the sole discretion of UNMOVIC and the IAEA, such interviews may occur without the presence of observers from the Iraqi government; and instructs UNMOVIC and requests the IAEA to resume inspections no later than 45 days following adoption of this resolution and to update the Council 60 days thereafter;

6. Endorses the 8 October 2002 letter from the Executive Chairman of UNMOVIC and the Director General of the IAEA to General Al-Saadi of the Government of Iraq, which is annexed hereto, and decides that the contents of the letter shall be binding upon Iraq;

7. Decides further that, in view of the prolonged interruption by Iraq of the presence of UNMOVIC and the IAEA and in order for them to accomplish the tasks set forth in this resolution and all previous relevant resolutions and notwithstanding prior understandings, the Council hereby establishes the following revised or additional authorities, which shall be binding upon Iraq, to facilitate their work in Iraq:

- UNMOVIC and the IAEA shall determine the composition of their inspection teams and ensure that these teams are composed of the most qualified and experienced experts available;
- All UNMOVIC and IAEA personnel shall enjoy the privileges and immunities, corresponding to those of experts on mission, provided in the Convention on Privileges and Immunities of the United Nations and the Agreement on the Privileges and Immunities of the IAEA;
- UNMOVIC and the IAEA shall have unrestricted rights of entry into and out of Iraq, the right to free, unrestricted, and immediate movement to and from inspection sites, and the right to inspect any sites and buildings, including immediate, unimpeded, unconditional, and unrestricted access to Presidential Sites equal to that at other sites, notwithstanding the provisions of resolution 1154 (1998);
- UNMOVIC and the IAEA shall have the right to be provided by Iraq the names of all personnel currently and formerly associated with Iraq's chemical, biological, nuclear, and ballistic missile programmes and the associated research, development, and production facilities;
- Security of UNMOVIC and IAEA facilities shall be ensured by sufficient UN security guards;
- UNMOVIC and the IAEA shall have the right to declare, for the purposes of freezing a site to be inspected, exclusion zones, including surrounding areas and transit corridors, in which Iraq will suspend ground and aerial movement so that nothing is changed in or taken out of a site being inspected;
- UNMOVIC and the IAEA shall have the free and unrestricted use and landing of fixed- and rotary-winged aircraft, including manned and unmanned reconnaissance vehicles;
- UNMOVIC and the IAEA shall have the right at their sole discretion verifiably to remove, destroy, or render harmless all prohibited weapons, subsystems, components, records, materials, and other related items, and the right to impound or close any facilities or equipment for the production thereof; and
- UNMOVIC and the IAEA shall have the right to free import and use of equipment or materials for inspections and to seize and export any equipment, materials, or documents taken during inspections, without search of UNMOVIC or IAEA personnel or official or personal baggage;

8. Decides further that Iraq shall not take or threaten hostile acts directed against any representative or personnel of the United Nations or the IAEA or of any Member State taking action to uphold any Council resolution;

9. Requests the Secretary General immediately to notify Iraq of this resolution, which is binding on Iraq; demands that Iraq confirm within seven days of that notification its intention to comply fully with this resolution; and demands further that Iraq cooperate immediately, unconditionally, and actively with UNMOVIC and the IAEA;

10. Requests all Member States to give full support to UNMOVIC and the IAEA in the discharge of their mandates, including by providing any information related to prohibited programmes or other aspects of their mandates, including on Iraqi attempts since 1998 to acquire prohibited items, and by recommending sites to be inspected, persons to be interviewed, conditions of such interviews, and data to be collected, the results of which shall be reported to the Council by UNMOVIC and the IAEA;

11. Directs the Executive Chairman of UNMOVIC and the Director General of the IAEA to report immediately to the Council any interference by Iraq with inspection activities, as well as any failure by Iraq to comply with its disarmament obligations, including its obligations regarding inspections under this resolution;
12. Decides to convene immediately upon receipt of a report in accordance with paragraphs 4 or 11 above, in order to consider the situation and the need for full compliance with all of the relevant Council resolutions in order to secure international peace and security;
13. Recalls, in that context, that the Council has repeatedly warned Iraq that it will face serious consequences as a result of its continued violations of its obligations;
14. Decides to remain seized of the matter.

## **ANNEX**

### **Text Of Blix/El-Baradei Letter**

#### **United Nations Monitoring, Verification And Inspection Commission The Executive Chairman International Atomic Energy Agency The Director General 8 October 2002**

Dear General Al-Saadi,

During our recent meeting in Vienna, we discussed practical arrangements that are prerequisites for the resumption of inspections in Iraq by UNMOVIC and the IAEA. As you recall, at the end of our meeting in Vienna we agreed on a statement which listed some of the principal results achieved, particularly Iraq's acceptance of all the rights of inspection provided for in all of the relevant Security Council resolutions. This acceptance was stated to be without any conditions attached.

During our 3 October 2002 briefing to the Security Council, members of the Council suggested that we prepare a written document on all of the conclusions we reached in Vienna. This letter lists those conclusions and seeks your confirmation thereof. We shall report accordingly to the Security Council.

In the statement at the end of the meeting, it was clarified that UNMOVIC and the IAEA will be granted immediate, unconditional and unrestricted access to sites, including what was termed "sensitive sites" in the past. As we noted, however, eight presidential sites have been the subject of special procedures under a Memorandum of Understanding of 1998. Should these sites be subject, as all other sites, to immediate, unconditional and unrestricted access, UNMOVIC and the IAEA would conduct inspections there with the same professionalism.

H.E. General Amir H. Al-Saadi  
Advisor  
Presidential Office  
Baghdad - Iraq

We confirm our understanding that UNMOVIC and the IAEA have the right to determine the number of inspectors required for access to any particular site. This determination will be made on the basis of the size and complexity of the site being inspected. We also confirm that Iraq will be informed of the designation of additional sites, i.e. sites not declared by Iraq or previously inspected by either UNSCOM or the IAEA, through a Notification of Inspection (NIS) provided upon arrival of the inspectors at such sites.

Iraq will ensure that no proscribed material, equipment, records or other relevant items will be destroyed except in the presence of UNMOVIC and/or IAEA inspectors, as appropriate, and at their request.

UNMOVIC and the IAEA may conduct interviews with any person in Iraq whom they believe may have information relevant to their mandate. Iraq will facilitate such interviews. It is for UNMOVIC and the IAEA to choose the mode and location for interviews.

The National Monitoring Directorate (NMD) will, as in the past, serve as the Iraqi counterpart for the inspectors. The Baghdad Ongoing Monitoring and Verification Centre (BOMVIC) will be maintained on the same premises and under the same conditions as was the former Baghdad Monitoring and Verification Centre. The NMD will make available services as before, cost free, for the refurbishment of the premises.

The NMD will provide free of cost:

- (a) escorts to facilitate access to sites to be inspected and communication with personnel to be interviewed;
- (b) a hotline for BOMVIC which will be staffed by an English speaking person on a 24 hour a day/seven days a week basis;
- (c) support in terms of personnel and ground transportation within the country, as requested; and
- (d) assistance in the movement of materials and equipment at Inspectors' request (construction, excavation equipment, etc.).



NMD will also ensure that escorts are available in the event of inspections outside normal working hours, including at night and on holidays.

Regional UNMOVIC/IAEA offices may be established, for example, in Basra and Mosul, for the use of their inspectors. For this purpose, Iraq will provide, without cost, adequate office buildings, staff accommodation, and appropriate escort personnel.

UNMOVIC and the IAEA may use any type of voice or data transmission, including satellite and/or inland networks, with or without encryption capability. UNMOVIC and the IAEA may also install equipment in the field with the capability for transmission of data directly to the BOMVIC, New York and Vienna (e.g. sensors, surveillance cameras). This will be facilitated by Iraq and there will be no interference by Iraq with UNMOVIC or IAEA communications.

Iraq will provide, without cost, physical protection of all surveillance equipment, and construct antennae for remote transmission of data, at the request of UNMOVIC and the IAEA. Upon request by UNMOVIC through the NMD, Iraq will allocate frequencies for communications equipment.

Iraq will provide security for all UNMOVIC and IAEA personnel. Secure and suitable accommodations will be designated at normal rates by Iraq for these personnel. For their part, UNMOVIC and the IAEA will require that their staff not stay at any accommodation other than those identified in consultation with Iraq.

On the use of fixed-wing aircraft for transport of personnel and equipment and for inspection purposes, it was clarified that aircraft used by UNMOVIC and IAEA staff arriving in Baghdad may land at Saddam International Airport. The points of departure of incoming aircraft will be decided by UNMOVIC. The Rasheed airbase will continue to be used for UNMOVIC and IAEA helicopter operations. UNMOVIC and Iraq will establish air liaison offices at the airbase. At both Saddam International Airport and Rasheed airbase, Iraq will provide the necessary support premises and facilities. Aircraft fuel will be provided by Iraq, as before, free of charge.

On the wider issue of air operations in Iraq, both fixed-wing and rotary, Iraq will guarantee the safety of air operations in its air space outside the no-fly zones. With regard to air operations in the no-fly zones, Iraq will take all steps within its control to ensure the safety of such operations.

Helicopter flights may be used, as needed, during inspections and for technical activities, such as gamma detection, without limitation in all parts of Iraq and without any area excluded. Helicopters may also be used for medical evacuation.

On the question of aerial imagery, UNMOVIC may wish to resume the use of U-2 or Mirage overflights. The relevant practical arrangements would be similar to those implemented in the past.

As before, visas for all arriving staff will be issued at the point of entry on the basis of the UN Laissez-Passer or UN Certificate; no other entry or exit formalities will be required. The aircraft passenger manifest will be provided one hour in advance of the arrival of the aircraft in Baghdad. There will be no searching of UNMOVIC or IAEA personnel or of official or personal baggage. UNMOVIC and the IAEA will ensure that their personnel respect the laws of Iraq restricting the export of certain items, for example, those related to Iraq's national cultural heritage. UNMOVIC and the IAEA may bring into, and remove from, Iraq all of the items and materials they require, including satellite phones and other equipment. With respect to samples, UNMOVIC and IAEA will, where feasible, split samples so that Iraq may receive a portion while another portion is kept for reference purposes. Where appropriate, the organizations will send the samples to more than one laboratory for analysis.

We would appreciate your confirmation of the above as a correct reflection of our talks in Vienna.

Naturally, we may need other practical arrangements when proceeding with inspections. We would expect in such matters, as with the above, Iraq's co-operation in all respect.

Yours sincerely,

*Hans Blix*

Executive Chairman, United Nations Monitoring, Verification and Inspection Commission

*Mohamed El Baradei*

Director General, International Atomic Energy Agency

United Nations

**New York, 8 November 2002 - Comments by the Secretary-General and UNMOVIC Chairman Hans Blix following adoption of Security Council Resolution 1441 on Iraq**

SG: Good morning ladies and gentlemen.

I think we are all very pleased that the Council has adopted this Resolution [1441] unanimously. As you heard most Council members indicate, and in my own statement, we believe Iraq now has a chance to press ahead with disarmament of the weapons of mass destruction. And I hope Iraq will seize this moment and this opportunity.

And I have also appealed to all governments with influence to remain engaged and encourage and urge Iraq to comply. I am particularly looking to the contribution of the Arab League states who were very instrumental in helping Iraq to change its position and I hope they will remain engaged to get the message across that it not enough to let the inspectors come in – it is a good beginning – but what is important is performance. And I hope Iraq will perform and offer the chief [weapons] inspectors the full cooperation that they deserve.

I think the Security Council took its time, acted patiently, and in the end we have an optimal decision and result and I am very, very pleased. I know I kept telling some of you that “we will have unanimity”, “we will have fifteen votes” and you didn't believe me. But here we are.

Q: Mr. Secretary-General, what can you do to preserve the integrity of UNMOVIC? The Chinese, the President of the Security Council referred to lessons to be learned from UNSCOM. A major problem with UNSCOM was that its integrity was in question. What are you going to do to ensure that the same thing doesn't happen ?

SG: I think that the establishment of UNMOVIC is an attempt by the Security Council to correct some of the past weaknesses and errors. And here we have two strong leaders, we have a team of inspectors who have been very carefully picked, from all over the world, who have been given training, including sensitivity training and who have strict instructions to stick to what they are in Iraq to do and nothing else. And I think under the leadership of Mr. Blix and Dr. ElBaradei we can look forward to that kind of performance.

Q: The stick has been mentioned in this Resolution in more than one place, about consequences. Yet there are no carrots for the Iraqis. Isn't there any reward for complying, and why wasn't it mentioned in this?

SG: I think in the statements by the members this morning, there was quite a lot of encouragement for Iraq to honour its obligations and commitments to the Council so that we can see a situation where Iraq will join the international community, that the sanctions will be lifted, and the people of Iraq, who have suffered for so long, will live normal lives again. And I think most of the speakers referred to this need.

Q: What do you feel about the fact that the Security Council ? Sort of put aside the Memorandum of Understanding that you had signed already and taken up in the Resolution. Do you think it's possible that the Iraqis can cooperate by allowing inspectors into the palaces??

SG: I think the Security Council Resolution of today is the governing document, and Iraq has to comply. What you are referring to [inaudible] of a different era – we have a new ballgame now and Iraq has to comply.

Q: Sir, the US Ambassador talked about the Resolution not restraining any member state to act against Iraqi non-compliance. Does that concern you that a member state may take it upon itself to respond that way?

SG: Well, I think the Ambassador also indicated that if there is no automatic trigger in the current Resolution as it stands, and that if the inspectors were to report back that Iraq is not cooperating and is not complying, the Council would meet again and take an appropriate decision. What the Ambassador was referring to, is when the Council comes back the second time around and engages in discussion, they all hope that the Council will face up to its decisions, in effect saying, we are not going to be tied down. But I think the Council will have the chance to look at this issue again based on the report of the inspectors. What is important is that there are no triggers in this resolution and the Council will be back to review what the inspectors bring back.

Q: [inaudible]

HB: If it strengthens the mandate of the IAEA and of UNMOVIC, clearly.

Q: [inaudible]

HB: Well, as the Secretary-General said it requires the cooperation of Iraq. They will have to submit the declaration within thirty days - of their programmes of weapons of mass destruction, also programmes in the peaceful sector.

Q: Dr. Blix, could you tell us, over the next week or two, what your next steps are?

HB: Well, I should safely say first that we are very pleased that the Resolution was adopted by unanimity – that strengthens our mandate very much. Secondly, as to the timetable, we are planning to go to Baghdad on Monday the 18th of this month – so it will be within the seven to ten days that we had planned.

SG: Thank you very much.

Associated Press

**Excerpts from the letter from Iraqi Foreign Affairs Minister Naji Sabri to U.N. Secretary-General Kofi Annan**

13 November 2002

Your Excellency,

You may recall the huge clamor fabricated by the President of the United States administration, in the biggest and most wicked slander against Iraq, supported in malicious intent, and spearheaded in word and malevolence, by his lackey Tony Blair, when they disseminated the claim that Iraq has perhaps produced, or was on its way to produce, nuclear weapons, during the time when the United Nations inspectors had been absent from Iraq since 1998. Then they returned to stress that Iraq had in fact produced chemical and biological weapons. They both know, as well as we do, and so can other countries, that such fabrications are baseless.

(A)fter Iraq's acceptance of the return of the U.N. inspectors had become an established fact, including the agreement of 19 October, 2002, on the date of their return, and only a few hours after this agreement was reached, Colin Powell, the U.S. Secretary of State, declared that he would refuse to accept the inspectors' return to Iraq. In the meantime, the gang of evil returned to talking about adopting a new resolution, or new resolutions, in order to create something for the world to talk about, other than following the work of the inspectors and then seeing the fact already stated by Iraq, which was that Iraq neither had produced nor was in possession of any weapons of mass destruction, nuclear, chemical or biological, throughout the time of the inspectors' absence from Iraq.

We hereby inform you that we will deal with resolution 1441, despite its bad contents, if it is to be implemented according to the premeditated evil of the parties of ill-intent, the important thing in this is trying to spare our people from harm. But we will not forget, nor should others do, that safeguarding our people's dignity, security, independence, and protecting our country, its sovereignty and sublime values, is as sacred a duty in our leadership's and government's agenda. Therefore, and as we said in the foresaid agreement and press statement, we are prepared to receive the inspectors, so that they can carry out their duties, and make sure that Iraq has not developed weapons of mass destruction during their absence since 1998.

Dealing with the inspectors, the government of Iraq will also take into consideration their way of conduct, the intentions of those who are ill-intentioned among them and their improper approach in showing respect to the people's national dignity, their independence and security, and their country's security, independence and sovereignty. We are eager to see them perform their duties in accordance with the international law as soon as possible. If they do so, professionally, and lawfully, without any premeditated intentions, the liar's lies will be exposed to public opinion and the declared objective of the Security Council will be achieved. It will then become the lawful duty of the Security Council to lift the blockade and all the other unjust sanctions on Iraq.

Send your inspectors to Iraq to make sure of this and everyone will be sure, if their way of conduct is supervised so that it becomes legal and professional, that Iraq has not developed weapons of mass destruction, whether nuclear, chemical or biological, as claimed by evil people. The lies and manipulations of the American administration and British government will be exposed, while the world will see how truthful and adequate the Iraqis are in what they say and do.

But if the whims of the American administration, the Zionist desires, their followers, intelligence services, threats and foul temptation were given the chance to play and tamper with the inspection teams or some of their members, the colors would be then confused and the resulting commotion will distort the facts and push the situation into dangerous directions, which is something fair-minded people do not wish for ... "

(W)e hope that you will, Mr. Secretary-General, advise the ignorants not to push things to the precipice, in the implementation, because the people of Iraq will not choose to live at the price of their dignity, country, freedom or sanctities, and they would rather make their lives the price if that was the only way before them to safeguard what they must safeguard.

UNMOVIC

**Note for the briefing of the Security Council on 25 November 2002 re visit to Baghdad**

The Executive Chairman of the United Nations Monitoring, Verification and Inspection Commission (UNMOVIC), Dr. Hans Blix

Mr. President,

I am grateful for the opportunity given to me to informally brief the Council on the visit to Baghdad last week by myself and the Director-General of the IAEA, Dr. ElBaradei, and delegations accompanying us. In doing this, I shall also touch on our readiness for inspections. I have shared my comments this morning with Dr. ElBaradei and I speak on his behalf as well as on my own.

The journey and the visit were covered intensely by the media. However, I shall try to provide you a picture that is more coherent and comprehensive than that which emerges from the public coverage.

The Council adopted Resolution 1441 (2002) on Friday 8 November. Today, about two weeks after the adoption of the resolution, the first group of UNMOVIC and IAEA inspectors have arrived in Baghdad and the essential physical infrastructure for the resumed inspection regime is in place and is being tested. The first inspections are scheduled for the day after tomorrow, that is, on 27 November. This will be within 19 days of the adoption of the resolution rather than the 45 days allowed.

Any statements or writings you may see about where any inspections - whether the first or subsequent - will go, are speculations. The Council has authorized us to go anywhere any time and we intend to do so without telling anyone in advance.

While the group of UNMOVIC inspectors flown in today are from the staff that worked at our headquarters, groups from our roster of trained inspectors will be successively flown to Baghdad in the weeks to come. By Christmas time we expect to have some 100 inspectors plus support staff in place. The logistics are also being rapidly strengthened. Thanks to assistance from the Government of New Zealand we already have communications people and medics in place and, before the end of this week, we may have the first of eight helicopters in Baghdad.

An important point in the infrastructure is the field office in Larnaca.

The Government of Cyprus has been most helpful to us throughout and an agreement has been concluded with it enabling us to have a field office and a launching pad for air transport to Iraq. An L-130 plane is in place to ferry inspectors and other staff as well as equipment to Iraq from Larnaca. It was this plane that took 30 of us from UNMOVIC, the IAEA and UN security to Baghdad last Monday (18 November).

Now to our journey.

On arrival in Baghdad we visited the Canal Hotel, where UNOHCI has its headquarters and where the floor belonging to UNSCOM and the IAEA has been sealed awaiting resumed inspections. We reopened the offices, which were covered with four years' of dust and grime and bore witness to the abrupt departure of the staff in December 1998. The refurbishments have started. Some of the new equipment needed was brought already on this first trip. About half of those who flew in last Monday stay and will be joined by more support staff and by inspectors. The current premises will not be enough and we plan to expand them.

I am confident that the cooperation and relation with UNOHCI, which has kindly lent us a helping hand in Baghdad at this initial stage, will be very good, just as the cooperation here in New York is excellent between us and the Oil for Food Programme. Our staff knows that the sister UN organizations, whose leaders we met and talked to in Baghdad, perform crucial humanitarian and development work in Iraq and these organizations know that eliminating all weapons of mass destruction and avoiding armed conflict are preconditions for further success in the pursuit of humanitarian and development objectives.

Our visit taking place during Ramadan, the talks with the Iraqi officials were held in the evenings. The Iraqi delegation was headed, as at the talks in Vienna a month and a half earlier, by Dr. Al Sa'adi. The Foreign Minister, Dr. Najji Sabri, received Dr. ElBaradei and myself briefly on the 19th. We also had a meeting with the diplomatic corps on that day.

Now to the talks.

The Iraqi side assured us that Iraq intended to provide full cooperation with us in the implementation of Resolution 1441 (2002), while expecting correct and professional conduct from the inspecting organizations. They noted that there would have been no legal obstacle to inspections starting under Resolution 1284 (1999) a month earlier and regretted that this had not been the case. For my part, I noted that the resolution cited would have allowed inspections much earlier than that. I noted further that the new resolution is binding upon both Iraq and us and that the first inspections were scheduled for 27 November. This means, incidentally, that in accordance with operative para. 5 of Resolution 1441 (2002), the UNMOVIC and IAEA updating report to the Security Council is due on 27 January 2003.

We examined and explained in some detail to the Iraqi delegation how we understood the time lines of both Resolution 1441 (2002) and Resolution 1284 (1999), stressing the vital importance of the declaration, which Iraq has to make on 8 December.

The Iraqi side expressed some uncertainty about how it should appropriately prepare this declaration. It noted that the declaration was to be submitted not only to UNMOVIC and the IAEA but also to the Security Council. Who was to examine it? Were the weapons programme parts of the declaration expected to be an updating of the former "full final and complete" declarations? Would programmes claimed to be for non-weapons purposes in the chemistry sector have to comprise items of remote relevance, e.g. the production of plastic slippers? In view of the fact that time for submission was short and omissions could have serious consequences, the Iraqi side said it had some concerns.

Dr. ElBaradei and I said we had no authority to interpret the provisions of operative para. 3, which was directed to Iraq. Nevertheless we expressed some views on a personal basis. Clearly, the most important thing was that whatever there existed by way of weapons programmes and proscribed items should be fully declared. I added that four years had passed since the last inspections and that many governments believed that WMD programmes remained in Iraq. The Council had wanted to offer Iraq a last opportunity.

If the Iraqi side were to state - as it still did at our meeting - that there were no such programmes, it would need to provide convincing documentary or other evidence. What was found in FFCDs submitted to UNSCOM in many cases left it an open question whether some weapons remained.

Dr. ElBaradei and I suggested that submission of the declaration in the form of CD ROMS might be the most practical; that programmes, which seemed remote from any weapons field, perhaps might be listed with their sites and with notes that more detailed information would be supplied on request.

The UNMOVIC side transmitted informally a list of comments and questions resulting from our preliminary analysis of the backlog of semi-annual monitoring declarations, which had been given to us in Vienna on 1 October. We proposed that responses should be given as soon as possible and not await the next regular submission of semi-annual declarations, which would be in January. The Iraqi side stated that some points had not been well checked before submission. There had been some discrepancies and gaps in the missile area. This would be corrected and resubmitted.

From the UNMOVIC side I made a number of further points:

It would be desirable, as we had suggested on earlier occasions, that the implementing legislation prohibiting citizens to engage in programmes of WMDs be enacted. It was called for already in the OMV plan approved by resolution 715 (1991) and should not be very difficult.

We would propose to set up a field office in Mosul without delay and would request Iraqi assistance for this purpose very soon. We would have inspection and support staff as well as UN security guards there. Further offices might be set up in other places later. For now it was Mosul because the largest number of sites outside the Baghdad region were in the Mosul region.

We would further need Iraqi assistance in the expansion of the premises at the Canal Hotel. If the UN was enabled to lease empty land next to the hotel, as it had requested, UNMOVIC could use some of it to erect prefabricated buildings giving needed space for its staff - which would be larger than that which UNSCOM had had. We agreed that the hot line between our office and the National Monitoring Directorate should be re-established and be available 24 hours a day.

Resolution 1441, para. 7 contains an authorization to request names of personnel currently and formerly associated with Iraq's programmes for WMDs and missiles. I stated that UNMOVIC planned to make use of this authority.

The right explicitly given under Resolution 1441, para. 7 to access to presidential sites "equal to that at other sites" would, I said, be exercised and carried out in the same professional manner as at other sites. The Iraqi side took note of this but remarked that the entry into a presidential site or a ministry was not exactly the same thing as entry into a factory.

Given the heavy interest by Iraqi and other media, which we had experienced, we stressed that inspection was a serious business and could not be allowed to turn into some circus. We made it clear, accordingly, that we would not accept media presence at or in inspection sites or areas during inspections. The Iraqi side took note of this but explained that it might invite media to visit such sites after the inspectors had finished their work. We have stationed a spokesman in Baghdad to give brief factual information about inspections, which have taken place. Any more substantial comments will be made in New York.

I have concluded my report on our visit to Baghdad and on the state of our preparation for resumed inspections. However, I should like to mention that going to Baghdad I had the welcome opportunity to stop on the way for some hours in Paris and brief the French Foreign Minister, Mr. Villepin, on the objectives of the mission and to discuss with him and senior officials the implementation of the resolution. I was assured of firm French support for the implementation stage and for effective inspections. I had also occasion in Paris for a short but helpful talk with Foreign Minister Castaneda of Mexico, who was in town. On our way back from Baghdad, Dr. ElBaradei and I were invited to meet with the President of Cyprus, Mr. Clerides, and on my further journey to New York, I met with officials in London and was invited for a talk with Prime Minister Blair. He assured me of the UK Government's support for effective inspections and its determination to ensure the implementation of Resolution 1441 (2002) and the elimination of WMDs and long-range missiles from Iraq.

## BBC

### **Iraq: Inspections so far**

Inspectors have been working for nearly a week

10 December 2002

BBC News Online details the list of locations visited by UN weapons inspectors in Iraq so far:

**Tuesday 10 December:** Weapons inspectors carried out their first long-range mission, travelling 400 km (250 miles) to **al-Qaim**, once the site of a Uranium extraction plant.

A second team inspected a laboratory in the **Abu Ghurayb** suburb of Baghdad, which was associated with Iraq's biological weapons programme before 1991.

**Monday 9 December:** A team from the UN's Monitoring, Verification and Inspection Commission re-visited the industrial complex **Fallujah**, which they first inspected on Sunday.

A second team from the International Atomic Energy Agency (IAEA) went to the **al-Tuwaitha** nuclear facility, which they had visited twice last week.

**Sunday 8 December:** The 17-strong UN inspection team was reinforced when 25 more inspectors flew into Baghdad. A team of nuclear experts went to a geological studies centre at **al-Sadun** park in Baghdad while other specialists visited a major complex at **Fallujah**, north-west of the capital, which had specialised in chemical and biological arms.

**Saturday 7 December:** After a two-day break for the Muslim holiday of Eid al-Fitr, one team of inspectors visited the al-Quds General Company for Mechanical Industries at **al-Iskandariyah**, south of Baghdad. The facility made medium-range missiles and bombs in the 1980s.

The IAEA team went to the **al-Tuwaitha** facility south of Baghdad to check for uranium storage sites.

**Thursday 5 December and Friday 6 December:** No inspections

**Wednesday 4 December:** A team of inspectors travelled south of Baghdad to the **Tuwaitha** facility run by Iraq's nuclear power authority.

A second group headed north to the **al-Muthanna** site which has been associated in the past with the production of mustard gas, sarin and other agents before it was demolished by earlier inspectors.

**Tuesday 3 December:** United Nations arms experts entered the **Sijood palace** in the Karkh district of Baghdad - the first of Saddam Hussein's presidential palaces to be inspected since the resumption of inspections.

**Monday 2 December:** Monitors searched the **Karamah** compound, run by Iraq's Military Industrialisation Commission in the Wazireyah district of Baghdad.

Other arms experts visited three alcohol factories near **Bakuba** just north of Baghdad, at least one of which had never been inspected by UN teams before.

**Sunday 1 December:** Inspectors visited an airstrip at **Khan Bani Saad** 30km (20 miles) north east of Baghdad, and inspected crop spraying helicopters.

The site was declared by Iraq in 1988 to have been used in the development biological weapons.

Another team went to the **Ibn Firnas** military industrial compound at **Rashdiya** 20km (12 miles) north east of the capital.

**Saturday 30 November:** An inspections team visited the chemical defence battallion at **Balad**, 90km north of Baghdad.

The site is used to train military personnel in anti-chemical, biological and radiological defence measures.

A separate team from the International Atomic Energy Authority (IAEA) inspected two sites: **Um al-Maarik** and **al-Meelad**, where the former al-Furat Uranium enrichment centrifuge was located.

**Friday 29 November:** No inspections

**Thursday 28 November:** One team visited an animal vaccine production plant in **al-Dora**, south of Baghdad.

The team at first walked in a field surrounding the main building, checking huge water tanks.

They then spent 20 minutes inside a warehouse before entering the main building.

Another group went to the **al-Nasser** factory in the Taji area, about 25km north of the capital.

**Wednesday 27 November:** A team of inspectors visited the **al-Tahadi** factory in the al-Rashad suburb, north-east of Baghdad.

A second group travelled to inspect a graphite plant at **al-Amariyah**, south-west of the capital.

# BELEID NEDERLANDSE REGERING

## Tweede Kamer

### **23 432 De situatie in het Midden-Oosten**

#### **Nr. 62 Brief van de Minister van Buitenlandse Zaken aan de Tweede Kamer**

Den Haag, 31 oktober 2002

Onder verwijzing naar de Regeling van Werkzaamheden d.d. 29 oktober 2002 wil ik hieronder ingaan op vragen die bij die gelegenheid werden gesteld door het lid Koenders.

Nederland noch de EU zijn direct betrokken bij het overleg dat thans plaatsvindt binnen de VN Veiligheidsraad over een mogelijke nieuwe resolutie inzake Irak. Dit overleg vindt plaats op basis van een Amerikaans-Brits ontwerp, dat door de VS officieel is ingediend. Er is voorts sprake van informele teksten van de zijde van Frankrijk en van de Russische Federatie.

De laatstgenoemde tekst stelt slechts weinig eisen aan Irak en draagt nauwelijks bij tot de noodzakelijke aanscherping van het inspectieregime. Deze tekst lijkt vooral tactische Russische doelen te dienen, zowel in de discussie met de VS als tegenover het Iraakse regime.

Binnen het kader van het gebruikelijke EU-overleg informeren lidstaten die lid van de Veiligheidsraad zijn (thans Ierland als gekozen lid, naast de permanente leden Frankrijk en het VK) conform art. 19 van het VEU de andere lidstaten terzake. Gewoontegetrouw zijn Frankrijk en het VK evenwel geneigd in VR-kader hun nationale posities voorop te stellen. Wel heeft de EU bij de recente, zogenaamde «open session» van de Veiligheidsraad een eigen verklaring afgelegd, waarin met name het belang van aanscherping van het inspectieregime is benadrukt.

De VS is bij de laatste versie van zijn ontwerp Frankrijk tegemoetgekomen door voor te stellen dat, na vaststelling door de wapeninspecteurs dat Irak tekortschiet bij het nakomen van zijn verplichtingen, de Veiligheidsraad terzake opnieuw beraad zal voeren.

De discussie draait thans met name nog om bepaalde elementen in de Amerikaanse tekst, in het bijzonder het opvoeren daarin van het begrip «material breach». Het noemen van dit begrip wordt door Frankrijk opgevat als een bevestiging van de visie dat lidstaten van de VN op dit moment al gemachtigd zijn «alle noodzakelijke middelen», waaronder ook militair geweld, toe te passen om de uitvoering door Irak van alle bestaande relevante VR-resoluties af te dwingen. De regering meent eveneens, zoals ik eerder in uw Kamer heb uiteengezet, dat die machtiging op dit moment strikt juridisch gezien al bestaat. Een nieuwe resolutie die machtigt tot gebruik van geweld blijft, ook in het licht van de huidige discussie, evenwel politiek wenselijk.

Het versterken van het inspectieregime is een centraal element van het Amerikaanse voorstel. De EU heeft zich uitgesproken voor een nieuwe VR-resolutie die verzekert dat de VN-inspecteurs (het team van UNMOVIC onder leiding van de heer Hans Blix en dat van het IAEA onder leiding van de heer Mohammed El-Baradei) hun taken op het gebied van ontwapening en monitoring, zoals geeist door de relevante VR-resoluties, effectief kunnen uitvoeren.

De regering meent dat er een goede kans bestaat dat de discussie in de Veiligheidsraad zal leiden tot een nieuwe resolutie, waarmee een aangescherpt inspectieregime zal worden ingesteld. De meest betrokken uitvoerders – met name de heer Blix – hebben al te kennen gegeven dat dit het succes van hun werkzaamheden zal bevorderen. Irak zal na de eerste noodzakelijke stap van het uitspreken van bereidheid om de VN-wapeninspecteurs weer toe te laten, de volgende stappen moeten zetten die leiden tot het hoofddoel, de ontmanteling van zijn massavernietigingswapens.

De EU is van mening dat slechts sterke, internationale druk Irak hiertoe zal dwingen, hetgeen steeds de Nederlandse inzet in dit overleg is geweest. Vragen omtrent een mogelijke verandering van het bestuur van Irak zijn op dit moment niet aan de orde, evenmin als Nederlandse deelname aan eventuele militaire actie. Nederland heeft – anders dan de VS – geen overleg gevoerd met vertegenwoordigers van de Iraakse oppositie over een eventueel toekomstig bestuur van Irak. Contacten die sinds het verzenden van mijn brief van 4 september jl. hebben plaatsgevonden betroffen een door de Iraakse oppositie in Europa te organiseren conferentie.

De Minister van Buitenlandse Zaken,  
J. G. de Hoop Scheffer

**DAM-537/02 – Veiligheidsraadresolutie Irak**

**Brief van de Minister van Buitenlandse Zaken aan de Tweede Kamer**

11 november 2002

Naar aanleiding van het verzoek van de vaste commissie voor Buitenlandse Zaken van 6 november jl., kenmerk Buza 2002/54, bericht ik u, onder verwijzing naar mijn brief van 31 oktober jl., als volgt over de nieuwe resolutie van de VN-Veiligheidsraad inzake Irak. Kopie van de desbetreffende resolutie gaat u hierbij toe.

Na acht weken intensieve onderhandelingen tussen de leden van de Veiligheidsraad en in het bijzonder tussen de P-5 is op 8 november jl. VR-resolutie 1441 inzake Irak unaniem aanvaard. De regering verwelkomt deze positieve ontwikkeling die het resultaat is van de constructieve houding in het diplomatieke overleg van de kant van de Verenigde Staten en andere leden van de VR.

De aanscherping van het inspectieregime vormt het centrale element van VR-resolutie 1441. Dit heeft ten doel dat de VN-wapeninspecteurs (het team van UNMOVIC onder leiding van de heer Blix en dat van het IAEA onder leiding van de heer El-Baradei) hun taken efficiënt, op korte termijn en zonder beperkingen kunnen uitvoeren.

Enkele aspecten die de bijzondere aandacht verdienen zijn de mogelijkheid Iraakse staatsburgers te horen, in Irak of daarbuiten, buiten aanwezigheid van Iraakse overheidswaarnemers; de onbeperkte toegang van de inspecteurs tot alle locaties inclusief, en dit in expliciete afwijking van eerdere bepalingen, presidentiële locaties; de mogelijkheid om een te inspecteren locatie te 'bevriezen' zodat daar niet veranderd of verwijderd kan worden.

Resolutie 1441 legt Irak een strikt tijdpad op. Het Iraakse regime dient binnen zeven dagen na de datum van aanvaarding van resolutie 1441 (8 november) in te stemmen met uitvoering van deze resolutie. Voorts dient Irak UNMOVIC en IAEA binnen 30 dagen een volledige en uitvoerige omschrijving voor te leggen van alle aspecten en elementen van zijn chemische, biologische en nucleaire wapens programma's evenals van het bijbehorend militair materieel en installaties.

In de nieuwe resolutie is rekening gehouden met de Franse bezwaren, waarvan ik melding maakte in mijn brief van 31 oktober jl. In resolutie 1441 wordt weliswaar vastgesteld dat Irak reeds jaren in "material breach" is van zijn verplichting de vigerende VR-resoluties uit te voeren, maar wordt tegelijkertijd gesteld dat Irak een laatste kans ("a final opportunity") krijgt om met de VN samen te werken.

Voorts komt de resolutie tegemoet aan een door Frankrijk gewenste fasering. De resolutie stelt dat zodra een verdere "material breach" door de VN-wapeninspecteurs geconstateerd en aan de VR gemeld wordt, de Raad bijeen zal komen om zich te beraden. De resolutie gaat niet in op de vraag welke maatregelen in dat geval genomen kunnen of moeten worden, en a fortiori niet op de vraag of een eventueel gebruik van geweld in een nieuwe VR-resolutie moet worden bekrachtigd. Wel wordt in herinnering gebracht dat de Veiligheidsraad Irak herhaaldelijk heeft gewaarschuwd dat het ernstige consequenties onder ogen zal moeten zien in het geval van voortdurende schending van zijn verplichtingen.

De regering beschouwt de onderhandelingen in de VR en het uiteindelijk bereikte resultaat als een duidelijk bewijs van enerzijds de bereidheid van de Verenigde Staten om het VN-spoor te volgen en van anderzijds die van de VR om zijn belangrijke rol te blijven spelen bij het verzekeren van internationale vrede en veiligheid.

De regering verwelkomt dat de Veiligheidsraad resolutie 1441 met unanimitéit heeft aanvaard. Deze unanieme steun van alle VR-leden zal de internationale druk op Irak doen toenemen om dat land ertoe te bewegen mee te werken aan de uitvoering van de vigerende resoluties, in het bijzonder de resoluties die de ontmanteling van Irak's massavernietigingswapens ten doel hebben.

Zoals reeds in mijn brief van 31 oktober jl. vermeld, hebben de uitvoerders van de wapeninspecties in oktober jl. laten weten dat een dergelijke resolutie het succes van hun werkzaamheden zal bevorderen. De heer Blix heeft na de aanvaarding van resolutie 1441 te kennen gegeven dat door de strikte bepalingen daarvan en door het feit dat deze resolutie met unanimitéit is aanvaard, de wapeninspecties en de ontmanteling van het Iraakse wapenarsenaal thans een goede kans van slagen hebben. Tevens heeft hij aangekondigd dat, wanneer Irak akkoord gaat met resolutie 1441, een "advance team" van inspecteurs reeds op 18 november naar Irak zal afreizen.

De Secretaris-Generaal van de Verenigde Naties heeft Irak opgeroepen onverwijld uitvoering te geven aan resolutie 1441. Ook de Europese Unie heeft dit in een verklaring gedaan. Deelnemers aan een bijzondere bijeenkomst van de Arabische Liga in Kairo hebben er eveneens bij Irak op aangedrongen uitvoering te geven aan resolutie 1441. Sommigen spraken de verwachting uit dat Irak dit ook zal doen. De regering in Bagdad heeft echter nog geen besluit kenbaar gemaakt.



President Bush heeft in een verklaring gesproken van een “final test” voor Irak. Hij heeft de bereidheid van de VS onderstreept om in de VR te overleggen in geval van een “material breach” van Irak, maar heeft zich tevens alle vrijheid van handelen voorbehouden in geval Irak niet aan deze resolutie gevolg geeft: “If Iraq fails to comply fully, the United States and other nations will disarm Saddam Hussein”.

De regering meent dat het Iraakse leiderschap thans deze laatste kans moet grijpen om zelf uitvoering te geven aan de beslissingen van de Veiligheidsraad; dit is de enige manier om op vreedzame wijze een einde te maken aan de door de VR wederom vastgestelde bedreiging van de internationale vrede en veiligheid.

De Minister van Buitenlandse Zaken  
Mr. J.G. de Hoop Scheffer

Ministerie van Buitenlandse Zaken

### **NAVO-Top te Praag, 21-22 november**

Brief van de Minister van Buitenlandse Zaken aan de Tweede Kamer

DVB/VD –235/02 – 2 december 2002

[...]

Tijdens de werklunch van de Noordatlantische Raad ging de aandacht vooral uit naar de kwestie Irak. In dit kader spraken de staatshoofden en regeringsleiders hun volledige steun uit voor de implementatie van VN Veiligheidsraadresolutie 1441 en werd Irak opgeroepen volledig en onmiddellijk VR-resolutie 1441 en andere relevante VR-resoluties na te leven. De NAVO-bondgenoten verklaarden dat zij vastbesloten waren om effectief op te treden om de pogingen van de VN te ondersteunen teneinde volledige en onmiddellijke naleving door Irak te verzekeren van VR-resolutie 1441. In dit kader werd gememoreerd dat Irak te maken zal krijgen met serieuze gevolgen indien dit land zich niet aan zijn verplichtingen zal houden.

[...]

Ministeries van Buitenlandse Zaken en van Defensie

### **Brief aan de Tweede Kamer**

DVB/CV-392/02 – 6 december 2002

In onze brief van 21 november jl. gaven wij kennis van het Amerikaanse verzoek aan de Nederlandse Regering om bij te dragen aan de planning ten behoeve van een mogelijk militair optreden voor het geval Irak niet of onvoldoende meewerkt aan de uitvoering van resolutie 1441 van de VN-Veiligheidsraad. Dit verzoek werd gedaan om de druk op Irak op te voeren om uitvoering te geven aan zijn verplichtingen uit hoofde van deze en voorgaande resoluties. De Regering deelde daarbij mee dat zij het verzoek ernstig neemt, en zou onderzoeken of en in hoeverre zij hieraan gevolg kan en wil geven.

Zoals U bekend spraken de staatshoofden en regeringsleiders op de NAVO-top in Praag hun volledige steun uit voor de implementatie van resolutie 1441. Irak werd opgeroepen volledig en onmiddellijk deze en andere relevante VN-Veiligheidsraadresoluties na te leven. De NAVO-bondgenoten verklaarden bij die gelegenheid dat zij de Verenigde Naties zouden steunen in het streven naleving van resolutie 1441 te verzekeren. De Amerikaanse onderminister van Defensie, de heer Wolfowitz, wees tijdens zijn bezoek aan de Noord-Atlantische Raad op 4 december jl., op mogelijkheden voor een nadere betrokkenheid van de NAVO. Hij suggereerde bij die gelegenheid gebruik te maken van NAVO-middelen en stafcapaciteit. Daarnaast wees hij op de mogelijkheid dat zich ontwikkelingen kunnen voordoen die aanleiding geven tot verzoeken om bondgenootschappelijke bijstand.

Op 5 december jl. heeft de minister van Buitenlandse Zaken een gesprek gevoerd met de Amerikaanse onderminister van Buitenlandse Zaken, de heer Grossman. In het gesprek gaf de heer Grossman een toelichting op het Amerikaanse verzoek. Uit het onderhoud is andermaal gebleken dat de druk op Irak dient om te bereiken dat het voldoet aan resolutie 1441, en dat het Amerikaanse verzoek uitdrukkelijk in dat kader geplaatst dient te worden. Voorts is duidelijk geworden dat het Amerikaanse verzoek aan Nederland zich in eerste instantie richt op het verlenen van overvliegvergunningen en het faciliteren van doorvoer over het Nederlandse grondgebied, en op planning inzake ondersteunende en defensieve taken, zoals het Patriot-

raketverdedigingsysteem. Daarnaast wil de VS met Nederland in contact blijven over eventuele aanvullende bijdragen.

In het hierboven geschetste kader heeft de Regering heden besloten in beginsel positief te reageren op het Amerikaanse verzoek. Deze beginselbereidheid betreft vooralsnog alleen het verlenen van overvliegvergunningen en het faciliteren van doorvoer over het Nederlandse grondgebied, alsmede planning voor de genoemde ondersteunende en defensieve taken. Alvorens bovengenoemde beginselbereidheid wordt omgezet in een meer concreet aanbod voor planningsdoeleinden, en overgegaan wordt tot gereedstelling, dient nader overleg gevoerd te worden tussen Nederlandse en Amerikaanse militairen over de precieze modaliteiten. Een besluit tot feitelijke ter beschikkingstelling zal de Regering nemen mede op basis van een eigen oordeel of er sprake is van zogenaamde 'material breach' door Irak. Deze beoordeling zal worden voorgelegd aan de Tweede Kamer.

De minister van Buitenlandse Zaken  
Mr. J.G. de Hoop Scheffer

De minister van Defensie  
Mr. A.H. Korthals

## NIEUWS

United States Mission to the European Union

### UN ARMS INSPECTORS PREPARING TO GO TO IRAQ

September 19, 2002

By Judy Aita, Washington File United Nations Correspondent

*United Nations* -- The chief UN weapons inspector officially briefed the Security Council September 19 on preparations under way to begin inspections in Iraq, where, he said, "there will be no sanctuaries."

Hans Blix, chairman of the UN Monitoring, Verification, and Inspection Commission (UNMOVIC) said that he wants "to get off to a flying start" with inspections as soon as possible. He said that his upcoming meeting in Vienna with Iraqi officials the week of September 30 will be to go over the details of what is needed to conduct inspections but "we are not giving any discounts on Security Council resolutions."

Talking with journalists after his almost two-hour private meeting with the Security Council, Blix said that the practical arrangements to be discussed include "how do we get there, how do we land, what is our cooperation with the national directorate, accommodations, security of inspectors, flight path of helicopters, communications, transportation, jeeps."

"There are quite a few such things that need to be settled. Since we want to have successful inspections and we want to avoid any clashes, differences, and conflict with Iraq, we think it would be best to talk to them about what our rights are, explain to them so they know what they can expect," he said. "We are not uncertain about what the resolutions say...but we do need to explain."

"We are the servants of the Security Council and we are basing ourselves on Resolution 1284 and preceding resolutions beginning in 1991 with Resolution 687, etc. We know all this. We are not in doubt about what needs to be done," the UNMOVIC chief said.

After the Vienna meeting, the first step for UNMOVIC will be to send administrative staff into Baghdad to check the condition of the UN offices that were vacated almost four years ago and to reopen laboratories, replace computers if necessary, and basically get the infrastructure in place before the weapons inspectors arrive.

Blix noted that the inspectors come from 45 different countries and are in their homelands, so preparations have to be made to get them to Iraq. Nevertheless, he stressed, the inspectors will be UN employees and will not be paid by their governments.

Blix said that he has some sites he wants the inspectors to look at immediately, but he has not discussed the sites with Iraqi officials.

Blix said he will demand full, unfettered access to any site for his inspectors.

Presidential sites will not be spared by UNMOVIC, he said. "There is a special procedure laid down (for presidential sites) and I told (the Iraqis) that I will make use of such a right."

"We are not giving any immunities. In our view, there are no sanctuaries in Iraq," he said.

UNMOVIC will welcome any intelligence information from other governments on potential weapons sites, the chairman said. Nevertheless, "intelligence, in our view, is a one-way traffic. If member governments want us to try to find anything hidden, well, give us information. But we are not supposed to give information back."

"Some may not like that, but I think integrity is more important than information," Blix said. Once UNMOVIC is fully operational in Iraq, it will have 60 days to draw up a program of work and report back to the Security Council. In the past Blix has said that after that point, with Baghdad's cooperation, he expects to have the disarmament of Iraq completed in a year.

Secretary General Kofi Annan met with Iraqi Foreign Minister Naji Sabri September 18 and stressed "the need to provide full and unconditional cooperation to the UN inspectors and reaffirmed his confidence in Blix's professionalism and impartiality," UN spokesman Fred Eckhard said.

Eckhard said that the United Nations does not see the upcoming meeting in Vienna as negotiations with the Iraqis, but "discussions on practical arrangements on the understanding that there are no conditions."

Canadian Press

## **Iraq accuses United States of delaying return of weapons inspectors**

Sunday, October 20, 2002

BAGHDAD (AP) - Iraq said the absence of UN weapons inspectors in the country after it agreed to their return is the United States' fault and constitutes a breach of agreements it signed with the international body. A statement released Sunday after a cabinet meeting headed by President Saddam Hussein said inspectors failed to show up in Iraq at the agreed time on Oct. 19.

It called the move "a breach of the agreement reached between Iraq and the United Nations secretary general on Sept. 16," a reference to Iraq's agreement to resume weapons inspections after a four-year break.

The statement said Iraq holds the United States responsible for the delay and repeated Baghdad's position that there is no need for any new, tougher UN Security Council resolutions to govern the inspectors' mandate.

Iraq has been pushing for an advance party to arrive in Baghdad, but chief UN weapons inspector Hans Blix said last week he will wait for the Security Council to adopt a new resolution. Blix had said that since the council is still debating a resolution, the UN team wouldn't be able to deploy by Oct. 19.

The White House would like a tough resolution from the UN Security Council to strengthen the inspectors' mandate, but negotiations continued even after the United States agreed to soften a threat in its initial proposal.

In an effort to woo France, which opposes threatening language in the initial resolution, U.S. diplomats agreed to drop the phrase authorizing "all necessary measures" to disarm Iraq.

The Iraqi cabinet statement called the delay "illegal" and said it undermines the reputation of the United Nations.

It said any Security Council resolution that goes against the Sept. 16 agreement would mean "that the Security Council does not respect its obligations at a time it is asking others to respect theirs."

UN Secretary General Kofi Annan, on a visit to central Asian countries Sunday, repeated his plea that Baghdad allow arms inspectors.

"I expect the Security Council to pass a resolution to strengthen the UN inspectors, with whose demands Iraq should comply," he said. "I urge Iraq to heed that call and comply."

Annan said if the inspectors return and report "that Iraq continues to defy the council, I do expect the UN to take a decision. I do expect it to be unanimous, in one voice."

U.S. Secretary of State Colin Powell, speaking on NBC's Meet the Press on Sunday, said he expects the Security Council to enact a resolution setting strong guidelines for inspection teams to be sent back into Iraq.

"The issue right now is not even how tough an inspection regime is or isn't," Powell said. "The question is will Saddam and the Iraqi regime co-operate - really, really co-operate - and let the inspectors do their job."

"All we are interested in is getting rid of those weapons of mass destruction," he said.

UN sanctions against Iraq, imposed after its invasion of Kuwait in 1990, cannot be lifted until inspectors verify Iraq is free of chemical and biological weapons and missiles to deliver them.

U.S. President George W. Bush says Iraq is developing banned weapons programs and wants Saddam removed from power.

New York Times

## **Bush Team Urges Bold Inspections of Iraq's Arsenal**

By Steven R. Weisman

21 October 2002

WASHINGTON, Oct. 20 — The Bush administration, anticipating approval of a United Nations Security Council resolution that falls short of what it was seeking, is now pressing harder than ever for inspections of Iraq's weapons program to be carried out quickly and forcefully. Administration officials say the goal is to prevent months of delay that could postpone retaliation for Iraq's noncompliance.

Delays could occur if inspectors take their time in choosing hundreds of sites or visiting places that yield little conclusive evidence of Iraq's weapons programs, the officials say.

The administration has always sought a rapid inspection timetable in principle. But American officials have intensified their efforts in the last few weeks in their meetings with Hans Blix, the head of United Nations inspection teams, as the likelihood has increased for a new United Nations resolution.

A major factor in the need for speed, officials said, is the "window" for military action against Iraq. Military officials and other experts say the optimal time for using troops is the winter months, before the heat and sand storms set in. This means that such action would have to begin between December and February.

"This is not going to be a matter of waiting six months to see what happens," said an administration official, referring to the inspections process. "It's going to be a matter of watching every day to see what the Iraqis do." Negotiations to hammer out a Security Council resolution are said to be close to fruition, at least on the question of whether force should be authorized now, as the United States wants, or whether authorization of force should be put off and decided later in a second resolution months from now, which is the approach sought by France and others.

Appearing on television talk shows today, Secretary of State Colin L. Powell and Condoleezza Rice, the national security adviser, said language on a resolution could be presented this week.

The goal of the United States is to have the resolution refer to unspecified "consequences" — which could be interpreted as the use of force — if Iraq fails to comply with the inspections and disarmament demands. At the same time, the United States would implicitly accept the idea of a role by the Security Council in determining what the consequences should be.

But diplomats involved in the talks on the resolution say that, on a parallel track, the United States wants the resolution to ensure that the inspections themselves are aggressive. For example, some in the Bush administration continue to want the inspectors to include American officials who can point them to the right places, and to have their own armed security guards to enforce the inspections, in case there are confrontations with Iraqi forces.

United Nations diplomats are raising doubts about both those ideas. They are concerned that the use of armed guards would be needlessly provocative, and are worried that the Bush administration may be looking for a confrontation to serve as an excuse to call for military force against Iraq.

The idea of having American experts accompany the United Nations team has taken the form of a proposal that inspectors from all five permanent members of the Security Council — France, Russia, China and Britain as well as the United States — take part.

But some diplomats sympathetic to the notion of aggressive inspections say that idea is not well thought out. Their fear is that Russian and Chinese officials might actually impede the process, perhaps by tipping off the Iraqis about the inspectors' plans.

Timing is the main issue being discussed intensively between the United States and the inspections team, which is led by Hans Blix, the executive chairman of the United Nations Monitoring, Verification and Inspection Commission, also known as Unmovic.

Both Secretary Powell and Ms. Rice, in their television appearances today, emphasized the need for inspections to provide a quick test of Mr. Hussein's intentions. "The world is going to have to have a zero-tolerance view if he is unwilling to cooperate this time," said Ms. Rice, on CNN's "Late Edition." She said the United States would not tolerate a delay of even two hours between a request to inspect a site and the inspection itself because it would allow Iraqis to destroy documents.

Secretary Powell said on the ABC News program "This Week" that once it became clear that the inspectors could not function, "they're going to come home" right away. "Either Iraq cooperates and we get this disarmament done through peaceful means, or they do not cooperate and we will use other means to get the job done," he said.

Experts on inspections say there will be a fine line between having aggressive and intrusive inspections and doing something that is deliberately provocative in order to create a pretext for military action.

"If there is a stalemate on inspections, it could be that the inspectors will have to stage some kind of provocation," said Victor Mizin, a former Russian diplomat who worked as an inspector in Iraq in the 1990's. "The alternative is wait and hope that the Iraqis commit some kind of mistake and create an incident themselves."

Secretary Powell has had several meetings with Mr. Blix, most recently last week in New York. Aides to Secretary Powell say that although Mr. Blix had a reputation among some as too compliant toward Iraq in the 1990's, they are satisfied now that he understands the need for speed and intrusiveness.

"We're impressed with them," said a State Department official, referring to Mr. Blix and his team. "We've been meeting with these guys for a while, and we think they're quite capable and quite aggressive."

It was considered a breakthrough in Washington when Secretary Powell and Mr. Blix agreed earlier this month that inspectors would not go into Iraq until a new Security Council resolution was approved removing restrictions on the inspections as they applied to eight so-called presidential palaces. No one expects to find weapons at the places, officials say. Rather the hope is that they will find documents and computer discs indicating where weapons are being produced.

After approval of a resolution, inspections would begin within weeks, focusing initially on sites selected by the Iraqis themselves, an official in Mr. Blix's office said. Within 60 days, the inspection team would produce its own list of "key tasks" going beyond the list of sites produced by the Iraqis.

"We have to do a credible job," this official said. "We must have immediate, unconditional and unrestricted access not just to sites, but also to documents and individuals."

Access to individuals is another big issue for the Americans. President Bush has said he wants the inspectors to be able to take individual scientists and others outside Iraq for interviews. American officials say that on this point the United States is unlikely to accept a compromise.

The reason is that during the inspections in the late 1990's, inspectors said that when they found someone willing to cooperate, that person would suddenly disappear and the team feared he had been imprisoned or tortured. Some inspectors said they were constantly haunted by the concern of hurting the families of those Iraqis who cooperated with them.

The United Nations inspection team consists of 220 professionals from 45 countries trained over the last two years; it will grow to 270 this year. The first team to go into Iraq will comprise 80 to 100 experts, who would stay in Iraq for three or four months and then rotate out.

Mr. Mizin, the former Russian diplomat who is now the diplomat in residence at the Center for Nonproliferation Studies at the Monterey Institute in California, said there was concern that these professionals were not as experienced and that they would not be as diligent as the teams that went into Iraq some years ago.

But Mr. Blix's office defends the group as superior to previous teams because it includes members from a wider range of countries, notably Eastern Europeans and Russians with expertise in nuclear and biological and chemical weapons. Moreover, an aide to Mr. Blix said, these experts would have the advantage of being international civil servants rather than nationals from their own countries, and therefore more likely to be accepted by the Iraqis.

#### San Francisco Chronicle

#### **U.S. attack leans on shaky legal support**

#### **Previous U.N. resolutions on Iraq no blank check for war, experts say**

Robert Collier, Chronicle Staff Writer

Monday, October 21, 2002

As the Bush administration continues its hard bargaining over Iraq with other members of the U.N. Security Council, it is making a not-so-veiled threat -- if the council fails to adopt a new resolution authorizing the use of force against Saddam Hussein, the United States may go to war anyway. We don't really need your approval, the administration appears to be saying. We already have it, so we can invade whenever we want.

The point has been made repeatedly, most recently Thursday, when Secretary of State Colin Powell said "the United States does not need any additional (U. N.) authority, even now, to take action to defend ourselves."

It's a powerful blank check, backed legally -- in the administration's view -- not only by the recently passed congressional resolution endorsing the use of force, but also by Security Council resolutions passed in 1990 and 1991 that authorized military action to remove Hussein's forces from Kuwait.

#### Washington wrong

There's only one hitch. According to most members of the council and numerous U.S. legal scholars, Washington's interpretation is wrong. Without a new council resolution explicitly authorizing war, the United States cannot act alone, they say.

While Washington has backed down somewhat from its earlier go-it-alone position by agreeing that the Security Council would first be consulted if Iraq is found in breach of new weapons inspections, it still insists it will not feel bound to wait for a U.N. decision before taking action.

#### Powell claims 'Authority to act'

Powell said Thursday that the congressional war authorization signed by Bush the day before "says that the president has the authority to act . . . in the best interest of the United States in concert with well-minded nations, whether the United Nations is active or not."

The congressional authorization directly echoes legal arguments made previously by the Clinton and Bush administrations. It cites Security Council Resolution 678 of November 1990, which authorized "member states

. . . to use all necessary means to uphold and implement Resolution 660 (which ordered Iraq out of Kuwait) and all subsequent relevant resolutions and restore international peace and security in the area."

#### Trying to use original resolution

According to Washington's view, the mandate of Resolution 678 is not limited to removing Iraq from Kuwait but refers indefinitely to all matters related to Iraq, such as disarmament, regional security and protection of Iraq's civilian population, as summarized in Resolution 687, which created the cease-fire to end the Gulf War in 1991.

The United States argues that Iraq is violating 687 and other resolutions, so the original authorization in 678 to use force still stands -- and can be used again.

Many international legal experts disagree. They say 678's mandate referred only to those resolutions related to Iraq's occupation of Kuwait. They also note that 687 and other Iraq resolutions after the Gulf War state the council "remains seized of the matter" -- legal jargon meaning that all further actions are to be decided by the council.

"This broad interpretation of Resolutions 678 and 687 is absolutely incorrect," said Jules Lobel, a law professor at the University of Pittsburgh who is a leading scholar of U.N. jurisprudence.

"The French, Russians, Chinese and most other countries of the world are correct that it's for the Security Council, not for the United States and Britain, to decide on any other actions to further enforce the resolutions."

Since the Gulf War, all other U.S. and British military action against Iraq -- imposition of the "no-fly" zones in northern and southern Iraq, and the December 1998 bombing of Baghdad -- has employed the same interpretation, which legal experts and other Security Council members say is equally invalid because Washington and London did not obtain explicit U.N. authorization.

#### Backers questioning policy

Even those who support the administration's policy say the U.S. case is far from solid legally.

Abraham Sofaer, a former State Department legal adviser to the Reagan and first Bush administrations who is a senior fellow at the Hoover Institution at Stanford University, said the current U.S. legal argument "isn't clear, it's controversial. I support the president, I think we should act even without explicit (new) authority from the Security Council. . . . But now, you just can't say you have a clear case."

Sofaer agreed that the problem isn't new. "It's a dilemma we faced in Kosovo (in 1999), where we didn't have explicit legal authority, but we went to NATO and said, 'Let's just do it.'"

This creates a dangerous precedent, some analysts say.

"No single nation has the right to decide enforcement of U.N. Security Council resolutions," said Stephen Zunes, a professor of politics and chair of the Peace and Justice Studies Program at the University of San Francisco.

"If that were the case, Russia could invade Turkey because of its violation of resolutions on Cyprus; Spain could invade Morocco because of the Western Sahara; Syria could invade Israel, and so on."

#### U.S. often blocks enforcement

Zunes recently carried out a study that found that since World War II, 91 council resolutions have been violated with no attempt to enforce them. In many cases -- such as resolutions critical of Israel -- the United States has blocked enforcement attempts.

Other scholars point out that because U.N. resolutions have the status of foreign treaties and thus are "the supreme law of the land," as described in the U.S. Constitution, they should trump any law passed by Congress.

Bruce Ackerman, a professor of constitutional law and political science at Yale University, said such high principles have been ignored by American courts.

"Under existing Supreme Court case law the courts will follow the congressional resolution even though the country is violating one of its solemn treaty obligations," said Ackerman.

Legal experts agree that the Bush administration's strongest card could be to cite the right to individual or collective self-defense, which is enshrined in the U.N. Charter. American officials have laid the groundwork for the use of force under what they call "pre-emptive self-defense," saying that Hussein supports al Qaeda and other international terrorist groups that might use chemical, biological or nuclear weapons against the United States.

But the administration has held back from making an explicit legal case, apparently because it lacks firm evidence that Iraq is giving such support or that an attack is imminent, as the Charter requires.

### Argument could backfire

What's worse, the self-defense argument could boomerang. If the United States fails to get U.N. backing yet declares its intention to invade Iraq anyway, Baghdad could cite self-defense as justification to launch a pre-emptive attack on U.S. military forces in the gulf region.

In the end, the legal issues may simply be determined by the realities of the battlefield.

"If the United States invades and it's over in a week, this would be just another violation of the U.N. Charter, the Security Council would be powerless to do anything about it, and few people would pay any more attention," said Sobel of the University of Pittsburgh.

"But if U.S. troops get mired in combat in Baghdad, it would be very serious if they're doing it in contravention of the charter and Security Council wishes."

### Washington Post

21 October 2002

Essay, published in the Washington Post, Page A 25.

### **Inspections Are the Key**

IAEA Director General Mohamed ElBaradei

As the chief nuclear inspector for ensuring Iraq's disarmament, I believe it is critical at this defining moment to make clear the purpose and value of weapons inspections in Iraq. Inspections by an impartial, credible third party have been a cornerstone of international nuclear arms control agreements for decades. Where the intent exists to develop a clandestine nuclear weapons program, inspections serve effectively as a means of both detection and deterrence.

From 1991 through 1998, the International Atomic Energy Agency, empowered by the U.N. Security Council with broad rights of inspection, succeeded in thwarting Iraq's efforts to develop nuclear weapons -- the most lethal weapons of mass destruction. As President Bush stated in Cincinnati on Oct. 7: "Before being barred from Iraq in 1998, the International Atomic Energy Agency dismantled extensive nuclear weapons-related facilities."

We neutralized Iraq's nuclear program. We confiscated its weapon-usable material. We destroyed, removed or rendered harmless all its facilities and equipment relevant to nuclear weapons production. And while we did not claim absolute certainty, we were confident that we had not missed any significant component of Iraq's nuclear program.

The problem arose in 1998, when all inspections were brought to a halt, with a military strike imminent. While satellite monitoring and analytical work have continued since then, no remote analysis can replace inspections, nor can it enable us to reach conclusions about what has occurred in relation to nuclear weapons development in Iraq in the intervening four years. The best way to establish the facts is through the return of inspectors to Iraq.

After four years, the door to inspections has finally reopened, and we should be taking advantage of that opportunity. The success of inspections in Iraq -- in eliminating not only nuclear weapons, but also biological and chemical ones -- will depend on five interrelated prerequisites:

1. Full and explicit authority for inspection, which means immediate and unfettered access to any location in Iraq -- including presidential sites -- and practical working arrangements for communication, transportation and other logistics to ensure that inspectors can operate safely and effectively
2. Ready access to all sources of information, including the freedom to interview relevant Iraqi personnel without intimidation or threat of retribution to those individuals, and access to information from other states as well as information gained through aerial monitoring and other inspection activity
3. Unified and robust support from the U.N. Security Council, with the affirmed resolve to deal promptly and energetically with any noncompliance or lack of cooperation on the part of Iraq. This is the best deterrence to ensure Iraq's compliance
4. Preservation of integrity and objectivity in the inspection process. There must be a fair and impartial inspection regime, free of outside interference, to ensure that our conclusions are accepted as credible by all parties
5. Active cooperation by Iraq, including a sustained demonstration by the government of its stated willingness to be transparent and to allow inspectors full access to carry out their mission. This effort could be



further facilitated (and the inspection process shortened) if Iraq were to take the initiative -- not only with passive compliance, but also with active cooperation -- by, for example, coming forward with a full and "final" declaration of its weapons-related equipment and activities

Concurrent with the inspections in Iraq, strong action should be taken worldwide to ensure the physical protection of nuclear material, with effective control of weapons-relevant exports and vigilant border monitoring to detect any attempts at illicit smuggling.

Regardless of how events unfold in the near future, inspections will be the key, over the long haul, to ensuring that clandestine efforts to develop nuclear weapons in Iraq or elsewhere are detected and thwarted.

I would make a twofold appeal: to the government of Iraq, to provide the absolute cooperation that the world is demanding; and to the international community, to give inspections a chance before resorting to other alternatives.

## Washington Post

### **U.S. Arms Inspection Plan Faulted**

Rules for Interviews Called Impractical

*By Walter Pincus*

Washington Post Staff Writer

Wednesday, October 23, 2002; Page A23

The Bush administration proposal that would authorize U.N. weapons inspectors to take Iraqi scientists and others involved in weapons activities outside Iraq with their families for interviews and possible resettlement could be impractical and possibly a "deal breaker," according to former senior U.N. inspectors and intelligence analysts.

The proposal is contained in the U.S. draft of a new Security Council resolution governing inspections of Iraqi weapons. Under the plan, U.N. inspectors would have the "discretion" to interview Iraqis either inside or outside Iraq and "facilitate the travel of those interviewees and their families," according to a senior White House official.

The proposal, which is being discussed by the United States, Britain, France, Russia and China -- the five permanent members of the U.N. Security Council -- is aimed at creating conditions under which Iraqi scientists could respond to questions without fear of reprisal from the government of Iraqi President Saddam Hussein. The U.S. resolution also proposes that interviews of scientists inside Iraq be held outside the presence of Iraqi government representatives.

Hans Blix, the chief of the U.N. inspections unit, told Iraqi officials in Vienna Oct. 3 that he wanted the U.N. inspectors to "freely choose the mode and location" for interviews with Iraqi citizens without saying where they would be conducted. Blix, although aware of the U.S. proposal, made no mention of taking the individuals and their families out of the country. He did tell the Iraqi officials that there was a "need for a possibility to interview persons without any official present."

The Iraqis said scientists might not want to be heard without government representatives present and said Iraq wanted one observer and a note-taker present at all interviews, and that each session be videotaped. Blix said later that he did not accept this idea because Iraqi officials had intimidated scientists during past questioning.

An Iraqi letter to Blix dated Oct. 12, expanding on issues raised in Vienna, said only that interviews would be facilitated "in such a way as to ensure the rights of these Iraqi nationals under the law."

Blix last week told the Security Council members that, "Naturally, the inspecting organizations cannot force any Iraqi citizen to be interviewed by them, whether in private or in the presence of Iraqi officials."

"This [U.S.] proposal could be a deal breaker," said a former senior intelligence officer with experience in Iraq. "Saddam could not let the U.N. selectively remove top scientific people from his country."

The official said the U.N. inspectors, without a full investigation, would have trouble determining who had accurate information and who just wanted to get out of Iraq. "It would be impractical for the team to identify someone as a person of interest and then decide who should be included as part of the family," he added.

"If individual governments assist with a defection, that's good," said Terence Taylor, who served as a chief inspector and commissioner between 1993 and 1997. "To make it a formal explicit part of what the U.N. inspectors do is . . . not a good idea and fraught with difficulty," added Taylor, who now heads the London-based International Institute for Strategic Studies' Washington office.

David Albright, who is president of the Institute for Science and International Security did analysis of the Iraq nuclear program for the U.N. inspectors between 1992 and 1996 and interviewed some Iraqi nuclear scientists in Iraq in 1996. Albright said taking leading scientists out of the country, particularly to the United States, "would be a very tough sell around the world."

Albright added that "some other Security Council members would not like the precedent," noting that "China would hate it, but they could live with it if it were not a formal part of the resolution."

Another problem, Albright said, "was making sure that we are not ripped off. We don't want to see Iraqis who might be traitors come to this country and thereafter we would have to watch them in the U.S."

Not specified, but implied in the U.S. resolution, is that Iraqi citizens would volunteer to leave the country for their interviews, according to one Bush administration official.

One person who encouraged the U.S. approach was Charles Duelfer, deputy executive director of the previous U.N. inspection team who, in the late 1990s, said he had suggested to the Clinton administration that "if I had 100 green cards to distribute," referring to permanent residency permits, "I could get to the bottom of Iraq's weapons program."

Duelfer said his view now is that the U.N. inspectors should "interview the few hundred key scientists, engineers and technicians who were involved in the previous weapons of mass destruction efforts and have them account for their activities since December 1998." He said that Iraqi government observers should not be present and "the U.N. should offer sanctuary or safe haven to those who find it a condition for speaking the truth."

Both the CIA and the Iraqi exile groups, such as the Iraqi National Congress, already have defector programs that have encouraged scientists and others with information to flee the country. One former U.N. inspector said the proposed U.S. resolution "would put the U.N. in the same business." He pointed out that Khidhir Hamza, who worked for 20 years in Iraq's nuclear program, defected on his own in 1994, and was initially turned down by both the CIA and the Iraqi National Congress, who did not recognize who he was. A year later, he was picked up by the CIA, which was then able to covertly bring his wife and children out of Baghdad and resettle them in the United States.

## US Department of State

### **U.N. Weapons Inspectors Want Clear Mandate for Iraq Disarmament** (Chief inspectors meet with Security Council) (1010)

By Judy Aita - Washington File U.N. Correspondent – 28 October 2002

United Nations -- The two top U.N. weapons inspectors told the Security Council October 28 that a clear mandate, council unity, and understanding by Baghdad that there will be consequences for failing to cooperate are essential ingredients for the successful disarmament of Iraq.

Hans Blix, executive chairman of the U.N. Monitoring, Verification, and Inspection Commission (UNMOVIC), and Mohamed ElBaradei, director general of the International Atomic Energy Agency (IAEA), which handles the inspections for nuclear weapons, met with the Security Council in private to discuss a U.S./U.K. draft resolution that would strengthen the practical arrangements needed to conduct weapons inspections.

The draft resolution lays out what Iraq must do and states that there will be consequences if Iraq refuses to comply. The resolution declares that Iraq is in material breach of U.N. resolutions for providing false declarations to U.N. weapons inspectors and for failing to cooperate with U.N. and IAEA weapons inspectors since 1998.

The draft gives UNMOVIC and IAEA unrestricted rights of entry and travel into and inside Iraq; calls for the U.N. to provide security for the inspectors; gives the inspectors the right to freeze sites and declare exclusion zones; and gives them the right to conduct interviews without the presence of Iraqi officials. Most importantly, the draft would give the inspectors immediate, unconditional, and unrestricted access to all sites in Iraq, including so-called presidential sites.

Blix told journalists after the session that both he and ElBaradei stressed clarity, council unity, and willingness of the council to remain steadfast over the long term.

"Just as important as clarity in the text, clarity in mandate, is the readiness of the council to uphold the resolution and the prerogatives of the inspectors and there be no fatigue ... because our authority will go down" if the council weakens, he said.

"It has to be not only the first month, but it has to be on a continuous basis," Blix said. "Both of us stated the importance of having ... broad unity in the council as was the case of 1284" [1999 resolution establishing UNMOVIC], he added. "I think the intention is, in the draft resolution, to give very clear signals as to what we can do and to avoid what people have referred to as cat and mouse play," Blix said.

ElBaradei said that they told the council "we need unified council support behind us. We need explicit authority, good practical arrangements, and information from all member states as how to go and where to go to ensure that Iraq is completely disarmed."

While there are no legal obstacles to starting inspections now, Blix said, "in practical terms it is inconceivable that we would run our inspections while half of the council wants us to be there and half does not want us to be there."

Blix said that a resolution warning Iraq of consequences should it fail to cooperate would strengthen the inspectors authority. "It helps us if Iraq is conscious that non-cooperation will entail reactions by the council," he said.

"It is desirable that Iraq understand that any lack of cooperation or violation of provisions of the resolution will call for reaction on the part of the council," the UNMOVIC chief said. Blix rejected statements giving the inspectors the power of peace and war. "Our job is to report and the decision whether there is war or peace or reaction -- that is for the council and its members," he said.

ElBaradei said, "our role is to establish the facts. It is for the Security Council to evaluate the facts and determine whether these facts constitute material breach and what is the next step to be taken."

The draft resolution is not the first time that the Security Council has declared Iraq has been in material breach, ElBaradei said. "Resolution 707 [in 1991], in fact, declared (Iraq) in material breach because of lack of cooperation," he said.

Questioned whether Iraq is in "material breach" of its obligations under Council resolutions, Blix said it depends on how the term is defined, but added, "it is clear that Iraq has not admitted inspectors since 1998, although it obligatory for them to do so."

Some council members have said privately that they object to the language in the U.S./U.K. draft declaring Iraq in material breach of council resolutions, fearing it will be a trigger for military action. Both the United States and United Kingdom called the session with Blix and ElBaradei "useful."

U.S. Ambassador James Cunningham said that the meeting enabled the entire 15-nation Security Council "to walk through the elements we proposed in the U.S./U.K. text for a strengthened inspection regime." The ambassador said that Blix and ElBaradei clearly welcomed the authority spelled out in the draft resolution for the inspections. "One of them called it a comprehensive approach that will strengthen their hand and give them the opportunity to do the job the council has asked them to do," Cunningham said.

For weeks the United States has been listening to the comments of all council members, as well as Blix and ElBaradei, in order to draft the resolution, Cunningham noted. "We will continue to do that."

U.K. Ambassador Jeremy Greenstock said that during the meeting the two chief weapons inspectors pointed to areas where clarification is needed in the draft and "members have a better idea now of what the inspectors need."

Greenstock expressed the hope that over the next few days the council will be able to agree on a text, but he said that there is "no particular timetable" for a vote. The text is also being discussed in capitals as well, he said.

Secretary General Kofi Annan called the discussion "very, very serious." "It is a grave matter. It is a question of war and peace and I think it is appropriate that the council goes about it in a deliberate manner," Annan said on leaving the meeting. The secretary general said that he was hopeful that the council will come up with a resolution that a vast majority of the members can agree to, adding that it "will require some compromises to get compromises."

## US White House

### **Bush Welcomes Unanimous UNSC Vote on Iraq**

Says resolution offers Iraqi regime final test

8 November 2002

President Bush has welcomed the unanimous vote by the United Nations Security Council November 8 to force the disarmament of Iraq.

"The world has now come together to say that the outlaw regime in Iraq will not be permitted to build or possess chemical, biological or nuclear weapons," Bush, flanked by Secretary of State Colin Powell and

National Security Advisor Condoleezza Rice, said in a statement in the Rose Garden, shortly after the vote took place.

"Iraq must now, without delay or negotiation, fully disarm," Bush said, promising that Iraq will face "the severest consequences" if the Saddam Hussein regime does not comply with the latest Security Council demands.

"The resolution approved today presents the Iraqi regime with a test — a final test," Bush said. "Iraq must now, without delay or negotiations, fully disarm; welcome full inspections, welcome full inspections, and fundamentally change the approach it has taken for more than a decade.

"The regime must allow immediate and unrestricted access to every site, every document, and every person identified by inspectors. Iraq can be certain that the old game of cheat-and-retreat tolerated at other times will no longer be tolerated.

"Any act of delay or defiance will be an additional breach of Iraq's international obligations, and a clear signal that the Iraqi regime has once again abandoned the path of voluntary compliance," Bush said.

"The outcome of the current crisis is already determined," he said. "The full disarmament of weapons of mass destruction will occur. The only question for the Iraqi regime is to decide how."

"The United States prefers that Iraq meet its obligations voluntarily, yet we are prepared for the alternative," Bush said. "In either case, the just demands of the world will be met."

ANP

### **Kleine letters VN-resolutie geven VS extra argument voor aanval op Irak**

12 november 2002

Terwijl Irak tot vrijdag de tijd heeft om met een reactie op VN-resolutie 1441 te komen, bevat diezelfde resolutie een tot nu toe weinig opgemerkte passage die ook als Irak zich bij de resolutie neerlegt en aan alle eisen voldoet tot oorlog kan leiden. Een mogelijke interpretatie luidt dat Irak dient op te houden met het beschieten van de Amerikaanse en Britse vliegtuigen die de no-fly zones boven het noorden en het zuiden van het land bewaken.

De resolutie zegt dat Irak volledige medewerking moet verlenen aan VN-wapeninspecties of anders met ernstige gevolgen te maken krijgt, maar bepaalt ook dat Irak geen vijandige handelingen mag ondernemen tegen personeel van VN-lidstaten die zich inzetten om naleving van resoluties van de Veiligheidsraad af te dwingen. Volgens sommige leden van de Amerikaanse regering heeft deze passage betrekking op de patrouilles in de no-fly zones, die zijn ingevoerd op basis van een VN-resolutie uit april 1991 met de bedoeling een einde te maken aan de onderdrukking van de burgerbevolking. Universeel geaccepteerd is deze visie echter niet, omdat de Veiligheidsraad de patrouilles nooit expliciet heeft gesanctioneerd.

Irak heeft de legitimiteit van de no-fly zones nooit erkend en doet al jaren pogingen de Amerikaans-Britse patrouillevliegtuigen neer te halen - tot nu toe zonder succes. De Iraakse beschietingen leiden geregeld tot geallieerde bombardementen op onderdelen van het netwerk van radarinstallaties en luchtafweergeschut. Zondag bombardeerden Amerikaanse vliegtuigen nog twee luchtafweerinstallaties bij de stad Tallil, in de zuidelijke no-fly zone, volgens het Amerikaanse opperbevel omdat Irak luchtafweerraketten naar deze zone had verplaatst.

De Amerikaanse minister van defensie Donald Rumsfeld heeft er herhaaldelijk op gewezen dat de Iraakse beschietingen van geallieerde vliegtuigen aantonen dat Saddam Hussein geen enkel respect heeft voor resoluties van de Veiligheidsraad en niet van plan is zich erbij neer te leggen. Op de vraag of Irak de resolutie van vrijdag schendt door Amerikaanse en Britse vliegtuigen te beschieten, gaf Rumsfeld op een persconferentie geen direct antwoord. De kwestie moet door president George Bush en door de Veiligheidsraad in overweging worden genomen, zei Rumsfeld. In welke gevallen duidt Saddam Husseins gedrag op gehoorzaamheid en medewerking, en wanneer duidt het op iets anders?

Rumsfeld wees erop dat iedere lidstaat van de VN het recht heeft dergelijke kwesties aan de Veiligheidsraad voor te leggen. Als Irak doorgaat met het beschieten van patrouillevliegtuigen, doen de Verenigde Staten dat mogelijk, zei Rumsfeld. Bronnen binnen het ministerie van defensie melden dat de regering verdeeld is over de vraag hoe krachtig de VS het argument naar voren moeten brengen dat de Iraakse beschietingen van de Amerikaans-Britse vliegtuigen een schending inhouden van de verplichtingen van Irak aan de VN.

Rumsfeld liet zijn persoonlijke standpunt doorschemeren: Het is duidelijk dat de vliegtuigen er zijn om VN-resoluties te handhaven. Dat is de reden waarom de geallieerden de vliegtuigen inzetten.

## **Reject UN resolution, Iraqi MPs urge**

Staff and agencies

Tuesday November 12, 2002

Iraq's parliament today unanimously recommended rejection of the UN resolution on weapons inspections, however the British Foreign Office dismissed the vote and said the world must await a decision by Saddam Hussein later this week.

The decision of Iraq's 250-member parliament has no political teeth, and observers expect President Saddam to accept, in some form or another, the unanimous decision of the UN security council to send weapons inspectors back to Iraq. The resolution, passed last Friday, gave Iraq seven days to respond.

A Foreign Office source said: "We need to wait until Friday. The parliament has expressed a view but no one doubts that it is really Saddam and his small group of henchmen who call the shots in Iraq and ultimately this will be a decision taken by Saddam himself."

Tempering the vote, one of the president's sons, Uday Saddam Hussein, said in a letter to parliament: "We have to agree to the UN security council resolution with limits on certain points, but not, we say, conditions.

"There should not be approval of the resolution without an Arab umbrella or, if this is not possible, then under the so-called Arab League and there should be Arab experts or technicians and monitors [on the inspection teams] who are familiar with the nuclear, chemical and biological side," he recommended.

Uday's call echoed the discussion by Arab League foreign ministers, who met over the weekend in Egypt and demanded that Arab arms experts be included on the UN teams. The Arab League also urged President Saddam to accept the UN security council resolution.

The parliament's vote could be seen as strengthening President Saddam's hand if he wants to take a hard line. Had parliament - open only to the regime's supporters - bowed to the UN, President Saddam could have done so as well and claimed the decision to retreat from previous objections to weapons inspections was the will of the Iraqi people.

Parliamentary speaker Saadoun Hammadi described the vote as "a message to the United States that the people of Iraq are united behind their leadership and it also shows that the people of Iraq know that in the UN resolution ... there are major allegations which are baseless".

The UN resolution demands inspectors have unrestricted access to any suspected weapons site and the right to interview Iraqi scientists outside the country and without Iraqi officials present. Iraq, which maintains it no longer has any weapons of mass destruction, has insisted on respect for its sovereignty, an argument it has used in the past to restrict access to President Saddam's palaces.

Before the vote, parliamentarians had sharply criticised the UN resolution. They went on to say the "political leadership" should "adopt what it considers appropriate to defend the Iraqi people and Iraq's independence and dignity and authorises President Saddam Hussein to adopt what he sees as appropriate, expressing our full support for his wise leadership".

If Iraq rejects the resolution, or accepts it but falters afterward in following its stringent provisions, the US and Britain have made clear they will attack Iraq.

Today, in the clearest such statement yet from France, the country's foreign minister, Dominique de Villepin, told France-Inter radio that force would be used against President Saddam if he does not cooperate with UN weapons inspectors. France has opposed making the recourse to force automatic.

Downing Street today said President Saddam must comply with the demands of the international community to disarm.

"Saddam Hussein knows what he has to do. He knows when he has to do it by. And he knows what will happen if he doesn't do it," the prime minister's spokesman said.

In his letter, Uday warned that acceptance of the UN resolution would not necessarily ward off war.

"We have to know our enemy and that the UN resolution does not mean stopping him from committing military action. We also have to take precautions and measures. Here we have to ask the Arab countries to immediately cut oil supplies to those countries that launch a military strike or aggression on Iraq and to any country that allows foreign war planes to use their airports or offer logistic support for them for refueling."

Arab oil producers have ignored similar calls from Iraq in the past, saying stopping sales was not in their interest.

Washington Post

## **U.S., U.N. Differ On Arms Hunt**

White House Urges Intrusive Inspections

By Colum Lynch, Washington Post Staff Writer – 17 November 2002

UNITED NATIONS, Nov. 16 -- With an advance team of U.N. weapons inspectors due to arrive in Baghdad on Monday after a four-year absence, the United States and the United Nations are divided over how aggressively the inspectors should conduct their hunt for chemical, biological and nuclear weapons programs in Iraq, U.N. and U.S. officials say.

The Bush administration is insisting on the most intrusive inspections possible, pushing U.N. arms experts to probe where previous inspectors could not, and to impose strict reporting requirements on the Iraqi government. Secretary of State Colin L. Powell cautioned Thursday against the view that Iraqi President Saddam Hussein will be given any "slack" in the inspection process that would deter the United States from using force if Iraq fails to cooperate.

The U.N.'s chief weapons inspector, Hans Blix, has argued for a more measured approach to achieving disarmament. Blix spelled out his aims last month in Vienna at a meeting with recruits to the inspections teams; he said they should be "firm" with their Iraqi counterparts but never "angry and aggressive."

The division reflects broad differences in the U.N. Security Council that remain unresolved despite the council's unanimous approval Nov. 8 of Resolution 1441, which sets out stringent new terms for inspections in Iraq. And it may foreshadow clashes between the United States and its partners in the United Nations as Blix and his teams begin their inspections Nov. 27.

In a letter today to Iraq's parliament explaining why he accepted the resumption of inspections, Hussein reiterated his contention that Iraq is "devoid of weapons of mass destruction."

The claim was dismissed by President Bush in his weekly radio address. "We have heard such pledges before, and they have been unfortunately betrayed," Bush said. "Our goal is not merely the return of inspectors to Iraq; our goal is the disarmament of Iraq. The dictator of Iraq will give up his weapons of mass destruction, or the United States will lead a coalition and disarm him."

While Bush has argued that the 15-nation Security Council should have "zero tolerance," making even minor infractions a potential cause for military action, Blix, U.N. Secretary-General Kofi Annan and other key Security Council members, such as Russia and France, maintain that Iraq will be held accountable only for serious violations.

"The U.S. does seem . . . to have a lower threshold than others may have" to justify military action, Annan told reporters in Washington on Wednesday before meeting with Bush. "I think the discussion in the council made it clear we should be looking for something serious and meaningful, and not for excuses to do something."

Annan's view reflects those of U.N. members who have interpreted comments by senior White House and Pentagon officials as suggesting that conflict with Iraq may be inevitable.

Since the Security Council vote, administration officials have argued that the resolution prohibits Iraq from firing on U.S. and British warplanes enforcing "no fly" zones over northern and southern Iraq. The resolution says Iraq shall not take or threaten hostile acts against U.N. member personnel upholding "any" previous resolutions, but the United States has differed with other U.N. members over whether the Security Council ever sanctioned the "no fly" zone policy.

Asked about the matter in Canada on Thursday, Powell acknowledged that "one could argue" with the U.S. interpretation. But he said the United Nations was seeking a "new spirit of cooperation" from Iraq, and that, therefore, firing on aircraft would suggest Iraq's behavior had not changed. "If they were to take hostile acts against United States or United Kingdom aircraft patrolling in the 'no fly' zones, then I think we would have to look at that with great seriousness," Powell said.

The issue was thrust into the open today as administration officials said they have determined that an attack by Iraqi air defenses Friday against U.S. and British warplanes patrolling a "no fly" zone in southern Iraq was a "material breach" of Baghdad's obligations under the terms of the resolution. The Iraqi government said that seven civilians were killed and four injured by allied planes responding to the attack.

Blix and Mohamed El Baradei, director general of the International Atomic Energy Agency, will arrive in Baghdad on Monday with more than 25 technical specialists. Blix told reporters Friday that he and El Baradei will meet with senior Iraqi officials while their team tends to communication and transportation. About 12 arms experts are to arrive Nov. 27 and formally begin the inspections. They will be joined by another 80 inspectors in the following weeks.

U.N. officials have voiced concern that the United States will press for the kind of provocative inspections that characterized the 1991-1998 disarmament effort by the U.N. Special Commission, known as UNSCOM. Blix, who assumed leadership of UNSCOM's successor agency in 2000, is trying to change the culture of the arms inspectors, whose predecessors aroused deep animosity in Iraq for using tough tactics to gain access to U.N. sites.

The conduct and composition of the inspections teams have emerged as a major issue. Iraq and other Arab governments appealed to Blix, who has employed more inspectors from the United States than from any other country, to hire more Arab arms experts, who might be more in tune with Iraq's religious and cultural sensitivities.

Iraqi Foreign Minister Naji Sabri made it clear in a letter to Annan on Wednesday in which Iraq accepted the resolution that his government will be monitoring the inspectors for evidence that they are spying on behalf of the United States.

"The fieldwork and the implementation will be the deciding factors as to whether the true intent was for the Security Council to ascertain that Iraq is free of those alleged weapons or whether the entire matter is nothing more than an evil cover" for U.S. aggression, Sabri wrote.

UNSCOM, which was established at the end of the Persian Gulf War in 1991 to eliminate Iraq's chemical, biological and nuclear weapons and missiles with ranges longer than 90 miles, is credited with destroying more Iraqi weapons than U.S.-led forces during the conflict. But it was shuttered in late 1999, following revelations that the United States had used the inspection agency to collect intelligence on the Iraqi government.

The Security Council established a successor agency, the U.N. Monitoring, Verification and Inspection Commission, or UNMOVIC, in December 1999 to complete Iraq's disarmament. The new inspectors have been placed on the U.N. payroll to decrease the likelihood that they will serve the interests of their governments.

Iraq refused to allow the new inspection agency to resume its work, however, until it was confronted by a credible threat of U.S. military action.

The United States has pressed Blix to appoint a senior U.S. official to manage the flow of American intelligence to the inspection agency. It has also insisted that Iraq be required to permit its scientists and their families to be interviewed abroad, and imposed a 30-day deadline on Iraq to provide a complete account of the status of its chemical, biological and nuclear facilities.

Blix has not yet agreed to the U.S. request about having an American in charge of monitoring the intelligence flow. Although Blix has pleaded with Washington to increase its intelligence support for UNMOVIC, he has also expressed concern that the relationship could compromise his organization. He said today in Paris that the former inspection agency had "lost its legitimacy by being too closely associated with intelligence and with Western states."

Speaking to reporters Friday before leaving New York, Blix said there may be "practical difficulties" in conducting interviews outside Iraq. He also has questioned whether Iraq could file a full declaration on its petrochemical industry within the 30-day deadline, making it clear that he would judge Iraq's "intention" before deciding whether Iraq has violated any of the resolution's requirements.

Some former weapons inspectors say they are concerned Blix may be falling into an Iraqi trap and have urged him to undertake an even more aggressive approach to inspections than UNSCOM. "Blix may go too far down this line," said David Albright, a former nuclear inspector who heads the Institute for Science and International Studies. "If you are too weak, the Iraqis will read you in a second and take advantage of it."

Wall Street Journal

### **Blix Has To Take A Hard Line With Iraq -- And With The U.S.**

The U.S. wants Hans Blix to take a tough line -- just not with the U.S.

By Carla Anne Robbins, Staff Reporter Of The Wall Street Journal – 20 November 2002

With the United Nations' chief weapons inspector in Baghdad readying his team to start work next week, the Bush administration is quietly pressing him to make key changes in his organization, including doubling the number of inspectors and accepting what it says are generous offers of U.S. equipment and transportation. That would allow Mr. Blix's team to launch multiple, simultaneous inspections to "stress" the Iraqi system of deception.

U.S. officials also are combing through intelligence reports to come up with a list of priority sites for

immediate inspection and crucial scientists to interview. And until recently, they were pressing Mr. Blix to bring on an American to handle the most sensitive information.

U.S. officials say they want the earliest and most intrusive test of Saddam Hussein's willingness to comply with a new U.N. Security Council resolution demanding his disarmament. Privately, some officials express concern that the former Swedish diplomat -- and the U.N. bureaucracy of which he is part -- may be less willing to push the Iraqis hard. Mr. Blix's aides say they also want robust inspections and are well versed in Iraqi manipulation, but they worry that too much confrontation or too heavy-handed U.S. involvement could discredit their efforts everywhere but in Washington.

The credibility of the last U.N. weapons-inspection team was badly damaged by disclosures that it had worked closely with the Central Intelligence Agency, Britain's MI6 and Israel's Mossad -- passing on information that was potentially useful for military strikes.

Even as they express some impatience, U.S. officials acknowledge they will need Mr. Blix's good will and his credibility if Mr. Hussein fails to comply and President Bush decides to go to war. "As much as Blix says he's not going to decide if we go to war, his word is going to be very important," says one senior U.S. official, adding that most Washington officials believe he will do the right thing.

In his public statements, Mr. Blix has struck a careful tone intended to demonstrate his toughness, without antagonizing the Iraqis too much. After Iraqi officials said Tuesday that they would meet a Dec. 8 deadline for reporting their complete stocks of proscribed weapons -- which they so far deny having -- Mr. Blix warned they would have to back up their claims with solid proof.

"We don't think that has yet been convincingly done," he told reporters in Baghdad. "The production of mustard gas is not like the production of marmalade. You must keep track of what you produced."

Relations between the Bush administration and Mr. Blix, the former head of the International Atomic Energy Agency, didn't start out well. Pentagon hawks, eager to take on Mr. Hussein, warned that U.N.-led inspections were a trap and they blamed Mr. Blix for the IAEA's failure to ferret out Iraq's nuclear program before the Gulf War.

Relations have improved markedly, at least with the White House and State Department, since Mr. Bush decided to give inspections one last chance and Mr. Blix agreed that his inspectors needed unlimited access and that Iraq needed a clear threat of punishment to ensure compliance. His endorsement, and that of the atomic agency's current chief, Mohamed ElBaradei, helped the U.S. and Britain win unanimous Security Council approval earlier this month for a toughly worded resolution.

For all the sensitivities involved -- and all the suspicions of Washington's motives -- many of the Bush administration's recommendations mirror those made by numerous former U.N. inspectors.

Of those, one of the most common criticisms is that the Unmovic team -- as Mr. Blix's group is known -- is simply too small to take on an Iraqi system that has had four years without inspections to hide its weapons, and eight years before that perfecting its deception techniques.

Mr. Blix had planned to put between 80 and 100 weapons experts in the field at any one time, from a total roster of 300. When White House officials raised the idea of a larger and more experienced team with Mr. Blix a few weeks ago, offering to fill his ranks with as many U.S. experts as he would accept, his initial response was that it would be logistically difficult and politically unwise. U.S. officials say they are trying to address both concerns, offering to provide more equipment and more transportation for a larger team, based in several sites across Iraq, while talking to other countries about volunteering more experts.

The question of intelligence sharing is a far more sensitive one, especially given the history of U.N. inspection efforts in Iraq. Mr. Blix repeatedly has said that to succeed he will need extensive information from any country willing to share. But he also has been adamant that the exchange will only go one way.

Some U.S. officials argue that without a two-way exchange the effort will be hobbled. The U.S. can provide an initial list of sites, they say, but to help plot the inspectors' follow-on moves they will need to know what they are finding. David Albright, a former nuclear inspector in Iraq and head of the Institute for Science and International Security in Washington, agrees. And he says "there's a real difference between sharing information and spying" -- a line that Mr. Blix's predecessors crossed when they passed on information about military targets and Mr. Hussein's whereabouts.

At least as important, U.S. officials say they need absolute assurances that any intelligence they provide doesn't leak back to the Iraqis and jeopardize American sources.

The U.S. had been pressing Mr. Blix to add an American intelligence chief to his team. But after meeting strong resistance, they now say they can work with Unmovic's current intelligence expert, who is a Canadian. According to another U.S. official, the U.S. already has held three to four hours of discussions with Unmovic about possible inspection sites, but it is holding off on sharing the most sensitive information until it can be used in real time.



A small team of U.N. inspectors should be ready to start work the middle of next week. Unmovic officials say they are aware that they need to move quickly to test the Iraqis -- both to prove their seriousness to Baghdad and calm lingering fears about Mr. Blix's resolve in Washington.

U.S. officials say they don't expect the teams to go after the most sensitive or potentially most fruitful sites until after Dec. 8 when Iraq is required to declare its full holdings of proscribed weapons. "We're not going to pick a fight until after they declare what they have," says one top official. "At a minimum, we don't want to tip our hand about what we know until then."

### The Mirror

#### **Bush Aide: Inspections or Not, We'll Attack Iraq**

by Paul Gilfeather – 21 November 2002

GEORGE Bush's top security adviser last night admitted the US would attack Iraq even if UN inspectors fail to find weapons. Dr Richard Perle stunned MPs by insisting a "clean bill of health" from UN chief weapons inspector Hans Blix would not halt America's war machine. Evidence from one witness on Saddam Hussein's weapons program will be enough to trigger a fresh military onslaught, he told an all-party meeting on global security.

Former defense minister and Labour backbencher Peter Kilfoyle said: "America is duping the world into believing it supports these inspections. President Bush intends to go to war even if inspectors find nothing. This make a mockery of the whole process and exposes America's real determination to bomb Iraq."

Dr Perle told MPs: "I cannot see how Hans Blix can state more than he can know. All he can know is the results of his own investigations. And that does not prove Saddam does not have weapons of mass destruction."

The chairman of America's defense policy board said: "Suppose we are able to find someone who has been involved in the development of weapons and he says there are stores of nerve agents. But you cannot find them because they are so well hidden. Do you actually have to take possession of the nerve agents to convince? We are not dealing with a situation where you can expect co-operation."

Mr Kilfoyle said MPs would be horrified at the admission. He added: "Because Saddam is so hated in Iraq, it would be easy to find someone to say they witnessed weapons building. Perle says the Americans would be satisfied with such claims even if no real evidence was produced. That's a terrifying prospect."

### Washington Post

#### **Iraq Calls Resolution An Excuse To Attack**

Official Says Report Could Trigger War

By Charles J. Hanley, Associated Press – 25 November 2002

BAGHDAD, Iraq, Nov. 24 -- In a point-by-point protest, the Iraqi government complained to the United Nations today that the resolution on weapons inspections scheduled to begin this week provided the United States with a pretext to attack.

The U.N. resolution could turn "inaccurate statements [among] thousands of pages" of required Iraqi reports into a supposed justification for military action, Foreign Minister Naji Sabri said in a letter to U.N. Secretary General Kofi Annan.

"There is premeditation to target Iraq, whatever the pretext," Sabri said. His lengthy letter, a detailed commentary on the Security Council resolution, was not expected to affect the inspections, which resume Wednesday after a four-year suspension. Iraq accepted the resolution in a Nov. 13 letter from Sabri to Annan. Preparations moved steadily ahead today on the outskirts of Baghdad, where technicians at the U.N. inspection center worked to establish a means of communicating with their contacts in the Iraqi government. The first group of 18 inspectors will arrive by air on Monday from a U.N. base in Cyprus. By the end of the year, 80 to 100 inspectors are expected to be in Iraq at all times.

In seven years of work after the 1991 Persian Gulf War, U.N. experts destroyed large amounts of chemical and biological weapons, as well as longer-range missiles, that are forbidden by U.N. resolutions. The experts also dismantled Iraq's nuclear weapons program before a bomb could be built. The inspections were

suspended because of disputes over U.N. access to Iraqi sites and Iraqi charges that the United States had placed spies on the inspection teams.

A new focus on Iraq by the Bush administration led the U.N. Security Council to adopt Resolution 1441 and order inspectors back to Iraq with greater access to suspected weapons sites. Washington alleges Iraq retains some prohibited weapons and may be producing others.

The resolution, adopted unanimously on Nov. 8, demands that Iraq give up any chemical, biological or nuclear weapons, or face "serious consequences." The resolution gives Iraq until Dec. 8 to submit an accounting of its weapons programs, as well as chemical, biological and nuclear programs it claims are peaceful. Any "false statements or omissions" could contribute to a finding it had committed a "material breach" of the resolution -- a finding that might lead to military action.

Sabri's letter, dated Saturday and released today, complained that a key passage on providing documentation is unjust, "because it considers the giving of inaccurate statements -- taking into consideration that there are thousands of pages to be presented in those statements -- is a material breach." Sabri wrote that the aim was clear: "to provide pretexts . . . to be used in aggressive acts against Iraq." He urged that Security Council members ensure that the weapons inspectors are committed "to their obligations according to the U.N. charter and . . . the United Nations' goals." If they do so, he wrote, they will "uncover the false U.S. accusations."

After talks with the Iraqis last week, chief U.N. weapons inspector Hans Blix said they had expressed "particular concern" about what was expected of them in reporting on their chemical industry, a complex area in which many toxic products can be diverted to military use.

The inspectors will first visit Iraqi sites inspected in the 1990s, where they will check on cameras and other monitoring equipment left behind, in many cases, by earlier inspectors.

A top priority was establishing operational security at the U.N. offices, to maintain secrecy surrounding the targets of the inspectors' surprise visits.

"We are still testing our communications equipment to make sure we have secure lines," said Hiro Ueki, a spokesman for the U.N. Monitoring, Verification and Inspection Commission.

## Washington Times

### **The Inspectors' Arsenal**

By Jim Krane, Associated Press – 25 November 2002

NEW YORK--Advances in technology have given inspectors from the United Nations and International Atomic Energy Agency the ability to quickly sniff out telltale microbes or molecules that could signify chemical, biological or nuclear weapons in Iraq.

"Sensors have gotten much more sensitive over the last four years," said Ewen Buchanan, chief spokesman for the inspection team, which is to return to Iraq Wednesday after being ousted in 1998. "A lot of equipment that might've required a whole room has been shrunk and is more usable in the field."

In the 1990s, U.N. inspectors dismantled Iraq's nuclear program and destroyed stocks of chemical and biological weapons and longer-range missiles forbidden by postwar U.N. resolutions.

But some weapons are believed to have survived or been rebuilt.

The 100 or so inspectors backed by a tough U.N. Security Council resolution plan to ferret out any remaining arms by draping Iraq in a surveillance net that knits together particle detectors, satellite imagery, ground-penetrating radar, sensors and cameras that beam live video back to Vienna, Austria.

Most important, analysts say, is knowing where to point the gadgets.

Inspectors will need a detective's intuition, prescient intelligence and tips from Iraqi scientists and defectors. They also will need to be able to recognize what, say, a Scud missile's turbo pump looks like, Mr. Buchanan said.

"We can assume Iraqis have moved all sensitive pieces of evidence," said former U.N. inspector Victor Mizin. "Without some data provided by the [Iraqi] government, the inspections won't find anything meaningful."

Still, inspectors are bringing in plenty of high-tech sleuthing gear, all funded like the entire inspection process by the sale of Iraqi oil, Mr. Buchanan said.

The International Atomic Energy Agency's 20 nuclear weapons inspectors will scout sites with gamma radiation detectors mounted on helicopters or held in the hand, spokesman Peter Rickwood said.

The agency owns more than 100 analyzers like the FieldSpec by Germany's Target Systemelectronic, a hand-held scanner that can detect radioactive isotopes.

Atomic energy agency inspectors also will wield a portable sensor known as the Ranger, developed by Quantrad Sensors of Madison, Wis. It uses X-ray fluorescence to pick out alloys useful in nuclear weapons.

The agency will install as many as 700 digital cameras in suspected weapons factories that will beam real-time video to the agency's headquarters. It also will install water sensors in 50 places and air sensors in others, Mr. Rickwood said.

While the agency tracks nuclear items, the U.N. inspectors will seek banned missile components and the remnants of leader Saddam Hussein's biological arsenal including anthrax and botulinum toxin and chemical agents sarin, VX and mustard gas.

Ground-penetrating radar perhaps mounted on a helicopter or unmanned drone may be used to reveal buried weapons and underground bunkers, officials said.

One hand-held scanner that probably will find its way into Iraq is the \$9,000 Chemical Agent Monitor, or CAM, made by Smiths Detection, a British defense contractor. The 4-pound device uses ion mobility spectrometry, the same technology used in airports to find traces of explosives or drugs on luggage.

Others available for use in Iraq are the Handheld Advanced Nucleic Acid Analyzer (HANAA) and Chemlab hand-held detectors built at the Department of Energy.

Inspectors seeking pathogens probably will use portable detectors like Idaho Technology's \$55,000 Ruggedized Advanced Pathogen Identification Device (RAPID). The company donated a pair of the scanners to the United Nations and was training inspectors in their use last week, said Kim Woodhouse, the Salt Lake City company's marketing manager.

The machines can detect nine bioweapons in about 20 minutes by using a polymerase chain reaction, which immerses a sample in a chemical bath designed to identify the agent.

The machines are so sensitive that they can detect pathogens if a suspected bioweapons lab has been cleaned up. All they need is one microorganism, live or dead, said Rocco Casagrande, a U.N. weapons inspector. Mr. Casa-grande is a scientist with Surface Logix, a Boston biotech firm.

"You look for places that haven't been cleaned very well any kind of crack or crevice that it could be hiding in," he said.

If Iraq is determined to conceal some of its weapons, inspectors will have a tougher time finding some programs like a biological weapons lab than, say, a nuclear weapons program for enriching uranium.

Further complicating the search, raw materials for the world's most lethal weapons have vital civilian uses in medicine, pesticides and vaccines. Some, like anthrax, occur in nature.

## USA Today

### **U.N. Restricts Inspectors' Use Of Intelligence Reports**

Avoiding spy charges could cost teams vital data, experts warn

By John Diamond and Bill Nichols, USA Today – 27 November 2002

WASHINGTON U.N. inspectors who begin hunting for banned weapons in Iraq Wednesday may already have hurt their effectiveness by limiting use of intelligence information for fear Iraq will accuse them of spying, U.S. officials and Iraq experts say.

Still smarting from their admission that U.S. intelligence gave inspectors secret missions during the last round of inspections in 1998, United Nations officials have deliberately curbed access to the CIA and allied intelligence agencies. Iraq experts say that could deprive inspectors of some of the best information on what sites to inspect and crucial expertise in interpreting the information they do get in the field.

Leaders of the inspection team insist the search for prohibited weapons in Iraq will be tough and thorough. But they will labor under restrictions imposed during the years-long debate that eventually led to the U.N. Security Council resolution on Nov. 8 that restarts inspections Wednesday:

Gary Milhollin, director of the Wisconsin Project on Nuclear Disarmament based in Washington, questions the prohibition on allowing member states to analyze data from the inspection teams. "They need the analytical capability of nation-states," he says. "They need to know what something means when they find it. It would be like going into a room with a blindfold on, picking up things and trying to figure out what they are. That's a big mistake."

To thoroughly inspect Iraq, which is roughly the same size as California, some involvement by U.S. and allied intelligence agencies is essential, Iraq experts say. Indeed, U.S. intelligence is providing limited support to the inspectors, but only through approved channels, according to a U.S. defense intelligence official.

The role the CIA and other U.S. spy agencies are playing is far more limited than four years ago, a factor that could limit the effectiveness of the inspections. But even the limited involvement of intelligence agencies in

the new round of inspections could give Iraqi leader Saddam Hussein a way to cast doubt on the legitimacy of the inspections.

"The Iraqi regime knows well that if the U.N. weapons inspectors are to have any efficacy, they must rely on intelligence from foreign intelligence services," says Richard Russell, an Iraq expert at the National Defense University. "Espionage charges against the weapons inspections is an effective Iraqi tactic for diverting public attention from its clandestine weapons of mass destruction program."

Some Bush administration officials, notably Vice President Cheney, have openly voiced skepticism that inspections will succeed in penetrating Iraqi obstruction to discover any weapons programs. Some U.S. officials and Iraq experts worry that the new rules imposed on the inspectors will help Iraq hide any banned weapons. Will intelligence services, for example, be hesitant to share intelligence for fear it would be spread throughout the U.N. bureaucracy, including, perhaps, to Iraq?

"The new weapons inspections operations are likely to suffer from the (restrictions) put in place by the U.N.," Russell says. "Future Iraqi charges will again put the U.N. on the defensive."

When it comes to intelligence, "it can't be a one-way street," says former U.N. inspector David Albright, president of the Institute for Science and International Policy. "You have to have the transfer of information in both directions in order for this process to work."

A U.S. Defense official involved in planning for possible war with Iraq says a kid-gloves attitude on the part of inspectors sends a counterproductive message to Baghdad that Saddam can shove the inspectors around. The appropriate message, the official says, is "we're not going to be messed with."

Pressure from Iraq's allies in the United Nations in 1999 led to rules that prohibit member nations from loaning inspectors to the U.N. team.

The concern was that the on-loan inspectors might be working for intelligence services seeking to recruit Iraqi agents or identify bombing targets. But the result is that the U.N. team working in Iraq may not have the manpower to complete its work by Jan. 27, when a report is due to the Security Council.

Former U.N. inspector Jonathan Tucker, a visiting fellow at the U.S. Institute for Peace, says officials would have to "at least double" the 301 inspectors available for Iraq duty to make inspections effective.

For now, 17 inspectors are in place, with an additional 35 due to arrive by Dec. 8. U.N. officials say there will be as many as 100 in Iraq by Christmas. Plans call for 80-100 of the 301 inspectors to be in Iraq at any given time.

Iraqi officials say they plan to cooperate with the new round of arms inspections unless inspectors are "unprofessional." Translation: Iraq will cooperate unless they think they're being subjected to espionage by spies in the guise of inspectors. Iraqi Vice President Taha Yassin Ramadan said last week that if the U.N. team "acts as it pleases and in accord with the Zionist-American administration's intentions, this resolution gives it a legal cover, as they say, for heinous acts."

U.N. inspections "are not designed to be mechanisms for espionage," Blix told prospective inspectors during a training course in Geneva last month. The inspection team "may receive information from anywhere and tell national authorities what it is interested in," he said, "but it is to report to (the Security Council), not to individual member states that may provide assistance."

Guardian

### **UN inspectors welcome Iraqi cooperation**

'Polite and professional' reception for weapons teams who split up to make several surprise visits

Ewen MacAskill and agencies

Thursday November 28, 2002

United Nations weapons inspectors have said that Iraq provided full cooperation yesterday when they visited sites near Baghdad to hunt for illegal weapons.

In the first inspections for four years, the UN team spread out, making surprise searches of a missile-production site and an industrial complex previously suspected of involvement in the development of nuclear weapons.

One of the leaders of the inspection teams said the speedy access they were given by the Iraqis and the general willingness to cooperate was a good sign for the future.

Jacques Baute, the head of the inspections team from the International Atomic Energy Agency (IAEA), said: "We have not sensed anything which obstructed us. We were welcomed in a polite and professional manner and we were able to do the job. That's good enough for us."

The first day of inspections was accompanied by farcical scenes, mainly a result of car chases by journalists trying to keep up with the UN convoy. Two of the 50 cars carrying journalists collided head-on.

At one point, the combination of UN convoys, journalists and Iraqi monitors created an hour-long jam.

The inspections were carried out by the New York-based UN monitoring, verification and inspection commission (Unmovic), which is hunting for chemical and biological weapons and for missiles with a range of more than 150km (93 miles); and a team from the Vienna-base IAEA, which is hunting for signs that Iraq is seeking to build nuclear weapons.

Iraq claims it has no so-called weapons of mass destruction - chemical, biological or nuclear - but the US and Britain insist it has.

The inspectors, who arrived in Baghdad on Monday, left their headquarters in the capital early in the morning and split into teams, heading in opposite directions.

They were spotted by journalists at various locations, wandering around the suspect sites, wearing the blue baseball caps of the UN and making notes on clipboards. As well as the surroundings, they investigated documents at the sites.

One team spent three hours at the al-Tahadi military-industrial compound east of Baghdad, and another drove to the Saddam general headquarters, a small industrial complex near Ramadi, north-west of Baghdad. Also visited were the al-Rafah missile testing site and a graphite factory near al-Ammriyyeh, west of Baghdad.

Dimitri Perricos, the leader of the Unmovic team, told reporters: "As far as we are concerned, we were able to carry out the activities that we had planned to carry out. You witnessed the immediateness of the access, and that's a good sign and consistent with the commitment we heard earlier."

Haitham Mahmoud, the head of the al-Tahadi compound, said: "They had questions and we replied to all of them, and there were not any problems."

He said the complex was simply a workshop to maintain pumps and machinery.

A large portrait of President Saddam Hussein with the slogan "God preserve Iraq and Saddam" stood by the entrance to al-Tahadi.

The UN secretary-general, Kofi Annan, asked by France's Europe 1 radio about the start of the inspectors' mission, said: "I think it got off to a rather good start."

The UN team spent five hours at the al-Rafah missile base to check whether Iraq had built missiles with a range exceeding 150km. The Iraqis say the structure is used only for permitted shorter-range missile engines.

The director of the al-Rafah centre, Ali Jassam Hussein, told reporters who were allowed in afterwards: "They didn't find anything because we don't have anything illegal."

In remarks broadcast on Radio Cairo yesterday, Iraq's ambassador to the UN, Mohammed Al-Douri, said: "Iraq is not afraid of the inspectors' work because it has nothing to hide, but Iraq fears that some of the inspectors will misuse their authority and make trouble that the United States will use to strike Iraq."

An air raid siren wailed in Baghdad hours after the inspections began. Baghdad is outside the no-fly zone imposed by US and British planes, which theoretically should not be flying over the capital. Such sirens, common elsewhere, are rare in Baghdad.

The Iraqi civil defence authority said US or British planes had flown over the capital. Both Washington and London denied this.

### **Where they went**

There was some confusion about precisely which sites the inspectors visited yesterday. The inspectors' New York headquarters said the Baghdad team spoke of three sites: al-Rashad, al-Rafah and al-Ammriyyeh. Journalists said al-Ramadi was also inspected

#### **Al-Rafah**

A missile testing base west of Baghdad.

Iraq is allowed to have missiles of up to 150km (93 miles) in range, but anything beyond that is banned.

US intelligence reports have expressed doubts about Iraqi claims that it had not breached the ban, but the inspectors were satisfied with yesterday's cooperation.

The inspectors did not disclose the results of their investigation, but the Iraqi head of the site said that they had found nothing

#### **Al-Tahadi**

A factory run by the ministry of industry at al-Rashad, east of Baghdad.

Al-Tahadi (which means 'Challenge') has been associated in the past with Iraq's nuclear energy programme and was searched by previous groups of inspectors in the 1990s.

The Iraqis have said it is used to produce motors for cement factories, refineries and water pumps.

Charles Duelfer, a former deputy chairman of an earlier UN inspections commission expressed concern about the site to a US Senate subcommittee in February

## **Al-Ammriyyeh**

A graphite rod factory about 2 miles from Baghdad. Graphite has many uses, including as a moderator in nuclear power reactors - not prohibited - and as a lubricant, possibly for missiles

## **Saddam general headquarters, al-Ramadi**

A small industrial complex, 90 miles north-west of Baghdad

## Washington Post

### **U.N. Revisits Suspect Plants**

No Evidence of Rebuilding At Veterinary Medicine Lab

By Rajiv Chandrasekaran - Friday, November 29, 2002

AL-DAWRAH, Iraq, Nov. 28 -- After uncovering evidence in 1996 that a veterinary medicine laboratory here had been covertly producing strains of botulinum toxin, a deadly bacteriological warfare agent, U.N. weapons inspectors trashed the facility, slicing open fermentation tanks and chopping up metal piping. Much of the ventilation system was taken apart. Laboratory equipment was disabled or destroyed.

Today, a new team of U.N. experts, armed with clipboards and sophisticated testing gear, returned to the al-Dawrah Foot and Mouth Vaccine Production Laboratory to check whether military research had resumed. The inspectors did not say why they chose to visit the site on the second day of their resumed hunt for weapons of mass destruction in Iraq, but they might have been following up on a recent CIA report that the Iraqi government has plans to renovate the plant.

The inspectors would not detail what they found during their four-hour search. But after they departed, Iraqi officials, who insist there is no reconstruction work going on at the al-Dawrah center, permitted journalists to enter the site briefly. To the untrained eye, the site betrayed no signs of renovation -- but plenty of disrepair.

As weapons searches resume here after a four-year hiatus, U.N. experts and the Iraqi government appear after the first two days to have settled into a reasonably harmonious routine, at least for the initial phase of inspections. The lack of immediate problems has fueled optimism among some U.N. officials that this round of inspections finally may provide the world with a more accurate picture of Iraq's alleged weapons stockpiles and its capacity to develop nuclear, biological and chemical arms.

"It's a good start for the inspections," said Jacques Baute, an inspection leader from the International Atomic Energy Agency, which is coordinating the inspections with a special U.N. commission examining Iraq's biological, chemical and missile programs.

On both days, as soon as the inspectors pulled out of the U.N. compound in Baghdad, they were met by Iraqi officials who followed the white U.N. vehicles to the sites chosen for a visit. When the inspectors reached their destinations, there was no delay in admitting them. And when they sought to poke around, collect samples or pore through documents, there were no significant objections, according to U.N. officials.

Although the inspectors have not given Iraqi authorities advance warning of the sites they plan to search, they have commenced the inspections in a nonconfrontational way by visiting places that already were scoured by U.N. experts in the 1990s.

The inspectors have insisted that journalists be kept out of the sites during the searches. But so far, Iraqi officials have been willing to admit reporters after the experts depart, usually for brief photo opportunities, to show off what they say is their lack of banned weapons and their cooperation with the inspection process.

At each of the five sites that inspectors have visited, officials displayed equipment and operations that did not appear to violate U.N. restrictions. This suggests that if there is suspicious activity, it is taking place in other parts of the sites or in other locations.

The Iraqi government has not issued any statements about the inspections, but it has voiced none of the criticism that punctuated the U.N. inspection process in the 1990s. "Things appear to be working relatively well," a U.N. official said. "The Iraqi side appears to understand what we have to do, and we are respectful of them."

But, the official said, "it's still too early to tell if things will continue to be this smooth."

U.S. officials have expressed skepticism that the inspectors will receive the same level of cooperation if they attempt to search President Saddam Hussein's palaces or other sensitive sites. A U.N. Security Council resolution approved unanimously Nov. 8 calls for the inspectors to get access to any person or place in Iraq without having to seek permission or provide advance notice.

President Bush has threatened to force Iraq to disarm -- shorthand for a U.S. military invasion to destroy Hussein's government -- if it does not cooperate with the inspectors.

On Wednesday, the inspectors visited a large engineering center and a military-industrial complex on the outskirts of Baghdad that contains a missile-testing facility and a graphite-products factory. Today, they visited al-Dawrah, on the southern fringe of Baghdad, the capital, and the al-Nasr complex, about 25 miles north of Baghdad.

Factories at al-Nasr had produced bombs that were believed to hold chemical agents. They also had extended the range of Scud missiles imported from the former Soviet Union. Now, officials insisted, the factories make only light conventional ammunition and heavy civilian machinery.

During their visit to al-Nasr, the inspectors checked on sophisticated machine tools that can help manufacture gas centrifuges used to enrich uranium.

At the al-Dawrah site, journalists observed a half-dozen biological inspectors, wearing baby-blue U.N. hats and armbands, walking through the grounds with their clipboards, appearing to scribble notes and check off items. When they reached the back of the complex, one expert climbed to the top of a 20-foot metal storage tank to peer in. Others asked for a padlocked brick building to be opened, which prompted two Iraqi officials to scurry in search of keys.

The plant's director, Muntassar Omer, said the inspectors used cotton swabs to take samples from tanks and from the ventilation system. He said the inspectors also looked at cameras they had installed in the 1990s that no longer work.

The facility was set up with the help of French experts in the 1980s as a production center for a foot-and-mouth disease vaccine. Iraqi military researchers later installed a sophisticated biocontainment facility with an extensive air-handling and filtering system suitable for the production of lethal biological agents.

Before the 1991 Persian Gulf War, Iraq admitted that al-Dawrah had been used to develop biological agents, but the government insisted it had engaged only in "small-scale, defensive" research. It was not until 1995 that U.N. arms experts concluded that the facility had been used to develop significant quantities of botulinum toxin. U.S. and British intelligence agencies also suspect that the plant was used to manufacture anthrax.

In an unclassified report issued last month, the CIA noted that Iraq announced in 2001 that it would begin renovating al-Dawrah to once again produce a foot-and-mouth vaccine. But today's visit suggested that work has not begun.

Stacks of dusty, years-old veterinary journals lined the main hallway. Trash covered the floor and the overhead lighting was broken. Laboratory workbenches were piled high with grimy glass bottles, beakers and pipettes, but there was little in the way of equipment that appeared to work. In one large production room, strewn with bolts and mangled pieces of metal, signs of the earlier U.N. pipe-cutting and tank-busting were apparent.

"Everything is destroyed here," Omer said. "No one can do anything here."

Washington Times

### **War planners prepare for long wait from inspections**

Rowan Scarborough – 29 November 2002

Published 11/29/2002 U.S. military planners are facing the prospect that weapons inspections in Iraq will drag on for months, pushing the Pentagon's timetable for action from the ideal weather of February to the blistering days of midsummer, senior administration officials said this week.

War designers see February as the best time to fight and have considered troop deployments around that date. A February campaign would capitalize on optimum weather in the desert region. A February date also would allow three months for the administration to complete a final war plan, line up support from allies, and deploy and alert the necessary combat units.

"War plans continue to be developed," said a Pentagon official.

But the methodical approach adopted by U.N. chief weapons inspector Hans Blix has administration officials bracing for a longer wait before Iraqi dictator Saddam Hussein eventually blocks the inspectors.

Under President Bush's "zero tolerance" policy, any Iraqi action to block or deceive inspectors would trigger a U.S. invasion to topple Saddam. Mr. Bush justifies such a response by saying the world cannot allow one of its worst dictators to possess its worst weapons.

Planners also are beginning to discuss the scenario that the international team may not turn up any significant weapons caches and Mr. Blix would return to the U.N. Security Council to give Iraq a clean bill of health. Baghdad has had four years to hide and move items since the last U.N. investigation team left in 1998.

"Blix says, 'We didn't find anything,'" said the Pentagon official. "Then what do we do? We haven't thought that one through enough. We expect Saddam to be Saddam."

This source and another official said Gen. Tommy Franks, who heads U.S. Central Command, continues to brief Defense Secretary Donald H. Rumsfeld and other senior officials on his emerging war plan.

Proponents of air power say they have detected one bothersome trend from Gen. Franks, who would command the overall air and land invasion.

"When Franks briefs, he doesn't talk about the predominance of air power," said the official. "It is not an air-centric brief. He wants to put the Army in the center. He doesn't keystone air-power benefits."

This source said that Army Gen. Norman Schwarzkopf, who commanded the 1991 Desert Storm attack on Iraq, readily accepted the benefits of an overwhelming air campaign. He approved plans to take the battle directly to Baghdad from the onset of the war and keep it there until Iraqi troops fled Kuwait.

The source said Gen. Franks does not appear so keen on air power, although a new war against Iraq undoubtedly would begin with significant air strikes. Plans call for using up to 16 of the Air Force's 21 B-2 stealth bombers, which would drop satellite-guided bombs on key command targets in the war's first night.

The source said some Air Force officers are troubled by Gen. Frank's recent remark to a Florida business group that his plans for war in Iraq would be "prudent."

"Franks can run a classic slow-motion campaign or a fast campaign," the official said. "With massive air power, speed is more important than size. Franks is more involved in size."

In the spring, Gen. Franks told senior Pentagon officials that he wanted more than 200,000 total troops to wage war. This kicked off months of internal debate, pitting his view against Pentagon civilians who said a smaller force, coupled with indigenous fighters and precision air strikes, could do the job.

In the end, Gen. Franks got his troop number, as Mr. Bush has improved his general concept. But many ground troops will be kept in reserve. The debate still under way centers on the right mix of units and how many will be deployed in the immediate region before a war begins.

Planners are eyeing a "rolling deployment" in which the war would begin before all troops are in the region. The aim: tactical surprise.

The Washington Times has reported that an initial ground invasion of Iraq would involve 60,000 to 80,000 ground troops.

## New York Times

### **Pattern of Iraqi Cooperation Shifts as a Plant Is Searched**

By John F. Burns – 1 December 2002

AL YUSUFYAH, Iraq, Nov. 30 — After the first three days of international weapons inspections, Iraqi officials at suspect sites have already established a pattern sharply different from the hostility that prevailed during inspections from 1991 to 1998. They have been cooperative, have smiled a lot and have been genial, mostly, to reporters who have followed the United Nations inspection teams to the 11 sites visited so far.

But the pattern broke down today, at least as far as the smiles and the geniality were concerned, when the inspectors arrived in a drizzling rain at Al Furat, an industrial plant outside this town about 20 miles southwest of Baghdad.

The Iraqi military officer who is the plant's director general, Brig. Samir Ibrahim Abbas, expressed some irritation about the inspectors interfering with the plant's work, and had much harsher words for the United States, which has identified the plant as one where Iraq appears to have been preparing to resume work on developing nuclear weapons.

Last month, after President Bush issued one of his bluntest warnings of American military action if President Saddam Hussein persists in secret efforts to acquire banned weapons, the White House circulated satellite photographs of Al Furat with an arrow pointing to one of the sprawling buildings on the site.

A notation said new construction on the building appeared to signify an effort to revive the plant's past efforts — admitted by Iraq in the mid-1990's — to develop gas centrifuges required for enriching uranium, one of the steps it would have to take to build a nuclear arsenal.

Standing in that building today, Brigadier Abbas said that there had been no construction work of any kind on the site since 1990 and that the bare concrete walls bristling with steel reinforcing rods that rise 20 feet or more above the building's second story were an integral part of the original construction, dating to 1988. If the walls looked like a new addition, he said, it was only because nobody had ever painted them.

"We want people to know that all that has been said about this place by the Americans is a lie," Brigadier Abbas said. Asked why the Central Intelligence Agency would want to foster the impression that Al Furat was planning to get back into the nuclear weapons business, he replied, "Because they are very intelligent and they want to fake a story."



Why would they do that? Because the United States wanted to find a pretext for going to war with Iraq? he was asked. "Probably," he said, and walked off.

On the first day of the new inspections, on Wednesday, again on Thursday, and once more today, after a break for the Muslim day of prayer on Friday, the Iraqis have been punctilious in meeting the central requirement set in United Nations Security Council Resolution 1441, passed unanimously by the 15-member Council earlier this month: that Iraq give "immediate, unimpeded, unconditional, and unrestricted access" to all suspected weapons sites.

At Al Furat today, at an associated plant nearby operated by a company called Umm al-Maarek and at a military unit said by the Iraqis to be specializing in defense against chemical weapons at Balad, 55 miles north of Baghdad, the gates swung open as soon as the inspectors' motorcades arrived.

After every inspection, United Nations officials in Baghdad have noted the cooperation extended to the inspectors by the Iraqis.

Mostly, the inspections have been inside news, as if there were no issue of war and peace hanging by the outcome. But Mr. Hussein's government has not missed the opportunity to make a propaganda point or two, mainly on the failure, so far, of the inspections to show any obvious breaches of Iraq's repeated avowal that it has no weapons of mass destruction left.

The inspectors have studiously avoided any general conclusions from their work so far, saying that it will take time, and more visits, before they can begin to work out the "mosaic" that will indicate whether Iraq is telling the truth, or once more trying to conceal banned weapons programs, as it did in the 1990's. But so far, visits to two sites have given the Iraqis an opening to mock some of the allegations that President Bush and Prime Minister Tony Blair of Britain made as they pressed Council members to adopt the tough new inspections mandate.

The absence of any obvious "smoking gun" at either plant prompted the Iraqi Foreign Ministry to publish a triumphant new blast in all the newspapers here on Friday, referring to "the spuriousness of the allegations and lies" in a British report about the sites.

#### Washington Times

##### **Iraqis Tipped To Visits**

2 December 2002

BAGHDAD Doubts arose over the surprise nature of new arms inspections in Iraq when a U.N. spokesman acknowledged that the head of a suspected weapons site received advance warning of the visit by the U.N. specialists to his facility Saturday.

"He was informed the day before [Friday] that the team was coming to remove an air sampler and install a new one," Hiro Ueki told Agence France-Presse by phone shortly after denying at a news briefing that the United Nations had tipped off the Iraqis.

"That is all [there is] to it," the spokesman added in an apparent bid to quash concerns about whether U.N. inspections of suspected weapons sites that resumed Wednesday really would be on a no-notice basis.

Reporters had pressed Mr. Ueki earlier about remarks by an Iraqi official, Hussein Hammudeh, who told reporters that he had notice of a visit to his facility by International Atomic Energy Agency (IAEA) specialists.

Later, Mr. Ueki issued a statement elaborating on what he told AFP. He defended the notice to Iraq as purely a matter of logistics but added that the United Nations also had given notice to a second inspection site.

"Um al-Maarik Company, which the IAEA team visited today, 30 November, was notified by the IAEA team in advance that two of their technicians would review the status of the remaining video surveillance," he said.

"Al-Qa Qaa Company, which the IAEA team visited, was also requested on Thursday afternoon to provide assistance to facilitate removal of sampler," Mr. Ueki added. "This type of advance notification is sometimes given to facilitate their work on monitoring equipment. It happened to the above two cases."

#### Guardian

##### **Iraq inspections 'could last a year'**

Warning by world's leading expert is likely to rankle with hawks in Washington

Brian Whitaker, Cairo and agencies

Monday December 2, 2002

The world's top nuclear inspector said yesterday that it may take 12 months to discover whether Iraq has weapons of mass destruction - a view that is likely to irritate Washington hawks.

"It will take us probably around a year before we can come to a reasonable conclusion," Mohammed el-Baradei, head of the International Atomic Energy Authority, warned.

"We will be able to report progress as we go along but we are not keen to rush to a conclusion... We'd like to take our time and I hope the world will bear with us as we go through this difficult task," he said in a television interview.

Under the recent UN resolution, the inspectors are required to provide an "update" report to the security council by late January. US administration officials have indicated that if the inspectors' work is very prolonged, they reserve the right to act before the UN sets out its conclusions.

Mr el-Baradei, an Egyptian who often takes a conciliatory approach, said the team in Iraq had found nothing untoward during its first four days of inspections at several sites.

Speaking on the BBC's Breakfast with Frost programme, he said: "We are off to a good start but we are far from reaching a conclusion.

"I would like to avoid a war. War is not good for anybody but we have an important job to do and we have to do a thorough job. It really depends on absolute 100% Iraqi cooperation so the ball really very much is in the Iraqi court."

He said he had impressed on Iraqi officials the need to "come clean" with the inspectors.

"There is a light at the end of the tunnel for Iraq if it cooperates fully," he added.

"War could be avoided, sanctions could be suspended, but if they don't come clean and we discover that there are omissions, there will be, as the security council says, grave consequences."

As he spoke, inspectors in Iraq paid a surprise visit to a disused airfield 20 miles outside Baghdad which had once ostensibly been used to launch crop-spraying aircraft.

More than a dozen helicopters, stripped of their motors, sat on the disused tarmac as the inspectors checked the site and journalists watched from beyond a distant fence.

The previous Unscm inspectors discovered in the 1990s that the airfield, at Khan Bani Sa'ad, had been used for testing the so-called Zubaidy device, designed to spray toxic bacteria from a helicopter or slow-moving plane.

After their four-and-a-half-hour visit yesterday, the experts left without comment.

Montadhar Radeef Mohammed, the Iraqi official in charge of the installation, told reporters later that the UN experts had checked seals and tags left by their predecessors.

They had also gone through all the offices and rooms on the site and made copies of computer files, but he said they found no prohibited material.

A document acquired by Unscm in the 1990s showed that Iraq had successfully field-tested Zubaidy devices in 1988, though Iraq claimed they were not effective.

Iraq eventually handed over some early versions of the device for destruction but the inspectors were unable to discover what happened to the 12 final-version devices that they believed Iraq had produced.

While complaining about the tough terms of the inspections, Iraq also maintains that the checks have so far vindicated its claim to be free from weapons of mass destruction.

A report issued by the official Iraqi News Agency, and carried by all Iraqi newspapers, claimed the UN experts had only succeeded in uncovering the "lies" of Tony Blair.

It quoted a foreign ministry official as saying: "The foot-and-mouth disease institute and al-Nasr company [inspected last week] were among the sites accused by the report of British prime minister Tony Blair in September 2002 of carrying out banned activities.

"But the results that the inspectors reached recently reveal the spuriousness of the allegations and lies propagated by Tony Blair and uncover his false accusations against Iraq."

In the southern no-fly zone, western warplanes killed four people in a strike on an Iraqi oil plant yesterday, according to local residents.

New York Times

### **'Not Encouraging,' Bush Says Of Iraq On Arms Demands**

By David E. Sanger and Richard W. Stevenson – 3 December 2002

WASHINGTON, Dec. 2 President Bush demanded today that Saddam Hussein include every detail of Iraq's

weapons and missile programs in a declaration due at the United Nations on Sunday, and said his initial reading of Mr. Hussein's cooperation was "not encouraging."

"Any act of delay, deception or defiance will prove that Saddam Hussein has not accepted the path of compliance and has rejected the path of peace," Mr. Bush said in a speech at the Pentagon, where he signed a defense budget authorization bill.

Only a week after United Nations weapons inspectors began searching for evidence of chemical, biological and nuclear weapons in Iraq, Mr. Bush appeared to be setting up the Sunday deadline as a crucial measure of Iraqi cooperation.

He stopped short of declaring that an incomplete declaration on Sunday would constitute a cause for war, and several officials said the Pentagon was not yet ready to fight in Iraq. But he did say the report would amount to a clear test of whether Mr. Hussein has changed his ways.

A senior administration official said tonight that the White House did not know what to expect from the Dec. 8 declaration that Iraq is required to make. But the official said that because it would most likely be a long document perhaps hundreds of pages "the more important date" would occur when officials had completed their assessment of it.

In its discussions at the United Nations, the administration has held back whatever intelligence it has collected about Iraq's activities, hoping to leave Mr. Hussein guessing how much the United States knows. It is possible that Mr. Bush will decide to offer up evidence that contradicts the Iraqi declaration or points out major omissions.

"The drama here may be how much we are willing to reveal," said a senior official with access to the intelligence. Other officials say, however, that the inspections are unlikely to succeed unless there are defections by Iraqi scientists who have knowledge of where weapons or development laboratories are hidden.

Mr. Bush's speech together with a similar one delivered today by Vice President Dick Cheney in Denver marked the opening of a White House campaign to shift public attention from what the inspectors may or may not find to the United Nations' demand that Mr. Hussein come clean about his weapons programs.

In what appeared a closely coordinated effort to build the case, Britain today released a 23-page report accusing the Iraqi leader of rights abuses including systematic torture, mass executions and the use of rape as a weapon against political opponents or their families.

When Mr. Bush spoke today in the Pentagon auditorium, with Defense Secretary Donald H. Rumsfeld and members of the Joint Chiefs of Staff at his side, he apparently did not know that inspectors in Iraq had found equipment missing from an Iraqi missile plant. But the president said the goal of the inspections was not to uncover weapons but to ensure that Mr. Hussein complied with international demands to get rid of them.

"You see, the inspectors are not in Iraq to play hide-and-seek with Mr. Saddam Hussein," Mr. Bush said.

"Inspectors do not have the duty or the ability to uncover terrible weapons hidden in a vast country. The responsibility of inspectors is simply to confirm the evidence of voluntary and total disarmament."

He made clear his skepticism that Iraq would live up to the United Nations resolution.

"In the inspections process, the United States will be making one judgment: Has Saddam Hussein changed his behavior of the last 11 years? Has he decided to cooperate willingly and comply completely, or has he not?" the president said. "So far the signs are not encouraging."

As one such sign, Mr. Bush cited persistent Iraqi attacks on American and British warplanes in the no-flight zones over Iraq confrontations that the United States, though few other nations, regards as a "material breach" of the United Nations resolution requiring Iraq's full cooperation in inspections and disarmament.

He said Iraq had also undermined its case by sending the United Nations letters "filled with protests and falsehoods."

Underscoring the administration's hard line, Mr. Cheney declared in his speech that "this time, deception will not be tolerated." It was he who argued, in a speech in August, that inspections would be useless, and perhaps dangerous, because they could create a false sense of comfort about Iraq's weapons capabilities. But in one of the rare public moments in the internal administration struggle over how to pursue Mr. Hussein, Mr. Cheney had to remove that statement from later speeches. The White House has since insisted that it supports the inspections, but only as a means to an end: disarmament.

Today, the vice president again held out the possibility that the Iraqi government could have or could develop ties to Al Qaeda, despite skepticism among some of the administration's critics about such a link.

"That is why confronting the threat posed by Iraq is not a distraction from the war on terror," Mr. Cheney said in a speech to the Air National Guard Leadership Conference. "It is absolutely crucial to winning the war on terror."

Both the president and the vice president focused on the Sunday deadline. It was set in United Nations Resolution 1441, which was adopted unanimously by the Security Council last month. By that day, the Iraqi government must provide the Council with a "currently accurate, full and complete declaration of all aspects

of its programs to develop chemical, biological and nuclear weapons, ballistic missiles and other delivery systems."

That wording was carefully negotiated as the administration tried to build a box from which Iraq has no easy escape. If Mr. Hussein fails to provide a complete list of his weapons and the United States can prove he is lying, he will have breached the most recent United Nations resolution, officials said. That would constitute the kind of continuing material breach that the administration has said could warrant military action.

Yet if he provides a full list acknowledging that he has weapons of mass destruction, they said, he will have admitted flouting United Nations resolutions for years.

"If Saddam Hussein indicates that he has weapons of mass destruction and that he is violating United Nations resolutions," said Ari Fleischer, the White House spokesman, "then we will know that Saddam Hussein again deceived the world. If he said he doesn't have any, then I think that we will find out whether or not Saddam Hussein is saying something that we believe will be verifiably false."

Or, as Mr. Bush said today: "On or before the 8th of December, Iraq must provide a full and accurate declaration of its weapons of mass destruction and ballistic missile programs. That declaration must be credible and complete, or the Iraqi dictator will have demonstrated to the world once again that he has chosen not to change his behavior."

Mr. Bush said he viewed war as the last option.

"Yet the temporary peace of denial and looking away from danger would only be a prelude to broader war and greater horror," he said. "America will confront gathering dangers early, before our options become limited and desperate."

### Baltimore Sun

#### **Bush administration sabotages inspections**

By Jeremy Brecher - December 3, 2002

WEST CORNWALL, Conn. - Now that United Nations weapons inspectors have arrived in Iraq, most Americans want the inspection process to work. But the hawks in the Bush administration are petrified that it will, and doing their best to undermine it.

As recently as Nov. 21, Richard Perle, a top Pentagon adviser and No. 1 cheerleader for war in Iraq, told a group of astonished British parliamentarians that even a "clean bill of health" from U.N. chief weapons inspector Hans Blix would not preclude a war.

Former British Defense Minister Peter Kilfoyle said Mr. Perle's remarks make clear that "America is duping the world into believing it supports these inspections. President Bush intends to go to war even if inspectors find nothing. This makes a mockery of the whole process and exposes America's real determination to bomb Iraq."

In a thinly disguised attempt to smear the inspectors and the inspection process, staff members for Vice President Dick Cheney and Defense Secretary Donald Rumsfeld have been conducting what the British newspaper The Guardian calls a "whispering campaign" against Mr. Blix. As the inspectors prepared to enter Iraq, Mr. Perle declared, "On the strength of his previous record, I wouldn't have chosen Hans Blix." Mr. Blix snapped back that such accusations are "certainly unhelpful." No doubt they are meant to be just that.

The Bush administration is also refusing to make its intelligence information on Iraq's weapons programs available to the U.N. inspectors until after Sunday, when the Iraqis are to submit a report on their weapons programs. The obvious reason is to play a game of "gotcha" so the administration can claim that Mr. Blix has been taken in by the Iraqis.

Our U.N. allies justly fear that the Bush administration is looking for any pretext to justify an attack. This led U.N. Secretary-General Kofi Annan, after meeting with President Bush, to observe that the United States seems "to have a lower threshold" than the rest of the world for what would trigger a war and to warn against a "flimsy or hasty excuse to go to war."

Even as inspectors arrived in Iraq, the United States began trumping up such a "flimsy or hasty excuse." In an obvious provocation, U.S. and British planes bombed Iraq. When Iraqi forces returned the fire, a White House spokesman said, "The United States believes that firing upon our aircraft in the no-fly zone or British aircraft is a violation. It is a material breach." The United States maintains that such a "material breach" is an adequate justification for war.

In an unusual rebuke to Washington, Mr. Annan replied, "I don't think the council will say this is in contravention of the resolution of the Security Council." No other Security Council member, not even Britain, supported the U.S. position.

Yet the Bush administration continues to accelerate its war mobilization, moving vast amounts of war materiel into the region and quietly calling up reserves. It is still claiming the right to dictate "regime change" in Iraq, even though the Security Council recognizes no such right.

Good generals and diplomats leave their opponents an escape route. The United Nations has laid out an easy line of retreat from a potentially disastrous war for President Bush. The script is simply for Mr. Bush to announce that inspections have worked and that it was his threats that forced Saddam Hussein to allow inspections and accept disarmament. Opponents of war in Iraq need not endorse the hypocrisy of such a claim to recognize it as a victory.

But when Mr. Annan visited Washington to do what an aide called "missionary work," he admonished, "We need to be patient and give the inspectors time and space to do their work." Going to war on a flimsy pretext, Mr. Annan pointed out, would draw opposition not only from Security Council members but also from ordinary Americans who have expressed a desire for Mr. Bush to work with the United Nations in confronting Iraq.

By so flagrantly sabotaging the inspection process, the Bush administration is not only courting political isolation abroad, it is giving ordinary Americans another good reason for opposing its march toward war.

Guardian

### **First palace visit is a propaganda coup for Saddam**

Jonathan Steele - Wednesday December 4, 2002

Iraq stepped up its charm offensive towards the United Nations weapons inspectors yesterday by quickly letting them into one of Saddam Hussein's Baghdad palaces when they turned up for a surprise search. Baghdad also promised to provide a full list of its arms capabilities a day ahead of the UN deadline.

A convoy of white UN vehicles roared up to the opulent al-Sajoud palace along the river Tigris on the sixth day of the first international inspection programme for four years. They were kept waiting for seven minutes as Iraqi officials made mobile phone calls before the huge gates swung open.

Within minutes, President Saddam's secretary, Abed Hamoud, arrived and entered the palace grounds, according to journalists on the scene. As at other sites, security staff were undoubtedly aware the palace would be visited but there was no sign that the staff knew it would be yesterday, reporters said. A second UN team entered from a back gate.

The inspectors left after 90 minutes and reporters were allowed into the palace's spectacular entry hall. Every wall was inscribed in large gold letters with a poem praising the president.

The UN team had, as usual, no comment for reporters but General Hossam Mohammed Amin, the chief Iraqi liaison officer, said: "The Iraqi side was cooperative. The inspectors were happy."

The declaration of Iraq's arsenal, which is required by UN resolution 1441 to be delivered on Sunday, would be ready a day early, he added. "It will include new elements, but those new elements don't mean that Iraq has weapons of mass destruction. Iraq is free of weapons of mass destruction," he insisted.

President George Bush said this week the list must be "credible and complete" but the White House has damped down speculation about a quick reaction.

"This needs to be gone over completely and thoroughly," Mr Bush's spokesman, Ari Fleischer, said. "We don't know how many pages they'll provide. It could be hundreds, it could be thousands of pages. We just don't know. But depending on how long it is we'll take the appropriate time to study it".

The UN secretary-general, Kofi Annan, described Iraqi actions as "a good indication that the Iraqis are cooperating but this is only the beginning". The UN has reported that their inspectors found equipment which had been tagged by earlier inspectors was missing. The Iraqis said some of it had been destroyed in US bombing in 1998, when 18 cruise missiles struck the site, and some had been transferred to other locations.

"If it were to be moved for some illicit purpose, then of course it would be more serious," Hans Blix, the chief weapons inspector said. Sources close to the UN weapons inspectors hinted yesterday that they expect the Iraqi declaration may contain ambiguities over so-called "dual use" items. Iraq had recently admitted to several failed attempts to acquire aluminium tubing for use in conventional weapons in violation of United Nations sanctions, a source said.

"The Iraqis said they tried to import the tubing, but not for use in nuclear weapons as the US and Britain have alleged," the source told Reuters.

The source said the Iraqis told the inspectors it was to be used in multi-barrelled rocket launchers and denied it was intended to help revive Baghdad's nuclear weapons programme, which the International Atomic Energy Agency said it neutralised before inspectors left Iraq in December 1998.

Meanwhile, an Iraqi vessel opened fire on two Kuwaiti coast guard boats yesterday, Kuwaiti officials claimed. The border between Iraq and Kuwait is monitored by a long-standing UN observation mission. Daljeet Bagga, its spokesman, said they had "no knowledge" of the incident but added that it could have taken place outside the zone which the observers patrol.

Washington Post

### **U.N. Chief Challenges Bush's Iraq Assessment**

Search Teams Gain Access, Annan Says

By Colum Lynch and Mike Allen

Wednesday, December 4, 2002; Page A01

UNITED NATIONS, Dec. 3 -- U.N. Secretary General Kofi Annan today challenged the Bush administration's downbeat assessment of weapons inspections underway in Iraq, saying that Iraqi "cooperation seems to be good" following the inspectors' first week of work.

Annan said it is too early to make a conclusive judgment regarding Iraq's commitment to disarm, but added he was pleased the inspectors have had no trouble gaining access to all the sites they targeted, including one of eight presidential palace compounds they visited today. He urged the government of Iraqi President Saddam Hussein to continue to cooperate with the inspection teams.

"It's only been a week and obviously the cooperation seems to be good, but this is not a one-week wonder," Annan said. "They have to sustain the cooperation and the effort and perform."

The secretary general's comments posed a stark contrast to statements by President Bush and other senior U.S. officials, who have offered a much more pessimistic assessment of the inspections so far. They pointed to a growing tug of war between the Bush administration and the United Nations over how to assess Iraqi compliance with U.N. disarmament demands in the run-up to this weekend's deadline for an Iraqi declaration on its weapons and missile development programs.

In a sign of the continuing divisions within the administration over Iraq policy, Secretary of State Colin L. Powell painted a far different picture. Speaking to reporters on a flight to Bogota, Colombia, Powell said the inspections "are off to a pretty good start," though he cautioned that much of the work so far has involved collecting baseline data and checking equipment.

Bush expressed mounting skepticism today about the likelihood that the inspections would stave off U.S. military action against Iraq, twice telling audiences in Louisiana that he will not wait out a prolonged game of "hide and seek."

Bush and other U.S. officials began a campaign on Monday to deflect attention from the daily comings and goings of the inspectors from sites in Iraq and toward what the administration says is the fundamental issue: Iraq's compliance with demands that it give up any chemical, biological, or nuclear weapons programs, and long-range missile systems.

"The issue is not the inspectors," Bush said today in Shreveport, La. "The issue is whether or not Mr. Saddam Hussein will disarm like he said he would. We're not interested in hide and seek in Iraq. The fundamental question is . . . will he disarm? The choice is his. And if he does not disarm, the United States of America will lead a coalition and disarm him in the name of peace."

A senior administration official said that first, Bush may push for a more aggressive approach to inspections, possibly including such enhancements as a much larger force, simultaneous inspections of several sites, and multiple inspections each day.

White House officials dismissed Annan's more optimistic assessment of Iraqi cooperation. "It's too soon to say with any certainty, from the president's point of view," spokesman Ari Fleischer said. "But the overall picture, the president is not encouraged."

Iraq's U.N. ambassador, Mohammed Douri, continued to maintain that Iraq has destroyed all its weapons of mass destruction and that it has nothing to hide. "We declared everything and destroyed everything, so we have nothing," he said.

"We are cooperating with UNMOVIC in a good way." Douri added, referring to the U.N. Monitoring, Verification and Inspection Commission, which is conducting the inspections along with the International Atomic Energy Agency.

In Baghdad, a senior Iraqi official told reporters that Iraq would hand over the declaration of its biological, chemical and nuclear weapons programs on Saturday -- a day ahead of the Dec. 8 deadline set out in U.N. Security Council Resolution 1441, adopted unanimously by the 15-member body on Nov. 8.

Bush made it clear that he does not believe the statements by Hussein and other Iraqi officials that they are not hiding any weapons. "He says he won't have weapons of mass destruction; he's got them," Bush said in Shreveport. Later in New Orleans, Bush added, "He's a man who has got terrorist ties, a man who helps train terrorists. He's a threat and he's a danger."

On Monday, the inspectors searched a Baghdad missile design plant that made guidance and control systems for Scud missiles that Iraq used during the 1991 Persian Gulf War. The inspectors wanted to ensure that the installation was not involved in producing missiles capable of ranges longer than 93 miles, which are banned under earlier U.N. resolutions.

During their six-hour search, however, the inspectors discovered that several monitoring cameras and some of the equipment on which they had placed identification tags no longer were at the site, now called the Karama Co.

Iraq's Foreign Ministry said today that some of the cameras and other equipment were destroyed when the United States bombed the site in 1998. The ministry statement said the other equipment sought by the inspectors had been moved to the offices of Iraq's National Monitoring Directorate, a government agency that acts as a liaison to the inspectors.

The ministry said it had informed the U.N. inspections commission of the movement of the equipment in a meeting in Vienna in October, when Iraqi officials handed over large documents about the country's weapons-making equipment.

"The majority of the cameras were destroyed during the aggression and some parts of the monitoring system that weren't destroyed were transferred to the National Monitoring Directorate center for protection," the statement said. "They exist there now."

U.N. officials said today they did not believe the movement was a cause for immediate concern, noting that at a veterinary medicine plant visited last week, the inspectors were able to trace a fermentation unit at first thought to be missing.

"If it were to be moved for some illicit purpose, then of course it would be more serious," Hans Blix, the chief U.N. weapons inspector, told reporters in New York. "But in the first case there was a fermenter which had been moved, and they showed where it was. And in other cases I hope that there are good explanations, but this has to be found out."

The Bush administration, meanwhile, sought to postpone a vote for the second time in nine days on a resolution that would extend Iraq's authority to export oil for the next six months. John D. Negroponte, the U.S. ambassador to the United Nations, asked the Security Council for a two-week delay in order to persuade council members to add about 40 items to a list of items that would require U.N. approval before they could be imported by Iraq.

Iraq is allowed to sell oil under U.N. supervision to buy food and medicine, and to rebuild the country's battered infrastructure. The Security Council typically renews the mandate for the oil-for-food program every six months, but the United States has insisted that the council first place new restrictions on the import of such items as atropine, which is used to treat medical conditions but can also be used as an antidote for nerve agents.

The latest dispute in the Security Council is expected to reopen a recently settled battle over what Iraq is allowed to import. Following several months of acrimonious negotiations, the council agreed in May to approve a 300-page list of items that required Security Council approval. But with the prospect of war in Iraq, the Pentagon is concerned that Iraq will import medicines and products that can be used to inoculate Iraqi soldiers from chemical agents or to interfere with U.S. communications equipment.

Reuters

### **US said pressing UN to intensify inspections**

By Carol Giacomo, diplomatic correspondent – 4 December 2002

**WASHINGTON** - The United States is pressing U.N. experts to undertake more aggressive inspections in the hunt for Iraqi weapons of mass destruction but is meeting resistance, a senior U.S. official said on Tuesday.

The Bush administration has urged chief U.N. inspector Hans Blix to substitute his methodical approach for a more intensive multi-pronged operation that would "stress" the Iraqi system and make it harder for President Saddam Hussein to conceal his capabilities, the official told Reuters in an interview.

"Our theory is you test them in various places simultaneously to stress the Iraqi system -- different locations, different issues, different personnel, different sites, the whole thing," he said.

Using a "much bigger inspection force, going on multiple inspections day after day (would put) Iraq to the test around the country. That would give you a basis on which to make a decision, or at least to show to others that they are failing to cooperate," said the official, who spoke on condition of anonymity.

But Blix resisted the U.S. recommendations during a meeting at U.N. headquarters on Monday with U.S. National security Adviser Condoleezza Rice, the official said.

Blix was not immediately available for comment.

During the meeting, Rice and Blix discussed how Blix and his inspection team, which began its work last Wednesday, would perform after Iraq's declaration of its arms capabilities due on Sunday.

The declaration was demanded by the U.N. Security Council as part of a U.S.-initiated procedure meant to rid Iraq of any nuclear, chemical or biological weapons.

#### INSPECTIONS NOT INDEFINITE

Baghdad has said it will supply the information but insists it does not have any such weapons or the missiles to deliver them. Washington says this claim is false.

U.S. officials said they will give the U.N. inspection process three to four weeks at least, and maybe a bit longer, after the Dec 8 deadline to produce results.

After that, if Blix does not initiate accelerated, more muscular inspections, or if he does and Iraq obstructs U.N. monitors, the United States will give the the U.N. Security Council a briefing that lays out in detail what it knows about Iraq's weapons of mass destruction, the senior U.S. official said.

"The idea that inspections have an indefinite time horizon is just not accurate," he said.

President Bush, who repeated on Tuesday that Iraq did have banned arms, has threatened "serious consequences" if Baghdad does not comply with U.N. demands, and has begun a military build-up in the region.

Inspections caused friction between Iraq and the U.N. in the 1990s but during a new phase that resumed last week after four years, the probes have seemed to go smoothly, including a search on Tuesday of one of Saddam's lavish palaces.

U.S. hard-liners, who believe military action is the only way to deal with the threat they perceive from Saddam, are uncomfortable that Iraq appears cooperative with the U.N. and worry that the inspection process could be prolonged, dissipating the momentum for war and the pressure on Saddam.

#### BLIX TOO METHODOICAL

Some U.S. officials have described Blix's approach to inspections as a traditional arms control approach in which experts methodically worked their way from site to site.

This gave Saddam more time to conceal, delay, understand the inspectors' tactics and react to them, they said.

"You need to do it (inspections) at an accelerated pace with more people," one official said.

In her meeting with Blix, Rice also again urged the chief U.N. inspector to make use of authority granted by the Security Council to take Iraqi scientists and their families outside of Iraq so the scientists will feel freer about disclosing details of Baghdad's weapons programs, the official said.

But Blix, who has previously said he would have "great practical difficulties" doing that without Iraqi government cooperation, remains resistant to the idea.

U.S. officials say past history has shown that although U.N. experts can learn some things about Iraq's weapons programs from inspections, the most important revelations have come from Iraqi defectors.

"Either you get more defectors or you create defectors by taking the scientists and their families out of the country," and offering them protection, the official said.

Top administration officials met on Tuesday to discuss Iraq and were expected to meet again on Thursday.

## BBC

### **Iraq censures UN inspectors**

4 December 2002

Iraq has for the first time criticised the work of United Nations inspectors after they visited a presidential site on Tuesday.

The statement by the Iraqi foreign ministry said the inspection of the palace raised many questions.

The ministry asked whether it was the beginning of bad behaviour by the inspectors under pressure from the US and the UK, and whether the team were starting to spy like their predecessors, straying from the objectives set by the UN resolution.

The statement said the inspectors were now facing a test of their credibility and their promise to be objective and professional.



### **Dossier dismissed**

The Iraqi Government has also officially reacted to the Iraq human rights dossier published by the UK Government on Monday, saying the report was full of lies.

The statement said that it was the US and the UK who were violating human rights daily by continuing to impose sanctions on Baghdad, and sending their jets to carry out air raids in the no-fly zones over the north and the south of Iraq.

An Iraqi spokesman said the return of the UN inspectors was proving that the last dossier published by the British Government - about Baghdad's weapons of mass destruction - was full of falsifications as well.

On Wednesday, a team of UN inspectors experts visited al-Tuwaitha - a nuclear facility and the site of the Osiraq reactor which was bombed by the Israelis in 1981.

### Guardian

#### **Saddam distances himself from slur on inspectors**

Thursday December 5, 2002

The Iraqi leader, Saddam Hussein, today moved to distance himself from allegations made by one of his vice presidents that the UN weapons inspection teams were a front for US and Israeli spies.

In a holiday greeting to Ba'ath party leaders and the Iraqi military on the first day of Eid al-Fitr, the Muslim festival marking the end of Ramadan, Saddam instead urged Iraqis to treat the inspections as an opportunity to disprove allegations that he was hoarding weapons of mass destruction.

He said he had agreed to the inspections "to keep our people out of harm's way" in the face of US threats, and labelled the Bush administration an "unjust, arrogant, debased American tyranny".

"Some might claim that we didn't give them a proper chance to resist, with tangible evidence, the American allegations," he said.

"We shall provide them with such a chance."

His remarks contrasted sharply with allegations from Taha Yassin Ramadan, a vice president, to a visiting delegation of Egyptian professionals that the inspectors' work was "to spy to serve the CIA and Mossad".

The language was reminiscent of clashes with inspectors in the 1990s. Mr Ramadan, known for his fiery statements, cited accounts of US agents in previous UN teams without offering evidence of spies in the current set-up.

But he alleged that the inspection of Saddam's presidential palaces this week had been an attempt to provoke the Iraqis into refusing them entrance - something he said would be interpreted as a "material breach" of UN resolution 1441 and a cause for war.

The resolution includes "several land mines", he said, "and the aim is that one of them will go off."

The inspections resumed last week after a four-year suspension, under a new resolution requiring Iraq to surrender any remaining weapons of mass destruction and to shut down any programmes that make them.

After a week of searches, the inspectors are taking a break today and tomorrow for the first days of Eid al-Fitr.

A critical deadline approaches this weekend for Baghdad. On Saturday, it is expected to submit a declaration to the UN on any Iraqi weapons of mass destruction as well as on nuclear, chemical and biological programs it says are peaceful.

If Iraq is eventually found to have cooperated fully with the inspectors, UN resolutions call for the security council to consider lifting economic sanctions imposed on Iraq after it invaded Kuwait in 1990.

### Miami Herald

#### **Iraq hiding caches of weapons, U.S. says**

'Solid basis' of proof cited

By Warren P. Strobel and Jonathan Landay - 6 December 2002

WASHINGTON - The White House said Thursday that President Bush has evidence that Iraq retains hidden caches of weapons of mass destruction, dramatically raising the stakes in the U.S. confrontation with Saddam Hussein and suggesting that Bush is preparing for war.

Top aides to Hussein have said Iraq will report to the United Nations this weekend that Iraq is free of the chemical, biological and nuclear weapons and missiles that it was barred from possessing after the 1991 Persian Gulf War.

In Baghdad, Hussein said he agreed to the inspections, in which one of his own palaces was searched, "to keep our people out of harm's way" in the face of U.S. threats. He urged Iraqis to support the inspections.

But White House spokesman Ari Fleischer said Bush had a "solid basis" for U.S. contentions that Hussein is hiding such arms from U.N. weapons inspectors, who have generally reported cooperation from Iraqi officials in the early stages of their work.

"The Iraqi government has proved time and time again to deceive, to mislead and to lie," Fleischer said, though he offered no evidence for the assertion that Iraq is misleading the inspectors.

But a senior U.S. official said this week that, once Iraq makes a report that the Bush administration expects to be false, the United States will push for more aggressive U.N. weapons inspections designed to prove its case. That effort will be backed by more American intelligence-sharing with the U.N. inspections teams, this official and others said.

First, U.S. experts plan to take several days or more to pore over what is expected to be a voluminous Iraqi report, looking for misstatements.

If the United States concludes that Iraq is failing to comply with a U.N. disarmament resolution that passed last month, it could ask the U.N. Security Council to approve military action against Iraq or, alternately, move on its own to topple Hussein.

Senior defense officials, speaking on condition of anonymity, said that the United States could start an air campaign against Iraq even though an invasion force has not yet been sent from the United States. The ground force could be dispatched as the airstrikes progressed, they said.

Armor, ammunition and other hardware has been constantly moving to the region, said one senior defense official. "People are easy to move," the official said.

Such an approach would be a major departure from the U.S. strategy in the war that ended the Iraqi occupation of Kuwait in 1991. In Operation Desert Storm, the U.S.-led military coalition launched its opening air campaign only once it had built up a 500,000-strong force in Saudi Arabia.

The defense officials said that a continual buildup of about 10,000 troops, armor and other equipment in Kuwait has created a strong enough U.S. force to protect the country.

A second senior defense official said U.S. air forces would be greatly strengthened in mid-December, when there would be at least four aircraft carriers in position to launch strikes against Iraq.

A British intelligence dossier made public in September said Iraq already was preparing to conceal evidence from renewed inspections.

Iraq was continuing to produce chemical and biological weapons, had developed mobile laboratories for germ-weapons production and was trying to acquire technology for making nuclear weapons, said the report, which was released by the government of Prime Minister Tony Blair, a key Bush ally. The CIA has reported similar conclusions.

The senior administration official said the U.S. government had more recent evidence that Iraq had attempted to deceive and manipulate the inspectors since the inspections resumed Nov. 27.

"They're moving stuff around. They're hiding it," said the official, speaking on condition of anonymity. "This is a little like spring training," with the Iraqis scouting the inspectors and figuring out how they will do their job, in order to mislead them, he said.

But Hussein, speaking to members of the Baath Party and the military on Thursday, said Iraqis wanted to disprove those contentions after a four-year absence of U.N. weapons inspectors by cooperating with the inspectors.

"Some might claim that we didn't give them a proper chance to resist -- with tangible evidence -- the American allegations," Hussein said. "We shall provide them with such a chance."

A U.S. intelligence official confirmed some evidence of what officials believe to be Iraqi noncooperation, although he suggested it was not a major transgression.

"I wouldn't steer you away from the notion that there may be some indications that they're not being entirely cooperative," said the official.

A defense official, speaking on condition of anonymity, said "the Iraqi denial and deception of the past continues." He said the United States had detected Iraqi efforts to hide parts of their illicit weapons programs. None of these officials would be more specific.

A White House spokesman, also speaking on condition of anonymity, cited what he called two troubling incidents so far. In one, inspectors discovered that missile-related equipment that had been tagged by a previous inspection team was missing. In another, the Iraqis led inspectors to an artillery shell filled with poisonous mustard gas.

In the latter incident, however, Iraq already had divulged the existence of the artillery shell. Previous inspection teams had not destroyed it.

Iraq is required under the U.N. resolution to report by Sunday on what weapons of mass destruction it has. A series of similar declarations that Iraq made throughout the 1990s were proved to be filled with misstatements and omissions.

Top aides to Hussein, including Deputy Prime Minister Tariq Aziz, said this week that Iraq would declare itself free of such weapons, but would acknowledge having materials that are "dual use" for military or civilian purposes.

Washington Post

### **US readies case on Iraq weapons**

Declaration of breach to be sought

By Glenn Kessler – 6 December 2002

Bush administration officials yesterday began laying the groundwork to declare Iraq in material breach of the U.N. Security Council resolution passed last month, saying they have evidence that Iraq has weapons of mass destruction despite its insistent denials.

President Bush's senior foreign policy advisers, including Vice President Cheney, Secretary of State Colin L. Powell and Defense Secretary Donald H. Rumsfeld, met yesterday afternoon to hash out the administration's response to the declaration Iraq is required to make this weekend on its nuclear, chemical and biological weapons stocks and long-range missile programs.

Officials said there was an emerging consensus that Iraq, in its statements and actions, must indicate that it will cooperatively disarm if it wants to avoid military conflict. The key issue under discussion is how quickly to push for a declaration of material breach and tougher inspections if Iraq follows through on its pledge to deny it has any weapons of mass destruction.

"There will be a declaration to that end if there is nothing," one official said. "But it would not be a reason to go to war" but instead be used to push for enhanced inspections.

Some officials, however, believe that Iraq is preparing a significant declaration that would include highly sensitive information that would compromise nonproliferation efforts -- so much so that senior officials yesterday discussed whether the document should be limited only to the permanent members of the U.N. Security Council or whether Iraq should mark certain sections for limited distribution.

Officials also addressed concerns from inspectors that the United States has not provided the technical support or intelligence promised before the Security Council resolution was passed. The Germans and French have offered to step into the breach, with the Germans saying they could supply intelligence from unmanned aerial vehicles that was to have been provided by the Defense Department.

White House spokesman Ari Fleischer, briefing reporters yesterday, declined to reveal the administration's evidence but said it would be provided to U.N. weapons inspectors at the appropriate point. But, he added, the "the burden of proof is clearly on Iraq."

Some administration officials, especially in the Pentagon, have been skeptical that the inspectors would turn up anything useful in the short-term. Now, by demanding that Iraq demonstrate it is willing to cooperate with inspections, the administration hopes to avoid having to wait weeks or months for the inspectors to turn up hard evidence of Iraq's weapons programs.

"If an adversary wants to hide, it's not hard to hide weapons of mass destruction from even the best inspectors, particularly in a country the size of Iraq," Fleischer said. "So Iraq is under an obligation, under international law, not to just not hide, but to cooperate. Iraq must cooperate. And this is what the inspectors and the world community will soon see if Iraq is indeed doing or not."

"There are inspectors inside the country now and the inspectors are there not to play a game of hide and seek," Bush told reporters during a Cabinet Room meeting with the leaders of Kenya and Ethiopia. "They're there to verify whether or not Mr. Saddam Hussein is going to disarm."

At the Pentagon, Rumsfeld suggested the administration would refer evidence against Iraq to the Security Council for joint action. "They have to make a judgment as to whether or not the resolution that they passed unanimously is being complied with," Rumsfeld told reporters.

**Lack of hard evidence complicates U.S. aims**

By Michael Dobbs – 8 December 2002

During his recent trip to Europe to drum up support from the allies, Deputy Defense Secretary Paul D. Wolfowitz was asked by NATO ambassadors what it would take to prove that Iraq has failed to give up its weapons of mass destruction. His reply illustrated the subjective nature of the evidence against Iraqi President Saddam Hussein, which depends on the eye of the beholder.

"It's like the judge said about pornography," Wolfowitz told the closed-door audience, according to a participant. "I can't define it, but I will know it when I see it."

As Baghdad complies with the deadline set by the U.N. Security Council and hands over a detailed report on Iraqi weapons programs, few experts in or out of government are expecting to find a smoking gun buried in the mound of documentation.

A far more likely result, they say, is further ambiguity about Hussein's arsenal and widely differing opinions about the need for war with Iraq.

While the Bush administration may need little convincing that Iraq is in material breach of U.N. resolutions demanding its disarmament, a much higher standard of evidence will be required to convince key U.S. allies, including Turkey and Saudi Arabia, of the case for war. Even Britain, America's most dependable ally, has signaled differences with Washington over how long the inspection process should be permitted to continue before declaring that Hussein is cheating.

Now that Iraq has completed its report, pressure will mount on the United States to produce solid evidence to bolster its contention that Hussein still has an extensive program to produce nuclear, chemical and biological weapons in violation of the cease-fire that ended the 1991 Persian Gulf War. U.S. officials have refrained from providing such evidence until now on the grounds that it would enable Baghdad to fill in gaps in its "full and final" accounting of its arsenal.

In briefings last week, senior administration officials went out of their way to play down expectations of dramatic new evidence showing that Iraq has been caught red-handed. As one White House official put it, this will not be like the Cuban missile crisis in 1962, when the U.S. ambassador to the United Nations, Adlai Stevenson, shocked the Security Council with spy-plane photos of Soviet missile emplacements in Cuba.

"The intelligence process is an art, not a science, requiring synthesis of a lot of information from a wide variety of sources," said a top administration expert on Iraqi weapons of mass destruction. He added that over the last four decades, Iraq and other countries have invested huge resources in covering up their tracks, including moving key facilities underground, making them difficult to detect by overhead surveillance.

Rather than a smoking gun, U.S. officials say, the rest of the world should expect a pattern of telltale signs that lead to "only one logical conclusion": that Hussein still has weapons of mass destruction and "values these weapons very dearly."

In the absence of dramatic, unambiguous evidence proving that Hussein is lying, European officials say much will depend on the conclusions of the U.N. inspection teams allowed back into Iraq last month after four years.

"We must give the inspections a serious chance," a West European diplomat said. "If the Americans want to bring the sensible majority of Security Council members with them, it will have to be on the basis of the inspectors' analysis."

Giving the inspectors a chance raises problems of timing, however. Many experts believe it will take the inspectors many months, if not years, to come up with convincing evidence of large-scale cheating by Baghdad. This will push the timetable for an invasion of Iraq past February, the optimum period for fighting a war, before desert temperatures begin to rise and chemical protection suits become too hot to tolerate.

This explains why some Washington hawks would like to orchestrate a showdown with Iraq over the next few weeks, rather than get involved in a protracted cat-and-mouse game with Baghdad.

"If you think the result of the inspections process will be ambiguous, then the best time to strike is now," said Kenneth Pollack, a former CIA expert on Iraq now with the Brookings Institution. "You should make a crisis now because you are not going to have any better cause for a crisis in six months. It is a fantasy to think the inspectors will come up with a smoking gun."

The drawback to engineering a crisis with Iraq based on something less than a smoking gun is that it becomes much more difficult -- although not necessarily impossible -- to assemble an international coalition to overthrow Hussein. Officials from Turkey and Saudi Arabia, which are home to large U.S. military bases bordering Iraq, have said they will require a second Security Council resolution authorizing the use of force before allowing their countries to be used as the springboard for an invasion.

In the case of Saudi Arabia, alternative bases are available in Kuwait and Qatar, where the U.S. military has just inaugurated a new command and control center duplicating many of the facilities available at the Prince Sultan air base outside Riyadh.

Turkey's cooperation, however, is crucial for access to northern Iraq, given that neither Iran nor Syria is friendly with the United States.

Bush administration officials have put a good deal of effort into wooing the new Turkish government after the election victory of a moderate Islamic party, many of whose supporters are strongly opposed to a U.S. attack on a neighboring Muslim state. When Wolfowitz visited Ankara last week, he brought a big bag of incentives for Turkey, including economic assistance, a role in deciding the future of northern Iraq and full integration with Europe.

"The United States has become the champion of Turkey joining the European Union," said a European diplomat, noting that Wolfowitz spent one-third of a major foreign policy address in London supporting Turkish political aspirations. "These things are all linked."

U.S. experts on Turkey believe that Ankara will eventually go along with the Bush administration's wishes on Iraq, and provide Washington the facilities it needs, if only because Turkey cannot afford to stand aside, given the geopolitical stakes involved.

Successive Turkish governments have been determined to prevent the emergence of an autonomous Kurdish state in northern Iraq, fearing that this would encourage secessionist pressures from Turkey's own Kurdish minority.

A former Turkish prime minister, Turgut Ozal, summed up the Turkish dilemma on Iraq when he noted that during the run-up to the Gulf War, Turkey wanted to be "at the table as a guest, not as a menu item."

In order to secure a minimum level of international endorsement of an attack on Iraq, the Bush administration will need the support of Britain and France, who have veto rights on the Security Council. While London has loyally supported Washington throughout the current crisis with Iraq, the two governments' positions are not identical. British Foreign Secretary Jack Straw last week made clear that London wants the inspectors to be given time to "nail" Hussein's "lies."

France, meanwhile, has taken the lead in insisting on a second U.N. resolution to clear the way for a U.S. attack on Iraq. In the end, however, most observers expect the French to fall into line. "The French will be persnickety in demanding respect for international law," said a European diplomat, "but when the chips are down, they will be there."

### The Independent

#### **UN chief: We can get to the truth**

By Kim Sengupta in Baghdad - 08 December 2002

The arms inspectors in Iraq are in an unprecedentedly strong position to "get to the truth", according to Dimitri Perricos, the head of Unmovic (the UN Monitoring, Verification and Inspection Commission).

Unlike its predecessors, the present team has all the powers necessary, political and technical, to uncover whether the Iraqis still possess weapons of mass destruction, he told *The Independent* on Sunday.

Mr Perricos led the first monitoring team to Iraq after the Gulf War. But its members found themselves with little power to combat Iraqi obstruction and subterfuge. They were blocked from entering suspected sites and had shots fired over their heads in confrontations with Iraqi soldiers.

"This time we have the most advanced equipment available, and the new UN resolution means that we will not be camping somewhere, but knocking on doors," said Mr Perricos. "The Iraqis know that, and they also know that a 'material breach' may lead to war. I think we shall get to the truth, and it is, of course, desirable that there is no war."

At the same time, he said, there was a need to resist external pressure. "The people who sent us here are the international community and the UN. We are not serving the US and we are not serving the UK. The Iraqis would like us to be very light, the US would like us to be extremely severe. We think we are doing a proper job."

## COMMENTAAR EN VRAGEN

De inspectie regimes hebben tot doel om alle Iraakse massavernietigingswapens op te sporen en te vernietigen. Daartoe diende het UNSCOM team dat in 1991 werd aangesteld als uitvloeisel van Veiligheidsraadresolutie 687 (3 april 1991). In 1998 werd dit eerste team teruggetrokken. Hoewel het in de westerse media gebruikelijk is om te stellen dat het team verwijderd werd door de Iraakse regering, klopt dat niet. In feite werd het teruggetrokken op aanraden van het toenmalige hoofd, de heer Butler. De aanleiding voor de terugtrekking was ogenschijnlijk het saboteren van het inspectiewerk door de Iraakse regering. Desalniettemin had het team enig succes gehad: zoals opgesomd in het rapport aan de VN (zie elders in deze F&R) werd een grote hoeveelheid materiaal en grondstoffen opgespoord en vernietigd. Volgens de toenmalige inspecteur Scott Ritter was het zelfs zo dat de capaciteit van Irak om chemische wapens te maken grotendeels was verwijderd. Het inspectiewerk was echter ondermijnd door een reeks spionage operaties die tot doel hadden om cruciale Iraakse bevelscentra in kaart te brengen, door het afluisteren van hun verbindingen. Deze informatie was ook nuttig voor de Amerikaanse luchtmacht bij het uitvoeren van bombardementen. Dit werd door de Iraakse regering gezien als strijdig met het mandaat van de Veiligheidsraad: een deel van de samenwerking van de teams door Irak is daardoor te verklaren. Daarnaast probeerde de Iraakse regering om het werk waar mogelijk dwars te zitten.

Na de terugtrekking in 1998 volgde een vierdaagse bombardementscampagne door voornamelijk Amerikaanse vliegtuigen (Desert Fox) waarvan de bedoeling onduidelijk was. Het had in ieder geval tot gevolg dat er voor jaren geen inspecties meer werden toegestaan door de Iraakse regering.

In 2000 werd een nieuw inspectieteam, UNMOVIC, opgezet (brief 6 april 2000 van de secretaris generaal aan de Veiligheidsraad). De bedoeling was dat dit team de taak van UNSCOM zou oppikken. Pas in de loop van 2002 werd dit een realistische optie, nadat in het kader van de wereldwijde 'oorlog tegen het terrorisme' Irak, na Afghanistan, was aangewezen als een volgend doelwit in die oorlog. De Amerikaanse militaire druk resulteerde in een politiek tegenoffensief van vooral Frankrijk en Rusland dat tot doel had om de inspecties te hervatten. Via resolutie 1441 die op 8 november 2002 unaniem werd aangenomen in de Veiligheidsraad werd het inspectieproces weer op gang gebracht. Na de komst van de inspecteurs eind november werd op 8 december door de Iraakse regering een lijst – in feite een 11.000 pagina boekwerk – aan de Uncom (voor biologische en chemische zaken) en de IAEA (voor nucleair materiaal) overhandigd, waarin volgens de Iraakse regering alle materialen stonden die mogelijkerwijs voor de productie van massavernietigingswapens konden worden gebruikt.

Dit materiaal zou door de onderzoekers van de twee onderzoeksinstanties worden bestudeerd, evenals de leden van de Veiligheidsraad. Daravan krijgen echter slechts de permamnete vijf een volledige versie, de anderen een door VN deskundigen ingekorte versie. Vervolgens moet op 27 januari een rapport aan de Veiligheidsraad worden opgesteld.

### Resolutie

Op de tekst van de resolutie valt nog het volgende aan te merken (de nummers verwijzen naar de paragrafen van de resolutie:

### ***Reporting***

4. Decides that false statements or omissions in the declarations submitted by Iraq pursuant to this resolution and failure by Iraq at any time to comply with, and cooperate fully in the implementation of, this resolution shall constitute a further material breach of Iraq's obligations and will be reported to the Council for assessment in accordance with paragraphs 11 and or 12 below;

Elke fout in rapportage of meningsverschil over de data kan als excuus voor oorlog worden gebruikt.

### Interviews inside or outside Iraq

5. *Decides that Iraq shall provide UNMOVIC and the IAEA 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, as well as immediate, unimpeded, unrestricted, and private access to all officials and other persons whom UNMOVIC or the IAEA wish to interview in the mode or location of UNMOVIC's or the IAEA's choice pursuant to any aspect of their mandates; further decides that UNMOVIC and the IAEA may at their discretion conduct interviews inside or outside of Iraq, may facilitate the travel of those interviewed and family members outside of Iraq, and that, at the sole discretion of*

*UNMOVIC and the IAEA, such interviews may occur without the presence of observers from the Iraqi government; and instructs UNMOVIC and requests the IAEA to resume inspections no later than 45 days following adoption of this resolution and to update the Council 60 days thereafter;'*

Dit geeft de mogelijkheid om Iraakse wetenschappers om te kopen of zelfs te ontvoeren. De Amerikaanse regering heeft het hoofd van UNMOVIC, Hans Blix, speciaal benaderd om dit mogelijk te maken. Het is onduidelijk wat er na 60 dagen precies verwacht wordt: zo een periode is te kort om grondige inspecties uit te voeren.

### Implementation of inspection

*(Sections of OP 7)*

*- UNMOVIC and the IAEA shall have unrestricted rights of entry into and out of Iraq, the right to free, unrestricted, and immediate movement to and from inspection sites, and the right to inspect any sites and buildings, including immediate, unimpeded, unconditional, and unrestricted access to Presidential Sites equal to that at other sites, notwithstanding the provisions of resolution 1154 (1998);*

De formulering 'unimpeded access to any site' kan verwijzen naar elke locatie in Irak:

-- Security of UNMOVIC and IAEA facilities shall be ensured by sufficient UN security guards;  
'sufficient UN security guards' daar kan ook een invasiemacht onder vallen

-- UNMOVIC and the IAEA shall have the right to declare, for the purposes of freezing a site to be inspected, exclusion zones, including surrounding areas and transit corridors, in which Iraq will suspend ground and aerial movement so that nothing is changed in or taken out of a site being inspected;

'Inspection sites': geen limieten op de omvang van het gebied om de 'sites' of de toegangswegen. Het zou op heel Irak kunnen slaan.

-- UNMOVIC and the IAEA shall have the free and unrestricted use and landing of fixed- and rotary-winged aircraft, including manned and unmanned reconnaissance vehicles;

Het gebruik van 'unmanned reconnaissance vehicles' opent de mogelijkheid van spionage. De door UNSCOM gebruikte methoden (waarbij de inspecteurs al dan niet bewust af luisterapparatuur meedroegen) kan weer worden toegepast

*-- UNMOVIC and the IAEA shall have the right to free import and use of equipment or materials for inspections and to seize and export any equipment, materials, or documents taken during inspections, without search of UNMOVIC or IAEA personnel or official or personal baggage;*

**'Free import and use of equipment': mogelijkheid voor spionage.**

### Hostile acts

*8. Decides further that Iraq shall not take or threaten hostile acts directed against any representative or personnel of the United Nations or the IAEA or of any Member State taking action to uphold any Council resolution;*

Hiermee wordt de mogelijkheid geopent voor de VS om militaire actie te ondernemen en te stellen dat het 'any Council resolution' aan het handhaven is;

### Serious consequences

*13. Recalls, in that context, that the Council has repeatedly warned Iraq that it will face serious consequences as a result of its continued violations of its obligations;*

'Serious consequences': mogelijk mandaat voor VS operaties.

### Doel van de inspecties

In de documenten en krantenberichten die we hier hebben samengevoegd worden de bedoelingen en de uitvoering van het inspectieproces beschreven. Wat betreft de geschiedenis is de context van belang: een cruciale vraag is immers wat het doel van deze en voorafgaande inspecties is geweest. Als dit bestaat uit het opsporen van alle massavernietigingswapens (WMD) op het grondgebied van Irak, dan is het onmogelijk om het bewijs hiervoor te leveren. Men kan immers altijd stellen dat niet alles doorzocht is en dat er dus nog steeds WMD kunnen liggen. Als het bedoeling is om een mate van zekerheid te krijgen (bijvoorbeeld doordat de bijbehorende industriële infrastructuur deels wel kan worden gecontroleerd via de documentatie en geavanceerde waarnemingsapparatuur die de inspecteurs gebruiken) dan kan een punt worden bereikt waarop de commissie verklaart dat er voldoende duidelijkheid is. De Iraakse regering kan natuurlijk nooit bewijzen

dat het geen WMD of de ondersteunende technologie heeft. De eisen van de Amerikaanse regering voor dit soort bewijs zijn dan ook absurd.

Het verzamelen van de documentatie is zinvol omdat er een intern consistente structuur in moet zitten. De deskundigen kunnen bepalen of er geen strijdigheden in de lijst of intern inconsistent is. Als dat niet zo is (als bijvoorbeeld de hoeveelheid grondstoffen vergeleken met de in het verleden aangetroffen voorraden zenuwgas en de productiecapaciteit van de verklaarde fabrieken onderling niet kloppen, of niet kloppen met gegevens die door de werkzaamheden van de inspecteurs zijn verzameld), dan kan waarschijnlijk een gerichte beschuldiging worden opgebouwd dat er informatie wordt achtergehouden. De bedoeling van de verdere inspecties de komende maanden is om de officieel geleverde Iraakse informatie zoveel mogelijk te controleren. Omdat de Iraakse regering niet met zekerheid kan weten wat de inspecteurs weten, is dit een effectief dwangmiddel, zeker als er ook een kans is dat latere inspecties inconsistenties zullen ontdekken.

Cruciale vraag in dit alles is echter het doel van het Amerikaanse beleid. Als het overheersende beleidsdoel de omverwerping van de Iraakse regering is, dan zal de VS de inspecties alleen steunen zo lang ze de mogelijkheid bieden om de Iraakse regering te betrappen op een leugen. Ook dan moet er nog rapport worden uitgebracht aan de VR door de inspectieteams: in principe moet de VS op deze presentatie wachten alvorens ze verder kan handelen. Het is mogelijk dat ze dit proces niet zal afwachten, maar gewoon Irak zal aanvallen, zoals vele malen is bepleit door invloedrijke leden van de regering van President Bush. In dat geval is de voortgezette aanwezigheid van de inspecteurs echter lastig: een oorlog kan immers hun gijzelneming of dood betekenen, dus lijkt het wenselijk voor de Amerikaanse regering om eerst ervoor te zorgen dat de inspecteurs het land uitgaan. Een belangrijk punt daarbij kan zijn de eis dat Iraakse wetenschappers beschikbaar worden gesteld voor interviews in het buitenland. Zo een tocht naar het buitenland betekent dat terugkeer onmogelijk is, gezien het vermoeden van samenwerking met de Amerikaanse inlichtingendienst dat bij de Iraakse regering zal ontstaan.

Dit alles betekent dat het nog weken kan duren voordat de essentiële stappen in het inspectie proces: presentatie van de Iraakse lijst aan de VN en IAEA, reacties op de lijst met 'eigen' informatie, debat in VR, terugtrekking van inspecteurs en daarna de oorlog, zijn afgelegd.

#### Vragen

Gezien de grote kans dat de VS een invasie van Irak uitvoert, ook zonder VN mandaat, is het van belang om de volgende vragen te stellen aan de regering:

1. Ondersteunt de Nederlandse regering het inspectieproces? Als dat zo is, waarom heeft ze al medewerking toegezegd aan een eventuele aanval op Irak door de VS?

2. De Nederlandse regering heeft verklaard dat ze een operatie tegen Irak zal ondersteunen, ook zonder VN mandaat. Ter verduidelijking verklaarde minister de Hoop Scheffer in de Kamer dat een veto van een van de permanente leden zulk optreden niet zou mogen blokkeren. Dit roept de volgende vragen op:

- Wat zijn de criteria voor het toepassen van deze uitzondering op de regels van het VN handvest? Zijn daarin de inspecties van belang?

- Vindt de Nederlandse regering dat andere landen ook zo een veto mogen negeren onder bepaalde omstandigheden? Zo ja, welke zijn dat dan? Zo nee, waarom niet?

2. Beschouwd de Nederlandse regering de oorlog tegen Irak als onderdeel van de oorlog tegen het terrorisme? Kan in dat geval de regering een definitie geven van 'terrorisme'?

3. Beschouwd de Nederlands regering zichzelf als zijnde in staat van oorlog met het 'terrorisme'?

4. Als de Nederlandse regering een oorlog tegen Irak zonder VN mandaat ondersteunt, beschouwd het zichzelf dan in staat van oorlog met Irak?

5. Op welke gronden denkt de regering, gezien haar demissionaire status, dat ze de Nederlandse staat kan laten deelnemen aan een oorlog? Vindt de regering het niet noodzakelijk om zulke stappen over te laten aan een volwaardige regering, geïnstalleerd na de komende verkiezingen?



## FACTS AND REPORTS

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2. Veiligheidsvraagstukken en de verkiezingen – standpunten van de politieke partijen  
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11. Massavernietigingswapens in het Midden-Oosten (1) – Egypte, Israël, Syrië  
Basisinformatie over de proliferatie van nucleaire, biologische en chemische wapens in Egypte, Israël en Syrië en verklaringen van de Nederlandse regering hierover
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13. Aanval op Irak – de kwestie van de massavernietigingswapens; feiten, documenten en overwegingen
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