

Winning Without War

Sensible Security Options for Dealing with Iraq



**By David Cortright,
George A. Lopez,
and Alistair Millar**

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

Photo on cover: In Iraq, a United Nations Special Commission bulldozer crushes bodies of 500 kg bombs designed for use as chemical weapons. UN/DPI Photo, 1992.

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David Cortright, Goshen, Indiana
George A. Lopez, Notre Dame, Indiana
Alistair Millar, Washington, D.C.

Authors

David Cortright is president of the Fourth Freedom Forum and a research fellow at the Joan B. Kroc Institute for International Peace Studies at the University of Notre Dame. Cortright has authored several books and numerous articles about security issues. His most recent volumes are *Smart Sanctions: Targeting Economic Statecraft* (Rowman & Littlefield, 2002, edited with George A. Lopez), and *Sanctions and the Search for Security: Challenges to UN Action* (Lynne Rienner Publishers, Inc., 2002, with George A. Lopez and Linda Gerber).

George A. Lopez is director of policy studies and senior fellow at the Joan B. Kroc Institute for International Peace Studies at the University of Notre Dame. Lopez focuses on economic sanctions and state violence and repression. His work on these subjects has been published in *Chitty's Law Journal*, *Human Rights Quarterly*, *The Bulletin of the Atomic Scientists*, *International Studies Quarterly*, *International Journal of Human Rights*, *Ethics and International Affairs*, and *Fletcher Forum* as well as numerous books in which he has been author and editor.

Alistair Millar is vice president of the Fourth Freedom Forum and director of its Washington, D.C. office. Millar was a senior analyst at the British American Security Information Council. He has written on a wide range of issues, including sanctions, incentives, and nuclear nonproliferation. His opinion editorials and articles have appeared in several publications and periodicals including the *San Francisco Chronicle*, *Los Angeles Times*, *Defense News*, and the *Journal of International Affairs*.

Introduction

Advocates of military action against Iraq contend that war is the only certain option for preventing Saddam Hussein from developing or using nuclear, chemical, or biological weapons. They claim that diplomacy, containment, and other options have been tried and found wanting. They add that the possibility that Saddam will pass these weapons on to terrorist groups leaves little choice for measures other than prompt military action. This approach was underscored by President Bush in his address of October 7 delivered in Cincinnati, Ohio.

Because the current political discourse in Washington has focused almost exclusively on the use of military force, little or no attention has been given to viable nonmilitary means of ensuring Iraq's disarmament. Few analyses have been made of the security benefits of renewed UN weapons monitoring, enhanced containment, and strengthened deterrence. Nor have the costs and benefits of these options been compared to those of military action. Few commentators have noted how close the U.S. may be to achieving its core objectives without war.

This report provides a detailed examination of available nonmilitary means for achieving U.S. security objectives in Iraq. These options—renewed weapons monitoring, enhanced containment, and strengthened deterrence—are decidedly less costly than the use of military force. They are fully capable of providing effective security against the potential threat from Iraqi nuclear, chemical, and biological weapons. Containment has the added advantage of building confidence and cooperation among engaged Security Council nations and frontline states.

Joint Resolution 114 of the Congress of the United States stipulates that if the president decides to use force he must certify why “diplomatic or other peaceful means” will not adequately meet U.S. interests. This report shows that peaceful and diplomatic options are available and can be successfully implemented to achieve U.S. objectives.

Executive Summary

Over the past decade the combination of UN weapons inspections, sanctions-based containment, and military deterrence have succeeded in reducing the threat from Iraq's nuclear, chemical, and biological weapons and ballistic missiles. During the 1990s the UN Special Commission (UNSCOM) and the International Atomic Energy Agency (IAEA) systematically dismantled most of Iraq's prohibited weapons. The continuing UN arms embargo and controls on Iraqi oil revenues have curtailed Saddam Hussein's efforts to rebuild his war machine.

Nonmilitary means are available for strengthening international security assurances against the potential threat from Iraq's prohibited weapons capability. The resumption of effective UN weapons inspections and the strengthening of military containment and deterrence offer viable, robust options for assuring the disarmament of Iraq and preventing Saddam Hussein from acquiring the ability to develop or use nuclear, chemical, or biological weapons.

This report offers a detailed set of policy recommendations for achieving these objectives. It examines the record of UN weapons inspectors during the 1990s, reviews the current system of military containment, and proposes specific steps for strengthening containment and deterrence. It demonstrates that nonmilitary options have been effective in the past and can be strengthened now to disarm and contain Iraq.

Among the specific policy nonmilitary options we recommend are the following:

1. Improve the monitoring of Iraq's borders
2. Install advanced monitoring technology
3. Establish sanctions assistance missions
4. Improve cargo monitoring at the port of Aqaba
5. Provide incentives to gain the cooperation of Iraq's trading partners
6. Expose and penalize arms embargo violations
7. Tighten controls on Iraqi oil marketing
8. Require purchasers of Iraqi oil to submit financial reports
9. Control or shut down the Syria-Iraq pipeline
10. Strengthen collective deterrence against potential Iraqi aggression

Together with effective UN weapons monitoring, these policies can provide assurances against Iraqi development or use of nuclear, chemical, or biological weapons.

A Valuable Record of Achievement: UN Weapons Inspections

Those who are skeptical of UN weapons inspections often base their assessment on claims about Iraq's success in deceiving UNSCOM inspectors in the 1990s. Although the Baghdad government mounted a concerted effort to obstruct weapons monitoring efforts, the record shows that the UN mission in Iraq was one of the most effective disarmament efforts ever mounted.¹ U.S. vice president Dick Cheney recently called this effort "the most intrusive system of arms control in history."² During the 1990s UNSCOM carried out 272 separate inspection visits, surveying more than 1,000 potential and actual weapons sites and document centers.³ In the process UNSCOM and the IAEA systematically uncovered and eliminated most of Iraq's nuclear weapons, long-range ballistic missiles, chemical weapons, and biological weapons. According to the September 2002 British government dossier report, "Despite the conduct of Iraqi authorities towards them, both UNSCOM and the IAEA Action Team have valuable records of achievement in discovering and exposing Iraq's biological weapons programme and destroying very large quantities of chemical weapons stocks and missiles as well as the infrastructure of Iraq's nuclear weapons programme."⁴

The clearest success of the UN disarmament mission occurred in the nuclear realm. Nuclear weapons are truly weapons of mass destruction and pose a much greater threat to international security than chemical and biological weapons. Because of the unique and grave danger posed by these weapons, UN officials gave priority to eliminating Iraq's nuclear capabilities. Baghdad's uranium enrichment program and other efforts to produce nuclear weapons were identified and destroyed early in the inspection process.

UN officials removed and destroyed all of Iraq's primary nuclear weapons production facilities. The IAEA reported in 1997 that there were no indications of Iraq having achieved its goal of producing a nuclear weapon.⁵ Iraq's indigenous nuclear weapons program had produced only a few grams of weapons-useable nuclear material before it was dismantled.⁶ The IAEA concluded that Iraq no longer had the physical capacity to produce weapons-useable nuclear material of any practical significance. The UN Special Commission likewise noted in 1997 that "there are no indications that any weapons-useable materials remain in Iraq" and "no evidence in Iraq of prohibited materials, equipment, or activities."⁷

Iraq's ballistic missile programs were also largely eliminated during the 1990s. According to UNSCOM, efforts to inspect and dismantle missile capabilities yielded "significant results."⁸ All but two of the 819 Scud missiles known to have existed at the time of the Gulf War were accounted for, and no evidence was uncovered of the successful flight testing of additional long-range ballistic missiles. Anthony Cordesman of the Center for Strategic and International Studies in Washington testified before the Senate Foreign Relations Committee in July 2002 that "Iraq has not fired any Scud variants in twelve years."⁹ A September 2002 analysis by the International Institute for Strategic Studies in London concluded that, "Iraq does not possess facilities to

"The most intrusive system of arms control in history"

Nuclear weapons: the greatest threat

Iraq's nuclear capability neutralized

No flight tests of prohibited missiles

*Chemical
and biological
weapons plants
destroyed*

produce long-range missiles and it would require several years and extensive foreign assistance to construct such facilities.”¹⁰

UNSCOM also eliminated most of Iraq’s chemical weapons stockpiles and production capacity. U.S. military forces destroyed Iraq’s primary chemical weapons production facilities and a large portion of its stockpile of chemical munitions during the Gulf War.¹¹ UN weapons inspectors then systematically dismantled most of Iraq’s remaining chemical weapons. A March 1999 report of a Security Council experts panel noted that inspectors “supervised or . . . certified the destruction, removal or rendering harmless of large quantities of chemical weapons (CW), their components and major chemical weapons production equipment. . . . The prime CW development and production complex in Iraq was dismantled and closed under UNSCOM supervision and other identified facilities have been put under monitoring.”¹²

UN inspectors also made significant headway in uncovering Iraq’s biological weapons threat. Although less progress was achieved here than in other weapons areas, UNSCOM nonetheless supervised the destruction of Iraq’s main biological weapons and production facility and destroyed equipment and growth media at four other major facilities.¹³ Cordesman testified in July 2002 that

There are no public reports that [Iraq] has tested dry-storable biological weapons, or has made major advances in its weaponization of nerve gas. Furthermore, it seems unlikely that Iraq can openly build up major production and deployment capabilities without them being detected.¹⁴

*Biological agents
deteriorate
over time*

In assessing biological and chemical weapons threats it is important to note that these materials can degrade over time and lose their lethality. In the absence of production facilities to create new toxins, Iraq’s biological agents would gradually deteriorate. According to an earlier Cordesman report,

The shelf-life and lethality of Iraq’s weapons is unknown, but it seems likely that the shelf-life was limited. In balance, it seems probable that any agents Iraq retained after the Gulf War now have very limited lethality, if any.¹⁵

Some former UNSCOM inspectors believe that Iraq has retained a biological production capability and that it could replenish lethal agents.¹⁶ Determining the status of Iraq’s biological weapons program will be one of the major challenges for renewed weapons inspections.

Summary of UN Weapons Inspections Achievements

<p>Nuclear</p>	<p>No evidence of sufficient quantities of fissile material. Enrichment and weaponization infrastructure removed, destroyed, or dismantled and verifiably eliminated. Nuclear scientists remain in Iraq, but there is no credible evidence (detectable from intelligence and surveillance such as gamma ray sensor equipment) that Iraq has been able to obtain or produce fissile material to make a deliverable bomb. IAEA removed all known weapon-grade nuclear material; took custody of all known remaining uranium compounds; destroyed and rendered harmless all known dedicated facilities and associated equipment; and monitored all known dual-use equipment.¹⁷</p>
<p>Missiles with Range over 150Km</p>	<p>Testing of medium or long range missiles not possible without detection. All but two of the 819 Scud missiles known to have existed at the time of the Gulf War are accounted for, and no evidence uncovered of the successful flight testing of additional Iraqi ballistic missiles. UNSCOM supervised the destruction of: 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, and other missile support equipment and materials. Also supervised the destruction of a variety of assembled and nonassembled “super-gun” components.¹⁸</p>
<p>Chemical</p>	<p>All production facilities destroyed. Thousands of tons of chemical agents destroyed. Any remaining agents, including VX nerve agent precursors, would degrade without new supplies from a functioning production facility. UNSCOM supervised the destruction of: 38,537 filled and empty chemical munitions, 690 tons of chemical weapons agent, more than 3,000 tons of precursors chemicals, 426 pieces of chemical weapons production equipment, and 91 pieces of related analytical instruments.</p>
<p>Biological</p>	<p>No full-scale biological weapons manufacturing base since inspectors left in 1998. UNSCOM supervised the destruction of the main biological weapons production facility at Al Hakam and a variety of biological weapons production equipment and materials.</p>

The cumulative result of UN weapons inspection and dismantlement efforts was the effective disarmament of Iraq. UNSCOM and the IAEA neutralized most of Iraq’s nuclear, chemical, and biological weapons and long-range missiles.¹⁹ The independent panel of experts established in 1999 to evaluate these inspections came to the following conclusion:

In spite of well-known difficult circumstances, UNSCOM and [the] IAEA have been effective in uncovering and destroying many elements of Iraq’s proscribed weapons programmes. . . The bulk of Iraq’s proscribed weapons programmes has been eliminated.²⁰

*Inspections mean
disarmament*

As former UNSCOM chair Rolf Ekeus recently wrote, “Thanks to the work of the UN inspectors, not much was left of Iraq’s once massive weapons program when inspections halted” in 1998.²¹

The disdain for the work of UN weapons inspections expressed by Bush administration officials is not based on fact. Claims that “the issue is disarmament, not inspections” distort reality and ignore the fact that intrusive inspections equal disarmament. As arms control experts insist, and U.S. officials have acknowledged throughout the nuclear era, disarmament is meaningless without verification.²² Monitoring and inspection are the essential foundation of disarmament.

The Benefits of Renewed Monitoring

The pressing question now is how much Baghdad may have rebuilt in the nearly four years since weapons monitoring ended. Some significant gaps remained when the UN Special Commission left Iraq in December 1998. Chemical weapons precursors, biological growth media, and a dozen or more indigenously produced missiles were unaccounted for. The evidence of continuing Iraqi weapons smuggling efforts raises suspicions that Saddam has continued to pursue weapons of mass destruction. Although some of Iraq’s attempts to acquire weapons-related technology have been intercepted, it is prudent to assume that other shipments have gone through in recent years.

*Iraq accepted
renewed inspections*

The return of weapons inspectors to Iraq would enable UN officials to uncover new weapons activity and determine what remains of Iraq’s weapons program. Iraq agreed to the unconditional return of UN inspectors on 16 September 2002, and UN and Iraqi officials reached agreement on the terms for resuming inspections on 1 October.

The mission of the renewed inspections, as outlined in Security Council Resolution 1284 (1999), is to reestablish an Ongoing Monitoring and Verification System (OMV) and to complete “key remaining disarmament tasks.”²³ The OMV system involves the installation of an elaborate array of radiological and chemical sensors, cameras, and other detection systems at numerous locations in Iraq. This would be supplemented by no-notice inspections in which UN monitors verify the disarmament of designated locations. The OMV system is designed to provide monitoring of potential weapons sites on a permanent basis. The completion of remaining disarmament tasks, if successful, would allow UNMOVIC and IAEA officials to certify the final disarmament of Iraq.

*Return of inspectors
would bring immediate
security benefits*

The return of inspectors would provide an immediate security benefit. Even if the inspectors encounter renewed Iraqi obstruction and concealment, their very presence in the country would disrupt potential weapons development efforts.²⁴ The inspectors would begin to pick up information from the first day they enter the country, and they could correlate this with the voluminous documentation acquired during the earlier inspection effort to determine the presence of prohibited weapons activity. The renewal of weapons inspections could provide substantial security assurances against the potential Iraqi weapons threat.

Containment is Working

UN sanctions in Iraq have been rather effective as a means of military containment. Sanctions initially prohibited all trade with Iraq, but with the introduction of the “oil for food” program in 1996 sanctions were restructured. Restrictions on civilian imports were gradually eased and then removed entirely in May 2002 with the adoption of Security Council Resolution 1409. A strict arms embargo has remained in place, however, and dual-use goods continue to be subject to review. Iraqi oil revenues are deposited in a UN-controlled bank account and can be used only for the purchase of civilian goods. This continuing system of control over military-related goods and oil revenues has been highly effective in constraining Iraq’s military capabilities.

The most important element of the sanctions regime is the continuing UN capture of Iraqi oil revenues. Since the beginning of sanctions, it is estimated that the Baghdad government has been denied control over more than \$150 billion in oil revenues.²⁵ Smuggling and kickback schemes have enabled the Baghdad government to obtain some hard currency outside the sanctions system, but the vast majority of Iraqi oil revenues remain under UN control. Authoritative investigations by the U.S. General Accounting office and the *Wall Street Journal* indicate that the UN currently controls approximately 85 percent of Iraq’s oil revenues.²⁶ Iraq’s illicit earnings outside the sanctions system are estimated at \$1.5 to \$3 billion annually. These illegal earnings have increased recently due to the opening in 2001 of the Iraq-Syria pipeline, which is not under UN control. As noted below, bringing the revenues from this pipeline under UN control would be an important step toward reducing Iraq’s access to unrestricted hard currency and would strengthen the current system of containment.

The funds Iraq has obtained outside the UN control system are not sufficient to finance a large-scale military development program. Saddam has used these funds not only to maintain his armed forces but also to build palaces and provide benefits for his inner circle of political loyalists. The funds available for developing nuclear, chemical, and biological weapons and the means to deliver them have been substantially curtailed.

Since the imposition of UN sanctions, Iraqi military spending has plummeted. According to estimates from the U.S. Department of State, Iraqi military expenditures dropped from \$22.5 billion in 1990 to an average of approximately \$1.2 billion per year in the late 1990s.²⁷ As a result, the huge volume of military goods that flowed into Iraq in the 1980s slowed to a trickle.

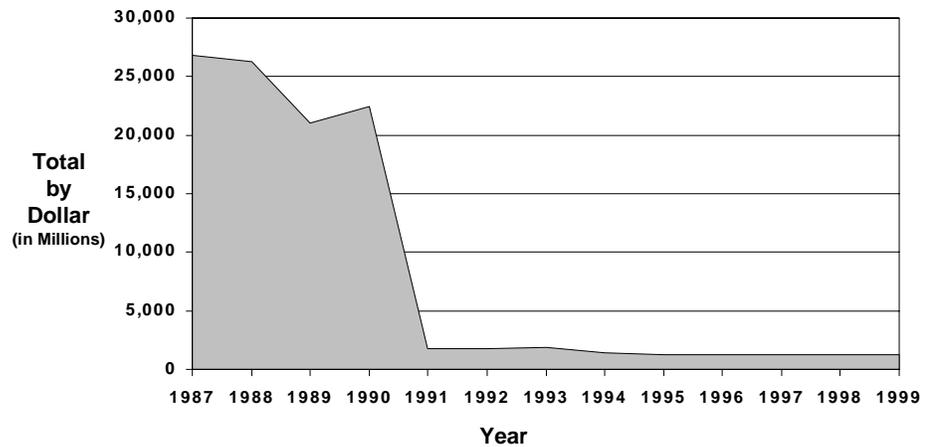
The cumulative arms import deficit for Iraq since 1990 is more than \$50 billion.²⁸ This figure represents the amount of money Iraq would have spent on weapons imports if it had continued to purchase arms as it did during the 1980s. A 1998 report from the Center for Strategic and International Studies stated that the Iraqi armed forces suffer from “decaying, obsolete or obsolescent major weapons.”²⁹ Baghdad’s various weapons-smuggling efforts and black market operations have not been able to substitute for the large-scale, diversified weapons supply that equipped the Iraqi armed forces for war in the 1980s. Cordesman told the Senate Foreign Relations Committee in July 2002 that because of sanctions and the impact of the Gulf War, “Iraq has not

Most of Iraq’s oil revenues controlled by UN

Sharp drop in Iraqi weapons expenditure

“Decaying . . . obsolete weapons”

Military Expenditures in Iraq, 1987 through 1999



Source: United States Department of State, "World Military Expenditure and Arms Transfer 1998" (April 2000) <http://www.state.gov/www/global/arms/bureau_ac/wmeat98/table2.pdf> (31 July 2001); 1998/1999 figures from "Military expenditures, Armed Forces, GNP, CGE, Population, and Their Ratios, By Group and Country, 1989-1999," available at <<http://www.state.gov/documents/organization/9243.pdf>> (30 September 2002), 27.

been able to fund and/or import any major new conventional warfare technology to react to the lessons of the Gulf War, or to produce any major equipment."³⁰ UN revenue controls have been highly effective in curtailing Iraq's military capabilities.

*CIA:
"Saddam probably
does not have any
nuclear weapons"*

The U.S. Central Intelligence Agency reported in October 2002 that "Saddam probably does not yet have any nuclear weapons or sufficient material to make any." The CIA report noted that Iraq would be "unlikely to produce indigenously enough weapons-grade material for a deliverable nuclear weapon until the last half of the decade."³¹ Iraq could not produce a bomb quickly without the delivery of weapons-grade fissile material from abroad. There is no evidence or claim that such deliveries have been made. As long as effective sanctions remain in place, it is unlikely that Iraq could acquire such materials.

Sanctions Success

*UK: sanctions
impede nuclear and
ballistic missile
programs*

Sanctions have been successful in blocking specific Iraqi attempts to import specialized materials and goods that could be used for developing prohibited weapons. While Iraq has undoubtedly imported some prohibited military-related goods in recent years, many of its smuggling efforts have failed. The British government's September 2002 dossier noted that sanctions have significantly constrained Baghdad's nuclear and ballistic missile programs.

Several major Iraqi attempts to acquire weapons-related materials and equipment were thwarted by sanctions:

- Iraq failed in repeated attempts to import specialized aluminum tubes, which could be used as uranium enrichment centrifuges. Iraq also failed in attempts to purchase vacuum tubes, a magnet production line, a large filament winding machine, fluorine gas and other goods that could have potential nuclear weapons-related applications.³²

According to the British report, "UN sanctions on Iraq were hindering

the import of crucial goods for the production of fissile material.” As long as sanctions remained effective, according to the report, “Iraq would not be able to produce a nuclear weapon.”³³

- Sanctions have also constrained Iraq’s attempts to develop prohibited ballistic missiles. The British study noted the success of the embargo in blocking Iraqi efforts to buy magnesium powder and ammonium chloride, which are potential ingredients of rocket fuel.³⁴ The British report concluded that “sanctions and the earlier work of the inspectors had caused significant problems for Iraqi missile development.”³⁵

Sanctions are never completely successful in blocking prohibited imports. Smugglers will always find ways to circumvent even the tightest embargo.³⁶ In the case of Iraq, however, sanctions have been unusually successful in preventing illegal weapons imports, more so than other UN arms embargoes.³⁷ The reasons for this success are that the United States has made a major investment in sanctions enforcement, and the world community has remained united in its resolve to deny Iraq the means to rebuild its weapons programs. As the scope of sanctions has narrowed to focus on preventing weapons imports rather than civilian trade, international compliance has improved. Russia and other countries that previously supplied Iraq’s weapons have tightened their export control laws and strengthened enforcement efforts against illegal weapons shipments. By working with the international community through the UN Security Council, the United States has created a highly effective containment program to prevent the rearmament of Iraq.

The effectiveness of the military containment of Iraq is reinforced by the successes of UN weapons inspections. The combined impact of the two processes—disarmament and containment—has created an effective synergy.

Iraq arms embargo highly effective

The combined impact of inspections and sanctions

Iraq and the Terrorist Threat

President Bush has raised the specter of Saddam Hussein supplying deadly weapons to al Qaeda and other terrorist networks. The President claimed in his October 7 nationally televised speech that “Iraq has trained Al Qaeda members in bomb-making and poisons and deadly gases.” The President said that Iraq could provide biological or chemical weapons to terrorist groups “on any given day.”³⁸ There is some evidence that al Qaeda fugitives have taken refuge in Iraq following the military campaign in Afghanistan, although many are in the northern Kurdish zone that is not controlled by the Baghdad government. No firm evidence has been presented, however, that Iraq participated in the planning or preparation for the terrorist attacks of September 11, 2001. Nor has evidence been provided that Iraq is now planning to launch or support terrorist attacks against the United States.

U.S. intelligence agencies have reported that Iraq is unlikely to initiate a chemical or biological weapons attack against the United States. George J. Tenet, U.S. director of central intelligence, wrote to Senate Intelligence Committee chair Bob Graham (D-FL) on October 7 that “Baghdad for now appears to be drawing a line short of conducting terrorist attacks with conventional or

U.S. State
Department: "the
regime has not
attempted an
anti-Western terrorist
attack since . . . 1993"

CBW [chemical, biological weapons] against the United States."³⁹ The U.S. State Department's *Patterns of Global Terrorism* report of April 2001 stated that "the [Iraqi] regime has not attempted an anti-Western terrorist attack since . . . 1993."⁴⁰

The Central Intelligence Agency recently declassified testimony from a closed congressional hearing on October 2 in which Senator Carl Levin (D-MI) asked an unnamed intelligence official whether it "is likely that [Saddam] would initiate an attack using a weapon of mass destruction?" The official answered: ". . . in the foreseeable future, given the conditions we understand now, the likelihood I think would be low." If United States were to launch a military attack against Iraq, however, the official said that the likelihood of an Iraqi chemical or biological weapons response was "pretty high."⁴¹ A preemptive U.S. military attack might prompt the very use of deadly weapons that the administration says it seeks to prevent.

Containment Plus

The present system for preventing Iraq from acquiring prohibited weapons can be strengthened through better monitoring of imports and tighter UN controls on Iraqi oil marketing. The creation of an externally based, vigorously enforced system of border monitoring and cargo inspection would help to restrict the flow of weapons-related goods into Iraq. More rigorous controls over Iraqi oil sales and revenues would reduce the flow of unrestricted hard currency available for the purchase of military-related goods. Morton Halperin, former director of policy planning at the State Department, described such a system as "containment plus" during July 2002 testimony before the Senate Foreign Relations Committee. The goal of such a system, according to Halperin, "would be to tighten the economic embargo of material that would assist Iraq in its weapons of mass destruction and other military programs as well as reducing Iraq's receipt of hard currency outside the UN sanctions regime."⁴²

Policy Recommendations

1. Improve Border Monitoring

An enhanced military containment system would require a significant strengthening of border monitoring in Jordan, Syria, Turkey, and other states surrounding Iraq. At present there is no international monitoring of the commercial crossings into Iraq. Shippers of approved civilian goods stop at the border to have documents authenticated, so that they can receive payment from the UN escrow account, but their cargoes are not inspected. The neighboring states have customs and border monitoring stations (and they gain revenues from duties on goods entering Iraq), but these controls are not specifically designed to impede the flow of weapons.

Upgrade
border monitoring

The development of an enhanced military containment system would require the deployment of an adequately funded, well-equipped, and professionally trained international inspection force to detect and prevent shipments of nuclear materials or other prohibited items. To date the neighboring states have not supported proposals for border monitoring, in part because they do not want to disturb the growing commercial trade with Iraq that has developed in recent years. The challenge for the Security Council and U.S. policy is to design and create an effective system for inspecting sensitive cargoes, while avoiding disruption to the thriving civilian commerce that is vitally important to local economies.

2. Install Border Monitoring Technology

Advanced monitoring and scanning technology can assist in the creation of such a border monitoring system. With appropriate equipment and resources, trained monitors should be able to detect the shipment of nuclear materials and other prohibited weapons-related goods without major disruption to commercial traffic.

The model for such a system might be the “smart border” program now being established by the United States, Canada, and Mexico. This program utilizes x ray-scanning equipment that can quickly inspect trucks and containers for contraband.⁴³ The equipment can safely and nonintrusively inspect containers at the rate of one per minute.⁴⁴ This would enable each equipment station to scan more than 700 trucks or containers in a 12-hour period. The “smart border” system also features an electronic pass system. Approved traders could be issued a machine readable electronic pass enabling them to cross the border quickly without inspection. Such passes could be issued to humanitarian agencies and other trusted suppliers of civilian goods financed through the UN escrow account. Vehicles or containers with electronic passes would proceed without stopping; others would be required to pass through the x ray detection equipment.

3. Establish Sanctions Assistance Missions

These technologies can be combined with customs support stations in which UN-approved international monitoring experts work alongside officials from the host nations to maintain and operate the detection equipment. These stations could be modeled after the successful Sanctions Assistance Missions (SAMs) that were developed for UN sanctions in Yugoslavia during the years 1993 through 1995.⁴⁵ The assistance missions would not only help with the operation of advanced detection equipment, but could also provide general assistance in upgrading and improving border monitoring capabilities in the host countries.

The task of monitoring shipments into Iraq would be a substantial challenge, but it would be less formidable than inspecting the large volume of traffic that crosses the U.S.-Mexican border every day, or that arrives in a busy port like Vancouver. Tens of millions of dollars of detection equipment and hundreds of trained professionals would be needed to operate the proposed

*Scanning technology
can help*

*Financial
and technical
assistance for
neighboring countries*

border monitoring system, but these requirements would pale in comparison with those of a large-scale military operation.

With appropriate technical capabilities and financial resources, a relatively nonintrusive but effective border control system in the countries surrounding Iraq can be created. Such a system would enable the Security Council to establish an externally based mechanism for enhancing the effectiveness of military sanctions. When combined with continued revenue controls, the proposed border control system could preserve military containment and help to prevent the redevelopment of weapons of mass destruction. No monitoring program can eliminate smuggling completely, but the proposed system could make illegal arms shipments more difficult and costly than they are now and could serve as a further deterrent against smuggling.

4. Improve Cargo Monitoring at Aqaba

*Upgrade
maritime monitoring*

Much of the seagoing cargo shipped to Iraq passes through the Jordanian port of Aqaba. In the early 1990s ships entering the port of Aqaba were subject to inspection by the Maritime Interception Force (MIF), a UN-sponsored multinational naval force authorized by Security Council Resolution 665 (1990). In August 1994 MIF inspections of Aqaba-bound ships came to a halt, in part because of concerns about disruption and costs to commercial shipping.⁴⁶ To replace maritime monitoring, the UN hired Lloyd's Register, a London-based private company, to authenticate documents and verify cargo shipments. Lloyd's performed this service until November 2000, when it was replaced by the international commercial inspection firm Cotecna.⁴⁷

Reinstating maritime inspections at Aqaba would provide additional protection against the possibility of unauthorized weapons shipments to Iraq. The installation in Aqaba of x ray scanning equipment would enable UN officials to conduct quick inspections of cargo containers without causing major disruption to civilian commerce. This would provide further assurances against the smuggling of weapons-related goods.

Technology can improve the monitoring of cargo ships. New York Senator Chuck Schumer recently unveiled a new pilot program to improve cargo security in the Port of New York and New Jersey. The proposed "end-to-end security" system could be applied to shipping in the port of Aqaba and other locations in the region. Detection machines with large-scale x ray detection equipment and chemical sensors could scan for nuclear materials.

The use of electronic tags could further improve security. Tags could be attached to containers to detect tampering. They can also send and receive information on the location and condition of a container during transit.⁴⁸

5. Engage with and Provide Incentives for Iraq's Trading Partners

Creating a strengthened monitoring and verification system in the countries surrounding Iraq would require a major commitment of financial and political capital. The economic costs of the proposed systems could be charged to the UN escrow account, as part of the ongoing budget for UN operations in Iraq. Substantial financial support and technical assistance to frontline states would help to offset the costs of monitoring equipment and

additional customs staffing, and would enable these governments to upgrade border control facilities and systems. Jordan would require major economic assistance, because of its economic vulnerability and dependency on Iraqi oil. Alternative arrangements would have to be made to provide a compensating supply of oil and financial assistance in the event of Iraqi attempts to exert economic pressure on Jordan.

To win support for enhanced containment, the United States should be prepared to take steps toward improving political relations with countries in the region previously considered inimical. Among the diplomatic efforts the United States might consider would be removing Syria from the list of states supporting terrorism. This would be a powerful inducement for gaining Syrian cooperation, which would be critical for controlling oil exports and limiting illegal payments to Baghdad. Washington might also consider adopting new political initiatives to build political and military cooperation with Tehran. Establishing new political partnerships with countries in the region will be essential to creating an effective externally based system for preventing Iraqi weapons imports.

Political cooperation with Russia would be crucial for the proposed system of military containment. Russia and other former Soviet countries are the largest potential source of materials and technologies that could be used for Iraq's prohibited weapons programs. Russia and other countries in the region have improved political relations with the West in recent years and have strengthened their export control laws. Within the Security Council Russia has consistently supported a continuing arms embargo against Iraq. Russia recognizes that it has far more to gain from cooperation with the West than from its ties to Saddam Hussein. Russia has an interest in maintaining its dominant position in the Iraqi oil market, however, and this will have to be addressed in a diplomatic partnership with Russia. Moscow and Washington are cooperating across a broad range of international security issues, including counterterrorism, nonproliferation, and arms control. It should be possible to build upon this emerging pattern of synchrony to forge a joint approach to the containment of Iraq.

6. Expose and Penalize Arms Embargo Violations

A more vigorous effort is needed to crack down on companies and countries that have been implicated in illegal shipments to Iraq. Front companies have been established in Jordan and Syria for the purpose of buying prohibited military-related goods, which are then forwarded to Iraq. Belarus has reportedly been involved in such efforts, supplying military-related goods to Syrian front companies. Similar schemes may be operating in other countries. Concerted diplomatic efforts are needed to halt these and other arms embargo violations. Increased cooperation between the United States and Russia could be helpful in this effort. The two countries could work together to apply pressure on Belarus and other countries to prevent illegal shipments to Iraq.

As a means of exposing and gathering information on arms embargo violations, the Security Council should create a special investigative panel. Experts panels have proven to be effective mechanisms for investigating

*Diplomacy
and economic
assistance to
win support for
enhanced monitoring*

A special panel to investigate and prevent violations

sanctions violations in the cases of Angola, Sierra Leone, and Liberia. A similar panel could be established to collect evidence of illegal shipments to Iraq.⁴⁹ The investigative panel would report to the Security Council on documented cases of smuggling and recommend actions that the council might take to halt such violations. The actions might include levying fines and other penalties against companies that circumvent sanctions. Measures could also be taken to apply pressure on governments that knowingly permit companies to engage in sanctions violations and illegal shipments to Iraq.

Some oil purchasers charging excessive premiums, paying kickbacks to Iraq

7. Eradicate Kickbacks through Improved Oil Pricing Mechanisms

The containment of Iraq can be strengthened through tighter controls on the sales of Iraqi oil. Improvements in the system for Iraqi oil marketing and pricing are needed to reduce kickbacks and other illegal payments to the Baghdad government. More than 1,000 companies from eighty-three countries are registered with the UN to purchase Iraqi oil through the oil for food program. Russian companies dominate the Iraqi oil trade.⁵⁰ Some of the firms involved, including such entities as the Ukrainian Communist Party, have little or no experience in lifting and shipping crude oil. Some have been implicated in the payment of kickbacks to Iraq. According to a confidential report by UN oil overseers, some purchasers are charging an abnormally high premium and then paying surcharges to Iraq of 20 to 50 cents per barrel.⁵¹

Create "green list"

British representatives on the Iraq Sanctions Committee have proposed a "retroactive pricing mechanism" that would make it more difficult for unscrupulous oil purchasers to divert illegal payments to Baghdad. The British proposal would create a "green list" of companies that are either experienced in shipping oil or refiners of Iraqi crude. Companies on the green list would be offered favorable pricing arrangements and would not be allowed to charge an extra premium after the price is fixed. This would have the effect of squeezing out unregistered fly-by-night companies and would prevent excessive premium charges and kickback payments.

8. Require Audited Financial Reports from Oil Purchasers

To enhance the credibility and effectiveness of the new pricing mechanism, companies on the green list should be required to submit audited financial reports to verify that no illegal kickbacks or fees are being paid to Baghdad. Companies would have to disclose net taxes, fees, royalties, and other payments as a condition for being registered on the green list. Mandatory disclosure of information about payments would enable UN officials to hold green list companies accountable. The proposed green list system would help to reduce illegal payments to Iraq. This would limit Saddam Hussein's access to hard currency and further diminish Baghdad's ability to purchase military-related goods.

To date Russia has opposed the British retroactive pricing mechanism, complaining that the system would discriminate against Russian companies.⁵² Care must be taken in implementing such a mechanism to ensure that reputable Russian companies are allowed to retain access to the Iraqi oil market. This requires establishing uniform criteria for green list registration that are transparent and fair to all companies, without prejudice to firms from any

particular country. Every company that accepts the designated pricing procedures and reporting requirements should be eligible to bid for Iraqi oil. With these assurances Russia might be more willing to accept the proposal, especially if it is seen as an alternative to war.

Offer price advantages but require accountability for green list companies

9. Control or shut down the Syria-Iraq Pipeline

Decisive action is also needed to control or shut down the Syria-Iraqi pipeline. It is no secret that the recently reopened pipeline is shipping oil illegally outside the system of UN financial controls. Estimates of the volume of oil flowing through the pipeline vary but have ranged as high as 250,000 barrels a day.⁵³ This is a gaping hole in the sanctions net and a major source of unrestricted revenue for the Baghdad government. Bringing this pipeline under control would mean channeling its revenues through the UN escrow account. This would significantly strengthen the containment of Iraq. Secretary of State Colin Powell raised the pipeline issue with Syrian authorities during his visit to the Middle East in February 2001.⁵⁴ At the time the Secretary received assurances that pipeline deliveries would be brought under UN control. These pledges have not been fulfilled. It is long past time for the United States and the Security Council to engage with Syrian officials to guarantee that they fulfill their earlier pledges to bring the pipeline under UN control.

Syria pipeline a gaping hole

The United States should offer inducements to Syria in exchange for its commitment to bring the pipeline under UN control. These offers, such as taking steps toward removing Syria from the list of states sponsoring terrorism, would be linked to the proposal for strengthened border monitoring and the installation of a UN-administered cargo inspection program on the major commercial crossings into Iraq. The proposed carrots for Syria should be combined with sticks. The United States should make clear to Syria that if it does not cooperate with requests to bring the pipeline under UN control, action will be taken to shut the pipeline down. Washington should seek the support of the Security Council for action to demand and, if necessary, enforce a shutdown of the pipeline if Syria does not comply with the UN sanctions regime. If necessary, the United States and other nations should be prepared to take military action to close the pipeline. Advance notice could be given so that civilian casualties could be avoided. The threat to take such action might be sufficient to persuade Syria to cooperate.

Persuade and pressure Syria to cooperate

The proposed measures to strengthen the containment of Iraq would be reinforced by the resumption of UN weapons inspections. The reentry of UN weapons monitors would provide a means of focusing international disarmament efforts on Iraq's weapons of mass destruction. The combination of enhanced containment and resumed weapons inspections would provide high confidence that the international community could effectively control and prevent Iraq's ability to develop or use prohibited weapons.

Combining enhanced containment with renewed inspections

10. Strengthen Deterrence

For decades American security has rested on the bedrock of containment and deterrence. During the Cold War the United States adopted a policy of diplomatic, military, and technological isolation toward the Soviet Union

*Deterrence worked
in the past*

and other adversaries. The goal was to limit or prevent these countries from acquiring the capacity to threaten the United States. Deterrence complemented containment by establishing a credible military threat of retaliation in the event of aggression. This was an extremely risky strategy during the Cold War because it was based on the threat of nuclear annihilation and potential holocaust. In the case of a far smaller and less threatening adversary like Iraq, a robust deterrence posture can be maintained solely through conventional force.

In the aftermath of the September 11 terrorist attacks, confidence in the viability of containment and deterrence began to erode in the United States. The Bush administration developed a new national security strategy calling for preemption rather than deterrence to counter terrorist threats and proliferation dangers. Some analysts have asserted that containment and deterrence cannot work against Iraq because of the regime's attempts to develop weapons of mass destruction and its support for terrorist organizations.⁵⁵ While it is clear that nonstate terrorist networks like al Qaeda cannot be deterred by conventional methods, nation states such as Iraq are different matters. By their very nature they seek to survive and to preserve and accumulate power. They can be and are influenced by the application of countervailing power.

*Saddam can be
and has been
deterred*

The record shows that Saddam Hussein is deterrable. The government of Iraq is aggressive and militaristic, but it functions as a nation state, not as an underground terrorist network. Its policies and behavior can be and have been constrained by containment and deterrence. Saddam is a survivor not a suicide bomber. On numerous occasions he has backed down when confronted with credible threats of the use of force.

During the Gulf War Iraq refrained from using chemical weapons against U.S. forces or Israel, despite the fact that it had used such weapons against Iran and possessed a substantial arsenal of chemical munitions. Iraq was deterred by a threat from U.S. Secretary of State James Baker that the United States would respond to such action with the "severest consequences." Baker delivered this threat in a meeting with Tariq Aziz in Geneva in January 1991. Iraqi officials interpreted this to mean that the United States might retaliate with nuclear weapons.

In the fall of 1994, Iraq moved troops toward Kuwait in a show of force apparently designed to gain advantage in negotiations over redrawing the Kuwait-Iraq border. In response the Clinton administration mounted operation "Vigilant Warrior," deploying tens of thousands of U.S. troops to the region and threatening to resume the war. Iraq backed down from its military deployments and subsequently accepted the findings of the UN border commission. Baghdad agreed to a new boundary that decidedly favored Kuwait and that ended any pretense that Iraq could claim Kuwaiti territory as its own.

When UN weapons inspectors encountered Iraqi obstruction during the 1990s, UNSCOM director Rolf Ekeus overcame this resistance by asking the Security Council to threaten serious consequences for Iraq's noncompliance. On several occasions the Security Council adopted resolutions or issued statements warning of dire consequences if Iraq did not cooperate with UN monitors. This strategy succeeded in resolving several standoffs by compelling the Baghdad government to permit access to UN inspectors.⁵⁶

The September 2002 decision by the government of Iraq to permit resumed weapons inspections is a further illustration of the utility of military threats in gaining Iraqi compliance. Iraq refused to permit the reentry of UN inspectors for nearly four years. It was only when the United States mounted a credible threat of military force, and specifically in response to President George W. Bush's 12 September address before the UN General Assembly, that the Baghdad government finally declared its willingness to concede to UN demands.

These incidents and other examples confirm that the Iraqi government responds to the threat of military force. The maintenance of a capability to threaten military attack, which surely exists at present and can be maintained into the future, provides a proven means of compellence and deterrence.

Options are available for strengthening international deterrence against Iraq. The United States should seek support from the UN Security Council and its allies for concerted international action in response to specified acts of Iraqi aggression. A new statement or resolution could be issued making it unmistakably clear that Iraqi aggression, support for terrorist attacks, or development of prohibited weapons would prompt an overwhelming international response.⁵⁷ Specific "triggers" could be defined that would prompt immediate Security Council consultation on "all necessary measures." These triggering acts might include military aggression against other nations, support for al Qaeda or other organizations that carry out international terrorist attacks, and the deployment or use of nuclear, chemical, or biological weapons or long range missiles. A formal commitment by the Security Council to take decisive action in response to such acts would strengthen the already robust capability for deterring Iraq and provide reliable assurances against Iraqi aggression.

If deterrence could succeed against a superpower like the Soviet Union, which had tens of thousands of nuclear weapons and huge quantities of chemical weapons, it can surely work against an isolated and weakened country like Iraq. In combination with renewed UN weapons inspections and enhanced containment, strengthened deterrence would provide further protections against the potential Iraqi weapons threat. By acting forcefully to enhance containment and strengthen deterrence, the United States can achieve its security objectives without a costly and risky military invasion of Iraq.

Notes

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Seek preapproval for collective response to Iraqi aggression

Strengthened deterrence, enhanced containment, and renewed inspections combine to assure security

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13. United Nations Security Council, *Letters Dated 27 and 30 March 1999*, S/1999/356, 12.
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15. See Anthony Cordesman, *Iraq's Past and Future Biological Weapons Capabilities*, CSIS Middle East Dynamic Net Assessment (Washington, D.C.: Center for Strategic and International Studies, February 1998). Available online at *Center for Strategic and International Studies* <http://www.csis.org/stratassessment/reports/iraq_bios.pdf> (3 October 2002), 13; quoted in Alan Simpson and Glen Rangwala,

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