

Show your Strength Mr President— Bide your time and stay your hand

A draft discussion paper circulated for comment

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We look forward to receiving your comments (plewis@unog.ch)

In 1991, at the end of the Gulf War, the United Nations Security Council passed Resolution 687 under Chapter VII of the UN Charter. Chapter VII resolutions are the most serious acts of international law. These are the resolutions passed when all else has failed and allow the Security Council to take action by air, sea or land.

Resolution 687 brought about the end of the Gulf War and established the UN Special Commission to disarm Iraq's weapons of mass destruction and long-range missiles. Working with the International Atomic Energy Agency, UNSCOM quickly got to work but right from the start Iraq did nothing to assist the UN in its task. The work became a game of cat and mouse. IAEA inspectors quickly discovered a fully-fledged covert nuclear weapons programme. UNSCOM inspectors discovered and destroyed vast stocks of chemical weapons and large numbers of long-range missiles. They uncovered a secret bioweapons programme but never found the dangerous disease creating substances made by the scientists. Documents, defectors and scientists had told them the extent of the weapons programmes but Iraq prevented UNSCOM from finding some of the key evidence.

The UN never intended to impose Resolution 687 and the sanctions on Iraq for as long as it did. Back in 1991, people thought perhaps a year would do it. However come 1997, the situation was intolerable. Thanks to sanctions that gave Iraq so much power over their implementation and thanks to lucrative oil-for-food contracts, the ordinary people of Iraq were suffering beyond endurance. It was an untenable situation and something had to give.

What collapsed was unity in the Security Council. In another attempt to force Iraq into compliance, the US carried out Desert Fox, after the UN withdrew its inspectors, and all hope for UNSCOM, compromised by scandals, was lost.

In 1998, the US and the UK attempted to reinstate inspections through a new inspection body. France, Russia and China abstained on the vote for Resolution 1284 that established UNMOVIC. After this split, President Clinton was otherwise engaged with internal matters. France, Russia and China were apparently content with the lack of UN inspections and thus the pressure on Iraq dissipated.

It took the election of President Bush and the subsequent events of 9/11 to bring the issue of Iraqi non-compliance back onto the political agenda. Indeed it should be back on the agenda. Iraq is in breach of its obligations. Information it should have provided was not provided and it is only just beginning to drip feed that information into the UN Security Council. Secretary Powell's pre-

sentation to the Security Council demonstrated that there is cause for concern but did not present an urgent case. Even from the worst-case perspective, the US could wait until the Autumn, if not later.

In the meantime, there is an urgent situation on the Korean Peninsula. North Korea announced its withdrawal from the nuclear Non-proliferation Treaty on 10 January. Since then, satellite images show that activity has been intense and that reprocessing of nuclear material may well have started up again. There is concern and enough evidence that the situation in North East Asia is fast approaching a crisis.

The International Atomic Energy Agency has referred the matter of North Korea's non-compliance with safeguards to the Security Council, but the Council is otherwise occupied.

This is a mad state of affairs. The UN is destroying itself over Iraq and fiddles as North East Asia burns. Over the next few weeks we could be faced with a catastrophe in the North Pacific but the US will be too busy fighting a postponable—perhaps avoidable—war in Iraq.

The rule of law is paramount, not the rule of might. Because the US has so much power, if President Bush resorts to the law to fulfil his objectives he will gain the respect of all.

I know Washington worries that if the US backs down now, Iraq will take full advantage. So, I suggest that you do not back down. Rather stay your hand, keep it raised but bide your time. Ask the three permanent members of the Security Council who are opposing imminent action to set a date by which Iraq should have disarmed—completely—and insist they stick to that date. Insist too that all remaining questions and missing material be accounted for. It should take a few months. It will require full cooperation from Iraq. And Iraq must then realise that the unity of the Security Council is not to be trifled with and that its time is up.

Use the intervening months to sort out the North Korean crisis so that you are not caught sleeping in North East Asia. Finally, when all this is over, remember to remove hypocrisy from your ranks. You too have weapons of mass destruction. It is hard to see the splinters in others' eyes when you have planks in your own.