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inspections (4)
Iraq

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14 October 2002

MEMORANDUM FOR THE PRESIDENT

SUBJECT: UN Inspections of Iraq

When the US started down the inspection route at the UN, the purpose was not to get entangled in a cat and mouse game with Saddam Hussein, but to see whether the Security Council would support an inspection regime that could bring about disarmament. For that to be achievable, the regime would have to allow the UN to get clarity rather quickly on whether the Iraqi leadership has had a change of heart and is actually willing to give up the weapons that it has sacrificed so much to create.

An inspection regime that is not capable of achieving clarity at all, or can't possibly produce it in less than a year or so, is Iraq's best hope of inflicting a strategic defeat on the US.

It is useful to recall that the purpose of entering into UN negotiations was to test the UN's seriousness regarding Iraqi WMD, not to indulge a fantasy that we could design an inspection regime that will allow us to score a quick checkmate against Saddam Hussein against his will. The excruciating process of negotiating inspection modalities tends to obscure certain key points:

- The UNMOVIC inspectors cannot be expected to outmaneuver Iraq's highly experienced denial-and-deception experts to prove either (1) that Iraq possesses WMD or (2) that Iraq is patently and unreasonably blocking the inspections.
- Iraq won't commit flagrant obstruction unless UNMOVIC can catch Saddam Hussein, as it were, with his pants down. The long history of weapons inspections in Iraq tells us that this is highly unlikely, especially in the first year or so.
- Several former inspectors warn that, even under UNSCOM (the post Desert-Storm inspection regime), the inspectors were only once able -- with extraordinary luck, wit and aggressiveness -- to come close to pulling off a real surprise inspection.
- Iraq has had more than half a decade to improve its denial-and-deception techniques. And UNMOVIC today is a notably weaker organization, staffed entirely by UN employees.
- Even with the stronger provisions the US is trying now to add to the UNSC resolution, UNMOVIC can by no means be counted on to prove that Iraq is lying or to force Iraq into a clear-cut obstruction.

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- To me it seems unrealistic to think UNMOVIC could prove either proposition in less than 12 months and there is a danger, after five or six inspections that prove to be "dry holes," that the US would be pressed hard (including perhaps by Hans Blix) to accept Iraqi declarations at face value. In other words, months of failing to "catch" Saddam Hussein is likely to change the subject on the world stage away from Iraq's credibility and onto the embarrassing failure of the US to make the case that Iraq has WMD.
- The only reasonable goal of any inspection regime is to monitor the disarmament of a government that is cooperating in good faith. No matter how muscular, inspections cannot disarm a large country like Iraq where the government is skilled at hiding and cheating and is determined to do so.

The only chance of achieving clarity within weeks, or months, rather than years, is:

- Optimistically, if Saddam Hussein confesses so freely in a new declaration that the UN can conclude that he has had a real change of heart; or,
- If the Iraqis either declare that they have nothing, or declare so little that the UN can conclude that they are lying blatantly and therefore decide that inspections would be pointless. It is important to note that Blix has already said that he does not now have the information to conclude that the Iraqis would be lying even if they declare that they have nothing.

Any other Iraqi action exposes the US to risks of long delays. In the worst case, the officials of UNMOVIC - eager to avoid a war - could declare Iraq in compliance when it is not, simply because they have been unsuccessful.

As months go by, dangers will grow:

- 1) That the clarity of purpose that you have shown the American people and the world could become blurred.
- 2) That some new crisis in Korea or between India and Pakistan or between Palestinians and Israelis could get out of control and make action more difficult.
- 3) Our growing international coalition could unravel if people in the region begin to conclude that once again Saddam will slip away and that the US is not a country on whom to stake one's future. Or,
- 4) That Saddam could covertly disperse some of his WMD capabilities or his UAVs with terrorist groups or Iraqi sleeper cells.

In addition, Saddam's preparations to use weapons of mass destruction can be expected to advance daily. His preparations to draw Israel into a conflict would likely move forward with time. US military effectiveness will peak at a certain point and then decline. It is difficult to try

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to maintain a large force in fighting trim while waiting for UN inspectors to find something. At some point it will make sense to stand down.

As noted, our negotiations aim to give the UNSC the opportunity to establish its relevance, its seriousness of purpose. If the UNSC is unwilling to endorse an inspection mandate meeting minimum necessary standards, then the UN has not risen to the challenge. It may well be better if the US inspection initiative ended as a noble if unrealized effort to get the UN to meet its responsibilities than if it ends with UNMOVIC inspectors having spent months in fruitless searches in Iraq, seeming to confirm Iraq's contention that it has no WMD.

Given the well-known history of UN inspections of Iraq, the US must be careful not to agree to a new inspection regime that fails to take account of the past inspection regime's failures and Iraq's having "gone to school on us" on this subject for over a decade.

The world should be reminded that the US made a large concession when we did not insist on reviving UNSCOM. So if we position it right, we should be seen clearly within the bounds of reasonableness to require the following measures to bolster the currently weak UNMOVIC regime:

- First and foremost: That a false declaration is by itself a "material breach." If Iraq makes a patently false declaration, the UN should not proceed with inspections, for it would be clear then that there is lacking the good faith and cooperative attitude necessary to make inspections work.
- That we be able to take Iraqi sources out of the country with their families, to be interviewed in secure conditions free of intimidation.
- That individual P-5 members can:
 - 1) Designate sites to be inspected and individuals to be interviewed.
 - 2) Appoint our nationals as members of any inspection team. This is essential not only to try to keep the Iraqis honest but to keep Blix on the right track.
 - 3) Specify the conditions under which inspections and interviews would be carried out.
- That Iraq be prohibited from threatening or attacking the aircraft of UN member states engaged in air operations over the entire country of Iraq.

It is important that these provisions be in any UNSC resolution that we offer or support.

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we need to try to avoid is to be in a state of inspection limbo a year or so from now.

Weeks ago, you set guidelines that deserve mention:

- The US will not allow itself to get sucked into a "quagmire of negotiations," or a "mud pit of diplomacy."
- The US goal at the UN is *not* to get merely the best resolution possible, but to achieve a resolution that actually meets the standards appropriate to the threat and to the goal of achieving disarmament.
- In my view it is far better to have tried but failed to get an acceptable resolution than to agree to an inadequate resolution that will trap us in an endless inspection game with Saddam Hussein and Hans Blix.

What we aim to accomplish regarding Iraq, the WMD nexus to state sponsors of terrorism and the broader war on terrorism hinges on our insisting that the UNSC resolution meet a minimum - albeit high - standard.

Very Respectfully,



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