

Security Council-mandated verification regimes

The long crisis over Iraq's actual and presumed WMD capabilities generated not only agonizing dilemmas for the international community but also novel ways of attempting to deal with the problem. In particular it led to the establishment by the UN Security Council of two bodies, UNSCOM and UNMOVIC, charged with monitoring, verifying and assisting in Iraq's disarmament. Both were given powers of inspection and information-gathering vis-à-vis a sovereign member state that are unprecedented in the history of the UN. While both involved unique verification regimes that may not be replicated in future cases, the techniques and technologies they used, and which in some cases they developed to a high art, may be drawn on by the standing multilateral regimes and applied in more or less adversarial circumstances. In addition, as UNMOVIC still exists, consideration needs to be given as to the future of that body and the potential uses of its hard-won capabilities.

The UN Monitoring, Verification and Inspection Commission

UNMOVIC drew heavily on the experience of UNSCOM, as well as acquiring its assets, archives and some of its personnel.⁴⁴ However, it became a more formidable inspection and verification organization, partly because it used the three years between its establishment and the deployment of its inspectors to Iraq to prepare thoroughly. It also implemented many of the recommendations of the Amorim panel, named after Brazilian Ambassador Celso Amorim, which had been established by the Security Council to suggest ways of avoiding the pitfalls encountered by UNSCOM.⁴⁵

The Commission comprises, besides the Executive Chairman and his support office, an Administrative Service and four main divisions—Technical Support and Training; Planning and Operations; Analysis and Assessment; and Information (see figure 1).⁴⁶ Although, unlike UNSCOM,⁴⁷ UNMOVIC actually had an organizational chart, the divisions are permeable, in recognition of the fact that expertise needs to flow where needed and is relevant in several different parts of the organization. For instance, planning and operations is critically dependent on analysis and assessment.

The Division of Planning and Operations is responsible for planning and executing all monitoring, verification and inspection activities, including proposing sites for inspection, planning the objectives and timing of inspections and deciding the composition of inspection teams. The division has four principal units—BW, CW, ballistic missiles and multidisciplinary inspections and operations. The division also has responsibility for the verification and monitoring of any proscribed items imported by Iraq and investigating any dual-use items, as part of an Export/Import Joint Unit

⁴⁴ There were some who argued that UNMOVIC should not employ any UNSCOM personnel. Hans Blix, though, felt strongly that the new body should draw on the wealth of experience and expertise that his predecessors had put so much effort into acquiring.

⁴⁵ 'Report of the First Panel Established Pursuant to the Note by the President of the Security Council on 30 January 1999 (S/1999/100), concerning disarmament and current and future ongoing monitoring and verification issues', UN document S/1999/356, 27 March 1999.

⁴⁶ 'Note by the Secretary General', UN document S/2000/292, 6 April 2000.

⁴⁷ UNSCOM Executive Chairman Rolf Ekéus reportedly deliberately avoided establishing an organizational chart, preferring to maximize his personal control of the body and to minimize interference from Commissioners.