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NOTE BY THE SECRETARY-GENERAL

The Secretary-General has the honour to transmit to the Security Council, pursuant to paragraph 3 of Security Council resolution 699 (1991), the attached fourth progress report on the implementation of the provisions of section C of resolution 687 (1991) relating to Iraq's weapons of mass destruction.

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Annex

Fourth report of the Executive Chairman of the Special Commission established by the Secretary-General pursuant to paragraph 9 (b) (i) of Security Council resolution 687 (1991), on the activities of the Special Commission

INTRODUCTION

1. The present report is the fourth on the activities of the Special Commission established by the Secretary-General pursuant to paragraph 9 (b) (i) of Security Council resolution 687 (1991), submitted to the Security Council by the Executive Chairman of the Commission. It is the third such report provided in accordance with paragraph 3 of Security Council resolution 699 (1991). It covers the period from 10 June to 14 December 1992, and is further to the reports contained in documents S/23165, S/23268 and S/24108 and Corr.1.

I. ORGANIZATIONAL AND ADMINISTRATIVE ISSUES

2. Since the last report, there have been two changes in the composition of the Special Commission. Mr. Michael Newlin resigned as Deputy Executive Chairman on 31 October 1992, for family reasons. Mr. Peter von Butler resigned as the German representative on the Commission, following a new professional assignment. Dr. Pierce S. Corden and Dr. Helmut Frick have been appointed respectively as their replacements. Mr. Newlin's experience and exceptional diplomatic skills were indispensable during a difficult phase of the Commission's work and contributed significantly to progress registered. Mr. von Butler's expert advice and substantial contributions will be missed. The Executive Chairman looks forward to benefiting from the talents and experience that Dr. Corden and Dr. Frick will bring to the Commission.

3. The organizational structure remains that described in the third report. Currently there are 31 staff in the Office of the Executive Chairman; 25 in the Bahrain Field Office; and 74 in the Baghdad Field Office, including the members of the chemical weapons destruction group and helicopter crews.

4. There is still no agreement on the sale of Iraqi oil to finance United Nations operations resulting from the cease-fire resolution. The financing of the Special Commission's work thus remains a matter of concern. Current expenses have been met from contributions from Member States and advances by the United Nations so that operations can be continued. On 2 October 1992, the Security Council adopted resolution 778 (1992) which enables the use of frozen Iraqi assets to pay for the expenditures foreseen in resolutions 687 (1991) and 706 (1991), including the costs of the Commission's operations, and provides for these assets to be paid into the escrow account established

pursuant to resolution 706 (1991). It remains to be seen whether this will provide a solution to the financing problems of the activities undertaken pursuant to section C of Security Council resolution 687 (1991). On 10 December 1992, the first contribution to the escrow account, specifically earmarked for the Commission, was received from Saudi Arabia in the amount of $30 million. Given the future commitments for operations under section C of resolution 687 (1991) which the Commission will be required to fund during the course of 1993, further cash contributions by Governments are foreseen to be required.

5. Governments have continued to support the operation of the Special Commission through the contribution of personnel, services and equipment. Resolution 687 (1991) foresaw government support in the form of both voluntary contributions and advances, pending a long-term solution to the financing issue. Supporting Governments are now being asked, in accordance with paragraph 5 (b) of resolution 778 (1992), to inform the Commission of the cost of those contributions that they consider advances. A statement of the Commission's operating costs, together with further information on organizational and administrative issues, can be found in appendix I to the present report.

II. STATUS, PRIVILEGES AND IMMUNITIES

6. The status, privileges and immunities of the Special Commission, the International Atomic Energy Agency (IAEA) and the United Nations specialized agencies involved in the implementation of Security Council resolution 687 (1991) continue to be regulated by the relevant agreements and Council resolutions and decisions listed in the previous reports to the Council.

7. The Special Commission and IAEA on the one hand, and the Government of Bahrain on the other, have agreed to extend for a further six months, until 31 March 1993, the exchange of letters relating to the facilities, privileges and immunities of the Special Commission and IAEA in Bahrain.

8. In Iraq, there have been continuing problems in the implementation of the Special Commission's status, privileges and immunities. These have related principally to the right of the Commission to operate aircraft anywhere within Iraq, the most serious instance relating to the refusal of the Iraqi authorities to accept that an appropriately notified aerial surveillance flight should take place (see para. 11 (f) below). That incident was notified to the Security Council on 10 December 1992. A disturbing new development has been a sharp deterioration of the security of Commission personnel and property in Iraq. This was first evident during the stand-off that developed over the issue of access to the Ministry of Agriculture (see para. 11 (d) below). The recent inspection teams in Iraq have also experienced security problems. Full details are found in appendix II to the present report.

III. DEVELOPMENTS

A. Political developments: the attitude of Iraq

9. The Special Commission and IAEA have continued to conduct vigorous inspections of sites declared by Iraq or designated by the Commission. Iraq has, in general, continued its cooperation at the field level, with the notable exception of the issue of access to the Ministry of Agriculture. At the time of writing, furthermore, Iraq appears to have ceased to follow the more cooperative approach which it had shown during UNSCOM 45 to the provision of information to an inspection team during seminars on specific outstanding issues conducted in Baghdad with Iraqi officials. Also, as noted in the previous paragraph, Iraq has created a further problem by blocking an aerial surveillance mission by a Commission helicopter over a designated site situated on the outskirts of Baghdad, thus clearly violating Iraq's obligations and the Commission's rights. And, while Iraq has handed over what it terms its full, final and comprehensive reports on its weapons programmes and its declarations in relation to future compliance monitoring, those documents do not provide the information required by the Security Council and needed by the Commission for it to carry out its mandate effectively.

10. On 23 and 24 November 1992, at the request of Iraq, the Security Council held a meeting to discuss the implementation of its resolutions concerning the situation in Iraq. The Iraqi Deputy Prime Minister, Mr. Tariq Aziz, addressed the Council as he had in March 1992, and repeated Iraqi complaints against the Council, the Special Commission and IAEA. He also presented what Iraq referred to as a "factual report", which is a selective resumé of events, subsequently circulated in the annex to document S/24829. It ignores mention of the areas in which Iraq is failing to meet its obligations.

11. The main problems are as follows:

(a) Iraq's position on the plans for ongoing monitoring and verification, approved under Security Council resolution 715 (1991), remains as stated in the letter of 19 November 1991 to the President of the Council from the Foreign Minister of Iraq. This was elaborated upon in the statement of the Iraqi Deputy Prime Minister before the Council on 12 March 1992. Essentially, Iraq's position is that the plans approved by the Council are unlawful and a solution that addresses the substance of the plans but which is acceptable to Iraq should be negotiated between Iraq, the Council, the Special Commission and IAEA. In a letter dated 26 May 1992 (subsequently circulated as document S/24002) from the then Iraqi Minister of State for Foreign Affairs to the Executive Chairman of the Special Commission, Iraq stated that it:

> "demands that agreement be reached between it, UNSCOM and IAEA, under the auspices of the Security Council, on practical guarantees to ensure that the measures and methods of ongoing monitoring will not be of such a nature as to infringe upon Iraq's sovereignty, threaten its internal security, lead to interference in its internal

affairs or deny it the prospects of scientific, technological and industrial progress both in the civilian fields and in military fields not prohibited under resolution 687 (1991).

"Iraq's basic position on all these issues is also linked to the matter of the resolutions imposing the embargo and sanctions on Iraq, which have remained unchanged by the Security Council despite all the obligations fulfilled by Iraq in accordance with the Council's resolutions.

"We have not ... received from the Special Commission anything which would indicate an understanding of Iraq's just demands ...".

This position was again confirmed in a letter dated 28 October 1992 from the Iraqi Foreign Minister to the Secretary-General (S/24726, annex), which stated that:

"It is ... essential for the Council to conduct a radical review, on the basis of justice and fairness, of the terms and provisions of these two resolutions."

and yet again in the statements to the Council of Mr. Aziz on 23 November (S/PV.3139, resumption 1) and 24 November 1992 (S/PV.3139, resumption 2), in which he said:

"[T]here is a need for all those measures and the provisions of the no longer necessary Security Council's resolutions to be drastically reviewed." (ibid., resumption 1, p. 98)

This position is maintained despite assurances by the Commission that, if Iraq cooperated, its legitimate concerns would be met and the Commission's activities would be carried out in a manner which is not unduly intrusive;

(b) Iraq's full, final and complete disclosures of its proscribed weapons programmes, due under Council resolution 707 (1991), and its initial declarations, due under the plans for ongoing monitoring and verification, contain major shortcomings which will need to be rectified if they are to form the basis for a definite material balance of Iraq's past weapons of mass destruction programmes and for effective monitoring and verification of compliance. The information provided is frequently tailored to what the Iraqi authorities consider the Commission to know already, rather than constituting a frank and open disclosure of all the true facts.

Despite this, the Commission has accepted these declarations as a basis for dialogue with the Iraqi authorities that it is hoped would establish full, final and complete disclosures. However, on 8 December 1992, General Amer, the principal interlocutor on non-nuclear issues, informed the Chief Inspector of UNSCOM 47 that the Commission would "get nothing

more, nothing" in the way of information on Iraq's weapons of mass destruction programmes. An account of that interview was communicated to the Security Council by the Deputy Executive Chairman of the Special Commission. That communication was subsequently circulated in document S/24985. A response by Iraq was issued in document S/24964;

(c) Iraq has failed to substantiate information provided to the Special Commission on its prohibited programmes. The Commission has repeatedly urged Iraq to provide access to authentic documents that would substantiate the Iraqi data. In the absence of a positive response from the Iraqi Government, the Commission has had to conduct intrusive inspections, including document searches.

Iraq has claimed that it destroyed all documents related to prohibited activities after the adoption of resolution 687 (1991) and that no records have been kept of the documents destroyed. The Commission has difficulties in accepting this claim. It has welcomed those exceptional occasions where Iraq has produced documents to support data it was providing. This happened, for example, during UNSCOM 45. It is necessary for Iraq to follow this precedent in all areas of proscribed weapons, materials and activities, thus meeting a long-standing requirement for credible and verifiable data on all its prohibited programmes.

Iraq has also informed the Special Commission that the Government has issued an order to protect certain types of documents from inspection by the Commission, including their removal from the sites under inspection and other concealment measures. Inspection teams have visited a number of sites which have clearly been "sanitized". Although Iraq claims that this has involved only documents unrelated to resolution 687 (1991), the Commission has had no opportunity to confirm this.

Within the context of the declarations it has submitted, Iraq has formally informed the Executive Chairman, in the aforementioned 26 May 1992 letter (S/24002, annex), that "Iraq has declined to divulge information indicating the names of foreign companies from which it has purchased ... equipment and materials ... on moral grounds", adding that it would not abandon this position. The letter also stated that "disclosure of the names of companies and individuals will expose ... them to the dangers of liquidation and revenge attacks at the hands of hostile intelligence services ... as has happened in cases such as that of Gerald Bull." Such a position is clearly unacceptable. Although the Commission has some evidence of procurement through elaborate third-party arrangements, it is far from complete. Accurate and full information on Iraq's foreign procurement networks and suppliers is essential if the Commission and IAEA are to be able to establish a complete, coherent and credible picture of Iraq's programmes for weapons of mass destruction as they existed in January 1991 and to decide in a realistic manner whether all proscribed weapons and capabilities have been accounted for. Such information is also necessary to devise the workable and realistic

mechanism for import control called for in paragraph 7 of resolution 715 (1991). This is yet another example of where failure to cooperate could lead to much more intrusive and wide-ranging procedures than would otherwise be the case;

(d) A major political problem developed on 5 July 1992 when Iraq refused an inspection team access to the Ministry of Agriculture. The Special Commission had reliable information from two sources that the building contained archives related to proscribed activities. Those archives were clearly of relevance to the Commission's work, and their retention by Iraq was also clearly prohibited. Iraq, in any event, had no justifiable basis on which to refuse access.

Iraq, however, claimed that the Commission had no right to enter the building as it had nothing of relevance to weapons systems proscribed under resolution 687 (1991) and that to allow access would be to undermine Iraq's sovereignty and national security. The Executive Chairman sent the Director of the Bahrain Field Office to Baghdad to try to resolve the situation quietly through the agreement of mutually acceptable modalities of an inspection. Iraq failed to respond to this and so the Chairman visited Baghdad from 17 to 19 July. At the end of the visit, the Deputy Prime Minister offered an inspection by persons from the neutral members of the Council, independently of the Commission. That idea, on the advice of the Chairman, was rejected by the Security Council.

After a delay of over three weeks, and following further discussions in New York between the Executive Chairman and the Permanent Representative of Iraq to the United Nations on modalities, access to the Ministry was obtained.

At the request of the Iraqi authorities, the Executive Chairman visited Iraq during the inspection and met Iraqi officials to discuss future relations. During those talks, Mr. Tariq Aziz promised a new chapter of cooperation and openness in relations between the Commission and Iraq.

Since that incident, the Iraqi Minister of Information has on several occasions sought to establish that Iraqi Ministry buildings are off limits to the Commission. Clearly, that is not the case: the Commission has already inspected two Ministry buildings and the mandate, as laid down in resolution 687 (1991), does not provide for any sanctuaries. Nor may Iraq, or the Commission for that matter, change the terms of the mandate. Only the Security Council has the power to do so. While the Commission refuses to lend any credibility to the statements of the Iraqi Information Minister in this regard, and while it will conduct inspections at such facilities as and when there is an operational requirement to do so, such statements are not helpful and do nothing to promote confidence within the Commission that Iraq is indeed willing to cooperate fully with the Commission in the timely fulfilment of its

mandate. In a subsequent inspection, Iraq permitted access to a site for which it had originally claimed sanctuary status. This, it is hoped, should finally dispose of the issue;

(e) A further problem was encountered at the outset of the forty-seventh inspection (UNSCOM 47). An IAEA team, accompanied by Commission inspectors, sought to conduct a document search at a site designated by the Commission. Upon the arrival of the team, persons left the buildings carrying documents, despite the protests of the Chief Inspector. While the Iraqi counterparts promised to return the documents, and indeed did produce some, the inspectors were unable to verify that these were the documents taken from the building. This represents a further clear violation of the Commission's and IAEA's rights of unimpeded and immediate access to documents and to remove or copy them. Protests have been lodged with the Iraqi Foreign Minister by the Commission and with the Permanent Representative of Iraq at Vienna by IAEA. So far the Commission has received no response;

(f) Parallel with this problem is the ongoing problem referred to in paragraph 9 above, namely that Iraq is blocking the conduct of an aerial inspection by helicopter of a site duly designated by the Commission. General Amer has told the Commission's Field Office in Baghdad that its helicopters will never be allowed to overfly Baghdad on surveillance missions "by one metre". Security Council resolution 707 (1991) explicitly sanctions the use by the Commission of fixed- or rotary-wing aerial surveillance over all Iraqi territory. No exceptions are made for Baghdad. The position taken by General Amer not to permit the surveillance flight therefore constitutes a violation of the Commission's rights and Iraq's obligations. A formal complaint has been lodged with the Foreign Minister of Iraq and the Commission expects Iraq to comply forthwith with its obligations to cooperate with the Commission in the fulfilment of its mandate. A reply is still awaited;

(g) Another worrying political development has been the increase in harassment of Commission personnel and damage to Commission property in Iraq. This occurred at the time of the Ministry of Agriculture incident and was evidently part of a centrally organized government campaign to intimidate and humiliate United Nations personnel in general, and Commission personnel in particular. However, while the situation improved for a brief period, the problem has not disappeared. The situation would seem to deteriorate again each time there is a rise in tension between the Commission and Iraq. Statements by the President of Iraq recently referred to inspection teams as "stray dogs" and "wolves tearing at the flesh of the Iraqi nation". This could only serve to inflame the situation and was reported to the Security Council, whereupon the President of the Council issued a statement to the press on 15 October underlining the Council's particular concern for the safety of inspectors. Similar remarks were, however, echoed by the Deputy Prime Minister of Iraq on 22 October 1992. The Foreign Minister of Iraq picked up the same theme in his letter of 28 October 1992 to the

Secretary-General (S/24726, annex), in which he alleged that "most of the inspection teams ... behaved in a hostile manner and proceeded to engage in effrontery, provocation and the contrivance of problems". In his statement to the Council on 24 November 1992 (S/PV.3139, resumption 2), the Deputy Prime Minister said some of the teams went to Baghdad "to create problems" and behaved "in a provocative manner". The inspections are, without exception, carried out in strict adherence to the relevant Security Council resolutions and with due regard to Iraq's legitimate concerns. The Commission rejects these allegations, which give rise to an unacceptable situation. The Iraqi press currently refers to the inspectors as "rabid dogs". Iraq has an unambiguous obligation to ensure the safety and security of Commission personnel and property. It has been reminded of this obligation frequently by both the Commission and the Council;

(h) Other problems continue with both the operation of Commission aircraft, in the form of landing rights and flight paths, and with the provision by Iraq of on-site accommodation for inspection teams. Iraq still refuses to allow the use of Rasheed Airbase for the C-160 flights into Iraq. It also sought, upon the imposition by the coalition of the no-fly zone south of the 32nd parallel, to deny Commission aircraft the right to cross that parallel over Iraqi airspace. The Commission made it clear that such a position would not be tolerated and Iraq withdrew its objections. Iraq refused to allow the 14th ballistic missiles team (UNSCOM 45) to set up a base camp at the Rasheed Airbase. Difficulties remain with the unloading of aircraft at Habbaniyah Airbase.

In addition, Iraq continues to protest the use by the Commission of its own high-altitude surveillance aircraft and helicopters. In the letter of 28 October 1992 of the Iraqi Foreign Minister to the Secretary-General referred to above, Mr. Al-Sahaf said that "the use of such aircraft ... was not in fact designed to meet the declared objectives of inspection and technical observation ... The time has come for the Security Council to review these unjust decisions and measures ... and to ensure that each measure has a specific time-frame ... Iraq expects a new style of treatment from the Security Council". During his addresses to the Council on 23 and 24 November 1992, the Iraqi Deputy Prime Minister reiterated Iraq's "call for a halt to the activities of United States U-2 spy planes, which ... use the cover of the United Nations" and said that "the use of foreign helicopters by the inspection teams is no longer justified." This continues a consistent pattern of rejection by Iraq of the Commission's rights and privileges in this regard.

These obstacles taken together impede the Commission's operations and hinder the fulfilment of its mandate.

Thus the situation as regards the level of Iraq's implementation remains essentially unchanged from the time of the last report to the Security Council: the realization of the intention to proceed from inspection and survey through destruction to ongoing monitoring and verification has been in

large part delayed further by the actions of the Iraqi Government. It is apparently unwilling to acknowledge that those actions constitute the main impediment to the fulfilment of the Commission's mandate and to the Commission's so reporting to the Council. It remains the case, as noted in the second report of the Commission on the implementation of the plans for ongoing monitoring and verification (S/24661), that while preparations for the implementation of the plans are being made, the conditions for their full-scale implementation have not yet been met.

B. Operational developments

12. In the chemical weapons area, the shift in emphasis and resources towards destruction activities has continued. While inspections of declared and undeclared sites proceed, teams have overseen the destruction of most of the chemical bomb-making equipment identified by the Commission; the Chemical Destruction Group has been established in Baghdad; and at the Muthanna State Establishment, the destruction in situ of 122 mm rockets too unsafe to drain has continued, the quantities and locations of munitions and agents awaiting destruction or removal have been surveyed and the two chemical destruction facilities at Muthanna have been completed. The full-scale destruction of nerve agent in the hydrolysis plant has started. Final runs for the destruction of the mustard agent in the incinerator have been successfully concluded and full-scale destruction will commence at the beginning of 1993. A policy for the destruction of the precursor chemicals, which have deteriorated and now pose a safety hazard, will be presented to Iraq shortly.

13. While doubts continue to be expressed about the fullness of Iraq's declarations concerning its biological weapons programme, there has been little development in this area. Inspections have continued through joint chemical and biological teams.

14. All ballistic missiles and items related to their production and development, so far identified as requiring destruction (known as list A), have been destroyed. Certain items (known as list B) have been sealed or tagged, pending either a decision to destroy them or the establishment of full-scale ongoing monitoring and verification activities so that they may be monitored under that regime to ensure that they are only used for permitted purposes. Until the appropriate decisions are taken by the Special Commission, the items concerned cannot be used by Iraq or moved from their locations.

15. During the period under review, considerable progress has been made in obtaining information from Iraq about its operational use of missiles since 1980. Nevertheless, crucial data are still missing, in particular sources of foreign procurement. Until this is obtained, a material balance for missile systems cannot be established.

16. Aerial surveillance activities have intensified. The regular flights of the high-altitude surveillance aircraft (now running at about three per week)

have been supplemented with aerial inspections conducted from the Special Commission's helicopters based at Rasheed Airbase. These helicopter inspections commenced on 21 June 1992 and have been used to supplement the high-altitude photography in the planning of inspections, monitoring of sites, preparation of inspection teams and identification of potential inspection targets. In addition, they give the Commission a rapid response capability to transport an inspection team to a site in response to time-sensitive data. A full account of the helicopter surveillance programme is found in appendix V to the present report.

C. Iraq's declarations

17. As noted in paragraph 11 (b) above, Iraq delivered what it terms its "full, final and comprehensive reports" on its weapons programmes and its declarations under the plans for "future compliance monitoring".

18. Both sets of declarations are flawed and incomplete. No information is given on suppliers. Iraq denies that it ever used chemical weapons, despite internationally verified evidence to the contrary. Declarations about imports and production are not backed with adequate supporting documentary evidence and are, in any case, incomplete. There is insufficient and probably misleading information about the evolution of the various programmes and about the links between them. In sum, "full, final and comprehensive report" is a misnomer and these declarations cannot be taken as an adequate base upon which to determine a material balance. However, the Special Commission has accepted that they provide the possibility for dialogue with the Iraqi authorities to arrive at such a base. The Commission looks to the Iraqi authorities to be forthcoming in filling in the gaps and resolving the inconsistencies in these reports.

19. A similar situation exists with the initial declarations due under the plans for ongoing monitoring and verification. While Iraq has deposited substantial reports, the reports contain little new information, and little about facilities with dual capability which would have to be covered by the ongoing monitoring and verification regime. Again, the Special Commission has accepted these reports as a starting point for further discussion. But of themselves, the reports are inadequate for the purposes of initiating full-scale ongoing monitoring and verification.

IV. ISSUES AND PRIORITIES FOR THE FUTURE

20. The Special Commission continues to carry out its mandate to the best of its ability. That mandate derives essentially from section C of resolution 687 (1991) as elaborated upon in resolutions 707 (1991) and 715 (1991) and the plans approved thereunder. Further responsibilities of the Commission are reflected in certain paragraphs of resolution 687 (1991) other than those of section C. An important example is to be found in paragraph 22 in section F of the resolution which provides that the embargo against imports of

commodities and products originating in Iraq and the prohibitions against financial transactions related thereto will have no further force or effect when certain conditions are met, in particular when the Council is in agreement that Iraq has completed all actions contemplated in section C of resolution 687 (1991). Obviously, assessments by the Commission have a primary role to play in assisting the Council in this respect.

21. Further inspection activities are planned in each of the weapons categories. Destruction activities now focus on chemical weapons at Muthanna. Preparations for the implementation of the plans for ongoing monitoring and verification are under way and initial discussions between the Commission, IAEA and certain Governments have taken place on the potential form of an import control regime to apply after the lifting of sanctions. The intention is to discuss the modalities of the regime in greater depth in the near future with IAEA and the Sanctions Committee, as required by paragraph 7 of resolution 715 (1991).

22. From the above sections of the present report, it can be seen that, despite progress in many areas, no major breakthrough has been achieved which could make it possible to change the conclusion of the previous report to the Security Council. The most important developments have taken place in the areas of destruction of proscribed items and information on missile programmes and use. Nevertheless, much remains to be done. The main areas which require action before the Special Commission will be in a position to report to the Security Council that Iraq is in substantial compliance with its obligations are as follows:

(a) Acceptance and implementation by Iraq of all the Commission's privileges and immunities, including ensuring the safety and security of UNSCOM personnel and property, the operation of and landing rights for UNSCOM aircraft and non-obstruction of the Commission's logistics and aerial surveillance flights;

(b) Unconditional acknowledgement by Iraq of its obligations under Security Council resolutions 707 (1991) and 715 (1991);

(c) Provision by Iraq of the documentation necessary to substantiate the data contained in its declarations and to provide the Commission with a full picture of its foreign procurement networks and suppliers;

(d) Supplementation and revision of Iraq's declarations to the point where, in the view of the Commission, they constitute the full, final and complete disclosures required under resolution 707 (1991) and the initial declarations required under the plans for ongoing monitoring and verification adopted under resolution 715 (1991);

(e) The initiation and smooth functioning of the plans for ongoing monitoring and verification to ensure that Iraq does not reacquire the weapons proscribed to it.

23. The Executive Chairman, during a meeting with the Deputy Prime Minister of Iraq in New York on 25 November 1992, reminded the Iraqi authorities of the actions they must undertake, as indicated in the previous paragraph, if the Commission is to be in a position, after these actions have been carried out, to report to the Council that Iraq has, in the view of the Commission, met the conditions laid down in paragraph 22 of Security Council resolution 687 (1991). Should there be any indication that Iraq is prepared to meet these conditions, the Executive Chairman would consider whether it would be useful for him to visit Baghdad in the early part of 1993. So far no such indications have been forthcoming and, as noted above, at the present time there is little cause for optimism.

Appendix I

Organizational and administrative issues

1. The Special Commission has currently a total of 131 positions distributed amongst its three Offices. The IAEA Action Team comprises seven persons. Forty-eight positions are supported by UNSCOM, including 6 of the IAEA positions. The balance of the staff are on loan from their Governments for assignments ranging from 3 to 12 months. Personnel have been provided for the Commission's activities from Argentina, Australia, Austria, Belgium, Canada, Czechoslovakia, Finland, France, Germany, Greece, Hungary, India, Indonesia, Italy, Japan, the Netherlands, Norway, New Zealand, the Republic of Korea, Romania, the Russian Federation, Sweden, Switzerland, Thailand, the United Kingdom of Great Britain and Northern Ireland and the United States of America.

2. The distribution of the staff of the Commission in each Office and of the IAEA Action Team is as follows:

(a) Headquarters of the Commission in New York. The headquarters of the Commission in New York has 31 staff assigned to it: 17 positions (6 in the Professional and 11 in the support staff category) are currently charged to the operating budget of UNSCOM; and 14 positions are filled by staff assigned to the Commission by various Member States. The breakdown of functions is as follows:

Unit	Position
Office of the Chairman	1 Executive Chairman 1 Deputy Chairman 1 Senior Counsellor (Legal) 1 Special Adviser and Spokesman 2 support staff
Administrative Office	2 Professionals 6 support staff
Division of Operations	7 Advisers in the chemical, biological, ballistic and nuclear fields 1 support staff
Information Assessment Unit	5 Advisers in the chemical, biological, ballistic and nuclear fields 2 Advisers in aerial and photographic support 2 support staff

(b) Office of the Commission in Bahrain. The Bahrain Field Office has 25 staff assigned to it on a regular basis to provide financial, administrative, logistic and training support to the inspection activities of the Special Commission and IAEA pursuant to the relevant Security Council resolutions. Ten positions (three Professionals and seven local support staff) are charged to the operating budget of the Commission. Functions are broken down as follows:

Administration and logistic support	3 Professionals 7 local staff
Aerial and photographic support	2 Advisers
Air transport	13 Transall C-160 crew members

(c) Office of the Commission in Baghdad. Seventy-four persons are currently assigned on a long-term basis to the Commission's Baghdad Office to provide logistic, communication and medical support to the inspection teams of UNSCOM and IAEA and in support of the chemical destruction programme. This number is expected to increase to around 90 persons as soon as the chemical destruction activities in Muthanna are being carried out on a full-scale basis. Fifteen positions (11 Professionals and 4 local support staff) are under the UNSCOM operating budget. The other 59 staff are provided by their Governments. The breakdown of functions is as follows:

Administration and logistic support	10 Professionals 4 local staff
Aerial and photographic support	2 Advisers
Medical support	5 medical staff
Chemical destruction	23 Advisers (including two medical staff dedicated to the chemical destruction programme)
Air transport	30 helicopter crew members

(d) International Atomic Energy Agency. The IAEA Action Team has a total of seven staff. Six positions (five Professionals and one support staff) are charged to the operating budget of the Commission, as follows:

Operational and technical support	5 Professionals
Administrative support	1 Professional 1 support staff

Financial situation of the Special Commission

3. Since the inception of its operations in April 1991, a total of US$ 26.4 million has been allotted by the United Nations to cover the cost of the operations of the Special Commission and IAEA in support of the relevant Security Council resolutions. Funds were provided through a number of cash contributions and from the operating budget of the United Nations and were appropriated as follows:

Object of expenditure	Millions of United States dollars
Staff costs	3.5
Travel-related costs	17.5
IAEA contract for removal of fresh nuclear fuel	2.0
Services: Communications, translation and maintenance of vehicles; offices in New York and Baghdad*	2.0
Supplies and equipment	1.4
TOTAL	26.4

* The Bahrain Field Office at Manama airfield has been provided by the Government of Bahrain free of charge.

4. Operating requirements for 1993 are expected to reach $55.0 million, which includes the estimated IAEA expenditures for the removal of irradiated nuclear fuel from Iraq and for the permanent disposal thereof.

Appendix II

Security issues

1. As noted in paragraphs 8 and 11 (g) of the present report, security for UNSCOM personnel and property sharply decreased during the stand-off over access to the Ministry of Agriculture. While matters improved somewhat after the resolution of this issue, security has worsened each time there has been a period of tension between the Special Commission and the Iraqi authorities. The following summarizes the types of incidents which have occurred, rather than cataloguing each incident.

Demonstrations

2. During the stand-off at the Ministry of Agriculture, there were daily demonstrations of increasing size and hostility. While the Iraqi officials sought to pass these off as spontaneous outbursts of public sentiment, demonstrators arrived in government buses, sometimes from government offices, and, on occasion, threw government-supplied fruit and vegetables. During this period, the hostility of the demonstrations grew, with flags being burned, items being thrown at inspectors, inspectors being exposed to screamed abuse and demonstrators being allowed within feet of the inspectors and their vehicles. There was one incident of attempted self-immolation.

3. Demonstrations against the United Nations in general and UNSCOM in particular have continued sporadically since. The demonstrations were sufficiently centrally coordinated for the Ministry of Information to be able to inform the press corps in advance of the timing and place of each one.

4. A different kind of demonstration involved the placement of propaganda materials in the rooms of UNSCOM inspectors. Clearly, only hotel staff or government security personnel would have access to the room numbers of the inspectors.

Harassment

5. Harassment of UNSCOM staff has taken many forms. Obscene, nuisance, intimidating and threatening phone calls (including death, bomb and firebomb threats) have been received. On occasion, these calls have been made to each and every member of an inspection team in alphabetical order. Again, only hotel staff or security personnel would have access to the information for the conduct of such an operation.

6. Another form of harassment concerned wrongful entry into inspectors' rooms. Sometimes the contents of drawers were emptied onto the floor; at other times items, such as cameras or money, were stolen. In public, UNSCOM staff have been jostled, threatened with physical abuse, refused service in restaurants and shops, and have had meals and drinks overturned on them while in restaurants.

7. UNSCOM offices in the Sheraton Hotel have also been entered without permission and property stolen, including a computer.

Physical attacks

8. UNSCOM property, particularly its vehicles, has been subject to repeated damage: cars have been sprayed with paint; aerials have been broken; tyres have been stolen, let down, slashed or had their valves removed; and lights, windows and windscreens have been smashed (both overnight and while people were driving the vehicle).

9. Inspectors have had a variety of items thrown at them: fruit, vegetables, eggs, rocks, bottles, light bulbs, rubbish, ink, paint and diesel fuel. They have been physically attacked with punches, shoes and, at the Ministry of Agriculture, with a skewer in an attempted stabbing of one of the inspectors maintaining watch over the exits. On several occasions, persons in cars or on motorcycles attempted to run over UNSCOM staff crossing the road between the Palestine and Sheraton hotels.

Conclusion

10. Iraq is a country with a formidable security organization. During the Ministry of Agriculture stand-off, Iraqi officials and news agencies made statements that could only be interpreted as inflammatory. Little was done by Iraqi security personnel either to prevent such incidents or to investigate them after the event and to apprehend the perpetrators. Requests for improved security were sometimes heeded, but were generally met by statements that Iraq had ensured and would ensure at all times the safety of UNSCOM staff. This response was frequently used even when an incident had just occurred.

11. Given all the above, it is difficult not to believe that the decrease in security is the result of a centrally coordinated government campaign to intimidate and humiliate UNSCOM staff. While some incidents may be spontaneous, the atmosphere in which such acts might be considered by Iraqi citizens has been fostered by Iraqi officials, presumably with the backing of the Government, and those officials have done little to rectify the situation.

Appendix III

Inspection activities

Chemical activities

1. UNSCOM 39 conducted inspection activities in Iraq from 26 June to 10 July 1992 at declared and undeclared sites, essentially in search of documentation concerning Iraq's proscribed weapons activities. Nothing of relevance to Security Council resolution 687 (1991) was found at those sites. The team also surveyed and recorded reconstruction activity at the Fallujah sites, where chemical weapon precursors were formerly produced. In addition, it supervised the destruction of the majority of the chemical bomb-making equipment identified by the Special Commission to date. The sites visited included some biological weapons sites and, at short notice, some ballistic missile sites. The inspection ended with the stand-off at the Ministry of Agriculture, where the Iraqi authorities refused the team access to the building.

2. UNSCOM 44 conducted its activities in Iraq from 21 to 29 September 1992. Its aim was to verify the location and quantity of chemical munitions and agents awaiting destruction and hence to assess whether Iraq had implemented in full the Commission's instructions to move all identified agents and munitions to the central destruction facility at the Muthanna State Establishment. With the exception of the mortar rounds at Fallujah and whatever may remain in the damaged and unsafe bunkers at Muhammadiyat, this was found to be the case. A full survey of the agents and munitions at Muthanna is under way and a comprehensive inventory, which will form the baseline for destruction activities, is being drawn up.

3. UNSCOM 47, comprising two sub-teams, one designated CBW3 and the other IAEA 16, has just returned to Bahrain from Baghdad. While all proscribed weapons categories were covered, the main thrust was chemical and bacteriological weapons. The results of the inspection remain to be assessed fully once the inspection report is received.

Biological activities

4. As noted above, UNSCOM 39 conducted inspection of some declared and undeclared biological weapons sites. No new information of note was discovered. Developments at sites known to have been related to Iraq's biological research continue to be monitored through aerial surveillance by both high-altitude aircraft and helicopters.

5. UNSCOM 47, as noted above, undertook some biological weapons inspection activities. Additionally, there were some seminar-type meetings with the Iraqi side. The aim of these had been to resolve differences and to fill gaps in the knowledge of the Special Commission. Very little additional information was obtained, given the attitude of Iraq referred to in paragraph 11 (b) of the present report.

Ballistic missiles

6. Also as noted above, UNSCOM 39 conducted inspection of some declared and undeclared possible ballistic missile-related sites. Prime amongst these was the Ministry of Agriculture. As stated in the main body of the text of the present report, access was denied to UNSCOM 39. The team eventually was withdrawn, due to other engagements elsewhere. Its place outside the Ministry was taken by another team, UNSCOM 40, on 11 July 1992. The task was to maintain a watch outside the building until such time as access was allowed. In the event, the team was forced to withdraw from the vicinity of the building on 22 July 1992, following an attack on one of the inspectors, which the Iraqi security officials did nothing to prevent. The Chief Inspector rightly decided not to endanger the lives of his inspectors. Following discussions on modalities in New York between the Executive Chairman of the Special Commission and the Permanent Representative of Iraq to the United Nations, access was agreed, and the UNSCOM team conducted a full inspection. No proscribed items were found, although there were indications that such items might have been removed.

7. UNSCOM 42 conducted inspection activities in Iraq from 7 to 18 August 1992. Its main purpose was to investigate Iraq's ability to acquire or produce indigenously proscribed ballistic missiles, especially missile guidance-and-control systems. Inspection techniques included document and computer searches and joint helicopter/ground operations. Seminar-type meetings were held in order to resolve questions arising from the inspection activities. Virtually all the senior officials known to have been involved in the ballistic missile programmes attended the seminars.

8. UNSCOM 42 discovered no weapons or components prohibited under resolution 687 (1991). Nor was there evidence that Iraq could produce indigenously complete guidance-and-control systems, including gyroscopes, for ballistic missiles, although there had been considerable effort on the part of Iraq in the research, development and prototype manufacture of such systems which apparently never reached fruition. The team obtained important further information relating to:

(a) The scope and extent of Iraq's programmes to acquire or produce prohibited ballistic missiles and components, including information concerning previously undisclosed projects for computer support and missile fuel production;

(b) The interrelationship between the various projects in the ballistic missiles programme and the involvement of different Iraqi organizations in the programme;

(c) Foreign involvement in certain aspects of the programme.

Amongst the sites visited was the newly established Iraqi research-and-development facility, at which all research and development into non-prohibited ballistic missiles (i.e., those with a range of less than

150 km) will be undertaken in the future. The inspection of this site provided much information that will be of use in designing the ongoing monitoring and verification regime.

9. UNSCOM 45 conducted inspection activities from 16 to 30 October 1992. Its objectives were twofold: to determine whether Iraq retained an inventory of or a capability to produce fuels for ballistic missiles, and to obtain information on the operational use of these missiles. Iraq adopted a more open approach during UNSCOM 45 to the provision of data on the operational use of its ballistic missiles since 1980, and the information provided was useful. The team obtained information on Iraq's past plans to acquire fuel and oxidizer for prohibited missiles. The team did not find any evidence that Iraq had the capability indigenously to produce such fuels.

Appendix IV

Destruction of Iraq's chemical agents and munitions

Background

1. As a result of its chemical inspections programme, UNSCOM now has considerable information on Iraq's chemical agents and munitions. The agents which Iraq had available were mustard agent, the nerve agents GB and GF (and also about 70 tonnes of "spoilt" GA) and small research quantities of three other nerve agents. The total quantities involved are approximately 250-300 tonnes.

2. The munitions identified include various kinds of aerial bombs, CS-filled mortar bombs, artillery shells and rockets, together with a small number of other munitions such as rocket-propelled grenades; 30 SCUD (Al Hussein) missile chemical warheads were also discovered and 45 were declared by Iraq to have been destroyed unilaterally. In total the number of unfilled munitions so far discovered is on the order of 90,000, the agent-filled munitions numbering about 50,000. These are approximate figures and may be subject to some revisions in the future.

3. Of the filled munitions, the mortar bombs were filled with CS, the 155 mm shells are filled with mustard agent (and generally are intact and not leaking) and the 122 mm rockets are filled with nerve agents, either GB or a GB/GF mix. The aerial bombs are filled with either mustard agent or nerve agents. Some of the SCUD chemical warheads are filled with GB, the others being designed to use the binary process. These were filled with a mixture of two alcohols (isopropanol and cyclohexanol) to which the organophosphorus compound DF was to be added immediately before use, a mixture of the nerve agents GB and GF being formed during the flight time of the warhead.

Destruction of chemical weapons agents and munitions

4. The primary site for all chemical destruction activities is Muthanna State Establishment, the Iraqi main chemical warfare research-and-development, production, filling and storage facility. Although limited explosive demolition/incineration has been carried out on 122 mm rockets at one site (Khamisiyah-UNSCOM 29), the munitions discovered at all other sites have now been safely transported to Muthanna and are stored, in the open, to await destruction.

5. All destruction activities are being carried out by Iraqi personnel under the close and direct supervision of an UNSCOM team (UNSCOM 38, Chemical Destruction Group (CDG)). The formation of the Chemical Destruction Group in Iraq commenced with the arrival of an advance party of three inspectors on 18 June 1992. The numbers increased in two increments to the current strength of 23 persons, including medical support, from 12 countries.

6. CDG will maintain a continuous presence at Muthanna during all destruction activities.

7. The destruction of unfilled munitions, and emptied munitions after thorough and complete decontamination, is done by simple physical means, such as crushing or cutting with an oxy-acetylene torch. These activities are coordinated, supervised and recorded by the UNSCOM team.

8. Filled munitions are either drained (aerial bombs) or destroyed by a combination of simultaneous explosive opening and high-temperature incineration if they are assessed as too dangerous to drill and drain. This is the case with most of the 122 mm rockets.

9. Bulk mustard agent will be destroyed by incineration in an incinerator specifically built by Iraq to UNSCOM requirements. The plant was commissioned under UNSCOM supervision in November 1992. Other materials will also be destroyed in the incinerator, such as some precursor chemicals, ballistic missile-related chemicals which have been moved to Muthanna and various other chemicals found at Muthanna.

10. The nerve agents GB and GB/GF mixtures are currently being destroyed by controlled hydrolysis in a plant which was constructed by Iraq to UNSCOM requirements and commissioned by UNSCOM personnel from the Destruction Advisory Panel in September 1992. The aqueous wastes from the plant will be allowed partially to evaporate and cement will then be added. This will produce concrete blocks, which will be buried on site. The purpose of this is to prevent the leaching of the waste hydrolysis salts into, and hence the degradation of, the surrounding soils. All these operations will be carried out under the supervision of CDG at Muthanna.

11. The number and quantity of munitions and agent destroyed by the Special Commission as of 14 December 1992 were on the order of:

- 12,000 empty munitions;
- 5,000 sarin-filled 122 mm rockets, including motors and warheads;
- 350 R.400 aerial bombs;
- 44,500 litres of GB/GF;
- 120 litres of GB;
- 5,000 litres of D4;
- 1,100 litres of dichlorethane;
- 16.5 tons of thiodiglycol;
- 5.5 tons of mustard agent.

12. A strict health-and-safety regime has been established to minimize the danger of immediate and long-term effects of exposure to chemical warfare agents, their precursors and other hazardous or toxic materials. Remote agent detector arrays are established at the hydrolysis plant and at the rocket destruction site and have not, as yet, recorded any downwind hazard.

Future plans

13. At present, the time-limiting factor is the provision of a satisfactory solution to the destruction of the 155 mm mustard-agent-filled artillery shells. However, the nerve agent GB/GF and the 122 mm rocket warheads should be destroyed by the end of January 1993 and destruction of all other chemical agents and munitions completed in 1993.

Appendix V

Aerial inspections

1. Following a discussion within the Office of the Executive Chairman on means to improve the operational effectiveness of UNSCOM, it was decided to inaugurate helicopter aerial surveillance flights. The benefits were foreseen to be: increased and better quality aerial photography to supplement that available from the U-2 which, as of 14 December 1992, has carried out 105 surveillance missions over Iraq, and to help in the planning and preparation of inspections; and improved operational efficiency. The first flight took place on 21 June 1992.

2. This operation is supported by an aerial inspection team of three persons in Baghdad and a fully equipped photographic processing laboratory with a full-time technician, located at the UNSCOM Field Office at Muharraq, Bahrain. All missions are tasked from the Office of the Executive Chairman in New York by the Information Assessment Unit. The Unit has recruited, specifically for this task and the task of interpreting and storing the results, two Professional photographic interpreters. Any problems that arise are referred to the Executive Chairman for decision. A recent case of serious non-compliance is described in paragraph 11 (f) of the present report.

3. As of 14 December 1992, 142 sites had been surveyed by the Aerial Inspection Team. These helicopter surveillance flights do not and cannot replace the high-altitude surveillance operation. The U-2 offers advantages of longer flight time, wider surveillance coverage and maintaining uncertainty of the precise sites which are being photographed. The helicopter offers better oblique photography, higher resolution, 360-degree video coverage, faster response time and hence a greater element of surprise and, thus, deterrence. The results of both operations combine to provide much information that is useful in both the planning and the preparation of inspections and in the monitoring of various sites for suspicious activities. The helicopter photography is particularly of use in briefing inspectors prior to the conduct of a ground inspection.

4. The Aerial Inspection Team has thus proved to be of considerable benefit to the Special Commission. It is anticipated that it will be of equal value to the implementation of the plans for ongoing monitoring and verification.