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Yale-UN Oral History Project

Thomas Pickering
James S. Sutterlin, Interviewer
April 3, 2000
Washington, D.C.

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Thomas Pickering

Interviewer: James S. Sutterlin

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James S. Sutterlin: Under Secretary Pickering, I want first to thank you for agreeing to join in this program of Yale University to record an oral history of important political developments in which the United Nations was involved. I would like to focus the conversation this morning, if I could, on the development of UNSCOM, that portion of resolution 687 which pertained to the elimination of the weapons of mass destruction in Iraq. I wondered if you could begin by giving me the background as you remember it, of how this part of the resolution was developed, both in Washington and in New York, and elsewhere?

Thomas Pickering: Jim, my memories are hazy, so this will be very much of a recollection rather than any kind of useful recall. It was my recollection that both we and the British, as the idea of developing a cease-fire resolution took shape in Washington and London and in New York, all had the idea that we had to deal with the principal, or one of the principal hangover questions of the conflict, which was the Iraqi program of weapons of mass destruction and associated delivery vehicles. I think there was a very early general agreement that we would apply principles of arms control that we had learned or developed over the years to deal with similar kinds of programs—that we

would build on non-proliferation approaches. But we had a rather unique opportunity, in connection with Iraq's defeat, to, through the Security Council, impose a regime that we felt had the highest possibility of achieving success, and to do it under circumstances where, at least politically, if not juridically, there was a clear impression that Iraq no longer had sovereign rights, if I could put it this way, of resistance to these particular efforts. That as a result of their aggression, the long series of United Nations Security Council resolutions, and the successful ending of the war, and the terms, if you like, of war termination, Iraq had forfeited any capacity on its part to resist or to non-comply, with a very expansive program to root out and destroy, and then to seek to provide permanent assurance to the international community that this particular proliferator, or intending proliferator, would no longer be a danger or threat to peace and security, to use the terms of the Charter; and that the United Nations should play the major role through the resolution in organizing and carrying out this particular effort.

JS: Now was that controversial here in Washington, at all, that the United Nations should have a lead role?

TP: To the best of my knowledge, that principle was not controversial, but the application of the principle that this particular organization [UNSCOM], given its sensitivity, should be created as an organ of instrumentality, or a creature of the Security Council, rather than of the Secretariat, was. In large measure, this feeling came from a sense that the Secretariat had been politicized; that it was not capable of understanding, in the deepest sense, the difference between operating in a context where the state had either

been denied, or no longer held, the sovereign rights of the state. And therefore, it was intended to de-politicize, to the greatest extent possible, the organization created by resolution 687 to do this particular task in Iraq; and also to remove from it what over the years the United States, the U.K., and others had seen as basically perhaps an important imperative from the point of view of international civil servants and Secretariat, but a distinctly negative attribute when it comes to conducting and carrying out efficient and effective arms control measures to stop the development of or the proliferation of weapons of mass destruction. So the two were seen basically as non-synonymous, and in many ways, perhaps antithetical. Therefore the principle was that this would be an organ of the Security Council, or an instrumentality of the Security Council. Its chief would report to the Council and would have full authority to carry out all aspects of the resolution, and would be backed up and supported by the Council. While there was deference to the Secretary-General in terms of cycling or passing reports through him, there was no effort at all, in fact, there was a positive effort to deny, that the Secretary-General should play any substantive role in the process, or that the Secretariat, or others around the Secretary-General, should become involved in the substance of the process in making independent judgments or carrying out arms control activities with respect to Iraq.

JS: And that was something that Ambassador Ekéus guarded, I think, quite carefully. Who was responsible for the selection of Ambassador Ekéus?

TP: This is one area where my memory is pretty hazy, and I would really want to do more research to give you that view. I suspect from a kind of hazy recollection, that some names were examined, that Ambassador Ekéus came well recommended, and I'm not precisely sure as to the process followed, although I think it was very clear early on that we were supportive of this proposal of the Secretary-General, and so was the U.K., and that it had the fortunate consequence of either being supported or not opposed by others. There was value in having a non-permanent member, there was value in having someone who had excellent credentials in the arms control field, there was value in having someone from a country that was seen to be able to approach these issues from the point of view of high technical competence, but also in a non-prejudicial fashion. So in typical UN terms, Rolf seemed to turn out to be an extremely good, if not the best immediately available candidate for the job.

JS: Was the actual drafting of this part of the resolution done in part in Washington? Bob Gallucci has mentioned that he traveled back and forth between Washington and New York carrying drafts.

TP: I think that's entirely right, and I think also some of the subsequent documentation, early ideas, I think, were warmly embraced in all directions. I think that it would be interesting to go back over the material at some point, to see what the U.K. contribution was, as well as the contribution of others in New York. But I think, as best as I can recall, we received initial ideas, talked with Washington about them, and then generally put those into the drafting. I'm not sure, frankly, who introduced them, at what

time, but this resolution was long discussed among the Permanent Five before it was introduced to other members of the Council. In that sense, the effort was to try to work out all problems before introduction to the other members of the Council, and then, as we did with the Iraq resolution, receive their proposals and ideas for change; try to incorporate as many as we could, and to build a consensus. It was critical, in building a consensus for any of these resolutions, that we have no opposition among the Permanent Five, either to the principle or the text of the resolution. Four of us, at a minimum, always undertook to present the resolution formally to the non-aligned members of the Security Council, so that we would either have either the Russians or the Chinese in that group. It almost invariably was the Russians, and it almost invariably helped enormously that the U.S., U.K., France and Russia presented this text on behalf of the five. In addition to that, in various times, and I can't recall specifically whether 687 fell into this or not, we would have informal meetings as well, with either the members of the non-aligned or groups among the members of the non-aligned, to give them a sense of this. There were also, of course, the non- non-aligned members of the Council, who were included. The principal formal way of proposing a resolution text to the other members of the Council was to have, in the informal meeting room of the Council, a kind of caucus meeting at which the four would present it to all the others. But in many cases, we had preliminary consultations, sometimes at bilateral levels, sometimes with groups among them, so that they had an idea of where we were going and what was included. The final, sort of, presentation involved give and take in the informal Council meeting, and then we would produce the final draft that would be circulated to them. That normally then opened the way for formal passage.

JS: Were there any particular problems, as you recall, in getting agreement on the rather unprecedented provisions that are in this?

TP: There were, and I don't recall whether those problems in particular concerned the UNSCOM part. I'm just hazy on that. But we did have problems we had to work out, find a language on some of the pieces. This has all sort of faded, and I would have to take another look at it. But it would be a fruitful area for someone to look at. I think differences would probably be recorded in the cables drafted at the mission in New York.

JS: Was there any kind of a back-up group that included other agencies here in Washington?

TP: I believe there was, and I think the record will show that. I believe, in fact, that we had strong inter-agency backing. I can remember early on, at least, it occurring to me, and I think we sent a signal either by phone or by cable to Washington, that this would be an area in which the arms control community needed to play a very significant role to make sure that we got it all right.

JS: Did you have the impression that some of these agencies, at least here in Washington, were aware already that there was a biological capacity, a weapon capacity in Iraq?

TP: I did not at that time, but we were clearly concerned. Over the years, I had been aware of Iraqi activities through intelligence reporting in this area, so I have now virtually no doubt.

JS: There's one theory that strikes me as far out. That, in fact, President Bush knew that there was a biological weapon potential there, and that this is one of the reasons that he decided not to pursue Desert Storm to Baghdad. Does this have any resonance with you?

TP: No, that's the first time I've heard it, and I think that, as you know, in all of our preparations for Desert Storm we had to take into account this potential, as well as the chemical potential, as well as the nuclear potential. We did it in several ways: one was troop protection, force protection, immunizations and all the rest, and training; another was obviously the very tough message that Jim Baker gave to Tariq Aziz at the Geneva meeting, in which he made it extremely clear that there would be the most horrendous consequences for Iraq if they were to use weapons of mass destruction.

JS: Yes. The Russians should have known more than anybody else about what was in Iraq. So I was wondering, again going back to getting agreement on the resolution, were they helpful in this sense, were they able to...

TP: Yes, throughout this period, and particularly with this resolution the Russians were particularly helpful. They certainly were not destructive. As I remember, and I

can't think of any particular instances, but just my recollection that on instructions, Vorontsov would occasionally raise questions that we all, in the spirit in which we were then proceeding, found ways to provide answers, either on reference to Washington for further instructions, or often just in our private informal discussions in the informal meetings of the P-5 around the effort to prepare this resolution. Often under those circumstances, their concerns were legitimate questions rather than obstructionist tactics, and I found it very easy, very early on to distinguish between the two procedures. The toughest issue surrounded, obviously, the use of force resolution, but I think that the Russians at that point were accepting of the facts on the ground--we had relatively little dispute--were accepting of the need for this rather unique opportunity to deal with weapons of mass destruction. They had, in effect, raised very few, if any, serious questions that led us to believe that they were opposed in principle to 687, or that they wanted to change, thwart, or otherwise channel the work in directions that were either unproductive or tended to ignore or overlook the serious concerns that we felt we all shared in the P-5 on this particular question. So I would say they cooperated in good faith, we worked closely together. There were no, as I remember and I think as the record will show, any obstructions or problems, particularly on questions of principle or subsequent importance to us all.

JS: You probably have already answered this question, but just to put it on the record, the Secretary-General was not brought into the consultations?

TP: No, I think that it was clear that as the P-5 proceeded, as they had on the other resolutions, we proceeded on our own to put these together. I cannot tell you whether from time to time any one of us briefed the staff around the Secretary-General or the Secretary-General, because we did from time to time like to make sure that the Secretary-General knew the way we were headed. But if it was done, it was done probably at the time when we were close to having the resolution completed. I just don't remember. There was no effort to keep him out of the process, but there was very little effort, frankly, particularly given the sensitivity about UNSCOM and its independent role, to turn over, if I could put it this way, the preparation of the resolution text to the Secretary-General.



JS: Right. And then a distinction is made in the resolution between UNSCOM and IAEA, as if an effort were made to keep the agency, as such, out, and give the responsibility to the Director-General. Was that intentional and thought through, so to speak?

TP: I think that there was a serious effort on the part of all of us, as we went ahead with the IAEA, to distinguish between the IAEA in its role under 687 and its traditional role, where, in fact, there were international agreements, protocols of responsibility, and significant limitations with respect to the application of safeguards. For example, the IAEA, in its traditional application of safeguards, could normally only go to declared sites. So the way in which we intended to try to divorce the traditional and historical activities of IAEA and the application of the new principles, if I could put it that way--the

more intrusive, more broadened, reaching--was to focus on the Director-General rather than the organization.

JS: And that, I think, is the way it worked.

TP: I agree.

JS: Some in the Secretariat who were involved as UNSCOM began have suggested that once the resolution was drafted, then the interest of the U.S. and others waned, and that it was really quite difficult to get the organization set up in the Secretariat. Were you aware of this, and what did you do about it?

TP: Quite to the contrary, I think I'd be revealing no confidences to say that in fact, Rolf and Bob Gallucci and others, as they set this up, found an enormous amount of obstructionism in the Secretariat. They came to us frequently for help in trying to break loose space, administrative cooperation, even getting telephones, all of which proceeded at a glacial pace, if at all. All of this tended to reflect the fact that at least to us, there were seemingly jealousies and bureaucratic concerns, and basically, a lack of willingness to proceed ahead, rather than the other way around. UNSCOM, as a result, then developed its own stand-alone capacity. In many ways, one of our principal concerns early on, before, in fact, there was any funding out of the Iraqi side of the program—out of the Oil for Food resolution—that we all had to scurry around and find voluntary contributions in order to get UNSCOM set up and running, which is never easy under any

circumstances. It was finally done, but it was a cause of an enormous amount of frustration.

JS: Were you aware of the intelligence community, either in Washington or London or elsewhere seeing this new organization as a useful instrument from their perspective?

TP: Initially my sense was the intelligence community had serious reservations, because they saw it as a draw on analysis and information rather than a source for analysis and information. As a result, they had to give, and they were concerned about giving and occasionally, obviously, particularly with respect to an international staff they wanted to be sure exactly with whom they were dealing, how the information was being handled, would it be protected, how and in what way would their own sources and methods in the process be protected, and basically, how would this organization function. Would it actually do the job, or merely be a sinkhole for the deposit of American intelligence information, with all the dangers they saw in that process? That was certainly my best sense of the early perspective.

JS: Were you still there when arrangements were made for the U-2?

TP: Do you know the dates, because I left in May of 1992.

JS: I think it was just about that time.

TP: I faintly recall this, but I can't tell you I know for certain. It was a subject of discussion, however, before I left, as I was certainly aware of that.

JS: It was possible to make a distinction then between the photography done by the U-2 which was for the UN proper, so to speak, and the imagery from the satellites were much more distant.

TP: I thought that U-2 provided a number of advantages: one, obviously dedicated coverage. It could be of larger volume, and it could use the abilities of the U-2 to take photos at different scales, and it could be regularly scheduled without interfering with national programs, and so on, so I think there were real advantages to that.

JS: And UNSCOM actually could direct it.

TP: UNSCOM could set out where it wanted to go, and what it wanted to have pictures of.

JS: What about the Iraqis? There are always these suggestions that one way or another information was leaked to the Iraqis from the very beginning as to what was going on. Did you have that impression? Was there anybody in the Council that was suspected of leaking things to the Iraqis about the development of the resolution?

TP: I was not aware of that, or felt that that was the case, and I didn't see anything that led me to believe that that was the case. It may have been. I didn't really consider it important, given the situation where the Iraqis had zero or minus influence in the Council.

JS: You would say zero or minus influence?

TP: I think that in the issues in which Iraq had influence up to then were sort of issues in which people might have considered a standard of fairness applied. The most difficult one, and you will recall this, was in the period up to the beginning of the hostilities, when there were enormous efforts, both on the part of Javier [Pérez de Cuéllar] and others, to deal with the question of whether an effective political settlement of the problem, the Iraqi aggression against Kuwait, could be worked out. There were obviously tensions. You remember the four members of the Council who took a very negative view over the outbreak of hostilities, or on anything at all, they tended to support almost any proffer from the Iraqis that might have staved off the conflict and the fighting, even if, in fact, almost all of the substance tended, certainly in our view, to differ widely from either the corpus of the resolutions or what should be a reasonable way to resolve the problem. And you remember we had the full Iraqi withdrawal, and so on, as the basic standard, so anything at all that looked like compromise on that was a subject for dispute. And for that period of time there were differences. On 687, I think following the conflict, and the end result, I didn't feel, at least to the best of my recollection, that there was a strong

determination on the part of others somehow to resist this direction in which things were going.

JS: Going back just a minute to that earlier period before Desert Storm, when the Secretary-General, as you say, was somewhat doubtful at times about the policies being pursued. No effort was made there, this is my assumption from talking with him, to build the Secretary-General in on some of the details that were known in Washington about the real and various potential of Iraq in terms of weapons of mass destruction. He was not briefed.

TP: No. I think almost all of that in Washington, if it existed, in my recollection, and I did not get extensive briefings on it, was held in intelligence compartments. A lot of it may not have been fully amalgamated. Some of it, obviously, represented serious failures in non-proliferation policy. The more traditional focus in that area was on Iraqi aggression, and on the things that they had done in Kuwait, and what that potentially represented, with respect to threatening world energy sources and so on. I think that the bombing campaign obviously reflected a lot of our knowledge of what Iraq was engaged in, or what we felt Iraq might be engaged in, which I think was a better way to put it, because I think it was hard for us to come up with concrete confirmation of particular levels of activity or particular levels of achievement. I think we were all surprised, in fact, by what UNSCOM later found out in detail.

JS: You think that was a surprise.

TP: Yes, I think significant parts of that were surprises: things like cauldrons that we had never seen, and so on.

JS: And ultimately the actual weaponization of the biological...

TP: Yes, and I think that particular question, which they all denied—we knew of their chemical work but we didn't know the full extent of it.

JS: You mention Ekéus coming to you for help in getting the Secretariat in shape. Was it Ekéus' custom to go past the Security Council even, and go directly to governments in order to get what he needed?

TP: Yes, it was, and it was authorized in the resolution, and in our view entirely correct, and we encouraged him to do so. In fact, to go to the Security Council as a whole, and sit down and have the Council deliberate, when, in fact, the use of diplomacy, if I could put it that way, in support of UNSCOM, without ever having to do something by the Council as a whole, was both authorized by the resolution and encouraged by it. We felt it was a very important and significant way for him to proceed.

JS: You know, this is not intended as flattering, but the resolution is quite remarkable. It is complete, unprecedented, and extremely foresighted in terms especially of Section C, on weapons of mass destruction. To what do you attribute that?

TP: I think all of us felt that it was an enormous opportunity to get something right, in a unique set of circumstances. On the one hand, recognizing that we may never be able to replicate it, on the other, at least we could set a standard for dealing with this sort of problem, that gave us the utmost amount of capacity actually to deal with it. So I think that we certainly, I certainly felt that way, we encouraged others to feel that way, and they felt that way. I think the French and the others understood this very well, and we had relatively few of the sorts of differences that have now evolved over time in the Council on this issue.

JS: But there was general agreement on the comprehensive nature of this, covering all kinds of weapons.

TP: We all felt we had to, and we all felt that we were there doing the best job we could, and we were all working with capitals that felt the same way. Certainly London, Washington, and I think to the same extent, Paris. I can't talk about Moscow or Beijing, but we didn't feel, as I said earlier, serious period points of difference.

JS: And you didn't encounter difficulties on the possible contradiction between the preamble, which says the Iraqi sovereignty will be respected, and these provision which are very contrary to that concept?

TP: I think that the preambular piece was put in clearly as a bow to those who felt that the UN might be going too far, but it was put in the preamble, basically under the caveat that in all of the other areas acting under Chapter 7 of the Charter, there were going to be derogations on Iraqi sovereignty, and that the preambular paragraph had to be read in that context. We were not worried, because we all felt that the preambular language had a hortatory and non-binding character, particularly in a broad resolution of this sort, with the Chapter 7 references.

JS: Right. Looking back on it, Tom, what is your most vivid recollection of this period? Did you look on this, as you said, perhaps just now, as really an opportunity not just to eliminate the serious danger in the world, but also an opportunity to utilize the Security Council and the United Nations in a way that you could not...?

TP: Well, I think, Jim, that's undoubtedly the case. I think that one has to take a look at perhaps the whole period of time I was there, because as I said the other day when the Security Council members came down here for a visit, and as I had told Dick [Holbrooke] that my first month in the Security Council we had no meetings. Not one, I think! The then president was the lady ambassador from Senegal, who was extremely disappointed that she never got a chance to preside over the Security Council. But that was more or less the way of the world. During the period of time, even before Iraq took place, we had worked among the P-5 to try to find ways to reinvigorate the Council, and make it much more a centerpiece of cooperation. This was co-terminus with the end of the Cold War, and while we didn't see it in '89, and leading up into '90, it was certainly

clear that things were opening up in the world rather than closing down. And I believe one of the first things we worked on was Cambodia, where we were successful over a long period of time in bringing about an agreement. There had been prior work done, maybe inspired by Crispin Tickell and others, to try to use the P-5, working together quietly as a device for overcoming some of the problems that we had had in the past, and which had really kind of stultified, if not completely frozen its work. So all of this came at a time when we saw the Council, particularly on Iraq, as sort of bursting loose from all of its old constraints, breaking new ground, and being in a position where we had the P-5 agreement--which was always the essential *sine qua non*. After all we didn't redesign the Charter, we merely tried to work within the limits of the Charter, to do these kinds of things, and to deal with a problem that was like Iraq, even though Iraq is probably still an atypical question for the Council to deal with—a sort of late digression in which the world community seemed to be pretty well united around a series of steps. We employed what we thought were the steps in the Charter, moving from sanctions to the use of force, as a way to deal with the question. We all were acutely conscious that we had never been involved in war termination, and that this presented a new and unusual opportunity for the Council to take the lead. I frankly, and I've said so, was distinctly personally disappointed that we did not do more on the ground as a result of our own bilateral efforts in war termination, to deal with the Iraqi case. Several books have been written since about some of the ideas that we had, including a much broader zone, particularly in the south, of UN occupation and control as a way of both dealing with the still extensive conventional threat left in Iraq, and as providing a stronger foothold of pressure on Saddam to behave himself in ways that, later on, I think became even more necessary.

However that may be, we then turned our attention to this resolution, and since we hadn't done it before we said, "let's consider all the possibilities, and let's figure out how best to do this in a way that can be most useful." And while it has a Versailles-like quality to it, and obviously that was not escaped, that was something we couldn't totally escape from, we intended to try to fix on the critical questions, rather than on the general principle, if you like, of retribution, to make this happen. That is, to take away in the post-war era, the conflict leftovers that still had to be dealt with.

JS: Let me make one final question. You mentioned Versailles, and actually in one respect, while this resolution is draconian on weapons of mass destruction, it is not draconian in terms of the defense capacity of Iraq. Iraq is left its entire force. Was this thought through? In other words, was this intentional? What was the basis for this distinction? Why did you leave Iraq in such good shape?

TP: We believed that the sanctions regime, given the fact that the country was heavily dependent on imported arms, and, in fact, the resolution itself, as you know, forever prohibits Iraq from engaging in the import of arms, that these limitations on its industrial base were sufficient to deal with this problem without trying to get into a more severe limitation. But Jim, even more than that, the view in 687 of how to handle the Iraqi people, which was also, I think, a lesson from Versailles, was an extremely important point, because the Oil for Food paragraphs were designed to set up and provide provision that was generous to the people of Iraq, and to the government of Iraq in providing for its own people in a way that, I think, no other sort of war termination endeavor in history

ever attempted to try to do. And so there were a large number of what I think were really innovative efforts, to try to deal with the question. But the import limitations created, in a sense, a box for the conventional question that we felt was sufficiently strong to inhibit new aggressive activities on the part of the Iraqis, given the armaments with which they had survived the war.

JS: Finally, since you've been back here, taking a broad view, overall do you look on UNSCOM, and does the United States look on UNSCOM as a successful experiment?

TP: Yes. I think you had earlier in one of your draft questions, "how long do we expect this to go on?" I think most of us sort of expected to have it a year or two. In fact, the fact that the issue went on so long was quite remarkable. Most of us obviously were frustrated with the increasing Iraqi capacity to stymie and find ways around the effectiveness of UNSCOM. But we all recognized at rock bottom that even with successive air campaigns, we were not likely totally to control Saddam Hussein, under circumstances where he wanted to resist these inspections; and that the impositions in the resolution were extremely far-reaching (and obviously entailed on the part of the Security Council a significant risk of early frustration) worked out extremely well in terms of how far it went and for how long, and with what degree of success. The fact it was not a perfect answer means, in fact, obviously, that it had to deal with the decisions, I think quite correctly made, that we were not going to march on Baghdad in an attempt to occupy the whole country and put it into a UN trusteeship or some colonial status. Now many today regret that decision, but I thought it was the right decision at the time. I think

that we had to pay a price to live with the consequences of that, including having Saddam around for a long period of time, which we devoutly wish to be changed, but not necessarily an easy thing to do. I think that those consequences are expensive, but they aren't worth the risks that I think we would have undertaken had we used military force to subdue or try to subdue all of Iraq.

JS: And you would say that UNSCOM did at least illustrate that a UN instrumentality can, under certain circumstances, be used for a very sensitive operation.

TP: Absolutely, for the most sensitive kind.

JS: Tom, thank you very much, I know you have other things of greater currency waiting.

TP: Thank you, Jim.



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