

# Briefing:

## Ensuring Compliance in Syria

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The details of the destruction of the Syrian government's one thousand tons of chemical agents are still being finalized by the United States, Russia, and the Organisation for the Prohibition of Chemical Weapons (OPCW), the implementing body of the 1997 Chemical Weapons Convention (CWC). In addition to the negotiations, however, another question looms large pertaining to the chemical disarmament in Syria. Namely, how should the international community react if Syria or any other States Party to the CWC does not comply with the agreed upon framework?

To answer these questions, this brief will serve as an introduction to a series of papers designed to explore some of the different methods the international community may employ if such a dilemma were to arise. For more information on chemical weapons, please refer to our previous brief<sup>a</sup> which focuses on the history of their use, their composition, and

methods for their destruction.

A situation entailing non-compliance following a disarmament agreement is not farfetched. In 2003, Libya publicly announced that in order to contribute to normalizing relations with the West, it would abandon its weapons of mass destruction (WMD) production programs.<sup>1</sup> In early 2004, it acceded to the CWC and began destruction of its weapons and production facilities with the assistance of the United States and inspected and verified by the OPCW. Initially, OPCW inspections revealed a chemical weapons arsenal that was smaller than reported by the US. While the process proved to be slower than anticipated, it nonetheless proceeded and Libya was given an extension until December 2011.<sup>2</sup> The disarmament effort came to a halt in 2007 when disputes arose between the Qaddafi government and the U.S over the distribution of payments for weapons disposal and management responsibilities.<sup>3</sup> Just as progress was about to be made after a cooperative agreement between Libya and Italy was arranged, the uprising in Libya began in February 2011. After the fall of the Qaddafi regime in October 2011, the Libyan National Transition Council reported the existence of two sites containing previously undeclared chemical weapons. The OPCW subsequently visited Libya in January 2012 and verified the declared weapons as sulfur mustard gas, not loaded into munitions.<sup>4</sup> Further, artillery for the purpose of launching chemical weapons was discovered.<sup>5</sup>

The case of Libya highlighted that despite a

state's declared intentions to disarm, a full declaration of its arsenal is not always forthcoming. In Syria, President Assad's chemical arsenal and infrastructure are more extensive than Qaddafi's and the state is in the midst of a civil war, making weapons easier to conceal. Additionally, insofar as there have not been serious actions taken to punish countries for breaking international law, there is not an extremely convincing argument for states that deem chemical weapons' use to be integral to their survival to eliminate their WMDs. In the case of Syria, there is a further political incentive to hide some weapons for future use in order to accuse the opposition forces of theft, securing the regime's longevity due to lack of support for a fractured opposition containing extremist elements.

Punishment for transgressions of international arms prohibitions can either be multilateral or unilateral, both having their own respective advantages and disadvantages. Multilateral actions tend to be better at showing that there is broad international commitment to a developing norm. These actions are less controversial and set an accepted precedent for future decisions regarding other forms of WMDs. However, many multilateral approaches may be tepid as a result of states wishing to either protect their interests or decrease another state's perceived effort for power projection. For example, one could argue that the Russian government has prioritized insulating the Assad regime, undermining the norm against chemical weapons use, due to its unwillingness to lose its access to



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the Mediterranean via its naval base in Tartus and its unwillingness to lose a source of lucrative arms contracts.<sup>6</sup> Unilateral actions, conversely, can be much stronger than cooperative ones because they are less susceptible to the hurdles presented by having multiple interests at play. Further, if unilateral measures end up being successful, they can provide a roadmap for future multilateral stances against countries that commit these infractions. That said, these actions tend to be far more controversial because they can be interpreted as interest-based power projections that do not rely on global deliberation, potentially allowing the

perpetrating state to play victim and distract attention from human rights abuses.

Part of the current predicament in crafting a response to a potential breaching of the CWC agreement by Syria is that there are no agreed upon methods of coercing compliance or punishing non-compliance. That said, ad hoc solutions have been utilized in the past and have, beyond the previous two distinctions, employed either military or non-military means to attempt to ensure compliance. The following examples demonstrate each of these methods, both of which are associated with debates concerning their morality and success.

## Military: Operation Desert Fox, 1998

One example of military action taken against a state for violating an international agreement took place in 1998 in response to Saddam Hussein's failure to comply with UN weapons inspections. On April 3, 1991, the United Nations Security Council (UNSC) passed Resolution 687, officially ending the first Persian Gulf War, returning Kuwait to free and sovereign status.<sup>7</sup> One tenet of the resolution called for Iraq to eradicate WMDs, WMD production capabilities, and associated delivery vehicles. To ensure that these precautions against future use were met, the UNSC established the United Nations Special Commission (UNSCOM) to inspect and verify, along with the International Atomic Energy Association (IAEA), the destruction of Iraq's WMD capabilities.

From the beginning and throughout the nineties, Iraq worked to hinder UNSCOM's ability to achieve its mandate by denying entry to certain suspect sites. On October 29, 1997, Iraq claimed that the inspection teams were too biased toward Western sentiments and expelled all American inspectors, causing UNSCOM to remove all

inspectors in protest of Saddam Hussein's actions. Eventually Iraq chose to once again open its facilities to international inspectors, although already by December 1997 the government declared that certain suspect "presidential palaces" were off limits.<sup>8</sup> In 1998, Iraq not only completely denied access to some palaces, but also ceased cooperation with UNSCOM. Despite protests against military action from China, Russia, and France, the U.S. and U.K. chose to ignore the wishes of the rest of the UNSC and embarked upon a four-day air campaign against Iraq, designed to punish Saddam Hussein for not being forthcoming about his WMD programs. The ultimate action entailed striking one hundred targets within Iraq that were suspected of contributing to WMD programs: air defense systems, Republican Guard units, airfields, and "economic" targets.<sup>9</sup> The extent of the success of the attack is not entirely known, but it seems to have crippled Iraq's ability to produce terror weapons as demonstrated by the absence of WMDs during Operation Iraqi Freedom five years later.

## Non-Military: International Sanctions Against Iran's Nuclear Program

One of non-military action taken against a state violating international agreement took place in 2010 as a result of an IAEA report of Iranian non-compliance with safeguard agreements placed upon it by the global community. On June 9, 2010 the UNSC passed Resolution 1929, which imposed multilateral sanctions on the Iranian government. Some sanctions included the freezing of assets of the Islamic Revolutionary Guard Corps and Islamic Republic of Iran Shipping Lines, the ban of conventional sales to Iran, the prohibition of ballistic missile activities, and a ban on certain nuclear and missile investment by Iran.<sup>10</sup> These sanctions, along with years of human rights and nuclear sanctions from the United States and European Union, have led to the high levels of inflation that may

have caused the population to grow tired of the hard line approach that existed in the state under Ayatollah Khomeini and President Mahmoud Ahmadinejad.<sup>11</sup> It is hypothesized that the worsening economic situation in Iran ultimately led to the election of the moderate cleric Hassan Rouhani, who has portrayed himself as eager to make a deal with the West in order to improve the Iranian economy and preserve its right to maintain a peaceful nuclear program.<sup>12</sup> In his short tenure as president of Iran, Rouhani has proven that international sanctions may have been a successful strategy. He has already undertaken a number of actions that would suggest a greater interest in negotiating with the West than his predecessor such as freeing 80 political prisoners, appointing

moderate Mohammad Javad Zarif to run the foreign ministry, removing the nuclear file from the more hard-line Supreme National Security Council, and having a historic phone conversation with Barack Obama.

The ensuing briefs will attempt to weigh the benefits and costs of various methods of multilateral and unilateral, military and non-military actions that can be used in response to States Parties that abrogate their obligations in dismantling weapons of mass destruction. As with many efforts, the ultimate answer will likely comprise of some sort of amalgamation of these strategies but either way, it is important to understand their efforts and their results to create a system that ultimately forces compliance and achieves deterrence.

### Endnotes

- a. URL located at <http://library.fundforpeace.org/ttcvr1313>
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