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Weapons Convention
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Mr. President, Excellencies, Distinguished Representatives, Ladies and Gentlemen, I thank you for the privilege of addressing you today. Conventional wisdom that predates the Biological and Toxin Weapons Convention (BWC) holds that verifying compliance with this treaty's prohibitions is not possible. Over the years, several nations have issued policy statements to that effect. How, then, from the outset were United Nations Special Commission (UNSCOM) biological inspectors readily able to distinguish between real civilian biological facilities and sites that were part of Iraq's offensive biological weapons program? During UNSCOM's first two biological missions, the inspectors could easily determine that a bakery, a blood bank, a dairy, and the State Company for Drug Industries at Samarra were legitimate, peaceful enterprises, whereas various indicators made the biological laboratories at Salmon Pak, the purported single cell protein plant at Al Hakam, and the foot and mouth disease vaccine plant at Al Daura stand out for their inconsistency with the prophylactic, protective, and other peaceful activities allowed by the BWC.

Many people stand ready to dismiss out of hand the experience of UNSCOM's biological inspectors as not relevant to the BWC because of the politico-military circumstances surrounding UNSCOM, which the United Nations Security Council charted to disarm Iraq as part of the ceasefire conditions following the 1991 Gulf War. From 1991-1998, in support of UNSCOM at times some nations threatened and executed military strikes to compel Iraq to cooperate and fulfill its ceasefire obligations to allow UNSCOM to destroy, remove, or render harmless prohibited nuclear, chemical, biological, and missile capabilities and to allow ongoing monitoring of Iraq's dual-use facilities. During early joint UNSCOM/International Atomic Energy Agency (IAEA) missions inspectors chased gun-firing Iraqis attempting to evade them and hide nuclear calutrons, and Iraq held an UNSCOM/IAEA team that found Saddam Hussein's blueprints for a nuclear weapon hostage in a downtown Baghdad parking lot for four-days in September 1991.

After the 1991 Gulf War, international nuclear and biological inspectors both successfully uncovered Iraq's covert weapons programs, but UNSCOM's biological inspectors went about their business in a quiet and non-confrontational manner. More to the point, sabers were not rattled or used in connection with UNSCOM's biological inspections prior to July 1, 1995, the date that Iraq admitted producing biowarfare agents after UNSCOM's biological inspectors had collected significant evidence proving Iraq had done so.

Before UNSCOM inspectors landed in Iraq, Saddam and his inner circle decided to falsify their declarations and to try to retain Iraq's most advanced weapons capabilities, including their biological weapons program. Accordingly, Iraq's first declaration to UNSCOM denied any relevant biological activity whatsoever, but prior to the first UNSCOM biological inspection Iraq declared ten dual-use biological sites. On August 2, 1991 at the beginning of UNSCOM's first biological inspection, the Iraqis flipped to a hide-in-the-open strategy, declaring a program of military biological research described as useful for defensive or offensive purposes, a statement which immediately grabbed the inspectors' attention. The Iraqis subsequently opened numerous biological facilities to UNSCOM's biological teams but with an array of activities they aimed to frustrate the inspectors' ability to determine what had really transpired at several sites. Iraq cleansed and camouflaged the biological facilities involved in its clandestine bioweapons program, stripping them of documents, certain equipment, and capabilities and sometimes substituting employees for those who had worked at facilities while offensive military activities occurred. The Iraqis delayed the UNSCOM's biological teams, tried to mislead the inspectors, and provided forged documents and inaccurate declarations. Still, the Iraqis provided access to sites and produced over two hundred Iraqis during the course of UNSCOM's inspections for interviews, although prior to speaking with UNSCOM the Iraqis instructed interviewees to maintain cover stories designed to hide Iraq's bioweapons program. In short, the Iraqis simultaneously cooperated and did their best to obfuscate and deceive UNSCOM's biological inspectors.

On closer examination, the inspection activities that enabled UNSCOM inspectors to detect Iraq's bioweapons program bear quite some resemblance to the routine inspection procedures of well-known accords such as the Chemical Weapons Convention and the Nuclear Nonproliferation Treaty. UNSCOM inspectors employed their powers of observation on-site to spot such things as production lines at Al Hakam that were identical to the production processes for botulinum toxin and anthrax, during interviews among many other telltale things the inspectors learned that the procurement office for Salman Pak and Al Hakam was situated in the Ministry of Trade but reported to Iraq's military, from documents provided by suppliers they uncovered Iraq's actual and attempted purchases of equipment and materials for the bioweapons program, and from sampling they pinpointed several inaccuracies in Iraq's post-1995 declarations and clarified that the spray drier in the biopesticide line at Al Hakam was churning out particles of *B. thuringiensis*, the simulatant of choice for anthrax, that were less than ten microns in size, ideal for a biowarfare agent but useless for the biopesticide Iraq claimed to be making. As they amassed the incriminating evidence that painted Baghdad into a corner and led to Iraq's aforementioned mea culpa on July 1, 1995, the chiefs of UNSCOM's biological teams notified the Iraqis in advance where their teams were going and deftly wielded the typical inspectors' toolkit—examination of documents, on-site inspection, interviews, and sampling.

Of note, UNSCOM's biological inspectors did not employ no-notice inspections until after Iraq's admissions of production and weaponization of biowarfare agents in the summer of 1995. UNSCOM resorted to challenge inspection-like tactics to try to confirm Iraq's changing statements about the quantities of agents and simulatants were produced, how much of which type of agent was consumed in testing and loaded into missile warheads and bombs, and how Iraq unilaterally disposed of its biological weapons and bulk biowarfare agent. Because UNSCOM was unable to confirm or refute various aspects of Iraq's

biological declaration, the phrase “unaccounted for” appeared frequently in UNSCOM’s reports on the status of its biological inspections from 1996 to 1998.

On several occasions, most notably in April 1995 and in March and July 1998, UNSCOM’s biological inspectors presented evidence that Iraq’s biological declarations were incomplete and inaccurate to multinational panels of distinguished scientists, who uniformly supported UNSCOM’s conclusions. UNSCOM then presented this evidence to the Security Council.

UNSCOM inspections ran from August 1991-December 1998, beginning before the VEREX talks, even before the Ad Hoc Group’s attempt to negotiate a legally binding verification protocol for the BWC. In *Germ Gambits* (Stanford University Press, 2001), the UNSCOM inspectors themselves tell how they uncovered Iraq’s ultra-secret bioweapons program, detailing their successes alongside their mistakes and explaining how out of necessity they blazed trails with biological field inspections. In addition, *Germ Gambits* contains the lessons from this experience about inspection strategies, tactics, and operational procedures, including the recommendation that States Parties of the BWC study and learn from their experience.

The research for *Germ Gambits* started because I kept hearing well-respected senior officials from multiple countries saying things that were not true about UNSCOM’s biological inspections. Among many others, a US president and a British prime minister credit Iraqi defector Hussein Kamal, Saddam’s powerful son-in-law, with the unveiling of Iraq’s bioweapons program. This myth is patently untrue: Kamal defected over a month after Iraq admitted producing biowarfare agents because UNSCOM’s inspectors had gathered sufficient evidence so as to leave Iraq no other choice but to recant its previous denials. Moreover, many believe that the document cache found at the Haidar farm after Kamal’s defection contained an avalanche of useful documents for the biological inspectors and that UNSCOM’s inspectors did not find anything that was not previously known to intelligence. Last, but certainly not least, is the conventional wisdom that inspections cannot be effective. Each of these myths is false, so hopefully the detailed history and analysis in *Germ Gambits* will begin to dispel them.

UNSCOM operated at an extremely rapid pace and with a skeletal headquarters staff, with the overwhelming majority of inspectors and team chiefs seconded temporarily for inspections. I was stunned to learn that the 2002 meeting of UNSCOM biological inspectors constituted the first time they gathered to discuss, compare, and collectively reflect on their experiences in Iraq and that no government had made a systematic effort to interview them and learn from their experiences. Given the importance of what they did, it would be gross negligence not to bring this data and the inspectors’ insights to the attention of the international community, particularly those in the BWC arena.

Beyond what is contained in *Germ Gambits*, I am confident that the Member States of the BWC could benefit from hearing directly from former UNSCOM biological inspectors. Ask Dr. Gabriele Kraatz-Wadsack of Germany and Dr. Yang Ruifu of the People’s Republic of China how to monitor dual-use biological facilities and what can be ascertained from monitoring, William Leberherz of the United States how to determine whether the equipment, materials, and set-up at a biological production plant are consistent with commercial purposes, Rod Barton of Australia how to run down the paper trail of

suppliers to an illicit bioweapons program, or Hamish Killip of the United Kingdom how to detect the shadow of truth in a lie during interviews. UNSCOM's biological inspectors have hard-won knowledge that they are willing to share, knowledge that can help the States Parties of the BWC chart a course for more robust measures to confirm compliance with the BWC.

Following the collapse of the BWC protocol negotiations, many BWC States Parties are understandably reluctant to reconsider the issue of inspections. However, a decade has passed since 2001, and it is time to get back to the drawing board. Moreover, it is necessary to do so. Even as a nongovernmental analyst, regrettably and frequently, I have come face-to-face with the suspicions simmering in far too many countries that several nations, including the United States, continue to harbor active bioweapons programs. As things presently stand, there is no way to put such allegations to rest or to arrest such programs, should they exist. Clandestine germ weapons programs pose an equal threat to all. Everyone knows that contagious diseases such as plague, Marburg, and smallpox have been weaponized, and a contagious disease deliberately released virtually anywhere on the planet would circumnavigate the globe within a very short period of time.

Therefore, a strong collective interest in strengthening the compliance provisions of the BWC should resonate at this Review Conference. The public worldwide is depending on the States Parties of the BWC to spare no effort in making sure that the norm against biological weapons is policed and upheld. On behalf of the inspectors who did what many think is impossible, we sincerely hope that you act on that responsibility. Please, do not judge UNSCOM's biological inspections by the politico-military setting in which they took place. This experience could provide vital assistance to BWC States Parties in understanding the capabilities and limitations of inspections of dual-use biological facilities.

Even the optimists at this Review Conference do not expect a decision to authorize the resumption of protocol negotiations, though such an outcome would be cause for celebration. A way must be found, however, for BWC States Parties to restart a dialogue about verification, to learn from applicable historical experience, and to explore options feasible in the 21st century to strengthen the compliance provisions of the BWC. A reasonable start would be the establishment a working group to consider these matters, a VEREX-II type of an approach.

In closing, I will ask you to contemplate for a moment what might have transpired had UNSCOM's inspectors believed the conventional wisdom about the impossibility of verification in the biological context, if they had quit when the going got tough, or if they had ultimately failed and Saddam not only retained his biological arsenal but also resurrected and advanced the bioweapons program they mothballed just before UNSCOM's inspections began. Mr. President, Excellencies, Distinguished Representatives, Ladies and Gentlemen, I submit to you that what happened in the sands of Iraq proves that it is time for the BWC States Parties to reevaluate conventional wisdom. I respectfully suggest that this Review Conference initiate that process, and I wish you success in your endeavors. Thank you for your attention and consideration of these views and this data, which are provided in much greater detail in *Germ Gambits*.