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U.S. OPTIONS IN CONFRONTING IRAQ

HEARING

BEFORE THE

COMMITTEE ON INTERNATIONAL RELATIONS HOUSE OF REPRESENTATIVES

ONE HUNDRED FIFTH CONGRESS

SECOND SESSION

FEBRUARY 25, 1998

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U.S. OPTIONS IN CONFRONTING IRAQ

WEDNESDAY, FEBRUARY 25, 1998

HOUSE OF REPRESENTATIVES,
COMMITTEE ON INTERNATIONAL RELATIONS,
Washington, DC.

The Committee met, pursuant to notice, in room 2172, Rayburn House Office Building, Honorable Benjamin A. Gilman (chairman of the Committee) presiding.

Chairman GILMAN. [presiding] The Committee will come to order; Members will take their seats.

The subject of today's hearing is U.S. options in confronting Iraq. When we planned this hearing initially, we thought we'd spend most of our time today exploring the risks and rewards associated with military action against Iraq, but the agreement reached in Iraq 2 days ago by U.N. Secretary General Kofi Annan has changed that equation. Military action remains a distinct possibility down the road, but for the time being, President Clinton has committed our Nation to seek in good faith to implement the agreement negotiated by the Secretary General.

Many of us are skeptical of that agreement. Saddam Hussein has broken his word to the United Nations many times before. Perhaps this time he means to honor his commitments, but we tend to have some skepticism about all of that.

There are several provisions within the agreement that are deeply troubling. It obligates U.N. weapons inspectors to, and I quote, "respect the legitimate concerns of Iraq relating to national security, sovereignty, and dignity." That sounds an awful lot like Saddam Hussein's description of what the dispute was all about in the first place.

The agreement changes the composition and the structure of the U.N. inspection agency in ways that may reduce its effectiveness. The agreement then goes on to direct the reconstituted inspection agency to carry out its work in accordance with, and I quote, "specific detailed procedures which will be developed, given the special nature of the Presidential sites."

We don't know just what these specific detailed procedures will be, but if they are designed to respect the legitimate concerns of Iraq relating to national security, to sovereignty, and to dignity, as defined by Saddam Hussein, there's bound to be some problem up ahead.

Most troubling of all is the question of whether this agreement commits us to a course that will in short order render the continuation of international sanctions on Iraq untenable. Make no mistake about it, the sanctions regime that has been in place against

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Iraq since 1990 has been one of our most effective tools in containing the threat posed by Saddam Hussein.

In that connection, we should recall that during Congress' 1991 debate over whether to authorize President Bush to use military force to expel the Iraqi army from Kuwait, a significant minority of this institution held the sanctions regime in such high regard that they urged us to rely on it to the exclusion of military force as a means most likely to restore freedom to Kuwait.

It would, indeed, be tragic if the net result of the saber-rattling we witnessed over the last several weeks was to speed up the lifting of international sanctions on Saddam Hussein. For all these reasons, many of us were surprised when President Clinton rushed to embrace the agreement negotiated by the Secretary General. Some suggest that the Administration may have developed second thoughts about the military course to which it had been committed previously. Whether that course was a wise one is a subject we hope to explore today.

For example, was the confrontational course adopted by the Administration warranted by changes in Iraqi behavior over the last several months or was Iraq simply behaving as it has since the war ended in 1991? Was the Administration strategy of using air power to coerce Iraq into complying with the Security Council resolutions likely to succeed or would it have isolated us internationally without advancing our objectives in Iraq?

And, finally, I think we all agree that our Nation needs a more comprehensive strategy to deal with the real problem in Iraq, Saddam Hussein's continued grip on power. What are the necessary elements for such a strategy? Does the Secretary General's agreement with Iraq make it easier or harder for us to carry out such a strategy? These are topics that I hope our witnesses will be able to address for us this morning.

But before introducing our witnesses, I'll recognize our ranking Member, Mr. Hamilton.

Mr. HAMILTON. Thank you very much, Mr. Chairman. I'm very pleased that you're having the hearing, and I look forward to hearing our distinguished witnesses this morning, and welcome each of them to the Committee for that purpose.

I guess all of us have a lot of questions about the agreement that was negotiated, and we clearly are headed for a period of testing to see whether in this instance Saddam Hussein lives up to his word or not. Quite clearly, as your statement reflected, all of us are skeptical, and I think we have a right to be skeptical, about Saddam Hussein's promises and agreements.

We'll all be looking very carefully, of course, in the next few days on the implementation. Words are one thing, and implementation and deeds are quite another, and the key, of course, will be in the implementation. I think our bottom line, which is to have unfettered access to all of the sites, is the right one, and we must continue to insist upon it, as we move along here.

But we have with us today genuine experts on these matters, and I look forward to their testimony.

Chairman GILMAN. Thank you, Mr. Hamilton.

Any other Members seeking recognition? Mr. Clement.

Mr. CLEMENT. Thank you, Mr. Chairman.

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I'm pleased also with these hearings. I'm also pleased that we have peace rather than bombing or the missiles flying at this particular time. I think that a lot of people around the country were very concerned that we were going to have a military attack. I just think our timing was wrong—a lot of unrest in the world. The economy in the United States is very strong, as a lot of us know, but in other countries they're experiencing high unemployment, high inflation. And because of all this, and knowing that the bombing itself would not necessarily get Saddam Hussein out of power, and knowing also that by destroying much of Iraq's infrastructure, maybe their electrical system, maybe their sewer system, bring about more refugees in the world, and also the fact, what about if we happen to hit one of those chemical/biological agents and 2 to 3 million people in Iraq were killed? What would be the potential for more conflicts in the world and more international terrorism, where the United States is looked upon as the bully or the country that is trying to dominate other nations?

I'm proud of the United States. I'm proud of what we've accomplished in the world. I'm proud of the fact that we stand for freedom and democracy. And I'm really looking forward to hearing all the witnesses today to talk about what we might have avoided by not bombing at this particular time, but I surely agree with the chairman and Mr. Hamilton that we want Saddam Hussein to fulfill these written commitments that our Secretary General has been able to get from the Iraqi leadership. This is very important to us, but I think we should do everything we possibly can to keep the peace. I think this is a good day, not a bad day, that we have peace, and if we can keep the peace and still keep the heat and pressure on Saddam to fulfill the commitments and open up these sites, and make sure these inspections are done in an expeditious manner, because I know a lot of the Iraqi people sure have suffered greatly under these economic sanctions, because of Saddam Hussein's ruthless dictatorship, and not being concerned about his people.

Thank you.

Chairman GILMAN. Thank you, Mr. Clement. Mr. Leach.

Mr. LEACH. Well, maybe this is a good week to discuss a little bit about perspective. And of the perspectives that I think are not inappropriate, one relates to the fact that we institute in a policy in almost a domino way of decisionmaking without, in my judgment, a very clear understanding of what the end result would be. The fact that the U.N. Secretary General stepped in with an agreement is something all of us ought to bear in mind as we think about whether or not we can afford a dollar a year per citizen to support the United Nations in our annual dues. I personally think that the institution of the United Nations, which the Secretary General symbolizes, saved us many, many, many more dollars in 1 week that we would be expending for our annual dues.

Second, as a former foreign service officer, I was part of the delegation that negotiated the Biological Weapons Convention of 1972, and I would stress that I do not believe that this Administration thought very well through the distinction between biological and chemical weapons. As Mr. Clement noted, the possibility of hitting

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a site with awesome effects is not trivial. Those numbers are inconceivable with a chemical weapon circumstance.

But the idea that one could bomb a biological plant from 30,000 feet and have any hope that that would be a secure thing to do is beyond human comprehension, and I don't think there's a single member of the scientific community of the United States that would consider that as a very secure option for our government.

The thing about biological weapons that everyone in the field has understood for many years is that these are agents that are living organisms, and they have no bound. You don't know if they're going to be contained in Iraq or if they're going to spread around the world. So I think this potential strategy is something that was not very deeply thought through, and people are obligated to do it.

There is a second aspect that I think Baghdad ought to give a lot of thought to, and that relates to Richard Nixon. In 1969, President Nixon unilaterally determined that the United States would stop experimenting with biological agents, and he made that determination after a major scientific study in the United States in which it was determined that in the most sophisticated, scientific country in the world that it was too dangerous to even experiment with these agents in careful laboratory conditions; that they were too apt to get out. That is one of the reasons that in a unilateral decision we determined not to go forward with the biological capacity, and I think that that judgment is something that all countries in the world ought to be thinking through.

Finally, let me just say that everybody in international relations knows that a professor of Harvard named Samuel Huntington has fleshed out a thesis that's been around for many decades in international affairs: the whole notion that maybe the world is moving toward a clash of civilizations rather than nation states. My own view is, as we think through the reaction in this country of the Muslim community, as well as look at the reaction in the Arab world, it's not inconceivable that this kind of act that we were very close to contemplating could have been the first circumstance in world affairs where that clash could well have been precipitated. And I just think that all of us ought to give pause to think through what almost occurred and breathe a sigh of relief that it didn't.

Thank you.

Chairman GILMAN. Thank you, Mr. Leach. Mr. Lantos.

Mr. LANTOS. Thank you, Mr. Chairman.

Mr. Chairman, we all know that peace is fragile any place, and it's particularly fragile in the Middle East, and only time will tell whether the agreement negotiated by the Secretary General will hold. The best guarantee of its holding, of course, is the presence of a robust U.S./British military force on the ground and in the air and in the seas. It is much too early at this stage to pass definitive judgment on the outcome of these discussions Mr. Kofi Annan had in Baghdad.

There is one thing, however, which I do not believe is debatable. We are better off today than we were several days ago, and the extraordinary diplomatic skill of this extraordinary international public servant needs and deserves recognition. I am asking my colleagues to join me in nominating Kofi Annan for the Nobel Peace Prize, which he so richly deserves. Other recipients of the Nobel

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Peace Prize have seen subsequent events snatch away from them the peace they had sought, and that might well be the case with Kofi Annan, but I think all of us, and indeed the entire world, owe him a profound sense of gratitude. A man of impeccable integrity, extraordinary intelligence, and a profound commitment to the finest values of a civilized society has achieved, with the presence of U.S. military force in the region, a remarkable victory, and I hope all of my colleagues across the aisle will join me in nominating him for the Nobel Peace Prize.

I thank the Chair.

Chairman GILMAN. Thank you, Mr. Lantos. Mr. Bereuter.

Mr. BEREUTER. Thank you, Mr. Chairman. I do appreciate the fact that you have scheduled these hearings today, and I look forward to our witnesses, but this is one of those rare opportunities to say a few things about this situation with our colleagues.

This past week I led a delegation in our annual meeting to the North Atlantic Assembly where we visited with parliamentarians from the other 15 NATO countries. The conversation and debate inevitably turned to Iraq, since it was expected that the military strike could be launched soon against Iraq. After listening to our European and Canadian colleagues, I spoke and said I thought that our colleagues here and also in our 15 NATO counterpart countries had a right to expect answers to three questions, or three kinds of things that should happen.

One, they had a right to expect that the U.S. Administration—which would be leading such a strike—had thought through all of the potential consequences of the strike and was prepared to deal with those consequences. That was not clear to many Members of Congress; it was not clear to me.

Two, I said I thought they had a right to expect that our government would better inform our citizens and their governments better inform their citizens about the consequences of biological and chemical weaponry. That had not been done, really still has not been done. It was surprising to me to find that, so far, the best spokesman about the incredible dangers of these forms of weapons of mass destruction was Prime Minister Tony Blair when he was here at a news conference.

Three, I said that if we were asking for their support for such a military strike, they had a right to expect, as I think Members of Congress do, that planning was underway at least for removing Saddam Hussein from power in Iraq, because that is ultimately the only solution to this problem. If anyone here believes that he intends to keep his promises or intends not to stall in the inspection process and do everything possible to thwart that inspection process, they have not looked at the record; they don't understand this man. That's what the American people were saying: If you're going to do something in the way of a military strike, let's make sure we're not required to do this, in effect, every several months.

One of my colleagues and I, Howard Berman, visited Israel after that meeting, and there was understandable nervousness and concern on the part of the Israeli people and other people living in Israel at that time—but not panic. After all, they remember that Saddam Hussein lobbed those scud missiles into Israel during the last conflict, even though they did nothing to precipitate it. And so

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the *Jerusalem Post* and other newspapers were full of stories about the preparations for protecting themselves against a chemical and biological attack, because we've known now, after looking at what happened in Iraq, that Saddam Hussein had weaponized missiles to deliver chemical and biological weapons even some years ago.

And so you found discussion among parents about whether schools were taking adequate protection to protect the children, because, after all, children, especially small ones, cannot cope with gas masks for any length of time. That's why our ambassador said to all of our embassy and consulate personnel at 5 p.m. on Friday that they were free to leave with their children. It's why the number of visas was up 40 percent. That's why the number of people moving to Elat as far away as possible from Iran was happening, and it's why there was so much concern about what was happening. So they understand the incredible devastation that these weapons of mass destruction can bring at least a little bit better than Europeans, Americans, and Canadians.

I urge my colleagues to think long and hard about not being lulled into a sense of complacency about this problem. This problem, even if Kofi Annan has pulled off a remarkable feat, is not going to go away.

Thank you, Mr. Chairman.

Chairman GILMAN. Thank you, Mr. Bereuter. I'm going to urge my Members to be brief, so we can get on with our witnesses. Mr. Fox.

Mr. FOX. Thank you, Mr. Chairman.

Certainly, Mr. Chairman, these are bipartisan issues. The Secretary General's agreement is a breakthrough. However, the proof will be in the execution of the agreement and not the signing.

For many of us, two questions remain. One, if the sites of the weapons of mass destruction are inspected freely and with no time limits, in accordance with this new agreement, what about the weapons that have been moved out of Iraq? What about the disclosure regarding those and the inspection and their elimination? And, two, if sanctions have not worked with Saddam Hussein in the past, then what will?

Thank you very much.

Chairman GILMAN. Thank you, Mr. Fox.

And now I'm pleased to call on our witnesses. Dr. Paul Wolfowitz is dean of Johns Hopkins School of Advanced International Studies. Previously, he held a number of important government positions, including his position as Ambassador to Indonesia during the Reagan Administration and Under Secretary for Defense for Policy during the Bush Administration.

Dr. Richard Haass is director of foreign policy studies at the Brookings Institution. He also has served in government, most notably, as Special Assistant to the President and Senior Director for Near East and South Asian Affairs for President Bush during the Gulf War.

Dr. David Kay is vice president of Science Applications International Corporation and director of the Center for Counterterrorism Technology and Analysis. He has served as the U.N.'s chief weapons inspector in Iraq, and led numerous weapons inspection teams in Iraq following the Gulf War.

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Our final witness, Dr. Eliot Cohen, who I understand will be arriving shortly, is a professor of strategic studies at Johns Hopkins School of Advanced International Studies. Among other achievements, he directed and edited "The Gulf War Air Power Survey," which was the Air Force official review of the contributions of air power to our 1991 victory over Saddam Hussein.

Gentlemen, we thank you for taking the time to join us this morning. Dr. Wolfowitz, do you have a short summary of your testimony, or if you prefer, we'll put the entire testimony in the record. Please proceed.

STATEMENT OF PAUL WOLFOWITZ, FORMER AMBASSADOR TO INDONESIA, AND DEAN, PAUL NITZE SCHOOL OF ADVANCED INTERNATIONAL STUDIES, JOHNS HOPKINS UNIVERSITY

Mr. WOLFOWITZ. If you don't mind, I'll put the whole statement in the record, and I'll just concentrate in these remarks on a portion of it.

Chairman GILMAN. Without objection.

Mr. WOLFOWITZ. I'm going to skip very lightly over the first three pages, which talk about the agreement itself. Let me say at the outset I'm not only pleased at the opportunity to testify before this Committee; I'm delighted at the change in subject matter from the time of the initial invitation. I thought we were going to come up here to talk about how to bomb Iraq or whether to bomb Iraq, and instead, we're taking about an agreement. I'm going to say some negative things about the agreement, but I'm much happier that we're in this situation than in a different one.

But I'm not going to go into a lot of detail about it because David Kay is the real expert on UNSCOM. He served on UNSCOM, and he will have a lot more to say.

I think the important thing that I want to emphasize is that, even if this is the best possible agreement, even if it allows free, unfettered access to all the sites in Iraq, which is the best possible outcome, and remember that that comes after 4½ months of plenty of time to hide and move stuff, so we're not starting back at square one. The inspectors are starting back at square minus seventeen at best.

But the best possible outcome is that eventually the inspectors get lucky; they get another high-level defector, or somehow they get on the trail again, and eventually they start to find the stuff, and then they're going to be blocked again. I don't think anyone has any doubt, though we may want to say we keep open minds, about what Saddam Hussein is up to here, and if the inspections are successful, they will be blocked again. And then we'll be back in the same position that we were this week, of having to choose between a bad agreement and worse military options. I want to say briefly why I think the military options that we were considering were awful, and then I want to talk about what I think the right options should be.

I think they were awful because they promised to accomplish next to nothing, at the cost of American lives, at the cost of probably large numbers of Iraqi civilian lives, at enormous political cost to anyone who's associated with us in the Arab world because this was already creating a firestorm even before the bombs fell. And

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all of those costs, you may say, are worth bearing, or in Mr. Berger's words, worth fighting for, if you are achieving something, but I submit that substantially reducing his threat of weapons of mass destruction, which is the goal the Administration finally settled on, is not that objective.

In fact, as Secretary Cohen emphasized with his five-pound bag of sugar, you have to do a lot more than substantially reduce in order to deal with this threat. And I think everyone really does know the only real way to deal with this threat is, in fact, to deal with Saddam Hussein.

And I think the relevant question is the question that that old veteran asked at Columbus, Ohio, and I'm quoting from him, so the profanity is his and not mine. "If push comes to shove, and Saddam will not back down, will not allow or keep his word, are we ready and willing to send the troops and finish this job, or are we going to do it half-ass, the way we did it before?"

I think it is the right question. I think the answers that he got are not very impressive answers. If I can read from page 4 at the bottom of my prepared testimony, Secretary Cohen answered him that, "What we are seeking to do is not to topple Saddam Hussein, but to do what the United Nations has said in its declarations." But on other occasions, he has emphasized that this goes beyond anything the United Nations may or may not recognize in its declarations. The President has said correctly this is about the future of the 21st century. I don't think that we should be limited by what may or may not be in U.N. resolutions, if in fact the fundamental security of this country—and, indeed, the peace of the world—is at stake.

Saddam Hussein has demonstrated that he will cheat and try to build weapons of mass destruction as long as he remains in power. He has demonstrated, and I'd like to emphasize this because I continue to be astonished at how many people still are not aware that he tried to assassinate former President George Bush, early in the term of a new American Administration, with whom he had every reason to try to get on good behavior. This is a man who's bent on vengeance; he demonstrated when he burned Kuwait's oil fields as his army left that country, and he continues to be bent on vengeance against anyone who opposed him. This is like a super-mafia godfather, and he doesn't forget; he doesn't forgive. His power is based on his ability to punish.

He demonstrated not only in 1990, but then, surprisingly, soon again in 1994 that he will pose a threat to Kuwait whenever he thinks he has a chance. He has demonstrated time and time again that he will conduct genocide and war crimes against his own people. He has gased them with chemical weapons. He has forced them to dig mass graves and machine gun them. He has diverted rivers to starve them and drive them out of their homes. The one effective way to cope with the weapons of mass destruction problem and these other problems is to help the Iraqi people remove him from power.

As President Clinton said, the issue of weapons of mass destruction is one that concerns the future of the 21st century, and as Mr. Berger said in Columbus, it is an issue "worth fighting for." Why is it worth fighting for ineffectively with air power and not worth

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fighting for effectively with means that will work? Instead of deciding what means it is willing to use and then tailoring the goals to fit them, the Clinton Administration should decide what it takes to do the job, and ask the country to support it.

However—and I think this is very important—the estimates that it would take a major invasion with U.S. ground forces seriously overestimates Saddam Hussein. We did the same thing for much too long in Bosnia, where we painted a brutal mob of aggressors as mighty giants, when in fact they turned out to be military pygmies.

There was some excuse for overestimating the capability of the fourth largest army in the world, as we called it—it was, on paper anyway—prior to the Gulf War, when all we had to go on was their performance against Iran in the long, brutal war in the 1980's. There is no reason to be doing so today, when their weakness was exposed in 1991 and when the Iraqi army of today is even further demoralized and weaker than the one that we faced then.

The key to getting at Saddam Hussein is also the basis of his power. Saddam has been compared often to Hitler, people say too often. Let me offer you maybe a more appropriate comparison. I think he's better compared to Stalin. Hitler ruled by many means; terror was only one of them. For Stalin, terror was the beginning and the end, and for Saddam terror is the beginning and the end. Many of the calculations that we find irrational are calculations meant to terrorize people, including his closest associates. He trusts no one around him, and for very good reason.

I think that is the asset that we have to use, and I think, unfortunately, a measure of how we've squandered that asset or how much it has diminished can be illustrated if I tell you a little anecdote that I read about in a diplomatic or intelligence report about a month after the Gulf War. It was a story about a group of U.N. inspectors, four in a car, traveling inside Iraq—not inspectors; I believe they were AID officials. They were stopped in an Iraqi roadblock, and one of them was an American. When the Iraqi soldier, with his AK–47 saw the American passport, he told the American to get out of the car, pointed with his gun to the back, moved the American to the back of the car. By this time, the poor American thought he was about to be shot. Instead, the Iraqi soldier looked over both shoulders, looked behind his back, and when he was sure no one was looking, he gave a thumbs up and he said, "George Bush No. 1." That's how the Iraqi people, 98 percent of them, felt about the United States after that war. They thought we were going to finish the job that they desperately wanted to see done.

I think it is a measure of where we have come now that throughout Iraq and throughout large portions of the Arab world it is now believed that if Saddam Hussein is still in power 7 years after this war, it must be because it's convenient for the United States to have him there, and then they construct a bunch of reasons, which I'm not endorsing by mentioning them, but they construct a fabric of sort of plausibility—that we like having an excuse to have our troops in the region; we like having an opportunity to contain Iraq; we like having an opportunity to beat up on Iraq from time to time.

The fact is, of course, as you all know, the American people would like nothing more than to see Saddam out of power. Presi-

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dent Clinton will be a hero if he's the President that can accomplish that aim. He's not there because we want him there, but he is there, I think, because we haven't really tried hard enough to get rid of him.

And I just want to conclude with three points, Mr. Chairman. First of all, in spite of claims from the Administration and, to be fair, from prior Administrations, we have not, in my view, ever really tried serious support for the Iraqi opposition. And, again in fairness, I think the best opportunity to overthrow Saddam was, unfortunately, lost in the month right after the war. I think in fairness also, George Bush did an incredible job in getting the Iraqi army out of Kuwait. He didn't exactly have a unified country behind him. He certainly didn't have a country urging him to do more. There were a lot of reasons to be a bit slow in figuring out what happened.

But, unfortunately, the result was that, for a month in March 1991, Saddam Hussein flew helicopters that slaughtered the people in the south and in the north who were rising up against him, while American fighter pilots flew overhead, desperately eager to shoot down those helicopters, and not allowed to do so.

But, in fact, I think the Clinton Administration, which promised more when it came in, has delivered less, and the real low point for me was in the fall of 1996, when the very people that we had promised to support were rolled up in the north while we bombed a few useless radars in the south and declared that the north was of no strategic importance. That is not serious. That is not how you get people to die for a cause. That's how you get people to feel that dying is going to be absolutely useless.

Second, I don't believe that it's as hard as it is made to sound. Maybe it's not as simple as it sometimes sounds, but it's certainly not as hard as Sandy Berger makes it sound when he talks about a major land invasion of Iraq.

I know there are differences between Iraq and Afghanistan, but I think it is relevant to point out that we overthrew the Soviet-backed government in Afghanistan without a single American ground troop; matter of fact, without a single American pilot. But we would never have done it without a single American weapon, and that is, in effect, what we were trying to do in Iraq. For all the talk about opposing Saddam, for all the talk about supporting the opposition, the United States has yet to deliver a single rifle to the Iraqi opposition, much less the kind of anti-tank weaponry, for example, that could be a real equalizer for them.

I know there are differences with Afghanistan. In fact, I would hope that Iraq might someday have a fate that's better than Afghanistan's, but I don't believe all those differences argue for why this should be more difficult. After all, the beaten Iraqi army is not the red army of the Soviet Union. Having the American Air Force literally 20 miles away is not quite the same thing as what the Mujahedin faced in Afghanistan. The Mujahedin may have been tough customers, but I believe Saddam Hussein is not 10 feet tall.

And we don't have to go to other countries or analogies to understand this. Let me mention briefly, because I don't believe this history is sufficiently known or appreciated, that Operation Provide Comfort, which, to his great credit, President Bush ordered about

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a month after the end of the war, when it became apparent that we, and in particular our Turkish ally, could not tolerate the effects of Saddam's depredations in northern Iraq—at that point, the President ordered the Iraqi army out of the northern part of the country, and we were able to accomplish that with a large number of lightly armed Kurdish irregulars, with eight battalions, I believe it was, of light infantry, of which only two were American. One was Royal Marines; the other was a fairly motley collection of troops from Spain, the first ever deployed overseas in 50 years; Luxembourg, that great military power; Italy. This was not what you would call a big force. But, of course, it was backed up by the U.S. Air Force, and the Iraqi army, for some reason, doesn't feel any more like going up against the U.S. Air Force.

And in one famous incident involving Operation Provide Comfort, a colonel named Richard Knapp, with his Kurdish interpreter and a jeep and an M–16, faced an Iraqi brigade moving north, and told them to turn around and go back. And the Iraqi commander said, "This is my country. Who are you to order me around?"

And Colonel Knapp took his M–16 and pointed at him and said, "This is who I am. Turn around." And they turned around.

I'm not saying that it's necessarily that easy, but I do believe that, if anything, Afghanistan was much more difficult. Saddam Hussein is far weaker than these statements about major ground invasions imply, and again, I would remind you of Bosnia.

And the third point I would like to make is, while getting rid of Saddam is what will change the situation, curbing his power, liberating even portions of his country, will make a difference, and the goal is liberation. We should get away from thinking about planning coup attempts in downtown, in Baghdad. It is not quite a certainty—nothing in life is certain—but it is nearly a certainty, given the penalties that you pay in Iraq, and that your children pay, if you fail to report conspiracies, that any conspiracy will be discovered and penetrated fairly soon, and as we've experienced in the past, hundreds of people will then be rolled up and executed.

Saddam has very good security against that kind of thing. I think it's also foolish to think that we'll somehow put a bomb in his living room. I don't even think that's probably right, but we'll never succeed at it.

It's a mistake to ask, as I've heard senior Administration officials ask, "What do we do when an Iraqi division commander announces that he's heading for the Presidential palace; he's about to seize power, and he wants our support?" My answer is, you sent out the wrong message if that's what he's doing, because he's heading in the wrong direction. The message to any Iraqi commander that wants to defect is it's perfectly safe; we have a secure zone for you in the south. We have a democratic opposition that is organizing a provisional government of free Iraq. Come join them; you'll be safe, and we'll turn the Iraqi army around.

I think the agreement that Kofi Annan has just signed—and that David Kay will say more about, can best be said, it buys some time for us. If at the end of that time we're left in the same blind alley with lousy military options and bad agreements to choose between, then we will not have used that time well.

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I think it's important to start using that time right now, and I think the Congress has a role. On this note, I'd like to conclude. I think there are two things I would stress as particularly important. The most urgent thing is to deal with the issue of Saddam's legitimacy. One of the great setbacks in this agreement is that Saddam Hussein has now concluded an agreement with the Secretary General of the United Nations, and I was appalled to hear the Secretary General say, "This is a man we can do business with." That is a phrase Margaret Thatcher used about Michel Gorbachev, but Michel Gorbachev was no Saddam Hussein. I believe it is important to emphasize that this is a man we cannot do business with, and I believe the effort by a number in this House and a number in the Senate to press the issue of war crimes indictment is a very important issue.

And don't let people tell you it's meaningless because we'll never get Saddam; we'll never bring him to trial. It is important, even if you don't. It is important as a clear statement that the United States does not plan to deal with this man in the future. That is important in emboldening opposition to him. It is important in the efforts of a new government of Iraq in a provisional state to be able to secure access to things like Iraqi assets. It is very important.

And, finally, I would like to urge, Mr. Chairman, that you consider appropriating money. This Congress appropriated $100 million to equip and train the Bosnians at a time when the Administration still had them under an arms embargo. When it finally turned out that we were ready to do something, that money was the only money from the United States that was available to provide a program that has been essential to the success so far of the Dayton efforts. I believe you can do a similar service here by making clear that there is military support available from the United States for Iraqis that will take their fate in their own hands.

Thank you very much.

[The prepared statement of Mr. Wolfowitz appears in the appendix.]

Chairman GILMAN. Thank you, Mr. Wolfowitz.

Dr. Richard Haass, director of foreign policy studies at the Brookings Institute, and one of the most widely quoted experts on contemporary foreign policy. Dr. Haass. Again, you may put your entire statement in the record and summarize, or however you wish to proceed.

STATEMENT OF RICHARD HAASS, DIRECTOR, FOREIGN POLICY STUDIES PROGRAM, THE BROOKINGS INSTITUTE

Mr. HAASS. Thank you, Mr. Chairman. That's actually how I'd like to proceed—put the written statement in the record, and I'll just make a few points.

Chairman GILMAN. Without objection.

Mr. HAASS. Thank you, sir.

I won't spend a lot of time this morning assessing the deal that the Secretary General signed with the Iraqis. To be blunt, it is not ideal, but also it is a done deal. And sometimes one has to take yes, or a near yes, for an answer, and I would think that this is one of those times.

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The reason is simply that we would be too isolated in opposition to this agreement. And, also, we should keep in mind three things. We are talking about U.N. resolutions, U.N. inspectors, and the fact that from the outset the United States has said that this is not a struggle between the United States and Iraq, but between Iraq and the international community. Well, now the Secretary General, who as much as anyone represents the international community, has negotiated this arrangement. Again, there are problems with it, but more important than any problems in the text will be the need, as both you and Mr. Hamilton have pointed out, to test Saddam through implementation. So that the next phase for American foreign policy and for this entire issue ought to be less to put this agreement under a microscope and more to test it.

Toward that end, I think we should encourage UNSCOM, the International Atomic Energy Agency, and this new special group that is created by this agreement to undertake the most aggressive, sustained series of inspections that we have seen to date. Let's find out whether Saddam Hussein, at least for the time being, plans to live up to this agreement.

And the reason we should do this now is that we have the largest accumulation of American military force in the region since Desert Storm, something that gives us enormous leverage. So if there is any repeated frustration by Saddam Hussein of the inspectors, the fact that we have 300-plus aircraft in the region gives us an immediate option. We don't have to once again go through the entire process of trying to gather our forces and watch the diplomatic sense of urgency dissipate.

So, again, I would take advantage of that presence. Hopefully, that will be enough to persuade Saddam to live up to this agreement. If not, then we ought to hit hard against the Republican Guards, and, slightly different from what the Administration had planned to do, I would not simply hit hard in a punitive manner, to punish. I would hit hard in a coercive manner and continue hitting until we could get unconditional, unfettered access for those inspectors. The purpose of any use of military force in the first instance ought to be coercive and ought to be linked to the question at hand, which is Iraqi compliance with this set of obligations.

This said, it's quite possible that these inspectors will find little or nothing. Saddam has had 4 months to dig some very deep holes, and it's quite possible that his willingness to sign this agreement offering access is a reflection of his confidence that they will find nothing.

In that case, the question for American foreign policy becomes how to deal with a Saddam Hussein who continues to possess weapons of mass destruction, even if the inspectors can't find them. And I think there are two broad policy choices facing the country. To summarize, one is rollback, and the other is containment. Let me say something about the various forms of rollback, which I do not support, and let me then say something about containment, which I do, and you will see some of the differences in means between Ambassador Wolfowitz and myself.

By definition, rollback, if it were to be successful, would get rid of Saddam Hussein, which is obviously desirable, though I would

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point out, not quite the panacea that many people suggest. The problems of Iraq go beyond Saddam Hussein.

There are three approaches that I can imagine. The first would be assassination, but there you run into problems of legality. We have an Executive Order on the book. You run into problems of difficulty. It's hard to find and kill individuals. And also we run into problems of politics and the cost-benefit ratio of doing it.

Even if we were to succeed—and it would be difficult—we have to ask about the diplomatic fallout. Also we, as a society, are extremely vulnerable to assassination. And we as a society and as a country have to think twice before we start making assassination a tool of foreign policy.

A second approach, at the other extreme of rollback, would be to occupy the country. This would be akin to what we did after World War II with Germany and Japan, and on a much more limited basis more recently, it's what we did in Panama and Haiti. I think, though, it would prove extraordinarily costly in terms of lives and money, and it would also prove extremely controversial in the region. I just do not think in 1998 you have support in the Arab world for a policy of occupation of an Arab and Islamic country by the United States. I would simply put this in the too-hard-to-do category.

The third approach, and it's the one that Ambassador Wolfowitz mentioned, is essentially the Afghan approach. It's the idea of trying to oust Saddam Hussein through both indirect and direct means of supporting the Iraqi opposition. Let me just quickly state my problems with that idea.

First is that there is no Iraqi opposition in the singular. There are, however, Iraqi oppositions in the plural. It is an extremely divided group of individuals.

Second, this approach would take many years, at least, and even then, it would be doubtful whether it would succeed. But in those many years, it would offer you no solution to the problems at hand.

Third, there's a real danger that we would once again get these people into situations of difficulty, where if we didn't come to their direct aid, we would have echoes of Hungary and the Bay of Pigs, and if we did come to their direct aid, we would create logistical and military nightmares for the United States, as trying to coordinate military action in this sort of a context would be extremely messy. It would not be a clear battlefield situation where we could bring our many advantages to bear.

In all of this, in a so-called Afghan policy for Iraq, there would be a lack of local partners. The reason is not hard to figure out. There simply is not a lot of confidence in the real goals of the various elements of the Iraqi opposition. In particular, in Turkey there is real concern that the goals are not a united, all-Iraqi effort, but rather continue to be somewhat in favor of separatism for the Kurds.

Indeed, the fact that people are talking about setting up different zones in the north and the south would reinforce this. My hunch is one of the ironic results of this sort of a policy would be, once again, to reinforce support for Saddam from his Sunni Muslim corps, from the people who make up the heart of his security services. So an active effort to support opposition groups, which would

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be largely geographically and ethnically based, could well turn out to be counterproductive.

Last, the entire effort could result at a minimum, in an Iraqi civil war, more likely in a regional war, in which Iraq would become a latter-day Lebanon. You would not only have a civil war in which various Iraqi elements were fighting, but it would become a magnet for the invading forces of Syria, Iran, Turkey, and perhaps others. As a result, it is simply a scenario that I have trouble having confidence in.

The real alternative, and the best policy for the United States, is containment. The idea of a containment policy of Iraq would be to limit the threat and to promote compliance with U.N. resolutions. To do this would be extremely difficult. None of these options, either the one I favor or the ones I'm critical of, are easy or simple. It would take an enormous effort to shore-up the international coalition that would be at the heart of any successful containment policy. This, in turn, would require a number of elements. Let me just quickly mention them.

We would need to build up our support in the Arab world, where support for U.S. policy of containing Saddam—or, indeed, in any way of confronting Saddam—is extremely thin. Arab support is thin largely for two reasons. First, there is tremendous lack of sympathy for the economic sanctions. To the extent they have had adverse humanitarian consequences, it is Saddam's doing, but all the same, the political reality is that the sanctions are largely blamed for that.

And, second, the United States is blamed for having a double standard, for not pushing the Middle East peace process with anything like the degree of enthusiasm or determination that it pushes its policy toward Saddam Hussein. If we are going to maintain Arab support for any policy toward Saddam, we are going to have to address both of these issues.

On the sanctions front, we have in place an expanded food-for-oil program under Resolution 986. I think this is acceptable. The real question is, what happens should Saddam comply with Resolution 687 (which the United States voted for) and meet the requirements of paragraph 22, which essentially says, once it has been certified by U.N. officials that Saddam Hussein is in compliance with all of his obligations as regards weapons of mass destruction, Saddam Hussein at that point is supposed to regain his ability to export.

And the question is, would the United States agree to that? As a declaratory policy, are we prepared to say that now? I think we should. I think we should because I do believe it would help us shore-up the coalition. If we do this, we can make sure that money that would be earned by Saddam Hussein would not go directly into his government coffers. We could set up an escrow account; much has been done under Resolution 986.

This sort of a selective approach toward sanctions, in the event of 100-percent Iraqi compliance with their weapons of mass destruction obligations, could make it possible for us to maintain the bulk of sanctions, and keep in place a permanent ban on the import of any weapons of any sort and on any dual-use technology of any

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sort, and also open-ended inspections. That would have to be the bargain.

I mentioned the Middle East peace process. There I would simply say, again, that I believe we need a much more active promotion of the Oslo process.

Third, with other members of the coalition, with the Europeans, the French in particular and Russia, we have to think about some of their foreign policy priorities. In particular, there is a case for revisiting some of the secondary sanctions that the United States has introduced under both the Helms-Burton and the ILSA pieces of legislation.

There is also reason to revisit our Iran policy. I can think of no better way of presenting Saddam with a degree of isolation and encirclement than to at least explore the possibility of closer U.S. relations with Iran.

Two last things: If there were to be any use of military force, as I suggested, it ought to be intense; it ought to be coercive; and it ought to target those sources of domestic political support in Iraq that Saddam cares most about, the Republican Guards.

Last, we ought to introduce a much more formal declaratory policy about weapons of mass destruction. It ought to become the declaratory policy of the United States that any use of weapons of mass destruction of any sort by the Iraqi Government would lead to a change to U.S. policy, which would then specifically seek the ouster of the regime; that that sort of a deterrent strategy might also make whatever weapons of mass destruction that escape the weapons inspectors' efforts less likely to ever be used.

Let me just say two final things, and then I'll stop, Mr. Chairman. The bonus of this containment policy is that it actually has the potential to do more. In the case of the Soviet Union, we saw that a policy of containment applied over the course of many decades not only contained the reach of communism and the Soviet Union, but ultimately created a context in which the demise of the Soviet Union became a reality.

One of the possibilities of a successful containment policy of Saddam Hussein and of Iraq could be that it creates a box in which people in Iraq who have access to power in Iraq will then act. We know of reports of unsuccessful coup attempts. My guess is, if there is any successful overthrow of the regime, it's not going to come from the periphery; it's going to come from in close, from those members of the security forces who have access and who have means. The best way that we can continue to prompt them to take that risk is by creating a box around Iraq, so that they see the real price that they pay for Saddam Hussein, and in addition, they see the real benefits that would accrue to them were they to have an alternative leadership.

But this, as I said, is a bonus. We cannot base our policy on this. The real reason to base our policy on containment is that it's affordable, it's doable, and it protects our core interests in Iraq and in the larger Persian Gulf.

Thank you very much.

[The prepared statement of Mr. Haass appears in the appendix.]

Chairman GILMAN. Thank you, Dr. Haass, for your eloquent statement.

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Our next witness is David Kay, vice president of Science Applications International Corporation, director of the Center for Counterterrorism Technology Analysis. Dr. Kay.

STATEMENT OF DAVID KAY, DIRECTOR, CENTER FOR COUNTERTERRORISM, SCIENCE APPLICATION INTERNATIONAL CORPORATION

Mr. KAY. Thank you, Mr. Chairman. With your permission, I have a more extended statement that I'll enter in the record. I'd like to just briefly address the issues of this agreement.

Chairman GILMAN. Without objection. Thank you. You may proceed.

Mr. KAY. Thank you, Mr. Chairman.

I fundamentally think, as we look at this agreement, we ought to have more concern than I have heard expressed at least today, and let me start with not the details of the agreement, but with the atmospherics. Certainly, as you know, the atmospherics around any agreement often tell you more than a shear analysis, legal analysis of the text.

We heard yesterday the Secretary General describe Saddam Hussein as a man who you can do business with, as reasonable and knowledgeable. At the same time, and far more disturbing in many ways to me, on his trip back he denigrated UNSCOM and the inspectors that have been serving in Iraq. He has reported to have told various members of the press that he believed the inspectors needed closer diplomatic supervision because they were cowboys—and examples of cowboyish behavior is they were seizing and sealing buildings, boorish behavior, and holding Saddam up to ridicule by his own people.

Let me pause here and say, I'm a native of a State in this Union where being a cowboy is not a pejorative comment unless Jerry Jones' name is associated with it. I sealed the first building in Iraq. I sealed it after 5 days of inspections in which the Iraqis systematically moved material out of the building as we tried to gain access to it. I did it with the full knowledge and consultation of the Chairman of UNSCOM and after consultation with the Security Council.

That we had held Saddam up to ridicule by his own population, I think that is probably true. The smallest team I led into Iraq had seven individuals. That is the team that had shots fired over its head and had gained the first photographic proof of a clandestine nuclear weapons program that put Saddam within 6 months of a nuclear weapon; he had spent $10 billion on and had 15,000 people working on, and seven individuals could do that, no doubt did hold him up to ridicule.

I had another team that spent 4 days as hostages in a Baghdad parking lot. After seizing the records of his nuclear weapons program and the sources of his supply, they refused to give those records back to the Iraqi Security Force and instead encamped themselves in a Baghdad parking lot, and we got out with the documents. I suspect—and, quite frankly, I rather hope—that was a source of ridicule of holding Saddam up to by his own population.

I am worried that, in fact, we now have entered into an agreement in which Iraq is seen as an equal member of the international community; the invasion of Kuwait, the massive oil fires which I

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flew through, and quite frankly, will never forget the first month after the war flying through those oil fires, the use of chemical weapons on his own population and on those of neighbors. And we are now entreating with someone who we can do business with who is rational?

Now let me get to the agreement and how I think this music actually affects what we're about to see. I will pause and say I certainly agree with Richard Haass that I believe we should test this agreement through implementation, but I think if you look at the provisions of the agreement, you're going to find that is not going to be as easy as it was in the past.

First of all, at the heart of the agreement I'm afraid is a conflict of interest. The Secretary General has put himself forward as the bailbondsman of Saddam Hussein. "You can trust this man; he will live up to his word; you can do business with him." Bailbondsman for Saddam Hussein, let me say, historically, is a very, very dangerous activity. Ask the President of Egypt, who, as many of you will recall, 1 week before the invasion of Kuwait went on record as saying, "Saddam told me he is not going to invade Kuwait."

But, yet, while he is the bailsbondsman and stands good for Saddam Hussein in this agreement, the Secretary General, by the very terms of this agreement, is to appoint a new inspection force, a special inspection force for the eight Presidential palaces, which is to operate independent of UNSCOM. It does not take a rocket scientist or even a former inspector to tell you what will happen.

The Iraqis have had 4½ months in which we focused on those eight Presidential palaces. I have yet to see the inspector who believes that there will be anything left in those Presidential palaces after we get there. I've seen the Iraqis do tremendous feats of moving material.

The two sites that were struck during the war that were biological weapons facilities were empty at the time. Why? One week before the war they moved a complete biological weapons facility and got it back into operation. These individuals are terribly creative at deception, cheating, and deceit.

So you have a good team that is a team composed of individuals chosen by the Secretary General who will go to the eight Presidential palaces, and lo and behold, they will have no problems. They're gained access; they go in; they find nothing. In the meantime, the UNSCOM team, the traditional team, will go to the other 50 sensitive sites that they have been denied access to, and actually are far more threatening, and what will happen? They will be denied entry; entry will be delayed; they will be pointed out as a source of problems. "Why don't you behave like the good team?"

So immediately you have a conflict there. You have the Secretary General's new and special team and the old team. And, in fact, what Richard Haass calls for, the test through implementation and aggressive inspection, is only likely to get you to prove that the good team doesn't have problems, and, indeed, it is the inspectors who are the source of the problem. I find that very disturbing.

Second, it is proposed that the team should be accompanied by diplomatic nannies, diplomats from the five permanent members of the Security Council, who are to go along to ensure the good behavior of the inspectors. Let me stop here and tell you, I carried a dip-

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lomat along on an inspection mission, and I'm really torn at this point. I would like to wish it on some diplomats, with no disrespect to Congressman Leach, who was a former Foreign Service officer, as, indeed, I was earlier in my career. The life of an inspector is really not something that most diplomats are used to, but let me tell you what will happen, and what actually happened to me.

I carried out an inspection of a hospital for amputees and a women's dorm in Baghdad, where the Iraqis had moved material from their uranium enrichment program. The Iraqis protested mightily to me for going in such a facility, and believe me, it was not a thing of comfort that I did. The diplomat becomes an individual they can appeal to. "Why are the inspectors being unreasonable?" "Why do they want to go in private homes?" "Why do they want to go in a hospital for amputees?" And, of course, you induce delay. Let me tell you, if you induce delay in inspections in Iraq, you have no chance of finding anything. Surprise is the only friend of the inspectors.

It is quite common for chief inspectors not to tell their whole team where they're going. This is for security. Every hotel room is bugged. It's a very active surveillance program, and if you lose surprise again by someone making a misstatement, you simply will not find anything.

Can you imagine when you tell five diplomats, "Show up the next morning at 5 a.m. in the hotel room; we're going on an inspection."? First of all, they will pause; "What is this 5 a.m. bit?"

"Well, that's when inspections begin, sir."

"Well, where are we going?"

"Well, I'm sorry, I can't really tell you. Trust me, I know where we're—"

"Well, why can't you tell me?"

"I can't tell you because I don't want the Iraqis to find out where we're going."

Team unity, quite frankly, goes down the tubes at that point.

I think this is unworkable. It will be difficult. It will impose burdens, and will make exactly the type of aggressive inspection that Richard Haass calls for, and that I agree is very difficult.

Third, there is an escape clause in this agreement which I would hold up, and I assume law schools will start teaching to every real estate attorney in this country. The inspections should be carried out with due respect for the national security, sovereignty, and dignity of Iraq. I've heard those words. When I tried to enter a ministerial building to obtain documents on the Iraqi nuclear program, I was told I should not go in that building because it was a ministerial site. Well, pardon me. Saddam Hussein, when he lost the war, agreed to give up his weapons of mass destruction, and I was charged by Resolution 687 to find, destroy, remove, or render harmless those weapons wherever they were.

And, indeed, what does national security mean? Legitimately, he may well say, "I don't want you to seize my weapons of mass destruction. It threatens my national security." Indeed, it does, and that's what the inspection process is about.

So what do you have here? Again, delay. You appeal to the diplomats because an inspection will threaten the national security, dignity, or sovereignty of Iraq. You induce weeks of delay; the

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weapons are gone; the information is gone. You never find anything; that proves there is nothing there. I think that is an escape clause that we should be most concerned about.

Let me just briefly speak about what I think we're in danger of losing, because I think that is terribly important. First of all, we are in danger of losing what is a revolution in the U.N. system in terms of UNSCOM inspections. UNSCOM inspections have been quite unlike any other arms control inspections, and really hold what I think is the hope for avoiding military action and helping us deal with weapons of mass destruction wherever they may appear.

Inspectors have had only one objective: Uproot the program of Iraq's weapons of mass destruction, not the reconstruction of Iraq, not civil society in Iraq, no other mission. This contrasts, for example, with the International Atomic Energy Agency, which every day carries out nuclear safeguard inspections under a dual mandate: Promote nuclear energy, but, in fact, try also to avoid nuclear proliferation. As we've known from our own domestic experience, none of you would be happy to have a regulatory agency which both promotes and regulates the same industry. We have far too long a history domestically in showing what that leads us to. UNSCOM—escape that.

Second—and this in many ways, I think, is the most important. UNSCOM, unlike any other U.N. operation reported from the very beginning not to the Secretary General, but to the Security Council—from little things, like the first time we ordered cyber-lots, secure telephones, I was told you couldn't have a secure telephone; it showed distrust of the country you were operating in. Yes, indeed, I had some distrust. And I shouldn't have locks on my file cabinets because that meant I didn't trust the other international civil servants who were operating in the building. You've got it; that's right, I didn't.

But the Security Council was united behind it. Once you impose the Secretary General—and I certainly do not mean this pejoratively; my grandmother taught me too well not to teach her how to suck eggs—once you put someone in a political role in charge of this, they have a multitude of responsibilities, and you lose focus. I, in fact, think the most serious aspect of this agreement is we have now put Kofi on it, and let me emphasize this is not because I doubt his integrity or honor. You've put him in an impossible role. Vouch-saving for Saddam's behavior and running an inspection organization, where if they find anything, and they find particularly noncompliance by Iraq, it shows you can't do business with this man; you can't trust him; he's not telling the truth. That is an incompatibility at the core.

And, finally, just a brief comment about what I also think we're giving up. If you can really do business with Saddam, we're freezing the process of political change. I don't think you've had anyone who I know who's come before you and said—in fact, that was a criticism many of us had of the action the Administration was contemplating—that if you deal with a weapons, a small military strike, or even a large military strike, aimed at the weapons but leave Saddam in power, you've done nothing really to diminish the threat. The problem is Saddam. He is a war criminal. He is a man

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who has not honored any of his obligations. He's killed, murdered, and tortured both in his own country and in neighbors. He's committed the largest environmental crime ever seen, and we should speak the truth about that.

We should not freeze political change by saying, tonight is different from all other nights because tonight Saddam has changed his stripes, and we can do business with him. Mr. Chairman, I think that is the problem with this agreement.

Thank you.

[The prepared statement of Mr. Kay appears in the appendix.]

Chairman GILMAN. Thank you, Dr. Kay, for your very eloquent statement.

Our next witness is Dr. Eliot Cohen, a professor of strategic studies at Paul Nitze School of Advanced International Studies of the Johns Hopkins University, and the founding director of the Center for Strategic Education. Dr. Cohen.

STATEMENT OF ELIOT COHEN, PROFESSOR OF STRATEGIC STUDIES, JOHNS HOPKINS UNIVERSITY

Mr. COHEN. Thank you, Mr. Chairman. I'd like to read a brief statement, if I might.

Chairman GILMAN. Without objection.

Mr. COHEN. I should begin by apologizing for being late. I teach a class Wednesday morning, and in his capacity as Dean Wolfowitz—I'm sure Ambassador Wolfowitz can vouch for the importance——

Chairman GILMAN. Dean Wolfowitz said he'd give you a proper excuse.

[Laughter.]

Mr. COHEN. Mr. Chairman, I want to thank you for this opportunity to appear before the House International Relations Committee, and to participate in your deliberations concerning the situation in the Persian Gulf. Like many Americans, I do not believe that Secretary General Annan's agreement will conclude the long-term conflict between Saddam Hussein's Iraq and the United States.

The Iraqi regime's record of duplicity and deceit, of cruelty and ambition, makes me think that any accommodation between Saddam Hussein and the United Nations will prove temporary. It is, I think, virtually a certainty that we will within a year or two, and perhaps in less time, find ourselves confronting the kinds of choices that the Administration has faced for the last 4 months, to include the use of military force on a large scale.

I directed the Air Force's Gulf War Air Power Survey, an 11-volume study of every aspect of air and space operations in the Gulf War, to include those of all the American Armed Services and our allies. I believe that the lessons of that war, both knowledge of the real lessons and awareness of some of the false lessons have some real utility as we think through the problems of today and tomorrow in dealing with Iraq.

Let me begin with some of the real lessons. First and foremost, American military power, and air power in particular, can be enormously effective against a wide range of important targets in Iraq. After the Gulf War there has been a tendency to debunk the

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achievements of American forces, some of which have been exaggerated or simply misperceived at the time. I know this well because the survey that I directed had some unwelcome things to say, for example, about our attacks on Iraqi mobile missiles, which were not very successful. But the bottom line remains that air power was enormously effective against selected targets such as the Iraqi air defense system, most of the Iraqi ground forces, the electrical power grid, and Iraqi logistics in Kuwait.

The 7 years since that time has seen dramatic improvements in the quality of our forces. Our people are every bit as good as they were back then. The organizations have improved considerably and our weapons are better.

Where barely 8 percent of the bombs dropped in the Gulf had precision guidance, I would expect nearly all of them in a new war to be so-called "smart" bombs, and even though smart bombs do not always hit their targets, they do so at rates that are unprecedented in military history.

We know much more about the enemy because of the U.N. inspections, because of a steady flow of high-level deflectors from the inner circles of Saddam's regime, and because of the sustained focus on Iraq by our intelligence agencies for these past 7 years. And we understand the geographic, and even the meteorological peculiarities of this theater of operations far better than we did before Saddam invaded Kuwait. Air power is a potent weapon against Iraq.

Second, despite these improvements, no operation from the air can eliminate 100 percent of certain targets, including weapons of mass destruction. And at the same time, sustained air operations are guaranteed to cause substantial civilian loss of life.

The Gulf War taught us a great deal about Iraqi ingenuity and persistence in dispersing, hiding, or moving vital assets. It also taught us how difficult it can be to eliminate, once and for all, targets that can move or be easily hidden.

What is, to my mind, far worse, the war taught Saddam Hussein that the best way to restrain American use of military power is by taking not other countries' citizens, but his own citizens hostage. On the night of February 13, 1991, the U.S. Air Force struck a military communications facility in Baghdad, the so-called Al Firdos bunker. It was a bona fide military target; there is no doubt about that. We've confirmed that since the end of the war, and we knew it at the time. What our forces did not know is that one level of that bunker doubled as a shelter for family members of the Iraqi leadership, many of whom were killed or wounded in the attack. Now this accident of war caused the temporary suspension of all bombing in downtown Baghdad. Its resumption at the very end of the war was limited to only five relatively large and isolated targets in the city. In any kind of large military clash, there can be no doubt that Saddam will deliberately put civilians in harm's way and that he will exploit the ensuing carnage for his purposes, making use of all the resources that modern international television puts at his disposal.

Third, resolute Presidential leadership makes all the difference. Over the last few months, it has occurred to me that we have forgotten somewhat the mood in December 1990 in this country,

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which was grim. Responsible military and political leaders expected thousands of American casualties and possibly even a stalemate in the Kuwaiti desert. President Bush's determination carried the American people with him, and not the other way around.

Similarly, the commitment of the U.S. Governments inspired Gulf states to support vigorous American use of military force, and not the other way around. The resolve shown by our government was absolutely critical in all aspects of the crisis. This is true today, and it will be true in the future. We cannot expect resolution on the part of the American people or America's allies if the U.S. Government, and above all, the President, does not lead the way.

If there are positive lessons to be learned, so too are there false lessons of which we must be wary. Let me conclude by mentioning two of these.

The first is that it is not possible to undermine or overthrow the Iraqi regime except by a costly, large-scale invasion with ground forces. The Gulf War does not prove this. In many respects, just the contrary is true. At the end of the war there is substantial evidence that the regime was shaken to its roots. There were popular uprisings in the north and south of the country, and even on the streets of Baghdad citizens voiced their opposition to the government.

Saddam's regime is now even more fragile, more hated, more despised than it was then. It rests on relatively small numbers of military personnel, secret police, and Ba'ath Party officials. Above all, it rests on Saddam Hussein's ability to maintain constant and effective communication with them. This, it was shown in the Gulf War, can be disrupted.

Let me add here as well that, contrary to what many think, the attack on so-called leadership targets in the Gulf War was relatively limited and of short duration. It did not benefit from the kind of focused intelligence collection that has been possible over the last 7 years. It was, rather, a rushed and ad hoc effort that was not sustained in the course of the war. I would not promise that Saddam could be overthrown by a massive air campaign and subversion of the kind described and advocated by Ambassador Wolfowitz, but I would not rule it out as a possibility, either.

Second, it is untrue that the war ended as it did because our Arab allies were bitterly opposed to further measures against Iraq, including the overthrow of the regime, or because the American people were horrified by the destruction of the defeated Iraqi forces. I have found no evidence that Saudi leaders pleaded with the American Government to suspend our offensive, nor is there any evidence that American public opinion was turning against the war when it ended. Indeed, the decision to suspend military operations was taken before, and not after, pictures of the so-called "highway of death" appeared on American television screens.

The war ended as it did because of the way military commanders defined their mandate, because many in the Administration believed that the war's objectives had, indeed, been achieved—and I think this is an important point—that Saddam Hussein would soon fall of his own weight. In hindsight, of course, this last prediction, although understandable at the time, proved to be incorrect. Saddam Hussein will not fall from power; he will have to be pushed.

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The only questions are when he will be pushed, who will do the pushing, and what the price will be for either precipitating or delaying that event.

No one predicted in 1991 that 7 years after the Gulf War Saddam Hussein would remain a source of danger to the peace of this vital region. What I think one can safely predict, however, is that another such 7 years will yield an even more serious threat to that peace and to American national interests there and globally.

Thank you.

[The prepared statement of Mr. Cohen appears in the appendix.]

Chairman GILMAN. Thank you.

I think Dr. Kay has an 11:40 appointment.

Mr. KAY. I can stay another 10 minutes.

Chairman GILMAN. I'm going to ask our Members, if we want to direct any questions to Dr. Kay, to do that at this point, and I have a question of Dr. Kay.

You have given the most powerful critique I've heard of on the agreement that was negotiated earlier this week, and I have to say that you persuaded me with a number of your thoughts, but I was wondering about your opinion from the point of view, as a former weapons inspector of a policy to which the Administration was committed until the agreement was signed, would the use of air power alone have been likely to get UNSCOM inspectors back on the track or do you think it might have had a negative impact?

Mr. KAY. Mr. Chairman, I regret to say I did not understand the policy the Administration was committed to with regard to the use of arms. To the extent that I thought I understood it, I did not think it was either an appropriate use of military power or the aims that were articulated justified it. I think it would have neither seriously diminished the Iraqi weapons program, as I understood the attack to be planned, nor do I think it would have gotten the inspectors back on firm, more aggressive inspection. In fact, I join Ambassador Wolfowitz in saying I actually think it was a bullet well dodged that we did not have to execute that. My concern is that we will not use this interim to think through our policy, both militarily—and I would emphasize equally politically—with dealing with Iraq.

Iraqi policy, for the last 5 years really, has been on vacation in this town. People have not thought very much about it, in or outside the Administration.

Chairman GILMAN. Thank you, Dr. Kay.

Now I'm going to reserve my time, but I'm going to allow any Members that want to address any question to Dr. Kay before he has to leave. Mr. Hamilton.

Mr. HAMILTON. Dr. Kay, thank you for your testimony. I had your *New York Times* piece in front of me here, and I gather from that that you really have doubts, grave doubts, about whether any inspection system will work; is that right? I mean, you say it could well be that no inspection system has much chance of working, and then you have a similar sentence later in the piece. Have you given up on the inspection system here?

Mr. KAY. Congressman Hamilton, I have not given up on it as worthy of maintaining pressure. What I have grave doubts about is that any weapons system, any inspection system, can uproot a

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weapons system that a country is determined to protect with deception, denial, and cheating. We're, after all, in the biological area, talking about production systems that are inherently very small; a 15-by-20-foot room is sort of the standard. The weapons are inherently small in amount and can be moved around.

In fact, the U.N. Resolution 687 was premised on, and most people have forgotten, although the President did call our attention to it, notably, is that the Iraqis promised to declare all of their weapons within 15 days after the war, and the inspectors were to go in, confirm that, and get rid of them. Uprooting a protected weapons system in a country that is genuinely not defeated, that you don't occupy, I think is, quite frankly, beyond us.

Mr. HAMILTON. What strikes me here—you know, we heard so much from the President and from others about what's been accomplished by the inspectors on the positive side.

Mr. KAY. Yes.

Mr. HAMILTON.——and it does seem to me that you're kind of challenging the whole premise in this situation. I mean, why should we bother with all of this effort to get inspectors back in if—and that's really been the whole focus of our effort here—if they're not going to be able to find out what we want to find out anyway?

Mr. KAY. I'm not challenging, sir, what they have accomplished. I think it is, indeed, true that the inspection process, which I'm happy to have said I was a part of, destroyed more than was destroyed——

Mr. HAMILTON. And we give you great credit for that.

Mr. KAY. But when you address the question of whether any inspection system can finally uproot completely a weapons program in a country as large as Iraq—and most times we have only 200 U.N. inspectors in the whole country—if the Iraqi regime is determined to protect it, I say, indeed, you cannot hope that inspection, just like I do not think you can hope that air power, can do it, and that is why I put such great emphasis on a political strategy that is designed not to do business with Saddam, but to remove Saddam from power.

Mr. HAMILTON. OK, thank you.

Chairman GILMAN. Any other Member addressing Dr. Kay? Mr. Fox.

Mr. FOX. Dr. Kay, we appreciate your poignant testimony this morning. Take, if you will, that you were in charge of the Administration tomorrow and this policy, where you're President and you're in charge of the Secretary of Defense and the Secretary of State. What would you recommend that the United States do next in order to ultimately protect this country and the world?

Mr. KAY. Sir, I'm a simple Texan, and that's a hard jump to make. I think the Administration has correctly said that weapons of mass destruction are the premiere post-cold war national security challenge. I think our obligation, if that is true—and I believe it is true—is to have a multi-layered approach which makes it difficult for countries that have not yet obtained those weapons to obtain them; makes it, if they manage to obtain it, in spite of that, makes their use not in their interest. And I applaud what Richard Haass said about doing that, so that the Iraqis get no comfort from having those weapons.

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And, finally, what protects our own citizens here at home, in fact, if those weapons are used, and that's preparedness. I think there is no silver bullet. There is a series of steps.

With regard to Iraq, I would focus far more of our effort on not looking for silver bullets, but shaping the political battlefield in Iraq, so that Saddam Hussein passes from the scene.

Mr. FOX. Is there anything to do internally with regard to covert operations, so that Saddam Hussein is no longer this leader who's a madman controlling weapons of mass destruction that puts his own people in fear, as well as the United States?

Mr. KAY. I, quite frankly, found great agreement in two points made by the witnesses here. I agree with Paul Wolfowitz that, in fact, we ought to strengthen the hands of those who domestically in Iraq are opposing them and are standing inside Iraq. I also think Richard Haass is quite right; if we take military action, in view of a breach of an agreement, we should focus it not on the weapons themselves, but on those domestic structures that allow Saddam to maintain through terror his political control. The Special Republican Guard, the internal security forces, the audio and visual monitoring regime, and the transport system—those are targets worthy of military action, and they do not raise great damage of collateral release of biological weapons.

Mr. FOX. Thank you.

Chairman GILMAN. Mr. Rothman.

Mr. ROTHMAN. Thank you, Mr. Chairman. Here's a question for the panel, if I might.

Chairman GILMAN. No, we're addressing them to Dr. Kay because he has to leave in a few minutes.

Mr. ROTHMAN. I'll be happy to wait, Mr. Chairman.

Chairman GILMAN. Any other questions for Dr. Kay?

[No response.]

If not, Dr. Kay, we thank you for being with us, and we thank you for your testimony.

And now I reserve my time.

Mr. Wolfowitz, you and many of your colleagues have distributed a letter calling for greatly stepped-up aid to the Iraqi opposition. You even mentioned that today. What is your assessment of the amount of influence the opposition would have right now in Iraq, and do they have a chance of taking some power in Iraq? And how do your proposals differ from what's already been tried and failed by both the Bush and Clinton Administrations?

Mr. WOLFOWITZ. Well, I think, for one thing, it's hard to know, to measure how much support the opposition has in a situation where the United States gives no serious support to the opposition. I mean, opposition in Iraq is something that is punished very quickly and brutally, not just by your own death, but the death of your extended family. So it's not a risk that people take on lightly.

I think, in spite of that, we have a situation where the opposition is largely in control in northern Iraq, a very divided opposition, admittedly—in fact, disastrously divided between the two major Kurdish factions, and in spite of that division, it's not exactly friendly territory for Saddam. I believe that division, in fact, came about when the United States proved to be—let me use the word—feckless in its support for those people.

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One thing you can understand—and it's repeated over and over again in the history of efforts of this kind, that if you're involved in supporting people, one of the prices of that support can be some pressure for the basic unity of operation, and when you're absent, you can't do that.

In the Shiite south, as I quoted in my testimony, from Daniel Williams, reporting in *The Washington Post* from Amman, "Diplomats, Jordanian officials and travelers say that the south is dangerous territory for Saddam Hussein's army and police. 'By day, things seem calm enough, but at night the police and soldiers retreat into their shelters. They are not safe,' said a recent arrival from Iraq. 'There is lots of hit-and-run activity on Saddam's security forces. The nighttime belongs to the opposition'," a Western diplomat added.

And I emphasize now we're talking about the Sunnis, the Shiite south, which is roughly 50 percent of the population of that country.

Richard has brought up the argument, and I've heard it before, that if we support the Shiite in the south and the Kurds in the north, the Sunni will all rally around Saddam Hussein. I don't think that's true. I think of King Hussein's willingness a couple of years ago to go way out on a limb in opposing Saddam Hussein, and King Hussein is, after all, a Sunni, he is a close relative of the last Hastimide king of Iraq, who was murdered in 1958. He's still got many, many connections in the Sunni officer corps, and he is reported to have said there is a lot of opposition.

You cannot judge the opposition of Saddam in the absence of a serious American effort to support it, and I don't see how you can say we've been serious when we have essentially failed to do two things. We have failed, as I said, to supply a single rifle to the opposition, and we have failed in any way to use the considerable air forces that we have on both sides.

If I might add just two points, Mr. Chairman—I know for Turkey it is a serious concern that the strategy of supporting armed opposition to Saddam could lead to a separation of northern Iraq into some kind of separate Kurdish entity. The fact is that is pretty much what we have today. Anyone who kids themselves that Iraq is a unified country under Saddam does not know what's going on. In fact, one of the problems with containment is that it is a running sore for Turkey, and it will likely continue to remain so. I believe one of the advantages of developing an opposition in the south is that you could then begin to develop a national opposition, and not a purely Kurdish one.

And, second, I believe one of the very important reasons to pursue this policy is it's the only one that's credible to our friends in the region. It is the only one that is credible to millions of Arab people who recognize that Saddam is a tyrant, and that object to our policies because we don't do anything about it. And it's particularly, I think, a threat to the governments who put their lives on the line, basically, to oppose him and feel that they are at risk now.

Chairman GILMAN. Thank you. Thank you, Ambassador Wolfowitz.

One question to the entire panel. In the wake of this agreement, the Russian Foreign Ministry has again expressed hope that the

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sanctions ultimately would be lifted, but Ambassador Richardson, in his remarks yesterday, indicated the lifting of sanctions was even more of a remote possibility now than it was before the Secretary General's trip to Iraq. With the agreement in mind, are sanctions likely to be lifted in the foreseeable future? I address the whole panel.

Mr. WOLFOWITZ. I'll go first. I think you have statement of the deep division that's going to grow over time. I think for any reasonable American official it's going to be harder to justify lifting of sanctions in any reasonable time since it's going to take a very long time just to get back to where we were when this crisis began.

On the other hand, it's very clear that a lot of people have promised Saddam Hussein, if you go along with this deal—there's even language in the agreement that has a hint of lifting of sanctions. And I think that if they are as effective in disarming the inspectors as David Kay suggests they will be, it's going to be harder and harder for the United States to justify exercising its veto. I think you will see more and more weakening around the edges.

Chairman GILMAN. Thank you. Dr. Haass.

Mr. HAASS. Let me say one thing about it. I think Paul essentially has it right, that we can expect that's going to become the next diplomatic battleground. If for the last few months we've been focusing on inspectors, my hunch is it is going to turn pretty quickly to New York and French and Russians calls for sanctions relief. Our position there ought to be pretty clear. We ought to insist that no sanctions get lifted until we believe inspections have been adequate and we believe they've demonstrated a satisfactory level of compliance.

I wouldn't put a time on it. I'd stick with the pornography equivalent, that we'll know it when we see it, but I do not think we ought to get into arbitrary time limits, which Saddam would want. My own hunch is that you're talking at least a year and probably longer, because Saddam needs to pay a price for the past 4 months.

We no longer have a baseline. We have now got to, first of all, recover the integrity of what may have happened over the last 4 months, and not simply look at the sites that were off limits. We now have to inspect a good deal of the rest of the country. David Kay is probably right, the least likely place weapons of mass destruction are being hidden are in some of those sites that have been ostensibly at the center of this crisis.

Also, it's very important that we barter any willingness on our part to lift sanctions under paragraph 22 for an adequate control mechanism. I would think it is essential that if Saddam is allowed to export oil again—right now, as you know, Mr. Chairman, he's only allowed to export limited amounts—but if he's allowed to export unlimited amounts of oil, it is essential that the money earned, the revenue, not go directly into his pocket. Because if it goes directly into a pocket, you know and I know it's going to be used for all sorts of purposes that we're not going to want, including for illegal purposes, such as the purchase of arms. So it is important that the money goes into a central, internationally controlled escrow account, and that money is parceled out—so much for compensation for war damages, so much to pay for ongoing inspection efforts, so much for food and medicine and other needs of

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the Iraqi people, and so forth. It cannot simply become revenue controlled by the government. And I would ultimately trade our willingness to support the lifting of sanctions, once there is complete compliance that we're satisfied with, in exchange for this type of a new control mechanism over any money.

Chairman GILMAN. Thank you, Dr. Haass. Dr. Cohen.

Mr. COHEN. It seems to me that the logic over time is for the sanctions to gradually melt away, and I think we're already seeing that. We've had violations of the sanctions regime—oil going out through Iran. We've seen the Secretary General, interestingly enough, pushing a lifting of quotas on Iraqi oil exports, and his rise to the center of U.N. dealings with Iraq will reinforce that. We've had humanitarian and political pressure from the French and the Russians. I think there will increasingly be economic pressure, as companies get particularly eager to bring Iraq back online. There was an interesting piece in *The Wall Street Journal* just a couple of days ago on this very point.

So it seems to me the logic of the situation that we're in now is going to be for the sanctions to be lifted, and I think it will be very, very difficult for the Administration to resist that logic.

Chairman GILMAN. Thank you, and I thank our panelists.

I'm now going to call our Members in the order in which they appeared. Mr. Davis.

Mr. DAVIS. Thank you, Mr. Chairman.

I want to direct this question to Dr. Haass and Dr. Cohen, and that is that if the agreement we've talked about is not consummated or if there's an immediate breach, what would your recommendation be for us with respect to our next step, specifically with regard to any use of military action?

Mr. HAASS. I would say two things, sir. First, I'm not sure what sort of formal action the United Nations is now going to take in terms of taking this agreement and making it formal U.N. policy. Whether there's a new resolution or statement by the President, the Security Council, or simply statements made by individual countries, we ought to put on the record what our expectations are and what we're prepared to do.

One of them would be, at the first sign of Iraqi noncompliance with what is guaranteed in this agreement, that we are at that point going to use force. So we ought to make clear there is no warning if this accord is violated; that we would go directly from that violation to a use of force.

Second—and we've talked about this this morning—any use of force should be large. In my view, the Administration set the bar too low. It should not simply be punitive. I would be willing to use force now to implement this agreement as well as 687, which is the basic agreement, the post-Gulf War agreement, and I would, as David Kay suggested, go after the sources of Saddam's control, the things that he cares about most, which are his security forces, his ability to communicate, and so forth. But I would go directly to that step, and I would put everybody on notice that we are now there; no more warnings; no more delay; noncompliance—we move to that.

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Mr. DAVIS. By way of elaboration on that, would you be describing force limited to missile attack, and what would we realistically expect to accomplish from these actions?

Mr. HAASS. You have next to me probably the country's leading expert on this. So let me be very short. I would not limit it to missile attack. We have to talk about manned aircraft, and we have to go after the sort of target set I just mentioned. But I don't know any way of doing this with cruise missiles alone or even with carrier-based air alone. We are going to need access to land-based aircraft.

Mr. COHEN. I agree with Dr. Haass; you have to target the regime. It has to be massive. One of the unfortunate things that happened from some of our limited missile attacks is that they acted as kind of an inoculation, if you will.

The one thing that I would add to that is that it's very important that we be psychologically prepared for the fact that, when we do that, we can be certain that we're going to kill civilians. Unfortunately, that's an acceptable price to pay, but we have to be prepared for that going into such a use of force. But in all other respects, I agree with Dr. Haass.

Mr. WOLFOWITZ. With all respect, I think I don't agree, because I have great concern that you're committing yourself to a sustained campaign in which, if you don't break his will or you break his regime, you're ultimately going to pay a huge price for it. I would much more favor a policy that says, until we can get inspectors in and get at his sites, we're going to punish him in ways that help the Iraqi people, and there are a lot of ways to do this. I would start in the south, where there are millions of Shiites who are dying to be liberated from Saddam. One thing you could do that would be a marvelous target would be to bomb those dikes that he used in order to dry up the marshes in which the marsh Arabs used to live, because it was a source of resistance. As I think was mentioned, it's one of the greatest environmental crimes that's ever been committed. It also was an act of repression against his people.

I would go after sources of the regime support, but in the south, then, I would say I would define a zone in the south; I'd say, from now on, any Iraqi army that operates in that part of southern Iraq is free fire for the U.S. Air Force. I would try to drive the Iraqi army out of a part of its country. And I would say, this is punishment No. 1, and if you don't put the inspectors back in, we'll consider further ones.

But I really think to get ourselves in a sustained bombing campaign whose object is to break his will, it's great if it works—well, it isn't that great. It gets the inspectors back in if it works. If it really works, it brings him down. But if it breaks our will instead, it's a disaster. I'm not sure I'm that confident who would give in first.

Mr. DAVIS. Thank you. Thank you, Mr. Chairman.

Chairman GILMAN. Mr. Fox.

Mr. FOX. Do you believe that the United States has a long-term strategic approach toward Iraq, and what are the best nonmilitary options we have to incur change of regime in Iraq?

Mr. WOLFOWITZ. Do you want me to start?

Mr. FOX. Thank you.

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Mr. WOLFOWITZ. I don't think there's any option that is exclusively military. You can't overthrow a regime that is based on force as much as this one unless you provide people at some point with the means to deal with force. But I do think there are very important things that can be done first and that make the eventual application of support for armed opposition, much more likely to be affected. I would put them in the political category—actions that in the first place say to the Iraqi and to that part of the world: We're in this for keeps; we're not going to deal with Saddam. I also, by the way, would say to the Russians and the French, "You're not going to deal with Saddam." A lot of the problem we have with those two particular coalition partners is that they're expecting to make a bonanza from Iraqi oil when Saddam starts to sell it. If you make a clear statement, Saddam is not going to sell it, but the people of free Iraq will sell it, and if you want contracts, you should sign up them, I think it's an enormous weightiness.

And that brings me to a whole series of economic measures, starting with securing access to the frozen assets, which are currently frozen, but in fact could be made available again to liberation forces.

And very importantly, it's another reason why northern and southern Iraq are important, is most of the oil of the country is in Kurdish territory or Shiite territory. You could, in fact, liberate a relatively small portion of Iraq and begin to, in fact, provide enormous economic resources for a provisional government, and I believe money is power in that part of the world and money talks with respect to a number of the partners that we're having difficulty with. If we could begin to show that the people who are fighting against Saddam are going to get their hands on the real resources, you could do something.

We've done exactly the opposite. For 7 years now, the U.N. embargo has applied to every square inch of Iraqi territory, at least in principle. It's been much more effective on those areas controlled by the opposition in the north, where they get squeezed between the U.N. embargo from the north and Saddam's from the south. So I think there are a lot of steps you can take, but ultimately you've got to be prepared to arm and help them.

Mr. HAASS. Mr. Fox, I have a slightly different answer. I would say the problem with U.S. policy is that we have too many policies and not enough commitment behind them. At various times our policy has been one of containment. At various times our policy has been one of exploring rollback. But in every instance, it has been episodic and it has been incomplete. We haven't really committed ourselves to either, and we've fallen off our support for the opposition—we have only toyed with that—and our commitment to containment has never really been adequate for such a demanding strategy. And it is not surprising that the coalition is in weak shape and Saddam is in the fairly decent shape that he's in.

Mr. COHEN. And I think I have yet a different answer, and that is that all of the possibilities are unappetizing and fraught with risks. If we continue down the path that we've taken, which is largely a peaceful path with very limited uses of military force, as I suggested earlier, the logic of the situation is that gradually Saddam slips out from underneath the sanctions regime and, as David

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Kay said, from the inspections regime as well. And it's clear what some of the down sides are there as well.

If we look at confrontation, there seem to be three different courses of action: subversion, a fairly narrow range of military options targeting weapons of mass destruction, and a massive air campaign. It seems to me all three of those courses, again, are also fraught with risk. So while I would agree that we don't necessarily have a long-term strategy for dealing with Iraq, it seems to me that the difficulty that we confront is that none of the options look terribly good, and all of them involve considerable risk.

Mr. FOX. I thank you all.

Chairman GILMAN. Mr. Berman.

Mr. BERMAN. Unfortunately, the bells do not allow me to get an answer to my questions. Let me just ask the questions and then maybe call you to hear your answers or at some other time get the answers.

I guess, Ambassador Wolfowitz, I'm not sure King Hussein's view—I don't know what Dr. Haass would say. You gave a little bit of a critique of his scenario, the problem with your rollback strategy, one of them being the potential for the civil war, the fear of the Sunnis, if the Shiites took positions of power, they would then suffer even more than they now suffer, and some of the other countries, what Iran might do, what Turkey might do. I'm not sure that King Hussein's reaction is necessarily a mirror of how the Sunnis in Iraq would react. He has some protections that they don't have.

But I'm also interested in your reaction, Dr. Haass' belief that this double-standard argument, which the Administration at some point used and then withdraw quickly, as to their difficulty in putting together the coalition on the peace process—to what extent you really think that is relevant.

And to Dr. Haass, I'm curious, what does that mean. I just spent, Congressman Bereuter mentioned, a week in Israel and in Jordan, and my sense is the Administration is focused on the peace process. What more, then, are you suggesting in your feeling that there is something wrong here? Is it they should be pressuring Israel to make certain specific concessions, what kinds of concessions? I mean, the peace process is a priority for the Administration. They've put a lot of time into it at all different levels of the Administration, and I think it still remains that. So I think there's something more there that you didn't spell out, and is that, in fact, a serious problem or just an excuse for the inability to get together a coalition for a set purpose?

Chairman GILMAN. Thank you.

Mr. BERMAN. We have to vote.

Chairman GILMAN. We have a vote on, and I'm going to recess our hearing. There will only be one more Member who wants to question. It will be very brief. So if you would be kind enough to stand by, we'll continue in another few minutes.

The Committee stands in recess.

[Recess.]

Mr. FOX. [presiding] The Committee on International Relations will reconvene.

I recognize the gentleman from New Jersey, Mr. Rothman, for questioning.

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Mr. ROTHMAN. Thank you.

Very distinguished panel, I really enjoyed your comments, and I read them as well as listened to them.

I have taken a public position that said that, if diplomat efforts failed, I would support an air strike to try to reduce the effectiveness or longevity of Saddam Hussein, with no expectation or belief that it would topple him or get 100 percent of the weapons of mass destruction destroyed. Having said that, folks have asked me a fundamental question; I'd like to ask it of you.

They say other countries have stockpiles of nuclear/biological/chemical weapons—these countries also oppress their people. Seven years ago, Iraq invaded Kuwait. We, rightfully, pushed him back. He has not invaded his neighbors since. There is no mention that he now intends—our own people don't tell us that he intends—to invade his neighbors. We've cost him a billion dollars over the last 7 years.

What is the U.S. national interest there? Does he threaten to invade his neighbors? Does he threaten to use his weapons against his neighbors? Does he affect the world's or region's oil supplies? Has he threatened to spread or do we believe he will spread weapons of mass destruction to his neighbors? Is there imminent threat that would defend or justify an air attack, even if he didn't let the inspections go through? Because some had said, OK, if the guy keeps this stuff in his basement but he never uses it, granted he was convicted once and punished once, if it's in his basement and he never uses it, and we don't think he's going to use it against his neighbors; just he punishes his own people—does that reach the level of U.S. national interest? Your comments?

Mr. WOLFOWITZ. This is not in defense of an air strike. I won't go back over it, but, I still have yet to see the point of an air strike, and I don't think the—at least an air strike divorced from some effort to liberate a portion of Iraqi territory, a significant portion it's only in that context that I think we should use force, and then I think force would have some effect.

I guess let me also say, the effect would be perceived very differently in that part of the world, and it's important to us how it's perceived. If we go and just do an air strike, it is going to be seen as just the United States bombing another Arab country, and for no reason that they can understand. If we take action to help the Iraqi people liberate themselves, then at least a very large percentage—I don't know if it's a majority, but millions of people—will say, "I don't like American force. I don't like America playing this role, but I understand that they're doing something that's worth doing."—because Saddam Hussein is quite universally reviled.

Now I guess the shortest answer I would give to your question is I think this man is dangerous as long as he's in power, and I think the best analogy is to think about a super-mafia godfather. We are in a position, essentially, of having gone to the local neighborhood and gotten a whole bunch of businessmen or shopkeepers to say they'll witness against the head of the mafia in the area because we've promised to send him up for life, and they'll never see him again and they'll be safe. And 8 years later, the guy is on parole; they are being threatened, and we're coming back and saying,

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well, how about witnessing; this time we're going to get a 5-year sentence. I mean, it really does not compute.

What a lot of people on our side of this fence are interested in is ending this because they realize that, once you've crossed Saddam Hussein, it is a lifelong grudge. If you have any doubt about it—this is why I think it's important to think about the significance of what happened in May 1993. When George Bush visited Kuwait, Saddam Hussein planned an assassination effort focused on car bombs, although there was also supposed to be a suicide bomber in it, to murder——

Mr. ROTHMAN. Excuse me. I know he's a bad guy. The question is—the analogy is good, but I wouldn't think perfect, because the mafia would be operating in America. This is in another country. So the question of U.S. interest.

Mr. WOLFOWITZ. What I'm saying is this is a man who's out to settle scores, all right. He's so interested in settling scores that he would try to kill the former President of the United States when there was no reason, we would think, to try to do it. If he's that intent on settling scores with us, he's going to settle scores with the King of Saudia Arabia, with the Emir of Kuwait. This is a war for him, and isn't over. It isn't over until he's beaten his enemies, and that makes him, I think, incredibly dangerous.

Mr. ROTHMAN. If those countries are so concerned about being deposed and losing their leaders, why don't they support us? Or is it just the subgrowth of——

Mr. WOLFOWITZ. Because what we're proposing is totally ineffective.

Mr. ROTHMAN. OK.

Mr. WOLFOWITZ. It's like asking them to testify for—I mean, I believe that some of them are telling us, if you will support an effort to overthrow him, we will help you, as scared as we are, but if you're going to just go and blow up some more buildings and make him mad at us again, thank you, we'll try to cut a deal, if we can.

Mr. COHEN. Let me put it a little bit differently. I think Saddam Hussein really is unique. There are other difficult or dictatorial leaders in the world—on a much smaller scale, thank goodness, and on a smaller stage. This is the kind of pathological, political leader who could, if he was in charge of a larger country, be ranked with a Stalin or a Hitler or a Mao. You're talking about that kind of behavior.

The rules for dealing with somebody like that are quite different from the rules for dealing with other kinds of regimes which are difficult, maybe cruel, but don't have quite the same sort of megalomania, willingness to go to all extremes. The example we have of a country attempting to assassinate a former President of the United States, the use of chemical weapons, just simply the scale of the torture that's used in Iraq is something truly extraordinary.

The second point is Iraq's long-term potential. As I said earlier in the hearing, it seems to me the logic of the situation that we're in now is a drift toward the lifting of both the sanctions and the inspections regime. Iraq is a very important country in the Middle East. It has tremendous oil resources. It has a population that, on the whole, is quite well-educated, hard-working, secular, modern.

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Iraq will come back. It's very important to us that Iraq not come back with Saddam at its head.

I think, finally, there's an issue of precedent. Saddam's survival has been quite an unsettling precedent, and it's quite important for us to set the precedent that when we confront somebody of this kind, when we demonize him, quite properly, in my view, as much as we did during the time of the Gulf War and since, that we make it clear that the outcome of this sort of confrontation with the United States is that you fall from power.

Mr. ROTHMAN. Thank you. I guess an analogy might be that this is a murderer who served some time, was punished, but let out on parole, and then tried to kill his parole officer or the judge who sentenced him, George Bush, and he's violated his parole, and we want to get him.

Mr. WOLFOWITZ. He's not a reformed character. He's given us a lot of proof of that. I mean, I suppose, you know, if he had suddenly said, "Oh, I made a terrible mistake. I'll live up to all the U.N. resolutions. I'll be nice to my neighbors," it might be hard to make this case, although I agree with Mr. Cohen; he is unbelievably brutal in the way he rules his own people. That should be a clue. Maybe that's, in fact, why he behaves in this way. I think if he gives up on terror, there's nothing left.

Mr. COHEN. Let me just remind you, this is a man who periodically likes to beat people to death with his own fists.

Mr. FOX. Thank you, Congressman Rothman. Congressman Payne.

Mr. PAYNE. Thank you.

I had a similar kind of a thought that the Congressman from New Jersey had, but I, too, you know, am trying to grapple with this Saddam Hussein problem. First of all, I was surprised when the policy changed so much in the Middle East, when Iran/Iraq fought forever, and I guess one of them invaded the other, and we almost encouraged that, since neither one of them were countries we liked. And then, all of a sudden, though, when Iraq went in, I think we certainly did the right thing by drawing a line, but it kind of surprised me when we took a 100-percent different tact when, then, Iraq went on to go to fight, invade Kuwait, maybe because Kuwait was smaller than Iran. But they fought for 8 or 9 years. Hundreds of thousands of people got killed, but nobody seemed to care. As a matter of fact, we might even have said it was good, since we don't like either one of them. Then, all of a sudden, with the policy changing so much, it kind of caught me by surprise. Like I said, it was different.

Second, I was surprised at how all four of your opinions of the Kofi Annan agreement wasn't even a feat; it was just a little piece of paper; it probably wasn't even worth our time to read it. I thought that Kofi Annan did a great job because it stopped our imposition to strike, to go bomb; you know, they're ready to go. And it seemed like an agreement was made, but no one there—all four of you just said, well, he's like a bailsbondsman, I guess, and very cavalier about a piece of diplomacy that I thought, at least at the present time, until we see whether it works or not—and if I made an agreement, I would not make an agreement expecting it to fail tomorrow, but the attitude that all four of you seem to take was

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that that won't even last until next week. So I was a little shocked at each of you trivializing this accord, this agreement.

The other thing that's very clear—and I hear people talk about bomb, not bomb, bomb a lot, bomb this—not only is there not very much support with the people in the region even, but there's not that much support in the United States of America either. I hear people talk about let's go in; let's wipe out the red guard or whatever his elite fighting people are—of course, they are all people my age—because they're not going in.

Who's going to, therefore, start to calculate the bodies, if we're going to go in? I know that part, you don't agree with. You have another policy of trying to maybe destabilize the country; maybe then that's good.

But if the will in this country is not to go in even bombing massively at the present time, not overwhelmingly, and if then some are saying that we've just got to go in and finish him because he's bad, and we start having tremendous casualties, not only on their side only, but on our side, I'm just perplexed at how we move a policy along.

I guess my question—well, not a question even—it's: Do either one of you feel that we will be able to avoid a conflict? Do either one of you think that there's a possibility that the inspections can be worked out? Because listening to the earlier comments, no one seemed to think that that was going to happen.

Mr. WOLFOWITZ. Let me go first. Let me repeat—maybe you weren't here when I said it—I think Kofi Annan saved us from a much worse course of action, which was a military strike that we were planning, and I don't trivialize that. I think that the price of getting that agreement were the concessions that David Kay described. I mean, I think that explains part of the reason why Saddam may go along with it. I think whether those concessions turn out to be very serious concessions that weaken the inspections regime fatally or not is still somewhat up in the air.

I think there are still things that can be done. I think particularly who is appointed as the Commissioner is going to be a very critical issue. If it's not somebody from UNSCOM, then I think we have a very serious problem. If it is someone from UNSCOM, then, arguably, we haven't changed the regime very much.

I'm prepared to give a reasonable chance for this restored inspection regime to work, but I have, I'm sorry to say, Congressman, absolutely no belief that Saddam Hussein has given up on his effort to acquire weapons of mass destruction. He's shown too much of a determination, too much of a willingness to sacrifice even things that he cares about, and certainly things his people care about. He's clearly, it seems to me, intent on getting these things.

So if the agreement works, at some point it has to catch him. I don't think that trivializes the agreement. I hope we have the inspectors back in, but when we catch him, I hope we're ready to do something more intelligent than simply the bombing campaign we had in mind. That's my view of it.

Mr. COHEN. I guess I wouldn't want to repeat David Kay's statement, which was extremely powerful and convincing, but his basic point seems to be exactly the right one. The inspection regime has accomplished an awful lot. In particular, I would point out that it's

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really the inspection regime that destroyed Saddam's nuclear program, and actually not our air operations during the war. Our conclusion was that, unfortunately, most of the air operations simply inconvenienced the Iraqi nuclear program. It was the inspection regime that really rooted it out. And that has been built up over a long period of time. It's fairly intricate, and I think he's quite right to say that this agreement undermines it in some very important respects.

For me, though, the most important reason to be skeptical of this agreement is simply that Saddam has not kept any other agreement that he's made, and so I see no reason to think that he's going to keep another one. This goes back to my earlier conversation. In the Middle East you have somebody like Syria's President who is a tough, brutal dictator, but he keeps his agreements. Saddam's record is a guy who just doesn't keep his agreements.

On U.S. public opinion, the only thing I would say you would have had a similar reading before the Gulf War, and that's why I stressed in my statement the importance of the leadership shown by the U.S. Government, and particularly the President, in articulating why we're doing something and how we expect military force to achieve it. Without wishing to be partisan, I don't think we have that in this last series of events, and I think it is essential, if we ever do contemplate the use of military power against Iraq again.

Mr. PAYNE. Thank you. Don't you think, though, the last time, because there was aggression, because people went across the border, and the public opinion saw it that a bigger country invaded a smaller country, and President Bush said, we're not going to allow that to happen any longer, that then the American people built up support for it. They don't see—like you said, he's being contained and they don't see that, and I think that action that happened before—and that's why we're able to get 27 other countries to join us in the alliance, and why we have next-door neighbors like Saudia Arabia not jumping forth to be a part of it, made a difference not only in how the American people have seen this big leap out, and maybe that probably is a difference of the fact that they did build up support after the Persian Gulf War and actually began, anyway.

Mr. COHEN. Well, yes, but I think there were also differences that cut the other way. Before the Gulf War, it was assumed that we were going to be going into a conflict with thousands and thousands of casualties on our side, which was a source of opposition to the war. Also, we now have 7 more years of experience with Saddam Hussein, including the attempted assassination of an American President, the massacre of both Kurds and Shiites, repeated violation of agreements, cheating, more and more evidence about the truly horrifying extent of the weapons of mass destruction program. So there are things that we know now that we didn't know about Saddam in 1991, which I think to some extent counterbalanced that.

Mr. PAYNE. Thank you.

Mr. FOX. I ask unanimous consent that all Members be able to insert statements in the record before this hearing.

I'd ask one last question. Under what circumstances, gentlemen, should the United States threaten and actually carry out airstrikes

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against Iraq? What are the lessons learned from the previous air campaign against Iraq in 1991?

Mr. COHEN. Let me start with that. I can imagine a number of circumstances under which it is reasonable to threaten airstrikes against the Iraqis, starting with simply failure to live up to this agreement, depending, to be sure, on the scale of the violations. But it certainly seems to me to be prudent to say that next time there will be no warning; there won't be this period of runup and preparation. We won't deny ourselves the advantages of surprise.

The kind of decision that you make for the use of force is a very complicated one. It's going to depend very much on the circumstances at the time, the politics of the situation. I'm very reluctant to give you a checklist because I don't think Presidents work that way.

If we do use air power, the thing that I would stress most would be the importance of making it intense, and if necessary, prolonged. The thing that has done us quite a bit of damage has been resorting to these very limited strikes, which simply make Saddam look good, which cause collateral damage without corresponding benefits on our part, which do cause turmoil in the region, and don't yield any results.

Finally, one lesson of the Gulf War is that it is possible, if you set your mind to it, to target the regime and to target the things that he values, and that a campaign which focuses simply on trying to root out the weapons of mass destruction is not likely to be terribly successful, either in the very narrow military sense or in a broader, political sense.

Mr. WOLFOWITZ. I don't have much to add to that, except to say one thing, and that is, generally speaking, air power is more effective when it is in some way in support of people acting on the ground. Air power by itself has limitations as an instrument, but we saw in the Gulf War very, very clearly that U.S. air power could completely tip the balance between a very large ground force and a very small one, and I think that is a reason why we should get some people fighting on the ground inside Iraq, not Americans, but Iraqis, who I think are ready to do the job and help them with our air force.

Mr. FOX. On behalf of Chairman Gilman and Ranking Member Hamilton, I want to thank our outstanding witnesses for coming before the International Relations Committee today on the U.S. options confronting Iraq. Thank you very much for your attendance and your participation.

The meeting is now adjourned.

[Whereupon, at 12:40 p.m., the Committee adjourned subject to the call of the Chair.]

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APPENDIX

NEWS *FROM THE*

House International

Relations Committee

Benjamin A. Gilman, Chairman

DATE: February 25, 1998 **FOR RELEASE: Immediate**
Contact: Jerry Lipson, Communications Director (202)225-5021

Opening Statement of Chairman Benjamin A. Gilman
Hearing on U.S. Options in Confronting Iraq
February 25,1998

The Committee will Sge to order. The subject of today's hearing is U.S. options in confronting Iraq.

When we planned this hearing we thought we would spend most of our time today exploring the risks and rewards associated with military action against Iraq. But the agreement reached in Iraq two days ago by U.N. Secretary General Kofi Annan has changed the equation. Military action remains a distinct possibility down the road, but for the time being President Clinton has committed our nation to seek in good faith to implement the Secretary General's agreement.

Many of us are extremely skeptical of that agreement. Saddam Hussein has broken his word to the United Nations many times before. Perhaps this time he means to honor his commitments, but we tend to doubt it.

There are several provisions within that agreement that are deeply troubling. It obligates the U.N. weapons inspectors to quote "respect the legitimate concerns of Iraq relating to national security, sovereignty and dignity." Close quote. That sounds an awful lot like Saddam Hussein's description of what the dispute was about in the first place.

The agreement changes the composition and structure of the U.N. inspection agency in ways that may reduce its effectiveness. The agreement then goes on to direct the reconstituted inspection agency to carry out its work in accordance with quote "specific detailed procedures which will be developed given the special nature of the Presidential Sites." Close quote.

We don't know what these specific detailed procedures will be, but if they are designed to respect the legitimate concerns of Iraq relating to national security, sovereignty, and dignity, as defined by Saddam Hussein, they are bound to be a problem.

Most troubling of all is the question of whether this agreement commits us to a course that will, in short order, render the continuation of international sanctions on Iraq untenable. Make no mistake about it, the sanctions regime that has been in place against Iraq since 1990 has been our most effective tool in containing the threat posed by Saddam Hussein.

In this connection, we should recall that during Congress's 1991 debate over whether to authorize President Bush to use military force to expel the Iraqi army from Kuwait, a significant minority of this institution held the sanctions regime in such high regard that they urged us to rely on it to the exclusion of military force as the means most likely to restore freedom to Kuwait.

It would indeed be tragic if the net result of the saber rattling we've witnessed over the last several weeks was to speed up the lifting of international sanctions on Saddam Hussein. For all these reasons, many of us were surprised when President Clinton rushed to embrace the agreement negotiated by the Secretary General.

(more)

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Some have suggested that the Administration may have developed second thoughts about the military course to which it was committed until two days ago. Whether that course was a wise one is a subject we hope to explore today. For example, was the confrontational course adopted by the Administration warranted by changes in Iraqi behavior over the last several months, or was Iraq simply behaving as it has since the war ended in 1991?

Was the Administration's strategy of using air power to coerce Iraq into complying with Security Council resolutions likely to succeed, or would it have isolated us internationally without advancing our objectives in Iraq?

Finally, I think we all agree that our country needs a more comprehensive strategy to deal with the real problem in Iraq -- Saddam Hussein's continued grip on power. What are the necessary elements of such a strategy, and does the Secretary General's agreement with Iraq make it easier or harder for us to carry out such a strategy? These are all topics that I hope our witnesses will address this morning.

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Congress of the United States
House of Representatives

Statement by Congressman Dana Rohrabacher
Hearing on U.S. Options in Confronting Iraq
House Committee on International Relations

February 25, 1998

Mr. Chairman:

In avoiding a military strike on Iraq, the United States dodged a bullet. There was no chance that we would have suffered a military defeat at the hands of Saddam Hussein. However, a devastating air war without clearly defined objectives could have caused America to suffer needless long term political damage in the region and drastically diminished our capability to influence future events and deter aggression throughout the world.

Before the next inevitable crisis with Saddam, we should reexamine our basic policy options toward Iraq, to develop an effective alternative that will serve the national interest of the United States, assure the defense of Kuwait and enhance the stability of our allies throughout the region. We cannot permit Saddam to outmaneuver U.S. policy again. If the Iraqi people continue to suffer under his tyranny and he again begins stockpiling weapons of mass destruction, his prestige increases while our ability to shape events diminishes. I predict, every six months we will face another standoff, frustrating our people and allies, as well as lowering our readiness in other key strategic areas of the world at the cost of billions of tax dollars from an already strained defense budget.

Even if U.N. inspectors are allowed to resume full inspections, that will not resolve the weapons of mass destruction problem. Such weapons are very mobile and can be hidden in exceptionally small spaces. A more feasible goal is to remove the dictator who is stockpiling these weapons. A superior alternative to the Administration's bombing plans against Saddam would be a long term strategy similar to the one developed by Ronald Reagan to win the Cold War. President Reagan chose to emphasize what America was for, rather than dwell on what we were against. Especially in Latin America, where we left friendly dictators behind. The communists, then, were defeated through our strong support of democracy, and by providing those willing to fight for their rights the means to win their freedom.

Rather than further impose a stranglehold on the Iraqi people, which causes Saddam to feel no pain, while increasingly generating hostility towards America, we should consider the recommendation proposed by respected American defense and foreign policy experts to offer the Iraqi people a choice. The United States is capable of recognizing and fully supporting an Iraqi

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democratic movement, consisting of broadbased elements of Iraqi society -- whether in exile or in a zone on Iraq soil protected by U.S. firepower. A prerequisite for such an alternative government must be their commitment to free and fair elections and respect for the human rights of all Iraqi people.

The Administration, with Congressional approval, must develop a policy for Iraq other than a punitive military strike. We should learn a primary lesson from the Vietnam War that the incremental use of military force cannot achieve a decisive victory. We must remember, first and foremost, that any current military action cannot be a replay of Operation Desert Storm. We must also realize that we can never resolve the weapons of mass destruction issue as long as Saddam remains in power. Our actions must be strategically sound and decisive, with the ultimate goal not to punish the Iraqi people, but to free them -- and the region -- from the lethal tyranny of Saddam Hussein.

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Congressman Robert Menendez
House International Relations Committee
U.S. Options in Iraq

February 25, 1998

Mr. Chairman, earlier this week we averted military action against Iraq. Koffi Annan should be commended for his timely and diligent efforts to bring Saddam Hussein into compliance with the UN Security Council resolution.

While Saddam did finally concede -- he is not a hero-- we should not forget that this man is a tyrant who oppresses his own people and who seeks to hold the world hostage to his political whims -- including the whim to develop weapons of mass destruction.

I am relieved that the current crisis has been resolved, but it would be naive to believe that this crisis will be the last.

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Saddam Hussein has a poor record on keeping commitments -- he has habitually thwarted the efforts of UNSCOM and lied about his country's efforts to develop weapons of mass destruction.

Despite the damage inflicted on his weapons programs during the Gulf War, Iraq retains the production components, data and expertise to resume development and production of weapons of mass destruction -- today, it seems likely that Saddam's biological and chemical, ballistic missile and nuclear weapons programs remain intact.

Now more than ever, we need to be vigilant and

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unrelenting in our enforcement of the Security Council Resolution which demands that Iraq allow full access to UN weapons inspectors -- to all sites, including presidential sites and without delay. We know that Saddam is willing to use these weapons, as he has on his own people. Absent full cooperation we will never be certain that Saddam is not secretly developing his deadly arsenal. It is in that vein, that we must send a message to Baghdad through the Administration and the Congress that should Saddam as much as consider breaking this agreement, we will strike militarily. There are no more chances, there are no more agreements to be had -- there is only compliance.

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STATEMENT OF PAUL WOLFOWITZ

DEAN OF THE PAUL H. NITZE SCHOOL OF ADVANCED INTERNATIONAL STUDIES

OF

THE JOHNS HOPKINS UNIVERSITY

FOR THE

HOUSE COMMITTEE ON INTERNATIONAL RELATIONS

HEARING ON

U.S. OPTIONS IN CONFRONTING IRAQ

February 24, 1998

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Mr. Chairman, I appreciate the opportunity to testify before this distinguished committee on such an important subject as policy toward Iraq.

Although I share in the general sense of relief that the mission of the U.N. Secretary General has made it possible to avoid, for the time being, the necessity of U.S. military action against Iraq, I see no reason to rejoice about the outcome of the latest crisis with Iraq. Nor do I see any reason to be optimistic about the agreement that has been reached. In fact, the events of the last several weeks constitute a significant political victory for Saddam Hussein.

However, the course of military action that the Administration was preparing for would have been an even greater political defeat for the United States, accomplishing little or nothing at the cost of the lives of American pilots and Iraqi civilians and also at great political cost to our friends and allies in the region. What the United States needs to develop urgently is a long-term strategy so that we will not find ourselves in the same box again in a few months, forced to choose between an unsatisfactory diplomatic outcome or costly and ineffective military action. If we must act militarily in Iraq, it should be in support of a serious effort to help Iraqis to liberate their country from Saddam Hussein's tyrannical grasp. That is also the only way to rescue the region and the world from the threat that will continue to be posed by Saddam's unrelenting effort to acquire weapons of mass destruction and to exact vengeance for the defeat he suffered in the Persian Gulf War.

I would like to discuss three points in my testimony this morning:

1) Even a perfect agreement would have constituted a tremendous victory for Saddam Hussein and left the UNSCOM inspectors under an enormous handicap in their efforts to uncover his weapons of mass destruction and delivery systems.

2) The agreement, or what we know of the agreement, leaves enormous question marks about whether UNSCOM will any longer be able to carry out its function of searching for Saddam Hussein's weapons of mass destruction in any of the eight so-called Presidential Palaces or, for that matter, in any other locations that Saddam Hussein may at some later date decide.

3) If the agreement has not effectively gutted the inspection effort and if the inspectors are thus able to get lucky and get back on the trail of what they were about to discover when Saddam blocked inspections a few months ago, the United States must have military options that are better than the one that was available this time of bombing targets whose contents we have little knowledge about in the small hope that this might "substantially reduce" his weapons of mass destruction capability. What is needed is not the "major land campaign" that top Administration officials falsely suggest is the only effective way to remove Saddam from power. The real option is to support the many Iraqis who desperately want to overthrow this tyrant, but who have so far found the U.S.

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stinting and unreliable in the support we have provided them. What is needed is not a "massive U.S. ground invasion" but political, economic and military support so that Iraqis can carry that fight themselves.

THE LOSSES IN A RETURN TO THE STATUS QUO

First, it is important to recognize how much Saddam has gained even if the present agreement actually did commit him to allow the UNSCOM inspectors the "free, full, unfettered access to these sites, anywhere in the country" that President Clinton demanded in his speech to Pentagon personnel on February 17. Most of the reasons to be skeptical about this agreement can be found in the President's own speech.

As President Clinton said, an agreement with Saddam Hussein on this issue means nothing: "Saddam has spent the better part of the past decade trying to cheat on [the] solemn commitment" to submit to inspection of his suspect weapons programs. "Throughout [this] entire process," as the President said, "Iraqi agents have undermined and undercut UNSCOM."

It is also true, as the President said, that the UNSCOM inspectors have done a remarkable job of uncovering Iraq's secret programs despite all of this lying, concealing and obstruction. But there is one major difference now if the inspectors are able to go back to work unhindered in Iraq: this crisis has bought Saddam months of time to move whatever it may have been that U.N. inspectors were about to discover that forced Saddam finally to declare key sites off limits. As good as the inspectors are, it is not reasonable to think that they could get back any time soon to the point they were at when Saddam's obstruction began. It could take many months, or even years, particularly when much of the progress they have made in the last two years has been due, again as the President acknowledged, to the extraordinary revelations brought out by Saddam's son-in-law, Hussein Kamel, when he defected in 1995. It is unlikely that we will ever get such a well-placed defector again.

Thus, even in the best of circumstances, Saddam Hussein has almost certainly bought himself a very long time before we will have to face the need to obstruct the U.N. inspectors again, to continue the game of "cheat and retreat" as Les Aspin called it. Long before then, we can be sure, the pressure will build from Russia, France and others to lift the sanctions on Iraq on the grounds that the inspectors have found nothing. And once again President Clinton had it right in his February 17 speech when he said: "Already these sanctions have denied him $110 billion. Imagine how much stronger his armed forces would be today, how many more weapons of mass destruction operations he would have hidden around the country if he had been able to spend even a small fraction of that amount for a military rebuilding."

What has Saddam had to pay for this long breathing space and for the four-month defiance of the United Nations that produced it? Absolutely nothing. Even worse, he has been rewarded for it. Rewarded by forcing the United States into a costly military build-up that has strained our relations with key allies in the region. Rewarded by the legitimacy of a meeting with the Secretary General of the United Nations and a formal agreement with him (a dignity, we should be remember, would never have been accorded

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to Radovan Karadzic when he claimed to be the leader of Serbian Bosnia). Rewarded by an enormous outpouring of sympathy and support for him in many parts of the Arab world. Rewarded by appearing to have stood up to the United States and not paying any price for doing so.

Perhaps most seriously of all, Saddam has been rewarded by the repeated statements by top U.S. officials -- not to mention those of other countries -- that our goal is limited merely to getting the U.N. inspections restored. That is to say, or rather as President Clinton said, "Would the Iraqi people be better off if there were a change in leadership? I certainly think they would be. But that is not what the United Nations has authorized us to do; that is not what our immediate interest is about." Or, in the words of the Secretary of Defense: "What we are seeking to do is not to topple Saddam Hussein, not to destroy his country, but to do what the United nations has said in its declarations." Of course, these are not warm endorsements of Saddam Hussein's continuation in power. But they certainly go a long way to discourage opponents of his regime from thinking that we are seriously interested in removing Saddam.

POTENTIAL WEAKNESSES IN THIS AGREEMENT

There are also serious problems with the agreement itself. It does much more than simply provide for "diplomats" to accompany UNSCOM inspectors in visiting sensitive sites. In fact, Article 4 of the agreement says that inspection of those sites will be conducted not by UNSCOM but by a new Special Group, appointed by the Secretary General, in which members of UNSCOM will simply be members. Although the language is ambiguous, it suggests that the Executive Director of UNSCOM, Ambassador Richard Butler, who by all reports has done a magnificent job to date, would not be a member of this Special Group. The Special Group would have its own head, called a Commissioner, also appointed by the Secretary General.

If this means that Ambassador Butler has effectively been dismissed for the function of inspecting sensitive sites, and access to those sites is now to be negotiated by a Russian diplomat or someone else who is more sensitive to Saddam's claims of "sovereignty" than to the need to carry out effective inspections, then the damage to the inspection regime is truly fatal. If any confidence is to be placed in this agreement at all, it is vital that the Secretary General move very quickly to appoint Ambassador Butler as the Commissioner of the Special Group, something which the agreement permits but does not require.

Even if the Executive Director of UNSCOM remains in charge of inspecting sensitive sites, there are other reasons for concern. The inclusion of "diplomats" in the teams may compromise security, a serious problem for UNSCOM in the best of circumstances. The promise by the Secretary General to bring the issue of lifting of sanctions to the attention of the Security Council, while seemingly vapid, could generate serious problems. Finally, there are serious concerns about the size and scope of the defined eight "Presidential Sites" that are supposed to be defined in the annex to the agreement, an annex which was still not available more than twenty-four hours after the agreement was announced.

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THE NEED FOR BETTER MILITARY OPTIONS

It may be a long time, if ever, before the inspectors can get close to finding whatever it was that caused Saddam to start obstructing them last year. But if they do, we can be certain, he will block them again. President Clinton has said that in that case we must be prepared to take military action. If so, that military action needs to be something more effective than what was planned this time.

Although the Clinton Administration declared repeatedly that the air strikes they were planning would not be "pin-pricks" like the ones they administered in response to Saddam's attempted assassination of President Bush in 1993 or to his attack on our Iraqi opposition allies in 1996, simply making a bigger bang is no guarantee of serious results. There is simply no way that the U.S. Air Force can do from the air what the U.N. inspectors must do from the ground. Over time it seemed that our objectives were steadily scaled back. As it began to dawn that bombing would probably not succeed in forcing the inspectors back in -- indeed, it might well have the opposite effect -- one heard less talk of that as a possible objective. But since we also couldn't hope to eliminate Saddam's weapons of mass destruction with air power alone, we finally ended up with the objective of "substantially reducing" that threat. In the absence of inspectors, it would be impossible to know what we had actually destroyed. Perhaps the thinking was that the word substantially has enough flexibility in it to cover a range of outcomes. But as Secretary Cohen demonstrated with his bag of sugar, it would not take much left over to continue to pose a serious threat.

Thus, the U.S. would have been left trying to claim significant military success, with little evidence to back it up, while the evidence of death and destruction in Iraq would be real and readily demonstrated by Saddam. Risking American lives and the lives of innocent civilians is something that should be done only when there are serious goals to be accomplished by doing so. The proposed operation could meet that standard only with the greatest of difficulty. And it would have imposed serious costs on our allies in the Arab world.

Which brings us to the question asked by the elderly veteran in Columbus, Ohio: "If push comes to shove and Saddam will not back down, will not allow or keep his word, are we ready and willing to send the troops . . . and finish this job, or are we going to do it half-assed, the way we did before?"

Secretary Cohen's answer was "What we are seeking to do is not to topple Saddam Hussein, . . but to do what the United Nations has said in its declarations." At the same Town Meeting, Sandy Berger said that "The costs and risks of that course of action, in our judgment, are too high and not essential to achieving our strategic interests as a nation . . . It would require a major land campaign, and risk large losses of our soldiers."

Yet Secretary Cohen on other occasions, has said correctly, that this is not simply about U.N. declarations but about real threats to U.S. National Security. Saddam Hussein has demonstrated that we will cheat and try to build weapons of mass destruction as long as he remains in power. He demonstrated, by attempting to assassinate George Bush

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early in the term of a new American administration and by burning Kuwait's oil fields as his army left that country, that he is bent on serious vengeance against those who opposed him in the Gulf War. He has demonstrated not only in 1990 but also again in 1994 that he will pose a threat to Kuwait whenever thinks he has a chance. He has demonstrated countless times that he will conduct genocide and war crimes against his own people, including gassing them with chemical weapons, machine-gunning them in mass graves, and threatening them with starvation by diverting rivers. The one effective way to cope with the weapons of mass destruction problem, like all these other problems, is to help remove him from power.

As President Clinton has said, the issue of weapons of mass destruction is an issue that concerns the future of the twenty-first century. As Mr. Berger said in Columbus, it is an issue worth fighting for. Why is it worth fighting for ineffectively with air power and not worth fighting for effectively, if that means using ground forces? Instead of deciding what means it is willing to use, and then tailoring the goals to fit them, the Clinton Administration should decide what it takes to do the job and ask the country to support it.

However, the estimates that it would take a major invasion with U.S. ground forces seriously overestimates Saddam Hussein. As we did for too long in Bosnia, we are in danger of painting a brutal dictator and his army as mighty giants when; in fact they are military pygmies. There was some excuse for overestimating the capability of the "fourth largest army in the world" before the Gulf War, when all we had to go on was their performance against Iran in the 1980's. There is no reason to be doing so today, when their weaknesses were exposed in 1991, and when the Iraqi army of today is far weaker than the one that we faced then.

The notion that a large U.S. ground invasion would be needed is based on the belief, repeated often by U.S. government officials, that the Iraqi opposition is feckless. But that Iraqi opposition rose up in large numbers to fight against Saddam Hussein in the immediate aftermath of the Gulf War. That Iraqi opposition, with some help from the U.S. Operation Provide Comfort, kept the northern third of Iraq out of Saddam's control for more than five years, and even today, despite the serious division between the two major Kurdish factions, Saddam's writ is weak in Northern Iraq.

Alas, it is U.S. support for the Iraqi opposition, more than that opposition itself, which has been feckless. I am sorry to say that the single best opportunity to support the Iraqi opposition was during the Bush Administration, when Saddam Hussein to use his armed helicopters to slaughter the rebel forces, while American fighter planes flew over head, with their pilots not allowed to shoot at Saddam's gunships. But, where the Clinton Administration came to office promising to do more, they in fact have done less. We have preferred to support coup attempts in Baghdad, which are almost certain to be penetrated and to fail, than to provide open support to the democratic opposition. Ultimately, when the Iraqi opposition was fighting for its life in the North when Saddam attacked Irbil in 1996, the United States made a few meaningless missile strikes against radars in the South, proclaiming the North to be of no strategic importance and abandoning the people whom we had promised to support.

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But Saddam is not ten feet tall. The brutality that makes him so feared by his people also makes him hated. And his army is badly weakened by its defeat in the Gulf War and by the effect of years of sanctions. When President Bush did decide to do something to stop Saddam's repression of his people, by launching Operation Provide Comfort in April of 1991, it took only a small, lightly armed American force and ill-equipped Kurdish guerillas, backed up by the threat of American air power, to drive the Iraqi army out of the northern third of the country. When the opposition proposed an attack on Iraqi forces in the North in 1995, the United States warned them not to and said we would not support them. As a result, the larger of the two Kurdish factions pulled out but the operation nevertheless succeeded in capturing several large Iraqi army units with minimal fighting.

Just a few days ago, Daniel Williams reported in the Washington Post from Amman, in an article titled "Saddam May Be Weaker Than He Seems," that:

> "Diplomats, Jordanian officials and travelers say that the south is dangerous territory for Saddam Hussein's army and police. 'By day, things seem calm enough, but at night the police and soldiers retreat into their shelters. They are not safe,' said a recent arrival from Iraq. 'There is lots of hit-and-run activity on Saddam's security forces. The nighttime belongs to them,' a Western diplomat added."

What saves Saddam from massive uprisings in this situation, a former Iraqi military official exiled in Jordan told Williams, is that "no one wants to be burned twice." If the United States wants the opposition to Saddam Hussein to be less feckless, then it must be less feckless in its support. This does not mean that we can guarantee their success. But there are certain minimum things that we must do. We cannot pretend to support a serious resistance movement when we have yet to give them a single rifle, much less anti-tank weapons. We cannot plan to sit by while helicopter gunships slaughter them without interference.

What the U.S. needs to do to support effective resistance to Saddam Hussein is not a large ground invasion, but rather a series of political, economic and military measures that can help the Iraqi people liberate themselves:

> *Political*: We need to challenge Saddam Hussein's claims to be the legitimate ruler of Iraq. This will be much harder to do in the wake of the agreement that he has just signed with the Secretary General. But it is important, nevertheless, to press to indict him as a war criminal and to challenge his claim to represent Iraq in the United Nations.
>
> We should also indicate our willingness to recognize a provisional government of free Iraq, and the best place to start is with the current organization and principles of the Iraqi National Congress, the only organization that has to date set forth a set of principles on which a post-Saddam representative government could be built.

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The United States can expect to be isolated at first in pushing these positions, but it is important to do so because they are not merely symbolic steps. They have real practical consequences, both political and economic.

Economic: One of the consequences of creating a mechanism to recognize a provisional government for Iraq is that it would open a way to make the frozen assets of Iraq, reportedly in the neighborhood of $1.6 billion just in the U.S. and U.K alone, available to support the resistance.

Another important measure will be to lift economic sanctions from regions in Iraq that are wrested from Saddam's control. It is inexcusable that sanctions have been kept in place all this time on Northern Iraq, even when it was liberated territory. This squeezed the people in the North between a U.N. embargo from the north and Saddam's embargo from the south, thus exacerbating tensions among the Kurds.

Ultimately, the most important economic measure will be to make provision for the oil resources of liberated areas to be made available to support the resistance to Saddam Hussein.

Military: Serious military support is also needed from the United States, but not the large land invasion that is thrown up regularly as a straw man. What is needed most of all is weapons and logistics support. Anti-tank weapons, in particular, could have a powerful equalizing effect, just as anti-air weapons did in Afghanistan. It is difficult to understand how U.S. officials can claim that we have tried supporting the opposition, when we have never tried to arm them.

We should also be prepared to provide air cover for liberated areas within the southern and northern no-fly zones. This is of critical importance, not only to provide a base from which the resistance to Saddam can operate, but also to provide a secure zone to which units of his own army that wish to change sides can go. Saddam is now so unpopular with his own regular army and even with many parts of his Republican Guards that if a secure and honorable path can be opened for his army to leave, major units are likely to do so or to desert without a fight. This presents a very different scenario than the imagined "major land invasion" with U.S. troops marching on Baghdad against a fiercely resisting Iraqi army.

CONCLUSION

Mr. Chairman, it seems clear that the United States is going to have to live with this agreement. While we can work to clarify certain important details -- particularly those that bear on the continued ability of UNSCOM to do its remarkable work. But no new agreement with Saddam Hussein is going to fundamentally alter the threat that Saddam poses to his people, his neighbors and the world, whether from weapons of mass destruction or conventional weapons or from terrorism. Despite the eagerness of some

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for a quick test of the new agreement, we can't really know whether this new inspection regime is working for a long time (although we might learn sooner that it is not working). Despite the eagerness of some for quick military action if the inspectors are obstructed now, we should not be in a hurry to take military action as pointless as what we were just now planning to do.

What we should be doing now is preparing for the time when we face another crisis with Saddam Hussein or another opportunity to act to help the Iraqi people liberate themselves. That is something that we should start doing now. It seems to be something the Administration will not do unless Congress forces them to. For that purpose, I would urge the Congress to:

-- Urge the United States government to recognize, and assist in all practicable ways, a provisional government of free Iraq representing all the people of Iraq and committed to reconciliation within Iraq and to living at peace with its neighbors.

-- Appropriate $100 for the purpose of assisting the provisional government. The administration should work to recover these funds from blocked Iraqi assets now held by the U.S. treasury.

-- Press for the United States to seek an indictment of Saddam Hussein for war crimes and crimes against humanity in an appropriate international tribunal.

Saddam is in a position of great weakness today. But the weakness will only become apparent if he is pushed. If we exaggerate his strength and thus encourage the defeatist mentality that seems to affect Administration strategy today, we will help him buy time for a later confrontation when he will be much stronger and the costs in blood and lives will be much higher. As the veteran said in Columbus:

"Are we going to do it half-assed? And then men at that time to (sic) come back and ask my grandson and some of these other grandsons to put their lives on the line, if we're going to do it half-assed, the way we did before."

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TESTIMONY OF RICHARD N. HAASS

DIRECTOR OF FOREIGN POLICY STUDIES

THE BROOKINGS INSTITUTION

BEFORE THE COMMITTEE ON INTERNATIONAL RELATIONS

HOUSE OF REPRESENTATIVES

FEBRUARY 25, 1998

ON

"U.S. OPTIONS IN CONFRONTING IRAQ"

Once again, it appears that an armed confrontation between Iraq and the international community has been averted. This outcome should not be confused with a resolution, however, for in fact little is resolved. The United States and the world community will continue to face an Iraq headed by Saddam Hussein who possesses some weapons of mass destruction.

What should be done? For the immediate future, we should take advantage of the fact that U.S. military presence in the Gulf region is at a post-Desert Storm high. The United States should test Saddam's willingness to live up to his latest agreement. This requires UNSCOM and the IAEA undertaking an aggressive series of inspections. Any frustration of international inspectors should be met with a robust military response. No more warnings are required or warranted.

Any materials associated with weapons of mass destruction that are uncovered by UNSCOM, the IAEA, or the newly configured "Special Group" should be destroyed or rendered harmless. This said, it is quite possible that inspectors will find nothing given that Saddam Hussein has now had an additional four months to conceal production capabilities, weapons, or both. Thus, even a clean bill of health from the United Nations would not

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constitute a guarantee that Saddam possessed no weapons of mass destruction. Nor would it preclude his threatening his neighbors with conventional military attack or terrorism or violating any of his many other commitments. As a result, the question arises: What should constitute the long-term policy of the United States toward Saddam Hussein and Iraq?

There are two very different paths to choose from, keeping in mind that there are variations of each. One approach--"roll-back"--would seek to bring about Saddam Hussein's removal from power, be it by assassination, providing support to Iraqi opposition elements, or by taking control of the country. The second approach available to the United States can best be described as containment.

The case for roll-back is straightforward, namely, that containing Saddam is likely to prove difficult, eliminating his weapons of mass destruction virtually impossible. In principle, roll-back solves the problem of contemporary Iraq by getting rid of the person who is at its core.

Is assassination, as some have suggested, an option? The short answer is "no". As Fidel Castro's continued rule suggests, it tends to be difficult to carry out. Moreover, assassination raises a host of legal, moral and political problems. An Executive Order continues in force that precludes assassination. Any change in this order would set off a major domestic and international debate that would damage the reputation of the United States. In addition, we need to think twice before weakening this norm for more practical reasons. The United States is the most open society in the world. We are as a result highly vulnerable to assassination and retaliation ourselves.

A second version of roll-back would borrow from the experience in Afghanistan. Thus, some individuals are advocating that the United States promote Saddam's ouster by supporting the Iraqi opposition with money, radio broadcasts, arms, and air power.

But this proposal overlooks the reality that the Iraqi opposition is weak and divided. "Oppositions" would be more accurate. Building a strong, united opposition is an uncertain proposition that at a minimum would take years. A better parallel than Afghanistan might be to Hungary in 1956 or the Bay of Pigs, where U.S. support for local opponents of regimes was enough to get them in trouble but not enough to put them over the top. Providing direct military help for the Iraqi opposition would prove even more dangerous. We would be investing U.S. prestige and risking U.S. lives in situations in which it could be impossible to distinguish between friend and foe. The parallel to Afghanistan breaks down in other ways as well. Where is our "Pakistan" here? What local country is likely to step

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forward to be our partner? Neighboring countries, including our ally Turkey, are likely to oppose some of the goals of various Iraqi factions, while U.S. support for Iraqi factions that are in any way defined by geography or ethnicity could easily increase Iraqi military (and Sunni Muslim) support for the central government. And Afghanistan is a caution in one additional way, showing as it does that ousting regimes is one thing, restoring order and installing a better system something else again. A policy that resulted in an Iraq that was the site not only of prolonged civil war but also regional conflict involving Syria, Iran, Turkey and possibly others would hardly qualify as a success.

More realistic than this indirect or "lite" form of roll-back would be occupying Iraq with ground forces, akin to what we did in Germany and Japan after World War II and on a far more modest scale in Panama and Haiti. But such "nation building" in Iraq could well take years, place U.S. forces in non-battlefield situations where they could not exploit their stand-off and precision-guided munitions, and generate intense resistance and casualties. There would little appetite here at home for a course of action that would almost certainly prove expensive in both financial and human terms. Nor would there be any more support in the region for such a policy, one that would seem to many to constitute an unacceptable form of "neo-colonialism."

The alternative to roll-back in any of its various forms is containment. Under a containment strategy, the principal goal of U.S. policy would be to limit Iraq's ability to threaten the region and to encourage its compliance with the many resolutions passed by the UN Security Council in the aftermath of the Gulf War.

Making containment work would be far from easy. It is beyond our capacity to do alone. As a result, and more than anything else, we would need to shore up the international coalition that has helped keep Saddam in a box for some seven years now.

Regenerating Arab support--essential if we are to mount any significant military operation--requires that we support additional Iraqi exports of oil if it needs revenue to pay for needed food and medicine. More important, the United States should declare that it is prepared to allow Iraq to resume unlimited oil exports if it complies fully with the UN requirement that it not possess nor produce chemical, biological or nuclear weapons or long range missiles and if it accepts that any money earned from exports be funneled into a mechanism controlled by the United Nations. This would ensure that no funds could be use to purchase arms (which would remain forbidden) and would pay for ongoing work of the weapons inspectors (to continue in perpetuity). Proceeds would also be

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used to purchase, food, medicine and consumer goods for the Iraqi people, to compensate Kuwaitis and others for war losses, and to pay Iraq's debts. This latter provision should encourage France and Russia to support the introduction of such a provision. Moreover, issuing such a declaration now will not change anything regarding the status of sanctions unless and until Saddam is certified by UNSCOM and IAEA inspectors. But even a change in declaratory policy will have the immediate benefit of strengthening our position in the Arab world where current U.S. policy, that Saddam comply with every aspect of every resolution before he receives any sanctions relief, is seen as unreasonable and unfair.

We also need a more energetic policy toward Middle East peace. Linkage here is a fact of life. One need not and should not equate Israel and Iraq (or ignore Palestinian and Syrian shortcomings) to recognize that U.S. determination to press Saddam contrasts markedly with American passivity when confronted with Israeli reluctance to implement the Oslo accords or cease unilateral actions that complicate the search for peace. The willingness and ability of Arab governments to work with us against Saddam requires that we do something to reduce this perceived double standard.

Rebuilding the coalition more broadly will require, too, that we make Iraq a diplomatic priority. This may mean going slow on subsequent phases of NATO enlargement--in particular, possible Baltic entry--so as not to further alienate Russia. (That moving slowly may also be good for NATO lest it dilute its capacity to act is an added benefit.) Shoring up the anti-Iraq coalition may also mean eschewing secondary sanctions that penalize France and others in Europe when they do not join U.S. boycotts of Cuba or Iran.

A more nuanced U.S. approach toward Iran, one that embraced a reciprocal "road-map" for improving relations, would help in other ways, as it would threaten Saddam with further isolation or even encirclement. The good news is that all these policy adjustments make sense on their merits. No American interest would be sacrificed or compromised to make our Iraq policy more effective.

Any use of military force should be large and sustained if Iraq again seeks to block UN weapons inspectors or if it masses forces against or attacks one of its neighbors. The target should be the Republican Guards, a critical part of Saddam's power base and one that he will be loathe to alienate. To make this possible, the United States should maintain an augmented military capacity in the region on an open-ended basis.

An element of deterrence should also be introduced into U.S. policy. Specifically, Saddam Hussein should be informed that if

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there is any use of weapons of mass destruction by Iraq, or if there is any use of WMD by others that can be traced back to Iraq, the United States will do whatever is necessary to remove the regime and bring all those responsible to justice.

A containment policy along the lines outlined here promises to be better than explicit roll-back options. It may not offer the promise of a near-term solution that Americans tend to favor, but it will limit the problem. Moreover, it is both doable and affordable, something than cannot be said of more ambitious proposals. To make containment effective, though, will require that it become a priority of American foreign policy. It is not enough for the president and his chief lieutenants to turn their attention to Iraq after Saddam creates a crisis. As was demonstrated in our struggle with the Soviet Union, containment--"long-term, patient but vigilant" in George Kennan's original formulation--can work if we are prepared to commit to it.

Moreover, Kennan's original formulation teaches us something else. A successful containment policy can set in motion forces that can actually lead to the demise of the regime in question. Change, if and when it comes to Iraq, is most likely to come from actions taken by those in or near the center of power who have access to Saddam and who would not be opposed by the majority of those in or near power. This is what took place in the Soviet Union and much of the formerly communist world.

In the case of Iraq, this argues for a policy that would relax export restrictions on Iraq only in the event of its full compliance with WMD-related obligations, maintain critical import sanctions for the foreseeable future, and regularly remind the Iraqi people of improvements they can expect when they are led by a different leadership that meets its international obligations. It would also require a readiness to attack directly and with great intensity Saddam's domestic sources of support on those occasions military force is justified. If all this leads to a change in Iraq's leadership, so much the better. But the advantage of containment over the alternatives is that it protects our core interests even if Saddam manages to hang on.

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Richard Haass has extensive government experience. From 1989-1993 he was Special Assistant to President George Bush and Senior Director for Near East and South Asian Affairs on the staff of the National Security Council. In 1991, Haass was awarded the Presidential Citizens Medal for his contributions to the development and articulation of U.S. policy during Operations Desert Shield and Desert Storm. Previously, he served in various posts in the Departments of State and Defense and was a legislative aide in the U.S. Senate.

Haass also has been Director of National Security Programs and a Senior Fellow of the Council on Foreign Relations, the Sol M. Linowitz Visiting Professor of International Studies at Hamilton College, a senior associate at the Carnegie Endowment for International Peace, a Lecturer in Public Policy at Harvard University's Kennedy School of Government, and a research associate at the International Institute for Strategic Studies. He has also consulted for numerous government agencies and corporations and hosted the international affairs forum of the New York Times on the Internet. A Rhodes Scholar, Haass holds a B.A. degree from Oberlin College and both the Master and Doctor of Philosophy degrees from Oxford University.

Richard Haass is the author of several books, including Intervention: The Use of American Military Force in the Post-Cold War World, which was selected by Choice magazine as one of the outstanding academic books of 1995. His other books include The Power to Persuade: How to be Effective in Any "Unruly" Organization; Conflicts Unending: The United States and Regional Disputes; Beyond the INF Treaty: Arms, Arms Control and the Atlantic Alliance; and Congressional Power: Implications for American Security Policy. He is also co-editor of Superpower Arms Control: Setting the Record Straight.

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23 February 1998

Detecting Cheating on Non-Proliferation Regimes: Lessons From The Iraqi Experience

David Kay[1]

With the end of the Cold War and the Soviet threat, a broad consensus seems to be forming that U.S. foreign and defense policies and budgets can now be premised on the absence of any major threat to the United States or its allies and on such timely detection of any newly developing threat that defensive measures can be deferred until after a threat emerges. The case of Iraq should offer a warning against too much optimism. If this were not enough to ensure that concern with the proliferation of weapons of mass destruction will continue as a major foreign policy concern, one could add: U.S. Presidential election politics; Saddam's continued ability to surprise the world with his survival and his ability to frustrate the internationnal community from fully unmasking and eliminating his on-going program to acquire nuclear, chemical and biological weapons and missiles to deliver these; continued social, economic and political chaos in Russia, the world's first nuclear superpower to disintegrate; concern about the stability of North Korea and how it might use its presumed arsenal of weapons of mass destruction as it collapses; the continued failure of China to abide by global or bilateral nonproliferation promises; and growing evidence of the worldwide reach of terrorism.

The failed efforts of both the International Atomic Energy Agency (IAEA) safeguards inspectors and national intelligence authorities to detect or prevent prior to the Persian Gulf War a nuclear weapons program of the magnitude and advanced character of Iraq's should stand a monument to the fallibility of on-site inspections and national intelligence when faced by a determined opponent. The Iraqi military buildup, as well as the multiple failures of its timely detection, is an experience rich in lessons that, if correctly understood, may help in detecting other covert weapons programs and, equally important, U.S. understanding of the limits of its ability to guarantee timely detection.

During the inspections in Iraq after the Gulf War, an immense military production establishment was found that was producing or striving to produce a broad range of chemical, biological, and nuclear weapons and missiles capable of delivering them. The nuclear program alone involved investments amounting to around $10 billion. Inspectors and those who monitor proliferation were surprised by the magnitude and advanced state of Iraq's efforts to obtain nuclear explosive devices. At the time of the Gulf War Iraq was probably less than a year away from its first crude nuclear device and no more than three to four years away from more advanced, deliverable weapons. Moreover, the amount of foreign assistance and technology that fueled the Iraqi arms program was truly staggering.

As a result of the dogged determination of the United Nations Special Commission on Iraq (UNSCOM), directed by Ambassador Rolf Ekeus, a great deal is now known about Iraq's efforts to acquire weapons of mass destruction.

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[1] Currently Vice President, Science Applications International Corp. The views expressed here are solely my own.

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•The nuclear program had for ten years before the war involved a large clandestine effort – approximately $8-10 billion, more than 20 sites and more than 15,000 people – pursuing multiple routes to enrich uranium, directed toward producing nuclear weapons. Foreign assistance, both technical and equipment, from Western-based companies and the lax export control regimes operated by several of our Western allies played a major role in this program. Beginning in 1987 the Iraqis had also embarked on a testing program to field radiological weapons which would have had as their sole purpose rendering large areas uninhabitable and terrorizing civilian populations. Soon after their invasion of Kuwait, Iraq embarked on a crash program to strip the uranium out of the fuel in their safeguarded research reactor and further enrich it a secret centrifuge facility. The aim of this crash effort was to produce a single nuclear device by April 1991.

•The biological weapons program was of astounding scope, including the production of thousands of liters of botulism toxin and of anthrax and lesser amounts of a number of less well understood, but still deadly, agents.[2] Iraq has now admitted 19,000 liters of concentrated botulinum toxin – with 10,000 liters filled into shells, bombs and missile warheads, 8,500 liters of concentrated anthrax, with 6,500 liters filled into weapons, and 2,200 liters of concentrated aflatoxin, 1,580 of which was weaponized. At the time of the Gulf War biological agents had been weaponized, and missiles, artillery shells and aircraft – Iraq now says 191 warheads – 161 bombs (100 filled with botulinum toxin, 50 with anthrax and 16 with aflatoxin) and 25 Al Hussein missile warheads (13 filled with botulinum toxin, 10 with anthrax and 2 with aflatoxin) – and an aerial spraying system designed to spray 2000 liters of agent over a target – stood ready to rain their deadly payloads onto civilian and military targets. Iraq has, at long last, admitted that prior to the Gulf War it had a full-scale offensive biological weapons program. At least two of the major biological weapons facilities were unknown at the time of the Gulf War. Of longer range concern should be the fact that Iraq was able to achieve such a remarkable biological weapons program after only five years of sustained work.

•The chemical program had not only produced hundreds of thousands of gallons of lethal mustard and nerve agents, but chemical weapons had also been used by the Iraqi regime on its own people as well as against Iran. The Iraqi Army at the time of the Gulf War – and still today – had more combat experience in employing chemical weapons than all the combined armies of NATO and the Warsaw Pact. The actual chemical weapons production capabilities of Iraq remain impressive, but still not fully understood. For example, until September 1995 Iraq had contended that its efforts to produce the advanced nerve gas, VX, had been a failure and that the production efforts had only existed between April 1987 and September 1988 and that the efforts had been a failure. Recent discoveries show that VX production had begun as early as May 1985 and continued uninterrupted until December 1990. Far from being a failed effort, it is now known that VX was produced on an industrial scale, with production possibly as large of 500 tonnes of VX. Even more disturbing is evidence that Iraq successfully mastered the production of

[2] Iraq produced lethal agents, such as anthrax, botulinum toxin and ricin; incapacitating agents, such as aflatoxin, mycotixins, haemorrhagic conjunctivitis virus and rotavirus, and agents to attack crops, wheat cover smut.

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a very stable form of VX for what they termed "strategic storage". Documentation obtained by UNSCOM in the last 6 months also shows that Iraq produced significant numbers of binary sarin-filled artillery shells, 122 mm rockets and bombs. Iraq has also admitted three flight tests of long-range missiles with chemical warheads. An April 1990 missile test involved a sarin warhead.

•Documentation now in the hands of UNSCOM shows that Iraq was actively planning and had actually deployed its chemical weapons for strategic offensive use in a surprise attack mode. The known deployment of their longer-range Al Hussein missiles for which their were at least 25 BW loaded warheads supports these documents. Iraq has also told UNSCOM that launch authority for biological and chemical warheads had been pre-delegated during the Gulf War. This launch authorization was to be used if Baghdad was attacked with nuclear weapons.

•Iraq's missile program is perhaps better known, if not better understood, as a result of the dramatic television footage of Scud attacks during the Gulf War. This well funded, and foreign assisted program had already given Iraq the ability to attack, ultimately with its weapons of mass destruction, all of the states of the Middle East and of U.S. forces that might come to the aid of these states. In addition to the 819 SCUD missiles Iraq obtained prior to the Gulf War from the former Soviet Union, it has now been discovered that Iraq successfully produced and tested similar missiles that it had produced on its own. UNSCOM reported in October 1995 that "*At the end of September 1995, the Commission obtained new information on Iraq's testing activity, including both static and flight testing of Scud variant missile systems; several new designs of longer-range missile systems; development and testing of new liquid-propellant engine designs; development and successful testing of a warhead separation system; an indigenous design of a 600 mm diameter supergun system; and three separate flight tests of chemical warheads. Some of the previously undisclosed designs included missiles that could reach targets at ranges of up to 3,000 kilometres. The commission also obtained information of a special missile under design for delivery of a nuclear explosive device.*"[3]

•Finally, it should now be clear to all that the Iraqi efforts to acquire these weapons did not end with the Gulf War. Just in the last several months new evidence has come to light that Iraq is continuing to secretly, and in violation of its obligation under Resolution 687, continuing to import equipment to extend the range of a new class of Scud-type missiles, produce additional chemical and biological weapons, and continue work on nuclear weapons-related projects.

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[3] UNSCOM Report, S/1995/864, 11 October 1995, para. 42.

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What lessons should we draw from our failure?

We now know so much about Iraq's efforts to acquire nuclear, chemical and biological weapons and advanced means of delivery for these weapons that it is easy – and very convenient for some – to forget that the prevailing assessments of Iraq's accomplishments prior to the Gulf War were quite different. By the same token, international and national measures designed to give assurances that states were not attempting to acquire advanced arms were prior to the end of the Gulf War generally viewed as effective and reassuring. There is little to be gained in singling out individual analysts or organizations for their failure of vision and leadership, but much more to be gained by attempting to understand:

- the systemic sources that led to this failure;
- the accomplishments of UNSCOM, including both its strengths and weaknesses;
- what are the most important areas for U.S. policy to address if similar failures are to be avoided in the future and if arms control regimes such as the nuclear nonproliferation safeguard system are to become more robust.

Why had IAEA safeguards failed to detect the Iraqi nuclear program before the Gulf War? Or – and this was potentially even more dangerous – why had IAEA safeguards given false assurances that there was no Iraqi nuclear weapons program prior to the Gulf War?[4]

There is a simple, but very disquieting, answer to the source of the failure to detect before the Gulf War Iraq's nuclear weapons program. The IAEA's nuclear safeguards were simply not designed to address the case of a state that might attempt to embark on a clandestine nuclear program, except in one very limited case – the large-scale diversion of declared nuclear material. International safeguards were designed in the late 1960's and early 1970's to address one specific concern. That concern was that the foreseen rapid expansion of peaceful nuclear power would provide an opportunity for states that might want to acquire nuclear weapons to divert critical nuclear materials from peaceful nuclear activities to weapons programs. It was apparent that the public would not tolerate international trade in nuclear materials if such a danger could not be controlled. The response was to create a safeguard system that attempted to address this single concern. Although surrounded by an elaborate system of technical jargon and rhetoric, IAEA safeguards were remarkably consistent in focusing on this single threat. The underlying assumption was that if a state desired to pursue nuclear weapons ambitions by some other means – a parallel clandestine program, for example – it would either not sign the Nuclear Non-Proliferation Treaty or its activities would be detected by national intelligence systems of other states. The result was the development of an international nuclear safeguard system that has as its objective "the timely detection of diversion of significant quantities of nuclear material from peaceful nuclear activities to the manufacture of nuclear weapons or of other nuclear explosive devices or for purposes unknown, and deterrence of such diversion by the risk of early detection."[5]

I am prepared to accept that most of the technical assumptions that surrounded the establishment of the IAEA safeguards in the early 1970's were on balance reasonable –

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[4] For a more extended discussion of my views on the pre-Gulf War limitations of the safeguard system and of the obstacles that must be overcome before a more dependable safeguard system can be put in place, see David Kay, "The IAEA: How Can in be Strengthened?", pp.309-333, in *Nuclear Proliferation after the Cold War*, edited by Mitchell Reiss and Robert S. Litwak, Woodrow Wilson Center Press, 1994.

[5] para. 28, INFCIRC/153 (rev), IAEA.

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viewed from the past. These included: probable diversion from civil material was the only significant concern and technical means existed to detect any significant diversion; the amount of nuclear material required for a weapon would be sizable[6]; clandestine programs would be difficult to keep secret; nuclear weapons programs would have to be very large; relevant nuclear technology remained relatively well controlled and enrichment and reprocessing technology could be controlled. What was wrong with these assumptions was that at exactly the point that they were being codified into the international safeguard system they were being undermined by rapid shifts in the technology and equally important shifts in political relationships[7]. The result is that international safeguards at the time of the Gulf War did not even attempt to do what most people thought they did – detect any efforts of a non-nuclear member of the NPT to develop nuclear weapons. The goal of IAEA safeguards was the much more modest, and much less relevant, objective of detecting the nondiversion of substantial amounts of declared materials.

Beyond these technical limitations, the pre-Gulf War culture of the IAEA bears considerable responsibility for its failures. The IAEA was and remains an organization with a divided mandate and a divided membership. By its Statute – and one must add the American initiative that led to its creation – the IAEA has as its objectives both the promotion of the peaceful uses of nuclear energy and ensuring that nuclear material intended for civilian programs are not used for military purposes. The tension between promotion and regulation is a constant theme in budget debates as well as election campaigns for the top office of Director General. Many developing countries view the promotion of the transfers of nuclear technology as the top priority for the IAEA and are reluctant to see any resources being devoted to safeguards. Its Board of Governors regularly has included such notable opponents to effective safeguards as India, Pakistan, Iran, Iraq, Libya, China and Algeria. The international diplomatic milieu and weak leadership led the IAEA to become trapped in the morass of believing that it had to subject all states to the same level of scrutiny. The level of inspection attention was determined by the size of the nuclear program, not by any judgment as to the likely proliferation threat. At the time of the Gulf War 55 percent of the inspection budget went to carry out inspections in three countries – Germany, Canada and Japan.

I am still amazed that given the failures prior to the Gulf War of the international inspection system to detect the Iraqi nuclear program, that the record of the UNSCOM-led post war effort has accomplished so much. What are the reasons that international efforts to eliminate a largely unknown program were so much more successful than international efforts to detect the same program?

First of all, UNSCOM had one tremendous beginning advantage over the IAEA. UNSCOM had a single clear focus. It was to find and then destroy, remove or render

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[6] The term "significant quantity" used in safeguards refers to the amount of plutonium or enriched uranium needed to make a nuclear explosive. The IAEA continues to use 8 kilograms of plutonium and 25 kilograms of uranium as their reference figures although widely available unclassified information would indicate that these amounts should be considerably lower.

[7] This is worthy of a more extended treatment than space here will permit. To a considerable extent, the IAEA safeguard system was an American creation and reflected U.S. dominance of nuclear industry and science at exactly the point at which that dominance was ending. Major reactor fabricators were arising in France and Germany; enrichment technology was moving to the commercial sector in Europe in the form of gas centrifuges at precisely the time that the DOE was embarking on a failed attempt to pursue this technology; reprocessing technology that had been carefully shielded in the classified world in the U.S. was beginning to be commercialized in Europe and somewhat later in Japan; computers and highly accurate machine tools were becoming widely available; a general breakdown in the effectiveness of classification as a means of controlling nuclear developments was taking place; advanced delivery systems were becoming more generally available; and the cost of technical intelligence gathering was leading this powerful tool to be focused on fewer and fewer targets and human intelligence gathering was in broad decline.

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harmless Iraq's weapons of mass destruction. It had no responsibilities with regard to the post-Gulf War reconstruction of Iraq, dealing with humanitarian relief or with the promotion of the peaceful side of nuclear, chemical, biological or missile technology. Multinational bureaucracies are difficult organizations for outsiders to understand, and almost equally difficult for insiders to keep focused on reasonable objectives of effectiveness. They are impossible to operate with mixed or conflicting objectives. UNSCOM was able to dodge this particular bullet, and it has made a tremendous difference.

Second, the Security Council did something in creating UNSCOM that it had never done before in the entire history of the UN. UNSCOM was created as a subsidiary organ of the Security Council and is not subordinate to or dependent upon the UN Secretary General or the Secretariat. UNSCOM reported directly to the Security Council free of all the internal UN political pressures and compromises that render most UN reports senseless and makes direct action impossible. This arrangement also made it possible to operate a field operation free of the morass of UN rules. From little things – the first cipher lock on a UN office and the first reasonable secure communications system – to much more consequential actions – requesting and using national intelligence information and the first use of aerial reconnaissance – UNSCOM used its freedom from the UN bureaucracy to respond to an unprecedented challenge. Equally important the Security Council saw that the success or failure of UNSCOM would be viewed as its own success or failure. Particularly when compared to actions such as Bosnia, the Security Council in the case of UNSCOM has been remarkably consistent in maintaining a unity of purpose.

Third, UNSCOM was blessed with, what for the UN system at least, was a remarkably happy surprise in leadership. Rolf Ekeus, who was selected by the Security Council to chair UNSCOM, has demonstrated the rarest of combinations of leadership qualities in the UN – integrity, stubbornness, ability to resist intimidation, personal courage, diplomatic prowess, and the ability to inspire subordinates.

Fourth, as well led as UNSCOM has been it has benefited considerably from the incompetence and failures of Iraq. In the early nuclear inspections Iraq was the type of opponent of which one can usually only dream – overly centralized; brutal in a way that inspires more fear in its own supporters than the inspectors; crude and incompetent in presenting its own case; cheating on all matters so that it became viewed as untrustworthy regarding everything; and unable to ever formulate and follow a coherent strategy.

Fifth, UNSCOM has had access to and chosen to use a vast range of inspection resources and techniques that the IAEA had earlier either rejected or never sought. These resources include national intelligence information, environmental monitoring technology, aerial reconnaissance, personnel drawn from national weapons programs, handheld GPS devices, zero notice inspections, detailed interviews with Iraqi personnel, and document seizure. The post-Gulf War inspections carried out by UNSCOM, in fact, have seen an unprecedented level of sharing of national intelligence information and techniques. Data from NTM was shared beginning with the very first Iraqi inspection; as they became available clues on the Iraqi arms programs gained from HUMINT were shared; data collection techniques and analytical capabilities were put at the service of the inspection efforts; and even a collection asset – a U-2 aircraft with sensors – has been leased to the UN. While the United States intelligence community has taken the lead in assisting the UN, significant contributions have also been made by other Coalition partners. None of these resources and techniques are panaceas, but without them it would not have been possible to mask a program as well hidden as that of Iraq.

UNSCOM, however, has been far from perfect. It must be recognized that even after five years of the most intrusive arms inspection regime ever to be imposed significant uncertainty remains as to the true extent of the Iraqi weapons program and astounding

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revelations – such as those of its biological weapons program – continue to arise. UNSCOM's early inspection in the missile and biological areas were poorly organized and led. The slowness of UNSCOM in fielding capable biological inspections directly contributed to Iraq's successful efforts to hide the true extent of this program. Operational security issues, even after several sharp warnings, were given too low a priority. UNSCOM also has shared with the IAEA the all too ready desire to declare victory and to move along to less intrusive and politically uncomfortable monitoring programs.

Today's formidable task is not just to recognize and attempt to redress the failures of yesterday that brought nuclear weapons almost into the hands of Saddam. The broader challenge is to discern and prepare for even more ominous developments that are threatening to ignite a new round of nuclear proliferation.

First and foremost among those developments is the inevitable insecurity that has arisen as the Cold War's dangerous but stable security order has passed from the scene. This old order has not yet been succeeded by an equally stable, and hopefully less dangerous, new structure. The unrealistic hope that the United Nations, ignored and enfeebled by the Cold War, could quickly assume the role of peacekeeper and peacemaker is now recognized as impossible. Even more disturbing is the hesitancy and mis-steps of the United States in defining its own role in the post-Cold War world. During the Cold War, the largest bulwark against nuclear proliferation in those industrialized states that could have easily acquired nuclear weapons was their belief that the United States was a reliable guarantor of their security and that they had no need to embark on the costly and dangerous road of nuclear weapons acquisition. The major new development making nuclear proliferation more likely in the future is the growing insecurity and uncertainty as to the structure of support that states can count on when threatened by others willing to resort to aggression and intimidation to achieve their aims of domination Effectively resolving this uncertainty with firm security assurances matched by demonstrated military capacity, willingness and competence must rank high among the steps needed to prevent a spiraling nuclear arms race.. I have considerable concern that, particularly in Asia, states unsatisfied with divisions of territory at the end of World War II may now be contemplating in very dangerous ways the use armed force. At least in the short term, I see no alternative to a United States willing to bear the risk and cost of leadership, while the international community seeks to build a multilateral structure capable of providing the need level of security.

A second new development that threatens to fuel efforts by states determined to acquire nuclear weapons is the real possibility of leakage of nuclear materials, technology, and, even, weapons from the stockpiles of the existing nuclear weapon states – particularly those of the former Soviet Union. The excesses of the Cold War which led to the accumulation of unbelievable amounts of nuclear material when combined with the social and economic chaos of the collapse of a nuclear superpower hold the potential for a devil's brew for sudden nuclear weapons acquisition by both states and terrorist groups. The work already underway to assist the Russians to bring a minimum level of security to their nuclear arms industry remains inadequate and must be accelerated.

Thirdly, the international institutional infrastructure that was built-up to provide international oversight of the world's nuclear industry is in urgent need of overhaul. The International Atomic Energy Agency that resulted from an American initiative – the Eisenhower Atoms for Peace plan – rested on the fundamentally flawed assumption that nuclear power would prove to be a boundless source of energy, literally too cheap to meter. While nuclear power has come to play an important role in producing electricity – certainly this is true in Japan and France – it has not lived up to the initial promises of cheap, risk-free power. Nuclear power is a demanding technology, requiring close concern to issues of safety, economics and proliferation possibilities.

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The IAEA has failed to a considerable extent to adjust to these new circumstances. It continues to be both an institution that promotes nuclear energy as well as advising on safety issues and carrying out major responsibilities for the operation of nuclear safeguards to detect nuclear proliferation. The result is a schizophrenic institutional culture. In the democratic countries of the West, these three functions have been long split into separate agencies, and with the collapse of the Soviet empire, the states of Eastern Europe and the former Soviet Union quickly moved to separate these functions as well. It is only at the institutional level that such antithetical functions have been allowed to coexist in the same institution. The institutional renewal that is now broadly recognized as necessary for the entire United Nations system is urgently required for the central international institution responsible for stemming nuclear proliferation.

The challenge of policing the nuclear threat – and devising comparable measures for the equally menacing possibilities of biological weapons – must move to the top of the international agenda. The realities of domestic and international politics is that it is easier to mouth soothing platitudes that extol progress made rather than to dwell on horrors that may soon emerge. This reluctance to look forward to avoid tragedy arises, by-in-large, neither from ignorance nor evil intent. Across the global, there is a striking uniformity of weariness with international politics and rising concern with simply be able to cope with the seemingly inextricable demands of providing within each of our societies acceptable levels of economic, social and physical security. To a degree frighteningly similar to the war-weariness of the Western democracies in the period between World War I and II, many of our societies seem to lack the vigor and cohesion required to prepare for and confront broader, longer-range threats to international security.

Future Prospects

It should now be clear to all that the Iraqi efforts to acquire nuclear, chemical and biological weapons and missile delivery systems for them did not end with the Gulf War. It should now be equally clear that Iraq freely and repeatedly – both before and after the Gulf War – has broken international obligations that it had accepted not to acquire such weapons. Iraq has continued for over a decade both massive efforts to acquire weapons of mass destruction and extensive deception efforts to defeat international efforts to unmask and destroy this program. Just in the last several months new evidence has come to light that Iraq is continuing to secretly, and in violation of its obligation under Resolution 687, continuing to import equipment to extend the range of a new class of Scud-type missiles, produce additional chemical and biological weapons, and continue work on nuclear weapons-related projects. Even after five years of the most intrusive arms inspection regime ever to be imposed on a country significant uncertainty remains as to the true extent of the Iraqi weapons program and astounding revelations – such as those of its biological weapons program – continue to arise.

The cease-fire that ended the Gulf War envisaged that Iraq would declare its stock of prohibited weapons, these would then be eliminated by UNSCOM and a long-term monitoring system administered by UNSCOM and the IAEA would ensure that Iraq did not rebuild weapons of mass destruction. This might have been an elegant solution to a war that ended with the aggressor still in possession of a vast arsenal of lethal weaponry – *except that it required two conditions that did not turn out to be true*. First, Iraq would have to provide UNSCOM and the IAEA with a complete list of all of its prohibited weapons and their location. Second, Saddam and his regime would have had to be replaced by a regime prepared to live in peace with its neighbors. As events have shown, Iraq has filed to date with UNSCOM more than a dozen "full, final and complete disclosures" of its prohibited weapons – and each one has been shown by subsequent events to be false.

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Iraq's lack of cooperation with the weapons inspection process has been the one constant through out these last five years. Iraqi behavior is unchanging. In the months immediately after the end of the Gulf War I lead teams that had shots fired over their heads as they chased an Iraqi convoy moving secret nuclear equipment and a team that spent four days surrounded by Iraqi troops in a Baghdad parking lot, other teams as recently as this month were on five separate occasions denied for as long as 18 hours access to Iraqi facilities. Intimidation, physical attacks and threats have become a constant element of weapons inspections in Iraq.

A recent report of UNSCOM to the UN Security Council provides several examples of the continuing effort of Iraq to shield its proscribed weapons activities[8]:

• "Iraq has admitted that it had been withholding important information on its missile programmes....Iraq's account concerning missile warheads, including those for the delivery of weapons of mass destruction, lacks consistency and the necessary evidence for verification....The Commission believes that Iraq is still withholding important documents related to proscribed activities and has not provided them in the new disclosure."

• "The new information obtained by the Commission since August 1995 clearly shows that Iraq's chemical weapons programme was more developed and wider in scope than had previously been admitted. Thus the March 1995 chemical full, final and complete disclosure and subsequent amendments were rendered invalid and the Commission requested that Iraq submit a new disclosure....Based on information available to it, the Commission believes that there were further activities relating to the development of chemical munitions that have still not been disclosed, including foreign assistance."

• "Of note is the recent admission by Iraq of its 1988 plans to relocate the production of chemical precursors to civilian chemical facilities, which has confirmed the Commission's approach taken with respect to its monitoring system. The Commission's monitoring team continues to discover non-declared dual-use equipment in Iraq. Under the monitoring plan, Iraq is required to declare all such dual-use chemical manufacturing equipment. Iraq is still unable to provide complete semi-annual declarations required by the monitoring plan in the chemical field."

• "The draft full, final and complete disclosures of November was Iraq's third official declaration in the biological weapons area *submitted this year*...the November draft contains major deficiencies in structure and content. Serious gaps and omissions exist in the declaration and in the documentary support, especially related to biological warfare agent and munition production, munition filling and the destruction of weaponized and bulk agents. In a number of cases, Iraq's declarations appear to downgrade the scope and the results of research, development and production efforts related to certain biological warfare agents....The Commission is especially concerned by Iraq's continuing failure to provide definite figures on amounts of biological weapons agents and munitions produced, weaponized

[8] UNSCOM Report, S/1995, 17 December 1995.

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> and destroyed. In the absence of such figures, accompanied by supporting documentation, it is not possible to establish a material balance of proscribed items, nor is it possible for the Commission to provide an assessment to the Security Council that Iraq does not retain biological weapons agents and munitions."

Faced with five years of deception and lack of compliance, what are the chances of the monitoring system successfully working? The short answer is that the verification system that has been put in place has very little chance of working if Saddam's regime continues its constant cheating and deception. The monitoring system did not detect the post-Gulf War Iraqi efforts to develop new missiles nor did they unearth the previously unknown biological weapons program. Both of these came to light as a result of the defection of two of Saddam's son-in-laws, and given their ultimate fate it would be unwise to count on a dependable supply of equally knowledgeable, but naively stupid, defectors.

UNSCOM, itself, has said that confidence in the effectiveness and comprehensives of its long-term monitoring system depends crucially upon a full knowledge of Iraq's prohibited programs. Effective monitoring requires: "Possession by the Commission of a full picture of Iraq's past programmes and a full accounting of the facilities, equipment, items and materials associated with those past programmes, in conjunction with full knowledge of the disposition of dual-purpose items currently available to Iraq, the technologies acquired by Iraq in pursuing the past programmes, and the supplier networks it established to acquire those elements of the programmes that it could not acquire indigenously...Clearly, knowing where to focus effort requires knowledge of what Iraq would have achieved in its past programmes....A necessary prerequisite for a comprehensive solution is that Iraq demonstrate a full openness and a manifest willingness to cooperate in all its dalings with the Special Commission."[9]

All the evidence to date indicates that UNSCOM's own preconditions for an effective monitoring system have not been met. The UNSCOM monitoring system is certainly not without considerable value. At the very least it forces the Iraqi's to adopt expensive deception practices, slows the pace of Iraqi efforts to expand its weapons arsenal, threatens exposure of continuing efforts of foreign suppliers to support illicit weapons efforts, and provides a ready mechanism to pursue new information that may develop from defections or other sources. But no one should believe that the monstrous efforts of Iraq to obtain and use nuclear, chemical and biological weapons has been eliminated. The consistent pattern of Iraqi behavior has been to bend every effort to maintain or extend its capabilities to threaten its neighbors with chemical, biological and nuclear weapons delivered by long-range missiles. Charm offensives come and go, but the constancy of Iraq's efforts to protect its prized programs for terror and intimidation do not change.

We should also recognize that the current case of Iraq raises serious issues that go considerably beyond Iraq. More broadly, the analytical framework that undergirds the drawing of U.S. intelligence estimates of future threats no longer matches the realities of the world we are entering. The U.S. over the course of the Cold War built up an elaborate methodology for estimating the probable dimensions of Soviet behavior. This methodology adapted itself well to competition with an implacable, but risk avoiding and lumbering bureaucratic opponent such as the Soviet Union. Even during the Cold War, U.S. intelligence estimates were often wrong when the Soviets chose to "act out of character" – for example, stationing missiles and nuclear arms in Cuba, invading Czechoslovakia and invading Afghanistan. This process failed again in the case of Iraq where massive foreign

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[9] UNSCOM Report, S/1995/864, 11 October 1995, para. 3 and 116.

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technology assistance was fused with a leader willing to run the most extreme of risks. The intelligence challenges of today and tomorrow, to name a few, are to understand the terrorist threat, the leakage of nuclear and other advanced arms from the former Soviet Union, the pace at which long-range missiles, biological and nuclear weapons might spread and the likelihood that the Chinese might choose to use military threats and actions against their neighbors. The U.S. now faces a period when the focus of intelligence that guided its Cold War efforts has been lost. In a very real sense Iraq should have warned us that we have lost our capability for strategic warning. There is no agreed, validated threat on which to focus and the capability milestones that guided the assessment process of Soviet intentions and weapons development have all crumbled. In my view there is an urgent need for a high-level, integrated assessment of the U.S. intelligence estimation process before we are surprised again. It should not be forgotten that we were extremely lucky that Saddam chose to risk a confrontation with the U.S. at exactly the time when U.S. military capabilities assemble to face the Soviets were at their maximum strength and freed of any serious Soviet military threat. If Saddam had waited only a few years the U.S. would have faced a far greater challenge in bring a similar level of military might to bear.

Conclusions

If this is a reasonably accurate accounting of the implications and lessons that should be drawn from the Iraq experience, what conclusions can be drawn as to the approach the U.S. should be considering in relying upon international regimes to limit the further spread of advanced arms?

First, be wary of arms control arrangements that have mixed agendas. The largest continuing defect in international nuclear safeguards remains, in my view, the mixing of promotional and regulatory responsibilities in the same organization[10]. The IAEA is obligated to promote nuclear energy. The same organization that was asked to ensure that Iraq, Iran, North Korea, Algeria and Libya were not violating their safeguard agreements was also involved in extensive technical assistance programs to advance the nuclear programs of those same countries. In the case of Iraq this assistance went directly to individuals and activities later identified with the clandestine weapons program. Its promotional activities have advanced reprocessing, large scale enrichment facilities and nuclear desalination with Russian naval reactors – all items with serious proliferation problems. Even in national non-proliferation efforts we have seen the difficulty the U.S. has had in balancing non-proliferation and trade concerns. The problem is much more serious in a multilateral forum composed of many states actively hostile to arms control. The tendency is to make concession to maintain the agreement while compromising the inspection and verification activity. But even in more limited arrangements such as the US brokered agreement with North Korea, there is reason to be concerned that the instrumental goal of supplying the North with nuclear reactors will overwhelm the arms control goal of limiting the North's ability to produce nuclear weapons.

Second, technology changes and arms control agreements that cannot adapt to changes in technology will become at best irrelevant and at worst dangerous. After the mid-1970's IAEA/NPT safeguards focused on a declining part of the proliferation problem, diversion from declared facilities, and used antiquated techniques and approaches to cope with the safeguard mission. Any attempt to ensure the peaceful nature of such dynamic fields as biological research or missile developments must be crafted to ensure flexibility and adaptability. The U.S. particularly bears a heavy responsibility in the 1980's for not

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[10] Although this argument is made here with regard to safeguards, it applies equally to the nuclear power and safety area. Prior to Chenobyl, the IAEA often spoke in glowing terms of the safety of the Soviet nuclear program.

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taking a leading role in questioning the adequacy of IAEA methods and attempting to assist a much needed renovation of inspection techniques. The benefits that can be achieved by U.S. leadership are fully demonstrated in the case of UNSCOM where the U.S. deserves much of the credit for leading the way in making resources available. Much can be done to improve the rigor of IAEA safeguards. The menu of useful approaches is long, including making more resources available to the IAEA, focusing the inspection effort on problem states and regions rather than blindly following the sacrosanct rules of diplomatic equality, focusing more effort on the detection of clandestine programs rather than inspection of only declared facilities, moving to internationalizing all fuel cycle facilities, restricting the right of a state to attempt to escape its NPT obligations by easily withdrawing from the treaty. There are no lack of ideas outside the agency as to these steps. What remains in doubt is whether the determination and leadership exists within the IAEA and its members to push these reforms fully through.

Third, we should not underestimate the difficulty that exists in reaching judgments of non-compliance with arms control obligations. UNSCOM was that rare lucky case where the non-compliance of the inspected party was almost guaranteed by the nature of the agreement. By July, 1991, no one was in doubt that Iraq was locked on a strategy of deceit and cheating. The more usual cases will involve ambiguous information and, more importantly, few good, agreed answers as to what to do if a state is found cheating. The basic arms control dilemma that remains unresolved, even after Iraq, is what to do when you catch a state in violation of its obligations. What is little understood outside of the ranks of those who have served in inspection organizations is the corrosive effect this dilemma has on the integrity of the inspection process. Inspections seek to confirm compliance not to find non-compliance. Concerns are dismissed with demands for "real" evidence, not with programs of more intrusive inspection. If the proliferator is adroit and unfettered by any obligation to speak the truth, the inspection or verification challenge can be quite daunting. Until this dilemma is adequately understood and addressed, arms control agreements will remain as potential "good cover arrangements" for proliferators and generators of false security.

Fourth, states seeking to acquire a nuclear weapons capacity are most vulnerable to effective countermoves during the early stages of their efforts well before any weapons have been obtained. Economic sanctions, tightened export controls, more rigorous international inspections, political pressure, and, even, preemptive military steps all work best before a state has directly achieved nuclear weapons status. Unfortunately, at such early stages is precisely when it is most difficult to draw compelling conclusions as to the aims of weapons programs that are carefully shielded from direct scrutiny. The result is, as illustrated by current disagreements between the U.S. and Russian over the true nature of Iran's nuclear ambitions, an inability to agree to take early action to constrain a possible nuclear program. The intelligence world at the best of times is characterized by uncertain data and sources and methods for acquiring such data that are difficult to share with even friends. If effective collective action is to be taken to halt further nuclear proliferation, policymakers – and not just intelligence professionals – must address the need to produce better, more sharable intelligence on states with suspected nuclear ambitions.

Fifth, technology denial historically was the leading avenue of efforts to control a spread of nuclear weapons. Starting with the Baruch Plan for centralizing all nuclear activities under a central United Nations authority down to the present efforts of the London Supplier Group of major nuclear states to restrict the exports of weapons related technology. While technology control efforts can still present significant speed bumps to nuclear weapons programs, they are of declining effectiveness and may tend to give more false than real security. Nuclear-capable technology today is for more widespread than it was even fifteen years ago. Computers, most far more powerful than those used to design

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early U.S. thermonuclear weapons, can be easily – and legally – acquired off the shelve worldwide. Highly accurate milling tools, again far better than those used in the U.S. nuclear program until the last two decades, are a legitimate commercial item with widespread industrial uses. The basic design principles and fabrication techniques for simple nuclear devices have long been declassified and joined the open global technology base. And finally the spread of nuclear power programs prove very legitimate cover for almost all of the purely nuclear technology and training that cannot otherwise be acquired.

Serious policy examination should be given to trying to strengthen the few areas where nuclear technology controls might have substantial impact even if the price of agreement would be to agree to abandon those controls that really are primarily now only of symbolic value. Key control areas for nuclear supplier countries to consider would be reprocessing and enrichment technologies and even nuclear power projects in countries where abundant alternative energy supplies raise serious questions about the motivation behind the drive to nuclear power. The nuclear weapon states need to address with renewed urgency their own responsibilities for safeguarding the nuclear materials and technologies that they built up during the Cold War. It is necessary – but not sufficient – to point to the Russian lack of effective material controls and accountancy procedures. The U.S. must recognize that as it rapidly dismantles its own stockpile of nuclear weapons it too must focus on ensuring that the declining utility and importance of nuclear weapons is not translated into a sloppiness and inattention to ensuring the security of the nuclear weapon enterprise. If there is one area where the attitude "Close enough for Government work" should never apply it is in the responsibility that all nuclear weapon states have for safeguarding everything associated with designing, manufacturing and storing such weapons.

Sixth, it is often said about American politics, that "All politics is local". To a considerable extent all efforts to prevent further nuclear proliferation is regional. Endemic political disputes, regional rivalries for domination based on religion, race or nationality, and competition for valuable resources have always fueled wars and arms races. Many of these were suppressed or moderated by the Cold War super powers. The U.S. became responsible for ensuring that Pakistan restrained its ambitions for Kashmir and the Soviet military supply line to Syria limited Damascus' actions if not its ambitions. The policy challenge now is to see if regional confidence building measures, arms control arrangements and economic cooperation can put in place a new restraining structure. Technically there are many options, what is unclear is the extent to which there is the political will – both within the regions and from the major powers outside the region – to expand the areas of cooperation and restrain the areas of competition.

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Kofi Annan's Flawed Agreement

2/25/98 NYT

By David A. Kay

MCLEAN, Va.

Kofi Annan, the Secretary General of the United Nations, was far too optimistic yesterday when he said, "I think I can do business" with Saddam Hussein.

True, Mr. Annan has avoided an immediate crisis with Iraq. And President Clinton has given guarded approval to the agreement Mr. Annan brokered with Tariq Aziz, Iraq's Deputy Prime Minister.

But there are reasons to believe that the agreement won't work. Not only because Saddam Hussein has a history of ignoring such pacts, but also because the agreement is itself fundamentally flawed.

The inspections of the eight presidential palaces are to be conducted by a new group, the sixth subcommittee of the United Nations Special Commission (known as Unscom).

It's not clear yet what the exact line of authority will be. But according to the pact, members of the group will be appointed in consultation with Richard Butler, the head of Unscom, and the Director General of the International Atomic Energy Agency. Although the head of the team would report to Mr. Butler, he would be appointed by the Secretary General, according to news reports.

In any case, Mr. Annan clearly assumes the ultimate responsibility for this special inspection team. In doing so, he takes on two incompatible roles: bail bondsman for Mr. Hussein — vouching for his adherence to the inspection agreement — and leader of the international coalition to make Mr. Hussein abide by the inspection agreement.

This arrangement could allow Iraq to play the inspection teams against one another. The "good" team, led by the Annan appointee, could well find nothing wrong, because after a freeze of more than four months on inspections, Mr. Hussein's Government will have been able to move any evidence from the presidential palaces.

> Saddam Hussein can now pit one inspection team against another.

Mr. Butler's teams, on the other hand, may still demand access to more than 50 other sensitive sites. Iraq could try to frustrate these efforts by painting the teams as "troublemakers" and by demanding that they operate under the same rules as Mr. Annan's team.

This kind of thing has happened before. For the last six years, Iraq has challenged Unscom to behave more like the International Atomic Energy Agency teams, which did not find the Iraqi nuclear program in the 1980's.

It could well be that no inspection system has much chance of working. Iraq has gone all out to acquire weapons of mass destruction and to defeat international attempts to unmask and block those efforts. Even after seven years of the most intrusive arms inspections ever to be imposed on a country, Unscom is still unsure of the extent of the Iraqi weapons program. To date, Iraq has filed more than a dozen supposedly complete disclosures of its prohibited weapons, and each one has been shown to be false.

The monitoring system did not detect the Iraqi Government's efforts after the Persian Gulf war to develop new missiles, nor did it unearth the previously unknown biological weapons program. Both of these came to light only as a result of the defection of two of Mr. Hussein's sons-in-law, who were later lured back to Baghdad and killed. Given their fates, it would be unwise to count on future relatives, equally knowledgeable but naïve, coming forward with new information.

Inspection teams may not work that well, but Mr. Annan's latest proposal could set back even the modest progress that Unscom has made. Buying time before turning to military action is worthwhile only if that time is invested in trying to change Iraq's political situation.

By signaling that one can do business with Saddam Hussein, Kofi Annan has essentially blocked any opportunity for political change. □

David A. Kay, the former chief nuclear weapons inspector in Iraq for the International Atomic Energy Agency, is the vice president of Science Applications International.

Note to Readers

The Op-Ed page welcomes unsolicited manuscripts. Because of the volume of submissions, however, we regret that we cannot acknowledge an article or return it. If manuscripts are accepted for publication, authors will be notified within two weeks. For further information, call (212) 556-1831.

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Testimony before the House International Relations Committee

25 February 1998

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Mr. Chairman, thank you for this opportunity to appear before the House International Relations Committee, and to participate in your deliberations concerning the situation in the Persian Gulf.

Like many Americans, I do not believe that Secretary General Annan's agreement will conclude the long term conflict between Saddam Hussein's Iraq and the United States. The Iraqi regime's record of duplicity and deceit, cruelty and ambition, makes me think that any accommodation with the United Nations will prove a temporary one. It is, I think, virtually a certainty that we will, within a year or two, find ourselves confronting the kinds of choices the administration has faced for the last four months, to include the use of military force.

As you know, I directed the Air Force's Gulf War Air Power Survey, an eleven volume study of every aspect of air and space operations in the Persian Gulf, to include those of all the American armed services and our allies. I believe that the lessons of that war – both the <u>real</u> lessons, and the <u>false</u> lessons – have some real utility as we think through the problems of today and tomorrow. Let me begin with some of the real lessons.

1. <u>American military power, and air power in particular, can be enormously effective against a wide range of targets</u>. After the Gulf War there was a tendency to debunk the achievements of American forces, some of which had been exaggerated, or simply misperceived at the time. I know this well, because the Survey I directed said

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some unwelcome things about, for example, our attacks on Iraqi mobile missiles, or the strength of Iraqi forces in the Kuwait theater before the war began. But the bottom line remains that air power was enormously effective against selected targets, such as the Iraqi air defense system, most of the Iraqi ground forces, the electrical power grid, and Iraqi logistics in Kuwait. The seven years since that time have seen dramatic improvements in the quality of our forces: our weapons are better. Where barely 8% of the bombs dropped in the Gulf had precision guidance, I would expect nearly all of them in a new war to be so-called "smart bombs." And even though smart bombs do not always hit their targets, they do so at rates unprecedented in military history. We know more about the enemy, because of the UN inspections, a steady flow of high level defectors from his inner circles, and because of the sustained focus on Iraq by our intelligence agencies for these past seven years. And we understand the geographic and even the meteorological peculiarities of the theater of operations far better than we did before Saddam invaded Kuwait. Air power is a potent weapon against Iraq.

2. <u>Despite these improvements, no operation from the air can eliminate one hundred percent of certain targets; at the same time, sustained air operations are guaranteed to cause substantial civilian losses</u>. The Gulf War taught us a great deal about Iraqi ingenuity and persistence in dispersing, hiding, and moving vital assets; it also taught us how difficult it can be to eliminate, once and for all, targets that can move or be easily hidden. What is worse, the war taught Saddam Hussein that the best way to restrain the United States is by taking his own citizens hostage. On the night of February 13th, 1991, the US Air Force struck a communications facility in Baghdad – the so-called "Al Firdos" bunker. It was a bona fide military target; there is no doubt about that. What our forces did not know is that it doubled as a shelter for family members of the Iraqi leadership, many of whom were killed or wounded in the attack. This accident of war caused the temporary suspension of bombing in downtown Baghdad. Its resumption, at war's end, was limited to only five relatively large and isolated targets in

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the city. In any kind of large military clash there can be no doubt that Saddam will deliberately put civilians in harm's way, and that he will exploit the ensuing carnage for his purposes, making use of all the resources that modern international television puts at his disposal.

3. Resolute presidential leadership makes all the difference. We tend to forget, I think, that the mood in December 1990 in this country was very grim; responsible military and political leaders expected thousands of American casualties, and possibly even a stalemate in the Kuwaiti desert. President Bush's determination carried the American people with him – and not the other way around. Similarly, the commitment of the United States government inspired Gulf states to support vigorous American use of military force – and not the other way around. The resolve shown by our government was absolutely critical in all aspects of the crisis. This is true today and will be true in the future. We cannot expect resolution on the part of the American people or America's allies, if the United States government, and above all the President, does not lead the way.

If there are positive lessons to be learned, so too are there false lessons of which we must be wary. Let me conclude by mentioning two of these.

1. It is not possible to undermine or overthrow the Iraqi regime except by costly, large scale invasion. The Gulf War does not prove this; in many respects, just the contrary is true. At the end of the war there is substantial evidence that the regime was shaken to its roots; there were popular uprisings in the north and south of the country, and even on the streets of Baghdad citizens voiced their opposition to the government. Saddam's regime now is even more fragile, hated, and despised then it was then. It rests on relatively small numbers of military personnel, secret police, and Ba'ath party officials. Above all it rests on Saddam Hussein's ability to maintain constant and effective communication with them. This, it was shown, can be disrupted. Let me add here as

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well that, contrary to what many think, the attack on so-called leadership targets in the Gulf War was relatively limited and of short duration. It did not benefit from the kind of focused intelligence collection that has been possible over the last seven years, but was, rather, a rushed and ad hoc effort that was not sustained in the course of the war. I would not promise that Saddam could be overthrown by a massive air campaign and subversion; but I would not rule it out as a possibility either.

2. It is untrue that the war ended as it did because our Arab allies were bitterly opposed to further measures against Iraq, or because the American people were horrified by the destruction of defeated Iraqi forces. I have found no evidence that Saudi leaders pleaded with the American government to suspend their offensive; nor is there any evidence that American public opinion was turning against the war when it ended. Indeed, the decision to suspend military operations was taken before and not after pictures of the so-called "Highway of Death" appeared on American television screens. The war ended as it did because of the way military commanders defined their mandate, and because many in the administration believed that the war's objectives had been achieved, and that Saddam Hussein would soon fall of his own weight.

In hindsight, of course, this last prediction, although understandable at the time, proved to be incorrect. Saddam Hussein will not fall from power; he will have to be pushed. The only questions are when that will happen, who will do the pushing, and what the price will be for either precipitating or delaying that event. No one predicted in 1991 that seven years after the Gulf War Saddam Hussein would remain a source of danger to the peace of this vital region. What one can predict, however, is that another seven years will yield an even more serious threat to that peace, and to American national interests there and globally.

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February 25, 1998

Hon. Benjamin A. Gilman, Chairman
Hon. Lee H. Hamilton, Ranking Democratic Member,
Members,
Committee on International Relations
House of Representatives
Washington, D.C. 20515

Re: U.S. policy towards Iraq

Chairman Gilman, Mr. Hamilton, and Members of the Committee:

The undersigned represent a group of private individuals who are U.S. citizens and who are mostly of Iraqi extraction. We are academics, professionals, and businessmen. We are representative of all ethnic groups in Iraq. We also include all religious groups of Iraq's expatriate community -- Jews, Christians, and Muslims. Most of us are immigrants who came to the United States to find freedom and dignity.

For nearly a decade, the American public has been assured that our quarrel is not with the people of Iraq, but with their brutal leader, Saddam Hussein. Crippling sanctions over this period of time, however, have decimated the population of Iraq, leaving the regime not only intact, but virtually unaffected by sanctions. While Hussein builds palaces and plays games of brinkmanship with the international community, Iraqis -- children, the aged, the ill -- die in untold numbers. The simplest medications, which were ubiquitous in Iraq's sophisticated, western-style pre-war health care system, are simply unavailable now. Even in those instances where some medications can be found, their cost has become prohibitive to most Iraqis. Families once solidly in the middle class must now choose between putting food on the table or trying to obtain medicine for an ill family member.

Ordinary Iraqis, particularly children, die in the thousands every month as a proximate result of water-borne diseases brought about by the prohibition against Iraq's importation of chemicals necessary to purify drinking water. Anthony Benn, M.P., asked two weeks ago on the floor of the House of Commons if this condition did not itself constitute an indirect use of chemical or biological warfare against the Iraqi civilian population.

The extent of the devastation inflicted upon innocent Iraqis as a direct result of sanctions is beyond comprehension. Illustrative statistics include:

*12% of children surveyed in Baghdad are malnourished, 28% have stunted growth, and 29% are underweight.--United Nations Food and Agricultural

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Organization, December 1995

*As many as 4500 children are dying each month from problems related to malnutrition and a shortage of medical supplies. This is one child every ten minutes. --United Nations International Children's Education Fund, 1995

*Dr. Leon Eisenberg of Harvard Medical School recently wrote that the sanctions against Iraq represent a "disastrous example of war against the public health... The destruction of the infrastructure resulted in devastating long-term effects on health." Water is contaminated and electricity has been limited in a society that had grown dependent on modern facilities. --New England Journal of Medicine, April 25, 1997.

*Since the onset of sanctions, there has been a six-fold increase in the mortality rate for children under the age of five and the majority of the population has been on a semi-starvation diet.--World Health Organization, March 1996.

*Sanctions are inhibiting the importation of spare parts, chemicals, and the means of transportation required to provide water and sanitation services to the civilian population of Iraq.--UNICEF, 1995

*Wheat-flour prices have increased 11,667 times since 1990.--Center for Economic and Social Rights

*20% of the Iraqi population live in dire poverty and cannot afford astronomically rising prices.--United Nations

Dissatisfied with this situation, the Chicago Tribune was the first major newspaper in the United States to call for a re-examination of the brutal effects of the sanctions on Iraq's population. The headline of its lead editorial dated September 1, 1997, summed up the situation succinctly: "Iraq's people have suffered enough," a theme to which it returned on November 28th in its lead editorial, "Base the suffering of Iraq's people." The Washington Post's lead editorial of October 22, 1997 cited alarming figures of "an annual extra-death toll of perhaps a million people, 60 percent of them children" and deplored the "still unrepaired desolation of the public health infrastructure bombed out in the war."

Pope John Paul II has repeatedly asserted, in the strongest terms, the moral necessity of relieving the suffering of Iraq's innocents. We agree with Members of Congress from across the political spectrum, including members of this Committee, who have

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stated that ways of ameliorating the suffering of Iraq's innocents must be found.

Although it may be that the current crisis has, for the moment, been averted, we wish to state on the record that we categorically oppose any planned bombing of Iraq. We do so not only because innocents -- including our families -- are at far greater risk of harm than Iraq's ruling elite; we also believe that a bombing campaign would be harmful to the foreign-policy interests of the United States and its allies in the region. To begin with, it is too horrible to contemplate the possibility that our bombs will release into the atmosphere the very toxins we seek to destroy through the inspections regime. Can one imagine the horror of photographs of Baghdad such as those from Halabcha but multiplied by ten- or a hundred-fold? In the end, bombing might cripple Hussein's capacity to produce biological weapons for only a relatively short period of time, since it is technically quite feasible to hide, transport, and redevelop these weapons and their components. Thus we are faced with the specter of dead civilian bodies lining the streets of Baghdad, with no measurable impact on Hussein's outlawed weapons programs.

It is universally conceded that bombing will not topple the current regime in Iraq; therefore, Saddam Hussein will become stronger as a political force in the region simply by surviving. Without question Iraq's civilian population -- already barely able to survive -- will be hardest hit by renewed hostilities. It will appear to many in the region and throughout the world that the U.S. and Britain are aggressing upon these innocents, with a resultant effect of galvanizing support throughout the region for Iraq and its leader. In turn, pro-American regimes in the area, including those in Egypt, Jordan, and the Gulf States, could be substantially weakened. Bombing could also be the death-knell of an already anemic peace process.

It is unclear whether the current U.S. Administration has any long-term policy in mind for Iraq other than continuing the sanctions, coupled with reflex actions to Hussein's provocations. The lack of such long-term thinking is one of the major reasons that our policies are losing support in the region. We are also losing support around the world because no relief is in sight for Iraq's devastated population. Congressman Lee Hamilton has correctly noted that easing the plight of innocents in Iraq is a *sine qua non* of maintaining international support for our policy of isolating the Iraqi regime. We welcome the Security Council's recent action to increase the oil-for-food arrangement. But it is not enough. Hospitals must be allowed to be re-built. Water-purification, sewage-treatment, and electrical plants must be re-built. The food industry must be re-vitalized, including allowing the importation of agricultural machinery, seeds, fertilizers, and pesticides. We agree that the United Nations must assure itself that these materials are not used to re-arm this regime. But the

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wholesale blockade of these items is directly responsible for the needless death and malnutrition of, and disease in millions of innocent Iraqis, particularly children under the age of five. Had the Iraqi people been brought to this pitiable state through natural disaster, Americans would have been the first to find ways of relieving this human tragedy. We should do no less now. Whether Saddam Hussein could end the effect of sanctions by complying with his obligations is a moot point; he is not. But we ought not to stand idly by and allow a genocide of the Iraqi people to continue.

We urge Congress and the International Relations Committee to hold hearings on the plight of innocents in Iraq. Ways must be found to relieve their suffering, while maintaining such pressures as military sanctions on the Iraqi government. We would be pleased to co-operate with this Committee in any way to facilitate such hearings.

Respectfully,

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Attachments: Washington Post lead editorial of 10/22/97
List of endorsers of above letter

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The Washington Post

AN INDEPENDENT NEWSPAPER

Iraq: Two Crises

THERE ARE two crises in Iraq, and other nations of the world are responding in their fashion to only one. That one is urgent and familiar: the renewed confrontation Saddam Hussein has provoked by again resisting the U.N. arms inspections he agreed to after the gulf war. Last June Washington began pressing for new sanctions but, under Russian and French urging, put off the issue to October to allow Iraqi cooperation. Instead Iraq stonewalled, and now, with Russia and France still dragging, the United States suggests a further six-month wait and then, if Iraq is not in compliance, automatic new sanctions. If the United Nations is serious about its own credibility, this is a minimal plan.

The second quieter and barely noticed crisis in Iraq extends beyond the challenge of maintaining alliance fidelity in the face of an outlaw state's defiance. This one goes to the immense suffering of the Iraqi people as a result not simply of the war but of the international economic sanctions that have been in place against the regime in the nearly seven years since. The consequences are well attested to and include an annual extra-death toll of perhaps a million people, 60 percent of them children, and the still unrepaired desolation of the public health infrastructure bombed out in the war.

Americans are accustomed to treat this appalling situation for what it is—the result of the overweening cynicism of a dictator exploiting the misery of his own people for political ends. Many figured that last year's opening of an oil-for-food humanitarian loophole in the sanctions would at one swoop ease both Iraqi misery and American discomfort. But little food and practically no medicine has passed through what is barely a billion-dollar loophole, and the public health infrastructure remains mostly debris.

The new sanctions Washington is cranking up would keep Iraqi military, intelligence, police and strategic industry officials from traveling abroad. The United States should be working hard to rally broad support for such a restriction. But this is not enough. Some new thinking is needed on how best to relieve innocent but hurt Iraqi civilians. A national or international awareness campaign? A larger humanitarian loophole? More focused attention to infrastructure repair? Something like this is essential to preserve what must be the two strands of American policy: tightening up on Iraq's arms violations, loosening up on the humanitarian needs of its people.

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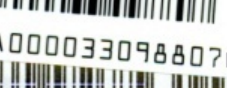

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U.S. OPTIONS IN CONFRONTING IRAQ

HEARING

BEFORE THE

COMMITTEE ON INTERNATIONAL RELATIONS HOUSE OF REPRESENTATIVES

ONE HUNDRED FIFTH CONGRESS

SECOND SESSION

FEBRUARY 25, 1998

Printed for the use of the Committee on International Relations

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U.S. OPTIONS IN CONFRONTING IRAQ

HEARING

BEFORE THE

COMMITTEE ON INTERNATIONAL RELATIONS HOUSE OF REPRESENTATIVES

ONE HUNDRED FIFTH CONGRESS

SECOND SESSION

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