F 76/2:S.HRG.107-658

S. HRG. 107–658

HEARINGS TO EXAMINE THREATS, RESPONSES, AND REGIONAL CONSIDERATIONS SURROUNDING IRAQ

HEARINGS

BEFORE THE

COMMITTEE ON FOREIGN RELATIONS UNITED STATES SENATE

ONE HUNDRED SEVENTH CONGRESS

SECOND SESSION

JULY 31 AND AUGUST 1, 2002

Printed for the use of the Committee on Foreign Relations

PURDUE UNIVERSITY
OCT 17 2002
U.S. DEPOSITORY

Available via the World Wide Web: http://www.access.gpo.gov/congress/senate

U.S. GOVERNMENT PRINTING OFFICE

81–697 PDF WASHINGTON : 2002

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HEARINGS TO EXAMINE THREATS, RESPONSES, AND REGIONAL CONSIDERATIONS SURROUNDING IRAQ

WEDNESDAY, JULY 31, 2002

U.S. SENATE,
COMMITTEE ON FOREIGN RELATIONS,
Washington, DC.

The committee met, pursuant to notice, at 9:30 a.m., in room SD–419, Dirksen Senate Office Building, Hon. Joseph R. Biden, Jr. (chairman of the committee), presiding.

Present: Senators Biden, Dodd, Feingold, Wellstone, Bill Nelson, Lugar, Hagel, Chafee and Brownback.

The CHAIRMAN. The hearing will come to order.

Welcome, everyone, here this morning to what is the beginning of, I hope, for lack of a better phrase, a national dialog on a very important question. There are some very difficult decisions for the President and for the Congress, and we think it's important, the members of this committee, that we begin to discuss what is being discussed all over, but not here in the Congress so far.

The attacks of 9/11 have forever transformed how Americans see the world. Through tragedy and pain, we have learned that we cannot be complacent about events abroad. We cannot be complacent about those who espouse hatred for us. We must confront clear danger with a new sense of urgency and resolve.

Saddam Hussein's pursuit of weapons of mass destruction, in my view, is one of those clear dangers. Even if the right response to his pursuit is not so crystal clear, one thing is clear. These weapons must be dislodged from Saddam Hussein, or Saddam Hussein must be dislodged from power. President Bush has stated his determination to remove Saddam from power, a view many in Congress share. If that course is pursued, in my view, it matters profoundly how we do it and what we do after we succeed.

The decision to go to war can never be taken lightly. I believe that a foreign policy, especially one that involves the use of force, cannot be sustained in America without the informed consent of the American people. And so just as we have done in other important junctures in our history, the Foreign Relations Committee today begins what I hope will be a national dialog on Iraq that sheds more light than heat and helps inform the American people so that we can have a more informed basis upon which they can draw their own conclusions.

I'm very pleased and grateful for the close cooperation of my Republican colleagues, Senator Helms, in absentia, and his staff, in

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particular Senator Lugar and Senator Hagel, in putting these hearings together. This is a bipartisan effort. It reminds me of the way that things used to work in this committee when I joined it in 1973.

I want to say a word now about what the hearings are not about, from my perspective. They are not designed to prejudice any particular course of action. They are not intended to short-circuit the debate taking place within the administration. I know I speak for all members of the committee in saying at the outset that we recognize our responsibility as we conduct these hearings to do so in a way that reflects the magnitude of the decisions the administration is wrestling with and the Congress will have to deal with.

We've coordinated these hearings closely with the White House. We're honoring the administration's desire not to testify at this time. We expect, at some later date, to convene hearings at which the administration would send representatives to explain their thinking once it has been clarified and determined. We do not expect this week's hearings to exhaust all aspects of this issue. They are a beginning. But over the next 2 days, we hope to address several fundamental questions.

First, what is the threat from Iraq? Obviously, to fully answer this question will require us to have additional and closed hearings on top of hearings in S–407 and discussions we've already had with the intelligence community. Second, depending on our assessment of the threat—or depending on one's assessment of the threat, what is the appropriate response? And, third, how do Iraq's neighbors, other countries in the region, and our allies see the, "Iraqi problem"? And, fourth, and maybe most important, if we participate in Saddam's departure, what are our responsibilities the day after?

In my judgment, President Bush is right to be concerned about Saddam Hussein's relentless pursuit of weapons of mass destruction and the possibility that he may use them or share them with terrorists. Other regimes hostile to the United States and our allies already have or seek to acquire weapons of mass destruction. What distinguishes Saddam is that he has used them against his own people and against Iran. And for nearly 4 years now Iraq has blocked the return of U.N. weapons inspectors.

We want to explore Saddam's track record in acquiring, making, and using weapons of mass destruction and the likelihood, in the opinion of the experts that will come before us in the next 2 days—the likelihood that he would share them with terrorists.

We want to know what capabilities Saddam has been able to rebuild since the inspectors were forced out of Iraq and what he now has or might soon acquire. We want to understand his conventional military strength and what dangers he poses to his neighbors as well as to our forces, should they intervene.

Once we have established a better understanding of the threat, we want to look at the possible responses. The containment strategy pursued since the end of the gulf war and apparently supported by some in our military has kept Saddam boxed in. Some advocates for continuing this strategy believe it's exceeded their expectations. And some others advocate the continuation coupled with tough, unfettered weapons inspection. How practical is that? Others believe that containment raises the risks Saddam will con-

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tinue to play cat and mouse with the inspectors, build more weapons of mass destruction and share them with those who wouldn't hesitate to use them against us. In this view, if we wait for the danger to become clear and present, it could become too late. It could be too late. Acting to change the regime, in this view, may be a better course.

But a military response also raises questions. Some fear that attacking Saddam Hussein would precipitate the very thing we're trying to prevent, his last resort to weapons of mass destruction. We also have to ask whether resources can be shifted to a major military enterprise in Iraq without compromising the war on terror in other parts of the world.

My father has an expression, God love him. He says, "If everything's equally important to you, Joe, nothing is important." How do we prioritize? What is the relative value? What are the costs?

We have to inquire about the cost of a major military campaign and the impact on our economy. As pointed out yesterday in one of the major newspapers in America, in today's dollars, the cost of the gulf war was about $75 billion. Our allies paid 80 percent of that, including the Japanese. If we go it alone, does it matter? Will we encompass and take on the whole responsibility? What impact will that have on American security and the economy? We have to consider what support we're likely to get from our key allies in the Middle East and Europe, and we must examine whether there are any consequences if we move for regional stability.

Finally, the least explored, in my view, but in many ways the most critical question relates to our responsibilities, if any, for the day after Saddam is taken down, if taken down by the use of the U.S. military. This is not a theoretical exercise. In Afghanistan, the war was prosecuted exceptionally well, in my view, but the follow-through commitment to Afghanistan security and reconstruction has, in my judgment, fallen short.

It would be a tragedy if we removed a tyrant in Iraq, only to leave chaos in its wake. The long suffering Iraqi people need to know a regime change would benefit them. So do Iraq's neighbors. We need a better understanding of what it would take to secure Iraq and rebuild it economically and politically. Answering these questions could improve the prospects for military success by demonstrating to Iraqis that we are committed to staying for the long haul.

These are just some of the questions we hope to address today and tomorrow and in future hearings and, no doubt, in the fall. In short, we need to weigh the risks of action versus the risks of inaction.

To reiterate my key point, if we expect the American people to support their government over the long haul when it makes a difficult decision, if the possibility exists that we may ask hundreds of thousands of our young men and women in uniform to put themselves in harm's way, if it is the consensus or a decision reached by the administration that thousands or tens of thousands of troops would be required to remain behind for an extended period of time, if those measures are required, then we must gain, in my view, the informed consent of the American people.

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I welcome our witnesses today. We have a group of extremely competent people, one of whom got on a plane in Sydney and traveled 24 hours straight to be here for this hearing, and others who have come from long distances, as well. These are men and women of stature, background knowledge, academic and practical understanding of the region and the country, and we're anxious to hear from them.

I would now ask Senator Lugar if he would like to make an opening statement. And although we usually reserve opening statements just to the ranking member and the chairman, I would, since we only have a few members here at the moment, invite my other three colleagues if they would like to make a, "short"—not as long as the chairman's—short statement.

When you get to be chairman, you can make long statements.

Senator Lugar.

Senator LUGAR. Well, thank you very much, Mr. Chairman, for your leadership in organizing these hearings and for a comprehensive statement that really does set forward the major issues we must discuss.

I was an outspoken advocate for United States military action against Iraq that culminated in Desert Shield and Desert Storm. I urged President Bush at a very early date to seek congressional authorization for deployment of troops and the use of force in the Persian Gulf. At the time, many in and out of the administration feared the possibility of losing that vote. I believed all along the votes would be there, but had the votes for authorization not been there, it would have been far better to have known this at the beginning rather than to be surprised down the road that the Nation was not behind the President. A few weeks later, the House and Senate did vote to authorize President Bush to use military force against Iraq, and the administration benefited immensely from this overt decision of the American people.

If President Bush determines that large-scale offensive military action is necessary against Iraq, I hope that he will follow the lead established by the previous Bush administration and seek congressional authorization. The administration must be assured of the commitment of the American people in pursuing policies and actions in Iraq after focused and vigorous discussion and debate. It is unfortunate that today, some 10 years after the gulf war, we still face threats posed by Saddam Hussein. This did not necessarily have to be the case.

On April 18, 1991, I wrote to President Bush urging him to send our forces to Baghdad and to complete the job. He was gracious enough to receive me in the White House to discuss that letter. I believe that while we had the forces present, we should end the regime of Saddam Hussein and build a democratic Iraq. And, for a number of reasons, our President chose instead to pursue a policy of containment. Those important reasons for that decision, then and now, include our plans for the future of a post-Saddam-Hussein Iraq and future stability of Iraq's neighbors.

We must estimate soberly the human and economic costs of war plans and postwar plans. I am under no illusion that this will be an easy task. The President and the administration will have to make the case to the American people regarding the threat posed

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to the United States security by Saddam Hussein and the weapons of mass destruction he appears intent on producing and potentially utilizing against Americans and other targets.

But the President will also have to make a persuasive case to our friends and allies, particularly those in the region. Simply put, Saddam Hussein remains a threat to the United States, allied, and regional security. However, the situation on the ground in the region has changed since 1991, and it is not at all clear that the tactics of that campaign should be re-employed today.

Ten years ago, the United States had done the military and diplomatic spade work in the region. We had developed a war plan. Allies in the region permitted the United States forces to launch attacks from their territory. We had collected a coalition of willing and able allies. Our allies were willing to pay for $48 billion of the $61 billion cost. We were prepared to utilize the force necessary to defeat Iraqi forces. And, most importantly, we had the support of the American people. We have not yet determined if these same conditions are present today. They might be, but we have not yet engaged all the parties necessary to ensure a successful outcome.

At the end of the Persian Gulf war, the agreements surrounding the cease-fire included an Iraqi commitment to destroy a stockpile of nuclear, chemical, and biological weapons and the ability to produce them in the future. I fully supported this endeavor. Iraq's possession of weapons of mass destruction represents a potential threat the world cannot ignore. On several occasions since the end of the war, the United States and our allies have resorted to the use of military force to counter the threat Iraq poses to its neighbors and to the United States' vital national-security interests. Saddam Hussein has demonstrated his ability and willingness to use weapons of mass destruction and spread instability through military force against his own people and neighbors.

Unfortunately, the overriding priority of his regime has been the maintenance of his own power. These hearings seek to shed light on our policy alternatives. The administration understands that ultimately it will have to make a case for its policy decisions. This is not an action that can be sprung on the American people. Leaks of military plans are dangerous to our security. But public debate over policy is important to the construction of strong public support for actions that will require great sacrifices from the American people.

I look forward to working closely with the chairman to lead this debate and to lay some of the foundation of the coalescing of administration and congressional thinking and support that will be essential for a campaign against Saddam Hussein.

I thank you, Mr. Chairman.

The CHAIRMAN. Thank you.

Gentlemen, I've just been informed that there are going to be four rollcall votes in a row starting at 11 o'clock, so I am going to rescind my offer. And if you want to put your statements in the record or make a 1-minute statement, literally, do that, but we'll never get to our witnesses.

Would anybody like to make a very brief opening comment?

Senator WELLSTONE. Mr. Chairman, I'd just ask unanimous consent that my statement be included in the record. I was a teacher,

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and I'm used to 70-minute classes. I don't know how to do it in 1 minute.

[The prepared statement of Senator Wellstone follows:]

PREPARED STATEMENT OF SENATOR PAUL WELLSTONE

For months now, high-ranking administration officials have openly discussed launching a military attack on Iraq to overthrow Saddam Hussein. Until very recently, however, serious public discussion on the nature and urgency of Iraq's threat, the range of possible U.S. policy responses, and the consequences of a possible U.S. or allied military attack has been in short supply. I believe a free-ranging and open discussion of the policy options facing us on Iraq is long overdue, and wish to thank Senator Biden for scheduling this hearing today, and those which are to follow. By initiating these hearings, the committee is taking an important and historic first step in meeting its constitutional obligations to ensure that the representatives of the people have a chance to thoroughly assess these profoundly important questions before any action is taken.

From all that I have seen, I do not believe the administration has yet made a case for taking military action against Iraq. Before any decisions about major changes in U.S. policy in the region are made—including possible military or other action—our country and our people need to learn as much as we can about the available choices on Iraq and their likely consequences.

Among other things, we must know the impact of a U.S. pre-emptive attack on the international coalition effort to combat terrorism, our nation's number one national security priority. With few exceptions, our coalition partners and regional friends oppose military action. We need to take a hard look at whether taking military action against Iraq would be worth jeopardizing the steady progress we are now making with scores of other nations in actually preventing terrorists from acquiring the resources to attack us again as they did on September 11.

We also must know the nature and urgency of the threat from Iraq, the range of possible American policy responses beyond the use of force, the legal authority for U.S. or concerted international action there, the impact on our economy and on the world economy, and the human toll of any such conflict.

We must also have some clearer idea of our policy goals. Should the goal of U.S. policy be to overthrow the regime and install a regime less hostile to U.S. interests, to compel Iraq finally to agree with unfettered UN-sponsored weapons inspections, to destroy suspected weapons of mass destruction production facilities, or some combination of these? What is the precedent for the U.S. to launch a major military operation in the absence of direct provocation by the target country? Should U.S. action be targeted and covert, or overwhelming and overt? What would we expect the casualties among U.S. service personnel to be in a potential war on Iraq, and would it be higher, as most experts agree, than in the current war in Afghanistan? Are Americans ready to shoulder that burden now? What would the death toll be among ordinary, innocent Iraqi civilians? Why is the UN-sponsored sanctions process, recently overhauled and more narrowly targeted, continuing to erode, and what can be done about that? All of these questions and more must be answered in this process.

The most recent leaked military plan for invading Iraq calls for a heavy reliance on air strikes, focusing first and primarily on Baghdad. What is never mentioned in this report is the fact that Baghdad is also a crowded city of four to five million people, and it would be virtually impossible to take measures sufficient to prevent innocent non-combatants from being harmed.

We must also consider the major responsibilities likely to flow from any military victory. What would it take to secure Iraq and to rebuild it economically and politically? How many U.S. forces would be required to go in, to secure the country and restore some semblance of democratic rule, and for how long would they stay? Would the American people be willing to shoulder the cost of billions of dollars needed for this effort, billions of dollars also urgently needed back here at home? In short, after a military victory has been declared, will the U.S. stay committed for the long haul? In Afghanistan, we won the war, but the follow-through commitment to secure Afghanistan's peace through security and reconstruction has fallen short. That fact, probably as much an any other, has had a chilling effect on regional support for U.S. action on Iraq.

No one here disagrees that the world would be a much better place without the brutal dictatorship of Saddam Hussein. He has preyed on his neighbors, has used chemical weapons on his own people, and continues to be one of the world's worst violators of human rights. However, if a decision to take military action is made,

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it should only be made after the administration has engaged in a serious and thoughtful sustained public discussion on Iraq with the American people, and only after all diplomatic and other peaceful options have been exhausted. Further, if the administration decides to move, it must come back to Congress and seek war powers authorization before engaging in a large scale escalation of hostilities.

I believe these hearings are an important first step in beginning a serious and thoughtful discussion of U.S. policy toward Iraq, one which has been sorely needed, and I look forward to the testimony of the witnesses before us.

Senator WELLSTONE. I'd like to thank the panelists for being here today, and I would like to ask unanimous consent that a statement by Phyllis Bennis at the Institute for Policy Studies be included in the record.

The CHAIRMAN. Without objection, it will be.

[The statement referred to can be found on page 265.]

The CHAIRMAN. And every Senator's statement will be placed in the record if they have one. I sincerely apologize for that.

Senator Dodd.

Senator DODD. I think this is tremendously important, what you're doing. I think this is tremendously valuable. I know there are those who question the motivations behind all of this, but I can't think of any more valuable function that the Senate Foreign Relations Committee can perform than do exactly what we're doing here. I think it not only educates our colleagues, educates ourselves and the American public, it gives the administration an opportunity to focus its ideas and policies. I think one of the best debates that ever occurred in my 20 years in the Senate was the debate surrounding the issue of the gulf war back in 1989.

And so I thank you for doing this. This is a very, very valuable service, and I hope our colleagues pay good attention to what we hear.

Senator BROWNBACK. Mr. Chairman.

The CHAIRMAN. Yes.

Senator BROWNBACK. If I could for just a quick moment, I want to thank you for holding the hearings and second what Senator Dodd has said as to their importance. And I know the administration looks with importance on these hearings as engaging the country.

I would just note, I think, to our panelists and to other, I don't think there's a question but that we've got to, at some point in time, deal with Saddam Hussein. Many would have argued we should have done it 11 years ago. Some would have argued we should have done it 5 years ago. I think the question now becomes, should we do it now? And if so, how? And what does it impact throughout the region?

So I hope our panelists can really address that issue, because I think there's pretty strong unanimity in the Congress that at some point in time we're going to have to deal with this guy. Is now the time? And what's the way? And I hope we can get at that through these hearings.

Senator WELLSTONE. Mr. Chairman, I know everybody's being very brief, but just given the comments of a colleague that I work with, could I just say something in 30 seconds? I used 30 seconds before——

The CHAIRMAN. Sure.

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Senator WELLSTONE [continuing]. Which is I do not believe, as the Senator does, that the administration has yet—has yet made the case for military action against Iraq, and I think that before any decision is taken about whether or not we go to war, we need to have a careful and deliberate and substantive discussion, not only here, but with people in our country, and we'll see whether the case has been made.

I think these hearings are extremely important. This is why I wanted to become a United States Senator, to be a part of a discussion about a question that so crucially affects the world that we live in. And I think that your putting these hearings together is one of the best things you've probably ever done as a United States Senator.

The CHAIRMAN. All right, thank you.

Let me just say, to reinforce one point, yesterday at the White House at the signing of the corporate responsibility bill, the President came up to me in the audience and shook my hand and thanked me for holding these hearings.

I want to make it clear. The administration has told me they have not made a decision yet. I take them at their word. They've indicated to me there's nothing in the near-term. I take them at their word. And we have not given a veto right on how we proceed, but we've asked for their cooperation, offered input, as we did from others, any witnesses they would like to have. And so, so far, this is as I think it should be, the beginning of an open discussion in a bipartisan way to examine the major issues we've outlined here.

Let me begin with our first panel. And as I referenced indirectly, Ambassador Richard Butler—and I sincerely thank him for literally getting in a plane in Sydney and coming, and he obviously thinks these hearings are important or he wouldn't have made that trip.

Richard Butler has served as the executive chairman of the United Nations Special Commission, the so-called UNSCOM, from 1997 to 1999. He was also the Permanent Representative of Australia to the United Nations from 1992 to 1997. He's currently a diplomat in residence at the Council on Foreign Relations and one of the most articulate men in the world, actually, on the subject of Saddam Hussein and Iraq, and we're delighted he's here.

Dr. Hamza is the director of the Council for Middle Eastern Affairs in New York. He was a top Iraqi nuclear engineer working on Iraq's nuclear weapons program until he defected in 1994. He is the author of the book, "Saddam's Bombmaker," and we appreciate him being here and look forward to his testimony.

And a man we often see on television and who's been kind enough to share his wisdom with this committee on many occasions, Professor Anthony H. Cordesman. Professor Cordesman holds the Arleigh A. Burke Chair in Strategy at the Center for Strategic and International Studies. He's also a national security analyst for ABC, and we thank him, as well, for being here.

Gentlemen, if you could proceed. And I realize we told you 5 minutes. I'm not going to hold you literally to 5 minutes. What you have to say is so important. But if you can keep it in the range of 10 minutes, because we want to be able to engage you. And we will—and you've all been here before—maybe Dr. Hamza hasn't—

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we're going to have to break about probably ten after 11 and be gone for 40 minutes. With a little bit of luck, we will be able to get this panel finished, or if we're still engaged, we'll ask you to hang around, if you can.

But, with that, why don't I know yield the floor to you, Mr. Ambassador. And, again, thank you for the effort and your service.

STATEMENT OF HON. RICHARD BUTLER, FORMER EXECUTIVE CHAIRMAN, UNSCOM, DIPLOMAT IN RESIDENCE, COUNCIL ON FOREIGN RELATIONS, NEW YORK, NY

Ambassador BUTLER. Thank you, Mr. Chairman.

Mr. Chairman, Senator Lugar, distinguished members of this committee, I'm greatly honored to have been invited to be here. This is an important debate, and I hope I can make a useful contribution to it.

Mr. Chairman, having worked within the Australian Parliament, I'm well aware of the division bells and rollcall votes and so on, and I appreciate your duties in the Chamber. I will, therefore, come straight to the point and try and speak with dispatch.

My subject, as allocated to me by you and your staff, is Iraq and weapons of mass destruction. I'll make these opening remarks and be happy—then the paper has been circulated, and I'll be happy to take part of whatever discussion——

The CHAIRMAN. Your entire statement will be placed in the record for our colleagues.

Ambassador BUTLER. Mr. Chairman, members of this committee, Iraq's stated position is that it has no weapons of mass destruction. As recently as last week, two senior Iraqi officials, the Deputy Prime Minister and the Foreign Minister, reiterated this claim. It's more than interesting that in his public statement, Saddam Hussein never claims to be disarmed. On the contrary, he threatens a degree of destruction of his enemies, which implies his position of mighty weapons.

It is essential to recognize that the claim made by Saddam's representatives that Iraq has no weapons of mass destruction is false. Everyone concerned, from Iraq's neighbors to the U.N. Security Council to the Secretary General of the United Nations, with whom Iraq is currently negotiating on the issue, everyone, simply, Mr. Chairman, is being lied to.

It is now over 10 years since Iraq was instructed by the U.N. Security Council to cooperate with action to, and I quote, "destroy, remove, and render harmless," its weapons of mass destruction. Those weapons were specified by the Council as these—all nuclear, chemical, biological weapons, and the means to make them, and missiles with a range exceeding 160 kilometers. The Security Council's instruction to Iraq was binding under international law. And all other states were equally bound by law not to give Iraq any assistance in WMD, weapons of mass destruction.

From the beginning, Mr. Chairman, Iraq refused to obey the law. Instead, it actively sought to defeat the application of the law in order to preserve its weapons of mass destruction capability. The work of UNSCOM, the body created by the Security Council to take away Iraq's weapons of mass destruction, had varying degrees of success. But, above all—above all—it was not permitted to finish

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the job, and almost 4 years have now passed since Iraq terminated UNSCOM's work. And in that period, Iraq has been free of any inspection and monitoring of its WMD programs.

Now, I've given this briefest of recollection of that history because, Mr. Chairman, I put to you and your colleagues it shows two key things. One, Iraq remains in breach of international law. Two, it has been determined to maintain a weapons-of-mass-destruction capability at all costs. Now, we need to know, as far as we can, what the capability it today.

First of all, nuclear weapons, although, sitting on my left here, Dr. Hamza is far more expert than I am in that field, but I'll say quickly what I believe is the case. Saddam has sought nuclear weapons for two decades. Ten years ago, he intensified his efforts in a so-called crash program. The gulf war put an end to this. Subsequent inspection and analysis by the International Atomic Energy Agency [IAEA] and UNSCOM showed that in spite of relatively deficient indigenous sources of uranium, Saddam's program was, in fact, when stopped, as close as 6 months away from making a crude nuclear explosive device. Of the three components necessary for a nuclear weapon—materials, equipment, and knowledge—Iraq has the latter two. On the relevant equipment and components, Iraq actually refused to yield them to the IAEA and UNSCOM inspectors.

The key question now is, has Iraq acquired the essential fissionable material, either by enriching indigenous sources or by obtaining it from external sources? And I don't know the answer. And I will say, throughout my remarks, Mr. Chairman, what I don't know as well as what I think is the case. I don't know the answer to that. It is possible that intelligence authorities in the West and Russia—and you all know why I mention Russia, in particular—may know the answer to that question.

But what there is now is evidence that Saddam has reinvigorated his nuclear weapons program in the inspection-free years. And over 2 years ago, the IAEA estimate was that if he started work again on a nuclear weapon, he could build one in about 2 years.

Now I turn to chemical weapons. Saddam's involvement with chemical weapons also spans some 20 years. He used them in the Iran-Iraq war in the mid 1980s and on Iraqis in the north who challenged his rule in 1998. UNSCOM identified an array of chemical-weapons agents manufactured by Iraq. This included the most toxic of them, VX. Iraq's chemical weapons program was extensive, and UNSCOM was able to destroy or otherwise account for a substantial portion of it, of its holdings of weapons and its manufacturing capability. But, Mr. Chairman, not all of it.

It was particularly significant that following UNSCOM's discovery of Iraq's VX program and the fact that Iraq had loaded it into missile warheads together with other chemical and biological agents, it was particularly significant that Iraq then strengthened, in 1998, its determination to bring UNSCOM's work to an end.

Now I turn to biological weapons. Iraq also maintained an extensive biological weapons program with an array of BW agents. Its attempts to conceal this program were most elaborate, implying that BW, biological weapons, are, in fact, particularly important to Saddam. I often thought that there was a relationship here. The

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extent of their attempts to prevent us from finding something demonstrated the degree of importance of it. And if that rule applies, BW is very important to Saddam.

Iraq weaponized BW—for example, it loaded anthrax into missile warheads and continually researched new means of delivery—spraying devices, pilotless aircraft. UNSCOM's absolutely refusal to accept the transparently false Iraq claims about its—what it called its "primitive, failed, unimportant" BW program—and UNSCOM's examination of the possibility that Iraq had tested BW on humans. These also contributed to Iraq's resolve in 1998 to terminate UNSCOM's work.

Finally, missiles. Iraq's main prescribed ballistic missile was the Scuds it had imported from the USSR. It also sought to clone those indigenously and continuously sought to develop other medium- and long-range missiles. UNSCOM's accounting of Iraq's Scuds was reasonably complete. A good portion of them had been fired or destroyed during the gulf war. But the disposition of a number of them, possibly as many as 20, was never unambiguously established.

In addition, Iraq was working, while UNSCOM was still in Iraq, on the further development of a missile capability which would breach the 160-kilometer range limit. I asked them to stop that work, but the general in charge of it categorically refused.

And there was another issue in the missile field which also contributed to Iraq shutting us down in 1998. I had asked Iraq to yield to us 500 tons of fuel that would only fire a SCUD engine, and they refused.

Now, what do I derive from this SITREP, Mr. Chairman? Quickly, six main points. We do not know, and never have known fully, the quantity and quality of Iraq's WMD. Its policies of concealment ensured that this was the case. Two, we do know that it has had such weapons, has used them, and remains at work on them. Three, what it has been able to further achieve in the 4-years without inspection is not clear, in precise terms. That is the inner logic of inspections. You cannot see what you are not permitted to look at. Fourth, Saddam Hussein knows what he is working on, he always had, and the assets he holds in the WMD field. His refusal to allow inspections to resume has nothing to do with notions of Iraqi sovereignty. It is designed to prevent the discovery of and to protect his weapons-of-mass-destruction program. Next, intelligence agencies might know more than they are able to say in public. Certainly what has been published of defector and intelligence reports confirms that during the past 4 years Iraq has been hard at work across the board to increase its WMD capability.

And, finally, there are a number of deeply disturbing possibilities within Saddam's WMD program, which need urgent attention, but especially these. Has he acquired a nuclear weapons capability by purchasing it from Soviet stock? I think that's an important question. And, second, is he working in the BW field on smallpox, ebola, and plague?

Now, there is a question as to why does Saddam want these diabolical weapons? Why has he defended them at such great cost to the Iraqi people? In many respects, Mr. Chairman, he's told us himself in his various outbursts. They make him strong. They help

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him stay in power at home. They help him fight what he thinks—his enemies outside Iraq.

But, even more disturbing than those so-called goals and his view of the world is his apparently cataclysmic mentality. He surely must know that, especially following September 11, any use by him, and, indeed, any threat of use of WMD against the United States or possibly its allies, would bring a terrible response. It would be intelligent for him to now recognize that his WMD capability is an insupportable liability for him and his regime. Yet, Mr. Chairman, he shows no sign of such intelligent judgment. And this is perhaps the ultimate pathology of the man.

Will he make his WMD available to terrorist groups? Again, I don't know. We do know that Iraq has trained terrorists from around the region and has mounted terrorist actions of its own as far afield as in Southeast Asia. I have a personal experience of that. But I have seen no evidence of Iraq providing WMD, as such, to non-Iraqi terrorist groups. I suspect that, especially given his psychology and aspirations, Saddam would be reluctant to share with others what he believes to be an indelible source of his own power.

On the elemental question, therefore, the one put to me, Saddam and weapons of mass destruction—that is, does he have them, et cetera—what's the state of affairs contrary to his assertions that he has none? In addition to what I've put to you, I would refer this committee to the traditional test of whether or not a person can be judged to have committed a crime, and this is, did the accused have the motive, the means, and the opportunity? And, Mr. Chairman, Saddam plainly has all three and has demonstrated this fact.

What should be done? I was told that's not my issue for this morning.

The CHAIRMAN. Well, we would welcome your input.

Ambassador BUTLER. Well, clearly an ideal situation would be the resumption of arms control in Iraq—inspections and serious arms control—but, Mr. Chairman, not if that means the shell game—phony inspections, more deceit, more concealment. That would, in fact, I suggest, be deeply dangerous, providing an illusion of security.

So if the decision has to be taken to remove Saddam, then I'd just say this. Do it for the right reasons. As you have pointed out, Mr. Chairman, have this debate and make clear to the world what this is about. It is about weapons of mass destruction, but please do not leave out Saddam's hideous record, in terms of human-rights violations—he should be on trial in The Hague alongside Milosevic—and, second, the fundamental violation by his regime of international law, something which trashes the system of international law and harms us all.

Thank you, Mr. Chairman.

[The prepared statement of Ambassador Butler follows:]

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PREPARED STATEMENT OF AMBASSADOR RICHARD BUTLER, FORMER EXECUTIVE CHAIRMAN OF UNSCOM, DIPLOMAT IN RESIDENCE, COUNCIL ON FOREIGN RELATIONS

IRAQ AND WEAPONS OF MASS DESTRUCTION

Iraq's stated position is that it has no weapons of mass destruction (WMD). As recently as last week, two senior Iraqi officials—the Deputy Prime Minister and the Foreign Minister—reiterated this claim.

It is more than interesting that in his public statements, Saddam Hussein never claims to be disarmed. On the contrary, he threatens a degree of destruction of his enemies which implies his possession of mighty weapons.

It is essential to recognize that the claim made by Saddam's representatives, that Iraq has no WMD, is false. Everyone concerned, from Iraq's neighbors to the UN Security Council and the Secretary-General of the UN, with whom Iraq is currently negotiating on the issue, is being lied to.

It is now over ten years since Iraq was instructed by the UN Security Council to cooperate with action to "destroy, remove, or render harmless" its weapons of mass destruction. Those weapons were specified by the Council as: all nuclear, chemical, and biological weapons; the means to make them; and missiles with a range exceeding a hundred and sixty kilometers.

The Security Council's instruction to Iraq was binding under international law. All other states were, equally, bound by that law to deny Iraq any assistance or cooperation in the field of WMD.

From the beginning, Iraq refused to obey the law. Instead, it actively sought to defeat its application in order to preserve its WMD capability.

The work of UNSCOM, the body created by the Security Council to implement its decisions on Iraq's WMD, had varying degrees of success. But, above all, it was not permitted to finish the job. Almost four years ago the Iraqi's terminated its work. Iraq has been free of inspection or monitoring since then.

This briefest of recollections of relevant background history reveals two salient facts: Iraq remains in breach of the law; it has been determined to maintain a WMD capability.

We need to know as far as is possible, Iraq's current WMD status.

NUCLEAR WEAPONS

Saddam has sought nuclear weapons for some two decades. Ten years ago he intensified his efforts, instituting a "crash program." The Gulf War put an end to this. Subsequent inspection and analysis by the International Atomic Energy Agency (IAEA) and UNSCOM, showed that in spite of relatively deficient indigenous sources of the fissionable material needed to make a nuclear weapon, Saddam's program was as close as six months from yielding a bomb.

Of the three components necessary for the fabrication of a nuclear explosive device: materials, equipment, knowledge; Iraq has the latter two. On the relevant equipment/components, Iraq refused to yield them to the inspectors.

The key question now is has Iraq acquired the essential fissionable material either by enriching indigenous sources or by obtaining it from external sources?

I don't know the answer. It is possible that intelligence authorities, in the West and/or Russia do. But, there is evidence that Saddam has reinvigorated his nuclear weapons program in the inspection-free years.

Over two years ago, the IAEA estimate was that if he started work again, Saddam could build a nuclear weapon in about two years.

CHEMICAL WEAPONS (CW)

Saddam's involvement with chemical weapons also spans some twenty years. He used them in the Iran-Iraq war in the mid-eighties and on Iraqi's who challenged his rule, in 1988.

UNSCOM identified an array of CW agents manufactured by Iraq. This included the most toxic of them—VX. Iraq's CW program was extensive. UNSCOM was able to destroy or otherwise account for a substantial portion of Iraq's CW holdings and manufacturing capability. But, not all of it.

It was particularly significant that following UNSCOM's discovery of Iraq's VX program and the fact that Iraq had loaded it and other CW and BW agents into missile warheads, Iraq strengthened its determination to remove UNSCOM from Iraq.

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BIOLOGICAL WEAPONS (BW)

Iraq also maintained an extensive BW program with an array of BW agents. Its attempts to conceal this program were the most elaborate, implying that BW were particularly important to Saddam.

Iraq weaponized BW. For example, it loaded anthrax into missile warheads and continually researched new means of delivery: spraying devices; pilotless aircraft.

UNSCOM's absolute refusal to accept the transparently false Iraqi claims about its "primitive, failed and unimportant" BW program and its examination of the possibility that Iraq had tested BW on humans also contributed to Iraq's resolve, in 1998, to terminate UNSCOM's work.

MISSILES

Iraq's main proscribed ballistic missile was the Scuds it had imported from the USSR. It also sought to clone those indigenously and continually sought to develop other medium- and long-range missiles.

UNSCOM's accounting of Iraq's Scuds was reasonably complete: a good portion of them had been fired or destroyed during the Gulf War. But the disposition of a number of them, possibly as many as 20, was never unambiguously established.

In addition, Iraq was working, while UNSCOM was still in Iraq, on the further development of a missile capability which would breach the 160 kilometer range limit. I asked them to stop that work. They refused.

There was another issue in the missile field which also contributed to Iraq shutting down UNSCOM in 1998. I asked Iraq to yield some 500 tonnes of fuel which would only drive SCUD engines. It refused.

It is very important to make the following points:

- We do not know and never have known fully the quantity and quality of Iraq's WMD. Its policies of concealment ensured this.
- We do know that it has had such weapons, has used them, remains at work on them.
- What it has been able to further achieve in the four years without inspection is not clear, in precise terms. That is the inner logic of inspections—you cannot see what you are not permitted to look at.
- Saddam Hussein knows what he is working on and the assets he holds in the WMD field. His refusal to allow inspections to resume has nothing to do with notions of Iraqi sovereignty. It is designed to prevent the discovery of and to protect, his WMD program.
- Intelligence agencies might know more than they are able to say in public. Certainly what has been published of defector and intelligence reports confirms that, during the past four years, Iraq has been hard at work, across the board, to increase its WMD capability.
- There are a number of deeply disturbing possibilities within Saddam's WMD program which need urgent attention, but especially these: has he acquired a nuclear weapons capability by purchasing it from former Soviet stock; is he working, in the BW field, on smallpox, plague, ebola?

Why is Saddam so deeply attached to these diabolical weapons and defended this attachment at massive cost to Iraq and its people?

In many respects he has told us himself, in his various public outbursts. They make him strong against enemies within and without Iraq. They support his posturing to lead the Arab world against its enemies.

Even more disturbing than Saddam's goals and view of the world, is his apparently cataclysmic mentality. He surely must know that, especially following September 11, any use by him and indeed any threat of use of WMD against the United States, or possibly its allies, would bring a terrible response.

It would be intelligent for him to now recognize that his WMD capability is an insupportable liability for him and his regime. Yet, he shows no sign of doing so. This is perhaps the ultimate pathology of the man.

Will he make his WMD available to terrorist groups?

I don't know. We do know that Iraq has trained terrorists from around the region and has mounted terrorist actions of its own, as far afield as in South East Asia. But I have seen no evidence of Iraq providing WMD to non-Iraqi terrorist groups.

I suspect that, especially given his psychology and aspirations, Saddam would be reluctant to share what he believes to be an indelible source of his power.

On the elemental question of whether, contrary to assertions authorized by him, Saddam possesses WMD, I would refer to the traditional test of whether or not a

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person can be judged to have committed a crime: did the accused have the motive, means, and opportunity? Saddam plainly has had and continues to have, all three.

What should be concluded from these facts?

The resumption of arms control in Iraq is urgently required. But, it would have to be serious. If Iraq again refused to cooperate, then to pursue compromised inspections would be dangerous. If it is decided to take military action against Saddam it will be crucial for it to be for the right reasons. There are, in fact, three: Saddam's flagrant violation of human rights; his continuing refusal to comply with international law as expressed in binding decisions of the Security Council; and, his violation of arms control obligations and treaties.

The CHAIRMAN. Thank you. I particularly agree with your last point. I have been pushing for 8 months that he should be indicted as a war criminal. Even if we cannot get him, he should be indicted as a war criminal so the world understands.

Doctor, welcome.

Dr. HAMZA. Thank you.

The CHAIRMAN. The floor is yours.

STATEMENT OF DR. KHIDHIR HAMZA, FORMER IRAQI NUCLEAR PHYSICIST; PRESIDENT, COUNCIL ON MIDDLE EASTERN AFFAIRS, NEW YORK, NY

Dr. HAMZA. Mr. Chairman, distinguished members, yesterday Saddam met members of the Atomic Energy Organization addressing then as what he calls mujaheddin. That is people who exert extreme effort and may sacrifice themselves for their work. And this is what he had to say yesterday. "The Americans and British say that if Iraq is left to its own means, it might make such and such weapons." He didn't name them, but it's clear what he meant. "They mean to harm us." "It is to prevent any Arab or Muslim from progress." He calls it progress. "This is the evil program of the West, and especially the Americans assisted by Zionism and their supporters." It is clear now, at this critical juncture, that at his meeting with Atomic Energy exhorting them to do their "national duty"—we see Saddam back at his own old games of trying to create at least the impression that he is a dangerous man and a menace and should not be trifled with.

The last meetings of the Iraqi delegation with the U.N.-relevant personnel on resuming inspections in Iraq, the Iraqi Government decided, after they failed to make the U.N. agree to their terms of getting the inspectors back, they wanted some concessions. They declared that the inspector's job is to disarm Iraq and leave it defenseless against American strikes since the Americans will never remove sanctions. So the whole game they thought the inspectors are charged with is to disarm Iraq. Since the inspectors are charged only with dismantling weapons of mass destruction and their facilities, this was an admission that Iraq may possess these weapons and also an implied threat that, facing an invasion, it might use them.

If we go back to the Iraqi weapons of mass destruction, Iraq built its own weapons of mass destruction in technologies indigenously with some foreign help. It understood that its main assets were not the equipment but the scientists and engineers that makes these weapons. Thus Saddam's government kept a tight lid on its science and engineering military teams at the same time it allowed

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UNSCOM and IAEA to demolish some of its weapon production sites.

That these science and engineering teams were capable of rebuilding the program was made manifestly clear in the aftermath of the gulf war. Within less than a year, these teams rebuilt successfully most of Iraq's services infrastructure. This included rebuilding power stations, major telephone exchanges, and oil refineries.

Elated by their success, Saddam kept these teams as contracting entities to the government for the civilian sector with a much-reduced load and assigned them the rebuilding of the needed facilities for the nuclear and other weapons-of-mass-destruction programs. This provided them with a cover as civilian contractors with the actual work to prove it. But, at the same time, their weapons-of-mass-destruction work continued unhindered.

Thus, the computer we used for the nuclear-weapon design is now located in a hospital in Saddam City at the outskirts of Baghdad. If an inspector should arrive at the site, he or she will be shown contracts for the civilian sector. The only indication that things are not what they seem is that it is headed by a man who worked extensively on the Iraqi nuclear-weapon design and that most of his staff are former workers in the nuclear weapon program.

Legally, and according to the current mandate of UNMOVIC, the U.N. inspection body, the burden is on the inspectors to prove otherwise. Thus, Saddam has managed, from the experience of the last 11 years, to create the perfect cover. In effect, it turned the whole Iraq science and engineering enterprise into a giant weapon-making body. And since they do actually accomplish civilian tasks, the economic burden on the government is also reduced.

Saddam valued his people more than equipment. And while he initially allowed the U.N. teams to destroy some of his equipment and facilities, Saddam kept tight control over his scientists and engineers. Thus defections were kept to a minimum. This was helped by well-publicized cases of defectors seeking help and were turned down. One of them got killed in Jordan by Iraqi agents while waiting for the U.S. Embassy to grant him an entry visa. Not a single high-level defector left the regime since the botched defection of Hussein Kamel, Saddam's son-in-law, to Jordan in 1995. This kept the information flow out of Iraq to a minimum, increasing the opacity of the WMD programs.

Iraq is well into CW production and may well be in the process of BW production. With more than 10 tons of uranium and 1 ton of slightly enriched uranium, according to German intelligence, it has in its possession, Iraq has enough to generate the needed bomb-grade uranium for three nuclear weapons by 2005.

Iraq has corporations in India and other countries to import the needed equipment for its programs, then channel them through countries like Malaysia for shipment to Iraq. Germany already blacklisted some of these companies for violating sanctions imposed on Iraq.

Iraq is importing directional-control instruments for its missiles of much higher precision than those needed for the allowed 160 kil-

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ometer missiles under U.N. sanctions. Thus, Iraq is gearing to extend the range of its missiles to easily reach Israel.

The type of equipment imported indicate that Iraq is in the process of creating its own foundation for the production of needed materials, thus avoiding detection if these materials are on the watch list of exporting countries. Following this logic, Iraq is or will be able to produce its own growth media for the biological weapons program and many of the precursors for chemical weapon program. The same can be said for local uranium production from phosphates. This removes many limitations on production and allows Iraq to accelerate its own weapons programs.

The inspection regime in Iraq had a mixed history. The International Atomic Energy Agency, the body charged with ensuring that nuclear facilities are not used for nuclear-weapons purposes, failed in its task with regards to Iraq before the gulf war. The International Atomic Energy Agency remains basically a weak organization beset by its international composition and multiple loyalties of its workers though within its sphere it has been quite successful in accounting for and keeping a tab on essential components of the nuclear fuel cycle, but it has limited leverage with the states and works best in a cooperative and amiable environment.

Against determined states such as Iraq, it is at a great disadvantage, thus it failed again after the gulf war when it declared early that it took care of basically all of Iraq's nuclear program. It took the defection of Kamel, Saddam's son-in-law, to force the Iraqi Government to declare the actual scope of its nuclear weapons program and forced the inspectors to start all over again in revealing what has not been declared before.

We are talking about a two-stage process—dismantling what is there and monitoring after—so that it does not get rebuilt. With Iraq's aggressive behavior toward inspectors and the cat-and-mouse game it continuously plays with them, monitoring becomes problematic at best in the later stage of keeping Iraq disarmed. So even if some equipment are dismantled, getting them not to be rebuilt again will be problematic in any future program. Iraq could just at any time stop cooperating and it might be just too late to stop it from continuing its weapons program.

If the inspectors go back now, there is very little human intelligence that will help them locate the new weaponsites. Spread widely among the government infrastructure in smaller hard-to-detect units, the inspectors will have a hard time locating all the program's components. A recent defector with credible information asserted that all units are built with a backup. If one is detected or is in danger of discovery, all activity is immediately transferred to the backup facility.

The new UNMOVIC inspection body do not have the support and free hand UNSCOM enjoyed. With Russia and other states that favor removing sanctions, keeping the pressure, the onus now is on the inspectors to prove that Iraq is in violation. Not finding a smoking gun after a series of inspections is all that the Russians and the French need to declare that the United States has no case and sanctions must be lifted. The U.S. case will be considerably weakened, and more voices will rise against U.S.-Iraqi policy' as baseless if the inspectors go in and find no smoking gun that Iraq

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is making weapons of mass destruction. This is a danger that must be carefully examined before inspection teams are allowed back in Iraq possibly to divert an invasion.

Many voices declared that Iraq was not pursuing nuclear weapons before the gulf war. This included the IAEA, International Atomic Energy Agency, that declared Iraq clean in many statements. This happened even after the German publication, Der Spiegel, reported Iraq's successful attempt to acquire classified uranium centrifuge enrichment technology from Germany.

However, the United States knew better and used the gulf war setting as a way to dismantle Iraq's nuclear weapons program. But its dismantling process ignored the knowledge base acquired over the years that can be used easily to rebuild what was destroyed. A similar insistence on proof before taking serious action will be allowing Saddam to achieve his goals and challenge the U.S. interests again.

With no large, easily distinguishable nuclear sites, and little or no human intelligence, it is difficult to see how any measure, short of a regime change, will be effective. Saddam is totally indifferent to the human suffering of his people. And with his threats of reprisals against the families of weapons-of-mass-destruction workers has managed to stop defections among his personnel despite the fact that a large number of Iraqis from other walks of life managed to escape. With a Soviet-style economy that's basically geared to war and its requirements, Iraq is currently the only Arab state that all Arab extremists look at as the future challenger to Israel and U.S. interests in the region. Thus, if Saddam makes it in the nuclear arena, he will be the region's undisputed leader in Arab eyes. It will then be much harder to agree on the needed concessions for a peace process, and a viable peace will be impossible to achieve under any terms.

Saddam has used and will continue to use the Palestine issue to rally the Arabs around him as he did when he used the Arab leaders meeting in Baghdad to challenge the peace treaty of Egypt with Israel that President Sadat agreed to.

Saddam and terrorism: Saddam Hussein has a long history of involvement in international terrorism, from assassinations of Iraqis abroad in the 1970s and 1980s to support for radical anti-Western groups in the 1980s and 1990s to links with Islamic fundamentalists today. His track record speaks for itself.

Always the opportunist, he has used the biannual Islamic conferences held in Baghdad since the 1980s as a recruiting ground for Islamic radicals from around the Muslim world. A former Iraqi intelligence officer now in Europe has described how he would dress as a cleric and approach Islamists from key countries to put on the Iraqi payroll for special operations. He was tasked—that is, the intelligence officer—to recruit Pakistanis, Indonesians, and Malaysians, while other officers concentrated on Palestinians and Arabs.

We know from credible sources that Osama bin Laden was a frequent visitor to the Iraqi Embassy in Khartoum when bin Laden was a resident of the Sudanese capital until 1996. It is no coincidence that Khartoum is one of Iraq intelligence service's largest foreign station.

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It has also been confirmed that the Iraqi Ambassador in Turkey, Farouk Hijazi, traveled to Afghanistan and met bin Laden in December 1998. It is revealing to note that prior to being appointed Ambassador to Ankara, Hijazi was head of foreign operations for Iraqi Intelligence Service. Incidentally, the same Hijazi who was hurriedly pulled out of Ankara on September 29, 2001, has recently resurfaced as Iraq's Ambassador to Tunisia.

There have been several confirmed sightings of Islamic fundamentalists from Egypt, Saudi Arabia and Gulf states being trained in terror tactics at the Iraq intelligence camp at Salman Park, 20 miles south of Baghdad on the Tigris River. Three intelligence officers have reported that they were surprised to find non-Iraqi fundamentalists undergoing training at the facility. The training involved assassination, explosions, and hijacking. All three reported that there is a fuselage of an old Tupolev 154 airliner used for hijack training. This was later confirmed by satellite photographs.

Iraq military capability has been considerably depleted since the gulf war. Part of the drive to rebuild larger weapon-of-mass-destruction stockpiles is to make up for this depletion in military capability. Iraq, now, has practically no air force, a much degraded air-defense system, and practically no new tanks, heavy artillery, or armored vehicle. What is left functioning from the gulf war arsenal is basically in the hands of the Special Republican Guard, and the rest of the Armed Forces are basically armed with light weaponry.

With a highly corrupt officer corps, the Iraq Army suffers from a large number of absenteeism, poor or nonexistent medical care, pilfered rations and little or no pay.

It is estimated that Iraq has no more than a quarter of the fire power it possessed at the onset of the gulf war. With the original Ba'ath Party members mostly murdered or jailed, Saddam's government now is purely a personal dictatorship of Saddam and his clans. The original rhetoric of the Ba'ath party no longer carry any weight with the population.

Iraqi WMD are under the control of the special security organization. This is the same group that is charged with Saddam's security. This feared and ruthless organization is mainly composed of conscripts from Saddam's hometown and very loyal tribes in the adjacent areas. They have an observer in all major military meetings, and they are present at the headquarters of all the division commanders, and they report directly to Saddam's younger son, Qussey.

Any operation to disrupt the authority of the central government of Iraq or the Iraqi command structure and especially the handling of deployment of weapons of mass destruction must target this organization. Precision bombing and strict enforcement of no-drive zones should eliminate most, if not all, of the dangers of Saddam possibly using his CBW against U.S. forces. Past defections from this pampered group indicate that it is not as tightly controlled as was earlier thought, and defection rate may increase considerably when faced with an imminent invasions.

Thank you, Mr. Chairman.

[The prepared statement of Dr. Hamza follows:]

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PREPARED STATEMENT OF DR. KHIDHIR HAMZA, FORMER IRAQI NUCLEAR PHYSICIST; PRESIDENT, COUNCIL ON MIDDLE EASTERN AFFAIRS

THE IRAQI THREAT

Failing to obtain concessions in return for allowing the inspectors back, the Iraqi government turned the argument around by claiming that the inspectors' job is to disarm Iraq and leave it defenseless against an American strike. Since the inspectors are charged only with dismantling weapons of mass destruction and their facilities, this was an admission that Iraq may possess these weapons and also an implied threat that facing an invasion it might use them.

Iraq is currently the country with the most extensive experience in the use of chemical weapons (CW). Its extensive use of these weapons and biological toxins during the war with Iran and against its own Kurdish population provided the Iraqi government with a huge database of information about the effectiveness and strategy of use of each of these agents. The two tests of dirty bombs carried in Mohammediyat in 1988, though were inconclusive as to their effectiveness in a war setting, provided Iraq with extensive design and testing experience in this area, probably the only Middle East country to do so in the last two decades. This provides Iraq with another tool for possible use in a terrorism setting. The recent defector reports of purchases of Russian radioactive materials through an African country re-enforces Iraq's intents in this direction.

It is understood that CBW use is mainly intended to create a terror situation in the targeted area. Any lethality that can be achieved using CBW can be surpassed by conventional means. But the effects are not the same. The Iranian attackers who showed no hesitancy in facing all the fire Iraq can muster were terrified of the limited CBW Iraq used at the time. The Iraqi port of al-Fao was occupied by Iranian forces that repelled many conventional attacks, but collapsed easily under the continuous flow of CW that was thrown at them in the closing days of the war with Iran. The same goes for the Kurds who fought with incredible bravery against the Iraqi armed forces but ran away in terror to Turkey and Iran when the Iraqi armed forces approached after the Gulf war fearing the use of CW after the Halbja massacre.

Iraq's use of these weapons included also the threat of use to prevent an attack. Thus Saddam's government firmly believes that it thwarted a second Israeli strike against its nuclear installations in 1990 when Saddam threatened to "burn half of Israel using the binary" (chemical weapon.) Thus a firm belief in the utility and effectiveness of these weapons by Saddam's government emerged to present an option that the regime believe that it cannot survive without. The WMD option is firmly believed to be the reason behind not losing the war with Iran and preventing further strikes by Israel, and if the Americans have not interfered would have helped in quelling the Kurdish uprising.

Iraq built its own WMD technologies indigenously with some foreign help. Saddam understood that his main assets were not the equipment but his scientists and engineers. Thus Saddam's government kept a tight lid on its science and engineering military teams at the same time it allowed UNSCOM and the IAEA to demolish most of its weapons production sites. That these science and engineering teams were capable was made manifestly clear in the aftermath of the Gulf war. Within less than a year these teams rebuilt successfully most of Iraq's services infrastructure. These included rebuilding the destroyed control rooms of the power stations, the major telephone exchanges and oil refineries. Elated by their success Saddam kept these teams as contracting entities to the government for the civilian sector with a much reduced load and assigned them the rebuilding of the needed facilities for the WMD program. This provided them with a cover of civilian contractors with actual work to prove it but at the same time their WMD work continued unhindered. Thus the computer we used for the nuclear weapon design is now located in a hospital in Saddam city at the outskirts of Baghdad. If an inspector should arrive at the site he or she will be shown contracts for the civilian sector. The only indication that things are not what they seem is that it is headed by a man who worked extensively on the Iraqi NW design and that most of his staff are former workers in Group Four the Iraqi nuclear weapon team. Legally and according to the current mandate of UNMOVIC, the new UN inspection body, the burden is on the inspectors to prove otherwise. Thus Saddam has managed from the experience of the last eleven years to create the perfect cover. In effect it turns the whole Iraqi science and engineering enterprise into a giant weapon making body. And since they do actually accomplish civilian tasks, the economic burden on the government is minimized. Thus Saddam not only used the international markets to import dual use items

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