

BROOKINGS INSTITUTION

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Moderator

Ladies and gentlemen, thank you for standing by and welcome the UN Iraq Resolution conference call. At this time all participants are in a listen-only mode. Later we will conduct a question and answer session and instructions will be given at that time. As a reminder, this conference is being recorded.

I would now like to turn the conference over to your host, Ivo Daalder. Please go ahead.

I. Daalder

Hello. I'm joined here with Martin Indyk to answer your questions on the Iraq resolution. To start off with, let me start with talking a little bit about how this plays into the market foreign policy and the administration's foreign policy more generally. Then Martin will talk about the implications for Iraq and the Arab world, in just a couple of minutes for us each.

I'd make three points. First, this is a major, major success for the administration. A fifteen to zero vote is something that even this morning wasn't clear was going to be gotten, and as little as two days ago it seemed that it was even possible for Russia to walk away and this whole thing would have collapsed, but it didn't. We got 14 countries to sign up to the resolution. We now have as unanimous a resolution as we've ever had in the case of Iraq, in fact, more unanimous than ever before, for the strongest inspection regime that we've ever had to give Saddam what the resolutions calls one final opportunity to come clean on his disarmament obligations, and we'll see how that works out.

The success in large part, to my mind, is because the administration has engaged in a very effective effort of coercive diplomacy. It has made very clear to the United Nations, as to Iraq, that in order to get out of the box that the Iraqis are in it has to comply with the UN Council resolutions. Otherwise, it will face the inevitable use of military force. Also, the administration made this very clear to the rest of the rest of the United Nations. It said, "You either come clean on

your obligations, you help and fix the situation we're in or we will go it alone. We will solve this problem ourselves, and leaving the United Nations irrelevant."

It was that threat to walk away from the UN process, to go it alone in terms of war, that ultimately convinced the 14 other members, or 13 because the Brits were with us on this, of the Security Council to join in. That was a highly successful strategy. It worked; it was a gamble. It might not have worked, but in this case it did.

Second point I'd make is that I do think that in the process of having gone through this in the past eight weeks there's been a subtle change in American policy. Before September 12th the administration left the impression, and some key administration officials actually said this publicly over time, that the threat that Iraq posed could only be dealt with through the change of Saddam Hussein's regime. He had to go. There is no other way in which this threat could be dealt with.

Now, however, the resolution makes very clear, and the president has emphasized repeatedly in the last couple of days, that if Saddam, in fact, disarms, that if he fully cooperates and disarms completely, regime change through the use of military force no longer is on the table. There will be no war, as Tony Blair put it this morning, if there is complete disarmament.

That's a subtle change. American policy will still want to change the regime. The American policy wants to change the regime in Havana. Presumably it still wants to change the regime in Qianjiang and in Tehran, but military force is not the means to that end. I think that is a subtle but very important change that has occurred as a result of the negotiations that have taken place.

I should add that I don't think anybody in the administration thinks it's likely that Saddam Hussein will disarm, will cooperate to the extent necessary, and that, therefore, there isn't a practical distinction in their minds between pushing for disarmament and pushing for regime change.

The third point is that the success of having gone to the UN really changes the balance of power to some extent within the administration. For some time now I have had the impression that the Vice President and the Secretary of Defense, in particular, were insisting not only on a unilateral course with regards to the major issues of the day, but also convincing the President that that was the best way to go.

In this case the President chose different. He chose to go with the advice he was getting, clearly, from the Secretary of State to try the multilateral route, to try to get the UN on board, and to work the UN process in its difficult often arduous way, but to work it to a conclusion.

It seems to me that at this point, because it succeeded, it becomes very difficult if faced in a next situation in which there is a question of whether to do something alone or to do it multilaterally, to say we shouldn't try the multilateral route because it has too much cost to trying. In this case, trying the multilateral route tended to work. It worked because of the judicious exercise of American power, but it worked nevertheless, and it becomes more difficult in the future to say we're not even going to try. That may be significant in how the U.S. conducts its foreign policy from now on.

With that, let me turn it over to Martin for some reflections on Iraq and the Arab outcome because of that.

M. Indyk

Thank you, Ivo. Good afternoon. I agree with Ivo's first point. This is a huge achievement for the administration. This is, in effect, the first time that the United Nations Security Council has expressed itself in this unanimous vote threatening serious consequences and giving Saddam an ultimatum, one final opportunity. We haven't seen the Security Council united like this essentially since late 1997 when the first split emerged between the permanent members.

That, I believe, is all the difference in the world when it comes to how Saddam is likely to react to this resolution and its demands. When he sees the council divided, he sees an opportunity to play between the permanent members and he's been very effective at that in the past. When he sees them united, since his experience in 1991 in the Gulf war, he tends to play along, to get along.

With Saddam, as with most Arab leaders, it all comes down to survival. In this case, with American forces ostentatiously building up around Iraq, I think he surely understands very clearly now as a result of this resolution that his choices are stuck, and that if he wants to survive he is going to have to make like he's cooperating with the requests for inspections.

One other thing that happened in this vote that will also be, I think, a bit of a shock to him, it was already a shock to his representatives in New York, was the way that the Syrians voted. The Syrians, of course, represent the Arab vote in the Security Council. Up until the last minute they were expected at best to abstain. The fact that they voted for this resolution sends Saddam a clear signal

that he is going to have trouble splitting off the Arabs, playing to an Arab audience to try to play the victim to American aggression.

Syrians, of course, don't have any love for Saddam Hussein. They have a rival Baathist regime there. They've been at loggerheads for a long, long time, but recently they have been cooperating, in particular taking huge amounts of Saddam's oil outside the UN system and gaining considerable benefit from that; also allowing him to import across the Syrian border a lot of stuff, including weapons.

The fact that the Syrians are now siding with the United States in this UN vote is an indication, I think, to him that he cannot count on anybody in the Arab world. He may try to play to the masses, but the masses are being fairly quiescent on Iraq, basically because they don't identify with him. They identify with the Iraqi people, and they don't have any sympathy for him. I think overall what we're going to see as a result is that Saddam will choose to "cooperate." I will put cooperation in quotation marks because it's not the same necessarily as compliance.

Cooperation means allowing the inspectors to come in, allowing them to do their work, making it look as if he's going along with the resolution. He might even fess up to some WMD capabilities to give credibility to the argument that he's, in fact, cooperating, but in essence I believe what he will be doing here is not making a fundamental decision to disarm, but rather making a calculated decision to play out the clock. As he said in an interview to an Egyptian news magazine last week, "Time is on our side. It will only take some time before the pressures," this is Saddam himself arguing, "from American public opinion and British public opinion change American and British policy."

If that is an indication of his calculation, I think it means that he will play along, try to play out the clock until he gets us into next summer, and then saves enough time for something else to turn up. Now it's also possible that in the meantime we will get a defector out who spills the beans, somewhat like his son-in-law Hussein Kamil did back in 1997, on some WMD program or nuclear program, which will give us the opportunity to say that he's not complying, and then go and use force against him. Or it may get to a point where he decides to block the inspectors and test the will of the Security Council. I rather think we'll see Saddam playing the good boy for the time being, essentially, in an effort to escape the harsh decree that George Bush intends to level on him.

Thank you. I guess at this point we'll be ready for your questions.

Moderator Your first question comes from the line of Ryan Donmoyer from *Bloomberg News*. Please go ahead.

R. Donmoyer Today the two senior administration officials briefed us at the White House. Both of them brought up the specter of a precedent set in Kosovo, implying that, yes, the United States would have to discuss any violation or material breach with the Security Council, but when it came right down to it, it could move without another resolution and without subsequent approval of the UN. We seem to be getting some statements from France and others that they don't want any ambiguity on this matter. Is the Kosovo precedent real or is this potentially another brick in the wall if, as ... said, that if Saddam Hussein decides to test the world and the Security Council?

I. Daalder The Kosovo precedent is real. What happened in Kosovo is that there were two Security Council resolutions under Chapter 7 mandating that the Serb forces have to withdraw from Kosovo and stop their want and destruction of civilian populations. The U.S. and its NATO allies wanted to go back to the UN to get a formal authorization to enforce those provisions. Russia and China threatened to veto it, at which point the United Nations did not get into the act with NATO and, in any case, went to war believing that it had the legal right to do so, in part because of those previous resolutions; that's the Kosovo precedent.

In this case I think there is no need for a Kosovo precedent. The resolution as adopted states that Iraq is in material breach of the ceasefire resolution ending the Gulf war in 1991, and that, therefore, if he continues to be in material breach, and it defines what that means which is if he lies or misstatements of data or does not fully comply with the resolution's provisions, he will be in further material breach.

Material breach means that there is a need for enforcement action, and if the UN Security Council refuses to authorize such enforcement action, it is inherent in the current resolution, as indeed it is inherent in the ceasefire resolution, that that means a return to armed conflict. I think the U.S. is perfectly justified to argue on the legal basis, as well as the legitimacy basis, that this resolution sets the stage for military action in case Iraq continues to not comply with its obligation.

R. Donmoyer Do you think they'll have to go back and ...?

- I. Daalder** Under the resolution they have to go back in order to consult with and assess the situation with the Security Council, but there's no doubt that if the U.S. could get a vote on a new Security Council resolution it will gladly receive one, but it doesn't have to get one. There is a clear understanding on the part of the French and Russians that that is indeed the case.
- M. Indyk** I would just add one point to reinforce that. It is my understanding that the French President himself is telling people that this resolution stops the clock towards military action if Saddam does not cooperate.
- Moderator** The next question comes from the line of Steven Weisman from the *New York Times*. Please go ahead.
- S. Weisman** Do you have any idea of what's going on in the minds of the administration and the inspectors on how best to, in effect, provoke a confrontation in a way that's obvious and unambiguous so that they can return to the United Nations quickly and get action quickly in a credible way?
- M. Indyk** I think that there's a big difference in what's going on in the minds of inspectors versus what's going on in the minds of senior administration officials, and we need to make distinctions between some of them and others. The inspectors are out there to disarm Iraq through inspections so that's their job, and that's what they will be trying to do. Therefore, they are much more interested in doing what is necessary to secure Iraq's cooperation in that effort than what I take it you were suggesting in your question, trying to find a way to trip Saddam up so they can report back that he's not complying and lay the predicate for American use of force.
- The administration, on the other hand, is doing exactly what you imply, at least for the most part. That is to say they want to use the inspections as a way of showing that Saddam is not complying, and thereby giving them the ability to go and use the very force that they're ... out there. This administration is deeply divided so I don't think that there's unanimity on that. I think probably the State Department is closer to the inspectors on this, and the Defense Department and Vice President's office are closer to the other view, basically looking for plausible justification to go and
- S. Weisman** The reason I asked the question the way I did is that my sense from reporting this is that the administration feels they convinced themselves that Blix was their guide only after the conversations, especially with Condie Rice, Wolfowitz, and

Blix, that he was kind of on board for a very aggressive inspection regime that would be so quick that it would be obviously provocative for the sake of provocation, but that would be aggressive enough to provide an early test of Saddam's intentions.

Although the inspectors may all be as you say, at least the administration is assuring itself and reporters that there's a kind of understanding with Blix of the need to do this in an aggressive way. That's why I asked the question that way, and wondered what your sense of it is.

I. Daalder

It seems to me that the two sides of the administration, as well as the two objectives of the inspectors and the hawks in the administration, can be married by a strategy that identifies very early on extremely high priority and highly sensitive sites in which we have a high confidence that there is, in fact, material that he's not allowed to have.

In order to see whether he is cooperating, that is allowing access and for us to find it, or then obstructing those sites to give us a reason for going back to the Security Council and then go to war, I think that's a perfectly sensible strategy, whether your goal is to find a way to provoke possible war or whether the goal is to test cooperation.

The President and Powell have consistently said that the issue isn't inspections, the issue is disarmament, and the inspectors are going to test the degree to which Iraq is cooperating in effecting that disarmament of the country. The way to test that is to go to the most sensitive site, when you have a high probability to test the degree to which he's going to cooperate. I think that's sensible even if you're interested in disarmament as opposed to going to war.

M. Indyk

Let me just add one point here from my experience in government. That is that I often went to bed thinking that we actually had the intell that indicated where he was hiding his stuff, only to wake up the next morning when the inspectors went in to find that there was nothing there. So we may feel that we've got the goods on him, and we can direct the inspectors in a way that will produce an early indication of his hiding WMD, but there's a risk in that whole enterprise that we won't find anything and he'll be able to use it as a way of showing that there's nothing there.

Moderator

Our next question comes from the line of Bob Deans from *Cox Newspaper*. Please go ahead.

B. Deans

... the President, as you might have expected in the Rose Garden today, made quite a bit of the fact that this is now not his idea. It's the idea of Congress; it's the idea of the United Nations. I'm wondering two things. One, in that sense what does the President have right now that he didn't have a month ago in terms of this legitimacy? How much is that going to matter around the world, and specifically in the Arab world? Finally, is this a signal that diplomacy at this juncture has been exhausted and that the fuse is lit?

I. Daalder

Let me take the first and the last one, and maybe Martin will comment on those on the Arab world. One thing that I think has changed as a result of this process is that we have put ourselves in the position in which the choice on whether there is a war is no longer ours; it is now Saddam's. In fact, we're saying that quite publicly. Up to the point of the new resolution, in fact up to the point when the President went to the General Assembly and gave his speech, it was our decision on whether or not to go to war. Now it is his decision.

That's a difference. That's a change, and in that sense going to the United Nations, going through the congressional resolution process, although I'd minimize that because I think the congressional resolution allows the President to do whatever he wants, was an admission that in order to get support for our position we have to suddenly change the fundamental objective that we had, which is no longer regime change but disarmament. Although, as I said earlier, those two may well be the same in the end.

Secondly, related to your last point, is the fuse lit? Only to the extent that Saddam Hussein does not disarm. For most of us who have observed this part of the world and this man in particular, that means that the fuse is virtually lit because the likelihood of Saddam cooperating, given historical record, is extremely low, but it is not zero. I think, as Tony Blair indicated, this is an odious regime with which it is possible to live if he doesn't have any weapons of mass destruction anymore. Again, the likelihood of that happening is extremely small, but it is now a decision that is now longer ours to make but it is Saddam's to make.

M. Indyk

I would just underscore the distinction I was trying to make earlier on in my opening remarks. That cooperation with the inspectors is not necessarily the same thing as complying with the demand that Saddam Hussein disarm. While this resolution gives the inspectors a much greater ability to be aggressive in the effort to turn cooperation into compliance with the disarmament demand, there's still plenty of room there for Saddam to maneuver.

By appearing to cooperate he will try to avoid disarming, and it's in that area that the question of whether the fuse seemed to be lit by the rest of the international community remains a kind of question mark. What the resolution does, particularly in terms of the Arab world, it gives the administration tremendous international legitimacy and, therefore, gives the Arabs that would want to cooperate with us the necessary cover to do so; something which they haven't had up until now, and which has been quite difficult or embarrassing for them they now have in very large measure.

The fact that the Syrians represent the beating heart of Pan-Arabism. They're the ultimate Arab nationalists. That they voted with the United States against Iraq in this circumstance gives cover to all of the others who cannot only say, "We are now supporting international legitimacy through this UN Security Council resolution, but the Syrians voted for it as well."

That gives us great advantage in terms of getting the support and cooperation of the entire Arab world. I don't see that Saddam will have anybody on his side in this regard, and you won't hear a peep out of Yasser Arafat either. Everybody will be lining up in support, not only the United States, but in support of international legitimacy, the word they love to use, which is dis-resolution.

So this is a considerable advantage for the United States provided that, to go back to the earlier point, it becomes clear that Saddam is not cooperating with the requirements of the resolution. Then we will have the support of the rest of the Arab world in using force against him, or at least their acquiescence. As I'm trying to suggest to you, I suspect it won't be as clear-cut as that.

Moderator Your next question comes from the line of Matt Kelley from *Associated Press*. Please go ahead.

M. Kelley What do you guys think would be the trigger for U.S. military action? In other words, how clear does it have to be a violation for Saddam to bring down the wrath of the United States?

I. Daalder I think this is the \$64,000 question. As Martin just indicated, the likelihood of Saddam providing a very clear non-cooperation is small. He's unlikely to reject the resolution. He has to accept it in seven days, and he's likely to cooperate sufficiently for the process to continue. The U.S. in its own mind I think, and the President in particular, needs to decide what red line to draw, and then to try to communicate that red line as clearly as possible, privately, probably, not publicly, to the other partners. Is a two-hour delay in the entering of a building

sufficient to lead to war if, on the other hand, there is sufficient progress in visiting sites and, indeed, in gathering material and destroying it?

Those are the kinds of questions that need to be asked. One guide one might want to put forward is that anything that obstructs the ability of people to disarm, as opposed to obstruct the ability of inspectors to inspect things, are to be a ... deadline even though under the terms of the resolution a one-minute delay in access is non-compliance and can be taken up by the Security Council.

It is going to be tricky, and in that sense the resolution has not resolved the fundamental issue. It's going to be tricky to decide what is the point of non-cooperation that leads to war. The administration better start working very clearly on what that point is in its own mind. Then start to convince others that that is, in fact, the point because the likelihood is that Saddam is not going to give the United States the clear-cut violation, the clear-cut failure to cooperate that would easily lead and evidently lead to war.

M. Indyk

Just make one additional point here, which is that judgment about cooperation is not entirely in the hands of the President of the United States. The resolution provides this process of the inspectors reporting back to the Security Council and the Security Council leading on this. In a sense, in the first instance the inspectors become the judges. They make a judgment to the Security Council, and then the Security Council itself makes a judgment about the cooperation and the seriousness of the violation if such a thing occurs.

So we're still going to be in the realm of diplomacy, and we're still going to be dependent on people that have other interests, as I've already suggested. The inspectors don't have an interest in provoking a war. They have an interest in seeing Saddam disarm through the inspection system so they want to keep the inspection process alive.

Having said all of that, bottom line is that just as the President was able to secure a unanimous vote here by threatening very critically that he was going to go to war if the UN didn't act, he still retains that leverage in a circumstance where there's an interpretation about how much Saddam has been cooperating. If we say listen, and we say if Blix and everybody else listens, this is non-cooperation as far as we're concerned and we are going to war. Then I think that will have a pretty heavy influence on the way that others interpret things.

I. Daalder

I agree with that. Let me add just one small thing. Under the resolution it's not only the inspectors who can bring an act or a fact that may be interpreted as non-compliance, but the members can too, under operating paragraph four,

defer the material breach language, which says that if there is any lying or a mission statement or any act of non-compliance, then the issue gets taken to the Security Council. That judgment can be made by us.

So there are multiple ways to get to the Security Council, but at that point what the Security Council does, and whether we can convince the Security Council that whatever fact is on the table is sufficient to lead to war, depends on the persuasiveness of the arguments, as well as, exactly as Martin says, the degree to which we threaten to go and do it ourselves.

Moderator We have a question from the line of John Park from *The Economist*. Please go ahead.

J. Park I wondered what you thought France and Russia had got out of the month-long negotiation which they primarily held with the United States, and also why did Syria vote for this? Why didn't it just abstain?

I. Daalder John, on France and Russia I think what France, in particular, got out of it, and France acting in the negotiations as a surrogate for much of the rest of the world quite frankly, was a commitment by the United States to work within the UN process in the first instance in order to try to resolve this issue. I don't think that the issue really, other than the automaticity, number one they did not want in this resolution an automatic justification for war. So the all necessary means language had to go, and that in fact went.

Secondly, there was a deep mistrust that what the United States was engaged in was political window dressing, that it was trying to use the UN process to get to war as quickly as possible. In the process of negotiation, particularly with the Secretary of State and with the President, they have been reassured, perhaps not 100% but sufficient to vote for this resolution, that the United States is very serious about trying to make this thing work.

I am sure that ..., Powell, and Mr. Bush have reassured Mr. Chirac consistently that they don't think it's likely that Saddam will do what is necessary to avoid war, but they have been reassured that there is a commitment to that process, and that one of the disadvantages of having spent eight months outside the UN framework and denigrating multilateral cooperation of this kind is that it took eight weeks to build that kind of trust.

In the end, if you would compare this resolution to the one that was put forward four weeks ago, there isn't, in practical terms, any difference. It is exactly the

same as it was, but for a number of inspection provisions and the all necessary means. It's exactly the same as the late September draft that the U.S. and U.K. put in. So I think what they got is they needed to be reassured that that U.S. was committed to this process, and I think in the end the President was able to do that in the final phone call he had yesterday with Chirac and Putin.

M. Indyk

I agree completely with that. One thing that I'm very impressed by, when I said I think it was a great achievement for American diplomacy, is the way in which we really gave very little up in terms of our basic requirements when it came to a much more aggressive inspections regime. That is a considerable achievement if you compare it to the hopeless situation we had before this resolution went through, the ... of 1284, the dignity police, and all the other requirements that are being leveled on behalf of Saddam Hussein.

So that is a serious concern. I believe that the argument was made to them both by the Secretary of State and by the French Foreign Minister, and it's interesting that the French worked with us on this, that the Syrians should not isolate themselves, number one, from the rest of the international community; and number two, that if they wanted to avoid a war, the best way to do this was to convince Saddam that he had no other way out but to disarm, and that their vote would be very significant in that regard as the Arab vote. That if they broke with the international consensus here they would, in fact, be encouraging Saddam to miscalculate, making the war that they say they want to avoid more likely.

I believe that that, combined with the fact that Syria, now more than any other neighboring Arab country, has any sympathy for Saddam Hussein. They have been subjected to his efforts to interfere and overthrow their regime in the past, and when it comes down to choosing whether they want to be on the side of the United States and the international community or isolated with Saddam Hussein they chose to be with us.

Moderator

We have no further questions at this time.

I. Daalder

In that case thanks very much. All have a pleasant weekend, and glad we could be able to assist you all. Thanks.

M. Indyk

Thank you.

Moderator

Ladies and gentlemen, this conference will be available for a replay after 7:00 p.m. eastern time today through November 9th at midnight. You may access

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That does conclude our conference for today. Thank you for your participation and for using AT&T Executive Teleconference. You may now disconnect.