

A Brookings Press Briefing

IRAQ's DECLARATION ON WEAPONS OF MASS DESTRUCTION

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THIS IS AN UNCORRECTED TRANSCRIPT



MR. MARTIN S. INDYK: Ladies and gentlemen, we're very glad that you could join us this morning for a special press briefing on Iraq brought to you by the Saban Center for Middle East Policy at the Brookings Institution. I am Martin Indyk the Director of the Saban Center at Brookings.

With the report of the full, final and complete declaration by Iraq presented to the United Nations last week, now we have a situation where everybody is pouring over the pages and trying to come to an assessment. Meanwhile military preparations and diplomatic preparations for a potential war against Iraq are moving into high gear over in the region. The Secretary of Defense there now, the Deputy Secretary of Defense there last week. And exercises going on in Qatar.

So we thought it was a very good moment to try to bring you some analysis of the situation particularly with regard to the reports from Iraq and the inspections, but also focus on the military preparations.

To do so today we have assembled a panel of real experts. We're very grateful to Dr. David Kay for joining us this morning. He will speak first. He is a Senior Fellow at the Potomac Institute for Policy Studies where he concentrates on counterterrorism and homeland security issues. He was formerly the Senior Vice President of Science Applications International Corporation where he led their efforts to support the U.S. government's counterterrorism initiative and efforts to prevent the proliferation of weapons of mass destruction. But his real claim to fame is that he served as the United Nations Chief Nuclear Weapons Inspector in Iraq after the Gulf War, leading numerous inspections in that country to determine Iraqi nuclear weapons production capability. He led teams that found and identified the scope and extent of Iraqi uranium enrichment activities, located a major Iraqi center for assembly of nuclear weapons, and seized large amounts of documents on the Iraqi nuclear weapons program. He even spent four days as Saddam's hostage in a Baghdad parking lot.

After David speaks, Ken Pollack will make his presentation. Ken is the Director of Research at the Saban Center at Brookings. He previously worked as an analyst at the CIA on Iraq and Iran issues, then went to the National Defense University. He was Director for Persian Gulf Affairs at the National Security Council. HE is of course the author of the New York Times best seller, *The Threatening Storm: The Case for Invading Iraq* which was published just a few months ago by Random House.

Finally, we're very glad to have Mike O'Hanlon speak to us this morning. He is a Senior Fellow in the Foreign Policies Studies department of the Brookings Institution. He formerly worked in the National Security Division of the Congressional Budget Office. He works here on everything under the sun, but particularly on defense strategy and budgeting, space and security issues, and the military issues related to the coming war with Iraq.

So we're very grateful to have all three speakers this morning. They'll speak directly and then we'll take your questions. Thank you very much.

David?



MR. DAVID KAY: Martin, thank you very much.

Let me just correct you on one thing. I wasn't, at least the UN didn't consider us hostages. We were guests of the state. [Laughter]

About six months after we left I got a call from the UN bureaucrats saying I owed them about \$1500. I said why? He said we've determined that you had government-supplied accommodations while you were being held in the parking lot and just was furious. I had to write a check for \$1500. So at least some people viewed us more as guests than as hostages.

There's a lot we can talk about. Let me restrict my remarks principally this morning to the inspection process, where it's going, and what I think the Iraqis are trying to accomplish and how they're doing it.

First of all I must say I'm impressed at the growing sophistication of the Iraqis in handling the external world and getting their message across. The most recent example was actually on Saturday. On Saturday when they're going to deliver the report, prior to delivering it to any UN inspectors, they lay it out very carefully on a table; they invite the news media in, but don't allow you to look at the report, just photograph it and talk about the volume of it. So actually for the next 48-hour news cycle all of you probably know this by heart. Certainly Ken and I and others have repeated it often enough I knew it by heart. Twelve thousand pages, 528 megabytes of data, etc., etc. That was the concentration.

That followed just a week after the news story "Admission to a Presidential Palace" in which the news media was, the Iraqis actually did the video and released it to the news media of inspectors wandering around a marble palace, being able to open the doors. It's sort of like I expect to find anthrax behind this door so I'll open it carefully. You know, a staged publicity event.

So the news stories of the first ten days are the Iraqis are cooperative; the biggest danger to the inspectors is being run over by the journalist pack as they chase them around Baghdad and the inspectors try to drive more and more erratically, which is a real challenge in Baghdad since the traffic itself is erratic enough to escape the journalists and maybe mislead the Iraqi security officials. Then you get this discussion of volume.

That indicates I think a lot about how the Iraqis have prepared to do that.

On the opposite side I must also say the UN's initial response in the inspection side also tells you something. It tells you that, quite frankly, for about four years almost no one really expected inspections to ever resume in Iraq. And quite frankly, to give the Bush Administration credit, without the threat of imminent military action of a seriousness well beyond 24 cruise missiles in the middle of the night Iraq wouldn't have welcomed the inspectors back. UNMVIC was totally unprepared for throwing

a fast number of inspectors into Iraq quickly.

You've all seen the stories about the small number. We're up to 70 this morning. Helicopters are just now starting to drift in so you've had two weeks essentially with very little mobility around the country. What hasn't really been explored very much in the press is the equipment issue. It's been desperate in this first couple of weeks.

Not expecting to go back or not knowing when you were going back they did not stockpile large amounts of the type of equipment that inspectors needed or would use. They bought samples and they've had to go out very rapidly to acquire equipment. It's really been a thrown-together effort at this time. The Iraqis, consequently, look much better prepared.

Now this is only the opening phase and to some large extent there will be a recovery period.

I think for those of us on the outside, we find that we're anxious because we realize the best source of information we ever had actually came from Iraqis who were either on the inside or had recently been on the inside.

The inspections now have a tool that we never had -- the ability to interview Iraqis in the country without Iraqi security officials and video cameras being there. Some of the most difficult times in my own life were interviewing Iraqi scientists. I remember one occasion, it was the second mission in, where an Iraqi official scientist -- engineer, not a political type -- made a mistake and disclosed a facility. It was Al Farat, where they were going to produce centrifuges and run centrifuges. It would have been larger than the Urenko facility in Western Europe, and it was a sheer mistake. Two days later an Iraqi official told me that he had been shot because of what he disclosed to me.

Now I don't have a clue as to whether he was actually shot. I know it was an attempt to intimidate the way we were asking questions to realize that they bore serious consequences for the Iraqi scientists and engineers, most of which we had a great deal of empathy for. These were people, a lot of them trained in the West. They were serious scientists and engineers. They were extraordinarily capable people who had the government been otherwise would have made their career well on the basis of others.

The UN now has the right either to interrogate them in Iraq absent security officials -- That won't be easy, by the way. I've never met an Iraqi who believed that any room we were in wasn't bugged. Now this may be unnecessary paranoia, but I'll tell you if you live in Iraq very long unnecessary paranoia is probably necessary to survive. And the very act of interviewing them, the Iraqis routinely, the security officials, would have private conversations with Iraqi scientists before and after we talked to them and even during the conversations, interviews, there would be side play.

Inspectors have the right to remove Iraqis from -- scientists and engineers -- from Iraq along with their families if they want to, for freer discussions outside. That's a powerful technique. It's got a lot

of practical limitations into how it would actually work. It probably would lead to the largest wave of unexpected heart attacks among Iraqi scientists and engineers as the government said we'd like to let you have them, but he just had a heart attack or an auto accident. We had enough of that when we were trying to interview them. So there are practical issues in doing it but it's a powerful technique and they haven't gotten down to it.

The report itself. And realize, I'm doing what I was told never to do by several, 12 years or so of teachers as I worked my way through from kindergarten through high school. Don't judge a book by its cover; don't look at the table of contents and try to write a book report. That's exactly what you're asking.

Let me say on the basis of the nine-page table of contents that has circulated, and a few side conversations I've had with people who are looking at it. It looks very much like it is the same old stuff that we've had before. The nuke section, for example, is almost an exact duplicate of the Iraqi report delivered in 1998. The interesting thing about the report is it's consistent with what the Iraqis said in Baghdad on Saturday and Sunday. No prohibited weapons activities took place after 1991. So in every section where you've got a timeline it's 1991. The one exception through the report where there is apparently or at least possibly new material disclosed relates to those companies and countries that provided Iraq with assistance during the 1980s as it acquired its weapons of mass destruction, built up its program.

Now during the entire eight years of inspections by UNSCOM the Iraqis pretty consistently refused to disclose which companies had helped them. Not to say we didn't get information on it, we seized a lot of documents related to procurement, and UNSCOM followed a strategy. It went out to a number of states and said, and to companies, and said if you will come tell us what you did with Iraq we'll guarantee that we will not publicize your involvement. That actually led to a fair amount, particularly of Western European countries that discovered it.

There was another stream of information, journalists. There were a lot of enterprising journalists both in the United States and in Europe that dug into the public records and other records to disclose what companies were doing.

It appears that the Iraqis may now on their own be disclosing the companies that helped them. This is an interesting possible double-edged sword. One reason we were reluctant to immediately disclose who had helped based on our information is you had to be sure you were actually disclosing something that was accurate. I would not be surprised in the Iraqi declaration of companies that may have helped them in the 1980s if you don't find some companies that are tied to prominent politicians currently active in Western Europe and the United States.

Now it will be up to those -- if it is disclosed -- up to you to determine whether that is indeed accurate. The Iraqis would not pass up that opportunity, I suspect, of doing it.

But other than that, the only other thing in the report that I think is significant for what we're talking about today is a very fulsome list of dual-use facilities. These are facilities, and these are post-1991, facilities that the Iraqis say we recognize that they're capable of producing weapons-related material and here's a list of the tanneries, distilleries, petrochemical projects, advanced machine tool companies in Iraq.

Why would they disclose that? That gets to the strategy and then I'll stop, but I think they're already clearly, you can discern what they're doing.

The Iraqis would like the inspections to run for a very long time right now. Despite the rhetoric of we hope you get this over quickly, it's quite clear that they would like for the next six to nine months at least to be seen as opening facilities, welcoming inspectors, doing nothing that at all recalls the experience that we had from '91 to '97, '98. Why?

The Iraqis want to buy time. They want to buy time because they know Security Council unity is always an ephemeral product. You can already see this last weekend, it's breaking down again. Why shouldn't we give proliferation information to the Syrians? They only have an active biological, chemical and missile program with an on again/off again nuclear weapons program. But the Council is getting yet again into its lack of unity.

The second reason. Look, they know the anti-war movement is growing around the world and will only increase. I made the mistake, Martin referred to a recent job move I made in order to gain time to write a book. I want to be the next Ken Pollack, but I don't know how Ken got the time. But I promised my wife I'd take a week's break and we went to Florence, only to discover that 350,000 of my closest anti-war friends in Europe decided to go to Florence the same week, and every good Italian decided to close his restaurant. [Laughter] While you go to Florence for art, you really enjoy it for food. That wasn't the greatest week to be there.

The third reason is, look, the Iraqis well understand the political and economic costs which really advance their goals of us trying to maintain 100,000 to 200,000 troops in the Middle East over a period of time. The force protection issues get very serious. The political issues of a lot of Americans, and the American military today genuinely reflects our society, it's black, white, male, female, and over a long period of time in the Middle East it itself is a use of tension, and the economic cost of doing it just gets huge.

So I think what you're seeing is a strategy in which the Iraqis, as long as there is not a confrontation around a facility or a source of information that they do not desire and fear disclosing, will try to be Mr. Sunshine and all smiles. It's up to the UN to follow a strategy that in fact will get them there faster. And I must say my question about UNMVIC right now is much of what I see is not a strategy, it's derived at trying to get an answer quickly but one that is more like trying to be sure that you're careful, methodical, and you do not disturb the Iraqis. That's probably provocative enough for a quick comment.

MR. INDYK: Thank you very much, David.

Ken?



MR. KEN POLLACK: Thank you all for coming out to join us. Thank you, Mike; thank you, David for joining me up here on the dais. It's always a pleasure to be here with Mike. It's an even greater honor to be here with David because David is responsible for a bizarre little episode in my career many many years ago. I became a government cartographer, much to my unexpected dismay. When the inspections started out I was back at CIA helping to provide intelligence support to UNSCOM to the teams then operating, and there were a number of occasions when we had very sensitive information about where the Iraqis were hiding things. David Kay was out there in Iraq riding roughshod over the Iraqis, and we were trying desperately to get him information because he was coming back in and saying I've got these guys on the run, help me. Help me make this work.

We couldn't just fax him satellite imagery, that would have been imprudent as our then-President might have commented. So I wound up having to redraw satellite photographs onto maps and fax them out to David. I can remember three times a day faxing this stuff out to David so he could go and nail the Iraqis. It was a bizarre little sideline, which I appreciate David having gotten me into a little cartography.

MR. KAY: I appreciated the maps. [Laughter]

MR. POLLACK: I think where we are now is, I think the United States, we've gotten ourselves into a bit of a jam over the inspections. When we started the process, when we basically created a new resolution based entirely around a new inspections process, the expectation I think in most people's mind is that one of two things would happen. Either the Iraqis would block the inspections in some way shape or form and this would lead to a war, or which the inspectors would find weapons of mass destruction and this would lead to a war, and provide the smoking gun that the international community wanted to have a clean move to war, or else the inspectors would actually lead to the disarmament of Iraq. That Saddam would comply with the resolution and the inspectors would be able to disarm Iraq, either by having Iraqis voluntarily surrender the stuff and the inspectors would watch them destroy it, or the inspectors would uncover it and it would be destroyed in that fashion.

I think what we've found out already is that those two options are the two least likely options for exactly the reasons that David has described.

The Iraqis have adopted what is probably their smartest strategy, I absolutely agree with David, in terms of the areas on Iraq's strategy. They recognize that the presence of inspectors in Iraq prevents a war, that it is beneficial to them, and what's more, they seem absolutely confident that they will be able to handle the inspectors in such a way that the inspectors will never find their weapons of mass

destruction. It is clear that this clean declaration that they have made is basically harkening back to the 1990s when they very successfully turned the tables on the UN inspectors.

Originally the premise of Resolution 687 was that Iraq had to disarm and the inspectors were simply there to demonstrate or to verify Iraq's compliance. So the onus of proof, the burden of proof was on Iraq to comply.

The Iraqis were able to turn the tables in the 1990s and put the burden on the inspectors to prove that they had not complied. That is exactly the strategy that the Iraqis are following right now and it once again seems to be working. I think that if you ask most people in the world, even most Americans, they would say the job of the inspectors is to prove that the Iraqis are not compliant. The fact that that's absolutely wrong is irrelevant. That is what the world believes. As David has pointed out, the inspectors are going into Iraq and they are not finding anything. Again, this is something to be expected.

By about 1994 the inspectors had basically stopped finding Iraqi weapons of mass destruction. There were three notable exceptions to that rule. Hussein Kamul's defection which of course the inspectors had nothing to do with, but he revealed a whole bunch of information. Then there were at least two occasions when there were intelligence coups that did lead to the finding of some evidence. The Russian ballistic missile gyroscopes, and later on the traces of VX nerve agent on the fragments of Iraqi SCUD missile warheads. Although you'll remember in both of those later occasions the rest of the world basically didn't care about it. And when the inspectors and we brought it to the UN and said here are clear violations, let's do something about it, the UN and the Security Council looked at it and said basically who cares?

In fact I'd make the point that by and large UNSCOM did not conduct a single successful surprise inspection after David Kay left Iraq. In fact if you want to have confidence in the ability of the inspectors, the fact that David Kay is sitting on this panel and not off in Iraq trying to chase them down ought to give you some pause as well. That's a bit of a joke, but the fact of the matter is -- [Laughter]

MR. KAY: I think you better talk to my wife.

MR. POLLACK: The fact of the matter is especially right now, as David described it, this inspection regime does not seem to want to pursue the same kind of aggressive inspections that the early UNSCOM teams did. That's an additional problem out there.

Right now the inspectors are handling their job in such a way, and the Iraqis are handling the inspectors in such a way that my expectation is that if current trends continue we will continue to see successful inspections. Inspectors going from one place to another being allowed in by the Iraqis, seeing everything they want to and finding nothing. And over time that is going to simply convince more and more people that the Iraqis are being compliant and that they totally don't have any weapons of mass destruction.

Which also brings us to the three options that the United States has right now. The first of those is to simply continue with the inspections. The problem with continuing with the inspections is exactly what I described. The likelihood that the inspectors are either going to find the smoking gun or convince the Iraqis to actually disarm are exceedingly slight. I think it's clear the Iraqis have no intention of disarming. Saddam's declaration makes that crystal clear. So those of you who are looking for the proof that Iraqis do still have stuff, I don't think you even need to see the intelligence information. As best we understand the declaration, the Iraqis have not even bothered to address all of the gaps that UNSCOM identified when it closed up its operation in 1998.

At the end of the inspection process in 1998 UNSCOM put together a massive document that detailed every single problem that they had had with the Iraqis that was still outstanding. All of the things that were left out there that the Iraqis hadn't explained. Where all the VX precursors had gone. Where all of the additional chemical munitions were. Where the documents, the log books that the inspectors found that had the actual number of Iraqi special munitions used during the Iran/Iraq War which was found to have been much lower than what the Iraqis had actually told us. All of those different things don't seem to be at all addressed in this declaration which makes it clear not only that the Iraqis haven't given a full declaration, but they have no intention of trying to come clean. AT the very least they could have come up with explanations for that. They could have tried to say here's what happened with the VX precursor chemicals. The fact that they didn't makes it clear that they simply have no intention of doing so and the longer we allow this to go on, I think the deeper we get into that.

While many of you may know, those of you who have read my book know that for strategic reasons I don't think it is essential that the United States go to war this year, I think there are increasingly all kinds of political problems with waiting beyond this year and I will simply throw out one of them which is that just in recent days I've been having conversations with friends of mine from the Gulf states. These are people who before about the last month were basically saying to me in private, and I know to people in the U.S. government, we want you to invade Iraq. We want you to get rid of Saddam Hussein. But you've got to do the following things first. Get some kind of a UN Resolution, make sure it's a big military operation, and do something on the Middle East peace process to get something going.

In the last month those conversations have changed in a rather dramatic way. What they're saying now is look, we are taking a lot of heat at home for this. For being willing to support you we are really getting ourselves into trouble. You had better go this year because if you don't go this year, if you pull your punch, forget about it. We're not going through this again. Don't think that you can start ramping up the world for a war again in 2003 or 2004. We have simply taken too much heat. You have come to us any number of occasions with these cockamamie regime change strategies and every time you've pulled your punches and you've left us holding the bag. This time around we really thought you meant it, you better mean it. If you don't mean it this time, we're not going to support you again. I think that's just one of the problems that we'll face.

David pointed out some of the others in terms of domestic public opinion, in terms of international public opinion. So I actually think that we're much farther down the road on this than we were, and this idea that we can allow the inspection process to play out for a number of years in the vain hope that we're going to get the Iraqis to make some kind of a mistake and come up with the smoking gun we need is exceedingly unlikely. It's just highly unlikely that we're going to be able to hold the world public opinion, even our military forces, ready for this war much longer.

Then the question becomes if the Administration does want to go to war now, how does it do so? There I think there are two options.

The first one is to basically fix on the declaration itself. Say this is the cleanest lie we are likely to get from the Iraqis. We put it into the Resolution that lying on the initial declaration was itself a material breach and therefore [casts a spell on it] and the Iraqis have effectively done that.

Now this doesn't mean the United States has to declare tomorrow or Monday or next week or any time soon that this was a material breach. In point of fact, the U.S. is still several weeks from being in a position diplomatically or militarily to actually go to war. And there's no particular reason the U.S. Administration has to make a declaration of material breach until they actually are ready to launch a war, but if they are going to fix on the initial declaration, recognizing that it is the clearest lie that we are likely to get from the Iraqis, I think they do need to start moving, to finish up the military preparations and to start building what President Bush has called the coalition of the willing.

Now it's clear that this coalition of the willing is not going to be the Gulf War coalition. We're not going to have 180 nations saying yes, United States, go to war, it's time that you took care of this, and 30 sending forces to participate in the operation. That said, I actually think the Administration will be able to build a much larger coalition than most people think. In my own conversations, both with the Administration, with Europeans, with other officials from elsewhere around the globe, I think the Administration is actually doing a lot better job than most people are giving them credit for and is making a lot more progress.

Again, it's not going to be the Gulf War coalition but it will be a considerably bigger coalition than I think most people expect.

The other alternative is to wait a little bit, to allow the inspections to play out a little bit longer, and particularly the idea that is floating around out there is that you mount a series of very hard inspections over the next month or two. You ask the UN to ask for specific documents. You ask the UN to interview certain specific scientists in the hope that either you get a smoking gun, or even if the Iraqis evade and obstruct in minor ways that you kind of build up a set of evidence against Iraq.

In some ways this is a better approach because if you could go down this route and if it were successful you probably would be able to build a larger coalition of the willing. Again, I doubt that you'd get the Gulf War coalition but you would certainly be able to convince more states to come on board if

that strategy were to work.

The problem is that, for some of the reasons that David was expressing, that strategy has real risks attached to it. First, it is entirely unclear that the United Nations is willing to take U.S. direction at this point in time. Hans Blix has repeatedly said that he's not interested in taking Iraqi scientists out of Iraq. He's even kind of demurred about under what circumstances he might be willing to interview them even in country. In terms of the inspections themselves, they're doing things like they're not inspecting on Fridays, something that the old UNSCOM was perfectly willing to do. They are being very very careful about what they do go see and how they do it. And by and large since the inspections have started their approach with the United States seems to be a little bit hands off saying thanks very much for your input but we're going to decide how things are going to go.

The expectation is the UN itself, Blix and his team itself, will take this kind of direction, I think in and of itself is an open question and I think the evidence out there is that it's unlikely.

But secondarily, again, you are basing your approach on the hope that the Iraqis are going to foul up or that you're going to catch some kind of a lucky break. Some defector is going to manage to elude the [Mohavarat] net and get out of the country. My guess is actually if we get a defector it probably won't be through the inspectors. It will probably be the old route. They'll go through Kurdistan, up into Turkey, and they'll find their way out that way. My guess is that the [Mohavarat] is simply going to have too much control over the guys who are going in for the actual meetings with the inspectors. So the likelihood of getting this defector is a possibility but it is not a likelihood.

By the same token, finding any of the stuff. We have the same problem now that we had in the 1990s. We don't know where any of the stuff is. The U.S. government has plenty of information to indicate that the Iraqis still have a very large WMD program but we don't have any good information about where it's located.

One last story. Martin reminded me of something the other day which is very important to mention which is all through the 1990s when he and I were both in government, there were any number of occasions when we would go to sleep at night knowing that there was going to be an inspection overnight in Iraq and we really thought that they were going to nail the Iraqis on this one. That we had some piece of juicy intelligence that was going to allow us to find the Iraqis up to no good. Every time we woke up in the morning and found out that that had not been the case. That we'd gone to the site and it had been sanitized, and sanitized weeks beforehand, and there was nothing there.

So the expectation, even if the United States does have some juicy piece of intelligence, the idea that we're actually going to catch the Iraqis red-handed seems extremely unlikely. The Iraqis have simply gotten too good at hiding their weapons of mass destruction.

As a final point I'll add there is a real risk in going down this path which is every time the inspectors go to a site and find Iraqis cooperative and find the site clean, it reinforces the notion of those

people around the world and in the United States who want to believe that the Iraqis are coming clean, that they are coming clean. We've had Iraqis come up to Martin in recent days and say to him maybe the Iraqis don't really have weapons of mass destruction.

MR. INDYK: Correction. It wasn't Iraqis.

MR. POLLACK: Israelis, pardon me. It's different.

And when you've got Israelis saying that it's clear Saddam's strategy is working. It is having an impact.

So the question becomes if the United States does want to go to war. If, as President Bush said, if the Iraqis don't take this last chance. And again, what I would say is the declarations they've made makes it clear they are not taking this last chance to comply. If the Administration does want to go to war there is a real risk in allowing the inspections to play out for another month or two because each time they go into a place and find nothing, each time the Iraqis are seen to be cooperative. And especially each time the U.S. gives them intelligence and they go to a site and find nothing, it is going to make it harder to build that coalition of the willing, not easier.

QUESTION: I find it appalling that you are such an apologist for going to war.

MR. INDYK: Excuse me, you can have your chance later.

QUESTION: -- And there is, why aren't we dealing with this like North Korea? In the case of North Korea we do everything to make sure we don't go to war. This is really about oil. He's being an apologist for going to war for oil. And as David Kay said, there is a growing opposition around the world. They can't get a coalition together because all around the world people are saying no war for oil, no war for oil, no war for oil, no war for oil... Thank you.

-- war over oil and to have peace for the holiday season. Thank you all. Sorry for the interruption. [Laughter]

MR. INDYK: We accept your apology.

MR. KAY: That's the best footnote I've ever had for one of my points. [Laughter]

MR. INDYK: I was going to say there was a case for war now, we're going to have Mike O'Hanlon give us a case for war later. [Laughter]

MR. MICHAEL E. O'HANLON: Thank you, Martin. It's a great honor to be here today. Let me say as a person who's been a war skeptic that I fundamentally disagree with the logic of what was just said. I think there's a very serious case for war even if you don't fully find it compelling and

even if you hope for an alternative as I have been, I think there is a serious argument that Saddam's own behavior in his own country and what he could do with a nuclear weapon if he got one is of such an order of magnitude of danger that we have to think very hard about whether we can allow him to remain in power.



There's been a very vigorous debate here and elsewhere about whether Saddam can be deterred, what he would do with a nuclear weapon. These are tough debates and there's a very serious argument that he is just simply too dangerous to let have these weapons.

I've been of the opinion that you perhaps could make disarmament work through this coercive UN strategy. I have to say as sort of the peacenik up here, at least on the dais of today, that I am becoming less confident that that strategy can work. I used to assess the prospect of war as maybe 50 percent. Now I have to say I think it's more towards 75 or 80 percent. And I say this not to publicly embarrass myself any more than necessary or publicly criticize my own analysis so much as to try to let you know where I'm coming from.

The one point of disagreement perhaps I might have with my fellow panelists is I think that Saddam is not following a smart strategy. There's a cleverness to it, it puts us in a tough position, but because we realize the position's only going to get tougher with time I think the Administration will make a decision shortly after the holidays to go to war and I think we will be at war this winter. It's a belief I did not have as of a few weeks ago, or I thought it much more as a 50/50. Now I think the Administration despite the flak it's going to take is going to have really no other choice.

But before I say that let me say what is the best case for those who want to see peace, who would prefer not to see the U.S. go to war? What do you have to now believe or hinge your hopes on given the declaration we received Saturday and what we think is inside of it? What do you have to believe?

One thing you might believe is that it's the nuclear weapons issue that's the most important. As Ken has written, David's worked on this issue, I agree with the argument that the idea of Saddam getting a nuclear bomb is the most worrisome potential future development because that's the one thing he has not had so far and who knows how he would behave if he did have it? I don't think he's try to ship one into New York harbor and blow it up in Manhattan, but I think he would potentially become much more dangerous within the region, feeling that that nuclear weapon gave him an insurance policy against American retaliation for any aggression he might undertake.

I think there is some reason to believe, and David may want to disagree with this later, I think there's some good reason to believe that the nuclear weapons inspection process can be more effective than the chemical and biological process. Nuclear facilities can be hidden underground, they can be distributed as well, but it's hard to make them mobile. Even facilities using centrifuges or calutrons or other kinds of old fashioned and relatively inefficient devices are expensive, they have to be very finely

machined, very well installed. You can't really put them in these vans the way Saddam might put mobile chemical or biological facilities in vans, and you can't very much hide them under the auspices that they're doing something else that's legitimate. So there is some hope that with a little bit of information here, a little information there, one lucky defection and just continued work moving around Iraq we could figure out if and when Saddam was starting to reconstitute a nuclear program.

I think there is a decent chance that that would succeed, even with this inspection team, even with a less aggressive approach than David Kay himself might implement.

That's a serious argument, that we could actually play this out not just for a few months but for a couple of years and then with long term monitoring thereafter and keep Saddam from getting the bomb, even if we could not find his chemical and biological agents. I think it's the most serious argument at this point for not going to war. But I have to say even for myself I find it a little bit unsettling to hinge everything on that argument because we have now ratcheted this thing up to such a point the entire credibility of the United States and the UN system is on the line, and if we are going to allow Saddam to simply deny things that we all know to be true, that he still has chemical and biological weapons, I think we are accepting too much of a hit to our credibility. And of course there is some real danger that the inspections would fail to find a basement bomb program. I think the chances of that are relatively low. I'd be relatively confident we could find a nuclear program even without Saddam's real help, but again there is some chance that I'm wrong.

So hinging everything on the idea that inspections can prevent a major reconstitution of the nuclear program, that may be the best argument for playing this thing out over a longer period of time, but it begins to become less reassuring to me.

Another argument you could make is that Saddam is basically afraid that if he admitted that he had a list of weapons, not only would his position inside Iraq suffer, not only would his position inside the Arab world suffer, but that we might use that as a cause to go to war even though I think we've been careful to say that the bigger issue is what you do in the future not what you've done in the past. But maybe Saddam believes that he can't allow himself to admit to this illicit activity because no matter what we've said up until now, we would use that as justification for war as well.

Again, you can hold onto that idea or that theory and say okay, he's still trying to keep what he's already got, but he's not really going to be that dangerous in producing more. He knows he's on the run, he's going to have to be careful keeping his stocks hidden, he's not likely to use them anyway because he hasn't used them in the last 12 years, ever since he's been under our gaze on a consistent basis. So if he has a few chemical and biological weapons, no big deal.

Again, there's a serious argument I think to be made along those lines. My problem is the credibility issue is quite important. Even if you believe you can tolerate a Saddam Hussein with chemical and biological weapons the fact that he's simply sticking it in our eye at this point I think raises huge issues of the credibility of U.S. extended deterrence and the credibility of the UN system. And as Mr.

Bush said throughout the fall, the basic idea that the UN Security Council has to show that it must be taken seriously. There's something more on the line here than just Saddam's weapons. They themselves are a real concern but there are larger issues as well given to where we've gotten in this process, where we've taken this whole issue.

So I believe, I'm still debating in my own head whether I could view one of those two previous arguments as sufficient grounds for not going to war but I'm becoming a little less comfortable with the argument and I'm quite discouraged by the fact that Saddam admitted to nothing in the declaration last week as far as we can tell.

Over the summer time Phil Gordon and I did a fair amount of writing, and Martin joined us in an article or two as well saying if there's going to be an inspection process and if it's going to avoid the inspection trap of extended, relatively fruitless efforts, we have to do several things. We were arguing that the Iraqi weapon scientists should be available for interviewing perhaps outside of Iraq. That was a pitch we made back in the summer time. We were also arguing that Saddam really had to show some progress towards eliminating his illicit weapons. He had to at least, we couldn't prove exactly how much he had, but he had to admit to a certain amount of holdings of chemical agent and allow those to be destroyed very quickly while the threat of U.S. military force was still credible, so Saddam wouldn't be the one yanking us with his chain, we would be able to use our threat of military force immediately to produce some disarmament.

It now appears that that hope is evaporating. So again the declaration to me is quite discouraging.

Where do we go from here? I'll just make a couple of quick points and stop.

I think the Administration is essentially going to have to say we cannot wait for inspections to maybe find something. The reason being that, I guess one way to say my bottom line argument here, I don't believe in this theory that we're almost ready for war militarily, and I don't believe that we can sort of gradually just sort of do little things here and there to the point where at any given moment we could just decide now is the time.

We're doing a lot of important preparation work right now but we still only have maybe 60,000 American troops in the Persian Gulf region. We have not yet loaded up and sent off to war the 101st Air Assault Division, the 3rd Mechanized infantry Division, the 1st Cavalry Division, the 3rd or the 1st Marine Expeditionary Force. These are big military units. Those four divisions, if they are the four that would go, plus their support would be well over 100,000 additional people. Once we make the decision to do that I think the war has to be fought because as David said, you can't put 150,000, 200,000 people in the region and then pull them back. Once you make that decision, call up those people, call up the reservists to support them, you're on a path to war and doing that process, calling up the reservists, sending those four divisions on their way, waiting in lines in Kuwait City harbor so they can unload, a harbor that probably can accept one ship per day over an extended period of time, it's

going to take us a month just to get rid of the traffic jam in Kuwait City harbor and unload the forces. That's going to take a month and a half, two months of serious work. So if you think the war has to be fought in the wintertime which is an assumption I tend to share, or at least early spring at the very latest, that means you've got to get to a decision point in January if you're going to do this thing, this upcoming winter. And for the reasons that Ken mentioned, I'm increasingly inclined to believe that if you're going to do this you should do it soon.

Again, I'm still wrestling with the possibility that there is some alternative here to war, but I'm becoming less and less optimistic.

Maybe, and I'll stop on this final point. Maybe there's one last thing we can do. Maybe what we do is we say to the world and to Saddam, this declaration is bunk, it will not be tolerated. It is not only a material breach, it is a material breach sufficient to justify military action. But in the goodness of our hearts and in the interest of forming a coalition that's stronger than it is at the moment, we're going to give you one last chance. Here is all the proof we already have that we know you're lying. The Administration hasn't been talking very much about what proof it has and who generated and produced that proof in the last few months. It's simply been saying we know that Saddam has this and this and this, and Tony Blair's dossier did the same thing. Simply giving the estimates.

We need to go back and remind people this is not just a U.S./U.K. intelligence effort. This is the entire UN legacy. There are inconsistencies in Iraqi documents that we've actually had a chance to look at or know exist or the defectors have told us about. It's not a smoking gun case but it's not just a U.S./U.K. intelligence operation either. There is all this proof that Saddam has chemical weapons and biological precursors at a minimum that we know he has not shared with us. You've got one last chance, Saddam. Here's why we know that you've got these holdings. Here's why we will not allow you to lie about it. And to our coalition partners around the world and to our public and to our protestors here at home, this is why we are confident Saddam is lying and something has to be done about it. That may be one last last last ultimatum that you could issue Saddam. I'm not sure it's wise, but to me that's beginning to be about the only possibility that I can still see of avoiding war, and maybe there really is not going to be any way to do so.

Thanks.

MR. INDYK: Thank you very much, Mike.

We're going to go to questions, but I just wanted to jump in and ask David, given your very interesting point about the revelation of the list of companies and the purpose behind that declaration on Saddam's part, what do you make of the briefing that [Al Sadhi], Saddam's chief liaison with UNMVIC made about the nuclear program which seemed to be quite deliberate and almost seemed to me like bragging about how far they've gone on the nuclear program. How do you interpret what they're up to there?

MR. KAY: It was funny. My first reaction to it was deja vu because when Jafar dia Jafar first revealed the Iraqi program he did it in very much the same way. We'd spent, it was about 1:00 o'clock in the morning discussing the importation of nuclear triggers, an event of the 1980s that you'd have to have a good memory to remember about. We were about to leave. There were four of us there. And he said, just out of the blue, you know, if I wanted to build a nuclear program -- and then for an hour non-stop he described exactly what they would have done in detail including design information that quite frankly you'd only know if you'd been involved in a nuclear program.

It was astounding. Why would you do this?

There were two events this weekend. That was one which I took to be almost a North Korean strategy. Guys, realize we can do this, we might have done it. Create the uncertainty. A pause.

The other was Saddam's apology to Kuwait which I'm disappointed that at least in the West journalists didn't pay very much attention to. The idea, having spent a great deal of my life in the Middle East, if you're going to deliver an apology, A, you do it personally. You don't do it through a spokesman to have any meeting. Secondly, you don't do it by saying we invaded Kuwait to save the Kuwaiti people from the Americans. And thirdly, you don't conclude with an appeal to the Kuwaiti people over the heads of their government and implicitly to everyone else in Arab streets to rise up against you government. If there is anything that will convince the Gulf governments that they ought to get behind an American move to go early, it's the thought that Saddam was going to become the leader of their streets.

So I think there was a series of things that were off-message and convinced a lot of people they were in La La Land. The nuke one was one and the Kuwaiti apology was another one.

But it's interesting. It's partly because we don't pay a great deal of attention unfortunately, to substance. There was almost no good reporting in the U.S. over the weekend.

MR. INDYK: In fact it was the opposite. It was played up banner headlines as an apology when it was the exact opposite.

Questions, please?

QUESTION: Dick Eisenberg, Senior Analyst at the British-American Security Information Council. I'd address this question to Mr. Pollack and Dr. Kay.

I'm willing to stipulate for the record that the inspectors won't succeed in finding whatever is what I presume to be ongoing nuclear, biological, chemical and missile programs. It's a daunting task and for reasons already well explained by you and in the press it seems almost impossible that they would be able to find that. However I don't see that as being the [cause ibela] as Mike O'Hanlon put it, to go to war.

The assumption seems to be that if you leave those weapons in Iraq in the hands of what is often depicted as an irrational despot the consequences would be too great to bear. I think there are two prongs of that analysis which I would ask you to address.

One, I see no reason to assume that Saddam Hussein is irrational. I think an examination of the evidence over the years shows he's quite rational and I'd point to the forthcoming article in *Foreign Policy* by John Ursheimer on that point.

Secondly, and I quote here from the just-released study by the American Academy of Arts and Sciences, Chapter 2, Steve Miller --

MR. INDYK: Before we get into all the quotes, can we just have the question?

QUESTION: Okay. I guess I would put it this way. If we're prepared to go to all this trouble of launching a preventive war to prevent this, why are we not prepared to take equal efforts to strengthen the existing system of containment? It's been pointed out the obvious problems in that, but is it not at least worth making efforts to strengthen it and to continue to contain Saddam Hussein as an alternative to a preventive war which is being talked about?



MR. INDYK: Why not containment?

MR. POLLACK: I have a book on the subject you might check out.
[Laughter]

I have not seen John's draft for the *Foreign Policy* article but I have seen an earlier paper he circulated. I think some of his arguments are silly and his history is terrible.

In part the problem with the history of Iraq is for the last 30 years Iraq has been a closed society. The information that's available in the public realm on Saddam's decisionmaking is actually quite poor. In some cases John is basing it on what are accepted sources. Unfortunately in many cases they're badly wrong. I've tried in the book, in fact I was able to get out there better versions of what actually did happen.

A short argument for why -- Saddam is not irrational, but he is delusional, he is aggressive, he is a wild risk-taker and a gambler. What we have seen over the years and again, I've got a book on the subject that I go through Iraqi history in great detail, looking at each case of deterrence and compelling, laying out exactly what did happen and what didn't happen.

We've repeatedly seen that Saddam Hussein is often difficult to deter and at times he has proven himself to be impossible to deter. I also have a whole section on containment.

Containment failed for a whole series of reasons. I can't get into all of them now. The most important of those reasons, though is that containment, especially as it was constructed in 1991 was a multinational system, and by about 1995 when it became clear that international support for containment was gone, containment started to break down. The biggest problem, I think the biggest challenge for anyone who would like to restore the containment regime is the question of how you rebuild that international support which existed for just a brief moment. To restore the willingness of the entire world to actually make the sanctions work. That's something that we just completely -- we've all fixated on the inspections.

The inspections were never expected to be the major part of containment. They were always expected to be a tiny little element of containment. The sanctions were really supposed to be where the lion's share of the work was done. The sanctions have failed. They failed because no one supported them and every time the United States has tried to strengthen the sanctions, that is get rid of the economic side and put some real teeth into the military side, the rest of the world has basically said forget about it. We're not interested.

The question is how could you build that international support and maintain it for the life of this regime? For Saddam Hussein's life, for the life of, if he's succeeded by his sons, by [Ali Hafan Al Majid] or [Ali Hamad Hamud], how can you make that work given this guy's track record?

That's about the best I can do in this amount of time.

QUESTION: Ivana Stehasi with the Financial Times, Deutschland.

I have two questions. First of all I would like you to share your thoughts on this morning's report in the Washington Post about Iraq handing over chemical weapons to al Qaeda.

And secondly, a question for Mr. O'Hanlon. Don't you think that no matter what the U.S. should really share their evidence of the weapons of mass destruction with the rest of the world if it decides to go to war?

MR. INDYK: I wanted to make one point about this. One element of the story is, I think known, at least I was aware of it I believe that the Israelis have focused on with good reason, and that is that there was a gentleman, I believe his name is Makawi, who was operating out of Northern Iraq. He did have al Qaeda connections. He moved to the [Ina Hilruh] refugee camp in Southern Lebanon. He was believed while he was in Northern Iraq to be working on chemical weapons. There is a good deal of concern in Israel that I heard when I was there last week that he could be doing so from Southern Lebanon. But that only relates to one part of it.

The VX part of the story is something that is new and seems to be from a different source, although related to the same operation.

MR. POLLACK: I think you need to treat that report very skeptically. I mean Bart Gellman's a wonderful reporter, but this isn't the first time we've seen reports like this.

Some of the operational mechanics that he's got in the piece don't seem to ring true in terms of a courier taking stuff through Turkey. If you were going to do this, that doesn't sound like the way that you'd really want to do it if you were Saddam Hussein. Beyond that, and look, doing this would be the stupidest possible thing Saddam could do. He's capable of doing the stupidest thing that's possible and we've seen him do it in the past. In this case, at least, all the evidence we have seems to indicate that he is on a strategy and that strategy is to play the victim. He seems to recognize this. Again he recognized before the Gulf War that getting into the war was not a good option for him. I think now after Desert Storm he realizes that even more. Getting into war is the worst thing he could do.

Therefore turning over weapons of mass destruction to terrorists, which is exactly what this Administration has been looking for and trying to prove for the longest time, really would be foolish and entirely counter to his strategy of trying to play the victim, trying to look like he is being cooperative, trying to look like he is the good citizen and it is the United States that's beating up on him. Why take that kind of a wild risk, especially with al Qaeda which is such a loose canon, which is a group that has been anti-Saddam in the past. If you really want to push it out there and say okay, there's a rationale for doing this, maybe he's trying to preposition the stuff so if he ever does get into a war he'd want to use it. Don't use al Qaeda. At the very least use Abu Nidal, use --

MR. KAY: -- organization.

MR. POLLACK: Yeah, the organization. Not himself obviously. [Laughter] But use someone who is more under your control or just use the [Mohavarat]. Why on earth are you turning this over to this radical free agent that you can't possibly control?

So again, Bart's a great reporter. I think you need to take anything that Bart says seriously. But I also think you need to regard these kind of stories with great skepticism.

MR. O'HANLON: Very quickly, I think you're right. I think the United States does need to share information to the extent possible. I think it needs to remind the world of what we know from non-U.S. sources, what we know from the UN inspectors, what we know that is internationally largely legitimated and accepted, not just based on our own satellite reconnaissance or our own interviews with defectors, but based on what the inspections teams learned in the '90s. A lot of that detail has been forgotten by the broader international community. I have to admit I've forgotten some of it because it hasn't really been in the news and it hasn't been in the debate that much in the last few weeks, and let's face it. This Administration has won a lot of admirers for the strategy it's followed since September 12th, but its fundamental credibility on this issue is still not that high. People still think that it's out for blood and that it's not necessarily going to give alternatives a fair chance. So if it has given alternatives a fair chance, and I'm beginning to think it has, that it may have no other choice but to force this issue militarily, it's got to prove the point with its argumentation, not with its credibility or its previous image.

MR. POLLACK: If I could just add a footnote on that. I quite agree. I think that's very important.

It's interesting, there's a lot of information out there from other sources that aren't used. The best, and I still cite it actually, on the Iraqi nuclear program, was recent. It's from the German Intelligence Service. It was published at the beginning of this year. Ignored by the Schroeder government I might add in the election campaign as you probably know better than I do. But the Germans, based on what they were seeing in European procurement said the Iraqis left to themselves were four to six years away from having their own nuclear weapons. And they had a lot of evidence behind it.

There's no reason the U.S. should attempt to bear the burden of the proof solely itself. Now I suspect given the current German government they may not be too willing to let the German intelligence community be quite as adventuresome as they were a year ago. But there is information out there and it has not been systematically laid out, and I couldn't agree more with Mike. It needs to be done.

QUESTION: My name is Said Arakat from Irkutsk Newspaper.

Isn't it possible that the United States is feeling compelled to almost strong arm the UN and [inaudible] the report, yet in fact they really have no evidence and they are fishing for the flimsiest evidence to go to war?

Again, and I asked this question before. How do you prove a negative? If Iraq does not have any weapons of mass destruction, and short of having some sort of an Iraqi Sammy the Bull who would come out and squeal on what's going on, how do you prove that and why would you go to war?

MR. KAY: Let me start. I'm not proving the negative. Go back to something that Ken said.

Remember when UNSCOM in 1998 and '99 issued its final report it had about a dozen areas where it said there were outstanding issues. And this was reviewed by an international scientific panel, not just Americans. Not even UNSCOM. They brought in people who had not been associated.

The Iraqis were asked to prove the evidence that they had done what they claimed and it was laid out exactly what that proof would be. The disserving this is apparently in the current report. They've answered none of that.

So it's not proving the negative. It's really proving some stuff that supports other things you've said.

The strong-arming the report out of the Security Council. A non-event. Inside baseball. I first started working in the UN for the U.S. government, I hate to admit it, 35 years ago this year. For 35

years I have personal knowledge of the five permanent members sharing information among themselves and with the Secretary General that was not shared with the other members of the Security Council. For a year and a half of UNSCOM IAEA activities Hans Blix himself, in Vienna, had meetings with the Perm Five that was not, the information was not shared with his board of governors. This should have been a routine affair.

What you had is an inexperienced member of the U.S. government representing us at the Security Council and a series of things that made it look horrible. The atmosphere is horrible. It's an inside baseball tempest in a teapot affair. Really, if you think about it, do you really want to share with countries like Iran and Syria, a formula perhaps for how to produce nuclear weapons? That's not generally what non-proliferation obligations lend one to do. It was that and shouldn't have been that.

I will give you one piece of credit, and this is what the Iraqis understand. The counter to the burden of proof is on Iraq is exactly what they've done right now. We've given you all the evidence we think we have, and you're welcome to come in any facility and explore it. We won't stand in your way. We'll facilitate it. You go find it. That's shifting it. It's a powerful political argument, an unfair argument, given a country that has used these weapons on its own people, its neighbors, lost a war, and agreed to be disarmed and has not honored its own obligations in that regard. But it is powerful politically.

MR. POLLACK: Let me just add one point. David and I have made a number of points already on this, but another one.

We have the Sammy the Bull. You said short of a Sammy the Bull coming in -- We've got dozens of them. We've got dozens of defectors from the Iraqi WMD program. I actually, I absolutely agree with Mike's point and David's that the Administration needs to do a much better job of putting evidence out there in the public domain.

One thing I'd like to see them do is put out really sanitized versions of some of the defector reporting. We've got lots of people who have come out and told us hair-raising things.

Now many of these people have chosen not to go public. A few have. [Kidr Hamsen] most notably. But most of them haven't because in large part they're in fear for their lives.

I think the government could still release sanitized versions of their reporting.

Now [inaudible]. Do I think that's going to convince the skeptics? No. There are people who simply don't want to believe it and you're never going to convince those. But I do think that it's still useful for the government to at least show that it's being forthcoming and I think there are a lot of Americans at least out there who are simply ambivalent. They just don't know. They are agnostic about the subject and they'd like to see it. I think if the Administration were willing to release some of that stuff that would mean something to them as well.

QUESTION: Larissa Davis from Brookings.

Mike, you mentioned earlier that the military is not currently ready to conduct an attack and it will take a number of weeks to bring the proper amount of troops over to the Middle East. But my question to you and for all of you is the level of preparation for dealing with a retaliatory attack in the United States. There have been a number of stories stating that the United States may not be ready to respond. If such an attack were to occur in retaliation for a U.S. attack on Iraq, what effect would that have on public opinion here, and can we conduct both a defensive effort at home and an offensive effort abroad?

MR. O'HANLON: It's a very good question and I don't have a great answer.

One thing I want to say which is not an answer is that in 2002 Washington did not distinguish itself for its handling of homeland security. We spent a lot of time and debate over a department which should have been the secondary issue compared to actually going out there and identifying vulnerabilities and addressing them with whatever agency happened to be in a position to do it. We could have done that without a department.

Secondly, the department issue got hung up for way too long and both sides in the political debate went for political points. Mr. Bush did a better job of actually scoring them, but both sides were playing to their constituencies and their electoral interest. But that's not answering your question, that's fingerpointing. So let me try to answer your question.

All I can say is that we are still vulnerable, but thankfully I don't think the Iraqis are the best operation out there for attacking us. That's my main reason for some [inaudible]. It doesn't make me complacent, it does make me nervous, and it's one of the reasons why I would have preferred to avoid war and still would if I can imagine some way out of this, although as I've said several times, I see the opportunity as being smaller and smaller and less and less probable.

But my overall sense is that the Iraqis are not going to be very effective in attacking us. They may try. They probably won't be terribly effective, but it certainly is a downside to any military campaign.

MR. INDYK: I'd just make one point to add onto this. The question could have broadened to potential targets in the region and their capabilities to deal with this.

The Israelis have been working 24 7, absolutely flat out to prepare their defenses. They have anti-tactical ballistic missiles. They've already vaccinated their first responders with smallpox. They have a whole emergency -- They are ready because they expect to be hit.

There's a real question mark about the readiness of other countries around like Kuwait, Saudi Arabia and Jordan and whether they are in a position to deal with these kinds of CW or BW threats.

QUESTION: Mohamed [inaudible], -- Television.

Is it possible to consider today's Washington Post as another attempt to fish for specification in light of Iraqi cooperation with inspectors?

And a question for Mr. Kay. You were in Baghdad same time as Scott Ritter. How can you explain coming to a totally different conclusion than he did?

MR. KAY: Fortunately I don't have to explain. No, it's a mystery to me. I've said on several occasions -- When I know Scott, and actually when most of you first heard of Scott when he resigned and left in early '98. Scott's analysis of Saddam and the Iraqi system was if anything tougher than my own analysis at the time. Scott was over the top. How he's changed, why he's changed -- The person to ask that is Scott. Some of you have seen the New York Times magazine reporter who tried to do it and sort of ended up even more confused than Scott was in trying to do it. So I don't know.

MR. INDYK: Anybody want to comment on the Washington Post --

MR. O'HANLON: The article seems to derive from information from the intelligence community which has been a skeptic about any links between al Qaeda and Saddam. And in some ways has been at loggerheads with Rumsfeld as he in the past has tried to take little iota bits of information and magnify them or exaggerate potential linkages. The intelligence community has historically been the skeptic.

So this is coming from the intelligence community. My initial take is that it's somewhat more credible. On the other hand, Ken raises a lot of serious arguments about why it doesn't quite add up yet, so I'm just going to keep watching and trying to learn.

QUESTION: Mohammed [inaudible], a political columnist with KOB and Masawa Magazine.

The question is particularly to David Kay. You seem to have played down a little bit the mishandling of the United States when it forced Kofi Annan to take the report of the Iraqis and start copying them.

I was in a meeting with Kofi Annan day before yesterday, a special meeting actually. It was also at the United Nations. And he was very critical, very critical I must say about the way that the United States handled this situation and he said because the five members of the Security Council have the right to veto a decision, they do not have a right to force the Secretary General to give over or to force him to take a decision. He said he is regretting this very much because it is a precedent which could be followed.

My question is the following, actually. How far -- Actually also what evidence in that meeting is

that the repercussions of this mishandling by the United States was extremely negative in the Arab world. Extremely negative. I don't know why it wasn't more reported on.

But leave aside this question. My question is how far do you trust the United States? As far as feeling frustrated with Saddam Hussein and his tactics, number one. Feeling the power that he now has as the only super power in the world, that it would not make other mistakes like this in the future. That might be also a reason that why they should go to war a little bit earlier. Because these type of mistakes really, is what I am feeling. They are making this horrible mistake. It was a horrible mistake, there is no question. And Annan went on and on about it yesterday.

So the United States, I have a feeling it has this feeling that now it has this power, especially Bush Administration, and also frustrated with Saddam Hussein playing very well as you all mentioned. How far this would play out in the next two or three months? The United States making more mistakes.

MR. KAY: I don't know how much clearer I can be than I was, but let me try and I'll no doubt offend several people and get myself in deeper trouble.

I think the initial mistake was a mistake made by a U.S. diplomat at a meeting in New York when Hans Blix said I'm going to not give the report to the Council until I redact it to remove weapons design information. At that point any normal experienced diplomat instead of going along with it as in fact the U.S. individual did, would have raised an objection and said look, what is the logical reason for holding the full report away from the five permanent members who know how to design these weapons? In my view the Secretariat should have done the copying and given it to the five permanent members.

Now having made that initial mistake which as far as I'm concerned, and let me be clear, for me that's a firing offense. That's a level of stupidity that I would not tolerate in a mission as crucial as the U.S. mission to the UN if it were up to me. There is at least one individual who is very thankful it's not up to me. [Laughter] There are probably more.

But having made that mistake, the recovery, was it elegant? No it wasn't elegant. It was heavy-handed. Did it cause a reaction that was played in other circles and not just in the Middle East. There are reports that there was a Mexican and a Norwegian understandably upset. Look, it was amateur hour.

I don't think it was for any deep, serious political reason, it was just someone who really did a stupid thing and the recovery was really ham-handed.

It's inside baseball. You and I and others who know the UN, and I can understand the Secretary General being upset, it's important for us, but in the totality of what we're talking about, ah, it's beyond the decimal point.

MR. INDYK: We won't ask you about SCUD missiles on a ship bound for Yemen, then.

MR. KAY: I would have torpedoed it -- [Laughter]

QUESTION: [inaudible] -- Supreme Court Justice. I cannot define it but I know it when I see it.

So my question is what is the major quality of the so-called intelligence, and does the U.S. government have enough efficient intelligence to convince the other members of the Security Council as well as the rest of the world? I know several years ago when the bombing, the U.S. bombed the Chinese embassy in Yugoslavia, it was widely reported as a grave failure of U.S. intelligence.

MR. POLLACK: The bottom line that you're asking there is does the United States have the intelligence to convince the other Security Council members. I think that really is the critical question. There I'd say yes. I'd say in fact the U.S. doesn't have to convince them. I think they're already convinced.

We never heard the Russians say, at least in private, the Iraqis don't have this stuff. We never heard the French say that. In point of fact, every conversation we had with them was they knew that the Iraqis had it. The only debates were over how to handle it. They wanted to take a very different approach from us, and I'm talking about in the past. I'm not talking about, because obviously I'm not part of this Administration, but in the past that was always the debate.

I don't think there's any doubt that the permanent five know that the Iraqis have a clandestine program. I would say that I don't think there's anybody else on the Security Council who doesn't believe that either. Every time a country comes out of the Security Council the U.S. dutifully goes to them at some point in time and lays out the evidence that we have. I have never seen a country that has come onto the Security Council who we gave that briefing top who didn't also agree that the Iraqis had the capabilities. Again, the question was simply over what was the best way to do it.

There is a bigger question here which is what about the public debate? This is kind of what we've been addressing as well.

In point of fact, convincing other governments I don't think is terribly difficult. As I said, I think they're by and large convinced. The question for them is how to deal with it.

The public is a very different issue. On the one hand, I don't know that you're ever going to get the standards that some people are going to want. These remarks about intelligence being an art not a science -- Let's put that aside.

The problem is in the intelligence world the likelihood that you ever get the kind of evidence that stands up in a court of law, a U.S. court of law, if that was non-existent, it never happens in the world. That's just not the nature of intelligence, especially when you've got a country like Iraq which is a

Stalinist state which has been trying to get it. But you can have quite a bit of stealth.

What we've been arguing is that we think there is certainly more information that the United States could put out into the public arena which would demonstrate a stronger case than this Administration has so far done, and that that would be really helpful in terms of generating public support.

But we also I think all recognize that there are some things which the Administration is not going to be willing to put out there, and even if you did put it out you could get lawyers going through it and saying well, this could mean anything. Reasonable doubt. That's not the way the world works.

As I said, I think the best standard is the one you laid out. Are the other Security Council members convinced? Yes. They're all convinced. I can't think of a single one that actually believes that the Iraqis are telling the truth about whether or not they have them. Again, the debate is simply over what's the best way to handle it.

MR. O'HANLON: A very quick point. The nature of the evidence.

I know the least about this of anyone up here but let me give a very quick example. Others can correct me if I'm wrong.

This is the sort of thing we know about Iraq. I'm just going to use arbitrary numbers. They imported 10,000 gallons of a certain precursor chemical. They have accounted for what happened to 3,000 gallons worth of that stuff. Maybe they said they had used it all up in the Iran-Iraq War, but as Ken mentioned earlier, their actual records show they only used a small fraction. We were only able to destroy another modest fraction. So you just do the arithmetic.

You could say well, the Iraqis kept bad records and maybe they never had the 10,000 to begin with, and maybe they intended it for some other purpose, or maybe their lines of communication got crossed and they never really bought it. There are a million other explanations that could in a court of law exonerate the Iraqis. But when you take what you know about Saddam -- he imported 10,000 gallons, he can account for 3,000 gallons. Even though he said rhetorically he could account for it all the documents don't back him up.

That's the kind of evidence we have in abundance. It's circumstantial, but when you look at the entirety of it, it becomes pretty convincing.

MR. POLLACK: If I can just add one thing. The Iraqis have made this a lot easier for us. They have said no weapons of mass destruction program after 1991. The evidence that you have to produce of illegal clandestine importation and work from 1991 in fact can be made available and it is abundant. And that of itself --

If the Iraqis had said they had a continuing program in '91 through '98 but they decided to abandon it and they destroyed it all, we would have a harder time right now. They've actually made it easier for us to make the case.

The Administration has not gone out and made that case and I think we're all saying get off your duff, go and do it. It needs to be made.

MR. INDYK: Thank you all very much. It being 11:30 we're going to have to close now.

Could I just alert you to the fact that the Saban Center puts out an e-mail publication called Iraq Memo with analysis from scholars and colleagues here at the Saban Center and at the Brookings Institution. You can get copies of it on the way out. You can sign up for the e-mail through the Brookings/Saban Center web site.

I want to thank David Kay, Mike O'Hanlon and Ken Pollack for a fascinating session, and thank the protesters for their musical interlude as well. [Laughter]

Thank you all very much for coming.