Thank you, Mr. Chairman. Let me ask your

indulgence and the indulgence of Senator Biden. I had a Veterans

Affairs Committee hearing, and I have some questions. But I

thought in the first 5 minutes, if I could, or several minutes, I

would like to lay out my framework, if that is OK. I rarely do this,

but it is kind of a semi-formal statement. Then I will have some

questions.

By the way, I know this is one of the toughest foreign policy challenges

that we have. Let me just say that right away to you, Mr.

Walker. I do not quarrel with anyone who believes that Saddam’s

leadership is a real threat to our interests, to the region, and

frankly, maybe even more than anything, to those most directly affected,

which is the Iraqi people themselves.

The subject matter today is sanctions and U.S. policy. This is an

issue that I have raised before, and I would like to zero in on it,

which is the unintended but devastating—devastating—impact of

these sanctions on the Iraqi people.

Last week, the Secretary General of the United Nations delivered

a report to the Security Council assessing Iraq’s humanitarian

needs and saying that the U.N.’s efforts to ease the suffering of 20

million people in the country ‘‘has suffered considerably’’ as a result

of the ‘‘holds’’ placed by the United States and Britain on contracts

in the oil-for-food program, something I would like to talk to you

about.

Saddam Hussein is also criticized in the report for spending too

little money from oil sales on food for the population. No question

about it.

The point is this. While Saddam has proven indifferent to Iraq’s

people, I do not think we can be similarly indifferent. I strongly believe

that the administration should take some steps to better reconcile

the enforcement of our disarmament objectives in Iraq with

our obligation to minimize the harm to innocent Iraqi civilians and

to ensure their most basic rights.

Now, the Secretary General’s recent report to the Security Council—

I know what you have said in your testimony, but just a little

bit of contradictory testimony. The Security Council’s own report

last year on the deteriorating humanitarian situation, the comprehensive

UNICEF survey on child health—some of this is devastating

to read—and other relief agencies that are out in the field,

the International Committee of the Red Cross, have all made it

clear that a public health emergency exists in many areas of the

country and that efforts under the oil-for-food program to alleviate

these conditions have been woefully inadequate.

I think it is critical that we do something to address this public

health emergency, and I think this requires restoring Iraq’s civilian

economic infrastructure—I did not say military—in order to bring

child mortality rates and other public health indicators back as

close as possible to the levels that existed before the embargo. So,

let me just mention three initiatives, and I want to get your reaction.

First, that the Security Council and the Sanctions Committee

push to implement immediately the recommendations of the report

of the Council’s humanitarian panel last March. In particular, I

think what was important there was the preapproval of humanitarian

items. I think that is critically important. Otherwise, this

drags on and on and on. I would like to see that process expedited.

Second, to take all necessary steps to persuade the Security

Council and the Sanctions Committee to take more seriously its obligation

to monitor the humanitarian impact of the sanctions, especially

on those people that are most vulnerable, and I have in mind

the children and the elderly. We have made a commitment to do

so. The Security Council and the Sanctions Committee ought to live

up to that.

Then finally, to press the Security Council to establish an international

criminal tribunal, which is mandated to investigate, indict,

and prosecute Iraqi leaders and former officials against whom

credible evidence exists of war crimes against humanity and genocide.

That to me is the kind of targeted sanctions that make a

great deal of sense, that go after the people who should be held accountable,

as opposed to innocent people who are paying the price.

Now, finally, I just want to say that I want us to make every effort

to continue and even tighten where possible the restrictions

and prohibitions on military imports to Iraq. I do not want to see

any relaxation at all.

But it really troubles me what the effect of these sanctions have

been on innocent people. I have looked at these reports. I think

they are devastating. Our quarrel is not with the Iraqi people. The

President has said that. The State Department has said that. I

agree but I think the policy has had a devastating impact on these

Iraqis who bear no responsibilities for the policies that we are trying

to sanction and change.

So, I would argue, and I conclude this way, that under the U.N.

Charter and the Universal Declaration of Human Rights not to destroy

or undermine the right of people to not be hungry and have

basic standards of health, we have got to do a much better job of

balancing our legitimate nonproliferation concerns and those that

I think represent a humanitarian commitment to the people there.

I have a set of questions about what we are going to do about this

humanitarian situation that I want to put to you in the next round.

I have become, over the last year, more and more uneasy. I have

read these reports. I have had people who have gone to Iraq come

back. There are all sorts of other arguments that it is further

radicalizing the people. It is not undermining any support for him

at all. I just think we need to reevaluate this, and I will put a set

of questions to you on that.

Thank you for holding this hearing, Mr. Chairman. I also want to welcome our

first panel’s witness, Ambassador Walker.

I wanted to be here this morning because I have said it before and I will say it

again, Iraq is one of the toughest foreign policy challenges which falls within this

subcommittee’s purview. Saddam Hussein’s leadership continues to pose a threat to

our interests, our allies in the region, and especially to those most directly affected—

the Iraqi people themselves.

Mr. Chairman, the subject of today’s hearing is ‘‘Saddam’s Iraq: Sanctions and

U.S. Policy.’’ That title zeroes in on an issue that I have raised before and would

like to bring up here again: the unintended but devastating impact of these sanctions

on the Iraqi people. Last week the Secretary General of the United Nations,

Kofi Annan, delivered a report to the UN Security Council assessing Iraq’s humanitarian

needs and saying that the UN’s efforts to ease the suffering of the 20 million

people in that country ‘‘has suffered considerably’’ as a result of the ‘‘holds’’ placed

by the United States and Britain on contracts in the oil-for-food program.

Saddam Hussein is also criticized in the report for spending too little of the money

from oil sales on food for the population. While Saddam has proven to be indifferent

to the suffering of Iraq’s people, we cannot afford to be similarly indifferent. I

strongly believe that the administration should take urgent steps to better reconcile

enforcement of its disarmament objectives in Iraq with its obligation to minimize

harm to innocent Iraqi civilians and to ensure protection of their most basic rights.

The Secretary General’s recent report to the Security Council; the Security Council’s

own report last year on the deteriorating humanitarian situation; the comprehensive

UNICEF survey on child health; and reports from other relief agencies

in the field, including the International Committee of the Red Cross (ICRC)—all

make clear that a public health emergency persists in many areas of the country,

and that efforts under the oil-for-food program to alleviate these conditions have

been woefully inadequate. I believe it is critical that we do what we can now to address

directly this public health emergency. This requires restoring Iraq’s civilian

economic infrastructure in order to bring child mortality rates and other public

health indicators back as close as possible to the levels that existed prior to the embargo.

With this in mind, I strongly urge the administration to take the following

initiatives:

First, in the Security Council and the Sanctions Committee, push to implement

immediately the recommendations of the report of the Council’s humanitarian panel

last March. I realize that many of these recommendations, such as preapproval of

humanitarian items, are in Resolution 1284, but they are conditioned on further

steps by the Council or the Committee. In this respect I am pleased to note that

the Sanctions Committee has begun the pre-approval process for humanitarian

items and urge the administration to ensure that these measures are implemented

without further delay.

Second, take all necessary steps to persuade the Security Council and its Sanctions

Committee to take more seriously its acknowledged obligation to monitor the

humanitarian impact of the sanctions, especially on vulnerable sectors of the population

such as children and the elderly. Greater transparency in the deliberations

and decisions of the Sanctions Committee is also needed.

Third, press the Security Council to establish an international criminal tribunal

mandated to investigate, indict, and prosecute Iraqi leaders and former officials

against whom credible evidence exists of war crimes, crimes against humanity, and

genocide. This represents the kind of targeted sanction that should be directed

against those responsible for those Iraqi policies we want to change.

Finally, while we should make every effort to continue and even tighten where

possible the strict prohibitions on military imports into Iraq, I believe it is time to

relax and restructure the economic embargo. Such a restructuring would permit import

of a broader range of non-military goods in order to allow the revival of the

civilian economy. I do not believe the current approach is justifiable, or even sustainable,

and urge the administration to work with its Security Council partners to

establish a new regime. Some variation of a proposal made recently by Human

Rights Watch, which would make Iraqi imports liable to inspection at all major

ports of entry, seems to me worthy of consideration.

I realize there is no fail-safe means of containing Iraq’s proliferation threat, or

ensuring compliance with relevant Security Council obligations. There is no painless

or cost-free way of addressing the Iraq government’s unwillingness to abide by its

disarmament commitments. The point is that the pain and cost should not continue

to be borne primarily by millions of ordinary innocent Iraqis. The State Department,

and the President, have both repeatedly said that our quarrel is not with the Iraqi

people. I agree. But regrettably our Iraq policy has too often had its most devastating

impact on those Iraqis who bear no responsibility for the policies that we

are trying to sanction, and change. We have an obligation, under the UN Charter

and the Universal Declaration of Human Rights, not to destroy or undermine the

right of a people to an adequate standard of living, freedom from hunger, and the

highest attainable standards of health. For this reason, I urge you to consider these

recommendations, which try to strike a better balance between legitimate non-proliferation

concerns and those involving our humanitarian obligations to the people

of Iraq—and which may even be more effective in securing Iraq’s eventual compliance

than the current arrangement.

Mr. Ambassador, Secretary Walker, you

have got a number of different perspectives here that you are dealing

with. I want to go back to the statement I made and put some

questions to you.

I do not think there is an argument about Saddam Hussein and

his cruelty, nor is there an argument about his failure to cooperate

with any kind of arms control regime. Where there is an argument

is, therefore, we can go ahead with these sanctions, which I think

have had a brutal impact on innocent people, and we can somehow

claim some high moral ground. I do not see how we can.

Now, you have argued that this is a perception which you said

was unwarranted. But from the Secretary General’s report, to the

Security Council’s report, to the UNICEF survey on child health,

to other relief agencies in the field, including the International

Committee of the Red Cross, that is not what those reports say.

They do not say it is a perception.

I would like to request of you. You have tried to make the case

that we basically have restored Iraq’s civilian infrastructure by

way of child mortality rates or other public health indicators, that

it is getting back to where it was before the embargo. I would like

to know where the evidence comes from. Did you say that?

Well, if you did not, then I——

Why would you say that this is a perception

that is unwarranted?

OK.

So, you are not quarreling with these reports.

Now, how would you respond to Kofi

Annan’s report which says that part of the reason that the U.N.’s

effort to ease the suffering ‘‘has suffered considerably’’ as a result

of the ‘‘holds’’ placed by the United States and Britain on the contracts

in the oil-for-food program?

But they are not at his expense. He is doing

fine.

Can I interrupt you? On 1284, would this

mean that there would be a preapproval process?

You would be in favor of that.

Well, I really am glad that we are undergoing

this internal review because I think that again the impact of

this has been just brutal and devastating on a lot of innocent people.

I do not see him suffering, and I think this makes a great deal

of sense. I think we all need to speak more about this. I am convinced

that we must and I want to as a Senator.

Once this program list is completed, is it going to be implemented

immediately, or is it going to be conditioned upon Iraq’s approval

of 1284?

I thank you. Thank you, Mr. Chairman.