Thank you, Mr. Chairman.

Mr. Chairman, Senator Lugar, distinguished members of this

committee, I’m greatly honored to have been invited to be here.

This is an important debate, and I hope I can make a useful contribution to it.

Mr. Chairman, having worked within the Australian Parliament,

I’m well aware of the division bells and rollcall votes and so on,

and I appreciate your duties in the Chamber. I will, therefore, come

straight to the point and try and speak with dispatch.

My subject, as allocated to me by you and your staff, is Iraq and

weapons of mass destruction. I’ll make these opening remarks and

be happy—then the paper has been circulated, and I’ll be happy to

take part of whatever discussion——

Mr. Chairman, members of this committee,

Iraq’s stated position is that it has no weapons of mass destruction.

As recently as last week, two senior Iraqi officials, the Deputy

Prime Minister and the Foreign Minister, reiterated this claim. It’s

more than interesting that in his public statement, Saddam Hussein

never claims to be disarmed. On the contrary, he threatens a

degree of destruction of his enemies, which implies his position of

mighty weapons.

It is essential to recognize that the claim made by Saddam’s representatives

that Iraq has no weapons of mass destruction is false.

Everyone concerned, from Iraq’s neighbors to the U.N. Security

Council to the Secretary General of the United Nations, with whom

Iraq is currently negotiating on the issue, everyone, simply, Mr.

Chairman, is being lied to.

It is now over 10 years since Iraq was instructed by the U.N. Security

Council to cooperate with action to, and I quote, ‘‘destroy, remove,

and render harmless,’’ its weapons of mass destruction.

Those weapons were specified by the Council as these—all nuclear,

chemical, biological weapons, and the means to make them, and

missiles with a range exceeding 160 kilometers. The Security Council’s

instruction to Iraq was binding under international law. And

all other states were equally bound by law not to give Iraq any assistance

in WMD, weapons of mass destruction.

From the beginning, Mr. Chairman, Iraq refused to obey the law.

Instead, it actively sought to defeat the application of the law in

order to preserve its weapons of mass destruction capability. The

work of UNSCOM, the body created by the Security Council to take

away Iraq’s weapons of mass destruction, had varying degrees of

success. But, above all—above all—it was not permitted to finish

the job, and almost 4 years have now passed since Iraq terminated

UNSCOM’s work. And in that period, Iraq has been free of any inspection

and monitoring of its WMD programs.

Now, I’ve given this briefest of recollection of that history because,

Mr. Chairman, I put to you and your colleagues it shows two

key things. One, Iraq remains in breach of international law. Two,

it has been determined to maintain a weapons-of-mass-destruction

capability at all costs. Now, we need to know, as far as we can,

what the capability it today.

First of all, nuclear weapons, although, sitting on my left here,

Dr. Hamza is far more expert than I am in that field, but I’ll say

quickly what I believe is the case. Saddam has sought nuclear

weapons for two decades. Ten years ago, he intensified his efforts

in a so-called crash program. The gulf war put an end to this. Subsequent

inspection and analysis by the International Atomic Energy

Agency [IAEA] and UNSCOM showed that in spite of relatively

deficient indigenous sources of uranium, Saddam’s program

was, in fact, when stopped, as close as 6 months away from making

a crude nuclear explosive device. Of the three components necessary

for a nuclear weapon—materials, equipment, and knowledge—

Iraq has the latter two. On the relevant equipment and components,

Iraq actually refused to yield them to the IAEA and

UNSCOM inspectors.

The key question now is, has Iraq acquired the essential fissionable

material, either by enriching indigenous sources or by obtaining

it from external sources? And I don’t know the answer. And I

will say, throughout my remarks, Mr. Chairman, what I don’t know

as well as what I think is the case. I don’t know the answer to that.

It is possible that intelligence authorities in the West and Russia—

and you all know why I mention Russia, in particular—may know

the answer to that question.

But what there is now is evidence that Saddam has reinvigorated

his nuclear weapons program in the inspection-free years. And over

2 years ago, the IAEA estimate was that if he started work again

on a nuclear weapon, he could build one in about 2 years.

Now I turn to chemical weapons. Saddam’s involvement with

chemical weapons also spans some 20 years. He used them in the

Iran-Iraq war in the mid 1980s and on Iraqis in the north who

challenged his rule in 1998. UNSCOM identified an array of chemical-

weapons agents manufactured by Iraq. This included the most

toxic of them, VX. Iraq’s chemical weapons program was extensive,

and UNSCOM was able to destroy or otherwise account for a substantial

portion of it, of its holdings of weapons and its manufacturing

capability. But, Mr. Chairman, not all of it.

It was particularly significant that following UNSCOM’s discovery

of Iraq’s VX program and the fact that Iraq had loaded it

into missile warheads together with other chemical and biological

agents, it was particularly significant that Iraq then strengthened,

in 1998, its determination to bring UNSCOM’s work to an end.

Now I turn to biological weapons. Iraq also maintained an extensive

biological weapons program with an array of BW agents. Its

attempts to conceal this program were most elaborate, implying

that BW, biological weapons, are, in fact, particularly important to

Saddam. I often thought that there was a relationship here. The

extent of their attempts to prevent us from finding something demonstrated

the degree of importance of it. And if that rule applies,

BW is very important to Saddam.

Iraq weaponized BW—for example, it loaded anthrax into missile

warheads and continually researched new means of delivery—

spraying devices, pilotless aircraft. UNSCOM’s absolutely refusal to

accept the transparently false Iraq claims about its—what it called

its ‘‘primitive, failed, unimportant’’ BW program—and UNSCOM’s

examination of the possibility that Iraq had tested BW on humans.

These also contributed to Iraq’s resolve in 1998 to terminate

UNSCOM’s work.

Finally, missiles. Iraq’s main prescribed ballistic missile was the

Scuds it had imported from the USSR. It also sought to clone those

indigenously and continuously sought to develop other mediumand

long-range missiles. UNSCOM’s accounting of Iraq’s Scuds was

reasonably complete. A good portion of them had been fired or destroyed

during the gulf war. But the disposition of a number of

them, possibly as many as 20, was never unambiguously established.

In addition, Iraq was working, while UNSCOM was still in Iraq,

on the further development of a missile capability which would

breach the 160-kilometer range limit. I asked them to stop that

work, but the general in charge of it categorically refused.

And there was another issue in the missile field which also contributed

to Iraq shutting us down in 1998. I had asked Iraq to yield

to us 500 tons of fuel that would only fire a SCUD engine, and they refused.

Now, what do I derive from this SITREP, Mr. Chairman? Quickly,

six main points. We do not know, and never have known fully,

the quantity and quality of Iraq’s WMD. Its policies of concealment

ensured that this was the case. Two, we do know that it has had

such weapons, has used them, and remains at work on them.

Three, what it has been able to further achieve in the 4-years without

inspection is not clear, in precise terms. That is the inner logic

of inspections. You cannot see what you are not permitted to look

at. Fourth, Saddam Hussein knows what he is working on, he always

had, and the assets he holds in the WMD field. His refusal

to allow inspections to resume has nothing to do with notions of

Iraqi sovereignty. It is designed to prevent the discovery of and to

protect his weapons-of-mass-destruction program. Next, intelligence

agencies might know more than they are able to say in public. Certainly

what has been published of defector and intelligence reports

confirms that during the past 4 years Iraq has been hard at work

across the board to increase its WMD capability.

And, finally, there are a number of deeply disturbing possibilities

within Saddam’s WMD program, which need urgent attention, but

especially these. Has he acquired a nuclear weapons capability by

purchasing it from Soviet stock? I think that’s an important question.

And, second, is he working in the BW field on smallpox, ebola, and plague?

Now, there is a question as to why does Saddam want these diabolical

weapons? Why has he defended them at such great cost to

the Iraqi people? In many respects, Mr. Chairman, he’s told us

himself in his various outbursts. They make him strong. They help

him stay in power at home. They help him fight what he thinks—

his enemies outside Iraq.

But, even more disturbing than those so-called goals and his

view of the world is his apparently cataclysmic mentality. He surely

must know that, especially following September 11, any use by

him, and, indeed, any threat of use of WMD against the United

States or possibly its allies, would bring a terrible response. It

would be intelligent for him to now recognize that his WMD capability

is an insupportable liability for him and his regime. Yet, Mr.

Chairman, he shows no sign of such intelligent judgment. And this

is perhaps the ultimate pathology of the man.

Will he make his WMD available to terrorist groups? Again, I

don’t know. We do know that Iraq has trained terrorists from

around the region and has mounted terrorist actions of its own as

far afield as in Southeast Asia. I have a personal experience of

that. But I have seen no evidence of Iraq providing WMD, as such,

to non-Iraqi terrorist groups. I suspect that, especially given his

psychology and aspirations, Saddam would be reluctant to share

with others what he believes to be an indelible source of his own power.

On the elemental question, therefore, the one put to me, Saddam

and weapons of mass destruction—that is, does he have them, et

cetera—what’s the state of affairs contrary to his assertions that he

has none? In addition to what I’ve put to you, I would refer this

committee to the traditional test of whether or not a person can be

judged to have committed a crime, and this is, did the accused have

the motive, the means, and the opportunity? And, Mr. Chairman,

Saddam plainly has all three and has demonstrated this fact.

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

Well, clearly an ideal situation would be

the resumption of arms control in Iraq—inspections and serious

arms control—but, Mr. Chairman, not if that means the shell

game—phony inspections, more deceit, more concealment. That

would, in fact, I suggest, be deeply dangerous, providing an illusion of security.

So if the decision has to be taken to remove Saddam, then I’d

just say this. Do it for the right reasons. As you have pointed out,

Mr. Chairman, have this debate and make clear to the world what

this is about. It is about weapons of mass destruction, but please

do not leave out Saddam’s hideous record, in terms of human-rights

violations—he should be on trial in The Hague alongside

Milosevic—and, second, the fundamental violation by his regime of

international law, something which trashes the system of international law and harms us all.

Thank you, Mr. Chairman.

Well, Senator Dodd, my answer, I’m afraid,

will be a pessimistic one. In the concluding part of my remarks, I

said that I believed it was essential—if one asked the gut question

of what is needed here, my answer is arms control and disarmament.

What that implies is—and others tended to agree—was

that it is, in theory, essential that we have Iraq brought into conformity

with the law, which is that it must cooperate with a fullscale

international effort to, (a) take away the weapons that it

made in the past and which already exist, and, (b) institute a system

of long-term monitoring that Dr. Hamza referred to, for example,

to ensure that those weapons are not reconstituted in the future.

Now, central to such a structure is the cooperation of the Government

of Iraq, and it never gave it. Remember, at the beginning of

my statement, I concluded from the brief history of UNSCOM, incredibly

brief, that there were two points. One, the first point, was

that Iraq never obeyed the law. And the other was that it had always

been utterly committed to having weapons of mass destruction.

Now, I must, I’m afraid, give a pessimistic answer to your very

pertinent question. Are they likely to do it? No, they’re not. Does

it mean that we should, therefore, now stop trying to get that restored?

No. I think we have got to go a little further way—if for

no other reason than to make clear to the world that we went the full

distance to get the law obeyed and arms control restored before taking other measures.

I’ve said many time before, Senator, and

I’ll repeat it here, the pathway lies in cooperation with Russia. It

is Russia and, to some extent, France in the Security Council in

1998 and 1999 which brought our efforts—and I don’t mean the

United States’ efforts; I mean UNSCOM and the civilized and interested

community that wanted to see this horrible problem of

weapons of mass destruction in Saddam’s mind and behavior

brought under control. It was Russia’s split with the United States,

Russia’s decision that it had greater interest in sticking with Saddam

that brought our effort down.

Now, it follows logically from that, and indeed there’s a lot of

practical evidence for it as well as mere logic, that the way ahead

would be through and with Russia. If we could get Russia and then

France—the U.K., of course, is a given. I don’t mean that disrespectfully

to them. They’ve been staunch on this. If we could get

Russia to work seriously with us in Baghdad to make very clear

to the Iraqis that, ‘‘This is it. This is it. You will do serious arms

control, or you’re toast,’’ to put it simply, we might have a chance.

But absent that, we won’t.

I’m not prepared to say that containment

has failed outright. I think, Senator Hagel, one has to ask, where

would we be had we not behaved as we have in the last decade or

had UNSCOM not existed? Saddam Hussein would now be armed

to the teeth with all three forms of weapons of mass destruction.

It would be an awesome situation.

I think the same logic is true for containment. Had we been less

determined to contain him and his efforts in various ways, we

would face an appalling situation. I think your question, though, by

stating it as an absolute, ‘‘Has containment failed,’’ does highlight

the fact that to rely solely on containment is actually folly.

So I would argue that what we need is a combination of continuing

behaviors by us and others that serve to contain this outlaw

regime. I’ve emphasized legality several times. We’re essentially

dealing with an outlaw regime here. And those behaviors

have to do with trade in strategic goods, for example, other sources

of comfort to the man and his weapons aspirations.

Now, in addition to those measures of containment, we need very

specific things directed at the specifics that Iraq and Saddam presents

to us, and that is that it has been in the form of inspections.

The regime of inspections was unique in history. We’ve never seen

such a thing before.

Why was that done? Because he’s unique. This is something—

this is a point that I would like to particularly put to this committee.

This man is different. If you look around the world—and

I was deeply impressed by the approach that Professor Cordesman,

yet again, took this morning. I think it was hardheaded and right.

He’s worked all his life in nonproliferation.

If you look around the world of 180 countries, you see 160 who

basically behave properly, and there’s about 20 who don’t. Three of

them, extra-systemic to the nonproliferation treaty, have nuclear

weapons—India, Pakistan, and Israel. That’s not good. But in numerical

terms, the world in that sense is basically, for 40-odd

years, the period since the Second World War, has behaved more

or less well. When you get down into analyzing those who haven’t,

one sticks out beyond and above all others, and it’s Saddam Hussein

and what he has done to his country and to those around him.

Now, that means, in my view, we need to continue fundamental

elements of containment. Should we—this is your question, I

think—should we rely on it as the answer? No, because, in and of

itself, it doesn’t work. Do we discard it altogether? No. We need

some elements of containment. But we also need a specific solution

to the specific problems posed by this particular—and I suggest unique—outlaw.

Now, maybe resumed inspections would never be successful, as

Dr. Hamza has said. I don’t think we’ll actually get to there, because,

as I’ve already said, I suspect the Iraqis might even let them

begin. But then if that is the case, we have to consider something

else, and that’s what I think these hearings are about. What is that

other thing to deal with this unique problem? I don’t yet know the answer.

Senator Biden has started a process with Senator Lugar of finding

that answer, and I just think we’ve got to press on and find it.

An imminent attack upon the United

States by Iraq? And you’re talking about 60-day notice. Look, Senator,

my simple answer is no, we do not.

Thank you. Could I just say I agree with

what my two colleagues have said? Dr. Hamza, of course, answered

a different question. But I want to take this opportunity, Mr.

Chairman, to make this point. This was a very specific question

from Senator Feingold. I gave the only answer I could give. I also

agree, in particular, with Professor Cordesman that that is not to

say that we don’t face a danger.

I want to say this. I’ve searched my mind thoroughly about my

Iraq experience and the inner meaning of what the last 10 years

have been since the end of the gulf war until now. And I’ll put this

to you, Mr. Chairman, and to your colleagues. If there is an inner

meaning to what we now face it is this. And it’s one of life’s great

principles, I submit. That is that if you defer, put off to another

day, the solution to a serious problem, it will only be harder and

costlier in the end.

Senator, just very quickly, I think the Iraqi

are a thoroughly decent people. I think they have been the first victims,

the most evident victims of a brutal homicidal dictatorship,

and I think if they saw the possibility that that would be taken

away, they would welcome it.

How that would occur, a spontaneous democratic uprising, is

something that—I agree with Professor Cordesman—you would

have to be very careful about. Whether instead the coming demise

of Saddam would be seen by various factions in the country as providing

them with an opportunity to take power for their own ends

is something that could be a source of difficulty.

The question really is about who would replace him, and I think

that is a very important question. But as far as the Iraqi people

are concerned, yes, they know what they’ve suffered under for a

very long time. And in that elemental sense, I believe, in the end,

they would feel good about being relieved of the burden of Saddam Hussein.

Mr. Chairman, the conduct of inspections is

entirely within our technical and intellectual capability. If we were

allowed to go anywhere anytime, we can do the job. We can do it

well and competently and completely. What it relies on is the willingness

of Iraq to allow us to go anywhere anytime. Absent that, it will never——

Yes, I’ve read and heard, with great interest,

of course, the mobilizing and burial arguments, as recently as

in the last 24 hours by a very distinguished member of the administration.

I think they can be overstated, quite frankly, and I’m a

bit concerned about the stridency with which some of those things

are said, almost as if to justify a coming invasion.

I repeat, it can be done. No arms-control inspection or

verification is perfect. Anyone who’s been in that business will tell

you that. I’ve been in it for a quarter of a century, and I’ll tell you

straight up, there can be errors and mistakes. But, Senator, there

is an enormous gap between an inspection regime that is given full

access, and one that is cheated upon.

Now, given full access, our technologies and intelligence are such

that we can do a very, very good job. I don’t think it serves our purpose

well—that is, the purpose of getting to the clear truth of

things—to say this work is inherently flawed. It isn’t. What is its

big problem is refusal to allow it to be done. Yes.

Yes, Mr. Chairman, I’ll try and keep this

short because of the time factor. What Iraq was doing in my time

there was trying to increase——

The last time I was in the country was

1998. My job ended in 1999.

They were attempting to increase the fuel loading on a given

missile to make it go longer. That is, another way to make a missile

fly longer is to increase the amount of fuel. But if you do that,

you reduce the amount of space left for the size of the warhead.

In our experience then, Iraq had loaded chemical and biological

agent into warheads, and it seemed to be more interested in that.

I think the ultimate goal of Saddam is to have a nuclear weapon

deliverable by missile. That’s a very effective way to deliver a nuclear

warhead. It’s by long distance. You’re well away from where

the explosion will take place. And it’s very dangerous, very effective.

But that requires a certain kind of missile, one that will fly

a good distance, carry a nuclear weight at the top, and have a good

guidance system. I don’t believe that Iraq is near that yet. Does he want it? Yes.

I think what they were contemplating what

they were contemplating was delivery of a nuclear weapon by other means.

Just very quickly, Senator. I think one

must acknowledge that it’s extremely uncomfortable for us to know

that he’s there with these weapons. But one has to draw a distinction,

I think, between that discomfort and a rational calculation of

what he might do. And if you accept that one of his fundamental

imperatives is to stay in power, then it’s hard to think that he

would wake up one morning and decide this is the day that I’m

going to go and attack the United States, because he knows that

that would be suicide. So I think that’s a very important distinction

to draw. No one is comfortable with his weapons status. And why

should we be? But one has to keep clear eyes about what he might

calculate to serve his interest.

Dr. Hamza gave more detail of that, and

there was no prior consultation between him and me before we

started work today. He referred to the terrorist training center at

a place called Salman Park, outside Baghdad. There are detailed

accounts available now of the throughput through that center of a

variety of nationalities, most of them from countries in the Middle

East. But the point is not just Iraqis, but a multiplicity of nationals

have been that school trained by Iraq in techniques of terrorism.

The incident that I referred to in Southeast Asia, when I said I

had one personal experience of the reach of Saddam, was that during

the gulf war, Saddam sent a terrorist hit group to Bangkok,

Thailand, when, at that time, I happened to be an Australian Ambassador

to Thailand. The existence of that group was identified by

intelligence authorities, and their plan was to make an attack upon

the embassies of the United States, Australia, and Israel in Bangkok.

Australia got this happy mention because we were a participant

on the coalition of 29 countries that then sought to expel Iraq from Kuwait.

There was a bit of a crisis in Bangkok. I had to ask assistance

of the Thai Army. They lived in our embassy compound for a

month, some several hundred soldiers and so on, until the threat

abated. The end of the story is that the cell involved was found,

it was heavily armed, and did, indeed, have detailed plans for a

military attack upon those three embassies. Dr. Hamza referred to

other instances where Iraq has conducted assassinations and so on

well away from Iraq. Those were the sorts of activities to which I was referring.

Is there another part of your question that I’ve left out?

But I do, I just want to say I do—— Sorry?

Yeah. No, I would like to address that.

Saddam Hussein has backed terrorism in a general way. What we

don’t know is the nature of his involvement, if any, in September

11. There is some circumstantial evidence that suggests there has

been some involvement.

I don’t agree with what you’ve quoted. I think that—I already

said this morning that a policy of containment was an essential

weapon. It’s been well used. But by itself, it’s not enough. We had

other weapons, as well: arms control, inspections, and so on. And

I think it’s not appropriate or complete to say that that will serve

us well into the future. The continuing existence of Saddam Hussein

with his weapons of mass destruction activities and his continually

throwing petrol on the fire of political problems in the Middle

East is something that I think is very dangerous in world politics,

and that is not addressed simply by a policy of narrow containment of him.

Yes, just very quickly, Senator, on your last

question about things underground. When I heard the recent focus

on that issue, I was utterly unsurprised, because our experience in

UNSCOM was of, you know, elaborate use of underground facilities.

I just would add this additional concept, which is underground,

but under buildings, because that prevents you from seeing the

tunneling from the air if the tunneling is under buildings, including

Presidential palaces. And that’s a concept that you will remember

from a few years ago.

Now, I agree with what Professor Cordesman has said to you

with respect to your last question. It is a very bad situation in Iraq.

And were he to be removed, it’s possible, of course, that there could

be a period of relative chaos or even a spot of anarchy and people

getting stuff and selling it off and so on. It’s not necessarily a good

situation. What that means is that we must know who would replace

him, and hopefully a bunch of people who are free of the

weapons of mass destruction mindset.

Before we stopped for the votes, the chairman put the question

to us about the removal of Saddam, ‘‘Is it just about this person?’’

And remember, I’m one who argued that this country is unique in

its present circumstances, and that uniqueness is indivisible from

the fact that the President is Saddam Hussein. I think, in some

measure, it is him. But it’s also a mindset, and we would need to

be sure that the group that replaced him was not in possession of the same mindset.

Now, I would caution against the reasoning that says this is a

very bad situation, and were we to try to deal with it, it’s going

to create some bad circumstances, like hitting weapons which

would then disperse them, chemical or biological, or a situation

where people are selling on the black market bad stuff that’s been

made by Saddam and so on, and therefore we shouldn’t do it, because

that just puts off the evil day.

I agree with Professor Cordesman. If we don’t find the solution

to this soon, which ultimately must mean a group of people in control

in Iraq who do not have his mindset with respect to these

weapons, it’s going to be harder in the future.

Not much to add to that except that Syria

has increasingly been a willing participant in Saddam’s breaking of

the sanctions and running a black market in oil and so on. So

they’ve given comfort to him in financial terms. And a good deal

of the money that he raises that way, outside of the U.N. escrow

account and oil for food and so on, of course, fuels his military and

other activities.

It would be pretentious of me to say that

I do, in any positive way that would help those concerned about

him. But let me say, Senator, that I am aware of his case and have

formed the view, on the basis of information put to me—and there

are no secrets there; it’s not complete information—but I’ve formed

the view, and it’s only a personal opinion, that the possibility that

he is alive is not small. And I, therefore, do not believe that we

should give up on him.

Well, I’m not referring to the idea of a live

sighting. What was found and not found in the investigations of the

crash site in the desert is one important series of factors, and that

there wasn’t a body, that there’s not been any mortal remains of

the man—and some other anecdotal evidence of the kind that

you’ve just added to by saying now there’s apparently a live sighting.

I’ve got no possible way of assessing that. But there are individuals

who are interested in his welfare and who keep a dossier on

all of this, and I’ve seen some of those materials, and I think it behooves

us not to give up on the possibility that he is alive.

Senator, I’ve already said this morning

that I think it would defy rationality for Saddam to supply WMD

technology to terrorists or other groups. Those weapons are identi-

fied by him as his indelible source of power and authority, and I

find it hard to think that he would behave in that way.

But on your direct question, is there evidence? No. What do I

think? I think there will have been conversations between Iraqis

and their various friends about the exquisite business of how to

make certain biological and chemical weapons and so on, conversations

of a technical character. But there is no evidence, that I know

of, that they have actually transferred such weapons or technology.