

## Remarks of Senator John Kerry on Iraq

October 09, 2002

US Senate

With respect to Saddam Hussein and the threat he presents, we must ask ourselves a simple question: Why? Why is Saddam Hussein pursuing weapons that most nations have agreed to limit or give up? Why is Saddam Hussein guilty of breaking his own cease-fire agreement with the international community? Why is Saddam Hussein attempting to develop nuclear weapons when most nations don't even try and responsible nations that have them attempt to limit their potential for disaster? Why does Saddam Hussein threaten and provoke? Why does he develop missiles that exceed allowable limits? Why did Saddam Hussein lie and deceive the inspection team previously? Why did Saddam Hussein not account for all the weapons of mass destruction which UNSCOM (U.N. Special Commission) identified? Why is he seeking to develop unmanned airborne vehicles for delivery of biological agents? Does he do all those things and more because he wants to live by international standards of behavior? Because he respects international law? Because he is a nice guy the world should trust?

It would be naive to the point of grave danger not to believe that left to his own devices, Saddam Hussein will provoke, misjudge, or stumble into a future, more dangerous confrontation with the civilized world. He has as much as promised it.

And he has already created a stunning track record of miscalculation. He miscalculated an eight year war with Iran. He miscalculated the invasion of Kuwait. He miscalculated America's response to it. He miscalculated the result of setting oil rigs on fire. He miscalculated the impact of sending scuds into Israel. He miscalculated his own military might. He miscalculated the Arab world's response to his plight. He miscalculated in attempting an assassination of a former President of the United States. And he is miscalculating now America's judgments about his miscalculations.

And all those miscalculations are compounded by the rest of his history: he is a brutal, oppressive dictator guilty of personally murdering and condoning murder and torture, grotesque violence against women and execution of political opponents. He is a war criminal who used chemical weapons against another nation, and of course, as we know, against his own people, the Kurds. He has diverted funds from the oil for food program which were intended by the international community to ease the burden of the Iraqi people. He has supported and harbored terrorist groups, particularly radical Palestinian groups such as Abu Nidal and has given money to families of suicide bombers.

I mention these not because they are a cause to go to war in and of themselves - as the President previously suggested - but because they tell us a lot about the threat of Weapons of Mass Destruction and the nature of this man. We should not go to war because these things are in his past but we should be prepared to go to war because of what they tell us about the future.

It is the total of all these acts that provided the foundation for the world's determination in

1991, at the end of the Gulf War, that Saddam Hussein must "unconditionally accept the destruction, removal, or rendering harmless, under international supervision," of his chemical and biological weapons and ballistic missile delivery systems and "unconditionally agree not to acquire or develop nuclear weapons or nuclear-weapons-usable material." I believe the record of Saddam Hussein's ruthless, reckless breach of international values and standards of behavior, which is at the core of the cease-fire agreement, with no reach or stretch, is cause enough for the world community to hold him accountable, by use of force if necessary.

The threat of Saddam Hussein with weapons of mass destruction is real, but it is not new. It has been with us since the end of the Persian Gulf War. It has been with us for the last four years - since Saddam Hussein kicked out U.N. weapons inspectors at the end of 1998. And frankly, after Operation Desert Fox failed to force Iraq to readmit inspectors, the United States - and the international community - erred in failing to find effective ways to compel Iraqi compliance, thus giving Saddam Hussein a free hand for four years to reconstitute his weapons of mass destruction programs and allowing the world to lose focus on the threat of proliferation.

The United States Senate worked to urge action -- in early 1998 I joined Sens. McCain, Hagel, and other Senators in a resolution urging the President to "take all necessary and appropriate actions to respond to the threat posed by Iraq's refusal to end its weapons of mass destruction programs." Later in the year Congress enacted legislation declaring Iraq in "material and unacceptable breach" of its disarmament obligations and urging the President to take appropriate action to bring Iraq into compliance. President Bush could well have taken office backed by our sense of urgency about holding Saddam Hussein accountable, and with an international, United Nations backed, multilateral stamp of approval already on a clear demand: disarmament of Saddam Hussein's Iraq.

But the Administration missed an opportunity two years ago and particularly a year ago after September 11th to address this issue. They regrettably, even clumsily, complicated their own case. The events of September 11 created a new understanding of the terrorist threat and the degree to which every nation is vulnerable. That understanding enabled the Administration to forge a broad and impressive coalition against terrorism. Had the Administration tried then to capitalize on this unity of spirit to build a coalition to disarm Iraq, we would not be debating this question now, just a few weeks before Congressional elections. The Administration's decision to engage on this issue now, rather than a year ago or earlier, and the manner in which it engaged has politicized and complicated the national debate and raised questions about the credibility of its case.

By beginning its public discourse with talk of invasion and regime change, the Administration raised doubts about its bona fides on the most legitimate justification for war - that in the post-September 11 world, the unrestrained threat of weapons of mass destruction in the hands of Saddam Hussein is unacceptable and that his refusal to allow U.N. inspectors to return is in blatant violation of the 1991 cease-fire agreement that left him in power. By casting about in an unfocused, undisciplined, overly public internal debate for a rationale for war, the Administration complicated its own case, confused the American public, and compromised America's credibility in the eyes of the world community. And by engaging in hasty war talk, rather than focusing on the central issue of Iraq's weapons of mass destruction, the Administration placed doubts in the mind of potential allies, particularly in the Mideast where managing the Arab streets is difficult at best. Against this disarray, it is not surprising that tough questions began to be asked and critics began to emerge.

Indeed over the course of the last six weeks some of the strongest and most thoughtful questioning of our nation's Iraq policy has come from what some observers would say are unlikely sources: Senators like Chuck Hagel and Dick Lugar, former Bush Administration national security experts including Brent Scowcroft and James Baker, and distinguished military

voices including General Shalikashvili. They are asking the tough questions which must be answered before - and not after - you commit a nation to a course that may well lead to war. They know from their years of experience, whether on the battlefield as soldiers, in the United States Senate, or at the highest levels of public diplomacy, that you build the consent of the American people to sustain military confrontation by asking questions, not avoiding them. Criticism and questions do not reflect a lack of patriotism - they demonstrate the strength and core values of our American democracy - they best protect our troops and our national security.

Writing in the New York Times in early September, I argued that the American people would never accept the legitimacy of this war or give their consent to it unless the Administration first presented detailed evidence of the threat of Iraq's weapons of mass destruction and proved that it had exhausted all other options to protect our national security. I laid out a series of steps that the Administration must take for the legitimacy of our cause and our ultimate success in Iraq - seek the advice and approval of Congress after laying out the evidence and making the case, and work with our allies to seek full enforcement of the existing cease-fire agreement while simultaneously offering Iraq a clear ultimatum: accept rigorous inspections without negotiation or compromise.

Those of us who have offered questions and criticisms - and there are many in this body and beyond - can take heart in the fact that they have had an impact on the debate over how best to deal with the Iraqi threat and on the administration's attitudes and actions. The Bush Administration began talking about Iraq by suggesting that congressional consultation and authorization for the use of force were not needed. Now they are consulting with Congress and seeking our authorization. The Administration began this process walking down a path of unilateralism - today they acknowledge that while we reserve the right to act alone, it is better to act with allies. The Administration which once seemed entirely disengaged from the United Nations ultimately went to the United Nations and began building international consensus to hold Saddam Hussein accountable. The Administration began this process suggesting that the United States might well go to war over Saddam Hussein's failure to return Kuwaiti property - last week the Secretary of State and on Monday night the President made clear we would go to war only to disarm Iraq.

The Administration began discussion of Iraq by almost belittling the importance of arms inspections. Today the Administration has refocused their aim and made clear we are not in an arbitrary conflict with one of the world's many dictators, but a conflict with a dictator whom the international community left in power only because he agreed not to pursue weapons of mass destruction. That's why arms inspections -- and I believe ultimately Saddam's unwillingness to submit to fail-safe inspections -- is absolutely critical in building international support for our case to the world. That's how you make clear to the world we are contemplating war not for war's sake, but because it may be the ultimate weapons inspections enforcement mechanism.

I am pleased that the Bush Administration has recognized the wisdom of shifting its approach on Iraq. That shift has made it possible, in my judgment, for the United States Senate to move forward with greater unity, having asked and begun to answer the questions that best defend our troops and protect our national security. The United States Senate can now make a determination about this resolution -- -- and in this historic vote, help put our country and the world on a course to begin to answer one fundamental question - not whether to hold Saddam Hussein accountable, but how.

I have said publicly for years that weapons of mass destruction in the hands of Saddam Hussein pose a real and grave threat to our security and that of our allies in the Persian Gulf region. Saddam Hussein's record bears this out. He has continually failed to meet the obligations imposed by the international community on Iraq at the end of the Persian Gulf War to declare and destroy its weapons of mass destruction and delivery systems and to forego the

development of nuclear weapons. During the seven years of weapons inspections, the Iraqi regime repeatedly frustrated the work of the UNSCOM (UN Special Commission) inspectors, culminating in 1998 in their ouster. Even during the period of inspections, Iraq never fully accounted for major gaps and inconsistencies in declarations provided to the inspectors of its pre-Gulf War WMD programs nor did the Iraqi regime provide credible proof that it had completely destroyed its weapons stockpiles and production infrastructure.

It is clear that in the four years since the UNSCOM inspectors were forced out, Saddam Hussein has continued his quest for weapons of mass destruction. According to the CIA's unclassified report released last Friday, Iraq has chemical and biological weapons as well as missiles with ranges in excess of the 150 kilometer restriction imposed by the United Nations in the ceasefire resolution. Although Iraq's chemical weapons capability was reduced during the UNSCOM inspections, Iraq has maintained its chemical weapons effort over the last four years. Evidence suggests that it has begun renewed production of chemical warfare agents, probably including mustard gas, sarin, cyclosarin and VX. Intelligence reports show that Iraq has invested more heavily in its biological weapons programs over the last four years, with the result that all key aspects of this program - R&D, production and weaponization - are active. Most elements of the program are larger and more advanced than they were before the Gulf War. Iraq has some lethal and incapacitating agents and is capable of quickly producing and weaponizing a variety of such agents, including anthrax, for delivery on a range of vehicles such as bombs, missiles, aerial sprayers and covert operatives which could bring them to the United States homeland. Since inspectors left, the Iraqi regime has energized its missile program - probably now consisting of a few dozen Scud-type missiles with ranges of 650 to 900 kilometers that could hit Israel, Saudi Arabia and other U.S. allies in the region. In addition, Iraq is developing unmanned aerial vehicles (UAVs), capable of delivering chemical and biological warfare agents, which could threaten Iraq's neighbors as well as American forces in the Persian Gulf.

Prior to the Gulf War, Iraq had an advanced nuclear weapons development program. Although UNSCOM and IAEA (International Atomic Energy Agency) inspectors learned much about Iraq's efforts in this area, Iraq has failed to provide complete information on all aspects of its program. Iraq has maintained its nuclear scientists and technicians as well as sufficient dual-use manufacturing capability to support a reconstituted nuclear weapons program. Iraqi defectors who once worked for Iraq's nuclear weapons establishment have reportedly told American officials that acquiring nuclear weapons is a top priority for Saddam Hussein's regime.

According to the CIA's report, all US intelligence experts agree that Iraq is seeking nuclear weapons. There is little question that Saddam Hussein wants to develop nuclear weapons. The more difficult question to answer is when Iraq could actually achieve this goal. That depends on its ability to acquire weapons-grade fissile material. If Iraq could acquire this material from abroad, the CIA estimates that it could have a nuclear weapon within one year. Absent a foreign supplier, the CIA estimates that Iraq would not be able to produce a weapon until the last half of this decade. Nevertheless, Saddam Hussein's quest for nuclear weapons and his proven willingness to use weapons of mass destruction underline the very serious threat that the Iraqi regime could pose to the United States and others in the international community if left unchecked.

There is no question that Saddam Hussein is a menace and that he has defied the demands made of him by the international community at the end of the Gulf War. But the reason for going to war - if we must fight - is not because Saddam Hussein has failed to deliver Gulf War prisoners or Kuwaiti property. As much as we decry the way he has treated his people, regime change alone is not a sufficient reason for going to war. Regime change has been American policy under the Clinton administration and the current U.S. administration. It is a policy that I

support. But regime change in and of itself is not sufficient justification for going to war unless regime change is the only way to disarm Iraq of its weapons of mass destruction. As bad as he is, Saddam Hussein, the dictator, is not the cause of war. Saddam Hussein sitting in Baghdad with an arsenal of weapons of mass destruction is a different matter.

In the wake of September 11, who among us can discount the possibility that those weapons might be used against our troops or our allies in the region? And while the administration has failed to prove any direct link between Iraq and the events of September 11, can we afford to ignore the possibility that Saddam Hussein might provide weapons of destruction to some terrorist group bent on destroying the United States? Can we really leave this to chance, when we could eliminate this deadly threat by acting now in concert with the international community, or alone if the threat is imminent -- which it is not now? In my view, we cannot. The Iraqi regime's record over the decade leaves little doubt that Saddam Hussein wants to retain his arsenal of weapons of mass destruction and to expand it to include nuclear weapons. We cannot allow him to prevail in that quest. The weapons are an unacceptable threat. And if the Iraqi regime refuses to allow the international community to find and destroy those weapons through a non-negotiable, immediate, unfettered and unconditional inspection process, then together with the international community, we will be justified in going to war to eliminate the threat.

I want to underscore, this Administration began with a resolution that granted exceedingly broad authority to the President to use force. I regret that some Democrats supported it. I would have opposed it. It gave the President the authority to use force, not only to enforce all U.N. resolutions related to Iraq but also to produce regime change in Iraq and to restore international peace and security in the Persian Gulf region. It made no mention of the President's efforts at the United Nations or the need to build multilateral support for whatever course of action we ultimately would take. I am pleased that our pressure and questions pushed the Administration to adopt some important changes in language.

The revised White House text, which we will vote on, limits the grant of authority to the President to the use of force against Iraq. It does not empower him to use force throughout the Persian Gulf region. It authorizes the President to use U.S. Armed Forces to defend the "national security" of the United States - a power he already has under the Constitution as Commander-in-Chief - and to enforce all "relevant" Security Council resolutions related to Iraq. None of these resolutions, or for that matter any of the other Security Council resolutions demanding Iraqi compliance with its international obligations, call for regime change.

In recent days the Administration has defined what the "relevant" U.N. Security Council resolutions are. When Secretary Powell testified before the Foreign Relations Committee on September 26, he was asked what specific U.N. Security Council resolutions the United States would go to war to enforce. His response was clear: the resolutions dealing with weapons of mass destruction and the disarmament of Iraq. In fact, when asked about compliance with other U.N. resolutions which do not deal with weapons of mass destruction, the Secretary said, "The President has not linked authority to go to war to any of those elements." When asked why the resolution sent by the President to the Congress requested authority to enforce all the U.N. resolutions with which Iraq had not complied, the Secretary told the Committee, "That's the way the resolution is currently worded, but we all know, I think, that the major problem, the offense, what the President is focused on and the danger to us and to the world are the weapons of mass destruction." In his speech on Monday night, President Bush confirmed what Secretary Powell had told the Committee. In the clearest presentation to date, the President laid out a strong, comprehensive and compelling argument why Iraq's WMD programs are a threat to the United States and the international community. The President said, "Saddam Hussein must disarm himself, or, for the sake of peace, we will lead a coalition to disarm him." This statement left no doubt that the casus belli for the United States will be Iraq's failure to

rid itself of weapons of mass destruction.

I would have preferred that the President agree to the approach drafted by Senators Biden and Lugar, because that resolution would authorize the use of force for the explicit purpose of disarming Iraq and countering the threat posed by Iraq's weapons of mass destruction programs and delivery vehicles. The Biden-Lugar resolution also acknowledges the importance of the President's efforts at the United Nations. It would require the President, before exercising the authority granted by the resolution, to send a determination to the Congress that the United States has tried to seek a new Security Council resolution or that the threat posed by Iraq's WMD is so great that he must act absent a new U.N. resolution. I believe that this approach would have provided greater clarity to the American people about the reason for going to war and the specific grant of authority that Congress was giving the President. The Administration, unwisely in my view, rejected the Biden-Lugar approach. However, perhaps as a nod to the sponsors, it did agree to a determination requirement on the status of its efforts at the United Nations, which is now embodied in the revised White House text.

The President has challenged the United Nations to enforce its own resolutions vis-a-vis Iraq and his administration is working aggressively with the other Perm 5 members on the Security Council to reach a consensus. As he told the American people Monday night, "America wants the U.N. to be an effective organization that helps keep the peace. And that is why we are urging the Security Council to adopt a new resolution setting out tough, immediate requirements." If the President arbitrarily walks away from this course of action - without good cause or reason - the legitimacy of any subsequent action by the United States against Iraq will be challenged by the American people and the international community. And I would vigorously oppose his doing so.

Mr. President, I will be voting to give the President of the United States the authority to use force - if necessary - to disarm Saddam Hussein because I believe that a deadly arsenal of weapons of mass destruction in his hands is a real and grave threat to our security and that of our allies in the Persian Gulf region. And I will vote "yes" because on the question of how best to hold Saddam Hussein accountable, the Administration, including the President, recognizes that war must be our last option to address this threat, not the first, and that we should be acting in concert with allies around the globe to make the world's case against Saddam Hussein. As the President made clear earlier this week, "Approving this resolution does not mean that military action is imminent or unavoidable." It means that "America speaks with one voice."

Let me be clear: I am voting to give this authority to the President for one reason and one reason only: to disarm Iraq of weapons of mass destruction if we cannot accomplish that objective through new tough weapons inspections. In giving the President this authority, I expect him to fulfill the commitments he has made to the American people in recent days - to work with the United Nations Security Council to adopt a new resolution setting out "tough, immediate" inspections requirements and to "act with our allies at our side" if we have to disarm Saddam Hussein by force.

If he fails to do so, I will be the first to speak out. If we do go to war with Iraq, it is imperative that we do so in concert with others in the international community. The Administration has come to recognize this as has our closet ally, Prime Minister Tony Blair in Britain. The Administration may not be in the habit of building coalitions, but that is what they need to do - and it is what can be done. If we go it alone without reason, we risk inflaming an entire region and breeding a new generation of terrorists, a new cadre of anti-American zealots - and we will be less secure, not more secure, at the end of the day, even with Saddam Hussein disarmed. Let there be no doubt or confusion as to where I stand: I will support a

multilateral effort to disarm Iraq by force, if we have exhausted all other options. But I cannot - and will not - support a unilateral, US war against Iraq unless the threat is imminent and no multilateral effort is possible.

And in voting to grant the President the authority to use force, I am not giving him carte blanche to run roughshod over every country that poses - or may pose - a potential threat to the United States. Every nation has the right to act preemptively if it faces an imminent and grave threat. But the threat we face, today, with Iraq fails the test. Yes, it is grave because of the deadliness of Saddam Hussein's arsenal and the very high probability that he will use these weapons one day if he is not disarmed. But it is not imminent. None of our intelligence reports suggest that Saddam Hussein is about to launch any kind of attack against us or countries in the region. The argument for going to war against Iraq is rooted in enforcement of the international community's demand that Iraq disarm. It is not rooted in the doctrine of preemption. Nor is the grant of authority in this resolution an acknowledgment that Congress accepts or agrees with the President's new strategic doctrine of preemption. Just the opposite. This resolution clearly limits the authority given to the President to use force in Iraq, and only Iraq, and for the specific purpose of defending the United States against the threat posed by Iraq "and" enforcing relevant Security Council resolutions. The definition of purpose circumscribes the authority given to the President to the use of force to disarm Iraq because only Iraq's weapons of mass destruction meet the two criteria laid out in this resolution.

Mr. President, Congressional action on this resolution is not the end of our national debate on how best to disarm Iraq. Nor does it mean that we have exhausted all our peaceful options to achieve this goal. There is much more to be done.

The Administration must continue its efforts to build support at the United Nations for a new, unfettered, unconditional weapons inspection regime. If we can eliminate the threat posed by Iraq's weapons of mass destruction (WMD) programs through inspections whenever, wherever, and however we want them - including in presidential palaces -- and I am highly skeptical we can given the Iraqi regime's record of thwarting U.N. inspectors in the past - then we have an obligation to try that course of action first, before we expend American lives and treasure on a war with Iraq.

American success in the Persian Gulf War was enhanced by the creation of a multinational coalition. Our coalition partners -- I'd add -- picked up the overwhelming burden of the costs of that war. It is imperative that the Administration continue to work to multilateralize its current effort against Iraq. If the Administration's initiatives at the United Nations are real and sincere, other nations are more likely to stand behind our efforts to force Iraq to disarm, be it through a new, rigorous, no-nonsense inspection regime, or if necessary through the use of force. The United States without question has the military power to enter this conflict unilaterally, but we need logistical support such as bases, command and control centers, and overflight rights from allies in the region. That support will come only if they are convinced of the credibility of our arguments and the legitimacy of our mission. The United Nations never has veto power to stop the United States from doing what it must to protect its citizens, but it is in our interests to act with our allies if that is at all possible - and it should be: the burden of eliminating the threat posed by weapons of mass destruction in Saddam Hussein's hands is not ours alone.

If we do go to war with Iraq, we have an obligation to the Iraqi people, and to other nations in the region, to help create an Iraq that is a force for stability and openness in the region. That effort is going to be long-term, costly and not without difficulties given Iraq's ethnic and religious divisions in Iraq and history of domestic turbulence. In Afghanistan, the Administration has given more lip-service than resources to the rebuilding effort. We cannot let that happen in Iraq. We have to be prepared to stay the course over however many years it

takes and to commit the necessary financial and technical resources, which could amount to billions, to succeed. The challenge is great: an Administration which made nation-building a dirty word needs to develop a comprehensive, Marshall-type plan if it intends to meet it. The President needs to give the American people a fuller and clearer understanding of the magnitude and the long-term financial costs of this effort. The international community's support is critical, because we will not be able to rebuild Iraq single-handedly. In the final analysis we will need the commitment of others, particularly nations in the region, to achieve this task.

It is clear the Senate will give the President the authority he has requested to eliminate the threat posed by Iraq's weapons of mass destruction. Whether the President will have to use that authority depends on Saddam Hussein. Saddam Hussein has a choice: he can continue to defy the international community or he can fulfill his longstanding obligations to disarm. He is the person who has brought the world to the brink of confrontation - and he is the dictator who can end the stalemate simply by following the terms of the agreement which left him in power.

By standing with the President, Congress will demonstrate that our nation is united in its determination to take away Saddam Hussein's deadly arsenal, by peaceful means if we can, by force if we must. We are affirming a President's right and responsibility to keep the American people safe, and the President must take that grant of responsibility seriously. One of the lessons I learned fighting in a very different war at a very different time is that we need the consent of the American people for our mission to be legitimate and sustainable. I know what it means to fight in a war where that consent is lost, where allies are in short supply, conditions are hostile, and the mission is ill-defined. That's why I believe so strongly that before one American soldier steps foot on Iraqi soil, the American people need to know why -- they need to know we've put our country in a position of ultimate strength -- and that we had no options short of war to eliminate a threat we could not tolerate. I believe the work we've begun in the Senate - by offering questions not blind acquiescence -- has helped put our nation on a responsible course. It's succeeded in putting Saddam Hussein on notice that he will be held accountable and put the Administration on notice for how he is held accountable. And it is through constant questioning that we will stay that course. That is a course that will defend our troops and protect our national security -- it won't be easy, it will require that we exercise skillful, smart diplomacy and reserve the right to act militarily - but that is nothing new. It is the challenge President Kennedy faced in the difficult days of the Cuban Missile Crisis, after which he told us: "The path we have chosen is full of hazards, as all paths are.... The cost of freedom is always high, but Americans have always paid it. And one path we shall never choose, and that is the path of surrender, or submission." So we shall not submit or surrender - and if we do our job in the best traditions of our country, the world will win.



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