

IRAQ: RECONSTRUCTION

HEARING
BEFORE THE
COMMITTEE ON FOREIGN RELATIONS
UNITED STATES SENATE
ONE HUNDRED EIGHTH CONGRESS
FIRST SESSION

MARCH 11, 2003

Printed for the use of the Committee on Foreign Relations



Available via the World Wide Web: <http://www.access.gpo.gov/congress/senate>

U.S. GOVERNMENT PRINTING OFFICE

87-833 PDF

WASHINGTON : 2003

For sale by the Superintendent of Documents, U.S. Government Printing Office
Internet: bookstore.gpo.gov Phone: toll free (866) 512-1800; DC area (202) 512-1800
Fax: (202) 512-2250 Mail: Stop SSOP, Washington, DC 20402-0001

COMMITTEE ON FOREIGN RELATIONS

RICHARD G. LUGAR, Indiana, *Chairman*

CHUCK HAGEL, Nebraska	JOSEPH R. BIDEN, JR., Delaware
LINCOLN CHAFEE, Rhode Island	PAUL S. SARBANES, Maryland
GEORGE ALLEN, Virginia	CHRISTOPHER J. DODD, Connecticut
SAM BROWNBACK, Kansas	JOHN F. KERRY, Massachusetts
MICHAEL B. ENZI, Wyoming	RUSSELL D. FEINGOLD, Wisconsin
GEORGE V. VOINOVICH, Ohio	BARBARA BOXER, California
LAMAR ALEXANDER, Tennessee	BILL NELSON, Florida
NORM COLEMAN, Minnesota	JOHN D. ROCKEFELLER IV, West Virginia
JOHN E. SUNUNU, New Hampshire	JON S. CORZINE, New Jersey

KENNETH A. MYERS, JR., *Staff Director*
ANTONY J. BLINKEN, *Democratic Staff Director*

CONTENTS

	Page
Adams, Dr. Gordon, director of the Security Policy Studies Program, Elliott School of International Affairs, the George Washington University, Washington, DC	17
Prepared statement	20
Biden, Hon. Joseph R., Jr., U.S. Senator from Delaware, opening statement ...	4
Corzine, Hon. Jon, U.S. Senator from New Jersey, statement submitted for the record	80
Lugar, Hon. Richard G., U.S. Senator from Indiana, opening statement	3
Marr, Dr. Phebe, former senior fellow, National Defense University, Washington, DC	41
Prepared statement	47
Mitchell, Ms. Sandra, vice president of Governmental Relations, International Rescue Committee, Washington, DC	30
Prepared statement	34
Romero, Ms. Bernice, deputy director of Policy and External Affairs, Oxfam America, statement submitted for the record	81
Schwartz, Mr. Eric P., senior fellow and director, Independent Task Force on Post-Conflict Iraq, Council on Foreign Relations, Washington, DC	9
Prepared statement	12
Executive Summary of Report of an Independent Task Force on Post-Conflict Iraq	14

IRAQ: RECONSTRUCTION

TUESDAY, MARCH 11, 2003

U.S. SENATE,
COMMITTEE ON FOREIGN RELATIONS,
Washington, DC.

The committee met, pursuant to notice, at 9:34 a.m., in room SD-419, Dirksen Senate Office Building, Hon. Richard G. Lugar (chairman of the committee), presiding.

Present: Senators Lugar, Hagel, Chafee, Brownback, Alexander, Coleman, Sununu, Dodd, Feingold, Bill Nelson and Corzine.

The CHAIRMAN. This hearing of the Senate Foreign Relations Committee is called to order. Today, the committee continues its review of the United States humanitarian and reconstruction policy concerning Iraq.

At our hearing on Iraq exactly 1 month ago, Under Secretary of State Marc Grossman and Under Secretary of Defense Doug Feith were unable at that time to provide many details about United States planning in this area.

A short time after that hearing, General Jay Garner was named Director of the Office of Reconstruction and Humanitarian Assistance, a new position at the Pentagon. We invited General Garner to appear before the committee today. Unfortunately, we have been notified that neither General Garner nor his deputy are available to the committee.

This, in my judgment, is a missed opportunity for the administration to communicate its views on Iraq reconstruction, not only to Senators, who want to help in meeting potentially complex and expensive requirements, but also to the American people, whose long-term support of these efforts will be a necessity.

Nevertheless, the committee will continue to concentrate on this vital issue. In addition to our hearing today, Assistant Secretary of State Bill Burns will testify on policy toward Iraq in a closed hearing on Thursday. If General Garner is not available to testify, we should hear promptly from responsible officials in DOD who are available on that day.

President Bush has repeatedly stressed the hope of all Americans that Saddam Hussein will disarm peacefully. Unfortunately, Saddam Hussein has not complied with U.N. resolutions. He has not opened his weapons program to U.N. inspection teams or accounted for the weapons and materials of mass destruction that were known to be in his possession.

Fully 12 years after Operation Desert Storm, the world continues to face the threats posed by Iraq and its ruler. Baghdad is in material breach of Resolution 1441, even though the United Nations Se-

curity Council voted 15 to 0 that such a monumental defiance of the United Nations would result in grave consequences.

Later this week, the Security Council will consider a resolution proposed by the United States, Great Britain, and Spain that would find Iraq in noncompliance with Resolution 1441. The last major hope for disarmament without military action is a united front by the members of the Security Council in underlining, again, the requirements imposed upon Iraq by the world community.

Military actions always have humanitarian consequences. Decisions to go to war always should be made with the sober realization of the human costs.

But an Iraq armed with weapons of mass destruction and the possibility of their transfer to terrorist organizations is clearly unacceptable. Our decision is guided by the knowledge that failing to act is more dangerous to the future of Americans and the Iraqi people than taking action now to disarm Iraq.

President Bush has made it clear that if we are compelled to resort to military force, there will be a new government in Baghdad. Therefore, it is vital that the United States joins with allies and the Iraqi people to reconstruct Iraq once Saddam is gone.

Our humanitarian and reconstruction efforts must reflect the considerable interest we have in the health and welfare of the Iraqi people. The United States must begin humanitarian relief activities immediately upon securing territory in Iraq and preparations for reconstruction must move forward with the same vigor as military preparations.

The Foreign Relations Committee already has heard testimony from a number of administration officials and private sector experts on the challenges that the United States will face. Our first goal must be to ensure security by preserving the territorial integrity of Iraq while simultaneously finding and destroying weapons and materials of mass destruction and their means of delivery.

Security is crucial to the provision of emergency relief, safe water, sanitation, food, electricity, and basic public health services. The administration must be aggressive in encouraging other governments and international organizations to be active participants in this process.

President Bush and his advisors have spent much energy trying to assemble the most potent military coalition possible. It will be vital that they duplicate this effort in seeking a post-conflict reconstruction coalition that expands the talents and resources available for Iraqi reconstruction.

And furthermore, we must reach out and consult with our colleagues in the non-governmental organizational community. NGO's have a critical role to play in Iraq and we must ensure that their efforts are fully coordinated.

The Iraqi people have suffered for decades at the hands of their leaders. We want to contribute to the creation of fundamental structures for the people of Iraq to enjoy democracy and economic growth. And the American people must understand that the United States' military and civilian personnel will be in Iraq for an extended period of time.

Most experts believe that years of public investment and expert guidance will be required to establish Iraq as a secure and respon-

sible member of the world community. And failure to stay the course in Iraq would risk grave damage to the United States' credibility, particularly after the last several months of fractious diplomacy over the propriety of military force.

Leaving Iraq prematurely also could lead to regional instability, ethnic warfare, failure to eliminate all Iraqi weapons of mass destruction, and the establishment of terrorist bases on Iraqi territory.

I understand the administration has assembled a talented inter-agency team to implement reconstruction plans. This preparation must be matched by the commitment of the American Government. We have an opportunity to secure a path to peace and prosperity in Iraq, but we must make a commitment to finish that journey. This committee intends to follow the administration's progress in the area very closely.

[The opening statement of Senator Lugar follows:]

OPENING STATEMENT OF SENATOR RICHARD G. LUGAR

Today the Foreign Relations Committee continues its review of U.S. humanitarian and reconstruction policy concerning Iraq.

At our hearing on Iraq exactly one month ago today, Under Secretary of State Marc Grossman and Under Secretary of Defense Doug Feith were unable to provide many details about U.S. planning in this area. A short time after that hearing, General Jay Garner was named Director of the Office of Reconstruction and Humanitarian Assistance—a new position at the Pentagon. We invited General Garner to appear before the committee today. Unfortunately, we have been notified that neither General Garner, nor his deputy, are available to the committee. This is a missed opportunity for the administration to communicate its views on Iraqi reconstruction, not only to Senators who want to help in meeting potentially complex and expensive requirements, but also to the American people, whose long-term support will be a necessity. Nevertheless, the committee will continue to concentrate on this vital issue. In addition to our hearing today, Assistant Secretary of State Bill Burns will testify on policy toward Iraq in a closed hearing on Thursday. If General Garner is not available to testify, we should hear promptly from responsible officials in DOD who are available on that day.

President Bush has repeatedly stressed the hope of all Americans that Saddam Hussein will disarm peacefully. Unfortunately, Saddam Hussein has not complied with U.N. Resolutions. He has not opened his weapons programs to U.N. inspection teams or accounted for the weapons and materials of mass destruction that were known to be in his possession. Fully twelve years after Operation Desert Storm, the world continues to face the threats posed by Iraq and its ruler.

Baghdad is in material breach of Resolution 1441, even though the U.N. Security Council voted 15-0 that such a monumental defiance of the United Nations would result in grave consequences. Later this week the Security Council will consider a resolution proposed by the United States, Great Britain, and Spain that would find Iraq in noncompliance with Resolution 1441. The last major hope for disarmament without military action is a united front by the members of the Security Council in underlining again the requirements imposed on Iraq by the world community.

Military actions always have humanitarian consequences. Decisions to go to war always should be made with the sober realization of the human costs. But an Iraq armed with weapons of mass destruction and the possibility of their transfer to terrorist organizations is unacceptable. Our decision is guided by the knowledge that failing to act is more dangerous to the future of the American and Iraqi people than taking action now to disarm Iraq.

President Bush has made it clear that if we are compelled to resort to military force, there will be a new government in Baghdad. It is vital that the United States joins with allies and the Iraqi people to reconstruct Iraq once Saddam is gone. Our humanitarian and reconstruction efforts must reflect the considerable interests we have in the health and welfare of the Iraqi people. The United States must begin humanitarian relief activities immediately upon securing territory in Iraq, and preparations for reconstruction must move forward with the same vigor as military preparations.

The Foreign Relations Committee already has heard testimony from a number of administration officials and private sector experts on the challenges that the United States will face in rebuilding Iraq. Our first goal must be to ensure security by preserving the territorial integrity of Iraq while simultaneously finding and destroying the weapons and materials of mass destruction and their means of delivery. Security is crucial to the provision of emergency relief, safe water, sanitation, food, electricity, and basic public health services.

The administration must be aggressive in encouraging other governments and international organizations to be active participants in this process. President Bush and his advisers have spent much energy trying to assemble the most potent military coalition possible. It will be vital that they duplicate this effort in seeking a post-conflict reconstruction coalition that expands the talents and resources available for Iraqi reconstruction. Furthermore, we must reach out and consult with our colleagues in the non-governmental organization community. NGOs have a critical role to play in Iraq, and we must ensure that our efforts are fully coordinated.

The Iraqi people have suffered for decades at the hands of their leaders. We want to contribute to the creation of fundamental structures for the people of Iraq to enjoy democracy and economic growth. The American people must understand that U.S. military and civilian personnel will be in Iraq for an extended period of time. Most experts believe that years of public investment and expert guidance will be required to establish Iraq as a secure and responsible member of the world community. Failure to stay the course in Iraq would risk great damage to U.S. credibility—particularly after the last several months of fractious diplomacy over the propriety of military force. Leaving Iraq prematurely also could lead to regional instability, ethnic warfare, failure to eliminate all Iraqi weapons of mass destruction, and the establishment of terrorist bases on Iraqi territory.

I understand that the administration has assembled a talented inter-agency team to implement reconstruction plans. This preparation must be matched by the commitment of the American government. We have an opportunity to secure a path to peace and prosperity in Iraq, but we must make a commitment to finish the journey. This committee intends to follow the administration's progress in this area very closely.

We are pleased to welcome a distinguished panel of witnesses. We will hear from Eric Schwartz, Senior Fellow and Director of the Independent Task Force on Post-Conflict Iraq at the Council on Foreign Relations; Phebe Marr, formerly of the National Defense University; Professor Gordon Adams, Director of the Security Policy Studies Program at the Elliott School of International Affairs at the George Washington University, and Sandra Mitchell, Vice President of Governmental Relations at the International Rescue Committee.

The CHAIRMAN. Let me say before proceeding further that I know that all of you have learned of the surgery that was visited upon Senator Biden in Florida. He is recovering well at the home of his brother. He will be back next week, I understand, with full vigor. And he sends his best to the witnesses this morning and to all who are assembled.

[The opening statement of Senator Biden follows:]

OPENING STATEMENT OF SENATOR JOSEPH R. BIDEN, JR.

Mr. Chairman, I want to thank you for holding this timely hearing on humanitarian assistance and reconstruction in Iraq.

As war looks increasingly likely, it is vital that the United States take every possible step to mitigate the suffering of innocent people.

And while it is clear that, if war comes, we will prevail, true victory will be measured by our successes away from the battlefield.

Our efforts to build a free, stable, and representative Iraq will be bolstered by the effective delivery of humanitarian assistance and the implementation of a comprehensive reconstruction program. Failure to achieve these goals will harm our regional interests and undermine our credibility. And it would constitute a failure to meet our moral responsibility.

In the event of conflict, the United Nations has predicted that 10 million Iraqis could run out of food within six weeks. And that there could be upwards of 2 million internally displaced persons and over 1 million refugees.

Although the administration hopes that the United Nations will lead these efforts, coalition forces must be prepared to deliver humanitarian assistance in conflict zones, and in areas where Saddam might use his weapons of mass destruction.

I hope to hear otherwise today, but to my knowledge, the U.S. military is not prepositioning enough supplies to handle a major crisis without the help of the U.N. I also am disappointed that the administration has not taken more seriously the need to protect Iraqi civilians from possible chemical and biological weapons attacks, an issue I have raised repeatedly with the administration since my visit to Northern Iraq with Senator Hagel last December.

And, Mr. Chairman, if we are to rely on the United Nations, we must ensure that its agencies get the support they need and that their non-governmental partners have the time and money to prepare for a crisis. Thus far, the U.N.'s humanitarian bodies remain sorely underfunded and the NGOs have received less than \$1 million from the U.S. Government.

I was particularly troubled last week when the U.N.'s top humanitarian official in Iraq said that U.S. and U.N. preparations, even given a relatively short conflict of 3 to 4 months, were "grossly inadequate."

No matter how optimistic we are, we must be prepared for a worst-case scenario in which there is protracted urban warfare, the use of chemical or biological weapons, and the complete breakdown of the Oil for Food Program. I worry that the administration may not be preparing for a crisis of this magnitude.

Mr. Chairman, this brings me to my last point: The benefits of working with the international community cannot be overstated.

The United States will be in a far better position if we can provide humanitarian assistance and rebuild Iraq in cooperation with the United Nations and other countries.

These efforts will require billions of dollars and tens of thousands of personnel over several years.

It is profoundly in our interest to share what will be a massive burden. And acting under a U.N. flag, as opposed to a U.S. flag, will minimize resentment from malcontents in the region and beyond.

Securing a second Security Council resolution would be enormously helpful in bringing others on board for the take-off and for the landing.

So, Mr. Chairman, I hope we are prepared to step up our preparations to meet the humanitarian needs of all Iraqis. I also hope that we will provide the U.N. with the funds necessary to do their part.

I thank the Chair.

The CHAIRMAN. We are very fortunate that in his place today we have Senator Dodd, a veteran of the trail, and the distinguished Senator from Connecticut will give the opening comment on behalf of the Democrats on this committee.

Senator DODD. Well, thank you very much, Mr. Chairman. And thank you for your kind comments about Senator Biden who, as I think many are aware, had a gallbladder operation and is doing very, very well, and as you point out, will be back here in full form and voice very, very shortly.

So I am filling in. Senator Sarbanes—so people understand there has not been a coup here—Senator Sarbanes, since I am the third ranking member of this committee, Senator Sarbanes has a previous commitment with another committee and so could not be here this morning. And for those reasons, I am sitting in the chair of Senator Biden this morning. And so I thank you. I thank you for your very kind comments as well.

Once, again, Mr. Chairman, it is only the early part of March and we have had a set of hearings in this committee that, I think, compare favorably with any other period that certainly I have been in the Congress of the United States, over 30 years. And if this is an indication of where this committee is going to be going under your leadership, we are going to have a very, very worthwhile committee process in the coming years, and I am confident we will.

This is a very, very important hearing this morning and I am deeply grateful to our witnesses for being here to explore what is being done to plan for humanitarian relief and reconstruction in the event we choose the road of war with Iraq. We are all very, very anxious. I tried to find the right word here—uneasy, nervous—I think anxiousness is how I describe my constituency—I was home over the weekend—about where we are in all of this issue.

And I am especially interested in knowing how far along the administration and the international community are in planning for what we may soon embark on. And that is a regime change in Iraq.

Has the administration, for instance, determined what it is likely to cost, both the military operations and the aftermath? Has the administration identified sources of financing to cover these costs? Who will join us, if not in the coalition to deal militarily, but in the aftermath? Are there countries that would not be a part of a military operation but would be willing to be a part of a humanitarian effort in the wake of this? Will they contribute to some of the costs of that?

How about the safety of people—with the weapons of mass destruction, I think most recognize are in existence still in Iraq—as to what extent the humanitarian relief workers receive the kind of protections necessary for them to be able to go in and do the job?

These are just a couple of the questions that come to my mind immediately. I know there are countless other ones that people need answers to. And I think we need them sooner rather than later.

Clearly, long-term peace and stability, as the chairman so rightfully has already pointed out this morning, in the Middle East will be affected by how well we plan for and handle humanitarian relief and the longer term reconstruction in the post-Saddam Hussein Iraq, should that come to pass.

Our witnesses this morning will, I hope, allow us to get a better sense of the planning that is, and should be, under way at this juncture—planning in the administration, the international humanitarian relief organizations, private non-governmental organizations.

I would also welcome their perspectives on how far along international relief agencies and the NGO community are, generally, in their logistical preparations and pre-positioning of supplies in order to meet the challenges that may confront us in Iraq in the coming days and weeks. How much progress has been made in the sector-by-sector planning, in calculating the costs of such programs, or in identifying the resources, as I mentioned earlier, to pay for them?

I am terribly concerned that we are not as far along as we should be at this juncture, considering we may just be days away from military action; but frankly none of us really knows because the administration, unfortunately, has been extremely vague. And I understand they cannot be as specific as some would like, but it seems to me there is a distance between vagueness and specificity that would allow us to at least have some idea of where we are headed here.

I welcome our panel of expert witnesses this morning. I believe they will add to the committee's knowledge on this subject, given their long background experience in this area of discussion.

I regret, as the chairman has mentioned, that there are no representatives of the administration here this morning. I know that this is not due to any lack of effort on the chairman's part that they be here. And I gather that the administration declined to make either Mr. Natsios, the USAID administrator, or General Garner, the Director of the newly established Office of Reconstruction and Humanitarian Assistance at the Pentagon, available to us today. That is too bad in my view, because these are two very important individuals in the U.S. Government who will be primarily responsible for overseeing U.S. humanitarian relief and reconstruction efforts in Iraq.

Just because the Congress already voted for H.J. Resolution 114 last year, providing the President with the authority to disarm Iraq's weapons of mass destruction, certainly did not mean that Congress need not be kept apprised of what the administration intends to do, not only in planning for military action but also in the humanitarian relief and reconstruction of Iraq in the aftermath of such action.

The administration, in my view, has an obligation to be as fully candid as they can with the Congress and most especially—not so much to us—but with the American people as we ramp up for war, particularly as the decision to go to war will commit the United States to an extensive and costly involvement in the aftermath of that war. It will be even more costly and prolonged if the administration moves ahead alone, because a sufficient number of U.N. Security Council members are not yet convinced that all peaceful means of disarming Iraq have been exhausted.

It is not as though the administration has not discussed its plans with others. According to recent news articles, Mr. Natsios has asked five U.S. construction companies: Bechtel, Fluor Corporation, Halliburton-owned Kellogg, Brown and Root, Louis Berger Group, and Parsons Corporation to bid on a \$900 million contract to rebuild Iraq—clearly only the first phase in what is likely to be a much more costly undertaking, depending upon the war damage incurred and the presence or absence of a burden-sharing by others.

General Garner has also reportedly been in discussions with one of Kofi Annan's deputies at the U.N. about contingency plans for wartime humanitarian relief.

In light of those discussions, it is extremely difficult to understand why the administration declined our invitation to be here today. I do not think I am alone when I say that I am extremely uneasy with the manner in which the administration has approached this issue at the United Nations, with the Congress, with relief organizations, and most of all with the American people.

The time has come for the administration to be fully candid with all of us and to listen to what we and others have to say about its plans and timetable for action. Military action against Iraq may be swift and simple. Alternatively, our involvement in Iraq may turn out to be a long and protracted U.S. commitment.

Because one should always plan for the worst possible options, the administration should, in my view, be doing everything possible to be honest and forthcoming with all interested parties, particularly this committee, the Congress, and the American people. And

then if the worst comes to pass, and we certainly hope it does not, then we will be prepared and be willing to act accordingly.

So my hope would be, Mr. Chairman, that we would find a little more willingness—and I want to emphasize the point here—I know the administration has balked at the idea of giving sort of a specific dollar amount, and I understand their concern about that. But coming forward and saying this is, at least, our best case judgment at this juncture, I think, would be very, very helpful in giving us a better and clearer idea of how we ought to proceed.

But nonetheless, I am very grateful to these witnesses and very grateful to you, Mr. Chairman, to give us a chance, at least, to explore the subject matter with people who are tremendously knowledgeable about the subject matter before us today, and I thank you.

The CHAIRMAN. Well, thank you very much, Senator Dodd.

Just in fairness to Mr. Natsios, he has testified before our committee in another hearing, and I think he will be back in due course.

Senator DODD. Right.

The CHAIRMAN. I was startled, however, as the Senator has pointed out, that already a contract for perhaps \$900 million has been sent out to five bidders. At least we were apprised of that by good coverage in the paper. And so we will continue to be persistent and do our best.

Senator DODD. Mr. Chairman, I have a statement here from Senator Biden, which he would like to be included in the record. That ought to precede my comments this morning.

The CHAIRMAN. Very well. And all of Senator Biden's opening statement will, of course, be made a part of the record.

Senator DODD. Thank you.

The CHAIRMAN. Let me call now upon our panelists, and I will introduce them in the order in which I will ask them to testify.

Mr. Eric Schwartz, senior fellow and director, Independent Task Force on Post-Conflict Iraq, Council on Foreign Relations in Washington, DC; Dr. Gordon Adams, director of the Security Policy Studies Program, Elliott School of International Affairs, The George Washington University, Washington, DC; Ms. Sandra Mitchell, vice president of Governmental Relations, International Rescue Committee in Washington, DC; and Dr. Phebe Marr, a former senior fellow of the National Defense University in Washington, DC.

In introducing Mr. Schwartz, let me simply mention that he is going to publish tomorrow an independent task force study which he has headed on post-conflict transition in Iraq; and so we look forward to that study, which will be available to members of the committee and the public fairly soon.

Dr. Marr is always busy, and she is currently updating the final stages of her book, "The Modern History of Iraq." We appreciated her testimony of last year. The committee was somewhat prescient in asking many questions of Dr. Marr, and we look forward to your testimony again today.

First of all, Mr. Schwartz.

STATEMENT OF ERIC P. SCHWARTZ, SENIOR FELLOW AND DIRECTOR, INDEPENDENT TASK FORCE ON POST-CONFLICT IRAQ, COUNCIL ON FOREIGN RELATIONS, WASHINGTON, DC

Mr. SCHWARTZ. Thank you, Mr. Chairman. I want to thank the chairman and members of the committee for the opportunity to testify on this critical issue. And I have, indeed, looked at these questions rather closely in recent months in my capacity as director of the CFR project, the Independent Task Force on Post-Conflict Iraq. That task force, which is co-chaired by Ambassador Thomas Pickering and Dr. James Schlesinger, and which has as one of its distinguished members, Dr. Phebe Marr, will release its report tomorrow morning. And I would be grateful if the committee would agree to include the executive summary of that report in the printed record of this hearing.

The CHAIRMAN. It will be included in full. Thank you.

Mr. SCHWARTZ. Thank you. Although much of my testimony is informed by my work on the task force, I am here today in my personal capacity. I should also say that in addition to my work at the Council, I was formerly a senior NSC aide during the Clinton administration and had responsibilities for humanitarian assistance, management of complex crises and United Nations issues.

So I have some appreciation, I think, of the enormous challenge confronting the Bush administration. And while much of what I say may be somewhat critical in tone, I want to emphasize that there really is a lot of good work being done by committed public servants to ensure that, if a war takes place, battlefield victory will not be lost in the post-conflict environment.

If the United States does go to war and removes the regime of Saddam Hussein, our interests will, indeed, demand an extraordinary commitment of U.S. financial and personnel resources to post-conflict transitional assistance and reconstruction. These interests include securing the elimination of weapons of mass destruction; ending Iraqi contacts, whether limited or extensive, with international terrorist organizations; ensuring that a post-transition Iraqi government can maintain the country's territorial integrity and independence while contributing to regional stability; and promoting an internal democratic process in which the people of Iraq have a meaningful voice in the policy decisions that impact their lives.

Given the limited time, let me offer five key questions which I would encourage committee members to raise with administration officials, and then briefly offer my own perspectives on each of them.

First, what is the extent of our long-term political commitment to Iraq? What are we prepared to spend and when will the administration describe this in detail to the American people?

It is critically important that the President step up his efforts to explain to the American people the rationale for U.S. engagement in post-war Iraq, and it is also essential that he begin to describe the magnitude of the American post-conflict commitment. This is necessary if we are going to sustain long-term support to Iraq, even after senior officials turn their attention to other crises in the years to come.

So what are the costs? And I speak with an awareness that I am sitting next to an expert on this subject. If you estimate a requirement of about 75,000 peace stabilization troops—at a cost judged by CBO at about \$1.4 billion per month—and you add, say, a first-year U.S. contribution to humanitarian and economic assistance of about \$3 billion, which I would argue is a very modest amount, then you are at about \$20 billion a year or more.

And these estimates, again, are quite modest. Other credible estimates are far higher. Moreover, the United States will need to be prepared to spend comparable amounts in future years.

And I think it is important to note that it is probably unrealistic to assume that Iraqi oil revenues will provide the resources necessary for rebuilding Iraq, especially in the short term. First, much of the revenue is already being used for humanitarian purposes under Oil for Food. And additional reconstruction requirements will amount to tens of billions of dollars, at a minimum.

Second, large oil capacity and production increases, which might generate greater revenues, are many years away.

And, finally, the bulk of U.S. post-conflict expenses will be for U.S. peace stabilization troops, and it would be awkward at best to use such revenues to pay those costs—to use oil revenues to pay those costs.

The second question I would raise with the administration is what specific actions will the U.S. military take to protect Iraqi civilians in the context of conflict and its aftermath? U.S. officials must be certain that U.S. troops involved in combat operations will be in a position to focus, in a systematic manner, on threats to civilians. In particular, from the outset of the conflict, the military should deploy forces with a mission to prevent reprisals and other acts of lawlessness, and to provide humanitarian aid.

And U.S. military and civilian officials should sustain this focus throughout the transition. None of the other U.S. objectives in rebuilding Iraq will be realized in the absence of public security. If the United States fails to address this issue effectively, we will fuel the impression that the result of U.S. intervention is an increase in the humanitarian suffering of Iraqis.

The U.S. military, in some cases in cooperation with coalition partners, should also assist civilian victims of any use of weapons of mass destruction if exposure occurs. They should press neighboring governments to provide refuge within their borders for fleeing Iraqis. They should seek to ensure protection for internally displaced persons, especially if Turkey and other governments establish camps inside of Iraq. They should sustain the basic structure of the U.N. Oil for Food Program, and, over time, actively recruit international civilian police and constabulary forces from other governments to assist U.S. troops in public security and in the training of Iraqis to take on responsibilities in this area.

The third question: what action is the administration taking to ensure that international organizations and other governments will contribute meaningfully to the post-conflict transition effort? Obviously, the administration needs others if it is to succeed in post-conflict Iraq. This will not only lighten the load for the United States, but it will also diminish the mistaken perception that the United States seeks to control Iraq.

There is much the administration can do to involve others in the initial stages and over time without sacrificing unity of effort in the post-conflict structure. While the law of occupation will provide the general authority for U.S. actions, we should also work toward U.N. Security Council resolutions that endorse post-conflict transition structures and enhance the likelihood of buy-in by others.

And even if those resolutions endorse a U.S. lead, initially, in post-conflict security and interim civil administration, they should also promote the lead of the United Nations and other international organizations on issues such as humanitarian assistance, the political consultative process that leads to a transition to Iraqi rule, the management of the U.N. Oil for Food Program, and international reconstruction.

In addition, a resolution could indicate that responsibilities in other areas should be further transferred to the U.N. and/or other governments, as conditions permit.

The fourth question I would raise is what actions are being taken to ensure the Iraqi character of the political transition process? Post-conflict conditions would make an immediate transfer of sovereign authority to Iraqis extremely difficult and inadvisable in my view. Nonetheless, the Bush administration and the United States have strong interests in ensuring that Iraqis continue to play key roles in administration of public institutions, subject to adequate vetting. Continuity of basic services will be essential and thousands of Iraqi civil servants will have to stay on their jobs.

In addition, the administration should support a broadly representative political consultative process leading to a transition to Iraqi rule; and, again to enhance legitimacy, the administration should endorse U.N. leadership in this particular effort.

Finally, we must make sure that Iraqis play key roles in the rehabilitation efforts that U.S. and other reconstruction funding is likely to support, and I take note of your comment about bids for construction contracts.

The final question that I would raise is as a government, are we well organized to meet this challenge? In late January, the President issued a National Security Presidential Directive, placing responsibility for managing the post-conflict rebuilding of Iraq within the Department of Defense. Defense Department planning efforts appear to complement or incorporate a range of other administration initiatives, including the State Department's "Future of Iraq Project."

The key challenge will be to transform these activities into a coherent and unified effort, and ensure that policies that are formulated in Washington are accepted internationally, and effectively implemented in Iraq. There are many questions that are worth raising with officials; not, I emphasize, to slow them down, but to encourage them to resolve important organizational questions that are often deferred, or never even addressed, within the bureaucracy.

First, what role is the new Pentagon office playing in the policy formulation process, and how will it continue in this role after many of its personnel have been deployed to the region? And if it is not a policy formulation body, in what forum will policy be developed below the principals and the deputies' levels?

And if action is now centered at the Defense Department, how can our government take better advantage—better advantage than it is now taking, of the considerable expertise in management of post-conflict requirements that exists in other U.S. Government agencies, including the State Department and the U.S. Agency for International Development?

In conclusion, recent history has demonstrated that post-conflict peace building can be extraordinarily complex. In Iraq, where U.S. efforts will involve uncertainty, trial and error, and uneven progress, U.S. success will depend on our determination to sustain a long-term and substantial commitment of American resources and personnel, to ensure the active involvement of others in post-conflict reconstruction, and to promote participation by the people of Iraq in a process that validates their expectations about political reconciliation and about a more hopeful and democratic future. Thank you.

The CHAIRMAN. Thank you very much, Mr. Schwartz.
[The prepared statement of Mr. Schwartz follows:]

PREPARED STATEMENT OF ERIC P. SCHWARTZ, SENIOR FELLOW,
COUNCIL ON FOREIGN RELATIONS

Mr. Chairman and members of the Committee:

I want to thank you for the opportunity to testify on the critical issue of post-conflict Iraq. I have looked at these questions rather closely in recent months, in my capacity as director of the Council on Foreign Relations Independent Task Force on Post-Conflict Iraq. That Task Force, which is chaired by Ambassador Thomas Pickering and Dr. James Schlesinger, will release its report tomorrow morning, and I'd be grateful if the Committee would agree to include the Executive Summary of that report in the written record of this hearing.

Although much of my testimony is informed by the work of the Task Force, I'm here today in my personal capacity.

In addition to my work at the Council, I was formerly a senior NSC aide during the Clinton administration, and had responsibilities for humanitarian assistance, United Nations issues, and the management of complex crises. I have some appreciation for the enormous challenge confronting the Bush administration. And while much of what I say may be somewhat critical in tone, I want to emphasize that there is a lot of good work being done by committed public servants to ensure that, if a war takes place, battlefield victory will not be lost in the post-conflict environment.

If the United States goes to war and removes the regime of Saddam Hussein, American interests will demand an extraordinary commitment of U.S. financial and personnel resources to post-conflict transitional assistance and reconstruction. These interests include securing the elimination of Iraqi weapons of mass destruction; ending Iraqi contacts, whether limited or extensive, with international terrorist organizations; ensuring that a post-transition Iraqi government can maintain the country's territorial integrity and independence while contributing to regional stability; and promoting an internal democratic process in which the people of Iraq have a meaningful voice in the policy decisions that impact their lives.

Given the limited time, let me offer five key questions which I would encourage Committee members to raise with administration officials, and then briefly offer my own perspectives.

1. What is the extent of our long-term political commitment to Iraq? What are we prepared to spend, and when will the administration describe this in detail to the American people?

It is critically important that the president step up his efforts to explain to the American people the rationale for U.S. engagement in post-conflict Iraq, and it is also essential that he begin to describe the magnitude of the American post-conflict commitment. This is necessary if we are to sustain long-term support to Iraq even after senior officials have turned to other crises in years to come.

So what are the costs? If you estimate a requirement of about 75,000 peace stabilization troops—at a cost estimated by Congressional Budget Office (CBO) at \$1.4 billion per month—and you add, say, a first-year U.S. contribution of humanitarian

and economic assistance of about \$3 billion, then you are at about \$20 billion in year one. These estimates of requirements are, in fact, quite modest—other credible estimates are far higher. Moreover, the United States will need to be prepared to spend comparable amounts in future years.

I should add that it is unrealistic to assume that Iraqi oil revenues will provide all of the resources necessary for rebuilding of Iraq, especially in the early post-conflict period. First, much of the revenue is already being used for humanitarian purposes under the Oil for Food Program, and additional reconstruction requirements will amount to tens of billions of dollars, at a minimum. Secondly, large oil capacity and production increases, which might generate much greater revenues, are many years away. Third, the bulk of U.S. post-conflict expenses will be for U.S. peace stabilization troops, and it would be awkward at best to use oil revenues to pay those costs.

2. What specific actions will the U.S. military take to protect Iraqi civilians in the context and the aftermath of conflict?

U.S. officials must be certain that U.S. troops involved in combat operations will be in position to focus, in a systematic manner, on threats to civilians. In particular, from the outset of the conflict, the U.S. military should deploy forces with a mission to prevent reprisals and other acts of lawlessness, and to provide humanitarian aid. And U.S. military and civilian officials should maintain this public security focus throughout the transition.

None of the other U.S. objectives in rebuilding Iraq will be realized in the absence of public security. If the United States fails to address this issue effectively, we will fuel the impression that the result of the U.S. intervention is an increase in humanitarian suffering by the people of Iraq.

The U.S. military, in some cases in cooperation with coalition partners, should also assist civilian victims of weapons of mass destruction if exposure occurs; press neighboring governments to provide refuge within their borders for fleeing Iraqis; seek to ensure protection for internally displaced persons—especially if Turkey and other governments establish camps inside Iraq; sustain the basic structure of the UN Oil for Food Program; and actively recruit international civilian police (civpol) and constabulary forces to assist U.S. troops in public security—and in the training of Iraqis to take on responsibilities in this area.

3. What action is the administration taking to ensure that international organizations and other governments will contribute meaningfully to the post-conflict transition effort?

The administration needs others if it is to succeed in post-conflict Iraq. This will not only lighten the load for the United States, but will also help diminish the mistaken perception that the U.S. seeks to control Iraq.

There is much the administration can do to involve others in the initial stages and over time without sacrificing unity of effort in the post-conflict structure. While the law of occupation will provide the general authority for U.S. actions, we should also work toward UN Security Council resolutions that endorse post-conflict transition structures and enhance the likelihood of buy-in by others. And even if those resolutions endorse a U.S. lead, initially, in post-conflict security and interim civil administration, they should also promote the lead of the United Nations and other international organizations on issues such as humanitarian assistance, the political consultative process leading to a transition to Iraqi rule, the management of the UN Oil for Food Program, and international reconstruction efforts. In addition, a resolution could indicate that responsibilities in other areas should be furthered transferred to the United Nations and/or other governments as conditions permit.

4. What actions are being taken to ensure the Iraqi character of the political transition process?

Post-conflict conditions would make an immediate transfer of sovereign authority to Iraqis extremely difficult and inadvisable. Nonetheless, the Bush Administration has strong interests in ensuring that Iraqis continue to play key roles in administration of public institutions, subject to adequate vetting. Continuity of basic services will be essential, and thousands of Iraqi civil servants will have to stay on their jobs. In addition, the administration should support a broadly representative political consultative process leading to a transition to Iraqi rule, and—to enhance legitimacy—endorse UN leadership in this effort. Finally, we must make sure that Iraqis play key roles in the rehabilitation efforts that U.S. and other reconstruction funding is likely to support.

5. As a government, are we well organized to meet this challenge?

In late January, the president issued a National Security Presidential Directive placing responsibility for managing the post-conflict rebuilding of Iraq within the Department of Defense. Defense Department planning efforts appear to complement or incorporate a range of other administration initiatives, including the State Department's "Future of Iraq Project." The key challenge will be to transform these activities into a coherent and unified effort and to ensure that policies formulated in Washington are accepted internationally and effectively implemented in Iraq.

There are many questions that are worth raising with administration officials—not to slow them down, but to encourage them to resolve important organizational issues that are often deferred, or never addressed, within the bureaucracy. First, what role is the new Pentagon office playing in the policy formulation process, and how will it continue in this role after many of its personnel have been deployed to Iraq? If it is not a policy formulation body, in what forum will policy be developed below the level of principals and deputies? And if action is now centered at the Defense Department, how can our government take better advantage of the considerable expertise in managing the post-conflict requirements that exists in other U.S. government agencies, including the State Department and U.S. Agency for International Development (USAID)?

In conclusion, recent history has demonstrated that post-conflict peace-building can be exceptionally complex. In Iraq, where U.S. efforts will involve uncertainty, trial and error and uneven progress, U.S. success will depend on our determination to sustain a long-term and substantial commitment of American resources and personnel, to ensure the active involvement of others in post-conflict reconstruction, and to promote participation by the people of Iraq in a process that validates their expectations about political reconciliation and a more hopeful and democratic future.

Thank you.

IRAQ: THE DAY AFTER

Report of an Independent Task Force on Post-Conflict Iraq, sponsored by the Council on Foreign Relations

Thomas R. Pickering and James R. Schlesinger, Co-Chairs

EXECUTIVE SUMMARY

If the United States goes to war and removes the regime of Saddam Hussein, American interests will demand an extraordinary commitment of U.S. financial and personnel resources to post-conflict transitional assistance and reconstruction. These interests include eliminating Iraqi weapons of mass destruction (WMD); ending Iraqi contacts, whether limited or extensive, with international terrorist organizations; ensuring that a post-transition Iraqi government can maintain the country's territorial integrity and independence while contributing to regional stability; and offering the people of Iraq a future in which they have a meaningful voice in the vital decisions that impact their lives.

But U.S. officials have yet to fully describe to Congress and the American people the magnitude of the resources that will be required to meet post-conflict needs. Nor have they outlined in detail their perspectives on the structure of post-conflict governance. The Task Force believes that these issues require immediate attention, and encourages the administration to take action in four key areas:

Key Recommendation #1: An American political commitment to the future of Iraq

The president should build on his recent statements in support of U.S. engagement in Iraq by making clear to Congress, the American people, and the people of Iraq that the United States will stay the course. He should announce a multibillion dollar, multiyear post-conflict reconstruction program and seek formal congressional endorsement. By announcing such a program, the president would give Iraqis confidence that the United States is committed to contribute meaningfully to the development of Iraq and would enable U.S. government agencies to plan more effectively for long-term U.S. involvement.

The scale of American resources that will be required could amount to some \$20 billion per year for several years. This figure assumes a deployment of 75,000 troops for post-conflict peace stabilization (at about \$16.8 billion annually), as well as funding for humanitarian and reconstruction assistance (as recommended immediately below). If the troop requirements are much larger than 75,000—a real possibility—the funding requirement would be much greater.

For reconstruction and humanitarian assistance alone, the president should request from Congress \$3 billion for a one-year period, and make clear that the United

States will be prepared to make substantial additional contributions in the future. This initial contribution would include \$2.5 billion for reconstruction and \$500 million for humanitarian aid. (However, if there are significant interruptions in the availability of Iraqi oil revenues for the Oil for Food Program, the figure for humanitarian assistance would need to be considerably higher).

Key Recommendation #2: Protecting Iraqi civilians—a key to winning the peace

From the outset of conflict, the U.S. military should deploy forces with a mission to establish public security and provide humanitarian aid. This is distinct from the tasks generally assigned to combat troops, but it will be critical to preventing lawlessness and reassuring Iraqis who might otherwise flee their homes. As women and children will constitute the majority of refugees and internally displaced persons, special efforts should be made to ensure that they are protected from sexual assault and that their medical and health care needs are met. The Bush administration should sustain this public security focus throughout the transition. None of the other U.S. objectives in rebuilding Iraq would be realized in the absence of public security. If the administration fails to address this issue effectively, it would fuel the perception that the result of the U.S. intervention is an increase in humanitarian suffering.

Additional recommendations—protecting Iraqi civilians

- *Assist civilian victims of any use of WMD.* The U.S. and coalition partners should be ready to conduct rapid assessment of any WMD use, publicize the results of such assessments, provide information to Iraqis on how to mitigate the impact of WMD, and provide assistance to alleviate the health effects of WMD exposure should it occur.
- *Seek to ensure protection for displaced persons and refugees.* Administration officials should press neighboring governments to provide safe haven in their countries for fleeing Iraqis. If the government of Turkey and other governments are determined to establish camps within the territory of Iraq, U.S. officials should seek to ensure that such camps are safe and secure.
- *Sustain, for the time being, the basic structure of the Oil for Food Program.* U.S. officials should work closely and intensively with the World Food Program (WFP) to ensure the continuation of the distribution network that sustains the Oil for Food Program. The program should be modified over time to ensure transparency and effectiveness in meeting Iraqi needs.
- *Actively recruit international civilian police (civpol) and constabulary forces.* Constabulary units such as Italy's Carabinieri have equipment, training, and organization that enable them to maintain public order and address civil unrest. In addition, international civilian police could play an important role in vetting, training, and mentoring Iraqi police.

Key Recommendation #3: Sharing the burden for post-conflict transition and reconstruction

The Bush administration should move quickly to involve international organizations and other governments in the post-conflict transition and reconstruction process. This move will lighten the load on U.S. military and civilian personnel, and help to diminish the impression that the United States seeks to control post-transition Iraq.

The Bush administration will likely be reluctant, especially early in the transition process, to sacrifice unity of command. On the other hand, other governments may be hesitant to participate in activities in which they have little responsibility. The Task Force recommends that the administration address this dilemma by promoting post-conflict Security Council resolutions that endorse U.S. leadership on security and interim civil administration in post-conflict Iraq, but also envision meaningful international participation and the sharing of responsibility for decision-making in important areas. The resolutions could direct WFP or another international humanitarian organization to assume lead responsibility for humanitarian assistance (and involve NGOs and Iraqi civil society in aid management and delivery); indicate that the United Nations will take responsibility in organizing (with U.S. support and assistance) the political consultative process leading to a transition to a new Iraqi government; establish an oil oversight board for Iraq; authorize the continuation of the UN's Oil for Food Program; establish a consortium of donors in conjunction with the World Bank and the IMF to consider Iraqi reconstruction needs as well as debt relief; and indicate that responsibilities in other areas could be transferred to the United Nations and/or other governments as conditions permit.

Key recommendation #4: Making Iraqis stake holders throughout the transition process

The administration should ensure that Iraqis continue to play key roles in the administration of public institutions, subject to adequate vetting. Continuity of basic services will be essential and will require that thousands of Iraqi civil servants continue to do their jobs. In addition, every effort should be made quickly to establish Iraqi consultative mechanisms on political, constitutional, and legal issues, so that the period of interim governance will be limited and characterized by growing Iraqi responsibility on the political as well as administrative levels.

Additional recommendation—making Iraqis stakeholders:

- *Encourage a geographically based, federal system of government in Iraq.* In northern Iraq, the Kurdish population has operated outside of regime control for over a decade. While decisions on Iraq's constitutional structure should be made by Iraqis, the Task Force believes that a solution short of a federal system will risk conflict in a future Iraq, and that U.S. officials should adopt this perspective in their discussions with Iraqi counterparts and with Iraq's neighbors.

OTHER ISSUES OF CONCERN TO THE TASK FORCE

The rule of law and accountability: Police training must be supplemented by efforts to build other components of a system of justice, especially courts. The Task Force thus makes the following recommendations:

- *Deploy legal and judicial teams, seek international involvement.* The administration should promote the post-conflict deployment of U.S. and international legal and judicial assistance teams to help address immediate and longer term post-conflict justice issues.
- *Act early on accountability, seek international involvement in the process, and ensure a key role for Iraqis.* Given the enormity of human rights abuses by the regime, the Task Force believes that accountability issues should be an early priority for the transitional administration. International involvement in the process, either through the creation of an international ad hoc tribunal, or the development of a mixed tribunal, will enhance the prospects for success. The Task Force notes that a truth and reconciliation process could be established concurrently with such a tribunal, as a complement to criminal accountability for those who bear greatest responsibility for abuses.

The Iraqi oil industry: U.S. officials will have to develop a posture on a range of questions relating to control of the oil industry, such as how decisions on contracts for equipment and oil field rehabilitation will be made; who will consider and make judgments on the viability of executory contracts for development of oil fields (at least some of which have as a condition precedent the lifting of sanctions); and what will be required for transition from the Oil for Food Program to a transparent and accountable indigenous system to receive and disburse oil-related revenues?

The Task Force recommends that the administration strike a careful balance between the need to ensure that oil revenues benefit the people of Iraq and the importance of respecting the right of Iraqis to make decisions about their country's natural resources. In particular, the administration should undertake the following steps:

- *Emphasize publicly that the United States will respect and defend Iraqi ownership of the country's economic resources, especially oil; seek an internationally sanctioned legal framework to assure a reliable flow of Iraqi oil and to reserve to a future Iraqi government the determination of Iraq's general oil policy.* The removal of the regime will not alter Iraqi obligations under the existing, UN-managed, legal framework for oil, but it will likely result in the need for modifications. The Task Force believes that a new framework, which could be affirmed by a Security Council resolution, could establish a decision-making oversight board with international and substantial Iraqi participation.
- *Address potential impact of regime change on Jordanian oil imports from Iraq.* The Iraqi regime has provided the government of Jordan with free and heavily discounted oil. It is unclear whether such arrangements would continue in the post-conflict environment. In view of Jordan's economic situation and its important role on regional and international security issues, the administration should make efforts to address Jordanian needs in this area.

Regional diplomatic and security issues: In the Gulf, U.S. officials will confront the challenge of effectively downsizing the Iraq military while seeking to promote a longer-term security balance in which Iraq's territorial integrity can be maintained. In the Middle East, a successful U.S. and coalition intervention in Iraq will

raise expectations about a new U.S. diplomatic initiative on the Arab-Israeli dispute. On these issues, the Task Force makes the following recommendations:

- *Closely monitor professionalization and restructuring of the Iraqi military, including disarmament, demobilization, and reintegration (DDR).* These tasks are likely to be carried out in large measure by private contractors and/or international development organizations, and will require close supervision of what might otherwise be an uncoordinated effort. In addition, the Bush administration should promote programs in this area that emphasize civilian control of the military and respect for human rights.
- *Consider a regional forum for discussion of security issues.* The administration should strongly consider encouraging a security forum with states in the region. The forum could address confidence-building measures, and related issues such as external security guarantees and nonproliferation.
- *Initiate post-conflict action on the Middle East Peace Process.* The Task Force encourages the administration to give high priority to an active, post-conflict effort to engage in the peace process, and also believes that any such action by the administration must be accompanied by greater efforts by Arab states and the Palestinian leadership to discourage and condemn acts of terrorism and violence against Israelis and elsewhere in the region.

The CHAIRMAN. Let me simply mention that the full statements of all the witnesses will be made a part of the record, and you may summarize as you wish. Dr. Adams.

STATEMENT OF DR. GORDON ADAMS, DIRECTOR OF THE SECURITY POLICY STUDIES PROGRAM, ELLIOTT SCHOOL OF INTERNATIONAL AFFAIRS, THE GEORGE WASHINGTON UNIVERSITY, WASHINGTON, DC

Dr. ADAMS. Thank you very much, Mr. Chairman, members of the committee. I am very grateful to you all for your kind invitation to come and talk on this subject of what is clearly of compelling and immediate importance.

The United States is near a state of war with Iraq. Clearly, very little stands in the way of a military campaign, and the outcome of that campaign is relatively predictable, though its duration and consequences are somewhat more difficult to judge.

As we approach that combat, I believe it is critical to begin discussing and planning for the consequences of that war, including the costs of a long-term U.S. presence in and assistance to Iraq.

The administration has argued that discussions of post-war policies and their costs are speculative, which is certainly true to a degree, and that they have no bearing on the decision to go to war, which is and should be based on security considerations alone.

I believe we should not go to war without a serious discussions of its consequences, however, and of the long-term commitments that we may be making overseas and their costs to the American people.

The test of the success of our policy in Iraq depends on the post-war outcome, as much as it does on the outcome of combat itself. Will Iraq, as a result of war and regime change, be truly disarmed, dramatically different in a way that increases stability in the region, reduces the risk of terrorist attack, and provides greater security for the American people?

We could well win the war and lose the peace, if we do not tend now to post-war Iraq policy. Winning the peace, however, I believe, will require a significant long-term U.S. investment in Iraq, and that investment is worthy of discussion in advance. That is why I

commend you very much for holding this hearing, Mr. Chairman, and for holding it in advance of a final decision to go to war.

Let me summarize very briefly—there is a longer statement. I appreciate it will be put in the record, Mr. Chairman. Let me just make some key points and allow you to give it some thought and pose questions.

The first point is a successful war in Iraq will leave the United States with primary responsibility, primary responsibility for humanitarian relief, internal security, the restoration of governance, and any steps toward democracy and economic reconstruction in Iraq.

Second, we are likely to shoulder even more of this responsibility in the absence of a U.N. resolution supporting the use of force if Saddam Hussein fails to comply fully with Resolution 1441. In my judgment, our isolation may be further enhanced by a course of diplomacy and policymaking over the past 4 months that appears to have alienated a substantial number of friends and allies.

Let me come to my challenge, which is estimating the costs of what we may do in Iraq after a war is complete. Obviously, estimating those costs is a great challenge. I wish I could sit here and analyze for you the adequacy or inadequacy of proposals being made by the administration, which I know they are hard at work planning; but we do not have those numbers, and so I cannot make that judgment.

Instead, in evaluating the potential costs for a post-war Iraq occupation and reconstruction, I am relying on a number of outside estimates, including the Congressional Budget Office, the American Association for the Advancement of Science, the Center for Strategic and International Studies, and the back of my own peculiar envelope, which is the result of having spent 5 years as a “green eyeshade guy” at the Office of Management and Budget, where I had much opportunity to work, in fact, with Eric Schwartz on policies that the previous administration pursued of this nature.

For the most part, there are not hard numbers. We do not have them here today but that does not mean estimates are not useful. They bound the problem of cost, and they provide a sense of the scale of potential need, and the costs of this policy may have a bearing on policy choices that the Congress has to make in other areas of Federal policy.

The United States is likely to provide the bulk of the occupying force, and that is the first cost center I mention in my testimony, after the war is over. It is an important statement, because although the costs of an occupying force are not the oversight jurisdiction of this committee, it is clear that the Defense Department, as Mr. Schwartz has indicated, is assuming a major lead responsibility for post-war Iraq activities; a responsibility that goes well beyond the rules of engagement in previous conflicts such as the Balkans.

But with the lead there, knowing something about the costs of that occupying force is important, and my judgment is that, that occupying force, which will be important to the further activities that I am going to discuss, could cost between \$12 and \$14 billion in the first year alone.

Second, humanitarian aid requirements are likely to be significant and immediate as already testified. In part because of a legacy of impoverishment under Saddam Hussein, in part due to damages combat itself may cause to the electrical power, communications, water, transportation infrastructure, oil production and distribution facilities, food and medicine distribution, housing and sanitation systems, and the population itself. Humanitarian assistance requirements could range between \$1 and \$10 billion, with as much as \$3.5 billion of that being required in the first year alone.

Third, governance. Governing Iraq will pose an immediate challenge, especially the need to establish authoritative internal and border security as already mentioned, adequate policing, successful location and elimination of weapons of mass destruction, no small task as we know, and a working system of justice. Over time, this governance challenge will be demanding, especially if we try to create or intend to create a democracy in Iraq. That is, in my judgment, a nation-building task par excellence. The governance challenges could cost as much as \$12 billion over 5 years, with substantial funding, maybe as much as \$5 billion being needed up front, principally to pay for salaries for civil servants that we want to have stay in place in order to run an effective government.

Fourth, economic reconstruction, which poses another large challenge. Depending on war damage, there could be substantial infrastructure to repair, including oil field and pipeline damage. Over the past two decades, the Iraqi economy has sunk into virtual non-productivity outside of oil production. And an assistance program will be needed to create new productive opportunities. The costs of reconstruction are very, very wide-ranging with respect to estimates, from as small as \$25 to \$30 billion on one end, to a Marshall Plan-type exercise of \$100 billion, all of that between 5 and 10 years in duration.

Fifth, it is worth noting that Iraqi debt is substantial, approximately \$62 billion, with claims of \$172 billion against the Iraqis, potential reparations and contract costs, all of which will pose a substantial burden on the Iraqi state budget after a war.

These claims and commitments will need to be either renegotiated or paid to some degree in order to free up resources for internal needs.

Next, Iraqi oil revenues. Mr. Schwartz has already testified that these are unlikely to be available to cover all of these costs. They are probably committed several times over already.

First, production has to be restored. Second, the industry will need to use its income to modernize an aging and degraded production and export infrastructure and to upgrade the country's electricity grid.

The exploitation of substantial potential and probable reserves will require substantial additional investments, and those reserves will not be online for several years to come.

Should Iraq decide to be constrained by OPEC export quotas, income will be constrained. Should they leave export—the OPEC export quota regime, significant price declines will affect their revenues as well.

The macroeconomic impact, to move to my next point, of a war in Iraq depends on duration, its duration. And I am talking about

the macroeconomic impact here is a cost we need to consider, particularly if the war has the effect of causing a long-term price spike for oil. A long-term spike could lead to major consequences for the U.S. GDP.

On the other hand, a short-term spike followed by declining oil prices is unlikely to have lasting consequences. And a lower oil price could have positive consequences.

The next point, the United States will also incur costs in the current timeframe for commitments it makes to allies for the war effort. We do not know what those are. We have heard only vague details, but allied commitments by the U.S. Government could go as high as \$10 to \$15 billion, depending on the outcome of current negotiations.

Finally, the costs of not going to war. It is worth noting that, arguably, not going to war could lead to costs maintaining a military presence in the region, continuing the regime of inspections and weapons destruction, accelerated funding to combat terrorism abroad, and a high level of expenditure for homeland security. It is worth having those on the table.

And my final point, Mr. Chairman, which is that as we face what could be a significant bill over the coming years, not just for this year but in the years to come, this whole issue needs to be set in the framework of longer term budgetary and fiscal policy for the U.S. Government.

I personally would have to wonder whether a tax cut is an appropriate enactment at this point, if we are going to incur costs not currently in the President's budget, but which will substantially reduce currently projected deficits. Thank you very much.

The CHAIRMAN. Thank you, Dr. Adams.

[The prepared statement of Dr. Adams follows:]

PREPARED STATEMENT OF DR. GORDON ADAMS, PROFESSOR OF THE PRACTICE OF INTERNATIONAL AFFAIRS, DIRECTOR, SECURITY POLICY STUDIES PROGRAM, ELLIOTT SCHOOL OF INTERNATIONAL AFFAIRS, THE GEORGE WASHINGTON UNIVERSITY

INTRODUCTION AND SUMMARY

I want to thank the Committee for its kind invitation to testify today on this subject of such compelling and immediate importance.

The United States is near a state of war with Iraq. Very little now stands in the way of starting a military campaign. The outcome of this campaign is relatively predictable, though its duration and consequences are not. As we approach war, it is critical to begin discussing and planning for the consequences of that war, including the costs of a potentially long-term U.S. presence in and assistance to Iraq. The administration has argued that discussions of post-war Iraq policies and their costs are speculative and have no bearing on the decision to go to war, which is and should be based on security considerations alone.

I am not going to discuss the wisdom of the decision to go to war. However, I believe we should not go to war without a serious discussion of its potential consequences for longer-term American commitments overseas and the costs of those commitments to the American people. The test of our policy in Iraq depends on the post-war outcome, as much as it does on the outcome of combat, itself. Will Iraq, as a result of war and regime change, be truly disarmed and dramatically different in a way that increases stability in the region, reduces the risks of terrorist attack, and provides greater security for the American people.

We could well win the war and lose the peace, if we do not tend now to post-war Iraq policy. Winning the peace, however, will require a significant, long-term U.S. investment in Iraq, an investment that needs to be discussed in advance. I do not believe we have discussed the implications of this commitment adequately. That is why I commend the committee and its members, Mr. Chairman, for holding a hearing such as this in advance of a final administration decision to go to war.

Let me summarize in brief the points I wish to make, and then elaborate.

- A successful war in Iraq will leave the United States with primary responsibility for humanitarian relief, internal security, the restoration of governance and any steps toward democracy, and economic reconstruction in Iraq.
- We are likely to shoulder even more of this responsibility in the absence of a United Nations resolution supporting the use of force if Saddam Hussein fails to comply fully with Resolution 1441. Our isolation may be further enhanced by a course of diplomacy and policy-making over the past four months that has alienated a substantial number of friends and allies.
- Estimating the costs of this responsibility is a challenge. For the most part there are not hard numbers, nor has the administration offered any details of its intended policies and budgets. Nonetheless, estimates are useful. They bound the problem of cost and provide some sense of the scale of potential need. Moreover, the costs of this policy may have bearing on policy choices we make in other areas of federal policy.
- The United States is likely to provide the bulk of the occupying force after the war. Others may be disinclined to do so, unwelcome in the region, or simply have inadequate personnel, properly trained, to carry out this mission. That occupation could cost \$12-48 b. in the first year, alone.
- Humanitarian aid requirements are likely to be significant and immediate, in part because of a legacy of impoverishment under Saddam Hussein, and in part due to damages combat itself may cause to the electrical power, communications, water and transportation infrastructure, oil production and distribution facilities, food and medicine distribution, housing and sanitation systems, and to the population itself as a result of traumatic injury and the creation of refugees. Humanitarian assistance requirements could cost from \$1-10 b., with as much as \$3.5 b. being needed in the first year, alone.
- Governing Iraq will pose an immediate challenge, especially the need to establish authoritative internal and border security, adequate policing, successful location and elimination of weapons of mass destruction, and a working system of justice. Over time, the governance challenge will be demanding, especially if we intend to try to create democracy in Iraq, a “nation-building” task par excellence. The governance challenges could cost as much as \$12 b. over five years, with substantial funding (perhaps \$5 b.) needed up front to pay salaries for civil servants we will want to stay in place.
- Economic reconstruction poses another large challenge. Depending on war damage, there could be substantial infrastructure to repair, including oil field and pipeline damage. Over the past two decades, the Iraqi economy has sunk into virtual non-productivity outside of oil production. An assistance program will be needed to create new productive opportunities. The costs of reconstruction include a wide range of estimates, from \$30 b. to more than \$100 b. over the next five to ten years.
- Iraqi debt of at least \$62 b., claims of \$172 b., potential reparations, and contract costs will pose a heavy burden on a post-war Iraqi budget. These claims and commitments will either need to be renegotiated or paid to some degree, to free resources for internal needs.
- Iraqi oil revenues are unlikely to be available to cover all these costs. First, production will have to be restored. Second, the oil industry itself will need to use its income to modernize an aging and degraded production and export infrastructure and to upgrade the country’s electricity grid. Exploitation of Iraq’s substantial potential and probably reserves will require substantial additional investment and will not be on line for several years, at least. Iraqi oil income is likely to be constrained either by OPEC export quotas or by significant price declines, should Iraq leave OPEC.
- The macroeconomic impact of a war in Iraq depends on its duration, especially if it has the effect of causing a long-term price spike for oil. The costs to the economy of a major, sustained increase in the price of oil could be significant. On the other hand, a short-term spike would not have lasting consequences and a decline in the price of oil, long-term could have positive consequences.
- The United States will also incur costs in the current time frame for commitments it makes to allies in the war effort and, downstream, for commitments we are likely to have to make to wider regional programs for democratization or steps toward peace in Israel. Allied commitments might go as high as \$15 b., depending on the outcome of current negotiations. The costs of future commitments are unknown, but probably inevitable.

- The costs of not going to war also deserve discussion. Arguably, these could include the costs of maintaining a military presence in the region, of continuing inspections and weapons destruction, of accelerated funding to combat terrorism abroad, and high level of expenditure for homeland security.
- One must question the wisdom of a fiscal policy that is likely to face combat and post-war expenditures of this magnitude, while submitting a budget that anticipates none of them, but would aggregate \$1.8 b. of deficit between now and 2013, according to the Congressional Budget Office. Health care policy decisions and tax policy decisions need to reflect this broader fiscal reality.

THE CONSEQUENCES OF WAR

In my view, a successful war to remove Saddam Hussein and disarm Iraq will lead to our inheriting Iraq as a virtual ward, a nation for whose internal well being, security, reconstruction, and economic recovery the United States will assume primary responsibility. I am not an expert on Iraq. However, even a well-informed amateur can detect the following inheritance after a war:

- A nation, which has long suffered under repressive governance by an ethnic minority, leaving substantial ethnic divisions in the wake of the removal of that government and the risks of some trouble with its neighbors. It will not be an easy task to reassemble the pieces of governance and the risks of postwar inter-ethnic conflict are real.
- A people who have suffered humanitarian degradation over the past two decades, leaving a substantial legacy of food, health and temporary housing needs. These needs have to be addressed immediately after the war, including the extent to which they have been aggravated by that war.
- An economy devastated by war, inattention and lack of productive investment for two decades and saddled with debts, claims, and reparation demands. This is especially true with regard to oil production, which, despite substantial proven and probably reserves, has declined significantly. The Iraqi economy will require substantial economic assistance to rebuild, recover and grow.
- Some signs of hope: the oil and gas assets, properly exploited and distributed, can bring long-term benefit to the Iraqi people; a populace that is educated and capable; a long historical and cultural tradition of which they are rightly proud; and for all of its problems, a state apparatus that can function on a central basis.
- An uneasy relationship to the fact of occupation and to the occupying power. It is far from clear that the Iraqi populace will welcome the United States as a liberator, even though Saddam Hussein will be gone. The history of outside occupations in the Middle East and Gulf region is not a happy one, as the British and French have experienced. Significant cultural differences and suspicion are likely to separate the populace from the occupying force.¹

We have faced such problems before, in Europe after the Second World War, in Korea, in the Balkans and, today, in Afghanistan. Their magnitude in Iraq may be great, however, and their character will certainly be different. Iraq is not Western Europe, making the Marshall Plan a misleading template for designing programs or estimating costs. There is no lengthy history here of democracy, free movement of capital, a strong and organized industrial labor force or a long history of positive relations and ethnic ties with the United States. Nor is Iraq the Balkans where the war, while devastating, left substantial parts of these countries untouched, including many parts that had a strong tradition of industrial development. Nor, on the other hand, is Iraq the same as Afghanistan, which had virtually no central government or bureaucracy, and has precious few economic assets.²

The goal of post-conflict U.S. policy in Iraq should be tailored to the conditions of the country and the region, not imposed from some external template used in other countries or regions. Policy should aim at assisting the emergence of a viable state, capable of governing internally, disarmed of its weapons of mass destruction,

¹Regional analyst Anthony Cordesman has noted how different this scenario may be from Europe, given this history of colonial occupation, cultural clashes, and the damage caused by the war itself, among other things. Cordesman, "Planning for a Self-Inflicted Wound: US Policy to Reshape a Post-Saddam Iraq," rough draft, revision three, Washington, DC: Center for Strategic and International Studies, December 31, 2002, p.2.

²The Center for Strategic and International Studies points out that Iraq "is far from a failed state." It has a functioning government and bureaucracy and little tradition of religious fundamentalism, despite pronounced ethnic divisions. Center for Strategic and International Studies, *A Wiser Peace: An Action Strategy for a Post-Conflict Iraq*, Frederick D. Barton and Bathsheba N. Crocker, Project Directors, Washington, DC: CSIS, January 2003, p.10.

and prepared to behave in a peaceful and responsible way toward its neighbors and other countries in the world. As one experienced participant in post-conflict reconstruction efforts put it: Iraq “must be neither a basket case nor a bully” once the conflict has ended and the recovery and reconstruction task has been underway for a time.³

I want to make one other important point. The task is a large one and the United States cannot carry it out alone. War, itself, may not require substantial participation by other nations and may even be affordable, though we will not have the benefit of the substantial war subsidies we received in the first Gulf War. Succeeding at establishing the peace will require substantial participation by other countries, international institutions and non-governmental organizations.

While I do expect we will receive some cooperation in the post-war effort in Iraq, the administration’s policy process of the past few months could pose a serious problem in this regard.

While the outcome of a Security Council vote on a new resolution is not yet known, there is substantial evidence that our diplomacy and pressure, statements made by leading officials about other nations, and the clear message that the administration will proceed to war without Security Council support have all left a legacy of ill-will and mistrust among our friends and allies. Combine the manifestly less coalition-oriented nature of the pending military campaign with the apparent bitterness among friends and allies, and one has to wonder about the willingness of these same friends and allies to help us with governance and reconstruction, once the war is over. The United States could find itself carrying a substantial share of the post-war burden, in addition to the costs of the war itself.

THE TASKS TO BE UNDERTAKEN

With these statements as backdrop, let me turn to the post-war policies and costs, at least to set a range for the tasks and costs we may face very soon.

There has already been much discussion of the military campaign and the potential costs of that campaign. It is not my task to discuss the war plans or the range of cost estimates involved. Even these are somewhat hard to estimate, given the uncertainties we face with respect to force size, the duration of the war, anticipated casualties and the conditions in which the war will be fought (urban warfare, serious Iraqi resistance, use of chemical or biological weapons).⁴ The algorithms for estimating military costs are, however, reasonable well known. We have deployed forces, conducted combat and withdrawn forces many times, including one major recent experience in this theatre. Even here, we need to keep in mind that the costs of nearly every war have been misestimated (generally too low), as has the pace and outcome of the conflict itself.

In the end, one important consequence of combat operations for post-war Iraqi occupation tasks and costs will be the extent of the damage that the war leaves behind, in terms of civilian casualties, destroyed cities and residences, damaged infrastructure, and oil field destruction. War is neither pretty nor antiseptic; it is likely to leave the occupiers with a major human and economic reconstruction task.

My focus is on the legacy of war and of two decades of authoritarian rule. Administration spokespersons have spoken hopefully of the goal of establishing a democratic, peaceful, disarmed Iraq, unified and living in peace with its neighbors, almost as a “demonstration project” for the region and a deterrent to those who would wish the U.S. and its allies harm. Hope springs eternal in some American breasts, but the struggles and time it has taken to achieve political stability, democracy, and economic growth in the Balkans over the past ten years should temper our optimism. The same harsh reality is being learned day-by-day in Afghanistan, where security is uncertain, central government a phantom, and economic recovery almost non-existent. Count me among those who do not believe that Americans with the best of intentions and a fair bundle of cash can accomplish anything, especially bringing countries with a long history of living otherwise, swiftly into democracy

³Scott R. Feil, “Iraq: looking Beyond Saddam’s Rule: Setting the Conditions for Stability: the Military Role,” paper for the INSS/NPS Workshop, 21-22 November 2002.

⁴CBO, in its recent review of the President’s budget, has increased its estimated costs of deployment, combat and redeployment from its initial estimates made in September 2002. Deployment costs are now estimated at \$14 b., combat at \$10 b. for the first month at \$10 b. and each subsequent month at \$8 b, with redeployment costs at \$9 b. A two-month war, including deployment and redeployment costs would cost a total of \$41 b., using these estimates. A separate analysis, using earlier CBO data, suggested that a force of 250,000 involved in a two-month war could cost \$35 b. Steve Kosiak, “Potential Cost of A War with Iraq and Its Post-War Occupation,” Center for Strategic and Budgetary Assessments, February 25, 2003. The administration is rumored to be considering a supplemental request of over \$60 b., which may include even higher estimated costs for comparable combat.

and free markets. The tasks I describe below are likely to take a very long time and may well fail, given the problems in the surrounding social, economic and political environment.

The potential costs the United States might incur in carrying out these tasks are manifestly difficult to estimate. The Congressional Budget Office has foregone making such estimates, "even roughly, because they depend on highly uncertain decisions about future policies." Therefore, it describes such estimates as "quite speculative."⁵ You have invited me today to tread into that zone of uncertain speculation, which I do with some trepidation. For the most part there are no publicly available hard numbers for these tasks. Nevertheless, even wide ranges of estimates are useful. They bound the problem of cost, provide some sense of the scale of potential need, and may have implications for other areas of federal policy demanding budgetary resources.

In defense of the ranges I will offer, let me only say that the administration is going through the same guess work, as we speak, in the process of preparing a supplemental request to fund the FY 2003 costs of an Iraqi war, occupation and reconstruction. The administration has noticeably better resources for making such estimates than most of us in the private sector. They need to do this work, but it is unfortunate that it is being done without significant public comment or discussion, beyond what might have been said this morning.

With that caveat, let me describe the central tasks we will face and provide at least a range of potential estimates for their cost.

PROVIDING AN OCCUPYING FORCE

Unlike the Balkans, where the Europeans rather quickly provided roughly 80% of the peacekeeping forces, the United States is likely to provide the bulk of the force occupying Iraq. This is for three reasons. First, other countries, both in the region and outside it, that have been unwilling to support the U.S. military effort are likely to shy away from the task of dealing with the consequences of the war. The pool of participating nations may shrink, especially among the substantial European land forces. Second, the history of European colonialism in the region is likely to lead to some reluctance on the part of countries that have participated in Balkans peacekeeping to play an occupier role in Iraq. Third, few other countries today have a military as large as ours or as trained to the occupation mission. Over time, an occupying force must be rotated, meaning the base force at home needs to have a pool of at least twice and probably three times the size of the force deployed forward. The British are severely stretched today by the forces they have already deployed in the region. Were France and Germany to participate, their forces would be stretched as well and unlikely to compete in numbers with the United States.

In other words, despite the views put forward by some that U.S. forces can be quickly in and out of Iraq, this is unlikely. The occupying force, moreover, is likely to have quite broad rules of engagement. Over time, the American military has learned that restricting its role in peacekeeping to occasional patrols, separating large hostile forces and negotiating disagreements is just not viable. In Iraq, such restrictions on the ROI are virtually ruled out. Their mission is occupation, with broad responsibility for internal security, inter-ethnic peace, oil field security, leadership protection, special operations against remaining hostiles and terrorists, governance and control of the Iraqi military, distribution of humanitarian assistance, and, above all, scouring Iraq for and destroying weapons of mass destruction. Even this may be too limited a view of their likely mandate.

What is an occupation likely to cost? While these costs do not have direct implications for the jurisdiction of this committee, I cite estimates here because they are of consequence to the American taxpayer and the mission of occupation is intimately knitted into the fabric of post-conflict Iraq policy. Hence, if the U.S. is to bear these costs, they are part of the realistic discussion we must have on the policy. According to the Congressional Budget Office, an occupation force ranging from 75,000 to 200,000 would cost between \$1 b. and \$4 b. a month to sustain. The annual costs could be \$12-\$48 b. over the first year, depending on force size.⁶

The CBO estimates are based on the average cost of maintaining an Army peacekeeping in Bosnia and Kosovo. They need to be considered a low-end estimate, how-

⁵ Congressional Budget Office, "An Analysis of the President's Budgetary Proposals for Fiscal Year 2004," p. 4.

⁶ CBO, "Estimated Cost of a Potential Conflict with Iraq," Letter from Dan L. Crippen to the House and Senate Budget Committees, September 30, 2003, p.7. These estimates were not changed in the more recent CBO update [note later]. CBO notes that these forces would have to be rotated as well, which would be unsustainable for the U.S. Army at the level of 200,000 troops in the occupation.

ever, since the conditions of occupation, rather than peacekeeping, in Iraq are likely to be significantly more stressful and the tasks more demanding than they were in the Balkans.⁷

HUMANITARIAN ASSISTANCE

The Committee will hear other testimony with respect to the humanitarian assistance needs of post-war Iraq. These are likely to be significant. Two decades of Saddam Hussein's rule have impoverished the country to a level well below its former standard of living, including higher rates of disease and hunger. In particular, unlike the pre-Gulf War I period, a significant proportion of the Iraqi population now relies on the government for food and basic necessities.⁸

Moreover, the sanctions over the past decade have clearly been painful. For all the distribution of food and medical goods that have resulted from the Oil for Food Program, this has not reversed the decline in the Iraqi standard of living. Moreover, some part of the funds generated by oil sales have been diverted to supporting the ruling clique's standard of living.

Finally, the war itself will have potentially devastating consequences across the board. It could result in damage or destruction of much of the electrical power, communications, potable water distribution, and transportation infrastructure, a halt to oil production and sales, limits on the distribution of food and medicines, the destruction of housing and sanitation systems, traumatic injury and illness, and the creation of a sizeable refugee populations.⁹

The administration is already visibly planning for the distribution of emergency supplies, food and temporary housing, as the combat moves along and once the war is over.

The costs of humanitarian assistance will be mostly borne in the early stages of the operation, as they were in Europe after the War and in the Balkans. Assuming a cost of \$500 per person as in the Balkans, and one to two million Iraqis affected for two to four years, Prof. William Nordhaus estimates that the costs of humanitarian assistance could range from \$1 to \$10 b.¹⁰ On the other hand, a United Nations task force estimated in December 2002, that the "caseload" for humanitarian assistance could reach 7.5 million Iraqis, largely as a consequence of combat operations in a war.¹¹ The first year costs for such a caseload could be in the range of \$3.5 b.

The up front character of humanitarian assistance could mean a large administration budget request for FY2003, perhaps in the range of \$3 b. to cover the large anticipated caseload. Over time, however, this is the most likely form of assistance for international partners to provide, including the Red Cross, UNHCR, UNICEF, World Food Program, World Health Organization and the International Organization for Migration, other countries and a host of non-governmental organizations. It should be noted, however, that the international organizations are looking to the U.S. as a major provider of the funds for these activities.

COSTS OF SECURITY AND GOVERNANCE

Security, stability and long-term governance in Iraq will be the priority task, once the conflict has ended. Near-term security will come at the very top. The Center for Strategic and International Studies has identified several key, immediate tasks for the occupiers, based on experiences in the Balkans and Afghanistan and specific conditions in Iraq: putting an international security force in place for near-term policing needs, recruiting police internationally for deployment to Iraq, locating, securing, and eliminating weapons of mass destruction, establishing a transitional ad-

⁷ William Nordhaus estimates substantially higher costs, ranging from \$75 b. for a five-year occupying force of 75,000 to \$500 b. for a ten year occupying force of 200,000 over ten years. It seems unlikely, however, that the US would retain a force that size over a period that long; forces are more likely to decline along a slope toward zero, probably over a shorter period of time. In any case, the 200,000 figure is unsustainable over that period. See Gordon Adams and Steve Kosiak, "the Price We Pay," *New York Times*, February 15, 2003, p. A31 and Kosiak, above, February 25, 2003.

⁸ According to a UN task force, this proportion could reach as high as 60% of the population. See "Likely Humanitarian Scenarios," United Nations task force report, December 10, 2002, p.3. Available at <http://www.casi.org.uk/info/undocs/war021210.pdf>

⁹ Same, p.2.

¹⁰ William D. Nordhaus, "The Economic Consequences of a War With Iraq," in Carl Kaysen, Steven E. Miller, Martin B. MaIm, William D. Nordhaus and John D. Steinbruner, *War With Iraq: Costs Consequences, and Alternatives*, American Academy of Arts and Sciences, Committee on International Security Studies, Cambridge, MA, 2002, p.67.

¹¹ "Likely Humanitarian Scenarios," above, p. 4.

ministration, creating a rapidly deployable international team to provide equitable justice, and screening or demobilizing the existing police and security apparatus.¹²

These are only first steps. The United States is likely to be principally responsible, in the near-term, for governing Iraq under an occupation and facilitating a transition to indigenous government. Policy will need to focus quickly on sorting out the capabilities of the central government and on the strengthening Iraqi civil society, neither of which is an easy task. Iraq has a capable civil service, but it will require budgetary and salary support early on, as it has in Afghanistan.

In addition, the administration has repeatedly stated the ambition of bringing a democratic Iraq into being. Despite earlier rejection of such a policy, this policy will involve "nation-building" par excellence. This ambitious, perhaps unachievable goal, will require support for a fair, objective and accessible system for the administration of justice, retraining and recruitment of police, strengthening Iraqi civil society (voluntary associations and non-governmental organizations), and bringing all three major Iraqi ethnic groups fully into the governance process.

Our experience with such programs is decidedly mixed. Freedom Support Act and SEED funds included active programs for the support of both government and civil society throughout central Europe and Russia. Oversimplifying, the results of these programs have not been entirely positive (nor entirely negative). It is difficult to impose a culture of democracy on unreceptive soil and sometimes more difficult if the source of funding is seen by some in the society as suspect. Where indigenous societies have a strong history of fair justice and civil activity, such programs can take off rapidly.

After two decades of authoritarian rule and scant history of democracy, it is not clear how fertile the Iraqi soil will be to such an effort.¹³ Moreover, if the Iraqis look at the United States as an occupying power, with some fear and doubt, that concern may reflect on organizations created by American funding even if staffed and operated by Iraqis.

It will be worth making an effort of this kind, however, even if it falls short of full democratization. Creating a stronger civil society and a more transparent state bureaucracy and eliminating a repressive security apparatus can only be positive steps forward. If we are true to our words that we will be liberating the Iraqi people, the governance investment will be needed over the long-term to demonstrate even these more limited results. Moreover, germinating and growing a more democratic Iraq appears to be a core part of the "demonstration effect" the administration's policy will have on the region as a whole. There is substantial doubt that such an effect will take place. Many countries and populations are unlikely to welcome a U.S. invasion, strengthening anti-U.S. feeling in the region. Moreover, it is not clear that the terrain is fertile for democracy in many Middle Eastern countries.¹⁴

The costs of support for security and governance will be high, especially in the beginning before local tax and oil revenues are on line. Costs of supporting the salaries of the Iraqi civil service could run as high as \$50-100 m. a month at the start; the currency will need to be reprinted, technical equipment (computers, etc.) will be needed, police training and equipping will be critical, the justice system will require some cleaning out and retraining, local groups will need support in cash and in kind. It would be reasonable to assume costs of \$5 b. in the first year, tailing off over a period of five years by about a billion a year to a total five-year cost of \$12 b.

There may be some support from other countries and international organizations for such expenditures. Policing may have international support, as it has in the Balkans. The search for and destruction of weapons of mass destruction could be carried out under UN auspices, though the United States shares in the costs for these teams. When it comes to governance, salaries and democratization, it is not clear that other donor countries are prepared to take on this almost "missionary" task or to provide the fiscal support it will require.

¹² CSIS, above.

¹³ A Carnegie Endowment analysis suggests that the effort to create democracy in Iraq is a decidedly long-term task, and far from easy. To quote the document: "the idea of a quick and easy democratic transformation in Iraq is a fantasy," requiring the United States "to engage in nation-building on a scale that would dwarf any other such effort since the reconstruction of Germany and Japan after World War II." See Marina Ottoway, Thomas Carothers, Amy Hawthorne and Daniel Brumberg, "Democratic Mirage in the Middle East," Policy Brief no. 20, Washington, DC: Carnegie Endowment for International Peace, October 2002, p.2.

¹⁴ The Carnegie analysis notes that "the Middle East today lacks the domestic conditions that set the stage for democratic change elsewhere." Above, p.3.

ECONOMIC AND SOCIAL RECONSTRUCTION

The long-term effort to reverse the devastating effects of two decades of authoritarian rule, sanctions and war on the Iraqi economy will be an enormous challenge. While Iraq is not a regional economic powerhouse, it has the capacity to become one, with substantial oil and gas resources and the capacity to export petroleum products. Over time, with adequate oil exports, the country should be able to raise the standards of living, health and education of the populace.

Iraq is very far from this optimistic goal today. The Iraqi economy has deteriorated over the past two decades, with GDP per capita now substantially lower and the bulk of the population dependent on state handouts. As I will note shortly, the oil industry has declined over the same period of time and, yet, remains almost the only source of export earnings for the Iraqi economy.

An important subset of the reconstruction issue is the matter of Iraq's international sovereign debt, international claims, potential reparations costs and contract claims. At more than \$62 b., Iraq sovereign debt is very high, compared to its GDP, one of the highest in the world.¹⁵ In addition, according to the CSIS analysis, unsettled claims against Iraq submitted to the UN Compensation Commission total \$172 b. and another \$27 b. remains to be paid on already settled claims. Beyond that, the Iran-Iraq war has given rise to \$100 b. in reparations claims. Finally, Iraqi contracts pending with various foreign countries come to an estimated \$57.2 b. One-by-one, these financial "overhangs" will have to be dealt with—through rescheduling or renegotiations—if Iraq is to have sufficient resources to invest in its own reconstruction. The good will of other nations will be essential for the U.S. to lead in resolving the problem.

The task of rebuilding and growing the Iraqi economy will take time and significant resources. Citing a UN report on the costs of restoring Iraqi infrastructure to its prewar level after 1991, William Nordhaus estimates that overall reconstruction costs could be \$30 b. in current year dollars. He arrives at roughly the same number using a capital output ratio for oil countries, which he calls the "minimal rebuilding needs in postwar Iraq."¹⁶ More ambitiously he suggests that a Marshall Plan for Iraq could cost as much as \$75 b., assuming it would take six years. As noted, however, the prospects for success in spending Marshall Plan levels of resources on Iraq are minimal, given the dramatic differences in levels of economic development and political and societal organization between Europe and Iraq. Similarly, a Council on Foreign Relations working group has estimated that economic reconstruction in Iraq could cost between \$25 and \$100 b.

The United States cannot shoulder costs of this magnitude. Ideally, other organizations such as the United Nations Development Program, the World Bank and the Asian Development Bank can play an important role, as well as the European Union. U.S. international leadership in this effort will require intensive and careful cultivation of other nations and international organizations, or the U.S. could well be left with the lion's share of reconstruction assistance.

OIL REVENUES AS A SOLUTION

The availability of Iraqi oil revenues has suggested to some that Iraq, itself, may generate the resources to fund the reconstruction task, relieving the U.S., other nations and international organizations of the responsibility. This expectation is likely to be illusory, however. Oil revenues generate something around \$10 b. a year for the Iraqi economy, down from previous highs. Production has fallen from a peak of roughly 3.5 million barrels per day (bpd) to roughly 2.8 million bpd. Moreover, one immediate consequence of combat will be the shutdown, and possibly severe damage to this capacity. Depending on the level of damage, it could take several years to restore the oil fields to their current level of production. Industry analysts and experts believe that much of the revenue from the oil fields will be needed simply to repair, rebuild, and upgrade the oil industry infrastructure to pre-1990 levels, and the effort could take from 1.5 to 3 years.¹⁷

¹⁵ CSIS, above, p.23.

¹⁶ Nordhaus, above, p.66.

¹⁷ This is the estimate of the Joint Council on Foreign Relations/Baker Institute working group. See *Guiding Principles for U.S. Post-Conflict Policy in Iraq*, Report of an Independent Working Group cosponsored by the Council on Foreign Relations and the James A. Baker III Institute for Public Policy of Rice University, Edward P. Djerejian and Frank G. Wisner, Co-Chairs, New York: Council on Foreign Relations, 2003, pp.19-20. Cordesman, above, and the CSIS report both agree with the conclusion that oil revenues are at best inadequate, given the variety of needs to which they might be put.

It is clear that there is significant long-term promise in the Iraqi oil fields. Only 17% of the 74 proven fields of reserves have been exploited and probable reserves would make the Iraqi oilfields the second largest reserve in the world after Saudi Arabia. It will take substantial investment over some years, however, to exploit those reserves. The Council on Foreign Relations working group estimates that this investment, alone, will require \$30-40 billion in investment, setting aside the roughly \$25 b. needed to upgrade current export capacity and restore the Iraqi electricity grid to its pre-1990 level of capacity.

The oil revenues that exist today are likely to be used in the oil fields, with some left over for claims settlements and humanitarian assistance. Longer-term, some have argued, resources will grow with major increases in production, perhaps to the 6 million bpd level. Even this estimate must be treated with caution. Iraq was a founding member of OPEC and is likely to remain in OPEC. Production quotas will limit Iraq's ability to grow its production at the rate some expect. Were Iraq to leave OPEC and enter the open market, moreover, its oil exports would be likely to depress international oil prices. While this may be good news for oil importing countries, it would depress revenues realized from increased production.

THE ECONOMIC COSTS OF A WAR

The question of oil takes me to another potential cost of an invasion of Iraq—the impact of war on oil prices and the impact of oil prices on the U.S. and global economies. There is no question that even the prospect of war in Iraq has had an impact on oil prices, which are already nearing \$40 per barrel. A war itself, most economists seem to agree, will spike oil prices even higher. Part of this spike would reflect simple market fear; part could result from significant damage to the Iraqi oil fields as a result of combat. The cost to the economy of that spike will depend on how long prices stay high.

Economist William Nordhaus uses a Brookings Institution study on oil market shocks to estimate that if oil prices should rise to \$75 per barrel over a year, there could be as much as a \$778 b. cost to the U.S. economy over the next decade as productivity slowed down and the economy reentered a recession. On the other hand, if the war were short, Iraqi production were not significantly curtailed, and oil prices fell back to pre-buildup levels, the impact on the economy could provide a small positive lift of \$40 b. to the GDP over the next decade.¹⁸

More broadly, the economy could respond to war fears by sliding into a recession anyway, independent of oil prices. There are many causes of a recession, however, which has been with us for some time. Nordhaus argues that the economy may have already discounted the impact of a war, along with other negative economic news over the past year.¹⁹ If the war is quick and the oil price rise brief, economic performance could actually improve later in the year. On the other hand, if the war is extended, oil fields are burned and the regional reaction is negative to violent, the economy could return to negative growth.

In either case, the impact of changes in defense spending itself are likely to have only a marginal impact. Defense as a share of U.S. GDP has declined from 5-7% levels of two decades ago to roughly 3.4% of GDP today. The marginal change as a result of an additional \$100 b. in defense spending is a very small fraction of GDP, with minor consequences for the economy.

WIDER BUDGETARY COSTS AND ISSUES

Support for Allies

One budgetary cost that has not been disclosed or even fully estimated is the cost of additional foreign economic and military assistance to countries that would support the U.S. war effort. Newspaper reports have rather fully discussed a potential \$6-10 b. package of economic and military assistance for Turkey, should the Turks agree to provide staging areas for U.S. force invading Northern Iraq. There have also been discussions of assistance to other cooperating states, including Jordan and Israel, which could range from \$2-5 b. beyond current budgets.

Wider Regional Programs

This item falls in a far more speculative category of spending. If a program is instituted to change Iraqi politics, there is every possibility that such efforts will be expanded beyond current budget forecasts to other countries in the Middle East region. If the region accommodates an invasion and occupation willingly or, for that matter, if it does not, there may be a broad expansion of U.S. public diplomacy pro-

¹⁸ Nordhaus, pp.70-71

¹⁹ Nordhaus, p.75.

grams in the region to support the policy the U.S. is pursuing or persuade others of its benefits. Such efforts will also require additional resources, beyond those currently budgeted, but no clear estimate can be made at this point.

Another regional program might be significantly greater U.S. involvement in the outcome of the Second Intifada and Israel/Palestine relations. Regional specialists suggest, with reason, that the governments and populace in the region see the Israel/Palestine conflict as directly tied to broader regional issues. The credibility of U.S. efforts to disarm Iraq and change the regime will clearly be linked to how willing the administration is to engage this related issue. The administration has recognized this connection, albeit only briefly, but should the U.S. engage, there is almost certain to be an outcome which includes additional U.S. spending, either for economic or military assistance or, as some have suggested, to support a U.S. military presence as part of a peacekeeping force in that part of the region.

THE COSTS OF NOT INVADING IRAQ

These potential costs deserve discussion, though they have received little analysis to this point. If the United States were to stand down in the current confrontation, the administration would need to estimate and budget for the costs of maintaining force in the theatre, without combat, which might be similar to the costs of an occupying force. The costs of on-going inspections would need to be estimated, including a U.S. contribution. The administration might well argue that the costs of allowing Saddam Hussein to proceed with his weapons programs and policies in the region also need to be estimated, including the long-term consequences for stability, terrorism and even oil prices of allowing him to acquire weapons of mass destruction. They might also point to the potential costs of withdrawing U.S. forces from a region grown increasingly hostile to the U.S. military presence and the costs of a continued high level of investment in anti-terrorism operations and homeland security measures, given continued support for and growth of terrorism emerging from this part of the world. I cannot estimate these costs, nor can the administration, but some of them may be the result of a different policy.

THE BUDGETARY IMPACT OF POST-WAR IRAQ POLICY

I would be remiss as a budget analyst if I did not comment on the question of whether the federal budget can support the budgetary costs I have outlined above. As many of these costs are expressed in ranges, I will not add them together to provide one single rollup figure. But these are costs over and above current estimates of spending, hence they will most certainly add to the federal deficits projected into the future.

The Congressional Budget Office has just released its analysis of the President's budget. Perhaps most important is the increase in the deficits projected for FY 2003 and FY 2004, which would rise to \$287 b. and \$338 b. in those years. According to CBO projections, budget deficits would remain negative throughout the next ten budget years, with a shift in cumulative deficits over that time from an OMB-projected cumulative surplus of \$891 b. to cumulative deficits of \$1.8 trillion dollars over the ten years.²⁰ The out-year numbers in these forecasts are frequently, and rightly, suspect. The near-term numbers show deficits reminiscent of the 1980s and early 1990s. The proposed budget does not include any of the costs I have discussed in this testimony, which would further increase the projected deficits. Nor does it include any CBO re-estimate of the budgetary consequences of Medicare reform, or the potential costs of a prescription drug benefit program or extension of Alternative Minimum Tax changes past FY 2006.

In sum, deficits are likely to be high and go higher. This broader budgetary impact is not necessarily an obstacle to the administration's policy. It does deserve discussion, however, as the administration's policy is being considered. With some sustained economic recovery, higher deficits could well lead to higher interest rates and a squeeze on capital availability. If any of these consequences are likely, it may make sense for the tax policies proposed by the administration to be put on hold.

CONCLUSION

I again commend the committee for this hearing. It is vital to understand the long-term consequences and the fiscal implications of those long-term policies for the U.S. taxpayer. For this Committee, the Congress and the country, what follows a war will be even more important than the war itself. Ensuring a disarmed and

²⁰ CBO, *An Analysis of the President's Budgetary Proposals for Fiscal Year 2004: An Interim Report*, Washington, DC: CBO, March 2003, Table 1, p. 17.

peaceful Iraq and a peaceful region is an important, if ambitious policy goal. Without serious planning and fiscal commitments, however, we could win this particular battle and be worse off in the long run.

Our most important need in a post-war Iraq world is a broad community of support for the effort that needs to be made. The United States cannot achieve its aims alone. What concerns me most is that the diplomatic strategy leading up to the war may have seriously alienated nations we will need for the post-war effort. The consequence could be that we face these major long-term tasks with less international support than they require.

The CHAIRMAN. Ms. Mitchell.

**STATEMENT OF SANDRA MITCHELL, VICE PRESIDENT OF
GOVERNMENTAL RELATIONS, INTERNATIONAL RESCUE
COMMITTEE, WASHINGTON, DC**

Ms. MITCHELL. Mr. Chairman, members of the committee, thank you for the opportunity to talk to you today about the state of the humanitarian response to the consequences of military action against Iraq.

I have submitted my statement for the record, and will take this opportunity to briefly highlight four issues requiring immediate action to improve the state of preparedness. They are access, funding, coordination, and plans to avoid humanitarian crises after a war and during a U.S.-led occupation.

First, access; the humanitarian community must have unhindered access to Iraq and its border countries to strengthen response capacity. Non-governmental organizations and faith-based organizations do the heavy lifting during an emergency. We build the refugee camps, we provide fresh water, distribute food and medicine, and then we help rebuild communities when the fighting stops.

The U.N. high commissioner for refugees, UNICEF, the World Food Program, WHO, USAID, the European Union, and other donors depend on us as their implementing partners. And when they look around Iraq and the border countries right now, they see very few operational NGOs.

The United Nations and U.S. sanctions have kept all but a handful of NGOs out of Iraq and the region. For the past 6 months, the International Rescue Committee and other NGOs have been waiting for the U.S. Government to grant licenses that would allow us to conduct emergency planning answers to interrogatories inside Iraq and Iran. These licenses are only now forthcoming and they are restrictive. They do not allow humanitarian agencies to freely assess conditions on the ground and then take whatever actions we deem are required.

Given the overall inadequate state of humanitarian preparedness, such licensing procedures are obstructive and must be suspended to facilitate our unhindered access to Iraq before, during, and after any intervention.

The government of Iraq must also grant unhindered access to humanitarian relief agencies. Iraq is currently obstructing aid preparation by denying visas to aid workers and delaying imports of relief supplies.

Second, resources. Less than \$1 million has been spent by the U.S. Government to support non-governmental agencies who will

do most of the work to aid refugees and displaced persons in Iraq if war comes.

Less than \$1 million to support American organizations preparing to respond to the humanitarian consequences in a war backed by 250,000 American soldiers with grave risk to their own lives if weapons of mass destruction are released.

The United Nations and the humanitarian communities are struggling to put in place the kind of operational and logistical framework that can support relief efforts if populations inside Iraq flee, either from fear, from attack, or from weapons of mass destruction.

Having received less than \$1 million from the U.S. Government, NGOs are having to rely on the generosity of private contributions from the American people. Unfortunately, these alone are not sufficient.

Funds have not been available from the United Nations or other traditional donors either. The U.N. funding appeal for its own contingency preparedness remains unfilled, so the U.N. has no ability to boost the capacity of its implementing partners. Where is the Iraq supplemental? Where are the funds needed right now to meet the needs of Iraqis if war breaks out?

The humanitarian funding must be de-linked from the political and military issues of war. USAID and the State Department's Bureau of Population Refugees and Migration traditionally work with the United Nations and the humanitarian community, and their offices provide funding for the care of refugees and displaced persons in countries all over the world.

These funding mechanisms must now come online quickly. We finally heard from the administration last week when aid agencies were asked to submit operational concept papers. The filing deadline was yesterday, but where is the funding?

New money is needed for the humanitarian consequences in—of Iraq—of war in Iraq. It would be wrong to scrub existing humanitarian accounts when there remains urgent, unmet humanitarian needs throughout the world.

More de-linking of the humanitarian plans from the war plans is required to save lives. I understand that USAID must coordinate with the military and rely on ground forces to provide security, and that this government's humanitarian response will likely have a military flavor. That is not an uncommon response for a country planning for war. But the same military tint must not color the response launched by the international and humanitarian aid communities.

More funding must be spent now to support the humanitarian efforts of the United Nations and its implementing partners, or insufficient response capacity will remain in place.

Third, on the issue of coordinating relief efforts, it must be noted that a humanitarian crisis already exists in Iraq. For more than a decade, the world's largest humanitarian relief effort has been underway through Iraq.

The United Nations Oil for Food Program has been the life line for 60 percent of the population or an estimated 16 million people. This is a massive distribution network for food and medicine, with more than 46,000 distribution points.

In the event of military action, the United Nations will withdraw international staff, interrupting the oil for food system, which can quickly collapse, if the food supply pipeline or the distribution is then disrupted by war.

Maritime insurance rates are already spiking and risks increase daily for food shipments navigating their way to Iraqi ports past the U.S. naval fleet and ground forces.

The United Nations' top humanitarian official for Iraq said 2 weeks ago that food stocks and supplies being prepositioned are not sufficient for the known needs of Iraq.

Iraq's emergency response capacity will weaken during conflict and cannot provide for the humanitarian needs of its 25 million people.

U.S. planning has so embedded humanitarian tasks and activities with the military war plan that vital information remains classified and meaningful dialog continues to be muffled and one-directional. Coordination of relief efforts is best handled by civilians and preferably on a multilateral basis by the United Nations.

Coordinating a humanitarian response must also be de-linked as much as possible from any planned response against Iraq. Recently, the administration stated its willingness to separate the humanitarian issues from the political issues facing North Korea. The same should be done for Iraq. This is best accomplished by U.S. support for all necessary actions that grant the United Nations clear authority for coordinating and mounting a humanitarian response that is inclusive of its implementing partners.

I would like to emphasize this point and explain from the humanitarian community's perspective why U.N. authority and civilian oversight of humanitarian activities is so important.

First, the military should do what it does best, fight wars. And the humanitarian organizations should do what we do best, care for civilians and deliver assistance to those in need.

Second, humanitarian assistance must be provided on an impartial basis to ensure that all civilians in need, regardless of race, creed, nationality, or political belief, have fair and equal access to aid. The United Nations is clearly more independent and impartial than any one party to the conflict; and, therefore, should coordinate and direct relief efforts.

And, third, confusing humanitarian and military activities carries great security risks for those delivering assistance. Aid workers, obviously, are not armed. We cannot defend ourselves and we must never be mistaken for members of the military. Their lives depend on this.

On this point, I would like to call your attention to the continued abduction of Arjan Erkel, a Dutch humanitarian worker abducted 7 months ago in Dagestan. We see Mr. Erkel's case as part of an increase in violence against civilian populations and against humanitarian aid workers trying to assist victims with relief. Please join the humanitarian community in asking the Russian authorities to give their highest political commitment to assure the release of Mr. Erkel.

I would like to conclude with some steps that the United States must be prepared to take to avoid humanitarian crises after war.

We have seen no plans on how the Bush administration plans to protect Iraqi civilians after an intervention and while transitional institutions are being stood up. The U.S. Government should be formulating plans now to transfer power as quickly as feasible to legitimate civilian structures in Iraq.

The Fourth Geneva Convention, of which the United States is a signatory, sets forth essential steps that occupying powers must take in order to avoid humanitarian crises. These steps hinge on the United States protecting the rights of Iraqi civilians in Iraq in the same way it does for Americans here. These duties are obligatory upon first contact with Iraqi civilians and they require much more than providing the basic needs of food, water, and shelter.

Grave humanitarian concerns will continue to befall Iraq the day after the regime falls. Of critical importance to any provision of humanitarian aid for Iraq is public order and security. The delivery of humanitarian assistance cannot be assured in areas that are not secure.

As Saddam's regime falls, the internal security framework will collapse and conditions for lawlessness and impunity will ripen. Security vacuums will then appear.

Under the Geneva Conventions, the United States will have the duty to restore and ensure public order and safety in Iraq. This duty requires the United States and its allies to use their own personnel to provide a safe environment and ensure public order as they advance into Iraq. These forces must transition quickly to policing functions and fill a security vacuum that exists to provide no space for reprisal and revenge.

The Geneva Conventions also require the United States to promote the rule of law and ensure that basic judicial and due process guarantees exist for all Iraqis. As a signatory of the Geneva Conventions, the United States will be expected to fulfill all these obligations.

It will be critical that U.S. forces correctly identify and protect vulnerable populations and communities that may be most at risk. USAID disaster assistance response teams and the Office of Transition Initiatives are well suited to identify and assess the immediate protection needs of the Iraqi population, and they should be encouraged to do so.

I understand that Senator Biden is crafting legislation to address the protection needs of women and children in armed conflict. I would urge the committee members to support this legislation because it will focus USAID and the State Department's response to the protection needs of conflict-affected populations, which are equally as important as food and shelter.

My final comment concerns the state of preparedness for responding to the humanitarian consequences of weapons of mass destruction. I am afraid nothing has really been done to coordinate a planned response to help Iraqis if weapons of mass destruction are released upon them. There is no capacity in the international and/or American humanitarian community to respond to emergencies involving weapons of mass destruction. We do not know what the capacity is of the U.S. military to help in such a case. A serious discussion of this question remains to be held.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you very much, Ms. Mitchell, for that very important testimony.

[The prepared statement of Ms. Mitchell follows:]

PREPARED STATEMENT OF SANDRA MITCHELL, VICE PRESIDENT, GOVERNMENT
RELATIONS, INTERNATIONAL RESCUE COMMITTEE

The International Rescue Committee (IRC)¹ continues to advocate for a peaceful resolution to the Iraq crisis. Nevertheless as a humanitarian organization we must take prudent, preparatory measures to meet the humanitarian consequences of a conflict. In that regard, the IRC remains concerned about the lack of preparedness for emergency relief operations and reconstruction efforts if they are required for Iraq.

I. HUMANITARIAN NEEDS ALREADY EXIST

A. Current Situation. The starting point for contingency planning begins with an already bleak humanitarian situation in Iraq. The United Nations' statistics are well known:

- one million children under the age of five are chronically malnourished;
- five million Iraqis lack access to safe water and sanitation;
- 60% of the population or an estimated 16 million Iraqis are dependent on the UN Oil-for-Food Program for their food rations.²

Assuming there are no population movements, household food reserves are expected to last for no more than six weeks if the pipeline breaks. Economic hardship is already driving many poor families to sell extra food rations distributed by the regime in anticipation of war.³ Water treatment and electric generation plants are in disrepair, and hospitals and clinics suffer from chronic shortages of medicines and equipment. If populations do move, then in addition to food and medicine, sanitation, safe water and diarrhea-control programs will be essential to prevent death.⁴ The UN Oil-for-Food Program is the single largest humanitarian assistance effort underway in the world, and it has existed in Iraq for more than a decade. Any military intervention will further shock and disrupt the fragile humanitarian condition of Iraq.

B. Inadequate Response Capacity in Iraq. The current state of emergency preparedness in Iraq is cause for alarm. Estimations are that there are less than 20 international humanitarian non-governmental organizations (NGOs) in Iraq. While more than that number have attempted to carry out assessment missions, few NGOs have been able to establish an operational capacity inside Iraq during the last 6 months. This is due to sanctions, both UN and U.S. for American NGOs, a lack of funding, difficulty in obtaining visas from the regime and the expenditure of private resources to other more immediate crises around the world. Many of the international agencies with emergency capacity in Iraq are expected to withdraw staff in the event of a military intervention—this includes the United Nations. The International Committee of the Red Cross (ICRC) and a handful of aid agencies are preparing to stay during a conflict but only the ICRC has amassed significant supplies and resources for such contingencies. Although ICRC will reduce its international staff by 50% in the event of conflict they have pre-positioned food and non-

¹Founded in 1933, the International Rescue Committee is one of the world's largest nonsectarian nonprofit organizations, providing global emergency relief, rehabilitation, protection, resettlement services and advocacy for refugees, displaced persons and victims of oppression and violent conflict. The IRC, which currently provides assistance in some 30 countries, is committed to freedom, human dignity, and self-reliance.

²For a comprehensive discussion on the Oil-for-Food Program and health of the Iraqi population see: "Health and Human Rights Consequences of War in Iraq: A Briefing Paper" Physicians for Human Rights, 14 Feb 03. <http://www.phrusa.org/research/iraq/021403.html>

³UN Press Briefing on Humanitarian Preparedness Planning for Iraq, 13 Feb 03 (Under-Secretary General).

⁴Yip, R., Sharp, T.W., Acute Malnutrition and High Childhood Mortality Related to Diarrhea—Lessons Learned from the 1991 Kurdish Refugee Crisis, JAMA, Vol. 270, Issue 5, pp. 587-590, August 4, 1993. In March of 1991, fearing further persecution from the Iraqi Army, approximately 500,000 Kurds fled toward Turkey. From March to May 1991, the leading causes of death for Kurdish children under 5 in the mountain camps along the Turkey-Iraq border were diarrheal disease, dehydration and malnutrition. These diseases represented 75% of the total under-5 mortality. One of the lessons learned from the 1991 Kurdish refugee crisis is that "adequate food and basic medical care may not be sufficient to prevent high morbidity and mortality where sanitation, safe water and diarrhea-control programs are lacking." (p. 590)

food supplies in Iraq and the border countries for several hundred thousand internally displaced persons.

The Iraqi national NGO capacity is modest in size and scope. National NGOs have increased in the north but tend to focus on development-oriented projects and thus will need enhanced capacity for any relief operation. The Iraqi Red Crescent Society is operational countrywide and, while strongly influenced by the government, does provide a network for assistance and capacity building activities. Some response capacity exists in neighboring states, though serious questions remain as to the depth and humanitarian commitment of existing plans. In northern Iraq, local *de facto* Kurdish authorities have engaged in emergency preparedness and their structures can be utilized in any response. Despite repeated pleas however for the pre-positioning of emergency relief supplies, the *de facto* authorities have received very little international assistance—this again is the result of sanctions. Great uncertainty surrounds any potential humanitarian response by the Iraqi government, and thus the Iraqi government's response capacity is not factored into contingency planning until a post-conflict stabilization period.

II. INADEQUATE HUMANITARIAN PREPARATIONS FOR WAR

A. Bush Administration's Plan. Several weeks ago the Bush Administration unveiled six principles underpinning its humanitarian relief strategy. IRC generally agrees with these principles: minimizing civilian displacement and damage to civilian infrastructure; relying on civilian relief agencies; committing to effective civil-military coordination; facilitating the operations of international organizations and NGOs; pre-positioning relief supplies; and supporting the resumption of the UN Oil-for-Food Program. While the principles are fine, we remain concerned about the lack of resources and action taken to implement them.⁵ As discussed below, an immediate humanitarian response cannot be mounted for Iraq given the inadequate state of preparedness of the international and non-governmental agencies—the same agencies that the Administration's strategy is relying on.

B. United Nations Preparations. UN contingency planning is based on a "medium case" scenario that assumes a conflict would severely disrupt critical infrastructure and the Iraqi government's capacity to deliver basic services and relief, including food rations delivered under the Oil-for-Food program. This planning scenario calls for the evacuation of all UN international staff and the suspension of UN programs at the outbreak of conflict. Shortages of fuel and power in urban areas would shut down water and sewage treatment plants. Up to half of the population would be without access to potable water and up to 10 million people may require food assistance during and immediately after a conflict. Up to two million people may become internally displaced, while between 600,000 and 1.45 million asylum seekers may flee towards neighboring countries.⁶

UN agencies are pre-positioning stocks of essential relief items and fielding emergency response personnel to the region. Food sufficient for 250,000 beneficiaries has been pre-positioned for ten weeks (less than a planned WFP target figure of 900,000 for pre-positioning purposes). Water and sanitation supplies have been stockpiled for 300,000 people inside and outside Iraq. Emergency health kits have been pre-positioned by UNICEF for some 900,000 women and children inside Iraq. In addition, WHO has pre-positioned emergency health kits for 240,000 people for three months outside Iraq. Winter kits, including shelter material, have been pre-positioned by UNHCR for a displaced population of 118,000 (against a potential refugee caseload of 600,000). The ordering and pre-positioning of supplies by UN agencies continues.⁷

Despite this planning the UN's top humanitarian official for Iraq, Ramiro Lopes da Silva, said recently that Iraq's near-total dependence on government food rations means that a massive and immediate humanitarian relief operation would have to be mounted to prevent widespread starvation. Although current plans call for the U.S. military to stockpile 3 million daily rations and the UN World Food Program to store food for 900,000 people for 10 weeks, he said these efforts would not be sufficient to satisfy the need.⁸ UN preparations continue to be hampered by a lack of funding. UN appeals totaling more than \$200 million remain unfulfilled despite pledges by the United States and a handful of other donors. The perception that the

⁵For a further analysis of the implementation of the Administration's principles see: "U.S. Announces Intention to Rely on Civilian Relief Agencies for Humanitarian Response to Iraq," Refugees International 27 Feb 03. <http://www.refintl.org/cgi-bin/ri/other?occ=00612>

⁶U.N. Funding Requirements for Humanitarian Preparedness Measures, 14 Feb 03.

⁷*Id.*

⁸"U.N. Official Warns Of Iraqi Food Crisis" The Washington Post, 28 Feb 03, page A18. <http://www.washingtonpost.com/wp-dyn/articles/A13499-2003Feb27.html>

U.S. government will act unilaterally against Iraq has greatly chilled humanitarian donations to the UN and to NGO relief agencies.

C. American NGO Preparedness. The American NGO community, with a few exceptions, is largely absent from Iraq. Only a handful of American NGOs have permission to operate in government-controlled Iraq and these are not the nation's largest relief agencies. Those that are present must deal with a lack of donor funding as well as continual government obstruction and restriction on their activities. In the north, there is more NGO activity and a better relationship with the authorities. However, agencies are hampered by limited access to the area. They are considered illegal entities by the government in Baghdad and must travel in and out via neighboring states and this has been greatly curtailed in recent months. Unlike Kosovo and Afghanistan, American NGOs have relatively little presence in the region and would not be able to mount a fast and significant response from neighboring countries. Moreover, U.S. sanctions against Iraq forbid American NGOs from traveling to Iraq and from providing humanitarian assistance in Iraq and Iran. Efforts by long established American humanitarian NGOs to obtain meaningful exemptions from the sanctions have so far been largely unsuccessful.

American NGOs operational in Iraq have made some contingency plans for shifting into emergency mode. In Iran, Kuwait,⁹ and Jordan some American NGO planning and coordination is taking place but it is deemed inadequate by humanitarian advocates. IRC is part of an NGO consortium, funded by USAID/OFDA, that has set up a shared logistical base in Jordan. Total funding for the five NGOs members of the consortium is approximately \$900,000. With this exception NGOs are relying on their own private contributions to mount a response. Although the U.S. government has solicited and is accepting humanitarian aid proposals from NGOs critical funds are not yet forthcoming.

The European Union, the UK's Department for International Development and other traditional NGO donors have not yet released contingency or preparedness funds to American NGOs. Some donors have told IRC that they are reluctant to release funds because they do not want to be perceived as supporting the U.S. war effort or signaling that war is inevitable. Some U.S. private foundations have cited similar reasons for denying funding for Iraq contingency activities.

D. No Planned Response to Weapons of Mass Destruction. Another critical question remains unanswered. Who will assist the Iraqi people if there is a release of weapons of mass destruction? The NGOs have no capacity to respond to immediate needs although they may be able to assist fleeing populations assuming an absence of infection or contagions. The UN and ICRC similarly have little if any capacity to respond if weapons of mass destruction are released. What is the capacity of the U.S. military to help in such a case—a serious review and discussion of this question is still outstanding.

E. Poor Coordination. The issue of coordinating a potential humanitarian response for Iraq currently evokes emotion and frustration from all actors involved in contingency preparations. This is largely the result of U.S. planning that has so embedded humanitarian tasks and activities with the military war plan that vital information remains classified and meaningful dialogue continues to be muffled and one-directional. From the perspective of the humanitarian community the coordination of emergency relief activities is best handled by civilians and preferably on a multilateral basis by the UN. Simply put, the UN is able to operate with more independence and impartiality than any one party to a conflict. IRC remains concerned that humanitarian coordination led by the U.S. military (including USAID which will be embedded with the military) will continue to chill the participation of humanitarian NGOs and non-American donors and this could have devastating effects for the Iraqi people.

Traditional structures are being established to facilitate coordination. The U.S. military and the Kuwaiti government have established a Humanitarian Operations Center (HOC) that will serve as a point of contact for humanitarian actors to deconflict logistical activities, exchange information and garner vital security information. The UN has established a temporary humanitarian coordination office in Cyprus, incorporating a Joint Logistics Center, a Humanitarian Information Center and joint air services and communications arrangements to ensure connectivity with field offices in the region and in Iraq.

InterAction (a coalition of 160 American NGOs) organized an Iraq Working Group in October that holds weekly meetings with USAID and State/BPRM. It must be stressed that to date these meetings have largely focused on the obstacles and challenges facing the American NGO community in mobilizing an emergency response

⁹“Unready: The View from Kuwait,” Refugees International, 3 March 03. <http://www.refugeesinternational.org/cgi-bin/ri/bulletin?bc=00497>

to Iraq. Again, because the U.S. government's humanitarian plans are so interwoven with the war plans much of the discussion at these meetings has been one-way. This has at times frustrated U.S. government officials as well as the NGOs.

F. Impact of Minimal NGO Presence. UN agencies are dependent on implementing partners, and when they look around Iraq and the border countries they see very few NGOs present. USAID and the large Disaster Assistance Response Team being assembled is similarly dependent on implementing partners, and they too see very few NGOs poised and prepared to respond if military action is taken. The U.S. military cannot be relied upon to satisfy the humanitarian needs of the Iraqi people. They are neither trained nor equipped to do so on the scale that may be required. Their involvement should be as a last resort and then only under civilian command. As the situation now stands, NGOs and the humanitarian community they comprise have been marginalized in the build up to war. Relations between American humanitarian NGOs and the U.S. government continue to deteriorate as we remain largely sidelined by sanctions and an absence of resources.

Any humanitarian relief operation can only be effective if NGOs are positioned and ready to implement life saving activities in partnership with the United Nations and other donors. As described above, it is IRC's opinion that emergency relief NGOs are largely unprepared for war in Iraq and efforts to mobilize them in the region lag far behind war preparations.¹⁰

III. IMMEDIATE ACTION TO SAVE LIVES

- *Unhindered Access for Humanitarian Agencies.* The U.S. government must facilitate the access of international and American assistance into Iraq before, during and after any planned intervention. The U.S. should immediately suspend licensing requirements for humanitarian NGOs to operate in Iraq and Iran.
- *Resources.* Unless more funding is provided to the UN and humanitarian NGOs the needs of Iraqi civilians cannot be met in the event of war. It must be stressed that humanitarian funding provided to date by the United States is for contingency activities only; the costs and plans for an actual response are so interwoven with the military war plans that they remain classified. Any funding provided must be "new funds" and not be at the expense of other humanitarian needs around the world. Oversight is critical to ensure that existing humanitarian accounts are not scrubbed for Iraq.
- *Discuss Humanitarian Plans.* De-classifying the humanitarian annexes to the war plans will enable the United Nations and NGOs to identify gaps and better prepare for life saving relief operations.
- *UN Authority.* The political, military and humanitarian issues surrounding future action in Iraq must be delinked. Coordination of humanitarian activities should be led by the United Nations. The U.S. government should support all necessary actions that grant the United Nations authority for humanitarian actions.
- *Border Countries.* If there is military action against Iraq the potential for population movements is high. Accessing these countries will be essential for fleeing refugees and humanitarian aid agencies. The U.S. government must take all steps to ensure that border countries accept refugees and allow humanitarian agencies unhindered access to provide life-saving assistance.

IV. STEPS TO AVOID HUMANITARIAN CRISES AFTER WAR

The United States has stated its intention to occupy Iraq until power can transfer to transitional or democratic structures. The United States should be formulating plans now to transfer such power as quickly as feasible to legitimate civilian structures. The Fourth Geneva Convention, of which the U.S. is a signatory, sets forth essential steps necessary to avoid humanitarian crises by requiring that the United States, as an occupying power, protect and assist the civilians of Iraq. This means that the United States must be prepared to provide for and protect the rights of Iraqi civilians in the same way it now does for the American people. These duties attach upon first contact with Iraqi civilians and they mean much more than providing food, medicines and shelter.

In addition to the immediate humanitarian concerns facing Iraq and those related to population movements resulting from any military strike, grave humanitarian concerns also surround Iraq the "day after" the regime falls. Of critical importance

¹⁰"Avoiding a Humanitarian Catastrophe in Iraq" Refugees International, 5 Feb 03. <http://www.refugeesinternational.org/cgi-bin/ri/bulletin?bc=00487>

to any provision of humanitarian aid for Iraq is public order and security. Delivery of humanitarian assistance cannot be assured in areas that are not secure. As Saddam's regime falls, the internal security framework will collapse and conditions for lawlessness and impunity will ripen. As an occupying power the United States will have the duty to restore and ensure public order and safety in Iraq. This duty requires the United States and its allies to use their own personnel to provide a safe environment and ensure public order as they advance into Iraq. These forces must transition quickly to policing functions and fill any security vacuum that exists to leave no space for reprisal and revenge. Similarly, the United States as an occupying power must promote the rule of law and ensure that basic judicial and due process guarantees exist for all Iraqis.¹¹ As a signatory of the Geneva Conventions the United States will be expected to fulfill all obligations therein.

The Ba'ath party has been a bloody regime. High crimes and human rights abuses by Saddam's regime against the Kurds, Shi'a, Turkmen, Sunni and non-Ba'ath members are well known and accepted. The regime's grip extends to all ministries of the government and all security forces. The education system teaches Saddam's politics, and the administration of justice with Ba'ath appointed investigators, prosecutors and judges validates Saddam's control and abuse. The immediate post-Saddam era may include security, political and judicial vacuums—a lawless state. Impunity is almost guaranteed in such circumstances.

The International Rescue Committee does not subscribe to the conventional wisdom that Iraqis of various ethnic and political groups lay in wait for Saddam's regime to collapse in order to go after each other and carve up the country. The overall impression is that Iraqis are sick of war and are prepared to move forward together in a post-Saddam setting. Still, isolated radicals, hardliners and spoilers, including the current regime, are likely to create tension and exploit any security vacuum. They may "cleanse" areas by forcing entire communities to move in order to access valuable resources, to solidify power, to attain ethnic homogeneity or to extract revenge for past crimes left unanswered. If left free they will continue with impunity.

A. Identify Security Vacuums. If they enter Iraq, U.S./Coalition forces may find populations that have been forcibly displaced by Saddam's regime or other radical elements during a military intervention. Iraq may also be suffering from ethnic-cleansing tactics by local *de facto* authorities that are consolidating power by forcing populations from areas they intend to control. U.S./Coalition forces may also encounter populations displaced by reprisals and vindictive violence against vulnerable groups and individuals who are at risk because of their profession, their political or ethnic affiliation or because they are perceived by others to be collaborators or perpetrators of human rights violations. With over 30 years of Ba'ath state sponsored terror, many scores await settling in Iraq. Police, judges, prosecutors and others associated with the Ba'ath reign of terror will likely flee or hide. If the law and order vacuum is not quickly filled by U.S./Coalition forces hardliners, spoilers and radicals will seize the void and dislodging them will not be easy. If this happens and there are no police or judicial systems in place to fill the vacuums, lawlessness and impunity will follow. Combined such forces can spiral quickly out of control with devastating effects for displaced persons. Under the Geneva Conventions the U.S., as an occupying power, will be responsible for ensuring that does not happen.¹²

B. Identify Geographic Populations At Risk. We know that potential flash-points are based on both geography and the characteristics of vulnerable populations. Mapping out the ethnic boundaries of neighborhoods in Baghdad (e.g., Christians, Sunni etc.), Kirkuk (Turkmen, Arabs etc.), the Shi'a towns (rival Shi'a factions) and the Tikrit villages provides a snapshot of potential fault lines for communal violence and vulnerability to human rights abuses. To know where Saddam forcibly moved and resettled populations is to know where potential tensions, reprisals and movements can ignite.¹³ It is also important to know the location of isolated communities of one group within a larger concentration of another group, e.g. a Turkmen village surrounded by Kurdish villages. In order to provide effective security in the absence of local police it is essential to know where tensions may be the highest and who

¹¹ See, "International Humanitarian Law Issues In A Potential War In Iraq." Human Rights Watch Briefing Paper, 20 Feb 2003. <http://www.hrw.org/background/arms/iraq0202003.htm>

¹² Fourth Geneva Convention; Art. 51, Protocol I [Article 51: Protecting the civilian population from acts or threats of violence that have the primary purpose of spreading terror.]

¹³ See, John Fawcett and Victor Tanner "The Internally Displaced People of Iraq" (Brookings November 2002) for an excellent discussion on the forced population movements of Saddam's regime and ethnic fault lines. <http://www.brookings.org/fp/projects/IDP/articles/iraqreport.htm>

may be the most vulnerable to attack and revenge. Security must be restored first in these places and protection given to the most vulnerable.

C. Identify Vulnerable Populations. Some vulnerable populations are not only geographically centered but are scattered throughout Iraq. Because the number of Ba'ath party members is believed to be around one million, reprisals based solely on party membership are not expected. Targeted revenge would be more likely against Ba'ath members individually identified as being part of Saddam's reign of terror (police, judges, prosecutors, members of the security forces perceived to be instigators of terror etc.). Moderate or emerging political and community leaders will remain vulnerable to radicals, hardliners and spoilers for some time. Identifying such individuals and then protecting them will be key to securing conditions for normalization. Forty-eight percent of all Iraqis are under the age of 18. History continues to remind us that women and children remain the most vulnerable in times of conflict and transition. Heightened awareness of such vulnerabilities must be incorporated into all planning for Iraq—both now and in the future.

D. Develop a Proactive Strategy. The absence of national human rights protection mechanisms in Iraq and the unlikelihood that international police, civil servants or human rights monitors will be deployed to coincide with the entry of U.S./Coalition forces means that military personnel will have to engage directly with the local population to foster a stable and secure environment. Reaching out quickly to local political, military, religious and community leaders is key to establishing the trust needed to manage crisis and revenge. Personnel first on the ground must have an understanding of local issues including past human rights abuses, factors driving local tensions and the political motivation of community leaders. Local leaders are key to managing and mitigating a climate of revenge and reprisals and must be included in a robust protection strategy that emphasizes justice and the rule of law. Confidence and trust must be fostered quickly.

Checkpoints, roadblocks and concertino wire can all limit hostile access to vulnerable areas and thus improve security. The duration of such security measures, however, must be carefully considered to avoid the creation of enclaves and ghettos that harden into segregated communities requiring never-ending security resources. In situations where there has been great suffering or where tensions are uniquely high, military rule may still be the only way to protect the human rights of the local population. U.S./Coalition forces must quickly grip the prospect of protecting, policing and providing judicial guarantees and due process in all or part of Iraq in order to protect civilians and prevent a slide into lawlessness. To be effective, such rule must be absolutely transparent and must comply with international human rights and humanitarian law standards.

E. Conduct Policing. Currently in Iraq, all policing is conducted by hard-line Ba'ath members. The fall of Saddam means the collapse of the internal security framework. Until such time as a political solution becomes apparent for governing Iraq after Saddam, U.S./Coalition forces must be prepared to undertake immediate policing measures.¹⁴ Given the disparate skills and tasks of the U.S./Coalition military, it is not feasible to believe that any soldier can undertake policing actions. Accordingly, there will have to be a mix of soldiering and policing in its most basic sense. To facilitate this difficult task, clear rules of engagement that encompass arrest procedures, treatment in detention, management of detention facilities and access to detainees by counsel, family members, ICRC etc., must be delineated in advance of any military intervention. Knowing how these plans will be explained to the local populations must also be thought out in advance if confidence is to be built. Looters, killers, thieves and other criminals will require arrest and the administration of justice. If there are no credible local police, the U.S./Coalition forces will be expected to arrest criminals and protect the Iraqi public.

In this regard "force protection" or security guidelines must be reviewed. A complicating and limiting factor for forces seeking to stabilize Kosovo in the immediate aftermath of the NATO air campaign were force protection requirements which limited direct contact with local civilians. Some NATO forces moved in two-vehicle convoys, troops were heavily protected and armed and rarely conducted foot patrols amongst the civilian population, while others wore less armor and utilized foot patrols extensively to gain the confidence of the local population. Some forces rented apartments and deployed troops along ethnic fault lines within cities and villages and were thus better positioned to manage and respond to local tensions. The lack of a robust and consistent response by the international community to policing and judicial voids contributed to the lawlessness that enveloped Kosovo during the first

¹⁴ Articles 71-76 Fourth Geneva Convention, Article 75, Protocol I [Articles 71-76: Be prepared to provide basic judicial and due process guarantees in the aftermath of conflict.]

six months after the war—the effects of which continue to be felt in reconstruction efforts.

F. Bridge Judicial Vacuums. As uncomfortable as this topic is for both civilians and the military, U.S./Coalition must prepare to roll out some kind of transparent and fair process to administer justice in the months following a military intervention if a judicial vacuum exists. Emergency judicial systems can include the selection and appointment of panels of local judges and prosecutors who can be transported around the country to ensure the due process of those detained by U.S./Coalition forces. This model was used in Kosovo, albeit with varying degrees of success due to confusion over the applicable law, the bias of some local judges and a limited focus on pre-trial detentions and the investigation of criminal complaints. International judges and prosecutors were eventually brought to Kosovo to try the more contentious human rights violations and ethnically related hate crimes.

East Timor and Cambodia provide other models with more direct international administration. Given that U.S./Coalition forces will likely detain members of the Iraqi security forces, members of the Ba'ath regime and others who seek to destabilize the country, there will be an immediate need for some system to administer justice. Civilians caught up in revenge, reprisals, plunder or opportunistic crimes must also be detained by U.S./Coalition forces in the absence of local police and judicial structures. Knowing in advance what the applicable law will be for such behavior will facilitate the re-establishment of the rule of law. Prudent planning in this regard should consider the potential involvement of some international jurists/prosecutors to prevent the appearance of bias and prejudice by local structures tainted by Saddam's regime. Ensuring U.S./Coalition military logistical support to jump-start the judicial system can also be planned in advance. This includes protecting courthouses, minimizing damage to judicial offices, providing essential materials needed to administer justice (generators, computers, paper etc.), salaries and personal security for judges and prosecutors.

G. Deal with Past Abuses. As soon as possible after a regime change, discussion and plans for dealing with past human rights abuses and humanitarian law violations must be made available to the Iraqi people. Removing collective guilt and assigning individual responsibility for past crimes against Iraqis is an essential step for rebuilding the country and reconciling disparate groups. Failure to fulfill this transitional justice need or glossing over its importance will leave open space for frontier justice and local reprisals.

H. Provide Transparency. In the event of a regime change, Iraqis will need to know quickly and publicly what the policies will be for dealing with past crimes, current and future detentions and the administration of justice while civilian structures reorganize—and some time, we know, will be required to vet and regroup key government functions. U.S./Coalition forces should also put in place a civilian complaint procedure or ombudsman-like system to allow Iraqis to lodge concerns and comments regarding the behavior of U.S./Coalition military personnel. Despite the complexities, such a mechanism can serve as a critical confidence building measure for local community leaders and all Iraqis.

I. Curb Discrimination. As reformed or new civilian authority begins to take shape, human rights violations may emerge in bureaucratic patterns of abuse. Civilians may be evicted or prevented from returning to their property through quasi-legal means such as the promulgation of discriminatory laws or the manipulation of land/property records. Access to hospitals, schools and other social services can be hindered by ethnic discrimination or membership in a vulnerable group. Such restrictions can lead to further population displacements. Remedial measures for such behavior must be available to prevent the institutionalization of discrimination. Judicial processes best fulfill this need.

J. Secure Property. Water installations, irrigation works, dams, dikes, agricultural areas for crop production, food stocks, livestock, oil fields and the related infrastructure, hospitals, power plants etc. must all be secured for the benefit of the population. It is critical to protect these assets from attack during an intervention and then to secure them quickly for stabilization.¹⁵

Years of forced displacement have rendered millions of Iraqis without access to their homes and property. Untangling and resolving property disputes and conflicting claims will affect the rights of returning refugees and the internally displaced. To facilitate this process, it is critical that property records be located and secured quickly by U.S./Coalition forces. Courthouses, police stations and the offices

¹⁵Article 53 of the Fourth Geneva Convention, Protocol I [Cultural sites, places of worship and other objects deemed indispensable to the survival of the civilian population must be protected by U.S./Coalition forces. This should also include places where documentation essential to preserving the rights of the Iraqi people may be housed.]

of security forces often contain documentation essential for clarifying property interests and the status of those displaced.

K. Protect Detainees and the Missing. Political detainees and issues relating to missing persons will also require fast attention and a planned response. When Saddam opened the prisons a few months ago, he left an unknown number of Iraqis in detention as "enemies of the state" and ignored the pleas of family members searching frantically for their missing kin. Quickly the affected populations will demand action and answers from U.S./Coalition forces on these issues.

V. CONCLUSION

It is the conclusion of the International Rescue Committee that while much planning regarding the above issues has occurred very few resources have been spent to operationalize the plans. The lack of preparedness for the humanitarian consequences of war stands in stark contrast to the military state of readiness. It is urgent that all available resources be marshaled as well for this humanitarian response.

The CHAIRMAN. Before I call upon you, Dr. Marr, let me make this announcement: On behalf of the committee, we understand that at 10:30, which is not far away, a rollcall vote will be held on the Senate floor on a motion to instruct the absent Senators to come to the floor. It is a parliamentary vote but, nevertheless, one in which we shall all want to participate in.

At 11 o'clock, there is to be a meeting on the Senate floor, in which all members have been requested to discuss the advise-and-consent provisions as they pertain to judicial nominations; and the Vice President will be in the chair, I am advised.

Dr. Marr, after you commence your testimony, will you please go through to the conclusion. I will be here to hear you, and probably other members will be here as well.

The Chair will then recess the hearing to vote, and will then return, and other members may do the same; but we will continue to proceed with the hearing. This is a very important hearing on behalf of the Senators and the American people.

And so at that point, as we return, we will have a round of questions from Senators as they are able to participate.

Dr. Marr, would you please proceed?

STATEMENT OF DR. PHEBE MARR, FORMER SENIOR FELLOW, NATIONAL DEFENSE UNIVERSITY, WASHINGTON, DC

Dr. MARR. Well, I, too, would like to thank you, Mr. Chairman, and the committee for inviting me again. And I hope I can add something to what I have said previously.

Like Mr. Schwartz, I have five questions that I have asked myself and would ask you about this venture, and I realize that my task is to attempt to look at this from the Iraqi perspective, as best I can.

I have been asked to address some of the issues the United States will face in the aftermath of this military action. Obviously the task is going to be affected by what military action is taken, how successful it is going to be, and what kind of destruction might ensue.

It is also clear that humanitarian efforts will be needed in the immediate aftermath of the war. I did not intend to address those issues; they are not my focus.

I am assuming here that it is the day after, the allies are in control of Iraq, and that such humanitarian efforts are underway.

Here are the five fundamental issues and problems that I see the United States facing in the transition period as it attempts to establish a new regime. First, I would make a distinction between two tasks here, governance and administration. By governance I mean the political process of selecting leaders, mobilizing public support, adequately representing various elements of the population, and implementing policy. That is going to be a long-term effort and very difficult job in Iraq.

By administration, I mean the daily business of running government and providing services. As I say, the first is going to be difficult, probably the most difficult task facing the United States in Iraq.

The second should be relatively easy, if all goes well. Unlike many other developing countries, Iraq does have a functioning bureaucracy capable of running most services in the country. After the United States has vetted top levels of this administration, the political levels, the United States should plan to use this bureaucracy, which is the repository of much of Iraq's skilled middle class, to run much of the country.

These Iraqis should constitute the new face of the post-Saddam administration. Nonetheless, I think we need to be aware of some difficulties in using this bureaucracy.

Iraq is over-bureaucratized. In its heyday, possibly a third of the population, exclusive of the military, worked for the government, directly or indirectly. In Iraq's command economy, government controlled the education system, much of the media, all large and most medium-sized industry, as well as providing the usual government services. We all know about a large military and a numerous and ubiquitous security service. This service should be reduced.

In any event, in the post-gulf war Iraq, under sanctions, these institutions have already shrunk. The Ba'ath party cadre, which used to constitute about 10 percent of the population is now down to about 2 percent. The military, of course, has been drastically downsized since the gulf war, but is still very large.

The bureaucracy has shrunk as well. Moreover, it is not as effective as it used to be. Because of sanctions, most bureaucrats, on fixed salaries, often work a second or third job, which obviously gives them less time to do the work for which they were hired.

Corruption is now rife in the bureaucracy for much the same reason. There are two additional weaknesses of this bureaucracy worth mentioning. One is that it is highly centralized. There is no tradition of decentralization in Iraq.

Under the Ba'ath, the civil service has been thoroughly cowed by the political leadership. It is not used to—and perhaps not even yet—capable of taking much initiative. Initiative is going to be in short supply.

And second, we want to keep in mind that this central bureaucracy does not function in the Kurdish area of the north, which has developed its own administration.

A second aspect of this first point is governance. The establishment of some kind of representative political system capable of formulating and implementing policy is going to be much more difficult. We all know that Iraq has not had such a system for decades. The closest it came to a representative system was in the last

years of the monarchy, before 1958. And even then the system did not function very well and was overthrown.

In addition to the absence of democratic practice, the multi-ethnic, multisectarian nature of Iraqi society complicates the process. Iraq will need to establish a rule of law, including a new court system; obviously a constitution, which provides some kind of separation of powers; a functioning parliament or representative assembly; a responsive executive; and some sort of local government, possibly under a Federal system.

The building of such a system must be undertaken by Iraqis. Exile Iraqis, some of them working with the State Department, have devoted considerable time and effort to this process, but it must now include Iraqis inside Iraq. This is going to take time and need help from outside. Most important, as everyone today has mentioned, it will require security and a peaceful environment while the process is being worked out.

Iraq has had little experience in local government and decentralization—for example, at the municipal, county, and state level. This is an area that could be developed with considerable benefit for all.

Decentralization would help address the issue of ethnic, sectarian, and regional diversity. It would help develop the basis of a more democratic and representative government at the grass roots.

The sooner such local institutions of governance can be established, the better. It would also bring Iraqis into the new administration and give this administration an Iraqi face. And I feel as we move in and occupy the country, government could be established fairly rapidly at the local level.

The second question I would raise here is one I have raised before, and that is the issue of finding alternative political leadership at the national level for a transitional period until the new constitutional structures can be put in place. There are two options, an inside option and an outside option, if we are talking about Iraqis rather than Americans or the international community.

The outside option is well known. It consists mainly of exiled Iraqis—with the exception of the Kurds, of course, who are in their own country—who have formed a number of political groups with great diversity of views. Their difficulties are well known to all of us. They have had difficulty in achieving a consensus. They are outsiders, as exiles, whose support inside at the moment is unknown.

And as outsiders coming in, they are likely to be somewhat resented by those inside. But they also have some strengths which should be used. For the most part, they are more likely to be pro-Western and more favorably disposed to U.S. aims and goals. They are a known quantity. And they have a better understanding of democratic processes, having lived in the West for some time.

A number of them are already in the north, building bridges to the new Iraq. The issue is whether they will succeed in that and how much support they should be given by the United States.

The inside option is virtually unknown, since no alternative leadership can emerge in Saddam's Iraq. Once the top layers of Saddam's regime are removed, we will essentially find three pillars of the current regime remaining.

The first is the kin-and-clan network, which Saddam has relied on. This goes well beyond his family and has penetrated a number of institutions. In the countryside as well, tribal groups have come to hold more authority. Clan politics and clan leadership is likely to persist.

Second, of course, are the institutions of state we have mentioned—the party, the military, the bureaucracy, the education system. These have been thoroughly Ba'athized. Even if the party disappears, the cadre will not.

And these are the institutions which will be needed to run the state. While a few of these Ba'athists will remain loyal to Saddam and his family, that is not the problem. The problem may be a more deeply ingrained attitude toward power and authority, which will persist.

So, too, will the nationalist attitudes that have been the backbone of the Ba'athist ideology. This may be particularly true in the media and the education system. I am looking at some of their textbooks, and they will require some attention.

Some de-Ba'athization may be necessary if long-term U.S. aims are to be achieved, and this will not be an easy task.

The third pillar is an economic elite which owes its wealth, in large measure, to state patronage. Indeed, there may be a temptation to rely on this class for economic development and reconstruction, since it will be readily at hand.

But it seems to me, over the long term, one of the most constructive things the United States could do would be to separate this economic class from the state and move to the creation of a true, and more independent, economic private sector.

It may be easier to support and sustain inside leadership in these bureaucratic institutions which may emerge after we go into Iraq. But the question and the problem with that is how much real change will it represent?

Ultimately, there is going to be no other solution except to marry the insiders and the outsiders in some formula that allows some balance.

The third issue is the nature of the response we are likely to find to the United States and even an international foreign presence in Iraq. And here I may be saying a few things that run a little bit counter to what has been said here.

While I believe that change will definitely be welcome by virtually all of the population in Iraq, the U.S. presence may be less welcome among some sectors of the population than others. In recent years, especially since the rebellion of 1991, regional differences are more pronounced—and let me go through the regions.

The south, which is predominantly Shi'a, as you probably know, has been neglected. It has seen a shrinkage of population. In fact, according to my estimates, possibly as little as 30 percent of the population now lives in the south. The port city of Basra, once a thriving city and intellectual center, has also shrunk in population.

Basra used to have very strong ties with Kuwait and the gulf. Basra and other cities and towns of the south are the areas that most need reconstruction and economic revival. Here, I think a resuscitation of jobs and services is vital.

And we should encourage these links with the gulf—especially Kuwait—to help mend fences between Iraq and that country and the GCC.

In Shi'a area are the religious shrine cities of Najaf and Kabala, which will have to be treated with extreme sensitivity. While opposition to the regime is deep here, that may not equate to welcoming a U.S. or even a Western presence. Iranian ties may be strong here as well. It would be helpful to have immediate contacts with the clergy in these towns and to establish a good working relationship with them.

They will be interested in more religious freedom, a revival of their seminaries, and encouragement of pilgrim traffic for the area, which of course, works to their economic benefit.

When we get to the center of the country, the so-called Sunni center, we are going to find a mixture; 50 percent, half of the Iraqi population now lives in this center, some 30 percent in the capital. It shows you how much population is concentrated there.

In Baghdad, a large portion of the population is Shi'a, living in poor satellite cities around Baghdad. They are resentful of the middle and affluent classes.

The educated classes, of course, are overwhelmingly concentrated in Baghdad and its environs. For the most part, they should welcome change. They are looking for a return to normalcy and participation in the new government.

In the smaller cities and towns of the so-called Sunni triangle, north and west of Baghdad, along the Tigris and Euphrates, this is the heartland of the regime, and we may meet with some resentment and opposition here. This is the region that has benefited from Ba'ath rule, it provides the Ba'ath support system, and it will find itself dispossessed.

It has the most to fear from change. In this area, contact with some of the clan and tribal leaders with support for their regions could help neutralize whatever opposition there may be.

In the north, among the Kurds, we have a known quantity: we know who they are. We are not going to meet with opposition here, but we do face real problems. The Kurds have been governing themselves for a decade in the north; and, in recent years, have had more prosperity. Their aspirations for separatism, as expressed, for example, in their textbooks, are clear. Their concept of federalism is somewhat suspect by others in Iraq, as well as the Turks.

Working out a formula that is satisfactory to all will be difficult; so, too, will be the status of Kirkuk. The Kurds want Kirkuk, with its oil, included in their self-governing area.

The United States also faces the problem of a radical enclave around Halabja that has escaped control of the Kurds. And in the end, policing the border both with Turkey and Iran, disarming the Peshmerga, will also be difficult. The entry of the Turks into this region—and possibly the Iranians—would only complicate matters.

While some sort of federalism and a degree of decentralization seems called for, the ethnic federalism that some Kurds are insisting on may be an enticing prospect initially, but it would cause difficulties later on.

The fourth point is that the United States is going to face a paradox in attitudes in Iraq, especially in the center, but also in the south. This bears on the issue of the response to the forces. Most Iraqis want change and will welcome it; they long for a return to normalcy and freedom.

We will not face opposition to a change of regime, except among Saddam's hard core supporters. This should give us a honeymoon period, if we move smartly to restore services, provide jobs, and get the economy moving. But many of these same people are intensely nationalistic. They have a long tradition of putting a desire for independence at the top of their priorities.

They are not going to welcome foreign rule and a foreign presence for too long. In six months, a year, I think you are going to start to see some questions asked and some opposition surface.

That presents us with a dilemma and we will have to make tradeoffs. To get real political and social change, a constitutional regime, for example, will take time. But the longer we stay, the more we risk generating national resentment and opposition.

On the other hand, if we turn over to existing elites rapidly, we will get less change, including satisfaction of our own interests. We need to be aware of this potential for opposition and take measures to neutralize it.

Here are some suggestions of how to do that: restore normalcy and services as soon as possible; get Iraqis in the administration and in leadership positions up front as soon as possible, sooner rather than later; shift to indirect rule, with Americans behind the scenes rather than in front, as soon as possible. Timing is going to be very critical. The length of the transitional period, how fast we can move to a constituent assembly will be critical.

It is very important to state our intent to turn over the administration to Iraqis in some future timeframe and clearly outline the direction we are going in, in terms of policy, and stick to it.

Incidentally, the British experience during the mandate is very instructive here. They originally brought in a direct administration; they put few Iraqis in the administration. The result was the 1920 revolt, very costly for the British. After this they learned their lesson and switched to indirect administration. Even so, they met with constant nationalist opposition for their entire time there.

Last, there is the issue of international cooperation in the administration of Iraq. Most of the benefits of this internationalization, such as burden sharing, would accrue to the United States. And I certainly favor bringing in the international community.

The United States will need help in rebuilding Iraq and it should try to get it from the international community. But I have asked myself, how much this will help giving us legitimacy inside Iraq. U.N. and international cooperation might work better in some areas than others. This would certainly be true of humanitarian efforts; rebuilding of the economy and providing some services.

I do not know whether an international force or cooperation from the international community in providing security, preventing retribution will go down very well. I am not sure we are going to face enormous amounts of anti-Americanism to start with.

The local population expects U.S. forces to be present and will respect U.S. force. It wants law and order kept. We want to avoid

something that looks like an international occupation and a new mandate.

The Iraqis, in my experience, are a very proud people. They will resent being put in the category of, say, East Timor, which is a very extreme example.

And the last point that I would like to make is to urge putting Iraqis in charge as soon as possible. The Iraqis do want change. They want us to stay the course. They want help but they are going to expect to run their own country and soon.

[The prepared statement of Dr. Marr follows:]

PREPARED STATEMENT OF DR. PHEBE MARR, (AUTHOR, SPECIALIST ON IRAQ)

ESTABLISHING A NEW REGIME IN IRAQ

I have been asked to address some of the issues the U.S. will face in the aftermath of military action in seeking to establish a new regime in Iraq. Obviously this task will be affected by whatever military action is taken, how successful it has been, and what kind of destruction has ensued. It is also clear that humanitarian efforts will need to be undertaken in the immediate aftermath of the war. These are not my focus. I am assuming here that the U.S. and its allies are in control of Iraq and that such humanitarian efforts are underway.

I would like to point, here, to five fundamental issues/problems the U.S. will face in the transition period as it attempts to establish a new regime, and make a few suggestions on resolving them.

First, I would make a distinction between two tasks: governance and administration. By governance I mean the political process of selecting leaders, mobilizing public support, adequately representing various elements of the population, and implementing policy. By administration, I mean the daily business of running government and providing services. The first is going to be extremely difficult in Iraq—indeed the most difficult task facing the U.S.; the second should be relatively easy, if all goes well.

Unlike many other developing countries, Iraq does have a functioning bureaucracy capable of running most services in the country. After the U.S. has vetted the top levels of this administration—the political levels—the U.S. should plan to use this bureaucracy, which is the repository of much of Iraq's skilled middle class, to run the country. These Iraqis should constitute the new face of the administration.

Nonetheless, the U.S. needs to be aware of some difficulties in using this bureaucracy. Iraq is over-bureaucratized. In its heyday, possibly a third of the population exclusive of the military, worked for the government, directly or indirectly. In Iraq's command economy, government controlled the education system, much of the media, all large and most medium sized industry as well as providing the usual government services. In addition, there has been a large military and numerous and ubiquitous security services. The four major elements of administration are the Ba'ath Party, the military, the various security services, and the bureaucracy.

In the post-Gulf war period under sanctions, these have shrunk. The party cadre, which used to constitute 10 percent of the population is now down to about 2 percent. The military, while still large, has been drastically downsized, from about 1 million in 1990 to about 400,000. So, too has the bureaucracy. Moreover, because of sanctions, the bureaucracy is much less effective than it used to be. Most bureaucrats, on fixed salaries, often work a second or third job to make ends meet, thus giving them less time to do their regular job. For the same reasons, corruption is now rife. There are two additional weaknesses of this bureaucracy worth mentioning. One is that it is highly centralized; there is no tradition of decentralization in Iraq. And, under the Ba'ath, it has been thoroughly cowed by the political leadership. It is not used to—possibly not yet capable—of taking much initiative. Second, this bureaucracy does not function in the Kurdish area of the north, which has now developed its own administration.

Governance—the establishment of a representative political system capable of formulating and implementing policy is going to be much more difficult. Iraq had not had such a system for decades. The closest it came to such a system was in the last years of the monarchy and even then the system did not function well and was overthrown. In addition to the absence of democratic practice, the multi-ethnic, multi-sectarian nature of Iraqi society complicates the process. Iraq will need:

- The establishment of a rule of law, including a new court system.

- A constitution which provides some separation of powers.
- Functioning parliament or representative assembly.
- The establishment of a responsive executive.
- Some sort of local government, possibly under a federal system.

The building of such a system must be undertaken by Iraqis; exile Iraqis have already devoted considerable time and effort to this process, but it must now include Iraqis inside Iraq. This will take time and need help from outside, most importantly security and a peaceful environment while the process is being worked out.

Iraq has little experience in local government or decentralization—at the municipal, country or state level. This is an area that could be developed with considerable benefits for all. It would help address the issue of ethnic, sectarian and regional diversity and it would help develop the basis of democratic and representative government at the grass roots. The sooner such local institutions of governance could be established, the better. It would also bring Iraqis into the new administration and give this administration an Iraqi face.

A second issue is finding alternative political leadership at the national level for a transitional period until new constitutional structures can be put in place. There are two options: the inside option and the outside option.

The outside option is well known. It consists mainly of exile Iraqis (with the exception of the Kurds) who have formed a number of political groups with a great diversity of views. Their difficulties are well known. They have had difficulty achieving consensus. And they are outsiders whose support inside is unknown. As outsiders they are likely to be resented by those inside. But they also have some strengths which should be used. For the most part, they are likely to be pro-Western and more favorably disposed to U.S. aims and goals. They are a known quantity. And they have a better understanding of democratic processes for having lived in the West. A number of them are already in the north building bridges to the new Iraq. The issue is whether they will succeed in that effort and how much support they should be given by the U.S.

The inside option is virtually unknown, since no alternative leadership can emerge in Saddam's Iraq. Once the top layers of Saddam's regime are removed, we will find three "pillars" of the current regime. (1) The kin and clan network on which Saddam has relied. This goes well beyond his family and has penetrated a number of institutions. In the countryside as well, tribal groups have come to hold authority. Clan politics and clan leadership is likely to persist. (2) The institutions of state: the party; the military; the bureaucracy and the education system. These have been thoroughly Ba'athized. Even if the party disappears, its cadre will not. These are the institutions which will be needed to run the state. While few will remain loyal to Saddam or his family, deeply ingrained attitude toward power and authority will persist. So, too, will the strong nationalist attitudes that have been the backbone of Ba'athist ideology. This may be particularly true in the media and education system. Some de-Ba'athization may be necessary if long term U.S. aims are to be achieved, but this will not be an easy task. (3) An economic elite which owes its wealth, in large measure, to state patronage. Indeed, there may be a temptation to rely on this class for economic development and reconstruction since it will be readily at hand. One of the most constructive things the U.S. could do, however, would be to separate this economic class from the state and move to the creation of a true, and more independent, private sector.

It may be easier to support and sustain the development of "inside" leadership which may emerge anyway, but the problem is whether it will represent a real change. Ultimately, there is a need to marry the insiders with the outsiders.

A third issue is the nature of the response to the U.S./foreign presence in Iraq. While change will definitely be welcome by virtually all the population in Iraq, the U.S. presence may be less welcome among some sectors of the population than others. In recent years, especially since the rebellion of 1991, regional differences are more pronounced in Iraq.

The south, which is predominantly Shi'ah has been neglected. Seen a shrinkage of population, particularly the port city of Basra, once a thriving city and intellectual center. It used to have strong ties with Kuwait and the Gulf. Basra—and other cities and towns of the south, need reconstruction and economic revival. Here a resuscitation of jobs and services is vital. Links with the Gulf—especially Kuwait—should be encouraged to help mend fences with that country and the GCC. The religious shrine cities of Najaf and Karbala will have to be treated with sensitivity. While opposition to the regime is deep here, that may not equate to welcoming a U.S. or Western presence. Iranian ties may be strong as well. Contacts with the clergy will be essential to establish a good working relationship. They will be inter-

ested in more religious freedom, a revival of their seminaries, and more pilgrim traffic from which the area derives economic benefit.

In the Center, we will find a mixture. Fifty percent of Iraq's population lives here, some 30 percent in the capital. In Baghdad, a large portion of this population is Shi'ah and poor, resentful of the middle and affluent classes, often—but not entirely—Sunni. The educated classes are overwhelming concentrated in Baghdad and its environs. They should, for the most part, welcome change. They are looking for a return to normalcy and participation in the new government. In the smaller cities and towns of the sunni triangle—the heartland of the regime—we may meet with resentment and opposition. This region is the one that has benefited from Ba'th rule—it provides the Ba'th support system—and it will find itself dispossessed. It has the most to fear from change. In this area, contact with some of the clan and tribal leaders with support for their regions may help neutralize opposition.

In the north, among the Kurds, we have a known quality. Here we are not going to meet with opposition, but we do face real problems. The Kurds have been governing themselves for a decade in the north, and in recent years, have had more prosperity. Their aspirations for separatism—as expressed in their text books for example—are clear. Their concept of federalism is suspect by others in Iraq as well as the Turks. Working out a formula that is satisfactory to all will be difficult. So, too, will the status of Kirkuk. The Kurds want Kirkuk, with its oil, included in their self-governing area. The U.S. also faces the problem of the radical enclave around Halabja and has escaped the control of the Kurds. And in the end, policing the border, disarming the peshmerga, will also be difficult. Entry of the Turks—and possibly the Iranians—will only complicate matters. While some sort of federalism and a degree of decentralization seems called for, the “ethnic” federalism that some Kurds are insisting on may be enticing initially, but cause difficulties later on.

Fourth, the U.S. will also face a paradox in attitudes in Iraq, especially in the center, but also in the south. Most Iraqis want change and will welcome it by any means, including military action and occupation. They long for a return to normalcy, and some freedom. We will not face opposition to a change of regime, except among Saddam's hard core and the supporters who do not want a change of status. This should give us a “honeymoon” period, if we move smartly to restore services, provide jobs and get the economy moving. But many of these same people will be intensely nationalistic. They have a long tradition of putting a desire for “independence” at the top of their priorities. They will not welcome foreign rule and a foreign presence. For it may not take long—six months, a year—for that opposition to surface. This presents us with a dilemma and we will have to make trade offs. To get real political and social change—a constitutional regime, for example—will take time. But the longer we stay, the more we risk generating national resentment and opposition. On the other hand, if we turn over to existing elites—the less change we will get, including satisfaction of our interests. We need to be aware of this potential opposition and take measures to neutralize it.

- Restoring normalcy/services.
- Get Iraqis in the administration/in leadership positions sooner rather than later.
- Shift to “indirect rule”—advisors, behind the scenes—as soon as possible.
- Timing—do more in a shorter period of time.
- State our intent to turn over to Iraqis in some time frame and outline the direction of policy and stick to it.

The British experience is instructive here. They began their occupation during World War I with direct rule. Col. Arnold Wilson, of the India Office school of thought, brought Indians, the rupee. Few Iraqis held posts. This generated the 1920 rebellion which was widespread and costly for the British. The British then shifted to indirect rule. They governs through a treaty, an “elected” monarch, a constitutional system, advisors. They used RAF to keep order and developed an indigenous army. They put Iraqis in government. Even so, they met with constant nationalist opposition, and gave Iraq “independence” in 1932.

Lastly there is the issue of international cooperation in the administration of Iraq. Most of the benefits of this internationalization, such as burden sharing, would accrue to the U.S. The U.S. will need help in rebuilding Iraq and should try to get it from international community. It is less clear how much this will help with “legitimacy” inside Iraq. UN, or other international cooperation might work better in some areas than others. Certainly this would be true of humanitarian efforts; rebuilding of the economy and providing some services. I don't know how an international force to provide security, prevent retribution, will go down. Local population expects and will respect U.S. force. It wants law and order kept. We will want to avoid something that looks like an international occupation; a new “mandate”.

The Iraqis are a very proud people. They will resent being put in the category of East Timor or Kosovo. In any case, we should work to keep the neighbors out—except to undertake legitimate economic activity, and to put Iraqis in charge as soon as possible. Iraqis will expect to run their own country, and soon—not hand it over to foreigners.

The CHAIRMAN. Well, thank you very much, Dr. Marr, for a tremendous educational experience, I think, for each one of us. Likewise, the blinding complexity and cross-currents that you have mentioned, I think, are obvious to all of us too.

Let me mention what may now be obvious, that there will not be a rollcall vote at 10:30 on the Senate floor, but for Senators who are anxious about it, let me give reassurance. The meeting on the floor at 11 on advise and consent will continue, and that is still going to happen at 11.

Likewise, I would just mention that friends at the Pentagon have advised the Chair that the Pentagon began a background briefing at 10 a.m. this morning on plans for reconstruction and humanitarian assistance in Iraq. I have no idea who is conducting the briefing. It is only for the press but presumably the press will be forthcoming with whatever occurs at the briefing.

Later on in the day, Secretary Rumsfeld and General Myers will be holding their daily briefly ceremonies at 1:30, and so there may be opportunities there. You cannot be everywhere, but you are, at least, at a point where we are all learning a great deal this morning and we appreciate that.

We will proceed with questions with a 7-minute time limit and have rounds.

Let me say, first of all, as I start my questioning, that the accounting complexities of this situation are difficult but important. On the one hand, we have had testimony from Mr. Schwartz and Dr. Adams, as they have tried from their experience as people who have been in the budgetary services of our country to estimate some dollar amounts, which are very large.

And likewise most of the panel, maybe all of you, have indicated these amounts might be recurring for several years, that this is not a short-term requirement, although perhaps the up-front expenses in the first year would be abnormally high as we are finding others to share the burden.

At the same time, the accounting for the fallout of the tragedy of September 11, 2001 is a daunting experience. The immediate cost of the tragedy in New York City and the Pentagon are important for us to understand. What are called the frictional costs for the American economy—that is, the cost for all the security apparatus, for the decline in our airlines, the hotel industry, the restaurant industry, additional taxation—these costs must be considered. Indeed, many economists would say that, although the economy may have been in a downward slope before the tragedy, what occurred on September 11 and its aftermath accelerated economic downturn in a big way, and maybe still does.

So, a part of our predicament accounting-wise is that we are about to discuss a budget in which a deficit of over \$250 billion is predicted and with the thought that in the event that there are hostilities in Iraq, a supplemental appropriation debate will be

commencing almost immediately, adding tens of billions of dollars to that amount.

OMB, with a very doleful forecast, suggests that the American Government could be in deficit for a decade. Not all of the forecast is attributed to September 11, but at the same time, a lot of it is, because life changed thereafter including the accounting fallout.

Now, one can say, "Well, do not lay all that on Iraq alone. After all, al-Qaeda is elsewhere, so may be other terrorist organizations." Fair enough. This is an important proposition, to try to discuss up front the costs and burdens, and how we are going to stabilize; and the rest of the world with Europe in recession, the Japanese still in recession. Where are the sources of growth in the midst of this instability in the war against terrorism or the specific facets of the Iraqi conflict?

Second, it just seems to me we have to grapple with the whole problem of failed states. And many of you as scholars are discussing this problem, that is, if there are states that do not work very well or not at all, these are often harbors for al-Qaeda cells or other cells. Even in a state that has strengths, Pakistan, the search for Osama bin Laden goes on there. Somebody was found there the other day, of great consequence.

The inability to govern, to have functioning institutions this is reoccurring not only in the Middle East, but in Africa, and potentially even in South America, as we finally will take a look at those situations. It is very difficult.

And the other side of the coin is that our Nation has not been much interested in the so-called nation-building business. Perhaps, if it were renamed "successful states" or something of this sort, we would feel better about it, but we have not felt very good about it.

And all of the costs flowing from that are very, very substantial. So this is still a new business for us, even given Bosnia, Kosovo, and the work that we are doing in Afghanistan, which we have been trying to explore in this committee.

And now you are talking about a very big extension of these efforts; many years, billions of dollars, American commitment, complex relations with a country that has a history of many proud people. I would just say that even if we were doing this several years in advance of potential military action, it would be difficult to get it right, for anybody who is President, administrator, or what have you.

At the present time, we really are going to have to understand—and I do not mean to quibble about this—that this is sort of an all-hands evolution. The Pentagon office has some coordination; meetings are going on there frantically. Some of you may be involved in those meetings from time to time and contribute to them.

Other nations have been involved in some of the meetings, and it is probably helpful to get a cross-fertilization of questions and experiences from others. As we discovered in this committee, this all started about 6 weeks ago. The purpose of our venture today is to understand how complex this is, how difficult it is going to be for anybody, but to understand that this responsibility is almost upon us—unless the world unites, Iraq takes a different view, and we are spared military conflict and war, which is still a possibility.

I will share that I received a call from Secretary Powell yesterday about noontime. He was reviewing the morning's work, ad seriatim, as he is working with the representatives of Security Council people. We have reviewed the arguments of people that we know. I was asked to make calls. I suspect other Senators have been asked to do that. This really is an all-hands effort to try to make our diplomacy work.

In any event, I have pretty well exhausted my time just in analyzing the problem, but let me ask any one of you what you can say to us about the whole problem of nation-building? How do we speak to the American people about it, because we said up front that we needed to talk about the cost, which is pretty daunting. That is a good reason not to get involved in nation-building, because as you have suggested, that means tradeoffs of other things we want to do for Americans, such as health care, education for our children or for our adults, or for that matter, postponement of infrastructure in this country while we are concerned about repairing the damage in another.

But address why our own security, our own safety in the world, may be dependent upon successful states; and not only how do we do this, but how do we enlist other nations throughout the world to understand that their security also depends upon successful states, on creating functioning places that work.

Have any of you done work in this area? Probably all of you have. Mr. Schwartz, would you care to comment on that?

Mr. SCHWARTZ. Well, Mr. Chairman, the main point I infer from your comments is that this is an enormous undertaking. The money is beyond what we would ever have expected; but, in fact, it is cheap at the cost.

That is essentially what you are saying—or at least what I inferred from your comments, which causes me only to reaffirm my initial point: that the President needs to be speaking about this commitment to the American people.

My articulation of the costs was not designed to strike fear in the hearts of people and cause them to say, "OK. We should not engage in the post-conflict exercise." Rather it was designed to emphasize that it is all the more important for the President to make the case. The President clearly believes this post-conflict exercise is worth doing, but he has got to be speaking to the American people and making the very same points that you were making; he has got to be making them more than simply in a line in a speech—such as the other night, when he said, we will help the Iraqis to rebuild their society. That is great, but there has got to be several paragraphs below that statement, with details.

In terms of the nation-building and the success or failure thereof, I think we have done better than most have given us credit for. The Balkans is an example of "the dog that does not bark." Although illegality is not absent from the Balkans, basically the American effort in the Balkans, I would argue, has been largely successful; not an overwhelming success, but it is an effort in nation-building which has had considerable success. And as a result, we have avoided many, many problems that we would otherwise have confronted.

The CHAIRMAN. Thank you.

Dr. Adams.

Dr. ADAMS. Mr. Chairman, I think you have put your finger right on the most difficult question that we face here. There is a kind of an irony to having had the perception for a couple of years that nation-building was not the agenda of this administration to now have the sense that we are about to embark on one of the biggest exercises in nation-building we have ever undertaken.

And that is going to pose a huge dilemma as you have quite rightly structured it for the taxpayers, because the gist of my testimony is that it is going to take a long time. And gist No. 2, if you will, is that we are going to require help, because the full burden of this exercise cannot rest on the United States. And as Dr. Marr's testimony suggests, if it does, it is not as likely to be as well-received in Iraq as if we have substantial international participation.

This is a big deal. This is not a small deal. It does strike me that the planning for this big deal did start rather late and is still very much at a preliminary stage right on top of what may be hostilities. But it is clearly the sense of the administration—I think the President has communicated this, that they have very ambitious goals for the future of Iraq that go very quickly to the installation of some more democratic form of government in Iraq.

I am perhaps somewhat more skeptical than Mr. Schwartz about our ability to carry this exercise off in any near-term timeframe. The history of the 20th century is replete with failed efforts to try to create democracies in areas where the soil is not terribly fertile for that exercise.

This is a country, as Dr. Marr suggests, that has a long history of authoritarian and clan governments but absolutely no detectable history of serious democratic governance.

So, what that means is it is going to take a long time. It is a big deal. It will take a long time. It will take a lot of money. It will require substantial international participation and a certain amount of finger-crossing to hope that the exercise comes off.

It is critical to the long-term success of our goal of achieving stability in the region and critical to the other goal that you mentioned, which is achieving a more stable world with respect to terrorism. If this exercise fails and Iraq becomes a failed state, and it is not now a failed state, in my judgment—if it becomes a failed state after we have succeeded in removing Saddam Hussein, then the risks for terrorism and the other expenditure centers that you point to the cost of fighting the war on terrorism internationally; the cost of homeland security could increase for us.

So, there is now a very high level of symbolic importance to the success of this exercise in Iraq.

The CHAIRMAN. Thank you.

Senator Dodd.

Senator DODD. Well, I do not want to interrupt, because I think it is a very fundamental question. Why do we not just continue and ask the other two witnesses if they would like to comment on Senator Lugar's question?

The CHAIRMAN. Very well.

Ms. Mitchell.

Ms. MITCHELL. I think with the exception of natural disasters, humanitarian crises are generally the result of failed states or

states which are very close to failing and are unable to protect the citizens.

I am side-stepping the issue of the justness of the war with regard to Iraq. The obligations of this country are pretty clear in a day-after scenario, which are the Geneva Conventions. The United States has stated its intent to occupy—it is a cold war term, I know, but nevertheless, I think the meaning is that we have responsibilities as a nation, should a military intervention be undertaken with regards to Iraq.

The humanitarian crises, which could befall Iraq in a day-after scenario could, indeed, be extremely serious if the security framework collapses.

The CHAIRMAN. Dr. Marr.

Dr. MARR. I do not think we should be quite so pessimistic. We tend to keep pointing out all the negatives.

I would say two things about Iraq that perhaps do not apply to other failed states. Since the gulf war, for which we had some responsibility we have unintended outcomes, particularly in the north, partly as a result of a humanitarian crisis. Iraq is a failing state.

I agree that it has not failed yet. But if you look at the north, you see, exactly what we are talking about, lack of control of borders, lack of control of territory. And we have a little pocket of territory right up there, which is worrisome.

The longer we leave Iraq in the current state, the more it is going to fail. It has not yet failed; it is still revivable. So to me, pulling the plug and saying, “Well, what comes after is going to be worse than went before,” is not acceptable. In other words, putting it off is going to be worse than taking care of it now.

Second, although I recognize resources are going to have to be put into Iraq and it is going to take some time to revive the oil industry, we know that it has oil resources.

I am less pessimistic about the financial side of this over the long term. Iraq has a very energetic population. They do have oil resources and, within a reasonable period of time, they should not be on the dole at all.

What this is going to require is a long-term effort in human resources and a political effort to do it right. That is going to be the cost, I think, more than a burden to the budget.

The CHAIRMAN. Thank you very much. Thank you, Senator Dodd.

Senator DODD. No. Thank you all and that is excellent.

I think Senator Lugar asked the pivotal question. I guess I am at a juncture here. My questions will work off an assumption. I do not really like the assumption I am about to make, but let us for the sake of discussion, make it, and that is that the war has happened, that we have—whatever time it has taken—hopefully very short—that we have “prevailed militarily.” And it is now a question of what will we do.

And I would like to use the opportunity of your presence here to sort of try to be optimistic about this and talk about what we ought to be doing in order to minimize the costs here, to maximize the participation of others, principally to see to it that the innocent civilian populations and the people of Iraq who deserve a lot better than they have been getting certainly under Saddam Hussein and

what they might be getting if we neglect the aftermath here, might have an opportunity of achieving. So I would like to ask some very specific questions about how we might do this well, or at least a lot better than appears to be we are doing at this juncture.

So let me begin by something as basic as this: First of all, what about the office? There has been this discussion here about the location of the Office of Reconstruction and Humanitarian Assistance in the Pentagon. Comment, if you would, about the wisdom of this, as opposed to, I guess normally in times past, this would be at the State Department or USAID or some other venue other than the military venue—or does the military venue in this case make some sense?

I do not know if we want to rule it out of hand as a bad idea that we have had examples in the past historically. I accept, Dr. Adams, your conclusion that we have not done terribly well in building these states. The thoughts that came to mind immediately were sort of Korea and Japan. Now, they were longer in view historically and we spent a lot of time working at it, but I would argue that both those countries did not have much of a history of democracy. And yet because of our persistence and our involvement, our institution-building, our building of human institutions, Dr. Marr, that you point out, resulted in two pretty strong democracies today as a result of a half century of commitment. So, there are examples where it can work.

But tell me, first of all, what do you think about the idea of having the Office of Reconstruction come out of the Pentagon rather than out of a non-military base? I do not know who feels—let us start with you, Mr. Schwartz.

Mr. SCHWARTZ. Well, let me just answer your first question directly. I would have—if I were in charge, I would have done it differently. But I think it is a credible decision, and it is one that the administration should work with, and others should try to support it.

Let me just say one advantage of it is unity of command. You have got the office and if they deploy, the head of that—or the civil administrator—reports to the combatant commander who reports, you know, to the President and the Secretary of Defense.

There will also be the resources of the Department of Defense, which are enormous, and since it is the Defense Department's responsibility, they will have access to these resources. So you may, to some extent, avoid the problem that Dr. Adams knows very well: when civilian agencies do not have funds, they turn to the military and the military says, "It is not our job." Here, clearly, it is their job. So those are the advantages.

Now the downsides. I mention the downsides not to suggest we should rethink the structure. But by thinking about the downsides, you can address the structure to make it better. No. 1, how do you draw in the civilian agencies which do not have as much stake in the process, especially as the military is not used to drawing in the civilian agencies. And the fact of the matter is that we have developed enormous civilian expertise over the past decade on how to manage these crises. So we have got to draw them in.

Second, how do you avoid the perception that the post-conflict exercise is a U.S. military operation and occupation. General Garner

has insisted on not being called General Garner. That is not enough. And so we need to work hard to avoid that perception.

And then I think the final question is where is the policy being made? Is this new Pentagon office an operational office that is implementing plans or is it a policy formulation body? And if it is not the latter, where does policy get made below the principles and deputies? This is not an irrelevant question. It is an important issue. It is an issue that is worth asking, not to be a pain in the neck to the administration but to get them to confront questions that sometimes are easier to push down the road.

I know, because I was in the same position as the people who are operating on these issues right now. These are important coordination questions and I thought of them, Senator Lugar, when you mentioned that the Pentagon was conducting a briefing today at 10:30 that you did not know about.

If there was some sort of structure at the sub-deputy level, below Dr. Steve Hadley, where somebody was sort of in charge—that is the person who is sort of running the structure on these post-conflict issues. That is where the buck would stop, and I do not have a sense that the government is organized that way right now. And it probably ought to be.

And the problem is going to become greater, as I said before, when the attention of policymakers turns to other crises, and this gets managed below the highest level.

Senator DODD. Yes.

Dr. ADAMS. To key off the last point that Mr. Schwartz made, which is that the key is if the military is going to play this role over the long-term, as keeping their attention on it, what is unusual about this is that as we have seen for more than a decade, it has been a very difficult and painful adjustment for the Department of Defense and the uniformed services to determine exactly what their role was going to be in a much messier situation—series of situations in the post-cold war world than they faced during the cold war.

Those messy situations constantly led to what was called mission creep for the military and a certain amount of resistance to the concept that the military ought to be doing policing and arresting and governance tasks, when they were—wanted to be restricted to a more clearly defined and sharply defined military mission.

This is more than mission creep, what we are talking about. This is really mission spread. This is more like a standard post-World War II occupation scenario where the occupying force itself—

Senator DODD. Well, do you think that is what is going on here? Do you think that is sort of what we are talking about here?

Dr. ADAMS. This is essentially how—I think where this originated was the sense that the military was going to be an occupying force; would have, as Mr. Schwartz suggests, a chain of command, the ability to make decisions, to move pieces around, to get decisions made, and to have them implemented very swiftly.

I think they probably were also somewhat educated by the much more difficult civilian administration scenarios that we have encountered in places like the Balkans, where simply organizing the pieces and having one civilian who is seen as authoritatively in charge was a very, very difficult exercise for years.

So placing it securely in an organized command structure, I think, is the preference of the administration. The difficulty—

Senator DODD. What do you think about it?

Dr. ADAMS. Well, the difficulty—I think it is probably right for the near term. But I agree with Dr. Marr; I think very swiftly it is going to be in our national interest to transition this to civilian administration and equally swiftly to a civilian administration with heavy participation by the Iraqis, and having the United States step back and take an indirect role very, very quickly.

I do not rely on the long-term desire of the military to play this role or to sustained attention to having the military play this role and need—we need to move, I think, quite quickly, in this situation.

In order to do that, there is one other point I want to make, Senator, which is in order to do that on the civilian side—one of the points that Mr. Schwartz mentioned I wanted to underline—is the supplemental needs to request adequate funding. And we need to be prepared to empower the civilian side of the executive branch of the Federal Government to move out sharply to take on some of this responsibility quite quickly.

Senator DODD. Yes. Just quickly, Ms. Mitchell, do you sort of agree with the doctor, or would you even disagree with even the initial point, from the humanitarian relief organization point of view? And, again, I want to set outside your views about the war itself, but looking at the management question what do you—how would you—do you agree with that assessment or disagree with it?

Ms. MITCHELL. I would go a little bit stronger on it. The Office of Reconstruction, one of their responsibilities is to handle the humanitarian activities in the event of any type of action. Because this office is located in the Pentagon, it is shrouded with confidentiality, classification issues, getting access. Getting new information out of there has been extremely difficult.

I have been attending these coordination meetings with different government officials now since November. And the meetings have not been very coordinating. They have been very one-directional. They have been very frustrating for the humanitarian aid community. We have been asking repeatedly to get the sanctions lifted, to get our licenses, to get access, and to have more of a U.N. role.

So, I think we are very, very concerned about how the Pentagon is going to be able to manage and coordinate a humanitarian response.

This is chilling the participation of European NGOs and American NGOs, because of this blurring—further blurring of the lines with the Pentagon and the civilian control of humanitarian assistance.

So while an office is, indeed, necessary to fulfill the nation's four Geneva Convention requirements, to take responsibility as an occupying power, certainly the humanitarian tasks need to be carved out and put firmly under civilian control if we are going to have the type of multilateral response that is needed.

I cannot stress for you enough that the logistical and operational framework is not in place to support a humanitarian response if there is military action in Iraq at this point in time.

Senator DODD. OK. Dr. Marr, I think I have heard your comments, and I have taken a lot of time, so unless you have anything to add—do you have anything to add to that at all.

Dr. MARR. No, because I have not really been involved in the policy, except to say that back in the mid-nineties, when this was discussed in the Pentagon, when I was working at the National Defense University, civil affairs units were brought in. And I remember a recent conference in which this was discussed when civil affairs units and the military seemed fairly gung-ho about going in and doing the humanitarian job.

So there may be some of that as well, but I do not have much more to add on this.

Dr. ADAMS. Senator, could I just add one thought? When we get past the point of humanitarian assistance and are talking about the installation of governance, democratic institutions, running state civil servants, doing construction in oil fields, things of that kind. It really goes well to the edge of the competence of the military to administer such an operation.

Having the civilians in is going to be critical very soon.

Senator DODD. Well, it is a cultural thing too, in a way. I mean, there is—our military, for a good reason, are used to doing things their way. And when you start expanding the number of people that have a shared decisionmaking role, it gets very difficult if your culture is basically to say it is, you know, my way or the highway, and you are trying to bring people to the table; so it gets complicated, to put it mildly. Anyway, thank you, Mr. Chairman. I apologize for the length.

The CHAIRMAN. Thank you very much, Senator Dodd.

In recognizing my colleague, Senator Hagel, let me just pick up on a point you made, Dr. Adams, that the dog does not bark in the same way in the Balkans; and in part it is because a lot of constructive things have occurred.

However, in this committee and in the Senate as a whole, we debated motions regarding Bosnia and then Kosovo made by distinguished leaders on both sides of the aisle to take the troops out as of *x* date, or right away, or what have you.

And I remember one such instance about this point 2 years ago. My colleague rushed into the room—we were having our Tuesday luncheons, which we will have today with Republicans and Democrats—and we were all considering once again the desire of two distinguished members of both of our parties to get the troops out. It seemed they had the votes.

Senator Hagel comes in, and brings word that then-candidate George Bush has indicated that that is not a good idea, thus confirming what President Clinton was telling the luncheon on the other side. And, in fact, their words turned around some votes. By the vote of a fairly small majority our troops remained.

The success that is evidenced in this anecdote came about because of a degree of constancy, and it is an important area of the world that is not out of the woods, but in which some degree of competency in both the political, military and humanitarian communities, albeit ad hoc, have been reconciled.

Now, our hope in a larger area today is to be able to do the same thing, and I call now upon that introduction, Senator Hagel.

Senator HAGEL. I am unworthy of such an introduction, Mr. Chairman.

The CHAIRMAN. Not at all.

Senator HAGEL. Thank you. But I would take note that I am often the bearer of good news and the administration is very appreciative of that, starting back in the summer of 2000, before there was a Bush administration, so thank you.

Mr. Chairman, I, like all our colleagues here today, very much appreciate not just this hearing but the quality of the witnesses that you have asked to come share their experience and thoughts. It has, once again over the last hour—more than an hour—an hour and—almost 2 hours—become clearer if there was any need for it to be any clearer of the imperfections and the complications of what we are dealing with here, as you noted a few minutes ago.

This is an imperfect business. And I want to say something about that, because it is my experience—and I have not been around here near as long as my two esteemed colleagues, Senators Dodd and Lugar—but this is not an issue about who is for or against the President. This should not be, nor do I detect it has been on either side, a political issue.

The President is not the only individual who takes the oath of office to protect the Constitution in the interest of this country. The security interests of this country are all of our responsibilities.

First, the safety of the state. And I think that is important, at least in my mind, to bring out to all who might be listening and watching, because this is a very, very important issue for all the reasons the four of you have laid out. And we do not have answers. We will never have all the surety that we need, if we go to war, if we intend to do the things the President has talked about.

So we are not in disagreement about the security of this country, and we are not here to hurt the President. But we have responsibility in the Congress to actually help the President, and to do what we can do to frame this, to pull out the tough questions and to ask the tough questions, and then try to find some solutions.

And I start there, because we tend to drift into these areas of political litmus tests and get ourselves bogged down in the underbrush of the superficial and the superfluous and lose sight of the real focus. And I think one of the things that the chairman said a few minutes ago about—and you all have stated it in your own way, in your own focus, the other combustible parts of the world that will not stop or will not be put on hold or we cannot defer until we fix Iraq. And the chairman mentioned some of those areas. You are all well aware of them.

The cost of what we, it appears, are about to engage in here are unknown, as you have said. But it is important to put some framework around this, and that is, again what we are trying to do today.

Mr. Adams, one of the things that you said—and I happen to agree with it—and I think the quote was, “The full burden cannot rest on the U.S.”—the full burden of fixing Iraq from start to finish with all the unknowns.

I believe that; I have said that. But I have even taken it further to say, “Why should the United States take that burden on by itself?” Which gets me to this question that I would like very much

to have the four of you respond to. You all have referenced the United Nations. You all have referenced allies in your own ways.

I would be interested in knowing, specifically from each of you, how important is it to each of you in the areas that you have focused on in your testimony, that the United States—if we engage in this military conflict, how important is it to have the United Nations? To have allies, the consequences of not having that with us who, in fact, will be called upon as some of you have stated in your testimony already to actually do the work or a good part of that work; the infrastructure of that work; the public diplomacy of that work; aside from the dollars that you are talking about.

So take that anyway you would like, and I would very much appreciate each of you responding to it. And, once again, thank you for a really very, very important and insightful sharing of your experience and wisdom.

Dr. Adams, thank you.

Dr. ADAMS. Let me start on that, Senator. Thank you. I think it is a very critical question, not only who will do this, but how do we entice them, induce them, encourage them, negotiate them, deal them in. Because it is my judgment that without that cooperation, trying to do this on our own is almost doomed to failure.

We have to have that cooperation, if only for the reason that an international community is going to be much better received in-country than a sheer U.S. military occupation trying to accomplish these tasks.

More than that, we do not have the resources to do this. We could not find those resources—Senator Lugar has already mentioned some of the budgetary considerations that will enter in, in trying simply to corral the resources that we think we can ask for. So the numbers I offered to you are, I think, beyond our capacity to do all alone.

More than that, we are going to need the expertise to do these things in the humanitarian arena just to start there. We are going to need the expertise of organizations like Ms. Mitchell has been talking about.

We do not have in-house, in the government, the capacity to deliver this assistance. And there are a lot of international organizations and non-governmental organizations, which I would add to your question, who have now years of tradition and practice in delivering the humanitarian assistance and have been helping with the Oil for Food Program, have been doing the job. And we are going to need their full wholehearted collaboration to do it.

In the area of governance, we are going to need other countries to participate in trying to work with the civil service, to work with democratization, to work with local groups. We will not have the resources to do it alone and, frankly, we will not have the full confidence, as Dr. Marr has suggested, of parts of the country to do it alone.

You are much better off with a community, a blanket that cushions the U.S. presence and any reaction to its presence in achieving that goal.

In economic reconstruction, we are far from having the investment capability to deal with principal task No. 1, the oil resources, the reconstruction if war has damaged it, of the oil fields, the up-

grading of the electricity grid, the upgrading of the export possibilities of that oil field, the potential exploitation of the probable reserves. I mean, they have only exploited 15 percent—15 out of 74 potential and probable reserve fields in Iraq. We will not do that as a government. We are going to rely on substantial private sector and international financial institution cooperation to accomplish this goal.

Debt—well, it is not debt even owed to us for the most part. It is going to have to be handled, however; or the Iraqis, who already face a debt-to-GDP ratio that is one of the highest in the world, will find that they are burdened by that debt and cannot do the economic reconstruction.

That is going to require Paris Club reschedulings, London Club reschedulings, negotiations that involve the international community in trying to relieve the burden of debt on the Iraqi people.

So my judgment is we cannot do it alone. We will not be trusted to do it alone by the international community or the Iraqis. We will need those organizations because of their competence and their resources. So it simply is of urgent necessity to create that coalition of support.

Senator HAGEL. Mr. Chairman, may I ask the indulgence of the chairman to ask the others to respond?

The CHAIRMAN. Yes. Please proceed.

Mr. SCHWARTZ. Thank you, Senator Hagel. I think your question is about one of the most important ones that needs to be looked at. And I should also say that there is a vigorous debate and discussion on this issue within the administration, so I think it is critical that Members of the Senate be part of that discussion. This is because decisions are, in fact, being made on the very question that you raised.

I am also a little less pessimistic than most that the difficulty that we are having in New York now, at the United Nations, will preclude post-conflict cooperation. I think we have a tremendous capacity to persuade other governments, to encourage other governments to come on board. And of course, the more successful the U.S. action in Iraq, the greater that possibility will be. So I certainly would not rule it out based on the discord in New York now.

I can just echo Gordon's statements. There are so many areas where international involvement will be essential and also will be required. We have no alternative.

I will highlight a few areas. First, to reiterate Gordon's point and to anticipate my humanitarian colleague's point, the WFP or another international humanitarian organization should clearly be playing the lead over time on humanitarian assistance. You know, they coordinate the tens of thousands of food agents in Iraq who deliver food under the Oil for Food Program.

We do not want U.S. soldiers to be doing that. It is a bad use of our resources and it is probably not a very effective way to do the job.

We have a very strong interest in the involvement of others. Even if the United States maintains responsibility for civilian administration, we have a strong interest in indicating that the United Nations or an international body will take responsibility in

organizing the consultative process that leads toward a political transition.

If we do not do that, if we are not prepared to do that, we will really have very significant legitimacy problems about a hand-picked—a future government hand-picked by the United States. And I would say a model—not a perfect model—but a model for this is the Bonn process where the United States had enormous influence, but it was a U.N. process. So that is a second area.

A third is the issue of oil. Some suggest that the United States could go in and take over the oil fields. First of all, that is not true. The United States has no intention of doing that. But as a matter of law, we could not.

Right now, the Iraqi oil industry is governed by a U.N. resolution, essentially; and any changes would have to go through the Security Council, as well.

So there is not really a unilateral option on oil for us, unless we wanted to break out of the U.N. Security Council resolution, which don't believe the administration has any intention of doing.

The continuation of the Oil for Food Program, modified in some way, will have to take place through an international effort. And to echo Gordon's points, the establishment of a consortium of donors, with the World Bank and the IMF, to deal with assistance and debt relief will also be an international effort.

So I think there are so many clear areas that we should not let the heat of ideological debate on this question prevent us from shedding light—practical light—on the issue. International involvement is inevitable, so we ought to engage and get on with it.

Ms. MITCHELL. I think in looking at the role of the United Nations, there is time to discuss what role the U.N. can be playing, actually, in a reconstruction period. There is not a whole lot of time left for the role of the U.N. in the humanitarian activities, because that crisis is upon us.

If we have military interventions in the weeks to come, the operational framework to get the assistance out simply is not there. There is not enough non-governmental organizations and U.N. operational capacity in the region at right—at this point in time. So, again, I would stress there is a need to de-link the humanitarian activities and there a very clear mandate needs to be given to the United Nations, authority to lead the humanitarian response for the reasons that Eric said.

The U.N. Oil for Food Program is the largest humanitarian operation anywhere in the world. It is huge. We have to have the U.N. involved in this. They can assure greater access for non-governmental organizations; not only inside Iraq, which may be under U.S. military control at the time, but also in the border countries.

The U.N. will have more independence, more impartiality to meet the humanitarian needs that we are simply not able to meet right now for a variety of reasons. The U.N. will also provide a critical interface with military forces, both the Iraqi side and the coalition's side, to deliver assistance and to include more donors.

We are getting—donors are chilling. There is a perception that the United States is going to go it alone and that there is a unilateral flavor to this, and it is chilling our traditional—humanitarian

communities' traditional donors, not just in the United States, but around the world.

And we need European humanitarian NGOs to respond to a crisis in Iraq. It is a very difficult situation. If weapons of mass destruction are used, we have never experienced this before as a community. We will need everybody's help.

The United Nations gives us a better chance of securing that participation on humanitarian issues, so if we can de-link those from the political processes, that day has arrived.

Dr. MARR. Let me just say that I have no idea what the size of the humanitarian crisis is going to be after the war, no one does. It is not clear how much damage, how much repair and reconstruction is going to be needed, so it seems very clear to me we need international support on the humanitarian crisis and rebuilding from the destruction of the war.

I take that as a given, to share the burden, to make it more legitimate. I am looking ahead past this humanitarian period and reconstruction of war damage to politically reconstructing Iraq. I keep hearing all this, and it rings a little bit wrong in my ear as I think how Iraqis would respond to this. We say: "we are going to help," "we are going to do this," "we are going to do that." We are imposing this on a people who frankly consider themselves quite competent to do this. That is going to be the real political problem that we have when we start in the nation-building and the political process.

In my view, they are not competent to build a democracy overnight. I understand that, but they think they are. So there is going to have to be a tradeoff here.

Iraq is now pretty close to 26 million. It is a very large country. I do not have exact figures for the exiles. It could be as high as 3 million but there are at least 2 million exiles. They include the best engineers, the best architects, the best writers; they are very, very competent people.

I do not think they are going to be looking for all sorts of people from the rest of the world to come in and do reconstruction for them. They are going to be looking to themselves and to this exile community before they look elsewhere.

We do need to keep in mind that this is a big country with a lot of qualified people, some of them inside, some of them out. It is their oil, and oil has been a very important flashpoint. We must not get ourselves into the mind-set that we are going to have to keep doing things for the Iraqi people. We are going to have to put the Iraqi people back in charge. They are going to tell us this very shortly.

Senator HAGEL. Thank you.

The CHAIRMAN. Yes.

Senator HAGEL. Thank you.

The CHAIRMAN. Senator Feingold.

Senator FEINGOLD. Thank you, Mr. Chairman. First, this has just been an excellent panel. I thank the chairman and the committee for having the hearing.

I would like to make a couple of remarks and then ask some questions. I would like to first note how strongly I agree with the chairman when he points out the security of the American people

really depends upon fostering what you described in effect as functioning successful states rather than chaotic and failing ones. And some members of the committee know that I spent a good part of the last couple of years trying to make this point with regard to Africa. We held four different hearings about countries that are in that posture.

And it is especially important to keep this in mind now as we are on the cusp of disordering a state, in effect, and then committing to the awesome task of trying to reorder it. And I think this committee is really—these witnesses have really helped us think about some of those issues.

Let me also say that, judging from the administration's statements and Iraq's behavior with each passing day, it obviously becomes more and more likely that the United States will engage in a major military operation in Iraq. And while I have no doubt in my mind that our admirable men and women in uniform will be successful in any military engagement, I do have doubts about whether or not the American people truly understand or have been given the chance to understand the magnitude of the tasks that the country is setting for itself, not only with regard to the military engagement itself but with regard to occupation and reconstruction.

I do not believe Americans have been told much about what the future holds beyond the most optimistic of scenarios. And frankly, I do not believe that Congress has heard much about the full range of potential scenarios either.

We really started trying to think about these things way back in late July and early August when, under Chairman Biden, a couple of hearings were held and some of these questions were raised then and have not been adequately answered over these many months.

I think that we were wrong to authorize the use of force without demanding this information and weighing it carefully, to assess the costs of this endeavor in economic terms, diplomatic terms, and, of course, in terms of human life, and to assess whether or not this will make America more secure in the end. The fundamental issue is whether this really will make America more secure in the end.

Unfortunately, and I will just reiterate what I appreciate the chairman and, I believe, Senator Dodd saying at the beginning, there is no one here from the administration to clarify these points or to reassure us that plans have progressed beyond where they stood a month ago, when it seemed that very capable representatives from the State and Defense Departments were simply unable to answer questions for this committee. So, again, I thank the witnesses for trying and I would like to ask a question.

At a staff briefing last week, administration officials indicated that they hoped our troops and reconstruction teams would be able to get out of Iraq within one year of a military intervention, leaving behind a country with a democratic political system and a transformed economy.

Can any of you think of any examples from recent history to give us confidence that such a timetable is feasible?

Dr. ADAMS. A clear and direct answer to that, no. I find it, frankly, implausible that the United States could leave within 12 months and leave a standing democracy and a healthy economy behind in Iraq. It is simply not plausible.

And I cannot give you another example where it has happened. The chairman mentioned earlier—I believe it was the chairman or maybe it was Senator Dodd mentioned South Korea, where a healthy democracy has emerged.

But I hasten to point out that the healthy democracy began to emerge, I think, some 30 or 40 years after the initial Korean war. Now, that is a very long time. And the United States has maintained a troop presence in that country throughout that entire period, not governing the country, to be sure. But the country was clearly under a very authoritarian government.

It took a long time to come around. It will be a long time before a fully healthy, functioning democracy exists in the Balkans in Serbia, for example, where we have been engaged now for a period of more than 10 years. These do not happen overnight.

And while Iraq—and I certainly share Dr. Marr's view of this, Iraq is not Afghanistan. It has substantial resources, which Afghanistan does not have and more greater coherence in terms of bureaucracy and governance than Afghanistan has ever had. It is also not Germany or Japan, in terms of its ability to establish a functioning regime and generate the resources that would support it.

Unless there were a very clear and well funded hand-off to some international administration of the Iraqi governance process and the reconstruction process at the end of one year, I just cannot foresee leaving in that timeframe.

Senator FEINGOLD. I appreciate that answer, and the reference to Bosnia, and certainly good things can be said about what has happened in Bosnia. But I was at this table, I believe, in 1995, and we were strongly assured that within one year before the next Christmas, our troops would be out of Bosnia, and the cost of the whole operation would be less than \$2 billion.

So there is this unfortunately tendency to tell the American people that something cannot happen within one year will happen, and I just wonder why such statements are made with such confidence. And it really does undercut people's confidence in what their government is telling them.

Yes; would you like to answer?

Mr. SCHWARTZ. Well, first of all, I certainly agree with Gordon's point. It would be great if the United States could get out—if the military could withdraw completely from Iraq in a year. I do not see it happening and certainly we should not plan to leave in a year—you have to plan for what you think is going to be necessary or might plausibly be necessary rather than for what you are hoping for.

But I want to raise another issue in terms of the extent of the U.S. presence. We have to realize that downsizing the Iraqi military, which will be an objective presumably of the American intervention, will create a security issue, because any future army that is powerful enough to defend Iraq against Iran, for example, will also be strong enough to threaten Saudi Arabia and Kuwait.

And so there are going to be regional security issues. And this will raise the question of regional security guarantees, with implications for issues like the nature and duration of our presence. So,

it is not simply the case that when we fix everything up domestically in Iraq, the job is done.

There is the broader regional context. We go in, we occupy a place. We downsize the military. That has implications for the rest of the region, and it may have implications for the nature and duration of our presence.

Senator FEINGOLD. Ms. Mitchell.

Ms. MITCHELL. I see no way how the United States can be out of Iraq in one year, and I say that because we have seen no plans for how they are going to secure Iraq within the first year.

Population movements will occur after the regime falls. There are populations at risk. There has been 30 years of a brutal regime, 30 years of populations being moved around and manipulated and engineered—Marsh Arabs from the south, Kurds from the north, et cetera.

We know the stories. I just do not see how it can happen. And there is no plan in place for policing, for filling security vacuums for arresting hardliners, spoilers, radicals, others that will fill security vacuums once the regime falls.

It will be the responsibility of the allied forces to do that. Who else is there?

And unless we are able to fill those voids in the first 100 days after the regime, that will determine how long the United States will stay inside Iraq—is how quickly security and protection can be provided to the Iraqi people.

And right now I see no plans from the administration on that.

Senator FEINGOLD. Dr. Marr.

Dr. MARR. There is one other thing that is going to determine how long we stay and that is the attitude of the region toward a continued occupation of Iraq.

I keep raising this unfortunate public opinion issue, because it is there. We have two sides of the sword to consider. Of course, you cannot leave in a year and have a functioning democracy, maybe even a functioning economy—that is out of the question.

But the tradeoff here is going to be how visible is the presence, how large is the presence, and how well we are moving to accomplish some of the goals that we want.

And I quite agree that an outside presence, particularly with respect to security and getting help in reconstruction is good for Iraq. But it is going to cause a backlash, not only in some areas of Iraq itself but in the region.

I do not need to tell you all what the atmosphere in the region is today. The impetus for terrorism—Bin Laden's main focus in 9/11—was the presence of our forces in the gulf. Other issues like the Arab/Israel issue, really did not play much of a role, in my view, in getting him started on terrorism.

So there are going to be a lot of pressures focused on how long the presence is there and how visible the presence is. I can well imagine political pressures of forcing us to draw down, move out, turn over to others. This is exactly what the rest of the region is afraid of.

They fear we are not going to be able to stay long enough to really create a fairly functional state. We are going to leave too early and leave a mess. So I just remind everyone that there are going

to be political pressures. It is not just how long we have to stay to do a good job. There are going to be political pressures, which I can well imagine will make us think about drawing down—moving out well before the job is done.

Senator FEINGOLD. Mr. Chairman, my time is up. I just want to comment that the comments of Mr. Schwartz and Dr. Marr really do highlight this interesting point. I have been on this committee and watched our involvement in Haiti and Bosnia and Kosovo and East Timor. And although everyone of those situations obviously has regional implications, it just does not compare in magnitude to what this entails in terms of the region and in terms of the implications. There really is a difference in substance, not just a matter of degree.

Senator DODD. If my colleague would allow me—I think the political pressures are not going to just be regional. They are going to occur here at home as well.

The chairman has pointed out the tremendous budget issues that are going to be confronting us very quickly; and I can see, despite all of the intentions today, even with the situation going well militarily, the pressures domestically to sustain the budgetary requirements, to maintain the kind of level of participation we are going to require are going to be profound here at home.

Dr. ADAMS. Senator, in my judgment, that is precisely why it is useful to have a much more broad discussion of this today than we have had to date. It is precisely because it has those implications.

The CHAIRMAN. Well, we thank each one of you for the historical perspective. I am going to introduce Senator Chafee, but I interject one more minute of editorial comment, because mention has been made of South Korea, and of how long it took to move toward democratic institutions—a little more than three decades.

One reason, however, we were not resented in that case was that the Koreans felt we were a security for them. That is a point about Iraq we have not gotten into today. Namely, there may be predators from outside that do not have the same respect for the boundaries of Iraq as we do.

So there may be some interesting by-play there; but nevertheless, it was the Philippines election, at least in my judgment, that bumped along democracy in the South Korea case. And I would just say, historically, that Mr. Armitage and Mr. Wolfowitz were around in those days. They played a very important part in testimony for this committee in 1985 and 1986, along with Secretary Schultz and then President Reagan, who became involved in this.

So optimistically, these things do work out historically if you have patience and if, in fact, the chemistry between the countries in question, in this case the United States and those who are our friends in South Korea, works for a long period of time.

Senator Chafee.

Senator CHAFEE. Thank you very much, Mr. Chairman. Senator Feingold mentioned a number of countries where we have been active but we have not mentioned Afghanistan yet, and President Karzai, was here last week saying, “If you do not strengthen your commitment to us—or lose your commitment to us, we will fall like a house of cards.” And so as we look at reconstruction of Iraq and the question of who might help us, in looking at the dynamics that

are happening every hour, what countries, might after the dust settles, really be there for us to help us in this reconstruction?

I guess I will start with the other end, Dr. Marr. Why do you think after everything is said and done—

Dr. MARR. As I am sitting here trying to—

Senator CHAFEE. Because we have the help in Afghanistan. Are they also—many of these countries—going to ante up and come help us in Iraq? And which ones in particular can you see?

Dr. MARR. Well, first of all, I would have to think on that. However, oil comes to mind. How is the oil industry going to develop? There are a lot of people, a lot of companies, and a lot of countries who are interested in getting some profit from the oil industry. So there is a carrot on the stick out there, to entice people into getting involved in Iraq. Some will want to go in and acquire a stake in this society.

The answer is whoever is interested in oil and markets. That would be a lot of people—certainly, I think the Europeans.

The Russians and the French have, as you know, long-standing interests there. It is interesting to see how this issue is playing in the United Nations. If there is a new regime, they certainly must be asking themselves whether their stake in oil will remain. So certainly, I think European countries would be interested. Possibly east Asia—oil flows to east Asia these days.

So my answer would be to just keep the oil in mind and countries that would be interested in getting a stake in it. I do not know whether it is going to be difficult to find people to help eventually.

Senator CHAFEE. So when you refer to regions, European, East Asia, does that mean what countries in Europe—can you see the Germans, the French, the Spaniards, all these countries helping us—the Dutch, the—and then to go to East Asia, coming in and helping us? Is that what you are saying?

Specifically what countries, I guess, is what I am asking.

Dr. MARR. The other people on the panel may be able to address that. If you mean financial help, I really cannot answer that question, because I do not have the expertise.

I am thinking not so much in terms of the early reconstruction and sort of ponying-up on the budget—but countries interested in long-term involvement in Iraq, particularly the political involvement—of countries willing to come in and make some kind of an investment in time and energy. Certainly the people who are going to want to get involved in this are people who see a stake in oil.

Iraq has reserves second only to Saudi Arabia. The potential for oil production and exploitation is incredible. And people are interested in that and would like to get into Iraq and have a stake there for that reason. That will be a help.

Senator CHAFEE. Yes, a very good point.

Ms. MITCHELL. I think about 30 to 40 percent of the U.N.'s plea for humanitarian contingency funding has been met at this point. That is all. And I think that the donors that have contributed to that—and I am going by memory, certainly the United States has contributed, has made pledges, the United Kingdom.

There are no more than five or six countries; I think Canada, Switzerland. We are seeing no funding being released at this time

to the humanitarian NGOs from the British Governor, from the European Union, or from other traditional donors in Europe. That may change in the event that an action begins, but we are very far behind right now in preparations.

The way to speed this up is, again, is to give the clear authority and clear mandate to the United Nations. Several embassies here in town have told me that they would consider contributing to the humanitarian activities if they were de-linked from the process that is going on in the Security Council right now. So I think we could get much broader funding with the U.N. handling the humanitarian situation.

And that is going to be, you know, the big costs aside from the military in any type of campaign that is going on, depending on how it unfolds. We simply do not know.

And certainly if there are population movements during a campaign, they may spontaneously return very quickly, as we saw in Kosovo, once you have ground forces going in, and the costs can be very, very high. If this Oil for Food Program collapses, there are 16 million people that the United States will have to somehow coordinate funding and feeding of, which again is another reason to get the U.N. involved, get them involved today, give them clear authority, let them lead the humanitarian response.

Senator CHAFEE. Thank you very much. I assume you are saying that despite all their opposition to the direction we are going, when the dust settles, they will be there for humanitarian assistance to help the needy people in Iraq to get on their feet?

Ms. MITCHELL. If they have a clear authority. The U.N. only operates on clear mandates and clear authority, and right now they do not have it. So something does have to be done in New York to give them that authority, and I do think that they can be de-linked from the political process.

It is not inconsistent for the United Nations to be preparing for a humanitarian response while still advocating and working toward a peaceful resolution.

Senator CHAFEE. Mr. Schwartz, you said that—earlier that despite what is happening in New York—and I think were your words—you expect to have a broad international help here.

Do you think that the popular opposition will affect the decisions of these leaders to send help, or is it back to Dr. Marr's—the oil is there, and that is what is going to be important once the war is over? And we are assuming that in this questioning.

Mr. SCHWARTZ. Right. I do not want to appear too optimistic, but I am not quite as pessimistic as others on this question.

First let me address Phebe's point. I think she is right. I think any post-conflict regime, legal regime, a modified Oil for Food Program is probably going to have some sort of provision that gives a future Iraqi government a great deal of freedom to make judgments about how it is going to develop its own oil industry, and maybe free it of some of these executory contracts and other shackles that really might otherwise restrict its ability to make independent decisions.

And that independence will be potential leverage—or if not leverage, will create incentives on the part of other governments to get involved in Iraq. So I think Phebe's point is correct.

I also think that in a post-war environment, the governments will be more inclined to come on board. But I have to caveat that by saying I think the big players on big reconstruction in Iraq are probably going to be the international development institutions more than individual governments.

Senator CHAFEE. Let me just—my clock rang, but—

The CHAIRMAN. A quick couple of points, yes.

Senator CHAFEE. On the last comment, can you refer also back to Afghanistan, and how do you think our resources are going to handle all of what we are getting on our plate now?

Dr. ADAMS. Afghanistan is a good point of comparison. The first point I wanted to make is that unlike the—on the war end of this, unlike the first gulf war, we are not going to be reimbursed substantially by the Germans, the Japanese, the Saudis, or the Kuwaitis for the military exercise; so there is a big difference that we will incur up front.

That point is really relevant, though, with respect to the occupation issue that I raised in my testimony. I think it is the expectation of the administration that at some point rather like the Balkans, where the Europeans provide 80 percent of the forces occupying the theater, or in Afghanistan where a substantial augmentation of European participation has happened in the force presence in the theater, it is not my impression that the European countries who are in the position to provide such forces for these purposes are likely to step in and fill the void militarily after the war is over.

And if you count on a substantial occupation being required, building a set of expectations that say the Germans and the French and the British, in particular, will step in and pick up the American military occupation role, I think is a totally unreliable expectation. And that is for two reasons. I do think, there, New York makes a difference. There is going to be an uneasiness about that.

A second reason, those countries have, in some cases, colonial history in this country, which makes them reluctant to engage forces in that theater.

And third, all of those countries, but especially the British, are going to be stretched. Their conventional force—Army capability to become an occupying force over a long time is already significantly stretched by the Balkans and Afghanistan. So expecting them to then provide a very large force to occupy Iraq is, I think, an expectation well beyond what we can actually see happen in the region.

The other question that I wanted to raise has to do with international organizations; and I endorse what Eric Schwartz was saying about the large water-bearing will be done here by the World Bank and the Asian Development Bank, not by bilateral donors to the reconstruction piece of the task in Iraq.

We will have a harder time with governance support. That may be on our hook, most of it, if not all of it. And the other—in reconstruction, the other point just to make is that I do expect something, though, I do not know how much out of the European Union. The European Union has been a participant in other exercises in Gaza and the West Bank, for example. They have been willing to come in and provide substantial resources.

And the Europeans, because of the colonial history, will probably find it preferable to divert their activity through the EU than to come in on a bilateral basis.

So the oil fields, I think Dr. Marr is correct, there is substantial, already defined, and probable reserves in this country. However, the \$30 billion or \$40 billion that the Baker Institute estimates it would take to actually go in, explore and develop those fields, build the infrastructure to pump it, build the infrastructure to move it down pipelines, build the infrastructure to refine it and prepare it for export, all of that is going to take 5 to 10 years minimal. So, it is not a source of revenue that is going to come on stream quickly.

Senator CHAFEE. Thank you.

The CHAIRMAN. Thank you very much, Senator Chafee.

Senator Brownback.

Senator BROWNBACK. Thank you very much, Mr. Chairman, and I thank the panel members for being here and their presentation.

I want to make two notes, if I could. One is that I agree with a couple of the panel members and their comments about that we need to move toward civilian control as quickly as possible, and I think we have—the chairman has held hearings about this point previously. We have had a number of hearings in the past Congress about various opposition groups, the Iraqi National Congress and others that are working—as a matter of fact are in northern Iraq today—have convened meetings in northern Iraq.

The northern Iraq is operated now by a civilian authority. The Kurds are operating in northern Iraq. And so I think there is a good basis to build off of that I would hope we would build and gauge quickly in the process of moving to Iraqi control that Dr. Marr was talking about, that you have a mixture some of military and civilian for a period of time, but you quickly move to that civilian Iraqi control.

There are very, very qualified people and this is going to be able to make a move that I think will be very well received, and I do not think a military oversight will be particularly well-received over a long period of time or we have a capacity to do that. I would hope that the State Department would help in the funding of these opposition groups and get those funds out now, in building them up to be able to get that done.

The second point is, is that I want to take us a little bit back to the big picture that President Bush addressed at the AEI speech that he gave about 10 days ago. And I appreciate your thoughts—I do not agree with all of them. I appreciate the thoughts and spirit it is put forward with and your analysis that you have created with it, but when he gave that speech, he was talking about the big picture that he actually had addressed not this State of the Union, but the State of the Union before, when he talked about the “axis of evil,” which was the statement everybody latched on to.

He also talked about pushing for democracy, human rights, religious freedom everywhere in the world, and that would include within this region of the world where Iraq is located. You have a number of countries in that region who are not democracies, do not respect human rights, do not respect religious freedom or tolerance. Indeed, they all go the exact opposite of that.

And we have been supporting a number of countries in this region that have not, and their populations have generally been very restive underneath them. I think there are a fair number of experts that believe that—that is a big part of the problem in the region is we have not stood by our basic principles. We stand for liberty. We stand for human rights. We stand for these principles and we have not pushed them in this region as we have in other regions before.

And I think what President Bush was saying in that AEI speech was, “Let us look at the big principles of what we stand for and what could happen down the road if this effort is successful in Iraq.” And that Iraq is a very likely place for this to succeed.

Undoubtedly, it takes a long period of time. Undoubtedly, it is also costing us a great deal that in this region there is a dearth of democracy and human rights and religious freedom. And undoubtedly, that is also contributing to our costs of beefing up our interior defenses against terrorism, because that is not the rule of order within that region.

So while I think there are clear costs associated with this, and they are clearly going to be expensive costs, I would hope that a fair amount of resources there, locally, could pay for this—and there may be a question about over a period of time whether that can take place or not, but I think there—we are paying a huge cost for the destabilizing nature of what is taking place in this region today.

And I hope as you appraise these issues, you would also look at the current costs that we are going—and not just the operation, the “no-fly zones,” the areas that we are currently going, but also what all we are doing to fight.

I have had experts that I have hosted that have said the way you are going to have to deal with this is this way, to work within the region and to sow those seeds of this type of opportunity—democracy, human rights, religious freedom—into the future.

I would hope you would use that in your appraisals as well, as you look at the costs of this operation—that it is already costing us a great deal of what is being done in some regions, or this region of the world.

Would anyone care to respond?

Dr. ADAMS. I would be happy to respond to the Senator. I think you make an excellent point.

Let me just touch on two aspects of it. One, I am not sure that you were in the room when I talked about the cost of not going in, of the costs of not dealing with Saddam Hussein, and they are costs obviously of not dealing with Saddam Hussein that we would have to think about as well. Whether it is maintaining the force in the region or it is the costs of the inspection process itself, of enforcing the inspection process without going to war, costs of the war on terrorism, costs of homeland security defense. All of those are very real.

And we are going to incur them and they—we may incur them in greater amounts if we do not deal with Saddam Hussein and his weapons of mass destruction.

The other question I want to raise, just to springboard off what you said, which I think is critical, the touchstone in the President’s

speech—and I think in what has been discussed in the State Department is the wider regional issue, and how we intend as a government to deal with not just Iraq, but what will happen in the rest of the region, while we are there and how we deal with that.

And I—let me just touch on three points. One is whether we are well-received or poorly received, I suspect there is room for a substantially enhanced program of public diplomacy in the region, beyond what we have now committed to the region, either to deal with backlash or with frontlash, to actually encourage the kinds of changes that you are proposing.

Second, I gather there is some planning or thinking about a region-wide Islamic world democratic initiative. That is an additional resource consideration. It will cost more to do that but I anticipate that may be the outgrowth of dealing with Saddam Hussein and the weapons of mass destruction.

And the third question that we have generally stayed away from, but is considered a touchstone of American policy in the region, which is how we deal with the second intifada and the issues between Israel and Palestine.

And if we get into a serious peace-making effort in—between Israel and Palestine, which the rest of the region is going to watch whether we do that or not; that, too, could, from my perspective, have downstream resource implications in terms of assistance programs, maybe even military presence that we need to start thinking about as we look to long-term policy region wide.

Mr. SCHWARTZ. I want to talk first about the cost issue. I have tried to be very, very clear that if there is a post-war Iraq, our interests are vital, and we should spend whatever it takes. And my only plea is that the administration start to speak in greater detail and make the case so that we can get the buy-in of the American people in what is going to be an enormous commitment.

But it is a commitment we have to make. And my discription of the numbers is not designed to scare. It is designed to make clear that they are very high, which is all the more reason why the American people need to be a part of the exercise at the outset; so 4 or 5 years from now, we are still spending, as we should be spending, large amounts of money, so we still have support to do that.

Second, in terms of promoting democracy in the region, as the former head of the White House office that dealt with democracy and human rights, Senator, I am very well aware of your efforts on these issues, which I think are exemplary. For the advocates for human rights and democracy within the former administration, you were very helpful in ways that you probably do not even know, in terms of internal administration debates. Promoting democracy and human rights has to be an important objective of U.S. foreign policy, not only in the Middle East, but everywhere in the world. Good governance helps us—we deal better with governments that are democratic and the threats that we face are far less severe.

I would just make three caveats. Without making any judgments, the first thing I would say is that concerns have been expressed by those who support our position at the U.N. that making the democratic argument, the argument that we need to go in because we need to change this regime, has hurt our diplomacy at the U.N. Be-

cause at the U.N., we are arguing international law, that Saddam is not complying with U.N. resolutions on weapons of mass destruction, and that is the reason why we need to go to war.

And other governments question whether upholding U.N. resolutions is the reason we are planning for war. They say that is not really what we are about. They claim that is a pretext for other objectives. So I am just raising the point that this has created a complication in our diplomacy. And it raises a question with which our diplomats have been grappling.

Second, I think there is the basic question of when do you use force to impose democracy. And I am one who believes there are times when you have to use force to promote human rights, even in circumstances where your legal authority is uncertain. But I think one has to have a clear idea of when the use of force for that purpose is and is not appropriate, because it is certainly not appropriate everywhere, but there are places where it is. And I think Iraq raises that question.

And the third question, I think Phebe can talk much more smartly about this, is just—to use the President's words—how humble we need to be when we are trying to impose these sorts of reforms elsewhere. That is not an argument for not trying, but it is an argument for being careful about how one directs one's efforts.

And I think those are factors which are important to consider. And before I give up the mike, if I can just say one word on the Afghanistan point, because I did not address it, that I think it is important. I do think there is an issue of declining U.S. interest in Afghanistan. It is clear—and I think we need to be very careful about it—that there is sentiment in the administration that Afghanistan does not matter the way Iraq matters. And as a result, we may see implications for future funding.

And I think that is something that should be of great concern to members of this committee and to the Senate.

Ms. MITCHELL. I would just echo that last point by Eric. It is very difficult these days for humanitarian organizations to get the attention of the administration on Afghanistan, where there continues to be serious security concerns in the distribution of aid—so more attention for sure.

On the issue of human rights, I mean, clearly there are few regimes in the world most unworthy of ruling than Saddam Hussein. The 30 years of brutal, brutal human rights and humanitarian law violations that have been bestowed on the population over time have left tremendous effects.

And these human rights violations will not stop the day the regime falls. We have to deal with the past crimes. Again, where is the plan for that? Where is the plan for dealing with these past violations?

And we also need to work very hard in order to promote the human rights of the Iraqi civilians. The American Government if it goes into Iraq again will be bound by the fourth Geneva Convention, which sets forth those responsibilities. They are to protect the civilians and include the protection of their rights.

We have not seen a lot about how that is going to be done. It is going to have to be a very proactive strategy. You have to build-

up confidence very quickly as an incoming force to protect the civilians.

Presumably, hopefully, they will all embrace American soldiers. We do not want any casualties, for sure. But that means getting out of the Humvees and talking to the local leaders and engaging them and having a proactive strategy. This is not something the American military is traditionally great at doing.

They are trained in a different manner. This is why the humanitarian community has such an important role in these areas. We work with these local communities. We can assist in rebuilding those bridges and rebuilding their confidence, but we have to do so that is seen as being independent and impartial from military forces.

On the issue of protecting human rights, and I think it is something that is important for you all to know, which is that if the United States intervenes in Iraq, there will be areas of Iraq that will be more stable than others. In areas where it is a very destable environment—unstable, where the risks of civilians are at greatest risk, there may be a need for strong military control in those areas.

We should not be shy of that. Sometimes the only way to protect civilians is with some sort of military rule for a very short defined transparent period of time. And here I am thinking of Kirkuk in particular, which could be a very volatile situation.

Again, we have been asking the administration for months now what are the plans for these volatile areas? How are you going to protect communities, individuals, specific groupings of people that today are in power that tomorrow will be victims and will be very vulnerable? They will be perceived to have been collaborators and perpetrators of 30 years of abuses.

They need special protection plans. This is not—general incarceration is not an option. I am talking about general protection plans, working with the local community, instilling trust.

USAID, the DART teams—the Disaster Assistance Response Teams—the Office for Transition Initiatives, these parts of the government should be coming up with ideas and plans for this. This cannot fall on the military. It really is not fully their role on some of these things.

They should be providing security, but reaching out and building the confidence of the population will require much more than what a military commander is going to be able to do, given all of the other demands that will be put on that person's shoulder, most particularly finding weapons of mass destruction, which again I must reaffirm to you, we have no plan.

There is no plan for what to do if weapons of mass destruction are used in Iraq against the Iraqi population. Thank you.

Senator DODD. Can I just—

The CHAIRMAN. Yes.

Senator DODD. I wanted to ask you quickly about something. What about protecting humanitarian workers, really? Has that been thought about at all?

Ms. MITCHELL. Well, the military has—you know, they have this embedded procedure going on with journalists. It was discussed many months ago with the humanitarian community, but it is just

not acceptable. I mean, we cannot go in and work hand-in-glove with the military. We are not perceived as being impartial and our security is too greatly at risk.

Presumably, the U.S. military, if it provides security to areas, then we can operate. We do not need any additional security measures, as long as we have ambient security in the area.

Senator DODD. But if you did not have that, you would not be able to perform your functions?

Ms. MITCHELL. It would be very much—Senator, it would be very much a day-to-day type of calling. We work in some parts of the world where there is no military and we are in a conflict situation. It really is a call that is made on the ground day-to-day.

Dr. MARR. Just a quick response on the democracy issue, I do not remember whether you were here earlier when I said that I, too, have a concern about leaving the current situation the way it is, I consider Iraq a failing state. We all know about Saddam and what he has done on the humanitarian side, but the state itself is failing.

And, therefore, I, too, see that it is necessary to go in and do something about this. There are costs also to letting the current situation drag on.

I certainly agree with you on democracy and restructuring and better governance in Iraq. I guess my fear here is that this is going to require staying the course, but I am not sure this requires years of a military presence, especially an American military presence. What staying the course really means is personnel and political involvement and pushing and shoving this process when necessary.

I am concerned about two things on this. I am concerned about the governance issue. I am also concerned about human rights, but my colleague has already addressed that. The retribution issue is numero uno on the day after. We have got to be very careful about that.

It seems to me that before we select or favor any Iraqi leaders, whether it is the INC or the outsiders or the insiders or whatever, we really ought to be directed to creating a process. The most important thing in Iraq is to a constitutional process and the rule of law started.

Second, let us not forget that an important part of this democracy process is political culture. It is not going to be simply a matter of a vote and putting people in office, but until you have tolerance and an ability to conduct yourself in a democratic way, democracy is not going to come. That will take a very long-term effort.

Incidentally, I feel very strongly about this in the rest of the area as well. I want to come back to the textbooks and education, with which I have a lot of familiarity. This area needs improvement all over the region.

What you really need to work on is more openness, and a change in the political culture. That simply is going to take a long period of time. And I hope we will have the persistence to stick with it.

Senator BROWNBACK. I appreciate your comments and, Mr. Chairman, your indulgence. What I have seen, though, is that we have paid for a lack of being bold—humble, but bold in this region for some period of time. And I think we are paying for that, and no attention to textbooks may be within the region that we are see-

ing in several places that are teaching in some cases very hateful items.

I mean, people have to be taught peace as they are taught war—or not necessarily taught, but they need to be encouraged toward peace, as they are encouraged toward war. And I think we have paid, and we continue to pay a huge price. And now the President is trying to put upon a tack to actually solve the problem, rather than some form of containment or continued expansion of it. And it is going to be difficult, and it is going to be expensive, but I think we are much better off to solve it rather than to continue on with Band-Aids that do not particularly work.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you, Senator Brownback. I thank you likewise for your patience as we have proceeded to ask our witnesses ad seriatim to answer these questions. And they have responded.

I just want to pick up one point, Dr. Marr. In describing the geography of Iraq earlier on and the different types of governance situations you might anticipate, you mentioned a degree of self-government now going on by the Kurds.

This committee had a behind-closed-doors briefing on Turkey last week, following the decision of the Turkish Parliament but preceding the elections of this weekend. And first of all, I just make the point that, despite all of our planning and our timetables and what have you, other people in the world make decisions in different ways.

Political parties, movements are formed, that are totally beyond our control—sometimes beyond our comprehension. Because the committee is trying to comprehend this better, we went to school on Turkey last week. And that was helpful, because we were not totally surprised by the events, nor I suspect were you, of the three elections over the weekend that came about because of a flawed democratic system, one that is perceived by the Turks as flawed. So they had re-runs in three situations, which gave the presumptive leader, Mr. Erdogan, an opportunity to enter the parliament, which he is going to do apparently, and likewise, maybe to regroup the parliament but not immediately. And he has indicated to a congressional visitor and now to others, some of the thoughts that he has with regard to the relationship.

Whatever they may be, they certainly impact upon the northern part of the country. And that is why we are all planning for Iraq; as you pointed out, as and each one of you have reiterated, Iraq is a complex country. It is a big country, with different kinds of governance situations, and very different in the case of the north.

So I do not ask you for a comment today upon what is speculative, because we all are watching that. But it is something that we do need in our own planning, whether it be over at the Pentagon or here or in our conversations back and forth to consider. Because Turkey is a special situation, I believe, given the north, the history of the Kurds, and the interest of Turks perhaps in being in northern Iraq during this reconstruction process, and whether we will be there along with them, with a combination of Kurds, Turks, Americans, plus whoever else comes in from the United Nations and the NGOs.

Does anyone have any thought that they want to express on that issue? I am not really wanting to interrogate you, but having raised it, you may be stimulated to answer. Dr. Marr.

Dr. MARR. Well, I do think it is extremely important and very sensitive. There are two places where I think we really might get flash points aside from removing Saddam in the center, of course. One of them is the shi'a holy cities; the other one is the Kurdish area.

My own proclivity is, to the greatest extent possible, to keep the Turks and the neighbors out of Iraq. That may not be possible because Turkey has such an intense interest there, but we all know what the reaction will be with the Kurds; Turkey exploiting the Turkomen minority is not very good.

The Turkomen minority is very well integrated in Iraq. They do not have any particular separatist tendencies. They are usually an educated class.

And as soon as the Turks come in, the Iranians and the Badr Brigade, composed of exiled Iraqis are going to want to come in. And frankly this is going to be very tough for us to handle, because we are going to have to talk to the Turks. We are going to have to talk to the Kurds—our friends the Kurds as well. And maybe they will not get everything they want either. But it is a very sensitive issue and we really do need to address that.

If Turks go into Iraq, it is just going to set a very bad precedent for keeping the territorial integrity of Iraq and keeping other neighbors out, keeping them from interfering. That has been one of the historic problems in Iraq. Every neighbor has a group inside of Iraq that it can use to manipulate its interests, and to the extent that we can exclude that, it would be better.

The CHAIRMAN. Yes, Ms. Mitchell.

Ms. MITCHELL. The Kurdish authorities since 1991—or the Kurdish authorities in the north, have done a pretty good job of rebuilding villages and putting administrative systems in place. Certainly from a humanitarian perspective, there is more capacity in the north to absorb population movements now than there was then.

Our concern continues to be, though, that adequate security measures be put in place for Kirkuk, which is potentially the second largest oil reserves inside Iraq. Years and years of forced population movements—Arabs living in there now that had been put there by Saddam. They all left in 1991. They may leave again. There may be a race then on Kirkuk, and how that security situation can unfold can quickly start moving populations around.

But I think that the Kurdish authorities, at least in our meetings with them, have indicated that because they have more of a system now in place, that they would be looking forward to a role in a new national government and not an independent one.

The CHAIRMAN. Well, I thank you very much, and I appreciate, again, the detail in which you have addressed these problems. Senator Dodd may have had a similar experience, but in Indiana this weekend on Saturday and Sunday, I addressed almost continuously meetings of several thousands of people. They were not there either to applaud or to protest; they wanted information.

There is a yearning for information. That is what this committee is trying to go to provide. What is Iraq? Who are the people that

are there? We are considering the impact of the history of this situation, even as we now become tremendously involved, and are likely to be for some time.

So all of the things that you are saying illuminate for my constituents—for all of our constituents—the facts that they want to have. And they are going to be a part of the argument for a long time.

And this is what I have tried to stress today. This is not the first time we will ever take up a supplemental appropriation bill, if we take up one with regard to Iraq. It is likely to go on and on, as those of you have been in the budget business understand.

Senator Dodd.

Senator DODD. Well, Mr. Chairman, I thank you and I thank our witnesses. I will sort of end where we began. This has been tremendously instructive.

I thank you immensely for your preparation and for the work that many of you have done for so many years in the related areas that we talked about here today.

And I cannot help but express my sincere disappointment that the administration saw fit not to participate this morning. I do not know what the motivations may be, even from people who are part of this committee who may have been against the resolution the last fall. I was not one. I voted for it, and I believe they made the right decision at the time.

But even for those who have been critics of the decision on that resolution, I think there is a strong desire that once this occurs, that we do it right in terms of the follow-on, winning the peace as has been described the situation.

And to miss an opportunity here today to start to build the kind of level of support and understanding of what this involves, is a tremendously missed opportunity—we will have more hearings but I do not know how many more we are going to have once the actions starts in a sense. And then we are sort of playing catch-up.

And I am just terribly disappointed that they decided not to be—there may have been tough questions, maybe some awkward questions, but that is the nature of democracy. At times, we are going to be trying to instruct a part of the world that has very little of it. And it seems to me on the very issue of whether or not there is going to be support here under democratic institutions for the level of backing and support necessary to give Iraq a chance in the post-Saddam period to survive is not terribly instructive of how democracy may work.

So I thank the chairman for these very, very helpful hearings. I learned a lot here this morning. And I thank all of you. And I suspect we are going to be calling on you, again, to give us your insights and observations as we move forward here.

I just hope that maybe there are some people within the administration who listened carefully to what you had to say today. Certainly, it has been helpful to us here on this side of the dais. It could have been tremendously helpful as well for people inside the administration to hear your pleas to get going. We are losing time here. You have got to start now. You have got to get involved in this. You need to involve the international community.

Whatever differences may have existed over wordings or resolution at the United Nations, there ought to be a second track ongoing to know how we are going to work together, to see to it that the people of Iraq deserve far better than they have had for the last 30 years.

So, I thank you very much.

The CHAIRMAN. Thank you, likewise. I hope our colleague, Senator Biden, has an opportunity to listen to all of this too, because he will have enjoyed it.

And with that, the hearing is adjourned.

[Whereupon, at 12:30 p.m., the committee adjourned, to reconvene subject to the call of the Chair.]

ADDITIONAL STATEMENTS SUBMITTED FOR THE RECORD

PREPARED STATEMENT OF SENATOR JON S. CORZINE

Mr. Chairman, I would like to thank the distinguished panelists for sharing their wisdom with us on a topic that promises to be one of the most important that this committee will face this year.

Victory in Iraq, we all acknowledge, cannot be defined as simply overthrowing Saddam Hussein. We will not have won the war in Iraq until we successfully put the pieces of the country back together when the fighting is over.

And by some measures, beating Saddam will be the easy part. It would be a colossal mistake to underestimate the far-reaching national security implications of an ineffective, haphazard, or poorly considered reconstruction effort.

I regret that the administration is not here today to discuss some of the many concerns that this committee has relating to the reconstruction of Iraq. Up until now, for example, the administration has been unwilling to suggest how much post-conflict reconstruction might cost. Clearly, many difficult to predict variables factor into the ultimate costs, but getting a range of estimates should not be nearly as much trouble as it has been to date.

Providing cost estimates is not a trifling matter. The Congress must assure that sufficient resources are being earmarked for reconstruction activities because the risks of failure in post-conflict Iraq are tremendous. And unless the American people are cognizant of the costs we expect to encounter, it will be much more difficult to maintain support for this important, but expensive effort in the future.

Substantial sums will need to be provided to support peacekeeping efforts and attempts to restore civil society. Without these initiatives, Iraq could splinter into warring factions and plunge the region into further turmoil. This in turn could lead to military intervention by neighboring countries, including Turkey and Iran, and upset the regional balance of power. To avoid an ad hoc or ill-conceived approach to reconstruction later, it's important now—before the fighting starts—to consider the costs that we are likely to face.

Ultimately, America's success in reconstructing Iraqi society will be directly related to the quality of life enjoyed by the Iraqi people, economically and politically.

Ideally, by creating a strong, democratic Iraq, we will help overcome one of the main difficulties the United States faces in the Middle East: its image problem. A Gallup poll conducted between December 2001 and January 2002 in Indonesia, Iran, Jordan, Kuwait, Lebanon, Morocco, Pakistan, Saudi Arabia and Turkey, found that 53% of people polled had an unfavorable opinion of the United States.

America's future in the Middle East presents a forked road. If we are unwilling or unable to provide the level of humanitarian assistance and other support that Iraq desperately needs, the United States could undermine its credibility in the region for generations to come, bolstering efforts by foreign terrorist organizations to gain further strength and making meaningful relations in that part of the world unattainable. However, if a prosperous, democratic Iraq flourishes, it will pay dividends to American security for our children and beyond.

PREPARED STATEMENT OF BERNICE ROMERO, DEPUTY DIRECTOR OF POLICY AND
EXTERNAL AFFAIRS, OXFAM AMERICA

Following please find analysis in response to recent Administration announcements around its humanitarian planning for Iraq.

Oxfam continues to believe that war in Iraq should be avoided due to the humanitarian consequences that may result. The best way to avoid humanitarian consequences is to find a diplomatic alternative to the current crisis.

However, if military action does take place, the international community must be prepared to meet humanitarian needs and protect the rights of civilians. Any warring party in conflict has obligations to protect civilians under international humanitarian law and the Geneva Conventions. This obligation will apply to the U.S. and coalition forces in the event of military action against Iraq.

The White House has outlined 6 principles that will frame its relief efforts in Iraq: minimizing civilian displacement and damage to civilian infrastructure; relying on civilian relief agencies; committing to effective civil-military coordination; facilitating the operations of international organizations and NGOs; pre-positioning relief supplies, and supporting the resumption of the ration distribution system.

Drawing on recent analysis by Refugees International ("U.S. Announces Intention to Rely on Civilian Relief Agencies for Humanitarian Response in Iraq," February 27, 2003) and our own experience, Oxfam America raises the following concerns about the ability to live up to these principles:

Minimizing civilian displacement and damage to civilian infrastructure: Because Iraq is an urbanized country with concentrated population centers an effective military strike is likely to produce significant damage to civilians. For example, Iraq's electrical grid supports water treatment and sewage facilities for the majority of the population. Any disruption of power could leave half of Iraq's population without access to clean water, making them vulnerable to diseases such as diarrhea, cholera and respiratory infections. In fact, this was the cause of the greatest number of deaths in the last Gulf War. Millions of Iraqi civilians already lack access to safe water and sanitation. Oxfam has called on the U.S. to avoid targeting civilian infrastructure and using indiscriminate weapons such as landmines and cluster bombs.

Reliance on civilian relief agencies: U.S. policy in the run-up to the war will make this commitment difficult to realize. The fact is: the U.S. government has not facilitated the conditions that would allow U.S. humanitarian agencies to prepare an adequate response to a humanitarian crisis in Iraq.

U.S. sanctions law requires humanitarian agencies to have U.S. government licenses that permit them to operate in Iraq and some surrounding areas. Although many U.S. humanitarian groups have been trying to obtain licenses since last year, significant delays in the licensing process have prevented them from conducting the humanitarian assessments and pre-positioning that would allow them to prepare for a significant humanitarian response. Even those humanitarian agencies that received grants from the U.S. government to work in Iraq were delayed for months by the licensing process. In response to NGO pressure, new expedited processes were announced recently. They are welcome but it is still too early to tell whether they will be effective or whether they have come in time to allow adequate preparedness before military action.

The U.S. has also weakened the possibility of a civilian-led relief effort by placing the office for the reconstruction of Iraq within the Department of Defense. While the Administration argues that this is simply to facilitate civil-military planning and communications, doing so sends the message to NGOs and others that the Pentagon—not civilians—will be in control of post-conflict Iraq.

The U.S. is staffing the largest Disaster Assistance Response Team (DART) in U.S. history for deployment to Iraq. DARTS work closely with NGOs and UN agencies to implement humanitarian assistance programs. In the case of Iraq, few international NGOs are present and UN personnel are largely limited to overseeing the oil for food program. Given this vacuum and the licensing problems described above, it is difficult to imagine how a relief effort will be civilian led.

Under these conditions, the military may have the only real capacity to meet humanitarian needs. Problems may emerge around the effectiveness and appropriateness of the aid provided, and the blurred lines between military actors and civilian humanitarian actors may affect humanitarian principles of impartiality, endangering NGO staff. Oxfam continues to insist that as soon as security allows, relief and reconstruction efforts must fall under U.N. leadership that is not subordinate to U.S. government or military bodies.

Effective civil-military coordination: The U.S. is supporting offices and positions in the region that will serve to facilitate information exchange and planning be-

tween civilian and military institutions. U.S. officials have pointed to USAID as an appropriate interface between the military and U.S. NGOs. However, the fact that AID is part of the U.S. government—a belligerent force in the potential conflict—is unacceptable to some NGOs concerned that their efforts be perceived as impartial. Oxfam and other humanitarian agencies have been calling for the U.N. to serve as the interface to ensure impartiality and needs-based relief efforts.

While Pentagon officials have met with the U.S. NGO community, they have failed to share details of U.S. humanitarian planning. In fact, promises to declassify plans and share them with U.S. NGOs have not been met. Meetings with both the USAID and military apparatus have provided forums for limited information exchange and have not met planning or coordination purposes.

Facilitating the operations of international organizations and NGOs: Due to their opposition to the war, U.S. allies have failed to fund U.N. agencies' humanitarian preparedness. As of February, the U.N. had received only \$40 million of the \$123 million it said was needed to run a three-month relief operation in Iraq. In addition, few U.S. NGOs have received U.S. government grants at present for humanitarian preparedness and relief in Iraq. Until only recently, U.S. NGOs were told that funds were unavailable.

Pre-positioning supplies: The U.S. has stockpiled emergency supplies for one million people. The pre-positioning pales in comparison to the level of need. To put the number in perspective: nearly 16 million people rely on the oil for food distribution system. The U.S. is also stockpiling nearly 3 million Humanitarian Daily Rations, meal packets like those dropped by air in Afghanistan. In the case of Afghanistan, the U.S. spent \$40 million on food airdrops that weighed 6,000 tons—equivalent to \$7.50 per kilo. The parcels were the same color as cluster bombs, and their contents were not tailored to an Afghan diet. Not surprisingly, they met the needs of only a fraction of the civilian population. By comparison, the average cost per kilo of food provided by the World Food Program was 20 cents, and its provision of wheat, oil, and sugar was designed to meet the long-term, everyday cooking needs of the local population. Humanitarian Daily Rations are not the most appropriate or effective way to ensure relief.

Supporting the resumption of the food ration system: Because of the significant dependence on this system, its preservation is essential. The U.N. reports that household reserves in Iraq are expected to last no more than six weeks and that 460,000 tons of food will be needed per month—4 times the amount that was delivered during the crisis in Afghanistan. Oxfam notes the U.S. commitment to supporting its quick resumption of the program should it be disrupted by military action. However, doing so will be a challenge; as outlined above, Iraq's infrastructure is vulnerable and the system is run by local officials who may flee during a military attack. Failure to resume the program may put lives at risk.

Oxfam is encouraged that the U.S. government recognizes its obligations to protect and assist civilians caught in any conflict in Iraq. It is important that the discussion of the humanitarian costs of war, and how to avoid them, is finally taking place. We remain concerned, however, about the potential human costs of military action. It is unclear that the necessary preparation and conditions are in place to mitigate the worst effects on Iraqi civilians.

