

Lawyer touts alternative to ousting Saddam by force

Plan aims to prevent deadly consequences of armed conflict in Iraq

Nicholas Blanford

Daily Star staff

Chibli Mallat has a plan. Concerned that ousting Saddam Hussein by force could lead to the use of weapons of mass destruction, Mallat, a professor of international law at Universite Saint Joseph, is one of the driving forces behind an initiative to halt the current US-led move toward armed conflict.

The plan, dubbed Democratic Iraq, aims to isolate the apparatus of Saddam's regime by promoting Iraqi opposition leaders, relaxing sanctions that hurt Iraqi citizens but tightening them on the regime leadership, barring the country's military and intelligence from parts of Iraq, and pursuing Saddam's indictment for war crimes.

Backed by a senior UN official, a European ambassador to the UN, a leading member of the Iraqi opposition, and human rights activists, the plan supports forceful measures, but only to back a series of steps to isolate Saddam's regime.

"Everyone is horrified at the thought of weapons of mass destruction being used," Mallat said. The Democratic Iraq plan "would deflect a doomsday scenario which extremists in the area are hoping will develop."

A full-scale US-led assault against Iraq raises the possibility that Saddam might, in a final desperate act of defiance, unleash his arsenal of chemical and biological weapons—possibly against Israel. Israel, which is thought to possess over 200 nuclear missiles, has said that if attacked, it will respond in kind.

"As the war develops, the logic of Saddam using (weapons of mass destruction) is obvious," said Mallat, who has been involved in the campaign to indict Saddam, and is also one of

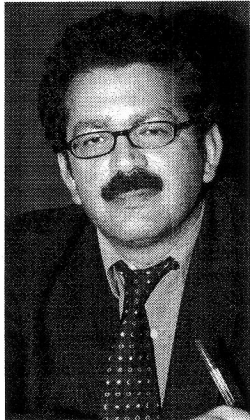


Photo by Mahmoud Khatir

Mallat: deflecting "doomsday"

three lawyers seeking to prosecute Israeli Prime Minister Ariel Sharon for his role in the 1982 Sabra and Shatila massacre.

The initiative aims to create international consensus on switching the emphasis from a military strike to a more amenable approach that would satisfy the Iraqi people.

"The emphasis is on an effective distinction between Saddam and Iraqis," says a memorandum detailing the plan. "Any use of force is... to introduce effective mechanisms for accountability and democracy in the country and to minimize the risk of weapons of mass destruction use by the current government."

The plan calls for continuing threats of military force against Baghdad while giving greater diplomatic exposure to leading Iraqi opposition figures to build their credibility as future leaders. UN sanctions that impact ordinary Iraqis should be relaxed while restrictions are tightened on the regime's leadership. Indicting Saddam for war crimes would further isolate the regime.

"If you indict (Iraqi Deputy Prime Minister) Tariq Aziz, for instance, their diplomacy would be limited and it would make it much more difficult for Arab countries to deal with them," said Salem Shalabi, an Iraqi lawyer based in London. "It delegitimizes (Saddam) and effectively prohibits his ability to maneuver internationally."

The initiative would transform current "no-fly" zones in northern and southern Iraq, which cover two-thirds of the country, into "no-drive" zones denying access to the Iraqi Air Force and the army and intelligence services. Further, it would establish a third "no-drive" zone, linking the northern and southern zones, in the Western Desert along the Syrian border.

The vacuum would be filled by special forces troops with air support to block attempted incursions by the Iraqi Army. Weapons inspectors and human rights monitors would also be deployed in the zones to assist maintaining order.

Mallat said their deployment is key to the plan's success: "They would monitor and prevent uncontrolled acts of revenge and ensure that international standards are the measure of any emerging forces."

The legal basis for establishing the "no-fly" zones would be enshrined in a UN Security Council resolution, authorizing the use of force to protect them.

A member of the Iraqi opposition said the "no-fly" zones could encourage Sunni Muslims to rise up against Saddam.

"The information we are getting from inside (Iraq) is that they (the Sunni population) are worried that they may get wiped out in any restructuring of the state, which is not our intention at all," the source said. "But if you introduce human

rights monitors in the (Shiite-dominated) south and everyone is treated fairly in some interim administration then you would reduce the fears among the Sunnis, and there would be some kind of reaction against Saddam Hussein from (them)."

The deployment of human rights monitors addresses an area that has so far been sidelined in the build-up to war with Iraq, said Joe Stork, the Washington director of the Middle East/North Africa division of Human Rights Watch.

"I'm afraid that the deplorable human rights situation in Iraq has not been a primary factor in guiding the policies of outside powers," he said. "This is regrettable, and I for one would very much welcome any positive change in this direction. A realistic plan to deploy human rights monitors would be helpful."

A leading Iraqi opposition leader confirmed his backing for Democratic Iraq, and said that he had already approached the Bush administration to win support for the deployment of human rights monitors in Iraq.

It is likely to be a tough sell, however. The administration has clearly stated its preference for "regime change" by force.

Juan Cole, professor of history at the University of Michigan, argues that the "more influential hawks" in the Bush administration are closely linked to Israel's Likud Party, "and they wish to remove Saddam because he is the only credible military rival to Israel in the region.

"I do not believe that the Democratic Iraq initiative will be acceptable in Washington," Cole said.

Nonetheless, Bush's UN address Thursday indicated he is willing to accept alternatives for dealing with Saddam besides all-out assault.